

Tells the Facts and Names the Names

# CounterPunch

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## ■ IN THIS ISSUE

### NAVY'S PLAN FOR CHEMICAL WARFARE IN NORTHERN INDIANA

- How A Pentagon Contractor Turns Blue Snow to White
- White House Unveils New Eco-Justice Plan: Blacks First in Line For Cancer and Heart Disease

### FIRST THE DOLPHINS, NOW THE TURTLES

- WTO Strikes Back At Endangered Species Act

### OUR LITTLE SECRET

- Heart of Darkness, Bill's African Adventure
- Latvian Nazis Mar NATO Lovefest
- The CIA's Windfall
- Colliding Nukes
- Grafitti Felonies

## *The War Comes Home!*

# Napalming East Chicago

If all goes according to plan, the Navy will soon begin shipping by railroad 23 million pounds of napalm from a military base in California to a toxic waste plant in East Chicago, Indiana, just across the border from Illinois. There, the napalm will be made into a fuel used by the cement-making industry - a process Navy flacks soothingly refer to as "recycling".

The firm awarded the \$2.5 million contract to handle the napalm is called Pollution Control Industries, or PCI. The company and its owners have compiled a staggering record of environmental crimes during the past 15 years, and at one point, as determined by the US Congress, owned a mob-linked firm. PCI was picked for the job by the Battelle Institute, a navy contractor that has been involved in human radiation experiments.

East Chicago sits in the most polluted corner of the fifth most polluted state in the country. The town is poor and over 80 percent black and Hispanic. Area residents - who suffer from high rates of cancer, heart and lung disease, asthma and infant mortality - are furious about the Navy's plans. "They keep telling us that if everything performs properly there's nothing to worry about", says Betty Balanoff of Northwest Indiana Residents for Clean Air, a group that's been fighting a series of battles against corporate polluters for the past decade. "Well, at that [PCI] plant nothing ever performs properly."

PCI opened its East Chicago plant in 1986. It is licensed to run a "fuel-blending" program that mixes hundreds of dangerous chemicals, including cyanide, mercury and arsenic, to make fuel for industrial furnaces.

It's unlikely that even the most job-starved community in the land would want PCI operating in the neighborhood. The company formerly owned a Kansas City firm called, of all things, PCB Inc. According to a 1989 report issued by the House Committee on Government Operations, individuals linked to PCB were involved in activities such as "narcotics, prostitution, loan sharking, illegal gambling, arson, insurance fraud, bank fraud and extortion". PCB was also accused of falsifying hazardous waste disposal records.

PCI's own record does little to inspire confidence. On at least three occasions in the past few years, residents were forced to evacuate their homes following explosions or fires. People living near the plant say that they have seen "bubbling mud" near the fence and on one occasion snow in their yards turned blue. To cover up the incident, which resulted from a plant spill, company employees fanned out with jugs of bleach in a futile attempt to return the snow to its normal color.

Numerous employees have come forward to accuse the company of a variety of misdeeds. In a series of groundbreaking stories in The Times, a local newspaper, William Lazarus reported that in recent years:

*(Continued on page 5)*

# Our Little Secret

## OUR MAN IN AFRICA

In South Africa President Bill had to stand silently as he was given a public admonition by Nelson Mandela, who chided Clinton for the American government's absurd posture on Cuba. Mandela also denounced the sub-Saharan Africa trade bill that Clinton had come packing, which among other things would require African nations to join the World Trade Organization. Mandela called the measure a "new form of economic colonialism".

These days Clinton no doubt prefers the more forgiving moral counsel of his new prayer partner, Jesse Jackson. The Rev. Jackson showed up on CNN from South Africa, praising the trade bill as a way "to uplift Africa", admiring Clinton's "moral courage" for his repulsive speech on the Rwandan genocide, and attesting to "a great spiritual awakening" in the President.

It was hard to find any news of this in the American papers, but a friend of CounterPunch returning from Paris flourished a copy of *Le Figaro* featuring President Bill taking communion at an Anglican service and enduring a pointed sermon on the topic of fidelity and adultery. This

came almost exactly at the moment that a former Miss America who, after denying it for six years, admitted she had had an executive session with the Supreme Groper, when he was Governor in 1983. Cries of relief went up from Clinton supporters when she added that the sessions had been consensual in nature.

These days any indication that the object of Clinton's advances might have accepted them voluntarily is taken as dramatic evidence of the President's high moral standards. This has become particularly so amid the latest excavations of the President's sexual behavior. Now there are accounts of Juanita Broadrick who, as a nurse back in 1978, when Clinton was Arkansas's Attorney General, attended a convention at the Camelot Hotel. She was blonde and 31. As four friends recall her telling them at the time of the episode, Clinton inveigled himself into her room, seized her, in the course of forcing a kiss, bit her lip to prevent her pulling away, tore her clothes off, threw her on the bed and "forcibly raped her". In the aftermath of this encounter, she went to a friend next door, another nurse, who maintains to this day that Broadrick's lip was cut and swollen to twice its normal size.

## !KUNG SAN

From South Africa Clinton went off on safari in Botswana's Chobe National Park. Clinton's contacts with nature are always rich in irony and false consciousness, perhaps because the vantage point on the natural kingdom most dear to him are the portions of the landscape that can be espied from under the Golden Arches of his favorite fast food franchise. In Botswana, Pres. Bill watched from the safety of his British Land Rover as elephants swam across the river toward Namibia. He lamented that soon these mighty pachyderms might fall prey to poachers. This is the standard line of all major American environmental groups and the franchisers of packaged safari tours, who rejoice as native peoples are evicted from their ancestral lands, as has happened in Yosemite, the Amazon rain forest, the Serengeti, and other choice pieces of real estate to make way for eco-tourists, white hunters, oil companies, politicians in need of a location shot and anthropologists to

pick through the ashes of their cultures.

The elephant "poachers" of Namibia offer a particularly instructive case, all the more so given Clinton's breast beating about genocide in Rwanda. Clinton was told by Botswana park officials that the biggest threat comes from "militant Bushmen", a trumped up charge against a tribe known as the "harmless people".

The !Kung San of the Kalahari are among the most ancient and the poorest peoples of southern Africa. They are also the most brutalized and now teeter on the brink of cultural extinction. Beginning in the early 1800s European settlers placed bounties on the heads of the Bushmen, who were an impediment to their ranching operations. This eradication campaign continued well into the twentieth century. In 1907 Dutch geographer Siegfried Passarge wrote: "What can the civilized human being manage to do with people who stand at the level of the Bushmen? Jail and correction houses would be a reward. Does any possibility exist other than shooting them?"

Today there are something less than 300 San holdouts in the game preserves and grasslands of Namibia and Botswana, where they continue to stake their claim to ancestral lands. At the urging of the ranching industry and some environmental groups, the Botswana government has lost no opportunity to harass the San. In order to draw them out, they have cut off food and medical services. Wildlife officers have tracked down San hunters, tortured them and slapped them into prison for poaching elephants. Many have been rounded up and sold off as migrant farm laborers, while others have been transported to commercial game parks to entertain the tourists. In Clinton's outburst of ecological piety, he passed silently over the ongoing genocide against southern Africa's most ancient tribe.

From Botswana the executive entourage traveled to the west African nation of Senegal. In the capital of Dakar, Clinton dined with Senegalese president Abdou Diouf, who has led the nation for 18 years. The President emerged full of praise for Diouf, touting Senegal's "brisk and vigorous democracy". No doubt buoyed that day by the decision of his former law student, Susan Webber Wright, to chuck out the Paula Jones case, Clinton skated over the obvious: Diouf bears more resemblance to Ferdinand Marcos than to Nelson Mandela. Diouf's regime has been

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charged by international observers with fixing the past two general elections.

While in Senegal, Clinton pledged to funnel more military aid to the Senegalese army and police, which the President said was ready to act as a "rapid response peacekeeping force" for all of Africa. This could not come as a comforting prospect for most Africans, considering the reputation of the Senegalese police, which is known as one of the worst on the continent. Human rights groups have linked Diouf's police squads with thousands of cases of torture and political assassinations. In 1996, five of these fine officers of the law arrested a young woman named Maréme Ndiaye (who was suspected of being part of the opposition group, the *Mouvement des Forces Démocratique de Casamance*), stripped off her clothes, poured lighter fluid on her genitals and set her afire. In another recent case, Amnesty International reports that Senegalese gendarmes cut off a prisoners lips and forced the man to eat them, then the peacekeepers made him drink his own blood, before they coated his naked body in brew of hot oil and molten plastic.

## NATO'S NAZI LOVERS

With Congress expected to soon approve Poland, the Czech Republic and Hungary for membership in NATO, the US military-industrial complex and others are demanding that Latvia, Lithuania and Estonia be included in the next round of expansion. In the midst of all the NATO cheer leading, some 400 veterans of the Nazi-era Latvian SS legion paraded in the Latvian capital of Riga on March 19.

The Latvian government declined to participate in the event officially but the nation's defense minister, Juris Dalbinsh - who would be his nation's representative in NATO — proudly attended. So, too, did many members of Prime Minister Guntars Krasts's fatherland and Freedom Party. President Guntis Ulmanis had no comment on the march other than to denounce mostly Russian counter-demonstrators as "extremists".

The SS march in Riga was little noted outside of Russia and Israel (nearly half of Latvia's 75,000 Jews were killed during the Nazi occupation between 1941 and 1944). Meanwhile, a senate staffer who brought the event to our attention wonders, "If Latvia is admitted to NATO, and a dust-up with Russia occurs over something like this, is the United States obliged to go to

(nuclear) war with Russia?"

## NUCLEAR FUSION

In another ominous affair that was barely noted in the press, two US nuclear-powered subs capable of carrying atomic missiles collided off of Long Island, New York on March 20. The Navy won't say whether the USS Kentucky, a Trident submarine, or the USS San Juan, an attack sub, were carrying nuclear weapons at the time and insists that the crash was no big deal. "This was a minor collision [and] posed no danger to the general public," says a navy spokesman, Lt. Cmdr. Mark McCaffrey.

The affair was viewed with far more alarm by crew members of the two subs, according to a source with first hand knowledge of the collision. "Any time you've got a collision between [vessels] with atomic re-

## In Senegal, Clinton pledged millions of dollars in aid to one of Africa's most vicious police squads.

actors on board, there's a possibility of real problems," says this person.

The Navy has appointed an official board of inquiry to look into the matter. Its report will no doubt be just as vigorous and probing as the CIA's investigation into whether or not the agency was involved with Nicaraguan drug dealers.

## MILITARY JUSTICE

Robert Sherrill says that military justice is to justice as military music is to music. As evidence of this truism-witness the following. Defense contractors, such as Lockheed and Boeing, cited for bilking taxpayers out of tens of millions dollars routinely get off with trifling fines and fat new contracts. But besmirch the honor of the US military's killing academy, the School for the Americas, and you stand to suffer an entirely different fate. Last year protesters at Ft. Benning, GA sprayed graffiti on a sign for the School for the Americas. The cost of repairing the sign was originally estimated at \$800, making the crime a misdemeanor. Not satisfied with this estimate, the military shopped the disfigured sign to other contractors, finally selecting a company that would agree to repair it for \$3,000. A loss to the taxpayer?

No doubt. But the military was quite satisfied, since it could now charge the protesters with a felony. The case goes to trial later this spring.

## HERE COME THE SPOOKS

There is every indication that the Clinton crowd has had it with the FBI. First, there was the unsavory matter of Filegate, where Clinton operatives attempted to blame Louis Freeh's men for the bureaucratic "snafu" that resulted in 900 FBI files mysteriously accumulating in the basement of the White House for casual review by Hillary's favorite bouncer, Craig Livingstone. Then there was Freeh's less than delicate denunciation of Janet Reno for her decision not to appoint an independent counsel to probe the Clinton/Gore fundraising follies. Adding to the strain, of course, are the dozen or so G-men rummaging through Clinton's spreadsheet of peccadilloes for Ken Starr.

The escalating enmity between the White House and the FBI may help explain why President Clinton has moved within recent weeks to carve out new police powers for the CIA and the National Security Council. In early March, Clinton signed a presidential directive placing the NSC in charge of counter-terrorism, a move that will give the intelligence agency broad new powers of surveillance. A few days later, the CIA's budget was quietly hiked by \$100 million. Much of the money will be spent on three new priorities: money laundering, drug trafficking and crimes against the environment.

Freeh is described as being enraged by these recent incursions onto his agency's sacred turf. But the intelligence agencies are ecstatic and find themselves ever closer to their long-cherished dream of once again getting the green light for domestic operations.

## GOTCHA?

Over the past few weeks we have received a rash of letters from CounterPunch readers advising us that we may have been the victim of a hoax. The letters point out that our story on Don Tyson's car being flooded with cement by an angry cuckold has the hallmarks of a well-traveled urban legend. We were aware of this when we first heard the account, but chose to run with it when our source—a former reporter in Arkansas—fervently attested to the tale's veracity, although he admitted that he did not see the defiled sedan himself. ■

## *Al Gore Betrays the Turtles* Secret Panel in Geneva Strikes Down US Law

**R**ight before the 1996 election, vice president Al Gore met with US environmental leaders. One of the few fractious moments in an otherwise tranquil palaver concerned international trade treaties. Ever since the 1993 fight over the NAFTA bill, the green leaders had been uneasily aware that they had too blithely accepted Clinton and Gore's assurances that hard-won American environmental laws would be protected in the famous "side agreements", and that American laws would not be subjected to the arbitrary dictates of some secret international tribunal.

Gore, whose prime function in 1996 was to corral the green vote for the Democrats, was being hounded on the trade/environment issue by Ralph Nader and his comrades in the Green Party. So Gore swore emphatically to the green leaders that, on his personal word of honor, no remote panel of foreign trade judges would ever be given the power to undermine US environmental laws.

So here we are in 1998 and, yes, a secret international tribunal of foreign judges—appointed by the World Trade Organization—has just issued, on March 13, a peremptory order aimed at the very heart of America's most potent environmental statute, the Endangered Species Act. The Clinton-Gore administration, in the form of the US Trade Representative, the US Justice Department and the US State Department, have actively conived in the sabotage.

The World Trade Organization judges found that the Endangered Species Act's provisions protecting seven species of sea turtles constituted "an unfair trade barrier". The complaint eliciting this finding had been lodged with the World Trade Organization, a Geneva-based entity created by the Global Agreement on Trade and Tariffs (or GATT), by Thailand, Malaysia, Pakistan and India. The reason for their complaint had to do with a hugely profitable industry—shrimp.

The shrimp nets used by trawlers are several hundred yards wide and often

ensnare other sea creatures, particularly turtles. Over the past two decades as many as 200,000 sea turtles a year have perished in this fashion. Then, after energetic campaigning in the United States, the federal government was forced to place seven species of sea turtles on the endangered list.

The American shrimping fleet was ordered to place on their nets something known as a "turtle-excluder device" or simply a TED. The TED is little more than a metal grate that looks like a barbecue grill that allows shrimp to be net-

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**The same Clinton administration lawyers who had fought against sea turtle laws in US courts pretended to defend them before the WTO.**

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ted and turtles to escape. It's a cheap device that costs as little as \$50 and which shrimpers can easily attach on their nets themselves.

In 1989 the provisions of the Endangered Species Act were extended to apply internationally. For the sea turtles this meant that the US would refuse all shrimp products from abroad, unless the importers could show they had been caught with turtle-safe nets. But both the Bush and Clinton administrations refused to enforce the law. As Todd Steiner of the Sea Turtle Restoration Project in Forest Knolls, California, put it to CounterPunch, "Bush and Clinton acted exactly the same on the issue of sea turtles. Neither took one step to restrict the import of shrimp from countries that flouted the Endangered Species Act."

Gore's top enviro aide, Katie McGinty, has told sea turtle defenders that the reason the Clinton administration decided not to enforce the law was because it anticipated an adverse ruling from the WTO. McGinty said that such a ruling against the Endangered Species

Act might undermine popular and congressional support for future trade pacts.

The environmentalists (Earth Island Institute and the Sierra Club) then had to take the Clinton administration to the New York-based Court of International Trade (an adjunct of the federal court system) to force the US government to obey the laws of the land. As a measure of the government's bad faith, the saga of the Georgia Fisherman's Association is instructive. This particular body had shelled out money for the turtle safe nets and was eager to stand side-by-side with the greens against the Clinton administration.

Whereupon the US Justice Department unleashed a full court press against the fishermen, harassing them with a flurry of legal filings aimed at pressuring them to abandon the issue. The Department of Justice, for example, demanded a complete membership list of the association, years worth of financial data, affidavits from members and reams of other records.

In the end the fishermen said the demands were impossible to fulfil. The Justice Department asked the judge to remove the fishermen from the case because "they had no legal standing to sue", and the judge eventually agreed. The administration thus achieved a major goal, which was to leave the greens with no legal allies in the US fishing industry.

Despite these obstructions, the greens won the case in December of 1995, thus forcing the Clinton administration's hand. But even then the administration took what could be charitably be described as a minimalist approach. In order to dump their catch on the American market, shrimp importers were required only to flash a simple form at US Custom agent attesting to the fact that the shrimp had been caught with turtle safe nets. The form can be signed by any official from the importer's country. No US agents are allowed to check the boats, inspect the nets or the catch. The US Customs office isn't permitted to keep copies of the forms.

Even so, Thailand and the other countries filed their suit with the WTO,

claiming that the turtle protection standards were an unfair trade practice imposed on them by the US. Thailand, incidentally, has fitted most of its shrimp fleet with the turtle-excluder devices, but is evidently interested in testing the reach of the WTO's legal power. One suspects that Thailand and the other nations are mainly interested in collecting huge financial damages, a sort of "global takings" claim. Some estimates say the WTO challenge could result in a \$500 million fine being levied against the US.

In February of 1997, the WTO convened a three-judge panel. Each of the judges had glaring conflicts of interests. One was a former trade minister from Brazil, who had already lodged a similar complaint against the US. The other two judges were from Hong Kong and Germany, both of which had filed amicus briefs with the panel supporting the plaintiffs.

The proceedings were secret. The environmentalists were not allowed to argue their case or attend any of the hearings. Instead they had to rely on the attorneys for the US government, the very same lawyers who had waged merciless war on them in the 1995 case! Hardly surprising these lawyers lost the case.

Not only were the proceedings secret, but so is the ruling. We called the Office of the US Trade Rep., Charlene Barshevsky, to ask for a copy and were told that the administration was refusing to make it public on the grounds that it might only be an "interim decision," and might contain "proprietary information". Rest assured, Barshevsky's flack told CounterPunch, the US would battle on in a higher court in the WTO.

If this is the case, the outlook is scarcely promising. The head of the WTO is Renato Ruggiero, a former Minister of Trade for Italy. On March 23 he spoke in Geneva at the Bellerive Foundation, where he denounced environmentalists, human rights groups and labor unions for "demonizing international trade", which he described as "the virtuous circle of globalization". He reassured troubled trade ministers and CEOs that he would fight any attempt to turn "the WTO into an environmental watchdog, human rights body or a development agency". ■

(NAPALM, *continued from page 1*)

—Workers without any type of protective gear were ordered to clean up cyanide following an explosion of three drums. Most of the poison blew away or soaked into the ground.

—Several employees who suffered chemical burns were told by a company doctor that their injuries resulted from exposure to poison ivy.

—The company ordered workers to reuse gloves and other materials that had been exposed to toxic chemicals.

—An employee said he witnessed a PCI official change a decimal point on a report about the chlorine content of a company waste shipment, thereby dramatically lowering the shipment's

## **Workers would cover-up hazardous waste problems by throwing gravel over patches of company ground that had been burned by toxic spills.**

toxicity level.

—Chemical fumes are severe and a source of constant complaints from residents and workers. One employee told Lazarus, "The place is so smelly that when you go home, you could wash off but the smell would still be in your skin. It would soak in."

—Workers told of pre-inspection cover-up operations during which employees would throw gravel over patches of the company's grounds that had been burned by toxic spills.

In 1994, a top company manager, Patrick Gleeson, quit in disgust over the company's practices. Gleeson was no radical. Before signing on with PCI, he worked for a dozen years for Safety-Kleen Corp, another hazardous waste disposal company. Yet he resigned after telling a company executive that PCI's practices were "going to kill somebody out there".

Other sordid incidents abound. Two oil companies charged PCI with illegally selling them waste oil contaminated with PCBs, which can cause

liver damage and cancer. The case was settled out of court and the terms sealed from public review.

One of PCI's owners, Kevin Prunsky, was once convicted of bilking the federal government out of \$60,000. The case involved Prunsky's previous firm, known as Pollution Control Industries of America, which received a contract to remove toxic waste from a Chicago factory and haul it to Texas and Ohio. Prunsky billed the government for doing so but actually disposed of the waste at nearby sites in Chicago and Indianapolis.

According to a government report, the Chicago and Indianapolis dump sites were not authorized to accept hazardous waste. Prunsky's firm cut through the red tape by simply labeling the material as "nonhazardous".

PCI now admits that there have been some problems at its site, but still sticks to a PR strategy that can be broadly described as stonewalling. Company CEO Robert Campbell dismissed residents' complaints as "psychosomatic".

PCI's original operating permit expired more than a year ago because of

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its hideous record. It is currently operating on an interim permit while it tries to get past state inspectors.

The most recent report from the Indiana Department of Environmental Management, issued on January 7, 1998, found a host of problems at the East Chicago plant. These included 55-gallon drums of ignitable waste being stored within 50 yards of the property line, waste held in a "severely damaged" container, storage drums that were "unfastened or open" and a number of record-keeping problems. And keep in mind that many workers have reported that the company normally received advance warning before state authorities showed up at the plant!

It's startling that PCI could have been selected for the napalm job in the first place. All becomes clear, though, when we learn that the Battelle Memorial Institute is overseeing the recycling project for the Navy and did the selecting. Between 1963 and 1973, Battelle helped the Pentagon run experiments in the Pacific Northwest during which 131 prisoners had their genitals bombarded with high levels of radiation, as we reported in CounterPunch in early January of this year.

Local residents feel, understandably, that they have been betrayed by the federal government and by

local authorities. The Pentagon has been planning to ship napalm to East Chicago for about three years, but kept the scheme secret in the hopes that it would go undiscovered.

After the plan leaked and opposition mounted, the Navy promised a thorough review. It took all of a week and concluded that there was no reason to block the shipments. Now the Navy is keeping shipment dates secret in order to minimize the risk of protests

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**"Industry has all the clout. The health of citizens just isn't high on the government's list of priorities."**

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at the PCI plant.

Residents' hopes soared when they learned that the Clinton administration had issued an executive order requiring all federal agencies to consider issues of "environmental justice" when implementing their programs. They soon found out that the order is toothless and does not impose any legal or financial penalties for those who violate it.

For months, residents' requests for assistance from administration officials went unanswered. In late March, the

White House finally agreed to delay the napalm shipments for 60 days while a group of officials studies the situation. If past practice is any guide, those 60 days will be spent preparing a press release putting the best possible spin on the decision to go ahead with the proposal.

Nor have state and local officials been responsive to residents. With few exceptions - most noticeably in the case of Sen. Richard Durbin and Rep. Rod Blagojevich, both from Illinois — they have either supported the napalm shipments or offered up timid protests.

Then, too, the state of Indiana rarely bothers to prosecute environmental crimes and those who commit them almost never go to jail or suffer any serious consequences.

A few years ago, a firm called Fisher-Call Chemical was found to have contaminated groundwater by illegally storing hazardous waste, thereby resulting in a multi-million dollar federal clean-up site. The state charged David Fisher, a top official at the firm, with 26 felonies in connection with the case, but then quietly allowed him to plead guilty to a single misdemeanor and fined him \$15,000.

Balanoff says the napalm affair has confirmed all of the sad lessons she's learned during the last ten years as a grassroots activist: "Industry has all the clout. The health of citizens just isn't high on the government's list of priorities." ■

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