required by present law to be marked with the name of the country of origin must be similarly marked by the repackager, whether the importer, distributor, retailer, or other handler of the merchandise. Goods in packages not so marked would be subject to seizure and forfeiture. The requirement could be waived only where found to necessitate such substantial changes in customary trade practices as to cause undue hardship.

H.R. 5054 runs counter to one of our major foreign policy objectives—the reduction of unnecessary barriers and hindrances to trade. The burdens the bill would impose are unnecessary because the Federal Trade Commission requires the disclosure of the foreign origin of repackaged imported articles when it is in the public interest to do so.

The United States and other principal trading nations of the world have recognized that burdensome marking requirements can be a hindrance to trade and have agreed to the principle that such hindrances should be reduced to a minimum. H.R. 5054 might well result in successive domestic handlers requiring written assurances of proper marking in order to avoid the severe penalty of seizure and forfeiture. The cost and the complications involved in such cumbersome paperwork would tend to discourage such imports. Moreover, this measure could prove ultimately damaging to our export-expansion efforts, for needlessly restrictive action on our part could readily lead to similarly restrictive action by other countries against American goods.

In addition, the bill would unnecessarily extend the Bureau of Customs into new areas by requiring the Bureau to follow goods after they have entered the stream of domestic commerce and to act against handlers of merchandise who are not importers. The Bureau would be required to determine the nature of customary trade practices and the possibility of undue hardship in a field outside its normal competence. Aside from the unnecessary additional expense, these new responsibilities would be most awkward for the Bureau to administer.

For these reasons I am withholding my approval of H.R. 5054.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 5, 1960.*

H.R. 6767, RAYMOND BAURKOT

I have withheld my approval from H.R. 6767, for the relief of Raymond Baurkot.

This bill would permit the filing of a tax refund claim that was in fact filed after the deadline date set by law.

Public Law 85–859 provided for the refund of internal revenue taxes paid on certain liquors lost as the result of a major disaster occurring prior to the date of enactment, September 2, 1958. It required that claims be filed on or before March 2, 1959. The claimant filed on March 16, 1959, for a refund of $382.10 paid in taxes on beer destroyed in a 1955 flood. He asserted that he had telephoned the branch office of the district director's office in Easton, Pa., on February 26, 1959, and was informed by an unidentified person that he had a "couple of months" in which to file.

The Easton branch office has no record of any such request for information from Mr. Baurkot. That office, moreover, does not itself handle alcohol-tax problems. Its standard procedure is to refer such inquiries to the assistant regional commissioner's office in Philadelphia which has general supervision over such matters.

Information concerning Public Law 85–859 and its filing requirements were widely disseminated to the liquor industry by the Internal Revenue Service. It appears that the claimant received the industry circular published by the Service but thereafter misplaced it. This circular set forth the March 2 deadline and specifically provided that inquiries regarding claims should be addressed to the assistant regional commissioner's office.

Under these circumstances I am unable to approve this bill. The statutory period of limitations, which the Congress has included in the revenue system as a matter of sound policy, is essential to the achievement of finality in tax administration. Efficient administration of the tax laws is dependent upon taxpayers meeting statutory deadlines. To grant special relief in this case would be to discriminate against other similarly situated taxpayers and to create an undesirable precedent.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 8, 1960.*

H.R. 7242, BANKRUPTCY ACT—STATUTORY LIENS

I have withheld my approval of H.R. 7242, to amend sections 1, 57j, 64a(5), 67b, 67c, and 70c of the Bankruptcy Act, and for other further purposes.

I recognize the need for legislation to solve certain problems regarding the priority of liens in bankruptcy, but this bill is not a satisfactory solution. It would unduly and unnecessarily prejudice the sound administration of Federal tax laws. In some cases, for example, mortgages would be given an unwarranted priority over Federal tax liens even though the mortgage is recorded after the filing of the tax lien.

This and other defects of the bill can, I believe, be corrected without compromising its primary and commendable purpose. The Treasury Department and the proponents of H.R. 7242 have been working toward solution of recognized problems in present law. Further cooperative efforts should produce satisfactory legislation that would avoid the undesirable effects of this bill.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 8, 1960.*

H.R. 2074, ERIC AND IDA MAE HJERPE

I am withholding my approval from H.R. 2074, for the relief of Eric and Ida Mae Hjerpe.

In their income tax return for 1952 these taxpayers reported as income certain disability payments received by Mr. Hjerpe from his employer. During 1952, however, the Court of Appeals for the Seventh Circuit had held such disability payments excludable from gross income, even though the Internal Revenue Service had ruled to the contrary, and in 1957 the U.S. Supreme Court affirmed.

The taxpayers' claim for refund, based upon the excludability of the disability pay received by Mr. Hjerpe, was filed almost 4 years after the 1952 return had been filed and approximately 10½ months after the expiration of the applicable 3-year statutory period of limitations. The claim was accordingly disallowed.

The last Congress enacted legislation to grant general relief, on a nondiscriminatory basis, to taxpayers who had paid income tax on disability pay excludable from gross income under the Supreme Court decision. Relief was not provided, however, for taxpayers who, as in the case at hand, had not attempted to protect their rights by filing timely claims for refund.

H.R. 2074 would direct the payment to Mr. and Mrs. Hjerpe of $1,096.48 as a refund notwithstanding their late filing and failure to qualify under the general relief legislation. The bill is similar to several others from which I have withheld my approval in the past.

The statutory period of limitations, which the Congress has included in the revenue system as a matter of sound policy, is essential in order to achieve finality in tax administration. A substantial number of taxpayers paid income tax on disability payments received by them and failed to file timely claims for refund. To grant special relief in this case, where a refund was not claimed within the time prescribed by law, would constitute a discrimination against other similarly situated taxpayers and would create an undesirable precedent.

Under the circumstances, therefore, I am compelled to withhold my approval of the bill.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 14, 1960.*

H.R. 7618, H. P. LAMBERT CO., INC., AND SOUTHEASTERN DRILLING CORP.

I am withholding my approval from H.R. 7618, a bill for the relief of H. P. Lambert Co., Inc., and Southeastern Drilling Corp.

The bill would waive the applicable statute of limitations and permit a claim for refund of duty paid on certain nondutiable equipment imported into the United States.

The claimants requested that certain oilfield equipment be entered under provisions of the tariff act affording duty-free status to property originally manufactured in the United States. The equipment was admitted duty-free after the Lambert Co., the brokerage firm in the case, had posted a bond to assure production of the documentation required to establish U.S. origin. At the request of the brokerage firm, the time covered by the bond was extended on several occasions. At the end of 2 years,