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June 1, 2022 - 1952: Truman's Executive Order 10399


St. Ursula

Listened to David Martin's May 25, 2022 interview by Seth Holehouse on Rumble[1] today.

One of Martin's key points was that the formal handover of US sovereignty to the World Health Organization dates back to Executive Order 10399, signed by President Harry Truman on Sept. 27, 1952 and published in the Federal Register on Sept. 30, 1952 (17 Federal Register 8648[2]).

For implementation, it was followed by Reorganization Plan No. 1, which President Dwight Eisenhower transmitted to Congress March 12, 1953, and published in the Federal Register April 11, 1953 (18 Federal Register 2053[3]).
From Executive Order 10399:

> WHEREAS, under Articles 21 and 22 of the Constitution of the World Health Organization, adopted in New York on July 22, 1946, accepted June 14, 1948, on behalf of the United States of America by the President acting pursuant to the authority granted by the joint resolution of the Congress of the United States of America approved June 14, 1948 (Public Law 643, 80th Congress, 22 U.S.C. 290), the Government of the United States of America, together with the governments of other countries which have accepted the said Constitution, undertakes to give effect to regulations of the World Health Assembly concerning sanitary and quarantine requirements and other procedures designed to prevent the international spread of disease, as to which the said governments have not entered an unacceptable reservation or a rejection; and
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> WHEREAS the World Health Assembly on May 25, 1951, adopted International Sanitary Regulations (World Health Organization Regulations No. 2) concerning sanitary and quarantine measures which may be imposed on international traffic to prevent the international spread of smallpox, plague, cholera, yellow fever, typhus, and relapsing fever, as well as concerning reports and notifications of outbreaks of such diseases; and
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> WHEREAS the said International Sanitary Regulations have been accepted by the Government of the United States of America without reservation and come into force on October 1, 1952, with respect to the said Government and the governments of certain other countries; and
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> WHEREAS, in order that the Government of the United States of America may give full and complete effect to the said regulations and assist in the prevention of the international spread of disease, it is necessary that an agency of the executive branch of the said Government be designated to exercise functions and perform duties under the said regulations; and
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> WHEREAS authority and responsibility for the prevention of the introduction, transmission, or spread of communicable diseases from foreign countries into the States and possessions of the United States of America already is vested in the Surgeon General of the Public Health Service, Federal Security Agency, pursuant to the Public Health Service Act (Public Law 410, 78th Congress; 42 U.S.C. 201, et seq.):

[1] https://rumble.com/v161fjk-monkeypox-was-covid-just-a-test-run-dr.-david-martin-interview.html
[2] https://tile.loc.gov/storage-services/service/ll/fedreg/fr017/fr017191/fr017191.pdf
[3] https://archives.federalregister.gov/issue_slice/1953/4/11/2053-2054.pdf#page=1

NOW, THEREFORE, by virtue of and pursuant to the authority vested in me as President of the United States of America, I hereby designate the Surgeon General of the Public Health Service in the Federal Security Agency as the "health administration" of the United States of America for the purpose of performing the duties prescribed and undertaken in the said International Sanitary Regulations.

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Following Attorney Todd Callender's leads, I had tracked the sovereignty loss back as far as the 2005 amendments to the World Health Organization International Health Regulations[4], with an awareness (from other events I found clustered in the mid-1940s) that the roots went deeper. For that matter, they go farther back than the 1940s; digging continues.

The 2005 IHR amendments were the near-in-time drivers to the statutory and regulatory changes in US law[5], which went into a higher gear starting in 1997 with the Emergency Use Authorization section of the 1938 Federal Food Drug and Cosmetics Act.

Broadening the lens back to World War II and just after, and fitting in more of the puzzle pieces, here's a quick transcription of some relevant events from my index card files:

- 1938 Federal Food Drug and Cosmetic Act[6] - 21 USC 9 et seq. Original law passed "to prohibit the movement in interstate commerce of adulterated and misbranded food, drugs, devices, and cosmetics, and for other purposes." As of 1997, statutory home of the American government's chemical and biological weapons program.[7]
- 1944 Public Health Service Act[8] - 42 USC 201 et seq. Consolidated, centralized and militarized the American public health system that had developed within several agencies since the Revolution.
- 1944 - Bretton Woods Agreement established World Bank and International Monetary Fund.
- 1945/10/24 - United Nations established, treaty ratified by US Congress.
- 1945/11/20 - Nuremberg trials began.
- 1946/06/11 - Congress passed Administrative Procedures Act, 5 USC 551. [I haven't dug into this deeply yet, but my initial understanding is that this set up the framework for the administrative state to operate within a *de facto* executive branch dictatorship, through the "committed to agency discretion" override of both the legislative process and judicial review.]
- 1946/07/22 - World Health Organization Constitution adopted and signed by 61 nations at International Health Conference in New York, to enter into force on 04/07/1948. [WHO Constitution amendments passed by World Health Assembly 02/03/1977; 01/20/1980; 07/11/1994; 09/15/2005.]
- 1946/10/01 - Nuremberg trials concluded.
- 1947 National Security Act - 61 Stat. 499. Set up precursors to Federal Emergency Management Agency (FEMA).
- 1947/10/30 - General Agreement on Tariffs and Trade (GATT) treaty signed. Went into effect 01/01/1948.
- 1948 US Information and Educational Exchange Act (Smith-Mundt). PL 80-402. 62 Stat. 6. Set up programs for US propaganda distribution in foreign countries; limited use of government propaganda on American population. 'Modernized' to authorize domestic propaganda in 01/02/2013 National Defense Authorization Act.
- 1948/06/14 - World Health Organization Constitution accepted by resolution of US Congress. PL 643, 22 USC 290[9], 64 Stat. 441.
- 1948 - UN Universal Declaration of Human Rights adopted, as part of International Bill on Human Rights.
- 1949/06/18 - George Orwell published *1984*.
- 1949/04/04 - US Senate ratified North Atlantic Treaty Organization (NATO) treaty. Treaty in effect as of 08/24/1949
- 1951/05/25 - World Health Organization World Health Assembly adopted first International Sanitary Regulations. Effective date: 10/01/1952. Revised and renamed International Health Regulations in 1969. Revised again 1973, 1981, 2005.

[4] https://bailiwicknews.substack.com/p/legal-walls-of-the-covid-19-kill?s=w
[5] https://bailiwicknews.substack.com/p/american-domestic-bioterrorism-program?s=w
[6] https://govtrackus.s3.amazonaws.com/legislink/pdf/stat/52/STATUTE-52-Pg1040a.pdf
[7] https://bailiwicknews.substack.com/p/shell-game?s=w
[8] https://uscode.house.gov/statviewer.htm?volume=58&page=682
[9] https://www.law.cornell.edu/uscode/text/22/290

- 1952/09/14 - Pope Pius XII speech On the Moral Limits of Medical Research and Treatment[10], given to First International Congress on Histopathology of the Nervous System. "Insofar as the moral justification of the experiments rests on the mandate of public authority, and therefore on the subordination of the individual to the community, of the individual's welfare to the common welfare, it is based on an erroneous explanation of this principle. It must be noted that, in his personal being, man is not finally ordered to usefulness to society. On the contrary, the community exists for man."
- 1952/09/27 - Executive Order 10399 signed by President Harry Truman, establishing the US Surgeon General as the "health administrator" for the World Health Organization on American soil, under 1948 WHO Constitution and 1951 WHO International Sanitary Regulations.
- 1952/10/01 - WHO International Sanitary Regulations enter into force in WHO member states.
- 1953/03/12 - Reorganization Plan No. 1 transmitted to Congress by President Eisenhower, putting US sovereignty relinquishment through WHO International Sanitary Regulations, as operated by Surgeon General through the Department of Health, Education and Welfare (later renamed Health and Human Services) into US Code at 42 USC 202. Published in Federal Register 04/11/1953, 18 Federal Register 2053.
- 1961/01/17 President Eisenhower Farewell Address, warning of military-industrial-Congressional complex and the "danger that public policy could itself become the captive of a scientific-technological elite."
- 1966/04/25 - US Surgeon General's authorities transferred to Secretary of Health, Education and Welfare department, effective 06/25/1966. 31 Federal Register 8855.
- 1969 - WHO International Sanitary Regulations, in effect since 10/01/1952, revised and renamed International Health Regulations. Revised again 1973, 1981, 2005. Amendments proposed by US government in January 2022 were reviewed during chaotic May 2022 World Health Assembly meetings. *See* Stand for Health reporting[11] and James Roguski reporting[12].
- 1979/10/17 - Health, Education and Welfare Department renamed Health and Human Services Department. PL 96-88, 93 Stat. 695. From that point to the present, the Secretary of Health and Human Services has held authority under the WHO Constitution and WHO International Health Regulations, to implement WHO programs on American soil, as transferred from Surgeon General to HEW Secretary in 1966.

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June 2, 2022 - On the possibility of patent-based legal enslavement of human beings under US judicial precedents and statutes. In 2011, Congress passed a law to block it.

One of the issues Attorney Todd Callender has raised in his work on the implications of the legal frameworks set up to establish globalist control of the world's people, is the possibility that US Supreme Court precedents interpreting 35 USC 101 - Inventions patentable, could be applied to human beings who have been injected with the gene-altering pharmaceutical products marketed by the US government as Covid-19 vaccines.

On February 26, in the original Legal Walls of the Covid-19 Kill Box[13], I reported on Callender's view, which is derived from his analysis of Chakrabarty (1980) and Myriad (2013), which upheld the patenting of genetically modified living organisms and lab-modified genetic material under 35 USC 101.

I wrote: "As of late-February 2022, the US Congress has not acted to classify Covid-19-vaccinated humans as fully sovereign individuals or otherwise legislatively protect them from genome-based chattel slavery wrought by intellectual property law."

Today, while updating some of the main posts covering the global frameworks and the American legislative, executive, judicial components of the bioterrorism program, I looked again at 35 USC 101[14] to try to find when it was originally passed.

[10] https://www.papalencyclicals.net/pius12/p12psych.htm
[11] https://standforhealthfreedom.com/interview/who-updates/
[12] https://jamesroguski.substack.com/p/we-won?s=r
[13] https://bailiwicknews.substack.com/p/legal-walls-of-the-covid-19-kill?s=w
[14] https://www.law.cornell.edu/uscode/text/35/101

In the Notes section at Cornell's statute database — one of the sources I use to track the origin and subsequent amendments to US laws — I found a footnote about PL 112-29, passed on Sept. 16, 2011: An Act to Amend Title 35, United States Code, to Provide for Patent Reform.[15]

At Section 33, the 2011 patent law reform statute provided a limitation on 35 USC 101:

> (a) Limitation — Notwithstanding any other provision of law, no patent may issue on a claim directed to or encompassing a human organism.
>
> (b) Effective Date.
>
> (1) In general. - Subsection (a) shall apply to any application for patent that is pending on, or filed on or after, the date of the enactment of this Act [Sept. 16, 2011].
>
> (2) Prior applications. - Subsection (a) shall not affect the validity of any patent issued on an application to which paragraph (1) does not apply.

This is good news.

The US government and the pharmaceutical corporations might still try to argue chattel ownership of human beings who have been injected with the gene-modifying products known as Covid-19 vaccines, citing the Supreme Court precedents.

They may try to argue that once injected, those people can no longer be legally classified as human beings.

They may even try to argue that no human beings at all, injected or uninjected, possess inalienable rights to privacy, bodily integrity, or physical liberty against State-operated abuse under the US Constitution, or that the US Constitution and US statutes are null and void, and global governance documents such as the World Health Organization Constitution supersede them.

But in 2011, Congress made an attempt to establish legislative protections for human beings — as a distinct moral category of living creatures — against patent-based enslavement.

And that's good.

Below is a repost of my original reporting[16] on the patent slavery issue from Feb. 26, 2022, which I've now updated to add the information about the 2011 amendment to 35 USC 101.

At the bottom of this post is a list of the main reports I've published so far on the various aspects of the legal frameworks.

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In the first half of the interview, Callender outlined the 2005 International Health Regulations (to which the United States is a signatory), which allow for the suspension of national sovereignty and federal constitutional and statutory legal frameworks during a "public health emergency of international concern" as declared by the World Health Organization director-general.

Callender also laid out the legal significance of a 2013 US Supreme Court intellectual property case (*Association for Molecular Pathology v. Myriad Genetics*), which rendered genetically-modified organisms (such as plant seeds and mice) as legally chattel property of those who own the patents for the inserted genes.

If that US Supreme Court precedent stands, it could be used to legally render people who have been injected over the past year with the mRNA/DNA pharmaceutical products marketed as Covid-19 vaccines, as the chattel property of the injection patent holders: Pfizer, BioNTech, Moderna and Johnson & Johnson corporations.

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[15] https://www.govinfo.gov/content/pkg/PLAW-112publ29/pdf/PLAW-112publ29.pdf

[16] https://bailiwicknews.substack.com/p/legal-walls-of-the-covid-19-kill?s=w

The US Congress could adopt new legislation governing the legal status of genetically "vaccinated" citizens to define them as legally identical to natural humans, thus overriding the Supreme Court precedent and ensuring that they retain all the legal, human, constitutional, civil and other rights that they lack under the GMO case law…

2013 — US Intellectual Property and Patent Law; Title 35 U.S.C. 101

Case law, or legal precedents derived from judicial rulings in court cases, form another reinforcing strut of the kill box structure.

Callender cited *Association for Molecular Pathology v. Myriad Genetics*[17], a 2013 US Supreme Court case. (539 US 576).

According to the published Supreme Court opinion, Myriad was a company that

> "obtained several patents after discovering the precise location and sequence of the [human] BRCA1 and BRCA2 genes, mutations of which can dramatically increase the risk of breast and ovarian cancer. This knowledge allowed Myriad to determine the genes' typical nucleotide sequence, which, in turn, enabled it to develop medical tests useful for detecting mutations in these genes in a particular patient to assess the patient's cancer risk. If valid, Myriad's patents would give it the exclusive right to isolate an individual's BRCA1 and BRCA2 genes, and would give Myriad the exclusive right to synthetically create BRCA cDNA."

The Myriad court distinguished naturally-occurring DNA from synthetic or cDNA (complementary DNA):

> "...One such method begins with an mRNA molecule and uses the natural bonding properties of nucleotides to create a new, synthetic DNA molecule. The result is the inverse of the mRNA's inverse image of the original DNA, with one important distinction: Because the natural creation of mRNA involves splicing that removes introns, the synthetic DNA created from mRNA also contains only the exon sequences. This synthetic DNA created in the laboratory from mRNA is known as complementary DNA (cDNA)."

The US federal government intervened in the case[18], through an amicus brief filed by the US Department of Justice, taking the position that "isolated, but otherwise unmodified DNA should not be patent eligible, but that cDNA should be patent eligible."

The *Myriad* court found in favor of the biotech corporation and the federal government, ruling that naturally-occurring DNA is not patentable, but synthetic cDNA is patentable.

The Myriad case is the most recent intellectual property case in a line that goes back to a 1980 case called *Diamond v. Chakrabarty*, 447 U. S. 303.

Chakrabarty was a case about a US patent granted to the inventor of a "human-made, genetically engineered bacterium capable of breaking down crude oil" and upheld by the Supreme Court.

> "Title 35 U.S.C. 101 provides for the issuance of a patent to a person who invents or discovers "any" new and useful "manufacture" or "composition of matter." Respondent filed a patent application relating to his invention of a human-made, genetically engineered bacterium capable of breaking down crude oil, a property which is possessed by no naturally occurring bacteria. A patent examiner's rejection of the patent application's claims for the new bacteria was affirmed by the Patent Office Board of Appeals on the ground that living things are not patentable subject matter under 101. The Court of Customs and Patent Appeals reversed, concluding that the fact that micro-organisms are alive is without legal significance for purposes of the patent law.
>
> Held: A live, human-made micro-organism is patentable subject matter under 101. Respondent's micro-organism constitutes a "manufacture" or "composition of matter" within that statute."

[17] https://supreme.justia.com/cases/federal/us/569/576/

[18] https://www.genome.gov/about-genomics/policy-issues/Intellectual-Property

The 1980 *Chakrabarty* court highlighted the potential moral hazards of its decision:

> "[T]he petitioner, with the support of amicus, points to grave risks that may be generated by research endeavors such as respondent's. The briefs present a gruesome parade of horribles. Scientists, among them Nobel laureates, are quoted suggesting that genetic research may pose a serious threat to the human race, or, at the very least, that the dangers are far too substantial to permit such research to proceed apace at this time. We are told that genetic research and related technological developments may spread pollution and disease, that it may result in a loss of genetic diversity, and that its practice may tend to depreciate the value of human life."

But the *Chakrabarty* court concluded that such moral, ethical and biological risks were beyond its judicial purview; the judges deferred to elected members of Congress for resolution.

Between *Chakrabarty* in 1980 and *Myriad* in 2013, and since, several court cases involving Monsanto, Dupont, Syngenta and other biotech corporations developed an ownership and licensing paradigm for patented living organisms such as plant seeds and research animals.

For example, farmers obtain licenses from biotech corporations to grow and use patented seed lines, but the farmers don't own the seeds. So Monsanto and other companies have successfully prosecuted farmers, and been awarded millions of dollars in fines. Farmers have been prosecuted for saving seeds and replanting them in following growing seasons, for example, and they've been prosecuted for GMO crops that have grown, unlicensed, on their land from seeds blown from nearby, licensed crops. *See* Seed Giants v. US Farmers report, 2013[19].

The result: under international and American intellectual property and patent law, the act of genetic modification results in the modification-device patent holders owning the modified biological subject.

Judicial precedent applicable to human recipients of mRNA/DNA injections

After injection with the mRNA or DNA spike protein instructions, the human body and its cells become "a spike-protein factory," as countless explainer pieces have informed the public since late 2020.

Callender believes that because "synthetic genomes are the chattel property, the intellectual property, of the patent holders," and because the mRNA and DNA pharmaceutical products marketed by the US government, Pfizer/BioNTech, Moderna and Johnson & Johnson alter the DNA in the cells of the recipients to cause the production of spike proteins and make other, as-yet-unknown changes to the human genome, "All the people that got those shots, are now the chattel property of the patent holders of those shots…"

…One of the legal implications relate to potential prosecution of governments and pharmaceutical companies for homicide.

However, if a person shoots a dog, Callender said, the shooter can't be prosecuted for homicide, because a dog is not a human and homicide legally refers to the intentional killing of a human being.

If — as the *Myriad* precedent implies — a vaccinated human is legally distinct from a natural, unvaccinated human, and is owned by the pharmaceutical companies rather than owned by him or herself: "Do they enjoy human rights? Do they enjoy protections against homicide? Do they enjoy privacy rights? Do they enjoy any rights at all?" Callender asked. "Short answer is seemingly, No…That's how nefarious and detailed" the plan is.

Taken to the logical conclusion, for however long vaccinated humans are legally-distinct from natural humans, it will be difficult or impossible to prosecute the perpetrators for genocide on behalf of those killed by the injections. The victims, from a legal perspective, are not people and have no natural, God-given or Constitutionally-protected human sovereignty or rights to life or liberty…

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[19] https://www.centerforfoodsafety.org/reports/1770/seed-giants-vs-us-farmers

Legal framework reporting and essays:

- 2022.02.26 - Legal Walls of the Covid-19 Kill Box[20]
- 2022.03.28 - Democidal Master-Class v. Humanity, 1944-present[21]. A working model to shape forthcoming legal reporting on the dual-purpose kill-and-enslave campaign.
- 2022.04.28 - American Domestic Bioterrorism Program[22]. Building the case to prosecute members of Congress, presidents and HHS secretaries for treason under 18 USC 2381.
- 2022.05.19 - Where does the current Supreme Court majority stand on whether the US Constitution protects individual human liberty against encroachment by the State? Timeline of case law.

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June 3, 2022 - Run-up to the American bioterrorist State's Jan. 31, 2020 declaration of war - Part 2.

January 2018 - January 2020

Bio-war on Americans was declared Jan. 31, 2020[23], by then-Secretary of Health and Human Services Alex Azar, effective Jan. 27, 2020. There are many more data points that could be included in this timeline; these are just the ones that happened in the immediate, five-year period between January 2014 and the outbreak as allegedly reported by China to WHO in December 2019 and declared in January 2020, that I currently have in my index card files and pulled out while digging online and reading documents. It's a timeline of executive orders, patents, papers, regulations, statutes and related events. Readers who have events to add, please post them in the comments.

- Part 1 - January 2014 to December 2017[24] - Posted 05/25/2022
- Part 2 - January 2018 to January 2020 - Posted 06/03/2022

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2018/01/14 - Erin Elizabeth published report: 84th holistic doctor found dead, murdered in home, police asking for help[25], at Health Nut News, with links to prior report published 03/13/2016 and subsequently updated: Unintended Holistic Doctor Death Series: Over 100 dead[26]. *See* Mark Crispin Miller Substack post, 03/29/2022[27]

2018/01/19 - US Department of Defense, Defense Advanced Research Projects Agency (DARPA) Biological Technologies Program posted a call for grant proposals for PREventing EMerging Pathogenic Threats (PREEMPT) program[28] (HR00111880017)

> "DARPA is soliciting innovative proposals for research to develop new tools and models to quantify the likelihood of a virus to jump from an animal host into humans, and to develop and validate new scalable technologies to target potential human-capable viral pathogens in wild reservoirs and/or mosquito vectors to prevent transmission to humans."

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2018/03/27 - Peter Daszak of EcoHealth Alliance submitted grant proposal[29] for Project DEFUSE, in response to DARPA's PREEMPT call for proposals, requesting $14,209,245 for a project to run from 12/01/2018 to 05/31/2022 at sites in New York, NY; Palo Alto, CA; Chapel Hill, NC; Madison, WI; Singapore; and Kunming and Wuhan, China. Daszak's bioweapons research and development team proposes to:

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[20] https://bailiwicknews.substack.com/p/legal-walls-of-the-covid-19-kill?s=w
[21] https://bailiwicknews.substack.com/p/american-domestic-bioterrorism-program
[22] https://bailiwicknews.substack.com/p/where-does-the-current-supreme-court?s=w
[23] https://www.phe.gov/emergency/news/healthactions/phe/Pages/2019-nCoV.aspx
[24] https://bailiwicknews.substack.com/p/run-up-to-the-american-bioterrorist?s=w
[25] https://healthnutnews.com/84th-holistic-doctor-found-dead-murdered-in-home-police-asking-for-help/
[26] https://healthnutnews.com/recap/
[27] https://markcrispinmiller.substack.com/p/pfizer-has-a-plan-to-murder-doctors?s=r
[28] https://drasticresearch.files.wordpress.com/2021/09/prempt-background-hr001118s0017.pdf
[29] https://drasticresearch.files.wordpress.com/2021/09/main-document-preempt-volume-1-no-ess-hr00118s0017-ecohealth-alliance.pdf

"intensively sample bats at our field sites where we have identified high spillover risk SARSr-CoVs…sequence their spike proteins, reverse engineer them to conduct binding assays, and insert them into bat SARSr-CoV…backbones…to infect human mice and assess capacity to cause SARS-like disease…" and "evaluate two approaches to reduce SARSr-CoV shedding in cave bats: (1) Broadscale immune boosting, in which we inoculate bats with immune modulators to upregulate their innate immune response and downregulate viral replication; (2) Targeted immune boosting, in which we will inoculate bats with novel chimeric polyvalent recombinant spike proteins plus the immune modulator…We will try inoculum delivery methods on captive bats including a novel automated aerosolized system, transdermal nanoparticle application and edible adhesive gels."

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2018/03 - Possible start of SARS-CoV-2 outbreak in China. *See* China's CCP Concealed SARS-CoV-2 Presence in China as Far Back as March 2018[30], EthicalSkeptic, 11/15/2021, arguing that carbon emissions and public transit rider data provide evidence that SARS-like illness was circulating in China at very high rates in 2018 and 2019.

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2018/03/28 - ID2020 Project announced INFUSE project at World Economic Forum[31]: "Immunization: an entry point for digital identity[32]". ID2020 (the Alliance to Improve Lives through Digital Identity), funded by Microsoft, Rockefeller Foundation, IDEO-ORG, Accenture and GAVI, published call for proposals "for proven digital technology innovations — adapted to low-resource environments in developing countries — to help identify and register children, especially girls, who are at risk of missing out on life-saving vaccines." ID2020 Overview[33]. ID2020 Manifesto[34]: "The ability to prove one's identity is a fundamental and universal human right."

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2018/04/04 - US Health and Human Services Notice of Proposed Rulemaking, 83 FR 14391. HHS to add "and pregnant women" to "children" in the Vaccine Injury Compensation Program (VICP) Vaccine Injury Table[35]. This rule would establish full liability immunity for vaccine manufacturers as soon as a product is added by HHS to the list of recommended 'vaccines' for pregnant women. Since the 1986 National Vaccine Program Act, manufacturers have enjoyed the liability shield for products listed on the HHS childhood vaccination schedule. By notice dated 12/02/2021 (86 FR 68423), HHS adopted this as a Final Rule, in force as of 01/03/2022.

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2018/06/19 - US HHS Final Rule Federal Policy for the Protection of Human Subjects: Six Month Delay of the General Compliance Date of Revisions While Allowing the Use of Three Burden-Reducing Provisions During the Delay Period[36]. HHS federal policy originally announced 01/19/2017[37], gutting human subjects protections, including informed consent rules; policy to enter full force 01/21/2019. Covers government experiments on human beings conducted by

- Department of Health and Human Services (45 CFR Part 46)
- Department of Defense (32 CFR Part 219)
- Agency for International Development - US-AID (22 CFR Part 225)
- Department of Homeland Security (6 CFR Part 46)
- Department of Agriculture (7 CFR Part 1c)
- Department of Energy (10 CFR Part 745)
- National Aeronautics and Space Administration (14 CFR Part 1230)
- Department of Commerce (15 CFR Part 27)

[30] https://theethicalskeptic.com/2021/11/15/chinas-ccp-concealed-sars-cov-2-presence-in-china-as-far-back-as-march-2018/
[31] https://medium.com/id2020/immunization-an-entry-point-for-digital-identity-ea37d9c3b77e
[32] https://medium.com/id2020/immunization-an-entry-point-for-digital-identity-ea37d9c3b77e
[33] https://id2020.org/uploads/files/ID2020-Alliance-Overview.pdf
[34] https://id2020.org/uploads/files/ID2020-Alliance-Manifesto.pdf
[35] https://www.govinfo.gov/content/pkg/FR-2018-04-04/pdf/2018-06770.pdf
[36] https://www.govinfo.gov/content/pkg/FR-2018-06-19/pdf/2018-13187.pdf
[37] https://www.govinfo.gov/content/pkg/FR-2017-01-19/pdf/2017-01058.pdf

- Social Security Administration (20 CFR Part 431)
- Department of Housing and Urban Development (24 CFR Part 60)
- Department of Labor (29 CFR Part 21)
- Department of Education (34 CFR Part 97)
- Department of Veterans Affairs (38 CFR Part 16)
- Environmental Protection Agency (40 CFR Part 26)
- National Science Foundation (45 CFR Part 690)
- Department of Transportation (49 CFR Part 11)

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2018/07/09 - Stipulation filed in Informed Consent Action Network v. US-HHS[38], 18-cv-03215-JMF, re: National Childhood Vaccine Compensation Act, 42 USC 300aa-27.
ICAN:

> "In 1986, Congress charged HHS with the primary responsibility of ensuring vaccine safety after removing product liability from vaccine manufacturers as part of the National Childhood Vaccine Injury Compensation Act. As part of the 1986 Act, HHS is required to create a task force and submit bi-annual reports to Congress detailing actions taken to ensure vaccine safety. This stipulated order shows that HHS has not acted in its duties regarding vaccine safety[39], forcing 78 million American children into a vaccine program with no safety provisions."

HHS later located two reports: from 1988[40] and 1989[41], after which all reporting to Congress on the safety of the national childhood vaccination schedule stopped.

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2018/09/21 - Microsoft filed patent, Cryptocurrency system using body activity data[42], for an invention using body heat, fluids, or brainwaves to validate blockchain transactions and award users with digital currency.

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2018/10/09 - Johns Hopkins University Center for Health Security published report Technologies to Address Global Catastrophic Biological Risks[43], on 'self-spreading vaccine' technology, informed consent challenges of same, and 'self-amplifying mRNA vaccines.'

> P. 46 - "Self-spreading vaccines—also known as transmissible or self-propagating vaccines—are genetically engineered to move through populations in the same way as communicable diseases, but rather than causing disease, they confer protection. The vision is that a small number of individuals in the target population could be vaccinated, and the vaccine strain would then circulate in the population much like a pathogenic virus…
>
> This approach comes with several big challenges. One important component of the current vaccination approach for humans is the informed consent process. In order to receive a vaccine, individuals (or their legal guardians) must be informed about the risks of vaccination by a healthcare provider and provide their consent before being vaccinated. Those who decline are not forced to receive a vaccine.
>
> In the case of self-spreading vaccines, the individuals directly vaccinated would have this option, but those to whom the vaccine subsequently spreads would not. Additionally, self-spreading vaccines would potentially infect individuals with contraindications, such as allergies, that could be life-threatening. The ethical and regulatory challenges surrounding informed consent and prevention and monitoring of adverse events would be critical challenges to implementing this approach even in an extreme event.

[38] https://www.icandecide.org/ican-vs-hhs-the-great-vaccine-debate/
[39] https://www.icandecide.org/wp-content/uploads/2019/09/Stipulated-Order-copy.pdf
[40] https://www.documentcloud.org/documents/5835885-Report-1.html
[41] https://www.documentcloud.org/documents/5835886-Report-2.html
[42] https://patents.google.com/patent/US20200097951A1/en
[43] https://jhsphcenterforhealthsecurity.s3.amazonaws.com/181009-gcbr-tech-report.pdf

Finally, there is a not insignificant risk of the vaccine virus reverting to wild-type virulence, as has sometimes occurred with the oral polio vaccine—which is not intended to be fully virulent or transmissible, but which has reverted to become both neurovirulent and transmissible in rare instances. This is both a medical risk and a public perception risk; the possibility of vaccine-induced disease would be a major concern to the public."

P. 51 - "Synthetic Vaccinology: Self-Amplifying mRNA Vaccines. Recent research in synthetic vaccinology has highlighted self-amplifying mRNA (SAM) vaccines…

Once inside a cell, the SAM is immediately translated and creates 2 proteins: the antigen of interest and the viral replicase. The viral replicase is then able to drive intracellular amplification by synthesizing a negative sense copy of the originally injected RNA, which will then result in production of additional positive sense viral RNA in a recursive process…

During the 2013 H7N9 outbreak in China, a prototype SAM(H7) vaccine was synthesized in only 8 days."

*

2018/10/19 - Johns Hopkins Center for Health Security conducted Event 201[44]:

"An invitation-only audience of nearly 130 people…[observed] a 3.5-hour pandemic tabletop exercise that simulated a series of dramatic, scenario-based facilitated discussions, confronting difficult, true-to-life dilemmas associated with response to a hypothetical, but scientifically plausible, pandemic. 15 global business, government, and public health leaders were players[45] in the simulation exercise that highlighted unresolved real-world policy and economic issues that could be solved with sufficient political will, financial investment, and attention now and in the future."

*

2018/11/27 - Paper by Ralph Baric, University of North Carolina at Chapel Hill, Lysomal proteases are a determinant of coronavirus tropism[46]. HEK293 cells transfection with HIV-1, MERS-CoV, SARS-CoV spike protein. *See* Igor Chudov Substack, 02/19/2022[47]

*

2019/01/03 - Paper by Anthony Mawson and Ashley Croft published in International Journal of Environmental Research and Public Health, Gulf War Illness: Unifying Hypothesis for a Continuing Health Problem[48].

"It is proposed that multiple vaccinations, with concurrent or subsequent exposure to pyridostigmine bromide or additional chemical insults of a liver-damaging nature, plausibly explain the pathogenesis and the observed chronicity of Gulf War Illness. The suggested mechanism for GWI is thus a chemically-induced impaired liver function, with the spillage of stored vitamin A compounds ("retinoids") into the circulation in toxic concentrations, resulting in an endogenous chronic form of hypervitaminosis A."

*

2019/01/21 - New federal policy on human subjects research[49], first announced in Federal Register 01/19/2017, went into full effect. Eviscerated human subjects protections, including informed consent.

*

[44] https://www.centerforhealthsecurity.org/event201/about
[45] https://www.centerforhealthsecurity.org/event201/players/index.html
[46] https://pubmed.ncbi.nlm.nih.gov/30258004/
[47] https://igorchudov.substack.com/p/covid-vaccine-hiv-and-vaids-an-explanation?r=ozo1n&s=r
[48] https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6339135/
[49] https://www.govinfo.gov/content/pkg/FR-2017-01-19/pdf/2017-01058.pdf

2019/02/11 - Trump Executive Order 13859[50] - Maintaining American Leadership in Artificial Intelligence. Directing and prioritizing federal agency collaboration with industry for AI research and development.

*

2019/03/28 - Moderna filed continuation of several prior patent applications for 'beta coronavirus mRNA vaccines'. This was nine months before the outbreak was announced in Western nation-states. The series of prior applications dated back to 10/21/2016. A subsequent application in the series was filed 02/28/2020 and the patent was granted 07/07/2020, US10702600[51].
2019/05 - Congressional Research Service report by Wen W. Shen: An Overview of State and Federal Authority to Impose Vaccination Requirements[52], published seven months before the outbreak was officially announced by WHO and US government, and issued in updated form[53] several times since, as mandates have been announced and resulting civil cases have moved through courts.

> "Although states have traditionally exercised the bulk of authority in this area, Congress, as a result of various enumerated powers in the Constitution, likewise has some authority over public health matters, including regulation of vaccination. This authority derives from, among other sources, the Commerce Clause and the Spending Clause of the U.S. Constitution…
>
> Congress's exercise of these authorities is also subject to certain external constraints. In the context of public health regulations, the key constraints are those grounded in federalism and the protection of individual rights. Pursuant to the principles of federalism, the Supreme Court has interpreted the Tenth Amendment to prevent the federal government from commandeering or requiring state officers to carry out federal directives. In the context of vaccination, this principle prevents Congress from requiring states or localities to pass mandatory vaccination laws, but it does not impede Congress from using its Spending Clause authority to provide incentives (in the form of federal grants) to states to enact laws concerning vaccination. In terms of protection of individual rights, there are few external constraints on Congress's ability to impose mandatory vaccination requirements. Potential due process and equal protection concerns, as noted above, are limited under *Jacobsen* and *Zucht*."

*

2019/06/24 - Congress passed and President Trump signed 2019 Pandemic and All-Hazards Preparedness and Advancing Innovation Act[54]. Amended Public Health Service Act (42 U.S.C. 201) — latest in a sequence of revisions adopted 1983[55], 1986[56], 1988[57], 1993[58], 1997[59], 1998[60], 2000[61], 2002[62], 2004[63], 2005[64], 2006[65], 2007[66], 2012[67], 2013[68], 2016[69] — consolidating federal power in HHS Secretary's hands during public health emergencies; merging public health and law enforcement systems; subordinating state, tribal, county and municipal governments and American civilians to direct federal control; and funding the US government's domestic bioterrorism program. Also addressed biosurveillance, genomic engineering technologies, mosquito programs, and vaccine development.

*

[50] https://www.govinfo.gov/content/pkg/FR-2019-02-14/pdf/2019-02544.pdf
[51] https://assets.modernatx.com/m/6fa93a4f95208572/original/US10702600.pdf
[52] https://crsreports.congress.gov/product/pdf/LSB/LSB10300/2
[53] https://crsreports.congress.gov/product/details?prodcode=R46745
[54] https://www.congress.gov/116/plaws/publ22/PLAW-116publ22.pdf
[55] https://uscode.house.gov/statutes/pl/98/49.pdf
[56] https://www.congress.gov/99/statute/STATUTE-100/STATUTE-100-Pg3743.pdf
[57] https://www.congress.gov/100/statute/STATUTE-102/STATUTE-102-Pg3048.pdf
[58] https://www.congress.gov/103/statute/STATUTE-107/STATUTE-107-Pg122.pdf
[59] https://www.congress.gov/105/plaws/publ115/PLAW-105publ115.pdf
[60] https://www.congress.gov/105/plaws/publ277/PLAW-105publ277.pdf
[61] https://uscode.house.gov/statutes/pl/106/505.pdf
[62] https://www.congress.gov/107/plaws/publ188/PLAW-107publ188.pdf
[63] https://www.congress.gov/108/plaws/publ276/PLAW-108publ276.pdf
[64] https://uscode.house.gov/statutes/pl/109/148.pdf
[65] https://www.congress.gov/109/plaws/publ417/PLAW-109publ417.pdf
[66] https://www.govinfo.gov/content/pkg/STATUTE-120/pdf/STATUTE-120-Pg3675.pdf#page=11
[67] https://www.congress.gov/112/plaws/publ144/PLAW-112publ144.pdf
[68] https://www.congress.gov/113/plaws/publ5/PLAW-113publ5.pdf
[69] https://www.congress.gov/114/plaws/publ255/PLAW-114publ255.pdf

2019/08/07 - Death of Kary Mullis[70], expert in polymerase-chain reaction (PCR) and critic of Anthony Fauci. If alive, his voice would have been among the earliest dissident scientists arguing against use of PCR for diagnostics and public health crisis management in early 2020, due to its high rate of false-positives at high cycle thresholds.

*

2019/08/22 - 2019/08/24 - Private Federal Reserve central bankers annual meeting[71] at Jackson Hole, Wyoming: Challenges for Monetary Policy. Discussions included the overnight repo market crisis that intensified in September and October. G-7 launched Going Direct Reset[72] plan, transfer of $5 trillion to globalist insiders.

*

2019/09/16 - HHS FDA workshop on Identification and Use of Biomarkers to Advance the Development of Preventative Vaccines[73]. Related to the FDA's constructive knowledge of the significance of no biomarker studies, such as D-dimer markers of microclots and heart damage, in the invalid November 2020 Pfizer Phase 1/2/3 clinical trial protocol[74]. "8.5. Pharmacokinetic parameters are not evaluated in this study; 8.6. Pharmacodynamic parameters are not evaluated in this study; 8.7. Genetics (specified analyses) are not evaluated in this study; 8.8. Biomarkers are not evaluated in this study." (p. 72)

*

2019/09/19 - Trump Executive Order 13887[75] - Modernizing Influenza Vaccines in the United States to Promote National Security and Public Health. Authorized funding and development of rapid-deployment mRNA/DNA/LNP/nanotech bioweapon platforms misclassified as public health protection:

> This order directs actions to reduce the United States' reliance on egg-based influenza vaccine production; to expand domestic capacity of alternative methods that allow more agile and rapid responses to emerging influenza viruses; to advance the development of new, broadly protective vaccine candidates that provide more effective and longer lasting immunities; and to support the promotion of increased influenza vaccine immunization across recommended populations.

*

2019/12/12 - Material Transfer Agreement[76] signed between US Health and Human Services (HHS) National Institutes of Health (NIH) National Institute for Allergies and Infection Diseases (NIAID), led by Anthony Fauci, University of North Carolina coronavirus researcher and patent-holder Ralph Baric, and Moderna, for "mRNA coronavirus vaccine candidates developed and jointly owned by NIAID and Moderna."

*

2019/12 - Bill Gates tweet: "Bullish" on vaccines. *See* Edward Dowd, Corona Investigating Committee testimony, 02/25/2022[77]

*

2019/12/31 - World Health Organization allegedly notified by China of a viral pneumonia outbreak centered in Wuhan[78].

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[70] https://uncoverdc.com/2020/04/07/was-the-covid-19-test-meant-to-detect-a-virus/
[71] https://www.kansascityfed.org/research/jackson-hole-economic-symposium/challenges-for-monetary-policy/
[72] https://wallstreetonparade.com/2020/06/blackrock-authored-the-bailout-plan-before-there-was-a-crisis-now-its-been-hired-by-three-central-banks-to-implement-the-plan/
[73] https://www.fda.gov/vaccines-blood-biologics/workshops-meetings-conferences-biologics/identification-and-use-biomarkers-advance-development-preventive-vaccines-public-workshop-09162019#event-materials
[74] https://cdn.pfizer.com/pfizercom/2020-11/C4591001_Clinical_Protocol_Nov2020.pdf
[75] https://www.govinfo.gov/content/pkg/FR-2019-02-14/pdf/2019-02544.pdf
[76] https://s3.documentcloud.org/documents/6935295/NIH-Moderna-Confidential-Agreements.pdf
[77] https://odysee.com/@Corona-Investigative-Committee:5/Session-93-Edward-Dowd:6
[78] https://www.who.int/emergencies/disease-outbreak-news/item/2020-DON229

2020/01/30 - WHO Director-General Tedros Adhanom Ghebreyesus declared Covid-19 outbreak a "public health emergency of international concern,[79]" (PHEIC) triggering the legal obligations of WHO member states under the 2005 International Health Regulations, to suspend national sovereignty and constitutional rights of citizens using the implementing domestic statutes and regulations they had adopted in compliance with the WHO IHR.

*

2020/01/31 - US Secretary of Health and Human Services Alex Azar complied[80] with the WHO-required procedure to suspend the US Constitution, nullify Constitutional rights held by citizens, and transfer governing power from the three Constitutional branches of the US government into his own hands (now Xavier Becerra's hands) as the American administrator of WHO governance, by officially declaring Covid-19 a "public health emergency."

*

2020/01/31 - Preprint Paper, Pradhan et al, Uncanny similarity of unique inserts in the 2019-nCoV spike protein to HIV-1 gp120 and Gag[81]. *See* Igor Chudov, 02/19/2022. The paper was immediately suppressed, authors forced to withdraw it.

* * *

June 7, 2022 - On why and how globalists, allied with communists, are fomenting federalist conflicts in America.

They aim to block American Christians and Constitutionalists from working together to protect individual human liberty to freely discern and work the will of God.

- Part 1 - Analysis of recent developments in federal courts (below)
- Part 2 - Court case timeline with further analysis (to be posted next week)

*

Part 1 - Recent developments and commentary

On June 4, Jeffrey Tucker posted an essay at Brownstone Institute: Elections Won't Fix This[82], about the rise of the unaccountable, permanent administrative State, which now vastly overpowers elected legislatures and the citizen voters who elect representatives to those bodies. Tucker cited *Chevron v. Natural Resources Defense Council*, a Supreme Court case from 1984, as a key turning point. I've added it to the main judicial timeline first posted on 05/19/2022[83].

*

In the last few days, Jeff Childers at Coffee and Covid[84], and America's Frontline Doctors[85] both reported on the US Supreme Court's May 23, 2022 denial of certiorari (constitutional review) in a New York State Court of Appeals case: *F.F. v. New York*, brought by parents of New York schoolchildren subjected to school vaccine mandates without recourse to religious exemptions, which the New York legislature revoked in June 2019.

[79] https://www.euro.who.int/en/health-topics/health-emergencies/international-health-regulations/news/news/2020/2/2019-ncov-outbreak-is-an-emergency-of-international-concern
[80] https://www.phe.gov/emergency/news/healthactions/phe/Pages/2019-nCoV.aspx
[81] https://medicalveritas.org/wp-content/uploads/2020/02/Pradham-et-al-Coronavirus-HIV-paper.pdf
[82] https://brownstone.org/articles/elections-wont-fix-this/
[83] https://bailiwicknews.substack.com/p/where-does-the-current-supreme-court?s=w
[84] https://www.coffeeandcovid.com/p/-coffee-and-covid-saturday-june-4?s=r
[85] https://madmimi.com/p/80bd041?pact=80204794-168104271-13207959399-9806165d7743c910039053645adfcfd8b01a2b05

Childers wrote:

> People, I've said it a million times and I'll say it again: Constitutional rights are only as good as what a court will enforce. It's not magic. We cannot depend on the Constitution to save us, especially if we lose the courts.
>
> *

I posted a short comment at Childers site, and expand on the same issues below.

> The federal courts have been offline for Constitutional issues related to government's Covid mitigation measures since May 2020, when SCOTUS Chief Justice John Roberts used his opinion in *South Bay Pentecostal v. Newsom* (590 US__2020) to direct federal judges to refuse to review executive and legislative acts undertaken in the context of the declared public emergency. The federal judges have complied, including multiple instances of SCOTUS justices refusing appeals of constitutional cases without explanation.
> In other words, federal courts in America have already fallen to the globalists. Many state courts are still holding on, thanks be to God and courageous state judges.
>
> *

In his weekly Sunday pay-walled post[86], Childers wrote about Peter Navarro's arrest at the direction of the Democratic party's J6 committee, and about a Newsweek op-ed titled "Davos: The Left Didn't Eat the Rich. The Rich Ate the Left."

The editorial reminded Childers of the Davos protests at the World Economic Forum in September 2000, and prompted him to write:

> So the question I'm still thinking about is: how'd they do it? How did the WEF capture the populist Left? And now that they have it, what are they doing with it? Is this why the WEF's global influence feels so outsized, because it now has no significant opposition?
>
> *

This is an excellent question.

As a young couple with a toddler back in 2000, living in Tucson, Arizona, my husband and I put our son into a backpack carrier and marched with other protesters at anti-elite-corporate-globalism, anti-WEF, anti-World Trade Organization, anti-International Monetary Fund demonstrations.

Those anti-corporate-globalism protests were organized by the same progressive, left-wing political cohort that had popped into global public awareness a year earlier, with the 1999 Battle of Seattle[87], and before that, the alliance of blue-collar factory workers, labor organizers, farmers, farm workers and environmentalists in Mexico, Canada and the United States that fought the North American Free Trade Alliance (NAFTA) passed in 1994.

A year later, having moved to New York City, we were on the streets, with our son in a stroller, demonstrating against the planned invasion of Afghanistan just after the attacks of September 11, 2001.

A year-and-a-half after that, in March 2003, we were on the streets of Manhattan again, marching against George W. Bush, Dick Cheney, Donald Rumsfeld and the other neocons' planned invasion of Iraq on the false pretext of 'weapons of mass destruction' and the coerced, partial fig-leaf of United Nations Security Council endorsement, exposed by whistleblower Katharine Gun[88].

At that last protest, in early 2003, we had the terrifying experience of kettling[89] by the police, in which demonstrators are pushed with barricades into smaller, more densely packed areas of the street. Our son was four at the time; we left the protest and went home.

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[86] https://www.coffeeandcovid.com/p/-coffee-and-covid-sunday-june-5-2022?s=r
[87] https://en.wikipedia.org/wiki/1999_Seattle_WTO_protests
[88] https://wikispooks.com/wiki/Katharine_Gun
[89] https://www.gq.com/story/what-is-kettling

We haven't attended many street protests since then, because of the kettling (street protesting endangered us and our kids); because the legacy media successfully suppressed the size and ideological diversity of the protests (street protesting was an ineffective form of political speech); and because we were busy raising young children and working within local politics (hoping it would prove more effective).

Among other things, I worked for several years at the local level with the rights-based organizing model pioneered by Attorney Thomas Linzey and Richard Grossman, through the Community Environmental Legal Defense Fund[90] they founded in 1995.

The model is designed to empower individuals to fight against legalized Corporate-State predation using local government structures and principles of self-government and personal sovereignty, instead of dead-end regulatory challenges conducted through the captured administrative State.

*

I posted a short comment on Jeff Childers post:

> My working hypothesis, strongly informed by Malachi Martin's analysis in *The Keys of This Blood* (1990) is that the globalists captured the populist left by forming an alliance of convenience between transnational capital (the banksters[91]) and Marxist social justice/secular materialist warriors, using money (George Soros et al funding the Black Lives Matter groups and color revolutions of the world) alongside ideological persuasion that their joint Enemy No. 1 is Christian Constitutionalists with a commitment to individual liberty and federalism as a means of securing it.
>
> I think the Davos crowd captured the populist right in the same way — by coopting the 2009 Tea Party movement — at least until Trump came along.
>
> The globalists did this for two main reasons.
>
> They realized that the 2009 Tea Party movement and the 2011 Occupy Wall Street movement were converging on a geopolitical analysis in which conservative Christian Constitutional populists angry at government overreach could join forces with progressive populists angry at the corporate predation by financial elites, to unite against the two-headed, single-beast of the Corporate-State jointly controlled by globalists and Marxists.
>
> And they had the money to buy off the leaders of the key organizing groups.

*

Globalists, allied with communists, have been using the American administrative State as one major front in the war on humanity, as outlined in the American Domestic Bioterrorism Program[92] overview post and related legal reporting.

They have a second major front.

They're using the federal courts to erode Constitutional jurisprudence, individual rights and the federalist system: the system set up by the Founders to control tyranny.

Constitutional federalism — imperfect though it is, as a compromise between the elitist Federalists led by Alexander Hamilton and the plain folk Jeffersonians — places real limits on centralized federal authority through the separation of powers among three co-equal legislative, judicial and executive branches; the Bill of Rights explicitly denying certain powers to the federal government; and the 10th Amendment reservation of all powers not explicitly granted to the federal government, to the states and to the People as individual human beings.

*

[90] https://ratical.org/corporations/SiaDG.html
[91] https://www.rollingstone.com/politics/politics-news/wall-streets-bailout-hustle-197925/
[92] https://bailiwicknews.substack.com/p/american-domestic-bioterrorism-program?s=w

For communists following the ideological lead of Karl Marx, Antonio Gramsci and their intellectual descendants, the individual exists for the benefit of the collective, and specifically for the people who occupy the top tier of the communist political organizations in each country.

For globalists, it's the same story, except the individual exists for the benefit of the elite people who serve as stand-ins or placeholders for the idea of the collective as a whole.
In both cases, the purpose of the collective to which the individual is subordinate, is the promotion of this-world material wellbeing in terms of more goods and longer longevity for the primary beneficiaries: the political elites in the Party, or the financial elites within the global economic system.

From that viewpoint, any conflict or tension between the individual human being and the human society in which he lives, is resolved by destroying the individual and any governing principle — such as Constitutional rule of law — that protects the individual from society and from government.

For Christians and Constitutionalists, on the other hand, society exists for the benefit and wholesome moral development of individuals as created beings moving closer to our Creator God in this-life and this-world and — if we discern, pray, love and work well here — heaven for eternity.

From that viewpoint, any conflict between individual and society must be addressed by reforming or replacing disordered governments that disrupt wholesome moral development, to restore and strengthen the natural order that supports the individual's approach to God.

*

Along these lines and particularly relevant to the Covid-19 context, Pope Pius XII addressed moral limits on what doctors may do to a patient, what a patient may allow doctors to do to his or her body and mind, and what experimenters may do to human subjects, in his 1952 speech On the Moral Limits of Medical Research and Treatment[93].

> …A man cannot perform on himself or allow doctors to perform acts of a physical or somatic nature which doubtless relieve heavy physical or psychic burdens or infirmities, but which bring about at the same time permanent abolition or considerable and durable diminution of his freedom, that is, of his human personality in its typical and characteristic function.
>
> Such an act degrades a man to the level of a being reacting only to acquired reflexes or to a living automation. The moral law does not allow such a reversal of values.

Pope Pius XII also addressed head-on the relationship between the individual and society in the medical treatment and experimentation context:

> Insofar as the moral justification of the experiments rests on the mandate of public authority, and therefore on the subordination of the individual to the community, of the individual's welfare to the common welfare, it is based on an erroneous explanation of this principle. It must be noted that, in his personal being, man is not finally ordered to usefulness to society.
>
> On the contrary, the community exists for man.

*

Catholic writer Malachi Martin wrote a great deal about the deadening structuralism of mid-century modernity between 1939 and 1978, with American culture leading the way, in *Three Popes and the Cardinal*.[94]

He published the book in 1972, writing about the men who launched, led and then began the implementation of the dramatic Vatican II transformation of the Roman Catholic Church: Pope Pius XII, Pope John XXIII, Pope Paul VI and Cardinal Augustin Bea.

[93] https://www.papalencyclicals.net/pius12/p12psych.htm
[94] https://archive.org/details/ThreePopesAndTheCardinal

Early in the book, Martin describes history as an "unfolding drama whose plot has God as its playwright." (p. 46) He wrote that Christianity, somewhat settled after the persecutions of the second and third centuries, began to shape Mediterranean culture in profound, far-reaching ways.

Among other things, Christians transformed concepts of the person and the family:

> "*Persona*, originally a mask worn by an actor, and then used to denote a character in a play, was used to describe one of the two fundamental Christian contributions to ancient thought. No ancient language has a word corresponding to our word person. The concept was alien both to Greco-Roman and to Semitic thought. Neither the Jewish Bible nor Greek philosophy nor Roman law ever conceived of a human being as a person in our modern sense. Judaism early adopted the Christian idea, as did the Roman lawgivers of the fifth and sixth centuries."
>
> The second fundamentally and peculiarly Christian contribution was the transmutation of the Roman word *familia*. In its Christian sense, it meant the nuclear family as we understand the term today: a man, his wife and their children. Again, neither in Greco-Roman nor in Christian Jewish thought was there ever a word for or a clear concept of the nuclear family. This was a Christian concept and it brought the Roman term *familia* to mean just that." (p. 81)

Martin wrote, of the American Catholic layman post-Nagasaki and Hiroshima:

> All felt increasingly the pressure of structuralism throughout their lives as citizens and as individuals. All experienced more and more the need…for compassion, for relief from the fear of being submerged as individuals, for a reassurance that, under further dissection at the hands of structuralist society and the impersonal reach of government, they would not cease to be the men they were or lose the hope of being the men they planned to be… (p. 154)
>
> From 1945 onwards, the life of Western man was spent in the penumbra of fear that a nuclear war would end him completely; and his daily life was increasingly invaded by a structuralism which effectively blotted out any brilliance of the glory because of the intricate network of complex living systems to be coped with, if life was to continue.
> Reminders that he should fear the power or admire the glory seemed, more and more, to be willful distractions from the job of mere survival, mere palliatives for his problem of remaining at least human. (p. 165)

*

Martin continued developing the idea of structuralism as a key driver of modern man's moral and societal predicaments in another book: *The Keys of This Blood,* published in 1990 just after the fall of the Berlin Wall and collapse of the Soviet Union in 1989, and just before the formal adoption of the legal and financial instruments that created the European Union through the 1992 Maastricht Treaty, another step on the road to globalization.

Martin describes Pope John Paul II's definition of the Christian meaning of human morality:

> …the meaning and the drive and the power of morality cannot be eradicated in the lives of men and women. For human morality derives from one most basic fact: Because God created man in his own image and likeness by endowing him with an indestructible principle of being — a principle of being called a soul — in all that mankind does, the important dimension is spiritual, is a thing of man's soul and its spiritual values…
>
> What is morally good, says this Pope in one voice with all the popes who have preceded him, respects those laws of God about the family unity of mankind and about individual rights. What is morally bad breaks those laws, and is called sin. (pp. 156-157)

*

Martin then set the Christian concept of human morality within the emerging global geopolitical and georeligious/theopolitical context:

> As Christians and Roman Catholics, [Pope John Paul II] insists, we not only can but must speak of 'sinful structures' when we find that such structures are created by men and women who are inspired *uniquely* by economic, financial, political or ideological gain. For in acting out of such motives alone, the builders of such structures violate at least the First Commandment, which forbids the worship of false gods.
> When money, ideology, class or technological development dictates exclusively how we behave, then we are in effect worshipping idols, just as surely as if we were to set up a golden calf in the Sinai of our world, ascribe omnipotence to it, and give it our obeisance and adoration.
>
> In that sort of situation, at least one and probably two sinful intentions are operative: an all-consuming desire for profit; and the thirst for power. In fact, as these human attitudes and propensities are built into the structures of our society, they are not merely operative; they quickly become absolutized. They dominate our thoughts, our intentions and our actions. They become the household gods on the mantels of our structures.
>
> The structures themselves, therefore, are rooted in the personal sins linked to the choices and the concrete acts of the individuals to design and introduce those structures, consolidate them, promote them, build their lives on them, define success in their terms, and make those structures difficult to remove.
>
> As such structures grow stronger and spread farther, they become the source of other personal sins. They influence the behavior of increasing numbers of individuals, leading them in turn to violate God's moral law and thus to commit sin.
>
> The originators of those structures have, in other words, introduced into the everyday world of men and women influences and obstacles that last far beyond the actions and brief life span of any individual. The structures are the vehicles of their sins, and can aptly and accurately be described as 'sinful structures.' (pp. 158-159)

*

Pope John Paul II, in Martin's account of his worldview and work as of 1990, found widespread concurrence with his view that "this world system — this newly minted and all-encompassing interdependence that is coming into existence — includes economic, political, cultural and sectarian elements."

Somewhat surprisingly, he also found widespread agreement with "what he is certain is the most basic fact of all: the fact that interdependence among nations must be based upon some common agreement as to moral good and moral evil in modern life. And further, that if such common agreement cannot be reached as a working basis of globalism, then all attempts at establishing a new world order will end only in disaster." (p. 159)

*

<u>Part 2 Preview/Orientation</u>

Part 2 will be a judicial timeline highlighting some of the Covid-predicated cases through which the Supreme Court has been destroying constitutional government in the United States for the last two years, and in the process, promoting moral evil and suppressing moral good.

The justices' silence on constitutional issues is the primary tell.

Despite multiple opportunities to block further federal government abuse — under false public health pretenses — of schoolchildren, teachers and school staff, university students, faculty and staff, nurses, doctors and other health care workers, members of religious congregations, military personnel, county government officials, and business owners, they haven't done it.

The timeline will include two cases that I plan to write about in more detail in the next few weeks.

Through *Robert v. Austin*, I think the Department of Defense, the Tenth Circuit Court of Appeals and a SCOTUS majority will try to put another judicial nail in the coffin of bodily integrity rights of human beings who serve in the US military.

Through *Dobbs v. Jackson Women's Health*, I think a SCOTUS majority — perhaps under duress, perhaps not — is preparing to end the special moral and legal status of human beings as living creatures endowed by our Creator with inalienable personal rights, while setting up conditions for equal protection challenges to the ensuing disparate, patchwork state regulation of abortion so that human dignity, conscience and bodily integrity principles can be undermined uniformly nationwide.

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One key point to keep in mind while thinking about the recent case law: the fight between individual liberty and government tyranny is very much alive.

Within the list of relevant Supreme Court precedents[95], many of them do recognize human rights to individual liberty, personal privacy and bodily integrity against government violation, including Union Pacific Railroad Co. v. Botsford (1891), Schloendoerff v. Society of New York Hospital (1914), Snyder v. Massachusetts (1934) and Cruzan v. Missouri Department of Health (1990).

The globalists and the communists want the world's people to believe that these matters are settled, or will be settled in the next little while; that tyranny and totalitarianism are inevitable, have decisively won already; and that resistance is therefore futile.

They would like us to be so effectively "conditioned[96] to expect pain, suffering, or discomfort without a way to escape it" that we "stop trying to avoid the pain at all—even if there is an opportunity to truly escape it."
The political and governmental chaos through which we are all clearly living begs to differ.

The globalists and communists have made lots of evil plans.

They've made considerable headway for the last century or so.

To this day, they're vigorously continuing to pursue their evil designs.

But nothing is settled.

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There have been four broad categories of civil lawsuits challenging Covid-19 acts since Spring 2020:

1. Claims challenging violation of Constitutionally-protected human rights by local, state and federal governments, including school districts.
2. Claims challenging violation of Constitutionally-protected human rights by private businesses.
3. Claims challenging federal, state and local Covid-19 acts on grounds other than unconstitutionality, such as procedural, regulatory or fraud claims.
4. Claims challenging withholding of information from the public, by governments and private businesses.

Some federal cases have made it through the first level review by US District Courts and the second level review by circuit courts of appeal, to the Supreme Court of the United States. Some state cases have made it to the highest appellate court in their states, and gone on to the Supreme Court seeking constitutional review.

The rest are still working their way through the lower state and federal courts.

Of the cases I'm aware of, that have made it to the Supreme Court, most have been rejected for review without explanation, leaving the circuit court or state court rulings to stand.

Most of the federal and state court rulings I've seen, have avoided addressing constitutional issues, focusing instead on procedural or regulatory elements of the controversies.

[95] https://bailiwicknews.substack.com/p/where-does-the-current-supreme-court?s=w
[96] https://positivepsychology.com/learned-helplessness-seligman-theory-depression-cure/

Next week's post will lay out some of these cases in more detail, including summaries of initial filings, lower court rulings, intermediate court rulings, and Supreme Court disposition, if any.

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Claims challenging violation of Constitutionally-protected human rights by local, state and federal governments, including school districts and public universities.

- South Bay United Pentecostal Church v. Newsom - California, religious organization challenging Governor's emergency orders
- Butler v. Wolf - Pennsylvania, business owners and county governments challenging Governor's emergency orders
- Klaassen v. Trustees of Indiana University - university students challenging public university pharmaceutical product injection mandate
- Keil v. City of New York and Kane v. DeBlasio - public school employees challenging public school district pharmaceutical product injection mandate.
- FF v. New York - public school children and parents challenging public school district pharmaceutical product injection mandate.
- Missouri v. Biden and Louisiana v. Biden - health care workers and state governments challenging federal government pharmaceutical product injection mandate through US Health and Human Services Center for Medicare and Medicaid Services (CMS)
- Griner v. Biden - doctor challenging federal government pharmaceutical product injection mandate through CMS.
- Robert v. Austin - military personnel challenging US Department of Defense pharmaceutical product injection mandate.
- Navy Seal 1 v. Biden - military personnel challenging US Department of Defense pharmaceutical product injection mandate.
- Doster v. Kendall - military personnel challenging US Department of Defense pharmaceutical product injection mandate
- Costin v. Biden - federal employees challenging Biden's Executive Order pharmaceutical product injection mandate.
- Church v. Biden - federal employees challenging Biden's Executive Order pharmaceutical product injection mandate.
- Feds for Medical Freedom v. Biden - federal employees challenging Biden's Executive Order pharmaceutical product injection mandate.
- National Federation of Independent Businesses v Department of Labor Occupational Health and Safety Administration (OSHA) and Ohio v. Department of Labor - state governments and business owners challenging OSHA's pharmaceutical product injection mandate
- Federal Civilian Contractor Employer v. Austin - federal contract workers challenging Biden's Executive Order pharmaceutical product injection mandate.
- Federal Civilian Contractor Employer v. Carnahan - federal contract workers challenging Biden's Executive Order pharmaceutical product injection mandate.

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Claims challenging violation of Constitutionally-protected human rights by private businesses.

- Bridges v. Houston Methodist Hospital - health care workers challenging private employer pharmaceutical product injection mandate.

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Claims challenging federal, state and local Covid-19 acts on grounds other than unconstitutionality, such as procedural, regulatory or fraud claims.

- Health Freedom Defense Fund v. Biden - Airline employees and passengers challenging HHS Centers for Disease Control and Prevention (CDC) public transportation medical device/mask mandate under Administrative Procedures Act.

- Jackson v. Ventavia - Private citizen whistleblower challenging federal government contracting procedures under False Claims Act.
- Ealy v. Redfield - Oregon state legislators and private citizens challenging federal government policies under Administrative Procedures Act
- America's Frontline Doctors v. Becerra - Challenge to Food and Drug Administration (FDA) Emergency Use Authorization (EUA) procedures for medical devices and pharmaceutical products, including injections.
- Children's Health Defense Fund v. Woodcock and FDA - Challenge to FDA licensing procedures for medical devices and pharmaceutical products, including injections.

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Claims challenging withholding of information from the public, by governments and private businesses

- Public Health and Medical Professionals for Transparency v. Food and Drug Administration
- Changizi v. Health and Human Services
- Empower Oversight v. National Institutes of Health

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June 9, 2022 - COVID-19 injectable bioweapons as case study in legalized, government-operated domestic bioterrorism.

Or: why there won't be any civil suits, or compensatory damages for injured victims or survivors of dead victims.

This is a reworking of information posted previously, including at the bottom of the American Domestic Bioterrorism Program[97] post.

Since first realizing the implications of the many Congressional statutes and Health and Human Services regulations adopted to create and operate the bioterrorism program, mostly between 1997 and the present, I've been intermittently finding the specific citations for each statement while researching related issues.

Some statements are simply logical deductions from the first premise, corroborated by the observable actions and inactions of Food and Drug Administration officials as the observable injuries and deaths mount up in the American people.

Others are specifically written into the laws, but I don't yet have the citations because I've prioritized my research time investigating other issues related to the bioterrorism program.

I'm posting the information as I understand it today, despite those limitations, in case it's useful for readers who also follow FDA Vaccine and Related Biological Products Advisory Committee (VRBPAC) reporting by Toby Rogers[98], Igor Chudov[99], Steve Kirsch[100], Jessica Rose[101], and others.

They continue to rightly raise public awareness and alarm about FDA's ongoing failure to protect the public from the Emergency Use Authorized (EUA) products.

But they don't address the main reason why FDA is acting as it is.

FDA is not pulling the EUA products from the market or stopping the 'vaccination' campaign because Health and Human Services Secretary Xavier Becerra and FDA Commissioner Robert Califf are running the US government's bioterrorism program jointly with Defense Secretary Lloyd Austin, Department of Justice Attorney General Merrick

[97] https://bailiwicknews.substack.com/p/american-domestic-bioterrorism-program?s=w
[98] https://tobyrogers.substack.com/p/no-evidence-of-effectiveness-against?s=r
[99] https://igorchudov.substack.com/p/try-not-to-laugh-at-modernas-omicron?s=r
[100] https://stevekirsch.substack.com/
[101] https://jessicar.substack.com/

Garland, Department of Homeland Security Secretary Alejandro Majorkas, Pfizer CEO Albert Bourla, Moderna CEO Stephane Bancel, and World Health Organization Director-General Tedros Adhanom Ghebreyesus.

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Main Premise

Use of EUA-covered medical countermeasure (MCM) products including masks, PCR tests, mRNA and DNA injections, and other drugs, devices and biologics, once designated as such by the Secretary of Health and Human Services (March 10, 2020, retroactive to February 4, 2020[102]) "shall not be considered to constitute a clinical investigation." 21 USC 360bbb-3(k). EUA law, adopted 1997 and amended 2003, 2004, 2005, 2013, 2017.

This is true no matter how untested, unmonitored, unsafe, or ineffective they are, no matter whether their harmfulness to human health and uselessness for infection-control are known before use, or discovered afterward.

Legal implications derived from the main premise:

- There is no stopping condition.
- EUA products are exempt from laws regulating researcher use of investigational, experimental drugs, devices and biologics on human beings.
- EUA products are exempt from laws regulating physician use of approved drugs, devices and biologics as medical treatments for patients.
- There are no manufacturers of experimental products (EUA products are not part of any clinical investigation, and therefore not experimental.)
- There are no government or private contracts for purchase of experimental products; there are only contracts for 'large scale vaccine manufacturing demonstrations.[103]'
- There is no act of administration of any experimental products.
- There are no nurses or pharmacists administering experimental products.
- There are no human subjects (of experiments) or patients (of physicians providing treatment) receiving experimental products: no victims.
- There is no party responsible for the wellbeing of recipients after administration of EUA products.
- There is no treatment group and no control group.
- Human beings administering EUA products have no informed consent obligations to provide information about ingredients, risks, benefits, alternatives, or the option to accept or refuse the products. *See* 21 USC 360bbb-3(e)(1)(A)(ii)) waiving informed consent for unapproved products (2004); 21 USC 360bbb-3(e)(2)(A) waiving informed consent for unapproved use of an approved product (2004); 21 USC 355(i)(4) waiving informed consent for experimental products classified by HHS as 'minimal risk' drugs (2016); 21 USC 360j(g)(3) waiving informed consent for experimental 'minimal risk' devices (2016).
- Human beings receiving EUA products have no informed consent rights to receive information about ingredients, risks, benefits, alternatives, or the option to accept or refuse the products. *See* citations, bullet point above.
- There are no Institutional Review Boards supervising administration of the experimental products.
- There are no safety standards for EUA products.
- There are no efficacy standard for EUA products. *See* 21 USC 360bbb-3(c)(2)(A), 1997, 2004, re: 'may be effective'
- There are no clinical investigators studying the effects of EUA products on human subjects.
- There are no doctors, nurses, or other treatment providers providing experimental treatment to their patients subject to the Hippocratic Oath ("first do no harm") using EUA products.
- There is no coordinated, public, federal government monitoring of recipients after receiving the products for adverse effects and deaths.
- There is no coordinated, public, federal government data collection or analysis.
- There is no legal requirement for medical supervision during product administration.
- There is no legal requirement for recipient monitoring after product administration.
- 'Real world evidence' — mass administration of products to general public, followed by collection of private/proprietary information about the effects, from health insurance systems, government databases

[102] https://www.govinfo.gov/content/pkg/FR-2020-03-17/pdf/2020-05484.pdf
[103] https://bailiwicknews.substack.com/p/implications-of-10-usc-2371b-the?s=w

(Medicare[104], Medicaid, Defense Medical Epidemiology Database, Veterans Health Administration) and other private databases — is authorized for the purposes of FDA regulatory decisions. *See* 21 USC 355g. 2016.

- There is no requirement for individual prescriptions to be written prior to dispensing EUA products, and products dispensed without prescriptions "shall not be deemed adulterated or misbranded." *See* 21 USC 360bbb-3a(d). 2013.
- Manufacturers, as contractors, are considered HHS employees for purposes of legal immunity under Federal Tort Claims Act. *See* 42 USC 247d-6a(d)(2)(A).
- DOD is authorized to contract with pharmaceutical corporations to conduct 'prototype' experiments on the general public, and under such contracts, is exempt from legal obligation to comply with Good Clinical Practices or other FDA regulations. *See* 10 USC 2371b (2015), renumbered 10 USC 4022 (Jan. 1, 2021, effective Jan. 1, 2022)
- One of the factors to be considered by HHS secretary in making determinations about EUA products (qualified security countermeasures) and use of Special Reserve Fund/Strategic National Stockpile appropriations to procure them is "whether there is a lack of a significant commercial market for the product at the time of procurement, other than as a security countermeasure." *See* 42 USC 247d-6b (c)(5)(B)(iii)
- There are no required standards for quality-control in manufacturing; no inspections of manufacturing procedures; no prohibition on wide variability among lots; no prohibition on adulteration; and no required compliance with Current Good Manufacturing Practices. EUA products, even though unregulated and non-standardized, "shall not be deemed adulterated or misbranded." *See* 21 USC 360bbb-3a(c). 2013.
- There are no labeling requirements regarding the contents or ingredients in EUA products. 21 USC 360bbb-3(e)(2)(B)(ii). 2004.
- There is no limitation of administration of EUA products past their expiration dates.
- There cannot be clinical trial fraud, because there are no clinical investigations, no investigational drugs, no investigators and no human subjects.
- There are no marketing standards.
- There cannot be consumer fraud, because the only legal parties to the financial transactions are the US government (DOD) as buyer; the US government (HHS) as regulator authorizing exemptions from consumer protection laws that otherwise apply to medical products; and the pharmaceutical corporations as sellers, contracted to develop and manufacture the products. There are no commercial pharmaceutical products, no commercial marketplace, and no commercial market consumers.
- There is no access to courts for judicial review of the facts or law relating to HHS Secretary declarations of EUA products, which are committed to agency discretion. *See* 42 USC 247d-6d(b)(7). 2005.
- There is no access for plaintiffs, to civil courts for judicial review, and no entity to whom civil liability can attach, for injuries and deaths caused by declared covered countermeasures, unless and until FDA/HHS and/or Attorney General/DOJ file enforcement action against manufacturers and prove willful misconduct proximate to injury or death, but HHS and DOJ have operated the EUA product program together with the manufacturers since inception, and will not prosecute their co-conspirators. *See* 42 USC 247d-6d. 2005.
- Even if there were access to courts for judicial review, and a fact-finder found evidence of harms caused by administration of products to recipients, and even evidence that those who caused the harms, by developing, manufacturing, distributing and/or administering the EUA products, knew the EUA products were toxic and knew their own actions were harmful, "just following orders" is an authorized, legal defense. *See* 42 USC 247d-6d(c)(4). 2005.

* * *

June 14, 2022 - April 4, 2003 - Rep. Henry Waxman questioning FDA Commissioner Mark McClellan about informed consent waivers authorized through Project Bioshield Act.

Today I did a search on my hard drive for "known and potential" risks and benefits, which is the language that appears in Health and Human Services Secretary declarations and FDA authorizations, and the phrase "informed consent."

[104] https://www.naturalnews.com/files/Salus_Humetrix_VE_study_2021_09_28.pdf

The "informed consent" phrase appeared in a transcript of a Congressional hearing held April 4, 2003, chaired by Rep. Henry Waxman (D-California, 1975-2015), and titled: Project Bioshield: Contracting for the Health and Security of the American Public[105].

The earliest hit on the "known and potential" phrase in documents on my hard drive is the 1997 Emergency Use Authorization (EUA) law in the FDA Modernization Act[106] (Section 402 et seq.)

It's the phrase that purportedly voids the principle of informed consent for medical treatment, by taking risk-benefit assessment acts away from each man or woman receiving an EUA product, and giving it to the HHS Secretary and FDA Commissioner.

See 21 USC 360bbb[107]-3(e)(1)(A)(ii) waiving informed consent for unapproved products (2004); 21 USC 360bbb-3(e)(2)(A) waiving informed consent for unapproved use of an approved product (2004). *See* also 21 USC 355[108](i)(4) waiving informed consent for experimental products classified by HHS as 'minimal risk' drugs (2016); 21 USC 360[109]j(g)(3) waiving informed consent for experimental 'minimal risk' devices (2016).

The statutes include language that HHS Secretary may set conditions on EUAs that recipients be informed "of the option to accept or refuse administration of the product, [and] of the consequences, if any, of refusing administration of the product," which appears to protect a meaningful option to refuse, thus upholding the principle of informed consent as framed by the Nuremberg Code.

However, the Department of Justice[110] and at least one federal judge[111] have interpreted the "consequences of refusal" to mean that recipients may be told by the person demanding that they accept the product, that if they refuse, they will be disciplined, fired or lose their place at school, thus legalizing coercive medical treatment in violation of the Nuremberg Code.

The bait-and-switch maneuver is similar to how the 1997 FDA Modernization Act, read in conjunction with the NDAA passed three days earlier[112] (Section 1078), transferred the US government's chemical and biological weapons development and testing program from the Department of Defense to the Department of Health and Human Services.

The "known and potential" phrase can be found in several — perhaps all — of the Covid-19 EUA Letters of Authorization issued by HHS since February 2020, for things like masks, PCR tests and mRNA/DNA injections, including the Pfizer/BioNTech letter first issued by FDA Dec. 11, 2020, reissued Dec. 23, 2020, Feb. 25, 2021 and May 10, 2021[113].

The EUA law has been amended several times since first Congressional adoption in 1997, including in 2004 through the Project Bioshield Act[114]; in 2005 through the PREP Act[115] (Division C at 119 Stat. 2818); and in 2013 through the Pandemic and All-Hazards Preparedness Reauthorization Act[116].

As far as I know, the Project Bioshield Act was passed as drafted, despite Rep. Waxman's expressed concerns about waivers of informed consent and other consumer protections, and prohibitions on judicial review. I think the 2005 and 2013 amendments expanded FDA authority and manufacturer indemnity further, while reducing consumer protection and judicial oversight even more, but will need to confirm those conclusions through further research.

In the meantime, below is the text of the informed consent comments and questions raised by Rep. Waxman on April 4, 2003 during a hearing held by the House Committee on Government Reform.

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[105] https://www.govinfo.gov/content/pkg/CHRG-108hhrg87141/pdf/CHRG-108hhrg87141.pdf
[106] https://www.congress.gov/105/plaws/publ115/PLAW-105publ115.pdf
[107] https://www.law.cornell.edu/uscode/text/21/360bbb-3
[108] https://www.law.cornell.edu/uscode/text/21/355
[109] https://www.law.cornell.edu/uscode/text/21/360
[110] https://www.justice.gov/sites/default/files/opinions/attachments/2021/07/26/2021-07-06-mand-vax.pdf
[111] https://casetext.com/case/bridges-v-hous-methodist-hosp
[112] https://www.congress.gov/105/plaws/publ85/PLAW-105publ85.pdf
[113] https://www.fda.gov/media/144412/download
[114] https://www.congress.gov/108/plaws/publ276/PLAW-108publ276.pdf
[115] https://uscode.house.gov/statutes/pl/109/148.pdf
[116] https://www.congress.gov/113/plaws/publ5/PLAW-113publ5.pdf

Speakers included NIAID Director Anthony Fauci; FDA Commissioner Mark McClellan; Michael "Heck-of-a-Job-Brownie" Brown, Department of Homeland Security Under Secretary for Emergency Preparedness and Response; and Dale Klein, Assistant to the Secretary of Defense for Nuclear, Chemical and Biological Defense Programs, along with representatives from Aventis Pasteur; Pharmaceutical Research and Manufacturers of America; Avant Immunotherapeutics, Inc.; Alexion Antibody Technologies; and Infectious Diseases Society of America.

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REP. WAXMAN, opening the hearing:

We are holding a hearing on a proposal by the [George W. Bush] administration which I think all of us would support in its intent. We want to accomplish what the proposal would seek to have us accomplish, but our responsibility as Members of Congress is to scrutinize it carefully, to try to think about the unintended consequences, and to make sure that the job is done right.

The development of effective countermeasures to bioterrorism is certainly vital to our natural security. The Project BioShield represents a proposal to encourage the development of these products. We all support trying to do that, but we have a responsibility to look closely at the provisions of the legislation, and some of those provisions give me some cause for concern.

For example, the proposal removes important protections against waste and abuse that are standard for government contracts. I understand the concern that these protections, in an emergency situation, could impede the development of necessary products. However, any exceptions should be made only when necessary and should be subject to review.

This proposal would make it nearly impossible for the courts, for Congress and even the executive branch to rein in abuses. The provision eliminating the government's access rights to contractors' books and records is particularly troubling.

Another provision permits products to be distributed without FDA approval. Here again, I recognize there may be unusual circumstances that would require this step in case of a dire emergency. However, the proposal's language is overly broad and could be used to support products that are simply not safe enough for FDA approval. This provision could also permit widespread distribution of unapproved drugs without informed consent, record-keeping or reporting of adverse events.

The BioShield proposal also provides for unlimited guaranteed spending for procurement of vaccines and other countermeasures with little congressional guidance or limits on how much to spend.

This is a blank check approach. It could be looked at as an abdication of congressional responsibility. We should work to improve this proposal in such a way as to preserve oversight and recognize that, in order for BioShield to work, we need to assure that commitments made will be honored.

In this regard, it is ironic that the administration does not support a similar approach of assuring that commitments will be honored in the case of a smallpox vaccine compensation program. Here, the argument for mandatory spending is strong, because nurses, firefighters and other first responders deserve to know that they and their families will be supported in the case of severe injury or death. Yet in the case of smallpox vaccination compensation, the administration has proposed limiting compensation to the amount appropriated each year, explicitly refusing to guarantee its commitment to those Americans on the front lines of a bioterrorist attack. This inexplicable failure to assure funding is one of the reasons that the House voted down the administration's legislation on smallpox vaccines compensation last Monday.

I raised this issue last week in the Commerce Committee to point out the inconsistencies. At the time I did that, many people raised the point, why should we allow automatic spending in this area? They argued we shouldn't allow automatic spending in any area.

But Secretary Thompson made the case last week that we want to assure that funding will be there so that the companies that are taking the financial risk of developing these products know that they will be able to count on those funds.

I thought that was a strong argument to make. But, equally strong is to make the assurances clear that if a first responder gets immunized for smallpox that they are going to be able to count on funding should there be, in rare circumstances, but nevertheless in some circumstances, an adverse event.

Let me conclude by pointing out that the BioShield proposal includes provisions for public health emergencies, not just bioterrorism threats. The idea of including public health emergencies in a BioShield makes sense, because infectious diseases that occur in nature can claim many lives, can even become bioterrorist agents if intentionally spread.
What justifies government intervention to support countermeasures is that the market fails to encourage their development on its own. This rationale also applies to the development of treatments for potential public health emergencies.

In 2002, not a single new antimicrobial drug was approved by FDA; and apparently only a handful are in development by major pharmaceutical companies. One reason may be that the market for the few cases of multidrug-resistant bacteria is currently quite small. That leads to a market failure. And yet the need for such treatments is enormous.

Just yesterday, the New England Journal of Medicine carried the first report of a common bacteria that is extremely resistant to an antibiotic that is usually the last line of defense.

If properly designed, then, BioShield can serve valuable purposes, improving our preparedness against bioterrorist attacks and natural epidemics.

I look forward to hearing from the witnesses today to help us understand this proposal and find ways to improve it. We need to work together collaboratively for what is certainly a shared goal that we all have…

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Rep. WAXMAN questioning FDA Commissioner Mark McClellan:

Dr. McClellan, the BioShield proposal would allow the Secretary of Health and Human Services to waive virtually all of the consumer protections in the Federal Food and Drug Cosmetic Act in case of an emergency. Moreover, the proposal would then severely curtail judicial review of the Secretary's decision. What is the rationale for allowing informed consent, recordkeeping, adverse event reporting, and other key requirements to be waived; and what is the rationale for severely limiting oversight of these extraordinary powers?

Dr. MCCLELLAN. The rationale for the emergency use authorization is to provide the most potentially effective treatments to Americans in emergency situations. This is a limited authority program that only applies when the Secretary and others have determined there is a national emergency because of a bioterrorism threat or another type of public health emergency, and it only involves agents where there are not effective approved treatments already available but where there may be treatments in the pipeline where the potential benefits outweigh the potential risks. We have a few now that are marching as quickly as possible toward approval and toward a full demonstration of safety and effectiveness. That remains our goal.

I would highlight that we are going to have even better incentives for that under the BioShield program. You don't get full payment for development of a countermeasure under BioShield unless it is approved and licensed, fully licensed, fully shown to be safe and effective by the FDA. That is a strong incentive for getting to the finish line that doesn't exist today and would move us out of the world we are in now, where there are a lot of products that may be of use, but no companies, as I talked about before, are willing to make the investments and come up with the good ideas needed to translate proof of concept into a truly effective treatment.

Mr. WAXMAN. I understand that. That is an important part of why this bill is necessary. But in creating this balance we let the Secretary waive all of these consumer protections, and it looks to me like this authority is quite broad to waive FDA approval standards. Will that give incentives that are needed to conduct the kinds of safety and efficacy trials that are needed, or are some of these companies going to figure they can get around that?

Dr. MCCLELLAN. I agree we need more incentives to conduct the needed safety and effectiveness trials. That is the main reason for the procurement authority for BioShield that only makes payment on delivery of — a full payment for an approved product.

The emergency use authorization does include a number of protections to make sure that in the limited circumstances of the emergency we do as much as possible to limit distribution, limit who can administer, require studies, require recordkeeping and access to records. All of those are elements of the BioShield proposal, and the Secretary would specifically design its use with our recommendations and those of others to do as much of all of those activities as possible.
Mr. WAXMAN. You are giving me assurances that we are not going to pay these companies unless they do what they are required to do, but I am concerned about the broad authority to waive some of the consumer protections like informed consent or making sure we know about the adverse events and other aspects, where right now the law is set up to not just make sure the company does what it needs to do to get paid but the consumers and adverse consequences—the consumers are monitored with and dealt with adequately.

Dr. MCCLELLAN. Right. We want to get to approved treatments as quickly as possible. But with these products in development there may be a number that have been shown to have potential benefits for conditions where there are no effective treatments approved. Under those circumstances, we think it is appropriate, with all of these restrictions in place, to do as much recordkeeping as possible, as much monitoring and standards for production as possible, as much mandatory reporting of adverse events, and informing the consumer, informing the public as possible about appropriate use as can be done under the circumstances. I would be happy to continue to work with your staff to make sure that we tailor that language appropriately.

We think the bill does a pretty good job now of getting as much done as possible on informing consumers, on collecting adverse event data and the like. We think that is very important in the emergency use process. But it is an emergency, and it is a very special limited use condition that requires some special considerations.

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June 14, 2022 - Compilation PDFs with footnotes

Footnoted PDF compilations of posts published this year. I started focusing on Covid-19 legal issues at the end of January.

- January 2022 Bailiwick News[117] (21 pages)
- February 2022 Bailiwick News[118] (60 pages)
- March 2022 Bailiwick News[119] (51 pages)
- April 2022 Bailiwick News[120] (50 pages)
- May 2022 Bailiwick News[121] (55 pages)

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Also, I added a couple of paragraphs to the prior post about the Project Bioshield Act hearings and informed consent. *See* 21 USC 360bbb-3(e)(1)(A)(ii) waiving informed consent for unapproved products (2004); 21 USC 360bbb-3(e)(2)(A) waiving informed consent for unapproved use of an approved product (2004). *See* also 21 USC 355(i)(4) waiving informed consent for experimental products classified by HHS as 'minimal risk' drugs (2016); 21 USC 360j(g)(3) waiving informed consent for experimental 'minimal risk' devices (2016).

The statutes include language that HHS Secretary may set conditions on EUAs that recipients be informed "of the option to accept or refuse administration of the product, [and] of the consequences, if any, of refusing administration of the product," which appears to protect a meaningful option to refuse, thus upholding the principle of informed consent as framed by the Nuremberg Code.

[117] https://bailiwicknewsarchives.files.wordpress.com/2022/02/2022.01-january-bailiwick-posts.pdf
[118] https://bailiwicknewsarchives.files.wordpress.com/2022/05/2022.02-february-bailiwick-posts.pdf
[119] https://bailiwicknewsarchives.files.wordpress.com/2022/04/2022.03-march-bailiwick-posts.pdf
[120] https://bailiwicknewsarchives.files.wordpress.com/2022/05/april-bailiwick-news.pdf
[121] https://bailiwicknewsarchives.files.wordpress.com/2022/06/may-bailiwick-news.pdf

However, the Department of Justice and at least one federal judge have interpreted the "consequences of refusal" to mean that recipients may be told by the person demanding that they accept the product, that if they refuse, they will be disciplined, fired or lose their place at school, thus legalizing coercive medical treatment in violation of the Nuremberg Code.

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June 16, 2022 - Prep notes for an interview

I got invited to do a recorded interview about my work on the legal frameworks, and did the Zoom call on June 15. Once the segment airs, I'll try to post a link here, but it may be behind a paywall.
I'm posting the notes I wrote up in preparation for the conversation, because they're the most succinct overview I've put together since I started research and writing on these issues in late January.

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MAIN PREMISES

COVID-19 includes the whole sequence of SARS-CoV-2, lockdowns, masks, mass- testing, treatment suppression, hospital and nursing home protocols, and mRNA/DNA injections.

COVID-19 is NOT a government-run public health program.

It's also NOT a public health program that's fallen under regulatory capture by profiteering pharmaceutical corporations.

COVID-19 is a government-run domestic bioterrorism program: chemical and biological weapons development, testing and deployment.

HHS (FDA, CDC, NIH, NIAID), Dept. of Defense, Dept. Homeland Security, Dept of Justice are all involved.
It's funded by taxpayers, authorized by Congress and US presidents.

There's lots of medical evidence supporting this conclusion, from doctors treating patients, censorship, treatment suppression.

There's lots of scientific evidence from people digging up past published research and patents of Fauci, Baric, Daszak, Shi, etc.

There's lots of data from databases like VAERS, DMED, from the Pfizer documents released through the PHMPT FOIA case, and from millions of peoples' personal observations of their own experiences, and family and friends' experiences, about severe adverse effects and deaths.

I've been compiling the LEGAL evidence - statutes, regulations, executive orders, declarations, court cases, FDA guidance documents.

*

CLARIFY - I agree with Dolores Cahill [recent interview with Tess Lawrie[122]], that there's a difference between

1. the Law, in terms of natural law, divine law, Creator-endowed legitimate, morally-sound Law and
2. the laws passed by human legislators and executives and followed by ordinary people willingly or under threat of enforcement by military superior officers, employers, school administrators, police and prosecutors.

So when I say the bad guys have "legalized" the crimes they're committing — bioterrorism, homicide, medical battery, coercion, extortion and so forth, I don't mean what they're doing is morally lawful.

[122] https://drtesslawrie.substack.com/p/tess-talks-with-professor-dolores?s=r

I mean it's on-paper legal under the laws on the books currently.

Unless the laws on the books right now are repealed or amended or interpreted as invalid by the courts, the bad guys can't be prosecuted for the criminal acts they've committed, and they can't be held liable for the civil rights and product liability violations they've committed.

ALSO CLARIFY - I agree with the people (Mike Yeadon, Craig Paardekooper, etc.) who have concluded that there are different batches with different ingredients and different levels of toxicity, ranging all the way from pure saline, to the most deadly combinations and concentrations of mRNA, DNA, spike protein, lipid nanoparticle and other unidentified, unknown-to-the-public contents.

Not every person who took one or more injections has the same likelihood of injury and death.

*

WHY I STARTED LOOKING

I started looking because I heard Attorney Todd Callender's interview by Dr. Elizabeth Lee Vliet, posted Jan. 30, 2022 on Truth for Health at America Outloud, and it made sense of what I'd already observed in Pennsylvania government acts and omissions.

*

WHAT I'VE FOUND

People are worried about loss of Constitutional rights and national sovereignty, through things like the proposed World Health Organization pandemic treaty.

Legally, that horse left the barn on January 31, 2020, effective Jan. 27, 2020, when then- HHS Secretary Alex Azar declared a "public health emergency" existed.

MECHANISM 1 - CONGRESS

- Congress amended the Public Health Service Act and Federal Food Drug and Cosmetics Act,
- through STATUTES adopted mostly between 1997 and 2019 under Clinton, Bush 2, Obama and Trump
- to bring US laws into COMPLIANCE with 2005 World Health Organization International Health Regulations
- by SUSPENDING the Constitution and the three co-equal branches of federal government (voiding checks and balances)
- to CENTRALIZE all governing power in each nation-state into the hands of the highest-level federal public health official during a WHO-declared Public Health Emergency of International Concern (PHEIC).
- = Secretary of US Department of Health and Human Services (HHS) - First Alex Azar, now Xavier Becerra.

MECHANISM 2 - HHS

- HHS Secretaries passed IMPLEMENTING REGULATIONS and prepared GUIDANCE documents for pharmaceutical corporations, researchers, employers and FDA staff, suspending human rights of people forced to take government-sponsored medical treatments during declared public health emergencies.

*

HOW FAR BACK DOES IT GO?

Very far. The designers were very patient, and began setting things up knowing they wouldn't be around to see the full implementation.

- 1930s - Federal Food Drug and Cosmetics Act and Social Security Act
- 1940s - Public Health Service Act, Administrative Procedures Act, Nazi Holocaust, Nuremberg Trials, Nuremberg Code, World Health Organization Constitution ratified by US Congress

- 1951 - WHO International Sanitary Regulations (later renamed International Health Regulations)
- 1952 - Truman Executive Order 10399, handed over US sovereignty to WHO by committing the American Surgeon General to enforce "sanitary and quarantine requirements" of WHO regulations on American population.

- 1966 - Surgeon General's powers transferred to Secretary of Health, Education and Welfare (later renamed Health and Human Services).
- 1983 - Congress added "PUBLIC HEALTH EMERGENCIES" section to Public Health Services Act.
- 1986 - National Vaccine Program established, with Vaccine Injury Compensation Program and manufacturer blanket liability immunity.

*

1997 - Beginning of the acceleration of the legalized government bioterrorists' domestic mass murder/population control program that led to the Covid-19 deployment

In 1997, Congress passed two laws within three days of each other.

- Nov. 18 - National Defense Authorization Act (NDAA), adding protections to the rights of military personnel to refuse participation in chemical and biological weapons experiments (response to public outrage about injuries and deaths of military personnel forced to take ANTHRAX vaccines during and after 1991 Gulf War)
- Nov. 21 - FDA Modernization Act - Amendment to Food Drug and Cosmetics Act to create the EMERGENCY USE AUTHORIZATION program and establish the entire American population as pool of human subjects for experimental use of chemical and biological weapons under "public health emergency" declarations by HHS Secretary, which automatically revoked informed consent rights.
- EFFECT: Transferred operations and funding for the US Chemical and Biological Warfare Program from 50 USC Chapter 32 (the Department of Defense) to 21 USC Chapter 9 (The Food and Drug Administration of the Dept. of Health and Human Services), and expanded it.

1998 - Congress set up the National Pharmaceutical Stockpile, later renamed Strategic National Stockpile. Federal government's chemical and biological weapons depot.

2002 - 2013 - Several statutes constructed the framework to implement WHO IHR, including Project Bioshield Act, PREP Act (Public Readiness and Emergency Preparedness), and Pandemic and All-Hazards Preparedness Act.

*

DEC 2016/JAN. 2017 Obama lame duck period after Trump election, before Trump inauguration.

- Congress passed 21st Century Cures Act, provided for 'real world evidence' instead of valid clinical trials in FDA regulatory decisions = administer experimental products on general public, collect data about effects afterward, privately.
- HHS put in place the last few regulatory changes to Clinical Trial rules and Human Subjects Protections rules. Slight delay in effective date for Human Subjects changes, full effect January 2019, in time for SARS-CoV-2 release.

*

WHAT TO DO:

1. PRAY
2. Don't take any government-pushed products. If you've taken some already, don't take any more.
3. Process the information so that you can understand the fight as ordinary people preparing to fight off a criminal federal government, not a fight about regulatory capture of an otherwise legitimate federal government.
4. Watch for evidence that more people, and more federal and state legislators and judges are figuring it out.

- Congressional bills have already been introduced to withdraw the US from WHO and stop US funding for WHO.

- Bills to repeal the enabling statutes, dismantle the government bioterrorism programs, re-establish civil and criminal liability, and/or dissolve HHS department, including FDA, CDC, NIH, NIAID, could be introduced.
- HHS could start the rulemaking process to revise the regulations and restore human subjects protections.
- Federal judges could start accepting constitutional challenges to Covid-19 measures (they have refused to hear them so far) and initiate discovery and review of evidence.
- State legislatures could start seriously discussing secession as a means to protect the Constitutional and human rights of their state populations.

The following wasn't in my prep notes. I read it last night and thought it was useful.

It's an excerpt from 'War as a Judgment of God' by Bishop Fulton Sheen, from *Life is Worth Living*, a collection of telecast transcripts published in 1953.

> God has implanted certain laws in the universe by which things attain their proper perfection. These laws are principally of two kinds: natural laws and moral laws.
>
> What we call the natural laws, such as the laws of astronomy and the laws of physics and the laws of biology, are in reality so many reflections of the Eternal Reason of God. God made things to act in a certain way. In this sense the oak is a judgment on the acorn; the harvest is a judgment on the seed that was sown.
>
> But God did not make man like the sun, which can only rise and set. Having made man free, He gave him a higher law than the natural law, namely, the *moral law*. Fire *must* obey the natural law of its nature, but man merely *ought* to obey the moral law. His freedom gives him the license to rebel.
>
> God's purpose in imposing law on *things* was to lead them *necessarily* to their perfection; and God's purpose in giving man the moral law was to lead him *freely* to his perfection.
>
> To the extent that we obey God's will, we are happy and at peace; to the extent that we freely disobey it, we hurt ourselves — and this consequence we call judgment…
>
> When calamity comes upon us, as a consequence of our neglect or defiance of God's will, that is what we call the judgment of God. The world does not will this war, but it wills a way of life which produces it, and in that sense, it is a judgment of God. Sin brings adversity, and adversity is the expression of God's condemnation of evil, the registering of Divine Judgment.
>
> The frustration resulting from our disobedience to God's law is His judgment. And in disobeying God's moral law, we do not destroy it. We only destroy ourselves. For example, I am free to misuse the law of gravitation by jumping off a building, but in doing so, I kill myself — and the law still stands.

*** * ***

June 17, 2022 - Strategies for drawing out judicial admission that Constitution has been suspended since Jan. 27, 2020.

Yesterday I read several of the filings in Robert v. Austin, a federal case currently on appeal in the 10th Circuit Court of Appeals.

Two Army staff sergeants — Daniel Robert and Hollie Mulvihill — sued Secretary of Defense Lloyd Austin challenging his August 24, 2021 vaccine mandate on several statutory and regulatory grounds and one Constitutional cause of action.

In January 2022, before discovery or evidentiary review, the Colorado District Court denied the plaintiffs' request for injunctions and granted the Department of Defense/Department of Justice motion to dismiss the case.

The decision rested on standing and ripeness grounds because Robert's request for an exemption is still pending and Mulvihill currently has a temporary medical exemption.

Even if both are eventually ordered to take the shots — DOD argued and USDJ Raymond Moore ruled — they will have access to administrative appeals within the military command structure, and haven't had to take them yet. Moore concluded "Plaintiffs claims involve uncertain and contingent events that may not occur as anticipated."
I think of this as the kids-in-the-backseat-of-the-car, "I'm-not-touching-you" argument.
It's the same as the Third Circuit denial[123] of plaintiffs' appeal in Butler v. Wolf. The appellate judges acknowledged that Governor Tom Wolf might re-impose all of the lockdown orders imposed on Pennsylvanians in 2020 and most of 2021 in the future, at any time.

But they ruled that because Wolf had temporarily suspended those orders as of August 2021 (when Third Circuit ruled on the case), the case was moot, plaintiffs lacked standing and the court lacked jurisdiction to review the orders for constitutional validity.

*

In Robert v. Austin, the statutory grounds include:

- 10 USC 1107, governing military use of products classified by FDA as Investigational New Drugs (IND)
- 10 USC 1107a, governing military use of products classified by FDA as Emergency Use Authorized (EUA)
- 50 USC 1520, Use of human subjects for testing of chemical or biological agents by Department of Defense
- 21 USC 360bbb-3, the EUA provisions within the Federal Food Drug and Cosmetics Act.

The regulatory grounds include:

- Army Regulation 40-562, providing four enumerated exemptions from military vaccination requirements, including proof of recovery from natural infection
- Department of Defense Directive 6200.02, on use of investigational new drugs for force health protection

The sole Constitutional claim brought by Robert and Mulvihill in their federal complaint alleged government violation of the 14th Amendment Equal Protection Clause.

They alleged DOD's refusal to accept natural immunity derived from infection and recovery, as equivalent to or superior to artificial immunity derived from vaccination, represents unlawful disparate treatment.

*

As stated above, the District Court never even reached the substantive statutory, regulatory or Constitutional claims raised by Staff Sgt. Robert and Staff Sgt. Mulvihill; the case was dismissed on procedural, threshold issues.

Plaintiffs appealed the District Court ruling to the Tenth Circuit Court of Appeals, filing their brief March 28, 2022. They raised the same statutory, regulatory and Constitutional claims.

They added in a request that DOD and the Tenth Circuit address another Constitutional issue related to the 2013 Supreme Court precedent set in Association for Molecular Pathology v. Myriad Genetics[124], on patent-based property ownership rights held by corporations in living organisms that have been genetically altered through corporate-owned techniques.

Plaintiffs asked the government and the court to answer the question: Does the Myriad precedent extend to ownership rights over injected human beings, for Pfizer, Moderna, DOD, NIH and the other corporations and governments that own patents on the products marketed as Covid-19 vaccines?

If the Myriad precedent does extend to ownership of human beings, Plaintiffs argued, military vaccine mandates also violate the 13th Amendment to the US Constitution, which prohibits both slavery and involuntary servitude, except as punishment for crime after due process of law.

[123] https://pennrecord.com/stories/606545317-third-circuit-vacates-federal-court-s-ruling-and-declares-suit-over-legality-of-wolf-s-covid-19-measures-is-moot
[124] https://bailiwicknews.substack.com/p/on-the-possibility-of-patent-based

NOTE: In 2011, Congress tried to prohibit issuing of patents "directed to or encompassing a human organism," through the 2011 Act to Amend Title 35, United States Code, to Provide for Patent Reform[125] at Section 33. Remains to be seen whether the 2011 law will hold up against corporate claims of patent-based ownership of injected humans if and when more such cases move forward.
Department of Justice attorneys filed the DOD's 10th Circuit reply brief on May 27, 2022.

They denied DOD's actions violate laws governing use of experimental products on men and women serving in the military and laws protecting informed consent rights, driving the HHS-DOD genocide truck right down the legal roads created by Congress, mostly since 1997, and the legal openings created by the FDA through the EUA, IND and BLA (biologics license application) procedures since the Covid-19 bioterrorism campaign began at the start of 2020.

But they completely ignored the two Constitutional claims: that the US government, through the DOD, is violating the 13th Amendment and 14th Amendment rights of Robert and Mulvihill.

Didn't even mention them.

*

In mid-May, I posted Shifting the Frame[126]:

> As more civil lawsuits are filed, I think it would be useful for plaintiffs to begin asking federal judges to rule on the public record, as a threshold issue, on whether the US Constitution is still controlling law in the United States, and whether individual American citizens are presumed to have Constitutional liberties and the right to exercise them freely, without interference from government officials.
>
> If a judge rules on the record, "No, the US Constitution is null and void for as long as the Health and Human Services Secretary extends the public emergency and the related declarations of medical countermeasures," then plaintiffs will know that their constitutional cases will be dismissed before discovery and trial.
>
> If a judge answers, "Yes, the US Constitution is still in force, and plaintiffs are presumed to possess Constitutional rights unless and until they are deprived of those rights after due process of law," then plaintiffs will have good reason to pursue their cases and try to prove that the government is violating legal limits on its power.
>
> If civil cases make it to discovery, plaintiffs could also file Requests for Admission to federal government defendants, asking the government attorneys to admit or deny, under oath, that the government's legal position is that the US Constitution has been suspended and that American citizens currently have no government-recognized Constitutional rights.

*

I still think that's a useful approach.

But reading the Robert v. Austin filings suggests another legal strategy: filing civil cases narrowly focused on challenging the constitutionality of the enabling statutes passed by Congress since at least 1983.

To whatever extent there are statutes of limitations requiring challenges to be brought within a year or two of the statutes' adoption, there may be a good argument that the clock starts tolling at the point at which plaintiffs become aware that the disputed statutes have completely nullified the Constitution.

Which — given the twisted wording of the laws — could only happen after the government began using the statutes to suspend the Constitution and the public began to understand the suspension as such.

At the very least, it's a case of first impression.

[125] https://www.govinfo.gov/content/pkg/PLAW-112publ29/pdf/PLAW-112publ29.pdf
[126] https://bailiwicknews.substack.com/p/shifting-the-frame

As far as I know, no laws in the history of the United States have — before now — purported to entirely suspend the Constitution, as the Public Health Emergencies section of the Public Health Service Act added in 1983, and amended since then, apparently does.

Does the Constitution authorize Congress to pass laws nullifying the Constitution; eliminating Congress's power to check executive and judicial power; eliminating the federal judiciary's power to review statutes and regulations for constitutional validity; subordinating the federal government to the HHS Secretary; and subordinating the country to the World Health Organization?

Statutes that could be challenged as inherently unconstitutional and invalid include:

- 1983 Public Health Service Act Amendment[127] adding Public Health Emergencies (Section 319)
- 1986 State Comprehensive Mental Health Services Plan Act[128] establishing and funding a National Vaccine Program and granting vaccine manufactures legal immunity.
- 1997 National Defense Authorization Act[129] for FY98 and 1997 Food and Drug Administration Modernization Act[130], which transferred the US government's chemical and biological weapons program from DOD to HHS by creating the Emergency Use Authorization (EUA) framework.
- 1998 Omnibus Consolidated and Emergency Supplemental Appropriations[131] for FY1999 creating Strategic National Stockpile program.
- 2000 Public Health Improvement Act[132] - Title I, Public Health Threats and Emergencies Act. Reworked and expanded the 1983 Public Health Emergencies section. Appropriated funding and established a working group on bioterrorism 'countermeasures' research and development.
- 2001 Authorization for Use of Military Force[133] - Construed as putting the United States in a permanent state of war (Global War on Terror) with no limitations in time or geographically.
- 2001 Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act[134]
- 2002 Public Health Security and Bioterrorism Preparedness and Response Act[135]
- 2002 Homeland Security Act[136]
- 2004 Project Bioshield Act[137] - Amended and expanded EUA laws. Eliminated Congressional and judicial oversight. Eliminated consumer protections and informed consent rights of human subjects. Established program for 'qualified countermeasure' research, procurement, contracting, manufacture, use and liability exemptions. Expanded HHS power to subject people to apprehension and indefinite detention on communicable disease predicates. Expanded coordination among Secretary of Health and Human Services, Secretary of Defense and Secretary of Homeland Security.
- 2005 Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act[138] - Public Readiness and Emergency Preparedness (PREP) Act expanded HHS Secretary emergency powers, reduced judicial and Congressional checks, expanded liability shields for bioweapon/pharmaceutical product manufacturers.
- 2006 Pandemic and All-Hazards Preparedness Act[139]. Further consolidated and centralized HHS Secretary power, subordinated state, county, tribal and local public health and law enforcement systems to federal agencies, set up BARDA (Biomedical Advanced Research and Development Authority) division under HHS.
- 2007 National Institute of Health Reform Act[140] - More reorganization, consolidation of power and funding.
- 2009 Biologics Price Competition and Innovation Act[141]. Title VII of Affordable Care Act (ObamaCare). Related to the legal, approval/authorization, labelling and marketing differences among 'biosimilars,' BLA (Biologics License Application) products, and EUA products regulated by FDA.

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[127] https://uscode.house.gov/statutes/pl/98/49.pdf
[128] https://www.congress.gov/99/statute/STATUTE-100/STATUTE-100-Pg3743.pdf
[129] https://www.congress.gov/105/plaws/publ85/PLAW-105publ85.pdf
[130] https://www.congress.gov/105/plaws/publ115/PLAW-105publ115.pdf
[131] https://www.congress.gov/105/plaws/publ277/PLAW-105publ277.pdf
[132] https://uscode.house.gov/statutes/pl/106/505.pdf
[133] https://www.congress.gov/107/plaws/publ40/PLAW-107publ40.pdf
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[138] https://uscode.house.gov/statutes/pl/109/148.pdf
[139] https://www.congress.gov/109/plaws/publ417/PLAW-109publ417.pdf
[140] https://www.govinfo.gov/content/pkg/STATUTE-120/pdf/STATUTE-120-Pg3675.pdf#page=11
[141] https://www.congress.gov/111/plaws/publ148/PLAW-111publ148.pdf

- 2012 National Defense Authorization Act[142] - Codified authority for US President to order military arrest and indefinite detention of Americans without charge or trial under 10 USC 801 and 2001 AUMF.
- 2012 Food and Drug Administration Safety and Innovation Act[143]
- 2013 National Defense Authorization Act (NDAA)[144] - Authorized domestic deployment of propaganda by the US government, on the American population.
- 2013 Pandemic and All-Hazards Preparedness Reauthorization Act[145]
- 2015 Medicare Access and CHIP Reauthorization (MACRA) Act[146]
- 2016 National Defense Authorization Act[147]. Added 'prototype' contracting language to 10 USC 2371b, later renumbered 10 USC 4022, authorizing DOD to contract with pharmaceutical corporations to conduct otherwise illegal medical experiments on the American and global public without notice or consent.
- 2016 21st Century Cures Act[148] - Authorized 'real world evidence' instead of valid clinical trials as grounds for FDA endorsement of general use of experimental products; authorized additional nullification of informed consent rights.
- 2017 National Defense Authorization Act[149] - Authorized DOD to conduct military operations on American soil and control American civilians in emergency situations involving Weapons of Mass Destruction, including biological weapons and materials.
- 2019 Pandemic and All-Hazards Preparedness and Advancing Innovation Act[150] - Further consolidated federal power in HHS Secretary's hands during public health emergencies, further merged public health and law enforcement systems, and further subordinated state, tribal, county and municipal governments and American civilians to direct federal control.

* * *

June 20, 2022 - Links to interview video

Video is posted at RedVoiceMedia[151]. It's also up on Rumble[152].

Thank you to Dr. Jane Ruby for inviting me to discuss the legal frameworks on her program.

* * *

June 20, 2022 - How the 1913 Federal Reserve Act may connect to the government-run bioterrorism campaign called Covid-19.

NOTE: This post is less sourced/more speculative than my past work; it's an early, rough draft, and some of my provisional conclusions may turn out to be wrong after further investigation. I'll post corrections if so.
I'm posting it because a reader made a comment today on a related issue, and I replied with some of the pieces pulled together so far.

*

[142] https://www.congress.gov/112/plaws/publ81/PLAW-112publ81.pdf
[143] https://www.congress.gov/112/plaws/publ144/PLAW-112publ144.pdf
[144] https://www.congress.gov/112/plaws/publ239/PLAW-112publ239.pdf
[145] https://www.congress.gov/113/plaws/publ5/PLAW-113publ5.pdf
[146] https://www.congress.gov/114/plaws/publ10/PLAW-114publ10.pdf
[147] https://www.congress.gov/114/plaws/publ92/PLAW-114publ92.pdf
[148] https://www.congress.gov/114/plaws/publ255/PLAW-114publ255.pdf
[149] https://www.congress.gov/114/plaws/publ328/PLAW-114publ328.pdf
[150] https://www.congress.gov/116/plaws/publ22/PLAW-116publ22.pdf
[151] https://www.redvoicemedia.com/2022/06/u-s-laws-all-secretly-changed-to-enable-mass-genocide/
[152] https://rumble.com/v18tt0k-u.s.-laws-all-secretly-changed-to-enable-mass-genocide.html

Reader comment, edited for clarity and with added links:

> There can be no Organic Constitutional violation as you imply. The District of Columbia Organic Act of 1871[153] 'converted' the wording of same to a D.C. corporate charter upon which Congress could then legislate. Evidence of this is the first four words of the Tenth Amendment — "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." — clearly summarized the Founders' position that the Supreme Court of the United States never respected.
>
> The Constitution of 1789-91 was one of 'strictly delegated powers'. Thus, if the power was not listed therein, Congress did not have it. Read the Tenth Amendment several times and let that sink in.
>
> The BAR (British Accreditation Registry) members have been pretending using the Organic Constitution for 151 years, and it is time to expose them for the FRAUD of their intent to commit same. Therein lies the crux of the problem.

*

My reply:

That makes sense, although the 1871 Act of Congress you mention isn't one I've read yet.

I think this article gets at what you're talking about.

- The Act of 1871; the Two Constitutions; Corporate America[154]

And it lines up with what Dolores Cahill said in her June 5 Tess Lawrie Substack interview[155], about Social Security numbers and birth certificates attaching to Federal Reserve Bank financial instruments through which US government owns the productivity of people born in US, and has done since sometime around the 1913 Federal Reserve Act and the 1921 Sheppard-Towner Maternity and Infancy Protection Act, which expired in 1929 and was then replaced by the 1935 Social Security Act.

[Cahill was speaking mostly about British birth certificates and birth registries, but said that similar financial systems are in place in the United States and other nation-states; starting from her information, I read some articles and watched some videos, and located the US enabling legislation.]

It also connects to Executive Order 6102 of 1933, signed by President Franklin Roosevelt and then ratified by Congress through House Joint Resolution 192, suspending the gold standard.

That, in turn, connects to Catherine Austin-Fitts' information about the October 1995 collapse of US federal budget negotiations, the November 1995 launch of predatory lending programs, and the December 1995 FDA approval of OxyContin, viewed alongside $21 trillion dollars missing from federal non-military budgets, plus trillions more in money missing from Pentagon budgets.

"If they couldn't get a budget deal, the only way to balance the budget was to bring down life expectancy. It had to end in Covid-19. It's math." Austin-Fitts, at about 14:20 in mid-March interview[156] with Karel van Wolferen.

Having learned about the birth certificate bit just last week and looked into it some, I'm trying to find and connect more of the dots between 1913 Federal Reserve Act, the 1980s intensification of the statute-authorized bioterrorism program, up to the Jan. 2020 (public) start of Covid.

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[153] https://ia600900.us.archive.org/18/items/pdfy-XuT7yoQ9PctoP2Ac/District Of Columbia Organic Act Of 1871_text.pdf
[154] https://fromthetrenchesworldreport.com/the-act-of-1871-the-2-constitutions-corporate-america/276232
[155] https://drtesslawrie.substack.com/p/tess-talks-with-professor-dolores
[156] https://brandnewtube.com/watch/special-solari-report-reset-in-ukraine-with-karel-van-wolferen-and-catherine-austin-fitts_ZVHqNghN6sih8KJ.html

Working model so far:

When our monetary system went to a central banking system, off the gold standard and onto the fiat/debt-based currency system (1913-1933), human labor productivity/human beings became the collateral held by international banking cartels who participated in bailing out the bankrupt US government. Human beings were substituted for the previous collateral, which was gold.

As of roughly 1980, as human productivity gains plateaued and AI/robotics/telecoms entered the equation, the international banking cartels no longer see human labor as necessary for their financial interests.

This connects to the depopulation plan (kill as many as possible) and the population control plan: inject people; establish digital currencies tied to ongoing compliance; establish biological control mechanisms (nanotechnology, etc.).

Because now human beings are not net assets, or collateral.

We're net liabilities, financially speaking.

If the 5G connection holds, they're converting us — legally and biologically, as much and as many as they can — into disposable, mobile, self-electrified wireless transmitters of telecommunications signals. That's the Microsoft/Gates patent piece[157].

Exposing them is key, getting to a critical mass of angry men and women who clearly understand the enormity and multi-generational construction of the fraudulent system in which we live.

I don't know what that critical mass is in terms of numbers or percentages.

I do know we need to keep working toward reaching it.

And praying to God for help.

* * *

June 22, 2022 - Q&A

A reader sent me filings from Smart v. Kemp, a state case filed in Georgia in February 2021, challenging Governor Brian Kemp's executive orders issued under the Covid-19 pretext as violations of the Georgia and US constitutions. I'm working on a short post about the case, and hope to have it up later this afternoon, because it includes many of the weird things that have been happening in other state courts and in federal courts, in response to constitutional challenges to government acts.

Among other things, the Georgia judge's September 2021 order dismissing the plaintiffs' case against Governor Kemp reads like a ransom note written by a captive under duress.

In the meantime, I've put together a short question-and-answer series.

Does the US Constitution of 1787 empower Congress to enact statutes that suspend the Constitution and the governing functions of Congress, the President and the federal courts, by suspending legislative oversight, judicial review and other checks and balances?

No.

[157] https://patents.google.com/patent/WO2020060606A1/en

Has Congress enacted statutes that purport to do those things anyway?

> Yes. *See* public health emergency laws[158] passed 1983 to present, as amendments to 1944 Public Health Service Act, 1938 Federal Food Drug and Cosmetics Act, 1935 Social Security Act, 1946 Administrative Procedures Act, and through multiple National Defense Authorization Acts (NDAAs).

Have those constitutionally-invalid statutes been enacted by the executive branch?

> Yes. *See* Covid-19.

Could the federal courts — using their authority under the 1787 US Constitution *as if*Congress had not attempted to suspend it, *as if* their judicial authority is legislatively-irrevocable — find the enabling statutes constitutionally invalid, and thereby render null and void the statutes themselves and all the federal programs subsequently enacted under them?

> Yes.

Has the same model been put in place at the state level, by state legislatures, state governors and state courts, to suspend the state constitutions and the normal operations of the three branches of state governments, under the public health emergency framework?

> Yes.

Could the state courts assert *their* constitutionally-derived, legislatively-irrevocable authority to find the acts of state governments constitutionally-invalid, and render null and void the state government acts and the state programs carrying them out?

> Yes.

Would such acts of courageous judicial rebellion against legislative and executive usurpation of judicial and constitutional power be politically and socially messy?

> Yes.

* * *

June 22, 2022 - Smart v. Kemp; ultra vires -- 'beyond the power.'

Preliminary Note

I agree with Catherine Austin Fitts, Edwin Vieira and others who believe that an Article V Constitutional convention is a very, very bad idea.

My view on this has changed in the last two years. In late 2019, reading anarchist Michael Malice while watching the Federal Reserve Bank/G-7 shenanigans at Jackson Hole and the endless Russiagate fraud, I endorsed a "burn it all down and start over" approach.

A lot of people did.

That's why the globalist Blob (h/t Sage Hana[159]) had to launch Covid when it did: to transmute rising popular understanding and rage rightly directed at the globalists, into popular confusion, ignorance and fear wrongly directed at a communicable human infection.

[158] https://bailiwicknews.substack.com/p/american-domestic-bioterrorism-program
[159] https://sagehana.substack.com/

Seeing the monstrosities unleashed by the government when Constitutional restraints are loosed, I've come to understand that the Blob desperately needs to sever the strong bond between God-fearing American men and women and the 1787 US Constitution.

Especially the 1791 Bill of Rights, comprised of the first ten amendments protecting speech, press, assembly, association, religion, guns and other fundamental human rights from government abuse of power.

The Constitution was not designed to create a utopia or a Heaven on earth; only God can do that at the time and place of His choosing.

It was designed to prevent the human construction of Hell on earthly American soil.
The Blob needs to sever the bond between Americans and our Constitution, because the Blob needs to cut us off from all authorities — divine and human — that recognize inherent, inalienable rights to life, liberty, property and due process as held by individuals *as individuals* living under Creator-inspired rule of law.

To achieve its demonic goals, the Blob needs us to see those things as revocable privileges intermittently granted to members of a class or collective living under the arbitrary and capricious rule of corruptible men and women.

A Constitutional convention would benefit only the globalist Blob, and would hurt real human beings — in America and in the rest of the world that looks to Americans to stand up for human sovereignty — because the Blob that controls the current American government would also control the delegates, agendas and work products of any such convention.

We need to protect the constitutional rule of law as it was handed down to us by the Founding Fathers and their legitimate successors, including the 11th through 27th amendments passed between 1795 and 1992, and force the American government to uphold it in spirit and in letter.

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Smart v. Kemp

As mentioned earlier today in the Q&A[160] post, a reader sent me filings from Smart v. Kemp, a state case filed in Georgia in February 2021, challenging Governor Brian Kemp's executive orders issued under the Covid-19 pretext as violations of the Georgia and US constitutions.

Governor Kemp announced a state of emergency and issued his first executive orders on March 14, 2020, shutting down small businesses and events, locking residents into and visitors out of care facilities, and directing people all across the state to stay home and stay away from other people. Further orders were renewed or issued throughout 2020.

Meanwhile, according to Ballotpedia[161], the state legislature passed a proposed constitutional amendment (HR1023) to waive sovereign immunity for government officials violating the constitutional rights of state residents. The amendment went on the general election ballot and was approved by voters Nov. 3, 2020, to go into effect Jan. 1, 2021.

An explainer piece published ahead of the election in the Augusta Chronicle[162] reported:

> A Georgia constitutional amendment could make it easier for a citizen to sue the government…Georgia governors have previously vetoed bills limiting sovereign immunity but can't veto a proposed constitutional amendment…
>
> If voters approve the amendment, Georgians could file [state] lawsuits asking a judge to decide whether the government is violating a law, rather than waiting to be harmed or filing a federal lawsuit.

[160] https://bailiwicknews.substack.com/p/q-and-a
[161] https://ballotpedia.org/Georgia_Amendment_2,_Allow_Residents_to_Seek_Declaratory_Relief_from_Certain_Laws_Amendment_(2020)
[162] https://www.augustachronicle.com/story/news/politics/elections/local/2020/09/24/what-is-georgia-constitutional-amendment-on-sovereign-immunity-about-what-to-know-before-you-vote/114487200/

February 2021 Complaint

On Feb. 1, 2021, a group of plaintiffs filed Smart v. Kemp, a complaint against Governor Kemp, in Georgia Superior Court.

They asked the court to declare Kemp's orders unconstitutional and illegal under the state and federal constitutions; enjoin (block) further enforcement of the orders; and award monetary damages for the harms caused by Kemp's orders.
The harms plaintiffs endured included closure of their businesses and loss of income, travel restrictions, obstructions to their freedom of assembly and association, and violation of their privacy rights against unwarranted search and seizure, through an order directing state health officials to provide private medical data about Georgia residents to the US Department of Health and Human Services.

Because of Kemp's orders, some of the plaintiffs were blocked from operating their businesses (dance and martial arts schools, barber shops, wedding bands), depriving them of property without due process of law.

Other plaintiffs were blocked from visiting relatives in nursing homes and group homes, some of whom died waiting for the orders to be lifted, violating their right to freely assemble and associate.

*

Arguments

Plaintiffs argued that Governor Kemp's orders amounted to exercise of legislative powers by the executive branch, violating the separation of powers clause of the Georgia Constitution.

They argued his acts violated the First, Fourth, Fifth, Ninth, Tenth and Fourteenth Amendments to the US Constitution (regarding assembly, association, travel, search and seizure, privacy, equal protection, due process and takings) along with the Dormant Commerce Clause of the US Constitution, which "prohibits state action that discriminates against interstate commerce."

They further argued that, under Georgia law, individuals subject to quarantine are entitled to notice, hearings and judicial remedies as well, but Kemp's orders unlawfully suspended those laws "in an attempt to 'lightly quarantine' the entire population of Georgia."

Plaintiffs' core argument was that the Governor was not, at any time, legally permitted to issue or enforce any law, or create any order that violated the Georgia Constitution, and that he had demonstrably done those things anyway.

The orders were still in effect at the time that they filed the case, so they asked the Georgia Superior Court judge to declare the violations unlawful, stop the government's enforcement of them, and order the government to compensate the plaintiffs for the harms inflicted.

*

April 2021 Answer and Motion to Dismiss

In April 2021, Kemp filed an answer admitting that he had issued the orders but denying that they were unlawful or unconstitutional, and moved to dismiss, on grounds of lack of subject matter jurisdiction, failure to state a claim on which relief can be granted, and Kemp's lack of capacity to be sued.

On that last point, Kemp's attorneys cited the newly amended Georgia Constitution, requiring that any action "shall be brought exclusively against the state and in the name of the State of Georgia," while plaintiffs had named as the defendant "Governor Brian Kemp" in his individual and official capacity.

*

August 2021 - Mootness Arguments

Sometime in Summer 2021, Kemp suspended the emergency orders, and then filed a brief arguing the claims for declaratory and injunctive relief should be dismissed as moot. Kemp acknowledged that he could declare a new emergency, but argued that just because he could "does not mean that he will or that the matter could not be adjudicated if he did…The mere possibility of such does not permit Plaintiffs (or this Court) to avoid the mandatory application of the mootness doctrine."

Alert readers will recognize this play; Pennsylvania Governor Tom Wolf ran it in Summer 2021 to obtain a dismissal of Butler v. Wolf on mootness grounds, without constitutional scrutiny, from the Third Circuit Court of Appeals in August 2021.

*

Sept. 2021 Order Granting Kemp's Motion to Dismiss

The reader who sent me the filings commented that she had the impression the judge — Judge Kelly Lee Ellerbe — wanted to deny Kemp's motion to dismiss and allow the case to move forward, based on how the order was written.

I agree, and speculate that she was threatened and forced to rule against plaintiffs.

I think that because of how the 18-page opinion was written. Judge Ellerbe succinctly recounted the facts and legal premises argued by plaintiffs. That's standard.

But she also adopted plaintiffs' descriptive, conclusory clauses such as "at his personal whim," "pervasive" and "systemic." That's unusual.

In her own legal analysis, like virtually all other judges in all other cases I'm aware of, she simply refused to address the constitutional claims.

Her first analysis addressed the issue of monetary damages, and found that the Georgia state Constitution doesn't authorize plaintiffs to recover compensation from government defendants, so she dismissed those claims.
Second, she addressed the subject of qualified immunity: whether Kemp's alleged constitutional violations, even if true, were trumped by his right to qualified immunity from suit as a government official.

She cited the 11th Circuit's two-prong test, placing the first burden on the government official to demonstrate that the alleged constitutional violations occurred while he was acting in the scope of his discretionary authority, and if so, placing the second burden on the plaintiff to establish — through citations to "controlling and materially similar case law" or precedents, such that that the defendant could have and did receive "fair warning" that his acts "violated a clearly established statutory or constitutional right."

Judge Ellerbe wrote, "Plaintiffs appear to assert that violating someone's constitutional rights is never within the scope of a government official's authority or power."

This is a plainly true statement.

Then she cited Holloman v. Harland, 2004 Eleventh Circuit case, as a controlling precedent setting up an absurd result.

> "To pass the first step of the discretionary function test for qualified immunity, the defendant must have been performing a function that, *but for* the alleged constitutional infirmity, would have fallen within his legitimate job description."

Here's what that means.

The defendant has to demonstrate that, if he had not been doing something unlawful, what he was doing would have been lawful.

Which is also a plainly true statement.

Except Kemp was doing something unlawful, which meant what he was doing was unlawful.

Nonetheless, Judge Ellerbe concluded: "the issuance of executive orders concerning public health falls within Defendant's authority" and therefore in issuing the orders — plainly unconstitutional as they were — Kemp met his first-prong burden and demonstrated that he was "acting within the scope of his discretionary authority."

Then because plaintiffs didn't cite any case law showing that Covid-era executive orders are clearly unlawful — because the scope of the orders are unprecedented everywhere and all the other federal and state judges are working from the same globalist Blob playbook — she found they failed to meet their burden under the second prong of the qualified immunity test.

The executive orders have been so breathtakingly intrusive that there are no precedents in American history for them, the argument goes, so plaintiffs cannot possibly point to a clear precedent that they're unlawful.

Kemp was entitled, Judge Ellerbe found, to qualified immunity precluding recovery of damages under federal laws.

*

This is how they're doing it.

This is how the courts are saying without saying that the constitutions have been suspended: there is one exception to the otherwise inviolable principle that the government can't violate the People's constitutional rights, and that exception is during public health emergencies as determined and declared by the government itself, violating the Constitution so hard no one has ever seen anything like it.

*

Judge Ellerbe finally denied plaintiffs request for declaratory and injunctive relief — refusing to declare Kemp's actions unlawful and block their enforcement — on grounds that plaintiffs named the wrong defendant.

She cited to the Georgia constitutional amendment that went into effect Jan. 1, 2021, such that the plaintiffs should have sued the "State of Georgia," instead of "Governor Brian Kemp" acting in his official capacity.

Plaintiffs had tried to argue that Kemp was properly named as defendant, because the Georgia Supreme Court had previously ruled (in 2017) that "a suit against a state officer in their official capacity amounts to a suit against the state itself."

But Judge Ellerbe said that 2017 precedent didn't count, because the 2020 constitutional amendment was passed after 2017, and explicitly requires dismissal when any state official is named other than the "State of Georgia."

That seems to be an implicit court admission that the state legislators, governor and judges have been working together to block constitutional challenges and accountability, to kill cases before they're even filed.

I'll add one caveat: it's possible that plaintiffs could re-file the same case naming "State of Georgia" as the defendant, and thereby reach a different result.

Doubtful, but possible.

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November 2021 - Plaintiffs appealed

Last November, the plaintiffs appealed Judge Ellerbe's ruling to the Georgia Court of Appeals. They argued that the judge erred in multiple ways, including failing to review and rule on the basic unconstitutionality of Kemp's actions; wrongly finding Kemp held immunity on damages; and wrongly finding that he held immunity barring declaratory and injunctive relief (stopping the unconstitutional orders).

They summed up their core argument:

> "Issuing the Covid Orders was explicitly outside of Defendant Kemp's authority, pursuant to the Georgia Constitution, defeating [his] claims of immunity…
>
> The rights which individual people have upon birth, that are not to be restricted or interfered with by the government, are too numerous to comprehensively list. The Constitution does not create rights, but exists to protect those that already exist."

In December, Kemp's attorneys filed their appellate brief, arguing that Judge Ellerbe's rulings were legally sound under the unprecedented circumstances of Covid-19.
In March 2022, the Court of Appeals also refused to address plaintiffs' constitutional claims at all, affirmed the lower court's rulings and dismissed the appeal on mootness grounds.

Plaintiffs are currently appealing to the Georgia Supreme Court.

*

Analysis

The reader who sent the filings thinks that the State of Georgia is operating two governments: one in public and one in the shadows.

I agree.
The same thing is happening in Washington DC. The public government is pretending to be constitutionally-valid but has no actual governing power. The shadow government wields the power, but is constitutionally invalid.

For that matter, the same thing is happening in the Divine realm: Satan as pretender has been trying to occupy the throne reserved for Our Lord Jesus Christ.

Regarding human courts of law, as I started suggesting in mid-May[163] and wrote a bit more a few days ago[164], I think it's a good idea for plaintiffs and attorneys to try draw out public admissions from judges and other government officials about the dual government.

I think people need to file cases narrowly focused on ultra vires claims[165] — from the Latin for "beyond power."

Such cases would need to focus on and lay out the whole monstrous series of public health emergency statutes and regulations, and how each is unconstitutional, to directly challenge the legitimacy of the statutory framework.
It's extremely unlikely that judges and government defendants will actually admit to the dual government, and the primacy of the illegitimate one, without a larger critical mass of angry, vocal ordinary people.
Raising the issue and asking the questions are mostly useful for raising more public awareness and getting closer to the critical mass tipping point.
Their continued, obstinate judicial inaction, is a form of action; forcing them to dig their silent heels more deeply into the fraud makes the shadow government more visible to observers.
The treason and other crime prosecutions could run parallel to the civil cases, charging the Congress members who voted for the invalid laws with treason for their casting votes to nullify the Constitution.

*

Could brave judges break the stalemate?

I think a single federal judge with enormous faith in God could do it.

I think 20 or so state judges with regular faith in God could do it, especially if they coordinated to issue their orders simultaneously.

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[163] https://bailiwicknews.substack.com/p/shifting-the-frame
[164] https://bailiwicknews.substack.com/p/strategies-for-drawing-out-judicial
[165] https://legaldictionary.net/ultra-vires/

I'm 99% certain they're all being threatened with death to themselves and their families for noncompliance, which is why they need deep faith, to get the grace and courage, to issue the rulings invalidating the Congressional laws.

It's not hard for the Blob to get to them.

There are less than a thousand federal judges in the whole country, counting SCOTUS, circuit courts of appeals, district courts and a few on the Court of International Trade.

They're socially isolated by class, education and professional status from ordinary people who can support their acts of courage and integrity.

They're socially surrounded by Blob-loyal elites who won't.

And they currently rely for physical protection on the same government that wants to kill them and everyone else who refuses to go along with the dystopian techno-financial plans for a BioNet of Things.

Yes, the judges could do it. Working with God.

* * *

June 27, 2022 - A few things globalist kill-squad commanders fear, hate and therefore blot from their public-facing acts in an ultimately futile attempt to make them not be.

1. God
2. Truth
3. Human beings, especially babies and children
4. The immortal human soul
5. The living human body
6. Human conscience
7. Human reason
8. Human will
9. Love between an individual human person and God
10. Love between two individual human people and among human families
11. The human right to be free from violations of conscience (soul-trespass)
12. The human right to be free from bodily trespass
13. The moral and legal principle of informed consent
14. The US Constitution as a legal document articulating the inalienable moral rights of individual human beings to heed the voice of conscience; use the gifts of reason, faith and free will to recognize and draw away from evil and draw nearer to God; and protect our bodies from trespass, without interference from other individuals, from the majority, or from the collective.

*

I wrote this list after reading and thinking about the May 30, 2022 World Health Organization policy brief:

- COVID-19 and mandatory vaccinations: ethical considerations[166]

H/t Jeffrey Hirschfield at Twitter[167] via Susan Olmstead at Children's Health Defense Fund.[168]

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[166] https://apps.who.int/iris/bitstream/handle/10665/354585/WHO-2019-nCoV-Policy-brief-Mandatory-vaccination-2022.1-eng.pdf?sequence=1&isAllowed=y

[167] https://twitter.com/agargmd/status/1539580696146366464?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1539580696146366464%7Ctwgr%5E%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fchildrenshealthdefense.org%2Fdefender%2Fshots-tots-children-covid-vaccine-new-york-city%2F

[168] https://childrenshealthdefense.org/defender/shots-tots-children-covid-vaccine-new-york-city/

I read it alongside an excellent overview of the transhumanist project from DailyExpose[169].

Key point from the DailyExpose piece:

> "Part of why Great Reset adherents seem so dissociated from human life is because they are. Most normal people believe humans are sovereign beings who are free by divine authority.
>
> Technocracy, on the other hand, views humans as a natural resource, no different from an oil deposit or livestock, and they are to be used as such."

*

Thinking about these two pieces — the WHO brief and the transhumanism overview — I was reminded of a note I scribbled down many months ago as I began wrestling with the full, horrifying implications of current events.

"Is pure materialism possible? Can an ideology completely destroy every human's awareness of soul, capacity for reason, and motivation to exercise free will toward Good and away from Evil?"

No.

Ideology can't do that. It can kill a lot of people in body, and many ideologies of materialism have killed millions of people over the centuries, especially the 20th. Globalist transhumanism's body count is high and rising daily.

Ideology can also drive a lot of people to deeply damage their own souls, or lose contact temporarily, sometimes for decades, sometimes right up until they breathe their last breaths.

But the human soul cannot be completely destroyed.

The lost is never more than a moment away from being found.

This inescapable truth drives the globalists bonkers.

*

As with the federal court rulings that ignore all US Constitutional issues raised by those injured through governmental acts committed on the Covid-19 pretext, the devil of the WHO document lies in what's ***not*** in the details: mention of any of those above-listed fundamentals of human existence.

Instead, the transhumanist technocratic authors skip it all, because like the US government working domestically to enslave and/or kill all Americans, the WHO world government is not engaged in an argument on issues of social contract over which reasonable men and women of equal human dignity can differ, set mutually-acceptable boundaries, and come to mutually-respectful terms of co-existence.

They are engaged in a war.

Our bodies and minds are the battlefield upon which they attempt to exert force.

They seek to capture and control bodies and minds.

And they seek to suppress the main impediment to additional capture and control: living men and women who fully understand themselves to be immortal, God-seeking souls, and embody that living idea in close relationships with other people.

*

[169] https://expose-news.com/2022/06/27/globalists-want-to-replace-children-with-computer-fakes/

The reversal of truth starts with the very title of the WHO document, whose true subject is:

- Psycho-social cognitive behavioral manipulation of human beings and irreversible, lethal genetic alteration: practical considerations on clandestine use of coercion and force to achieve involuntary, submissive compliance.

Every word of the opening statement — "Vaccines are one of the most effective tools for protecting people against COVID-19" — is demonstrably false with the free application of human reason on the observable effects of the non-immunizing products on the course of contagion and illness among living human beings.

Toward the end, the authors trot out another demonstrable, observable lie:

> "Authorized COVID-19 vaccines have been shown to be safe and highly effective in preventing severe disease, hospitalization and death, and there is some evidence that being vaccinated will make it less likely to become infected and pass the virus on to others."

*

The phrase "informed consent" appears zero times, in a document presented to the world as being about biomedical ethics.

*

Section 5, on "Public trust" begins:

> "Policy makers have a duty to carefully consider the effect that mandating vaccination could have on public confidence and public trust, particularly on confidence in the scientific community and vaccination generally (10). If such a policy threatens to undermine confidence and public trust, it might affect both vaccine uptake and adherence to other important public health measures, which can have an enduring effect (11)."

But the authors quickly move along to deepen the cognitive, behavioral and social sludge into which they want us all to fall:

> "At the same time, policy makers should consider the effect that not mandating vaccination could have on public confidence, public trust and inequity, as well as on various important freedoms.
>
> Public confidence and trust may be undermined, for example, if steps known to protect the public from harm are not taken as part of the pandemic response, particularly if they are not implemented in settings with populations that are in vulnerable situations (e.g. congregate settings in which care is provided to older adults and hospitals).
>
> The extent to which mandatory vaccination policies accommodate conscientious objection may also affect public trust (15). There should, however, be strict scientific and prudential limits to appeals for accommodation or "conscientious objection", especially when such accommodation might be used by individuals to 'free ride' the public health good of community protection (i.e., taking advantage of the benefit without contributing towards the cost of its production) or if they threaten public health and others' right not to be infected with a virulent infectious disease (16, 17)."

*

Knowing what the control-and-kill squad fears, hates and wants to suppress is very useful.

It reminds us of what we can each do, every day, to draw ourselves and others away from their evil, and closer to God. Pray and work to protect and uphold the things they cannot withstand: our faith in God; our immortal souls; our free and curious and discerning minds; our illumined consciences, expressions of truth, and refutations of lies; our fleshy mortal bodies; our love for our husbands and wives, sons and daughters, sisters and brothers, mothers and fathers, cousins and friends, and every single baby in the world; and our wisdom-steeped Constitution.

* * *

June 28, 2022 - "There are treaties that prevent the usage of chemical and biological weapons to maim and kill."

Unless the weapons are reclassified as public health measures, and human beings are reclassified as public health threats.

Spartacus has posted an excellent piece on biotech and bioweapons at ICENI Bulletins:

- The Weaponization of Biotech: The unregulated advancement of biotech is creating a new arms race and threatening our personal autonomy[170]

I posted a comment, responding to one of Spartacus' key points: "There are treaties that prevent the usage of chemical and biological weapons to maim and kill."

Comment expanded, with citations/links added:

One of the things I've found is that the US government has passed domestic statutes and regulations that nullify the effect of those treaties on American soil by reclassifying biological and chemical weapons as public health emergency products (medical countermeasures, pandemic products, epidemic products and other terms).

These statutes and regulations are presumptively unconstitutional and morally illegitimate, but I anticipate they will be cited by the defense if any criminal prosecutions do take place.

The best example I've found so far is that Congress (42 U.S.C. 262a[171], added to 1944 Public Health Service Act June 12, 2002[172] at Section 201(a), amended Nov. 25, 2002[173] at 1709(a) and June 24, 2019[174] at 405) authorized HHS to create a list of scheduled toxins, the circulation of which present threats to public health, in 42 CFR 73.3.

Being on that list then authorizes HHS to manage the response to the threat as a legally-neutral public health threat, not as an international crime/bioweapon attack or act of war.

As soon as it became clear, in the fall of 2021, that the lab-development theory of SARS-CoV-2 could not be permanently suppressed, increasing the likelihood that it would eventually be identified as a group of human-created "self-spreading" and "self-replicating" (also self-mutating) products —construed by designers as an advancement in biotechnology for benign purposes of public immunization campaigns conducted without consent, in keeping with the Johns Hopkins 2018 report[175] — HHS added chimeric SARS-CoV-2 to that list.

> 2021/11/17 - HHS Interim Final Rule - Possession, Use, and Transfer of Select Agents and Toxins—Addition of SARS–CoV/SARS–CoV–2 Chimeric Viruses Resulting From Any Deliberate Manipulation of SARS–CoV–2 To Incorporate Nucleic Acids Coding for SARS–CoV Virulence Factors to the HHS List of Select Agents and Toxins. 86 FR 64075[176] (7 pages) [that] "have the potential to pose a severe threat to public health and safety." 42 CFR 73.3.

Through that maneuver, HHS attempted to inoculate the scientists and physicians working with viruses as communicable products, and the related injectable products (spike protein injections) from legal accountability under bioweapons treaties, by preemptively converting the legal meaning of their work and work products to be public health research and immunization campaigns instead.

So I think that's the international legal framework they're going to apply to all of the insane things they have planned for deployment, just as they've already used it for SARS-CoV-2, H1N1, MERS, SARS-1, etc.

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[170] https://iceni.substack.com/p/the-weaponization-of-biotech
[171] https://www.law.cornell.edu/uscode/text/42/262a
[172] https://www.congress.gov/107/plaws/publ188/PLAW-107publ188.pdf
[173] https://www.congress.gov/107/plaws/publ296/PLAW-107publ296.pdf
[174] https://www.congress.gov/116/plaws/publ22/PLAW-116publ22.pdf
[175] https://jhsphcenterforhealthsecurity.s3.amazonaws.com/181009-gcbr-tech-report.pdf
[176] https://www.govinfo.gov/content/pkg/FR-2021-11-17/pdf/2021-25204.pdf

Barring the international grassroots outrage we're all working to nurture and direct toward the architects of these programs and the monstrous programs and legal structures they've built, the architects themselves won't be bothered with the lack of international treaties governing biotech.
They'll point to international treaties governing public health (primarily the 2005 World Health Organization International Health Regulations) and legally fold all of their activities under that rubric.

*

Humans working with Satan built these sinful legal, political and social prisons.

Humans working with God can tear them down and build divinely-governed legal, political and social cathedrals on the rubble.

*

Coincidentally, I was reading Bishop Fulton J. Sheen's 1953 *Life is Worth Living* collection this morning: the transcript of a telecast on Communism.

> Communism destroys freedom. Man is free, thanks to two guarantees: one economic, the other spiritual. The economic guarantee of freedom is private property, for it enables man to call something his own which is *outside* himself.
>
> The spiritual guarantee of freedom is his soul, which makes him independent of an earthly tyrant or a political dictator. Thanks to religion, his soul is his own on the *inside*, as his property is his own on the outside.
>
> If Communism is to enslave man and destroy his freedom, it can do so only by wiping out man's two guarantees of freedom. This is done by destroying private property, on the one hand, and by atheism or the persecution of religion, on the other hand. These are the two fundamental concepts of Communism, and he who thinks it is an economic or political system is ignorant of its nature.
>
> Once, too, Dialectical Materialism is understood, one can understand the attitude of Communists at the UN and at peace conferences throughout the world. Their basic principle is that the Communist revolution can come into being only by creating contradiction, opposition, conflict, civil war and chaos in society.
>
> Hence they must do everything to create confusion, obfuscation: one moment seeming like angels, the next moment being like devils.
>
> If our Western politicians knew something about Dialectical Materialism and the way it works itself out at the peace tables, they would not be fooled by the tactics of the Communists. They would know that they cannot promote peace; they must work for disorder.
>
> How long would doctors tolerate in their medical societies a small group who believed that the only way to restore public health was to inoculate everyone with leprosy?

*

We now know to the answer to that last, oddly-prescient question: at least two years.

How much longer?

Story still unfolding.