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 security program an unacceptable precedent which until now has been avoided.

Since 1938 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 S. 204, 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 special legislation 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 lump-sum death payment provision which would allow an opportunity, not only to Mrs. Fiehler but to all claimants similarly circumstanced, to become entitled to a lump-sum death payment under the Social Security Act upon presentation of sound legal proof. I am withholding approval of S. 2182.

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 construct 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. Since interest payments have been made but the accrued and unpaid interest as of May 1, 1956, amounts to $224,400. Through the Civil Aeronautics Administration, the Federal Government has guaranteed over $1 million on the airport.

The issues involved in the bill are likewise clear:

1. The original agreement was that Elkins would not be required to repay any of the $75,000 loan and would 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 one community and thereby discriminate against other communities which built airports during World War II with Federal assistance. Of over 500 airports constructed under the Reconstruction Finance Corporation, 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 money to one community and provided the land. No other municipal government 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 an advantage never given to any other city granted loans by the Corporation. Undoubtedly, special circumstances exist in many of the communities whose obligations remain unpaid. This bill is not a precedent which could be as persuasive as in the case of Elkins. The precedent set by this bill could, moreover, adversely affect other communities and could set a very undesirable principle.

Dwight D. Eisenhower.
The White House, August 1, 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 3, 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 would accomplish is 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 under the Federal Power Act, and to establish rate schedules for electric power and energy marketed by the Southwestern Power Administration, and for other purposes.

This bill involves one community and several other continuing Federal projects which will return the taxpayers' investment, with interest, within a reasonable period of time. Revenues from sales of power 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. S. 3338 would have been 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. 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 collection 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.

VALIDATION OF CERTAIN MINING CLAIMS, WASHINGTON

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