

S. 1736. A bill to amend the Communications Act of 1934, as amended, by eliminating the requirement of an oath or affirmation in certain documents filed with the Federal Communications Commission (Rept. No. 888);

S. 1738. A bill to amend section 5(c) of the Communications Act of 1934, as amended, to redefine the duties and functions of the review staff (Rept. No. 689); and

S. 1740. A bill to amend section 202(b) of the Communications Act of 1934, in order to expand the Federal Communications Commission's regulatory authority under such section (Rept. No. 691).

By Mr. PASTORE, from the Committee on Interstate and Foreign Commerce, with an amendment:

S. 1737. A bill to authorize the imposition of forfeitures for certain violations of the rules and regulations of the Federal Communications Commission in the common carrier and safety and special fields (Rept. No. 689).

By Mr. PASTORE, from the Committee on Interstate and Foreign Commerce, with amendments:

S. 1898. A bill to amend the Communications Act of 1934 with respect to the procedure in obtaining a license and for re-hearings under such act (Rept. No. 690).

VETERANS' PENSION ACT OF 1959— REPORT OF A COMMITTEE— MINORITY VIEWS

Mr. BYRD of Virginia. Mr. President, from the Committee on Finance, I report favorably, with amendments, the bill (H.R. 7650) to modify the pension programs for veterans of World War I, World War II, and the Korean conflict, and their widows and children, and I submit a report (No. 666) thereon. I ask unanimous consent that the report may be printed, together with minority views.

The ACTING PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Virginia.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NEUBERGER:

S. 2525. A bill to establish in the Public Health Service a National Poliomyelitis Vaccine Bank; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. MURRAY (for himself and Mr. MANSFIELD):

S. 2526. A bill prescribing minimum and maximum operation level of Flathead Lake, Mont.; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MURRAY when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK:

S. 2527. A bill to amend the Internal Revenue Code of 1954 in order to eliminate preferential treatment with respect to certain categories of taxpayers, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING:

S. 2528. A bill for the relief of John Lipset; and

S. 2529. A bill for the relief of Sultana Mosatche; to the Committee on the Judiciary.

By Mr. CAPEHART:

S. 2530. A bill for the relief of Irmgard Maria Keck Mahoney; to the Committee on the Judiciary.

By Mr. YARBOROUGH:

S. 2531. A bill to authorize the San Benito International Bridge Company to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex.; to the Committee on Foreign Relations.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S. 2532. A bill for the relief of Margherita Pino; and

S. 2533. A bill for the relief of Mari Rose A. M. Dinha; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 2534. A bill for the relief of Stanley Alexander Yhap and Joycelyn Patricia Wooming Yhap; to the Committee on the Judiciary.

By Mr. HART:

S. 2535. A bill to establish an agency of the Legislative Branch of the Federal Government authorized to conduct the election of Members of the Senate and the House of Representatives; to the Committee on Rules and Administration.

(See the remarks of Mr. HART when he introduced the above bill, which appear under a separate heading.)

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT—CHANGES IN ENROLLMENT OF BILL

Mr. EASTLAND. Mr. President, I submit a concurrent resolution, and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The concurrent resolution will be read for the information of the Senate.

The concurrent resolution (S. Con. Res. 71) was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the bill (S. 1719) for the relief of Lurhamon S. Grewal, Jeat S. Grewal, Gurmale S. Grewal, and Tahl S. Grewal, to make the following changes, namely: On page 1, in line 4, strike the word "Naturalization" and insert in lieu thereof the word "Nationality" and on page 2, in line 2, strike the word "Naturalization" and insert in lieu thereof the word "Nationality."

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considered and agreed to.

RESOLUTIONS

Mr. SYMINGTON, from the Committee on Agriculture and Forestry, reported an original resolution (S. Res. 161) increasing the limit of expenditures for the Committee on Agriculture and Forestry, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. SYMINGTON, which appears under the heading "Reports of Committees.")

Mr. KERR (for himself, Mr. BENNETT, Mr. MURRAY, Mr. ENGLE, Mr. BIBLE, Mr. MOSS, Mr. CANNON, Mr. YARBOROUGH, Mr. MAGNUSON, Mr. CARROLL, Mr. MANSFIELD, Mr. GRUENING, Mr. BARTLETT, and Mr. ANDERSON) submitted a resolution (S. Res. 162) requesting the U.S. Tariff Commission to make an additional investigation under section 332 of the Tariff Act of 1930 of the domestic lead and zinc industries, which was referred to the Committee on Finance.

(See the above resolution printed in full when submitted by Mr. KERR, which appears under a separate heading.)

SALK VACCINE BANK WOULD AID EXTENSION OF POLIO PROTECTION

Mr. NEUBERGER. Mr. President, many sections of the United States are currently experiencing unusually high levels of polio incidence. A dozen States report near epidemic rates in particular areas.

My own State of Oregon is among those suffering from a polio siege. Dr. Harold Erickson, State health officer, reports that Oregon has recorded more fatal cases of polio, more paralytic cases, and more evidence of the presence of the highly dangerous type I polio virus during the past 17 weeks than in any other similar period over the past 3 years.

Oregon's polio situation is not likely to improve soon—

Dr. Erickson states—

because too few of the State's residents have obtained Salk vaccination to prevent an epidemic, the State's supply of vaccine is nearly exhausted, and the limited amounts of new vaccine coming on the market are being channeled to States which have been more severely hit by the disease.

While Oregon polio incidence has not reached epidemic levels so far in 1959, there are indications suggesting that incidence could reach epidemic levels within the next few weeks—

Dr. Erickson asserts.

Dr. Erickson has asked the Public Health Service to aid in obtaining needed vaccine. However, the Public Health Service has no vaccine supply of its own, and can only ask manufacturers to allocate available quantities to epidemic areas. Since Oregon has not been given this status, it may be 2 or 3 weeks before new vaccine is available in my State.

Principal reason for the existence of this situation in Oregon—and other States—is national reliance on private producers to feed into the market appropriate quantities of vaccine. Unfortunately, the system is not adequate. The reason is simple.

SALK VACCINE IN SHORT SUPPLY

Salk vaccine has an effective life of about 6 months when stored in vials. At the end of that period it must be retested or destroyed. Retesting is not commercially feasible due to cost.

In 1958, drug manufacturers overstocked the vaccine. A total of 11,024,000

units of outdated vaccine were destroyed. Manufacturers did not wish to make the same mistake again in 1959. Today in the current crisis there is a severe shortage of vaccine. While increased danger of contracting polio in epidemic areas has stimulated many to seek Salk shots, communities are canceling scheduled polio clinics because of lack of vaccine.

Mr. President, there is little we can do in connection with current epidemics but hope that supply soon catches up with demand in order that all who wish to be vaccinated may have that opportunity.

But Congress can and should do something to prevent a reoccurrence of this situation, and I introduce proposed legislation today to aid in achieving this aim.

My bill would create in the Public Health Service a Salk vaccine bank.

Under the provisions of the legislation I propose, the Public Health Service would be authorized to purchase Salk vaccine from private manufacturers and store it in appropriate commercial or Government facilities. States which required additional vaccine, but were unable to obtain it from drug companies, could request a vaccine loan to aid in dealing with the emergency situation. When demand for the vaccine lessened, the bank's depleted resources would be restored by purchase of new vaccine from funds paid by the States to cover cost of the units utilized during the shortage.

WHY RISK THE LIVES OF AMERICAN CHILDREN?

The effect of this system would be to provide a cushion so that sudden runs would not result in critical lack of vaccine. It would insure that more individuals become vaccinated, since the greatest incentive to take this action occurs in times when the disease is most prevalent and the vaccine in shortest supply.

Mr. President, in 1955, when the Salk vaccine first became available, I urged establishment of a Federal allocation program to insure orderly distribution of the vaccine in the best interests of the Nation's health. At that time I pointed out the success of the Canadian Government in developing a comprehensive national program which foresaw the demand for the vaccine and sought to guarantee that immunizing inoculations were made available to all at prices all could pay. However, the Government purchase plan adopted by Canada, which allowed the orderly handling of this problem, was not utilized in this country.

It is too late now to alter the basic pattern set in 1955. But we should take any action which will aid in increasing the efficiency of the present operation.

It is in the best interests of all of us that every citizen in this country be protected against polio. I think my suggestion would help us reach that goal a little more quickly.

Mr. President, I ask that the bill be received and appropriately referred.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2525) to establish in the Public Health Service a national poliomyelitis vaccine bank, introduced by Mr. NEUBERGER, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

FLATHEAD LAKE, MONT.

Mr. MURRAY. Mr. President, on behalf of my distinguished colleague, the junior Senator from Montana [Mr. MANSFIELD] and myself, I introduce a bill for appropriate reference. The bill prescribes minimum and maximum operation levels for Flathead Lake, Mont. It is very important to the residents on that lake.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2526) prescribing minimum and maximum operation level of Flathead Lake, Mont., introduced by Mr. MURRAY for himself and Mr. MANSFIELD, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. MANSFIELD. Mr. President, in western Montana we have what I consider to be the finest and most beautiful natural fresh water lake on the North American Continent, Flathead Lake.

This lake is one of the scenic wonders of the West, it abounds with recreation potential. It is a sportsman's paradise. Along its shores you will find homes and summer cottages that are comparable to those anywhere in the Nation. Flathead Lake is the heart of a fertile valley. This lake also plays an extremely important role in the generation of power and control of floodwaters in the Northwest, as my distinguished senior colleague from Montana [Mr. MURRAY] and I know from personal, firsthand knowledge.

Periodically, since 1943, proposals are advanced which would alter the water level of this lake and suddenly local opposition develops with a firmness seldom found in a group of people with varied interests. This opposition is not without cause. If the level of the lake rises, it floods hundreds of homes and valuable property. If the lake is allowed to fall below a reasonable level the shoreline becomes an unsightly mud flat.

At the present time the surface level of Flathead Lake is maintained between a maximum elevation of 2,893 feet and a minimum elevation of 2,883 feet. This limitation is prescribed in the Federal Power Commission license for Kerr Dam.

My distinguished senior colleague, the chairman of the Senate Interior and Insular Affairs Committee [Mr. MURRAY], my distinguished and able colleague in the House, Representative LEE METCALF, and I have introduced today proposed legislation which would make the maintenance of these maximum and minimum water levels on the lake a Federal statute, applicable to all plans and proposals which are dependent on the use of the waters from Flathead Lake.

Flathead Lake has a tremendous role to play in the development of western Montana and this can be done without

adversely effecting the water level of the lake. If not, then we shall oppose vigorously any plan to tamper with one of Montana's greatest natural resources. In doing so, we are holding fast to the policy which has motivated our thinking on this particular matter and in which we have been personally interested, since 1943.

Mr. President, I ask unanimous consent that the bill may be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That in the operation of Kerr Dam, and in the operation of the Flathead Lake Channel improvement project, if authorized and constructed, the surface level of Flathead Lake, Montana, shall at no time be raised above the elevation of 2,893 feet nor permitted to fall below the elevation of 2,883 feet as prescribed by the Federal Power Commission license for Kerr Dam.

ELIMINATION OF PREFERENTIAL TREATMENT WITH RESPECT TO CERTAIN CATEGORIES OF TAXPAYERS

Mr. CLARK. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code to require that gains from transfer of depreciable property used in trade or business and certain other types of property be taxed at ordinary income rates rather than at reduced capital gains rates not exceeding 25 percent.

It has been said, and I concur, that the capital gains subchapter of the Code "has become one of the most impressive loopholes in the Federal revenue structure"—Joint Committee Print, "The Federal Revenue System: Facts and Problems 1959," page 62.

Low capital gains rates are applicable, of course, only to income from transfers of "capital assets." One of the chief reasons why the capital gains subchapter has become a tax-dodge refuge is to be found in the exceptions created by Congress to broaden the code definition of "capital asset."

Section 1221 of the Code defines "capital asset" as follows:

The term "capital asset" means property held by the taxpayer (whether or not connected with his trade or business), but does not include (1) stock in trade of the taxpayer or other property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year, or property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business; (2) property, used in his trade or business, of a character which is subject to the allowance for depreciation provided in section 167, or real property used in his trade or business;

The definition of "capital assets" underwent many legislative changes since Congress introduced the concept into the tax structure in the Revenue Act of 1921. Since the 1930's, however, the definition has been in substantially the same form as indicated above, that is, a sweeping inclusion of "property held by the tax-