

Mr. RAY. Yes, sir; he is.

Mr. MOORE. All right.

Mr. RAY. If that is going to have an impact on the economy and that is what we are looking into——

Mr. MOORE. We are to decide this, sir. You are not to decide what is going to have an impact on the economy. As the counsel to a witness, you are not to presuppose how we are going to use what we elicit from your client. If you want to refuse to answer the questions, do it on some simple, logical, constitutional ground. We will accept it and not argue with you.

Mr. HAYES. Mr. Chairman, I believe I have the right of privacy under the first amendment to the Constitution.

Mr. RAY. He is answering in his capacity as trustee now, gentlemen, subpoenaed to appear before this committee as trustee of ABC.

Mr. CONTE. In reading your trust agreement, I found nothing in it that would invoke that right of secrecy. The only thing that I find would be in the contracts with the foundations that you recommend, give advice to, teach or whatever verbiage you want to use. I find that the applicants sign a contract with you that they will be pledged to secrecy with regard to the foundation.

In other words, it works the other way around. You do not want anyone to know your trade secrets, so therefore you have the individual sign a contract, a membership application, saying that he will not divulge any information to anyone. Is that right?

Mr. RAY. Can he not enter into that agreement?

Mr. CONTE. I am asking you if that is right.

Mr. RAY. I believe he does enter. It did enter into that.

Mr. CONTE. He certainly does. It is right in this document here, "Americans Building Constitutionally, a Trust Membership Application and Sponsoring Agreement."

Mr. RAY. That is a sponsoring agreement to ABC. That contract does not run to ABC. It runs to the organization which sponsors that member.

Mr. CONTE. Who is that?

Mr. RAY. To ABC. Whatever qualified 501C3 or whatever the tax-exempt organization.

Mr. CONTE. Do you use your own committees as sponsors?

Mr. RAY. Do we use our own committees?

Mr. CONTE. Yes.

Mr. RAY. We have no committees.

Mr. CONTE. How about your own foundation? Does that act as a sponsor?

Mr. RAY. It could. I as an individual can sponsor someone else if I were a member of ABC to become a member of ABC.

Mr. CONTE. Let me ask Mr. Hayes that question.

Have you ever sponsored anyone to become a member?

Mr. HAYES. Yes; I have.

Mr. CONTE. Could you name a few of them?

Mr. HAYES. No. As trustee I cannot reveal that information.

Mr. CONTE. You do this as a trustee or under the first amendment? Do you plead the first amendment here?

Mr. RAY. No. Why?

Mr. HAYES. My right to privacy, sir.