

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

State of New Mexico, and Thelma Arndt, Wallace (or Wally) Lawson, Richard L. (or R. L.) Greene, Elden F. Keith, Zola Keith, Leon Keith, Lee E. Keith, Robert Arndt, Rose Greene, Ferne Cressy, Marjorie Lawson, and Frank Cressy, all of the State of Wyoming.

S. 3941 provides an additional period of time for the validation of mining claims held by certain specified persons in New Mexico and Wyoming, which could have been validated under the act of August 12, 1953, but which were not validated thereunder solely because of the failure of the holders of the claims to take the necessary steps.

This bill was originally introduced as a general measure, but, after the Department of the Interior recommended that it not be enacted, it was amended so as to be a private relief bill. This was done because the Department of the Interior pointed out that S. 3941 was really of the nature of a private bill, and that, if the bill were amended along such lines, reasons justifying the special treatment of the specific claimants might, perhaps, be produced. Justification for such unusual treatment has not been shown. The 12 persons named in the bill as having claims in Wyoming justify their failure to validate their claims under the act of August 12, 1953, on the grounds that a search of the records at a land office failed to show the existence of an oil and gas lease at the time of the location of their claims. However, a more diligent search of those records subsequently revealed the existence of an oil and gas lease. One of the persons named in the bill as having a claim in New Mexico based his right upon the fact that a search of the records at a land office failed to show the existence of an oil and gas lease because there had been a delay in making entries in the land office records. There was no evidence that the claimant had taken all possible steps to ascertain the existence of an oil and gas lease. The information on the other three claims is limited.

Under the circumstances, I have no recourse but to withhold my approval of S. 3941. To approve S. 3941 would, I believe, establish an undesirable precedent, encouraging others to seek relief from laws of general applicability on expired mining claims.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, August 9, 1956.

**REPORT ENTITLED "SUPPLY AND DISTRIBUTION OF NICKEL" (S. REPT. NO. 2825)**

Under authority of the order of the Senate of July 26, 1956,

Mr. SPARKMAN, from the Select Committee on Small Business, on August 1, 1956, submitted a report entitled "Supply and Distribution of Nickel," relating to the impact of the nickel shortage on small electroplaters, which was ordered to be printed.

**REPORT ENTITLED "GOVERNMENT PROCUREMENT—1956" (S. REPT. NO. 2827)**

Under authority of the order of the Senate of July 26, 1956,

Mr. SPARKMAN, from the Select Committee on Small Business, on August 1, 1956, submitted a report entitled "Government Procurement—1956," relating to small business participation in Government procurement, which was ordered to be printed.

**REPORT ENTITLED "SUMMARY OF ACTIVITIES", BANKING AND CURRENCY COMMITTEE (S. REPT. NO. 2828)**

Under authority of the order of July 27, 1956,

Mr. FULBRIGHT, from the Committee on Banking and Currency, on August 14, 1956, submitted a report of that committee entitled "Summary of Activities", which was ordered to be printed.

**INTERIM REPORT ON CONTROL AND REDUCTION OF ARMAMENTS (S. REPT. NO. 2829)**

Under authority of the order of the Senate of July 23, 1956,

Mr. HUMPHREY, from the Committee on Foreign Relations, on September 7, 1956, pursuant to Senate resolution 93, 84th Congress, 1st session, as extended, submitted an interim report on Control and Reduction of Armaments, which was ordered to be printed.

**REPORT ENTITLED "SELECTED MATERIALS ON THE ECONOMY OF THE SOUTH" (S. REPT. NO. 2830)**

Under authority of the order of the Senate of July 26, 1956,

Mr. FULBRIGHT, from the Committee on Banking and Currency, on October 5, 1956, submitted a report entitled "Selected Materials on the Economy of the South", which was ordered to be printed.

**APPOINTMENTS AFTER SINE DIE ADJOURNMENT**

Under authority of the order of the Senate of July 27, 1956,

The Vice President, subsequent to the sine die adjournment, made appointments to the following commissions and joint and special committees authorized by law or resolution of the Senate:

To the President's Advisory Commission on Presidential Office Space: Mr. CHAVEZ and Mr. HRUSKA.

To the Senate Office Building Commission: Mr. JOHNSON OF TEXAS and Mr. KERR.

To the Joint Committee to represent Congress at the ceremonies in connection with the unveiling of the statute of Commodore John Barry at Wexford, Ireland, on September 16, 1956: Mr. MALONE, Mr. PURTELL, Mr. FREAR, Mr. PASTORE, and Mr. LAIRD.

To the United States Group of the North Atlantic Treaty Parliamentary Conference: Mr. RUSSELL, Mr. GREEN, Mr. CAPEHART, Mr. FULBRIGHT, Mr. THYE, Mr. HUMPHREY, Mr. JOHNSON OF TEXAS, Mr. KUCHEL, and Mr. CURTIS.

## HOUSE OF REPRESENTATIVES

FRIDAY, JULY 27, 1956

The House met at 10 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, grant that on this closing day of the 84th Congress, our President, our Speaker, and every Member of this legislative body and all of us as officers, clerks, reporters, secretaries, pages, and employees, in whatever capacity, may be grateful for having had the privilege of walking and working together in the service of our God, our country, and humanity.

May we have within our minds and hearts the testimony that we have sought to discharge our duties with a pure and steadfast devotion and have aspired to be worthy of receiving the benediction of Thy peace and the diadem of Thy praise, "Well done, thou good and faithful servant."

We are commending and committing one another to Thy love and care, beseeching Thee that daily we may go forth in the joy and strength of doing justly, loving mercy, and walking humbly with the Lord, our God.

May the Lord bless us and keep us; the Lord make His face to shine upon us and be gracious unto us; the Lord lift upon us the light of His countenance and give us peace.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

**MESSAGE FROM THE PRESIDENT**

A message in writing from the President of the United States was communicated to the House by Mr. Tribbe, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On July 19, 1956:

H. R. 10075. An act to provide for the conveyance of certain real property of the United States to the town of Bald Knob, Ark.;

H. R. 10204. An act authorizing the Administrator of General Services to transfer certain land to Richard M. Tinney and John T. O'Connor, Jr.;

H. R. 11873. An act to amend the Watershed Protection and Flood Prevention Act so as to eliminate delay in the start of projects; and

H. J. Res. 580. Joint resolution for the relief of certain aliens.

On July 20, 1956:

H. R. 6501. An act to amend the act of July 17, 1914, to permit the disposal of certain reserve mineral deposits under the mining laws of the United States;

H. R. 8817. An act to provide for the conveyance of certain property of the United States to the city of Corbin, Ky.;

H. R. 9106. An act for the relief of Saul Lehman;

H. R. 9137. An act to waive section 142, of title 28, United States Code, with respect to the United States District Court for the Western District of North Carolina holding court at Bryson City, N. C.;

H. R. 9339. An act to authorize the exchange of certain lands of the United States situated in Union County, Ga., for lands within the Chattahoochee National Forest, Ga., and for other purposes;