

ALASKA LEGISLATURE COMMITTEE FILES 2012-2013

2031 HSA HB 868 - HJR 14

SILVER ANNIVERSARY COMMISSION
ALASKA 1984
REIMBURSED EXPENDITURES
JULY 1, 1981-DECEMBER 31, 1981

<u>Vendor/Payee</u>	<u>Date</u>	<u>Amount</u>	<u>Description and Comments</u>
<u>Contractual Services (cont'd)</u>			
Quinn, Brien & and McCarthy, Inc.	12/17/81	\$ 16,667.00	1/3 payment of marketing services
Baskin and Sears	11/01/81	5,000.00	Organize "Committee of the Lower 48" Contact prospective exhibitors, both foreign and domestic
Baskin and Sears	12/05/81	10,000.00	As above (11/01/81)
CCC Architects & Planners	12/18/81	14,304.85	Professional and Consultant fees
Ewen C. Dingwall	12/26/81	11,647.56	Consultant fees and travel expense Seattle trip
Michael C. Mitchell	12/16/81	5,538.40	Executive Director's consulting fees
Michael C. Mitchell	12/31/81	3,076.92	Executive Director--paid as an independent contractor
Gordon Hilker	12/22/81	4,273.56	Consultant fees and travel expenses from Vancouver, B.C.
Glenn Olds	01/06/82	3,500.00	Consultant fees @ \$100/hour
Tom Hughes Graphic Design	10/15/81	1,357.70	Graphics for presentation
William Kelder Connections	12/11/81	1,107.68	Consulting fees
	10/27/81	120.00	Public dialogue show--Dubbing and tape stock
Connections	09/11/81	50.00	Audio Dubbing--Cassette tapes
Connections	09/11/81	655.00	Dubbing and tape stock
Battaglia Associates, Inc.	01/06/81	760.05	To cover consultants business expenses
Rosalie Nadeu	11/09/81	250.00	Consulting service
Clark Architects	12/18/81	240.00	Consulting service @ \$40/hour
Thereseon-Peterson Planning Group	12/11/81	162.75	Professional fees
Clayton Young Architect	12/23/81	100.00	Consulting fees
<u>Total Contractual Services</u>		<u>\$138,927.55</u>	
<u>Attorney Fees and Services</u>			
Smith & Gruening	08/81	\$ 10.95	Legal services
Smith & Gruening	12/05/81	707.49	For professional services
Smith & Gruening	12/04/81	3,372.75	Attorney fees @ \$100/hour
Smith & Gruening	01/12/82	4,218.30	Attorney fees
Pellegrine & Levine	11/15/81	7.50	Net allowed of a \$122.25 invoice
Pellegrine & Levine	08/31/81	123.75	Conferences and correspondence regarding Comsat participation
Pellegrine & Levine	08/24/81	831.25	Comsat participation and communications center
Pellegrine & Levine	10/31/81	766.00	Attorney fees and conferences regarding Comsat
Pellegrine & Levine	01/11/82	181.25	Attorney fees
Flavin & Wickersham	12/81	207.00	Legal services
Ely, Guess & Rudd	11/30/81	72.50	Telex to Robert Richards
<u>Total Attorney Fees and and Services</u>		<u>\$ 10,498.74</u>	
<u>Other Miscellaneous Expenditures</u>			
Rollins, Burdick and Hunter	10/31/81	\$ 700.00	Insurance
Rollins, Burdick and Hunter	12/28/81	7,304.00	Workers' compensation policy

(continued next page)

SILVER ANNIVERSARY COMMISSION
ALASKA 1984
REIMBURSED EXPENDITURES BETWEEN
JULY 1, 1981-DECEMBER 31, 1981

<u>Vendor/Payee</u>	<u>Date</u>	<u>Amount</u>	<u>Description and Comments</u>
<u>Other Miscellaneous Expenditures (cont'd)</u>			
Multivisions	10/20/81	\$ 332.50	Video Equipment
Connections	11/08/81	20.00	Video equipment
Multivisions	11/09/81	855.00	Video equipment
Connections	12/21/81	120.00	Video equipment
Multivisions	12/23/81	1,125.00	Video equipment
AVA Conference	09/11/81	140.00	Registration--conference
Word Processing Center	09/14/81	125.00	Registration--seminar
Alaska Pacific University	09/30/81	335.00	Registration fees
1982 Fur Rendezvous Fair	10/10/81	400.00	Booth
Alaska Chamber of Commerce	10/01/81	200.00	Membership statement
Erasures Unlimited	08/26/81	356.25	Bookkeeping--July
Erasures Unlimited	10/10/81	798.75	Bookkeeping--August-September
U.S. Postmaster	09/14/81	500.00	Postage meter
U.S. Postmaster	10/09/81	40.00	Renew bulk rate permit #653
Pitney Bowes	10/18/81	85.50	Postage meter
DILL Airways, Inc.	10/31/81	16.50	Package express
Federal Express	10/16/81	76.22	Package express
Federal Express	11/20/81	40.00	Package express
Pitney Bowes	11/18/81	85.50	Postage meter
Federal Express	11/23/81	44.49	Package express
Anchorage Daily News	12/13/81	39.75	Advertisement--soliciting bids
Anchorage Times	12/13/81	44.10	Advertisement--soliciting bids
Anchorage Times	12/31/81	129.60	Advertising--Architectural services
Anchorage Daily News	12/29/81	107.75	Advertising--Architectural services
Fairbanks Daily News-Miner	12/31/81	88.23	Advertisement--employment
Juneau Empire	12/22/81	66.52	Advertisement
Radio City Music Hall	08/08/81	416.92	Tape
Alaska Broadcast Service	09/19/81	289.55	
M.B. Saunders Group	11/11/81	247.60	K
Computer Composition	12/10/81	60.00	Services rendered
Alaska Copy Center	11/11/81	42.00	Copies
<u>Total Other Miscellaneous Expenditures</u>		<u>15,231.31</u>	

Total

SILVER ANNIVERSARY COMMISSION
ALASKA 1984
EXPENDITURES MADE UNDER \$200,000 CONTRACT WITH
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

<u>Vendor/Pavee</u>	<u>Date</u>	<u>Amount</u>	<u>Description and Comments</u>
<u>Salaries</u>			
Richard Angell		\$ 17,000.00	Salary--November, 1980-June, 1981
Richard Angell (Note 1)		13,577.70	Salary--July-October, 1981
Sandra Snider (Note 1)	X	7,924.51	Salary--December, 1980-April, 1981
Sandra Snider (Note 1)		1,311.05	Salary--October, 1981
<u>Total Salaries</u>		<u>\$ 33,813.26</u>	
<u>Occupancy Costs</u>			
MMC Limited		\$ 11,988.75	Office rent--December, 1980-February, 1981
Barrett's Office		379.25	Copier rental, office supplies
American Guard and	X	215.00	Security--May 25-September 25, 1981
<u>Total Occupancy Costs</u>		<u>\$ 12,583.00</u>	
<u>Travel and Entertainment</u>			
Professional Travel Service	06/01/81	\$ 150.00	Car rental prepayment
Professional Travel Service	06/08/81	(919.82)	Credit Memo
Professional Travel Service	06/08/81	1,613.00	Anc/Kotz/None/Anc Steingut
Professional Travel Service	06/04/81	291.00	Jnu/Anc/Jnu Gordon Jackson
Professional Travel Service	06/04/81	172.00	Prepayment- Nome Nugget Hotel
Professional Travel Service	06/04/81	291.00	Jnu/Anc/Jnu Piceno
Professional Travel Service	06/04/81	291.00	Jnu/Anc/Jnu Otness
Professional Travel Service	06/04/81	291.00	Jnu/Anc/Jnu Tyone
Professional Travel Service	06/04/81	291.00	Jnu/Anc/Jnu Lange
Professional Travel Service	06/04/81	291.00	Jnu/Anc/Jnu Simmons
Professional Travel Service	05/31/81	512.00	Fbx/Anc/Fbx Englishoe, Peer
Professional Travel Service	05/29/81	1,061.69	NYC/Anc/NYC Frank Wagner
Professional Travel Service	05/29/81	903.82	D.C./Anc/D.C. T.H. Saunders
Professional Travel Service	06/02/81	1,258.62	Salt Lake City/SF/Anc/Salt Lake City Mr. & Mrs. Rich Ross
Professional Travel Service	06/02/81	631.81	Salt Lake City/SF/Anc/Salt Lake City Friesen
Professional Travel Service	06/02/81	631.81	Salt Lake City/SF/Anc/Salt Lake City Rich Thiriot
Professional Travel Service	06/02/81	387.00	Haines/Anc/Haines Lisa Halliwill
Professional Travel Service	06/02/81	387.00	Haines/Anc/Haines Tad Robinson

(continued next page)

SILVER ANNIVERSARY COMMISSION
ALASKA 1934
EXPENDITURES MADE UNDER \$200,000 CONTRACT WITH
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

<u>Vendon/Payee</u>	<u>Date</u>	<u>Amount</u>	<u>Description and Comments</u>
<u>Travel and</u>			
<u>Entertainment (cont'd)</u>			
Professional Travel Service	06/02/81	\$ 656.02	LA/Anc/LA M. Wagness
Professional Travel Service	06/02/81	177.00	Fbx/Anc/Fbx Tonaya Waiton
Professional Travel Service	06/02/81	177.00	Fbx/Anc/Fbx Randy Seratti
Professional Travel Service	06/02/81	108.10	Kodiak/Anc/Kodiak Hans and Rosheger
Professional Travel Service	06/02/81	1,813.59	Atlanta/Anc/Atlanta Dick Evans
Professional Travel Service	06/02/81	974.52	D.C./Anc Steingut
Professional Travel Service	06/02/81	155.00	Kodiak/Anc/Kodiak Diane Houses
Professional Travel Service	06/02/81	155.00	Kodiak/Anc/Kodiak Mike Murphy
Professional Travel Service	06/02/81	361.00	Barrow/Anc/Barrow Elien Akpik
Professional Travel Service	06/02/81	361.00	Barrow/Anc/Barrow Art O'omittuk
Professional Travel Service	06/02/81	748.09	LA/Anc/Sea/Eug/SF/Bur Sandborn
Professional Travel Service	06/02/81	291.00	Jnu/Anc/Jnu Janet Beedle
Professional Travel Service	06/02/81	291.00	Jnu/Anc/Jnu Steve Potter
Professional Travel Service	06/02/81	656.02	LA/Anc/LA Slemmons
Professional Travel Service	06/02/81	656.02	LA/Anc/LA Medve
Professional Travel Service	06/02/81	177.00	Fbx/Anc/Fbx Kim Kuykenall
Professional Travel Service	06/02/81	177.00	Fbx/Anc/Fbx Ted Thompson
Professional Travel Service	06/02/81	177.00	Fbx/Anc/Fbx Danny Reed
Professional Travel Service	06/02/81	377.00	Kristy Klein
Professional Travel Service	06/02/81	377.00	Bill Chambers
Professional Travel Service	06/02/81	661.00	Rome/Anc/Rome Joe and Ann Bertolucci
Professional Travel Service	06/02/81	631.81	Salt Lake City/Anc/Salt Lake City Lee Ollerton
Professional Travel Service	06/02/81	631.81	Salt Lake City/Anc/Salt Lake City John Ross
Professional Travel Service	06/02/81	631.81	Salt Lake City/Anc/Salt Lake City David Lindsey
Professional Travel Service	06/02/81	1,228.42	D.C./Anc/LA/NYC/D.C. Robin Becker
Professional Travel Service	06/02/81	1,228.42	D.C./Anc/LA/NYC/D.C. Skip Rognlinen
Professional Travel Service	06/02/81	656.02	LA/Anc/LA Harrington
Professional Travel Service	06/02/81	656.02	LA/Anc/LA Peter Lewis
Professional Travel Service	06/02/81	656.02	LA/Anc/LA Tom Foster
Professional Travel Service	06/02/81	656.02	LA/Anc/LA Stillwell
Professional Travel Service	06/02/81	1,307.04	LA/Anc/LA M/M R. Segall
Professional Travel Service	06/02/81	656.02	LA/Anc/LA Bob Jani

(continued next page)

SILVER ANNIVERSARY COMMISSION
ALASKA 1984
EXPENDITURES MADE UNDER \$200,000 CONTRACT WITH
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

<u>Vendor/Pavee</u>	<u>Date</u>	<u>Amount</u>	<u>Description and Comments</u>
<u>Travel and Entertainment (cont'd)</u>			
Professional Travel Service	06/16/81	\$ 286.00	Anc/Jnu/Anc Clark Gruening
Professional Travel Service	06/01/81	125.00	Charter flight--prepayment
Professional Travel Service	06/15/81	286.00	Anc/Jnu/Anc Dick Angell
Sheraton-Anchorage	10/09/81	19,341.98	Rooms for preview guests and presentation room
Rust's Flying Service	10/06/81	2,130.00	Statement--May-June, 1981
Captain Cook Hotel	10/06/81	1,626.31	Various room charges, 02/05/81-06/07/81
Richard Angell (Note 1)	10/06/81	<u>250.00</u>	Travel advance to AVA Conference
<u>Total Travel, Hotel and Entertainment</u>		<u>\$ 50,996.99</u>	
		<u>(17,141.45)</u>	Unpaid Travel Invoices (Note 2)
<u>Expenditures Claimed by Alaska 1984</u>		<u>\$ 33,855.54</u>	
<u>Contractual Services</u>			
Sam Kito Jr. & Associates	10/12/81	\$ 46,498.07	Per Alaska 1984 Controller--lobbying expenses and services
Murray/Bradley, Inc.	10/06/81	25,672.11	Advertising services--May-June, 1981
Terry McWilliams	10/02/81	10,000.00	Coordination and development of State wide task forces--December, 1980- March, 1981
T. H. Saunders	10/09/81	4,093.84	Consultant fee and expense
Smith & Gruening	10/05/81	<u>2,500.00</u>	Consultant--Professional Services
<u>Total Contractual Services</u>		<u>\$ 88,764.02</u>	
<u>Miscellaneous Expenditures</u>			
Richard Angell	10/06/81	\$ 28,000.00	Repayment of loan note
Connections	10/06/81	1,326.90	Filming, tape stock, dubbing
Ken Wray's Print Shop (Note 1)	10/02/81	825.00	Printing of brochures
Rollins, Burdick, Hunter	10/06/81	434.00	Workers' Compensation Auto Insurance
Alaska Pacific	10/14/81	335.00	"Doing Business with Japanese" report
U.S. Postmaster (Note 1)	10/09/81	<u>40.00</u>	Bulk rate postage
<u>Total Miscellaneous Expenditures</u>		<u>\$ 30,960.90</u>	

SILVER ANNIVERSARY COMMISSION
ALASKA 1984
EXPENDITURES MADE UNDER \$200,000 CONTRACT WITH
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

Note 1 - Expenditures Reimbursed by Silver Anniversary Commission - (AL)

Of the \$199,976.72 in expenditures identified by Alaska 1984 as being spent under this contract, \$18,179.45 were also submitted to the Silver Anniversary Commission for reimbursement. These expenditures appear both on this Schedule and the Schedule of Expenditures Reimbursed by the SAC for the Period of July 1, 1981-December 31, 1981.

Note 2 - Payment to Professional Travel Service

Alaska 1984 submitted a check for \$10,507.25 to Professional Travel Service with a remittance advice stating it represented "payment on account." Actual invoices for travel under this contract totaled \$27,648.70, the major portion representing expenses for "preview" presentation at the Anchorage Sheraton in May, 1981.

\$200,000 contract, threw R-S agreement
for, plan to ~~establish~~ ^{prepare} celebration plan
payable on delivery how did you expect just
~~spent some of that money to reimburse~~
~~previous expenditures.~~

How did you spend that money?

is there any left?

Did you provide a plan? yes

Do you have a copy?

who had the \$25,000 loan to SH

what and when was that money
spent.

\$46,000 of 200,000 for lobbying expenses
was that appropriate expense for
SH & H's use of state funds.

who was the lobbyist.

who was he lobbying and for what
persons

REC'D FEB 27 1962

Richard Johnston
AK executive search 7500 ✓
for vitell to 84 employee

✓ Rent payment J.M.C. Limited
building space, who owns
that Building.

✓ ak 84 controller, looking
expenses, who is he.

How much was he paid. How
When did his services account Much

61000, talent search.

10:5000 for ~~20000~~ 1/2 Day
employment. what is
he doing for you: \$235 per day
counting Sundays that's

\$1750 per week \$43 per hr.

what is he doing for you

200,000 R.P.P.

Advance payment Louis Cook
Noted.

Master plan by March 8,

with. Due date next week
How do you see the ~~money~~ spent
money's being spent effectively

was travel a legitimate use
of national medical funds
Travel for what

4
Requirement for approval

Has the prior to expenditures
outstanding un obligated.

this committee is not attacking
any one • it

was this

28000 Richard angle. Re payment
of loan. Fund a

Payment of expenses that
accrued prior to agreement
404.000

15000 organizing support committees
in labor 48. as part of
a report experience

vertell Boyou stand to gain

How much time did you spend
reviewing

Dark with 5 August
people involved in
Commission ~~to~~
Professors Breakfast
to night, Monday
After 4 hrs
of testimony / no ques
But did recognize
I was found
The passing
of this bill

H B

876

COMMITTEE REPORT

HOUSE

FURTHER: FINANCE

(5)

2/16/82

Date:

3/3/82

Mr. Speaker:

The Committee on STATE AFFAIRS has had HB 876

"An Act providing for a federal budget impact fund; and providing for an effective date."

Under consideration and ~~(a majority of the committee)~~ ~~(the committee)~~ reports it back with the following recommendations:

[] do pass [] do not pass

[] do pass with attached amendments(s)

[X] replace with CS for HB 876 [X] same title [] new title

and recommends DO PASS

[] AND attaches a "Letter of Intent" [] New Fiscal Note

[] reports it back without recommendation

[] referred to the _____ Committee

MEMBERS SIGNING

DO PASS

[Handwritten signatures]

MEMBERS HAVING

OTHER RECOMMENDATIONS:

[Handwritten signature]
CHAIRMAN

A M E N D M E N T

OFFERED IN THE HOUSE:

By: State Affairs

To: amend HOUSE BILL No. HB 876

SENATE BILL No. _____

PAGE: _____

LINE: _____

Page 2

lines 6 & 7: delete [the Department of Community and Regional Affairs] and insert "the Governor"

lines 7&& 8: delete [From these requests, the department shall compile a list of state departments eligible to receive money from the fund.] and insert "Other agencies or organisations shall submit their requests for state financing of programs under this act to the Department of Community and Regional Affairs."

line 9: delete [also]

line 10: delete [other] and insert 'non-state'

line 12: delete [these] and insert "this" and delete the "on lists."

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSHB 876(SA)
Title An Act providing for a federal budget impact fund.
Requested by State Aff. Date 3/16/82

II. FISCAL DETAIL

Agency Affected ALASKA HIGHWAY SAFETY PLANNING AGENCY - DEPT. OF PUBLIC SAFETY
Program Category Affected PUBLIC PROTECTION
BRU, Program, Or Subprogram(s) Affected HIGHWAY SAFETY PLANNING
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	398.2	387.1	421.9	459.9	501.3	546.4
200 TRAVEL	85.1	60.1	65.5	71.4	77.8	84.8
300 CONTRACTUAL	118.4	40.9	44.6	48.6	53.0	57.7
400 COMMODITIES	5.7	6.2	6.8	7.4	8.0	8.8
500 EQUIPMENT	.9	Ø	Ø	Ø	Ø	Ø
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	1121.2	1222.1	1332.1	1457.0	1582.7	1725.1
TOTAL	1729.5	1716.4	1870.9	2039.3	2222.8	2422.8

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	342.1	987.9	1076.8	1173.8	1279.3	1394.4
FEDERAL FUNDS	1338.1	621.7	754.0	821.8	895.8	976.4
OTHER (Specify Source)						
GF MATCH	49.3	36.8	40.1	43.7	47.7	52.0

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	9.0	9.0	9.0	9.0	9.0	9.0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section 11.)
The figures in the fiscal detail reflect mainly a change in source of funds from federal funds to state general funds. Under new federal guidelines, not only is there a reduction in federal funds, but federal funds received as of October 1, 1981, may not be used for operating costs, which means that codes 100 through 500 must be funded with state funds if the agency is to continue.

The replacement of grant funds affects mainly the various local governments of the state. Under the new funding guidelines, the bulk of federal grant funds received will go to state agencies for statewide programs. This leaves a gap in the program. In that the majority of the problems and programs to solve these problems must be through grants to local governments for which these state grant funds are being requested.

IV. DATE 03/16/82 PREPARED BY CHARLES A. SMITH
AGENCY HIGHWAY SAFETY PLANNING AGENCY
PHONE 465-4371 or 465-4372
Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

Introduced: 2/16/82
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2

HOUSE BILL NO. 876

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act providing for a federal budget impact fund; and
7 providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. LEGISLATIVE FINDINGS. The legislature finds that substantial
10 reductions in federal funding for various programs in the state are proposed
11 for federal fiscal years 1982 and 1983. There exists considerable uncertainty
12 as to the amount and the effect of these reductions in the state because
13 regular appropriation bills for a number of federal programs have not yet
14 been enacted and are subject to a continuing resolution that ends March 31,
15 1982. As a result, it is unlikely that definite information on the total
16 amount of budget reductions for the purpose of assessing the effects on
17 federally funded programs in the state will be available before the end of
18 the Second Session of the Twelfth Legislature. Action will be necessary,
19 therefore, after adjournment of the twelfth legislative session in order to
20 properly address the adverse impact of federal budget reductions on citizens
21 of the state. A federal budget impact fund is established to allow such
22 action to be taken after the legislature adjourns.

23 * Sec. 2. FEDERAL BUDGET IMPACT FUND. There is established in the Office
24 of the Governor a federal budget impact fund. The Department of Revenue is
25 the custodian of the fund. The amount of the fund may not exceed \$20,000,000.
26 From legislative appropriations to the fund, the governor shall make grants
27 to state and other agencies for the continuation of programs affected by
28 reductions in federal appropriations for federal fiscal years 1982 and 1983.

29 * Sec. 3. USE OF FUND. The governor, based on criteria he develops in

1 consultation with the commissioners of affected departments of the executive
2 branch, shall authorize expenditures from the federal budget impact fund for
3 grants to state and other agencies for programs affected by reduced federal
4 appropriations.

5 * Sec. 4. FUND PROCEDURE. 3. State departments shall submit their requests
6 for state financing of programs under this Act to the Department of Community
7 and Regional Affairs. *the Governor, the Attorney General, or the State Auditor shall submit their requests*
8 list of state departments eligible to receive money from the fund. The *Department of Community and Regional Affairs shall also compile a list of other agencies that conduct programs that are federally funded and subject to termination or curtailment due to reduced federal appropriations. The Department of Community and Regional Affairs shall submit these lists to the governor, along with any other information he requests, for his use in approving expenditures from the federal budget impact fund.*
9 Department of Community and Regional Affairs shall also compile a list of
10 other agencies that conduct programs that are federally funded and subject to
11 termination or curtailment due to reduced federal appropriations. The
12 Department of Community and Regional Affairs shall submit these lists to the
13 governor, along with any other information he requests, for his use in ap-
14 proving expenditures from the federal budget impact fund.

15 * Sec. 5. REPORTS. (a) The governor shall submit proposed expenditures
16 from the federal budget impact fund to the Legislative Budget and Audit
17 Committee and the chairmen of the senate and house finance committees for
18 review.

19 (b) Forty-five days shall elapse before commencement of expenditures
20 from the fund unless the Legislative Budget and Audit Committee recommends by
21 a majority vote that the expenditures be made earlier.

22 (c) If the Legislative Budget and Audit Committee recommends within the
23 45-day period that the expenditures not be made, the governor shall again
24 review the expenditures and if he determines to authorize the expenditures,
25 he shall provide the Legislative Budget and Audit Committee and the chairmen
26 of the senate and house finance committees with a statement of his reasons
27 before the expenditures are made.

28 * Sec. 6. This Act terminates June 30, 1983.

29 * Sec. 7. This Act takes effect immediately in accordance with AS 01.10. -

1 070(c).

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THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 709 / HB 876
 Title An Act creating the Alaska Federal Budget Impact Fund
 Requested by Legislative Finance Date 2/16/82

II. FISCAL DETAIL

Agency Affected Department of Community & Regional Affairs
 Program Category Affected Community Development
 BRU, Program, Or Subprogram(s) Affected Administration, Office of Commissioner
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL	200.0					
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	200.0					

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	200.0					
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

The Department will utilize these funds to conduct a complete analysis of the impact of federal budget cuts on the quality of life in Alaska and provide recommendations for the expenditure of funds authorized by this legislation. These funds should be available for expenditure through FY83.

IV. DATE 2/16/82

PREPARED BY Richard Aks
 AGENCY Dept. of Community & Regional Affairs
 PHONE 465-4700

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

HJR

6



NATIONAL LEAGUE OF FAMILIES
OF AMERICAN PRISONERS AND MISSING IN SOUTHEAST ASIA

1608 K STREET, N.W., WASHINGTON, D. C. 20006 (202) 223-6846

POW/MIA UPDATE

As of April 1973, at the end of formal U.S. military involvement in Southeast Asia, some 1,400 American servicemen remained officially listed as prisoners of war (POW) or missing in action (MIA), with another 1,100 listed as killed in action, body not recovered (KIA/BNR). Since that time, due primarily to the determination of the families and a nucleus of concerned citizens and dedicated Congressmen, the Vietnamese have been persuaded to provide information on about 75 of these 2,500 men; however, they have steadfastly denied holding any additional American prisoners and have refused to provide an accounting for those whose fate remains unknown.

Evidence of Live Americans

The influx of Indochinese refugees into this country over the past few years has brought convincing new evidence that the Vietnamese continue to hold American servicemen in captivity. The Defense Intelligence Agency is currently investigating over 900 such reports, some 450 of which pertain to sightings of men held captive. Specifically, one such substantiated report indicates three men were sighted in Hanoi as late as 1979.

While the government of the Socialist Republic of Vietnam claims to be searching for information on the missing, the sincerity of their efforts is dubious since recent substantiated intelligence information indicates they are secretly holding the remains of some 400 missing Americans in a Hanoi facility once used as a POW camp.

Current Efforts

Although the military services have presumed dead all but a few of those originally listed as POW or MIA, U.S. government officials are taking a new look at the issue and have increased efforts to corroborate, analyze and verify the sighting reports.

As a result, U.S. government policies and attitudes are changing. Where previous official statements claimed a lack of credible evidence that men were still alive, new government policy reflects the increasing reports indicating that some Americans are still in captivity. Additionally, an interagency working group has been formed to coordinate a cohesive national POW/MIA policy. The group is comprised of representatives from responsible agencies within the State and Defense Departments, the National Security Council, the National League of Families and the Congressional POW/MIA Task Force. However, presidential priority is what has been lacking during several years of effort to obtain the accounting.

The Current Status on the Prisoner of War/ Missing in Action
(PW/MIA) Issue

1. Many Americans are unaware that nearly 2,500 servicemen are still unaccounted as a result of the Vietnam war. There were 2,553 military and 41 civilian Americans unaccounted for at "Homecoming" in 1973. The military included 96 prisoners of war (POW's), 1,178 killed in action - body not recovered, and 1,279 missing in action (MIA). The civilians included 25 missing and 16 presumed dead. Since then, 74 remains have been returned and most individual cases of those unaccounted for have been administratively reviewed. Cases reviewed have invariably resulted in a presumptive finding of death, based on data accumulated in the file and the additional criteria of a lapse of time without information to indicate the individual is still living. Therefore, as of Nov 1980, only 14 military personnel, of those unaccounted for, have not been presumed dead. These 14 cases are broken down to 1-POW (USAF) and 13 MIA (11-USAF, 1-USN, and 1-USMC).

2. The fact that only 14 cases remain active does not minimize the need to achieve the fullest possible accounting for the approximately 2,500 men whose fate remains in question. The debt owed to each serviceman that is unaccounted for, as well as to the individual's family is well known. Although this obligation can never be fully satisfied, the USG can and should make every effort to achieve as extensive an accounting as possible. It should be emphasized that this is not just a humane gesture, but a US Government (USG) responsibility due every serviceman, past, present, and future.

3. Since the end of the Vietnam war, there has been an ebb and flow of government and public interest in accounting for Americans missing as a result of the war. The DOD PW Policy Committee, which handled the PW/MIA issue prior to the end of US involvement, became inactive shortly after the US withdrew from Vietnam. However, in January 1980, an interagency group (IAG), which is comprised of representatives of the State Department, Office of the Secretary of Defense/International Security Affairs, Joint Chiefs of Staff, Defense Intelligence Agency (DIA), National Security Council, Subcommittee on Asian and Pacific Affairs/House Foreign Affairs Committee and the National League of POW/MIA Families, was established and has since been active. The main purpose of this group is to insure that priority is given to the issue and that US efforts are coordinated as we continue to press for resolution of the PW/MIA issue. The IAG is continuing the work started by the JCS to develop an explicit USG policy on the PW/MIA issue.

4. Although the Vietnamese claim to have released all POW's and to have been fully cooperative with the US Government, the facts deny this claim. The SRV has returned 72 remains and has allowed Laos to return four remains, two of which were identified as not being American. However, the Vietnamese have refused to account for Americans who were known POW's. In some cases, they have even acknowledged holding specific individuals at one time or another. These circumstances clearly belie their present claim to have fully cooperated in resolving the status of these individuals.

5. Of greatest concern are the recurring reports of the sightings of caucasians currently held captive in Indochina. As more Indochinese refugees are interviewed, the frequency of live sighting reports has also increased significantly. We now have over 280 firsthand reports of live sightings under investigation. Additionally, over 170 second hand or "hearsay" reports are being investigated. Due to the number of reports of live sightings, the following USG public affairs response to queries about unaccounted Americans has been formulated: "There is an increasing number of reports that Americans may be held against their will in Indochina, but the U.S. Government has thus far been unable to substantiate this information and priority effort will continue to be assigned to investigating these reports." The increasing possibility that Americans are still incarcerated in Indochina, seven years after the war has ended, mandates immediate, high-level, US government attention. One should be aware of the intelligence on this subject before forming an opinion.

6. One source testified that the SRV collected skeletal remains of Americans for many years and possessed, as late as early 1979, over 400 individual remains. Portions of this testimony have been independently verified by DIA and the witness has successfully passed polygraph tests. After first denying access to the building where the remains were reportedly stored, the Vietnamese, after several months, allowed reporters to visit the complex. As expected, no remains were found; however, DIA still considers this source valid.

7. Logically, successful resolution of the PW/MIA issue requires a number of specific actions: release of any live Americans presently being held; return of previously collected remains of US personnel; search, recovery, and return of any additional US remains; and a cooperative effort by the USG and Indochinese Governments in those cases where no remains exist or can be found. Additionally, fullest possible accounting requires priority attention to the issue and coordination of the efforts of all responsible US government agencies, as well as active participation and cooperation of all concerned nations.

8. Although both the USG and the Vietnamese Government have tacitly agreed that the PW/MIA issue is humanitarian in nature and should be resolved regardless of political differences, the Vietnamese continue to link the PW/MIA issue to other considerations. History shows that the Vietnamese, in dealing with France on the return and accounting for missing French personnel, responded only when it was beneficial to their self interests. Humanitarian ideals have had little significance; therefore, a new USG negotiation strategy is required. Although numerous demarches have been made to the Indochinese nations to this date, they have "stonewalled." The standard SRV response cites their inability to cooperate in search or accounting activities because their manpower is being fully utilized to defend against the threat of attack from the People's Republic of China (PRC). Recently, the Vietnamese have also stated that their people are reluctant to assist because of hostility over the "collusion" between the United States and the PRC. Although the Joint Casualty Resolution Center liaison team's recent trip to Hanoi (1 - 4 Oct 1980) had the potential for progress on the PW/MIA issue, once again, nothing of significance resulted.

9. The IAG is addressing the issues and any resulting proposed actions by the responsible US government executive agencies, the Congress, and the PW/MIA families. In respect to Congressional action, the Subcommittee on Asian and Pacific Affairs, House Foreign Affairs Committee, under Chairman Wolff is considering a hearing on the issue in December 1980. It is important not to lose the momentum generated during 1980, and to maintain unrelenting pressure on the Indochinese nations, especially the SRV, with respect to resolving the PW/MIA issue.

No Stars & Stripes - Nov 13
200,000 1980

Demand POW/ MIA Accounting

Some 200,000 signatures on petitions demanding an accounting by Hanoi of those missing in action were delivered to the U.S. mission to the United Nations October 27 by Congressman Lester Wolff (D-NY) while he was a Member of the Congress.

American Legion National Commander Michael J. Koguteck joined Wolff and Representatives of other veterans and service organizations that helped collect the signatures in a press conference following the turnover ceremony.

Wolff is Chairman of the House of Foreign Affairs Committee's Subcommittee on Asia and Pacific Affairs, whose task force on POW/MIA solicited the signatures "to demonstrate to the Vietnamese that the American people have not forgotten our men." ★

CURP OF OCT 02 79

RNR A

S CT NAME	GRD	C CAS	HOME	TOUR	PP	BNP
V		P	DATE	DATE	PP	
M. VS ANDERSON THOMAS EDWARD	COL	S	621006 SPENARD	621006	03	BNR
N VN KOSLOSKY HOWARD MARK	AN	9	691002 ANCHORAGE	691002	NY	BNR
F VN RICHARDSON FLOYD WHITLEY COL	F	670303	ANCHORAGE	670106	NZ	BNR

STA 3

ALASKA

THE FOLLOWING DOCUMENT(S) MAY NOT FILM
LEGIBLY BECAUSE OF POOR QUALITY OF THE
ORIGINAL.

THE FOLLOWING DOCUMENT(S) MAY NOT FILM
LEGIBLY BECAUSE OF POOR QUALITY OF THE
ORIGINAL.

Statement of

Lieutenant General Eugene F. Tighe, Jr., USAF

Director

Defense Intelligence Agency

on

Prisoners of War and Missing in Action

Before the

Subcommittee on Asian and Pacific Affairs

As Well As The

Foreign Affairs Task Force on Prisoners and Missing in Action

House Committee on Foreign Affairs

December 2, 1980

Mr. Chairman and members of the Subcommittee, I appreciate the opportunity to come before you today to testify on this most important issue. This will make my fourth appearance before this Subcommittee since June of last year. During this period, my staff has continued to keep this Subcommittee current on DIA's ongoing PW/MIA intelligence efforts through a series of informal briefings. I intend to discuss with you the current status of DIA's PW/MIA effort and the course we will pursue in the future.

There are still approximately 2,500 Americans unaccounted-for in Southeast Asia. At the completion of Operation Homecoming in 1973, these individuals were classified as Prisoners of War, Missing in Action, and Killed in Action (body not recovered). The status of most of these 2,500 Americans has since been changed by the Military Services to that of presumed dead. Notwithstanding, there is no distinction between these terms as far as DIA is concerned. We continue to seek an accounting for these 2,500 Americans regardless of the fact that an individual is listed as presumed dead or missing in action. We must pursue, with greatest vigor, our investigations of all reports from or of that area - whether they speak of the missing or the dead. We have no higher priority.

Since 1975, DIA has received approximately 900 reports from Indochinese refugees concerning alleged sightings of Americans, crash locations, grave sites and the handling and disposition of American remains. Of these reports, 290 have been first-hand and approximately 180 have been hearsay live sighting reports. The remaining reports concern crash site and grave site information. Of the about 900 reports from Indochinese refugees, approximately 125 have been

received since my last testimony before this Subcommittee in June, all of which have had follow-up action accomplished on them. These 900 refugee reports are an indication that there is information remaining to be obtained which may assist in determining the fate of those individuals still unaccounted-for.

I continue to emphasize to my people strong command attention to DIA's PW/MIA intelligence research and analysis effort and a close personal watch on all PW/MIA events is provided me, highlighted by reporting to me every single day on our progress in pursuit of reports on the missing. I have insured that DIA's capability to investigate reports of live sightings and crash and grave sites continues at a high level by approving the allocation of an additional three permanent billets to DIA's PW/MIA Branch. I recently emphasized in a personal message to all senior U.S. military intelligence officials worldwide, my keen interest and concern for priority collection and analysis of PW/MIA information. DIA has regularly participated in, and provided intelligence briefings at the four meetings of the Interagency Advisory Group which have been held since my testimony before this Subcommittee in June. As you are aware, the Interagency Group is comprised of representatives of the State Department, Office of the Assistant Secretary of Defense for International Security Affairs, Joint Chiefs of Staff, DIA, National Security Council, National League of Families and staff representatives from this Subcommittee. The main purpose of the group is to insure that priority is given to the PW/MIA issue and that U.S. efforts are coordinated as we continue to press for resolution of the issue. We provide the intelligence upon which decision-makers develop U.S. government policy.

We continue to have an excellent working relationship with the

other U.S. intelligence agencies and the military intelligence organization through near daily liaison and frequent meetings on this very important subject. When required, we've had marvelous cooperation from military personnel of other intelligence services and agencies in assisting in the interview of refugees with knowledge of use to the PW/MIA question. The Defense Attaches in Southeast Asia have received outstanding support from their host governments regarding the search for PW/MIA information. Cooperation from the Joint Casualty Resolution Center has been exceptionally good. The three personnel assigned to the Joint Casualty Resolution Center in Bangkok provide impressive and noteworthy responses to DIA's requests for interviews and follow-up actions. During the past year, these people have interviewed some 400 refugees and accomplished follow-up interviews on approximately 250 reports. They perform a difficult task in an exemplary manner.

Although travel to the various refugee camps in Southeast Asia is time-consuming, Joint Casualty Resolution Center personnel regularly meet the short suspenses we impose.

In addition to the follow-up action accomplished by Joint Casualty Resolution Center personnel, DIA's quick reaction team continues to travel far and wide to see possibly knowledgeable sources and has recently interviewed six Vietnamese refugees in Europe. As you know this DIA team was established for immediate deployment worldwide to debrief potential sources of PW/MIA information. Since just last June, the DIA team members have completed interviews with 25 refugees throughout the continental United States. Nineteen more interviews are in process. In this program, DIA has interviewed 15 Indochinese refugees in four European countries and 105 refugees in the United States in the past year. DIA has had no budgetary constraints imposed on travel monies

travel allowances are austere for other purposes.

There are currently a number of reports on refugee sightings of live PWs that we have extensively investigated and others for which follow-up action has been initiated. However, of all of the live sighting reports DIA has evaluated, there are none which can be substantiated relative to Americans being detained against their will in Southeast Asia.

DIA will continue to pursue all information which indicates the location of Americans, regardless of status, in Southeast Asia. In order to assure highest motivation of all DIA personnel involved in this investigative process my approach will always posit that one or more Americans are detained there against their will. In my judgment, no other approach will allow an objective evaluation of evidence or create an environment in which I can be sure that personnel working on this problem are doing everything they can to resolve the issue of unaccounted-for Americans in Southeast Asia.

The Southeast Asian Communist Governments continue to be intransigent on the PW/MIA issue. We know that the Governments in Indochina possess some information about our unaccounted-for people and we intend to continue collecting and analyzing all available information until as full an accounting as possible has been made. In spite of the intransigence of these countries, it is my intent, and I believe my duty, to see to it that DIA pursues each and every report which can help resolve this important issue. DIA continues to put our top emphasis on investigation of information relating to U.S. personnel who might still be held prisoner in Southeast Asia. I have insured that all of the intelligence collection disciplines are brought to bear on the matter.

I do my best to keep the very able Executive Director of the National League of Families informed of all our efforts in pursuing reports of PW/MIA information and the results of our interviews. Additionally, any report that DIA correlates to an individual that is unaccounted-for is provided to that individual's parent service for their use with that individual's next-of-kin.

In summary Mr. Chairman, it has been a pleasure to testify again before this Subcommittee on this most important subject. Let me assure you of DIA's resolve as unwavering. We will continue to provide a dedicated and professional effort directed toward the resolution of this issue. We will aggressively pursue every lead and leave no stone unturned in our quest to determine the fate of the U.S. personnel unaccounted-for in Southeast Asia. I consider as I know you do - that to do any less would be both unconscionable and unforgivable.

My staff and I will continue to cooperate closely with your subcommittee task force.

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ORIGINAL.

HJR

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COMMITTEE REPORT

HOUSE

To Clerk's office with CS 3-17

FURTHER:

2/6/81

(5)

HJR 11

Date: 3-13-81

Mr. Speaker:

The Committee on STATE AFFAIRS has had HJR 11

Recognizing the service of Vietnam war veterans and calling on the federal government to establish programs benefiting those veterans

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HJR 11 same title
 new title
- and recommends CS HJR 11 DO PASS
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Wille

CHAIRMAN

A M E N D M E N T

OFFERED IN THE HOUSE:

By: MOSS

To: _____ HOUSE BILL No. HJR 11

SENATE BILL No. _____

PAGE: _____

LINE: _____

Page 1, lines 13-15 are deleted.

Page 1, line 24: insert "and publicize" after the word "reactivate".

Page 2, line 1: Add the following before existing text:

Further resolved, that the legislature deploras and decries the most recent actions of the federal administration to cut or eliminate major programs that have provided service to the Vietnam veteran, and urges immediate action to rescind these planned cuts.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Joint Resolution No. 11
 Title "Recognizing the services of Vietnam war veterans"
 Requested by Commissioner's Office Date 2/12/81

II. FISCAL DETAIL

Agency Affected Dept. of Health & Social Services
 Program Category Affected Division of Mental Health & Developmental Disabilities
 BRU, Program, or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

No cost impact is foreseen to the Department of Health & Social Services as a result of this legislation.

IV. DATE 2/12/81 PREPARED BY Verner Stillner, M.D., M.P.H. V.S.
 AGENCY Division of Mental Health & DD
 Original: Legislative Finance PHONE 465-3370
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) M&B Approval [Signature] Date 2/12/81

POSITION PAPER/Department of Health & Social Services

POSITION PAPER

HOUSE JOINT RESOLUTION NO.11

Resolution: "Recognizing the services of Vietnam war veterans and calling on the federal government to establish programs benefiting those veterans."

The Department of Health and Social Services fully supports House Joint Resolution No. 11.

The increasing awareness of problems relating to exposure to Agent Orange and the recognition of post-traumatic stress syndrome in Vietnam by male and female veterans dramatizes the need for more coordinated and comprehensive federal and state services for Vietnam war veterans.

Department Position: The Department of Health and Social Services fully supports House Joint Resolution No. 11.

Recommended by:

Verner Stillner

Verner Stillner, M.D., M.P.H.
Director
Division of Mental Health and
Developmental Disabilities

Date:

2/11/81

Approved by:

Helene D. Beirne

Helene D. Beirne, Commissioner
Department of Health and Social
Services

Date:

2/17/81



Alaska State Legislature

House

JUNEAU ALASKA

TO: House State Affairs Committee

FROM: Pappy H. Moss *APM*
Representative, District 19

Mr. Chairman and Members of the Committee:

I would like to thank you for scheduling House Joint Resolution 11, House Bill 128, and House Bill 129. I introduced this legislation to address a topic that has been too long ignored by the state.

I have offered amendments for the committee's consideration on all three pieces of legislation before you.

House Joint Resolution 11 calls for the federal government to recognize the service of Vietnam veterans. The amendments would address recent budget cuts in veteran programs by the President's budget director, David Stockman, who, incidently, was attending Harvard Divinity School on a student deferment during the Vietnam era.

House Bill 128 and House Bill 129 are companion bills, and are a temporary and special act. The amendments offered are intended to include Korean War veterans, as well as widowed and orphaned dependents, to a bonus program that was adopted under session laws of the Territory of Alaska for veterans of World War II.

I would like to request the committee, while you consider these bills, to remember the words of Abraham Lincoln in his second inaugural address on March 4, 1865:

"Abraham Lincoln's second inaugural address, March 4, 1865:

With malice toward none, with charity for all. Let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations."

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF LABOR

BOX 1149
JUNEAU, ALASKA 99811

February 13, 1981

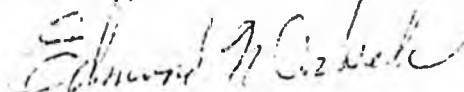
Honorable Mike Miller
Alaska House of Representatives
Pouch V
Juneau, AK 99811

Dear Mr. Miller:

In accordance with AS 44.62.190(a)(6), enclosed is a "Notice of Proposed Changes in the Regulations of the Alaska Department of Labor". The Department proposes to adopt safety and health regulations for access to employee exposure and medical records.

If you have any questions or would like to review the specific changes we are proposing, please let me know.

Sincerely,



Edmund N. Orbeck
Commissioner

Enclosure

NOTICE OF PROPOSED CHANGES
IN THE REGULATIONS OF THE
ALASKA DEPARTMENT OF LABOR

Notice is hereby given that the Alaska Department of Labor, under authority vested by AS 18.60.020 proposes to adopt and amend regulations in Title 8 of the Alaska Administrative Code, dealing with access to and retention of employee exposure and medical records to implement AS 18.60.010, and to provide safety and health regulations that are at least as effective as those promulgated by the U.S. Secretary of Labor as follows:

- 1) Amend 8 AAC 61.260 by adding new provisions to prescribe minimum requirements for the retention of employee exposure and medical records.
- 2) Amend 8 AAC 61.270 by adding new provisions to prescribe minimum requirements for access to employee exposure and medical records maintained by an employer.

The proposed regulations provide for employee, designated representative, and DOSH access to employer-maintained exposure and medical records on employees exposed to toxic substances and harmful physical agents. They further provide that access is assured to employer analyses based on exposure and medical records, and prescribe requirements for preservation of these records, contain provisions for informing employees of their rights under the regulation, and include provisions to protect trade secret information.

Notice is given that any person interested may present oral or written statements or arguments relevant to the action proposed at hearings to be held as follows:

March 24, 1981 9 a.m.:

Division of Occupational Safety & Health
Department of Labor Building
Third Floor Conference Room
3301 Eagle Street
Anchorage, AK 99510

March 25, 1981 10 a.m.:

Division of Occupational Safety & Health
Conference Room No. 2
675 7th Street
Fairbanks, AK 99701

March 31, 1981 10 a.m.:

Division of Occupational Safety & Health
Ketchikan City Council Chambers
334 Front Street
Ketchikan, AK 99901

April 1, 1981 9 a.m.:

Division of Occupational Safety & Health
One Sealaska Plaza
3rd Floor Conference Room
Juneau, AK 99811

Also, any interested person may submit written comments or arguments to the Commissioner of Labor, One Sealaska Plaza (P.O. Box 1149) Juneau, Alaska 99811 before 4:30 p.m. on April 1, 1981.

This action is not expected to require an increased appropriation.

Copies of the proposed regulations may be obtained at the following offices of the Department of Labor or by writing to the Commissioner of Labor:

Division of Occupational Safety & Health
One Sealaska Plaza
P.O. Box 1145
Juneau, AK 99811

Division of Occupational Safety & Health
3301 Eagle Street
Pouch 7-022
Anchorage, AK 99510

Division of Occupational Safety & Health
675 7th Street
Fairbanks, AK 99701

The Alaska Department of Labor upon its own motion or at the instance of any interested person, may at the hearing or after it adopt the proposals substantially as described above without further notice or may decide to take no action on them.

Date: January 28, 1981

Glenn Lundell
Glenn Lundell, Deputy Commissioner
Department of Labor

H-5111

DEPARTMENT OF HEALTH & SOCIAL SERVICES
Intra-Department Route Slip

- Commissioner
- DC, Management Services
- DC, Program Services

- Special Assistant
- Information Officer
- Secretary

- Administrative Services
- Adult & Aging Services
- Adult Corrections
- Alcoholism & Drug Abuse
- Family & Youth Services
- Information Systems

- Management & Budget
- Mental Health & Dev. Dis.
- Parole Board
- Public Assistance
- Public Health
- State Health Plng & Dev.

- Approval / Signature
- Necessary Action

- Information
- File

SUSPENSE NO.	NLT DATE
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- Prepare direct reply w/cc this office _____
- Prepare final reply for Comm signat. _____
- Prepare draft reply for Gov signat. _____
- Comment _____
- Discuss attached with me _____
- Attached also send to: _____

House State Affairs
HJR 11 Vietnam
Vets

1:30 P.M.

Hon. S. Rep Miller

Friday, March
13

From _____ OFFICE OF THE COMMISSIONER
By _____ Date _____

HJR

13

COMMITTEE REPORT

HOUSE

FURTHER:

2/26/81

(5)

Date:

2-26-81

Mr. Speaker:

The Committee on STATE AFFAIRS has had SJR 11am

Relating to actions of the Bolivian government.

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
- and recommends _____ new title
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Handwritten signatures]

[Handwritten signature]

CHAIRMAN

Fact Sheet and Summary for

Senate Joint Resolution # 11 and House Joint Resolution # 13

"RELATING TO ACTIONS OF THE BOLIVIAN GOVERNMENT"

SJR # 11 and HJR # 13 have been introduced to recommend that 1) because of the present Bolivian regime's mistreatment of Americans and brutality towards Bolivians, 2) because of the interruption of the democratic process, and 3) because of the present regime's involvement in the cocaine trade, that the U.S. not re-establish economic or military aid or normal diplomatic relations with Bolivia until these situations are rectified.

I. Background on Bolivia

- A. Bolivia has highest infant mortality rate (157/1,000) and lowest life expectancy in the Western Hemisphere (Wash. Post, July 31, 1980).
- B. Some 5.5 million people live in an area roughly the size of Texas and California combined (New York Times Aug. 14, 1980).
- C. Life expectancy is 47; for tin miners 35 (Financial Times, Aug. 7, 80).
- D. Miners earn less than \$2 a day; income is less than \$400 a year average (Miami Herald, Aug. 26, 80) for population as a whole.

II. Democracy Stifled

- A. Bolivia has seen some 200 coups since it became a country in 1825. However, almost all were accomplished without bloodshed or social unrest and reflected internal power struggles in military until 1952 (Financial Times July 31)
- B. In the popular revolution of 1952, miners defeated the army with dynamite, rocks, and rusty rifles, as well as strikes (The Nation, Nov. 29, 80 p.574).
- C. Since 1952, there have been alternating periods of civilian democratic government and military regimes (Atlantic Monthly Dec. 1980).
- D. In astonishingly fair elections held in July 1980, Hernan Siles Zuazo, for the third time in three years, was elected president. (Atl. Month. Dec. 80).
- E. In response, General Garcia Meza led a coup in July which overthrew the interim government of President Gueiler before Siles could take office (AM Dec. 80)
- F. Venezuela withdraws \$40 million in foreign aid to B., US. suspends \$250 million in aid to B. over a 3-year period. Country in serious economic trouble since its two main legal industries of mining and petroleum have been operating for years by the government at a deficit (New York Times Aug. 6, 80).
- G. Only nations to grant diplomatic recognition to the current regime are Brazil, Argentina, Egypt, Israel, Nationalist China, Paraguay, Uruguay, and South Africa (New York Times Aug 6, 1980).
- H. Organization of American States votes 16 to 3 with 4 abstentions to condemn the coup, the repression of rights, and loss of life (Washington Post July 26, 80).
- I. Bolivia is a pivotal place, being the front door to the democratic Latin governments to the north (Columbia, Ecuador, Venezuela, Peru) and a back door to the military dictatorships to the south (Chile, Argentina, Uruguay, Brazil, and Paraguay.) (Washington Post July 26, 1980).
- J. The repression of the current regime is without precedent in its severity in the history of Bolivia, known for its barracks revolts (New York Times July 25)
- K. Military has democratic elements within it which have also been suppressed. Eg.: On Nov. 25, 1978, a military coup by army commander David Padilla ousted President and former general Pereda; Padilla then announced free elections would be held the following July (1979) so that his government was only transitional (Miami Herald Dec 2, 1978).

- L. Bolivia is one of the few Latin American countries without a recent history of leftist terrorism (New York Times Aug. 10, 1980).
- M. General Meza claims the coup was meant to stop the spread of communism in Bolivia. But NYT correspondent Warren Hoge notes that Bolivian communists are so ineffectual they failed to field any candidate in the June 29 1980 elections, although 14 candidates were running (New York Times Aug 12).

III. Mistreatment of Americans

- A. U.S. official Thomas Watson was shot in the face by armed military cadets, his apartment sacked, and he and his wife detained. (Wash. Post July 20,80).
- B. U.S. Embassy Commissary sacked by military during coup (Wash. Post July 19).
- C. Eighteen Americans imprisoned from several hours to five days, including members of the church, government, business, and the press, and some were threatened with death or mutilation. American consular officials were not notified of the detentions and were refused permission to visit those detained (New York Times, August 15, 1980).
- D. A travel warning was issued against Americans going to Bolivia by the U.S. State Department on July 22, 1980 (NYT, August 15, 1980).

IV. Atrocities towards Bolivian People

- A. The U.S. State Department of July 24 reports widespread and savage torture and killings, repeated and severe beatings, and denial of needed medical attention (Los Angeles Times, July 24, 1980).
- B. The Catholic Church and Amnesty International report up to 2,000 people are being detained in concentration camps (Miami Herald, August 3, 1980).
- C. There was a reported invasion of the small town of Caracoles, where unarmed men, women, and children were gunned down, 900 people missing. The soldiers were instructed to rape women and girls, two of whom were reported to the Archbishop to have died of hemorrhage. Children were forced to eat gunpowder and then lie on broken glass while their mothers were forced to walk on their backs at gunpoint (Miami Herald Aug.23; L.A. Times Aug. 23).
- D. Head of the powerful tin miners union Juan Lechin forced to make a TV statement urging people not to resist, then he was kicked to death by government troops. (Financial Times Aug 7, 1980).
- E. All labor unions are abolished, all universities closed down (LAT Aug. 20).

V. Church Officials Jailed and Degraded

- A. Three priests after being beaten and having pistols stuck in their mouths were blindfolded and made to lie face down in manure-filled stables for three days (New York Times Aug. 14, 1980).
- B. Head of the Methodist Church in Latin America, Bishop Arias, was kidnapped by government paramilitary squads after speaking out against atrocities (Miami Herald Aug. 25, 1980).
- C. Parish houses and churches throughout the country were ransacked (Wash. Post, July 30, 1980).
- D. Among other clergy, two Maryknoll priests were detained, Rev. William Coy of Minnesota and John Moynihan of New York (Miami Herald Aug. 8). Also, Msgr. David Ratterman of St. Louis and Sister Mary Elka of Virginia were among the Americans taken hostage (Miami Herald, Aug. 3, 1980).

VI. Intimidation of International Press

- A. Harold Olmost, the AP correspondent expelled from Bolivia (Miami Herald Aug.4).

- B. Telex and satellite communications abroad suspended, two Reuters correspondents arrested for "slandering" high Bolivian dignitaries (Miami Herald Aug. 7, 1980).
- C. Mary Helen Spooner, an American working as a correspondent for the London-based Financial Times, arrested for filing false and distorting news and threatened with mutilation and death; finally released after 6 days (Financial Times Aug. 14, 15, 1980).
- D. Albert Brun of Agence France Presse expelled for submitting false reports (Financial Times Aug. 27, 1980).

VII. Military Coup assisted by Argentina

- A. Take-over planned and executed by about 30 Argentinian military advisers who have been in Bolivia for 2-3 months (Miami Herald July 28, 1980).
- B. Argentinian officer brags coup was planned in Buenos Aires, Argentina; sixteen more "advisors" arrive from Argentina (Miami Herald July 30).
- C. U.S. State Department official formally accuses Argentina of its involvement (Miami Herald Aug. 31, 1980).
- D. Jack Anderson reports the coup was an Argentine-style operation; it was very carefully planned and was brutal. With 24 hours, the leadership of the opposition parties and trade unions were arrested, killed, or exiled. Men with Argentine accents in civilian clothes appeared to be directing the coup according to inside reports. Argentina has a history of this kind of intervention, having "sponsored" a similar coup in Uruguay some years ago. (Washington Post Aug. 17, 1980).
- E. There may have been as many as 200 Argentine "advisors" present in Bolivia to assist in the coup. (Los Angeles Times Aug. 31, 1980).
- F. For years, Brazil and Argentina have been training Bolivian military officers (Washington Post Aug. 15, 1980).
- G. Current dictator and President General Garcia Meza was suspended from the army for a period in the early 1950's for having been too cruel in the hazing of cadets (New York Times Aug. 13, 1980).
- H. Former Bolivian ambassador to the U.S. says "Argentina especially wants to destroy our democracy because it does not want to share a border with a democratic country;" President Videla of Argentina says that an elected government in Bolivia posed "a high degree of risk because of the possibility that such a government would promote ideas contrary to our way of life and the permanence of military governments." (L.A. Times Aug. 31, 1980).

VIII. Involvement of Government Leaders in Cocaine Traffic

- A. Evidence exists that narcotic traffickers helped finance the July 17th coup and continue to be a major source of financial support (Financial Times Aug. 15, 1980).
- B. President Meza, the President and head of the junta, has received millions of dollars from Jose Baptista, a major known drug trafficker based at Santa Cruz, Bolivia (Wash. Post Aug. 14, 1980).
- C. Colonel Ariel Coca, current Minister of Education, was implicated in the seizure of over 220 pounds of cocaine in Panama in 1979, with an estimated value at over \$2.5 million (Financial Times Aug. 15, 1980).
- D. Colonel Luis Arce, Minister of the Interior and former head of Bolivian military intelligence, has a long known connection with major drug traffickers and has been accused of using his position to undercut national and international drug enforcement efforts (Financial Times Aug. 15, 1980).

- E. "For the first time, one State Department official said,"the drug trade may have bought itself a government." U.S. Senator DeConcini (D.-Ariz.) says "coverage of events in Bolivia is virtually unanimous in characterizing the present regime as little more than an appendage of the criminal organizations that dominate the flourishing international cocaine trade." (Miami Herald Aug. 14, 1980).
- F. It has been estimated that the country of Bolivia exports some \$600 million worth of tin annually, its leading legitimate export; while also exporting some 100 tons of cocaine annually, estimated by U.S. Drug Enforcement Administration officials to be worth \$1 billion in illegal exports, with a New York City street value of some \$50 billion (most of it is sold in the United States). (Miami Herald Aug. 14, 1980).

IX. Strategic mineral wealth of Bolivia

- A. In 1970, the U.S. imported all of its primary requirements for essential minerals such as tin, and more than 90% of its antimony (chiefly used to process and harden soft metals) (US Life Lines, Nov. 1974 Dept. of Navy).
- B. Bolivia and Mexico are the only large sources of antimony in this hemisphere, and Bolivia is the only large exporter of tin in the West (Ibid).

X. Key Time for Input

- A. The United States as a matter of principle supports democratic governments in other countries of the world.
- B. The current administration is reviewing its foreign policy at present, so input on such issues would be timely.
- C. Bolivia receives more foreign aid from us annually than any other country in the Western Hemisphere, amounting to some \$200 million annually in financial and military aid combined. This aid was cut off by our government when the coup took place, and full resumption is under present consideration. Given Bolivia's current serious economic distress and lack of a sound financial plan, such an economic sanction as continued withholding of support could have an important impact. (Miami Herald Aug 26, 1980).
- D. There is a democratically-elected government in hiding and in exile that is waiting in the wings to take over the reins of government if the military government does decide to back down.
- E. The United States Congress had a resolution before it during its last session (HR # 774) introduced by Congressman Ottinger from New York (along with numerous co-sponsors). It was unanimously passed through the House Foreign Affairs Subcommittee but Congress adjourned before it could go any further. Ottinger has since re-introduced the resolution in the 97th Congress, requesting that President Reagan consider continued withholding of aid until certain conditions are met (these are essentially stated in SJR # 11 and HJR # 13). Alaskan support of this resolution is therefore timely and appropriate.

effective than the state farms, located mostly in the west where Poland took land from departing Germans.

Bad weather has hurt Polish crops for two successive years, but the bigger failures, as in the Soviet Union, are in management and the system. The factories, too, suffer from bad management and bureaucratism endemic in Eastern Europe. In Poland, where people are notably more independent-minded than anywhere else in the bloc, mistakes at the top have stirred deep resentment and reaction. In the other bloc countries, the central planning system has caused mostly resentment.

"We are less well organized, less disciplined," a Polish journalist said. "We are more romantic and emotional and more human."

With this national personality and courage, the Poles throughout history have resisted every attempt by outside forces to crush them. They have also rejected attempts by all central authority to force them to conform to a model of behavior imposed from outside, such as Soviet-style central planning.

The workers and the Party agreed on one thing early in their summer negotiations: they had to reach a Polish solution to their problem, Pole to Pole. But months after the summer's excitement, the long-term solutions to their serious problems still elude them. Over and over, thoughtful Poles bemoaned the lack of leadership. "Walesa can get people to go on strike, but he can't make them work," a journalist said. "Everyone loves the Church when it is against the Party, but the Cardinal can't get people to work. And the Party can't do anything."

The pressure is very strong to open the political system to some of the changes suggested by previous Party leaders—competition for Party elections, limits on terms of office, separation of government and Party function, reduced censorship and more public discussion of issues.

Many of these changes could probably be introduced without excessively worrying Moscow. But all of them would further erode Party powers, which have already been substantially reduced. The Party will probably propose at its congress some modest improvements in political life, but it is taking a great risk if it fails to be bold. "The question here is, will the people wait for the Party?" asked an experienced Western journalist.

—MURRAY SEEGER

BOLIVIA: Once More, the Generals Take Over

Since July 1978, Bolivians have endured three coups, three presidential elections, eight presidents, and perhaps the lowest standard of living in Latin America. Not surprisingly, the prospects for a stable, prosperous democracy seem very slight.

"Do you want to be a photographer?" I asked eleven-year-old Rodolfo as his father dislodged pictures of the menacing trucks rumbling through the cobblestone street below.

"No," said his father, sitting back down at the rickety table. The restaurant was deserted, prohibited from serving beer on this second day of a brutal military take-over. "He's going to the military academy so he can become president." Becoming president of this bitterly impoverished, sparsely populated South American country is one thing. Remaining in the chaste gray sandstone presidential palace in La Paz, the world's highest capital city, is quite another.

Depending on how one views the dizzying turmoil (how, for example, to tally the three-man junta that resigned before even being sworn in), there have

been between 189 and 206 coups, countercoups, attempted coups, changes of government, and presidents since Simon Bolivar liberated the country from Spain and established an independent republic 155 years ago. Since July 1978, there have been three coups, three presidential elections—and eight presidents, most of them wearing uniforms, but including the only grandmother ever to command a Western Hemisphere country.

The theater for this succession of personally ambitious, antidemocratic colonels and generals is a landlocked country often called "the Tibet of South America." It sprawls from the tranquilizing, perpetually snow-covered Andes Mountains on the Chilean and Peruvian borders to the steaming Amazon jungle basin the country shares with Brazil. Its 5.5 million inhabitants are among the poorest in all of Latin America. Per capita income—slightly more than \$500 annually—is lower than in any Caribbean, Central, or South American country except Haiti and Honduras. Infant mortality is the highest in the Western Hemisphere; life expectancy (forty-seven years), the lowest. According to a UN survey, the average Bolivian gets only 79 percent of the recommended *minimum* number of calories, the lowest in Latin America, and 20 percent less than what a Haitian eats.

The marketplace at Sucre, Bolivia



BOLIVIA

In many ways, the entire country is poor. The size of Texas and California combined, Bolivia has fewer than 1000 miles of paved roads and the lowest number of cars per thousand population in Latin America. Even wealthy bankers, doctors, and generals back through the gates of their quarter-million-dollar houses onto dirt, or at best brick, streets.

But there are two societies in Bolivia: the small, affluent one of whites and mestizos (mixed Spanish and Indian ancestry), and the culturally rich but economically depressed world of the Quechua and Aymará Indians, who make up more than two thirds of the population.

La Paz, with fewer than 700,000 people, is wedged into a narrow gorge between jagged, gothic-spired mountain ridges more than two miles above sea level. At one end of the city—which has the small-town flavor of a Boise or a Bangor—at a comparatively comfortable 10,500 feet, live the wealthy professionals, their modern, two-story brick houses and properly trimmed, brightly flowered gardens hidden by cold brick walls laced with broken glass, barbed wire, or spikes—more in fear of what might be than of what is. La Paz is a relatively crime-free city with few streets not safe to walk at any hour.

The poor are jammed into adobe huts on rocky hillsides climbing more than 14,000 feet. Their view is exhilarating, but running water, sewage lines, and telephone service have not reached them yet. Groaning trucks loaded with shivering peasants convert these hillside barrios into a cacophony of fruit and vegetable markets hours before the businessmen in their three-piece suits begin the day in recently constructed office buildings. The new high-rises give the city a cautious modern look—but at the cost of intoxicating views of the country's secular god, 21,000-foot, shimmering Mt. Illimani, whose majesty seems to lend Bolivians the strength to continue in this harsh environment.

At the other end of the country—physically and politically—is Bolivia's second-largest city, Santa Cruz (pop. 300,000), a tropical boomtown, bastion of conservatism, home for an expanding number of agro-businesses and rapidly becoming the center for the continent's lucrative cocaine trade.

But most Bolivians live in rural areas, where more than half are not even integrated into the money economy. To see the doctor who comes every fortnight, patients paddle reed boats over the world's highest navigable waterway, Lake Titicaca, or leave their small llama herds unattended for the journey of a day or more. They pay her with eggs, coffee beans, bananas, potatoes, or whatever else they've managed to coax out of their small plots.

On the barren, unrelenting, 14,000-foot-high plateau, a piece of metal lashed to a sturdy stick is the tool for penetrating the rocky soil. On tiny, seemingly vertical hillside plots in the tropical rain forests, women in fading bowler hats—often with children in bright blankets held snugly on their backs—cook in clay pots over open fires. The Indians who support Bolivia's economy mining tin—the country's number-one export—generally live no more than seven years after going underground, where they rarely earn more than \$2 or \$3 a day. But Bolivia's peasants and workers destroy the myth that the poor do not have time for democracy, that food is more important than freedom, that when so much strain goes into earning a living, political debates are a luxury.

Paradoxically, in view of an illiteracy rate that hovers around 50 percent, there are six daily newspapers in La Paz and three in Santa Cruz, in addition to several weeklies—many of which are shut down by military governments. And early in the morning, workers fighting the mountain cold under layers of drab coats, sweaters, and colorful stocking caps have their ears pressed against transistor radios listening to the news. It has been the workers and peasants who have led the struggle for democracy, armed with rocks, anger, and the threat of a general strike. Consequently, within hours after taking over the country in July, General Luis García Meza had imprisoned, killed, or exiled the major union leaders, launched bombing raids on the tin mines, and banned labor unions.

The democratic road

The United States is either praised or damned—depending on the observer's perspective—for its role in trying to help Bolivians along the democratic road, which, like most in this country, has been rocky and imperiled by washouts. The Carter Administration made

Bolivia one of the largest recipients of U.S. economic assistance—almost \$200 million was allotted for 1980—but the spigot was shut off each time the generals bludgeoned their way into the palace.

After a democratic drought of almost fifteen years—a numbing succession of military coups (including six uniformed men playing presidential musical chairs during one twenty-four-hour period) followed by seven years of stability harshly imposed by dictator General Hugo Banzer Suárez—elections were held in 1978.

General Banzer, invited to the White House in 1977, said recently in a private interview, "Mr. Carter didn't send me a letter ordering elections, but we could feel the pressure." At the time, most Bolivians who openly disagreed with Banzer's right-wing policies and repressive methods—among them Operation Condor, a cooperative effort by South America's southern cone dictators to round up political dissidents—found themselves in exile. An international banker and friend of Banzer explains, "The General didn't intend to let any of his political opponents participate in the elections. But under pressure from Carter, the political exiles were allowed to return."

Banzer's military colleagues rejected the idea of his candidacy, and their man won in 1978—but only with the help of fraud so widespread and blatant (the ballots numbered 49,412 more than the registered voters) that even the "victorious" general asked that the elections be annulled.

Two coups followed before one general, seeming to defy Latin American military tradition, allowed elections which returned the government to a civilian in August 1979. The civilian lasted less than three months before a bright young colonel decided it was his turn; more than 200 unarmed civilians died before the colonel was forced to flee in the face of a general strike and international pressure. The country was turned over to Lydia Gueiler Tejada, a grandmother in her sixties, who stunned Bolivians by keeping the generals in their barracks until the elections in late June of this year. A plan for military take-over shortly before the elections was foiled, in part when the United States warned that it would terminate all aid to a military government, as it had after the November 1979 coup.

This time cries of "interference in our internal affairs" came from the

BOLIVIA

right, which demanded that U.S. Ambassador Marvin Weissman be ousted from the country and launched a spray-painting campaign calling Weissman a "pig" and an "imperialist lackey of the toothy Carter," and declaring, "This is not Central America," a reference to the activist roles U.S. ambassadors played in Nicaragua and El Salvador.

In spite of threats by the military and violence by the right—random bombings, killings, and the sacking of the U.S. cultural center in Santa Cruz—the elections were held. Rejecting candidates on the extreme right and far left, Bolivians—in astonishingly fair and honest elections, and for the third time in three years—declared they wanted sixty-seven-year-old Hernan Siles Zuazo to be their president.

Siles, a lawyer, had been a leader of Bolivia's 1952 popular revolution in which civilians, led by tin miners, badly defeated the army. The revolution provided voting and educational opportunities for women and Indians, led to nationalization of most of the country's vast mineral resources, and caused a breaking up of some of the largest haciendas. From 1952 to 1960, Siles served first as vice-president, then as president. During this period, the military college was closed, officer ranks were reduced by 80 percent, and the military budget was cut by almost 75 percent.

The July coup

Few thought the military would ever again allow Siles to don the colorful red, green, and yellow sash reserved for the country's president. From taxi drivers to the businessmen and would-be political pundits who gather for late afternoon chatter in a Vienna-style coffeehouse, the question was not whether but when the generals would deploy their combat-ready army on the narrow streets of La Paz. The answer came less than three weeks before Siles was to be sworn in.

"This was the most organized coup ever," says a veteran Bolivian political observer, who has survived almost a dozen since 1964.

The take-over began with an insurrection in Trinidad, a cattle town of about 35,000 people some 300 miles northeast of La Paz, and quickly spread to Santa Cruz. In La Paz, President Gueiler convened her cabinet, while

half a mile away, in the center of the city, religious, political, and union leaders and the Committee for the Defense of Democracy began meeting in response to the latest military threat.

Just as quickly—and more efficiently—the paramilitary right swung into action. Three ambulances belonging to the government health program pulled up in front of the ramshackle union headquarters. Men jumped out of the back, tossed black, Belgian-made automatic rifles and submachine guns to others who had been standing around reading newspapers, then charged inside and began shooting.

When the palace was stormed—again by heavily armed individuals in civilian clothes who arrived in ambulances—twenty-five reporters were taken prisoner along with President Gueiler and her cabinet ministers.

By midafternoon, paramilitary forces occupied the offices of the major newspaper and had destroyed the Jesuit-run radio station, claiming it was broadcasting subversive information about human rights. The attackers beat the station's director and a reporter, robbed them of their eyeglasses, watches, and money, ripped a crucifix from the wall, then riddled the offices with bullets and smashed typewriters, telephones, and recording booths.

The press had been silenced, nearly all of Bolivia's political, labor, and religious leaders had been captured, killed, or sent into hiding, and an organized resistance had effectively been decapitated. President-elect Siles lived to form an underground government because he had been trapped in the daily just-before-noon traffic jam one block from union headquarters.

"A very efficient military operation," observed a German-born mining engineer a few days after the coup, as he watched soldiers replace the bricks that had been torn from the streets by civilians desperately trying to erect barricades against the Brazilian- and Austrian-made tanks and armored personnel carriers.

But the destruction of democracy involves more than just this beleaguered country. "What is happening here," explains a former Bolivian ambassador to the United States, "will test the leadership of the U.S. and other countries that are promoting democracy, against Argentina, Chile, Paraguay, Uruguay, and sometimes Brazil"—Bolivia's neighbors, all in the hands of military strongmen; only Brazil has shown any

signs of democratic liberalization. "Argentina especially does not want to share a border with a democratic country," he says.

Argentina—the third most populous (after Brazil and Mexico) and one of the most economically solid countries in Latin America—is ruled by General Jorge Rafael Videla, who came to power in a 1976 coup. After the right-wing colonels and generals and their civilian collaborators (some of whom were released from jail to participate in the take-over) robbed Bolivians of their democracy, General Videla declared that an elected government in Bolivia posed "a high degree of risk because of the possibility that such a government would promote ideas contrary to our way of life and the permanence of military governments."

Argentine fingerprints could be observed on the July coup. Empty boxes of ammunition and C-rations stamped "Army of Argentina" litter the barren plateaus in the mining areas, left behind by the troops that brutally suppressed the miners' resistance to the take-over.

"There may be lots of rumors," said a senior U.S. military adviser here, "but it is absolutely certain that Argentina was deeply involved in the planning and executing of the coup. They did everything but tell General Meza the day to launch it." According to information obtained by the Council on Hemispheric Affairs from what it describes as "high-level Argentine military officers," the coup was planned in Buenos Aires, where, among other things, a computerized list was prepared of potential resistance leaders who were to be imprisoned, killed, or exiled.

With the armed forces once again controlling Bolivia, the majority of South America's resources and people are now under the domination of right-wing dictators. It is difficult to assess where this bloc of countries will line up internationally; perhaps they will become a new non-aligned group. Their common bonds are an open contempt for democracy and human rights and resistance to the perceived communist threat.

General Garcia Meza, who long before his coup was openly expressing his determination that the military should run his country, has declared that military control saves Bolivia from "Castro and communism." Argentina's General Videla echoes the sentiment, saying that it is necessary to avoid a "situation

in the heartland of South America that would amount to what Cuba represents in Central America." But except for the military officers and their business backers, who are passionately convinced that university students are Marxists and that union members are by definition communists, it is hard to find anyone in Bolivia who believes the communists have posed any threat to their country since the 1960s, when Ernesto ("Che") Guevara and his paltry band of followers infiltrated the dense jungle.

Bolivia's communist parties are so small and so fractured by internal dissent that they were unable to field a presidential candidate in the recent elections, even though thirteen other parties—including two small peasant groups—did so. And Bolivia is one of the few Latin American countries that has been spared left-wing violence.

Money and cocaine

Asked why Bolivia's generals are so interested in waging political battles, a conservative, pro-military executive answered candidly, "Power and money." "Not political ideology," adds a senior U.S. military adviser in Bolivia. "There probably isn't a communist guerrilla in this entire country."

Colonels, majors, and captains enjoy a life-style far more comfortable than their military salary (less than \$400 a month for a colonel) would allow. Air force planes make shopping runs to duty-free Panama, returning with cargoes of color televisions, Betamaxes, and other luxuries, which grace some of the more expensive homes. Officers' wives go to the markets in expensive automobiles, also ferried into the country at a duty-free saving of several thousand dollars per car.

"Forget politics," said a Santa Cruz executive trying to explain the military's insatiable political appetite and his country's instability. "It's really a dog fight over who is going to control the cocaine traffic." (By some counts, the Indian peasants who stoop to pick the coca leaves in Bolivia's steeply terraced fields bring more than \$600 million a year into their country—considerably more than tin.) A lawyer might not be able to prove the military's involvement "beyond a reasonable doubt," but there is little doubt in the minds of most Bolivians, and the names of several high-ranking military commanders appear in the files of interna-

tional drug-enforcement agencies as suspected leaders of the cocaine trade.

Asked if the Bolivian military was involved in the cocaine racket, a knowledgeable businessman responded tightly. "How can an army colonel own three light planes?" He was referring to Colonel Luis Arce Gomez, the much-feared enforcer of internal security for General Garcia Meza. Picking his words as if walking through a minefield, a U.S. military adviser in Bolivia adds, "Colonel Arce is a businessman who will make money in or out of the military."

Some prominent businessmen have even proposed that the cocaine trade be legalized to shore up the country's economy, which cannot survive without enormous financial assistance. Foreign debt is \$3.5 billion, a staggering burden for such an undeveloped country. The yearly payments consume more than half of the country's stagnating export earnings, or several times more than what international bankers consider safe.

"This is potentially a very wealthy country," explains Ed Derksen, a prosperous international investor here who has shopped U.S. and European money markets on behalf of military governments. He ticks off Bolivia's resources: "Tin, silver, gold, natural gas, cattle, rice, even oil." But the economy has been paralyzed by instability and by corruption when the military is in control. Derksen and many of his colleagues also blame heavy nationalization. By some accounts, 70 percent of the country's productive industries are managed—or mismanaged—by government bureaucrats. All of the country's oil and most of its silver, tin, and natural gas are owned by the state.

President-elect Siles, a leader of the nationalization drives in the early 1950s, agrees that the state-owned companies are inefficient. "They have been managed as fiefdoms of the military chiefs," he argues. Most Bolivian businessmen also rail against Bolivia's labor unions, which are among the most powerful in Latin America, often negotiating for the dismissal of management personnel. In spite of labor's power, however, almost 50 percent of the workers earn less than \$200 a month.

On the other hand, organized labor, led by the charismatic septuagenarian Juan Lechin Oquendo, has used its toughness in the struggle for democracy. A general strike to protest the November 1979 military take-over virtually shut down the country.

More of the same

"What this country needs most," says an international banker exhausted and depressed by all the coups, "is a breath of democracy. And not even so much a good government as a government that will be around for a few years."

But the democratic pulse is faint in the rarefied Andean air. Although many doubt that the current gang will long remain in power (not just a cynical view based on their country's history, but a realistic assessment of the crumbling economy), few expect the people to enjoy a democracy for a long time. There are reports of counter-coup plottings by officers angered because they have been denied their share of the spoils. It is even widely believed that the U.S. would restore aid to a less repressive military regime. But as one bitter Bolivian diplomat put it, a change "will only give us a Himmler for a Hitler."

In isolated mountain villages of adobe huts, dusty roads, squealing pigs, and raggedly dressed children kicking deflated soccer balls, peasants surrounded reporters after the July military rampage. "We don't want this government. We didn't vote for it. We want democracy." But it is almost impossible for the people to fight back. They have few weapons. Bolivia's miners, who held out for several weeks with dynamite, rocks, and rusty rifles left over from World War II, were forced to surrender after bombing raids, a shut-off of food supplies, and brutal attacks that killed mostly women and children.

"They came into the village and fired their automatic weapons into the houses, killing six children including a small child and a schoolteacher," reported an eyewitness. "Then they warned there would be more attacks if the miners didn't shut down their clandestine radio station and return to work."

"We are like a small child who is beaten by a bully," said a young Aymara Indian about his country's military. "All we can do is cry."

—RAY BONNER

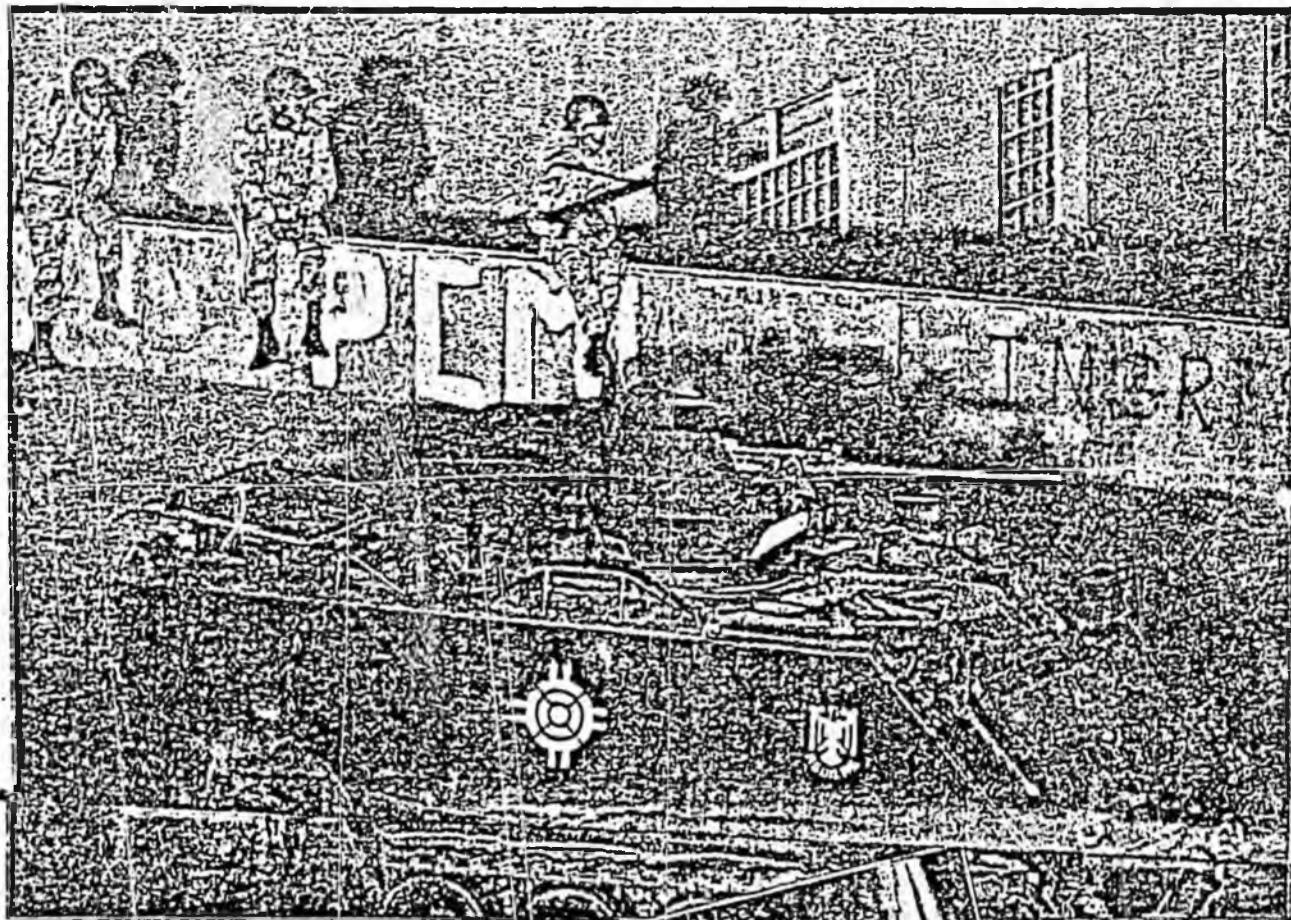
REPORTS & COMMENT CONTRIBUTORS

Murray Seeger has been reporting from Poland for the *Los Angeles Times*.

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A story of terror at the hands of the newest regime

NIGHTMARE IN BOLIVIA



by Mary Helen Spooner

A free-lance correspondent in Latin America for four years, Mary Helen Spooner, 28, of St. Louis, was arrested in La Paz, Bolivia, in August for articles critical of the military junta that had seized power from the government. She is currently writing a book on Bolivia.

There is an office on the second floor of the Bolivian Interior Ministry in La Paz that has a four-by-four-foot storage closet. On the floor of the closet is a burlap-covered straw mattress. The door, which spring locks from the outside, has four or five glass panels that are painted over. But a little light comes in through cracks in the paint.

For six days in August, I lived, ate and slept in that darkened closet while the military regime of General Luis Garcia Meza announced that I was to be tried for "defamatory libel" against the government. Before I was told I would be put on trial, I was repeatedly threatened by the head of the Interior Ministry and several of his officials in the new regime. The physical threats were so explicit—and gro-



The July takeover of the government of Bolivia by the tank-equipped military forces of General Garcia Meza (bottom) was a bloody affair. He is usually long accustomed to coups. To assure his position, Garcia Meza unleashed a campaign of arrests and torture.

It was Bolivia's 189th coup in its 155 years as a nation

tesque—that there were times when I began to doubt I would come out of the ordeal alive. The prospect of a trial was frightening enough. In Bolivia trials are conducted without a jury, and the penalties for such charges as defamatory libel range from three to 15 years in prison. At the time of my arrest, the military government, which had taken power in a bloody coup less than a month before, was about to appoint new judges sympathetic to its rule.

It was Bolivia's 189th coup, by most counts, in its 155 years as a nation: this one was far more violent than most of others. In La Paz selected labor and government officials were seized. In the south the resistance of the tin miners, perhaps the most militant labor group in Latin America, was met with severe force. Miners battled troops with rocks and sticks of dynamite. There were reports that in the mining town of Caracoles, hundreds of people had been massacred by the Army.

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or more than two years Bolivia, the most hernetic and, with Guyana, poverty-stricken nation in South America, a land the size of Texas and California combined and with a population of five and a half million, had been trying to establish a civilian democracy amid coups, countercoups, electoral fraud and deadlocks. But the June 29 elections, which gave a plurality to left-wing moderates: Hernán Siles Zuazo, were described as the fairest in Bolivian history. The congress appeared willing to ratify Siles Zuazo's election, but the military considered him a threat to its existence. He had been president once before and had cut the military budget sharply.

On July 17, the hopes for the new government were shattered by the coup. Siles Zuazo went into hiding. Arrested by paramilitary troops, interim president Lydia Gueller, who had just three more weeks left to serve in her term of office, was forced to give a tearful resignation, which was broadcast over Bolivia's airwaves. The new military junta promptly dubbed itself the "Government of National Reconstruction" and said the armed forces had been obliged to take power because of the "fraudulent" elections the month before and to save the country from "anarchy, international communism and chaos."

A 9 p.m. to 6 a.m. curfew was imposed; the universities were closed; and the government began a massive roundup of opponents, both real and imagined. Most telecommunications with the outside world, including wire services, were stopped. La Paz's airport was closed, and with the nine-hour curfew in effect, all transportation in and out of the country was sharply reduced. Foreigners in Bolivia were ordered to register with the Interior Ministry, and long lines of tourists, missionaries and businessmen formed around the building. The local diplomatic corps, by making a co-

ordinated protest, citing international norms of protocol, avoided this requirement.

Though I was not in Bolivia when the overthrow took place, I had been there for the June 29 elections. From the start I was one of those foreign observers who thought that perhaps this time the country might successfully inaugurate a civilian-elected democratic government and join that club of young democracies in South America made up of Venezuela, Colombia, Ecuador and Peru. When I came back late in July, I had assignments to write articles for various American, British and Canadian periodicals, including *Financial Times* and *The Economist*, and dutifully reported to the Interior Ministry to register myself as a foreign journalist. Other foreign journalists I knew had been threatened or harassed, but I had no reason to be afraid—so I thought. As a free-lancer, I was a small fish, and the fact that I am constantly told I look much younger than I am made me think I would escape notice.

I had not counted on the volatile personality of Interior Minister Colonel Luis Arce Gómez. A former head of Bolivian Army intelligence, he is one of the most frightening figures in the new regime: a peevish, potbellied man in his 40s with unruly black hair and the temperament of a spoiled child. It was widely rumored that he had his own gang of cocaine traffickers, that he had personally tortured countless persons arrested on the vague charges of "subversion," that he had been responsible for a plane crash last June that had killed several members of the Democratic Popular Union, the coalition of parties that backed Siles Zuazo, as well as for a number of other mysterious deaths.

In one article I sent from La Paz I made passing reference to a past cocaine scandal involving one of Arce's business partners, Colonel Norberto Salomon. This had earlier been reported in the Bolivian press, and the government eventually sent Salomon out of the country, as military attaché to the Bolivian embassy in Caracas, Venezuela.

There are many other allegations concerning the junta's drug connections. Among them:

—Junta leader Gen. Luis García Meza is said to have already received millions of dollars from one of the biggest drug traffickers in Santa Cruz, Bolivia's second largest city and the center of the cocaine industry.

—Interior Minister Arce has long-standing contacts with the cocaine trade and has in the past used his influence to undercut drug enforcement efforts in Bolivia.

The cocaine trade brings over \$800 million into Bolivia annually, surpassing even tin, the country's largest legal export. The leaves of the coca plant are sold openly there and used as a brew for tea. Siles Zuazo, in his campaign for president, had promised to combat the illegal cultivation of coca leaves, which U.S. Drug Enforcement Administration officials es-



Upon her release Mary Helen Spencer showed the effects of her six-day imprisonment and the repeated threats to kill her by Interior Minister Arce Gómez (top).

He fumbled with an army knife and said he would cut my head off

ultimate amounts to 27,000 tons a year. One U.S. State Department plan for Bolivia had been a project involving the substitution of other cash crops for the coca plant. But when the military seized power in July, this and other U.S. drug enforcement programs in Bolivia were severely curtailed.

The Garcia Meza government has denied any links to the drug trade. Just as it steadfastly maintains that the June 29 elections were fraudulent and that intervention was necessary in order to save the country. It does not like to have its statements contradicted in the press—especially the foreign press. And it made its point by expelling a handful of foreign journalists. Following the coup, dozens of Bolivian journalists were arrested, interrogated and in many cases tortured. But I thought it would be safe for me to return for another professional visit. I was wrong.

At 6 p.m. on August 6, as I came through the door of my hotel in La Paz, I was arrested. I was ordered to pack my bags, while two plainclothesmen from the Interior Ministry confiscated my books, notes and papers. I was brought to the Ministry, and for nearly eight hours I was interrogated by several different officials, including Minister Arce himself.

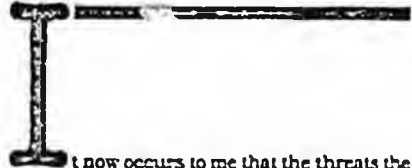
The first of my interrogators, a short, stocky man wearing a hooded green military jacket, who called himself Major Lindsey and told me he was chief of special operations, rummaged through my box of papers, pulled out a copy of a political piece I had written days earlier for *Financial Times* of London and launched into a tirade.

"Why are you telling lies about my country?" he demanded. Did I know I was aiding the subversives and Communists around the world with such stories? Why, he asked, did Americans always do this in other countries? "You were once a great country," he said, "but now you are in decline."

"No one respects you. You are losing all your friends," he added. "Bolivia is going its own way now—we do not need you." And then the threats began.

How did I prefer to die? he asked. By being tossed out of a window several stories to the ground? Would I rather be shot? Had I ever visited a plastic surgeon—because I was going to need one, he said, paring a dagger hanging from his belt.

I said nothing and tried to act as impassive as possible.



It now occurs to me that the threats the Interior Ministry officials made during that long first night of interrogation were terribly reminiscent of vintage Hollywood gangster movies. Later, when I was called upstairs to Minister Arce's office, the comparison between gangsters and Bolivian military officials was brought up by Arce himself.

"Next to me, your John Dillinger was nothing," Arce said to me, grinning at his colleagues, who stood in a circle around us. He fumbled with a Swiss army knife and told me he was going to cut off my head.

I kept very quiet. I was afraid that if I expressed my terror, it would stimulate further mistreatment—in much the same way as blood attracts sharks. If I challenged my interrogators openly, they might carry out their threats just to prove themselves.

They wanted to know my sources and contacts, and I tried to stall. The article that had precipitated my arrest mentioned the well-publicized cocaine scandal. But I did have sources with links to Siles Zuzza. The would-

be president was issuing statements from his hideout calling for resistance to the military government; the day before he had declared a civilian underground government to oppose the Garcia Meza regime.

Eventually I named one diplomatic source, along with several foreign journalists who I knew had already left Bolivia. This seemed to satisfy them. "Throughout the confrontation I tried to portray myself as a naive, simple young woman who did not know very much about anything. I was hoping, as I frantically wracked my brain to remember if I had any material among my papers and notes that would compromise my sources, that my youthful appearance and my captors' machismo would combine to support this impression."

It must have worked. Arce finally, after eight hours, looked around at his colleagues in disgust. "After all this effort we have only captured a fly," he said. "What shall we do with her—cut off her head or sentence her to thirty years in jail?"

At my blink I was led to the storage closet and locked inside. "Wait," I was told.

For the next six days I was kept in that closet, let out only to use the rest room and to meet briefly with U.S. consular officers—who were allowed to visit me two days after my arrest. I was not permitted to bathe or change clothing. As the hours and days passed my mood slowly worsened. I could not stand the way my clothing felt—my jeans were unbearably gritty, the white blouse I had been wearing at the time of my arrest was gray. My jacket was streaked with dust, and my hair had separated into a greasy straggled mess.

I tried to think about other things. I thought about the U.S. embassy hostages in Iran, about Billy Hayes in *Midnight Express*. Then I thought about the thousands of Latin Americans who through innumerable political changes had undergone the most brutal of torture and confinement. Did I have so much cause for despair? Through it all, I kept being afraid Arce would come back.

Though I didn't know it, my editors from *Financial Times* and *The Economist* had arrived in La Paz from London to try to negotiate my release. A deal was struck: they would read a signed statement lamenting the situation their correspondent had caused—and the three of us would then be able to leave the country.

Late in the afternoon on Tuesday, August 12, I was led, escorted, from my closet and driven to the offices of *Proceso*, Bolivia's largest daily newspaper. I was taken to a room and once again told to wait.

Suddenly the door to the room flew open. I was shoved before a crowd of photographers and reporters for one confusing moment, and then my editors from London appeared and hurriedly led me away.

The next morning we flew to Peru. On that day the U.S. State Department began to present its own evidence of the Garcia Meza regime's drug links, generating, I hope, huge amounts of "defamatory libel" against Bolivia's fracturing and repressive rulers. ♣



In Lima, Peru, Spooner was happily greeted at the airport by American free-lance journalist Ray Bonner, who earlier had narrowly escaped arrest in Bolivia.

On Bolivian Atrocities

From Herald Wire Services

LONDON — Amnesty International says it has a witness's account of killings, abductions and rapes by Bolivian troops in the aftermath of the July 17 military coup.

The Nobel Peace Prize-winning human rights organization said the atrocities occurred Aug. 4 in the mining town of Caracoles, 166 miles southeast of the Bolivian capital, La Paz.

As many as 900 persons disappeared after the attack, Amnesty said, although it was not known how many died and how many were detained.

The report marked the first Amnesty attempt to document alleged atrocities during the post-coup security crackdown by the government of Gen. Luis Garcia Meza.

IN LA PAZ Thursday, the Council of Bolivian Bishops strongly protested an official campaign to discredit the Archbishop of La Paz.

Msgr. Jorge Manrique, an early and outspoken critic of the Garcia Meza government.

Msgr. Manrique has accused the armed forces of "executing" its opponents and denounced a series of human rights violations, including the "arbitrary arrests" of about 2,000 persons. The government says no more than 500 were detained.

"We protest and firmly reject the absurd campaign against such a dignified pastor, which has been carried out through insulting statements, contradicting the truth, and through unjust and threatening expressions," the bishops said.

They added that "very high officials of the government have made frequent and baseless attacks" against the archbishop.

Interior Minister Luis Arce has called Msgr. Manrique a "well-known agitator," threatening, "if we have not yet detained Manrique it is because of his age, but everything has limits."

IN LONDON, the Amnesty International report said the organization's efforts to get more information about the reported troop brutality in Caracoles were being hindered by a clampdown on communications and press reporting.

Amnesty said the Caracoles report, filed Thursday, was the most detailed of a number of reports of violence against unarmed civilians in Bolivia's tin and copper mining areas, where there were attempts to organize strikes and opposition to the coup.

The Amnesty report said the Max Tolo regiment of the Bolivian army, based at Viacha, used artillery, planes and tanks to bombard Caracoles.

Amnesty, quoting the unidentified witness, said miners attempted to resist by stoning the troops.

TROOPS PURSUED fleeing civilians, killing an unknown number, beheaded some corpses before loading them into three army trucks, and disposed of others by throwing them down wells, the report said.

They raped an unspecified number of women and girls and killed one miner by stuffing gunpowder into his mouth and blowing him to pieces, the Amnesty report said.

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Bolivia Denies Violating Rights

Bolivia's new military regime lashed Amnesty International's accusations that it violated human rights as "bold lies" and "Marxist propaganda." The accusations included summary executions, arbitrary arrests and torture. Meanwhile, the junta agreed to release an American journalist, Mary Helen Spooner of St. Louis, jailed for violating new press laws. Editors of two British newspapers for which she did free-lance work flew to La Paz to express regrets over the situation. They said her report was not published.

18 Americans Have Been Held

WASHINGTON, Aug. 14 (Reuters) — Eighteen American citizens have been detained in Bolivia for periods ranging from a few hours to five days since the military coup last month, a State Department spokesman said today.

American officials were not notified of the detentions and, except in one case, consulate officials were refused permission to visit those held, the spokesman said. He added that as far as he knew no Americans were being detained in Bolivia now.

Bolivia General Unleashes Terror In Consolidating the Army's Rule

By WARREN HOGE

Special to The New York Times

LA PAZ, Bolivia, Aug. 9 — Since the military under Gen. Luis García Meza Tejada seized power in Bolivia on July 17, hundreds of Bolivians have been arrested and tortured.

Hundreds more have become fugitives, including businessmen who held meetings with politicians and youngsters who fashioned street barricades out of paving stones in the days after the coup. They move from secret dwelling to secret dwelling each night trying to elude government agents.

Participants or witnesses have told of incidents that illustrate life in the country since the generals prevented the winner of the June 20 elections, Hernán Siles Zúñiga, from assuming office.

In one episode, three young priests were blindfolded and seated side by side in the headquarters of the Tarapacá armored regiment on a windy ridge overlooking this capital. Officers thrust the barrels of their pistols into the priests' mouths. Nearby, another officer fired into the air and a soldier threw himself noisily to the floor, screaming in simulated pain.

Ordeal at Army Headquarters

This gruesome game completed, the three shaken clerics were taken to military headquarters in downtown La Paz where they were made to lie face down for three days in manure-filled stables.

A shoemaker from the hillside slum of El Alto Norte was picked up, for no stated reason, by the army one recent Sunday and taken to the city's new soccer stadium. There he was beaten with rifle stocks and forced into a dressing room so packed with other prisoners that the men had to sleep standing up and relieve themselves in place.

After two days, soldiers pinned left-wing party legends on the chests of 15 of them, took them in a truck to a nearby cliff and lined them up. The shoemaker, tumbling into a crevice below the precipice in the midst of the ensuing murderous fury, was the only one to live to tell what had happened. The Government reported that 14 men had died trying to storm a prison.

In the town of Huancani, in western Bolivia, a young soldier trained his rifle on

the shack of a miner involved in the strike protesting the military coup. When he hesitated in firing, his commanding officer ordered him to get on with it. The youth explained that it was his own house. His parents and several brothers watched in horror from the window as the officer shot the young man in the head.

A 16-year-old boy was trampled into a room at the Miraflores army headquarters in La Paz and ordered to lower his trousers. An officer holding a kitchen knife approached. Either the youth would go on television and testify that he was making bombs for the leftist political party that had won the just-completed elections or the officer would butcher his genitals, he was told. That night he became one of three similarly threatened people to make his "confession" before the cameras.

Coups, some 200 of them, have come and gone with such frequency in this nation of 5.5 million people that commentators have often described its political life in comic opera terms. In one three-day period 10 years ago, the country had three separate presidents.

General García Meza, on the other hand, has been deadly serious since taking power. In his zeal to root out what he says are "Communist extremists" in Bolivia, he has created a harsh society devoid of personal liberties. All television broadcasts now emanate from the Miraflores headquarters, and the La Paz daily *El Diario* heralds the junta's cause enthusiastically.

On the same day this week that the newspaper was headlining General García Meza's pledge to respect human rights, military guards delivered so many kicks to the kidneys and spleen of the Rev. Julio Turiso Javier, head of the Bolivian Permanent Assembly on Human Rights, that, according to fellow prisoners later sent to the Papal Nuncio's house for deportation from the country, he is not able to urinate.

Foreign correspondents have been

threatened repeatedly with death, followed by paramilitary thugs, and, in one case, arrested and held for trial.

The most feared vehicles of destruction are no longer the tanks that have traditionally been rolled into the presidential palace square to oust an occupant in whom the military has lost confidence but commandeered ambulances and Toyota jeeps with their license plates removed and members of General García Meza's anonymous "paramilitaries" inside. People joke grimly in La Paz these days, "If I'm hurt, please don't call an ambulance." People forced to take a ride in them are often never seen again. They "disappear" in the manner that Argentines, Brazilians, Chileans, Paraguayans and Uruguayans have become accustomed to under the military dictatorships after which Bolivia today is modeling itself.

As in those countries, life appears to go on untroubled. The street markets pulsate with activity and tourists intent on outings in the spectacular mountain settings meet each other heartily each morning in hotel coffee rooms dressed in knee-high cable-knit socks, hiking boots and bulky alpine sweaters.

But away from the city center, Bolivians are being picked off street corners, removed from their cars, or intercepted on their way to work and spirited away to jails and detention camps.

Repression Is Called Essential

The country's security chief, Interior Minister Luis Arce Gómez, has admitted to holding only 500 political prisoners, but the Archbishop of La Paz, Jorge Manrique, said the correct number is 2,000.

There can be no mistaking that the García Meza regime has chosen intimidation of its opponents as a deliberate policy. A construction company executive who is expected to head a key agency in the new Government explained:

"We must have repression until we have complete control of the situation. But ask you, if you were the military institution, what would you do? You should put on a uniform for a second and think about it. Of course the policy creates resentments. People don't like the 9 o'clock curfew or the constant demand for identity cards. But we must create discipline. There is no alternative."

He recalled the November seizure of power by Col. Alberto Natusch Busch that failed after 16 days in the face of organized popular opposition. "The problem with Natusch was that he came in and said the labor federation can stay open, human rights will be honored and

Bolivia Expels 3 Marines

LA PAZ, Bolivia—The government ordered three U.S. Marines out of the country, apparently because of an argument in a hotel bar.

The U.S. Embassy confirmed the expulsion order. Witnesses at the hotel said several Marines argued with unspecified other patrons at the bar Monday night. Heavily armed Bolivian soldiers rushed in and took the three Marines away, the witnesses said.

The newspaper *Ultima Hora* reported that the minister of interior had ordered the expulsion "because the Marines had insulted Bolivia."

From news services and staff reports

Don't Go to Bolivia, You Might Get Jailed, U.S. Citizens Warned

WASHINGTON — (UPI) — The State Department has issued an urgent warning to U.S. citizens to avoid travel in Bolivia, saying 18 Americans have been arrested and released by military authorities in the Latin American nation in the past month.

Spokesman David Passage said Thursday that the U.S. Embassy was denied access to the 18 Americans, whose period of detention ranged from a few hours to five days.

"We advise Americans against travel to Bolivia at this time," Passage said.

He also said that the department has recurring reports of mistreatment and torture of Bolivian citi-

zens by the military government of Gen. Luis Garcia Meza, which ousted the nation's civilian government in July.

"These reports look to be in the pattern of human rights violations," he said. "We continue to deplore it."

He also said that reports of "Argentinian complicity" in the Bolivian military coup persist, adding, "These reports are of concern."

The United States has stopped its military assistance program to Bolivia, cut back on economic aid and stopped its drug enforcement program because "There is no reason to expect the cooperation of the Bolivian government," officials have said.

Pirate Kingdom

UNHAPPY BOLIVIA—poor and divided in the best of times, and now fallen into the hands of a junta with close ties to the international drug traffic. The Carter administration began cutting down its aid to Bolivia last month, a few days after the coup. Now the State Department is pulling out all of its narcotics control programs. "We have no basis to expect the kind of cooperation from the Bolivian authorities that makes it worthwhile to continue," a State Department official dryly observed.

Bolivia is becoming the nightmare state in which the underworld takes over the government. The process, incidentally, is not a gentle one. There are now perhaps 2,000 political prisoners, according to a leading clergyman, and the stories of sudden disappearances and torture are multiplying. That is why the new government has been harassing and threatening the few foreign news correspondents remaining in the country. It wishes to choke off all reporting of these practices.

Any country that organizes itself as a haven for criminal activity becomes a menace to all the others. If a clique of generals can seize a government, run up the skull and crossbones and turn their land into a pirate kingdom, they become an active danger to every other government struggling to enforce international

law and, in this case, stamp out the drug trade. Unfortunately, Bolivia fits into a larger pattern.

South America is now divided, politically, into two zones. In a crescent along the north and west lie the three democracies, Venezuela, Colombia and now Peru. Below that line, the continent is ruled by military governments that vary only in the degree of their authoritarian repression. The first foreign government to recognize the new Bolivian regime was Argentina's, which has been providing generous aid and technical assistance to Bolivia's secret police. Recognition came next from Brazil, which has been training Bolivian military officers. Then came Paraguay, a simple dictatorship in the style of the last generation.

Bolivia is conceivably the world's least stable state. It has been through some 200 coups in its century and a half of independence. To explain the latest of them does not require any theory of foreign subversion. But to the extent that Bolivia's neighbors—particularly Argentina—now support the junta in La Paz, they must accept some measure of responsibility for the evils that will flow from its involvement in the drug business. Even Argentina's military men might ask themselves whether it's not a high price to pay for the stifled silence that now passes for political order in most of South America.

Bolivians Kidnap Bishop.

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AUG 28 1980

801

Methodist Official Reports

SAO PAULO, Brazil — (UPI) — Bolivian paramilitary squads have kidnaped the executive secretary of the Methodist Church in Latin America, the head of the Brazilian Methodist Church said in Porto Alegre Wednesday.

Bishop Mortmir Arias was abducted Monday by plainclothes gunmen at the airport of Cochabamba, some 150 miles southeast of La Paz, Brazilian Methodist Bishop Sady Machedoda Silva said.

He said the reports reached Brazil via church sources in Geneva, Switzerland.

In Geneva, the World Council of Churches Wednesday urged Bolivian military authorities to release Bishop Arias.

"We request the immediate release of [the] Rev. Dr. Arias and ask all churches to join in prayer for him and the Bolivian people," WCC general secretary Philip Potter's message to the Bolivian authorities said.

Arias was in Brazil recently and returned to Bolivia Monday, flying directly to the airport of Cochabamba city where he lived with his family, da Silva said.

He said reports spoke of Arias' family receiving two visits from paramilitary squads while the bish-

op was in Brazil on church business.

"We are going to ask the Brazilian government to make inquiries," the Porto Alegre bishop said.

Da Silva said he had no information of any previous threats made against Arias, a Bolivian citizen, who was Methodist bishop for Bolivia before taking up the post of executive secretary of the Council of Evangelical and Methodist Churches in Latin America.

Gueiler Can't Leave, Regime Says

Herald Wire Services

LA PAZ, Bolivia — The military government has reversed itself and decided that interim President Lidia Gueiler, ousted in the July 17 coup, will not be permitted to leave Bolivia, the newspaper *Ultima Hora* says.

Gueiler gained refuge in the La Paz residence of the Vatican's ambassador to Bolivia shortly after the coup.

Ultima Hora Friday quoted the interior minister, Col. Luis Arce Gomez, as saying that Gueiler had violated the rules of political asylum by making false statements about the new government and that she would not be given safe conduct out of the country.

The junta had said previously that Gueiler, 51, was free to leave Bolivia at any time, but sources close to her family denied that and said she was made a virtual prisoner by the troops around the papal nuncio's home.

Gen. Luis Garcia Meza's regime apparently is angry at statements attributed to Gueiler and passed to journalists in which she denied she resigned voluntarily.

Ultima Hora quoted Arce Gomez as saying, "This is false. She abandoned her post in the presence of Msgr. Alfio Rapisarda, the papal nuncio, former Foreign Minister Gaston Araoz Levy, aides, personnel from the presidential palace and members of the press."

MH

AUG 17 1980

802

Peru Wants Gueiler To Leave Bolivia

LIMA, Peru — The newly seated Peruvian Senate has instructed its president "to take whatever needed steps" to obtain safe passage out of Bolivia for ousted President Lidia Gueiler.

Gueiler, overthrown July 17 in a military coup that brought army Gen. Luis Garcia Meza to power, took refuge in the Vatican mission

in La Paz, waiting for a safe conduct pass out of the country.

"On a unanimous vote, the senate [late Thursday] agreed to instruct its president, Oscar Trelles, to take whatever needed steps so that former Bolivian President Lidia Gueiler may obtain the needed authorization to leave the country," said Sen. Javier Alva Orlandini.

"We hope that Mrs. Gueiler will be able to abandon the nation in a few days."

The legislators' sentiment was shared by Peruvian President Fernando Belaunde Terry, who said Friday that his government was "keenly interested in Mrs. Gueiler, for whom we have always professed a great admiration and respect."

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AUG 18 1980

803

U.S. Priest, Nun Reported Held in Bolivia

From Times Wire Services

LA PAZ, Bolivia—A Bolivian army regiment raided a northern mining town to indoctrinate villagers against communism and beat up two men guarding a church, taking an American nun and priest hostage, a diplomatic source said Friday.

"Prior to picking the two missionaries up, they tore the hell out of the church and beat two villagers who were guarding it," the source said of the raid on Matildi near Carabuco, 100 miles north of La Paz.

The soldiers picked up the American priest and nun along with a Bolivian nun Thursday evening.

sources said. They were part of a mission that includes two other nuns.

La Paz Archbishop Jorge Manrique said later he was informed that Msgr. David Ratterman of St. Louis and the American nun, Mary Elka of Virginia, were brought to La Paz on military orders, along with the Bolivian nun, Carmen Toledo.

"His mission is pastoral," the archbishop said of Ratterman, who he said has worked in Bolivia for 15 years. "It has nothing to do with politics."

Manrique charged that the new military regime, which seized power on July 17, is refusing to let a

church commission visit more than 2,000 political prisoners despite a previous agreement to that effect. Since Gen. Luis Garcia Meza ousted President Lidia Gueiler Tejada from power and then barred her elected civilian successor from taking office, the government has repeatedly attacked the Catholic Church.

In another development Friday, Garcia Meza decreed that all Bolivians are subject to compulsory "patriotic government service."

The announcement means that Bolivians can be called to work for the government for up to two years, doing whatever it sees fit. Refusal could mean spending the time in jail.

"No citizen whose services are needed under the present decree will be excused," the announcement said. It added that those called to serve will be chosen by the Ministry of the Interior, which handles police functions.

Church Demands Bolivia Free 11

LA PAZ, Bolivia — (UPI) — Bolivia's Catholic Church, alleging a campaign of repression by the new military regime, has demanded the immediate release of 11 imprisoned

priests and nuns, including two American missionaries.

Monsignor Jorge Manrique, the archbishop of La Paz, also asked in a statement Sunday that the military account for all those missing after last month's coup as "the least sign" it is respecting human rights.

At least 2,000 people have been rounded up by the military since General Luis Garcia Meza wrested power from interim President Lidia Gueiler in a coup July 17, Manrique said.

"We wish to express our concern not only for our priests but also for the many other people who have been put in jail and are not even allowed to receive visits from their families," Manrique said.

"The authorities should know that the immediate publication of a

list of prisoners, dead and injured people would greatly contribute to a reduction of the tension that hundreds of Bolivian families are living," he said.

The nuns and priests held by the military include David Rattermann, of St. Louis, and Sister Mary Elka, of Virginia, who was working with Rattermann. Diplomats said the American missionaries were arrested during a raid on a church in the northern mining town of Carabuco, 100 miles north of La Paz.

"I am tired of hearing stories of people being tortured," Manrique said. "I have heard stories of people being hung mouth down over human excrement, of the son of a factory union leader who was detained so his father would turn himself in."

Have Bolivian Leaders

Sold Out to Drug Trade?

By JIM ANDERSON

United Press International

WASHINGTON — Government officials say they have evidence that drug traffickers may have bought themselves an entire country — Bolivia.

Carter Administration officials said that there are established financial links between the new military government in Bolivia and drug traffickers and that they fear Bolivia could become a sanctuary for growers and dealers.

Administration officials said the overthrow of Bolivia's democratically elected government in July was a sharp setback for plans to control and cut back the cultivation of coca, the base for the drug cocaine.

THE STATE DEPARTMENT also said Wednesday that it is cutting the size of the staff at the U.S. Embassy in Bolivia because "of the implicit threat posed to our personnel." The department also has halted all drug-enforcement operations because it feels the military junta would not cooperate.

Spokesman David Passage said the regular embassy staff is being reduced to 80 from about 100. The U.S. ambassador, Marvin Weisman, and 19 other embassy personnel were withdrawn in July in a show of U.S. displeasure over the July coup.

"There is an implicit threat to our personnel in the arrests of missionaries and newsmen," Passage said. He cited "several incidents," including one last week in which three U.S. Marines were beaten in a restaurant.

Passage said that incident "raised real questions about whether there was official complicity" in the violence against the Americans.

He said that all drug enforcement-related activities by the embassy have been halted "because we reached the conclusion that the many allegations of the involvement of the government in drug-related activities give no reason to believe that we will get the necessary cooperation from the Bolivian government."

SEN. DENNIS DeConcini (D., Ariz.) asked a Senate foreign relations subcommittee to open an investigation into the links between the Bolivian junta and the "Santa Cruz Mafia," the wealthy Bolivian growers who control the cultivation and sale of the coca plant.

"Coverage of events in Bolivia," DeConcini said, "is virtually unanimous in characterizing the present regime as little more than an appendage of the criminal organizations that dominate the flourishing international cocaine trade."

"For the first time," a State Department official said, "the drug trade may have bought itself a government."

Despite the fresh concern from Washington, it generally is known that growing coca, regardless of the government in power, is a long-established practice in Bolivia.

The arrival of strongman Gen. Luis Garcia Meza in power could affect the size of the coca traffic in Bolivia, but it marked no significant change in the country's already laissez-faire attitude toward cultivation and use of the plant.

GROWN FOR centuries in the semi-tropical valleys separating the high Andean altiplano from the flatlands of the Santa Cruz region, coca has served for more than 1,000 years as a stimulant for mountain Indians in Bolivia, Peru and parts of several other countries. The leaves, which are chewed, are sold openly in La Paz markets.

International preoccupation with the plant has strengthened sharply only in the last decade with the dramatic increase in its exportation as the raw material for cocaine.

The drug, manufactured from Bolivian and Peruvian plants refined in clandestine laboratories in Colombia and other countries, is worth an estimated \$50 billion a year in the United States.

In an interview published Tuesday in The New York Times, Garcia Meza denied that the new regime was involved in drugs: "I would like to remind you that the drug problem in the world is masterminded and financed as a multibillion-dollar operation in the Northern Hemisphere," he said. "We deny emphatically any involvement with this 'drug mafia.'"

Sensitivity to the accusations also resulted in the detention of American freelance writer Mary Helen Spooner, 28, after she filed stories suggesting the involvement of Garcia Meza and other military coup leaders in the cocaine trade.

THE STATE DEPARTMENT long had contemplated a double-edged plan involving substitution of other cash crops for the coca plant and active enforcement of a ban on the plant's growth. Those plans were scrapped when the Bolivian military junta overthrew the civilian government.

"The revolution was not ideological," administration officials said. "It was greed, pure and simple."

The officials believe that the new military government — "which has established financial links, running into hundreds of thousands of dollars, with the Santa Cruz Mafia" — will further facilitate cultivation and sale of the raw material for the international traffic in cocaine.

"As long as this Bolivian government is in power, we can't get at the problem. As long as the traffickers are operating in Bolivia, and the military government is in power, they will have a license to do what they want," administration officials said.

U.S. AND NINE CALL FOR INVESTIGATION

Bolivia accused over drug traffic

BY HUGH O'SHAUGHNESSY IN LONDON AND IAN HARGREAVES IN WASHINGTON

PRESSURE is building in the U.S. and the European Community for a full investigation of reports that Bolivia's new rulers are deeply involved in the international traffic in narcotics, which nets the country nearly \$1bn a year.

The U.S. is closing its anti-narcotics bureau in Bolivia and has withdrawn 40 of its diplomatic staff of 120 in La Paz, the Bolivian administrative capital.

In London yesterday, the Foreign and Commonwealth Office said plans for an ambitious \$45m scheme to aid Comibol, the Bolivian state mining concern, had been cancelled in the light of the July 17 military coup. The scheme was Britain's largest aid project in Latin America.

The Foreign Office added that Britain had been the first member of the EEC to express concern at the takeover by Gen Luis Garcia Meza. The EEC has since dropped discussions of economic co-operation with Bolivia, and Belgium has halted a plan to lend Bolivia \$3m. It is not certain what the voting intentions of EEC member countries will be on applications by the Garcia Meza government for aid from the World Bank and the IMF.

The FCO added that the coup in Bolivia had been condemned outright by the Nine and that Britain's own diplomatic relations with Gen Garcia Meza were being kept at a low level.

Washington, which fought hard in recent months to head off the threatened military coup and ensure that fair and effective elections were held in Bolivia, has stepped up

its actions against Gen Garcia Meza.

The U.S. State Department yesterday advised U.S. citizens not to travel to Bolivia. At least 18 Americans have been detained for varying periods since the coup.

Sen Dennis Deconcini, a Democrat from Arizona and instigator of several anti-drugs efforts in the Western U.S., is calling for a full meeting of the Senate Appropriations Sub-committee for Foreign Affairs to assess the charges against Gen Garcia Meza's government.

Sen Deconcini said information from highly reliable persons - believed to be in the U.S. anti-narcotics bureau and the State Department - had led him to believe that several charges could "on the whole be confirmed." These included, according to the Senator:

- that narcotics traffickers in Santa Cruz helped finance the July 17 coup which put Gen Garcia Meza in power;
- that the drug smugglers had continued to be a major source of financial support for the regime;
- that large payments had been made in person by Sr José Abraham Baptista, a known drug trafficker, both to the general and to the commander of the garrison at Santa Cruz, Bolivia's second city;
- that two of Sr Abraham Baptista's relatives had been made officials in the Bolivian customs service;
- that Col Luis Acero Gomez, the country's Minister of the Interior, had a long connection with major drug traffickers and had been accused of using that position to un-



dercut drug enforcement efforts; • that Col Ariel Coca, the Minister of Education, was implicated in a 100 kilo cocaine seizure in Panama in 1959.

The State Department would not comment directly on any of these matters but said the Bolivian anti-drugs officers had been withdrawn "because it is our feeling that a drug programme would not be fruitful in the current circumstances."

An official added that the department would co-operate fully with any hearings called by the Appropriations Committee. Another government official commented that the people involved in the Garcia Meza government and the allegations against them were not unknown to drug enforcement officers. "What is new is their accession to power."

The U.S. Government has al-

ready suspended economic and military assistance to Bolivia. The Sen Deconcini said, was "a sound response and should be continued until this and other questions are resolved."

The export of coca-based narcotics is now the principal source of export revenue for Bolivia, exceeding that from the country's traditional staple, tin, and other metals and the more recently developed sales of oil and natural gas. Total exports of metals and ore concentrates last year were estimated at \$595m.

Raw coca-leaf has for centuries been used by Bolivians as a mild stimulant in a country where many live at altitudes of over 12,000 feet and where food is often difficult to come by. Coca leaf is openly, legally and readily on sale.

Over the past decade, however, the processing of coca leaves into cocaine paste or refined cocaine has boomed. The trade is centred on the south-eastern city of Santa Cruz, and from there is regularly dispatched to the U.S. often through Colombia or the Caribbean.

A U.S. narcotics officer estimates that Bolivia produces 27,000 tons of coca leaves over and above its "legitimate" needs. Refined into 100 tons of pure cocaine, this would earn \$1bn in export income.

There is no doubt that senior military figures are closely involved in the export of narcotics - a trade which could not continue at its present high level without their ready co-operation.

Bolivian Rivals, One in Hiding, Assert Right to Lead

NYT

AUG 7 1980

783

By WARREN HOGE

Special to The New York Times

LA PAZ, Bolivia, Aug. 6 — Bolivians heard Independence Day addresses today from two men each claiming to be President of this landlocked nation of 5.5 million people.

Gen. Luis García Meza Tejada, who seized power July 17, spoke over national radio before a gathering of uniformed leaders seated in ornate high-backed chairs in a chandeliered ballroom in the Presidential Palace.

Hernán Siles Zuazo, the winner of elections held June 29, issued a statement from his hideaway somewhere within the country. At the time of the military coup, Mr. Siles was headed for almost certain congressional affirmation of his electoral victory and would have taken office today.

General García Meza attacked the Carter Administration for betraying the leadership of President John F. Kennedy and for "shaming its own noble people" by indulging in "negative propaganda that protects its true enemies." The United States has deplored the coup and suspended all aid to Bolivia.

The general denounced the other countries of the Andean Pact, Colombia, Ecuador, Peru and Venezuela, which have also condemned the coup, for being "overprosecutorial" in their attitudes toward their neighbors. He lamented the poor image his National Government of Reconstruction had projected internationally and said it stemmed from distortions.

"Bolivia has encountered a public opinion premeditatedly against it and this cannot have come about through any other manner than the domination of the means of communication by the extreme left."

Mr. Siles declared that he was assuming the Presidency today "in clandestinity as the only and legitimate representative of the Bolivian people." Calling the García Meza regime "the Government of national destruction," Mr. Siles accused it of "cold and calculated repression" and said it would inevitably "crumble because it is illegitimate, antinational, antipopular and antidemocratic."

The Siles address did not reach the airwaves, which are under the military regime's control, but circulated instead in document form. The two counter-addresses marked the only activity of Bolivia's 155th anniversary celebration. The

García Meza junta banned the customary parades.

The junta scored a significant victory last night in its campaign to gain a tight grip on the country. Col. Arturo Dorla Medina, commander of the feared Tarapacá armored regiment quartered on the high plain above La Paz, abandoned his opposition to the military rulers and, in a televised get-together with General García Meza, pledged his "total and absolute respect" for the new Government.

Col. Luis Arce Gómez, the junta's security chief, said that political dissidents now under arrest would be formed into work gangs and sent to Bolivia's eastern jungles to build roads. Colonel Arce disputed reports that more than 1,000 people were being held as political prisoners, saying the correct number was 500.

Continuing its publicity campaign against the United States Embassy, the Government expelled three Marine guards, saying they had refused to pay their bill in a hotel bar and had called Bolivia "a North American colony." A diplomat said the incident appeared to have been a "setup" involving Bolivian intelligence agents.

The Government, which has imprisoned scores of reporters and exiled the Associated Press bureau chief, Harold Olmos, a Bolivian, today ordered the arrest of the Reuters bureau head, René Villegas.

FT

AUG 7 1980

784

Siles Zuazo declares alternative government 'in hiding' for Bolivia

BY MARY HELEN SPOONER IN LA PAZ

SR HERNAN Siles Zuazo, who would have assumed the presidency of Bolivia yesterday if the military had not seized power on July 17, has declared a constitutional government in hiding with his would-be vice-president, Sr Jaime Paz Zamora.

Photocopies of a statement bearing Sr Siles' signature have been circulated by hand in La Paz. The declaration noted that the presidency of Sr Ladia Gueller, the interim President deposed by the military, would have officially ended yesterday, Bolivia's Independence Day. For this reason the new government in hiding was making its announcement on this date.

Citing the norms of Bolivia's constitution, Sr Siles said his government considered itself the legitimate representative of the Bolivian people and would seek support from "all democratic forces" such as the country's congress and labour unions which were dismantled by the military regime of Gen Luis García Meza.

Sr Siles has apparently managed to meet secretly with the surviving representatives of the militant Bolivian workers central (COB) to coordinate plans for a government in hiding. The future success of this scheme will depend upon the clandestine government's ability to gain recognition abroad. Likely supporters include Nicaragua, where Sr Paz Zamora recently attended the anniversary of the overthrow of the Anastasio Somoza dictatorship, as representative of the would-be civil-

ian government in Bolivia. Nicaragua has broken relations with the García Meza regime along with Ecuador, a member of the five-nation Andean Economic Group, which includes Bolivia.

Ecuador, Peru, Colombia and Venezuela are considering sanctions against the García Meza regime and collective recognition of the Siles clandestine government seems a strong possibility in the future.

Meanwhile, Gen. García Meza has moved to quash rumours of divisions within the army's various regiments by visiting the Tarapacá regiment, which was said to be formulating a countercoup against the three-week old regime.

RICHARD L. OTTINGER
24TH DISTRICT, NEW YORK

COMMITTEES:
ENERGY AND COMMERCE
SCIENCE AND TECHNOLOGY

Congress of the United States
House of Representatives
Washington, D.C. 20515

- REPLY, IF ANY TO:
- 2241 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-6506
 - 100 STEVENS AVENUE, SUITE 203
MOUNT VERNON, NEW YORK 10550
(914) 699-2866
 - 77 QUAKER RIDGE ROAD
NEW ROCHELLE, NEW YORK 10804
(914) 235-5600 OR 428-3040

February 9, 1981

Senator Brad Bradley
Alaska State Senate
Juneau, Alaska

Dear Senator Bradley:

I am pleased to provide you with materials concerning the present situation in Polivia. I appreciate your interest in this critical matter, and I wish you the best of luck with your bill in the Alaska State Legislature.

Enclosed you will find a letter circulated to my colleagues in the House of Representatives soliciting support for the Resolution. Also, I have provided a copy of the testimony I submitted to the House Foreign Affairs Subcommittee on International Organizations. As you may know, the Subcommittee (which is Chaired by Representative Don Bonker, from Washington) unanimously approved the Resolution and reported it to the full Committee. Finally, I am sending a copy of the version of the bill which was re-introduced in the 97th Congress just last week. I hope you find these materials useful.

Again, Senator, I thank you for your interest in this matter. Please let me know how your bill fares in the Alaska Legislature.

Sincerely,



Richard L. Ottinger
Member of Congress

RLO/sji

RICHARD L. OTTINGER
24TH DISTRICT, NEW YORK

2241 RAYBURN HOUSE OFFICE BUILDING
(202) 225-6506

COMMITTEES:
INTERSTATE AND FOREIGN
COMMERCE

SCIENCE AND TECHNOLOGY

Congress of the United States
House of Representatives
Washington, D.C. 20515

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NEW ROCHELLE, NEW YORK 10880
(914) 233-8800 or
428-3840

January 30, 1981

Dear Colleague:

In the last session of Congress, I introduced House Resolution 774, which concerns the terrifying situation in Bolivia. The regime that overthrew Bolivia's democratic process has been marked by the violation of human rights including mass arrests, torture of prisoners, seizure and censorship of newspapers, and the intimidation of American citizens. Also, there is overwhelming evidence to suggest that major leaders of the regime play an integral role in an international cocaine conspiracy.

On July 17, 1980, the Bolivian military halted Bolivia's movement towards democracy by overthrowing a civilian interim government in the process of elections when it became apparent that the next President would be a longstanding advocate of constitutional and democratic rule.

Since then, the regime has engaged in a massive and brutal attack on the human rights of all people in Bolivia, including the American community. American and foreign journalists have been detained and harassed. Our own citizens, including diplomatic personnel, have had their lives threatened and their property destroyed. The State Department has advised me that the Bolivian regime has not subsided in its brutality, as evidenced by the murders of ten people (including an unidentified American) according to the New York Times) two weeks ago.

The disturbing incident that brought this situation to my attention was the arrest and the detention of two priests from the Marykroll Mission in Ossining, New York, which is in my district. Despite their subsequent release, these priests were subject to such harassment by the regime that they were forced to leave Bolivia.

In response to these developments, the State Department cancelled \$47 million in economic aid and suspended another \$36 million of assistance. All military aid was terminated. Our Ambassador to Bolivia, Marvin Weissman, was recalled to Washington and has not returned to La Paz. Our embassy staff was reduced to a minimum. There have been no official policy level contacts since the coup. And the Drug Enforcement Agency, citing lack of cooperation by the Bolivian authorities, is no longer functioning in Bolivia.

The bill I introduced last August makes a strong statement in support of American policy with respect to Bolivia. It suggests that the President continue the curtailment of military and economic assistance and the reduced official United States presence in Bolivia until the regime takes certain corrective actions. This expression of congressional support will strengthen the hand of the State Department in dealing with the Bolivian government.

House Resolution 774 was reported unanimously by the House Foreign Affairs Subcommittee on International Organizations a few weeks before the House adjourned in December. I intend to reintroduce the resolution in the coming week. If you wish to cosponsor, or if you have any questions, please do not hesitate to contact Steve Israel at 5-6506.

Sincerely,



Richard L. Ottinger
Member of Congress

RLO/bji

STATEMENT OF THE HONORABLE RICHARD L. OTTINGER

BEFORE THE

SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS

November 20, 1980

Mr. Chairman and Members of the Subcommittee, I would like to thank you for this opportunity to comment on my proposed resolution, House Resolution 774, which concerns the tragic situation in Bolivia. The new regime that overthrew Bolivia's democratic process, has been marked by the violation of human rights including mass arrests, torture of prisoners, seizure and censorship of newspapers, and the intimidation of American citizens.

On July 17, 1980, the Bolivian military halted Bolivia's movement towards democracy by overthrowing a civilian interim government in the process of elections when it became apparent that the next President would be a longstanding advocate of constitutional and democratic rule.

Since then, the regime has engaged in a massive and brutal attack on the human rights of all people in Bolivia, including the American community. American and foreign journalists have been detained and harassed. Our own citizens, including diplomatic personnel, have had their lives threatened and their property destroyed. The disturbing incident that brought this situation to my attention was the arrest and the detention of two priests from the Maryknoll Mission in Ossining, New York, which is in my district. Despite their subsequent release, these priests, who dedicated their lives to improving the lot of the poor, were subject to such harassment that they were forced

to leave Bolivia.

In response to these developments, the State Department cancelled \$47 million in economic aid and suspended another \$36 million of assistance. All military aid was terminated. Our Ambassador to Bolivia, Marvin Weissman was recalled to Washington and our embassy staff was reduced to a minimum. There have been no official policy-level contacts since the coup.

H. Res. 774 makes a strong statement in support of these policies. We cannot sit silent as American citizens are threatened. We cannot sit silent when democratic principles are so blatantly violated. We cannot continue the free flow of aid to recipient nations that embark on policies which contradict our fundamental interests.

This bill enables us to send a clear signal to the world that the United States House of Representatives will not support foreign governments that engage in crimes of such a heinous nature. It is hoped that the bill will strengthen the State Department's hand and encourage Bolivia to return to the road towards democracy, a road that was tragically side-stepped on July 17th.

Thank you.

SEVERE CURTAILMENT OF ECONOMIC ASSISTANCE, AND THE REDUCED OFFICIAL UNITED STATES PRESENCE IN BOLIVIA UNTIL THE REGIME TAKES CERTAIN CORRECTIVE ACTIONS.

Whereas the military regime headed by General Luis Garcia Meza has interrupted Bolivia's progress towards democracy and constitutional government by forcefully overthrowing a civilian government on July 17, 1980;

Whereas the new Bolivian regime has engaged in mass arrests, torture, executions, censorship, repression of civil rights, religious harassment, repression of trade unions, and widespread violence inflicted upon the people of Bolivia;

Whereas the Bolivian regime arrested without charges two American priests from the Maryknoll Mission in Ossining, New York, Father William J. Coy and Father John C. Moynihan, and has subjected them to continual harassment since their release;

Whereas the Bolivian regime has detained and harassed journalists from other countries, including correspondents from the United States;

Whereas the Permanent Council of the Organization of American States has condemned the interruption of the democratic process and human rights in Bolivia;

Whereas the United States has taken significant steps against the regime in Bolivia, including terminating military assistance, severely curtailing economic assistance, and reducing the official United States presence in La Paz, the capital of Bolivia;

Whereas a mission of the International Confederation of Free Trade Unions was detained and mistreated by Bolivian authorities;

Whereas the Inter American Commission on Human Rights has officially deplored the Bolivian regime for failing to respond to its request to visit Bolivia;

Whereas the United Nations International Labor Organization has conducted an investigation of trade union rights in Bolivia;

Whereas commercial banks and international financial institutions continue to provide substantial financial resources to Bolivia in spite of international condemnation of the Bolivian regime;

Whereas the Bolivian regime has significant connections with well established drug traffickers;

Whereas Amnesty International has estimated that at least 1,000 arrests have been made in Bolivia since July 17, 1980, and many are still in detention, and has requested that the new Bolivian regime compile and release without delay a list of those persons imprisoned or killed since the regime assumed power on that date: Now, therefore, be it

RESOLVED, That the President should not reestablish at a normal level an official United States presence in Bolivia, and the President should not furnish any of the military or economic assistance to Bolivia which has been terminated since the new Bolivian regime resumed power on July 17, 1980, unless the President determines that--

- (1) civil and other human rights have been restored to the people of Bolivia;
- (2) the Bolivian regime has committed itself not to arrest, harass, or intimidate United States citizens for political reasons, including United States missionaries still in Bolivia;
- (3) the Bolivian regime has restored the democratic process in Bolivia; and
- (4) the reported involvement of members of the new Bolivian regime in international drug conspiracies has been properly assessed.

ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST Session

HOUSE JOINT RES. NO. 13....

By MALONE, HAYES AND MILLER.

"Relating to actions of the Bolivian government."

Actions of Bolivian government

Introduced in the House ... 2/17...., 19 81

HISTORY IN THE HOUSE

19 81

Feb. 17

Read first time and referred to Committee on

State Affairs

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused
Reported correctly engrossed
Signed by Speaker
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused
Reported correctly engrossed
Signed by President
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

Concurred in Senate amendment thus adopting:
VOTE

Failed to concur in Senate amendment; asked Senate to recede
VOTE

Senate receded from amendment
VOTE

Senate failed to recede from amendment
VOTE

CC appointed by House

CC appointed by Senate

CC adopted by House
VOTE

CC adopted by Senate
VOTE

To enrolling
Reported correctly enrolled
Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

HJR

14

COMMITTEE REPORT

HOUSE

FURTHER: JUDICIARY

2/18/81

(5)

Date: 3/1/82

Mr. Speaker:

The Committee on STATE AFFAIRS has had HJR 14

Urging the United States Congress to propose to the people of the United States an amendment to the Constitution of the United States, or to call a convention for the purpose of adopting the "Liberty Amendment".

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s) same title
- replace with CS for _____ new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING

DO PASS

[Signature]

[Signature]

[Signature]

MEMBERS HAVING

OTHER RECOMMENDATIONS:

[Signature] - DO NOT PASS

[Signature]

CHAIRMAN

ON FOREIGN AFFAIRS

By Willis E. Stone

Founder/Chairman Emeritus
Liberty Amendment Committee—USA

If I were a candidate, I would most certainly have a lot to say about the international mess in which we are involved, and would just as surely be advocating the LIBERTY AMENDMENT, pending in the Congress as H.J.Res. 23 as the best possible way in which we can escape the endless disasters that attend those so deeply involved in the terrifying game of international power politics, with such gimmickery as the SALT agreements.

George Washington warned us against such entanglements. He said, "The great rule of conduct for us, in regard to foreign nations, is in extending our commercial relations, to have as little political connection as possible." He also warned that, "Against the insidious wiles of foreign influence, the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government." But now the concept of "nominalism" has changed all that—and look at the multiple problems we have:

We need not list those problems, nor justify them, but we do need to recognize that we are involved simply because we broke faith with ourselves and our Constitution—and that the complexities will continue to multiply until we get back to first principles—and the only means for doing that, so far as I can learn, is through the adoption of the LIBERTY AMENDMENT pending in Congress as H.J.Res 23, and already approved by eight states.

The second Section of H.J.Res. 23 provides that: "*The constitution or laws of any State, or the laws of the United States, shall not be subject to the terms of any foreign or domestic agreement which would abrogate this amendment.*" This has the legal power to stop any encroachment upon our political or economic activities by anyone or any group or any collection of groups any place.

FREEDOM FROM FOREIGN INTRUSIONS

To really comprehend that, we need to go back to the point of our beginnings as a nation, and remember that the whole purpose of the DECLARATION OF INDEPENDENCE was to establish ours as a nation completely independent of, and totally removed from foreign domination—by Great Britain or any other nation anywhere!

The Constitution was designed to establish a

government to preserve this concept, defend our land and the people upon it from any foreign intrusions, and establish very limited powers of government to engage in treaties (generally commercial) and preserve the rights of Americans throughout the world by fortifying the concepts of equal justice as an essential here, and in the peaceful relationships between nations.

There can be no question about this intention, or the integrity with which it was carried out for more than a hundred years. Foreign powers were then, as they must be today, considered predatory forces in both their attitudes and objectives. The tools and instrumentalities by which despots jockey for power through the seduction of unsuspecting peoples have developed into something of a fine art, although the practices remain about as crude and devious as those of the wooden horse, employed by the Greeks for the destruction of Troy.

Our "foreign aid" program was the "wooden horse" technique, violating every Constitutional principle, that betrayed Nationalist China to the Communists on the mainland, and again more recently when the President, all by himself, with no constitutional authority for it, exercised the Imperial power of a Caesar, given to himself alone, by himself alone, he unilaterally cancelled the existing treaty with Nationalist China. You wonder why we are not trusted, yes even hated, around the world?

NOMINALISM

It is nice to have such a word as "nominalism" to describe and explain these strange exercises and intrigues in international power politics. According to the Random House Dictionary, "Nominalism" is defined as— THE DOCTRINE THAT GENERAL OR ABSTRACT WORDS DO NOT STAND FOR OBJECTIVELY EXISTING ENTITIES, AND THAT UNIVERSALS ARE NOT MORE THAN NAMES APPLIED TO THEM." So now we know!"

Sounds very much like the way Humpty Dumpty explained it to Alice behind the looking glass, saying, in a scornful tone, "When I use a word it means just what I choose it to mean—neither more nor less."

Something of the same really happened once in a debate between a Professor of Political Science and a debater. Both were at the microphone for questions, when a student asked about "absolutes."

The Professor: "There is no such thing as an absolute!"

The Debator: "Are you sure?"

The Professor: "Absolutely!"

The result: Uproarious laughter, at this exercise in nominalism.

DEBAUCHERY OF LANGUAGE

With such a debauchery of our language, through these semantic games that have been played, it is difficult to rationalize meaningful words as having meaning at all, but this is only a political device to explain wars that were not wars, hippie insurrections in the name of peace, campus riots for the sake of education, paying to get rid of our Panama Canal and a thousand other strange inconsistencies in this new game of international intrigue in which we are now involved.

The good will and amity we practiced with other nations became hateful "isolationism." The Peace Corps which was to bring tranquillity to the world has generated enough discord to last this weary planet a hundred years. It is truly amazing how words of true, fixed and clearly defined meaning can be distorted into utterly foreign implications totally antagonistic to the real purpose of the words.

MONTGOMERY WARD SEIZURE

A vivid example of that occurred at the time the federal government, without a constitutional or statutory leg to stand on, seized the Montgomery Ward Company (April 26, 1944) and soldiers recruited to fight Axis tyranny abroad, physically picked up the company's Board Chairman, Sewell Avery, and gave him the heave-ho, setting him down on the sidewalk outside. The then Attorney General, Francis Biddle, justified that fantastic violation of law by saying—"The Government can do anything not specifically prohibited by the Constitution."—and that gave a clear view of the political doctrine of those in power, in complete violation of the oath he and all others in government took to "PRESERVE, PROTECT AND DEFEND THE CONSTITUTION OF THE UNITED STATES."

Until we can again give positive objectivity to the meaning of words, we shall have a difficult time dealing with foreign confusions or our domestic problems. Lulled into a sense of security, that the Constitution would somehow protect us from the folly of our apathy or of the strange distortions called "nominalism," we forgot the terms and purposes of our Constitution. Now we find ourselves in deep trouble. And make no mistake about it, our involvement in trouble is very real—and must be handled.

To find our way through our difficulties we need to define not only "HOW" they should be handled, but for what purpose. The only valid purpose for which we should struggle as a whole people is first for the protection of our people, our country and our government, our Constitution, our institutions of human liberty that we do possess.

LEAGUE OF NATIONS

We have won our way through similar difficulties before, and can again, but this time it will be more difficult in some ways, because the dream of empire through force has become a political ideal of some of those in Washington. It is not new. The President who proclaimed that he had kept us out of war, promptly after his inauguration put us into World War I. We were saved from the following disaster by an alert Senate which prevented our involvement in the evils of a world government scheme of conquest.

Although we had escaped the League of Nations we were indoctrinated during the intervening years to submit to the United Nations, the same scheme warmed over, following World War II, and we are, as a result, deeply enmeshed in the consequent foreign intrigues rather than the peaceful pursuits prescribed by the Constitution, which was designed to keep our interests, foreign and domestic, limited to the purposes of equity and justice for all.

Internationalists dispute this concept of being true to one's self, and thus being true to all others. That is NOT the concept of international power politics, the way it is played. The internationalists contend the way to peace is by force and war and subjugation. But in our experience and history we found that our commitment to defending the interests of equity and justice won for us the longest intervals of real peace any major nation in history ever knew!

FOREIGN "AID"

But with the United Nations, and our submission to the destroyers of our independence and liberty, we joined in the intrigue of international power politics, plundered our own people under pretext of BUYING peace and friendships instead of earning either one—and \$200,000,000.00 of Americans tax dollars went down the drain, unconstitutionally, as "foreign aid."

Two billion of that "foreign aid" went to Iran, and look at the mess there. The trouble appears to grow out of the fact that, while "foreign aid" was highly advertised as "helping people" it did nothing of the kind. Under the protocol of nations in this game of power politics, people do not count. Our "foreign aid" was sent from the "chief of state" in our country to the "chief of state" in other countries. The people in Iran didn't get it—the Shah did! Two Billion Dollars of it! And you can guess that the "chief of state," wherever he may be, handled the distribution with himself at the top of the list, followed by the Palace Guard and close relatives.

TREATY POWER MISREPRESENTED

And all this violence to our Constitutional protections, to the honor and integrity of every moral and

political standard, is justified on the basis that we have a treaty—and that is that! Objection to such international intrigue, brings out a lot of verbal gymnastics to the effect it can't be helped, and "what are you anyway—an isolationist," and "what's the matter, don't you trust the government" argument. We are also told the treaties are supreme to the Constitution which is the supreme law, but they have never told us why a treaty, or which treaty, is supremest. All this semantic compost is nominalism's reversal of real meaning, putting us at the mercy of those who arrange treaties, and we are told that we should go along to get along. People are already being thrown in jail for disagreeing with such violations of the Constitution.

WHEN ARE TREATIES VALID?

The Constitution is clear. But the Constitution is ignored. Article 6, Clause 2 of the Constitution declares that—"THIS CONSTITUTION, AND THE LAWS WHICH SHALL BE MADE IN PURSUANCE THEREOF; AND ALL TREATIES MADE, OR WHICH SHALL BE MADE, UNDER THE AUTHORITY OF THE UNITED STATES, SHALL BE THE SUPREME LAW OF THE LAND."

Read that again! "Treaties made under the AUTHORITY of the United States." Only those treaties made under THAT authority are valid, and therefore able to rank with the Constitution as the supreme law—because the United States has NO AUTHORITY other than that expressly delegated by the Constitution—and nothing can be construed to be more supreme than the supreme law itself.

A treaty, made for purposes outside the authority of the Constitution, exercising powers not vested by the Constitution, can not properly be considered binding in any way. It can not be supreme to the supreme law it violates, and no amount of jabberwocky, or nominalism, can make it so.

BRICKER AMENDMENT

This controversy has raged for many years. The Bricker Amendment was proposed some years ago to rescive the semantic nominalism that was putting us in such difficulties, but the usual betrayal by those in high places to immobilize our Constitution prevailed, yet the problem can now be resolved by the language of the second section of the LIBERTY AMENDMENT—and I am for restoring the supreme law to the status of supreme law again, with statutes and treaties sharing in that status ONLY WHEN THE STATUTES ARE MADE IN PURSUANCE THEREOF, AND TREATIES ARE MADE UNDER THE AUTHORITY of the United States CONSTITUTION.

It is urgent that we get this clarification regarding the force of treaties upon our domestic affairs, and very soon. The alternative to that is that the Constitution, in its presently inoperative condition, can not

protect us from applications of force applied by misconceptions regarding the scope of asserted treaty clauses. Force, applied under such a misconception of verbal gymnastics, can be quite deadly. It has been before in history. So this seems to be the scene of major battles in the election campaigns. Anyone who ducks the issue does a vast disservice to the American people and the cause of "liberty and justice for all" as we say when we pledge allegiance to our flag "and the Republic for which it stands."

TREATY LAW STATUS CLARIFIED

To clarify the status of treaty law, what it is and how far it goes might well be the most important single issue of our time, and certainly one of the most urgent. Strangely, there is no other proposal available that can possibly cope with the necessary clarification of the subject, and the second section of the LIBERTY AMENDMENT does it very completely. Who among us, really loving this land of the free and home of the brave, can find a flaw in it? Read it again.

"THE CONSTITUTION OR LAWS OF ANY STATE, OR THE LAWS OF THE UNITED STATES SHALL NOT BE SUBJECT TO THE TERMS OF ANY FOREIGN OR DOMESTIC AGREEMENT WHICH WOULD ABROGATE THIS AMENDMENT."

It doesn't change the Constitution. It ENFORCES it in the field of foreign affairs. As a candidate or not, I am for this with all the power I can muster, because I believe with all my heart, confirmed by more than thirty years of study to the question, that this reinforcement of our Constitution may well prove the salvation of our country, and in the foreseeable future, it needs, and deserves, the fullest possible support of all voters, and their elected representatives. It is a valid and important issue upon which the destiny of the nation, as well as the election, might well depend.

Here are the states which have already endorsed the LIBERTY AMENDMENT, which is pending in Congress as House Joint Resolution 23.



1. Wyoming 2. Texas 3. Nevada 4. Louisiana 5. Georgia
6. South Carolina 7. Mississippi 8. Arizona.

COMPLETE TEXT OF LIBERTY AMENDMENT

"Sec. 1. The Government of the United States shall not engage in any business, professional, commercial, financial or industrial enterprise except as specified in the Constitution.

"Sec. 2. The constitution or laws of any State, or the laws of the United States, shall not be subject to the terms of any foreign or domestic agreement which would abrogate this amendment.

"Sec. 3. The activities of the United States Government which violate the intent and purposes of this amendment shall, within a period of three years from the date of the ratification of this amendment, be liquidated and the properties and facilities affected shall be sold.

"Sec. 4. Three years after the ratification of this amendment the sixteenth article of amendments to the Constitution of the United States shall stand repealed and thereafter Congress shall not levy taxes on personal incomes, estates, and/or gifts."

★ ★ ★

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AS HJR 23

★ ★ ★

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WHAT FREEDOM?

Excerpt from a speech by Willis E. Stone, Founder and Chairman Emeritus of LIBERTY AMENDMENT COMMITTEE — USA, at a banquet honoring his 80th birthday, Bonaventure Hotel, Los Angeles, Calif. July 21, 1979.

"Romans," said historian Edward Gibbon, "lost the memory of freedom." He didn't say how—only cited the fact and its tragic consequences.

Presumably the blackout of liberty was accomplished then as it is now—through political domination of the avenues of our information and the take-over of the institutions of learning.

As we know, this can produce terrifying results. Remember how the Hitler Youth organizations worked in the 1930's? And the more recent terrorism in our schools? At the peak of the campus riots, one student asked me—"What freedom?"

The reason was not hard to find. His history book barely mentioned the Constitution, gave George Washington one paragraph while giving pages to the pin-up girl of World War II.

Could it be this contrived fading of the memory of freedom under our Constitution opened the door for the massive concentrations of power by those who captured the machinery of government? Did it foster the wild spending, taxing and inflating spree which have been imposed upon us?

But this is changing. The objective programs of the LIBERTY AMENDMENT COMMITTEE, and the efforts of many other constitutionally oriented organizations, plus the fast growing Constitutional Seminars across the country, have made quite a change. As evidence there is California's Proposition #13, several upsets in the 1978 campaigns, and the recent action in Arizona making it the eighth state to formally petition for the LIBERTY AMENDMENT.

All this makes us happy, of course, but we are far from content. One would think, from the sentiments expressed by the people, that every state would be clamoring for a restoration of

our Constitution to full force and effect—and I am sure this would be the case if the people generally were better informed regarding our Constitution, its functions and its character.

But don't blame the people entirely. They have been drenched by the multi-billion dollar propaganda campaigns regarding the infallibility of the government imposed upon us. From experience we know that when folks discuss our Constitution again, they really go to work for it. They still have the will to be free.

Knowing this, we wonder why all the difficulty in unifying this universal sentiment for the defense of Constitutional liberty? Do our presentations miss the main point by dealing with its parts? Have we failed to gain public comprehension of the true character and function of our Constitution because of our own confusion? Do we ourselves really grasp the all important fact that the Constitution itself is that government of law to which we pledge our faithful allegiance? Does the political deception still prevail that just any old statute, directive, regulation or adjudication constitutes law—and therefore supercedes the Constitution?

"What freedom?" the young man asked just as did young men 200 years ago when we had no Constitution. Now they are even asking "What Constitution?" for there is little evidence we have one.

Possibly the best answer to both questions was given years ago by the Court in the case of Thayer vs Hayes (22 Ind 296). The court stated that: "THE FEDERAL CONSTITUTION IS THE GOVERNMENT OF THE UNITED STATES."

A simple statement of fact. Ours is a government of law. The Constitution is that law. That is the way it was intended. Here is the essence of human liberty. The alternative to that is the near fatal presumption that government consists of all those people comfortably situated in governmental seats of power, and that they, like Caesar, are the law. Let us see what the Court in Thayer vs Hayes had to say about this. The Court said:

"THE CONSTITUTION PROVIDED FOR INSTALLING TEMPORARY ADMINISTRATIONS TO ADMINISTER, TO EXECUTE THE

PROVISIONS OF THE CONSTITUTION, BUT IT CONSTITUTED NO BODY OF MEN AS THE GOVERNMENT. IT PROVIDED FOR PLACING MEN TEMPORARILY IN OFFICE TO EXECUTE THE POWER SPECIFIED IN THE CONSTITUTION AND NOTHING MORE."

That deserves emphasis. Those IN Government are not THE Government. They are there solely "to execute the powers specified in the Constitution AND NOTHING MORE." Those last three words—AND NOTHING MORE—give us the key to the solution of our problems. Any exercise of power NOT "specified in the Constitution" is a criminal violation of our organic law of the Constitution and Government.

Those presently in Government administering or building onto the vast empires which have been usurped without being "specified in the Constitution" are violating a sacred trust. To contend that "this is the way things are now" does not lessen the crime nor solve the problem—and the pretense that it is all perfectly legal because the Constitution has been "revised" or "interpreted" to give them these unauthorized "responsibilities," multiplies the corruption.

The process feeds on itself. Example—the top brass in the Internal Revenue Service once said, in a hearing with plenty of listeners, that "It doesn't make any difference what the Constitution or the Statutes say, this I.R.S. regulation is the law."

Back to the Court and its views of this kind of Government in the case of Thayer vs Hayes where it says:

"OFFICERS THAT CARRY ON A GOVERNMENT INDEPENDENT OF A CONSTITUTION, CONSTITUTE BUT A *DE FACTO* GOVERNMENT OF ASSUMED AND UNLIMITED POWERS."

There we have the sharp, clear line of demarcation between the defined powers and functions of Constitutional Government as opposed to the "assumed and unlimited" activities of a *de facto* government, masquerading as a valid government although imposed by force and deceit. When the American people fully comprehend the differentials between

these two antagonistic kinds of Government confronting us, the American people will, I am sure, act swiftly and decisively to restore our true Constitutional government to full force and effect, and outlaw the *de facto* elements that have caused us all so much agony through their flagrant violations of law.

As the American people awake and demand restoration of the virtues and glory of their Constitution, they will get it. This is doubly true when they discover they have the means, and an all powerful weapon in their hands for this fight for the Constitution. It is the LIBERTY AMENDMENT—the only instrumentality available designed specifically for the task of restoring our cherished Constitution to full force and effect. It is pending in Congress as H.J.Res. 23. Eight states have formally approved it. More than 8000 organizations have adopted Resolutions of support, and a recent poll showed 91.3 percent of the people are for it.

The growing support is most gratifying, but we have a great task ahead of us—to build the comprehension of the Constitution into the minds and hearts of all Americans, until it is universally understood. Perhaps that is closer than we might think. There is strong evidence that the restoration of our Constitution may become the great and decisive issue of 1980. I pray it may be so.

★ ★ ★ ★ ★

FREEDOMS FOUNDATION OF VALLEY FORGE presented an award for the above item —“WHAT FREEDOM?”—to Mr. Stone, its author, at a banquet in Fort Lauderdale, Florida, Friday, February 22, 1980.

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TEXT OF LIBERTY AMENDMENT

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9: Indiana (1981)

1. Wyoming 2. Texas 3. Nevada 4. Louisiana
5. Georgia 6. South Carolina 7. Mississippi
8. Arizona

Help the "YES ON 23" campaign:

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Be sure to specify #500 "WHAT FREEDOM?"

Davy Crockett, "The King of the Wild Frontier," was also a guardian of the public treasury, as "NOT YOURS TO GIVE" illustrates.

This classic treatise on public spending is from the Foundation for Economic Education, reprinted from Life Lines

Not Yours To Give

One day in the House of Representatives, a bill was taken up appropriating money for the benefit of a widow of a distinguished naval officer. Several beautiful speeches had been made in its support. The Speaker was just about to put the question when Crockett arose:

"Mr. Speaker — I have as much respect for the memory of the deceased, and as much sympathy for the sufferings of the living, if suffering there be, as any man in this House, but we must not permit our respect for the dead or our sympathy for a part of the living to lead us into an act of injustice to the balance of the living. I will not go into an argument to prove that Congress has no power to appropriate this money as an act of charity. Every member upon this floor knows it. We have the right, as individuals, to give away as much of our own money as we please in charity; but as members of Congress we have no right so to appropriate a dollar of the public money. Some eloquent appeals have been made to us upon the ground that it is a debt due the deceased. Mr. Speaker, the deceased lived long after the close of the war; he was in office to the day of his death, and I have never heard the government was in arrears to him.

"Every man in this House knows it is not a debt. We cannot, without the grossest corruption, appropriate this money as the payment of a debt. We have not the semblance of authority to appropriate it as a charity. Mr. Speaker, I have said we have the right to give as much money of our own as we please. I am the poorest man on this floor. I cannot vote for this bill, but I will give one week's pay to the object, and if every member of Congress will do the same, it will amount to more than the bill asks."

He took his seat. Nobody replied. The bill . . . instead of passing unanimously, as was generally supposed. . . received but few votes, and, of course, was lost.

Later, when asked by a friend why he had opposed the appropriation, Crockett gave this explanation:

"Several years ago I was one evening standing on the steps of the Capitol with some other members of Congress, when our attention was attracted by a great light over in Georgetown. It was evidently a large fire. We jumped into a hack and drove over as fast as we could. In spite of all that could be done, many houses were burned and many families made houseless, and besides, some of them had lost all but the clothes they had on. The weather was very cold, and when I saw so many women and children suffering, I felt that something ought to be done for them. The next morning a bill was introduced appropriating \$20,000 for their relief. We put aside all other business and rushed it through as soon as it could be done.

"The next summer, when it began to be time to think about the election, I concluded I would take a scout around among the boys of my district. I had no opposition there, but, as the election was some time off, I did not know what might turn up. When riding one day in a part of my district in which I was more of a stranger than any other, I saw a man in a field plowing and coming toward the road. I gauged by my gait so that we should meet as he came to the fence. As he came up, I poked to the man. He replied politely, but, as I thought, rather coolly.

"I began: 'Well, friend, I am one of those unfortunate beings called candidates, and—'

" 'Yes, I know you; you are Colonel Crockett. I have seen you once before, and voted for you the last time you were elected. I suppose you are out electioneering now, but you had better not waste your time or mine. I shall not vote for you again.'

"This was a sockdolager . . . I begged him to tell me what was the matter.

" 'Well, Colonel, it is hardly worthwhile to waste time or words upon it. I do not see how it can be mended, but you gave your vote last winter which shows that either you have not capacity to understand the Constitution, or that you are wanting in the honesty and firmness to be guided by it. In either case you are not the man to represent me. But I beg your pardon for expressing it in that way. I did not intend to avail myself of the privilege of the constituent to speak plainly to a candidate for the purpose of insulting or wounding you. I intend by it only to say that your understanding of the Constitution is very different from mine; and I will say to you what, but for my rudeness, should not have said, that I believe you to be honest. . . . But an understanding of the Constitution different from mine I cannot overlook, because the Constitution, to be worth anything, must be held sacred, and rigidly observed in all its provisions. The man who wields power and misinterprets it is the more dangerous the more honest he is.'

“ I admit the truth of all you say, but there must be some mistake about it, for I do not remember that I gave any vote last winter upon any constitutional question.”

" 'No, Colonel, there's no mistake. Though I live here in the backwoods and seldom go from home, I take the papers from Washington and read very carefully all the proceedings of Congress. My papers say that last winter you voted for a bill to appropriate \$20,000 to some sufferers by a fire in Georgetown. Is that true?'

" 'Well, my friend, I may as well own up. You have got me there. But certainly nobody will complain that a great and rich country like ours should give the insignificant sum of \$20,000 to relieve its suffering women and children, particularly with a full and overflowing Treasury, and I am sure, if you had been there, you would have done just as I did.'

" 'It is not the amount, Colonel, that I complain of: it is the principle. In the first place, the government ought to have in the Treasury no more than enough for its legitimate purposes. But that has nothing to do with the question. The power of collecting and disbursing money at pleasure is the most dangerous power that can be intrusted to man, particularly under our system of collecting revenue by tariff, which reaches every man in the country, no matter how poor he may be, and the poorer he is the more he pays in proportion to his means. What is worse, it presses upon him without his knowledge of where the weight centers, for there is not a man in the United States who can ever guess how much he pays to the government. So you see, that while you are contributing to relieve one, you are drawing it from thousands who are even worse off than he. If you had the right to give anything, the amount was simply a matter of discretion with you, and you had as much right to give \$20,000,000 as \$20,000. If you have the right to give to one, you have the right to give to all; and, as the Constitution neither defines charity nor stipulates the amount, you are at liberty to give to any and everything which you may believe, or profess to believe, is a charity, and to any amount you may think proper. You will very easily perceive what a wide door you would open for fraud and corruption and favoritism, on the one hand, and for robbing the people on the other. No, Colonel, Congress has no right to give charity. Individual members may give as much of their own money as they please, but they have no right to touch a dollar of the public money for that purpose. If twice as many houses had been burned in this county as Georgetown, neither you nor any other member of Congress would have thought of appropriating a dollar