

Box 73A-2

29 December 1970

Mr. Leon Billings
6233 New Senate Office Building
Washington, D.C.

Dear Mr. Billings:

In reference to your recent undated letter, may I advise that next time you intend to write a memo for your files that you have the courage to do so directly and not use the devious technique of addressing a letter to the undersigned.

For your information and reminder, enclosed are detailed proposals available for about six months, which were assembled by a coalition of environmental, labor and citizen groups. You can use them to measure your progress and what remains to be done.

Your letter does not serve to reflect the wisdom that one might expect from an associate of Senator Muskie.

Sincerely,



Ralph Nader

Encl.

Box 73 A-1

RECEIVED

APR 7 1970

April 4, 1970

Senator Edmund Muskie
U.S. Senate
Washington, D.C.

Dear Senator Muskie:

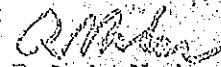
It is customary and proper procedure followed by Congressional Committees to announce a witness list after acceptances to Committee invitations have been received. Your staff assistant, Mr. Leon Billings, issued a release in mid-March containing a list of invitees which included myself. A few days later, members of the press informed me of their impression that I had agreed to testify on March 26, 1970 which was news to me. After phoning Mr. Billings, shortly thereafter, to express my dismay and request an explanation and correction, I was astonished to note that the Washington Post was misled into informing its readers in its March 26, 1970 issue that I was to be a witness that day.

Without speculating about this pattern of determination by Mr. Billings, I wish to make it clear that any impression that there was an acceptance on my part followed by a withdrawal is utterly erroneous. Mr. Billings apparently interprets silence as acceptance--a practice more suited to credit life insurance abuses than a Senate staff member. It would be appreciated if this letter is included in the hearing record to correct any errors, alluded to above, that may appear in that record.

May I take this opportunity to urge you to focus more attention on the workability of disclosure requirements, burdens of proof and effective legal sanctions in your considerations pertaining to the strengthening of existing legislation in the pollution area.

Thank you.

Sincerely yours,


Ralph Nader

Box 73A-1

LGB - Ralph Nader Conversation 12/16/70 2:00 p.m.

In answer to Mr. Nader's opening remark "How much did you lose?", Mr. Billings provided a three point statement concerning the deadline change. Mr. Nader proceeded to ask who the industry pushers were in the Conference. Substantive answers were then given regarding penalty provisions and the role of the National Academy of Science.

Mr. Nader questioned whether the Conference had retained certain reporting requirements in Title II. After explaining that the Senate and the House bills contained no such specific provisions Mr. Billings asked for clarification of the question and a frame of reference. Mr. Nader stated that he thought that a provision of this type was a necessity. Mr. Billings responded by stating that due to the extent of the compromises which had already been made by the House he did not think it likely that additional burdens on industry would be added to the bill at this point. Mr. Nader then replied that perhaps we could "slip in" a direction of this nature in the report. Mr. Billings replied, "I don't want to play that way". Mr. Nader also wanted to know whether Lloyd Cutler was "spearheading" for industry. Mr. Billings indicated that he had not seen Mr. Cutler.

There was then further discussion of penalties and the NAS. Mr. Nader specifically wanted to know whether the NAS would have a "veto" role. Mr. Billings stated that if the NAS gave a negative report it could be used by the Administrator as a reason for suspension.

After stating that he felt that the most important question was what the impact of this legislation would be on industry,

Memo of Phone
Conversation w/
Rabbi Nader
as prepared by
~~B. Beausse~~
B. Beausse

Box 73A-2

Dear Mr. Nader:

In order that historians, in writing about your attempt to discredit Ed Muskie, do not accept your May 19 letter to the New York Times as the final statement on the matter I would hope that you will file this letter in your permanent records.

You did ignore the Senator's invitation ^{d?} to testify on air pollution legislation. According to your xtelephoned statement to me on March 24 (two days before the hearing) you only responded because members of the press had inquired as to whether you intended to appear and but for their interest you would not have made any effort to respond to the Senator's request.

In fact you~~xxx~~ did not volunteer the information that you would not appear. Only after repeated queries from me during that telephone conversation did you finally suggest that you had an "irreconcilable conflict out of the city on the day in question.

You will recall that the primary purpose of your rather abrasive phone call was to excoriate me for releasing a witness list with your name on it -- something like credit life insurance you said -- and to demand that I correct the mis-impression that your failure to respond to the invitation was a sign of acceptance which I did but which you have conveniently ignored.

I am deeply concerned that a person who supposedly is fighting against injustice, consumer fraud, assaults on public health, and administrative and legislative failure should be so irresponsible. I would be stronger but I am afraid that