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 2, 1933

Mr. LANGER. Mr. President, I recognize the letter to have inserted in the Congressional Record under date of August 3, 1933, 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 under date of his untimely death, this was impossible.

It would be greatly appreciated if you would have the enclosure 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. Batchelder 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, has been 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 diseases 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 Krebsozen, glyoxide, murexineclor, and others.

3. The facts involving interstate conspiracy, if any, engaged in by any individuals, organizations, corporations, associations, and combinations of any kind whatever, to hinder, suppress, or restrict the free flow of transmission of Krebsozen, glyoxide, and murexineclor 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 and nature of their interstate insurance operations, the identity of their originators and sponsors, the resistance, if any, that each insurer has experienced from any individuals, organizations, corporations, combinations, or any other attempts to offer protection to those who are afflicted with the disease cancer.

5. The facts relating to the inequality of opportunity, if any, that exists with regard to race, creed, or color, in connection with the administration of 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 medical, hospitals, clinics, and Government and non-Government organizations specializing in cancer problems, including the following:

American Cancer Society.

American Medical Association.

Anne Fuller Fund, New Haven, Conn.

Barnes Foundation, New York.

Black, Stevenson Cancer Foundation, Hatfield, Pa.

Bonney Fund, New York.

Johnathan Bowman Fund, Madison, Wis.

Crocker Cancer Research Fund, New York.

Damon Runyon Cancer Fund.

Philip L. Dromes and the Dromes Lazenbey Clinic, Pittsburgh, Pa.

Dr. F. M. Eugene, Blais 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, 4007 Gaston Avenue, Dallas, Tex.

C. P. Huntington Fund, New York.


John Hopkins Hospital, Baltimore, Md.

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

Dr. William F. Koch and the Einstein Cancer Clinic, also known as the Christian Medical Research League, Detroit, Mich., and Brazil.

South Dakota Board of Health, Sioux Falls.

Lakeland Foundation, Chicago, Ill.

Lincoln Foundation, Medford, Mass. Memorial Hospital, New York.

Dr. K. F. Murphy and Dr. Charles Lyman.

Lodoc Clinic, 29 East Washington Street, Chicago, Ill.

New York Skin and Cancer Hospital, New York.

Ohio State Medical School, Columbus, Ohio.

University of Chicago, Chicago, Ill.

University of Illinois, Champaign, III.

Thereafter, the undersigned traveled to Illinois to investigate the so-called Krebsozen controversy, and on July 2, 1933, wrote a report on his findings which is attached hereto and marked "Exhibit A." Included in this was the evaluation:

"The controversy is involved and requires further research and development, the reason to believe that the AMA has been hasty, capricious, arbitrary, and outright dishonest, and of course if the doctrine of the 'respondent 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, Argentina cabinet member, and his secretary, Anna D. Schmidt."
"I have concluded that in the value of present cancer research, this substance and the theory behind it deserves the most full and complete study. Its value has been demonstrated in a sufficient number and percentage of cases to demand further work.

"Behind and over all this is the wiser concept that a cancer is not just a disease in the tissues, but that a cancer is a disease of the system, a disease of the body, as it were. It is not only a disease of the system, but it is a disease of the individual, and in that capacity it has been called upon to evaluate various types of cancer therapy. Dr. George O. Stoddard, president of the University of Illinois, in an examining the aberrations of the latter's post as vice president of that institution, has, in my opinion, the attributes of courage for scientific research in general."

"It is a matter of common knowledge that the treatment of cancer matters is highly controversial and thus further and additional research and development would entail more than the usual amount of among renowned surgeons, pathologists, cancerologists, and such men who suffer or silence this community to the midst of contempt and expressly directed by the late chairman of your committee, Senator Charles W. Tooke, by virtue of the resolutions passed by the Senate.

"Now, passing on to another institution, I have herewith included 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 Clinic had no therapeutic value; that it was run by a quack and a charlatan. (This clinic is operated by a staff of over 250 employees, including nurses and physicians.) Reprints and circulation of several million copies of an article prepared resulted in litigation. The Government thereupon intervened and obtained a hearing, before Judge A. Wyatt, who had an opportunity to hear the witnesses in two different trials, it was held that the so-called cancer therapy of treatment falsely and 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 decision admitted that Hoxsey could cause 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 number of whom had never been treated by any physician, or in the cases except the testimony 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, pathologists, and doctors skilled in the treatment of cancer. They came from all parts of the country. It is significant to note that a great majority of these doctors admitted that X-ray therapy could cause cancer. This view is supported by medical publication. 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.

"The need of research in cancer cases in Pennsylvania over a long period of time showed that those who received no treatment lived a longer and healthier life than those who received surgery, radium, or X-ray. The exceptions were those patients who had the surgery and radiation much more harm than good was done to them."

"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 that the cancer cells that have been removed at the New York Skim and Cancer Hospital, surgical director of New York Children's Hospital, State Hospital, Island, and committing surgeon and gynecologist to various hospitals in the New York metropolitan and suburban areas.

"While there are some who still believe in the danger of radiation and its effect on the cancer cells, the matter of its value is being painstakingly substantiated. But even with the best diagnostic technique it is hard to believe in the country is questionable. In 1939 the British physician, Sir Leonard Hill, wrote: 'There is a large dose of (hard X-rays) produce destruction of normal tissue, leucocytes and epithelial linings, and death ensues.' "

"The nation would, I think, be better off if, as a country, we were to forget about the cancer cell, and give the country now buried for security from bombing in deep holes, remains there in 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. Assimilating the neoplasm to draw out the cells by suction. This, too, is a very questionable practice. A tumor cannot be transplanted from man to man, it can be transplanted in the same host, and the report or source in which Dr. Fishbein, for 6 years pathologist of the Memorial Hospital, New York, reported that the Memorial Hospital was 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 treatment of cancer.

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

"New York, July 6, 1948.—X-rays and gamma rays of the American Association being issued in Cancer, a new medical journal started by the American Cancer Society. This magazine can be purchased for 10 cents a week, and contains more than 20 pages, is by Drs. William O. Gahan, Helen Q. Woodward, Norman R. Biggins, Robert W. Cope, and Charles P. Marshall, all of New York City.

One of the most dangerous things about this book is the potential of bone cancer sarcomas. It 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 days to 2 weeks. Dr. Dean H. Clark, director of the Boston University Cancer Research Laboratory, said: "The delay time is a factor in the unit's cancer research, which is devoted to the study of the behavior of cancerous cells."

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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—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 a system of freedom in which freedom 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, challenge, toounce, harass, or abuse of either the Government, State or Federal, or of other citizens, however powerful, so long as the people so engage 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 was born from them the hope and aspiration of a waiting world. People look longingly to the shores of America and dream of the days, perhaps, when they may be there. It is a reality. We are a dream come true. We solve all of 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 for the American Medical Association, as well as the various State journals. Why is the stamp of approval, by the record, nutrition experts and others condemn, without a reasonable investigation? Is there any relationship between approval of 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 money that has invaded the United States Senate. Four great Americans, all of them—Mr. McFadden, Senator Sherman, Senator Vandenberg, and Senator Robert Taft—were all stricken down with this dread disease, dragged from 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 railroad 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 annuity provided for the annuitant, 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. The legislation 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 Extension of 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, 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; however, 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 bill 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 now figured on the basis of overall average wages. Suggestion have been made for figuring payments, instead, from annual average earnings during his 5 highest years.
5. Lower age requirement for retirement on full annuity. Retirement before age 60 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’s benefit from age 65 to age 60.
7. Lower age requirement of widow’s benefits from age 65 to age 60 (complete elimination of age requirement has also been urged for area of widows’ benefits).
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:

Mr. KILDAY. I 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 June, 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. Erle 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 piece of Mr. Sevareid’s keen mind and compassionate heart.