

HARBORING DOUBTS

The U.S. Navy is planning new "home ports" for its nuclear capable fleet. Opponents are trying to take the wind out of its sails.

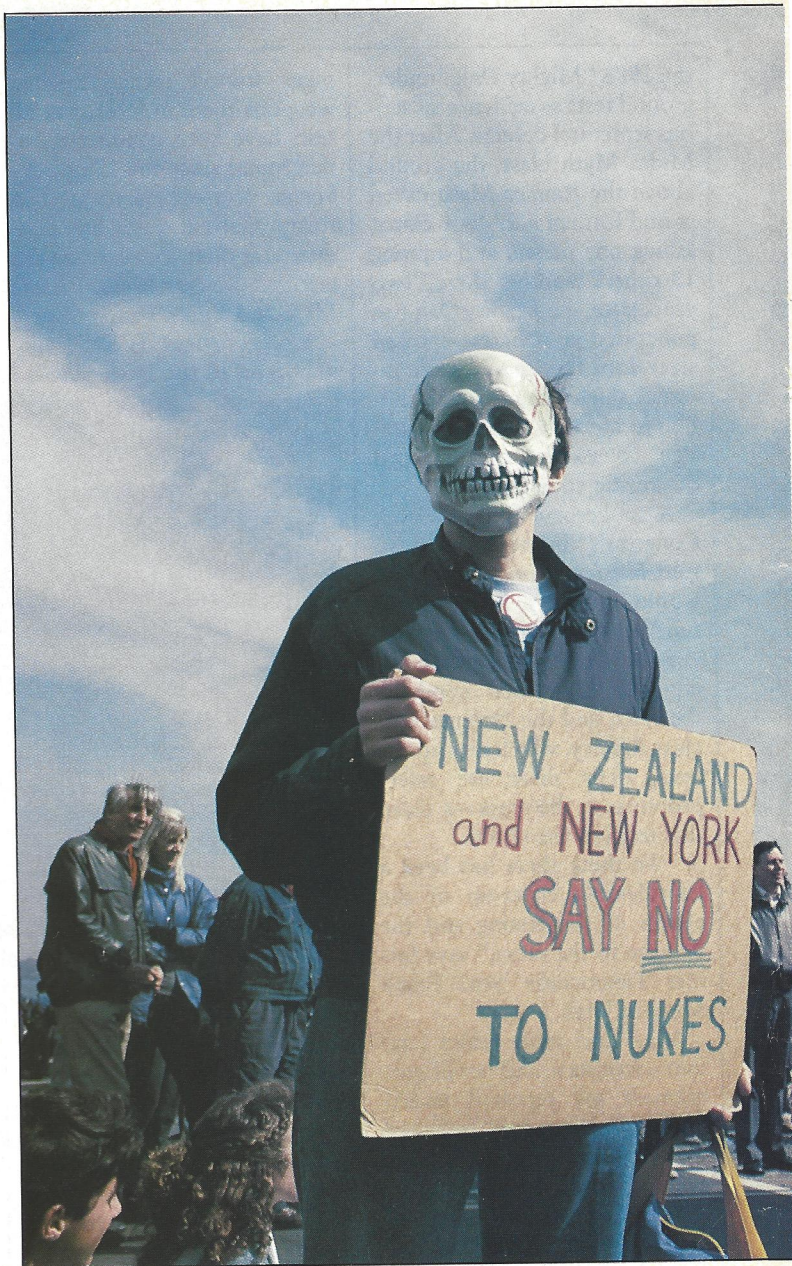
BY MIRANDA SPENCER

In the glare of winter light, Stapleton, Staten Island, is a desolate hamlet of dilapidated streets, humble houses, untidy used car lots, neighborhood taverns and pizza parlors. Beyond its low buildings rises a shimmering New York City skyline, accentuating the town's own air of diminished expectations. As tugs and tankers chug through the harbor, it is hard to imagine battleships moored here, or sailors swarming these sleepy streets.

But they will, if the U.S. Navy gets its way. Down a street lined with piles of fresh dirt, past three cranes jabbing at the sky, a sign proclaims the "Future Home of the U.S. Navy Battleship Surface Action Group." Slated for completion in 1989 is a "home port" here on Staten Island's north shore that will play host to the refurbished battleship USS Iowa, as well as a Navy cruiser, two frigates, three destroyers and 4,600 sailors.

But wait. Next to a chain-link fence bedecked with the same ribbon that protesters once tried to wrap around the Pentagon is a tiny podium with a bright blue banner flying overhead: "Liberty Not War, Keep Our Harbor Nuclear Free." A crowd of 250, from the Coalition for a Nuclear Free Harbor, gathers and watches as 15 of their ranks "take back the land."

A knot of policemen in navy blue uniforms looks on as the first young man climbs over the fence to applause and beating bongos. When all 15 have made it over, the protesters collectively dig up scoops of the dry earth using red paper cups, then carry some of the Department of Defense's (DOD) piece of Staten Island to the public side of the fence, where they slowly empty the cups into a



huge glass vial. Fifteen minutes later, the police handcuff the protesters into a chain gang, pack them into a paddy wagon and cart them off to St. George Courthouse, where they will be detained for five hours.

The target of this March 1988 action was the DOD's plan to make Stapleton one of 14 new Navy bases around the country, part of an as-yet-unrealized but in-the-pipeline home-porting program that aspires to be one of the more visible legacies of the Reagan military buildup. The program has been in the works since 1982, originally hatched by former Navy Secretary John Lehman. So far, eight other U.S. cities have signed "memos of agreement" with the U.S. Navy for home ports: Everett, Washington; San Francisco; Mobile, Alabama; Pascagoula, Mississippi; Lake Charles, Louisiana; and Galveston and Ingleside, Texas. Other sites, including one in Alaska, are still under study. Each city will give land and money to the Navy (in June, New York's Board of Estimate voted to provide \$10 million for Stapleton) in exchange for hoped-for spinoffs such as new jobs and increased demand for local services. The federal government's own investment has been capped at \$799 million, to be spent over five years.



Protesting the U.S. Navy's plans for a home port in Stapleton, Long Island.

deputy director of the Center for Defense Information (CDI) in Washington, D.C., calls the Navy's plan "home porking" and charges that a decentralized fleet is militarily unsound. "Today's ships don't fight as individuals like in the good old days of Errol Flynn," says Carroll, "they go out as battle groups . . . All you've done is add 14 new targets. It's not a bit safer, it's just more expensive."

Like many opponents, Kathy Waters, program coordinator for New York Mobilization for Survival, sees purely political reasons behind home porting. "The Navy wants to lock Congress into huge budgets," she says. NYPIRG's Miller charges that the Navy has threatened to close extant bases altogether if host cities refuse to welcome new ones. Carroll thinks Congress is the only group that really wants home ports, as part of a "deal" to stimulate regional economies. "The Navy is being asked to spread out so everyone can get a share," he says.

In economically sluggish places like Stapleton, the Navy's promise of new jobs and extra income for participating cities excites local civic leaders. New York Mayor Ed Koch's office forecasts "well over a thousand" jobs; Staten Island Borough

President Ralph Lamberti foresees "three to five thousand more people" (sailors plus families) to spend money on pizzas and other Stapleton amenities. Rep. Molinari's office predicts 1,838 jobs, \$17 million in Navy purchases and \$27 million in civilian earnings as eventual home port spinoffs.

But critics say that such figures are misleading. "One, two, three ships are not an economic boom," says Carroll. "Six months out of the year they're deployed, far removed from the home port." According to one of the Navy's own studies, only 40 percent of a sailor's disposable income is spent in the home port region.

Many even predict negative impacts: blocked-off roads, schools overcrowded by sailors' children, Navy spouses taking jobs away from locals. And housing is a major issue: the Navy is not exactly sure where to put its personnel. Many citizens are outraged at proposals to build new housing for the Navy while many native New Yorkers wander homeless.

Whatever the fiscal or political impetus to home porting, its ultimate purpose is militaristic. Yet civic leaders who tout the program see nothing wrong with that. "The city is not a separate country," says Robert McGrath, a spokesman for Koch. "We

To what end? The so-called Surface Action Group Home Port strategy is "a national initiative to disperse the fleet to different areas and to maintain a broad industrial base in the event of war," says Lt. Cmdr. Patricia O'Neill, a Navy spokeswoman in Staten Island. As it stands, the Navy has two main bases—Norfolk, Virginia, and San Diego—from which to maneuver. With more bases, the theory goes, its forces will be able to move more quickly in response to an emergency. As Ed Burke, press secretary to Staten Island Republican Rep. Guy Molinari, puts it, "It's the old strategy of never putting your eggs in one basket."

Not surprisingly, peace groups view the issue differently. The Coalition for a Nuclear Free Harbor, which comprises 125 New York groups—including Flatbush SANE, New York Public Interest Research Group (NYPIRG) and Vietnam Vets to Prevent World War III—charges that the program is at best wasteful, at worst deadly. John Miller of NYPIRG sees the program as a blatant example of military self-aggrandizement. "[The Navy] decided they needed 600 new ships," he says, "and to ensure they'd be built, they needed to have a place to put them." Retired Adm. Eugene Carroll, who once commanded the Sixth Fleet and is now



The Navy shows off the USS Iowa in New York Harbor: How safe could it be?

believe we must do our share for national defense.”

But some activists are worried that a more sinister scenario is in the making. A larger, more dispersed Navy, some say, can more easily intervene in regional conflicts. Others point out that nuclear-capable ships docked in cities make host citizens more vulnerable to nuclear attack. Simeon Sahaydachne, a former attorney for the Lawyers’ Committee on Nuclear Policy, writes in his book *Nuclear Trojan Horse*: “Under strategic dispersal, our nation’s most densely populated metropolitan [areas] acquire a military target value that Soviet cities do not have.”

For most opponents, the likely presence of nuclear weapons on home-ported ships is the most nettling issue. The Navy refuses to say whether or not a given ship is carrying them at any time. In public hearings and impact studies, the Navy has used its privilege of secrecy as a way to skirt community concerns about potential accidents.

But both evidence and logic suggest that home-ported ships *will* bear nuclear arms. Andrew Lichterman, litigation director for the Western States Legal Foundation (an anti-home-port group in San Francisco), observes, “If you have to take these ships somewhere else [to pick up nuclear weapons] before you can use them, what happens to rapid deployment?”

The government itself indirectly confirms this. A 1987 General Accounting Office (GAO) report, “Nuclear Weapons: Emergency Preparedness Planning for Accidents” addresses the home-porting program, thereby implying it is a potential source of nuclear-weapon accidents. Moreover, it suggests that officials at Navy home ports should cooperate with state and local officials in emergency planning for such accidents.

Last year, New York Democratic Rep. Ted Weiss went to court in an unsuccessful attempt to force the disclosure of another GAO report, which remains classified. Weiss, who has read the secret report but cannot reveal its contents, has said it contains “information of the utmost gravity” for the nukes-on-ships issue.

The evidence is nearly overwhelming that home porting will mean nukes in harbors around the country. But local and federal government supporters of the program are as sanguine about that prospect as peace activists are terrified. They seem confident in the Navy’s claim of an impeccable safety record: “In 30 years of deploying,” reads the official Navy statement on the subject, “no circumstance resulted in any hazard to the public, civilian property, the environment, or Navy personnel.” The Navy acknowledges

628 nuclear “incidents of minor concern” since 1967—such as flat tires on missile carriers—but only two full-fledged “accidents,” one of which was a missile lost at sea after falling off an aircraft carrier; the second remains classified. Mayor Koch prefers to defer to specialists on this issue; his spokesman assures that “experts, including the GAO, have concluded that the danger of a nuclear accident is almost nil.”

But critics have their doubts. “I personally witnessed an accident that was never classified as an accident,” says CDI’s Carroll, describing an incident aboard a Navy aircraft carrier during which fire engulfed a plane carrying a nuclear weapon. While the danger of a nuclear explosion in such a case is remote, Carroll says the release of radioactive material is a very real concern: “You could have a major cleanup problem on your hands.”

On the face of it, as members of the coalition say, placing cruise missiles in New York Harbor is akin to deploying the MX in Central Park. “I don’t like the idea of having nuclear weapons close by,” says Toby Lenahan, a newcomer to Staten Island who attended, but did not join, the March civil disobedience action. “There’s a lot of dangers involved, and I’m not comfortable with it,” she says, adding, “If I wasn’t six months pregnant, I might do C.D.”

Fear of nukes, economic strain, even minutiae such as lack of proper dredging permits, are all weaknesses that opponents of home porting have exploited. They have filled their ranks with activists from a variety of groups and related causes, from “stop Trident” and “end interventionism” to “jobs with peace” and “save the wetlands.”

One of the earliest steps in the Stapleton harbor fight nearly sunk the Iowa’s new home. It was a 1985 ballot measure asking New Yorkers to vote for or against allocation of city funds and land for nuclear-capable facilities. Coalition member Tom De Luca, now with New York SANE/FREEZE and a prominent opponent of the home port since its inception, wrote the referendum and coordinated the collection of 102,000 signatures for the measure. During the petition drive, New York peace activists became media stars: De Luca and others debated advocates of home porting on radio and television talk shows—including *Donahue*—bringing the issue into millions of homes.

De Luca views the referendum drive as the coalition’s best moment. “It had a 10-point lead in the polls,” he says, “We would have won. Common sense and democracy was on our side.” But the measure never came to a vote. Koch dispatched his lawyers to a local court, which ruled the referendum unconstitutional on grounds that federal law pre-empts local ordinances. Jim Lane, a member of the Lawyers’ Alliance for Nuclear Arms Control (LANAC) and an attorney in the case, appealed, arguing that “you can’t decide constitutionality before a referendum is passed.” The case then landed in the New York Supreme Court, which in turn axed the referendum, this time on the basis of an obscure 1909 ruling involving parade grounds, which determined that city laws cannot restrict the transfer of land to the federal government. The high court further ruled that citizens could not even vote on the money question, because, the judges decided, this would be “too confusing” for the public to understand.

With this setback in the electoral arena, home-porting oppo-

nents have subsequently turned to the courts on their own, bringing lawsuits directly against the Navy. With help from attorneys from organizations such as LANAC, opponents have attacked the Navy for flouting federal environmental policies. "The Navy doesn't care whether or not what they are doing is legal, they just go ahead and do it," says Jim Lane.

In October 1986, the Hudson River Sloop Clearwater, the Sierra Club and other environmental groups filed a federal lawsuit charging the Navy with violating the National Environmental Policy Act (NEPA). The Navy, they said, had failed to consider a nuclear-accident scenario in its required Environmental Impact Statement (EIS). Therefore, they argued, home port construction should be halted until such a study was made.

The nuclear weapons part of the suit was dismissed, however, based on a precedent established in 1981, when Hawaiian peace activists sued for the results of an EIS on nuclear storage facilities near their homes. In that case, the court ruled that an EIS, while mandatory, can be classified for national security reasons. Home-porting opponents did have one victory in the NEPA case: the court found that the Navy had failed to comply with NEPA regarding its housing plans—but it ruled that home port construction could go on nevertheless.

Another case, *Flax v. Ash*, is pending. In it, home port opponents charge that the Navy failed to submit housing plans ensuring the safety of Staten Island wetlands when it successfully petitioned the New York Department of Environmental Conservation for a water quality certificate.

Jim Lane says he is pessimistic about the prospects for stopping home porting through lawsuits. Yet the suits have succeeded in stalling projects and, equally important, in raising public awareness. "One of the most interesting things about the home-porting issue has been the extent to which it's forced people to recognize the connection between peace and environmental groups," says Andrew Lichterman.

Some opponents have preferred to focus their efforts on lawmakers rather than lawsuits, and have lobbied members of Congress on the home-porting issue. De Luca, of New York SANE/FREEZE, observes that "there was always tremendous ambivalence in Congress," and that exploiting that ambivalence has met with moderate success.

In July 1986, Rep. Dennis Hertel (D-Mich.) sponsored an amendment to the annual military construction appropriations bill deleting funds for the home port program. De Luca and other New Yorkers rushed to Washington to lobby their representatives and others from planned home port sites. The activists succeeded in swaying seven of their 13 representatives to support of the amendment, so that an eight-person majority of their delegation came out against home porting. The amendment passed the house by 50 votes. The victory, however, was later overturned. The Navy dispatched its own lobby—"a fleet of admirals," as De Luca describes it—and Congress reinstated the money. The Navy won yet another round.

Many activists have felt growing frustration as their electoral and legal options have been exhausted, and some have joined with longtime advocates of civil disobedience, taking their campaign

**All
you've done is
add 14 new tar-
gets. It's not
safer, just more
expensive.'**
**Admiral
Eugene Carroll**

beyond the boundaries of the law. As Kathy Waters of Mobilization for Survival observes, "It makes sense to use different tacks at different times."

Protesters first descended en masse upon Staten Island in March 1987, erecting a Statue of Liberty replica and planting a sapling on the home port site. Four months later, after dredging had begun, activists paddled into Stapleton harbor in canoes. They succeeded in halting work for a few hours by scaling construction cranes and handcuffing themselves to a fence around a pen of bulldozing equipment. Last December, protesters again trespassed on the site, draping the Navy's "Future Home" sign with a banner declaring the spot a nuclear-free zone. In March, 15 activists went over the fence. And on August 9, Nagasaki Day, 20 demonstrators stopped construction during an attempt to place a no-nukes banner on a building skeleton.

Arrests were made in each action. Last May, the "Stapleton 38"—a diverse group from around New York's five boroughs who participated in the July 1987 action—went on trial. Attorneys from the Lawyers' Committee on Nuclear Policy argued that their clients' civil disobedience was necessary to stop the greater crime of nuclear war. The judge dismissed charges against all but eight of the group for lack of evidence; the remaining eight were convicted and sentenced to terms of 25 to 200 hours of community service.

Many home port opponents now feel they have no choice but to proceed with civil disobedience. "It's a way of putting pressure to bear on people in the community who are responsible for asking that [a home port] be put here . . . instead of just letting it happen," says Tina Freeman, who went over the fence in the July 1987 action. Diana Yates, a Staten Island resident and coordinator of civil disobedience for the coalition, believes the media coverage generated by civil disobedience helps the anti-home-port campaign reach the "average citizen," who may be concerned but not politically active. "When you break the law," says Freeman, "you are making a very powerful statement."

Educating the public remains key in the battle against home porting. And a recent effort by the coalition has succeeded in giving New Yorkers a lesson in what could happen if they allow the establishment of a nuclear harbor. For years, the coalition has urged the New York City Board of Estimate to prepare an impact statement on the nuclear safety issues of home porting. In October 1987, with the prodding of opposition allies, including City Controller Harrison Goldin, Manhattan Borough President David Dinkins, and City Council President Andrew Stein, the board agreed, resolving to study the likelihood and potential impact of a nuclear weapons accident at Stapleton, and to prepare an emergency evacuation plan.

Buoyed by the resolution, but not satisfied, the coalition contracted its own study carried out by experts Dr. Victor Sidel, of the American Public Health Association and former president of Physicians for Social Responsibility, and physicist Michio Kaku, among others.

Both studies were published last April Fools' Day. Predictably, the city and coalition versions differed drastically. The coalition's study—which, like the city study, presumed a most-likely-accident scenario of one warhead burning for three hours—concluded that a nuclear accident releasing plutonium at the Staten Island site

would cause more than 30,000 cancer deaths and birth defects. It also concluded that evacuation and decontamination of New York City would be impossible and that the Big Apple's financial core would be devoured.

The city's report, on the other hand, suggested that contamination would spread only about 2,000 feet, requiring a mere half-mile emergency planning zone. In the event that wind should carry radioactivity beyond that zone, the study advised Staten Islanders to protect themselves with handkerchiefs held to their noses. But anyway, the city study concluded, the possibility of a nuclear accident at Stapleton would be "at or near zero."

Complaints, including a letter to Koch from City Controller Goldin, prompted the city to produce a second draft of the study. The latter version concedes that handkerchiefs might not do the job. But its continued definition of a limited emergency planning zone has now been criticized by neighboring Brooklyn's Borough President Howard Golden, who has cited the coalition-commissioned study as a point of reference in his critique.

Whether the studies will prove pivotal to the home-porting debate is unclear, but the Navy will now be hard pressed to scuttle the nuclear issues altogether. Up to now, the Navy seems happily convinced it cannot be stopped. "We have followed due process of government," says Navy spokeswoman O'Neill. "At every vote we have been voted in. We take that as a mandate, not just an invitation."

Opponents see the task ahead as stopping the momentum home porting has already achieved. On that count, Kathy Waters remains encouraged. By causing "delay after delay," she says, the coalition has at least succeeded in keeping the Navy from having its way. "The ships should have been there by now."

Adm. Carroll of CDI thinks the progress already made bodes well: "I think ultimately we won't send ships there. The resistance is tremendous."

But for most activists, the home port battle seems to be one of those uphill struggles that, no matter the prospects, still has to be fought with perseverance and optimism. "You have to live with constantly feeling like you're failing," says Diana Yates, "But it's important to see how much progress we've made."

Miranda Spencer is a writer living in nuclear-free Hoboken, New Jersey. For more information, write the Coalition for a Nuclear Free Harbor, 135 West 4th St., New York, NY 10012, (212) 226-7161.

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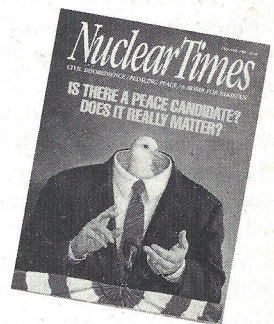
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