

# HEINONLINE

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Inc.; League of Catholic Slovenian Americans; Missionaries of St. Charles for the Italian Immigrants; National Alliance of Czech Catholics; National Catholic Rural Life Conference; National Conference of Catholic Charities; National Council of Catholic Men; National Council of Catholic Women; New York Diocesan Resettlement Committee; Polish Immigration Committee; Slovak Catholic Federation of America; Ukrainian Catholic Committee; Ukrainian Congress Committee; United Friends of Needy and Displaced People of Yugoslavia; United Lithuanian Relief Fund of America; United Ukrainian American Relief Committee; White Ruthenian—Byelorussian—Congress Committee; War Relief Services—National Catholic Welfare Conference.

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

The members of the National Catholic Resettlement Council and the American Committee on Special Migration at a joint meeting unanimously passed the following resolution:

"Whereas the 83d Congress, 1st session, has enacted H. R. 6481 in response to recommendations made by President Eisenhower;

"Whereas the enactment of this legislation serves the highest interest of our beloved America while, at the same time, it will assist some of our most important allies in solving problems created by tyranny, war, and its aftermath;

"Whereas the enactment of this legislation was made possible by the firm support and determined leadership of certain Members of Congress: Therefore, be it

*Resolved*, That the National Catholic Resettlement Council and the American Committee on Special Migration, representing as they do millions of Americans whose hopes and prayers beseech peace with freedom for all mankind, express their grateful appreciation to all those who assisted in bringing about the enactment of emergency legislation; be it further

*Resolved*, That a copy of this resolution be transmitted to those Members of Congress whose services in this worthy cause were outstanding."

### A Report to the Senate Interstate Commerce Committee on the Need for Investigation of Cancer Research Organizations

#### EXTENSION OF REMARKS

OF

**HON. WILLIAM LANGER**

OF NORTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Monday, August 3, 1953

Mr. LANGER. Mr. President, I request permission to have inserted in the CONGRESSIONAL RECORD under date of August 3, 1953, the letter from Charles W. Tobey, Jr., son of the late Senator Charles Tobey, together with his enclosure.

There being no objection, the letter and enclosure were ordered to be printed in the RECORD, as follows:

CONCORD, N. H.  
The Honorable WILLIAM LANGER,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR LANGER: My father had intended to put the enclosed report in the CONGRESSIONAL RECORD but, due to his untimely death, this was impossible.

It would be greatly appreciated if you would have this report inserted in the CONGRESSIONAL RECORD Appendix under the suggested heading of "A Report to the Senate Interstate Commerce Committee on the Need for Investigation of Cancer Research Organizations."

With personal regards, I am.

Sincerely yours,

CHARLES W. TOBEY, Jr.

From: Benedict F. Fitzgerald, Jr., special counsel to the Committee on Interstate and Foreign Commerce.

To: Hon. JOHN W. BRICKER and members of the Interstate and Foreign Commerce Committee of the United States Senate.

Subject: Progress report on study requested by the late Senator Charles W. Tobey, chairman, Senate Interstate and Foreign Commerce Committee.

#### PROJECT

The undersigned, as special counsel to the Senate Interstate and Foreign Commerce Committee, was directed to supervise a study of the following:

1. All those individuals, organizations, foundations, hospitals and clinics, throughout the United States, which have an effect upon interstate commerce and which have been conducting researches, investigations, experiments and demonstrations relating to the cause, prevention, and methods of diagnosis and treatment of the disease cancer, to determine the interstate ramifications of their operations, their financial structures, including their fund-raising methods, and the amounts expended for clinical research as distinguished from administrative expenditures, and to ascertain the extent of the therapeutic value claimed by each in the use of its particular therapy.

2. The facts involving the discovery of, the imports from a foreign country of, the researches upon, and the interstate experiments, demonstrations, and use of the various drugs, preparations, and remedies for the treatment of the disease cancer, such drugs to include the so-called wonder drug krebiozen, gloxylide, mucorhycin, and others.

3. The facts involving the interstate conspiracy, if any, engaged in by any individuals, organizations, corporations, associations, and combines of any kind whatsoever, to hinder, suppress, or restrict the free flow or transmission of krebiozen, gloxylide, and mucorhycin, and other drugs, preparations and remedies, and information, researches, investigations, experiments and demonstrations relating to the cause, prevention and methods of diagnosis and treatment of the disease cancer.

4. The facts involving the operation of voluntary cooperative prepaid medical plans and the organizations sponsoring said plans which are engaged in interstate commerce and which include in their programs medical treatment for the disease cancer, to determine the extent of their interstate insurance operations, the identity of their originators and sponsors, and the resistance, if any, that each insurer has experienced from any individuals, organizations, corporations, associations, or combines, in their attempts to offer protection to those who are afflicted with the disease cancer.

5. The facts involving the inequality of opportunity, if any, that exists with regard to race, creed, or color, in connection with the admission of students, researchers, and patients to institutions throughout the United States engaged in cancer therapy.

#### Activity report

Pursuant to the above, the undersigned commenced a collection and study of material covering the operations of foundations, hospitals, clinics, and Government-sponsored organizations specializing in cancer problems, including the following:

American Cancer Society.

American Medical Association.

Anne Fuller Fund, New Haven, Conn.

Babe Ruth Foundation.

Black, Stevenson Cancer Foundation, Hatfield, Miss.

Bondy Fund, New York.

Johnathan Bowman Fund, Madison, Wis.

Crocker Cancer Research Fund, New York.

Damon Runyon Cancer Fund.

Philip L. Drosnes and the Drosnes Lazebey Clinic, Pittsburgh, Pa.

Dr. F. M. Eugene, Blass Clinic, Long Valley, N. J.

Government organizations: The Department of Health, Education, and Welfare; (a) Food and Drug Administration; (b) Federal Trade Commission.

Dr. Gregory Clinic, Pasadena, Calif.

Hoxsey Cancer Clinic, 4507 Gaston Avenue, Dallas, Tex.

C. P. Huntington Fund, New York.

International Cancer Research Foundation, Philadelphia, Pa.

Johns Hopkins Hospital, Baltimore, Md.

Dr. Waldo Jones, Myrtle Beach, S. C.

Dr. William F. Koch and Rev. Sam Swain Clinic, also known as the Christian Medical Research League, Detroit, Mich., and Brazil, South America.

Lakeland Foundation, Chicago, Ill.

Lincoln Foundation, Medford, Mass.

Memorial Hospital, New York.

Dr. K. F. Murphy and Dr. Charles Lyman Lozier Clinic, 25 East Washington Street, Chicago, Ill.

New York Skin and Cancer Hospital, New York.

Radium Institute of New York.

Henry Rutherford Fund, New York.

Charles F. Spang Foundation, Pittsburgh, Pa.

University of Chicago, Chicago, Ill.

University of Illinois, Champaign, Ill.

Thereafter, the undersigned traveled to Illinois to investigate the so-called krebiozen controversy, and on July 2, 1953, wrote a report on his findings which is attached hereto and marked "Exhibit A." Included in this report was the evaluation:

"The controversy is involved and requires further research and development. There is reason to believe that the AMA has been hasty, capricious, arbitrary, and outright dishonest, and of course if the doctrine of 'respondeat superior' is to be observed, the alleged machinations of Dr. J. J. Moore (for the past 10 years the treasurer of the AMA) could involve the AMA and others in an interstate conspiracy of alarming proportions.

"The principal witnesses who tell of Dr. Moore's rascality are Alberto Barreira, Argentine cabinet member, and his secretary, Anna D. Schmidt."

Thereafter, the undersigned visited other areas, interrogating medical men, and on July 14, 1953, wrote a further report. Included in this was the evaluation:

"Being vitally interested and having tried to listen and observe closely, it is my profound conviction that this substance krebiozen is one of the most promising materials yet isolated for the management of cancer. It is biologically active. I have gone over the records of 530 cases, most of them conducted at a distance from Chicago, by unbiased cancer experts and clinics. In reaching my conclusions I have of course discounted my own lay observations and relied mostly on the opinions of qualified cancer research workers and ordinary experienced physicians.

"I have concluded that in the value of present cancer research, this substance and the theory behind it deserves the most full and complete and scientific study. Its value in the management of the cancer patient has been demonstrated in a sufficient number and percentage of cases to demand further work."

"Behind and over all this is the deepest conglomeration of corrupt motives, intrigue, selfishness, jealousy, obstruction, and conspiracy that I have ever seen."

"Dr. Andrew C. Ivy, who has been conducting research upon this drug, is absolutely honest intellectually, scientifically, and in every other way. Moreover, he appears to be one of the most competent and unbiased cancer experts that I have ever come in contact with, having served on the board of the American Cancer Society and the American Medical Association, and in that capacity having been called upon to evaluate various types of cancer therapy. Dr. George O. Stoddard, president of the University of Illinois, in assisting in the cessation of Dr. Ivy's research on cancer at the University of Illinois, and in recommending the abolishment of the latter's post as vice president of that institution, has, in my opinion, shown attributes of intolerance for scientific research in general."

It is a matter of common knowledge that the entire subject matter is highly controversial and thus further and additional research and development would entail more time. A controversy among renowned surgeons, pathologists, cancerologists, and radiologists should not deter or silence this committee from carrying out the mandate contemplated and expressly directed by the late chairman of your committee, Senator Charles W. Tobey, by virtue of the resolution passed by the Senate.

Now, passing on to another institution, I have very carefully studied the court records of three cases tried in the Federal and State courts of Dallas, Tex. A running fight has been going on between officials, especially Dr. Morris Fishbein, of the American Medical Association through the journal of that organization, and the Hoxsey Cancer Clinic. Dr. Fishbein contended that the medicines employed by the Hoxsey Cancer Clinic had no therapeutic value; that it was run by a quack and a charlatan. (This clinic is manned by a staff of over 30 employees, including nurses and physicians.) Reprints and circulation of several million copies of articles so prepared resulted in litigation. The Government thereafter intervened and sought an injunction to prevent the transmission in interstate commerce of certain medicines. It is interesting to note that in the trial court, before Judge Atwell, who had an opportunity to hear the witnesses in two different trials, it was held that the so-called Hoxsey method of treating cancer was in some respects superior to that of X-ray, radium, and surgery and did have therapeutic value. The Circuit Court of Appeals of the Fifth Circuit decided otherwise. This decision was handed down during the trial of a libel suit in the District Court of Dallas, Tex., by Hoxsey against Morris Fishbein, who admitted that he had never practiced medicine one day in his life and had never had a private patient, which resulted in a verdict for Hoxsey and against Morris Fishbein. The defense admitted that Hoxsey could cure external cancer but contended that his medicines for internal cancer had no therapeutic value. The jury, after listening to leading pathologists, radiologists, physicians, surgeons, and scores of witnesses, a great number of whom had never been treated by any physician or surgeon except the treatment received at the Hoxsey Cancer Clinic, concluded that Dr. Fishbein was wrong; that his published statements were false, and that the Hoxsey method of treating cancer did have therapeutic value.

In this litigation the Government of the United States, as well as Dr. Fishbein, brought to the court the leading medical scientists, including pathologists and others skilled in the treatment of cancer. They came from all parts of the country. It is significant to note that a great number of these doctors admitted that X-ray therapy could cause cancer. This view is supported by medical publications, including the magazine entitled "Cancer," published by the American Cancer Society, May issue of 1948.

I am herewith including the names and addresses of some of the witnesses who testified in the State and Federal court. It has been determined by pathology, in a great many instances by laboratories wholly disconnected from the Hoxsey Cancer Clinic, that they were suffering from different types of cancer, both internal and external, and following treatment they testified they were cured.

*Name, address, and type*

J. A. Johnson, Ranger, Tex., squamous cell No. 2.

Mrs. R. J. Hickman, 1225 East Allen Street, Fort Worth, melanocarcinoma.

Robert Thane, Avoca, Tex., myxoliposarcoma.

Mrs. H. H. Johnson, Denton, Tex., adenocarcinoma.

Mrs. Elmer Smith, Wellington, Tex., malignant melanoma.

Mildred Eager, 2101 Stovall Street, Dallas, Tex., melanoma.

A. G. Burgess, 2416 Wymann Street, Dallas, Tex., basal cell carcinoma.

Ira Poston, 5322 Victor Street, Dallas, Tex., basal cell carcinoma.

W. E. Harmon, Grapevine, Tex., prickle cell carcinoma.

Mrs. J. A. Robb, Weatherford, Tex., basal cell carcinoma.

Mrs. Lessie Hester, Lubbock, Tex., adenocarcinoma of uterus.

Mr. E. E. Hockett, Farmersville, Tex., R. F. D., prickle cell carcinoma.

Mrs. Lora Barnett, Peniel, Tex., adenocarcinoma of uterus.

T. E. Truman, Waco, Tex., epidermoid carcinoma.

Fritz Trojan, Waco, Tex., squamous cell type.

Mr. C. W. Malone, Brownwood, Tex., basal cell type.

Val Seurer, Hinton, Okla., malignant carcinoma.

Jo Parelli, sportatorium, Dallas, Tex., malignant carcinoma.

Mrs. R. M. Hoffman, care J. B. Baird Co., Shreveport, La., spindle cell carcinoma.

Tom Coates, Merkel, Tex., basal cell carcinoma.

J. L. Renfro, Merkel, Tex., malignant carcinoma.

Mrs. J. D. Douglas, Fort Worth, Tex., ductal cell carcinoma.

Mrs. R. S. Turner, squamous cell carcinoma, grade 3.

Mrs. C. E. Mallory, squamous cell carcinoma.

Mrs. Herman Thomas, 5222 Merrimac Street, Dallas, Tex., melanocarcinoma.

Clifton H. Smith, 5637 Hiram Street, Fort Worth, Tex., malignant carcinoma.

Rev. Horace W. Irwin, West Warwick, R. I., malignant carcinoma.

I have had access to literature by leading scientists in the field of medicine. The attention of the committee is invited to the hearings held during the 79th Congress, in July 1946; Senate bill 1875 being under consideration, wherein it appears, as follows:

"Dr. George Miley was born in Chicago, 1907, graduated from Chicago Latin School, 1923, graduated with bachelor of arts from Yale University in 1927, from Northwestern Medical School, 1932, interned at Chicago Memorial Hospital in 1932 and 1933, University of Vienna Postgraduate Medical School, 1933, 1934, following which he visited

the hospitals in India, China and Japan. He is a fellow of the American Association for the Advancement of Science. He holds a national board certificate and since 1945 he has been medical director of the Gotham Hospital, New York.

"Report of Dr. Miley of a survey made by Dr. Stanley Reimann (in charge of tumor research and pathology, Gotham Hospital) before Senator Pepper's committee on Senate bill 1875, a bill to authorize expenditure of \$100 million in cancer research.

"Dr. Reimann's report on cancer cases in Pennsylvania over a long period of time showed that those who received no treatment lived a longer period than those that received surgery, radium, or X-ray. The exceptions were those patients who had received electrosurgery. The survey also showed that following the use of radium and X-ray much more harm than good was done to the average cancer patient.

"Dr. William Seaman Bainbridge, A. M., Sc. D., M. D., C. M., F. I. C. S. (honorary), was the recipient of six honorary degrees from various institutions, the most recent being the degree of doctor honoris causa from the University of San Marcos, Peru. He has been surgeon at the New York Skin and Cancer Hospital, surgical director of New York City Children's Hospital, and of Manhattan State Hospital, Ward's Island, and consulting surgeon and gynecologist to various hospitals in the New York metropolitan and suburban areas.

"While there are some who still believe in the efficacy of radiation as a cure, my skepticism with regard to its value is being increasingly substantiated. But even with the best technic of today, its curative effect in real cancer is questionable. In 1939 the great British physiologist, Sir Leonard Hill, wrote: 'Large doses (of gamma and hard X-rays) produce destruction of normal tissues such as marrow and lymphoid tissue, leucocytes and epithelial linings, and death ensues. \* \* \* The nation would, I think, be little the worse off if all the radium in the country now buried for security from bombing in deep holes, remains therein.'

"A neoplasm should never be incised for diagnostic purposes, for one cannot tell at what split moment the cancer cells may be disseminated and the patient doomed. Aspirating the neoplasm to draw out the cells by suction. This, too, is a very questionable procedure, for what of the cancer cells that may be present below the puncture point and around the needle which have been set free? It must be realized that while cancer cannot be transplanted from man to man, it can be transplanted in the same host."

"There is a report from another source in which Dr. Feinblatt, for 6 years pathologist of the Memorial Hospital, New York, reported that the Memorial Hospital had originally given X-ray and radium treatment before and after radical operations for breast malignancy. These patients did not long survive, so X-ray and radium were given after surgery only. These patients lived a brief time only, and after omitting all radiation patients lived the longest of all.

*"DOCTORS WARNED TO BE WARY IN USE OF X-RAYS IN DISEASE TREATMENT*

"(By Howard W. Blakeslee, Associated Press science editor)

"NEW YORK, July 6, 1948.—X-rays and gamma rays can cause bone cancer is warning issued in *Cancer*, a new medical journal started by the American Cancer Society. The bone cancer warning, covering more than 20 pages, is by Drs. William G. Gahan, Helen Q. Woodward, Norman L. Higginbotham, Fred W. Steward, and Bradley I. Coley, all of New York City.

"One of the most dangerous things about this kind of bone cancer, the report states, is the very long delay between the use of the rays and the appearance of the cancer.

The delay time in the 11 cases ranged from 6 to 22 years.

"Dr. Herman Joseph Muller, Nobel Prize winner, a world-renowned scientist, has stated the medical profession is permanently damaging the American life stream through the unwise use of X-rays. There is no dosage of X-ray so low as to be without risk of producing harmful mutations."

The attention of the committee is invited to the request made by Senator Elmer Thomas following an investigation made by the Senator of the Hoxsey Cancer Clinic under date of February 25, 1947, and addressed to the Surgeon General, Public Health Department, Washington, D. C., wherein he sought to enlist the support of the Federal Government to make an investigation and report. No such investigation was made. In fact, every effort was made to avoid and evade the investigation by the Surgeon General's office. The record will reveal that this clinic did furnish 62 complete case histories, including pathology, names of hospitals, physicians, etc., in 1945. Again, in June 1950, 77 case histories, which included the names of the patients, pathological reports in many instances, and in the absence thereof, the names of the pathologists, hospitals, and physicians who had treated these patients before being treated at the Hoxsey Cancer Clinic. The Council of National Cancer Institute, without investigation, in October 1950, refused to order an investigation. The record in the Federal court discloses that this agency of the Federal Government took sides and sought in every way to hinder, suppress, and restrict this institution in their treatment of cancer. (See testimony of Dr. Gilcin Meadors, pp. 1125-1139, transcript of record, Case No. 13645, U. S. C. A.)

Among the numerous foundations and clinics which profess to possess a remedy for the treatment of cancer is the Lincoln Foundation of Medford, Mass., which has been the particular target of the AMA. I have not had an opportunity to sufficiently explore the particular type of therapy employed by this institution. However, I understand it involves a unique theory of inhalent therapy and the transmission of bacteria-phage. In passing it is important to note that this technique was the subject of a particular interest to the late chairman who was a trustee of the Lincoln Foundation following a successful treatment of his son, Charles W. Tobey, Jr. This remedy has been tried by hundreds of patients and it is alleged that these treatments have been proven beneficial.

Another institution which claims to have made some progress in the treatment of cancer is the Drosnes-Lazenbey Cancer Clinic, of Pittsburgh, Pa. The reports would indicate that this institution is likewise entitled to a hearing before this committee. The heavy toll of life being taken by cancer requires a searching investigation. The methods employed, as I understand it, is a substance known as Mucorhycin, which is reported to be of therapeutic value.

Under the fourth assignment concerning voluntary cooperative prepaid medical plans and any resistance encountered from organizations, associations, or combines, it is a matter of public record in the Federal and State court that medical associations have put up a roadblock whenever or wherever this is attempted.

The Committee on Labor and Public Welfare, through its Subcommittee on Health, submitted the results of a study of health insurance plans in the United States, in a report issued in May 1951, 82d Congress. This was accomplished under the direction of Dr. Dean H. Clark, now the director of the Massachusetts General Hospital. This appears to be the first objective and impartial study of the scope, benefits, and effectiveness of voluntary health insurance plans. It shows that one-half of the population at that time had some form of protection

against the cost of hospital care, but only 3 million had what can be called comprehensive protection against the cost of hospital and medical care. Specifically with reference to cancer, it would appear that an opportunity would be afforded members of this sort of a health program to periodic checkups to determine whether they had cancer. This subject was discussed at length between Kenneth Melklejohn, staff director of the Subcommittee on Health, and Senator Tobey, 2 years ago. Correspondence between the two is available. The reports, of course, are available to the members of this committee.

From a strictly legal as well as ethical approach, if one individual has the right to select his own physician or hospital, why cannot 10,000 individuals and their families determine that they intend to invest directly, or indirectly, in the construction and maintenance of a hospital, employ a staff of competent physicians, surgeons, technicians, laboratory experts, nurses, interns, et cetera, to look after their health problems? This is not so-called socialized medicine. It is purely voluntary. Here, as elsewhere stated in this report, the jurisdiction of the committee may be limited. It may properly belong to the States and their legislators and courts to determine this problem. However, the general welfare clause of the Constitution may be the answer. If the committee should determine that it has jurisdiction, I am of the opinion that competent legal evidence can be presented which will aid and assist the committee in its final judgment.

With reference to the fifth assignment, you are advised that time did not permit me to ascertain the number of students or the increase thereof in the various medical schools throughout the country. It has been suggested that a studied effort has been made by certain groups to keep the number of students enrolling in medical schools at a low figure. I do not assert this to be the fact and I doubt if the committee would have jurisdiction to go into that question. This would properly belong to the States. If this is a fact, then the various State legislatures of the country should, of course, take necessary steps, consistent with the public welfare, to see that every opportunity is given to any boy or girl who possesses the necessary qualifications to be permitted to enter medical schools. If, on the other hand, this committee believes that it has jurisdiction under the general welfare clause of the Constitution to go forward, then certainly it would be a proper and timely matter of inquiry. In any event, you do have jurisdiction and should complete the investigation insofar as cancer is concerned by those engaged in the research field.

A careful study of the subject matter embraced in the direction of the late chairman will disclose the tremendous importance of the investigation undertaken and the consideration of the results by the members of this committee.

We have long since passed the age of witch hunting. We are, notwithstanding, living in an era of hysteria. Investigation seems to be the order of the day. Crude thinking results in hysterical action. Perhaps the converse is true. The beginning of hysteria is the end of sound thinking. Proceeding, therefore, to the end result sought by all, we recognize the value of our goal in striving for a sound, vigorous, and healthful Nation at minimum costs. Money, however, lavishly spent to stamp out a dreadful scourge is sound public economy.

I have approached this problem with an open mind. Recognizing the importance of men skilled in the science of medicine, who are best informed, if not qualified, on the question of cancer, its causes and treatment, I directed my attention to the propaganda by the American Medical Association and the American Cancer Society to the effect,

namely, "that radium, X-ray therapy, and surgery are the only recognized treatments for cancer."

Is there any dispute among recognized medical scientists in America and elsewhere in the world on the use of radium and X-ray therapy in the treatment of cancer? The answer is definitely "Yes." There is a division of opinion on the use of radium and X-ray. Both agencies are destructive, not constructive. In the alleged destruction of the abnormal, outlaw, or cancer cells both X-ray therapy and radium destroy normal tissue and normal cells. Recognized medical authorities in America and elsewhere state positively that X-ray therapy can cause cancer in and of itself. Documented cases are available.

The increased number of cancer patients in America of all ages and the apparent failure to presently cope with this dread disease indicates the necessity of a sustained effort of private and Federal agencies to continue research in the field of cancer, its causes and treatment.

If radium, X-ray, or surgery or either of them is the complete answer, then the greatest hoax of the age is being perpetrated upon the people by the continued appeal for funds for further research. If neither X-ray, radium, or surgery is the complete answer to this dreaded disease, and I submit that it is not, then what is the plain duty of society? Should we stand still? Should we sit idly by and count the number of physicians, surgeons, and cancerologists who are not only divided but who, because of fear or favor, are forced to line up with the so-called accepted view of the American Medical Association, or should this committee make a full-scale investigation of the organized effort to hinder, suppress, and restrict the free flow of drugs which allegedly have proven successful in cases where clinical records, case history, pathological reports, and X-ray photographic proof, together with the alleged cured patients, are available?

Accordingly, we should determine whether existing agencies, both public and private, are engaged and have pursued a policy of harassment, ridicule, slander, and libelous attacks on others sincerely engaged in stamping out this curse of mankind. Have medical associations, through their officers, agents, servants and employees engaged in this practice? My investigation to date should convince this committee that a conspiracy does exist to stop the free flow and use of drugs in interstate commerce which allegedly has solid therapeutic value. Public and private funds have been thrown around like confetti at a country fair to close up and destroy clinics, hospitals, and scientific research laboratories which do not conform to the viewpoint of medical associations.

How long will the American people take this? To illustrate the stranglehold of the American Medical Association on legislation which in turn affects every household in America, let us look at a small 25-cent tube of penicillin ointment. Is it dangerous to have around the house for a cut or small bruise on your body? Rat poison can be bought without a doctor's prescription. Arsenic can be bought without a doctor's prescription. The sale of arsenic and rat poisons is small but not penicillin. Accordingly, we must have a doctor's prescription in America to buy a 25-cent tube of ointment. In Canada, however, the medical association has not yet discovered the great danger of a small tube of penicillin ointment and, accordingly, the people are able to buy it without paying a doctor for a prescription. To say that it is dangerous, is silly. To assert, rather, that it is but another manifestation of power and privilege of a few at the expense of the many would be more consistent with truth and wholly accurate.

What is the duty of this committee and the members thereof? Your first duty, of course, is to do right. Properly considered, that is your only duty. In doing right, how-

ever, you owe a duty to the American people. In upholding the law and enacting legislation for the people of America, we look first to the instrument of our creation as a representative form of government. Those powers not specifically conferred upon the Federal Government and denied to the States are reserved either to the States or to the people. Thus, the founding fathers very wisely created an area of freedom in which freemen shall function. It is in this area set aside by the fathers of our Republic that people have the right to own property, transact business, build up a system of free enterprise without hindrance, harassment, or abuse of either the Government, State or Federal, or of other citizens, however powerful, so long as the people so engaged do not trespass upon the rights of others. This is the basic concept of liberty functioning in America. It may be said to be a reservoir of freedom. In this area we have mingled our money and blood with the races of mankind. We have demonstrated our ability to live together peacefully and happily, although we represent most of the races, most of the colors, and most of the creeds. This was an innovation and a new experiment to the peoples of the Old World. Out of and from this area has sprung the noblest dreams and saintliest purposes of mankind—purposes so strong and vital that it has become the envy and admiration of a waiting world. People look longingly to the shores of America and desire to make this their asylum of escape and hope for the future. It is more than a dream. It is a reality. While we have not solved all the problems of mankind, we have at least provided a sanctuary and the instruments of government, if properly guarded against the abuse of selfish men and organizations who would bend it to suit their purposes, which could live for centuries to come. In this connection this committee should investigate the advertising agency which controls all advertising in the Journal of the American Medical Association, as well as the various State journals. Why is the stamp of approval, by the so-called nutrition experts and their council on foods, placed on certain foodstuffs, denied to others, and others condemned without a reasonable investigation? Is there any relationship between approval by these experts and the operation of the advertising agency in the offices of the American Medical Association?

May I, with propriety, call your attention to the tragedy which has invaded the United States Senate. Four great Americans, all of them—Senator McMahon, Senator Wherry, Senator Vandenberg, and Senator Bob Taft—were all stricken down with this dreaded disease. We are under a compelling moral obligation to the memory of these great public servants and to the untold millions of cancer sufferers throughout the world to carry on this investigation. We cannot do otherwise.

Respectfully submitted.

BENEDICT F. FITZGERALD,  
Special Counsel.

### We Need Improved Railroad Retirement Benefits

#### EXTENSION OF REMARKS OF

**HON. HUBERT H. HUMPHREY**  
OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Monday, August 3, 1953

MR. HUMPHREY. Mr. President, in 1951 the Congress passed a number of amendments to the Railroad Retirement Act which substantially increased rail-

road retirement benefits. I was proud to be a member of the special subcommittee of the Senate Labor and Public Welfare Committee which was responsible for the formulation of those benefits in the Senate. We increased annuities and benefits by 15 percent. We provided a wife's benefit to be equal to one-half the annuitant's benefit, up to a maximum of \$40 a month. We increased survivor's benefits by 33 percent and made other essential improvements without increasing tax rates. We also provided for the creation of a Joint Committee on Railroad Retirement to study ways and means of increasing railroad retirement benefits further. That joint committee has reported its recommendations.

It is necessary that the Congress act quickly to improve the railroad retirement system. The railroad workers of the United States have contributed to the development of a retirement system which is today not adequately meeting their needs in view of the increased cost of living. New railroad retirement benefits can be achieved if the Congress will enact the necessary legislation next year.

Within the last few weeks the distinguished chairman of the Committee on Railroad Retirement, Senator PAUL H. DOUGLAS, of Illinois, has presented to the Congress the result of that joint committee study. This was the most thorough study ever made of the railroad retirement system and was made under the personal direction of Senator DOUGLAS, who is a great friend of the railroad workers. The study demonstrates that substantially better benefits are possible by means of more profitable investments of the railroad retirement reserve, and by other methods, without increasing the tax rate. This is good news. There should, therefore, be no reason for any delay next year.

Mr. President, in order to inform all railroad workers and railroad retirement beneficiaries of the improvements under consideration, I ask unanimous consent to insert in the Appendix of the RECORD a list of such possibilities. Congress may not be able to make all of the changes included in the list. Nevertheless, after consultation with the Railroad Retirement Board, standard railroad unions and other interested parties, I feel certain that a sound, effective, and improved program can be worked out.

There being no objection, the list referred to was ordered printed in the RECORD as follows:

#### IMPROVEMENTS OF THE RAILROAD RETIREMENT ACT UNDER CONSIDERATION BY CONGRESS

1. An across-the-board increase in all benefits.
2. A minimum monthly annuity of \$100.
3. Elimination of the dual benefits restriction. At the present time railroad retirement payments are usually reduced when the annuitant is also receiving social security benefits. Proposals have been made to eliminate this reduction.
4. Calculation of benefits on a more favorable basis. Benefits are presently figured on the basis of overall average wages. Suggestions have been made for figuring payments, instead, from the employee's average earnings during his 5 highest years.
5. Lower age requirement for retirement on full annuity. Retirement before age 65

on a reduced annuity is already possible. However, some have suggested provision for retirement on full annuities at age 60 after 30 years of service.

6. Lower age requirement of wife for wife's benefit from age 65 to age 60.

7. Lower age requirement for widow's benefits from age 65 to age 60 (complete elimination of age requirement has also been urged for widows).

8. Increase all survivor benefits substantially.

### Resolution of Daingerfield (Tex.) Chamber of Commerce

#### EXTENSION OF REMARKS OF

**HON. PAUL J. KILDAY**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 3, 1953

MR. KILDAY. Mr. Speaker, under leave to extend my remarks, I am including the following resolution, adopted by the Chamber of Commerce of Daingerfield, Tex., and addressed to Senator LYNDON JOHNSON, of Texas:

DAINGERFIELD CHAMBER OF COMMERCE,  
Daingerfield, Tex., July 16, 1953.  
Senator LYNDON JOHNSON,  
Senate Office Building,  
Washington, D. C.

Most Honorable Senator—

*"Be it resolved,* That the Daingerfield Chamber of Commerce of Texas thank you for your efforts that were put forth in helping our friends in the cattle industry of west Texas survive the most severe drought of this generation.

*"Be it resolved,* That through you it will be possible for the cities and the peoples of the Southwest once again to prepare to build an empire that will not be outclassed by any. This will be accomplished by the fact that your time was spent in behalf of the constituents of this great State.

"Further we would like to state that this area has been fortunate through the grace of God to have received an ample water fall that will permit us to be a part of the helpers for the needy."

This resolution being duly adopted and the motion made by George (Buddy) Bass, seconded by Jack Ponder, on this the 15th day of July 1953.

Sincerely,

W. M. WATSON,  
Manager, Chamber of Commerce.

### Why Our GI's Fought So Hard

#### EXTENSION OF REMARKS OF

**HON. HUBERT H. HUMPHREY**

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Monday, August 3, 1953

MR. HUMPHREY. Mr. President, I ask unanimous consent that the text of a broadcast by Mr. Eric Sevareid, the distinguished radio commentator of the Columbia Broadcasting System on July 27 be printed in the Appendix of the CONGRESSIONAL RECORD. Every serviceman's family should have an opportunity to read this brilliant and poetic product of Mr. Sevareid's keen mind and compassionate heart.