

Mr. CONTE. I think you are wrong. I think I have proven that you are wrong, and I think your own counsel has proven that you are wrong. We are on solid ground to ask you these questions and to subpoena these records. Yet you will not plead the Constitution. You plead the right of privacy, and I say that you are wrong.

Mr. HAYES. I did plead the Constitution.

Mr. CONTE. I certainly feel that you are getting yourself in a pail of hot water here.

Mr. RAY. I believe the first amendment refers to the freedom of speech and press.

Mr. CONTE. Why does he not plead the first amendment?

Mr. RAY. He has.

Mr. HAYES. I did.

Mr. CONTE. You pled the first amendment on that question?

Mr. HAYES. Yes; I did.

Mr. RAY. His right to privacy is guaranteed.

Mr. PATMAN. As I understand it, he pleads the first amendment for his failure to answer all the questions yesterday and today.

Mr. RAY. No, sir. He is claiming his right to privacy.

Mr. PATMAN. You claim that is the first amendment. Now what you are doing, are you pleading the first amendment or not?

Mr. RAY. Would you ask a specific question?

Mr. PATMAN. Yes. Are you pleading the first amendment in your failure to answer the questions yesterday and today? Are you or are you not?

Mr. HAYES. I did not plead the first amendment yesterday.

Mr. PATMAN. Do you now plead it?

Mr. RAY. On what basis? Let's have grounds.

Mr. PATMAN. On the basis of what you say, that it is a privilege that he does not have to disclose certain things as trustee.

Mr. CONTE. Mr. Hayes, may I ask you a question? The committee has requested by letters dated October 3, 1967, and October 25, 1967, that you furnish us certain documents and information relating to the history and the operation of ABC, the R. D. Hayes Family Foundation and the Sales Analysis Institute Foundation.

Will you please now send up the information and documents described in the attachment which accompanied our requests of October 3 and October 25? Will you send that up?

Mr. RAY. Pardon me, sir?

Mr. CONTE. Will you send that material up?

Mr. RAY. These are just your letters from the committee, sent by Chairman Patman to the R. D. Hayes Family Foundation and to the Sales Analysis Institute Foundation. And you referred to a letter of?

Mr. CONTE. October 3 and October 25.

Mr. RAY. Of October 25. I have a letter to Mr. Robert D. Hayes as trustee of Americans Building Constitutionally.

Mr. CONTE. Right. You have an attachment there, attachment A.

Mr. PATMAN. The attachment defines and indicates the type information that is desired by the committee.

Mr. RAY. So you are requesting by these three letters three different things: The information attached. This letter is addressed to Mr. Robert D. Hayes.

Mr. CONTE. Right.