

Mr. PATMAN. By whom?

Mr. HAYES. By the member.

Mr. PATMAN. Well, that is a foundation, isn't it?

Mr. HAYES. It could be, yes.

Mr. PATMAN. It could be? Wouldn't it have to be?

Mr. HAYES. Not necessarily.

Mr. PATMAN. Well, the members are the ones who employ the counsel and the members are foundations, aren't they?

Mr. HAYES. They can pay legal fees or they may put it in other ways.

Mr. PATMAN. Mr. Hayes, of course you have a right to answer these as you choose, but it seems to me that you are going in a roundabout way and unnecessarily——

Mr. HAYES. No.

Mr. PATMAN. Consuming time, because we know——

Mr. HAYES. Mr. Chairman, I am doing my best to be accurate.

Mr. PATMAN. We know a lot of this to be correct. I wouldn't say you are evading questions but you are not being as forthright as I would expect you to be for a witness as knowledgeable as you are. I hope that you will be forthright with us.

Mr. RAY. Mr. Hayes is attempting to be, Mr. Chairman. The questions have not been put in a proper manner. He doesn't——

Mr. PATMAN. Well, of course, we know a little about this too.

Mr. RAY. A little.

Mr. PATMAN. Does an associate counsel assist in the creation of foundations that are connected with ABC?

Mr. HAYES. Yes, I would say so.

Mr. PATMAN. Is an associate counsel as the term is used by ABC, a specialist in ABC procedures?

Mr. HAYES. He usually is aware of the procedures; yes.

Mr. PATMAN. And he has been trained through the seminars and in other ways I assume.

Mr. HAYES. Not always. Sometimes.

Mr. PATMAN. Do you have one in each State?

Mr. HAYES. No, no.

Mr. PATMAN. What function does an associate counsel serve? Just look after the foundations——

Mr. HAYES. The same as any lawyer.

Mr. PATMAN (continuing). Legal work for the foundation.

Mr. HAYES. Correct.

Mr. PATMAN. The member foundation.

Mr. HAYES. I would say so.

Mr. PATMAN. Yes. Is a member of ABC obligated to use that organization's associate counsel?

Mr. HAYES. No.

Mr. PATMAN. Who pays the attorney for the work he does in setting up an applicant's foundation? Does the applicant pay it? Does the foundation pay it or does ABC pay it?

Mr. HAYES. This depends on the nature of the——

Mr. PATMAN. Well, from what you have told us in the past, I would assume that the foundation pays it.

Mr. HAYES. This is right.

Mr. PATMAN. That is right, isn't it?