

10430 COMPETITIVE PROBLEMS IN THE DRUG INDUSTRY

General HAYES. If you would like, I could present the statement now.

Senator NELSON. Are you through commenting on my opening statement?

General HAYES. I am still in that position, but if you want me to, I can read my summary.

Senator NELSON. Finish your comments on that.

General HAYES. I think to carry along the line to clarify that comment on the clearances, the question of having permission given for members to do this kind of thing, appear before State legislatures and so on, in looking into it we found that our policy is a bit fuzzy, and we have now instituted a review of the whole business with the intent of clarifying and defining the policies so there will not be this kind of low level clearance for rather important speeches and appearances before legislatures.

Senator NELSON. Go ahead.

Senator BEALL. Mr. Chairman, I have a point.

I am not clear, General. Are you implying that in the future there will be clearance for an appearance itself on approval given in advance as to what the testimony will be?

General HAYES. Well, I think it is awfully difficult to clear testimony, but I think there would be certainly a discussion before the clearance to appear given as to the general scope and content.

Senator BEALL. But a statement is given freely without clearance? Or with clearance?

General HAYES. Let's put it this way: The statement I am going to give to this committee is cleared, completely, as to content and impact.

Senator BEALL. By whom?

General HAYES. By various concerns and components of the Department of Defense. In this instance, Installations and Logistics, Public Affairs, I think the Comptroller, and I think those are the major ones, and Legislative Affairs.

Senator BEALL. It is a complicated process.

General HAYES. It depends—sometimes you can get it done pretty quickly.

The point I am driving at is that the prepared statement will be cleared in this manner. As I say, you cannot control testimony except to review beforehand the general aim and tenor. We can't muzzle.

Senator BEALL. I was not suggesting can or should. I was just asking a question.

General HAYES. Well, I just carried it one step further.

Senator NELSON. But as I understand it, you stated in your opening statement you agreed with the summary presented in my opening statement.

General HAYES. I do.

Senator NELSON. I gather, at least from what I read, that Mr. Feinberg's statements and articles represented or purported to represent Department of Defense's policy and position. They did not; is that correct?

General HAYES. That is correct. They were personal opinion, and as I say, I will reiterate.