

Mr. RAY. In its entirety, Mr. Chairman.

Mr. PATMAN. That was returnable the 16th of October. Did you furnish the information?

Mr. RAY. No, sir; we did not. I wish to again express my—

Mr. PATMAN. What was the reaction of the Internal Revenue Service? What did they say about your refusing?

Mr. RAY. At this time, sir, I have had no communication.

Mr. PATMAN. You just did not show up?

Mr. RAY. Show up where?

Mr. PATMAN. The 16th day of October at Barrington, Ill.?

Mr. RAY. Yes, sir; there was a hearing that day, at which Mr. Cornue—

Mr. PATMAN. We have some questions on that.

Mr. MOORE. Mr. Chairman, may I ask the gentleman to pass that subpoena to the table? May I look at it?

Mr. PATMAN. May we have somebody, Mr. Jacques, to help us on these matters?

Mr. RAY. May I continue with our position, our predicament, Mr. Chairman.

Mr. PATMAN. Yes, sir; but I do not want you to filibuster on this thing.

Mr. RAY. I am not. I have about three more—

Mr. PATMAN. We do not allow filibusters in the House. That is over in the other body.

Mr. RAY. I would respectfully request for the public record an opportunity to be heard in Washington by the Commissioner or his appropriate representative to consider the tax-exempt status of ABC before any further conclusions are reached. To my knowledge, the IRS has made no ruling that ABC is not tax exempt. Instead a "criminal investigation" is proceeding, and the trustees have not been informed of what, if any, possible charges there are or could be, and on what basis these charges would be made. There has merely been a summons, a copy of which you have received.

Mr. PATMAN. All right, sir; are you finished?

Mr. RAY. Yes, sir.

Mr. PATMAN. We are trying to get a complete picture of ABC's operations, and you keep tossing "red herrings" at us, Mr. Hayes. No part of our request can possibly jeopardize your position in your problems with the Internal Revenue Service. Nor would the foundations associated with ABC suffer if it became public knowledge that they exist. Thus far we have been unable to find out whether or not they do in fact exist.

Now, your counsel, Mr. Ray—is your name Ray?—

Mr. RAY. Yes, sir.

Mr. PATMAN (continuing). Informed Mr. H. A. Olsher, who is the director of the staff of the foundation study, that ABC refused to furnish the Internal Revenue Service with documents and information requested by the Service and that the IRS served a summons on ABC. Your counsel further stated that subsequently ABC agreed to give the IRS access to its records.

Mr. RAY. I did not make that statement.

Mr. PATMAN. You did not give access?

Mr. RAY. No, sir; I have never made that statement.

Mr. PATMAN. Were you there at the hearing, Mr. Hayes?