

from the Clerk of the House of Representatives:

WASHINGTON, D.C., JUNE 2, 1982.

HON. THOMAS P. O'NEILL, JR.,
The Speaker, U.S. House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the permission granted in the Rules of the House of Representatives, I have the honor to transmit a sealed envelope from The White House, received in the Clerk's Office at 3:00 p.m. on Tuesday, June 1, 1982 and said to contain H.R. 5118, an Act to provide water to the Papago Indian Tribe of Arizona and its members, to settle Papago Indian water rights claims in portions of the Papago reservations, and for other purposes, and a veto message thereon.

With kind regards, I am

Sincerely,

EDMUND L. HENSHAW, JR.,

Clerk,

U.S. House of Representatives.

SOUTHERN ARIZONA WATER RIGHTS SETTLEMENT ACT OF 1982—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 97-191).

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. 5118, the proposed "Southern Arizona Water Rights Settlement Act of 1982." I take this action with sincere disappointment. I am well aware of the hard work of the Arizona Congressional leaders that went into the development and passage of this legislation. I also understand their desire to resolve the litigation that has hung over the head of the City of Tucson and the many private parties involved for the past seven years.

I strongly believe that the most appropriate means of resolving Indian water rights disputes is through negotiated settlement and legislation if it is needed to implement any such settlement. However, H.R. 5118 is a negotiated settlement with a serious flaw. The United States Government was never a party to the negotiations that led to the development of this proposal. This settlement was negotiated among the Tribe, the City of Tucson, the State of Arizona, the affected commercial interests and other defendants with assistance from the Arizona Congressional delegation. The result of this negotiation was that the United States Government, which was absent from the negotiation table, would bear almost the entire financial burden of the settlement at a potential initial cost of \$112 million and a potential annual cost of approximately \$5 million.

I cannot support this resolution of litigation on behalf of the Papago Tribe by the United States Government. I can only in good conscience

approve legislation intended to implement a settlement if the United States has been a major party in the negotiations and if the contribution by the defendants in the litigation involved is significant.

I pledge the full cooperation of my Administration to the States and local governments that are facing the difficult task of equitably resolving Indian water rights suits. I cannot, however, pledge the Federal Treasury as a panacea for this problem.

H.R. 5118 is a multi-million dollar bailout of local public and commercial interests at the expense of Federal taxpayers throughout the nation. It is a prime example of serious misuse of Federal funds. It asks the Federal Government to pay the settlement share of the mining companies and other local water users whose share should more properly be borne by the defendants themselves.

I therefore must return this legislation to you without my approval. I will only approve legislation that implements a true negotiated settlement. Such a settlement is one in which all parties that are making contributions or concessions have agreed to those contributions or concessions at the negotiating table. I look forward to receiving such legislation from the Congress. I am asking the Secretary of the Interior to coordinate participation by my Administration in any such negotiations.

RONALD REAGAN.

THE WHITE HOUSE, June 1, 1982.

The SPEAKER. The objections of the President will be spread at large upon the Journal, and the message and bill will be printed as a House document.

Mr. UDALL. Mr. Speaker, I ask unanimous consent that further consideration of the veto message of the President on the bill, H.R. 5118, be postponed until Thursday, June 10, 1982.

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

Mr. WALKER. Mr. Speaker, reserving the right to object, do I understand that the joint leadership has decided to postpone this, and that this is agreeable with the leadership on our side as well as the leadership on the gentleman's side?

Mr. UDALL. Yes. Mr. Speaker, if the gentleman will yield, we have cleared it in committee with the leadership on the gentleman's side, and they have no objection to this 8-day delay rather than trying to act today without being prepared.

Mr. WALKER. The 8-day delay would put it on a date certain, then, if this matter is taken up before the House?

Mr. UDALL. On next Thursday, a week from tomorrow, June 10.

Mr. WALKER. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

MILITARY WIDOWS AND SURVIVING CHILDREN BENEFITS RESTORATION ACT

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Speaker, today, I am introducing two bills to restore benefits to widows and children of certain veterans who were killed while on active duty in Vietnam.

The benefits which would be restored were paid under the provisions of the Social Security Act prior to the Budget Reconciliation Act of 1981 (Public Law 97-35). One of the bills I am introducing would require the branch of the Armed Forces in which the veteran served to pay the benefits. The other bill would require that the benefits be paid by the Social Security Administration. It only seems fair to the families of those killed in Vietnam that these benefits be restored.

One of the provisions of the Budget Reconciliation Act ended entitlement to social security benefits for a surviving parent caring for a child or children when the youngest child reaches 16 rather than 18. This provision of the social security program is generally referred to as a mother's benefit. The mother's benefit provision took effect in September 1981, but did not include, for an additional 2 years after the effective date, those who were receiving the benefit in August 1981.

Another provision of the Budget Reconciliation Act has ended or reduced educational social security benefits effective August 1, 1982, paid to adult children ages 18 through 22 who are taking postsecondary education courses. Effective August 1, 1982, no payments are permitted past age 18 for a child attending college or taking higher education, or past age 19 for a child attending high school. Payments to children on the date of enactment are being gradually reduced or phased out over a 4-year period which began on May 1, 1982.

Later on, I will make available a more detailed explanation of these two bills in the CONGRESSIONAL RECORD and hope that many of you will join me in cosponsoring these two measures which are intended to provide justice and equity for the survivors of those who gave their lives for their country.