

FOR RELEASE FROM THE OFFICE OF
CONGRESSMAN BOB DOLE (R-KANSAS)

FOR IMMEDIATE RELEASE
JUNE 26, 1962

Congressman Bob Dole (R-Kansas) has prepared the following statement for insertion in the Congressional Record today:

Secretary of Agriculture Orville L. Freeman should drop further efforts to control the Nation's farmers and seek instead to win control of his own Department.

On the heels of the repudiation of his farm bill by the House of Representatives last week, now comes / ^{another grudging} admission by Mr. Freeman that his agency has been covering up the shady activities of some of its own employees in connection with the Estes cotton allotment scandal. In line with his pattern of the past, which is to admit it only when it's exposed or about to be exposed, the Secretary of Agriculture yesterday issued a press release announcing he had issued a formal reprimand to Thomas H. Miller, Acting Southwest Area Director of ASCS "for failing to reveal that he (Miller) prepared a report under instructions from a superior recommending that cotton allotments in the Estes case be allowed to stand for 1961 and subsequent years."

These fraudulent allotments have since been cancelled but only after the scandal was exposed in Texas state courts and in the Nation's press.

Mr. Freeman, in his press release, reports Miller "now states that the recommendation he made was contrary to his own judgment and that it was made at the direction of Emery E. Jacobs, former Deputy Administrator, ASCS, who resigned April 13, 1962. The course of action subsequently taken by the Department with respect to Estes' transferred cotton allotments was in no way affected by Mr. Miller's memorandum and was completely at variance with his recommendations . . ."

The Freeman statement goes on to say: "Miller has advised the Department in an affidavit that Jacobs instructed him to write a memorandum justifying a Departmental decision 'to permit Billie Sol Estes to retain all of the cotton allotments he had acquired at that time.' He also stated that he had disagreed with Mr. Jacobs but 'considered I had no alternative under the circumstances.'"

Here we have the spectacle of a high USDA official, Jacobs, instructing one of his subordinates to write a memorandum justifying the Estes cotton allotments which Jacobs must have known were fraudulent and which career administrators had said were illegal months before.

Miller knuckled under, wrote a false report and, now that the whole sorry mess has been exposed, draws a mere reprimand from the Secretary of Agriculture. It is reminiscent of the reprimands which were first handed to two Oklahoma ASCS officials for dabbling in cotton acreage allotment transfers, although they were subsequently fired when public attention was focused upon the matter.

The Secretary's action with respect to Miller stands in sharp contrast with his handling of the N. Battle Hales case. Hales, one of the career USDA employees who had recommended that the Estes cotton allotments be tossed out back in November of 1961,

June 26, 1962 (cont)

-2-

locked out of his office, denied access to his files and assigned to a different job when Mr. Freeman discovered that Hales had given a deposition to the FBI concerning this matter. In the deposition Hales made it clear he believed the Estes allotments were fraudulent and he stuck to his guns in subsequent public questioning by the press.

For making an honest evaluation of this case, Hales was, in effect, demoted and subjected to indignities. His secretary was summarily arrested and detained for 13 days in the psychiatric ward of D. C. General Hospital.

For going along with the people who were attempting to cover up for Estes, Miller receives only a reprimand and that only after the Secretary of Agriculture learned investigators for the Senate Permanent Investigations Subcommittee, headed by Senator McClellan, got Miller to admit that he had written a false memorandum at Jacobs' request.

In his press handout, Mr. Freeman says that he received word of Miller's action from ASCS Administrator Horace Godfrey on June 2 and "I immediately ordered an investigation of the facts." Yet it was not until yesterday--23 days later--that Freeman ordered a reprimand of Miller and then only after a newspaper reported the case.

Miller, in his affidavit, says Jacobs told him that "Estes would be willing to settle for the allotments he had already received and this was in accordance with the wishes of Under Secretary Murphy." Murphy, however, denies that he had ever met Miller or know that he had filed a report on the Estes cotton allotments until the past few days.

That Murphy was well aware of the Estes cotton case can hardly be disputed, however, in view of the fact that he sat in on the USDA meeting on Jan. 6, 1962, at which Estes and his attorneys were in effect given a reprieve / ^{and} another opportunity to establish the legality of an operation which was patently illegal from the outset. Murphy's role in this matter calls for a much more detailed explanation than he has offered thus far.

As an interesting footnote to this latest retreat and cover-up policy of Freeman with respect to the Estes scandal, I should like to quote from a letter which he sent to me on May 9, 1962. In this the Secretary said:

"Emery Jacobs agreed to resign from the Department, not because he has taken anything from Billie Sol Estes, which he has consistently denied, but rather because he placed himself in a position where due to the extent of his purchase (of clothing) and the prominence of Billie Sol Estes on the scene at the given time and place it might be concluded by the public and interpreted as an improper relationship affecting the integrity of the Department. This being the case, Mr. Jacobs agreed to tender his resignation subject to clearing himself of any wrong-doing . . ."

Perhaps a further footnote is in order. This concerns the news reports of Jacobs' exit from USDA. It was related that the Secretary threw his arm about Jacobs and had told the departing official it was like losing his own right arm. Jacobs was admonished to go out and clear himself of what Freeman seemed to believe were "Ballooned up" charges and then come back to his former job.

All of this confirms what I said at the outset: that the Secretary of Agriculture should quit trying to control farmers and get control of his own Department. It also demonstrates again the utter futility of having him investigate his own agency.

It is abundantly clear by now that the Secretary of Agriculture is going to divulge or confirm what facts he has in connection with the Estes scandal only after they have been exposed first by Congress, the press and the courts.