

S. 2419. An act for the relief of Dr. Anton M. Lodmell;

S. 2585. An act to authorize an exchange of land at the Agricultural Research Center;

S. 2823. An act for the relief of William C. Brady and Joyce Brady;

S. 3064. An act for the relief of Thomas J. Smith;

S. 3101. An act to authorize construction by the Secretary of the Interior of the Crooked River Federal reclamation project, Oregon;

S. 3113. An act to amend section 9 (c) (2) of the Merchant Ship Sales Act of 1946, as amended;

S. 3196. An act for the relief of certain aliens;

S. 3227. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Little Wood River reclamation project, Idaho;

S. 3255. An act for the relief of certain aliens;

S. 3363. An act for the relief of Miroslav Slovak;

S. 3386. An act to amend the joint resolution entitled "Joint resolution to establish a commission for the celebration of the 100th anniversary of the birth of Theodore Roosevelt," approved July 28, 1955.

S. 3831. An act to provide for the establishment of a fish hatchery in the State of West Virginia;

S. 3881. An act authorizing the demolition and removal of certain greenhouses and other structures on square 576 west in Washington, D. C., and the construction of other facilities in place thereof, at the Botanic Garden Nursery, and for other purposes;

S. 3927. An act to authorize the Secretary of the Interior to convey to Indian tribes certain federally owned buildings, improvements, or facilities on tribal lands or on lands reserved for Indian administration;

S. 4099. An act granting the consent of Congress to the Pittsburgh Plate Glass Co. for the construction of a dam on the North Branch of the Potomac River;

S. 4184. An act to incorporate the Boys' Clubs of America;

S. 4203. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes; and

S. J. Res. 187. Joint resolution to extend the operation of the Emergency Ship Repair Act of 1954.

On August 7, 1956:

S. 2916. An act to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

S. 3616. An act to amend the Railroad Retirement Act of 1937 to provide increases in benefits, and for other purposes;

S. 3732. An act to provide insurance against flood damage, and for other purposes; and

S. 4011. An act to amend section 650 of title 14, United States Code, entitled "Coast Guard," relating to the Coast Guard supply fund.

On August 8, 1956:

S. 2379. An act to promote the fishing industry in the United States and its Territories by providing for the training of needed personnel for such industry;

S. 3275. An act to establish a sound and comprehensive national policy with respect to fish and wildlife; to strengthen the fish and wildlife segments of the national economy; to establish within the Department of the Interior the position of Assistant Secretary for Fish and Wildlife; to establish a United States Fish and Wildlife Service; and for other purposes;

S. 3879. An act to supplement the antitrust laws of the United States, in order to balance the power now heavily weighted in favor of automobile manufacturers, by enabling franchise automobile dealers to bring suit in the district courts of the United States to recover damages sustained by reason of the

failure of automobile manufacturers to act in good faith in complying with the terms of franchise or in terminating or not renewing franchises with their dealers; and

S. 3956. An act to amend the Fair Labor Standards Act of 1938, as amended.

SENATE BILLS AND JOINT RESOLUTION DISAPPROVED AFTER SINE DIE ADJOURNMENT

The President of the United States, subsequent to the sine die adjournment of the Senate, notified the Secretary of the Senate that, on the following dates, he had disapproved bills of the Senate of the following titles, together with his reasons for such actions:

RECONVEYANCE OF MINERAL INTERESTS IN CERTAIN LANDS TO THE FORMER OWNERS THEREOF

S. 1384. I am withholding my approval of S. 1384, a bill to provide for the reconveyance of all mineral interests in lands acquired by the United States for certain reservoir projects to former owners thereof, and for other purposes.

The purpose of this measure is to authorize and direct the Secretary of the Army, when he determines that the exploration for or exploitation of mineral interests underlying lands within the Arkabutla, Sardis, Enid, and Grenada Reservoir projects in Mississippi will not be incompatible with the development, maintenance, and operation of these projects, and that the reconveyance of such mineral interests to former owners thereof will be in the public interest, to convey such interests to the former owners thereof or to their legal heirs upon application made within 3 years and upon payment to the United States of an amount equal to but not in excess of the purchase price for which said interests were acquired by the United States.

The Department of the Army is nearing the completion of the acquisition of approximately 283,000 acres of land for these 4 reservoir projects in northwestern Mississippi which are an integral part of the Yazoo River Basin headwater project authorized by the Flood Control Act of June 15, 1936. Approximately 62,000 acres have been acquired subject to retention of oil and gas and minerals of like character by the owners thereof and approximately 106,000 acres of the 218,000 acres acquired in fee simple for 3 of the reservoirs are available for leasing pursuant to the Mineral Leasing Act for Acquired Lands approved August 7, 1947 (61 Stat. 913). Therefore, there is no objection to the enactment of legislation which would provide for the conveyance of oil and gas and mineral interests of like character underlying some of the lands within these reservoirs to the former owners thereof under conditions provided for in section 2 of the bill.

On March 29, 1956, I approved H. R. 7097, 84th Congress, which provides for the reconveyance of oil and gas and mineral interests in lands within the Demopolis lock and dam project, Alabama, by authorizing the Secretary of the Interior to reconvey oil and gas and mineral interests to former owners thereof at the current fair market value of such oil and gas and mineral interests and subject to such reservations and restrictions as in

the opinion of the Secretary of the Army are necessary. However, S. 1384 differs significantly from this legislation in that it provides for "payment to the United States of an amount equal to but not in excess of the purchase price for which said interests were acquired by the United States." This provision constitutes a departure from the principle established in other legislation requiring payment of fair market value for minerals disposed of by sale or lease. Furthermore, it is predicated on the fallacious assumption that there was a determination of the "purchase price" of the minerals separate and apart from surface and other interests at the time fee title to the land was acquired by the United States. While the known presence of minerals and any trading in oil and gas leasehold interests were considered in arriving at the appraised fair market value of lands acquired in fee simple for these projects, no separate valuation was assigned to minerals except in those few instances in which a separate estate in minerals had been previously created. Therefore it would be impossible at this time to determine, in most instances, the "purchase price" paid for the minerals. Under these circumstances, I believe that the job of administering this legislation would be confusing and unsatisfactory to all concerned. However, in withholding my approval, I am hopeful that the Congress may yet enact legislation relating to the mineral interests in these lands similar to H. R. 7097, 84th Congress (Public Law 459, 84th Cong.), referred to above.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, July 31, 1956.

JEAN PFEIFER

S. 277. I am withholding my approval of S. 277, for the relief of Jean Pfeifer.

The bill would permit the payment of a lump-sum death payment under section 202 (i) of the Social Security Act to Mrs. Jean Pfeifer in connection with the death of her son, John S. Inches, without regard to the statutory limitation on the period within which an application for such payment may be filed.

The facts in the case are as follows:

Mr. Inches died on August 7, 1951. His mother, Mrs. Pfeifer, paid burial costs in connection with her son's death. She did not, however, file an application for the lump-sum death payment until September 21, 1953, more than 2 years after the death of her son. Mrs. Pfeifer states that she or another surviving son had telephoned to the local office of the Social Security Administration on different occasions before the period had elapsed asking for application forms, but there are no records of such calls in the Social Security Administration files. In view of her failure to file application for the lump-sum death payment within the time fixed by law, the Bureau of Old-Age and Survivors Insurance of the Social Security Administration held that Mrs. Pfeifer was ineligible for the payment. This action of the Bureau was affirmed, after a hearing, by a referee of the Appeals Council in the Social Security Administration.

I am reluctant to deny relief in a case of this kind, but there are at least two persuasive considerations which compel me to withhold my approval: (1) A much more desirable remedy is provided for in the revision of the Social Security Act that I approved today, and (2) enactment of S. 277 would establish for the social security program an undesirable precedent which until now has been avoided.

Since 1939 the Social Security Act has required that an application for the lump-sum death payment be filed within 2 years of the death of the individual involved. The courts have held that failure to file application within this period may not be waived or excused, even though it arises from misunderstanding or unawareness.

This bill would provide special relief permitting one individual to receive a social insurance benefit under conditions identical with those under which, under the basic law, the same benefit must be denied to others similarly situated. Such special legislation, as I stated in vetoing H. R. 1334, 83d Congress, is undesirable and contrary to sound principles of equity and justice.

This is not to say that there may not in some cases be equities which warrant extending the statutory time limit. But any modification in the provisions of the Social Security Act that might be desirable to allow for such cases should, I believe, be made in the basic law and stated in general terms so as to be applicable to all persons similarly circumstanced, rather than requiring claimants who believe that they have such equities to seek individual relief through the process of private legislation, which is both burdensome and hazardous to the claimant and costly to the public. The revision of the Social Security Act approved today contains an amendment to the basic law which would afford an opportunity, not only to Mrs. Pfeifer but to all claimants similarly circumstanced, to become entitled to a lump-sum death payment under the Social Security Act upon showing good cause for the belated filing of an application.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, August 1, 1956.

CITY OF ELKINS, W. VA.

S. 2182. I have withheld my approval from S. 2182, a bill for the relief of the city of Elkins, W. Va. This bill would relieve the city of Elkins of all liability to repay a \$75,000 loan (and all unpaid accrued interest) which it received from the Reconstruction Finance Corporation.

The facts on this bill are clear. Under the World War II defense area landing program, the Federal Government undertook, under certain circumstances, to build airports for communities which would provide appropriate land. In July 1943 the city of Elkins agreed with the Civil Aeronautics Administration to furnish land for an airport. The United States Government agreed to pay the cost of constructing the airport. Elkins then applied to the Reconstruction Finance Corporation and was granted a loan of \$75,000 to purchase the land. The loan was evidenced by \$75,000 of

4 percent airport revenue bonds issued by the city. The city has made no payment on principal and is now in default on bonds aggregating \$24,000. Some interest payments have been made but the accrued and unpaid interest as of May 1, 1956, amounts to \$22,400. Through the Civil Aeronautics Administration, the Government has expended over \$1 million on the airport.

The issues involved in the bill are likewise clear:

1. The original agreement was and Elkins has received and will continue to receive benefits at least proportionate to its relatively small share of the airport's total cost.

2. The bill would give special treatment to a single community and thereby discriminate against other communities which built airports during World War II with Federal assistance. Of over 500 municipalities, representing every one of the 48 States, which entered into similar contracts with the Civil Aeronautics Administration, the city of Elkins is the only one which applied to the Reconstruction Finance Corporation for a loan to finance the purchase. The proposed legislation would relieve the city from any obligation to repay the loan. Thus, in effect, the Federal Government would have both constructed the airport and provided the land. No other municipality has received such special treatment.

3. The bill would set a precedent which could be used by many other communities to urge cancellation of their obligations held by the Federal Government. In all, the Reconstruction Finance Corporation made loans to over 6,000 municipalities and other public bodies. Of these, there are still outstanding 75 issues of municipal obligations totaling approximately \$7 million. To relieve Elkins as provided in this bill would be to give that city a preference which was not given to any other city granted loans by the Corporation. Undoubtedly, special circumstances exist in many of the communities whose obligations remain unpaid. Testimony presented to the House Committee on the Judiciary suggests that the case for relief from their obligations might be as persuasive as in the case of Elkins. The precedent set by this bill could, moreover, adversely affect collections on loans to local governments under several other continuing Federal programs.

This bill involves one community and a relatively small amount of money; but it would establish undesirable principles and precedents affecting many other communities and many millions of dollars. I have, therefore, withheld my approval of S. 2182.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, August 3, 1956.

DATE OF MEETING OF 85TH CONGRESS

S. J. Res. 203. On recommendation of the majority and minority leadership of both the Senate and House of Representatives, I am withholding my approval of Senate Joint Resolution 203, fixing the date of meeting of the 85th Congress. January 7, 1957, the date fixed in the resolution, is the date prescribed by law for the counting of the electoral votes for President and Vice President. I am

informed that the Congress cannot conveniently count those votes on the same day that it assembles.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, August 8, 1956.

RATES CHARGED FOR ELECTRIC POWER BY SOUTHWESTERN POWER ADMINISTRATION

S. 3338. I have withheld my approval of S. 3338, an act relating to rates charged for electric power and energy marketed by the Southwestern Power Administration, and for other purposes.

The only purpose which this legislation could accomplish would be to prevent the Secretary of the Interior from fulfilling the obligations imposed upon him by section 5 of the Flood Control Act of 1944, to establish rate schedules which will return sufficient revenue to amortize the investment in Federal multiple-purpose projects allocated to power, and to pay the necessary costs incurred in operating and maintaining power projects. By its terms, S. 3338 grants a legislative moratorium which prevents any rate increases for power sold by the Southwestern Power Administration to any public body or cooperative until June 30, 1957. This would result in a loss of \$2,167,000 revenue during the present fiscal year.

Sound management requires that the Federal Government fix rates for electric energy and power from Federal projects which will return the taxpayers' investment, with interest, within a reasonable period of time. Revenues from power sales by the Southwestern Power Administration in 1955 were not sufficient to pay even the interest on the portion of construction costs allocated to power. Furthermore, these revenues have been insufficient to provide any return of the capital investment in power facilities since 1953. Enactment of the bill will prevent the establishment of compensatory rates until July 1, 1957.

Fears have been expressed that the increased rates, which I am informed amount to approximately 40 cents per month for the average rural customer, proposed by the Department of the Interior will force upon preference customers—public agencies and cooperatives—the burden of absorbing the deficit in power revenues brought about by the delivery of power to a nonpreference customer under a 1952, 30-year contract at unrealistically low unit rates. However, the fact is that under the proposed schedule of rates, these preference customers will pay for power at rates determined upon the assumption that all power users must pay the rate necessary to retire the capital investment allocated to power on these multiple-purpose projects. The preference customers will not pay any of the deficit resulting, during the repayment period, from the 30-year contract.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, August 9, 1956.

VALIDATION OF CERTAIN MINING CLAIMS, WYOMING

S. 3941. I am withholding my approval of S. 3941, an act to provide for the validation of certain mining claims owned by Arthur W. Hyde, John H. Gossett, Clyde A. Bailey, and Manuel Silva, all of the