

Telephone Conversation - June 9, 1966

Lowell Greenbaum

Dr. Dennis: The Senate Congress Committee reported out on Wednesday, the 7th?

Dr. Greenbaum: Right. The bill is reported; now they are making the final writing of the bill on Monday, today or tomorrow, but the bill has ~~the~~ following overall provisions. First, that the Secretary of Agriculture will license dealers and set standards in transport of animals and in research facilities.

Dr. Dennis: What standards for research facilities?

Dr. Greenbaum: He has to consult with other organizations.

Dr. Dennis: You mean how we're going to care for our dogs while we're working on them?

Dr. Greenbaum: He does not have jurisdiction on any animal which the research facility tells him is under experimentation. However, he has the power to destroy any animal that he feels is suffering which is not under experimentation at the time.

Dr. Dennis: Well, now, what does that mean?

Dr. Greenbaum: They're trying to clarify that very carefully. It means simply this - that if a shipment of dogs comes into Downstate and they are in a receiving room and nobody apparently has claimed them, if he comes up there and says you know that dog, that tan dog, looks sick to me, let's get rid of him, please sacrifice him, the dog is sacrificed. Then you operate on a dog and he comes in the next day and says that dog doesn't look good but it's in a pen labelled "under experimentation". He can't touch it. On the other hand, if the dog recovers and you bring him back to Schaffer, and he comes up there again and says "I don't like the way that dog looks. Is he under experimentation? No. He kills him. So it's pretty tricky business.

Dr. Dennis: Why don't they wait for the HEW?

Dr. Greenbaum: They will never wait now. Now let me complete this. In addition, local law enforcement agencies have the power to investigate research facilities to determine if there is a stolen ~~xxx~~ animal. The rest of it is similar to the Poage Bill.

Dr. Dennis: They have the right now to police for stolen animals.

Dr. Greenbaum: They're putting it in as a federal law that there are local law enforcement agencies. The idea, of course, was initially that representatives of the Secretary of Agriculture which could mean humane societies so they switched it around. Now what has happened here is this. This now will be more or less the Senate bill - the Senate side of the Poage Bill. Your next question might be - well, why don't they wait or since they're involved in humane care wouldn't this come under the Hill type of legislation? The answer is that Senator Hill apparently has turned his back and is allowing this to go through, saying that this is not really

humane care legislation and therefore does not come under his Committee, and therefore bills like the Hill and the Javits Bills, etc. need not be heard.

Dr. Dennis: What's ~~the~~ matter with him? I thought he was our friend.

Dr. Greenbaum: Well, I would say this. The finger must go and unfortunately for a very fine gentleman. I think the finger is on Dr. Shannon, who apparently delayed giving Hill a bill for so long until Hill's position was apparently such that he could not buck Magnuson on this.

Dr. Dennis: Was Magnuson not susceptible to reason?

Dr. Greenbaum: It's all over, Clarence. All the reason has been used. They feel strongly that they have given the scientific community the best that they can on this. They're bending over backwards to us, and the bill was voted out unanimously 15 to 0 along these lines.

Dr. Dennis: What does Visscher say?

Dr. Greenbaum: I was in Chicago Wednesday and of course at that time he was very upset. I walked into the room almost knowing the score. They hadn't gotten the news yet, and he was quite upset and apparently has recovered himself, and what they're trying to do is to get Hill to re-commit the bill, but our information from the Javits group is that Hill will probably not. The next step then is to make small modifications in the bill itself before it comes out for a vote so that we can get the best we can out of this deal. Of course, you have two separate bills in a way. You have this bill, the Senate Bill, and it has to be compromised with the Poage Bill.

Dr. Dennis: That was the next question that I was going to raise. We are going to have this thing compromised between the Senate Bill and the Poage Bill

- Dr. Greenbaum: But I'll give you the frightening one first.
- Dr. Dennis: The frightening possibility first,
- Dr. Greenbaum: Right. Magnuson can walk over to Poage and say Mr. Poage, here is the Senate Bill. We would be happy to put your name on it and your number on it as HR.13881, Would you have your boys in the House approve it? In which case Mr. Poage would say O.K. Mr. Magnuson and ask for approval of the Magnuson Bill as ~~approved~~ the Poage Bill. In other words this is a quick shuffle. I don't know, nobody knows... this is a possibility, this is done.
- Dr. Dennis: Well people have access to Poage, doesn't....
- Dr. Greenbaum: Right. ^{The} Secretary of Agriculture according to Kingman has apparently been under pressure from Visscher, the Minnesota Group, and has been hollering to Poage he doesn't want any part of this damm thing.
- Dr. Dennis: If Poage and the Secretary of Agriculture ~~doen~~'t want any part of the Magnuson Bill.
- Dr. Greenbaum: Yah.
- Dr. Dennis: Alright, well then I should think if Poage were forewarned about this that he could go to Magnuson and say the same thing. 'Look, Senator Magnuson why don't you take the Poage Bill and put your name and mine both on it and have this go through the Senate?'
- Dr. Greenbaum: Well, then of course you have a compromise type of thing. Now this may be the story. Of course we have an ace in the hole, a small ace, perhaps, in Leo O'Brien. But remember we have the O'Brien Bill fitting in there, and here is where it pays off to have a piece of legislation because as soon as this Bill comes out and I know what is in it, I am going to call Leo O'Brien and inform him that they are bypassing his Committee too. Yah, I know, he was very upset the last time that they might bypass his Committee, so he might exert pressure on Poage also. That's a possibility, Clarence. So the situation apparently is that the NIH lost control, read the whole thing wrong,...You know, O'Brien and I were down talking nose-to nose ~~with~~ Shannon last week.
- Dr. Dennis: Yes, I know.
- Dr. Greenbaum: And they felt that they had this thing all wrapped up, as you got as my memorandum gives the impression. We were afraid that they didn't have it all wrapped up...~~even~~ unfortunately ~~even~~ my final comment was a little optimistic, I mean this is really illogical but this is what they are doing to us and this is a bad spot at this point. Now, there is one man who has control af this point, that is Hill, but he has to do something extraordinary to get that Bill recommitted. The interesting thing is that the Humane Society also wants it recommitted, because they don't think it's strong

Dr. Greenbaum: enough. You see the Magnuson Bill as it stands now is really, *as if*
(continued) Monroney, goes really Christine Steven's Bill, and she split from
the other group.

Dr. Dennis: Yeh, what happened about the Monroney Amendment?

Dr. Greenbaum: Oh, it was essentially the major amendment, was essentially
accepted. His idea, the Secretary of Agriculture should regulate
inside the facilities, is essentially there. It is not as there
as sharply as it was. Now, it is a screwy law, it says, if you
have a laboratory, let's ^{say} a testing laboratory, you don't use
dogs and cats, this does not at all come under your jurisdiction,
(under their jurisdiction). If you use dogs or cats, or you use
research funds from the government, then all the animals in those
facilities come under jurisdiction.

Dr. Dennis: Even if you are working with sheep.

Dr. Greenbaum: As long as you have dogs and cats.

Dr. Dennis: It opens up the lid

Dr. Greenbaum: It opens up the lid. It's a screwy Bill, wild.

Dr. Dennis: Can't they see that it's crazy.

Dr. Greenbaum: I think, well, let's hope they do, I mean we've tried...

Dr. Dennis: Who's working on Hill?

Dr. Greenbaum: Shannon

Dr. Dennis: Shannon finally realizes he has done wrong, does he?

Dr. Greenbaum: I guess he does. I mean, I admire the man, but he's guessed
wrong on this whole bit. Shannon, Houston Merritt? spoke to him.
we He had Houston Merritt call up from here. There are very few
people who can get to Hill. He is not an open type of guy, and
we've had a few other people that we know talk to him from our
point of view get a hold of him, I don't know what Maurice is
doing.....

Dr. Dennis: Did Hubert Humphrey get to him?

Dr. Greenbaum: I don't know, Clarence, I guess so, maybe.

Dr. Dennis: I should think that would be the thing to do. What about the
Secretary of Agriculture.

Dr. Greenbaum: Well, I am sure Visscher is putting pressure on him ^{there} ~~to~~ Kubitcheck.
The unfortunate part, and the ironic part of this is that on
Wednesday I went down, you know to the National Society, and
although they slapped my wrists a little bit for not informing

Dr. Greenbaum: them properly, they felt, about the Javits Bill, The Board of
(continued) Directors, those that were present, the whole Board left a little
early when they heard of this problem, you know this Bill that
just came out, there was quite a delay, ~~Agreed~~, really, that
the Hill-Javits combination was a very good combination to back,
~~and~~ That's ironic that when we have a really unified group and a
terrific Bill now, together, this damm thing came along and knocked
them right out. Very shrewed manouver by this Monroney, he's a
pretty bright guy, and I am sure he really manouvered this exactly
the way he wanted to.

Dr. Dennis: Isn't that discouraging.

Dr. Greenbaum: Well, I ~~would~~ ^{would} also discourage, Clarence, because it apparently
meant a real defeat of the medical research people in terms of a
political fight. However, we must assume, ~~with~~ ^{with} the real discouraging
part is there are no funds. In other words, the Sec'y.. ~~Rykoff~~ ^{Rykoff} ~~of~~ ^{of} ~~agreement~~
has ^{not} been given any money to help build up the places that are not
in good shape, so that if something can pass accreditation can't
get money, he shuts the doors. This of course, I must say this
that I think we have to begin really to think about the next step;
in other words; I think we have to look at this thing not so much
anymore, can we change this Magnuson Bill, at the present time?
I don't think we can. I think we have to look at it, "well can
we change it when it hits the House side, or can we live with it
if it goes right through the whole Congress, and how can we pass
other legislation that would ^{im} approve it". You know what I mean
it's a sort of....you have to turn yourself around and go with
the stream. Because our information, which is very good. We've
been working with the legislative assistant of Maurine Neuberger,
and he is terrific, he predicted this a week ago, and we notified
Houston Merritt on the basis of this, immediately. You know, we
notified Javits group, we notified everybody. But Hill just
turned and walked the other way.

Dr. Dennis: He wouldn't believe it?

Dr. Greenbaum: Oh, he believed it, but it's not good for him politically, I guess,
to stand up and take a defeat, possibly. If they wont recommit the
Bill, it's a defeat. He is very angry at the NIH, I understand.

Dr. Dennis: Ysh. The NIH stand him up, didn't they?

Dr. Greenbaum: Yes, that's right.

Dr. Dennis: ^{Now,} Oh dear. ~~What's~~ ^{What's} your view of what we can do at the moment?

Dr. Greenbaum: What's my view? I think we have tried from my point of view in
terms of everybody and everything I know. I think we now have to
wait the outcome of thés meeting which occurred today, between
Shannon and Hill and see what tomorrow brings in terms, you know,
of calling down and find out what happened. That's all I can say,
I mean if you have any ideas I would say go and pursue them, but

Dr. Greenbaum: there's nothing else at this moment that-when a Bill is voted
(continued) out a Committee 15 to nothing, Clarence, what do you expect
these boys to do. You know, the Senators, they are going to
vote with that Bill. That's one-sixth of the Senate.

Dr. Dennis: Yes.

Dr. Greenbaum: So that you have to either make plans to put pressure on the
positive ~~private~~ legislations to help aid if the Bill goes through
completely all the way. Harry Kingman ^{has an} office and I don't
know how good his information is, says that Poage will not give
in very quickly to Magnuson.

Dr. Dennis: That's good.

Dr. Greenbaum: Yeh, but, how much of this is speculation ~~item~~,... it is good.

Dr. Dennis: What's Javits think?

Dr. Greenbaum: The Javits^f group thinks that Hill will not recommit it^f without
Hill's doing anything, they are powerless to do anything on this.

Dr. Dennis: You mean Javits' Bill is before Hill's Committee.

Dr. Greenbaum: Right. So that they were very upset that Hill did not recommit
because apparently the...

Dr. Dennis: Would Javits put pressure on Hill?

Dr. Greenbaum: Well, I asked that question, and they said yes, if he knows
exactly what's in the Bill, and since we don't have a copy of
exactly what's in the Bill yet, they advise us not to ask Javits
to do that at the present time.

Dr. Dennis: As soon as they know exactly what's in the Magnuson Bill, Javits
will then put pressure on Hill?

Dr. Greenbaum: Well, he will of course make inquiries, let's put it that way.

Dr. Dennis: I suppose with Hill being Chairman, Javits can't, especially
since Javits is a minority....

Dr. Greenbaum: Well, that's the problem

Dr. Dennis: What about Kennedy?

Dr. Greenbaum: Well, he can call him up, and say what are you going to do about
this... ^{you know} it doesn't look right, you know something like that,
well Hill says, I thought about and decided that it's O.K., let's
let it go through. Well, what can you say, you know?

Dr. Dennis: What does Kennedy say?

Dr. Greenbaum: I haven't been in contact with that office at all. I don't think, well. Mr. Hill, as I am told, in speaking to other legislative assistants is a power unto himself. He is shrewd, grandfatherly, pleasant, but very firm and difficult to get too. You know. And, after all a Committee wrote out that the Committee wrote a report that says, they think they have accomplished great things, that they haven't heard Research and yet they can regulate ~~is~~ *is* without hampering research.

Dr. Dennis: Well, let's see what tomorrow brings. I may call you tomorrow.

Dr. Greenbaum: Fine.

Dr. Dennis: Alright. Let me digest this.

Dr. Greenbaum: Yes, it's something you have to sit down, and sort of, if I went home yesterday and I just didn't say a word to anybody for about 5 hours.

Dr. Dennis: Did you get anymore information, would you let me know?

Dr. Greenbaum: I certainly will.

Dr. Dennis: O.K. I'll try Maurice in the morning too.

Dr. Greenbaum: ~~We~~ ^{He} will be down Washington

Dr. Dennis: I've got the phone number. O.K., thank you very much.

Dr. Greenbaum: O.K.