

should take up time on things like this, that are so unnecessary and do not relate to the merits of the controversy.

Mr. RAY. I do not question you are legally proceeding, Mr. Chairman.

Mr. PATMAN. Well, if you are not questioning that we are proceeding legally, then what are you protesting?

Mr. RAY. The chairman is exercising the subpoena power.

Mr. PATMAN. That is right; sure.

Mr. RAY. Of a congressional committee.

Mr. PATMAN. Yes, we have the power.

Mr. RAY. I would just wish to see the exercise of the power of the chairman of the Select Committee on Small Business.

Mr. PATMAN. Well, there is no doubt in my mind about it. It is done according to the rules of Congress, so if you are contesting the jurisdiction of this committee or the legality of its proceedings, you have an opportunity to go to the courts with that. You have a copy of the resolution. It confers subpoena power. What more do you want?

Mr. RAY. All further questioning under this subpoena arises from this resolution?

Mr. PATMAN. That is your statement. You have a right to make it.

Mr. RAY. Of the Subcommittee on Foundation Study?

Mr. PATMAN. Yes, sir.

Mr. RAY. Is that correct?

Mr. PATMAN. You have a right to make any statement you desire.

Mr. RAY. I am merely requesting—

Mr. PATMAN. Your efforts seem to be directed in a direction opposite to determining the merits of the controversy. I would suggest that you give us an opportunity to develop the information that we would like to have answers to.

Mr. MOORE. Mr. Chairman, do I understand correctly the counsel's position is that he wants something in writing, a report brought to his attention showing the implementation of—

Mr. RAY. Yes, sir.

Mr. MOORE. (continuing). The power to issue subpoenas in that resolution?

Mr. RAY. This is the resolution which created the Select Committee on Small Business. I would just like to see the resolution of that committee which created this committee.

Mr. MOORE. We will bring that to you in a minute.

Mr. PATMAN. How long have you been employed as counsel?

Mr. RAY. I do not understand the purport of that question.

Mr. PATMAN. Well, the importance is if you had just been employed this morning you would probably have a right to ask us for this information, but, if you had been employed a week or two, a month or two, of course a diligent attorney would have sought that information and obtained it himself.

Mr. RAY. It is quite possible. I have been retained a month or so.

Mr. PATMAN. Well, why haven't you gotten the information before? Why do you wait until the proceedings come up and then delay the proceedings to seek out some detail that you should have gotten a month or two ago? I think we ought to go ahead, if that is all you have to offer. Your objections are overruled.