

United States from the President of the United States, received in the Clerk's office at 11:30 p.m., October 20, 1965, and said to contain H.R. 1384, an act for the relief of Theodore Zissu, and a veto message thereon.

Respectfully yours,

RALPH R. ROBERTS,

Clerk, U.S. House of Representatives.

**THEODORE ZISSU—VETO MESSAGE
FROM THE PRESIDENT OF THE
UNITED STATES (H. DOC. NO. 308)**

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H.R. 1384, "For the relief of Theodore Zissu."

This bill would waive the applicable statute of limitations and permit Theodore Zissu to seek administrative and judicial return of his interest in certain property of a Rumanian corporation which was vested by the United States in 1942 under the Trading With the Enemy Act.

I recognize that the legislative history in this case makes it clear that H.R. 1384 is not designed to affect substantive law, that Mr. Zissu's claim is to be considered under the law as it now exists. Notwithstanding this, I do not consider that its approval is justified from a procedural point of view.

According to the reports of the Judiciary Committees, representatives of the Office of Alien Property advised Mr. Zissu in 1943 that, as a minority shareholder in an enemy corporation, he was ineligible for return of his interest in the property of that corporation which had been vested. This information was correct, then and now, and I am advised that a number of timely claims have been denied on the grounds of ineligible minority stock ownerships. However, this information is said to have dissuaded Mr. Zissu from pursuing his claim administratively and through the courts, even though the Government representatives could not have prevented him from doing so had he desired to press it.

Subsequent court decisions—including one by the Supreme Court in 1952 reversing the denial of a return claim by the Office of Alien Property—have interpreted the Trading With the Enemy Act in a way which proponents of H.R. 1384 think might lead to a favorable ruling on behalf of Mr. Zissu. I am unable to perceive why such decisions occurring many years after Mr. Zissu failed to press his claim should now form the basis for granting him preferential treatment over other shareholders who either had timely claims considered and rejected or failed to file such claims for the same reason as Mr. Zissu.

Further, by providing for revival of a lapsed claim on the basis of subsequent judicial rulings which appear more favorable to the claimant's cause, H.R. 1384 runs counter to the spirit of one of the fundamental tenets of our legal system. This tenet seeks finality of judgment and stability in the law by a refusal of the courts to reopen settled cases simply because new judicial decisions may be more favorable to disappointed litigants.

There is another finality aspect to this bill, too. The program in connection with which Mr. Zissu seeks redress has ended and the property with which he is concerned has long since been sold and its proceeds, along with the proceeds from the sale of other vested property, have been transferred to a statutorily established fund for the payment of war claims against Germany and Japan. We should not, at this late date, reopen this program without the most compelling reasons, especially in view of the precedent that this bill could establish for what is potentially a very large group of claimants. I do not consider that such compelling reasons exist in this case.

LYNDON B. JOHNSON.

THE WHITE HOUSE, October 20, 1965.

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Without objection, the bill and message will be referred to the Committee on the Judiciary and ordered to be printed.

**CREATION OF A BOARD FOR THE
CONDEMNATION OF INSANITARY
BUILDINGS IN THE DISTRICT OF
COLUMBIA**

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 1778) to amend the act entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes," approved May 1, 1906, as amended, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 5, strike out lines 4 to 20, inclusive.

Mr. McMILLAN. Mr. Speaker, the purpose of the bill is to amend the act of May 1, 1906, as amended by the act of August 28, 1954—Public Law 681, 83d Congress—so as to correct what has proved to be certain administrative deficiencies in such act. The bill would bring the provisions of the act of May 1, 1906, relating to assessment and collection of taxes, into conformity with the provisions for assessment and collection of taxes applicable to special assessments levied for public improvements under the act of July 25, 1935—section 47-1103(b), District of Columbia Code.

The Senate deleted from the bill section 4, which had been added to the floor of the House without prior hearings or committee consideration.

The effect of this section would have been to reduce by 5 years the period of time that the District of Columbia would have had to remove substandard housing where the District receives Federal assistance in the development of low-rent housing projects.

The Senate, in deleting the section, was of the view that the District should not be treated differently than the other cities of the United States in qualifying for public housing projects funds, and that in the event a special problem does exist with regard to the District

of Columbia in the removal of substandard housing, then the matter should be gone into by the appropriate legislative committees of the Congress that have jurisdiction of public housing projects financed under the Federal Housing Act.

The House Committee on the District of Columbia concurs in the deletion of section 4, thus restoring the bill to its original form as reported by the committee.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from South Carolina if the amendments to the bills that he proposes to call up are all amendments germane to the bills?

Mr. McMILLAN. That is correct. The amendments to all bills which I shall ask today to take from the Speaker's desk are germane to the bills.

Mr. GROSS. I thank the gentleman from South Carolina. Mr. Speaker, I withdraw my reservation of objection.

There was no objection.

The Senate amendment was agreed to. A motion to reconsider was laid on the table.

**TO RELIEVE PHYSICIANS OF LIABILITY FOR NEGLIGENCE
FOR NEGLIGENCE AT THE SCENE
OF AN ACCIDENT IN THE DISTRICT
OF COLUMBIA**

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 5597) to relieve physicians of liability for negligent medical treatment at the scene of an accident in the District of Columbia, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill:

The Clerk read the Senate amendment, as follows:

Page 1, strike out all after line 2 down to and including "rendering" in line 6 and insert: "That no physician licensed to practice medicine or osteopathy in the District of Columbia or in any State, and no registered nurse licensed in the District of Columbia or in any State, shall be liable in civil damages for any act or omission, not constituting gross negligence, in the course of such physician or nurse rendering".

Mr. McMILLAN. Mr. Speaker, the purpose of the bill is to relieve physicians licensed to practice medicine or osteopathy in the District of Columbia, or in any State, and registered nurses licensed in the District, or in any State, from liability for civil damages for any act or omission, not constituting gross negligence, upon the occasion of their rendering free and voluntary medical treatment at the scene of an accident or other medical emergency outside of a hospital, in the District of Columbia.

The Senate added to the House bill provisions to include physicians licensed to practice osteopathy and also included registered nurses licensed in the District, so that they, too, may be protected when rendering aid in these so-called "Good Samaritan" cases.

"Good Samaritan" laws have already been enacted in 32 States.