# 2nc Solvency

**The solvency advocate for our counterplan clearly respects the need for national security – they are competitive – but the structure of our counterplan that allows for local citizens serving on the board ensures that the public voice is heard**

Farris 7 (“Annual Review of Environmental and Natural Resources Law: Note: Mothers for Peace and the Need to Develop Classified NEPA Procedures”, ECOLOGY LAW QUARTERLY, 34, 955, JD Candidate UC Berkeley, 2008)

Several solutions have been proposed that seek to bridge the gap between NEPA's mandate for accountability and public involvement, and the need to keep information secure. They are all founded on the premise that it is possible to develop a procedure that will both respect the need to classify sensitive national security information and achieve NEPA's fundamental goals.

CONTINUES To author’s final advocacy……

This Note advocates for the use of both a congressional oversight committee and in camera judicial review to solve the tension between NEPA's goals and national security concerns. Providing meaningful review of classified executive actions in the environmental arena is no more difficult than providing such review for intelligence matters. According to the director of the CIA, "United States intelligence today is a highly regulated activity and properly so." [n131](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1354132881705&returnToKey=20_T16172214677&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.845223.7127555407#n131) The oversight structure for intelligence "has ensured that the imperatives of national security are consistent with democratic values." [n132](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1354132881705&returnToKey=20_T16172214677&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.845223.7127555407#n132) Oversight of agency compliance is necessary to remain faithful to the first purpose of NEPA - ensuring that the agency factors environmental consequences into its decisionmaking calculus. This review should come in the form of in camera judicial proceedings. It is also important to seek a form of review that remains true to the second purpose of NEPA - ensuring that the public is allowed to be meaningfully involved in the process. In order for the agency to reap the benefits of an adversarial public comment process, the commenters must have access to detailed information on proposed actions. Merely knowing the "effects" of a hypothetical project plan is not enough. A congressional oversight [\*974] committee, with elected representatives acting in the role of the critical public, would act as a public participation proxy and facilitate an informed comment process. If the committee members have the requisite security clearance, secrecy is preserved. Of course, the committee would not be empowered to order the production of a new EIS if it found the first one insufficient. Such authority would run afoul of the prohibition against legislative vetoes of executive branch actions. [n133](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1354132881705&returnToKey=20_T16172214677&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.845223.7127555407#n133) However, the committee could examine the full report and participate in an informed comment process regarding its contents, forcefully asking the agency to present reasoned responses to their criticism. This process would create a record of an adversarial exchange, used to facilitate subsequent judicial review in an in camera proceeding, much like review by the FISA court. Dycus' congressional oversight proposal represents a better accountability mechanism than does his proposed "special environmental counsel," because the agency would have to face legislators who directly represent the public. With the public participation goal in mind, it would be best if the special committee could include legislators from the local district affected by the proposed project, appointed on a temporary basis, in addition to a permanent standing membership - provided they had appropriate security clearance. If a project is national in scope, the temporary committee membership could be composed of a random sampling of affected districts. The strength of a standing committee, modeled after the Congressional Intelligence Oversight Committees, is that it would have a degree of expertise and familiarity with the NEPA process and environmental subject matter. [n134](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1354132881705&returnToKey=20_T16172214677&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.845223.7127555407#n134) But such a standing committee would lack local knowledge and would not have a direct stake in the project. By combining the strengths of the permanent and temporary members, the oversight committee would maintain a degree of expertise while including an interested faction of commenters.

# Impact

**Meltdown of a nuclear reactor would cause loss of all life on earth**

Wasserman ‘1 (Harvey, Senior Editor – Free Press, “America's Terrorist Nuclear Threat to Itself”, October, http://www.wagingpeace.org/articles/2001/10/00\_wasserman\_nuclear-threat.htm)

The assault would not require a large jet. The safety systems are extremely complex and virtually indefensible. One or more could be wiped out with a wide range of easily deployed small aircraft, ground-based weapons, truck bombs or even chemical/biological assaults aimed at the operating work force. Dozens of US reactors have repeatedly failed even modest security tests over the years. Even heightened wartime standards cannot guarantee protection of the vast, supremely sensitive controls required for reactor safety. Without continous monitoring and guaranteed water flow, the thousands of tons of radioactive rods in the cores and the thousands more stored in those fragile pools would rapidly melt into super-hot radioactive balls of lava that would burn into the ground and the water table and, ultimately, the Hudson. Indeed, a jetcrash like the one on 9/11 or other forms of terrorist assault at Indian Point could yield three infernal fireballs of molten radioactive lava burning through the earth and into the aquifer and the river. Striking water they would blast gigantic billows of horribly radioactive steam into the atmosphere. Prevailing winds from the north and west might initially drive these clouds of mass death downriver into New York City and east into Westchester and Long Island. But at Three Mile Island and Chernobyl, winds ultimately shifted around the compass to irradiate all surrounding areas with the devastating poisons released by the on-going fiery torrent. At Indian Point, thousands of square miles would have been saturated with the most lethal clouds ever created or imagined, depositing relentless genetic poisons that would kill forever. In nearby communities like Buchanan, Nyack, Monsey and scores more, infants and small children would quickly die en masse. Virtually all pregnant women would spontaneously abort, or ultimately give birth to horribly deformed offspring. Ghastly sores, rashes, ulcerations and burns would afflict the skin of millions. Emphysema, heart attacks, stroke, multiple organ failure, hair loss, nausea, inability to eat or drink or swallow, diarrhea and incontinance, sterility and impotence, asthma, blindness, and more would kill thousands on the spot, and doom hundreds of thousands if not millions. A terrible metallic taste would afflict virtually everyone downwind in New York, New Jersey and New England, a ghoulish curse similar to that endured by the fliers who dropped the atomic bombs on Hiroshima and Nagaskai, by those living downwind from nuclear bomb tests in the south seas and Nevada, and by victims caught in the downdrafts from Three Mile Island and Chernobyl. Then comes the abominable wave of cancers, leukemias, lymphomas, tumors and hellish diseases for which new names will have to be invented, and new dimensions of agony will beg description. Indeed, those who survived the initial wave of radiation would envy those who did not. Evacuation would be impossible, but thousands would die trying. Bridges and highways would become killing fields for those attempting to escape to destinations that would soon enough become equally deadly as the winds shifted. Attempts to quench the fires would be futile. At Chernobyl, pilots flying helicopters that dropped boron on the fiery core died in droves. At Indian Point, such missions would be a sure ticket to death. Their utility would be doubtful as the molten cores rage uncontrolled for days, weeks and years, spewing ever more devastation into the eco-sphere. More than 800,000 Soviet draftees were forced through Chernobyl's seething remains in a futile attempt to clean it up. They are dying in droves. Who would now volunteer for such an American task force? The radioactive cloud from Chernobyl blanketed the vast Ukraine and Belarus landscape, then carried over Europe and into the jetstream, surging through the west coast of the United States within ten days, carrying across our northern tier, circling the globe, then coming back again. The radioactive clouds from Indian Point would enshroud New York, New Jersey, New England, and carry deep into the Atlantic and up into Canada and across to Europe and around the globe again and again. The immediate damage would render thousands of the world's most populous and expensive square miles permanently uninhabitable. All five boroughs of New York City would be an apocalyptic wasteland. The World Trade Center would be rendered as unusable and even more lethal by a jet crash at Indian Point than it was by the direct hits of 9/11. All real estate and economic value would be poisonously radioactive throughout the entire region. Irreplaceable trillions in human capital would be forever lost. As at Three Mile Island, where thousands of farm and wild animals died in heaps, and as at Chernobyl, where soil, water and plant life have been hopelessly irradiated, natural eco-systems on which human and all other life depends would be permanently and irrevocably destroyed, Spiritually, psychologically, financially, ecologically, our nation would never recover. This is what we missed by a mere forty miles near New York City on September 11. Now that we are at war, this is what could be happening as you read this. There are 103 of these potential Bombs of the Apocalypse now operating in the United States. They generate just 18% of America's electricity, just 8% of our total energy. As with reactors elsewhere, the two at Indian Point have both been off-line for long periods of time with no appreciable impact on life in New York. Already an extremely expensive source of electricity, the cost of attempting to defend these reactors will put nuclear energy even further off the competitive scale. Since its deregulation crisis, California---already the nation's second-most efficient state---cut further into its electric consumption by some 15%. Within a year the US could cheaply replace virtually with increased efficiency all the reactors now so much more expensive to operate and protect. Yet, as the bombs fall and the terror escalates, Congress is fast-tracking a form of legal immunity to protect the operators of reactors like Indian Point from liability in case of a meltdown or terrorist attack. Why is our nation handing its proclaimed enemies the weapons of our own mass destruction, and then shielding from liability the companies that insist on continuing to operate them? Do we take this war seriously? Are we committed to the survival of our nation? If so, the ticking reactor bombs that could obliterate the very core of our life and of all future generations must be shut down.

# a/t: not about nuke regs

put the link debate here

Link in 1ac cx – they make information public even in cases of national security -

**False Confidence - Putting Terrorism under NEPA stretches resources too thin and gives false confidence – it prevents more holistic approach that can prevent terrorism**

Leege 12 (Catholic University Law Review 61 Cath. U.L. Rev. 527 LENGTH: 17646 words COMMENT: PREVENTING ATOMS FOR PEACE FROM BECOMING ATOMS OF TERROR: THE NATIONAL ENVIRONMENTAL POLICY ACT IS NOT A VEHICLE FOR ADDRESSING TERRORISM NAME: David D. Leege+ BIO: + J.D. candidate, May 2012, Catholic University of America, Columbus School of Law; M.S. Engineering Science, Naval Postgraduate School, 2006; B.S. Materials Engineering, Iowa State University, 2003.)

ACTS OF TERRORISM SHOULD NOT BE CONSIDERED UNDER NEPA Addressing the problem of terrorism requires a coordinated governmental effort that approaches security in a comprehensive manner. NEPA is not the appropriate vehicle for the level of threat assessment and risk management needed to properly address terrorism. A. Aspects of NEPA Render It Incapable of Adequately Addressing the Threat of Terrorism The NRC should not address acts of terrorism in an EIS for several reasons. First, it is unnecessary and redundant. The rule-of-reason analysis articulated by the Supreme Court in Public Citizen [n246](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n246) obviates any need to considerterrorism in an EIS. Furthermore, the NRC already addresses acts of terrorism under its statutory obligations in the AEA. [n247](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n247) Repeated analysis in an EIS would spread existing and limited resources unnecessarily, in opposition to the Supreme Court's "manageable line" approach set forth in Metropolitan Edison. [n248](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n248) Notably, the Ninth Circuit in San Luis Obispo neither addressed these concerns, nor recognized the controlling precedent of Public Citizen. [n249](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n249) Second, as set forth in Metropolitan Edison, a "reasonably close causal relationship" between agency action and a potential change in the physical environment is the relevant standard for determining whether terrorism should be addressed in an EIS. [n250](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n250) As the Third Circuit demonstrated in New Jersey, [\*561] the relationship between the NRC's action and the effects of a terrorist attack do not fit under this standard as a matter of law. [n251](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n251) Finally, even if the Ninth Circuit was correct in finding that the standard in Metropolitan Edison does not apply to this relationship," [n252](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n252) the NRC's actions taken to address terrorist attacks at nuclear facilities, combined with actions of other federal agencies and local governments, has significantly reduced the probability of a successful terrorist attack on all facilities. [n253](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n253) Therefore, the government interaction and the criminal notion of a terrorist attack interrupt any causal connection between the NRC's licensing action and make the efforts of a successful attack "so remote and highly speculative" [n254](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n254) that such efforts are "not reasonably foreseeable." [n255](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n255) B. Terrorism Demands a Holistic Approach Terrorism is not limited to just one agency, or even just to the purview of the federal government. [n256](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n256) Because of the limited resources at the government's disposal, agencies must be efficient in addressing issues within their scope of authority. [n257](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n257) Agencies must be smart when allocating their funds. Therefore, resources should be spent in the most effective way possible to prevent terrorist attacks. [n258](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n258) For example, the NRC requires private security forces at nuclear facilities to protect against a motorized bomb through various means such as physical barriers and access controls. [n259](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n259) These are practical and effective means for stopping this type of attack. [n260](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n260) But an aircraft attack is different. [n261](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n261) Airport security, secured cockpit doors, and foreign intelligence are the appropriate means for addressing such attacks. [n262](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n262) Coordination among governmental entities is required to address terrorism efficiently and effectively.

**Public hearing requirement of the NRC would make the EIS a blueprint for attack**

Briggs 12 (Briggs, Alexander T. (2012) "Managing The Line Between Nuclear Power And Nuclear Terror: Considering The Threat Of Terrorism As An Environmental Impact," Seton Hall Circuit Review: Vol. 8: Iss. 1, Article 7. Available at: <http://erepository.law.shu.edu/circuit_review/vol8/iss1/7>)

“The public aspect of NEPA processes conflicts with the need to protect certain sensitive information.” 175 The NRC’s responsibilities include “protect[ing] sensitive information from falling into the hands of those with malevolent intentions.” 176 Yet, an EIS that requires disclosure of the environmental impact of a terrorist attack on a nuclear power plant would threaten national security by allowing potential terrorists to access information that could facilitate their malevolent intentions. CEQ regulations require agencies to furnish their EIS to any person who requests it. 177 Contrary to the requirement that NEPA not subject people to risk or undesirable or unintended consequences, 178 “[a] full-scale NEPA process [that considers terrorism] necessarily would require examination of not only how terrorists could cause maximum damage but also of how they might best be thwarted.” 179 The NRC has recognized that keeping this kind of information secret is vital: [T]he public interest would not be served by inquiries at NRC hearings and public meetings into where and how nuclear facilities are vulnerable, how they are protected and secured, and what consequences would ensue if security measures failed at a particular facility. Such NEPA reviews may well have the perverse effect of assisting terrorists seeking effective means to cause a release of radioactivity with potential health and safety consequences. 180

**NEPA causes disclosure of information resulting in an attack**

Munson 10 (.D. Candidate 2011, Marshall-Wythe School of Law, College of William & Mary Fall, 2010 William & Mary Environmental Law and Policy Review 35 Wm. & Mary Envtl. L. & Pol'y Rev. 335 LENGTH: 20160 words Note: Averting Nuclear 9/11: The Need to Move Beyond NEPA and Transition to a Homeland Security-Administered Infrastructure Security Statement NAME: Michael S. Munson\* BIO: \* J; B.A. 2005, University of Virginia. To my parents, Eric and Annette Munson, thank you for helping me through all my "final pushes" over the last 28 years-both academic and personal.)

The NEPA provides an important environmental protection, and this note argues that in its current nuclear plant approval process, the NRC largely complies with it. [n254](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1353009356369&returnToKey=20_T16062093159&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.661938.5325867346#n254) The Ninth Circuit was correct in pointing out that in failing to consider terrorism in its EIS preparation, the NRC failed to honor the two goals of the NEPA. [n255](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1353009356369&returnToKey=20_T16062093159&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.661938.5325867346#n255) But, it is worth pointing out, first, that the NEPA's goals of public participation and transparency are inapposite to the counter-terrorism context. [n256](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1353009356369&returnToKey=20_T16062093159&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.661938.5325867346#n256) Second, it seems logical that [\*367] its other goal-due consideration of environmental impact [n257](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1353009356369&returnToKey=20_T16062093159&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.661938.5325867346#n257) -would best be addressed by the DHS in a different forum. The NEPA envisions an open, collaborative give-and-take between the lead agency for the project in question and the public stakeholders, including at least one public meeting per project during the scoping process. [n258](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1353009356369&returnToKey=20_T16062093159&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.661938.5325867346#n258) This admirable goal presumes a measure of public expertise and puts a premium on agency response to suggestions from the public. [n259](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1353009356369&returnToKey=20_T16062093159&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.661938.5325867346#n259) That assumption certainly seems reasonable when applied to relatively innocuous discussions about watersheds, re- zoning, and aesthetic concerns with blight, but in the national security context, the degree of public expertise, and value of public discourse should be, at best, suspect. [n260](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1353009356369&returnToKey=20_T16062093159&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.661938.5325867346#n260) As the NRC argues, In our view, the public interest would not be served by inquiries at NRC hearings and public meetings into where and how nuclear facilities are vulnerable, how they are protected and secured, and what consequences would ensue if security measures failed at a particular facility. Such NEPA reviews may well have the perverse effect of assisting terrorists seeking effective means to cause a release of radioactivity with potential health and safety consequences.[n261](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1353009356369&returnToKey=20_T16062093159&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.661938.5325867346#n261) In this context, it strains credibility to argue that Congress intended for the NEPA to mandate a public discourse about the details of counter-terrorism measures, whatever its benevolent reasons for passing the bill in 1969. The public discourse requirement is simply incompatible with the need to protect critical infrastructure.

# a/t: motts votes aff

we agree – doesn’t assume the CP though – goes on to say that the aff is taken into consideration

# a/t: Public disclosure key to check terror

**NRC has a number of NON-NEPA safeguards in place**

Leege 12 (Catholic University Law Review 61 Cath. U.L. Rev. 527 LENGTH: 17646 words COMMENT: PREVENTING ATOMS FOR PEACE FROM BECOMING ATOMS OF TERROR: THE NATIONAL ENVIRONMENTAL POLICY ACT IS NOT A VEHICLE FOR ADDRESSING TERRORISM NAME: David D. Leege+ BIO: + J.D. candidate, May 2012, Catholic University of America, Columbus School of Law; M.S. Engineering Science, Naval Postgraduate School, 2006; B.S. Materials Engineering, Iowa State University, 2003.)

The NRC Addresses Acts of Terrorism Outside of NEPA Pursuant to its responsibility under the AEA, [n151](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n151) the NRC has enacted rules requiring licensees to protect themselves against certain acts of radiological sabotage, including terrorism. [n152](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n152) The regulations provide for two general requirements for securing special nuclear material and the plants that use it: (1) specific physical protection requirements, [n153](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n153) and (2) a requirement that the overall safeguard systems protect against specific design-basis threats set forth in the regulations. [n154](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n154) The NRC requires a licensee to have security measures capable of repelling an attack on the facility. [n155](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n155) The NRC's design-basis threats simulate the magnitude of a potential attack to test the strength of the facility's security. [n156](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n156)The NRC has updated the design-basis threats in response to anticipated changes in the types of attacks against the United States. [n157](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n157) The next several paragraphs chronicle the NRC's modifications to the design-basis threats since the early 1990s. The design-basis threats were initially very limited in scope, and "protected only against industrial sabotage by individuals and groups with possible inside information and hand-held weapons." [n158](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n158) In response to a vehicle intrusion [\*548] incident at TMI and the 1993 bombing of the World Trade Center, the NRC subsequently amended the design-basis-threat rules in 1994. [n159](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n159) Following the September 11th attacks, the NRC took several actions to address the security of nuclear power plants. [n160](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n160) In the immediate aftermath of the attacks, the NRC issued advisories to licensed facilities aimed at heightening their security and ability to respond effectively to an attack. [n161](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n161) Although licensees voluntarily took action in response to the threat advisories, in March of 2002, the NRC issued an order mandating additional safeguards beyond the regulatory requirements because of the high-level threat environment. [n162](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n162) The NRC has taken specific action to strengthen the design-basis-threat rule and established the Office of Nuclear Security and Incident Response to oversee these changes. [n163](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n163) In 2004, as part of its design-basis-threat improvements, the NRC began requiring "force-on-force" security exercises at each nuclear power plant every three years. [n164](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n164) The NRC approved a final rule revising the design-basis-threat rule on March 19, 2007. [n165](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n165) Although specific [\*549] details of the revised design-basis threats remain classified, [n166](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n166) the revised model strengthened the assumed capabilities of adversaries, their equipment, their tactics, and their resolve. [n167](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n167) The NRC excluded an air-based attack from the design-basis threat, concluding that a private security force could not reasonably be expected to defend against such an attack [n168](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n168)--that responsibility rests with other federal entities.

**NRC already working to protect terrorism outside of NEPA**

Meserve 2 (In the Matter of PRIVATE FUEL STORAGE L.L.C. (Independent Spent Fuel Storage Installation) Docket No. 72-22-ISFSI; CLI-02-25 NUCLEAR REGULATORY COMMISSION 56 N.R.C. 340; 2002 NRC LEXIS 205 December 18, 2002 CORE TERMS: terrorism, terrorist attack, terrorist, reasonably foreseeable, licensing, nuclear, probability, sabotage, environmental, worst, regulation, staff, licensee, plant, speculative, ongoing, scenario, nuclear power plant, meaningfully, storage, practicable, conceivable, safeguards, airborne, barrier, reactor, nuclear power, likely to occur, agency action, fuel JUDGES: [\*1] COMMISSIONERS Richard A. Meserve, Chairman; Greta Joy Dicus; Nils J. Diaz; Edward McGaffigan, Jr.; Jeffrey S. Merrifield)

We hasten to add that our decision against including terrorism within our NEPA reviews does not mean that we plan to rule out the possibility of a terrorist attack against NRC-regulated facilities. On the contrary, as we outlined above, the Commission and its staff have taken steps to strengthen security and are in the [\*13]  midst of an intense study of the effects of postulated terrorist attacks and of our relevant security and safeguards rules and policies. These activities are rooted in the NRC's ongoing responsibilities under the AEA to protect public health and safety and the common defense and security. But we see no practical benefit in conducting that review, case-by-case, under the rubric of NEPA, nor any legal duty to do so. Below we set out a series of factors cutting against using the NEPA framework to conduct a terrorism review and against admitting Utah's NEPA-terrorism contention for hearing. These factors stand singly, and cumulatively, as justification against invoking NEPA as the basis for our terrorism review in nuclear licensing cases.

**NRC recognizes they are inadequate at addressing terrorism**

Leege 12 (Catholic University Law Review 61 Cath. U.L. Rev. 527 LENGTH: 17646 words COMMENT: PREVENTING ATOMS FOR PEACE FROM BECOMING ATOMS OF TERROR: THE NATIONAL ENVIRONMENTAL POLICY ACT IS NOT A VEHICLE FOR ADDRESSING TERRORISM NAME: David D. Leege+ BIO: + J.D. candidate, May 2012, Catholic University of America, Columbus School of Law; M.S. Engineering Science, Naval Postgraduate School, 2006; B.S. Materials Engineering, Iowa State University, 2003.)

Shortly after the September 11th terrorist attacks, community organizations and local governments sought to intervene in several ongoing NRC license reviews through the NRC's AEA-mandated public-hearing process. [n89](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n89) These [\*539] intervenors sought to insure that acts of terrorism were adequately accounted for by asking the NRC to address them in the NEPA process. [n90](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n90) The Commission took action on the first four of these petitions on December 18, 2002. [n91](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n91) In Private Fuel Storage, L.L.C., the NRC laid out four reasons why addressing risks of terrorism through an EIS is inappropriate. [n92](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n92) First, the Commission argued that the action was beyond the "rule of reason" because a terrorist attack on a particular facility is not reasonably foreseeable. [n93](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n93) Second, the Commission argued that, "[t]he horrors of September 11 notwithstanding," it is not possible to quantify the likelihood of a terrorist attack on a particular facility. [n94](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n94) Furthermore, consistent with Limerick Ecology Action, Inc. v. [\*540] NRC, [n95](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n95) the NRC determined that it could not put forward a meaningful analysis of the risk to the environment. [n96](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n96) Third, the Commission argued that the "theoretical possibility" of a terrorist attack was "not the same as a 'reasonably foreseeable impact'" of such an event; simply assuming that the event would occur just because it could occur amounts to a worst-case scenario, which the Court in Methow Valley held was not required. [n97](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n97) Finally, the Commission maintained its long-held position that discussing security vulnerabilities is a matter of national defense that should not be conducted in public, and, "in the absence of . . . clear Congressional direction to that end," the Commission will not do so. [n98](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1352992548492&returnToKey=20_T16059023068&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.25536.541302156325" \l "n98)

**EIS ineffective at addressing terrorism**

Briggs 12 (Briggs, Alexander T. (2012) "Managing The Line Between Nuclear Power And Nuclear Terror: Considering The Threat Of Terrorism As An Environmental Impact," Seton Hall Circuit Review: Vol. 8: Iss. 1, Article 7. Available at: <http://erepository.law.shu.edu/circuit_review/vol8/iss1/7>)

The NRC is the wrong agency to address the terror issue. Power plants must follow safety and security procedures, 193 just as they must consider environmental impacts. 194 Plant safety and security efforts protect against any threat, regardless of whether the threat is labeled “terrorism.” Likewise, the EIS addresses all likely and probable environmental impacts of a federal action regardless of any intervening or superseding incident. A discussion of terrorism in an EIS would serve no purpose because the NRC can do nothing outside of its own local security measures to prevent terrorist acts. 195 Additionally, because the environmental effects that would result from a major accident (including a terrorist attack) are already part of the EIS, specific consideration of these effects when precipitated by a terrorist act would add nothing new to the environmental discussion

# a/t: disclosure now

not about nuclear plants defense against a terrorist attack

consequences of nuclear weapons production

**Public review of terrorism under an Environmental Impact Statement will result in coverage of Eco-Sabotage as well**

Mancuso-Smith 6 (Journal of Land, Resources, & Environmental Law 2006 26 J. Land Resources & Envtl. L. 319 From Monkeywrenching to Mass Destruction: Eco-sabotage and the American West, Chrystal Mancuso-Smith\* BIO: \* Senior Staff, Journal of Land, Resources, and Environmental Law)

An obvious alternative to imposing the criminal laws implemented to respond to acts of geopolitical terrorism is to focus on the existing body of environmental law. Upon taking a closer look, we find there are existing environmental laws such as the National Environmental Policy Act of 1970 (NEPA), that might be applied proactively to address both the destructive acts of the eco-saboteurs and the underlying misuse of natural resources that are the object of the eco-saboteurs' concern. [n27](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1354660991542&returnToKey=20_T16223729859&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.19056.566175261636#n27) NEPA served as the model for subsequent environmental law and policy development. Unlike many other environmental acts such as the Clean Water Act, NEPA's focus is not on regulation but rather on information dissemination. [n28](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1354660991542&returnToKey=20_T16223729859&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.19056.566175261636#n28) One main purpose of NEPA is to "promote efforts which will prevent or eliminate [\*327] damage to the environment." [n29](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1354660991542&returnToKey=20_T16223729859&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.19056.566175261636#n29) Of central importance to NEPA's success in meeting this goal is the use of Environmental Impact Statements (EISs) to maintain environmental quality and prevent future damage. [n30](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1354660991542&returnToKey=20_T16223729859&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.19056.566175261636#n30) Through requiring all major federal actions to incorporate this planning component before undertaking the action, it is hoped "that important effects will not be overlooked or underestimated only to be discovered after resources have been committed or the die otherwise cast." [n31](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1354660991542&returnToKey=20_T16223729859&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.19056.566175261636#n31) Once prepared, NEPA mandates that draft EISs be circulated to the public for comment so "that the relevant information will be made available to the larger audience that may also play a role in both the decisionmaking process and the implementation of that decision." [n32](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1354660991542&returnToKey=20_T16223729859&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.19056.566175261636#n32) After NEPA's adoption, the bulk of litigation centered on the EISs and whether they were not prepared when they should have been or if they were sufficient to address the potential environmental impact of the projects. As this body of law develops, we are starting to see the inclusion of the risks associated with acts of terrorism and sabotage included in the EISs. In Contra Costa County v. Pena, plaintiffs raised NEPA claims against the Department of Defense, alleging they did not consider terrorist threats in both EIS and supplemental EISs in a project involving the movement of nuclear waste. [n33](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1354660991542&returnToKey=20_T16223729859&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.19056.566175261636#n33) Given the similar treatment of the acts of eco-saboteurs, it would be a natural extension to consider application of NEPA to such situations

**Including EcoSabotage under public EIS gives these groups a platform to share their views**

Mancuso-Smith 6 (Journal of Land, Resources, & Environmental Law 2006 26 J. Land Resources & Envtl. L. 319 From Monkeywrenching to Mass Destruction: Eco-sabotage and the American West, Chrystal Mancuso-Smith\* BIO: \* Senior Staff, Journal of Land, Resources, and Environmental Law)

Any sound approach to addressing the ongoing presence of violence in the environmental movement must incorporate two components. First and of immediate concern is the need for clear, criminal sanctions for acts of eco-sabotage. The second component needs to be a comprehensive plan for addressing the underlying environmental concerns of such activists. I propose that focusing on the current body of environmental law, in conjunction with statutes designed for other types of criminal behavior would be the most comprehensive strategy. To remedy this problem at the source, we should shift from a reactive to a more proactive handling of the eco-saboteur's concerns. The violent tactics used by eco-saboteurs, while not intentionally targeting people, can have serious human consequences. Until now, no one has been killed as a result of act of eco-sabotage but, the possibility is a real one. Using the legislation passed or being discussed by various states may provide part of the solution by outlining criminal responses for such actions. After all, aside from the First Amendment protections allotted to freedom of speech, many of the actions [\*338] perpetrated by eco-saboteurs are crimes, plain and simple. As such, a combination of state criminal laws and the federal statutes prohibiting the giving of material support should provide prosecutors with enough tools to punish those responsible and discourage those who may be contemplating such crimes. In conjunction with addressing the criminal acts of the eco-saboteurs, we must look to our body of existing environmental law as well. Just because we may as a society disagree with the tactics employed by the eco-saboteur, their underlying concerns over environmental violations or abuse may indeed be valid. Through application of NEPA, in particular, reliance on the opportunity for public notice and comment about pending projects, the eco-saboteur may be afforded the opportunity to have their concerns heard. Lastly, I would urge the adoption of a term distinct from the terrorism moniker. While there are some similarities to the tactics between a "true" terrorist and those employed by the radical environmental activists, the goals of both are separate enough to override the comparison. By using the term eco-terrorism, opponents of these groups run the risk of not only drawing attention to these actors and perhaps sympathy for their cause, but also of escalating the level of violence. In America's history, we have seen diametrically opposed views of the frequently violent Revolutions as noble and patriotic when viewed from the American point of view, while the British would label it brutal and terroristic. No matter which side we align ourselves with in the battle to protect the environment, I would have to agree with the sentiment expressed by Edward Abbey's protagonist George Washington Hayduke: "Violence, it's as American as pizza pie." [n111](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1354660991542&returnToKey=20_T16223729859&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.19056.566175261636#n111)

**This platform is critical to radical environmental group success**

Flores 02 (“Attention Earth First!ers: Raise Your Fists in the Air and Step Away from the Hippie!”, Anamaria Flores, EARTH FIRST! JOURNAL)

To begin with, Earth First!ers should challenge the image of their movement as a “hippie” movement. Don’t kid yourselves; “redneck”, punk or black-clad hippies don’t escape this judgement nor should they (a hippie by any other name...). As I noted, popular culture and even those who are a little more “in the know” do not take hippies seriously. Why would they or why should they? Hippies don’t take themselves seriously. Earth First!ers, on the other hand, are not to be taken lightly. Why then do Earth First!ers do nothing to disengage their movement from the myth of the hippie? Why are Earth First!ers not more class conscious? What purpose does it serve harassing the Staples workers in Burlington, Vermont? How are Earth First!ers “getting right in the face of the beast and spitting in it” by making more work for people making six dollars per hour? To say that the relationship between EF!ers and workers is characterized by animosity is putting it kindly. It is no wonder that class-based movements in New York City such as Vieques Support Campaign, Mujeres Para Paz y Justicia, Al-Awda: The Palestinian Right To Return Coalition, the Green Grocer Movement and New York: Not In Our Name are suspicious of Earth First!ers. Are there no affinities between these movements? Between movements on the East Coast where the emphasis is placed on the urban and movements on the West Coast where the emphasis is placed on the environment? If affinities do not exist, we have to ask: why don’t they? If the struggle for revolution affects us all then why are we not working together? How do struggles such as those for immigration rights fit into the schemata of Earth First!? The locus of responsibility lies on the Earth First! movement. It is up to you all to make public the knowledge you possess in regards to environmental destruction and to explain the tactics you use and why. Earth First! could use the support of other movements around the country. Many EF!ers are languishing in jail and others will, in all probability, join them in the future. Non-environmental and/or human rights movements can offer monetary support for defense attorneys, get involved in the political prisoner letter writing campaign and most importantly, help to make others aware of the importance of Earth First! actions, thereby enabling Earth First!ers to continue to carry on with their work. In order for all this to happen, however, Earth First!ers must disengage themselves from the image of the tree-hugging antipolitical hippie in order to engage themselves with the everyday struggles of the working class that so impact the environment. Part of this will come with the recognition of the privilege that allows Earth First!ers to be Earth First!ers. The same spirit of militant dedication to saving old-growth forests must be applied to each individual Earth First!er. You have to be self-critical, recognize your privilege, challenge the myth of the hippie as it is associated with your movement. You have to stop treating workers with contempt. You are confused. The real enemies are the owners and the capitalist system that exploits and rapes and pillages in its never-ending quest for material goods to sell and consume.

**These eco-sabotage groups aim to construct a war on humanity resulting in the deaths of millions with white people being the last to die – we cannot support them in any form**

Englund 08 (Eric Englund [send him mail], who has an MBA from Boise State University, lives in the state of Oregon. He is the publisher of [The Hyperinflation Survival Guide](http://www.amazon.com/exec/obidos/tg/detail/-/0974118001/lewrockwell/) by Dr. Gerald Swanson, <http://www.lewrockwell.com/englund/englund48.html>, “Environmentalism Is Racism”)

Green racism is a pernicious concept in which the human race must be subordinated to nature with the exception of the anointed Greenies who will take charge along the lines of the former Soviet Union's central planners. With this in mind, George Reisman pointed out in his magnificent book Capitalism: "…it should not be surprising to see hordes of former Reds, or of those who otherwise would have become Reds, turning from Marxism and becoming the Greens of the ecology movement." Should institutionalized Green racism really be considered a threat? Has any government implemented such a radical program, on a national basis, in which humanity is subordinated to nature? The answers to these questions are found in Alston Chase's brilliant book [In a Dark Wood: The Fight Over Forests and the Rising Tyranny of Ecology](http://www.amazon.com/Dark-Wood-Fight-Forests-Nature/dp/0765807521/lewrockwell/). Here is a chilling excerpt: The desire to subordinate people to organic nature led directly to racism. "The ‘scientific' element of racialism can be traced back to Haeckel," writes the philosopher Karl Popper. Haeckel, as Robert Jay Lifton observes, in part quoting the historian George L. Mosse, "a towering figure in German biology and an early Darwinian, was also a racist, a believer in a mystical Volk, and a strong advocate of eugenics who ‘can be claimed to be a direct ancestor' of the Nazi ‘euthanasia' project." Indeed, as Daniel Gasman calls "Germany's major prophet of political biology," someone who contributed significantly to the development of Nazi ideology: "The writings of Haeckel and the ideas of his followers…were proto-Nazi in character, and (as) one of the most powerful forces in nineteenth and twentieth-century German intellectual history, may be fully understood as a prelude to the doctrine of National Socialism." "We do not need to strain at gnats to show there was a strain of ecological ideas among Nazis: the evidence is ample," writes Bramwell. As the historian Robert A. Pois observes, National Socialism was "a religion of nature," which called for the establishment of a utopian community, the Volksgemeinschaft, rooted in a perceived natural order." Throughout Hitler's political career, writes Pois, "he would continually emphasize the importance of recognizing nature's power over (hu)~~man.(edited)~~ He scoffed at the notion of humans ever having the ability to ‘control' or ‘rule over' nature…Hitler sounded remarkably like contemporary environmentalists who, with ample reason, proclaim that a sharp-tempered Mother Nature… will eventually avenge herself upon those who, at least since the onset of industrialization, have tried her patience." He believed in "the sanctity of nature." Indeed, Nazism was based largely on biological theory. As Hitler's confidant Rudolph Hess insisted, the movement was nothing more than "applied biology" for restoring the "vitality of the German race." It sought "biological renewal" through building, said Heinrich Himmler's legal aide, Werner Best, an "organically indivisible national community." And those who opposed these goals merely revealed themselves to be "the symptom of an illness which threatens the healthy unity of the…national organism." Decrying man's alienation from nature, many Nazi thinkers — among whom can be counted the philosopher Martin Heidegger — opposed what they saw as unnatural and decadent modern living. Heidegger complained that "technological domination spreads itself over the earth ever more quickly, ruthlessly, and completely…The humanness of man and the thingness of things dissolve into the calculated market value of a market which…spans the earth." Likewise, the Nazis blamed capitalists for driving farmers off the land and into towns in an effort to obtain cheap labor, thus undermining rural culture and promoting factory farms that used poisonous synthetic chemicals. Reestablishing the connection with nature, they believed, required crushing unnatural, non-German values. Private property had to be abolished, since it promoted commercialism, consumerism, and urbanization. Forests and wildlife, symbolizing Germany's pre-Roman past, had to be preserved. Therefore, soon after seizing power in 1933, the Third Reich launched a ruralization program to create a new more, primitive Germany. Subdivisions and private property were declared illegal. Vivisection was banned, and Hitler's Germany became the first European country to establish nature preserves. In 1940 hedgerow and copse protection ordinances were passed "to protect the habitat of wildlife." One cannot think of Nazism without correspondingly thinking of extreme racism. Millions of innocents including Jews, Gypsies, and other non-Aryans were murdered with the objective of purifying Nazi Germany so that it may be reunified with nature. Humanity, indeed, had to be subordinated to nature with the "wolves" in the Nazi party calling the shots. Modern-day Green racists hallucinate on a grander scale than ever dreamt by the Nazis. For these racists fantasize about or advocate the death of billions of human beings. This is, undeniably, racism at a megalomaniacal level. So let the Green racists speak for themselves — be very, very frightened: Jacques-Yves Cousteau, environmentalist and documentary maker: "It's terrible to have to say this. World population must be stabilized, and to do that we must eliminate 350,000 people per day. This is so horrible to contemplate that we shouldn't even say it. But the general situation in which we are involved is lamentable." John Davis, editor of Earth First! Journal: "I suspect that eradicating smallpox was wrong. It played an important part in balancing ecosystems." Paul Ehrlich, Stanford University population biologist: "We're at 6 billion people on the Earth, and that's roughly three times what the planet should have. About 2 billion is optimal." David Foreman, founder of Earth First!: "Phasing out the human race will solve every problem on earth, social and environmental." David M. Graber, research biologist for the National Park Service: "It is cosmically unlikely that the developed world will choose to end its orgy of fossil-energy consumption, and the Third World its suicidal consumption of landscape. Until such time as Homo sapiens should decide to rejoin nature, some of us can only hope for the right virus to come along." Alexander King, founder of the Malthusian Club of Rome: "My own doubts came when DDT was introduced. In Guyana, within two years, it had almost eliminated malaria. So my chief quarrel with DDT, in hindsight, is that it has greatly added to the population problem." Merton Lambert, former spokesman for the Rockefeller Foundation: "The world has a cancer, and that cancer is man." Prince Phillip, Duke of Edinburgh, leader of the World Wildlife Fund: "If I were reincarnated I would wish to be returned to earth as a killer virus to lower human population levels." Maurice Strong, U.N. environmental leader: "Isn't the only hope for the planet that the industrialized civilizations collapse? Isn't it our responsibility to bring that about?" Ted Turner, CNN founder, UN supporter, and environmentalist: "A total population of 250—300 million people, a 95% decline from present levels, would be ideal." Paul Watson, a founder of Greenpeace: "I got the impression that instead of going out to shoot birds, I should go out and shoot the kids who shoot birds." What if Prince Phillip stated: "If I were reincarnated I would wish to be returned to earth as a killer virus to lower American Indian population levels." Beyond a shadow of a doubt, he would be labeled a bigot, a racist, and an advocate of genocide. He would be crucified in the press. So why is it acceptable for the prince to fantasize about wiping out most of the human race? Of course, the answer is that it is not acceptable whatsoever. He has, in fact, revealed himself to be a bigot and a racist of the highest order.