

Nader Group Says Labor Department Lagged on Health Rules to Spur Gifts

By DAVID BURNHAM
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WASHINGTON, July 15—A Ralph Nader group charged today that the Labor Department had failed to establish new standards to reduce the danger from such diseases as cancer and brain damage for 5 encourage campaign contributions to President Nixon from businessmen.

The Health Research Group, one of the organizations established by the consumer advocate, said that a memorandum written by the former head of the Occupational Safety and Health Administration "in itself establishes a conspiracy to deprive millions of workers of their health and lives."

"This plan and its apparent consequence of Department of Labor inertia can only be described as murder in the workplace," the health group charged.

The memorandum in question was reportedly written by George C. Guenther, a former Assistant Secretary of Labor and Administration in the safety agency, in response to a request for proposals on how Labor Department programs "could contribute to the President's re-election."

"While promulgation and modification activity must continue, no highly controversial standards (i.e., cotton dust, etc.) will be proposed by OSHA or by the National Institute of Occupational Safety and Health," the health group quoted Mr. Guenther's June 14, 1972, memorandum as saying.

'A Sales Point'

Mr. Guenther was further quoted as saying that while he had discussed "the great potential of OSHA as a sales point for fund raising and general support by employers, I do not believe the potential of this appeal is fully recognized."

The official, now a vice president with the Insurance Corporation of North America, then added, "Suggestions as to how to promote the advantages of four more years of properly managed OSHA for use in the campaign would be appreciated."

Excerpts from Mr. Guenther's memorandum were published yesterday by the Senate Watergate committee.

The committee report said Mr. Guenther's memorandum had been requested by Lawrence Silberman, then Under Secretary of Labor, now Deputy Attorney General of the United States.

"Mr. Silberman stated to the select committee that he did not instruct Mr. Guenther to discontinue the plan set forth in this paragraph [of his memorandum]" the Senate committee said.

Mr. Guenther, reached by telephone, defended his running of the safety agency and said the charges of the Health Research Group were "very much exaggerated."

"I'll stand on my record that our actions in starting a complex new program were fair and responsible," he said.

Mr. Silberman, also in response to an inquiry, said that if the situation was anything like that described by the health group, then "we should properly be tarred and feathered."

The official, now the No. 2 man in the Justice Department, said he had been "uncomfortable" about the so called "responsiveness plans" developed within the Labor Department at his request and that he had finally decided not to submit them to the White House.

A staff member of the Senate Watergate Committee noted the committee report's conclusion that no over-all Labor Department responsiveness plan had been submitted to the White House but added that the committee staff had not had the time to analyze the substantive merits or demerits of the actions of the Labor Department in the health standards area.

In a letter to Attorney General William B. Saxbe, Dr. Sidney M. Wolfe, the head of the Health Research Group, said that if Mr. Silberman was "responsible for this abuse of justice, he should be dismissed from his position of Deputy Attorney General."

Investigation Urged

In a letter to Leon Jaworski, the special Watergate prosecutor, Dr. Wolfe called for an official investigation of the role of present and past Department of Labor officials "to undermine Federal law in return for campaign contributions."

In an effort to support its allegation of inaction, the health group cited 13 substances for which the National Institute of Occupational Safety and Health had proposed new standards but that the Occupational Safety and Health Administration had not implemented.

These substances, including inorganic lead, carbon monoxide, arsenic and sulphur dioxide, were said to expose about 5 million workers to health dangers.

Health Dangers Listed

The potential health dangers included leukemia, lung cancer, skin cancer, lung disease, nerve and brain damage, kidney disease, asphyxiation and worsening of heart disease, the health group said.

"A look at the record from 1972 through the present sug-

gests that with the exception of the asbestos standard, issued only after OSHA was petitioned by the A.F.L.-C.I.O. none of the other criteria documents transmitted from NIOSH to OSHA has resulted in the issuance of a new standard," Dr. Wolfe wrote.

"In brief, it is clear that the present dilatory tactics of OSHA are perfectly consistent with the promise of the Guenther memo. Although the standard answer may be that it is just bureaucratic inertia, the memo offers a rare glimpse into the mechanism whereby bureaucratic inertia is financed," he said.

Dr. Wolfe said the memorandum painted "a picture of American corporations willing

to donate millions to finance a Presidential election in order to have a Government agency be 'responsive' to their needs by allowing workers to suffer impairment of health and in some instances death."

Concerning future programs, Dr. Wolfe said, "There currently is a serious attempt being made to force [the Government] to eliminate the proposal of specific new exposure standards from all future criteria documents. Thus, workers would never know what on scientific and medical grounds alone was thought to be the best standard."