

Mr. Dellums with Mr. Marlenee.  
 Ms. Mikulski with Mr. Evans of Delaware.  
 Mr. McCormack with Mr. Charles Wilson of Texas.  
 Mr. Staggers with Mr. Symms.  
 Mr. Roe with Mr. Fisher.

So the resolution was agreed to.  
 The result of the vote was announced, as above recorded.  
 A motion to reconsider was laid on the table.

**REQUEST FOR PERMISSION FOR SUBCOMMITTEE ON CENSUS AND POPULATION OF THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO SIT TODAY WHILE HOUSE IS IN SESSION**

Mr. LEHMAN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Census and Population of the Committee on Post Office and Civil Service may be permitted to continue to hold hearings and to take testimony today while the House is in session.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. ROUSSELOT. Reserving the right to object, Mr. Speaker, I realize that originally the House leadership had asked and we were scheduled to meet at 3 p.m. today and that that made it difficult for subcommittees which had already scheduled meetings during the early afternoon.

However, Mr. Speaker, as my distinguished chairman will understand, I am constrained to object to the request, which I think the gentleman will understand, because this is a critical issue that we are debating.

Therefore, Mr. Speaker, I would ask my colleague, the gentleman from Florida (Mr. LEHMAN) to withdraw his request.

Mr. LEHMAN. If the gentleman will yield, Mr. Speaker, at the request of the distinguished ranking member of the subcommittee, I will withdraw my request and reschedule the hearing.

**PROVIDING FOR THE CONTINUATION OF THE SELECT COMMITTEE ON ASSASSINATIONS**

Mr. BOLLING. Mr. Speaker, pursuant to the provisions of House Resolution 445, I call up House Resolution 433 and ask for its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 433

*Resolved*, That the Select Committee on Assassinations (hereinafter referred to in this resolution as the "select committee"), established by H. Res. 222, Ninety-fifth Congress, adopted February 2, 1977, shall continue in operation for the duration of the Ninety-fifth Congress.

Sec. 2. The select committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House

is not in session shall be filed with the Clerk of the House.

Sec. 3. The provisions of H. Res. 222, Ninety-fifth Congress, adopted February 2, 1977, shall apply to the select committee during the period of its operation under this resolution, except to the extent such provisions are inconsistent with any provision of this resolution. For the purpose of carrying out H. Res. 222, the select committee is also authorized to bring, defend, and intervene in lawsuits and make applications to courts.

Sec. 4. The provisions of H. Res. 11, Ninety-fifth Congress, shall not apply to the select committee after March 31, 1977.

**COMMITTEE AMENDMENT**

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Beginning on page 2, line 8, strike out all of Section 4.

The committee amendment was agreed to.

Mr. BOLLING. Mr. Speaker, I move to strike the last word.

The SPEAKER. The gentleman from Missouri (Mr. BOLLING) is recognized for 5 minutes.

Mr. BOLLING. Mr. Speaker, I do not intend to take any time except to say that amendments are now in order and that I intend to honor the agreement that I made earlier that I would not move the previous question until I felt the House was ready.

Therefore, Mr. Speaker, I would suggest that anybody who has an amendment might offer his amendment at this time. I have no amendments.

Mr. PICKLE. Mr. Speaker, I move to strike the requisite number of words.

(Mr. PICKLE asked and was given permission to revise and extend his remarks.)

Mr. PICKLE. Mr. Speaker, I would ask the chairman of the committee whether he has any requests for time or requests to offer amendments, or does the gentleman wish to take time to discuss the bill by section and in detail.

Mr. BOLLING. Mr. Speaker, if the gentleman will yield, I would say that I have no requests for time from any Member. I know of only one amendment that possibly would be offered. I have no desire to delay this matter. I am ready to vote at any time.

Mr. PICKLE. Mr. Speaker, my question actually was addressed to the chairman of the Select Committee, the gentleman from Ohio (Mr. STOKES) as to whether he had any requests for time or if he wanted to take any time.

Mr. BOLLING. I think the answer to that inquiry would be no. I think the gentleman from Ohio would intend to respond, as I did, if questions are to be asked or if the amendments are offered, or if there are statements made that need responses. But we have debated this at some length earlier.

Mr. PICKLE. I thank the gentleman.

Mr. Speaker, earlier I told the House that I had planned to offer a substitute or amendments to this bill and the rule would so provide. I also told the Members a few minutes ago that I thought it might be best, at this point, to have a straight vote of yes or no on the resolu-

tion. I believe that gets to the issue at hand at this stage of debate, whereas it was originally a question of Mr. Sprague and his conduct and our doubts and our suspicions and uncertainty about him. However now that issue has been removed.

The question is really do we renew this committee? Do we keep it alive?

As I told the Members of the House a few minutes ago, if the rule had failed, I would offer a bill and introduce it that would provide that the Attorney General would establish a task force to consider this matter further.

The rule did pass so my request to vote "no" did not prevail. I can understand this because many of the Members have commented that they would vote "aye" on the rule and then vote "no" on the resolution. I accept that.

I hope the Members will listen to what I say because I am trying hard to make what I believe is a constructive approach to this proposition. I have a bill drawn up here that would direct the Attorney General to establish a task force in the Department of Justice to further investigate and study the assassinations and deaths of John F. Kennedy and Martin Luther King, Jr. I would assume that the bill would be referred to a regular committee and would proceed under regular order.

Another section of the bill also provides that there will be \$1.5 million appropriated to carry out the purposes of the proposed act. And if any Member later would want to offer an amendment that would provide for an extension of 30 days for the present staff to continue, I would accept that.

It is my firm conviction with all of the charges, the changes, the accusations, the denials, the doubts and the suspicions, that the best thing for us to do is to put this investigation back at the appropriate place where it belongs and let them. Justice, carry out what we hope might be a full and complete investigation.

So if the Members vote no on the resolution, this does not mean that all is gone or all investigation is stopped. It simply is an attempt to direct the investigation now and send it to the Department of Justice. Some Members will comment that the Department of Justice had looked at this before, and that is true. They just issued a recent report that had been compiled under the past administration, and that general conclusion was that with respect to the Martin Luther King assassination, the assassin acted independently.

The present administration, the present Department of Justice, points out that that was a report prepared by Attorney General Levi, submitted to the Congress as ordered, and each Member could draw his own conclusion. It was not and is not a definitive final expression of the Department of Justice under Attorney General Bell. The Department of Justice is not asking for this approach, but the Department of Justice has been asked and will they proceed? Can they proceed? Do they feel that they could carry out this order in



proper fashion? The Department of Justice has said, yes, if the House of Representatives gives us this request, we will undertake it immediately and forthrightly. So I think that is the better approach to take. Many Members honestly feel that with a new chairman and with new rules, with the cost cut down now to \$2.7 million per annum instead of a total of \$13 million, we can proceed now in a regular and orderly fashion. That may be, but a much better approach would be to allow for the appropriation of \$1.5 million and turn this over to the Department of Justice. We have to ask ourselves after several months of wild if not reckless charges the question that the American people must ask themselves: Can any good be accomplished by this investigation under this present established procedure? I think the American people are always going to have doubts that if we proceed as established now that we could ever reach any kind of satisfactory accord. We would always be in doubt.

This investigating committee is a sick cat. I do not think we can mend it or patch it up or squirt some high-life medicine in it. I think the best thing to do is send it to the Department of Justice, which really ought to be doing it right now. I think that is by far the best approach under the circumstances.

So, Mr. Speaker, instead of offering amendments or a substitute that might or might not be germane, I think the House might as well go ahead in whatever order they think and take a vote on the resolution. I have come to the conclusion that it is best to vote no on the resolution, send this to the Department of Justice, and let them proceed in an orderly manner. I have supported the resolution previously, but I do not think we can do this job now under the present climate, and I think it is best to turn it over to the Department of Justice. That is my hope in asking that the Members vote no on the resolution.

Mr. TREEN. Mr. Speaker, I move to strike the requisite number of words.

I have asked for this time in order to make some inquiry of the chairman of the committee. Before doing that, though, I would like to state that I have supported this committee. I supported its original creation, and I supported the extension until March 31. But I have several questions that I would like to have answered that will help me in making a decision on the resolution; I am undecided at this time.

Mr. Sprague, according to a wire service, resigned either last night or this morning. Did he give any reasons for his resignation that the chairman can share with the House?

Mr. STOKES. If the gentleman will yield, Mr. Sprague said that he did not in any way want to be an impediment. I want to read specifically from his letter of resignation which reads as follows:

Dear Mr. Chairman and members: I am hereby submitting my resignation effective immediately as Chief Counsel and Staff Director of the House Select Committee on Assassinations. I do so with the hope that the Congress can now proceed with the chal-

lenge of seeing that these investigations are pursued promptly.

Mr. TREEN. I thank the chairman.

Did Mr. Sprague at any time indicate that he did not think that the funding expected to be requested by the committee would be sufficient to do a thorough and adequate job? Was part of his reason for resigning his belief that he did not think the committee would get enough money to do an adequate job?

Mr. STOKES. No, sir. He was asked specifically about this new budget before he left and as to whether or not the investigation in his opinion could be conducted for that sum of money, and he said he had deferred to both of the counsel who head up the individual investigations who felt that in their opinion it could be done, and he accepted that.

Mr. TREEN. The original budget was about \$6.5 million. That was the original idea, and was that for the entire Congress or was that for only one session?

Mr. STOKES. That was for one session. A total of \$13 million was proposed for the full Congress.

Mr. TREEN. And the proposed budget is now what, about \$5 million for the 2 years?

Mr. STOKES. For the first year we are proposing or projecting \$2.7 million.

Mr. TREEN. Yes.

Mr. STOKES. Part of which is, of course, reduced by our having to pay back to the contingency fund of the House, which is about \$2.5 million, and we estimated the second year would be somewhere in the same neighborhood.

Mr. TREEN. I would say to the chairman, and the House, my reason for previously supporting the committee may perhaps be similar to that of others, and that is, while I do not know that the committee will turn up anything, I have felt that this is a subject of such importance to the American public that we should have an investigation for that reason. I personally think there are some questions about the King murder that do need answering. But I am concerned about us authorizing this money and the continuation of the committee and then at the end having someone say: "We did not have enough money to do the job right." If that occurs, my purpose and the purpose, perhaps, of others will be frustrated in that we will have had the investigation and then we will still have some people say: "We did not have sufficient authority and we did not have sufficient funds."

My question is, Mr. Chairman: Are you satisfied sincerely that under your budget you will be able to do an adequate job, a thorough job of investigation, that you have the authority by virtue of this resolution and the previous resolution, which is also part of it, to do a thorough job in these two areas?

Mr. STOKES. I can say to the gentleman that the task force under the chairmanship of the gentleman from North Carolina (Mr. PREYER) expended a great deal of time inquiring into the various concerns that this gentleman has and when the task force came back it was evident to us that they had laboriously inquired into the situation. They felt,

they assured members of our committee, that given this amount of funds they could do the job that needed to be done.

Mr. TREEN. Do you, Mr. Chairman, specifically feel you have the authority, and with this budget, assuming that it is approved, this committee has the authority and the power to do a thorough job? Do you feel that way?

Mr. STOKES. Yes, I do, sir.

Mr. TREEN. I thank the gentleman.

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

Mr. TREEN. I yield to the gentleman from New York.

Mr. BIAGGI. I thank the gentleman from Louisiana for yielding.

In response to your threshold question as to the reason why perhaps Mr. Sprague resigned, first I would like the Record to show I supported the resolution and I support it again, but I was disinclined to support it with the presence of Sprague as counsel.

I would suggest that as a result of the head check made it appeared that the resolution was doomed and only Mr. Sprague's resignation could possibly have saved this committee. And it is my conclusion that he resigned in order to save this committee or at least give it a chance of survival.

(Mr. TREEN asked and was given permission to revise and extend his remarks.)

Mr. FITHIAN. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, let me respond briefly to the surmise of the gentleman from New York, Congressman Biaggi, to say that on behalf of the committee I conducted an unofficial whip count. It was the dedication of the previous counsel to the concept that the investigation ought to go forward, and it was the feeling that the vote was very, very close and the vote today might well end the committee's investigation. This led Mr. Sprague to resign. The gentleman from New York (Mr. Biaggi) is entirely correct.

This has been indicated in the general debate on the rule. He was not resigning as a result of charges against him.

I would like now briefly to speak to the observations of the gentleman from Texas (Mr. PICKLES) that we, perhaps, ought to let the Justice Department conduct a reinvestigation. Now, I am not one who is opposed to the FBI and I am certainly not here to in any way impugn any Government organization. I am here, however, to argue the case that it would be a very bad judgment call on the part of the House, it would be bad on two grounds: One, that the House having started an investigation should now indicate by its vote that we will not abandon this investigation and go our separate ways in the hopes that at some future date the bill of the gentleman from Texas would be introduced, would be acted upon favorably and that the Justice Department would then pursue that action.

There are just too many "ifs" in that equation.

Now, let me turn to one item which I think might be of interest to the House and that is the recent release of a special



task force to review the Martin Luther King, Jr., security and assassination investigation and the report by the Department of Justice. I was reading this report one evening and was startled when I discovered these inconsistencies on two pages facing each other. The pages are 98 and 99. On page 98 they are talking about how James Earl Ray came by his expense money by which he bought cars and paid for them in cash and any other number of expenditures that total probably \$9,000 and perhaps as much as \$10,500. His only known income was \$600 from washing dishes in Winnetka, Ill. This is the Justice Department's report and this is what they say:

These expenditures suggested that he, Ray, had financial assistance and, hence, possible coconspirators. Therefore, the Bureau was particularly interested in determining his sources of income. On April 23, 1968, the Director advised all field divisions to consider Ray as a suspect in any unsolved bank robberies, burglaries or armed robberies occurring after April 23, 1967 (which was his escape from the penitentiary.) The results were negative.

Now, what we are saying is that they put the entire network of the FBI to work to see if James Earl Ray was a suspect in any robbery or burglary that could have been done by him with the money. Their own conclusion is that "the results were negative."

Imagine my concern when over on page 99 at the bottom of the page I found this:

It is the Bureau's opinion that Ray most likely committed on a periodic basis several robberies or burglaries during this period in order to support himself. Ray's criminal background does lend credence to this theory.

Our problem, of course, is we must recognize that if the committee is going to carry out the mandate of the House to look into the processes of the Government and see whether or not all information was transmitted to the Warren Commission or all information was available in the investigation of Dr. King's death. Then, clearly, if that is one of our mandates, we may need to come back to the House and indicate legislative correction which would be the responsibility of the House. But my question is how do we ask the FBI to investigate itself? That is one of the questions at issue here.

It would seem to me that we took the right course last September in authorizing the investigation. It seems to me that we reaffirmed that course in February and it seems to me that we ought to reinforce it again today. If we oppose the investigation, if we oppose the work of the committee and the investigators, on whatever substantive grounds, we should know what we are doing.

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired.

(By unanimous consent, Mr. FITZHIAN was allowed to proceed for 1 additional minute.)

Mr. FITZHIAN. Mr. Speaker, if someone opposes sincerely on the basis of substance the House going into this investigation, then he should vote no, but not on the basis of some possible future action by the Justice Department.

If the Members favor the House going

into this, then their position is to vote yes. It seems to me that we ought to keep focus this afternoon and make that decision not on the case of the former chairman versus the former chief counsel; not on the case of whether at some future date the Justice Department may take this up, but on the facts and realities which face this House today; that is, are we or are we not going to carry out the mandates of two preceding resolutions and carry on the investigations into these two murders.

Mr. Speaker, I would urge the Members to vote yes on the resolution on final passage.

AMENDMENT OFFERED BY MR. BAUMAN

Mr. BAUMAN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BAUMAN: On page 2, add the following new section:

"Sec. 5. The provisions of clause 6(a) (3) of rule XI of the Rules of the House of Representatives shall apply to the select committee."

Mr. BOLLING. Mr. Speaker, will the gentleman yield?

Mr. BAUMAN. I yield to the gentleman from Missouri.

Mr. BOLLING. If the gentleman will make one minor correction as follows: We have stricken section 4, and the gentleman has section 5 in his amendment; it should be section 4.

If I understand it correctly, this is the one that goes directly to the matter of staffing and the manner in which the members of the committee will staff itself. I am advised by the members of the select committee—and I agree with them—that this amendment is a good amendment and should be accepted.

Mr. BAUMAN. I thank the gentleman.

Mr. Speaker, I ask unanimous consent that the amendment be modified so that it reads "Sec. 4" instead of "Sec. 5".

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. BAUMAN. Mr. Speaker, I will just explain to the membership that the amendment does nothing more than write into the resolution the guarantee the chairman of the select committee gave us, that all future employees of the committee will be employed full time as members of the staff, and will not be engaged in any other outside activity.

The SPEAKER pro tempore (Mr. MOAKLEY). The question is on the amendment offered by the gentleman from Maryland, as modified.

The amendment, as modified, was agreed to.

Mr. HIGHTOWER. Mr. Speaker, I move to strike the last word.

Mr. Speaker, I ask for time in order to propound some questions to the gentleman from Ohio (Mr. STOKES), chairman of the committee.

Mr. Chairman, as I understand it, Mr. Sprague's resignation was clear and unequivocal. Has the committee met and accepted the resignation?

Mr. STOKES. If the gentleman will yield, I will say to the gentleman that we met at 10 a.m. this morning in an

open session of the committee and the vote was taken. The vote was 11 to 1 to accept his resignation.

Mr. HIGHTOWER. Has the committee adopted rules in regard to hiring practices, future hiring practices?

Mr. STOKES. Yes, we have.

Mr. HIGHTOWER. Does the chairman have the authority to hire and fire staff members now?

Mr. STOKES. The committee has full authority over all hiring and firing. That is in our rules.

Mr. HIGHTOWER. It would take an act of the full committee to hire and fire any staff employee?

Mr. STOKES. Under the present rules. Mr. HIGHTOWER. I understand. It would appear that the resignation is clear and unequivocal. Can we have the assurance of the chairman that at some future time Mr. Sprague will not be coming back to the committee?

Mr. STOKES. The gentleman has my complete assurance on that.

Mr. HIGHTOWER. In any capacity, as adviser, consultant, counsel or full time, part time—in any capacity?

Mr. STOKES. The gentleman has my full assurance on that.

Mr. HIGHTOWER. I thank the chairman.

Mr. RUDD. Mr. Speaker, I move to strike the requisite number of words.

(Mr. RUDD asked and was given permission to revise and extend his remarks.)

Mr. RUDD. Mr. Speaker, I would like to commend the gentleman from Texas for his assurance that in the event this resolution goes down to defeat, the bill will be introduced to permit professionals to become involved and conduct this investigation with full force and vigor.

Mr. Speaker, I rise to oppose continuation of the House Select Committee on Assassinations.

This matter has been a considerable controversy in the House. I have talked to some of the committee's members, and met one evening with several of the committee staff to discuss the many serious reservations and doubts I had about continuation of the committee.

These doubts and concerns have not been dispelled.

First, there is the question of a congressional committee attempting to review evidence of crimes that are 13 and 8 years old respectively.

The world's best law enforcement and investigative professionals have collected and reviewed evidence, and no new evidence has since been uncovered to change the original verdicts in these cases.

The trail of evidence is now stone cold. Efforts of this congressional committee to review the evidence or uncover new evidence in the case of either the President Kennedy or Martin Luther King assassinations are efforts in futility.

The fact that no new hard evidence has been uncovered to date by this committee should be reason enough to abandon this report. The only product of the committee's work has been sensational and wild speculation generated by its activities.



A classic example of this sensationalism and wild speculation is reaction to the suicide yesterday of George de Mohrenschildt, the 65-year-old professor at Bishop College in Texas.

The committee staff had been trying to reach Professor De Mohrenschildt in connection with his statements that he had new information about Lee Harvey Oswald and the President Kennedy murder.

The statements had been published by a Dutch journalist, but Professor De Mohrenschildt apparently shot himself after wide publicity and attempts by the committee to get further information.

Proponents of the committee's continuation, including the news media who will benefit from such sensational stories, are citing this new development as prima facie evidence that the House should continue the work of the committee.

This is an attempt to railroad Congress, and to deceive the American public.

What we are not told is that, according to a March 20 newsstory in the Dallas Morning News, Professor De Mohrenschildt was recently admitted to the psychiatric unit at Parkland Memorial Hospital after his wife filed papers to force his commitment as a mental patient.

This apparent suicide victim was confined as a mental patient at Parkland from November 9 to December 30, 1976.

He made his unsubstantiated statements to the Dutch journalist after his release from the psychiatric unit—resulting in the international newsstories that brought him to the attention of the select committee.

Mr. Speaker, I would like to include the newsstory from the Dallas Morning News at this point in the RECORD:

MENTAL ILLS OF OSWALD CONFIDANT TOLD  
(By Earl Golz)

George de Mohrenschildt was having mental problems shortly before he told a Dutch journalist last month he knew in advance Lee Harvey Oswald was going to assassinate President John F. Kennedy, The Dallas News has learned.

The 65-year-old Bishop College French professor agreed to commit himself to the psychiatric unit of Parkland Memorial Hospital last Nov. 9 after his wife filed court papers to force commitment, Dallas County Mental Illness Departmental records show.

The hospital said De Mohrenschildt was released from the psychiatric unit about eight weeks later on Dec. 30, but declined to give information about his examination.

The hospital did not refer De Mohrenschildt to the County Evaluation Center for further examination, which indicated he was not considered harmful to himself or others.

The House Assassinations Committee last Tuesday quizzed a Dutch journalist and longtime De Mohrenschildt friend, Willem Oltmans, who said he had interviewed De Mohrenschildt last month at Bishop College. Oltmans did not say whether he had known of De Mohrenschildt's previous mental problems.

Oltmans quoted De Mohrenschildt as saying he knew in advance what Oswald was going to do before the assassination in Dallas Nov. 22, 1963.

"He said to me, 'How do you think the

media would react if I came out and said that I feel responsible for Oswald's behavior,'" Oltmans said.

The Oltmans interview developed into a national news story and sent investigators from the congressional committee scurrying to Dallas in search of De Mohrenschildt and his acquaintances. As of Friday, however, the probers had not inquired about his records with the Dallas County Mental Illness Department.

In response to a request from The Dallas News, which asked that court records regarding De Mohrenschildt's mental illness proceedings be made accessible because such action is "in the public interest," Probate Judge Joseph E. Ashmore Jr. did so.

Congressional committee investigators have been working on the De Mohrenschildt case under the impression he disappeared after he left Bishop College March 1. Oltmans told the probers he accompanied De Mohrenschildt to Europe after he left the college on a leave of absence of several days, and then lost contact with him.

Bishop College officials said while De Mohrenschildt had not been heard from, they still expect him to return after the school's spring vacation ends Monday.

De Mohrenschildt, who was born in Russia, was questioned at length before the Warren Commission in April, 1964, because of his friendship with Oswald months before the assassination. Then a petroleum engineer, he had befriended Oswald and his wife when they arrived in the Dallas-Fort Worth area in 1962 from Russia.

Mr. and Mrs. De Mohrenschildt had left for Haiti in connection with the oil business seven months before the assassination and were living there when it happened.

One of the fascinating aspects of De Mohrenschildt to the Warren Commission was his personal acquaintance with both Oswald and the mother of President Kennedy's widow, Jacqueline. During his 10 hours of testimony, he acknowledged he had written a letter to Mrs. Hugh Auchincloss, Dec. 12, 1963, expressing his sympathies after the assassination.

De Mohrenschildt told the commission he had met and become friends with Mrs. Auchincloss at Belport, Long Island, in 1939, within a year after he arrived in this country from Russia. He said he also met Jacqueline at the same time when she was a little girl.

In his letter to Mrs. Auchincloss, De Mohrenschildt stated he still had "a lingering doubt, notwithstanding all the evidence, of Oswald's guilt."

De Mohrenschildt told the commission he "will have the lingering doubt for the rest of my life . . . mainly because he (Oswald) did not have any permanent animosity for President Kennedy."

Mrs. Auchincloss later wrote back to De Mohrenschildt saying, "It seems extraordinary to me that you knew Oswald and that you knew Jackie as a child. It is certainly a very strange world." She added, "I hope, too, that Mrs. Oswald will not suffer."

Such an incident should warn us that this committee, if continued, will inspire those of questionable responsibility who want to obtain publicity or promote their own self-serving causes through nationwide notoriety.

I am also most concerned about the unprecedented and ambiguous provision of House Resolution 433, which grants the committee standing to sue or intervene in lawsuits in Federal courts.

This is obviously designed to allow the committee and its staff to file motions for grand jury data, and to make motions

generally to bring lawsuits and intervene in lawsuits to get its views on the public record.

I have been informed by the American Law Division of the Library of Congress that such authority has never before been granted to a House committee. There is no general jurisdictional statute for Federal courts to hear suits brought by congressional committees.

The authority is therefore obviously being sought as an open mandate for the committee to have fishing expeditions into grand jury testimony and other data.

Much of this material is often hearsay and otherwise not acceptable evidence in a court of law.

Access to such material by this committee will not serve the cause of truth and justice, but will only further fan the flames of hearsay, rumor, and sensationalism.

I urge defeat of this resolution and the prompt termination of the Select Committee on Assassinations.

The SPEAKER pro tempore (Mr. MOAKLEY). The time of the gentleman from Arizona (Mr. RUDD) has expired.

(On request of Mr. PICKLE and by unanimous consent, Mr. RUDD was allowed to proceed for 1 additional minute.)

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. RUDD. I yield to the gentleman from Texas.

Mr. PICKLE. Mr. Speaker, I appreciate the gentleman's reference to the fact that he would support the approach I have recommended.

The gentleman from Indiana (Mr. FITZIAN) also asked why I have not already introduce this bill. I take this time to clear up that point by saying that under the rule under which we are debating this resolution I cannot offer that as a germane amendment. I cannot force another committee to consider something other than what the Committee on Rules is offering for us to consider now. Under the rules of the House, it would not be germane.

But I assure the gentleman from Indiana that there is no iffy question about it. I have the bill prepared, and the only reason it is not being offered now is that we must wait for a vote on the resolution. Once that vote has been taken, and the resolution not passed, the measure will be introduced, I assure the gentleman.

Ms. OAKAR. Mr. Speaker, I move to strike the requisite number of words, and I rise in support of House Resolution 433.

Mr. Speaker, I support this resolution because I believe that what is really at stake here is the credibility of the Federal Government in the eyes of the American people.

One of the most fundamental desires of our American people is the desire for the truth, and, clearly, their yearning for the truth on the assassinations of President Kennedy and Dr. King has not been satisfied. Our quest for truth should be reason enough to continue an



investigation that practically devastated this country in the 1960's.

As important as these two cases are in themselves, I believe this investigation has a significance beyond them. If there is not further investigation of these cases, despite all of the questions that have been raised about them, how can the American people have any confidence at all in the ability of their Government to deal with the now frequent acts of violence committed by terrorists, among others?

I would make two other points in support of this resolution. First, in neither of these cases has there yet been a vigorous, probing, and independent investigation. We now know that the Warren Commission in effect left it up to the FBI and the CIA to uncover their own mistakes and wrongdoing, and, of course, these agencies did not do so. And as was pointed out earlier, there is not the possibility of these agencies investigating themselves. The House can conduct a truly independent investigation, and I know that this is the type of probe my distinguished colleague, the gentleman from Ohio (Mr. STOKES), and this wonderful committee intends to pursue.

Finally, if we fail now, there probably will never be an independent investigation of these two tragedies. Already over 13 years have passed since the death of President Kennedy, and nearly 9 years since the death of Dr. King. With the passage of time, important witnesses, such as the one who died this morning or last night, pass away, and evidence becomes more and more difficult to uncover.

In addition, this Congress was not afraid to pursue the truth in reference to Watergate. Let us not be afraid to pursue the truth in investigating the assassination of a young President and the assassination of Dr. King.

AMENDMENT OFFERED BY MR. BAUMAN

Mr. BAUMAN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BAUMAN: On page 2, beginning on line 4, strike out the following: "For the purpose of carrying out H. Res. 222, the select committee is also authorized to bring, defend, and intervene in lawsuits and make applications to courts."

Mr. BAUMAN. Mr. Speaker, a few moments ago in debate this particular provision of the resolution was mentioned. This is the first time that the language this amendment would delete has appeared in any of the resolutions dealing with this select committee. I think the gentleman from Arizona (Mr. RUDD) properly pointed out that such a broad grant of power is unprecedented in the annals of the House of Representatives except in specific instances when committees have come to the House and asked for permission to intervene in pending matters before the courts.

The most recent and one of the rare instances was when the subcommittee chaired by the gentleman from California (Mr. MOSS) asked for permission to intervene in a suit in 1976. After ex-

tensive debate in the House and a roll-call vote that intervention was allowed.

The language I seek to strike would permit the select committee, by its own majority vote, to file lawsuits and intervene in lawsuits against others, including agencies of the Government, in any number of different capacities.

In a memorandum submitted to the Committee on Rules by the chairman of the Select Committee on Assassinations, the gentleman from Ohio (Mr. STOKES), in part argued in favor of this by saying as follows, and I quote:

... there may be instances where it may be preferable for the Committee itself to exercise its right to secure evidence from the Executive branch of Government, rather than having to rely upon the Justice Department to pursue statutory contempt. . . .

This memorandum in many ways describes the wide-ranging possibilities of what this committee can do by majority vote without ever returning to the House of Representatives for any sort of mandate.

I know of no pending litigation that this committee needs to concern itself with; and if, indeed, there are such matters, the privileges of the House would dictate that we retain, as the full House of Representatives, the right to vote yes or no on whether or not any individual committee ought to be engaged in this kind of litigation.

Mr. Speaker, I can see the possibility of the use of this provision to harass the FBI, the CIA, or any number of agencies, should the committee take that direction. I do not suggest that it will, but we should not even create the possibility that it could do that on its own volition.

Therefore, Mr. Speaker, I would hope that the House of Representatives would deny to this committee of all committees with its checkered and erratic career and conduct, the right to go into the courts in a wholesale manner without first coming back to the full House of Representatives and seeking its approval.

Mr. STOKES. Mr. Speaker, I rise in opposition to the amendment.

(Mr. STOKES asked and was given permission to revise and extend his remarks.)

Mr. STOKES. Mr. Speaker, the specific reason for insertion of this language in the resolution is that House Resolution 222 does not specifically give the committee authority to sue. Unless this authority has been specifically delegated by the House, a committee of the House cannot bring lawsuits.

That was what the court held in *Reed v. County Commissioners*, 277 U.S. 376 (1928) when a special Senate committee had attempted to obtain election ballots; the resolution establishing the special committee contained language identical to that of House Resolution 222, that is, the authority to require testimony and other evidence "by subpoena or otherwise." The Supreme Court held the absence of specific authority to bring lawsuits required dismissal of the suit.

Mr. Speaker, the Senate then, pursuant to this case, enacted a resolution which gives all of their committees the right to sue and defend.

Being an investigative committee of the House and having the mandate to pursue, accumulate, and acquire data, we inserted this provision so that we would not be in an awkward position when we subpoena evidence or have the authority of the committee challenged in the courts.

Therefore, Mr. Speaker, this is the specific reason for the insertion or inclusion of this language, so that a House committee charged with an investigative responsibility would not be in the awkward position of not being able to sue in a court of law and of not being able to defend.

Mr. BAUMAN. Mr. Speaker, will the gentleman yield?

Mr. STOKES. I yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Speaker, I thank the gentleman for yielding.

He has made the statement that this will in some way prevent challenges of the committee's jurisdiction in the courts. It would in no way prevent such suits being filed by any party who considered himself aggrieved.

All it would do, Mr. Speaker, would be to say that one would not have to come to the House for authority to answer. It seems to me that we should come to the House for any authority to go into the courts on any matter, but it would not diminish in any way the rights of parties to contest jury subpoenas or anything else.

Mr. STOKES. Mr. Speaker, I agree with the gentleman that that is the precise position we would be in in coming back to the House for authority.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Maryland (Mr. BAUMAN).

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. BAUMAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 223, nays 195, not voting 14, as follows:

[Roll No. 110]

YEAS—223

Abdnor	Brooks	Corcoran
Allen	Brown, Mich.	Cornell
Ambro	Brown, Ohio	Cornwell
Andrews, N.C.	Broyhill	Coughlin
Andrews,	Buchanan	Crane
N. Dak.	Burgener	Daniel, Dan
Archer	Burke, Fla.	Daniel, R. W.
Armstrong	Burleson, Tex.	Davis
Ashbrook	Butler	de la Garza
Ashley	Byron	Dent
Badham	Carter	Derrick
Bafalis	Cavanaugh	Derwinski
Baldus	Cederberg	Dickinson
Bauman	Chappell	Dingell
Beard, Tenn.	Clausen,	Dornan
Bedell	Don H.	Drinan
Beilenson	Clawson, Del.	Duncan, Tenn.
Bennett	Cleveland	Edwards, Ala.
Bonker	Cochran	Edwards, Okla.
Brademas	Coleman	Erlenborn
Breckinridge	Collins, Tex.	Ertel
Brinkley	Conable	Evans, Del.