

**VETO OF ACT PROVIDING SPECIAL RETIREMENT  
BENEFITS TO CERTAIN NON-INDIAN EMPLOYEES  
OF THE BUREAU OF INDIAN AFFAIRS AND THE  
INDIAN HEALTH SERVICE**

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**MESSAGE**

**FROM**

**THE PRESIDENT OF THE UNITED STATES**

**VETOING**

**H.R. 5465, AN ACT TO PROVIDE ADDITIONAL RETIREMENT  
BENEFITS FOR CERTAIN EMPLOYEES OF THE BUREAU OF  
INDIAN AFFAIRS AND THE INDIAN HEALTH SERVICE WHO  
ARE NOT ENTITLED TO INDIAN PREFERENCE, TO PRO-  
VIDE GREATER OPPORTUNITY FOR ADVANCEMENT AND  
EMPLOYMENT OF INDIANS, AND FOR OTHER PURPOSES**



**SEPTEMBER 27, 1976.—Message and accompanying act referred to the  
Committee on Post Office and Civil Service and ordered to be printed**

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**U.S. GOVERNMENT PRINTING OFFICE**

*To the House of Representatives:*

I am returning, without my approval, H.R. 5465, a bill which would provide special retirement benefits to certain non-Indian employees of the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS) who are adversely affected by Indian preference requirements.

I strongly support the objective of having Indians administer the Federal programs directly affecting them. I am familiar with and understand the concern of non-Indian employees of these agencies about their long-term career prospects because of Indian preference. But H.R. 5465 is the wrong way to deal with this problem.

This bill is designed to increase employment opportunities for Indians by providing special compensation to non-Indian employees in BIA and IHS who retire early. It seeks to accomplish this purpose by authorizing payment of extraordinary retirement benefits under certain conditions to non-Indian employees of these agencies who retire before 1986—benefits more liberal than those available to any other group of Federal employees under the civil service retirement system. I believe that this approach will result in inequities and added costs that far exceed the problem it is attempting to solve—a problem which is already being addressed through administrative actions by the agencies involved.

H.R. 5465 would provide windfall retirement benefits to a relatively small number of the non-Indian employees of these agencies. The Indian employees and other non-Indian employees in these same agencies would not receive these benefits. The eligible employees are not in danger of losing their jobs. Because they may face a limited outlook for promotion, the bill would pay these employees costly annuities even though they had completed substantially less than a full career. Payments could be made at age 50 after only 20 years of Federal service, of which as little as 11 years need be Indian-agency service. Their annuities would be equivalent to the benefits it would take the average Federal employee until age 60 and 27 years of service to earn.

This would seriously distort and misuse the retirement system to solve a problem of personnel management for which there are far more appropriate administrative solutions. The Departments of the Interior and Health, Education, and Welfare have established special placement programs to help non-Indian employees who desire other jobs. I am asking the Chairman of the Civil Service Commission to make certain that those placement efforts are rigorously pursued with all agencies of the Federal Government.

Further, these Departments assure me that many non-Indian employees continue to have ample opportunity for full careers with Indian agencies if they so desire. Accordingly, H.R. 5465 represents an excessive, although well-motivated, reaction to the situation. Indian preference does pose a problem in these agencies, but it can and should be redressed without resort to costly retirement benefits.

I am not prepared, therefore, to accept the discriminatory and costly approach of H.R. 5465.

GERALD R. FORD.

The WHITE HOUSE, *September 24, 1976.*