

POOR ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA



WESTINGHOUSE ELECTRIC CORPORATION

Plaintiff,

v.

JOSEPH M. HENDRIE, et al.

Defendants.

Civil Action No. 79-2060

WESTINGHOUSE ELECTRIC CORPORATION

Plaintiff,

v.

CYRUS VANCE, et al.

Defendants.

Civil Action No. 79-2110

AFFIDAVIT OF HEHERSON ALVAREZ

District of Columbia: ss:

Heheron Alvarez, being duly sworn, deposes and says:

1. A citizen of the Republic of the Philippines, my permanent address is Alvarez Street, Santiago Isabela, Luzon, Philippines and I presently reside at 74 East Fourth St., New York, N.Y. 10003. I hold LL.B. and B.A. degrees from the University of the Philippines.

2. I am a political refugee from my native land. As a duly selected delegate to the Philippine Constitutional Convention in 1972 I publicly opposed the efforts of President Ferdinand Marcos to influence and manipulate that Convention and thereby undermine democratic processes. President Marcos declared martial law while the Convention was still in session and began arresting all opposition leaders. As I was marked for arrest for my political opposition to the regime, I was forced to leave the Philippines.

3. I am International Secretary General of the Movement for a Free Philippines ("MFP"). As such, I am empowered to authorize litigation in the name of that organization and have authorized the filing of the foregoing Motion to Intervene in the above captioned

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matters, as well as a petition for leave to intervene before the U.S. Nuclear Regulatory Commission.

4. MFP's International President is Raoul S. Manglapus. Like myself, he is a political refugee from the Philippines and presently resides in the United States. Mr. Manglapus served the Philippines as Undersecretary of Foreign Affairs (1954-56), Secretary of Foreign Affairs (1957) and Member of the Senate (1959-1965).

5. MFP is an unincorporated organization embodying the liberal democratic movement in the Philippines, where it unfortunately must remain clandestine because it advocates free elections and opposes the dictatorship which has ruled by martial law since 1972.

6. MFP has thousands of members and millions of sympathizers within the Philippines, including many who reside and/or own property within 40 miles of the proposed nuclear power plant which is the subject of these actions.

7. MFP also is an international organization with active branches in seven countries: Thailand, Belgium, Venezuela, Australia, Japan, Canada and the United States. The United States branch has 39 chapters located throughout the nation with approximately 5,000 members, some 90% of whom are either Philippine citizens living in exile or American citizens of Philippine descent. Its office address is Suite 804, National Press Building, Washington, D.C. 20045.

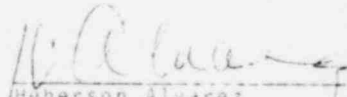
8. Representatives of most MFP branches and U.S. chapters presently are assembling in San Mateo, California, to formulate and ratify MFP's policies and programs. By informal polling of these duly selected representatives, I have determined that our organization is unanimously opposed to construction and operation of the nuclear power plant proposed for Napot Point, Bataan, the Philippines, which is the subject of the above-captioned lawsuits, until and unless the enormous hazards, including the likelihood of earthquakes and volcanic eruptions, can be overcome.

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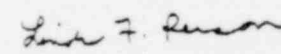
9. Because of the lack of citizen participation in governmental decisions and all other democratic processes in the Philippines, it is imperative that the appropriate agencies of government within the United States be fully apprised of the Napot Point site's hazards and the need to protect against them, if possible.

10. Accordingly, MFP is prepared to present evidence before the U.S. Nuclear Regulatory Commission, this Court, and any other agency of the United States with jurisdiction over the export, financing or construction of the Napot Point plant and its components to assure that no further exports take place until their enormous risks to all people, Philippine and American, are fully understood and adequately protected against if possible, which presently is not the case.

11. In order to understand the impact of U.S. foreign aid, international export programs and other policies affecting the Philippines, MFP places great reliance upon the work and resources of the Center for Development Policy ("CDP"). CDP is a Washington based public interest organization which has moved to intervene in the above cases and whose attorneys jointly are representing MFP herein. In seeking to intervene before both this Court and the NRC to oppose the premature export of any further components or fuel for the Napot Point nuclear plant, MFP joins CDP's efforts to assure that that facility's great risks to human lives, including thousands of MFP's members, and both nations' security be understood fully by the people of the United States and their government.

 (U.S.)
Henderson Alvarez

Subscribed and sworn to before me this 31st day of August, 1979.


Linda F. Person
Notary Public

My commission expires:

