

Kefauver's Battered Drug Bill Consigned To Legislative Orphanage

Editor's note: The controversial Kefauver investigation of the drug industry involved testimony that would have filled 20 books. Now that it is all over, the bill which has emerged is a far cry from what Sen. Estes Kefauver originally wanted. The following dispatch tells what happened.

By JERRY LANDAUER
Washington — (UPI) — Disowned by friends and foes alike, Sen. Estes Kefauver's much-mangled drug bill has been consigned to a legislative orphanage. A similar fate ap-

parently awaits a companion measure in the House. What started out to be a bill that would tightly regulate the drug industry has been revised drastically in Senate committees. For Kefauver, this is a calamity for the American people. For the drug industry, which has fought down the line against what it called government encroachment, it is a welcome development. Few bills in recent years aroused senatorial tempers the way the drug bill did. Kefauver believes it was sidetracked in a part by ineptness

on the part of the New Frontier. In his view, the redrafted bill has been stripped of practically everything except the title, the "Drug Industry Antitrust Act." Only 55 lines of the original 35-page bill remain untouched. Senate Republican Leader Everett M. Dirksen (Ill.) one of those who Kefauver said "cut up" the bill, sought to cheer the Tall Tennessee Democrat. "His patience is certainly equal to that of Job," Dirksen said in an oratorical flourish. "He is as single-minded as an Apache Indian. He is as gracious as a Victorian lady. There is a rare diligence about him, and a rare consistency about him also."

Dirksen was talking about the fact that Kefauver called 210 witnesses before the Senate antitrust subcommittee in a 45-day-long investigation that began on Dec. 7, 1959. Kefauver summoned 107 more witnesses to testify about the bill that grew out of the investigation. The combined testimony filled 12,884 pages in 20 books, probably an all-time record. The 35-page bill would have imposed stiff government controls on drug makers. It would have reduced patent monopolies on new drugs from 17 years to three years; barred marketing of any new drug in the absence of "preponderant" evidence that it worked as advertised; prohibited patents on medicines that were not substantially different from those already on the market; required a full listing of side effects, and a bold printing of the drugs' official names. These would have been drastic moves. Kefauver's bill grew out of his conviction that the drug industry is a near monopoly that exacts excessive prices for its products. The industry, he said, wastes millions — 24 cents on the sales dollar — advertising "molecular modifications" of existing patented drugs and covers up dangerous side effects. One company, according to the testimony, withheld a report showing that 500 of 2,000 clinical case studies developed skin irritations and even jaundice from a much-ballyhooed antibiotic. Relaxing patent protection, Kefauver believes, would drive prices down by infusing more competition into the industry. And if all manu-

facturers were licensed, he believes, doctors would be encouraged to prescribe drugs by chemical rather than trade name, thus permitting patients to shop for the cheapest brand. The drug industry, represented by the Pharmaceutical Manufacturers Association, challenged Kefauver's charges. PMA said industry — financed breakthroughs in drug therapy, particularly new wonder drugs and tranquilizers, contributed heavily to the nation's better health. Costly drug research to conquer cancer and other killer diseases can be paid for only by healthy industry profits, PMA said. And even if all profits were eliminated according to industry spokesmen, the price of the average prescription would not drop by more than a dime. The manufacturers agreed to a few of Kefauver's objections, but fought most provisions of the original bill, particularly the patent section. PMA agreed that no new drug should be marketed unless there is substantial evidence that it works as advertised. Kefauver nudged the bill out of the monopoly subcommittee by a 3-2 party-line vote and from there it went to Sen.

James O. Eastland's judiciary committee. The combined votes of southern Democrats and Republicans sent it to Sen. John L. McClellan's patients subcommittee for further scrutiny. McClellan's panel struck the patent section, which Kefauver regards as the key cost-cutting feature. Weeks of pulling and hauling followed in the full committee. Eastland, without notifying Kefauver, called in "certain individuals designated by the administration" to work up "realistic" amendments that all sides could support. Eastland remarked later that it would have "futile" to notify Kefauver. "I did not think he would make an agreement with respect to anything," Eastland said. But Kefauver charged that the Eastland-Dirksen-Hruska combination (Sen. Roman L. Hruska, R-Neb.), working secretly behind his back, drafted nine amendments that he knew nothing about until they were put to a vote in committee. In the committee, a combination of Republicans and southern Democrats overwhelmed Kefauver on a half-dozen key votes. Eastland de-

fended the result, saying he had the responsibility as committee chairman to work out a "wholesome" bill. He added: "I submit we have drafted a drug bill which is healthy, which meets the requirements of the President of the United States as stated in his letter to me, and which should be supported by the American people."

Last week Health and Welfare Secretary Abraham A. Ribicoff said he was unhappy with the Senate committee amendments. The redraft, he said, does not conform with the President's recommendations. Disowning the committee's redraft, Kefauver said it was weaker even than the drug industry's own reform proposals. The only thing left, he said, were some useful changes in technical provisions of the food and drug laws. He demanded that the administration, having sent legislative draftsmen to the secret sessions, make its position known.



TWINS TEND TWINS—Among the 17 sets of twin girls attending a picnic at Chicago were Lois and Luanne Miller, 7, who played babysitters for Angie and Annie Mada, 6 months. The picnic was sponsored by the Doubly Blessed Mothers' club, an organization of mothers of twin girls in Chicago and several suburbs. (UPI)

Labs Installed in Hall at University

Eugene—The University of Oregon will double its electronic language laboratory facilities this summer with the addition of a second Lingua-Trainer laboratory in Friendly hall.

The new laboratory will offer an additional 30 spaces for individual instruction in foreign languages. The laboratory will be located on the second floor of Friendly hall next to the present laboratory, which was opened in the fall of 1960.

Two rooms in Friendly hall are now being converted for the second laboratory. The Lingua-Trainer equipment will be installed by Science Electronics, Inc., of Cambridge, Mass.

Each language laboratory costs about \$25,000 to build and equip.

In a laboratory, each student sits in a soundproof booth with a set of earphones. When used for individual study, a tape may be played over one of 26 channels. For classroom use, the instructor can use four master channels.

Through a control panel, the instructor may communicate to one or all of the students, and may listen in while a student talks. Students can listen to the spoken language, and then listen to their own pronunciation.

Dr. David M. Dougherty, head of the foreign language department, has reported that the first laboratory has been "phenomenally successful."

He said student use of the laboratory has exceeded all expectations, with the result that it has been kept open five evenings a week in 1961-62.

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facturers were licensed, he believes, doctors would be encouraged to prescribe drugs by chemical rather than trade name, thus permitting patients to shop for the cheapest brand.

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