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