

Bleeding Wisconsin

1. In 1854, the US Congress passed the Kansas-Nebraska Act. The act, advertised as a compromise, was in fact a capitulation. The law proclaimed not equality, but the power of slave labor over free labor, and the power of slaveholders over the old order of the republic. The law embraced the spread of slavery into the territory purchased from France in 1803, thus annulling the Missouri Compromise, and allowing for the admission of new slave states to the Union.

For 35 years, the old parties of the North, whose vision and existence never extended beyond that of a merchants' republic, had been accommodating to the slaveholders' autarchy, presenting itself, and to itself, every capitulation as a compromise. In 1854 the capitulation to the slaveholders could no longer be disguised. The old parties represented only those interests opposed to capital's free access to "free labor."

In that same year, thirty people met in a schoolhouse in Ripon, Wisconsin for the purpose of creating a new political party. This party was organized around a simple principle—that political compromise with a system that enslaved human labor was intolerable.

One hundred and fifty seven years later, that same party founded in that same state is still attempting to make amends for the wild idealism of its youth when it dared to oppose the emancipation of the laborers to the plantation class' claim to ownership, to property *in* the laborers themselves.

2. In 2011, having selected the incompetent former county executive of Milwaukee County to be the new governor of Wisconsin, our recidivist/arsonist/deconstructionist/liquidationist bourgeoisie submitted their shopping list of bills to the governor, Scott Walker, for introduction into the legislature.

Walker, as county executive of Milwaukee County, had proven himself a loyal, obedient, belligerent, and oblivious errand boy for the liquidationist bourgeoisie. He had not, however, shown himself to be a *competent* county executive. Indeed, competence is not now, nor has it ever been a requirement for those handling the public money in government. *Ideology* is ever so much more effective when it comes to getting done, or not done, the things the bourgeoisie pay to have done and not done.

As county executive, Walker had been a master of incompetence; the apotheosis of ineptitude; the ideologist of decay, collapse, and pettiness that is currently called "privatization" and "outsourcing," "balanced budgets," and "entrepreneurship."

From public transit to mental health, from prisoner transport to courthouse to security, from medical assistance to custodial services, Walker uniformly proposed reducing the county's fiscal and operating responsibility. Raising prices while reducing service was his basic approach when and where he could not *accomplish the same thing* by outsourcing and privatizing the work. Under the guise of balancing the budget and restraining taxes, Walker shirked the local responsibilities for providing social services, either awarding the tasks to private contractors, advocating the state government assume responsibility, and/or simply neglecting the need for improvements. This is the business acumen that the bourgeoisie requires at the highest levels of its government; that the bourgeoisie *makes others pay for*, secure in the knowledge that the return on this anti-investment is greater than any its class could obtain by actually satisfying a human need.

The truth of the obsolescence of modern capital accumulation is made painfully clear in the deliberate and instinctual incompetence of its selected government officials. *Value* admits no other need save the accumulation of value. *Value* denies, opposes, and attacks *need*. *Value* isn't about squeezing blood from a stone; it's about turning flesh into dust through malign neglect.

3. The bills introduced into the Wisconsin legislature in 2011 read like love letters exchanged among a ménage a trois of Ayn Rand, Alan Greenspan, and Milton Friedman. These sonnets to the higher organic rate of capital decomposition included:

- advancing the date of certain tax refunds to employers
- increasing the number of enterprise zones where employers may claim additional tax credits
- increasing tax benefits to employers hiring additional employees
- increasing the income tax exclusion on capital gains
- awarding grants to manufacturing associations for marketing and advertising
- more tax credits for business
- additional enterprise zones
- repealing the requirement that police motor vehicle stops be audited for racial profiling
- more tax credits for business
- prohibiting the state's Department of Natural Resources from requiring cities to provide continuous disinfection of drinking water
- increasing investors' tax credits
- eliminating the right of a school district resident to challenge the use of a race-based nickname, logo, mascot, or name for a school team
- more tax breaks
- expanding the arena for, and easing the requirements on, the establishment of charter schools, the costs of which will be funded by reducing the general appropriation for public education

And of course these bills are just probes, raids, tests, and diversions to the real attack, to the deep battle envisioned in Assembly Bill 11 "an act introduced...at the request of Governor Scott Walker." The [unamended] bill:

... limits the right to collectively bargain for all employees who are not public safety employees (general employees) to the subject of base wages. In addition, unless a referendum authorizes a greater increase, any general employee who is part of a collective bargaining unit is limited to bargaining over a percentage of total base wages increase that is no greater than the percentage change in the consumer price index. This bill also prohibits municipal employers from collectively bargaining with municipal general employees in matters that are not permitted under MERA [Municipal Employment Relations Act].

... requires an annual certification election of the labor organization that represents each collective bargaining unit containing general employees. If, at the election, less than 51 percent of the actual employees in the collective bargaining unit vote for a representative, then, at the expiration of the current collective bargaining agreement, the current representative is decertified and the members of the collective bargaining unit are nonrepresented and may not be represented for one year.

... also allows a general employee to refrain from paying dues and remain a member of a collective bargaining unit.

... provides that the employee required contribution rate for general participating employees and for elected and executive participating employees must equal one-half of all actuarially required contributions, as determined by the Employee Trust Funds Board. For protective occupation employees, the bill provides that the employee required contribution rate must equal the percentage of earnings paid by general participating employees.

...provides that an employer may not pay any of the employee required contributions under the WRS [**Wisconsin Retirement System**] or under an employee retirement system of a first class city or a county having a population of 500,000 or more.

... provides that the employer may not pay more than 88 percent of the average premium cost of plans offered in the tier with the lowest employee premium cost.

[provides]...For the remainder of 2011, however, beginning in April 2011, the bill provides that state employees, as well as employees of public authorities created by the state, who work more than 1,565 hours a year shall pay \$84 a month for individual coverage and \$208 a month for family coverage for health care coverage under any plan offered in the tier with the lowest employee premium cost; \$122 a month for individual coverage and \$307 a month for family coverage for health care coverage under any plan offered in the tier with the next lowest employee premium cost; and \$226 a month for individual coverage and \$567 a month for family coverage for health care coverage under any plan offered in the tier with the highest employee premium cost.

UW System graduate assistants and teaching assistants must pay half of these amounts. Employees who work less than 1,566 hours a year are required to pay the same amount for health care coverage during 2011 that they were required to pay before the bill's effective date. The bill further provides that a local government employer who participates in the local government health insurance plan offered by GIB may not participate in the plan if it intends to pay more than 88 percent of the average premium cost of plans offered in any tier with the lowest employee premium cost.

... requires GIB to design health care coverage plans for the 2012 calendar year that, after adjusting for any inflationary increase in health benefit costs, reduces the average premium cost of plans offered in the tier with the lowest employee premium cost by at least 5 percent from the cost of such plans offered during the 2011 calendar year. GIB must include copayments in the health care coverage plans for the 2012 calendar year and may require health risk assessments for state employees and participation in wellness or disease management programs

... requires the secretary of employee trust funds to allocate \$28,000,000, from reserve accounts established in **the public employee** [emphasis added] trust fund for group health and pharmacy benefits for state employees, to reduce employer costs for providing group health insurance for state employees for the period beginning on July 1, 2011, and ending on December 31, 2011

[provides] the governor may declare a state of emergency if he or she determines that an emergency exists resulting from a disaster or the imminent threat of a disaster. This bill authorizes a state agency to discharge any state employee who fails to report to work as scheduled for any three unexcused working days during a state of emergency or who participates in a strike, work stoppage, sit-down, stay-in, slowdown, or other concerted activities to interrupt the operations or services of state government, including specifically purported mass resignations or sick calls. Under the bill, engaging in any of these actions constitutes just cause for discharge. [Note: former employees may be discharged for resigning.]

If the other legislation proposed for enactment comprises the love letters of Greenspan, Rand, and Friedman, then this act, this omnibus deconstruction and unreconciliation act, represents the pre-nuptial, the post-nuptial, and the last will and testament of that cluster fuck called capitalism.

4. So the party born in Wisconsin, that found slavery an intolerable burden to the advancement of human welfare had come full circle, finding human welfare an intolerable burden to the advancement of slavery.

Education, medical care, mental health, security for young and the elderly—any and every facet of what are most properly called the *conditions of social reproduction* [human beings being human precisely to the degree that they are social, do provide for the welfare of all]—is to be abolished by these new anti-abolitionists.

“I’ve seen future,” said the state’s chief incompetent executive, “and it’s right here,” he said pointing with his left hand to his right hand that was under the table, performing the secret libertarian handshake with the brothers Koch, the brothers of Koch Industries, those entrepreneurs extraordinaire, who made their money the old fashioned way, by inheriting it.

And so begins the fifth decade of the bourgeoisie’s assault on the living standards of the working class. The assault has gone on for so long that many have no memory of there ever being a time when the bourgeoisie were not engaged in such attacks; had not made Hobbes *Leviathan* their Gideon bible, placed in every hotel room, every abattoir, every MBA program, every prospectus offering securities that may or may not perform as anticipated; had not counted [literally] on the spread of misery and privation through cruise missiles, structured investment vehicles, capital flight, and that old time religion—driving the price of labor *below* its cost of reproduction.

It is an offensive that has gone on for so long that the offenders grow ever more nostalgic for their salad days of the *second* decade of the offensive, the decade of that pomaded but empty-headed empty suit, Ronald Reagan.

Walker, his stocking nailed above the fireplace, eagerly awaited Santa David and Santa Charles sliding down the chimney, helping themselves to the Wisconsin milk and Nabisco Nilla wafers he had so thoughtfully spent the public money contracting a private caterer to supply, and delivering their goody bags of personal political contributions to the *Scott Walker is the new Ronald Reagan Cosmetic Surgeons/Spin Doctors Stem Cell Recombinant DNA Makeover Fund* [“Piece of cake,” said the head doctor, “We’ve been cloning sheep for years.”].

Walker imagined himself a Reagan, that is to say he imagined himself a man without imagination, he thought himself a man without thoughts. He pretended to be a man who was already a pretender.

The Wisconsin Democrats elected to the state senate proved that their greatest and only contribution to class struggle is their disappearance from the scene. Hiding out in the deep forests around Rockford, Illinois, the Democrats, who were not opposed, mind you to the attack on the workers' living standards, just opposed to the attack on the right of workers to maintain membership in unions while under attack, the Democrats prevented the gathering of a quorum in the state senate, thus preventing the Republicans from conducting the important business of transferring wealth from the pockets of the workers, and from the public treasury, to the private accounts of their bankers and bankrollers.

The message from Wisconsin was broadcast far and wide: Class struggle begins where the Democrats leave off and just plain leave.

Meanwhile on the southern edge of these United States in the state of Alabama, hundreds of white people, good Republican church-going white people, wearing their favorite uniform in their favorite color, Confederate and in battle grey, gathered to wave the flag of the slaveholders' rebellion and celebrate the 150th anniversary of the inauguration of the single greatest traitor in US history, Jefferson Davis.

History holds something for everyone, but it seems it holds the most for the cynic and the fool, each acting in a play written by the other for the amusement of both. The party of Lincoln, a party born embodying the inseparability of the cause of union from the cause of emancipation had come to worship at the feet of slaveholders, secessionists, the anti-Unionists who were now the inspiration for its own anti-unionism.

After years of living the lie of "don't ask, don't tell," the bourgeoisie had stepped boldly out of its closet, dressed in the white sheet and wearing the white camellia of the nightrider, the terrorist.

It was almost a most perfect world. Ignorance was its strength, slavery was its freedom, and treason was its patriotism.

Here in Wisconsin and Alabama, just two of fifty states, representing less than four percent of the US population, on public display were two-thirds of the makeup of American democracy: dolts and terrorists. Missing only were the looters. But they were there, they were everywhere, and in more than spirit.

5. The brothers Koch worked their way up the ladder of corporate America by climbing on their father's knees as young boys. Upon the father's death, they took over the control of an enterprise based on energy [oil refining was the source of their father's triumph], and built it into a conglomerate with operations in minerals, ranching, fibers and polymer, forest products, process and pollution control equipment, polymers, fibers, chemicals, commodity trading, and finance.

It hasn't all been a bed of roses for Koch Industries, as the conglomerate and its units seem to display a certain inability to abide by the laws of the country in which it is incorporated, the United States of America. While the American Enterprise Institute, that busy beehive of ideological advocacy endorsing the mythology of "invisible hand" *laissez-faire* capitalism refers to CEO Charles Koch as "The Principled Entrepreneur," it is apparent that the principles themselves are not quite that ingrained in the business activities of Koch's corporations—or if they are so ingrained, the principles themselves are not exactly principled.

In March 2000, the US Environmental Protection Agency announced:

Koch Petroleum Group (Koch), which operates a refinery in Rosemount, Minn., was sentenced on March 1 to pay a \$6 million criminal fine and pay an additional \$2 million in remediation costs to the Dakota County Park System in U.S. District Court in Minneapolis. This is the largest federal environmental fine ever paid in Minnesota. The defendant was also ordered to serve three years probation. Koch previously pleaded guilty to violating the Clean Water Act (CWA). Koch admitted that it negligently discharged aviation fuel into a wetland and an adjoining waterway. Even though Koch was aware of the problem, it did not develop a comprehensive plan to recover between 200,000 - 600,000 gallons of released fuel until June 1997. In addition, the establishment of the system to recover the fuel destroyed a portion of the surrounding ecosystem and wildlife habitat. In a separate offense, Koch dumped a million gallons of wastewater with high ammonia content on the ground between November 1996 and March 1997 and also increased its flow of wastewater into the Mississippi River on weekends when Koch did not monitor its discharges. These actions allowed Koch to circumvent the weekly monitoring and reporting requirements of its wastewater discharge permit. The case was investigated by EPA's Criminal Investigation Division, the FBI and the Minnesota Pollution Control Agency and was prosecuted by the U. S. Attorney's Office for the District of Minnesota.

In November of 2000, CBS News reported:

... that [Bill Koch, brother of Charles and David stated] Koch Industries engaged in "(o)rganized crime..."

"It was – was my family company. I was out of it," he says. "But that's what appalled me so much... I did not want my family, my legacy, my father's legacy to be based upon organized crime."

Bill Koch says that his brother Charles made a fortune stealing oil. Much of it from beneath Indian reservations and federal lands - places like national forests. Oil under federal lands belongs to the public. Koch Industries was the middleman – buying oil from the government at the well - then selling it to refineries. Bill Koch says that the company took more oil than it paid for by cheating on measurements.

A gauger measures the volume and the quality of the oil that his company is buying. The buyer leaves his measurements behind on what's called a "run ticket." It's an IOU to the well owner.

"What Koch was doing was taking all these measurements and then falsifying them on the run sheets," says Bill Koch. "If the dipstick measured five feet 10 inches and one half inch, they would write down five feet nine and one half inches."

That may not sound like much, but Bill Koch says that it added up. "Well, that was the beauty of the scheme. Because if they're buying oil from 50,000 different people, and they're stealing two barrels from each person. What does that add up to? One year, their data showed they stole a million and a half barrels of oil."

In a written statement, Koch blames its problems on Bill Koch – calling him a "disgruntled family member" who has waged a "personal vendetta through lawsuits and the media against his brothers' company."

But in December 1999, the jury found that Koch Industries did steal oil from the public and lied about its purchases – 24 thousand times. The oil theft conviction was a heavy blow, but the troubles of Koch Industries don't stop there. If the company was fattening its bottom line through theft – there is also evidence Koch was pinching pennies on safety and environmental protection - cutting costs with disastrous results.

But wait, that's not all:

Former EPA administrator Carol Browner announced in 2000 that she was hitting Koch Industries with the largest civil penalty in the history of the federal Clean Water Act: a \$30 million fine.

She said, Koch Industries spilled over 3 million gallons of crude oil in six states

Koch pipelines make up the largest oil and gas network in the nation. The EPA complaint targeted more than 300 oil spills, some poisoning fisheries and drinking water.

In a statement, Koch Industries claims that it has spent a billion dollars on environmental improvements and reduced leaks by 96 percent. The company urged us to look at its record at the federal Office of Pipeline Safety. We did and discovered that Koch's records at OPS look good. But we also found that OPS doesn't cover more than half of Koch's lines - including the lines that leaked.

And there's still more:

"They don't care for any loss of human life. Like I said, it was the buck that counted for them," says Danny Smalley. He had the extreme misfortune of living near a Koch Industries underground pipeline that ran through Texas. In August, 1996, Smalley was home with his daughter Danielle and her friend Jason Stone. Danielle was packing to leave for school the next day – the first person in her family to go to college.

She and Jason started smelling gas. It was butane, pouring from a corroded Koch Industries high pressure pipeline, 200 yards from their home. Jason and Danielle set out in a pickup truck to find help. But their truck set off the butane, and caused an explosion.

Danny Smalley filed suit against Koch Industries. His attorney, Ted Lyon, says the investigation
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exposed a pattern of negligence and coverup involving the pipeline known as Sterling One. Lyon describes the pipeline as like "Swiss Cheese."

Koch is require by law to ensure that its vast pipeline system is protected from corrosion in two ways. The pipe must be wrapped in a protective coating. And, once in the ground, an electrical current is applied all along the pipeline – a technique that inhibits corrosion.

"If you don't have the current and you don't have coating, you have a big problem. And that's what happened in this case. And the sad thing about it is, they knew it," says Lyon.

Federal investigators blamed the explosion on Koch's failure to adequately protect the line. Koch industries told us the fatal explosion is the only incident of its kind in the company's history. Still, in 1999, a jury found Koch Industries guilty of negligence and malice.

"They admitted to me if they had done things the way they should have, my child and Jason would still be alive," says Danny Smalley.

"They said, 'We're sorry Mr. Smalley, that your child lost her life and Jason lost his life.' Sorry doesn't get it. They're not sorry. The only thing they looked at was the bottom dollar. How much money would they lose if they shut the pipeline down. They didn't care, all they wanted was the money."

"Koch Industries has a philosophy that profits are above everything else," says Bill Koch.

And still more:

August 2001 Update

In May, 2001, Bill Koch and Koch Industries announced a legal settlement of all their disputes, effectively putting an end to the two-decade family feud. The settlement calls for Koch Industries to pay \$25 million in penalties to the U.S. government for improperly taking more oil than it paid for from federal and Indian lands. About a third of it goes to Bill Koch or bringing the lawsuit.

Koch industries has faced other troubles with the government since the original broadcast in November. In April, Koch's Petroleum Group was fined 20 million dollars after it released huge amounts of cancer-causing benzene from a Texas refinery and then tried to cover it up.

In July, 2001, *thestatesman.com* of Austin, Texas reported:

CHARLOTTE — Oil made many Texans rich. It's also killing grass and polluting creeks at the Hindes Ranch.

The beef and dairy operation 35 miles south of San Antonio is crisscrossed by gathering lines — pipelines no more than 8 inches wide that carry crude oil and natural gas from production fields to larger lines feeding refineries and other collection points. The decades-old gathering lines at the Hindes Ranch have sprung hundreds of leaks during the past 15 years, said Bob Hindes, who owns and operates the ranch.

Hindes has photographs to back up his claim. You can also tell by the dozens of brown patches, some of them 60 feet long, amid the grasses and wildflowers.

"It makes a mess," Hindes said. "The ground's real soaked with salt water and oil. The grass won't grow for years. We've had spills that would run half a mile down the creeks."

The ranch's oil rights were sold off before Hindes bought the land, and the out-of-state oil producer is not required by any law, regulation or government agency to meet safety or environmental standards on rural gathering lines.

The federal Office of Pipeline Safety does not regulate such lines. Nor do many state pipeline agencies, including the Texas Railroad Commission. Gathering lines in urban areas, by contrast, are subject to regulation by the federal and state pipeline agencies.

Federal officials estimate that there are more than 200,000 miles of rural gathering lines. That would be enough to reach three-fourths of the way to the moon. Texas alone has 43,000 miles of such lines.

The General Accounting Office, the investigative arm of Congress, warned lawmakers 23 years ago that incidents involving rural gathering lines were on the rise and that regulation was warranted. Lawmakers and regulators have declined to act despite mounting evidence of the hazard.

For example, Koch Industries Inc. had more than 300 spills into water supplies in six states from 1990 to 1997, mostly from unregulated gathering lines, according to the U.S. Department of Justice.

"We discovered that 80 percent of the spills were caused by corrosion," said Michael Goodstein, a senior attorney for the Justice Department, which with the State of Texas prosecuted Koch under the Clean Water Act.

The company had a better record with its larger-diameter, regulated lines, Goodstein said.

A 1998 Railroad Commission investigation of Koch's pipeline system in Texas reached a similar conclusion. It found that gathering lines accounted for a third of Koch's Texas mileage but nearly two-thirds of what would have been considered safety violations if the lines were regulated.

The problems the commission found included testing and documentation deficiencies, as well as shortcomings in corrosion protection, line marking, protection of valves against vandalism and other matters.

The staff of Texas' Sunset Advisory Commission, a legislative panel that reviews state agencies, recommended last year that the Railroad Commission regulate rural gathering lines.

A report by the sunset commission staff reached an unusually blunt conclusion: "State regulation of pipelines does not adequately protect the public."

The Railroad Commission opposed the recommendation, and the Legislature declined to compel the agency to regulate rural gathering lines.

The environmental and safety risks posed by the lines, which operate at low pressure in generally isolated areas, do not warrant the dramatic increase in funding that would be needed to regulate them, said Michael Williams, chairman of the Railroad Commission.

"We don't have a real history of gathering lines breaking, exploding or posing a danger to ground water," Williams said. "That doesn't mean it's never occurred."

Hindes isn't the only rancher with problems. The Texas Land & Mineral Owners Association says more and more landowners are discovering leaks as gathering lines age.

"There's no pressure-testing of these lines," said Doug Beveridge, secretary of the association and vice president of minerals for the King Ranch, which covers an area in South Texas larger than Rhode Island. "There's no requirement for the type of steel they put into these lines. No one even knows where they are. We've wondered forever for our ranch — where are all the lines?"

In June, 2003, the US Department of Commerce announced:

Acting Assistant Secretary of Commerce for Export Enforcement Lisa A. Prager announced today that a \$200,000 civil penalty has been imposed on Flint Hill Resources L.P. - formerly known as Koch Petroleum Group, L.P. - of Wichita, Kansas to settle allegations that the company exported crude petroleum from the United States to Canada without the required U.S. Government authorization. The Commerce Department controls the export of crude petroleum to any foreign destination to protect the domestic supply.

The Commerce Department's Bureau of Industry and Security (BIS) alleged that between July 1997 and March 1999, Koch Petroleum committed 40 violations of the Export Administration Regulations by exporting crude petroleum to Canada on 20 occasions without the required export licenses and Shipper's Export Declarations. Acting Assistant Secretary Prager noted that in determining the amount of the penalty, BIS gave consideration to the facts that Koch Petroleum voluntarily self-disclosed the violations, stopped exports of oil once the violations were discovered, and enhanced its export compliance program.

BIS administers and enforces export controls for reasons of national security, foreign policy, nonproliferation, anti-terrorism, and short supply. Criminal penalties and administrative sanctions can be imposed for violations of the Export Administration Regulations.

In December 2006, the EPA announced the following resolution of violations by a subsidiary of Koch Industries:

Anchorage, Alaska. – December 12, 2006) The U.S. Environmental Protection Agency (EPA) announced today that Flint Hills Resources Alaska, LLC (Flint Hills) has agreed to pay \$15,867 for alleged federal Clean Air Act (CAA) emergency planning violations. Flint Hills operates a refinery near the City of North Pole, Alaska.

EPA alleged ten separate violations of the CAA including: failure to establish procedures for reviewing and updating the Company's emergency response plan, and failure to establish procedures for informing the public and local emergency response agencies about accidental releases of flammable substances.

As part of the settlement with the EPA, Flint Hills has agreed to correct all alleged violations, pay the penalty and spend at least \$60,000 on a Supplemental Environmental Project (SEP) involving the purchase of two hazardous substance spill response trailers and one incident command post trailer for the Fairbanks/North Star Borough.

"Flint Hills needed a better management system to ensure that their emergency procedures were continually updated and also needed a way to inform the public about accidental releases," said Kelly Huynh, EPA's Risk Management Plan (RMP) Coordinator. "The program is designed to protect public health and the environment in the event there is an accidental release of hazardous or flammable substances."

The federal Clean Air Act, Section 112(r), requires the development of a Risk Management Program and submittal of Risk Management Plans for all public and private facilities that manufacture, process, use, store, or otherwise handle greater than a threshold amount of a regulated substance(s). Flammable gases and toxic chemicals, such as ammonia and chlorine, are covered by the program.

The Risk Management Program requires the development of an emergency response strategy, evaluation of a worst case and more probable case chemical release, operator training, review of the hazards associated with using toxic or flammable substances, operating procedures and equipment maintenance. These requirements are in place to protect the public from the accidental release of flammable gases and toxic chemicals.

In April 2009, the US Department of Justice reported after self-auditing and voluntary reporting of violations by Koch subsidiary Invista:

WASHINGTON— Invista will pay a \$1.7 million civil penalty and spend up to an estimated \$500 million to correct self-reported environmental violations discovered at facilities in seven states, the Justice Department and U.S. Environmental Protection Agency (EPA) announced today. The company disclosed more than 680 violations of water, air, hazardous waste, emergency planning and preparedness, and pesticide regulations to EPA after auditing 12 facilities it acquired from DuPont in 2004.

“This settlement is a significant achievement, as it will reduce air pollution in numerous communities, and demonstrates the United States’ commitment to ensuring that all facility owners come into compliance with environmental requirements,” said John C. Cruden, Acting Assistant Attorney General for the Justice Department’s Environment and Natural Resources Division. “This settlement reflects an effective use of EPA’s audit policy and the value of companies performing audits and working with the United States to correct violations found at their facilities.”...

The settlement resolves violations disclosed under Invista’s corporate audit agreement with EPA. Invista conducted 45 separate audits of environmental practices and compliance at facilities located in Seaford, Del.; Athens, Calhoun, and Dalton, Ga.; Kinston, N.C.; Camden, S.C.; Chattanooga, Tenn.; LaPorte, Orange, and Victoria, Texas; and Martinsville and Waynesboro, Va.

As part of its corrective action requirements agreed to in the settlement, Invista will install pollution control equipment to treat air pollutants at its Seaford, Del.; Camden, S.C.; Chattanooga, Tenn.; and Victoria, Texas facilities. The company has also applied for applicable air and water permits, has installed adequate secondary containment for oil storage areas, and has notified state and local emergency planning and response organizations of the presence of hazardous substances.

To ensure continued compliance and minimization of the benzene wastes generated at the Victoria and Orange, Texas facilities, Invista is required under the settlement to either upgrade control equipment or make major changes to its processes used to handle these wastes. EPA estimates that these actions will reduce air emissions of benzene by more than nine tons annually and eliminate 25 to 750 tons per year of benzene from wastewater.

The emission reductions resulting from correcting these violations will result in estimated annual human health benefits valued at over \$325 million, including 30 fewer premature deaths per

year, 2,000 fewer days/year when people would miss school or work, and over 9,000 fewer cases of upper and lower respiratory symptoms.

Invista is a multi-national manufacturer of a wide range of polymer-based fibers, including Lycra, Stainmaster, and Coolmax...

The states of Delaware, South Carolina and the Chattanooga-Hamilton County Air Pollution Control Board in Tennessee have also joined in today's consent decree and will share portions of the civil penalty with EPA.

The consent decree, lodged in the U.S. District Court for the District of Delaware, is subject to a 30-day public comment period and approval by the federal court. A copy of the consent decree is available on the Justice Department Web site at http://www.usdoj.gov/enrd/Consent_Decrees.htm

Certainly, the bourgeoisie can find no person more capable of articulating the principles of enlightened entrepreneurship, the practical benefits to all of society of private enterprise, the negative consequences of government regulation, the impending loss of creativity, independence, freedom, productivity embodied in the socialization of the means of production than this CEO of an industry group that has been such a leader in the social responsibility of that most perfect of nature's creations, the corporation.

Politically, of course, the brothers Koch have been active spreading the gospel by way of spreading the money, funding the Cato Institute, the Heritage Foundation, and Americans for Prosperity, where the banner headline on the website reads "Stand With Scott Walker."

Koch Industries, when it isn't paying out millions to settle environmental health and safety violations, has a Political Action Committee that certainly has stood with Walker. The PAC provided \$43,000 to Walker's gubernatorial campaign and a token amount of \$1 million to the Republican Party Governors Association.

David Koch, co-owner and executive vice-president of Koch industries is a former Libertarian Party candidate for US Vice-President. Like his brother, he is a strong backer of the teabagger party.

A well-known philanthropist, David Koch is the guiding spirit behind the American Museum of Natural History's so perfectly named David H. Koch Dinosaur Wing.

History does hold something for everyone.

6. The British, who have more experience than most in suppressing rebellion and revolt, in preempting, canalizing, and throttling class struggle with the garrote of electioneering, legislation, and trade union accommodation, compromise, capitulation, are very proud of their parliament. "It's our substitute for civil war," the parliamentarians will tell you.

Sooner or later history accepts no substitutes. The threatening and dangerous fact is that in the United States, the bourgeoisie realized this before, and has prepared itself for the combat of class struggle better than the workers, including those demonstrating in Madison.

The vanguard dinosaurs of the bourgeoisie, these once-crackpot-now-prophets of Jack-the-Ripper's "invisible hand" capitalism have no allegiance to their prior forms of political organization.

"Parliaments? Bi-cameral legislatures? Representative government? Popular votes?" laughs our ruling dolts, thugs, thieves. "Who needs them? They cost too much. They are so inefficient."

"Independent judiciary? Equal justice under the law? You thought we were serious about that?"

The arsonist/monetarist bourgeoisie don't know Hegel, but they do know that *form* is mutable; the form is evanescent. It's the content that counts. It's the substance that matters. It's necessity that rules.

That content is private property; the ownership of the means, conditions, and products of labor. That substance is the substance of accumulation. The necessity is precisely the destruction of the very forms once essential to accumulation, profit, expanded reproduction of capital. That necessity is the necessity of capital to drive the price of labor below the cost of its social reproduction.

The workers engaged in this struggle will need to move beyond, outside, and against their old forms of organization. To the extent that the clash in Wisconsin remains a struggle for unions, for collective bargaining, for "rights;" to the extent that the clash does not become a movement for new, open, class wide organizations beyond unions; organizations linking employed, unemployed, pensioners, students, migrants, private sector, public sector, temporary, permanent, insured, uninsured in bodies of collective power with the ability, desire, need to *confiscate* the revenues and income of the state, and *seize* the property of those financing the attacks on living standards —to precisely that extent the Kochs, the Walkers, the ideologues of decrepit capitalism will impose *their* necessity.

S.Artesian

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