

F.A.S. PUBLIC INTEREST REPORT

Journal of the Federation of American Scientists (FAS)

Volume 36, No. 8

October 1983

US-SOVIET RELATIONS SETBACK BY KAL 007 DISASTER

The Korean Airlines affair is a tragic setback for U.S.-Soviet relations and not just a tragedy for the passengers.

The dictionary defines "tragedy" as "a succession of unhappy events in which typically, the leading character is by some passion or limitation brought to a catastrophe."

The passions and limitations infusing the Soviet character are only too clear to knowledgeable experts. The Soviets treat their borders as if these were the walls of a citadel under siege. Their record on shooting down intruders is absolutely clear and consistent. Their border law calls on them to "Use weapons... against violators of the state border of the USSR on land, water and in the air... when stopping the violation cannot be achieved by other means." Their military men have been punished, and even shot, for failing to be quick enough in carrying out these orders in the past.

What one columnist deplored as our "recurrent surprise" over Soviet actions—and the very strong language used by Administration officials—added much fuel to the incident. The President and President Carter both announced early on that no possible justification could excuse what had happened.

In fact, within a few days, the transcripts made it unclear that the Soviets knew the plane was a civilian airliner and even lent support to the possibility that the Russians, at least originally, thought it was a reconnaissance plane. And the same transcripts, once corrected for formerly unintelligible remarks, left open the possibility that the Soviets had made some efforts to flag the plane down or to fire a warning shot (as the passengers, if not the pilots, of the 1978 Korean jet testified they had at that time.)

The Soviet pilots may or may not have known that the plane was a civilian airliner, and they may or may not have tried to get it to land before shooting it down in the final minutes of its trip in Soviet airspace. But as these possibilities show, the notion that there can be "no excuse" is wrong: not knowing the plane was a civilian airliner and first trying to get it to land are adequate justification, for many countries, for proceeding to shoot it down. Indeed, the Israeli shooting down of a civilian airliner was done after full knowledge that it was a civilian airliner—albeit one that did not respond to signals.

While the Western assessment of this event acts as if the Soviets reached out into international airspace and staged a "massacre"—the President was persuaded to change the word "murder"—the Soviet view of events assumes, characteristically, that the plane had no passengers or, if it did, that they were there to ensure that the Soviet Union was

put in the dock for shooting down a spy plane. As Dimitri Simes put it, in what was the best summary of the whole thing, we are focusing on what the Soviets did to the KAL plane while they are focusing on what the plane did to their airspace.

Since the Soviets use civilian airliners for espionage purposes, overflying secret installations with them, even their

SUMMARY

We print, on page 4, a report on the progress of the FAS campaign to have political officials on the two sides travel to each other's country. Since no one who has visited the Soviet Union could be surprised at the KAL disaster, this incident serves, especially, to underline the value of these visits. More generally, it is the Soviet style and approach to just these kinds of problems, among others, that make us need arms control with them. And it is the danger in these incidents that emphasizes the importance of arms control. If KAL proves anything, it proves how much harder and more intensely we have to struggle to find some way to make arms control and dialogue work.

In that connection, the Federation is planning to step up its dialogue with Soviet scientists over arms control. We print, on page 3, a letter from the President of the Soviet Academy of Sciences to FAS expressing his Government's full support for the ABM Treaty.

There are, however, various charges that the Soviet military, at least, are violating the Treaty. An FAS member, R.R. Hibbard, seeing the article of Christopher Paine in the September issue on potential U.S. violations of the Treaty, has compiled a corresponding list of alleged violations of this Treaty on the Soviet side and we print it, also on page 3. Among other things, we plan to discuss all such allegations, on both sides, with Soviet scientists. The scientists, in both superpowers, who helped create this ABM Treaty are going to have to go to work to maintain it.

On page 6, John Pike reports on the rebuff given a promising Soviet initiative on anti-satellite activities. Mr. Pike, who chairs the Space Policy Working Group in Washington has an excellent staff study on the prospects for an ASAT Treaty which members can receive for \$5.00.

Finally, on page 7, Deborah Bleviss reports on the remarkably successful "backdoor" efforts of the Reagan Administration to dismantle the Department of Energy.

assured knowledge that the plane was a civilian airliner would not make too much difference to them. Indeed, there were reports in the Western press that Korean Airlines had been used in the past for espionage purposes (see Ottawa Star, September 10, quoting defense writer Volkman). It is denied by U.S. intelligence officials to relevant congressional committees that the U.S. has used them for this purpose, at least in recent years.

During the weekend I spent in Ottawa at the annual meeting of the International Institute of Strategic Studies (IISS), there was, also in the Canadian press, a report that Canadians traveling on Korean Airlines had been asked to pull down their shutters; one who had peeked out had found the plane flying without lights. (The Citizen, Sept. 8, pg. 9, letter to the Editor.)

The writer had speculated that the Korean Airliner was trying to save fuel, thus explaining his presence on a great circle route to Seoul. (Earlier I had reached the same speculation remembering, as FAS members will recall, that British Airways Concordes had similarly been leaving their flight paths to cut the corner too closely around Nova Scotia in an effort to save fuel en route to Kennedy Airport from London. This had caused the mysterious booms in Nova Scotia. But reporters encouraged to look into this had reported, finally, that they could get no evidence that Korean Airlines had done this before.)

Later, when it was reported in the New York Times by William Safire that a major Soviet missile test was expected at just the time when the Korean jet wandered into Soviet airspace, we wondered whether there could have been some espionage use for the plane. Speculating that the test might have been of a PL-5 Soviet ICBM, about which there is intense interest in the U.S. intelligence community, we wondered if there could be some use for a plane in the right spot in picking up something which RC-135s, ground stations, and satellites could not.

A Washington Times article (September 12, pg. 1, "RECON PLANE THWARTED SOVIET MISSILE TEST") asserted subsequently that the test planned was of a PL-5. And rumor suggested that the existing surveillance systems were having great problems with past PL-5 tests. But what a civilian airliner, even fixed up with an antenna, could do in the short loiter time it would have available that could not be done by the more powerful (if somewhat more distant) RC-135s was unclear. And, again, the U.S. intelligence community was denying all this to some congressional committees to which it is impractical to lie.

As of this writing (September 15), the most likely explanation for the incursion seems to be the possibility that a crew member interrogated the navigation equipment to determine the distance to Seoul and then, pressing the wrong button, led the machine to shift the plane's course directly to Seoul. (See Time Magazine, pg. 25, September 19.) The fact that Korean Airlines Flight 007 Captain Chun Byung In was a famous Korean pilot casts doubt on any theory that a Korean pilot was corrupted to undertake, for money, a hazardous mission.

—Jeremy J. Stone

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The FAS Public Interest Report (USPS 188-100) is published monthly except July and August at 307 Mass. Ave., NE, Washington, D.C. 20002. Annual subscription \$25/year. Copyright © 1982 by the Federation of American Scientists.

MEMORANDUM

Potential Soviet Violations of the ABM Treaty of 1972

Art. I, Sec. 2. "not to deploy ABM systems for a defense of the territory of its country and not to provide a base for such a defense..."

The newly discovered very large phased-array radar at Abalakova, when considered with previously known similar radars at Kiev, Pechora, and Komsomolsk, the 360 degree ABM radar at Pushkino covering Moscow, and the missile test radars at Sary Shagan, are strategically placed to provide early warning and ABM coverage over most of the U.S.S.R.

Art. III, Sec. (a). "not to deploy...more than one hundred ABM interceptor missiles at launch sites..."

At Sary Shagan the Soviet Union recently tested a rapid reload capability for its SH-08 endoatmospheric ABM and during the interim between multiple launches no reloading equipment was observed, giving rise to the potential of at least two missiles within one silo for rapid reload and launch. The Moscow ABM system has at least 100 ABM silos for its deployed ABM-3 system of SH-04 and SH-08 missiles; more than 100 silos have been sighted.

Art. IV states that these limitations do not apply within test range facilities at Sary Shagan so technically no violation occurred, but verification of the number of missiles at Moscow is now in doubt.

Art. V, Sec. I. "not to develop, test, or deploy ABM systems...which are...mobile."

The ABM-3 phased-array radar associated with the SH-08 endoatmospheric ABM is transportable. With the transportable radar it cannot be reliably retargeted by the U.S.

Art. V, Sec. II. "not to develop, test, or deploy ABM launchers for launching more than one ABM...nor to develop, test, or deploy automatic or semi-automatic or other similar systems for rapid reload of ABM launchers."

The recent rapid reload and multiple firing test at Sary Shagan included two launches within 2 hours from the same silo launcher for the SH-08.

Art. VI, Sec. (a). "not to give missiles, launchers, or radars other than ABM interceptor missiles, ABM launchers, or ABM radars, capabilities to counter strategic ballistic missiles...and not to test them in an ABM mode..."

The Soviets have tested SA-5, SA-10, SA-N-6 (the naval version of the SA-10), and the SA-12 SAM systems in an ABM mode. The issue seems to be whether these tests were limited to IRBM-kill mission testing or could extend to ICBM-kill verification.

Art. VI, Sec. (b). "not to deploy in the future radars for early warning of strategic ballistic missile attack except at locations along the periphery of its national territory and oriented outward."

The Abalakova radar, similar in appearance to the acknowledged early warning phased-array radars at Kiev, Pechora, and Komsomolsk, is 500 miles north of the nearest Soviet border, Mongolia, and is oriented toward Alaska, over Soviet Asian territory.

USSR ACADEMY OF SCIENTISTS' PRESIDENT WRITES FAS

June 28, 1983

Dear Dr. von Hippel and Dr. Stone,

Thank you for your letter of April 18, 1983, which you sent to the USSR Academy of Sciences on behalf of the Federation of American Scientists. In it you reply to the Soviet scientists' appeal to the scientists of the world in connection with President Reagan's announcement of the development of new ABM systems.

On behalf of the USSR Academy of Sciences, I would like first of all to express profound satisfaction with your Federation's position in regard to ABM systems. Developing such systems will only lead to the desire to resort to a "first strike" and will undoubtedly step up the arms race and increase international tension.

Soviet scientists clearly realize the danger posed by the further development and deployment of nuclear-missile weapons to all of humankind. They support all agreements, both international and bilateral, including the Soviet-American ABM treaty signed in 1972, that are aimed at limiting and banning such weapons.

I would like to inform you that your letter was discussed at a meeting of the Presidium of the USSR Academy of Sciences and was positively received. We are now circulating it among all the members of the Academy...

Respectfully,
Academician A.P. ALEXANDROV,
President of the USSR
Academy of Sciences

The Soviets claim this radar is for tracking objects in space, not for early warning. The Agreed Interpretations to the ABM treaty states that an exception allowed by the treaty is for phased-array radars "for the purpose of tracking objects in outer space..."

Art. XII, Sec. 3. "not to use deliberate concealment measures which impede verification."

Encryption of telemetry data during missile tests raises the issue of whether this is a deliberate Soviet concealment measure.

Potential Soviet Violation of the Protocol to the ABM Treaty

Art. I, Sec. I. "shall be limited at any one time to a single area out of the two provided in...the Treaty...and accordingly shall not exercise its right to deploy an ABM system or its components in the second of the two ABM system deployment areas permitted by...the Treaty..."

The Abalakova radar could have an ABM mission in regard to three of the Soviet Union's six SS-18 heavy ICBM fields as well as several SS-11 ICBM fields. With the Moscow ABM still active, this would constitute ABM components in two areas in violation of the Protocol.

—R.R. Hibbard
Arlington, Va.

DOLE RESOLUTION SUMMARIZES EXCHANGE PROJECT EFFORTS

Last Fall F.A.S. revitalized a 1972 campaign to encourage visits to the Soviet Union by U.S. political leaders—and reciprocal visits to the U.S. by Politburo and Communist Party Central Committee Members—for those political officials who had not theretofore made such a trip. This had been approved by the Senate but killed in the House by the Nixon Administration in the earlier period.

One first move was to consult with and gain the backing of President Ford, 20 former Senators, and some former Secretaries of State and Defense. Meanwhile a summary of the case for such visits was prepared, using, among other things, trip reports from 200 years of travels to Russia. This was contained in the Federation's February 1983 Public Interest Report, entitled "Reciprocal Visits by U.S.-U.S.S.R. Political Leaders." Historically, doves had been disillusioned by such visits and hawks tranquilized.

Senators Contacted

We contacted those Senators who had not traveled to the Soviet Union and urged such visits. Some, like Senator Durenberger of Minnesota, replied "that it would be important for as many members of the Senate as possible to visit the Soviet Union. Far too few Americans," he said, "have any feel for the Russian people or for Soviet leaders. While it may be utopian to expect that better understanding necessarily leads to better relations, the fact remains that the more we can learn about each other the better." Some adduced personal reasons for their reluctance to go, though agreeing on its value. Most poignant perhaps was the reply of Senator Denton of Alabama, who was a Prisoner of War in Vietnam: "I suspect (such travel) is a good idea...(but) I am not personally enthusiastic about a visit to the Soviet Union. I spent seven and a half years as a 'guest' of a government of the same general persuasion, and the experience left bad feelings on both sides."

A few Senators were convinced that travel was not useful: Senator Proxmire had "been abroad to non-English-speaking foreign countries exactly once. The trip was a real downer, although I tried conscientiously to learn as much as I could...I'm sure that a few hours of reading would have informed me far better."

A survey of the House of Representatives revealed that the number of House members who had visited the Soviet Union had not changed since the early 1970s: still only 25%. The results were included, together with a list of the Representatives who had not gone, in our March Public Interest Report. On the Senate side it is now 48 out of 100 who have visited the Soviet Union. This information formed the heart of a news release which ran well on both AP and UPI wire services. At the same time, Director Jeremy J. Stone distilled the essence of his earlier newsletter in a March 27 Washington Post Outlook section article, "Let Our Senators Go! (To Russia)," which was reprinted in a number of other newspapers.

Mobilizing the skill of our several hundred F.A.S. correspondents, we followed up by contacting newspaper editors and asking for favorable editorials, got opinion

columns written on the issue, and wrote numerous letters to the editor. This was then systematically expanded by a direct appeal by letter and phone to the editorial page editors of the fifty largest U.S. newspapers.

The result was some three dozen editorials—many in major, high-circulation newspapers—in support of the concept of congressional travel to the Soviet Union. An Atlanta area newspaper wrote, "There is no way we can keep our leaders in a box, let them out only to make laws, and expect them to know what the heck they are doing or why they are doing it." The Hartford Courant appealed to history, "Travel teaches toleration," wrote Benjamin Disraeli, the British statesman, more than 150 years ago. If that is so Americans and Russians are in need of a lot of teaching...(l)awmakers, in fact, should be criticized if they don't make field trips to the land of our most powerful ideological rival. The future of the universe depends, to a considerable extent, on the future of American-Soviet relations."

The Detroit Free Press said, "...although scientists, athletes and artists routinely travel between the two nuclear superpowers and maintain contacts with their peers, their political leaders who determine matters of peace and war do so in relative ignorance. They have not developed the intuitive feel for their enemy's fears and wishes. They do not know if, when they 'send a message to the Russians,' it is being received as intended." The San Francisco Chronicle stated, "One thing probably standing in their way (of going to the U.S.S.R.) is fear of the charge of 'junketeering.' That strikes us as a stupid objection to raise against any serious effort by our political leaders to educate themselves." The Milwaukee Journal wrote, "You can learn a lot about the U.S.S.R. by reading books and talking with experts. But there are times when a first-hand look is necessary to acquire a proper understanding of a given country or issue...Members of Congress should consider it part of their job to make periodic business trips to countries of vital concern to American citizens, and the cost should be considered a legitimate government expense."

In late June we began "turning up the volume." Over 80 different releases were composed, headlining the Members of Congress in each area of the country that had not gone to the Soviet Union. These went out to 500 newspapers in July. Dozens of phone calls attest to the extent of the



Congressman Foley and Central Committee Member Georgii Arbatov.

response, and articles have already come in from places as diverse as Dallas, Texas; Charleston, South Carolina; Utica, New York; and Lincoln, Nebraska. A comprehensive story on the project is due in the Christian Science Monitor soon.

Early in July a young man from Alaska showed up at our offices, saying that he was very interested in helping lobby Congress on the issue of exchanges with the Soviet Union. Doug Pauly couldn't have come at a better moment. A former aide of Congressman Foley, the Minority Whip, he had experience on the Hill and was able to carry the Federation's message into many Senators' and Representatives' offices. The same day that the last of the "volume" news releases were sent out, Doug's work paid off: Senator Dole of Kansas, a conservative Republican and a former Presidential candidate, decided to sponsor a relevant Senate resolution on the value and importance of travel to the Soviet Union. To date, eight other Senators, from varying shades of the political spectrum, have joined Dole in co-sponsoring the Senate Resolution 182: Senators Tower of Texas, Garn of Utah, Warner of Virginia, Cohen of Maine, Pryor and Bumpers of Arkansas, Hart of Colorado, and Cranston of California, the last two, of course, Democratic Presidential candidates for 1984. Many more are likely to co-sponsor the resolution. The non-partisan spread of the support it has received indicates, also, that it is likely to gain passage by a comfortable margin if not upset by the KAL disaster.

Andropov Supports Visits

The well-publicized trip of 20 Congressmen to the Soviet Union over the July 4 recess led by Congressman Foley has been a great boost to the idea of travel to Moscow. Averell Harriman's meeting with Yuri Andropov has also called attention to the Soviet leader's strong support of such visits and, incidentally, paved the way for the Foley group to have high-level interaction with government officials during their visit.

A similar reception of the nine Senate Democrats led by Senator Pell of Rhode Island in late August included a two-hour personal meeting with Andropov himself. Senators Armstrong of Colorado, Hatch of Utah, and Zorinsky of Nebraska also traveled for the first time to the U.S.S.R. in the past month or so, though not on official visits and not at government expense. Congressman John Conyers of Detroit, Michigan, a leading Black Caucus Member, made his first visit in August, initiating a series of visits by the Black Caucus planned for the future. Other delegations are in the wings, and we have been able to assist some Congressional offices in formulating their plans, lending support and public encouragement, and disseminating statements made upon their return. Senator James Sasser of Tennessee said on his return September 5: "These visits are very valuable...I think it's important for us to understand the point of view of the Soviet Union. And in turn it's very important for them to understand *our* point of view. And I think these exchanges are relevant and important to make sure that there is no war by accident or misunderstanding. I think it diminishes the chance of nuclear war."

—Robert Meriwether

THE DOLE RESOLUTION

Expressing the sense of the Senate with respect to travel by Members of the Senate to the Soviet Union.

Whereas since 1945, American foreign and defense policy has regarded the Soviet Union as of central importance to the security of the United States;

Whereas the Senate bears extensive constitutional responsibilities in shaping both the foreign and defense policies of the United States, and Senators frequently are required to vote on related issues;

Whereas a majority of the Senate's Members has not yet travelled to the Soviet Union; and

Whereas a greater firsthand knowledge of the Soviet people, the perceptions of their leaders, and the physical condition of Soviet society would strengthen the abilities of Senators to fulfill their constitutional responsibilities: Now therefore, be it

Resolved, That it is the sense of the Senate that travel by Members of the Senate to the Soviet Union serves the interests of the United States and should be, and is hereby, encouraged.



Senator Robert Dole

FAS ELECTIONS COMPLETED

In the 1983 elections, the following six Council Members were elected for four-year terms: Harrison Brown, Carl Kaysen, Jessica Tuchman Mathews, Arthur H. Rosenfeld, Lynn Sykes, Archie L. Wood. They replace Hugh F. DeWitt, Herman Feshback, John P. Holdren, Peter Raven-Hansen, Andrew M. Sessler, Martin L. Sherwin.

Meanwhile, our staff assistant for arms control, Christopher Paine, after three years of faithful service, has moved up to a new position with Physicians for Social Responsibility (PSR) as its Washington representative.

SOVIET ASAT INITIATIVE REBUFFED BY ADMINISTRATION

The time is soon coming when the Reagan Administration is going to have to either fish or cut bait on the question of anti-satellite (ASAT) weapons. Continued Soviet initiatives in this area may indicate Soviet interest in achieving arms control measures that would, on the whole, enhance American national security. At a minimum, the Soviets are getting a free ride in the propaganda war for world opinion. These two developments are not mutually exclusive. But in either case, the effective silence of the Administration on this crucial question is of growing concern.

The Soviet Union made several proposals in August 1983 concerning the arms race in space. Soviet leader Yuri Andropov proposed a moratorium on the testing of ASATs on August 18, during the course of a meeting with a delegation of United States Senators. And the next day Soviet Foreign Minister Andrei Gromyko submitted a Draft Treaty on ASATs to the United Nations. This Draft called for a ban on the use, testing and deployment of space-based weapons, and on anti-satellite weapons of any type.

In a number of important respects these proposals are very positive improvements over the Soviets' previously articulated position. They should provide further incentive for an early resumption of ASAT negotiations. However the Administration seems intent on delaying talks, pending completion of a series of studies.

Soviet Test Moratorium

One element of the Soviet proposals, the offer of a test moratorium, does not require further study. The Soviets have expressed interest in an ASAT test moratorium on previous occasions, and they halted testing during the negotiations in 1978 and 1979. After a decade and a half of work, the Soviets still do not have a reliable ASAT guidance system, and a test moratorium would freeze the development of their space weapon. A test moratorium would also halt the development of the American ASAT, before it can be tested to operational readiness. Once the American ASAT is operational, because of its small size the Soviets would have little confidence in their ability to verify a ban on its deployment, and the chances for an agreement limiting ASATs would be greatly reduced.

The recently proposed Soviet Draft Treaty is much broader in scope than their 1981 Draft and includes more precise definitions of the types of activities that are limited. For the first time, the Soviets have indicated a willingness to agree to dismantle their existing ASAT system. Explicit references to the American Space Shuttle have been dropped, as have provisions that seemed to permit the use of ASATs against certain types of satellites. On the whole, these innovations suggest that the Soviets are seriously interested in achieving a useful agreement in this area.

This does not mean that the Soviet proposals can, or should, be taken as the final word on this subject. There are a number of ambiguities in these proposals that will need to be resolved before the willingness of the Soviets to agree to meaningful limits on space weapons can be fully assessed. Some of these ambiguities are of the sort that

normally arise when translating from one language to another. It is not clear, for instance, whether their proposal for an ASAT test moratorium applies only to space-based systems, which both sides have planned for later this decade, or whether it is intended to apply to the present generation of weapons.

Other ambiguities are more substantive in nature and may pose greater difficulties. One section of their Draft Treaty seems to call for a complete ban on all military uses of manned spacecraft, and if this were to be taken to include the use of the U.S. Space Shuttle to launch military satellites, it would clearly be unacceptable to the American side. The parts of the Treaty that set forth the mechanism for resolving questions of compliance are distressingly vague.

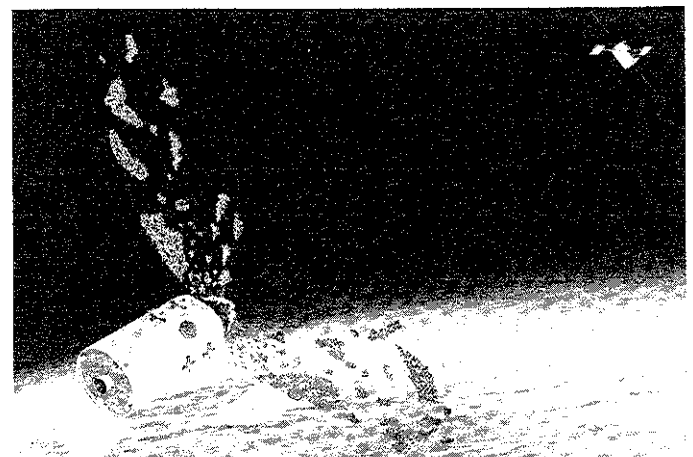
Negotiations Needed

But the place for these ambiguities to be resolved is at the negotiating table. Indeed, some of these ambiguities are almost certainly intentional inducements to negotiations, an effort by the Soviets to suggest the possible scope and nature of an agreement without having to 'give away the store' in advance of actually signing a treaty.

Verification is the principal obstacle to arms control, according to Administration spokesmen, who note that even a massively intrusive program of on-site inspection could not guarantee that the Soviets did not retain a few of their killer satellites, hidden under the floor of some farmhouse. But this is like worrying about whether someone has a bullet in his pocket when it is plain that he is not carrying a gun. These and similar lines of reasoning are excuses, but not reasons, for avoiding negotiations.

In light of the generally positive and constructive Soviet proposals, the response of the Reagan Administration has been very disappointing. It is difficult to avoid the conclusion that the Administration simply does not regard anti-satellite weapons as an appropriate topic for arms control negotiations and intends to go ahead with testing and deployment of the new air-launched ASAT, regardless of the consequences. This is in marked contrast to the policy when the ASAT program was initiated, which consisted of a two-track approach of both development and negotiation. Under Reagan, the latter track has been derailed.

—John Pike



Pentagon conception of Soviet antisatellite weapon.

THE REAGANIZING OF DOE: DISMANTLING IT FROM THE BACK DOOR

When Ronald Reagan entered office in 1981, few of us had any doubts about his antipathy towards the Department of Energy (DOE) and the politics it embodied. And indeed within the year, he put forward a proposal to dismantle the Department and distribute its programs among the Departments of Commerce, Interior, and Housing and Urban Development, and the National Science Foundation. But Congress, despite its willingness at that time to support other aspects of Reaganomics, refused to sanction DOE's demise. Even such strong Administration supporters as James McClure, the new chairman of the Senate Energy and Natural Resources Committee, refused to go along with the proposal.

The Administration's reaction to this opposition, however, was not to concede defeat for its mission. Instead, it merely changed its strategy, fashioning a "backdoor" approach which, over the past three years, has proven to be remarkably successful. Through clever use of legal loopholes—and in some cases outright violations of the law—the once-vigorous Department and its programs have been brought to their knees, while we energy policy advocates—both in and out of Government—have looked on helplessly.

Make Hostile Appointments

The first tactic used has been to install political appointees in the Department who are good Administration soldiers, openly hostile to the idea of a DOE or an energy policy. Often, unqualified and less-than-capable appointees have been selected to facilitate manipulation by the Office of Management and Budget, the agency that calls most of the domestic policy shots in this Administration. James Edwards, the first Administration Secretary of Energy, was a good example of such an appointee; a dentist by training, he amounted to little more than a cheerleader for nuclear power and spoke openly of his job as closing down the Department. Joseph Tribble, who recently resigned as Assistant Secretary for Conservation and Renewable Energy, was another example. Assigned to head a division of the Department to which the White House was particularly hostile, he also defined his job as closing out the area for which he was responsible.

These individuals and all the others—the number of DOE political appointees has increased appreciably with Reagan—have had a dramatically negative impact on morale in the Department, in much the same way that Anne Burford had at EPA. But, like Ms. Burford, they have also produced a political backlash which the Administration has become more concerned about as the 1984 elections draw closer. Thus, the more recent appointees who are publicly visible, like Secretary Donald Hodel and Undersecretary Pat Collins, have had more moderate and reasonable appearances, even though their policies to date have not differed significantly from their predecessors'.

The next avenue of opportunity the Administration has used to dismantle the Department has been the budget process, ironically using many of the tools put in place by the Congress in reaction to impoundment activities of Richard Nixon. Often stymied by Congress in their efforts to revoke energy programs they dislike, Administration officials have instead chosen to propose drastic reductions in or total elimination of funding for those programs, parroting as reasons such lines as getting control of the budget to reduce the deficit or allowing the private sector to pick up the programs. Never mind that these budget cuts are unevenly applied across DOE programs or that many "zeroed" programs will never be picked up by the private sector. Conservation and solar energy programs have been particularly hard-hit by this approach; zero-based funding has repeatedly been proposed for enforcement of mandated appliance energy efficiency standards, enforcement of the utility-operated Residential Conservation Service, and implementation of the Low Income Weatherization Program, to name just a few targets.

Of course, to its credit, Congress has repeatedly refused to go along with many of these proposals, particularly for conservation. Ultimately, though, the Administration has won more than it has lost from these budget skirmishes. Not only has it diverted many DOE personnel from more productive work in the process, but it has also managed to leave programs with funding that, while greater than originally proposed, is still much less than was considered reasonable only a few years ago. Moreover, the Administration has not ended its budget battles once Congress has appropriated funds; frequently it has submitted requests for rescissions or deferrals (to the next fiscal year) of already appropriated funds. And when that approach has been exhausted, funds are then permitted to be spent at only a snail's pace. Once again, the conservation and solar programs have suffered disproportionately, with "spend-out" rates half or less the rates maintained during the Carter years. In numerous cases, appropriated funds for certain programs have not even been spent by the end of the fiscal year.

Another element of the dismantlement strategy has been minimal and, in some cases, no enforcement of the laws. Since laws are typically written with few implementation details to allow maximum flexibility for the enforcing agency, ample room has been left for mischief if that agency is hostile to the legislation. At a minimum, this has meant untold delays; implementation of the Solar Energy and Energy Conservation Bank, for example, was accomplished only after the Government was taken to court. In the worst cases, rules and regulations are promulgated that are contrary to the purposes of the legislation. One of the most ludicrous examples of this has been the "no standards" appliance energy efficiency standards recently announced by DOE. The Department turned its original charge (in the 1978 National Energy Act)—to devise appliance standards that were technically and economically feasible—on its head, ruling that no standards could be

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conceived to fit that criterion; in so doing, it also preempted state appliance standards. Unfortunately, Congress has largely been powerless to make sure laws are properly enforced, especially since one of its most powerful tools, the legislative veto, has recently been ruled unconstitutional.

The Personnel Route

The final tactic used for dismantling DOE has been the personnel route. Ironically, again, the Civil Service Reform Act of 1978, heavily supported by Reagan's predecessor, Jimmy Carter, has made this tactic easier to implement. Using this law, the Reagan Administration has been able to reduce personnel levels to such low numbers as to prevent implementation of legislated programs, to replace experienced program managers with inexperienced and often overextended personnel, and, finally, to remove the senior-executive-level civil servant who it perceives is not in tune with the Administration's philosophy. Through the highly visible "RIFs" (reductions in force) at DOE in 1981, for example, experienced personnel levels in the conservation program offices dropped by between 53% and 77%, while new staff levels rose to between 19% and 49% and vacancies to between 17% and 27%. Here again, Congress has tried to intercede, setting "floors" for the number of personnel in various programs. But the Department has yet to reach those levels, and in the cases where it claims it has, the levels have often been reached by counting the mail clerks and secretaries in the support offices.

But of all the tactics used by the Administration, none is more worrisome than its strategy of removing senior-level civil servants, the sources of expertise for the Government, for no reason other than the fact that they were doing their jobs in policy areas which the White House finds ideologically repugnant.

Maxine Savitz Treated Unfairly

No more clearly or unfairly has this been the case than with Dr. Maxine Savitz, a Ph.D. chemist and, until recently, the director of DOE's conservation programs. Dr. Savitz's involvement with federal conservation efforts dates back to its earliest days in the National Science Foundation. Since then, her civil service career has been a

superior one, with many awards, including the President's Meritorious Rank Award, and she has been widely recognized as a dedicated and apolitical civil servant.

When the Reagan Administration entered office, she was the Deputy Assistant Secretary for Conservation, with Joseph Tribble as her new boss. Few of us were surprised, then, that within a year, Mr. Tribble was in conflict with his deputy, finding her dedication to the conservation program, even at its significantly reduced funding levels, contrary to the goals of the Administration. And with the Civil Service Reform Act, he was given the tools to remove her. Mr. Tribble gave Dr. Savitz a minimally satisfactory evaluation and a request for her reassignment, even though the previous year he had rated her highly successful and recommended her for the Meritorious Award. Dr. Savitz successfully fought the minimally satisfactory rating, but she was reassigned anyway to a job with the Western Area Power Authority in Golden, Colorado with a budget 1/100th that of her present job and a staff of 3 compared with 140 she was then supervising. Arguing that the assignment was illegally a demotion and that she could not leave her family, a fact attested to in her personnel records, Dr. Savitz refused the reassignment, and the Department judged that as sufficient reason to fire her. She then appealed her case to the Special Counsel of the Merit System Review Board, the special review board for civil service abuses. After months of investigation, the Special Counsel agreed with her that she had been improperly reassigned and fired, and it recommended that DOE rehire her in her old position and pay her for all legal fees incurred. To date, the Department has refused to reconsider its decision. Sadly, Dr. Savitz's case is not an isolated incident.

The backdoor tactics just described have succeeded to a degree few of us thought possible. Unfortunately, they have also succeeded in eliminating much of the institutional wisdom gained by the Government in the post-Arab embargo decade. Indeed, by resorting to the backdoor method rather than the direct dismantlement originally proposed, the Administration may leave its negative imprint on energy policy well beyond its tenure in office.

—Deborah Bleviss

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