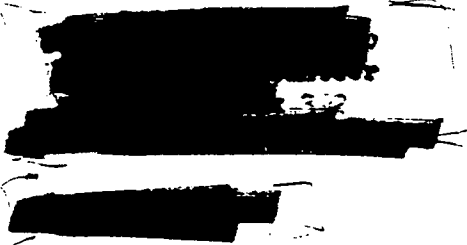


David Lewis

March 8, 1971



INFORMATION DELETED UNDER 5 U.S.C. 552 (b) (6),  
THE FREEDOM OF INFORMATION ACT, AS AMENDED IN  
1974 BY PUBLIC LAW 93-502.

I have received your letter of December 29, 1970, and regret the delay in responding. In it you raise three specific questions about the Peace Corps Volunteer oath. They are:

- (1) What mental state must I have in order to take the oath freely and without mental reservation. As an example, suppose that I believed in violent revolution as an abstract principle only, but sincerely swore that I would support and defend the U.S. Constitution and would, therefore, never conduct myself as a violent revolutionary nor commit any revolutionary acts. Would I be taking the oath freely and without mental reservation?
- (2) Are 'enemies' as intended in the oath only those persons who would change our Constitutional form of government by an unconstitutional means?
- (3) The oath uses the future tense 'will' in saying that 'I will support and defend the Constitution....' Suppose a fascist or communist form of government were established in the U.S. by a constitutional means. By signing the oath as I agreeing to support and defend such a constitution and government?"

I will respond to them in the order in which they were raised.

(1) The oath itself requires that the Volunteer take this obligation without any mental reservation or purpose of evasion.... We believe that it is the individual's responsibility to interpret his mental state in regard to the commitment he is making. We believe, as a minimum, that the person taking the oath have no present intention to violate its provisions.

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Mr. Frederick L. Ramp

(2) We are unaware of a precise definition for "enemies" and have found nothing in the legislative history to indicate who was intended to be covered by such a term. We exclude from the term "enemies" those who would change the U.S. form of government by use of means established by the Constitution or statute.

(3) By using the future tense "will" in the oath, we believe that the individual is making a statement about his future intentions.

I hope this letter satisfactorily answers your remaining questions concerning the Volunteer oath.

Sincerely yours,

Marc E. Leland  
General Counsel

cc: Robert S. Currie, Deputy Director, C/Micronesia  
Larry Johnson, Director, C/Micronesia

Clearance:  
EAP:CShorter \_\_\_\_\_

cc: GC subj  
GC read  
PHL chron  
EAP:CShorter

GC:PHLilienthal:smm 3/8/71

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