

was the turning point in the battle for independence.

For over a century a great monument has crowned the heights of Bunker Hill. I refer, of course, to one of the Nation's most historic edifices, the Bunker Hill Monument.

I urge upon the Congress that this famous landmark of the struggle for independence be held in perpetual care for the people of the United States as a national shrine and park.

HELMUTH WOLF GRUHL — VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 177)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H. R. 1334, for the relief of Helmuth Wolf Gruhl.

The bill would provide for the retroactive payment of a child's insurance benefit under the Federal old-age and survivors insurance program of the Social Security Act to Helen Mann Gruhl for the use and benefit of Helmuth Wolf Gruhl on the wage record of Werner Gruhl for the period December 1942 to February 1947, amounting to \$868.53.

The facts in the case are as follows: It appears that in 1931 Helen Gruhl married Werner Gruhl. In April 1932 a son, Helmuth Wolf Gruhl, was born of this marriage, and in 1935 Mrs. Gruhl separated from her husband and took her son from their home in Elizabeth, N. J., to Chicago, Ill., and ultimately to Madison, Wis. In June 1941 she obtained an absolute divorce from Werner Gruhl.

Werner Gruhl entered into another marriage. He died in November 1942, in Middlebury, Vt. Helen Gruhl, the mother of Helmuth Wolf Gruhl, stated that she had no knowledge of the death of her former husband until April 1947, but that she would have learned of the death and would have filed a claim for the child's insurance benefits as early as November 1942, if the widow of Werner Gruhl had not, in her petition for administration of his estate, erroneously made the statement that she was his sole heir. Mrs. Helen Gruhl made application on behalf of her minor son for child's insurance benefits under title II of the Social Security Act in June 1947, and such benefits were awarded retroactive to March 1947 in the amount of \$17.03 a month. Such benefits were paid until the child reached the age of 18. Had she been informed, in 1942, of the death of her husband, and had timely application been made for the benefits, payment for the 51 months from December 1942 through February 1947 would have accrued to the benefit of the child, which would have amounted to \$868.53. The Bureau of Old-Age and Survivors Insurance held that the provisions of the Social Security Act then in effect prevented the payment of retroactive benefits for the period covered by this bill.

The action of the Bureau was upheld on appeal by a referee and by the Appeals Council of the Federal Security Agency.

The Social Security Act does provide for the payment of retroactive benefits for a limited period when the filing of an application is delayed after the individual is first eligible for payments. Under the law in effect before September 1950, which was applied in this case, this period was 3 months. The 1950 Social Security Act amendments have since increased the period to 6 months—effective with regard to months after August 1950.

The legislative history of the Social Security Act indicates that, in providing for retroactive benefits for only a limited period, the Congress took into account the fact that persons otherwise eligible for benefits might "not know of their right to benefits or, for some other reason, have delayed filing their applications"—House Report No. 728, page 40; Senate Report No. 734, page 47, 76th Congress. The courts have ruled that the fact that a claimant is unaware of his rights under the Social Security Act does not extend rights beyond the statutory period of grace when no application for benefits has been filed as required by statute.

I appreciate the fact that the limitation on retroactive benefits in the Social Security Act may seem like an unjust penalty to those who, as the child and the mother in this case, had no timely knowledge of the wage earner's death. However, provision against retroactive benefits in the law—except for a reasonable period to allow for normal delays—was not intended as a penalty or forfeiture, but to carry out the purpose of this insurance program. Old-age and survivors insurance benefits are primarily intended to provide a regular, though small, income to beneficiaries to help meet their current living needs. That purpose would not be served by lump-sum payments to individuals to cover previous months for which provision had already been made in other ways, as the present case illustrates. The child has passed the age of eighteen at which social insurance benefits for minors are cut off. Moreover, the facts that the father was not supporting the child and that the death of the father was not known to the mother and child for so long indicate that there was no continuing relationship between the father and the child and that the child was not dependent economically upon the father.

Special legislation permitting one individual to receive social insurance benefits under conditions identical with those in which benefits are denied to another is undesirable and contrary to sound principles of equity and justice. If any modification of a provision in the Social Security Act is needed, I believe that the Congress should make such changes in the basic law so they will be available to all persons equally. The Congress, on two separate occasions—in 1939 and 1950—has considered the question of retroactive benefits and has decided that the period should be definitely limited.

For these reasons, I feel compelled to return the bill without my approval.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, June 15, 1953.

The SPEAKER. The objections of the President will be spread at large upon the Journal, and, without objection, the bill and message will be referred to the Committee on the Judiciary and ordered to be printed.

There was no objection.

THE STATE DEPARTMENT

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, the best news in today's paper is to the effect that the State Department has fired 2,600 people. It is just too bad it is not 5,000. I hope every other Cabinet member will read the newspaper today and follow suit.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks, was granted to:

Mr. REED of New York in five instances and to include extraneous matter in each.

Mr. BENDER in five instances and to include extraneous matter.

Mr. CRUMPACKER and to include a letter.

Mr. JENSEN and to include a letter and other data.

Mr. MILLER of Nebraska and to include a speech by Ezra Taft Benson on the agricultural situation.

Mr. BENTLEY in two instances and to include extraneous matter.

Mr. O'KONSKI in regard to the Henry Kaiser enterprises.

Mr. LAIRD in three instances and to include extraneous matter.

Mrs. CHURCH and to include a news article.

Mrs. ROGERS of Massachusetts and to include a letter sent to every Member of Congress by the American Legion on H. R. 5690, the independent offices appropriation bill.

Mr. FINO and to include an address delivered by him yesterday.

Mr. BURDICK.

Mr. LANE in five instances and to include extraneous matter.

Mr. ROGERS of Florida and to include an editorial.

Mr. WALTER and to include a news release from WRC.

Mr. THOMPSON of Louisiana in two instances and to include a newspaper clipping and an editorial.

Mr. BOGGS and to include extraneous matter.

Mr. FRAZIER.

Mr. HART and to include a newspaper item.

Mr. CELLER on four distinct subjects.

Mr. BYRD and to include extraneous material.

Mr. DODD.

Mr. LYLE and to include an article.