

are throwing as many roadblocks as they can in the way of a settlement.

Firstly, the IPS networks at this moment remain in place with neither the union nor the government moving directly against them. Spokesmen for the IPS-directed Miners Right to Strike Committee have stated that they will block the adoption of any contract negotiated by UMW President Arnold Miller. They are presently organizing a "Recall Miller" movement, which responsible UMW leaders report would destroy the delicate negotiations in the White House. In addition, spinoff organizations of the MRTSC, such as the so-called National United Workers Organization, are openly calling for acts of terrorist violence to defend the strike from "a sellout to the bosses..."

Saboteur: Schlesinger

It is becoming a widely accepted fact among honest Midwest officials that James Schlesinger "and his DOE are a bunch of saboteurs," in the coal crisis.

Despite the fact that last week Schlesinger was ordered by President Carter to prepare a coal allocation plan to help ease the shortages, his DOE has still failed to do so. His excuses, such as the unavailability of boxcars, the lack of supplies, have been exposed by other officials as a pack of lies — in some cases contradicted by members of his own Department.

DOE officials had only last week said that the movement of coal supplies might mitigate the short-term

effects of a strike and could be potentially significant in preventing major shutdowns in the context of a settlement within two to three weeks. Now these same officials, under orders from Schlesinger, report that they will only move coal across state lines after Taft-Hartley is invoked.

Such a policy, while trying to stampede nervous utilities and companies behind Taft-Hartley and thereby against the President's initiative, would also guarantee the reality of several Schlesinger public predictions this week to the effect that "major layoffs are now inevitable..."

Schlesinger's latest ploy, as revealed in Congressional testimony by DOE officials, is to lobby against the allocation of coal, allegedly because it will produce violence. Coal was moved this week in Indiana and no violence occurred. Sources close to the UMW have indicated that they have absolutely no desire to stop movement of such coal, as long as negotiations are taking place. It is only the IPS networks who will commit violence — and then, only if there is no effort made to deal with them.

While Carter has quite obviously attempted to limit the power of Schlesinger in the current crisis, he remains in office as Energy Secretary. If the strike can be prolonged into a national disaster, through his own efforts or the concomitant efforts of the IPS networks, Schlesinger would begin to wield more and more emergency "crisis management power." He therefore represents a second major threat to a settlement.

No-Nuke Act a Blow To U.S., World Energy Development

Despite an intense last-minute effort on the part of a number of Senators, led by James McClure of Idaho, to weaken by amendment the most blatantly destructive sections of the Nuclear Nonproliferation Act of 1978, the bill, with minor technical amendments, passed the Senate last Tuesday by a margin of 88 to 3.

In the words of one opponent, the final version of the

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legislation (commonly referred to as the Percy-Glenn bill) does little more than leave a "slight crack in the door" whereby a President who is wholeheartedly committed to international development of nuclear energy technologies could possibly avert what will otherwise be certain major sabotage of United States nuclear export capability.

Properly understood, the Nuclear Nonproliferation Act of 1978 is a major act of economic warfare against the most advanced high-technology export sectors of the U.S. economy, passed by its own Congress against its own industrial economy.

The Reliability Issue

The fact that Congress has passed the bill, with the enthusiastic support of the President, is proof enough for foreign observers that they cannot rely on the monstrously complex and negative criteria set out in the Nuclear Nonproliferation Act to gamble the resources of their own national long-range nuclear energy development plans. The very existence of the bill is proof that indeed the U.S. will not be a "reliable supplier" of such nuclear technology.

The official line purveyed by the bill's sponsors is that the bill will actually increase reliability by setting forth explicit policy for nuclear technology transfers to other countries. But as Senator McClure told the Senate in November, "The procedures and criteria of the bill, at a minimum, would render the United States a wholly unreliable supplier of nuclear fuels and equipment, with resulting lack of predictability driving potential trading partners to other supplier nations." Westinghouse and General Electric submitted testimony that underscored McClure's assessment, stating bluntly that passage of the essential portions of the bill will mean that the U.S. will fail to win a single new nuclear export contract except under extraordinary circumstances, meaning loss to high-skilled American workers of anywhere from

hundreds of thousands to several million jobs in the next several years, billions of dollars in hard commodity export earnings, and substantial export orders of machine tools, steel, and other material for the export-starved U.S. industrial sector. (See *Executive Intelligence Review*, Vo. IV, No. 52, Dec. 26, 1977.)

How Did It Happen?

A climate of congressional hysteria over "proliferation" has been consciously evoked by such organs as the *Washington Post* and the *New York Times*, who equate nuclear development with nuclear weapons. Unilateral disruption of a series of previous United States treaty agreements with Europe, Japan, India and other nuclear-importing nations by the Carter Administration, under the rubric of pressuring a halt to development of "dangerous" fast-breeder and nuclear reprocessing technologies, further softened the political climate in Congress.

The problem was further exacerbated by the astonishing fact that, aside from pro forma opposition, the U.S. nuclear industry and substantial sectors of the organized labor movement most affected by the loss of export earnings and jobs sat on their hands during crucial portions of the debate over the Percy-Glenn bill. One Senator revealed that when, in the closing days of debate, a number of legislators opposed to the Percy-Glenn legislation appealed to the nuclear industry for massive background documentation that could be introduced into full Senate floor debate before the crucial full vote of the Senate, the industry failed to provide anything like adequate factual ammunition for their allies. Senators were forced to scramble for their own statements or to obtain what they could from such sources as this news service to back up their opposition.

During debate on a number of the McClure amendments, which themselves were a woefully secondary stop-gap, many opponents of the Percy bill failed to even show for key votes. It is possible to make a philosophically consoling argument, as one opponent of the Percy bill did, that, had they only had more time, they could have swung the tide against the passage of such far-reaching legislation. The fact remains that 88 Senators voted for passage of the bill, and the bill will soon become law.

What the Bill Actually Does

The provisions of the Nuclear Nonproliferation Act of 1978, highly complex and awesome to someone not familiar with issues of nuclear export policy, amount to legislative enactment by the U.S. Congress of the failed Baruch Plan of the 1940s for maintaining an international U.S. monopoly on nuclear technology and development, peaceful or military. Ironically, the prime victim this time is the United States itself, at a time when there is no longer any existing exclusivity on development of such technology and the U.S. is far already far behind many other nations in crucial nuclear technologies.

Once one accepts the legislative definitions contained in the bill, all else follows. These definitions were never adequately challenged by any Senate opposition, even

though they are the most highly controversial portions of the bill. One Senator referred generally to the bill as an attempt at imposing "U.S. technological imperialism" on the rest of the world, but no amendments challenging this were entered.

Section 4 of the bill defines "sensitive nuclear technology" to mean "any information...which is not available to the public and which is important to the design, construction, fabrication, operation or maintenance of a uranium enrichment or nuclear fuel reprocessing facility or a facility for the production of heavy water..." Thus legislated U.S. policy is now to withhold export of technologies even in advance of the international review of such policies by the International Fuel Cycle Evaluation.

The provisions of the bill then go on to "prohibit the export of sensitive nuclear technology to non-nuclear weapon states by the United States...and to insure that other nations will refrain from transferring sensitive nuclear technology"; and in this context, it is now United States policy, explicit in the bill, to "aid foreign nations in identifying and adapting appropriate technologies for energy production, including solar and unconventional technologies, and, in particular, to *identify alternative options to nuclear power* in aiding such nations to meet their energy needs..." (emphasis added). The environmentalists have succeeded in legislating U.S. energy policy!

The core of the actual Act concerns definition of United States nuclear export criteria. It requires as a condition for U.S. export that the recipient nation submit to full-scope safeguards of the International Atomic Energy Agency under the Nuclear Nonproliferation Treaty (NPT) which a number of major nations, including Brazil, India, France, Israel, Spain, South Africa, Pakistan, and Turkey, have not yet signed. No U.S. technology can be exported to any country using it in development of even so-called "peaceful nuclear explosions," such as that detonated by India in 1974 as part of a major experiment for major earth irrigation development. This itself is in violation of the provisions of the NPT, which permit such peaceful explosions under appropriate safeguards. No retransfer of sensitive nuclear technologies and fuel can occur without prior U.S. approval, and no U.S. supplied nuclear material can be reprocessed without prior U.S. approval.

The bill establishes a major new morass of governmental procedures for export approval of any nuclear technology transfers and sensitive nuclear technology. A recipient nation is subject to possible override of the Nuclear Regulatory Commission by the President, who can in turn be overridden by the vote of one house of Congress—each step with highly complex and ambiguous criteria and time-consuming congressional review criteria. There is no requirement for timely and expeditious action by the Nuclear Regulatory Commission on export licensing. That body is currently split 2 to 2 between outright antinuclear members and honest commissioners who generally take pro-nuclear-development decisions. President Carter is under immense pressure to appoint the fifth and final vacancy on the NRC someone "favorable" to the antinuclear lobby. If this occurs, a situation where export licenses are virtually sabotaged by a hostile NRC majority is highly

possible under the Percy-Glenn bill, should the President then decide it is in the national interest to override such an adverse NRC ruling on export, his decision is further subject to veto by either house of Congress.

Gerald F. Tape, a former United States ambassador to the International Atomic Energy Agency, noted in this regard, "The probability of delay and ultimate veto is too high for most potential customers to accept, especially when such can arise after the basic agreement has come into force. How can a customer be assured that extraneous factors will not influence continuing cooperation?"

One of the most far-reaching thrusts of the Nuclear Nonproliferation Act of 1978, to which remarkably little attention has been drawn by even informed congressional opposition, is the fact that the bill effectively bans approval of nuclear fuel reprocessing in a nonweapons state by imposing "timely warning" standards that are impossible to meet with existing

technology. As an official from General Electric has noted, "Such an absolute prohibition would be particularly offensive to allies such as Japan and West Germany, and would seem to prejudice the outcome of the fuel cycle evaluation that the United States and other nations have agreed to conduct." With passage of the legislation, the U.S. presently stands glaringly isolated among nuclear supplier nations, with the possible exception of Canada, whose export criteria by recent joint agreement are defined by "U.S. standards" — which now means the Percy bill. Western Europe, the Soviet Union, and Japan will now increasingly become the focus for nations seeking reliable sources of substantial nuclear energy technology. Perhaps the most telling and remarkable aspect of this destructive and, even on its own terms, self-defeating, piece of legislation is that it was developed completely outside any process of serious negotiation with either other supplier or other user nations.

—William Engdahl

Support Continues To Grow

Michigan NAACP Announces Energy Conference

Over 50 representatives of the Michigan Conference of the National Association for the Advancement of Colored People (NAACP) met in Lansing on Feb. 12 and resolved to mobilize support for their national organization's call for the development of nuclear energy by hosting a state-wide energy conference.

The resolution, introduced by Flint, Michigan NAACP member and former U.S. Labor Party congressional candidate Max Dean, urged that "representatives of industry, labor, and education be called together to participate in a conference to implement the NAACP's energy policy."

In motivating the call for a conference, Dean said, "This is perhaps the most important issue before us today...Energy touches on the most vital questions of livelihood...We must communicate the urgency to act quickly." Martha Thornton, chairman of the Michigan NAACP's Urban Affairs Committee, seconded the motion, saying, "The liberals who marched with Dr. Martin Luther King in Selma, Alabama now want to tell us we don't know what should be done to provide jobs for ourselves. Well, they are wrong."

The motion was then unanimously approved by the 50 representatives present.

The planning of an energy conference by the Michigan NAACP coincides with the mobilization of a growing base of support for the association's call for the development of nuclear energy. The coalition between "big business, big labor, and big minorities" envisioned in the civil rights group's December policy statement is now taking shape.

In a widely publicized press conference Feb. 14, Senator Richard Lugar (R-Ind) endorsed the NAACP energy policy as "far-sighted." Speaking to the im-

mediate issue of the ongoing coal strike and resultant fuel shortages, Lugar emphasized that the construction of nuclear power plants was necessary and should have "begun years ago. The risk involved in nuclear power is substantially less than conventional power....For years the antigrowth people thought they had the NAACP in their back pocket. Now blacks have a position...linking jobs, energy and economic growth. The NAACP took a grave risk...people should listen."

Midwest Press:

Business Must Support NAACP

Chicago Defender, "NAACP wants jobs, not handouts," Feb. 8:

Early in January, the National Association for the Advancement of Colored People adopted a report on energy policy.

In a nutshell, this report recognizes three facts:

Black Americans are suffering a disproportionately high rate of unemployment.

New jobs come from economic growth in the private sector.

National energy policies that emphasize conservation over production will discourage growth.

The report therefore puts the NAACP in favor of a private-sector solution to the unemployment problem and in opposition to no-growth economic policies, including the Administration's energy plan.

This recognition of the vital link between black unemployment and economic growth is not in itself a new development. In fact, black economists have been moving to such a position in growing numbers. But their views have not yet had time to be digested by the man in