

I submit that House Resolution 53 runs afoul of the principles announced by the U.S. Supreme Court in cases such as *Kilborn v. Thompson*, 101 U.S. 168, an 1881 case; and *Swazey v. New Hampshire*, 354 U.S. 234—a 1957 case.

The vagueness of this resolution creates the further problem to which I have alluded before. I am unable to determine, and my clients are unable to determine whether the subcommittee is authorized to conduct the present investigation, and whether questions put to them are pertinent to an authorized subject matter.

Despite their misgivings and mine as to the legality of these hearings and my uncertainty as to just what is being investigated, we have co-operated to the utmost with this subcommittee, except when I have been prevented from doing so with Mr. Hayes from performing his fiduciary obligations and protecting his constitutional rights and the members of ABC.

It has become increasingly clear that Mr. Hayes and my clients' presence before this subcommittee serves no purpose other than to permit the subcommittee to heap scorn and ridicule upon Mr. Hayes personally and upon the ideas and organizations which he represents and of which he is a symbol.

The subcommittee has violated his rights and those of his associates and the members and potential members of ABC under article I section 9 of the U.S. Constitution and the first, fourth, fifth, sixth, eighth, ninth, 10th and 14th amendments to the U.S. Constitution.

Mr. PATMAN. Did you say the fifth in there?

Mr. RAY. The subcommittee has violated Mr. Hayes' rights and those of his associates and the members and potential members of ABC under article I, section 9, of the U.S. Constitution and the first, fourth, fifth, sixth, eighth, ninth, 10th and 14th amendments to the U.S. Constitution.

Notwithstanding the serious incursions upon their constitutional rights, and upon the constitutional rights of those who have similar beliefs and ideals, Mr. Hayes and I will continue to attempt to answer any questions which the subcommittee may put pertaining to technical aspects of tax-free foundations, of which we have knowledge.

We will, however, respectfully continue to decline to answer questions or produce information with respect to the identity of members of ABC.

Mr. Hayes and I expressly state that our participation in these hearings heretofore and hereafter is not to be deemed a waiver of any of the objections made by Mr. Hayes or by me to the authority and methods of the subcommittee and its parent select committee. Those are the grounds for my objections.

Mr. PATMAN. Those are the grounds. And you represent Mr. Walsh, too, as well as Mr. Hayes?

Mr. RAY. That is correct, Mr. Patman.

Mr. PATMAN. Well, your objections are overruled, and Mr. Walsh, you are directed to answer this question.

Mr. WALSH. And I am going to stand on that statement, Mr. Patman, as my statement.

Mr. PATMAN. What was the value of the Walsh Family Foundation?

Mr. WALSH. I am going to stand silent.

Mr. PATMAN. What is that?