

# Nukes and Civil Liberties

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The spectre of a nuclear police state has frequently been raised by atomic energy critics as one of the threats posed by the evolution of a nuclear energy based economy.

Those critics have theorized that such basic liberties as free speech and freedom from unreasonable search would be lost as the nation found it increasingly necessary to protect itself against theft of nuclear materials or acts of terrorism directed at nuclear facilities or using nuclear fuels.

However, an on-going study commenced three months ago by People & Energy has uncovered evidence suggesting that the threat may be more than just theoretical.

## Cops Already Spying

On the basis of initial inquiries, P&E has gathered information and preliminary evidence that federal agencies such as the FBI and CIA may have already begun monitoring the activities of community organizations concerned with nuclear power proliferation.

These federal units have been joined by state and local law enforcement agencies as well. In some cases, this monitoring may have extended into areas of harassment and possible illegal actions. Moreover, studies are underway within the federal bureaucracy on the topic of nuclear safety plans that could further exacerbate the problem.

In August 1974, for example, the Texas Department of Public Safety acknowledged having compiled a dossier on commercial airline pilot Robert Pomeroy; Pomeroy was the head of the Citizens Association for Sound Energy, a citizens' group that had organized opposition to a proposed power plant near Dallas. The Department's investigation had been prompted by a report from other police intelligence agencies that sabotage of transmission lines "may have been associated with persons on the fringe element of legitimate protests."

Among the materials in Pomeroy's dossier was a report which quoted an unnamed source as believing that "subject is using CASE as a front group—possibly for a Ralph Nader action." Upon disclosure of the dossier's existence, the Department apologized to Pomeroy and subsequently destroyed the file; however, the police agency has refused to say how many other persons or organizations opposed to nuclear power it has investigated and whether it continues to maintain their files.

Later that same year, local newspapers revealed that the Baltimore Police Department's spy unit had been compiling secret dossiers on and had "watched, photographed, and sometimes infiltrated a wide variety of citizen organizations." Targets included black elected officials and clergymen and others the police considered political dissidents including community groups that had been protesting electricity rate increases and fighting the nuclear power plant at Calvert Cliffs (MD).

The Department's spy unit is the intelligence-gathering section of the Inspectional Services Division which works directly with the FBI, Army Counterintelligence Corps, and at least some of the unit's top members have undergone training by the CIA.

## Corporation With Own Police

In January 1975, Virginia state Delegate L. Ray Ashworth introduced a measure (House bill 1349) in the state's legislature at the request of the Virginia Electric & Power Company. The bill proposed to permit VEPCO to establish its own police force with the power to arrest people anywhere in the state and obtain the same access to confidential citizen records accorded to state & local police. All VEPCO would have to do, if the bill had passed, would be to obtain the approval of any city or county judge—a relatively easy matter.

The bill would have exempted VEPCO's police unit from the proposed private police regulations that had been just drafted by the state's crime commission. When asked the purpose of the bill, VEPCO security chief William Parker reported that such authority was needed to meet the Atomic Energy Commission's nuclear security protection standards.

At the same time, a citizen's group, Counter-Spy (POB 647, Ben Franklin Station, Washington, DC 20044) issued a short but disconcerting report. The study warned that the Atomic Industrial Forum, a nuclear industry association, and Charles Mulish Associates, a consulting firm, had undertaken a program to provide local utility companies with background information and regular progress reports on individuals and persons known to oppose the construction and operation of nuclear power plants. Among the groups that had been targeted in the effort were the Sierra Club, Environmental Action, the Environmental Policy Center, Union of Concerned Scientists, Friends of the Earth, Another Mother for Peace, and Ralph Nader.

The Committee mused in its report that "whether or not the utility companies and their 'consultants' have been engaged in any illegal surveillance remains yet to be seen...but given the past performances of intelligence-gathering operations, the chances that clandestine activities have gone on is excellent."

On the basis of memos reportedly leaked to the group, the Committee also charged that "it is obvious that dossiers are being kept and maintained not only at the national level but at the local level as well." As an example, it cites the Potomac Electric Power Company (which serves the Washington DC area) as a utility that has built a file on environmental activists labeled its "anti" file. Maintained since 1972, the file contains names, letters to the editor, and articles mentioning any stripe of environmentalist.

## The Karen Silkwood Case — I

In May of this year, the House Small Business' Subcommittee on Energy & Environment was commencing hearings into the death of Karen Silkwood. Silkwood was a worker at the now-closed Kerr-McGee Cimaron plutonium fabrication plant near Crescent, Oklahoma; she died in a mysterious auto crash on November 13, 1974 while en route to a meeting with a union official and a *New York Times* reporter.

An early witness in those hearings was Jacque Srouji, a reporter for *The Tennessean*, a Nashville newspaper. Srouji had just completed writing *Critical Mass*, a pro-nuclear book that cast Silkwood in an unflattering light, raising questions about drug usage and her sex habits. When called before the House subcommittee, Srouji disclosed that the FBI had shown her nearly 1,000 pages of Bureau documents on the Silkwood case for use in her book—documents which subcommittee counsel Mike Ward claimed Congressional investigators "had been unsuccessful" in obtaining.

When FBI agent Lawrence Olson was called before the subcommittee, he disclosed that the FBI had a "special relationship" with Srouji.

Srouji further testified that she had relayed information to the FBI about some members of *The Tennessean's* staff including columnist Dolph Honiker, an outspoken critic of nuclear power. She also reported that certain senior FBI officials ordered a termination of the Silkwood investigation although local police agents were still pursuing the

case. This latter testimony refueled charges that were being leveled by such groups as the National Organization for Women and the Supporters of Silkwood (2111 Florida Ave., NW, DC 20008) to the effect that the FBI was covering up the facts of Silkwood's death. Lastly, Srouji claimed that she had evidence of enough plutonium missing from the Kerr-McGee plant to indicate a possible black market in the fuel.

## **Government Prepared**

*The Rosenbaum Report*, a study prepared by AEC consultants in spring 1974, made the following recommendations: "the first and one of the most important lines of defense against groups which might attempt to illegally acquire special nuclear materials to make a weapon, is timely and in-depth intelligence. Such intelligence may involve electronic and other means of surveillance but its most important aspect is infiltration of the groups themselves...It is the AEC's business to see that those agencies of the U.S. government which have intelligence gathering responsibilities including the FBI and CIA, focus their attention upon this particular threat to our national defense and security."

A later study, "The Threat to Licensed Nuclear Facilities," prepared by the Mitre Corporation for the Nuclear Regulatory Commission recommended that "NRC maintain a close working relationship with the intelligence community and keep intelligence agencies aware of the information needed by NRC to meet its safeguard responsibilities. In-depth information about terrorist and other threatening groups should be obtained by NRC from these agencies." The report further notes that the success or failure of a terrorist attack on a nuclear facility could depend upon how much information the terrorists had acquired about the plant from public records; it suggests striking a "balance" between the amount of information to be released to keep the public informed and the amount that posed a danger to nuclear facilities.

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