

Mr. CONTE. You cannot ask the committee. The committee has asked you for some information. The chairman has asked you for some information. We want an answer.

Mr. RAY. The Supreme Court states that the pertinency of the question as it relates to the purpose clause which created this committee must be made extremely clear.

Mr. IRWIN. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. Will the gentleman yield?

Mr. CONTE. Yes, I yield.

Mr. IRWIN. It is not for counsel to decide whether this is pertinent to the committee or not. Eventually the courts will have to decide whether it is or not, and you have been directed to answer. Now I think you had better take that into consideration. You are not the judge of whether it is pertinent or not. We think that it is.

Mr. CONTE. Exactly right.

Mr. IRWIN. Now we may be wrong, and the court can decide that, but not you.

Mr. RAY. I fully agree with you, sir. I only state that the Supreme Court has said that in order for a man to be able to understand what is being asked of him, he has the right to demand the pertinency of the question as it relates to the reasons for which this committee is questioning—

Mr. CONTE. Counsel, may I interrupt you?

From H.R. 53, which created this committee, let me read just one paragraph. There are many more.

To study and investigate problems of small business enterprises generally, and to obtain all facts possible in relation thereto which will not only be of public interest but which would aid the Congress in enacting remedial legislation.

Mr. IRWIN. There it is.

Mr. CONTE. Now, will you answer the question?

Mr. RAY. I believe we are appearing before the Subcommittee for Foundation Study, not the Select Committee on Small Business.

Mr. PATMAN. So what? That is it.

Mr. MOORE. Do you attack the legitimacy of the subcommittee? How does the Congress set up a subcommittee, if it does not first generate a full committee.

Mr. RAY. It confers the power on the full committee. The full committee then confers power on subcommittees to do some of its work. I fully understand that.

Mr. MOORE. That is why we are here.

Mr. RAY. I would like to see the conferring of power on the subcommittee.

Mr. PATMAN. If the gentleman is trying to delay this procedure for the purpose of maybe letting it kind of dry up on the vine, his efforts will be in vain. We are going to keep this going until we get the facts one way or another, and not only this week but next week and next week and whenever we have time to do it. We are going to continue on, so you are not getting anywhere by delay on frivolous matters.

Mr. RAY. We are not—

Mr. PATMAN. I respect you for any constitutional privilege you want to claim or any other privilege that is valid and legal and con-