

National News

Abscam appeal dismissed: rights found not violated

A conviction obtained in an Abscam investigation was affirmed March 18 by a Federal appeals court in a decision that said law-enforcement agents could use "special investigative techniques to uncover insidious corruption."

The ruling focused on a relatively minor defendant, Alexander A. Alexandro Jr., an investigator with the Immigration and Naturalization Service. Alexandro was convicted of accepting a bribe to obtain an immigration document for the friend of an "Arab sheik" who turned out to be an undercover agent of the FBI.

In dismissing the appeal, the U.S. Court of Appeals for the Second Circuit ruled in Manhattan that Alexandro's constitutional right to due process had not been violated by the methods of the Abscam investigation.

Lawyers familiar with the case note it could hold significance for other appeals involving important political figures.

Press complains of 'illegalities' on Nicaragua

At the State Department press briefing March 15, Secretary of State Alexander Haig came under concerted attack from the press, which questioned the legality of recent State Department actions.

State Department spokesman Dean Fischer was first asked under what authority the Nicaraguan prisoner, who was brought before the Foggy Bottom press corps March 12, was held in custody in the United States—since the United States is not at war with Nicaragua. Previously, the official answer was that he was in the United States "on parole," but at the press briefing it was claimed he was not a prisoner at all, but the State Department had brought him to the United States on an ordinary non-immigrant visa. In that case, asked the press, why was he in custody? Fischer had no an-

swer.

Fischer also had "no comment" on Sen. Barry Goldwater's remarks, printed in *Newsweek*, that the *Washington Post's* exposé of CIA bombing of bridges in Nicaragua was true. But, said the *Post's* Don Oberdorfer, "These are widely circulating allegations which have now been confirmed by the Chairman of the Senate Intelligence Committee. Your refusal to deny them is tantamount to an admission." "I still have no comment," Fischer replied.

The third issue raised by the press was Secretary Haig's offer to enforce the U.S. Neutrality Act against right-wing Nicaraguan terrorist training in the United States, in exchange for an end to Nicaraguan support for the Salvadorean left. "Is he making enforcement of U.S. law conditional on a political agreement?" Lars-Erik Nelson of the New York *Daily News* asked pointedly. "I'll look into it," was Fischer's only reply.

Reagan NRC issues anti-nuclear study

In a report which will no doubt drive investors away from the utilities in question, the Nuclear Regulatory Commission has released a "staff study" which lists 19 nuclear plants presently under construction, which the NRC feels will be canceled in coming months. One utility, Philadelphia Electric, issued an immediate denial of plans to cancel its Limerick-2 plant near Pottstown, calling the NRC statement "off the wall."

The staff study was requested by Carter-appointed NRC director John Ahearne, and admittedly based on "conjecture, newspaper articles, conversations with financial houses and hearsay." The NRC staff did not ask the utilities involved if they had plans to cancel.

The report follows by less than a week, a call by the Fusion Energy Foundation for an investigation of the Nuclear Regulatory Commission. The FEF charges that there is a small group of anti-nuclear activists who are members of the NRC staff, and that these individuals are in regular contact with anti-nu-

clear groups and are leaking them non-public information in order to shut down the U.S. nuclear program.

FEF Director of Nuclear Engineering Jon Gilbertson charged in a Washington D.C. press conference March 12 that furthermore, some NRC regulations are actually causing nuclear plant breakdowns. He gave as an example regulations which made standard maintenance procedures impossible, such as that which leads to the corrosion of steam tubing in pressurized water reactors.

Philosophers invade the medical profession

New York teaching hospitals are employing philosophers to help the medical profession find an alternate ethic to the Hippocratic Oath, according to *New York Times* March 19 front-page coverage.

John D. Arras, a philosopher recently appointed to the clinical staff of Montefiore Hospital in New York's North Bronx and the only philosopher in the country with a full-time appointment to a hospital's clinical staff, said the intent was to have philosophers help physicians make judgments about life and death with a deeper insight into the "meaning of life" and into the complex and conflicting moral and ethical questions that are involved.

The philosophers, for example, give advice on when or whether a terminally ill patient or a deformed or brain-damaged infant should be allowed to die, or who should be admitted to an overcrowded intensive care unit, or under what circumstances a patient can refuse "exotic"—as the *Times* terms it—life support technology.

"We do not, however, tell doctors what to do," emphasizes philosopher Arras.

One situation which, according to Arras, "still haunts physicians," was a case he was called into last month involving a 15-year-old girl who had tried to kill herself by jumping from a building in the South Bronx. She did not die, but became almost totally paralyzed. Arras said that by means of blinking her eyes,

the girl communicated to members of the medical staff that she still wanted to die. He was asked that if the girl went into respiratory arrest should she be put on a respirator, or allowed to die.

The *Times* reports that fortunately the conflict was resolved when the emotionally disturbed adolescent decided she wanted to live after all, but the issue is still "haunting."

Arras is an associate of San Francisco State University philosophy professor Mary Anne Warren, whom the International Caucus of Labor Committees has indicted at the United Nations for violating the Nuremberg statutes for her advocacy of killing deformed infants.

DOE committed to McCormack Fusion law

Department of Energy official Dr. Al Trivelpiece emphasized in mid-March hearings the DOE's commitment to comply with the McCormack Fusion Act, the bill passed in 1980 which calls for a crash program to develop thermonuclear fusion. Trivelpiece's statement, made before the Energy and Water Development Subcommittee of the House Committee on Appropriations March 15, is the first public statement made by a DOE official indicating that the law is an active consideration for the Department.

During last year's budget process, the previous director of the Office of Energy Research insisted that the Reagan administration was not taking the McCormack Act into consideration in planning the fusion program.

Trivelpiece, a plasma physicist, explained to the subcommittee that the fusion program is "mission oriented" and that the DOE does have the intent to carry out the act. It is being delayed, he noted, only because of the current economic situation.

When questioned about DOE Secretary Edwards's statement that fusion would not be ready for 50 years, Trivelpiece said he had not heard Edwards's statement, but that his estimation was that it would be developed within 20 years. He pointed out that the timetable

depends upon funding.

Fusion would be a clean, cheap, inexhaustible source of energy.

DOJ attempts Teamster local takeover

In what is being billed as a national test case, the Justice Department announced March 9 that it was suing for a court-supervised takeover of New Jersey Teamsters Local 560 in Union City, New Jersey. Local 560's President is Salvatore Provenzano, head of the New Jersey Teamsters and an International Vice-President.

U.S. Attorney for New Jersey, W. Hunt Dumont, and the Newark Organized Crime Strike Force called a press conference to announce that they were invoking an as yet untested—in relation to the labor movement—section of the R.I.C.O. (Racketeer-Influenced Corrupt Organizations) Act to file a civil action to strip Local 560 of all its elected officials and its executive board, past and present.

In a later interview, Dumont stated that the Justice Department and others in Washington are watching the case "very closely." He noted that if the DOJ is successful in the court-supervised takeover of the local, that the same approach could be used with the International Longshoremen's Association.

A hearing is scheduled March 22 before Federal District Court Judge H. Curtis Meanor—the judge who heard the 1979 case against Teamster leader Anthony Provenzano. Two of the federal prosecutors who will be arguing for the union takeover, Thomas L. Weisenbeck and Leopold Laufer, were involved in last year's framing of then Local 560 President Nunzio Provenzano. In that case, Salvatore Provenzano and a business agent, Michael Sciarra, were acquitted but Nunzio Provenzano was convicted on labor racketeering charges.

The DOJ argues that since one of the Provenzanos have held the position of union President in Local 560 since 1958, that the government has the right to step in and throw out the elected officials.

Briefly

● **BLUE CROSS**, the insurance company, is advocating that the plug be pulled on coma victims, the *Washington Post* reported March 18. "It's a social policy question," Blue Cross vice-president Barry Wilson is quoted as saying, "whether society can afford to pay large amounts for care with uncertain outcome."

● **A FEDERAL COURT** has thrown out the New Jersey congressional redistricting plan Gov. Brendan Byrne signed into law just before leaving office in January. The redistricting included a computer-designed district carved out of five previous districts by Byrne Department of Consumer Affairs head Adam Levin, son of real estate magnate and Meyer Lansky associate Phillip J. Levin. The New Jersey legislature has until March 22 to draw a new redistricting proposal.

● **TERRY DOLAN**, Chairman of the National Conservative Political Action Committee, startled many NCPAC supporters by granting an interview to the homosexuals' magazine *The Advocate*, in which he said he would support a law prohibiting the federal government from discriminating against gays. "Sexual preference is irrelevant to political philosophy," he said.

● **JANE BYRNE**, Chicago's mayor, may be in for political trouble. In the Democratic primary of March 16, her chosen candidate for the 5th C.D. seat, incumbent John Fary, was soundly beaten by Alderman William Lipinski. Lipinski was backed by the forces of Byrne's probable opponent in next year's mayoralty race, Cook County State's Attorney Richard Daley. Another Byrne protégé, Jeffrey Roberts, was also defeated in his effort to unseat State Assemblyman Larry Bullock, who has prominently opposed Paul Volcker.