A Revival of Nuclear Power in the United States

Introduction

The United States has the highest per capita energy consumption in the world (World Bank, 2012) and produces more electricity that any country outside of China (CIA, 2014). The United States is also the wealthiest country in the world with a powerful and competent central government. However, this government is embedded in a particular system of legalistic federalism that tightly defines the power and reach of government and delegates significant power to individual states. The US political system is also characterized by two contradictory impulses. Central government must be constrained and limited but equally powerful bureaucracies at the local level can be tolerated. Furthermore, the commercial freedom of private actors must be preserved but government is expected to support and enable such freedoms through rule setting. As such, the US offers the opportunity to consider the practice of metagovernance in a state that exhibits characteristics of both the liberal and state-corporate traditions.

This chapter is divided into four sections. The first section provides a brief overview of the US system of government and its underlying traditions of practice. The second section presents a description of the US electricity industry, the history of US efforts to utilize nuclear power and the reasons behind the decision of the US government to promote renewed investment in nuclear power. The third section considers the policy instruments, techniques and tools used by the US government in its efforts to metagovern a revival of nuclear power organized around the NATO framework. The fourth and final section concludes the chapter.
Government and governance in the United States

A key feature of the US system of government is institutional division. The federal system itself delegates considerable power to the individual states and there are constant disputes between the states and the federal government as to the boundary between state and federal. At the national level, the US government exists within a constitutional separation of powers and authority is divided between the executive (the presidency), the legislature (Congress) and the judiciary. Pollitt and Bouckaert (2011, p. 324) observe that the US administrative system is highly fragmented and whilst some federal agencies report to the executive, many of the federal regulatory agencies are independent by design. However, the powers, jurisdiction and responsibilities of government agencies are limited by the authority and resources granted by Congress and the US constitution (see Painter and Peters, 2010b). Federal regulation co-exists with state-level regulation and disputes over jurisdiction are not unknown. It should also be noted that state governments will, on occasion, deliberately pass legislation that openly challenges with the authority of the federal government to make political points.

In operation, US government is somewhat legalistic, and public officials expend considerable efforts to determine the scope and source of their authority to act in pursuit of their statutory responsibilities. However, this does not imply that government involves the mechanical implementation of ‘the rules’ as presidential directives and Congressional legislation are frequently ambiguous. Indeed, it worth noting that the Federal Register often contains clarifications as to the scope of the law and how the law is to be implemented. Peters (2010) notes that because the US system of government consists of an extraordinary diversity of agencies, and actors at different spatial and jurisdictional levels, the US government achieves its policy goals through metagovernance – the purposeful shaping of the legal, financial and political climate in which others operate. Broadly speaking, the US subscribes to a liberal tradition of limited government within an extraordinarily dynamic market economy. Moreover, the political culture of the United States often portrays government as an impediment to the practice of liberty and voluntary association through the market (Pollitt and Bouckaert, 2011). However, the United States is surprisingly tolerant of natural monopolies and public ownership for the provision of utilities in a manner that would be associated with a centralized economic system. In addition, the legalistic nature of the government and public bureaucracies emphasizes rule setting as a means of steering.