

Just 2, 1976

## CONGRESSIONAL RECORD—

the SPEAKER. Is there objection to request of the gentleman from Mississippi?

MCCLOSKEY. Mr. Speaker, regarding the right to object, might I inquire if this extension of the committee without any additional cost beyond already authorized by the House?

MONTGOMERY. If the gentleman will yield, that is correct. There will be no additional cost to the Congress. We have enough funds to operate the committee until the end of this year, was the feeling of the committee when we can write a better report if we are given until December. Under the situation we are operating under now, the committee would have to go out of existence September 11.

Now, we are in contact with the North Vietnamese in Paris and hope we can do with the Vietnamese another time regarding the MIA situation. I might say this committee had something to do with the release of American civilians today from Saigon. It is the feeling of the committee this is not the right time to close out the committee, and I urge unanimous adoption of this resolution.

GILMAN. Mr. Speaker, will the gentleman yield?

MCCLOSKEY. I yield to the gentleman from New York.

GILMAN. Mr. Speaker, I commend the distinguished chairman of the committee on this resolution. So much has been accomplished but so much is still to be accomplished, and so much more to be done if we pass this resolution.

MCCLOSKEY. Mr. Speaker, I reserve my reservation of objection.

SPEAKER. Is there objection to the request of the gentleman from Mississippi?

RHODES. Mr. Speaker, reserving the right to object, I congratulate the gentleman from Mississippi and the committee on the fine work that this select committee has accomplished thus far.

SPEAKER. I certainly favor the extension of the committee's life until the end of January. There is work yet to be done.

I am sure the gentleman and his committee can address themselves to the work still remaining and perhaps with some answers that we are looking for in the future. I commend the gentleman in strong support of this extension.

RINKLEY. Mr. Speaker, will the gentleman yield?

RHODES. I yield to the gentleman from Georgia.

RINKLEY. Mr. Speaker, I rise to support the distinguished minority leader in support of this resolution.

SPEAKER. There is, as one of the gentlemen said, much to be done. The work is unfinished. This will enable the distinguished subcommittee chairman and his committee members to go forward with it. I commend them and give them my support.

OTTINGER. Mr. Speaker, will the gentleman yield?

RHODES. I yield to the gentleman from New York.

(Mr. OTTINGER asked and was given permission to revise and extend his remarks.)

Mr. OTTINGER. Mr. Speaker, I also join with and congratulate the chairman for this action.

Mr. OTTINGER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

Mr. RHODES. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR SUBCOMMITTEE ON ENERGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION OF COMMITTEE ON SCIENCE AND TECHNOLOGY TO MEET WEDNESDAY MORNING, AUGUST 4, 1976, DURING THE 5-MINUTE RULE

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent that the Subcommittee on Energy Research, Development, and Demonstration of the Committee on Science and Technology may be permitted to meet Wednesday morning to receive testimony only during the 5-minute rule.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, can the gentleman assure us that the minority member of the committee has agreed to this hearing?

Mr. MCCORMACK. Yes. Mr. Speaker, if the gentleman will yield, the minority has been informed and agrees.

Mr. ROUSSELOT. Mr. Speaker, I thank the gentleman for his comment, and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

FURTHER LEGISLATIVE PROGRAM

(Mr. O'NEILL asked and was given permission to address the House for 1 minute.)

Mr. O'NEILL. Mr. Speaker, I take this time to announce that the postcard registration bill, due for tomorrow, will be taken from the calendar because of absentees due to four primaries and will be rescheduled the first thing on Thursday.

Tomorrow we will be doing a bill left over from today, the Indian Claims Commission bill in its place and begin the Clean Air Act bill.

Mr. Speaker, the program for tomorrow will be as follows:

The House will meet at noon and will first consider the Private Calendar, and then consider the following bills:

The conference report on H.R. 14234,

Transportation appropriations, fiscal year 1977.

H.R. 11909, Indian Claims Commission, under an open rule with 1 hour of debate.

H.R. 12944, Federal Insecticide, Fungicide, and Rodenticide Act extension, under an open rule with 1 hour of debate. The rule has already been adopted.

H.R. 4634, Workweek of Federal Firefighters, under an open rule with 1 hour of debate.

H.R. 10498, Clean Air Act amendments, with 3 hours of debate, with general debate only on that bill.

Mr. Speaker, I trust this meets with the approval of the minority leader.

Mr. RHODES. Mr. Speaker, if the distinguished majority leader, the gentleman from Massachusetts (Mr. O'NEILL) will yield, it does meet with the approval of the minority.

Mr. Speaker, I would like to further ask the distinguished majority leader if this possibly means there will be no session on Friday?

Mr. O'NEILL. I regret that I am not able to answer that at the present time. We have scheduled the bill (H.R. 13372), the Wild and Scenic Rivers Act amendment (New River). If the North Carolina delegation were willing to cooperate with the great bulk of the Membership, there is a remote possibility that we could get through on Thursday.

MICROWAVE RADIATION, TO BORROW A PHRASE, IS NOT HEALTHY FOR CHILDREN AND OTHER LIVING THINGS, INCLUDING STATE DEPARTMENT EMPLOYEES IN MOSCOW

(Mr. KOCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KOCH. Mr. Speaker, an article appeared in July 27 New York Times confirming the existence of tests conducted for 18 months during 1967-68 "to detect genetic damage" on State Department employees who worked in Moscow during the 1960's. The reason for the tests, kept secret from the employees, was to determine the effects of microwave radiation beamed at the U.S. Embassy in Moscow. Dr. Cecil B. Jackson, who oversaw the analysis of the State Department test samples by a laboratory at George Washington University, said of the results: "Things were never really conclusive."

That bothers me. It bothers me that this radiation, which has been going on in excess of 15 years, continues in the absence of conclusive evidence. Statistics show that radiation is harmful to one's health, yet the State Department does not care enough about its staff, about the health of its employees, to call for an immediate halt of such radiation. I am calling for that halt.

Adding to the outrage is the fact that the State Department allows the radiation to continue while testing is being done—certainly the fact of testing reveals a real doubt as to the effects of radiation. As a member of the Foreign Operations Appropriations Subcommittee

H 8174

## CONGRESSIONAL RECORD—HOUSE

August 2, 1976

tee, I have seen a lack of concern by the State Department for human rights around the world—Chile and Uruguay are good examples—and while I deplore that, I am more distressed and angry that we would permit the same lack of concern to be evidenced toward American citizens who happen to be our employees.

What has the State Department done? Indeed, very little. Time magazine reported in March that radiation had decreased in recent months from previous highs, but that it was not halted. A member of my staff called the State Department yesterday to check on the current situation. The officer he spoke to stated that "extensive discussions have taken place over the past months with Russian authorities, and radiation has been reduced to an "insignificant level." That does not satisfy me. Having introduced two bills dealing with excessive X-ray exposure, I am familiar with this subject; experts have conceded that there is no established threshold below which radiation exposure is not harmful. Radiation is a very inexact field of science—there is little definitive knowledge about its effect on human beings. What we do know is that there have been illnesses, some serious, among employees of the American Embassy. The March 22 issue of Time, from which I will quote, discusses several of the rumored illnesses:

In the wake of the microwave disclosures, former embassy employees and their families have recalled suffering strange ailments during their tenure in Moscow, ranging from eye tics and headaches to heavy menstrual flows. Some point out that former Ambassadors to Moscow Charles Bohlen and Llewellyn Thompson both died of cancer, within the last two years one other Moscow diplomatic died of cancer, and five women who lived there have undergone cancer-related mastectomies—although no medical authorities attribute these deaths and illnesses to radiation.

Only in recent weeks has Ambassador Walter Stoessel (who is said to be suffering from anemia and eye hemorrhaging) been briefing embassy staffers on the situation. Rumors that the waves can cause leukemia, sterility in males or birth defects are circulating around the embassy.

As the article states, the sicknesses may not have been due to exposure to radiation, but they may have also—we do not know. But as long as doubt remains, State Department employees must not be subjected to possibly harmful rays. It is also important to remember that we are talking about children as well as adults. It bothered me to learn that this past June, as reported in the Washington Post—

Two three-year old American girls living in the U.S. Embassy, which had been subjected to microwave radiation, have been evacuated to the United States with unusual blood problems.

Again, no "conclusive" evidence as to what caused the blood problems. But American citizens should not be subjected to such potentially harmful radiation—the United States must make certain that the microwaves be stopped immediately.

Since the Soviet officials have released no statement on the subject, there has only been conjecture as to why this radiation has been beamed at our Embassy. Popular opinion holds that it is intended

to jam sophisticated electronic monitoring devices which are being used by American authorities in Moscow. First of all, I do not believe that monitoring devices, if they exist, violate international law. Certainly, the Soviet Union has made no charges of illegality. But if the Russians do deem our actions illegal, they should say so, demand that we cease them and if they are correct under international law, then we should. But they have not made such a demand and apparently the United States is not violating international law in this regard. And in any event, they cannot take action which threatens the safety and well-being of our Embassy staff.

Many in this country have been calling for action. In fact, the New York Times, in a February editorial, suggested that the alternative to demanding an immediate cease of microwave bombardment might be "Either total evacuation from Moscow of the American Embassy staff or the institution of retaliatory microwave bombardment of Soviet diplomatic installations in this country."

I was surprised that the New York Times would be so direct, dramatic, and lethal in the response it advocated. And I am not saying that we will not ultimately do that, but I have some other suggestions that should be considered. First, we should put the Soviet Union on notice that, unless all microwave radiation ceases within 10 days, we will forthwith withdraw our consulate in Leningrad and require that the Russian consulate in San Francisco be likewise withdrawn. And, if the microwave radiation continues thereafter, notwithstanding our withdrawal, we will be compelled to close our Embassy in Moscow, and require a corresponding reduction of staff of the Soviet Embassy in Washington.

It is important to make it clear that this would not constitute a rupture of diplomatic relations. We should state at that time that we are prepared to reopen the Embassy within 24 hours after the radiation stops. But health standards and simple concern will not permit U.S. employees to be irradiated on the job. This is simply a question of American lives and health, things which must be placed above diplomatic amenities.

Mr. Speaker, before I conclude, I would like to comment on two areas that have troubled me in my investigation of this radiation matter: secrecy and standards. The secrecy I refer to has largely been the fault of the State Department, and I do not understand why the entire situation has had to be so covert. A recent State Department paper admits long-standing knowledge of the radiation:

Between November 1962 and August 1963 the existence of these highly directional, focused microwave transmissions beamed at our Embassy in Moscow was found and verified for the first time, and not in 1953 as may have been implied.

This brings up several disturbing facts. First of all, the State Department was fully cognizant of radiation as early as 1962; and yet they did not let employees know of the danger. The testing was conducted several years later under a false pretext, and still the irradiated employees were kept uninformed about the situation. The fact of the testing indicates that doubt existed within the State

Department as to the safety of working in the presence of microwave transmissions.

Furthermore, the 1953 date which the State Department first gave as the time the radiation was recognized, may be closer to the truth—indeed, the review of medical records made to study the effects of the radiation includes files of employees dating back to 1953. A cloak of secrecy has enshrouded this issue since its beginning, and the fact that U.S. employees have been allowed to work under such uncertain and possibly hazardous circumstances for so many years, without any State Department interdiction, is unconscionable. The entire handling of the situation has been faulty.

A Pentagon-funded study of radiation, code name "Operation Pandora," went on from 1966 to 1969. Several scientists who took part in the project now say they believe it was terminated prematurely. One such scientist, Dr. Milton Zaret, maintained that experimental data was discarded; data which suggested potential radiation hazards. The State Department has been active verbally, has had discussions with Russian authorities, and there was even a letter from President Ford to Soviet General Secretary Brezhnev. But all this talk has been ineffective, for the radiation continues even as I speak. Information has been withheld from those employees subject to the radiation—certainly they have a right to know.

The other matter that troubled me in looking into this issue was the low American standards for radiation use: According to the Associated Press, the current published Soviet standard for industrial exposure to microwaves is 10 microwatts per centimeter—1,000 times lower than the U.S. standard. This tremendous difference indicates a greater concern on the part of the Soviet Union for their citizens than we have for ours. In any event, it points up a serious need to revise our definition of safe radiation levels.

One last point bears repeating: This is a health issue, not a political one. Many feel that too much is being made of a few microwaves. However, while facts are few as to the extent of a health risk which microwaves pose, there is one fact we do know: No amount of radiation is good. I would urge Americans to personalize this situation, and thereby empathize: Would anyone like to work in an office which faces daily radiation, especially if the employer were negligent in not informing the employee of the radiation threat? I think not. In this case, the U.S. Government is the negligent employer, and we must reassume our responsibility to our State Department workers. We must remove this threat once and for all.

I am appending an article by Barton Reppert of the Associated Press which points out some scientific reaction to microwave radiation and Operation Pandora. The article follows:

EXCERPTS FROM "EMBASSY RADIATION,"  
BY BARTON REPPERT, MAY 3, 1976

The only U.S. research project known to have been pursued specifically in response to the Moscow radiation problem was a secret Pentagon-funded study code-named "Operation Pandora" from 1966 to 1969. Several scientists who took part in that project now

2, 1976

## CONGRESSIONAL RECORD—HOUSE

H 8175

...ey believe it was terminated proma-  
ever, one scientist associated with  
ora" said he would not discount the  
bility that the radiation may be calcu-  
to cause a "suppressive effect" on Em-  
personnel.

classified State Department summary of  
 Moscow situation admits that some ex-  
ents have linked microwaves to "a  
of nonspecific complaints—such as  
ty to concentrate, fatigue, headaches—  
her functional and reportedly reversi-  
anges including shifts in the ratios of  
nt blood cells."

rding to Moscow sources, abnormally  
hite blood cell counts have been found  
ards of 50 percent of Embassy person-  
ted.

official summary noted that the Gov-  
nt has paid a claim in connection with  
cer death of a woman who had worked  
cretary at the Embassy in the 1960's.  
the claim was paid on grounds of in-  
ate medical care, the woman's husband  
ld he believes her fatal disease was  
to the microwaves.

Department document contended that  
use and effect relationship has been es-  
ed between disorders contracted by  
in Moscow and their exposure to the  
magnetic field."

ther scientist who took part in the  
ora" study, Dr. Milton Zaret, said he  
een assigned the job of preparing an  
is of pertinent Soviet and Eastern Eu-  
scientific literature.

analysis, he said, reported that accord-  
 Soviet scientists, pulsed microwave  
ion of certain frequencies could pro-  
"Sechenov inhibition effect" on nerve  
eventually causing fatigue and poorer  
mance of mental tasks.

an interview at his office in Scarsdale,  
ork, Zaret said the Soviet researchers  
tly believed that "the electromagnetic  
duced by the microwave environment  
s the cell membrane and this results in  
crease of excitability of nerve cells."

th repeated or continued exposure, the  
sed excitability leads to a stage of ex-  
tion of the cells of the cerebral cortex,"  
d in explaining the Soviet theory.

recent Soviet and Eastern European  
s, he added, have shown further evi-  
of such a "neurasthenic syndrome" at  
ion levels as low as 30 to 80 microwatts.  
et, an ophthalmologist who has studied  
between microwave exposure and eye  
cts, said he believes senior Pentagon  
is deliberately short-circuited "Opera-  
andora" and disregarded experimental  
that suggested potential radiation  
ds.

said there was fear that if the experi-  
were pursued more vigorously, "what  
found could lead to unwanted restric-  
on our own military establishment's  
of its electronic equipment," including  
and other installations.

ere's no question in my mind that this  
part of a cover-up," Zaret asserted.

## IN CONTROL AND PERSONAL LIBERTY

the SPEAKER pro tempore. Under a  
ous order of the House, the gentle-  
from Texas (Mr. PAUL) is recognized  
0 minutes.

PAUL. Mr. Speaker, the issue of  
control is intimately linked to the  
of personal liberty. From the days  
r Founding Fathers and the debates  
erring the necessity of a Bill of  
its in the U.S. Constitution, the ques-  
of the right to keep and bear arms  
een seen by a majority of Americans  
entral to American freedom. The

issue of gun control is a divisive one to-  
day, and it is not going to go away until  
the advocates of gun control succeed in  
wrecking the Bill of Rights, or until they  
become convinced of the necessity of  
preserving the original meaning of the  
second amendment and, therefore, aban-  
don all attempts to register or confiscate  
guns used by sportsmen. Until gun con-  
trol advocates shift their attention and  
efforts to control the use of guns by  
criminals in the commission of a crime,  
rather than the control of law-abiding  
citizens who are trying to defend them-  
selves, those of us who defend the rights  
of private property are not going to be  
impressed.

The inability of police departments to  
defend us from criminals is increasingly  
obvious. This has been admitted freely  
by one of America's leading police chiefs,  
Edward M. Davis of Los Angeles, who  
heads up one of the finest police depart-  
ments in any major American city. He  
has put our plight very well:

I can tell you that today's law enforcement  
cannot protect. When you call, do the police  
immediately appear? . . . So, if the law  
enforcement agencies can't insure your pro-  
tection and the protection of your family  
from hoodlums, it becomes your responsi-  
bility.

Gun control advocates are trying to make  
it impossible to defend ourselves.

I call to your attention Chief Davis'  
important speech of April 22, 1975, de-  
livered in San Diego, Calif. It was re-  
printed in "The Journal of Christian  
Reconstruction," in the winter, 1975-76  
issue:

### LIBERTY, TYRANNY, AND THE SECOND AMENDMENT

(By Edward M. Davis)

Let me preface my remarks by saying that  
if you came here to hear Ed Davis speak  
about gun control, you may be extremely  
disappointed. My comments will be directed  
toward two rather basic and endearing con-  
cepts—liberty and freedom and the tyrants  
who would trample them.

Today, we stand at the threshold of cele-  
brating the two hundredth anniversary of  
this government. If that celebration is to be  
made complete, it should continue until  
1991. For the birth and foundation of this  
government involved more than the develop-  
ment of a Declaration of Independence. Our  
government was sired in a revolution which  
began on April 19, 1775, when a British ex-  
pedition marched on Concord in an effort to  
seize colonial arms. So you see that gun  
control way back then started the American  
Revolution. The maturation and growth of  
this nation was nurtured in debate begin-  
ning with the Revolutionary War and con-  
tinuing even today. You have heard the  
voices of those who desire to limit your  
rights and instill government control over  
your life. That concept has been the sub-  
ject of debate since there was government.  
One of the very basic liberties that seems  
to raise serious conflict with some critics is  
the Second Amendment to the Bill of Rights.

Let's digress for a moment and briefly  
trace the development of our Bill of Rights.  
During the Constitutional Convention be-  
tween 1787-89, our founding fathers sought  
to modify the articles of Confederation. The  
convention was composed of two camps of  
political thinkers. One group, in favor of a  
strong centralized government, became  
known as the Federalists. The other group,  
desirous of state's rights and a loosely knit  
central government, became known as the  
Antifederalists.

About mid-way through the convention, a  
representative from the state of Virginia—a  
truly outstanding patriot—George Mason,  
recognized that the Constitution was defi-  
cient in providing for the rights of the peo-  
ple. He expressed a desire to preface the  
Constitution with a Bill of Rights. He said,  
"It would give great quiet to the people;  
and, with the aid of state declarations, a  
Bill might be prepared in a few hours." This  
was later developed as a motion and it was  
soundly defeated. As the convention pro-  
gressed, Mason and others expressed serious  
concern and reflection over the power this  
new central government might exert on the  
states and on the people. In fact, it was  
through the urging of such men as Mason  
that the Fifth Article, providing for amend-  
ments to the Constitution, was finally adopt-  
ed. Governor Randolph, of Virginia, George  
Mason of Virginia and Elbridge Gerry of  
Massachusetts refused to sign the Constitu-  
tion because of its serious deficiencies in  
freedom. They feared that the Constitution's  
deficiencies in personal liberty would soon  
lead this nation to monarchy or tyranny.  
This great concern for liberty coupled with  
a desire for a Bill of Rights was nothing new  
to these men. Each state had its own Consti-  
tution and a majority of the states had their  
own Bill of Rights.

The first Bill of Rights, after considering  
the Magna Carta, was probably the English  
Bill of rights of 1689. It was codified after the  
English Revolution of 1688, and after James  
II fled his kingdom. Among the many provi-  
sions of this Bill was the right of the people  
to keep and bear arms that's back in the  
British Bill of Rights. Now, with the develop-  
ment of Colonial Charters and Laws in this  
country, many of these liberties became a  
part of our law. These liberties were further  
defined and included in many revolutionary  
declarations and constitutions. The seven-  
teenth Amendment to the Massachusetts  
Declaration of Rights, for example, includes  
a right to keep and bear arms. So, when  
George Mason asked the Constitutional Con-  
vention to consider a Bill of Rights, his re-  
quest was made as a result of long-standing  
practice for the insurance of freedom. He  
was the author of Virginia's Declaration of  
Rights and he had a profound love for these  
basic liberties.

However, as I said, his motion was defeated  
unanimously. The Federalists, like Hamilton,  
could not see a need for a Bill of Rights.  
When the work of the convention had con-  
cluded and the representatives left for their  
home states for the purpose of seeking rati-  
fication of this document, the fate of the  
Constitution was in serious jeopardy. Many  
of the delegates, like Hamilton, Washington,  
Jefferson, and Madison, voiced concern for  
the ability of the Constitution to extricate itself  
from the deep divisions of the Convention.

The first state to ratify the Constitution  
was Delaware. The vote was unanimous. How-  
ever, in the second state, Pennsylvania, Rob-  
ert Whitehill successfully argued for a Bill  
of Rights. The next states ratifying the Con-  
stitution were New Jersey and Georgia. Their  
ratification did not include a Bill of Rights.  
Massachusetts was next and because of the  
efforts of Samuel Adams and other Antife-  
deralists, a Bill of Rights was developed by  
John Hancock, a president of that state's  
convention. Maryland and New Hampshire  
also included a Bill of Rights in their ratifi-  
cation of the Constitution. The most crucial  
state in the ratification contest was Virginia.  
It was, at that time in our history, the largest  
and most important state. The debates in  
Virginia's State Convention are well recorded.  
The ratification debates lasted a month. The  
most profound and most glorious oratory de-  
livered for individual rights was delivered by  
Patrick Henry and supported by such men as  
George Mason. Mason expressed a fear that  
the new government's standing army, like  
the British Regulars, might invade the state