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 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 program an untenable 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 veto message No. 4, 84th Congress, is an 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 not in isolated cases as is applied 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 lump-sum death payment provision which will provide 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 curing any defect in the application.

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 built airports during World War II with Federal assistance. Of over 500 airports approved to serve 48 States, not one of the 48 States, entered into similar contracts with the Federal Government, 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 lent the city without interest 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 if they were given the same opportunity. For example, Elkins has received and will continue to receive compensatory rates until July 1, 1957. 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. In 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 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 1, 1956.

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 to the United States Government for 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. 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 Secretary of Commerce guaranteed the loan Government over $1 million on the airport.

The issues involved in the bill are likewise clear:

1. The original agreement was and Elkins has performed 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 airports approved to serve 48 States, not one of the 48 States, 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 lent the city without interest and provided the land. No other municipality has received such special treatment.

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The White House, August 1, 1956.

S. 3381. I am withholding my approval of S. 3381, 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 would accomplish would be to relieve 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 the taxpayers' investment, with interest, within a reasonable period of time. Revenues from sales by the Southwestern Power Administration in 1955 were insufficient to pay 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. The bill has been held over the increased rates, which I am informed amount to approximately 40 cents per month for the average rural customer, 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 nonpreferential customer under a 1933, 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 1, 1956.

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, Clyne A. Bailey, and Manuel Silva, all of the