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U.S. -- CARTER BILL WOULD PUNISH VIOLATORS OF NUCLEAR COVENANTS

BY DAVID BINDER

WASHINGTON, APRIL 28 (NYT) -- PRESIDENT CARTER SUBMITTED LEGISLATION TO CONGRESS WEDNESDAY THAT WOULD GIVE HIM THE POWER TO IMPOSE DRASTIC PENALTIES ON COUNTRIES THAT VIOLATED INTERNATIONAL AND BILATERAL COVENANTS DESIGNED TO PREVENT THE SPREAD OF NUCLEAR WEAPONS.

HOWEVER, IN AN ACCOMPANYING STATEMENT AND IN AN INTERPRETATION PROVIDED BY JODY POWELL, HIS NEWS SECRETARY, THE PRESIDENT SOUGHT TO ASSURE CONGRESS THAT HE WOULD USE THE POWERS HE IS SEEKING WITH DISCRETION.

"WE CAN APPLY A REASONABLE DEGREE OF PRESSURE," POWELL SAID, AN ALLUSION TO ABILITY OF THE UNITED STATES TO CUT OFF SUPPLIES OF URANIUM FUEL TO VIOLATORS, "BUT WE CANNOT INDICATE TO, WE CANNOT FORCE, OTHER NATIONS."

CARTER'S MESSAGE, A COMPANION PIECE TO HIS STATEMENT APRIL 7 ON DOMESTIC NUCLEAR TECHNOLOGY POLICY, COMES AT A TIME OF INTERNATIONAL TURBULENCE OVER NUCLEAR ENERGY DEVELOPMENTS IN A NUMBER OF COUNTRIES.

WEST GERMANY, WHICH HAS REJECTED A REQUEST BY CARTER THAT IT NOT SELL BRAZIL EQUIPMENT THAT COULD BE USED TO MAKE ATOMIC WEAPON, ANNOUNCED WEDNESDAY THAT IT WOULD SPEND DOLLARS 2.7 BILLION FOR RESEARCH ON FAST BREEDER REACTOR TECHNOLOGY, EXPANDING ITS CAPACITY TO MAKE HIGHLY ENRICHED URANIUM.

THE PRESIDENT, ON APRIL 7, SAID THE UNITED STATES WOULD SLOW ITS BREEDER PROGRAM, IN PART TO DISCOURAGE THE SPREAD OF TECHNOLOGY INCORPORATING THE POTENTIAL FOR THE MANUFACTURE OF WEAPONS-GRADE NUCLEAR MATERIAL.

AT THE MOMENT OF THE WHITE HOUSE ANNOUNCEMENT, A UNITED STATES DELEGATION WAS MEETING IN LONDON WITH REPRESENTATIVES OF 14 OTHER COUNTRIES THAT EXPORT NUCLEAR TECHNOLOGY IN AN EFFORT TO DRAFT TIGHTER SAFEGUARDS AGAINST THE SPREAD OF ATOMIC WEAPONS.

THE CARTER ADMINISTRATION IS ALSO BEING PRESSED BY INDIA TO SUPPLY IT WITH ENRICHED URANIUM FUEL FOR AN AMERICAN-MADE REACTOR AND BY ISRAEL TO ALLOW THE SALE OF AMERICAN REACTORS. NEITHER COUNTRY HAS SIGNED THE NUCLEAR NONPROLIFERATION TREATY.

INDIA DETONATED A NUCLEAR DEVICE IN 1974 AND ISRAEL, ACCORDING TO UNITED STATES INTELLIGENCE OFFICIALS, MAY HAVE PRODUCED AT LEAST 15 ATOMIC BOMBS.

THE CARTER PROPOSAL CONTAINS A POTENTIALLY STIFF REGULATION COVERING "NON-NUCLEAR-WEAPONS STATES," THAT IS, COUNTRIES SUCH AS INDIA AND ISREL THAT HAVE NOT DISPLAYED ATOMIC BOMBS.

IT REQUIRES THAT "ALL NUCLEAR MATERIALS AND EQUIPMENT" OF SUCH COUNTRIES BE SUBJECT TO SAFEGUARDS OF THE INTERNATIONAL ATOMIC ENERGY AGENCY, "REGARDLESS OF WHETHER THESE HAVE BEEN SUPPLIED BY THE UNITED STATES."

"FULFILLMENT OF THIS REQUIREMENT WILL BE A CONDITION OF CONTINUING U.S. NUCLEAR SUPPLY," IT ADDS.

CARTER SAID THAT THE REQUIREMENT WOULD BE AN INTERIM-MEASURE PENDING ADHERENCE TO THE NONPROLIFERATION TREATY BY THESE COUNTRIES.

ISRAEL, THE ADMINISTRATION HAS NOTED, ALLOWS INTERNATIONAL INSPECTION OF ITS CIVILIAN NUCLEAR INSTALLATIONS BUT NOT OF ITS SECRET FACILITIES, WHERE IT IS BELIEVED THAT PLUTONIUM FOR ATOMIC BOMBS HAS BEEN PRODUCED. (PTO) EH

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U.S. -- (1) -- CARTER WOULD PUNISH VIOLATORS OF NUCLEAR COVENANTS
CARTER, IN HIS MESSAGE TO CONGRESS, SAID THE GOAL OF HIS
LEGISLATIVE PROPOSAL WAS "TO FIND WAYS OF CONTROLLING THE SPREAD OF
NUCLEAR EXPLOSIVE CAPABILITY WITHOUT DEPRIVING ANY NATION OF THE
MEANS TO SATISFY ITS ENERGY NEEDS."

IN EFFECT, THE BILL, IF PASSED, WOULD ENABLE THE UNITED STATES TO
GUARANTEE NUCLEAR FUEL SUPPLIES TO COUNTRIES THAT HAVE REACTORS BUT
NO FUEL, WHILE IMPOSING TIGHT SAFEGUARDS ON THE NUCLEAR ENERGY
PROGRAMS OF THE RECIPIENT COUNTRIES.

IT WOULD ALSO AUTHORIZE THE UNITED STATES TO RENEGOTIATE NUCLEAR
COOPERATION AGREEMENTS WITH MORE THAN 20 COUNTRIES WITH A VIEW TO
ADDING STRONGER SAFEGUARDS OVER THEIR NUCLEAR TECHNOLOGY.

CARTER EXPLAINED HIS POLICY AS FOLLOWS:

"IF THE INCENTIVES WE OFFER THEM TO RENEGOTIATE WITH US ARE NOT
ATTRACTIVE ENOUGH, THE UNITED STATES COULD LOSE IMPORTANT EXISTING
SAFEGUARDS AND CONTROLS. AND IF OUR POLICY IS TOO WEAK, WE COULD FIND
OURSELVES POWERLESS TO RESTRAIN A DEADLY WORLDWIDE EXPANSION OF
NUCLEAR EXPOSIVE CAPABILITY. I BELIEVE THE LEGISLATION NOW SUBMITTED
STRIKES THE NECESSARY BALANCE." EH

(THE ABOVE WILL APPEAR IN THE FEATURE FILE.)