

H.R. 4099. An act for the relief of Jesse Leigh, Jr.; and

H.R. 5338. An act to enact the Uniform Commercial Code for the District of Columbia, and for other purposes; and

H.R. 6181. An act for the relief of Mr. Rudolph Sanderson, of Meriden, Kans.; and

H.R. 6468. An act for the relief of Harold J. Burke; and

H.R. 6754. An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes; and

H.R. 6807. An act for the relief of H. W. Robinson and Co., Inc.; and

H.R. 6868. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1964, and for other purposes; and

H.R. 7019. An act to provide further compensation to Mrs. Johnson Bradley for certain land and improvements in the village of Odanah, Wis., taken by the Federal Government; and

H.R. 7063. An act making appropriations for the Departments of State, Justice, and Commerce, the judiciary, and related agencies for the fiscal year ending June 30, 1964, and for other purposes; and

H.R. 7431. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1964, and for other purposes; and

H.R. 8667. An act authorizing additional appropriations for the prosecution of comprehensive plans for certain river basins; and

H.R. 9413. An act to provide for the coinage of 50-cent pieces bearing the likeness of John Fitzgerald Kennedy; and

H.J. Res. 680. Joint resolution requesting the President to designate 1964 as "United States Customs Year"; and

H.J. Res. 778. Joint resolution to provide for participation by the Government of the United States in the Hague Conference on Private International Law and the International (Rome) Institute for the Unification of Private Law, and authorizing appropriations therefor; and

H.J. Res. 848. Joint resolution to provide for the designation of the month of February in each year as "American Heart Month"; and

H.J. Res. 880. Joint resolution establishing that the second regular session of the 88th Congress convene at noon on Tuesday, January 7, 1964.

On December 31, 1963:

H.R. 9140. An act making appropriations for certain civil functions administered by the Department of Defense, certain agencies of the Department of the Interior, the Atomic Energy Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and certain river basin commissions for the fiscal year ending June 30, 1964, and for other purposes.

On January 6, 1964:

H.R. 9499. An act making appropriations for foreign aid and related agencies for the fiscal year ending June 30, 1964, and for other purposes.

HOUSE BILLS DISAPPROVED AFTER SINE DIE ADJOURNMENT

The message further announced that the President had disapproved of bills of the House of the following titles:

MARKING REQUIREMENTS FOR CERTAIN IMPORTED ARTICLES

H.R. 2513

I am withholding my approval from H.R. 2513, a bill to require, with respect to every imported article removed from its container and repackaged, that the

new package be marked with the name of the country of origin if, under present law, the original container must be so marked, with failure to do so subjecting the repackager—regardless of whether he is the importer, the distributor, the retailer or any other handler of the merchandise—to fine, imprisonment, and seizure and forfeiture of the article. Such a bill was vetoed by President Eisenhower in 1961. A second provision of the bill would require that all sawed lumber and wood products be marked with the country of origin, a provision which specifically violates our longstanding trade agreement with Canada.

This bill would raise new barriers to foreign trade and invite retaliation against our exports at a time when we are trying to expand our trade and improve Western unity.

This bill would impose new costs upon our merchants and consumers at a time when we are trying to keep all costs and prices down.

This bill would saddle new and unworkable burdens upon our Bureau of Customs at a time when we are trying to reduce Government expenditures.

This bill would encourage new price increases in lumber and homebuilding at a time when we are trying to expand our housing opportunities.

This bill would aggravate our relations with Canada at a time when we are trying to improve those relations at every level.

There is no need for this bill. The Federal Trade Commission already has authority to require disclosure of the foreign origin of articles offered for sale where there may be danger of deception of the purchaser. The Federal Tariff Commission already has authority to protect domestic industries against serious economic injury resulting from imports. A unanimous Commission decision last February, in fact, found that the facts did not entitle the softwood lumber industry to such protection.

Approval of this bill, in short, is clearly not in the best interests of all the United States.

LYNDON B. JOHNSON.

DECEMBER 31, 1963.

CLAIM OF ROBERT ALEXANDER
H.R. 4505

I am withholding my approval from H.R. 4505, a bill to confer jurisdiction on the Court of Claims to entertain, hear, and determine a motion for a new trial on the claim of Robert Alexander.

Mr. Alexander was selected out of the Foreign Service in 1953. In 1958, he brought suit in the Court of Claims for lost salary, alleging that his separation was invalid. On January 20, 1960, the court concluded, after considering all the evidence presented by Mr. Alexander, that his claim had no merit. His complaint was accordingly dismissed, and on April 16, 1960, his motion for rehearing was denied. He now seeks to obtain reconsideration of the court's judgment against him on the basis of additional evidence.

Mr. Alexander has had his day in court. The full facilities of a court for discovering and producing evidence were available to him. While the circum-

stances of his case may have made it difficult at the time to obtain evidence, there is nothing in the record to indicate that diligent use of the court's procedures would have failed to obtain the evidence relating to the handling of his discharge which he now offers to establish.

In these circumstances it is unnecessary to consider the relevance of the testimony offered. Mr. Alexander had a year after the court's judgment within which to move to set it aside on the basis of newly discovered evidence, an opportunity which he failed to use. This period of grace has a definite limit because a court's judgment must become final at some point in time in order that all parties may conduct themselves thereafter in reliance upon it.

Unless such a judgment becomes final in circumstances which have prevented a litigant from taking advantage of opportunities for proof accorded to all alike, it should not be set aside. In the absence of such circumstances in Mr. Alexander's case, I am constrained to withhold approval from H.R. 4505.

LYNDON B. JOHNSON.

THE WHITE HOUSE, December 31, 1963.

STATEMENT BY THE PRESIDENT ON H.R. 9140

I have today approved the Public Works Appropriations Act.

This does not mean approval of that provision in the act which precludes the Panama Canal Company from disposing of any real property or any rights to the use of real property without first obtaining the approval of the appropriate legislative committees of the House and Senate. Four Attorneys General of the United States have held provisions of this nature unconstitutional. The opinions of the Attorneys General point out that it is either an unconstitutional delegation to congressional committees of powers which reside only in the Congress as a whole, or an attempt to confer Executive powers on the committees in violation of the principle of separation of powers set forth in the Constitution.

I concur in these views.

However, it is entirely proper for the committees to request information with respect to the disposal of property, and I recognize the desirability of consultations between officials of the executive branch and the Congress. Therefore, it is my intention to treat the provision as a request for information and to direct that the appropriate legislative committees be kept fully informed with respect to disposal and transfer actions taken by the Panama Canal Company.

LYNDON B. JOHNSON.

DECEMBER 31, 1963.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ALBERT (at the request of Mr. Boggs), for January 7 to 9, 1964, on account of illness.

Mr. STEED (at the request of Mr. Boggs), for January 7 to January 18, 1964, on account of official business.

Mr. Bow (at the request of Mr. HALLECK), for today, on account of official business.