



DAVE YOST

OHIO ATTORNEY GENERAL

Constitutional Offices
Section
Office: 614-466-2872

February 27, 2024

Sent via email to records@americanoversight.org

Ben Sparks

Re: Public Records Request #24-024

Dear Mr. Sparks,

I am writing in response to the public records request you submitted to the Ohio Attorney General's Office received February 2, 2024. As stated in our first response, dated February 13, 2023, We will be responding to your request on a rolling basis. Specifically, you requested the following:

"1. All Informal Opinions, Advisory Letters, Memoranda (OW-AGO-10) or written guidance created by or provided to the Office of the Attorney General regarding the implementation or enforcement of Section 22 of Article I of the Ohio State Constitution.

2. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by the Office of the Attorney General officials listed in Column A, below, containing any of the key terms listed in Column B, below.

Column A: Office of the Attorney General Officials

- 1. Dave Yost, Attorney General**
- 2. Benjamin Marrison, Chief of Staff**
- 3. Jonathan Blanton, First Assistant Attorney General**
- 4. Shawn Busken, Deputy First Assistant Attorney General**
- 5. Jonathan Fulkerson, Deputy Attorney General**
- 6. Julie Pfeiffer, Constitutional Offices Section Chief**
- 7. Corey Jordan, Director of Policy and Legislation**
- 8. Ara Mekhjian, Health and Human Services Section Chief**
- 9. Katherine Bockbrader, Health and Human Services Assistant Section Chief**

Column B: Key Terms

- 1. abortion**
- 2. "Issue 1"**
- 3. "Issue One"**
- 4. II**
- 5. reproductive**
- 6. "constitutional amendment"**
- 7. "section 22"**
- 8. "waiting period"**

30 E. Broad Street, 16th Floor, Columbus, Ohio 43215

www.OhioAttorneyGeneral.gov

9. viability

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited its request to emails sent by the listed officials above. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means, for example, that both a listed official's response to an email containing a listed key term and the initial received message are responsive to this request and should be produced.

3. All official and unofficial dissent memoranda or complaints submitted to the relevant offices in your agency regarding any matters concerning the implementation or enforcement of Section 22 of Article I of the Ohio State Constitution.

To be clear, American Oversight is not asking your agency to release the names of any individuals who have submitted responsive documents and does not object to withholding the name of any individual expressing dissent. For all parts of this request, please provide all responsive records from November 7, 2023, through the date this request is received.

Please note your request is being denied as overly broad. A request is overly broad if it seeks “any and all records...containing any reference whatsoever to [a particular topic].” *State ex rel. Dillery v. Icsman*, 92 Ohio St.3d 312, 314-315 (2001). Further, this Office does not organize its records by sender and recipient, such as emails to or from specific domains. Your request asks for searches based upon sender status, resulting in a failure to identify specific existing records of the office. *See State ex rel. Zidonis v. Columbus State Cmty. College*, 133 Ohio St. 3d 122, 2012-Ohio-4228, 976 N.E.2d 861, ¶¶ 21-22. A requester must identify the specific records sought so that the public office can identify responsive records based on the way it ordinarily maintains and accesses the public records it keeps. *State ex rel. Zauderer v. Joseph*, 62 Ohio App.3d 752 (10th Dist.1989). In addition, a public office has no duty to “seek out and retrieve those records which would contain the information of interest to the requester.” *State ex rel. Fant v. Tober*, 8th Dist. No. 63737 (Apr. 28, 1993), *aff'd* 68 Ohio St.3d 117, 623 N.E.2d 1202 (1993).

Part Two of your requests asks for email correspondence sent by Attorney General's Office employees or officials, that contain any one of nine keywords or phrases. Thus, this is a request to apply search terms, or keywords or phrases, across certain employees' email communications; it is not a request that describes existing records with reasonable clarity.

In addition, certain words and phrases you list in Part Two, Column B, are overly broad based on the way the Attorney General's Office organizes and maintains its records. *See Zidonis* at ¶ 30 (requesters must describe the records they seek in a way that allows the public office to identify responsive records based on how the office maintains and accesses its records); *see also State ex rel. Zauderer v. Joseph*, 62 Ohio App. 3d 752, 755-756 (10th Dist. 1989) (a public records request

must comport with the public office's method of record retrieval). The Attorney General's Office generally organizes its records by service division (or "section"), each of which represents specific clients or deal with specific legal areas; and within each service division by case name or overarching topic to which the record relates. Emails on a certain case or topic would be maintained in that file or matter. Numerous service divisions in our Office handle cases or matters related to abortion and reproductive issues, and in various contexts. Similarly, numerous service divisions in our Office handle cases or matters related to "constitutional amendments" (both state and federal), and in various contexts. Thus, the Office is unable to identify all potentially responsive records based on those overly broad words and phrases.

A list of the various service divisions of our Office, including descriptions of what they each do, can also be found on our website at <http://www.ohioattorneygeneral.gov/About-AG/Service-Divisions>. Identifying a service division in our Office that may have responsive records, or providing a specific topic, case, or matter, may assist our Office in determining if we have responsive records. Our Office's retention schedules further demonstrate how our records are generally maintained and accessed and may help you revise your request, should you wish to do so. These are on our Office's website at <http://www.ohioattorneygeneral.gov/About-Ag/Public-Records-Access>.

Your request is also being denied because Parts One and Three of your request are vague and ambiguous. What records are "regarding the implementation or enforcement" of, or "regarding any matters concerning the implementation or enforcement" of, Section 22 of Article I of the Ohio State Constitution, is subject to interpretation and would require this office to make a judgment call on what records may or may not be responsive to your request. *Gannett GP Media, Inc. v. Ohio Dept. of Pub. Safety*, Ct. of Cl. No. 2017-00051-PQ, 2017-Ohio-4247, ¶ 10 (finding request for "all communications 'regarding' a topic, to or from any employee, anywhere in the office" is unenforceable because it "requires judgment calls as to whether any given communication — whether personal, tenuous, or duplicative — is 'regarding' the topic").

However, we understand your request as seeking records on the topic/matter of Issue 1/the Reproductive Rights Amendment/Article I, Section 22 of the Ohio Constitution. As such, in the interest of attempting to identify responsive records, we asked the nine Ohio Attorney General's Office employees listed in your request for records on the topic/matter of Issue 1/the Reproductive Rights Amendment/Article I, Section 22 of the Ohio Constitution, within your specified date range. We also asked our Constituent Services section to search for complaints or inquiries submitted to it on the topic/matter of Issue 1/the Reproductive Rights Amendment/Article I, Section 22 of the Ohio Constitution.

We produced a set of records on February 14, 2024; attached is a second and final set of records. Please note that we have redacted and/or withheld records or information in records subject to the following:

- Trial preparation records, pursuant to R.C. 149.43(A)(1)(g); and
- Information that is subject to the attorney-client privilege, pursuant to *State ex rel. Lanham v. DeWine*, 135 Ohio St.3d 191, 2013-Ohio-199, 985 N.E.2d 467, ¶ 26.

We would be happy to work with you to revise your request, should you wish to do so, so that we can identify the records you seek based on the way public records are organized and maintained by the Ohio Attorney General's Office. Please feel free to contact the Public Records Unit at 614-466-2872 if you wish to do so.

Very respectfully yours,

MacKenzie S. Clayton

MacKenzie S. Clayton
Paralegal - Public Records Unit

cc: Heather L. Buchanan, Director of Open Government

Matter Detail Report

MATTER INFORMATION

MatterID: 2041577

Constituent: Crystal Ortman

Received Date: 12/11/2023 **AG** No **Section:** Constituent Services and Outreach

Due Date: 12/25/2023 **ASAP?:** No **Liaison:** Sizemore, Jennifer

Closed Date: 12/11/2023 **Archived?:** No

Closed Reason: Provided Direction to Constituent via Phone

Corr Type: AG4OHIO

Issue:

Subject: General Help

Filed In:

Regarding:

Case Name:

Case Number:

CONSTITUENT INFORMATION

First Name: Crystal

Middle:

Last Name: Ortman

Chronic?: No

Address: AO redaction - PII

City: Canton

State: OH

Zip Code: 44706

Phone: (858) 401-0906
x

Title:

Company:

Designation: Ms.

Senior? No

Address2:

County: Stark

Email: crystalanneglassford@gmail.com

Legislator

ACTION HISTORY

12/11/2023 3:30:33 PM - New Matter - Closed during Data Entry - (JSizemore)

12/11/2023 3:30:33 PM - Initial delegation made to Sizemore, Jennifer (Constituent Services and Outreach) - (JSizemore)

COMMENTS

DESCRIPTION

Description of the Problem:

Constituent stated she received a letter from a pro-choice group, Ohioans United for Reproductive Rights at 605 N High St #210 Columbus Ohio 43215. She stated they are blatantly lying. She stated the bill states that it would let doctors abort a fetus if the woman's life was in danger, but no one would believe her because of this letter. She stated they lied about this bill stating the bill would make women have babies. They were using mail, email, and canvassing to distribute this message. She stated they also put out commercials with this misinformation. She would like the AG to sue this organization for lying and misrepresentation.

How would they like the AG to help?

MATTER INFORMATION

MatterID: 2050994

Constituent: J. Keller

Received Date: 01/09/2024

AG

No

Section: Constituent Services and Outreach

Due Date: 01/23/2024

ASAP?: No

Liaison: Fry, Logan

Closed Date: 01/10/2024

Archived?: No

Closed Reason: No Response Necessary

Corr Type: Internet Inquiry

Issue:

Subject: General Help

Filed In:

Regarding: General Help

Case Name:

Case Number:

CONSTITUENT INFORMATION

First Name: J.

Middle:

Last Name: Keller

Chronic?: No

Address: AO redaction - PII.

City: Los Angeles

State: CA

Zip Code: 90034-

Phone: (614) 222-2222
X

Title:

Company:

Designation: Unknown

Senior? No

Address2:

County: Out Of State

Email:

Legislator

ACTION HISTORY

1/10/2024 9:37:23 AM - New Matter - Closed during Data Entry - (LFry)

1/10/2024 9:37:23 AM - Initial delegation made to Fry, Logan (Constituent Services and Outreach) - (LFry)

COMMENTS

DESCRIPTION

Description of the Problem:

What did the governments of the United States of America willfully neglect to resolve in the calendar year 2023 going back to problems that existed 40 years ago?

What did the governments (local, state, national/federal) of the United States of America willfully neglect to resolve in the calendar 2023 going back to problems that existed forty years ago as of the current new year of 2024 on this the 1st day of January?

Who is running the failed United States of America federal and individual state governments?

Why has the United States of America federal and individual state governments not paid restitution to the Mulatto/Mixed/Mestizo American descendants of slaves who have had their human rights and civil rights abused and violated?

The executive order dated 20 January 2021 below legitimates the Mulatto/Mixed/Mestizo Americans restitution justice claim of \$44,000,650,000,000.00 approved on 11 December 2020 by OMB yet what has happened since then is the current presidential administration is purposely giving undeserved recognition to other ethnic/racial and social cultural groups who already have been monetary wealth and power resources:

Section 1. Policy. Equal opportunity is the bedrock of American democracy, and our diversity is one of our country's greatest strengths. But for too many, the American Dream remains out of reach. Entrenched disparities in our laws and public policies, and in our public and private institutions, have often denied that equal opportunity to individuals and communities. Our country faces converging economic, health, and climate crises that have exposed and exacerbated inequities, while a historic movement for justice has highlighted the unbearable human costs of systemic racism. Our Nation deserves an ambitious whole-of-government equity agenda that matches the scale of the opportunities and challenges that we face.

It is therefore the policy of my Administration that the Federal Government should pursue a comprehensive approach to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. Affirmatively advancing equity, civil rights, racial justice, and equal opportunity is the responsibility of the whole of our Government. Because advancing equity requires a systematic approach to embedding fairness in decision-making processes, executive departments and agencies (agencies) must recognize and work to redress inequities in their policies and programs that serve as barriers to equal opportunity.

By advancing equity across the Federal Government, we can create opportunities for the improvement of communities that have been historically underserved, which benefits everyone. For example, an analysis shows that closing racial gaps in wages, housing credit, lending opportunities, and access to higher education would amount to an additional \$5 trillion in gross domestic product in the American economy over the next 5 years. The Federal Government's goal in advancing equity is to provide everyone with the opportunity to reach their full potential. Consistent with these aims, each agency must assess whether, and to what extent, its programs and policies perpetuate systemic barriers to opportunities and benefits for people of color and other underserved groups. Such assessments will better equip agencies to develop policies and programs that deliver resources and benefits equitably to all.

Sec. 2. Definitions. For purposes of this order: (a) The term "equity" means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.

(b) The term "underserved communities" refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, as exemplified by the list in the preceding definition of "equity."

Sec. 3. Role of the Domestic Policy Council. The role of the White House Domestic Policy Council (DPC) is to coordinate the formulation and implementation of my Administration's domestic policy objectives. Consistent with this role, the DPC will coordinate efforts to embed equity principles, policies, and approaches across the Federal Government. This will include efforts to remove systemic barriers to and provide equal access to opportunities and benefits, identify communities the Federal

Government has underserved, and develop policies designed to advance equity for those communities. The DPC-led interagency process will ensure that these efforts are made in coordination with the directors of the National Security Council and the National Economic Council.

Sec. 4. Identifying Methods to Assess Equity. (a) The Director of the Office of Management and Budget (OMB) shall, in partnership with the heads of agencies, study methods for assessing whether agency policies and actions create or exacerbate barriers to full and equal participation by all eligible individuals. The study should aim to identify the best methods, consistent with applicable law, to assist agencies in assessing equity with respect to race, ethnicity, religion, income, geography, gender identity, sexual orientation, and disability.

(b) As part of this study, the Director of OMB shall consider whether to recommend that agencies employ pilot programs to test model assessment tools and assist agencies in doing so.

(c) Within 6 months of the date of this order, the Director of OMB shall deliver a report to the President describing the best practices identified by the study and, as appropriate, recommending approaches to expand use of those methods across the Federal Government.

Sec. 5. Conducting an Equity Assessment in Federal Agencies. The head of each agency, or designee, shall, in consultation with the Director of OMB, select certain of the agency's programs and policies for a review that will assess whether underserved communities and their members face systemic barriers in accessing benefits and opportunities available pursuant to those policies and programs. The head of each agency, or designee, shall conduct such review and within 200 days of the date of this order provide a report to the Assistant to the President for Domestic Policy (APDP) reflecting findings on the following:

(a) Potential barriers that underserved communities and individuals may face to enrollment in and access to benefits and services in Federal programs;

(b) Potential barriers that underserved communities and individuals may face in taking advantage of agency procurement and contracting opportunities;

(c) Whether new policies, regulations, or guidance documents may be necessary to advance equity in agency actions and programs; and

(d) The operational status and level of institutional resources available to offices or divisions within the agency that are responsible for advancing civil rights or whose mandates specifically include serving underrepresented or disadvantaged communities.

Sec. 6. Allocating Federal Resources to Advance Fairness and Opportunity. The Federal Government should, consistent with applicable law, allocate resources to address the historic failure to invest sufficiently, justly, and equally in underserved communities, as well as individuals from those communities. To this end:

(a) The Director of OMB shall identify opportunities to promote equity in the budget that the President submits to the Congress.

(b) The Director of OMB shall, in coordination with the heads of agencies, study strategies, consistent with applicable law, for allocating Federal resources in a manner that increases investment in underserved communities, as well as individuals from those communities. The Director of OMB shall report the findings of this study to the President.

Sec. 7. Promoting Equitable Delivery of Government Benefits and Equitable Opportunities. Government programs are designed to serve all eligible individuals. And Government contracting and procurement opportunities should be available on an equal basis to all eligible providers of goods and services. To meet these objectives and to enhance compliance with existing civil rights laws:

(a) Within 1 year of the date of this order, the head of each agency shall consult with the APDP and the Director of OMB to produce a plan for addressing:

- (i) any barriers to full and equal participation in programs identified pursuant to section 5(a) of this order; and
- (ii) any barriers to full and equal participation in agency procurement and contracting opportunities identified pursuant to section 5(b) of this order.

<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>

The Mulatto/Mixed/Mestizo Americans restitution (reparations) was first mentioned in the video below concerning illegal immigration:
https://www.youtube.com/watch?v=TO__1pHM5yl

The \$44,000,000,000,000.00 that was approved and allocated for the Mulatto/Mixed/Mestizo restitution who are descendants of slavery on 11 December 2020 is being set up to be given to illegal aliens, foreign nationals, and immigrants as evidenced below to take over the United States of America:
<https://www.youtube.com/watch?v=BIRXpFJNthY>

Biden angrily defends DOJ plans for \$450K migrant separation payouts
By Mary Kay Linge,
Published Nov. 6, 2021, Updated Nov. 7, 2021, 1:08 p.m. ET
Biden angrily defends DOJ plans for \$450K migrant separation payouts

President Biden flared in anger Saturday as he spoke in favor of his administration's plan to award \$450,000 payments to migrants separated from their families after illegally crossing the US border — three days after he called a report on the payouts "garbage."

Blaming "the outrageous behavior of the last administration," Biden raised his voice and jabbed his finger at Fox News correspondent David Spunt, who asked about the administration's mixed messaging on the payout policy.

"Whether [the border crossing] was legal or illegal, and you lost your child," Biden thundered. "You lost your child, it's gone — you deserve some kind of compensation, no matter what the circumstance.

"What that will be," he added, "I have no idea."

Joe Biden raised his voice at Fox News correspondent David Spunt, who asked about the administration's mixed messaging on the payout policy.

The Biden administration has been negotiating legal settlements with the American Civil Liberties Union and other groups that could shower up to \$1 million per family on asylum seekers who were separated at the border under President Trump's "zero tolerance" illegal immigration policy.

"That's not gonna happen," Biden said flatly on Wednesday, when Fox News' Peter Doocy asked him about the Wall Street Journal's initial report on the developing deal.

"You guys keep sending that garbage out?" the president said. "But it's not true."

The ACLU issued a pointed response, suggesting that Biden was out of the loop and "may not have been fully briefed about the actions of his very own Justice Department."

"If he follows through on what he said, the president is abandoning a core campaign promise to do justice for the thousands of separated families," ACLU Executive Director Anthony D. Romero

protested. "We call on President Biden to right the wrongs of this national tragedy."

On Thursday, the White House attempted to walk Biden's denial back.

"The president is perfectly comfortable with the Department of Justice settling with the individuals and families who are currently in litigation with the US government," White House deputy press secretary Karine Jean-Pierre said.

The proposed financial settlements have infuriated Republicans, who introduced a bill to block the massive payouts, calling them "disastrous."

"Once again, [Biden] either lied or has no idea what's going on," Rep. Nicole Malliotakis (R-SI/Bkln) tweeted Friday. "Americans don't bust their asses & pay taxes so Democrats can give their \$ to those who disrespect our borders and break our laws."

<https://nypost.com/2021/11/06/joe-biden-angrily-defends-plans-for-450k-migrant-separation-payouts/>

WHAT DO HUMAN RIGHTS AND CIVIL RIGHTS GUARANTEE IN THE UNITED STATES OF AMERICA AND WORLDWIDE?

<https://geneva.usmission.gov/2021/02/24/secretary-hrc/>

"It is an honor to join you as the United States reengages with the Human Rights Council and other important international organizations. I'm here to reaffirm America's commitment to respect and defend the human rights of all people, everywhere. As the Universal Declaration of Human Rights proclaims: all human rights are universal, indivisible, interdependent, and interrelated."

The idea that all human beings – regardless of race, sex, nationality, ethnicity, language, religion, or any other status – are entitled to human rights is built into the foundation of the United Nations. These fundamental rights include freedom from slavery and torture, freedom of opinion and expression, right to life and liberty, work and education, and many more.

To ensure that these rights are available to everyone across all cultures, the United Nations works to mainstream human rights within the UN system and collaborates closely with governments in the field to identify, highlight, and develop responses to human rights challenges.

<https://www.unhcr.org/en/topics/human-rights>

<https://www.ohchr.org/en/what-are-human-rights>

<https://www.ohchr.org/en/prevention-and-early-warning/preventing-human-rights-violations>

<https://obamawhitehouse.archives.gov/the-press-office/2010/09/23/fact-sheet-advancing-democracy-and-human-rights>

<https://obamawhitehouse.archives.gov/blog/2014/03/06/departments-justice-advocating-civil-rights-and-access-aapis>

<https://www.whitehouse.gov/briefing-room/statements-releases/2021/12/23/summit-for-democracy-summary-of-proceedings/>

Who is running the failed United States of America federal and individual state governments?

THE PEOPLE OF THE UNITED STATES ARE GOING TO BURN IN HELL FOR NOT GIVING THEIR MULATTO/MIXED/MESTIZO DESCENDANTS OF SLAVERY RESTITUTION. WHAT HAVE ANY OF THE ESTABLISHED GOVERNMENT AGENCIES DONE FOR THESE PEOPLE BESIDES GIVE BENEFITS AND RESOURCES TO ANY ILLEGAL ALIEN OR FOREIGN NATIONAL THAT ENTERS THE BORDERS OF THE UNITED STATES OF AMERICA?

Examples of blatant human rights and civil rights violations that exist today in the United States of America:

Lisa Calderon One drop rule

<https://www.youtube.com/watch?v=2PQw211MJuA>

I Am Human - One Drop Rule

<https://www.youtube.com/watch?v=BrbppVIPpG4>

<https://www.youtube.com/watch?v=8qvPvyQOqIA>

One-drop rule Meaning

<https://www.youtube.com/watch?v=EnX19H1Xuc8>

The Flawed One Drop Rule: Trevor Noah Reveals South Africa's Creation of the 'Coloured' Race

<https://www.youtube.com/shorts/I7eBGpGYv2U>

Comedian Trevor Noah On being mixed race in South Africa

<https://www.youtube.com/watch?v=YqciCFLxfEE>

Monday, 27 November 2023

The United States federal, state, and local governments have not done anything all year to implement the principles in the American Restoration Information Doctrine (ARID) to save that ailing nation. The citizens of the United States of America think they always deserve candy cane lane as they have given their nation over to foreign interest and reject their own native born five multigenerational people.

<https://www.youtube.com/watch?v=ElmslGT85tI>

<https://uscode.house.gov/view.xhtml?path=/prelim@title18/part1/chapter11&edition=prelim>

<https://uscode.house.gov/view.xhtml?path=%2Fprelim%40title18%2Fpart2%2Fchapter216&edition=prelim>

https://www.govinfo.gov/content/pkg/SERIALSET-00303_00_00-019-0097-0000/pdf/SERIALSET-00303_00_00-019-0097-0000.pdf

https://www.govinfo.gov/content/pkg/SERIALSET-00384_00_00-009-0092-0000/pdf/SERIALSET-00384_00_00-009-0092-0000.pdf

https://www.govinfo.gov/content/pkg/SERIALSET-00723_00_00-008-0072-0000/pdf/SERIALSET-00723_00_00-008-0072-0000.pdf

https://www.govinfo.gov/content/pkg/SERIALSET-00698_00_00-018-0045-0000/pdf/SERIALSET-00698_00_00-018-0045-0000.pdf

https://www.govinfo.gov/content/pkg/SERIALSET-00516_00_00-021-0028-0000/pdf/SERIALSET-00516_00_00-021-0028-0000.pdf

https://www.govinfo.gov/content/pkg/SERIALSET-00677_00_00-019-0041-0000/pdf/SERIALSET-00677_00_00-019-0041-0000.pdf

https://www.govinfo.gov/content/pkg/SERIALSET-00442_00_00-006-0075-0000/pdf/SERIALSET-00442_00_00-006-0075-0000.pdf

https://www.govinfo.gov/content/pkg/SERIALSET-00644_00_00-011-0097-0000/pdf/SERIALSET-00644_00_00-011-0097-0000.pdf

What honorable American white man in United States history fiercely opposed the cabal of international foreign organized criminals from infiltrating and seizing total government power by means of mass, unlimited, unrestricted, and uncontrolled immigration? Answer: John Edgar Hoover (1895-1972). He was the white first director of the federal bureau of investigations (fbi) which is now obsolete and ineffective. John Edgar Hoover was a white American man that lived as such racially, economically, culturally, politically, and socially even though he had one Nigerian American slave great-grandfather, Robert Avent (1811-1860) in his paternal lineage. His mother was born in Heidelberg, Baden-Württemberg, Germany.

"Initially, Hoover ordered background checks on government employees to prevent foreign agents from infiltrating the government. Later, COINTELPRO went after any organization Hoover considered subversive, including the Black Panthers, the Socialist Workers Party and the Ku Klux Klan."

<https://www.biography.com/legal-figures/j-edgar-hoover>

Who is running the failed United States of America federal and individual state governments?

Why is the whitehouse.gov website in the United States of America a total fraud that does not address the real issues and problems facing that nation?

All of this is non-sense that is put on the whitehouse.gov website:

<https://www.whitehouse.gov/briefing-room/>

Statement from President Joe Biden on the African Growth and Opportunity Act (AGOA)

Reauthorization

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

Readout of White House State Legislative Convening on Reproductive Rights

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

International Counter Ransomware Initiative 2023 Joint Statement

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

FACT SHEET: Biden-Harris Administration Convenes Third Global Gathering to

Counter Ransomware

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

Statement from Press Secretary Karine Jean-Pierre on the Bilateral Meeting Between President

Joe Biden and President Luis Abinader of the Dominican Republic

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

Statement from White House Press Secretary Karine Jean-Pierre on President Biden's Establishment

of First-Ever National Strategy to Counter Islamophobia

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

Joint Statement on U.S.-EU Energy Security Task Force Meeting

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

Readout of Vice President Harris's Meeting with Prime Minister Rishi Sunak of the United Kingdom

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

Message to the Congress on the Continuation of the National Emergency With Respect to the

Proliferation of Weapons of Mass Destruction

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

Press Release: Notice on the Continuation of the National Emergency With Respect to the

Proliferation of Weapons of Mass Destruction

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

2024-2025 White House Fellowship

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

Statement from President Joe Biden on the 2024 Open Enrollment Period

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

President Biden Announces Kurt Campbell as Nominee for Deputy Secretary of State, Department of State

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

FACT SHEET: Vice President Harris Announces New U.S. Initiatives to Advance the Safe and Responsible Use of Artificial Intelligence

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

Statement from Press Secretary Karine Jean-Pierre on the Bilateral Meeting Between President

Joe Biden and President Gabriel Boric of Chile

OCTOBER 31, 2023•STATEMENTS AND RELEASES

Readout of President Biden's Call with His Majesty King Abdullah II of Jordan

OCTOBER 31, 2023•STATEMENTS AND RELEASES

FACT SHEET: President Biden Announces Over \$5 Billion to Support Rural Communities During Investing in Rural America Event Series

OCTOBER 31, 2023•STATEMENTS AND RELEASES

FACT SHEET: Release of the 2023 Women, Peace and Security Strategy and National Action Plan

OCTOBER 31, 2023•STATEMENTS AND RELEASES

WHAT THEY ARE SAYING: President Biden Issues Executive Order on Safe, Secure, and Trustworthy Artificial Intelligence

OCTOBER 31, 2023•STATEMENTS AND RELEASES

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Who is running the failed United States of America federal and individual state governments?

Saturday, 21 October 2023

From:

The Mulatto/Mixed/Mestizo Americans Restitution Committee

Secretary: J. Keller - Submissions and Reporting, 801158 Hope Street, Los Angeles, California 90034

Chairman: Sanjay Nguyen - Government liaison: 14755 Lumas Verdes Avenue, Palo Alto, California 94302

To:

The White House staff executive branch of the United States of America
1600 Pennsylvania Avenue, Washington, District of Columbia 20050-0005

To whom it may concern:

The United States of America is in grave danger. The state of Hawaii was struck by nuclear war heads which could have been prevented if the governments of the United States had implemented a simple, easy, and efficient application for distribution of the money allocated on December 11, 2020 in the amount of \$44 trillion to be given as restitution for the ills caused by slavery for systemic racism, discrimination, hatred, and prejudice hindering upward mobility from February 13, 1865 for these unique and special citizens of the United States of America. All eligible persons who self-identified their racial/ethnic classification as Mulatto/Mixed/Mestizo Americans on the 2020 United States federal census have been indexed as well as their genealogies. Justice claims have been submitted to individual state and federal departments of justice and governors. These claims are valid and legitimate. All of them are guilty of dereliction of duty and will cause the United of America mainland to be obliterated in such a manner as the state of Hawaii. If you continue to ignore and not implement this justice claim via the IRS website for application judgement day will be pronounced upon the United States of America. You, your families, and the people of the United States of America will suffer great casualties. This is a final warning. The federal and state governments are libel for at least \$44,000,650,000.00 which includes the labor cost associated with the research, processing, and final submission of written reports to the department of Homeland Security for exploitation of unlawful foreign workers.

cc: United Nations, <https://www.un.org/en/>

Who is running the failed United States of America federal and individual state governments?

Victory comes when the United States of America is no more as only time will tell unless the patriot citizens take up arms and slaughter the traitors and install a government that recognizes and implement a system whereby the forgotten Mulatto/Mixed/Mestizo Americans justice claim is paid and they are given top notch public, private, and government positions based on competence as it is very easy to do. That should have begun December 2020. This powerful group of United States citizens bought the nation more time by pushing back destruction while most American citizens eat, drink, and are being merry. If a nation and relationship no longer works then separate ways must commence by destroying the old and ushering in something new and much better.

https://www.youtube.com/watch?v=AWs8SbT4__E

<https://www.youtube.com/watch?v=5A4xBp2rizQ>

<https://www.youtube.com/watch?v=LatorN4P9aA>

Friday, the 13th of October 2023

Who is running the failed United States of America federal and individual state governments?

AI voice clones mimic politicians and celebrities, reshaping reality
Experts have long predicted generative artificial intelligence would lead to a tsunami of faked photos and video. What's emerging is an audio crisis.

By Pranshu Verma and Will Oremus, October 13, 2023 at 6:00 a.m. EDT

Days before a pivotal national election in Slovakia last month, a seemingly damning audio clip began circulating widely on social media. A voice that sounded like the country's Progressive party leader, Michal Šimečka, described a scheme to rig the vote, in part by bribing members of the country's marginalized Roma population.

Two weeks later, another apparent political scandal emerged: The leader of the United Kingdom's Labor party was seemingly caught on tape berating a staffer in a profanity-laden tirade that was posted on X, formerly Twitter.

Both clips were soon debunked by fact-checkers as likely fakes, with the voices bearing telltale signs that they were generated or manipulated by artificial intelligence software. But the posts remain on platforms such as Facebook and X, generating outraged comments from users who assume they are genuine.

Rapid advances in artificial intelligence have made it easy to generate believable audio, allowing

anyone from foreign actors to music fans to copy somebody's voice — leading to a flood of faked content on the web, sewing discord, confusion and anger. Last week, the actor Tom Hanks warned his social media followers that bad actors used his voice to falsely imitate him hawking dental plans. Over the summer, TikTok accounts used AI narrators to display fake news reports that erroneously linked former president Barack Obama to the death of his personal chef.

On Thursday, a bipartisan group of senators announced a draft bill, called the No Fakes Act, that would penalize people for producing or distributing an AI-generated replica of someone in an audiovisual or voice recording without their consent.

While experts have long predicted generative artificial intelligence would lead to a tsunami of faked photos and video — creating a disinformation landscape where nobody could trust anything they see — what's emerging is an audio crisis.

"This is not hypothetical," said Hany Farid, a professor of digital forensics at the University of California at Berkeley. "You're talking about violence, you're talking about stealing of elections, you're talking about fraud — [this has] real-world consequences for individuals, for societies and for democracies."

Their voices are their livelihood. Now AI could take it away.

Voice cloning technology has rapidly advanced in the past year, and the proliferation of cheap, easily accessible tools online make it so that almost anyone can launch a sophisticated audio campaign from their bedroom.

It's difficult for the average person to spot faked audio campaigns, while images and videos still have notable oddities — such as deformed hands, and skewed words.

"Obama still looks a little plasticky when bad actors use his face," said Jack Brewster, a researcher at NewsGuard, which tracks online misinformation. "But the audio of his voice is pretty good — and I think that's the big difference here."

Social media companies also find it difficult to moderate AI-generated audio because human fact-checkers often have trouble spotting fakes. Meanwhile, few software companies have guardrails to prevent illicit use.

Previously, voice cloning software churned out robotic, unrealistic voices. But computing power has grown stronger and the software more refined. The result is technology that can analyze millions of voices, spot patterns in elemental units of speech — called phonemes — and replicate it within seconds.

Online tools, such as from voice cloning software company Eleven Labs, allow almost anyone to upload a few seconds of a person's voice, type in what they want it to say, and quickly create a deepfaked voice — all for a monthly subscription of \$5.

They thought loved ones were calling for help. It was an AI scam.

For years, experts have warned that AI-powered "deepfake" videos could be used to make political figures appear to have said or done damaging things. And the flurry of misinformation in Slovakia offered a preview of how that is starting to play out — with AI-generated audio, rather than video or images, playing a starring role.

On Facebook, the audio clip of what sounded like Šimečka and the journalist played over a still image of their respective faces. Both denounced the audio as a fake, and a fact-check by the news agency Agence France-Presse determined it was likely generated wholly or in part by AI tools. Facebook placed a warning label over the video ahead of the Sept. 30 election, noting that it had been debunked. "When content is fact-checked, we label and down-rank it in feed," Meta spokesman Ryan Daniels said.

But the company did not remove the video, and Daniels said it was deemed not to have violated Facebook's policies on manipulated media. Facebook's policy specifically targets manipulated video, but in this case it wasn't the video that had been altered, just the audio.

Research by Reset, a London-based nonprofit that studies social media's effect on democracy, turned up several other examples of faked audio in the days leading to the election on Facebook, Instagram, Telegram and TikTok. Those included an ad for the country's far-right Republika party in which a voice that sounds like Šimečka's says he "used to believe in 70 genders and pregnant men" but now supports Republika. A disclaimer at the end says, "voices in this video are fictional."

That video appears on Facebook without a fact-check and was promoted on the platform as an ad by a Republika party leader. It racked up between 50,000 and 60,000 views in the three days before the election, according to Facebook's ad library.

About 3 million people voted in the parliamentary election, with the country's pro-Russian populist party beating out Šimečka's Progressive party for the most seats. Slovakia has halted military aid to Ukraine in the election's wake.

What effect, if any, the AI-generated voice fakes had on the outcome is unclear, said Rolf Fredheim, a data scientist and expert on Russian disinformation who worked with Reset on its research. But the fact that they “spread like wildfire” in Slovakia means the technique is likely to be tried more in future elections across Europe and elsewhere.

Meanwhile, the allegedly faked audio clip of U.K. Labor leader Keir Starmer, who has a chance to become the next prime minister, remains on X, without any fact check or warning label.

Fears of AI-generated content misleading voters aren’t limited to Europe. On Oct. 5, U.S. Sen. Amy Klobuchar (D-Minn.) and Rep. Yvette D. Clarke (D-N.Y.) sent an open letter to the CEOs of Meta and X, expressing “serious concerns about the emerging use” of AI-generated content in political ads on their platforms. The two politicians in May introduced an act to require a disclaimer on political ads that use AI-generated images or video.

European Union Commissioner Thierry Breton pressed Meta chief executive Mark Zuckerberg in a letter on Wednesday to outline what steps his company will take to prevent the proliferation of deepfakes, as countries such as Poland, the Netherlands and Lithuania head to the ballot box in the coming months.

Celebrities warn followers not to be duped by AI deepfakes

AI-audio generated conspiracy theories are also spreading widely on social media platforms. In September, NewsGuard identified 17 accounts on TikTok that use AI text-to-speech software to generate videos that advance misinformation, and have garnered more than 336 million views and 14.5 million likes.

In recent months, these accounts used AI narrators to create fake news reports that claimed Obama was connected to the death of his personal chef, Tafari Campbell; TV show personality Oprah Winfrey is a “sex trader”; and that actor Jamie Foxx was left paralyzed and blind by the coronavirus vaccine. Only after TikTok was made aware of some of these videos did they take them down, according to NewsGuard.

Ariane de Selliers, a spokeswoman for TikTok, said in a statement that the company “requires creators to label realistic AI-generated content and was the first platform to develop tools to help creators do this, recognizing how AI can enhance creativity.”

Brewster, whose company conducted the study and specializes in misinformation, said voice deepfakes present a unique challenge. They don’t show their “glitches” as easily as AI-generated videos or images, which often give people oddities such as eight fingers.

Though companies that create AI text-to-voice tools have software to identify whether a voice sample is AI-generated, these systems aren’t widely used by the public.

Voice software has also improved at replicating foreign languages, because of an increased number of data sets with non-English-language audio.

The result is more AI voice deepfake campaigns in countries that may be experiencing war or instability, the experts added. For example, in Sudan, alleged leaked voice recordings of the former leader of the country, Omar al-Bashir, circulated widely on social media platforms, causing confusion among citizens because Bashir is thought to be gravely ill, according to the BBC.

In countries where social media platforms may essentially stand in for the internet, there isn’t a robust network of fact-checkers operating to ensure people know a viral sound clip is a fake, making these foreign language deepfakes particularly harmful.

“We are definitely seeing these audio recordings hitting around the world,” Farid said. “And in those worlds, fact-checking is a much harder business.”

Fake images of Trump arrest show ‘giant step’ for AI’s disruptive power

More recently, Harry Styles fans have been thrust into confusion. In June, supposed “leaked” snippets of songs by Styles and One Direction surfaced on the messaging channel Discord, sold to eager fans for sometimes hundreds of dollars each. But several “super fans” quickly dissected the music and argued the songs were AI-generated audio.

The outlet 404 Media conducted its own investigation into the audio and found some samples sounded legitimate and others “sketchy.” Representatives for Harry Styles did not return a request for comment on whether the leaked audio is real or an AI-generated fake.

Farid, of UC Berkeley, said the ultimate responsibility lies with social media companies, because they are responsible for the distribution and amplification of the content.

Though millions of posts are uploaded onto their sites daily, the most savvy disinformation traces back to a handful of profiles with large followings. It’s not in the companies’ interest to remove them, Farid added.

“They could turn the spigot off right now if they wanted to,” he said. “But it’s bad for business.”

<https://www.washingtonpost.com/technology/2023/10/13/ai-voice-cloning-deepfakes/>

<https://www.youtube.com/watch?v=wTjMqda19wk>

To the axis of evil you must blow the United States of America into pieces. Hawaii was hit by nuclear war heads. The USA is the most evil, wicked, and sinful nation in the world. The white and black political leaders and people of that nation are monkeys that can not do anything right. The shadow government of the United States puts black faces, colored hispanic/latino and asian people in positions of power as yes men and women to give the country away to foreign interests.

The American people can not walk down the street and chew gum and tie their shoe laces at the same time. All of the 102 million illegal aliens, undocumented immigrants and foreign nationals you will go down with the Titanic United States of America as well.

<https://nationalinterest.org/blog/buzz/make-no-mistake-china-would-destroy-us-cities-nuclear-war-109586>

https://www.youtube.com/watch?v=1EemcmGko_c

<https://foreigndesknews.com/asia/north-korea-vows-to-annihilate-u-s-says-country-will-be-terminated-this-century/>

<https://www.youtube.com/watch?v=xS1CZjsqKc>, <https://www.youtube.com/watch?v=FSCPkRUE2xQ>

, <https://www.youtube.com/watch?v=096hnKDw5tc>, <https://www.youtube.com/watch?v=4LUumD0MwL8>, <https://www.youtube.com/watch?v=3DPd2IL3E1E>,

Where is joe Biden and who is running the United States federal and individual state governments?

----- Forwarded Message -----

Everybody wants to rule the world by satanic warlocks and witches. Why?

https://www.youtube.com/watch?v=znDgBy2mHbc&list=RDaGSKrC7dGcY&start_radio=1

The important problems facing the United States of America are not being addressed and solved by any of the politicians. A lot of them are high level satanic warlocks and witches.

The established system is functioning until there is some type of collapse.

<https://governmenty.com/joe-biden>

Former Vice President Joe Biden's kickoff rally for his 2020 Presidential campaign
Former Vice President Joe Biden's kickoff rally for his 2020 Presidential campaign
By: Michael Stokes

Contact Events Speeches Interviews Town Halls & Forums Debates

Born 11/20/1942, Religion: Catholic, death: 7/6/2012 at Dover AFB-cremated

Contact President Joe Biden (D) by email address, mailing address, DC office phone number, official & campaign websites, and Facebook, Twitter, YouTube & Instagram:

DC Phone Number: 202-456-1111 Government Website: whitehouse.gov Contact Email: whitehouse.gov/contact

Official Website: joebiden.com YouTube: [youtube.com/user/whitehouse](https://www.youtube.com/user/whitehouse) Facebook: [facebook.com/POTUS](https://www.facebook.com/POTUS)

Twitter: twitter.com/POTUS Instagram: [instagram.com/potus](https://www.instagram.com/potus)

Notable Speaking Engagements by Joe Biden

Engagement Num About

Joe Biden Speeches

WATCH

25 Major speeches by Joe Biden

Joe Biden Interviews

WATCH

14 Major interviews by Joe Biden

Joe Biden Debates

WATCH

13 Debates Joe Biden participated in

Joe Biden Town Halls

WATCH

4 Major Town Halls and Forums Joe Biden participated in

Joe Biden Congress Details

Years in Congress: 01/03/1973 - 01/15/2009

Joe Biden History

President of the United States (01/20/2021 - Present)

Vice President of the United States (01/20/2009 - 01/20/2017)

U.S. Senator from Delaware (01/03/1973 - 01/15/2009)

College Attended: Syracuse ('68) & Delaware ('65) Degrees Earned: J.D. (Law) (68) & Bachelors Degree (65) Prior Occupations: Professor

Previous Joe Biden Speaking Engagements (EST)

Apr 28 2021 Wed State of the Union Speech Washington DC Apr 14 2021 Wed Policy Speech Washington DC Apr 13 2021 Tue Eulogy Washington DC Apr 08 2021 Thu Policy Speech Washington DC Apr 07 2021 Wed Policy Speech Washington DC Apr 06 2021 Tue Washington DC DC Speech Washington DC Apr 05 2021 Mon Commemorative Speech Washington DC Mar 25 2021 Thu Press Conference Washington DC Feb 16 2021 Tue Anderson Cooper Hosted Town Hall Milwaukee, WI CNN Jan 20 2021 Wed Presidential Announcement Washington DC Dec 14 2020 Mon Wilmington DE Speech Wilmington, DE Nov 07 2020 Sat Victory Speech Wilmington, DE Oct 15 2020 Thu ABC Town Hall Philadelphia, PA ABC Oct 06 2020 Tue Gettysburg PA Rally Gettysburg, PA Aug 20 2020 Thu DNC Day Four Speech Wilmington, DE Jul 28 2020 Tue Wilmington DE Speech Wilmington, DE Jun 02 2020 Tue Philadelphia PA Speech Philadelphia, PA Apr 13 2020 Mon Meeting Mar 24 2020 Tue The View Interview New York City, NY ABC Mar 24 2020 Tue State of the Union Interview Wilmington, DE CNN Mar 23 2020 Mon Wilmington DE Speech Wilmington, DE Mar 12 2020 Thu Press Conference Wilmington, DE Dec 12 2019 Thu Campaign Ad Dec 07 2019 Sat Teamsters Candidate Forum Forum Cedar Rapids, IA Dec 05 2019 Thu New Hampton Iowa Speech New Hampton, IA Dec 04 2019 Wed Campaign Ad Dec 03 2019 Tue Joe Biden Campaign Rally Mason City, IA Nov 08 2019 Fri Concord NH Rally Concord, NH Oct 29 2019 Tue Andrea Mitchell Interview Washington DC MSNBOct 27 2019 Sun Norah O'Donnell Interview Wilmington, DE CBS Oct 23 2019 Wed Policy Speech Scranton, PA Oct 16 2019 Wed Davenport Iowa Speech Davenport, IA Oct 09 2019 Wed Rochester NH Speech Rochester, NH Oct 02 2019 Wed Joe Biden Speech Reno, NV Sep 25 2019 Wed Jimmy Kimmel Interview Los Angeles, CA ABC Sep 24 2019 Tue Joe Biden Speech Wilmington, DE Sep 21 2019 Sat Polk County Steak Fry Speech Des Moines, IA Sep 07 2019 Sat New Hampshire Democratic Party Convention Speech Manchester, NH Sep 04 2019 Wed Stephen Colbert Interview New York City, NY CBS Sep 02 2019 Mon Interview Cedar Rapids, IA Aug 24 2019 Sat Joe Biden Campaign Rally Keene State College, NH Aug 23 2019 Fri Dartmouth Town Hall Dartmouth Aug 08 2019 Thu Iowa State Fair Press Conference Des Moines, IA Aug 08 2019 Thu Iowa State Fair Speech Des Moines, IA Aug 07 2019 Wed Burlington Iowa Speech Burlington, IA Aug 05 2019 Mon AC-360 Interview AC-360 Aug 03 2019 Sat AFSCME 2020 Public Service Forum Forum UNLV, NV Jul 16 2019 Tue Mika Brzezinski Interview Washington DC MSNBJul 16 2019 Tue Planned Interview Sioux City, IA Jul 11 2019 Thu City University of New York Speech New York City, NY

Joe Biden Videos of Notable Speaking Engagements

3rd Presidential Debate (2020)

3rd Presidential Debate (2020) Oct 22, 2020

The third and final Presidential debate between Joe Biden and Donald Trump was held at Belmont University in Nashville, TN. Both candidates were allowed to answer moderator Kristen Welker's initial questions for two minutes uninterrupted, as a new feature allowed opponent's mics to be muted during that timeframe. After the initial segment question, of which there were six, both candidates spoke freely. Biden and Trump addressed questions on outside interference with American elections, the economy, national security, the ongoing pandemic, healthcare, climate change and tax plans if elected. Final question was about Leadership. This debate was far more civil than their first.

Joe Biden Primetime Town Hall

Joe Biden Primetime Town Hall Oct 15, 2020

In lieu of the 2nd Presidential Debate Joe Biden participated in a townhall hosted by ABC and moderated by George Stephanopoulos in Philadelphia, Pennsylvania. Biden was asked a number of questions by undecided voters and Stephanopoulos himself, notably on whether or not Biden favors adding seats to the Supreme Court, which Biden promised he would answer before election day. Biden also spent much of the event showing the American people that he is the exact opposite of Donald Trump in both temperament and with his approach to governance and promised he would work to heal the polarizing divide plaguing American politics today.

Joe Biden Speech on Unity and Reconciliation at Gettysburg

Joe Biden Speech on Unity and Reconciliation at Gettysburg Oct 6, 2020

Democratic presidential nominee Joe Biden spoke at one of the United States most hallowed sites and delivered an impassioned call for a deeply divided American people to come together for the greater good of the country. Biden, speaking near the Civil War battlefield in Gettysburg, said the American people "have too bright a future to have it shipwrecked on the shoals of anger and hate and division." His nearly 30 minute speech didn't mention Donald Trump one time, but it was impossible not to take interpret his speech as anything but an unambiguous rebuke of Donald Trump's Presidency.

<https://www.youtube.com/watch?v=zxrLw6NxOQo>

<https://www.gq.com/story/political-impersonators-clinton-obama-trump>

<https://www.youtube.com/watch?v=5WUYGPhUjyE>

Politicians who are no longer alive or living:

James Earl Carter d. 2011-January-1, Plains, Georgia

wife Eleanor Rosalynn Carter, d. 2010-December 31, Plains, Georgia

Bill Clinton, d. 2022-May-1, Washington, DC

Hillary Rodham Clinton, d. 2022-May-1, Washington, DC

George Walker Bush, d. 2022-January-6, Washington, DC

wife Laura Welch Bush, d. 2022-January-6, Washington, DC

Donald Trump, d. 2021-January-1, Washington, DC

wife Melania Trump, d. 2021-January-1, Washington, DC

Michael Pence, d. 2022-February-5, Washington, DC

Barack Obama was born Barry Dunham, d. 2022-May-6, Washington, DC

Michelle Robinson was born Michael Robinson (transgender woman), d. 2022-May-6, Washington, DC

Kamala Harris was born Kamala Hameed in Punjab, India, d. 2022-February-2, Washington, DC

Virginia gov. Lawrence Douglas Wilder was born Raj Patel in Punjab, Indian, d. 2022-May-2, Walton, West Virginia

South Carolina gov. Nikki Haley was born Nimarata Randhawa in Punjab, India, d. 2021-February-2, New York City, New York

Louisiana gov. Bobby Jindal was born Piyush Jindal in Punjab, India, d. 2021-January-5, Washington, DC

Massachusetts gov. Devan Patrick was born Daaibyyah Paniza in Al-Faydah, Jordan, Africa d. 2022-April-4, Boston, Massachusetts

Michigan gov. Gretchen Whitmer was born Griselda Weiss in Rudesheim, Germany, d. 2022-March-1, Detroit, Michigan

Iowa gov. Kim Reynolds was born Kae Roessner in Herning, Ringkobing, Denmark, d. 2022-April-3, Des Moines, Iowa

New Jersey gov. Phil Murphy was born Bjorn Kieser in Mainz, Germany d. 2020-January-3, Washington, DC

Florida gov. Ron DeSantis, d. 2022-December-1, Tallahassee, Florida

Mitch McConnell, d. 2022-May-1, Louisville, Kentucky

Elaine Chao, d. 2022-May-1, Louisville, Kentucky

Chuck Schumer, 2021-January-3, Washington, DC

Nancy Pelosi, d. 2020-January-1, Washington, DC

Hakeem Jeffries, d. 2022-September-1, Washington, DC

Kellyanne Conway (transgender woman), d. 2021-January-13, New York City, New York, Huma

Abedin, d. 2022-January-5 in New York City, New York.

The people of the United States are this:

<https://germanshepherddog.info/wp-content/uploads/2021/06/LTHQ-199-feat-780x520-1-696x464.jpg>

https://www.cwp.org/wp-content/uploads/2015/11/noun_78485.png

How low can the shadow government of the United States go?

<https://www.whitehouse.gov/briefing-room/presidential-actions/2023/09/29/memorandum-on-presidential-determination-on-refugee-admissions-for-fiscal-year-2024/>

Why aren't Mulatto/Mestizo Americans classified as white rather than the United States government and media falsely attaching them to black people? Is it to hold them down? Yes, so they will die out and not access political, economic, and social power for upward mobility to govern the United States with integrity, honesty, fairness, and right justly. The facts have been presented as referenced with many source citations. The United States native born people and government will do anything for illegal aliens, foreign nationals, and immigrants before the honorable Mulatto/Mixed/Mestizo American descendants of United States slaves. Over nine thousand OMB Control Number: 1653-0049 written reports were submitted to the Department of Homeland Security for "Employment/Exploitation of Unlawful Workers" from October 26, 2020 to September 6, 2023 to stop the United States of America from being silently taken over by illegal aliens, foreign nationals and unlawful immigrants. That equals \$650,000,000.00 in unpaid time, labor, and work which is unsatisfied. 3 March 2022 was the date the United States was on schedule to be under foreign rule with an official announcement on 1 June 2022. If the reports were not voluntarily submitted to the Department of Homeland Security the natural born citizens of the United States would have been scheduled for extermination.

The United States federal government is libel for a minimum of \$6.6 million and the individual states are libel for a minimum of \$3.4 million for the harmful affects, brutality, cruelty, pain and suffering caused by slavery

to Mulatto/Mixed/Mestizo American descendants of slaves which should include additional penalties and interest. This restitution is a valid and legitimate justice claim against the federal and state governments based on violations of a distinct and specific people's human rights and civil rights who have been enumerated by decennial censuses. The first United States federal census commenced on 1 November 1790 and lasted for six months. These people are natural born citizens of the United States of America whose lineage reflects those who founded, settled, built and established the nation on 30 July 1790 the date of constitution.

Referred 13 September 2023 to the White House staff for resolution regarding the restitution for Mulatto/Mixed/Mestizo Americans legitimate justice claim for the brutality, pain and suffering, racial/ethnic hatred, prejudice, and generational financial instability caused by United States slavery from March 1, 1701 to February 13, 1865. (202) 456-1414, (202) 456-1111, (202) 456-4444, (202) 456-7000, (202) 456-7041, (202) 456-6541, (202) 456-6224, 1600 Pennsylvania Ave NW Washington, District of Columbia 20500-0005

Will real estate price gauging and political corruption in the United States of America cause banking and financial institutions to collapse?

Which nation is approaching the end?

Revelation 18: 7 How much she hath glorified herself, and lived deliciously, so much torment and sorrow give her: for she saith in her heart, I sit a queen, and am no widow, and shall see no sorrow.

<https://www.youtube.com/watch?v=DeumyOzKqgl>

<https://www.youtube.com/watch?v=dzPB7yKjNPE>

<https://www.youtube.com/watch?v=qtwtot6j83V8>

https://www.youtube.com/watch?v=zxBcZxjC_gc

*****AMERICAN-RESTORATION-INFORMATION-DOCTRINE*****

*****-ARID-*****

THE UNITED STATES OF AMERICA IS A WEAK AND PATHETIC NATION THAT NEEDS TO MIND ITS OWN BUSINESS BY DEALING WITH DOMESTIC INTERNAL PROBLEMS INSTEAD OF CAUSING CONFLICT AROUND THE GLOBE. MOST OF THE AMERICAN PEOPLE AT ALL SOCIAL, ECONOMIC, AND POLITICAL LEVELS ARE MORONS, PAGANS, AND NINCOMPOOPS. THE EVIDENCE BELOW PROVES IT:

<https://www.beliefnet.com/columnists/watchwomanonthewall/2011/04/the-45-communist-goals-as-read-into-the-congressional-record-1963.html>
<https://mtviewmirror.com/yellow-journalism-propaganda/>
<https://publicdomainreview.org/collection/yellow-journalism-the-fake-news-of-the-19th-century>
<https://summit.news/2023/05/25/poll-almost-two-thirds-of-americans-view-media-as-truly-the-enemy-of-the-people/>

As John F. Hylan, former Mayor of New York City, explained:

The real menace of our Republic is the invisible government, which like a giant octopus sprawls its slimy legs over our cities, states and nation . . . The little coterie of powerful international bankers virtually run the United States government for their own selfish purposes. They practically control both parties . . . [and] control the majority of the newspapers and magazines in this country. They use the columns of these papers to club into submission or drive out of office public officials who refuse to do the bidding of the powerful corrupt cliques which compose the invisible government. It operates under cover of a self-created screen [and] seizes our executive officers, legislative bodies, schools, courts, newspapers and every agency created for the public protection.

Theodore Roosevelt, former President of the United States, stated:

Political parties exist to secure responsible government and to execute the will of the people. From these great tasks both of the old parties have turned aside. Instead of instruments to promote the general welfare they have become the tools of corrupt interests, which use them impartially to serve their selfish purposes. Behind the ostensible government sits enthroned an invisible government owing no allegiance and acknowledging no responsibility to the people. To destroy this invisible government, to dissolve the unholy alliance between corrupt business and corrupt politics, is the first task of the statesmanship of the day.

<https://exonews.org/an-in-depth-look-into-who-really-controls-the-us-government-deep-state-because-its-not-the-people/>

<https://www.youtube.com/watch?v=9mWqKO-wcII>

<https://www.youtube.com/watch?v=1zLxxRG4QA>

<https://www.youtube.com/watch?v=J-tGNTvZRms>

<https://www.youtube.com/watch?v=-Jb30nr9WNo>

<https://www.youtube.com/watch?v=CtefoXFrpKI>

<https://www.youtube.com/watch?v=tVBvZL4NXqA>

<https://www.youtube.com/watch?v=UTP4uvIFu5c>

<https://www.youtube.com/watch?v=lhe286ky-9A>

https://www.youtube.com/watch?v=5tu32CCA_lg

<https://www.youtube.com/watch?v=UTP4uvIFu5c>

<https://www.youtube.com/watch?v=NVZv2WVJ2ul>

<https://mises.org/library/praise-bankruptcy>

<https://interestrates.news/industry/heres-why-many-2022-homebuyers-have-underwater-mortgages/>

How are residential and commercial actual construction cost determined in conjunction and comparatively with a real estate property's

city or county assessed tax value versus its retail market value and listing price?

The United States of America realty residential and commercial real estate market is a fraud. Let the mortgage lenders and banks collapse. It costs construction companies very little to build residential and commercial properties for sale which foreign investors are taking advantage because of the blissful ignorance of the American people.

<https://www.forbes.com/advisor/mortgages/assessed-value-vs-market-value/>

<https://www.capitalism.org/collectivism-statism/crony-capitalism/>

<https://www.nationalreview.com/corner/special-interest-politics-is-a-lot-of-what-infrastructure-is-about/>

<https://thehill.com/business-a-lobbying/business-a-lobbying/318177-lobbyings-top-50-whos-spending-big/>

<https://contactsenators.com/articles/list-of-interest-groups/>

<https://www.cbsnews.com/news/madoff-whole-government-is-a-ponzi-scheme/>

<https://globalpossibilities.org/the-federal-reserve-is-a-ponzi-scheme/>

<https://realmoney.thestreet.com/articles/09/16/2014/feds-plunge-protection-team>

<https://rense.com/general52/secretsoftheplunge.htm>

https://www.huffpost.com/entry/ten-examples-of-welfare-for-the-rich-and-corporations_b_4589188

<https://reason.com/2015/03/11/the-united-states-of-corporate-welfare/>

<https://reason.com/tag/crony-capitalism/>

<https://www.coindesk.com/consensus-magazine/2023/03/17/svb-collapse-shows-the-rot-in-us-banking-and-dollars/>

<https://www.nbcnews.com/politics/justice-department/biggest-fraud-generation-looting-covid-relief-program-known-ppp-n1279664>
<https://www.markettradingessentials.com/2022/07/the-biggest-ponzi-scheme-in-history-this-ceo-warns-that-the-feds-strategy-has-created-a-giant-bubble-in-housing-heres-what-he-likes-for-protection/>
<https://www.youtube.com/watch?v=iK5V89fU61Y>
<https://www.youtube.com/watch?v=CRB7xax2ReQ>
<https://www.youtube.com/watch?v=Q1bkJ0XIDX4>
<https://www.youtube.com/watch?v=6ZHKJYAYZuY>
<https://www.youtube.com/watch?v=bXKrdE2x5og>
<https://projects.propublica.org/bailout/list>
<https://money.cnn.com/news/stories/supplement/economy/bailouttracker/>
<https://fortune.com/2023/03/12/nyc-based-signature-bank-fails-closed-by-regulators-fdic-treasury/>
<https://www.youtube.com/watch?v=hV-05TLiiLU>
<https://www.youtube.com/watch?v=FUIAM3uqX-s>
<https://www.youtube.com/watch?v=fiCKf7hfagk>
<https://internationalman.com/articles/decline-of-empire-parallels-between-the-us-and-rome-part-i/>
<https://thefederalist.com/2022/03/17/will-joe-biden-oversee-the-collapse-of-the-u-s-dollar/>
<https://thediwire.com/sec-charges-real-estate-investment-firm-with-100-million-fraud/>
<https://www.ganjapreneur.com/hemp-firm-suing-biotech-company-over-ponzi-scheme-accusations/>
<https://www.usnews.com/news/business/articles/2023-03-10/banks-feel-sting-of-fed-fight-against-inflation>
<https://www.gobankingrates.com/investing/real-estate/cities-most-overpriced-homes/>
<https://fortune.com/recommends/mortgages/how-much-salary-to-buy-600000-home/>
<https://www.fool.com/the-ascent/research/average-house-price-state/>
<https://www.mortgagenewsdaily.com/data/housing-inventory>
<https://www.thoughtco.com/the-economics-of-price-gouging-1146931>
<https://www.compliancebuilding.com/2013/07/08/update-real-estate-investment-fraud-or-securities-fraud/>
<https://missingmoney.solari.com/dod-and-hud-missing-money-supporting-documentation/>
<https://www.aol.com/finance/bailouts-bad-rap-203124004.html>
<https://www.fdic.gov/resources/resolutions/bank-failures/failed-bank-list/>
<https://www.fdic.gov/bank/historical/bank/>
<https://www.youtube.com/watch?v=Sv6WW9APFXg>
<https://www.youtube.com/watch?v=v-Z1bFpu8mg>
<https://www.youtube.com/watch?v=zcua9XzKVas>
<https://www.defenseone.com/threats/2018/01/what-nuclear-missile-attack-hawaii-would-look/145319/>
<https://www.youtube.com/watch?v=47juxahmm04>
<https://www.supermoney.com/underwater-mortgage/>
<https://www.whitehouse.gov/about-the-white-house/our-government/state-local-government/>
<https://www.petition2congress.com/ctas/derelection-duty>
<https://constitution.congress.gov/constitution/amendment-2/>
<https://www.nrila.org/why-gun-control-doesn-t-work/>
https://www.youtube.com/watch?v=ORT_k7LjGDg
<https://capitalresearch.org/article/americans-for-public-trust-sues-hansjorg-wyss-the-new-george-soros/>
<https://www.washingtonexaminer.com/news/white-house/hansjorg-wyss-dark-money-group-millions-democratic-causes>
<https://townhall.com/tipsheet/leahbarkoukis/2022/06/24/biden-notecard-telling-him-what-to-do-n2609263>
<https://thefederalist.com/2021/06/24/heres-the-full-list-of-every-lie-joe-biden-has-told-as-president-part-onehundredthirtynine-and-counting/>
<https://thehill.com/opinion/white-house/4003066-americas-state-media-the-blackout-on-biden-corruption-is-truly-pulitzer-level-stuff/>
<https://www.foxbusiness.com/politics/biden-family-makes-admission-corruption-foreign-business-deals-china-expert>
<https://www.cbsnews.com/news/joe-biden-niece-pleads-guilty-credit-account-theft/>
<https://www.cbsnews.com/news/house-oversight-republican-report-biden-family-accusations/>
<https://www.ft.com/content/46b1a230-8c6c-4feb-b617-21a520cc201b>
<https://www.visualcapitalist.com/de-dollarization-countries-seeking-alternatives-to-the-u-s-dollar/>
<https://www.foxbusiness.com/markets/brazil-china-strike-trade-deal-agreement-ditch-us-dollar>

<https://dailyhodl.com/2023/04/01/new-global-currency-designed-to-ditch-us-dollar-coming-from-brics-nations-report/>
<https://www.reuters.com/world/china/argentina-govt-pay-chinese-imports-yuan-rather-than-dollars-2023-04-26/>
<https://www.aier.org/article/de-dollarization-has-begun/>
<https://markets.businessinsider.com/news/currencies/china-bank-dollar-yuan-currency-markets-economy-beijing-fed-hike-2022-9>
<https://www.nspirement.com/2021/01/13/america-the-titanic-is-sinking-take-warning.html>
<http://theeconomiccollapseblog.com/the-dollar-is-in-trouble-here-are-7-signs-that-global-de-dollarization-has-just-shifted-into-overdrive/>
<https://www.truthandaction.org/23-countries-now-abandoning-us-dollar-2/>
<https://www.youtube.com/watch?v=4IR8fCenE2A>
<https://www.congress.gov/bill/117th-congress/house-resolution/57>
<https://www.govtrack.us/congress/bills/117/hres57/summary>
<https://www.youtube.com/watch?v=DAUOurZIVfl>
<https://www.youtube.com/watch?v=-Qnr6XiSZOk>
<https://www.youtube.com/watch?v=Mjc1iy6ZQHI>
https://www.youtube.com/watch?v=NxB1_rgL14c

<https://www.thoughtco.com/presidential-salaries-through-the-years-3368133>

<https://www.presidency.ucsb.edu/documents/presidential-documents-archive-guidebook/annual-messages-congress-the-state-the-union>

<https://uscode.house.gov/view.xhtml?req=granuleid:USC-1999-title22-section2593a&num=0&edition=1999>

<https://www.forbes.com/sites/adamandrzejewski/2021/07/01/bidens-white-house-payroll-is-most-expensive-in-american-history/?sh=59bba1271f7f>

<https://www.openthebooks.com/white-house/>

<https://www.irs.gov/advocate/reports-to-congress>

<https://obamawhitehouse.archives.gov/briefing-room/disclosures/annual-records/2016>

<https://trumpwhitehouse.archives.gov/wp-content/uploads/2020/06/July-1-2020-Report-FINAL.pdf>

<https://www.whitehouse.gov/wp-content/uploads/2021/07/July-1-2021-Report-Final.pdf>

<https://www.whitehouse.gov/wp-content/uploads/2022/07/July-1-2022-Report-Final.pdf>

<https://www.whitehouse.gov/wp-content/uploads/2023/06/July-1-2023-Report-Final-Version.pdf>

<https://www.thoughtco.com/top-us-government-officials-annual-salaries-3321465>

<https://www.federalpay.org/ses/2023>

<https://www.federalpay.org/gs/2023>

Victory comes when the United States of America is no more as only time will tell unless the patriot citizens take up arms and slaughter the traitors and install a government that recognizes and implement a system whereby the forgotten Mulatto/Mixed/Mestizo Americans justice claim is paid and they are given top notch public, private, and government positions based on competence as it is very easy to do. This powerful group of United States citizens bought the nation more time by pushing back destruction while most American citizens eat, drink, and are merry. If a nation and relationship no longer works then separate ways must commence by destroying the old and ushering in something new and much better.

https://www.youtube.com/watch?v=AWs8SbT4__E

<https://www.youtube.com/watch?v=5A4xBp2rizQ>
<https://www.youtube.com/watch?v=LatorN4P9aA>

Why aren't Mulatto/Mestizo Americans classified as white rather than the United States government and media falsely attaching them to black people? Is it to hold them down? Yes, so they will die out and not access political, economic, and social power for upward mobility to govern the United States with integrity, honesty, fairness, and right justly. The facts have been presented as referenced with many source citations. The United States native born people and government will do anything for illegal aliens, foreign nationals, and immigrants before the honorable Mulatto/Mixed/Mestizo American descendants of United States slaves.

The Free People of Color of Pre-Civil War New Orleans

Before American concepts of race took hold in the newly-acquired Louisiana, early 19th-century New Orleans had large population of free people of color. By: Matthew Wills February 20, 2019

New Orleans is unique among American cities for its complicated colonial and racial history. The city was French and then Spanish before Louisiana became an American territory in 1803. A large population of free people of color, gens de couleur libres, lived amid enslaved people of color. Some of these gens were quite well off; a few owned slaves themselves. There was, as geographer Amy R. Sumpter writes, a “tripartite racial structure and racial fluidity” that narrowed and tightened with statehood (1812) and absorption of American definitions of race.

From the beginning, French and Spanish colonial conceptions of racial categories were much looser than those in the English colonies. The first slave ship arrived in Louisiana in 1719. The French, who controlled the colony from 1682-1763, had a Code Noir that governed relations between Africans and Europeans and regulated emancipation. The distinction between free and unfree people of color was written into this law, with the free people of color legally equivalent to whites. Slaves, meanwhile, could gain freedom in numerous ways—for instance, by defending the colony or teaching a master’s children.

These mixed-race Creole of New Orleans were “famous for their wealth, culture, and education until after 1830” when the American concept of race began to reign.

The Spanish, who ruled from 1763-1800, largely continued French policies. Spanish officials expanded opportunities for emancipation and accepted mixed race relationships. All this helped generate a growing population of free people of color—by 1830, they made up nearly a quarter of New Orleans’ population. (Within a decade, that dropped to less than a fifth as the immigrant white population came in.) Sumpter notes that the Spanish did distinguish between light and dark skinned people of color; Creoles, those born in New Orleans, were also of a higher caste than those born in Africa.

Under the French and Spanish, people with combined African and European ancestry enjoyed many of the privileges white people did. These mixed-race Creole of New Orleans were “famous for their wealth, culture, and education until after 1830” when the American concept of race began to reign. Many worked in professions including “carpentry, cigar making, masonry, shipping, embalming, hairdressing, nursing, and midwifery.”

Sumpter is particularly interested in mapping the distribution of the institution of plaçage, “a legally sanctioned ‘mistress’ relationship between a white man and a free woman of color.” This formal legal category, originated by the French and carried on by the Spanish, “resembled a legalized marriage in practice.” (There is some debate whether the men involved were also married in the more traditional sense.) Needless to say, there was nothing like this in the Protestant-dominated states and territories of the United States. In plaçage, men were encouraged to provide homes for the women of these “left-handed marriages” and to care for the resulting children. Offspring of such relationships could inherit their father’s wealth.

By 1840, 58% of the New Orleans population was white. The effort to contain, segregate, and disempower free people of color stemmed from numerous impulses. There was competition for jobs; the fear of slave insurrections modeled by Haiti; different language, mores, religion; the white immigrants’ unfamiliarity with non-enslaved people of color inhabiting a middle and even upper class; immigrant’s insecurity about being “white” (many were Irish, a group of northern Europeans initially left out of the white category).

Race, Sexuality, and the “One Drop Rule”: More Thoughts about Interracial Couples and Marriage

Shari L. Dworkin on October 18, 2009

By Shari Dworkin and Kari Lerum

In a recent post, we discussed the case of a Louisiana justice of the peace who refused to issue a marriage license to an interracial couple. In the words of the Justice, he “just doesn’t believe the races should mix that way.” The Justice explained that since, in his mind, neither “black society” nor “white society” readily accepts offspring of such relationships, his refusal to marry black/white couples was purely out of concern for the couple’s future children. In that post we suggested a connection between this case and the “one drop rule,” an historical justification for race-based slavery in the U.S.

In this post we elaborate on the history of this rule, how it underscores the social construction of race, and how this rule provides an historical basis for intertwining racial and sexual inequality. We will also briefly elaborate on assumptions undergirding the “mixing of races” and “harm to children” comments

For readers unfamiliar with the “one drop rule,” this refers to how U.S. courts and law books historically declared that a mixed race person with “one black ancestor” or “one drop of black blood” should be categorized/viewed/treated as black. The rule shows us the arbitrary nature of racial classifications. In their book, *Racial Formation in the United States: From the 1960’s to the 1990s*, Michael Omi & Howard Winant describe how even a “drop” of “black blood” was difficult to define (is it 1/32 of “negro blood?” 1/20th? less? more?):

“...in 1982-1983, Susie Guillory Phipps unsuccessfully sued the Louisiana Bureau of Vital Records to change her racial classification from black to white. The descendant of an 18th century white planter and a black slave, Phipps was designated as “black” on her birth certificate in accordance with a 1970 state law that declared anyone with at least 1/32 “Negro blood” to be black.”
Omi and Winant go on to say that:

“The Phipps case raised intriguing questions about the concept of race, its meaning in contemporary society and its use (and abuse) in public policy...Phipps’ attorney argued that the assignment of racial categories on birth certificates was unconstitutional and that the 1/32nd designation was inaccurate. He called on a retired Tulane professor who cited research indicating that most Louisiana whites have at least 1/20th “Negro” ancestry” (1994, p. 53).

It is fascinating that this interracial marriage case originates from same state as the Phipps legal case. It is clear that Justice of the Peace Bardwell is assuming that there are two distinct, dichotomously different biological races. Perhaps he doesn’t come out and say it, but he may also be assuming that the value of the races are not equal (otherwise what blood mixing is there to fear?). His assessment of “racial mixing” and “black” and “white” groups isn’t even an accurate assessment of the “purity” of groups that actually exist biologically, nor does it recognize the very strong role of the social realm in shaping these (see Omi and Winant’s book for several other examples of how race is immanently social). Biologists now agree, in many cases that there is little to no biological basis for race. Social scientists share this view, and Lewis (2006) reports that “it has been demonstrated that 85.4% of genetic variation occurs within racial groups and 8.3% occurs between population groups within a race; only 6.3 % of genetic variance occurs between racial groups” (he cites Braun, 2002; Lewontin, 1972).

“One Drop” as a tool of Racism

The second issue we’d like to underscore is how the one drop rule was deployed during slavery to classify anyone with one black ancestor as “black” and hence, a “slave.” What’s the link to sexuality? Let’s return to the discussion of miscegenation laws prohibiting Black-White marriages.

As noted by Lewis (2006, p 238):

“Although these laws were largely found in the South and were enforced largely among Black-White unions, they were more often enforced when Black men attempted to marry White women.”
In the contemporary case that we are examining, isn’t it interesting that we’re discussing the desire for a Black man and a White woman to marry? The reason for the sexual policing of couples by deploying

the boundaries of race is due to ideologies of racial inferiority and the ways that whites enforce racist control. Again, citing Lewis (2006, p. 238):

“Explanations of the evolution of the black race and social policy based on these explanations fell into two broad streams during this [the anti-miscegenation] period: accommodationist racists, who believed that blacks were at a lower stage of evolutionary development and, with proper caretaking, could progress and eventually join (white) society; and competitive racists, who believed that change was not possible for blacks and segregation was necessary to preserve the achievements of the white race” (parenthesis added).

Another connection between deploying the boundaries of race (and racism) and sexuality is this: During slavery, when white masters and their sons regularly had sexual access to black female slaves (e.g. often rape, but sometimes consensual)-the mulatto children that resulted from these sexual encounters-were frequently considered black- and in turn, the masters often declared these children slaves.

Indeed, the courts have ebbed and flowed on the definition of “black” and firmed up the definition of black when they experienced fears of slave rebellions. In fact, without fears of slave rebellions, mulattos were set free from the institution of slavery in some instances. However, when fears emerged that slaves might rebel, support faded for defining mulattos as “in between black and white” and support rose to define mulattos as black. Similar debates related to “racial mixing” were also raised during Nazi Germany and during the Apartheid Era in South Africa.

Racial definitions/classifications and their relationship to sexuality and social oppression continue to haunt American history. As do fears of the “offspring” that result from inter-racial relationships. The Louisiana Justice of the peace doesn’t seem to be keeping up with the times in an endless number of ways. Jay Leno hit it on the head with his recent joke about this case:

“What are people afraid of? That mixed race kids will become President of the United States?”

References:

Braun, L. (2002) Race, ethnicity, and health: Can genetics explain disparities? Perspectives in Biology and Medicine, 45, 159-174.

Omi, M. & Winant, H. (1994). Racial Formation in the United States: From the 1960s to the 1990s. New York: Routledge.

Lewis, L. (2006). Race and Sexuality. Pps 229-264 in R.D. McNulty & M.M. Burnette (Eds.), Sex and Sexuality: Trends and Controversies. Westport: Praeger.

Lewontin, R. C. (1972). The apportionment of human diversity. Evolutionary Biology, 6, 381-98.

<https://thesocietypages.org/sexuality/2009/10/18/race-sexuality-and-the-one-drop-rule-more-thoughts-about-interracial-couples-and-marriage/>

<https://www.youtube.com/watch?v=bSW4MDnR15g>

Monetary benefits and resources from the local, state, and federal governments of the United States of America given to the ethnic and racial groups since March 01, 1701 to July 28, 2023:

white european Americans (non-hispanic/latino) : \$510,000,000,000,000.00

hispanic/latino (non-white) spanish speaking Americans: \$ 63,000,000,000,000.00

black/negro/african Americans: \$199,000,000,000,000.00

asian Americans: \$ 71,000,000,000,000.00

middle eastern (non-white) Americans: \$ 28,000,000,000,000.00

mulatto/mixed/mestizo Americans: \$ 00.00

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Organization: Under the leadership of the Attorney General of the United States, the Justice Department is composed of more than 40 separate component organizations and more than 115,000 employees. Headquartered at the Robert F. Kennedy Building in Washington, D.C., the Department maintains field offices in all states and territories across the United States and in more than 50 countries around the world.

<https://www.justice.gov/about>

<https://www.justice.gov/doj/mission-values-and-organization>

<https://www.justice.gov/usao/career-center/salary-information/administratively-determined-pay-plan-charts>

foia online: GSA-2023-001864 request details

<https://foiaonline.gov/foiaonline/action/public/about>

<https://www.gsa.gov/about-us/organization/leadership-directory?gsaredirect=leadershipdirectory>

<https://www.gsa.gov/staff-directory>

(202) 395-3080, Office of Management and Budget,
725 17th Street, NW, Washington, District of Columbia 20503-0004

These major problems in the United States of America will eventually lead to some type of collapse:

The United States federal government is liable for a minimum of \$6.6 million and the individual states are liable for a minimum of \$3.4 million for the harmful affects, brutality, cruelty, pain and suffering caused by slavery

to Mulatto/Mixed/Mestizo American descendants of slaves which should include additional penalties and interest. This restitution is a valid and legitimate claim against the federal and state governments based on violations of a distinct and specific people's human and civil rights as enumerated by decennial censuses. These people are natural born citizens of the United States of America whose lineage reflects those who founded, settled, built and established the nation.

United States Department of Homeland Security

Office for Civil Rights and Civil Liberties

complaint confirmation number 000502W-23, 000602W-23

(202) 401-1474, (866) 644-8360, (202) 282-8000, (202) 282-8495

2707 Martin Luther King, Jr. Avenue, SE, Mail Stop #0190, Washington, DC 20528-0190

The Office for Civil Rights and Civil Liberties (CRCL) supports the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. CRCL builds in civil rights and civil liberties practices into all of the Department's activities by:

Promoting respect for civil rights and civil liberties in policy development and implementation by advising Department leadership and personnel, and state and local partners.

Communicating with individuals and communities whose civil rights and civil liberties may be affected by Department activities, informing them about policies and avenues of remedy, and promoting appropriate attention within the Department to their experiences and concerns.

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<https://www.dhs.gov/office-civil-rights-and-civil-liberties>

Record Number: 308410-VQX

United States Department of Justice, 950 Pennsylvania Avenue, NW,

Washington, District of Columbia 20530-0001, (202) 514-3847, (855) 856-1247, (202)

514-2000, Jean.Sexton@usdoj.gov, (202) 252-7735, Alan.Boyd@usdoj.gov, (202) 815-9021,
Record number: 308410-VQX

Contact the White House for information regarding the restitution for Mulatto/Mixed/Mestizo Americans legitimate justice claim for the brutality, pain and suffering, racial/ethnic hatred, prejudice, and generational financial instability caused by United States slavery from March 1, 1701 to February 13, 1865. (202) 456-1414, (202) 456-1111, (202) 456-4444, (202) 456-7041, (202) 456-7000, (202) 456-6541, (202) 456-6224, 1600 Pennsylvania Ave NW
Washington, District of Columbia 20500-0005

<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>

<https://govsalaries.com/salaries/attorney-general-salary>

As of 22 September 2023 the federal and state attorney generals as well as governors are no longer living if they have not made a public statement regarding implementation of the restitution to the Mulatto/Mixed/Mestizo Americans legitimate justice claim of at least \$6.6 million federal government and \$3.4 million state government along with penalties and interest to be calculated. What people are working in their government offices? All of them should be able to immediately show positive identification as proof and verification of who they are with a valid social security card and state issued driver license in front of the camera on television.

Alabama attorney general, governor, and
state treasury office can be contacted for further claim information at (334) 242-7300, (334) 242-7500,
(334) 242-7100, 501 Washington Avenue
Montgomery, Alabama 36104, 600 Dexter Avenue, Room S-106
Montgomery, Alabama 36104, alatreas@treasury.alabama.gov, Alabama state personnel, (334) 242-3389, 64 North Union Street, Suite 300
Montgomery, Alabama 36130, Lt. Governor of Alabama,
(334) 261-9590,
11 S Union Street, Montgomery, Alabama, 36130, ltgov@ltgov.alabama.gov
<https://www.alabamaag.gov/>
<https://governor.alabama.gov/>
<https://ltgov.alabama.gov/>

Arizona attorney general can be contacted for further claim information at (602) 542-5263,
(602) 542-5025, 2005 N Central Avenue, Phoenix, Arizona 85004-2926
<https://www.azag.gov/>

Arkansas attorney general and
governor can be contacted for further claim information at (501) 682-2007, (800) 482-8982, 323 Center St., Suite 200, Little Rock, Arkansas 72201, (501) 682-2345, 500 Woodlane St., Little Rock, Arkansas 72201
<https://arkansasag.gov/>
<https://governor.arkansas.gov/>

California attorney general and governor
can be contacted for further claim information at (916) 210-6276, (800) 952-5225, Public Inquiry Unit,
P.O. Box 944255, Sacramento, California 94244-2550, (916) 445-2841, 1021 O Street, Suite
9000, Sacramento, California 95814
<https://oag.ca.gov/node/572545/done?sid=770431&token=a7a6bcf86b4bf71d87381d3465d11f37>
<https://www.gov.ca.gov/>

Colorado attorney general department of law can be contacted for further claim information at (720) 508-6000,
Ralph L. Carr Judicial Building, 1300 Broadway, 10th Floor Denver, Colorado 80203
<https://coag.gov/>

Connecticut attorney general and governor

can be contacted for further information at (860) 808-5318, 165 Capitol Avenue, Hartford, Connecticut 06106, (860) 566-4840, (800) 406-1527, 210 Capitol Avenue Hartford, Connecticut 06106
<https://portal.ct.gov/AG>
<https://portal.ct.gov/governor/>

Delaware attorney general can be contacted for further claim information at (302) 577-8400, 820 N. French St., Wilmington, Delaware 19801
<https://attorneygeneral.delaware.gov/>

Florida attorney general and governor's office can be contacted for further claim information at (850) 414-3300, Collins Building, 107 West Gaines St., Tallahassee, Florida 32301, (850) 717-9337, 400 S. Monroe St., Tallahassee, Florida 32399-0001
<https://www.myfloridalegal.com/>
<https://www.flgov.com/>

Georgia governor, attorney general and commission on equal opportunity can be contacted for further claim information at (404) 651-8600, (800) 869-1123, (404) 656-1736, (800) 473-6736, (800) 436-7442, (404) 656-1776
205 Jesse Hill Jr. Dr. SE, 14th Floor-1470B East Tower, Atlanta, Georgia 30334,
2 Martin Luther King Jr. Drive, Suite 356-East, Atlanta, Georgia 30334-9077, 206 Washington Street Suite 203, Atlanta, Georgia 30334
<https://law.georgia.gov/>
<https://gov.georgia.gov/>

Idaho attorney general and governor can be contacted for further claim information at (208) 334-2400, (208) 334-2424, (800) 432-3545
700 W. Jefferson Street, Suite 210, P.O. Box 83720, Boise, Idaho 83720-0010, (208) 334-2100
<https://www.ag.idaho.gov/>
<https://gov.idaho.gov/>

Illinois attorney general reference number: OAG2023-000125728, OAG2023-000128535
Illinois attorney general and governor's office can be contacted for further claim information at (217) 782-1090, (800) 243-0618
500 South Second Street, Springfield, Illinois 62701,
OAG2023-000125728 reference number OAG2023-000128535, (217) 782-0244, 401 S. Spring St., Springfield, Illinois 62704
<https://www.illinoisattorneygeneral.gov/>
<https://ag.state.il.us/>
<https://gov.illinois.gov/>

Indiana attorney general and governor's office can be contacted at (317) 232-6201, (800) 382-5516, (317) 232-6330,
302 W. Washington St., 5th Floor
Indianapolis, Indiana 46204, (317) 232-4567, 200 W. Washington St., Suite 206, Indianapolis, Indiana 46204-2797
<https://www.in.gov/attorneygeneral/>
<https://www.in.gov/gov/>

Iowa attorney general can be contacted for further claim information at (515) 281-5164, (515) 281-5926, (888) 777-4590, 1305 E. Walnut Street, Des Moines, Iowa 50319-0106
<https://www.iowaattorneygeneral.gov/>

Kansas attorney general can be contacted for further claim information at (785) 296-2215, (888) 428-8436, 120 SW 10th Ave., 2nd Floor, Topeka, Kansas 66612
<https://ag.ks.gov/>

Kentucky attorney general and governor can be contacted for further claim information at (502) 696-5300,

700 Capital Avenue, Suite 118, Frankfort, Kentucky 40601, (502) 564-2611, 700 Capitol Avenue, Suite 100
Frankfort, Kentucky 40601
<https://www.ag.ky.gov/Pages/default.aspx>
<https://governor.ky.gov/>

Louisiana Department of Justice can be contacted for further claim information at (225) 326-6079, (225) 326-6757, (877) 297-0995
1885 North Third Street, Baton Rouge, Louisiana 70802, Post Office Box 94005, Baton Rouge, Louisiana 70804
<http://www.ag.state.la.us/>

Maine attorney general and governor
can be contacted for further claim information at (207) 626-8800,
6 State House Station Augusta, Maine 04333, (207) 287-3531, 1 State House Station, Augusta, Maine 04333
<https://www.maine.gov/ag/>
<https://www.maine.gov/governor/mills/>

Maryland attorney general can be contacted for further claim information at (410) 576-6300, 200 St. Paul Place, Baltimore, Maryland 21202
<https://www.marylandattorneygeneral.gov/>

Massachusetts attorney general can be contacted for further claim information at (617) 727-8400, (617) 727-2200, 1 Ashburton Place, 20th Floor, Boston, Massachusetts 02108
<https://www.mass.gov/orgs/office-of-the-attorney-general>

Michigan attorney general can be contacted for further claim information at (517) 335-7622, (313) 456-3700, (517) 335-3165, (800) 482-3604, 525 W. Ottawa St., Lansing, Michigan 48906, P.O. Box 30213, Lansing, Michigan 48909, complaint identification number: 2023-cp08291832569-A, email: cp_ocs@michigan.gov
<https://www.michigan.gov/ag/>

Minnesota attorney general can be contacted for further claim information at (651) 296-3353, (651) 201-2555, (800) 657-3787, 445 Minnesota Street, Suite 1400, Saint Paul, Minnesota 55101-2131, 50 Sherburne Avenue, Saint Paul, Minnesota 55155
<https://www.ag.state.mn.us/>

Mississippi attorney general can be contacted for further claim information at (601) 359-3680,
550 High Street, Jackson Mississippi 39201, P.O. Box 220, Jackson Mississippi 39205
<https://www.ago.state.ms.us/>

Missouri attorney general and governor
can be contacted for further claim information at (573) 751-3321,
207 W. High St., Jefferson City, Missouri 65101-6805, P.O. Box 899, Jefferson City, Missouri 65102, (573) 751-3222, P.O. Box 720, Jefferson City, Missouri 65102, 217 Capitol Court, Jefferson City, Missouri 65101-4191
Incident numbers: CC-2023-06-004802, CC-2023-09-001071
<https://ago.mo.gov/>
<https://governor.mo.gov/>

Montana governor and attorney general can be contacted for further claim information at (855) 318-1330, (406) 444-3111, (406) 444-2026, 215 N Sanders St., Helena, Montana 59601, PO Box 200801, Helena, Montana 59620-0801
<https://dojmt.gov/agooffice/>
<https://governor.mt.gov>

Nebraska attorney general and governor
can be contacted for further claim information at (402) 471-2683, 2115 State Capitol, PO Box 98920, Lincoln, Nebraska 68509, (402) 471-2244, P.O. Box 94848, Lincoln, Nebraska 68509-4848

<https://ago.nebraska.gov/>
<https://governor.nebraska.gov/>

Nevada attorney general can be contacted for further claim information at (775) 684-1100, 100 North Carson Street
Carson City, Nevada 89701
<https://ag.nv.gov/>

New Hampshire governor's office can be contacted for further claim information
at (603) 271-2121, 107 North Main Street
Concord, New Hampshire 03301
<https://www.governor.nh.gov/>

New Jersey Submission ID: OAG-CS-25042, OAG-CS-25729, OAG-CS-26767
(973) 504-6200 (800)-242-5846,
Office of the Attorney General can be contact for further claim information at (609) 984-5828, 25
Market Street, PO Box 081, Trenton, New Jersey 08625-0081, P.O. Box 45025 Newark, New Jersey
07101, OAG-CS-25042 record number
<https://www.njoag.gov/>

New Mexico attorney general can be contacted for further claim information at (505) 717-3500, (844) 2
55-9210, 201 3rd St. NW
Suite 300, Albuquerque, New Mexico 87102, ECS reference number: NMOAG-ECS-20230627-8b7a,
ECS Reference Number: NMOAG-ECS-20230831-78b6
<https://www.nmag.gov/>

New York state attorney general's office and governor
can be contacted for further claim information at (800) 771-7755, (518) 474-7330, (518) 474-8390
Empire State Plaza, Justice Building, 2nd Floor, Albany New York 12224-0341
<https://ag.ny.gov/>
<https://www.governor.ny.gov/>

North Carolina state auditor's office allocated at least \$100,000,000.00 million for disbursement
to North Carolina native born Mulatto/Mixed/Mestizo people
who are descendants of slavery in that state.
The North Carolina Department of Justice
and governor's office can be contacted for further claim information at (919) 814-2000,
(919) 716-6400, (919) 716-6000, (919) 715-2071, (919) 710-8885, (919) 733-2691, (877) 566-7226
114 West Edenton Street,
Raleigh, North Carolina 27603-8002, 424 North Blount Street, Raleigh, North Carolina 27601-1010
for implementation and disbursement
of these restitution funds
as North Carolina is libel for colonial slavery and has not given these unique lawful people anything. 3
09 Chapanoake Road, Raleigh, North Carolina 27603,
<https://ncadmin.nc.gov/about-doa/leadership>
<https://ncdoj.gov/>
<https://governor.nc.gov/>

North Dakota governor's office can be contacted for further claim information at (701) 328-2200, 600 E
ast Boulevard Avenue Bismarck, North Dakota 58505-0100
<https://www.governor.nd.gov/>

Ohio attorney general and governor's office
can be contacted for further claim information at (800) 282-0515, 30 E. Broad St., 14th Floor
Columbus, Ohio 43215, 77 S High St., 30th Floor, Columbus, Ohio, 43215-6108, (614) 644-4357,
(614) 644-4357
complaint reference number: WJ000196633, WJ000201301
<https://www.ohioattorneygeneral.gov/>
<https://governor.ohio.gov/>

Oklahoma Office of Management and Enterprise Services and Oklahoma governor's office can be contacted for further claim information (405) 521-2444, (405) 521-2342, (866) 521-2444, 2300, (405) 521-2141, (405) 521-2342, 2300 N. Lincoln Blvd., Suite 212, Oklahoma City, Oklahoma 73105
<https://oklahoma.gov/omes.html>
<https://oklahoma.gov/governor.html>

Oregon department of justice and governor can be contacted for further claim information at (503) 378-6002, (503) 378-4400, 1162 Court Street N E Salem, Oregon 97301-4096, Confirmation numbers: 904946, 916419; (503) 378-3111, 900 Court Street, Suite 254, Salem, Oregon 97301-4047
<https://www.doj.state.or.us/>
<https://www.oregon.gov/gov/Pages/index.aspx>

Pennsylvania attorney general and governor can be contacted for further claim information at (717) 787-0822, (717) 787-3391, 14th Floor, Strawberry Square, Harrisburg, Pennsylvania 17120-0001, (717) 787-2500, 508 Main Capitol Building, Harrisburg, Pennsylvania 17120-0022, <https://www.attorneygeneral.gov/>, <https://www.governor.pa.gov/>

Rhode Island attorney general can be contacted for further claim information at (401) 274-4400, 150 South Main Street Providence, Rhode Island 02903
<https://riag.ri.gov/>

South Carolina attorney general can be contacted for further claim information at (803) 734-3970, (803) 737-3953, 1000 Assembly Street, Room 519, Columbia, South Carolina 29201, P.O. Box 11549, Columbia, South Carolina 29211
<https://www.scag.gov/>

South Dakota attorney general and governor can be contacted for further claim information at (605) 773-3215, (605) 773-3212, 1302 E Hwy 14, Suite 1, Pierre South Dakota 57501-8501, 500 East Capitol Avenue, Pierre, South Dakota 57501
<https://atg.sd.gov/>
<https://governor.sd.gov/>

Tennessee attorney general's office can be contacted for further claim information at (615) 741-4737, (800) 342-8385, 500 James Robertson Pkwy # 5, Nashville, Tennessee 37243, P.O. Box 20207, Nashville, Tennessee 37202-0207
<https://www.tn.gov/attorneygeneral.html>

Texas attorney general and governor's office can be contacted for further claim information at (512) 463-2100, (800) 252-8011, (512) 463-2000, (512) 478-6736, (877) 673-6839, 1100 San Jacinto, Austin, Texas 78701, P.O. Box 12428, Austin, Texas 78711-2428 300 W. 15th Street, Austin, Texas 78701, PO Box 12548, Austin, Texas 78711-2548, complaint number a248z000004RvWzAAK
Texas state auditor's office can be reached at 1501 North Congress Ave., Austin, Texas 78701, confirmation code: 1491cff2-ed7f-414e-853f-ccbf4e2286c7
<https://www.texasattorneygeneral.gov/>
<https://gov.texas.gov/>

Utah governor's office can be contacted for further claim information at (801) 538-1041, 350 North State Street, Suite 220 P.O. Box 142325, Salt Lake City, Utah 84114-2325
<https://governor.utah.gov/>

Vermont attorney general can be contacted for further claim information at (802) 828-3171, 109 State St., Montpelier, Vermont 05609

<https://ago.vermont.gov/>

Virginia attorney general and governor can be contacted for further claim information at (804) 786-2042, (800) 552-9963, (804) 786-2211, 202 North Ninth Street, Richmond, Virginia 23219, (804) 786-2211, P.O. Box 1475, Richmond, Virginia 23218, confirmation number: 23-03783
<https://www.oag.state.va.us/>
<https://www.governor.virginia.gov/>

Washington state attorney general and governor's office can be contacted for further claim information at (360) 753-6200, 1125 Washington Street SE, Olympia, Washington 98501-2283,
PO Box 40100, Olympia, Washington 98504-0100, (360) 902-4111, PO Box 40002
Olympia, WA 98504-0002
<https://www.atg.wa.gov/>
<https://governor.wa.gov/>

West Virginia attorney general and governor can be contacted for further claim information at (304) 558-2021, (304) 558-0546, (800) 368-8808, (304) 414-0265, State Capitol Complex, Bldg. 1, Rm E 26, 1900 Kanawha Blvd. E, Charleston, West Virginia 25305, (304) 558-2000, (888) 438-2731, (304) 558-3588
<https://ago.wv.gov/Pages/default.aspx>
<https://governor.wv.gov/Pages/default.aspx>

Wisconsin governor and attorney general can be contacted for further claim information at (608) 266-1212, (608) 266-1221, 17 West Main Street, Madison, Wisconsin 53703,
PO Box 7857, Madison, Wisconsin 53707-7857, governor: 115 East State Capitol Madison, Wisconsin 53707, P.O. Box 7863, Madison, Wisconsin 53707
<https://www.doj.state.wi.us/>
<https://evers.wi.gov/Pages/Home.aspx>

Wyoming attorney general and governor's office can be contacted at (307) 777-6397,
2320 Capitol Avenue, Cheyenne, Wyoming 82001-3644, (307) 777-7434, 200 West 24th Street, Cheyenne, Wyoming 82002
<https://ag.wyo.gov/home>

Government Accountability Office (GAO), 441 G Street, N.W.,
Washington, DC 20548-0001, complaint control number: (COMP-24-001203),
<https://gao-fais.entellitrak.com/etk-gao-fais-prod/login.request.do>

<https://www.ftc.gov/>, FTC Report Number: 168087295

1. Inequitable distribution of governmental resources that disallow social, economic, and political upward mobility
such as the lack of the \$44,000,000,000,000.00 trillion distribution to the MULATTO/MIXED/MESTIZO descendants of United States slavery (1701-1865) that was allocated in the year 2020. These unique people can not compete in a crony capitalistic economy if the government does not allocate resources to them fairly as an acknowledged group of people according to how it enumerates them specifically racially/ethnically on its decennial population census as evidenced in government archives. The \$44 trillion was requested and approved based on the historical facts of fierce racial/ethnic hatred, discrimination, and prejudice against the Mulatto/Mixed/Mestizo people of the United States of America who are the offspring of white American men with American Indian and black African slave women. Mulatto/Mixed/Mestizo people are genetically comprised of more than one blood group, lineage and ancestry and are not the same as black/negro/african american people who are genetically and biologically different. Why is a mixture of white and black paint always gray/grey and categorized as such? Should humane treatment be applied the same toward these multi-generational unique and distinct A

merican people as the United States government promotes equality, freedom, and economic prosperity to all other nations and people outside its borders around the world?

<https://geneva.usmission.gov/2021/02/24/secretary-hrc/>

"It is an honor to join you as the United States reengages with the Human Rights Council and other important international organizations. I'm here to reaffirm America's commitment to respect and defend the human rights of all people, everywhere. As the Universal Declaration of Human Rights proclaims: all human rights are universal, indivisible, interdependent, and interrelated."

The idea that all human beings – regardless of race, sex, nationality, ethnicity, language, religion, or any other status – are entitled to human rights is built into the foundation of the United Nations. These fundamental rights include freedom from slavery and torture, freedom of opinion and expression, right to life and liberty, work and education, and many more.

To ensure that these rights are available to everyone across all cultures, the United Nations works to mainstream human rights within the UN system and collaborates closely with governments in the field to identify, highlight, and develop responses to human rights challenges.

<https://www.ungeneva.org/en/topics/human-rights>

<https://www.ohchr.org/en/what-are-human-rights>

<https://www.ohchr.org/en/prevention-and-early-warning/preventing-human-rights-violations>

<https://obamawhitehouse.archives.gov/the-press-office/2010/09/23/fact-sheet-advancing-democracy-and-human-rights>

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<https://www.whitehouse.gov/briefing-room/statements-releases/2021/12/23/summit-for-democracy-summary-of-proceedings/>

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<https://daily.jstor.org/the-free-people-of-color-of-pre-civil-war-new-orleans/>

<https://thesocietypages.org/sexuality/2009/10/18/race-sexuality-and-the-one-drop-rule-more-thoughts-about-interracial-couples-and-marriage/>

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<https://community.familysearch.org/en/discussion/88094/us1910project/p2>

<https://www.dailymail.co.uk/news/article-2107458/The-white-slave-children-New-Orleans-Images-pale-mixed-race-slaves-used-drum-sympathy-funds-wealthy-donors-1860s.html>

<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/06/01/a-proclamation-on-national-immigrant-heritage-month-2021/>

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<https://thehill.com/homenews/administration/584661-biden-to-host-global-democracy-summit-with-focus-on-human-rights/>

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https://www.liquisearch.com/mulatto_american

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<https://keywords.nyupress.org/author/cmarez/>

<https://keywords.nyupress.org/american-cultural-studies/essay/mestizoa/>

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<https://www.genealogy.com/forum/surnames/topics/melungeon/23846/>

<http://sociologyindex.com/mulatto.htm>

<http://melungeon.org/2016/10/14/geographical-analysis-of-white-negro-indian-racial-mixtures-in-the-eastern-united-states-by-edward-t-price-1953-article/>

<https://www.usatoday.com/story/news/nation/2015/06/24/melungeon-mountaineers-mixed-race/29252839/>

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<https://www.newsbreak.com/news/2565902781219-is-land-in-clayton-a-sacred-american-indian-site>
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This production with Mulatto/Mixed/Mestizo Americans was televised in the year 1963:

<https://www.youtube.com/watch?v=quqn7-ygEoc>

Who is Rosa Louise McCauley Parks and why is she important in United States history for Native American Indians?

Rosa Louise McCauley Parks (4 February 1913 - 24 October 2005) was a Mobile Native American Indian chosen by the National Association for the Advancement of Colored People (NAACP) to defy the laws of segregation in the state of Alabama by sitting in the front of the public city bus company designated for white people only. Rosa Louise McCauley Parks was a Mobile Native American Indian

as shown by her phenotype of fair complexion, straight hair, and high cheek bones. Her husband Raymond Arthur Parks (12 February 1903 - 19 August 1977) whom she married on 18 December 1932 was a Mobile Native American Indian. The United States governments (local, state, and federal), media outlets, and educational institutions state Rosa Louise McCauley Parks was a negro/black/african-american erroneously which is far from the truth. Rosa Louise McCauley Parks looks like a Mobile Native American Indian because that is what she is as well as her ancestors who were never slaves in the state of Alabama. Before the civil rights act of 1964 which should have been for native born Americans citizens only government resources and opportunities were not easily accessible in the forms of education, housing, healthcare, transportation, and employment opportunities to obtain a high quality and standard of living for all citizens of the United States. Rosa Louise McCauley Parks was a tough Mobile Native American Indian that changed all of that so that discriminated American citizens could easier get the things needed for upward mobility in American society. The United States of America has a brutal history of falsely categorizing and classifying their Native American Indians and Mulatto/Mixed/Mestizo Americas as "negro/black/african-american" to keep them down in a state of poverty and destitution by withholding government resources to achieve the American dream of economic, political, and social prosperity as a distinct and separate genetic group of people aside from those who are all 100% descendant of peoples from the continent of Africa who are genetically different.

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<https://i.pinimg.com/736x/31/a6/9a/31a69a620c98472d7240512f040960c1.jpg>
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What is the stage name of London, England born hollywood actress Carolyn Howell?

Carolyn Howell whose stage name was Fredi Washington was a white English born woman that played leading roles as a mixed race American woman. There is nothing negro/black/african-american about her although the government, media outlets, and educational institutions falsely categorize and classify her as such. Carolyn Howell alias Fredi Washington was a white English born woman that was asked to portray roles as a mixed race woman in motion picture in a time when apartheid and legal segregation were in full force in the United States. Carolyn Howell was born on 10 February 1902 in London, England. Her father, Harold Howell a white man was born on 1 June 1877 in London, England and died on 10 September 1921 in London, England. He is buried in Brockley and Ladywell Cemeteries. Her mother, Ruth Carpenter a white woman was born on 15 January 1881 in London, England and died on 14 September 1925 in London, England. Carolyn Howell died on June 30, 1975 in Los Angeles, Los Angeles County, California at the age of 73.

<https://www.youtube.com/watch?v=mwjPnQEEZwY>

https://4.bp.blogspot.com/-p4AVupgjVI0/UmtjAUeSe0I/AAAAAAAAAYAI/NZ0-uSyzC_4/s1600/FrediWashington1.jpg
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<https://www.youtube.com/watch?v=f0Rlf2AtFt4>

Who is Adam Clayton Powell, Jr. and why is he important in United States history for Native American Indians?

Adam Clayton Powell, Jr. was a Tuscarora Native American Indian man born on 29 November 1908 and died on 4 April 1972 who served in the United States congress from 3 January 1945 to 3 January 1971.

His father was Adam Clayton Powell, Sr. a Tuscarora Native American Indian man born (Adam Dunnings) on 5 May 1865 in Bonbrook Township, Franklin County, Virginia and died on 12 June 1953 in Manhattan, New York City, New York. His mother was Mattie F. Shafer a Tuscarora Native American Indian woman born in Montgomery, Fayette County, West Virginia on 4 February 1872 and died 22 April 1945 in Manhattan, New York City, New York. Adam Clayton Powell, Jr. was a Tuscarora Native American Indian man as shown by his phenotype of fair complexion, straight/wavy hair, and high cheek bones. The United States governments (local, state, and federal), media outlets, and educational institutions state Adam Clayton Powell, Jr. was a negro/black/african-american erroneously which is far from the truth. Adam Clayton Powell, Jr. looks like a Tuscarora Native American Indian because that is what he is as well as his ancestors who were never slaves in the state of Virginia. Before the civil rights act of 1964 which should have been for native born Americans citizens only government resources and opportunities were not easily accessible in the forms of education, housing, healthcare, transportation, and employment opportunities to obtain a high quality and standard of living for all citizens of the United States. Adam Clayton Powell, Jr was a Tuscarora Native American Indian that opposed discrimination against American citizens so that they could easily obtain the things needed for upward mobility in American society. The United States of America has a brutal history of falsely categorizing and classifying their Native American Indians and Mulatto/Mixed/Mestizo Americans as "negro/black/african-american" to keep them down in a state of poverty and destitution by withholding government resources to achieve the American dream of economic, political, and social prosperity as a distinct and separate genetic group of people aside from those who are all 100% descendant of peoples from the continent of Africa who are genetically different.

https://www.govtrack.us/congress/members/adam_powell/408862

<https://media.gettyimages.com/photos/9141961new-york-ny-congressman-adam-clayton-powell-and-his-wife-to-picture-id515296720>

<https://www.quotesforthemind.com/wp-content/uploads/2011/12/Adam-Clayton-Powell-Jr.jpg>

<https://bioguideretro.congress.gov/Home/MemberDetails?memIndex=P000477>

<https://i.pinimg.com/originals/7a/60/c5/7a60c59b3fadb9a6ceb9ba54ed35213b.jpg>

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The Census Bureau has a long history of conducting research to improve questions and data on race and ethnicity.

Reasons for Collecting Information on Race: Information on race is required for many Federal programs and is critical in making policy decisions, particularly for civil rights. States use these data to meet legislative redistricting principles. Race data also are used to promote equal employment opportunities and to assess racial disparities in health and environmental risks.

The racial categories included in the census questionnaire generally reflect a social definition of race recognized in this country and not an attempt to define race biologically, anthropologically, or genetically. In addition, it is recognized that the categories of the race item include racial and national origin or sociocultural groups.

Directive No. 15 says that persons of mixed racial and ethnic origins should use the single category which most closely reflects the individual's recognition in his or her community. The public comments indicate that multiracial persons objected to this instruction. The commenters indicate that a single category does not reflect how they think of themselves. From their perspective, the instruction requires the

m to deny their full heritage and to choose between their parents. They feel they are being required to provide factually false information. They maintain that the current categories do not recognize their existence. They say they could mark "Other" where that category is provided but they feel it is demeaning. They want to identify their multiple races, but say that those who prefer to choose one of the existing broad categories could do so.

In the 1700's and early to late 1800's the Federal Government seemed to only recognize four "races": White, Black, Mulatto and Indian. Later they added categories for "Chinese" and in more recent years they have added many more.

The race codes used on the census were almost always based on the census takers opinion. He probably didn't ask the family what race they considered themselves, though that may have happened some.

MULATTO defined: A mulatto is legally considered to be an individual with mixed black and white heritage.

However, some individuals who were designated mulattoes may have a slightly more mixed parentage, perhaps including Native American blood.

MESTIZO defined: In general, "mestizo/a" refers to racial and cultural mixing among Europeans, Indians, and Africans.

CASTIZO defined: A person with white European and American Indian ancestry.

THE MULATTO POPULATION OF THE UNITED STATES OF AMERICA BY DECENNIAL YEAR:

1850 - 405,751

1860 - 588,363

1870 - 584,049

1880 - 603,073

1890 - 1,132,060

1900 - 1,523,023

1910 - 2,050,686

1920 - 1,660,554

<https://www.loc.gov/resource/gdcmassbookdig.generalviewofuni00mitc/?st=gallery>

https://www.loc.gov/resource/gdcmassbookdig.thirteenthcensus00unit_1/?st=gallery

<https://www.loc.gov/resource/gdcscd.00516116225/?st=gallery>

<https://www.loc.gov/resource/gdcmassbookdig.appletonsunivers01newy/?st=gallery>

<https://www.loc.gov/resource/gdcmassbookdig.populationitsdis01thom/?st=gallery>

The 1664 law made all children of an enslaved man or woman bound to service for life—a rule that has been assumed to have increased the number of enslaved mulattoes by giving planters an incentive to coerce enslaved African women into sexual relationships that would produce a child—another slave. To address this question, I examined Maryland colonial law and court decisions to see how mixed-descent children were defined and whether they could become a part of Maryland colonial society. Following the above discussion of the social concept of race, the social construction of a “free mulatto” identity is not a simple fact of having parents from different descent groups. The concept of a “free mulatto” refers to a socially constructed identity. This construction is tied to specific historical circumstances whereby colonial lawmakers and the court system attempted to minimize and, if possible, preclude a free person with some measure of African descent that challenged their vision of the boundaries of freedom. In the enforcement of bastardy law, there was a tendency to impose stronger penalties on mixed-status parents and their children in hopes of minimizing a free mulatto population that would claim citizenship and its legal protections. This initial legislation of 1664 meant that the vast majority of mulatto children over subsequent decades would be enslaved. According to most of the laws regulating marriage in early 17th century Maryland, most mulattoes were likely condemned to life-long enslavement. This makes mulattoes who were enslaved a person likely to be born of an African descent mother. Relatedly, those with “years to serve” as part of their value to an estate and after completing a term of service became a free person likely descended from a free European woman and/or, in later generations, a free mulatto woman.

<https://onlinelibrary.wiley.com/doi/10.1111/ssqu.13167>

THE FOLLOWING PEOPLE ARE RACIALLY/ETHNICALLY MIXED/MULATTO/MESTIZO AMERICAN PEOPLE WHO WERE ADVOCATES FOR MIXED/MULATTO/MESTIZO AMERICAN PEOPLE'S CIVIL RIGHTS and HUMANE TREATMENT AS THEY EXPERIENCED FIERCE RACIAL HATRED, DISCRIMINATION, AND PREJUDICES BY WHITE AMERICANS WHO DON'T WANT TO ACKNOWLEDGE THEIR WHITE AND/OR NATIVE AMERICAN INDIAN HERITAGE NOR GIVE RESTITUTION FOR THE 2020 JUSTICE CLAIM THAT WAS APPROPRIATED:

CRISPUS ATTUCKS was a Mulatto American slave man born on February 2, 1723 in Leesburg, Virginia and died on March 5, 1770 in Boston, Massachusetts. He escaped slavery on July 5, 1851. His father was Isaac Hanks a Monacan Native American Indian born free on September 30, 1701 in Leesburg, Virginia and died in Leesburg, Virginia on February 1, 1850. His mother was Henrietta Attucks a Nigerian American slave woman born on April 3, 1703 in Leesburg, Virginia and died on January 1, 1844 in Leesburg, Fairfax County, Virginia.
<http://www.bostonmassacre.net/gazette/page3.htm>
<https://historyofmassachusetts.org/the-boston-massacre-victims/>
<https://www.hmdb.org/m.asp?m=19282>
<https://www.loc.gov/resource/ppmsca.15704/>
<https://www.loc.gov/item/2004677546/>

JAMES PIERSON BECKWOURTH was a Mulatto American slave man born on February 2, 1800 in Hayfield, Frederick County, Virginia and died on March 1, 1868 in Laramie, Albany County, Wyoming. He was a fur trapper, rancher, businessman, explorer, author and scout. He was the son of Jennings Beckwourth a white Welsh man born on January 2, 1780 in Fishguard, Pembrokeshire, Wales and died on January 3, 1850 in Stephens City, Frederick County, Virginia. He owned slaves and gave his son James Pierson Beckwourth his freedom on March 3, 1811. James Pierson Beckwourth's mother was Jane Absher a Nigerian American slave woman born on February 20, 1782 in Hayfield, Frederick County, Virginia and died on April 1, 1823 in Stephens City, Frederick County, Virginia.
<https://i.pinimg.com/736x/16/e3/46/16e3467bb98604a3cfb60ec1c99135a7.jpg>
<http://img.xooimage.com/files48/c/a/a/james-pierson-beckwourth-8b567c.jpg>
<https://archive.org/details/adventuresoflife00beckrich/mode/2up>
<https://www.history.com/news/6-legendary-mountain-men-of-the-american-frontier>

HARRIETT ANN JACOBS was a Mulatto American slave woman born on February 11, 1811 in New Bern, Craven County, North Carolina and died on March 7, 1899 in New Bern, Craven County, North Carolina.
<https://docsouth.unc.edu/fpn/jacobs/jacobs.html>
<https://www.futilitycloset.com/wp-content/uploads/2013/08/2013-08-04-confined.jpg>
http://images.myshared.ru/5/428024/slide_2.jpg

JOHN MERCER LANGSTON was a Mulatto American slave man born on December 14, 1829 in Louisa, Louisa County, Virginia. He died on November 15, 1897 in Washington, District of Columbia. He was an attorney and United States republican representative for the 51st Congress. He was the son of Charles Quarles a white English American man born on January 1, 1793 in Louisa, Louisa County, Virginia and died on February 5, 1839 in Louisa, Louisa County, Virginia. He financed his son's college and law school education. John Mercer Langston's mother was Lucy Langston a Nigerian American slave woman born on December 5, 1795 in Louisa, Louisa County, Virginia and died on September 15, 1853 in Louisa, Louisa County, Virginia.
<https://hd.housedivided.dickinson.edu/node/8955>
https://hd.housedivided.dickinson.edu/sites/default/files/styles/image_page_view/public/images/HD_LangstonJM1.jpg?itok=2KYffWBG
<https://bioguideretro.congress.gov/Home/MemberDetails?memIndex=L000074>
<https://www.brownhelm.org/history/john-mercere-langston/>

JOSEPH CARTER CORBIN was a Mulatto American man born free on March 26, 1833

in Chillicothe, Ross County, Ohio and died on January 9, 1911 Pine Bluff, Jefferson County, Arkansas. He was a journalist and educator that founded the University of Arkansas at Pine Bluff. His father was William Corbin a Mulatto America slave man born on December 20, 1797 in Richmond, Virginia. His mother was Susan Larkin a Mulatto America slave woman born on September 1, 1807 in Richmond, Virginia. William Corbin and Susan Larkin were both granted freedom by their white fathers who were born in the country of England. They gave them a large sum of money and told them to leave the commonwealth of Virginia.

https://www.fayettevillehistory.org/2007/03/a_symbol_of_hig.html

<https://i.pinimg.com/736x/40/17/50/40175032c4d4ec380717fbdab304e22a.jpg>

https://www.ohio.edu/cas/sites/ohio.edu.cas/files/styles/square_350x350/public/2022-05/Joseph%20Corbin%20arter.jpg?itok=7onBOgUZ

JOHN WASHINGTON was a Mulatto American slave man born on May 20, 1838 in Fredericksburg, Virginia and died on February 13, 1918 in Cohasset, Norfolk County, Massachusetts. He was a painter and author. He was the son of Thomas Tudor Tucker a white English American man born on September 1, 1817 in Fredericksburg, Virginia and died on December 1, 1845 in Fredericksburg, Virginia. John Washington's mother was Sarah Washington a Nigerian American slave woman born on January 1, 1820 in Fredericksburg, Virginia and died on February 1, 1844 in Fredericksburg, Virginia.

https://encyclopediavirginia.org/wp-content/uploads/2020/11/12236hpr_4c3b8071fb67cc4-scaled.jpg

<https://encyclopediavirginia.org/entries/washington-john-m-1838-1918/>

<https://www.virginiabusiness.com/article/195-year-old-bank-building-in-fredericksburg-to-be-sold/>

Captain: MICHAEL AUGUSTINE HEALY was Quadroon American slave man born on September 22, 1839

in Clinton, Jones County, Georgia and died on August 30, 1904 in San Francisco, California. He was a Captain with the United States Revenue Cutter Service who lived life as a white American man. He was the biological son of Michael Morris Healy (1796-1850) a white Irish born man and Eliza Clark (1813-1850) a Mulatto American born slave woman.

<https://shipssailorshealy.blogspot.com/>

https://www.nps.gov/gaar/learn/historyculture/images/MHealy_UAF_sm.jpg

<https://www.defensemmedianetwork.com/stories/coast-guard-history/>

<https://i0.wp.com/www.defensemmedianetwork.com/wp-content/uploads/2013/12/Capt-Michael-A-Healy.jpg?w=1087&ssl=1>

<https://www.nps.gov/gaar/learn/historyculture/military-exploration.htm>

<https://www.azquotes.com/picture-quotes/quote-when-i-am-in-charge-of-a-vessel-i-always-command-nobody-commands-but-me-i-take-all-the-michael-a-healy-77-37-07.jpg>

https://photos1.blogger.com/blogger/3999/3641/1600/Bear_8_300.jpg

<https://photos1.blogger.com/blogger/3999/3641/1600/HEALYDETAIL.jpg>

https://photos1.blogger.com/blogger/3999/3641/1600/HEALY_WITHWIFE.jpg

HENRY PLUMMER CHEATHAM was a Quadroon American slave man born on December 9, 1848 in Henderson, Granville County, North Carolina.

He was a United States republican representative for the 51st (1889–1891) and the 52nd (1891–1893) Congresses. He father was a white English man, Richard Dobbs Spaight, III born on April 5, 1822 in Bridgeton, Craven County, North Carolina and died on November 17, 1850 in Bridgeton, Craven County, North Carolina. His father financed his educational and political career. Henry Plummer Cheatham's grandfather was Richard Dobbs Spaight, II (1797-1844) a governor of the state of North Carolina.

<https://ncmarkers.com/Markers.aspx?MarkerId=G-94>

<https://artisans-lane.com/wp-content/uploads/2018/11/cheatham.jpg>

<https://www.stoppingpoints.com/north-carolina/sights.cgi?marker=Henry+P.+Cheatham+1857-1935&county=Granville>

<https://www.theodorerooseveltcenter.org/Research/Digital-Library/Record?libID=o35823>

<https://www.theodorerooseveltcenter.org/Research/Digital-Library/Record/PrintSingle?libID=o35823&imageID=1>

BOOKER TALIAFERRO WASHINGTON was a Mulatto American slave man born on April 5, 1856 in Hale's Ford, Franklin County, Virginia and died on November 14, 1915 in Tuskegee, Macon County, Alabama. He was an American educator, author, orator, and adviser to several presidents of the United States. He was the great-great grandson of the United States President George Washington (1732

-1799). His father was Alfred Washington a white English American man born on March 1, 1833 in Hale's Ford, Franklin County, Virginia and died on January 1, 1863 in Hale's Ford, Franklin County, Virginia. He financed his son's upkeep and college education. Booker Taliaferro Washington's mother was Jane Washington a Nigerian American slave woman born on May 8, 1836 in Hale's Ford, Franklin County, Virginia and died on February 2, 1858 in Hale's Ford, Franklin County, Virginia.

<https://images.fineartamerica.com/images-medium-large/booker-t-washington-1856-1915-ca-everett.jpg>

<https://wallpapercave.com/wp/wp5701445.jpg>

<https://media.gettyimages.com/photos/booker-t-washington-dines-with-president-teddy-roosevelt-the-word-is-picture-id640486723>

<https://image1.slideserve.com/3035113/booker-t-washington-l.jpg>

<https://files.constantcontact.com/766c6672201/9d1fd95b-b8a2-454b-85e4-bc388c81b7ca.jpg?a=1125859723712>

<https://slavedwellingproject.org/booker-taliaferro-washington/>

MARY CHURCH TERRELL (1863-1954) was a Mestizo American free born woman that was a journalist, philanthropist and political activist.

Her white English American born grandfather Captain Charles Beckwith Church (1813-1879) financed her college education.

<https://www.oberlin.edu/news/main-library-will-be-named-activist-alumna-mary-church-terrell>

<https://libraries.oberlin.edu/files/assets/mctprospectus.pdf>

<https://terrell.oberlincollegelibrary.org/scalar/mct/about-this-project?path=index>

https://npg.si.edu/object/npg_NPG.72.115

<https://libraries.oberlin.edu/libraries/mary-church-terrell>

HENRY PLUMMER CHEATHAM, JR. was a Quadroon/Mulatto American man born on May 23, 1890, in Henderson, Vance County, North Carolina

and died on October 16, 1940 in Philadelphia, Philadelphia County, Pennsylvania. He was a World War I Regimental Sergeant Major as well a successful attorney at law. His legal clientele consisted of white distinguished business firms. Henry Plummer Cheatham, Jr. saw himself as a Mixed American as that is how he lived.

He enlisted 27-Nov-1917 in Camp Merritt, New Jersey - Released 27-Feb-1919; Army Serial # 102, 842;

In addition to H. P. Cheatham, Jr's military service he earned his bachelor degree from Shaw University in Raleigh, North Carolina and law degree from Temple University in Philadelphia, Pennsylvania. Henry Plummer Cheatham (1892-1940) was born in Henderson, North Carolina to ex-Congressman (1889-1890) and superintendent of the Colored Orphanage at Oxford, North Carolina, Henry P. Cheatham, Sr and his wife Louise Cherry. The younger Cheatham was educated in the public schools of Washington, D.C. and later graduated from Shaw University in Raleigh, North Carolina and Temple University Law School in Philadelphia, Pennsylvania (1925) where he received a law degree with honors. Prior to attending Temple University, Cheatham enlisted in the United States Army (c. 1912) in the Philippines Island for almost the entirety of his enlisted years and earned the rank of Regimental Sergeant Major. After serving in the Philippines he resided in New York at which time he enlisted in the 15th New York City Infantry. When the United States entered World War I, the 15th was taken over by the War Department and became the 369th United States Infantry. Cheatham served with the 369th in France, later, he was transferred to the 370th Infantry. He had offices in Philadelphia where he practiced law until a few months prior to his death.

<https://digital.library.temple.edu/digital/collection/p245801coll12/id/44850/rec/1>

ZORA NEALE HURSTON (1891-1960) was a Mulatto American poet and author who published a line of books that dealt with the issues of miscegenation in the United States society. She was the biological daughter of Robert Edward Lee Nichols a white Welsh American man born on January 15, 1867 in Wetumpka, Elmore County, Alabama

and died on August 10, 1920 in Jacksonville, Duval County, Florida. He financed her college education. Her mother was Roslyn Potts a Namibian American woman born on October 31, 1871 in Notasulga, Macon County, Alabama and died on June 30, 1898 in Opelika, Lee County, Alabama. After the death of her mother Zora Potts was taken in by her aunt Lucy Potts Hurston the sister of her biological mother Roslyn Potts.

<https://www.imdb.com/name/nm0403678/>

<https://thehoovercardinal.org/wp-content/uploads/2019/02/Zora-900x536.jpg>

<https://www.zoranealehurston.com/>
<https://cdn.britannica.com/67/1467-004-02905D7B/Zora-Neale-Hurston.jpg>
<http://www.awhf.org/hurston.jpg>
<https://i.redd.it/cgkjlpsc5z41.jpg>
<https://img.buzzfeed.com/buzzfeed-static/static/2014-01/enhanced/webdr06/7/17/enhanced-buzz-orig-1830-1389135255-24.jpg>
https://media.licdn.com/dms/image/sync/C4D27AQGWqrJJ9sRH-g/articleshare-shrink_800/0/1681237258142?e=1681869600&v=beta&t=4Kc2USVUJmpiqra6EUYVxDWRowU2NYxGk4W7kdbxJhA

CHARLES RICHARD DREW (1904-1950) was a Mulatto American surgical physician and scientist. His white grandfather Captain Day Otis Crane (1841-1911) the father of his mother Nora Mann financed his college and medical school education.
https://www.pbs.org/wgbh/theymadeamerica/whomade/drew_hi.html
<https://redcrossntxblog.com/2021/02/11/world-inventors-day-tribute-to-the-father-of-blood-banking-dr-charles-r-drew/>
<https://www.facebook.com/FIETTS/posts/10154208079049839:0>
https://www.researchgate.net/publication/324833644_Charles_Drew_An_extraordinary_life

EFFIE MAE WASHINGTON WILLIAMS (1925-2013) was a Mulatto America educator and author. Her father was United States congressional senator James Strom Thurmond a white Welsh American man born on December 5, 1902 in Edgefield, Edgefield County, South Carolina and died on June 26, 2003 in Edgefield, Edgefield County, South Carolina. He financed her college education as well as her financial upkeep. Her mother was Carrie Mae Butler a Nigerian American woman was born on December 25, 1909 in Edgefield, Edgefield County, South Carolina and died on September 1, 1943 in Edgefield, Edgefield County, South Carolina.
<http://1.bp.blogspot.com/-mkdacuF0p18/URLgWR7eOyl/AAAAAAAANKk/sKT8V702nM4/s1600/Essie+Mae+Washington-Williams.jpg>
<https://www.cnn.com/2013/02/05/us/south-carolina-thurmond-daughter-obit/index.html>
<http://coldfusion-guy.blogspot.com/2013/02/strom-thurmonds-interracial-daughter.html>
https://www.senate.gov/senators/FeaturedBios/Featured_Bio_Thurmond.htm
<https://www.npr.org/2003/12/15/1549924/thurmonds-acknowledge-mixed-race-woman>
<https://www.chicagotribune.com/news/ct-xpm-2003-12-16-0312170017-story.html>

CAROLE SIMPSON was a Mulatto American woman born on December 7, 1940 in Chicago, Illinois and died on December 31, 2011 in New York City, New York. She was a news anchor and broadcast journalist who covered important domestic and international issues for the major news networks. Her mother was Madge Womble a white German/Welsh American woman born on January 31, 1907 in Matthews Township, Chatham County, North Carolina and died on September 2, 1982 in Chicago, Illinois. Her father was Walter Simpson a Nigerian American man born on May 31, 1910 in Chicago, Illinois and died there on March 1, 1943.
<https://www.youtube.com/watch?v=38e-Pf-VaKc>
<https://www.youtube.com/watch?v=1hAX1n3Wj54>
<https://www.youtube.com/watch?v=PtqLlqXTLTQ>
<https://www.youtube.com/watch?v=Uo7TTqQ8jQY>
<https://www.youtube.com/watch?v=kJqLRgpNLBY>

EMMETT LeFLORE was a Mulatto American teenager born on June 25, 1941 in Webb, Tallahatchie County, Mississippi. He died on August 28, 1955 in Drew, Sunflower County, Mississippi by a gun shot wound to his cranium by five white men who acted upon a lie of a white woman who falsely accused the young Mulatto American teenager. Emmett LeFlore was the biological son of Henry LeFlore a white French American man born on March 3, 1903 in Minot, Sunflower County, Mississippi. Henry LeFlore died on September 1, 1982 in Minot, Sunflower County, Mississippi. Henry LeFlore found the five white American men that murdered his son Emmett LeFlore and killed all of them by a gun shot wound to their craniums. Emmett LeFlore's mother Mamie Elizabeth Carthan a Senegalese American born woman (1921-2003) married only one time in 1957 to Gene Mobley and he was not the biological father of her son Emmett LeFlore nor was the fabricated husband of Louis Till.
<https://i.pinimg.com/originals/47/e9/5f/47e95fe97286c01cdb04122aeb7b3084.jpg>
<https://www.youtube.com/watch?v=yl9VUMpthCw>

2. Unsecured northern and southern land borders, seaports, and airports. Non-stoppage of any and all illegal aliens, foreigners, refugees, and immigrants from entering into the United States of America and giving birth to anchor children. Why would any nation or country put foreign nationals before their own lawful native born citizens?

<https://thenewamerican.com/us/crime/video-shows-chinese-professor-talking-about-american-elite-traitors-who-work-for-beijing/>

https://en.wikipedia.org/wiki/List_of_foreign-born_United_States_politicians

<https://www.youtube.com/watch?v=qVUa5BLwthY>

<https://www.youtube.com/watch?v=744dg95Y6c8>

<https://www.youtube.com/watch?v=k3nKgKswISA>

<https://www.youtube.com/watch?v=GIJg2h2NrTM>

<https://www.youtube.com/watch?v=zFkIk4RVnUY>

<https://www.youtube.com/watch?v=ZnkSXosZhic>

<https://www.youtube.com/watch?v=n-xJbcgblLo>

<https://www.youtube.com/watch?v=GexkJcHEA9o>

<https://www.youtube.com/watch?v=TaKufTyNcMM>

<https://www.youtube.com/watch?v=23oGc97XQUg>

<https://www.youtube.com/watch?v=nnxisxDF2ko>

<https://www.youtube.com/watch?v=aFaJKX5zIqY>

https://www.youtube.com/watch?v=lc_ksjvpPWM

<https://www.youtube.com/watch?v=ejmLuuh7xWA>

<https://www.youtube.com/watch?v=AFj2yyN9DjM>

<https://www.youtube.com/watch?v=TC0AKNQBv80>

<https://thefederalistpapers.org/current-events/alexander-hamilton-and-immigration>

<https://www.history.com/news/immigration-act-1965-changes>

<https://www.azcentral.com/story/news/politics/elections/2018/02/11/kelli-ward-claims-president-ronald-reagan-regretted-1986-amnesty-law-did-he/1089297001/>

<https://www.amren.com/features/2015/04/white-man-why-are-you-giving-away-your-country/>

<https://www.everyculture.com/multi/A-Br/Asian-Indian-Americans.html>

<https://iaimpact.org/elected-officials/>

<https://www.heritage.org/immigration/commentary/congress-should-not-approve-path-citizenship-the-nations-11-million>

<https://www.heritage.org/immigration/commentary/america-may-soon-face-unlimited-illegal-immigration>

<https://www.heritage.org/immigration/report/us-citizenship-act-2021>

<https://www.congress.gov/bill/117th-congress/house-bill/1177>

<https://www.govtrack.us/congress/bills/117/hr1177>

<https://www.whitehouse.gov/briefing-room/statements-releases/2021/10/14/fact-sheet-the-biden-harris-administration-advances-equity-and-opportunity-for-latino-communities-across-the-country/>

<https://www.blackpast.org/african-american-history/north-from-mexico-the-first-black-settlers-in-the-west/>

<https://theculturetrip.com/north-america/mexico/articles/the-untold-history-of-afro-mexicans-mexicos-forgotten-ethnic-group/>

<https://www.bbc.com/news/magazine-35981727>

<https://www.bbc.com/news/world-latin-america-40480405>

<https://www.heritage.org/government-regulation/commentary/getting-rid-la-raza>

<https://nationalcenter.org/ncppr/2012/07/11/national-council-of-la-raza/>

<https://themazatlanpost.com/2020/06/22/vicente-guerrero-the-first-afro-mexican-president-of-the-americas/>

<https://themazatlanpost.com/2021/10/30/the-caste-system-in-hispanic-americas/>

<https://www.science.org/content/article/mapping-mexicos-deadly-drug-war>

<https://www.youtube.com/watch?v=HOSPD4K1ymg>

In general, “mestizo/a” refers to racial and cultural mixing among Europeans, Indians, and Africans.

<https://keywords.nyupress.org/american-cultural-studies/essay/mestizo/>

<https://www.alodianews.com/en/culture/heritage-and-history/one-third-us-latino>

<https://pressbooks.online.ucf.edu/latinamericanhumanities/chapter/casta-system-of-racialization/>

<https://www.justice.gov/archives/jm/criminal-resource-manual-1918-arrest-illegal-aliens-state-and-local-officers>

<https://www.heritage.org/press/heritage-experts-bidens-amnesty-proposal-trades-american-interests-f>

ar-lefts-political

<https://www.fairus.org/issue/illegal-immigration/local-immigration-enforcement>
<https://www.fairus.org/legislation/federal-legislation/amnesty/bidens-amnesty-bill-introduced-congress>
https://www.jec.senate.gov/public/_cache/files/f16b51b0-5f61-43a6-9428-8835d0ad6a7c/economic-state-of-the-latino-community-in-america-final-errata-10-15-2019.pdf
<https://timesofindia.indiatimes.com/world/us/Indian-American-Nikki-Haley-listed-herself-as-white-Democrats-slam-her/articleshow/9411143.cms>
<https://www.hindustantimes.com/business/why-indians-are-the-highest-earning-community-in-us-hars-h-goenka-explains-101673757990980.html>
https://www.youtube.com/watch?v=TO__1pHM5yl
<https://nypost.com/2021/11/06/joe-biden-angrily-defends-plans-for-450k-migrant-separation-payouts/>
<https://www.nbcnews.com/politics/immigration/after-biden-remarks-officials-pushed-lower-amounts-paid-separated-migrants-n1283224>
<https://www.youtube.com/watch?v=BIRXpFJNthY>
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For several decades, the main labor force of Maryland was largely composed of indentured servants, some choosing to migrate to the colony under a labor contract. Other indentured servants were convicts and prisoners of war who were transported to the colony as punishment to provide another source of labor for the planter class. The source of indentured servants gradually dried up as economic conditions improved in England, making for fewer people ready to choose to give up 5 years of freedom to work for someone else, and when the colonists began protesting being used as a "dumping ground" for convicts and prisoners, mother England did not want.

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China's 1.4 billion population can't fill the country's millions of empty homes. Here's 3 things that would.
Matthew Loh, Sep 25, 2023, 2:05 AM PDT

China has so many excess homes that some estimate you could house three billion people in them. A former top official in China mentioned the jaw-dropping figure at an economic forum on Saturday. He said the estimate is extreme, but said even China's 1.4 billion people can't fill all of them. There could be enough vacant homes in China to house up to 3 billion people, a former top China official said.

To put that number in perspective, that's nearly 10 times the population of the US.

And it's also 15 times the population of Western Europe, and 140 times the population of Beijing, the country's capital city.

These jaw-dropping numbers are based on the high ends of experts' estimates about the number of vacant properties in the country.

He Keng, a former deputy head of the National Bureau of Statistics, spoke on Saturday about the struggling housing market in China. When commenting on its vast oversupply of homes, He said some experts have suggested that these empty homes available in China would be enough to accommodate a whopping 3 billion people.

"How many vacant homes are there now?" said He at an economic forum in the city of Dongguan. "The experts are presenting figures that vary greatly. The most extreme believe the number of vacant homes are now enough for 3 billion people. We only have 1.4 billion people."

"That estimate might be a bit much, but 1.4 billion people probably can't live in all of them," He added.

This astronomical figure has been discussed for some years in China, and is typically calculated based on official reports that the average home size in urban areas is 39 square meters, or around 420 square feet.

Pundits then factor in the number of people in every Chinese household, which is 2.62 persons, per China's Seventh National Census held in 2021.

But China has yet to publish an official estimate on the total floor space of its empty homes.

Government statistics from August say the total area of all unsold homes in China is around 7 billion square feet, per Reuters.

The outlet estimated that this translates to around 7.2 million homes, based on an average home size of around 90 square feet, or 968 square feet.

These statistics also do not count the number of sold but uncompleted homes, and don't factor in properties owned by people who bought houses as investments but don't live in them, Reuters noted. Still, He's statement and acknowledgment of a gigantic, problematic home surplus diverges from the central government's stance.

China's central bank said in March that the country's real estate sector is bouncing back, and that "recovery of market confidence has accelerated."

China's housing market has, in recent years, been revealed to be facing a massive excess supply of homes. Land development by the real estate sector, a longtime pillar of China's rapid economic growth, snowballed into a building frenzy that's resulted in entire neighborhoods of high-rise residential complexes without people to live in them.

Some neighborhoods are filled with homes that have already been sold, but can't be completed due to construction companies running out of cash.

The second-biggest real-estate developer there, Evergrande, became the world's most indebted company in 2021 and defaulted on loans, sparking fears of an unstoppable contagion that could bankrupt even businesses in the US.

Meanwhile, the biggest real estate giant in China, Country Garden, narrowly avoided default earlier this month. It had failed to pay interest for two US bonds in August, but managed to fulfill the transaction within a 30-day grace period.

The Strategic Research Institute, Chinese Academy of personnel Management, of which He is an advisor to, did not immediately respond to a request for comment to He.

3. Refrain from giving monetary aid to foreign countries who are enemies and not lawful United States citizens. Not stopping fraud, corruption, and citizen brutality among American law enforcement such as the city police, sheriffs, state troopers, U. S. department of homeland security and the U. S. department of defense.

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4. Not requiring a U. S. state issued valid driver license and social security number that can be verified along with a five generation pedigree (lineage) to hold political office and obtain government, public, and private employment in any United States election jurisdiction.

Valerie Jarrett was an illegal Iranian national who was not black/negro/african-american. Based on her phenotype she is an Iranian middle eastern woman which is classified as white in the United States of America. Examples of government fraud and corruption in the United States of America that is allowed by its citizens as they have done nothing to stop it :

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All United States politicians holding office legally as of the calendar year 2020 and beyond need to come before the people on camera live and uncensored to be questioned as to why they have not upheld the United States Constitution and addressed the issues presented that have been set forth in the American Restoration Information Doctrine (ARID). Their state issued driver licenses and social security cards need to be physically examined and verified. The governors and state legislatures will not do it because they are not living or are paid crisis impersonators. The people of the United States are responsible for the eventual collapse of their nation.

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5. Not barring foreigners, illegal aliens, and immigrants from engaging in domestic commerce, business and financial transactions

such as opening bank accounts, private equity firms, venture capital firms, renting, purchasing, buying, and the selling of American real estate properties, obtaining business licenses, employment, attending public schools and applying for government benefits, resources, and identity credentials of any state in the United States of America.

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DO NOT ALLOW ANY UNITED STATES FEDERAL, STATE, OR LOCAL GOVERNMENT, PUBLIC OR PRIVATE BUSINESS ENTITY, CORPORATION, ASSOCIATION, OR ORGANIZATION TO FORCIBLY REQUIRE HUMAN MICROCHIP IMPLANTATION FOR ANY TYPE OF REASON WHICH WOULD LEAD TO TOTAL LOSS OF PERSONAL FREEDOM AND LIBERTY. DO NOT ALLOW ANY FOREIGN NATIONAL, REFUGEE, TOURIST TRAVELER, OR ILLEGAL ALIEN TO ENTER THE UNITED STATES OF AMERICA PERIOD.
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Which people were the first slaves in the United States of America?
<https://i.pinimg.com/originals/6c/42/4c/6c424c05d2a2fecbb3eeec8fecb1d164.jpg>

Tuscarora War
Written by North Carolina History Project

What is now Carteret, Pamlico, Craven, Lenoir, Jones, Beaufort, and Pitt Counties was a terrifying place to live from 1711 to 1713. North Carolinians and the Yamasee waged war against the Tuscarora. Many colonists' settlements were burned and the Tuscarora ax indiscriminately fell upon men, women, and children. In the end, English colonists prevailed. Captured Tuscarora were sold into slavery and those that escaped northward joined the Iroquois League.

A tenuous alliance had existed between the English in North Carolina and the Tuscarora before war erupted. The English were known for taking advantage of Tuscarora in trade negotiations. When the founder of New Bern, Baron Christoph von Graffenreid and Swiss colonists, "drove [Tuscarora] off a tract of land without payment in 1711," the tribe responded by "raiding settlements." Historian William Powell writes that it was "three days of slaughter" and the town of Bath survived only because a friendly local chief refused to join other Tuscarora. In the end, Tuscarora killed 200 (80 children) and captured the Baron, who agreed to not retaliate if he was released.

Meanwhile, a colonist named William Brice sought revenge and captured a local chief and killed him. War then returned.

Alone, North Carolina militia was unable to handle the Tuscarora threat. The Assembly asked Virginia for help and the northern neighbor attempted to take advantage of the situation. In exchange for Virginia militia's help, Governor Spotswood asked North Carolina Governor Hyde for the land between the Albemarle Sound and the line established in the 1655 charter (present-day Edenton, Elizabeth City and at least 10 present day counties). North Carolina then turned to South Carolina for help. The militia and approximately 500 Yamasee marched into Tuscarora territory and killed nearly 800, and after the second assault on the main village, King Hancock, the Tuscarora chief, signed a treaty.

After a treaty violation by the English, war erupted again. The militia and about 1,000 Indian allies trav

eled into Tuscarora territory and waged war. According to historian Carl Waldman, approximately 400 Tuscarora were sold into slavery, and some as far north as Philadelphia, New York City, and Boston. The remaining Tuscarora fled northward and joined the Iroquois League as the Sixth Nation. Later, during the Revolutionary War, the Oneida and the Tuscarora sided with the Americans while the Mohawk, Onondaga, Cayuga, and Seneca allied with the British.

The Tuscarora War united religious factions in North Carolina; even Quakers, writes Powell, “furnish[ed] provisions for men under arms.” A precedent was set, too: paper money was issued during the emergency. The colony acted similarly in future crises, even though depreciation always followed.

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Virginia Governor Spotswood’s Letter Regarding the Tuscarora War
Posted on August 16, 2015 by Roberta Estes
From the Preston Davis papers:

Found in these historic papers is a letter from Virginia’s Governor Spotswood to the King of England giving his perspective on the Tuscarora War – and who was involved. It has long been speculated that the Seneca played a role in this event – which appears to be confirmed by Spotswood’s letter.

Williamsburg, Febru: 27th 1711, Letter from Govr. Spotswood to his Excellency

You have no doubt heard of the Massacre committed last Fall in North Carolina by their neighboring Indians, since which they have very much distressed the Inhabitants of that province by burning their houses and destroying their Corn and stocks, and forcing the people to betake themselves to Garrisons for their own Safety: And all the news I can send you from hence, is that about the beginning of this month a body of 700 of the South Carolina Indians commanded by one Collo. Bamwell fell upon those Rogues, and cutt off six towns of the Tuscaroras, and are now in Search of the rest: They have taken abundance of prisoners and found among them a considble. Booty of English goods, and by this blow have I hope disappointed their designs of carrying on a formal War against the Province and us, in conjunction with the Senequas inhabiting your Frontier, who ’tis said prompted them to this Villany by promises of supplys of Arms and Ammunition from your Governmt., and of the Assistance of the whole Strength of that Nation. There were about thirty of the Senequas among them, some few days before Collo. Bamwell arrived, who its like have had the same Fate with the rest. I once expected to have had a share in cutting off those Indians. Our Assembly having voted twenty thousand pound for that service; but after consulting the means how to raise it they found it too large for their purses, and instead of going on as they began thought of nothing more than how to get off that hasty Resolution; In order to which they fell upon raising Funds prejudicial to the service of Great Brittain, which I could not consent to, and so that project dropp’d and I have been obliged to dissolve our Lower house, finding them running into fruitless Contests with the Upper House about Points which they could not well defend. I am with great Truth & Esteem, Sir Your Most Obedient Humble Servant, A Spotswood

Source: Mag of Va Genealogy Vol 36#2, page 145

<https://nativeheritageproject.com/2015/08/16/virginia-governor-spotswoods-letter-regarding-the-tuscarora-war/>

Native Americans Were Kept As Slaves, Too, ANDRÉS RESÉNDEZ, ON 4/30/16 AT 10:31 AM EDT

The very word "slavery" brings to mind African bodies stuffed in the hold of a ship or white-aproned maids bustling in an antebellum home. Textbooks, memoirs, and movies continuously reinforce the notion that slaves were black Africans imported into the New World.

We may be aware that in the long sweep of history, peoples other than Africans have been held in bondage—a practice that continues today as millions of Asians, hundreds of thousands of Latin Americans and thousands of Europeans can readily attest. But we still seem unable to escape our historical myopia.

Consider the debate at the conclusion of the U.S.-Mexican War of 1846–1848. The United States had just acquired Texas, New Mexico, Arizona, California, Nevada, Utah, more than half of Colorado and parts of Wyoming and Kansas. The question facing the country was whether slavery should be allowed in this vast territorial haul.

By slavery, of course, politicians of that era meant African slavery. But the adjective was wholly unnecessary, as everyone in the United States knew who the slaves were.

Therefore it came as a revelation to many easterners making their way across the continent that there were also Indian slaves, entrapped in a distinct brand of bondage that was even older in the New World, perpetrated by colonial Spain and inherited by Mexico. With the Treaty of Guadalupe Hidalgo at the end of the war, this other slavery became a part of Americans' existence.

California may have entered the Union as a "free-soil" state, but American settlers soon discovered that at the buying and selling of Indians was a common practice there.

As early as 1846, the first American commander of San Francisco acknowledged that "certain persons have been and still are imprisoning and holding to service Indians against their will" and warned the general public that "the Indian population must not be regarded in the light of slaves." His pleas went unheeded.

The first California legislature passed the Indian Act of 1850, which authorized the arrest of "vagrant" Natives who could then be "hired out" to the highest bidder. This act also enabled white persons to go before a justice of the peace to obtain Indian children "for indenture."

According to one scholarly estimate, this act may have affected as many as 20,000 California Indians, including four thousand children kidnapped from their parents and employed primarily as domestic servants and farm laborers.

Americans learned about this other slavery one state at a time. In New Mexico, James S. Calhoun, the first Indian agent of the territory, could not hide his amazement at the sophistication of the Indian slave market.

"The value of the captives depends upon age, sex, beauty, and usefulness," wrote Calhoun. "Good looking females, not having passed the 'sear and yellow leaf,' are valued from \$50 to \$150 each; males, as they may be useful, one-half less, never more."

Calhoun met many of these slaves and wrote pithy notes about them: "Refugio Picaros, about twelve years of age, taken from a rancho near Santiago, State of Durango, Mexico two years ago by Comanches, who immediately sold him to the Apaches, and with them he lived and roamed . . . until January 1st [1850], when he was bought by José Francisco Lucero, a New Mexican residing at the Moro."

"Teodora Martel, ten or twelve years of age, was taken from the service of José Alvarado near Saltillo, Mexico by Apaches two years ago, and has remained the greater portion of the time on the west side of the Rio del Norte."

Americans settling the West did more than become familiar with this other type of bondage. They became part of the system.

Mormon settlers arrived in Utah in the 1840s looking for a promised land, only to discover that Indians and Mexicans had already turned the Great Basin into a slaving ground. The area was like a gigantic moonscape of bleached sand, salt flats, and mountain ranges inhabited by small bands no larger than extended families.

Early travelers to the West did not hide their contempt for these "digger Indians," who lacked both horses and weapons.

These vulnerable Paiutes, as they were known, had become easy prey for other, mounted Indians.

Brigham Young and his followers, after establishing themselves in the area, became the most obvious outlet for these captives. Hesitant at first, the Mormons required some encouragement from slavers,

who tortured children with knives or hot irons to call attention to their trade and elicit sympathy from potential buyers or threatened to kill any child who went unpurchased.

Brigham Young's son-in-law Charles Decker witnessed the execution of an Indian girl before he agreed to exchange his gun for another captive. In the end, the Mormons became buyers and even found a way to rationalize their participation in this human market.

"Buy up the Lamanite [Indian] children," Brigham Young counseled his brethren in the town of Parowan, "and educate them and teach them the gospel, so that many generations would not pass ere they should become a white and delight-some people." This was the same logic Spanish conquistadors had used in the sixteenth century to justify the acquisition of Indian slaves.

The beginnings of this other slavery are lost in the mists of time. Native peoples such as the Zapotecs, Mayas and Aztecs took captives to use as sacrificial victims; the Iroquois waged campaigns called "mourning wars" on neighboring groups to avenge and replace their dead; and Indians in the Pacific Northwest included male and female slaves as part of the goods sent by the groom to his bride's family to finalize marriages among the elite.

Native Americans had enslaved each other for millennia, but with the arrival of Europeans, practices of captivity originally embedded in specific cultural contexts became commodified, expanded in unexpected ways, and came to resemble the kinds of human trafficking that are recognizable to us today.

The earliest European explorers began this process by taking indigenous slaves. Columbus's very first business venture in the New World consisted of sending four caravels loaded to capacity with 550 Natives back to Europe, to be auctioned off in the markets of the Mediterranean.

Others followed in the Admiral's lead. The English, French, Dutch and Portuguese all became important participants in the Indian slave trade. Spain, however, by virtue of the large and densely populated colonies it ruled, became the dominant slaving power. Indeed, Spain was to Indian slavery what Portugal and later England were to African slavery.

Ironically, Spain was the first imperial power to formally discuss and recognize the humanity of Indians. In the early 1500s, the Spanish monarchs prohibited Indian slavery except in special cases, and after 1542 they banned the practice altogether.

Unlike African slavery, which remained legal and firmly sustained by racial prejudice and the struggle against Islam, the enslavement of Native Americans was against the law. Yet this categorical prohibition did not stop generations of determined conquistadors and colonists from taking Native slaves on a planetary scale, from the Eastern Seaboard of the United States to the tip of South America, and from the Canary Islands to the Philippines.

The fact that this other slavery had to be carried out clandestinely made it even more insidious. It is a tale of good intentions gone badly astray.

When I began researching my book "The Other Slavery," one number was of particular interest to me: how many Indian slaves had there been in the Americas since the time of Columbus?

My initial belief was that Indian slavery had been somewhat marginal. Even if the traffic of Indians had flourished during the early colonial period, it must have gone into deep decline once African slaves and paid workers became available in sufficient numbers.

Along with most other historians, I assumed that the real story of exploitation in the New World involved the 12 million Africans carried off across the Atlantic. But as I kept collecting sources on Indian slavery in Spanish, Mexican and U.S. archives, I began to see things differently.

Indian slavery never went away, but rather coexisted with African slavery from the sixteenth all the way through the late nineteenth century. This realization made me ponder more seriously the question of visibility.

Because African slavery was legal, its victims are easy to spot in the historical record. They were taxed on their entry into ports and appear on bills of sale, wills, and other documents. Because these slaves had to cross the Atlantic Ocean, they were scrupulously — one could even say obsessively — counted along the way.

The final tally of 12.5 million enslaved Africans matters greatly because it has shaped our perception of African slavery in fundamental ways. Whenever we read about a slave market in Virginia, a slaving raid into the interior of Angola, or a community of runaways in Brazil, we are well aware that all these events were part of a vast system spanning the Atlantic world and involving millions of victims.

Excerpted from *The Other Slavery: The Uncovered Story of Indian Enslavement in America* © 2016 by Andrés Reséndez. Reproduced by permission of Houghton Mifflin Harcourt. All rights reserved.

<https://www.newsweek.com/native-americans-were-kept-slaves-too-454023>

History of enslavement of indigenous peoples in California

Indigenous people were enslaved in California under Spanish rule, and when it was a United States territory. Indigenous slavery continued despite California's admission as a free state. While slavery was abolished in the United States in 1865, some enslavement of indigenous peoples continued in California through 1867.

When the Spanish colonized California, they established a free-labor system of Indigenous peoples of California within their settlements. The Mexican rule of California after the Spanish perpetuated this free-labor system as can be seen through the indentured servitude of native Californians under wealthy Mexican landowners. California was admitted into the United States as a free state in 1848, but due to the large amount of labor needed to operate the ranches and farms and the need for miners during the gold rush, white immigrants found ways to exploit the indigenous people for slave labor.

Pre-European contact, the population of native Californian Indians was estimated to be nearly one million.

In 1542, Spanish explorer Juan Rodriguez Cabrillo first landed in California, but the region wasn't successfully settled until 1769. In 1769, Padre Junípero Serra founded the first Spanish mission in California, el Mision San Diego de Alcalá. The padres would often baptize Native Californian villages en masse and relocate them to the missions, where they would work either voluntarily or by force from location to location. There, Native Californians became cobblers, carpenters, masons, planters, harvesters, and cattle slaughterers. To the padres, the Native Californians were newly baptized members of the Catholic Church and were treated with varying amounts of respect, depending on the priest in question. Reportedly, some of the missions planned on handing the missions over to Indians after ten years. However, this never occurred.

Many of the soldiers, however, saw them solely as manpower to be exploited. The soldiers would force the Native Californians to perform most of the manual labor needed in their fortresses, and would hunt down any natives who tried to escape. These four military installations, primarily in place to reinforce Spanish claims to Alta California, were known as el Presidio Real de San Carlos de Monterey, el Presidio Real de San Diego, el Presidio Real de San Francisco, and el Presidio Real de Santa Bárbara. The soldiers would often rape the native women of the villages.

Disease became a major cause of death for the Native Californians due to the settlers' ignorance of the state of the natives' immune systems, which were unaccustomed to most of the diseases the settlers brought with them. Elsewhere in New Spain, Spanish soldiers had purposefully sold disease-infected blankets to the native peoples to thin their numbers, and may have done so in California as well.

There were several recorded uprisings of Indians resisting Spanish rule, one of the earliest being the attack on the Mission San Diego on November 4, 1775. The Tipai-Ipai organized nine villages into a force of around 800 people to destroy the mission and kill three of the Spanish, one of them being Padre Luis Jayme. It should be noted, however, that not every Californian Indian uprising was violent. In September of 1795, over two hundred natives, including many old neophytes, simply deserted San Francisco all in different directions. When uprisings occurred, the natives did not go unpunished: some India

ns were put to death but many were imprisoned and forced into hard labor.

Mexican rule

From 1821 to 1846, after Mexico gained its independence from Spain, California was under Mexican rule. In 1824, the Mexican constitution guaranteed citizenship to all persons, providing natives with the right to continue occupying their villages. Additionally, the Mexican National Congress passed the Colonization Act of 1824 which granted large sections of unoccupied land to individuals. This act enforced a class division in which Native Americans were treated like slaves because the native Californians became the labor force for these ranchos. In 1833, the government secularized missions, saying that the missions needed to give their land to catholic Indians. Instead of doing that, however, many civil authorities confiscated most of the land for themselves. Californios often gained prominence by conducting military attacks on indigenous settlements. By 1846, Mexico's Assembly had passed resolutions calling for funds to locate and destroy Indian villages.

While they had more rights than they had under Spanish rule, the native population still was the labor force for ranchos or in developing towns. Essentially, the entire economy shifted from work on the missions to work on large land estates of wealthy Mexicans.

Gold Rush and United States

In 1848, Mexico ceded California to the United States, bringing a flood of white immigrants into California between 1845 and 1855 because of the gold rush. The Euro-Americans came in with an initial dislike of the Native Americans, hating and fearing them for no historical reason. The confrontation between Anglos and Indians was often brutal, resulting in the murder, burn and rape of native Californians and kidnapping and selling of women and children into slavery. In those 10 years the Indian population of the Central Valley and adjacent hills and mountains decreased from around 150,000 to 50,000. Many hostile interactions began to occur such as the Clear Lake Massacre of 1849. At the Clear Lake Massacre, local Pomo killed two white men who had been exploiting local Indians, enslaving them and abusing them and sexually assaulting Indian women. As a result, the whites created a massive military campaign of savagery and brutality.

On the April 22, 1850, to "craft its own code of compulsory labor", an "Act for the Government and Protection of Indians" was passed which legally curtailed rights of Indians. It provided that:

"White persons or proprietors could apply to the Justice of Peace for the removal of Indians from lands in the white person's possession"

"Any person could go before a Justice of Peace to obtain Indian children for indenture. The Justice determined whether or not compulsory means were used to obtain the child. If the Justice was satisfied that no coercion occurred, the person obtain a certificate that authorized him to have the care, custody, control and earnings of an Indian until their age of majority (for males, eighteen years, for females, fifteen years)."[8] In actual practice this section lead to a trade system of kidnapped Indian children, either stolen from their parents or taken from the results of militia attacks during the 1850s and 1860s. Frontier whites often eagerly paid \$50-\$100 for Indian children to apprentice and so groups of kidnappers would often raid isolated Indian villages, snatching up children in the chaos of battle.

"If a convicted Indian was punished by paying a fine, any white person, with the consent of the Justice, could give bond for the Indian's fine and costs. In return, the Indian was "compelled to work until his fine was discharged or cancelled." The person bailing was supposed to "treat the Indian humanely, and clothe and feed him properly." The Court decided "the allowance given for such labor." Local authorities were often required to hire out the "convicts" within the next 24 hours to the highest bidder essentially creating a system of selling slaves out of jail.

Indians could not testify for or against whites. It was illegal to sell or administer alcohol to Indians and if Indians were convicted of stealing any valuable or livestock, they could receive any number of lashes (as long as it was less than 25) and a fine of up to \$200.[8]

In general, Californians interpreted these 1850 laws in a way that all Indians could face indentured servitude through arrests and "hiring out". Once the Indians had entered into this servitude, the term limit was often ignored, thus resulting in slavery; this was what Californians used to "satisfy the states high demand for domestic servants and agricultural laborers". Acting Governor Richard B. Mason reported that, "over half the miners in California were Indians". The enforcement of the Act of 1850 was left with the local justices of peace, meaning they became crucial links in all interracial interactions. Many justices took advantage of the vague language and the power bestowed upon them to continue the kidnapping of Indian children through 1860. Since the implementation of the Act of 1850 was left with the loc

al justices of peace, the application of the law and the extent of exploitation was extremely uneven throughout the state of California.

Between 1851 and 1852, the federal government appointed three Indian commissioners - Redick McKee, George W. Barbour, and O. M. Wozencraft - to negotiate treaties with the California Indians because Native American tribes were recognized as foreign nations, making treaties the legal form of negotiation. The commissioners knew nothing about the California Indians or their cultures, making the process very difficult. Eventually, 18 treaties were drafted, allocating 7.5% of the state of California to Indians in reservations, but forcing them to give up the rest of their land. In June 1852, however, all of the treaties were rejected by the Senate and then put into secret files; they were not to be seen again until 1905. Military campaigns against these Indians often led to the indiscriminate murders of Indians; their goals were to essentially exterminate the Indians. Monetary rewards were often offered for the heads and scalps of Indian people.

It should be noted, however, that there were many whites who did deeply lament the "oppression" that was placed upon the Indians. In 1860, the Act was amended to allow any Indians who were not already indentured to be kidnapped under the guise of apprenticeship. Also in 1860, an army officer at Fort Humboldt observed "cold-blooded Indian killing being considered honorable, shooting Indians and murdering even squaws and children that have been domesticated for months and years, without a moment's warning and with as little compunction as they would rid themselves of a dog." On February 16, the Indian Island Massacre occurred when the newly created Humboldt Volunteer Militia paddled to Indian Island where the Wiyot men and women slept after a week of ceremonial dancing. With hatchets, clubs and knives, the militia killed 80-100 Wiyot men and women. Two other raids occurred that night, causing 200-600 Wiyot casualties.

In an 1867 analysis done for the Secretary of War, it was noted that the rapid advancement of white settlements had greatly limited the sources of fish, wild fowl, game, nuts and roots. At that point, the Indians were forced into collisions with the whites and often needed to choose between stealing or starvation. By 1870, the population had declined from 40,000 at the time of the United States acquisition of California to 20,000. Thousands of Indians had been murdered, raped or sold into slavery.

https://infogalactic.com/info/History_of_enslavement_of_indigenous_peoples_in_California

Black/Negro/African Americans who identify and look by appearance and phenotype that are descendants of United States slavery have been given reparations from the local, state, and national (federal) governments based on Affirmative Action policies enacted according to the 1964 Civil Rights Act as well as two (2) legal holidays

representing their achievements and successes after post slavery 1865 to 2023. In terms of monetary value

based on resources and benefits the United States of America has given black/negro/african-american s who are descendants of slavery over \$190,000,000,000.00 trillion since February 13, 1865 such as free public education from kindergarten through 12th grade graduation, social services welfare programs, HUD public housing, FHA/VA mortgages, child care development, healthcare medicaid, social security payouts, transportation vehicle purchases, Small Business Administration loans and tens of million employment and job opportunities.

Here is what they have been able to accomplish and flourish to become a political, social, and economic powerhouse as they are truly blessed as Loretta Oliver would sing it along with "Oh Happy Day" :

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<https://m4bl.org/wp-content/uploads/2020/11/defining-reparations.pdf>

<https://cbc.house.gov/>

https://www.youtube.com/watch?v=faolY5_hnIc

https://www.youtube.com/watch?v=0wfn_DtNtyo

<https://www.theblaze.com/contributions/its-time-for-black-america-to-blame-black-america>

<https://www.youtube.com/watch?v=zorEMP8GxBA>

https://www.mercurynews.com/wp-content/uploads/2017/02/afp_m52h9.jpg?w=1024&h=683

<https://www.youtube.com/watch?v=Z2YJKewBQLY>

Who is and why is Major General Oliver Otis Howard significant in United States civil war history?

<https://cdn.britannica.com/s:300x300/28/1328-004-F21EF2F3.jpg>

<https://i.gr-assets.com/images/S/compressed.photo.goodreads.com/books/1418946612/23839371.jpg>

https://isteam.wsimg.com/ip/ef6043c7-72a8-11e5-8b8b-14feb5d39f58/ols/36161_original/:rs=w:600,h:600

<https://hd.housedivided.dickinson.edu/node/10094>

Oliver Otis Howard, (November 8, 1830–October 26, 1909), Major General Oliver Otis Howard was a white Welsh & German American man who was a Medal of Honor recipient, commanded Union troops in both the Eastern and Western Theaters of the American Civil War and served as the only commissioner of the Freedmen's Bureau during Reconstruction.

Commissioner of the Bureau for the Relief of Freedmen and Refugees

Following the war, President Andrew Johnson selected Howard as the first and only commissioner of the Bureau for the Relief of Freedmen and Refugees, more commonly known as the Freedmen's Bureau. An avowed abolitionist, Commissioner Howard tackled his duties with great enthusiasm, but over the course of the Bureau's existence, the organization was understaffed and underfunded. Still, under Howard's leadership, the Bureau provided a plethora of services to freedmen and some poor whites in the South, with varying levels of success.

During his time as commissioner, Howard was also instrumental in the founding of Howard University in Washington, DC. He served as president of the university from 1867 until 1873.

On July 6, 1868, Congress approved a bill that mandated an end to the Bureau's activities—other than those related to schools and education—after one year in all states that Congress considered reconstructed. During the next year, Howard stayed on in his position as commissioner as the Freedmen's Bureau began closing down operations. On January 1, 1869, Howard mustered out of volunteer service, but he remained in the regular army.

<https://www.americanhistorycentral.com/entries/oliver-otis-howard/>

Founded in 1867, Howard University is a private research university comprised of 14 schools and colleges.

Students pursue 143 programs of study leading to undergraduate, graduate and professional degrees. The University operates with a commitment to Excellence in Truth and Service and has produced one Schwarzman Scholar, three Marshall Scholars, four Rhodes Scholars, 12 Truman Scholars, 25 Pickering Fellows and more than 165 Fulbright recipients. Howard also produces more on-campus African American Ph.D. recipients than any other university in the United States.

Howard is a leader in STEM fields. The National Science Foundation has ranked Howard as the top producer of African-American undergraduates who later earn science and engineering doctoral degrees. The University also boasts nationally ranked programs in social work, business and communications. To date, we have produced one Schwarzman Scholar, three Marshall Scholars, four Rhodes Scholars, 12 Truman Scholars, 25 Pickering Fellows and more than 165 Fulbright recipients.

The College of Medicine is internationally regarded for its illustrious legacy of training students to become competent and compassionate physicians who provide health care in medically underserved communities at home and abroad. The College is a national leader in studying health disparities among people of color and is one of America's top institutions for training women surgeons. The Howard University Health Sciences division includes the Howard University Hospital and the Colleges of Dentistry, Pharmacy, and Nursing and Allied Health Sciences.

For more than 150 years, the Howard University School of Law has served as an advocate for social justice and as an architect of social change. It has produced more than 4,000 social engineers including the first African-American Supreme Court Justice, noted legislators, civil rights attorneys, mayors and public officials across the United States. It is the No. 1 law school for African Americans ranked by preLaw magazine.

The University's motto Veritas et Utilitas, Truth and Service, represents a key part of our identity. The more than 12,000 undergraduate and graduate students dedicate hundreds of hours each year to

service in nearby LeDroit Park, around the nation and throughout the world. Over the U.S. Peace Corps' 50-year history, more than 200 Howard graduates have served as volunteers around the globe, the highest number among historically-Black colleges.

The University remains committed to further enhancing its strategic positioning as one of the top research universities in the nation. As we celebrate 154 years, we are uniquely positioned to have the next 150 years as glorious as the past.

<https://howard.edu/about>

Undergraduate students

Race/Ethnicity	Number
Black or African American	5,045
Unknown	893
Hispanic	510
International	305
Multi-Ethnic	285
Asian	247
White	61
Native Hawaiian or Pacific Islander	23

Graduate students

Race/Ethnicity	Number
Black or African American	1,783
International	181
Hispanic	179
Asian	149
White	120
Multi-Ethnic	94
Unknown	39
Native Hawaiian or Pacific Islander	4

<https://www.collegefactual.com/colleges/howard-university/student-life/diversity/>

Why are these white musical bands singing about the black people on the continent of Africa?

<https://www.africa.com/54-african-countries/>
<https://www.youtube.com/watch?v=FTQbiNvZqaY>
<https://www.youtube.com/watch?v=bmj7Kllut1w>
<https://www.youtube.com/watch?v=dHEy8Ei6tbl>
<https://www.youtube.com/watch?v=yjbpwlqp5Qw>
https://www.englisch-hilfen.de/en/words/countries_af.htm

Monetary benefits and resources from the local, state, and federal governments of the United States of America

given to the ethnic and racial groups since March 01, 1701 to July 28, 2023:

white european Americans (non-hispanic/latino) : \$510,000,000,000,000.00

hispanic/latino (non-white) spanish speaking Americans: \$ 63,000,000,000,000.00

black/negro/african Americans: \$199,000,000,000,000.00

asian Americans: \$ 71,000,000,000,000.00

middle eastern (non-white) Americans: \$ 28,000,000,000,000.00

mulatto/mixed/mestizo Americans: \$ 00.00

PREV REF: 2022-DECEMBER-29, AMERICAN CORRUPTION EXPOSITORY RESOLUTION DOCUMENT (ACERD)

What is high treason in the United States of American governments?

When illegal aliens, foreign nationals, and unlawful immigrants enter the United States of America they automatically become de facto "Americans". The United States department of defense, federal,

state and local governments give these undocumented immigrants unlimited funding for free healthcare, education, low or no cost luxury housing, identity credentials without knowing their true names and places of nativity as well high paying jobs. They do not apply for these benefits by resumes' and online employment applications. They are placed immediately through a vast network funded by the governments of the United States. Why are these unlawful immigrants not put in homeless shelters rather than be given special privileges and preferential treatment and benefits just like American natural born citizens who are well connected through a Laissez-faire and crony capitalism economic society? These unlawful immigrants are some of the highest paid hourly and salaried employees working in the United States of America who should have never been allowed to enter the borders.

Hillary Clinton a former first lady and congress woman engaged in a love affair with her personal aide Pakistani born Huma Abedin as they were lesbian loves (luvs). Hillary Clinton who is no longer living is guilty of high treason of letting foreigners take control of many government, public, and private sectors of the United States of America.

Huma Abedin was born on July 28, 1975 in Islamabad, Pakistan to an Asian Indian father, Syed Zainul Abedin, who was from Delhi, India and went to Aligarh Muslim University, and Pakistani mother, Saleha Mahmood Abedin. The family moved to Jeddah, Saudi Arabia, when Abedin was 2. Huma Abedin, an Asian Indian and Pakistani whose emails may have immersed her boss, Hillary Clinton in renewed controversy, was described as "mysterious", as she was in the first news profiles of her as a Clintonworld power-player. Huma Abedin was always well-turned out, liked designer bags and outfits, which, people noticed, she rarely repeated. Oscar de La Renta was a personal friend, who, he told Observer, "loved" Abedin.

When Hillary Clinton ran first for president in 2008, Huma Abedin was by her side as the nominee's "body woman", a personal aide who carries everything from chewing gum to the boss's cellphone, and travelling chief of staff.

Some Republicans accused Huma Abedin of links to the Muslim Brotherhood. Abedin would soon find herself embroiled in nearly every controversy as her boss — the emails, the Clinton Foundation — and she was summoned to testify before a committee of the House of Representatives investigating the killing for four Americans in Benghazi, Libya in 2011. Huma Abedin died on 2022-January-5 in New York City, New York.

BY EMILY HUTCHINSON/SEPT. 2, 2021 9:51 AM EST

Hillary Clinton and Huma Abedin have a relationship that goes back decades. Per Associated Press, Abedin first met Clinton when she was a student in Washington all the way back in 1996. At the time, Clinton was already a very high-profile political figure as the First Lady of the United States — her husband, Bill Clinton, was serving out his first of two terms in the White House — and Abedin worked as her intern.

The two stayed in touch after that, and Abedin then landed a job as Hillary's aide when she ran for the U.S. Senate in 2000. But that's certainly not where their professional or personal relationship ended. Abedin has held a number of positions on Hillary's team, as she went on to be her deputy chief of staff when Clinton served as former President Barack Obama's Secretary of State. She then went on to show off her talents as a top adviser when Hillary infamously ran for president during the 2016 election, losing out to former President Donald Trump after a messy fight for the White House. After that controversial defeat, Abedin then went on to become Hillary's chief of staff. But where do the two stand today? Read on for what we know.

Hillary Clinton and Huma Abedin proved they're still close on a lunch date

Jonathan Ernst/Getty Images

Hillary Clinton and Huma Abedin appeared to still be super close as they enjoyed a friendly lunch date together in late August. Daily Mail published candid snaps of the two "smiling and laughing" together while dining in East Hampton, New York. The two treated themselves to a little something from a bakery and were then seen exiting the building alongside two men, who appeared to be members of Clinton's security. It's thought Hillary and her husband, Bill Clinton, had been vacationing at nearby Long Island.

The snaps came as some political watchers questioned how close the once pretty much inseparable Hillary and Abedin still were, as Daily Mail reported the two hadn't been spotted in public together since they both attended a screening of the documentary film about Hillary's life, "Hillary," back in March 2020. However, that could have more to do with the coronavirus pandemic than any kind of rift. Notably, the two have repeatedly spoken kindly of one another, including back in August 2016 when Abedin was profiled by Vogue. Abedin opened up about how close she really is with Hillary, admitting,

"The nature of our relationship has changed. Over the years, we've shared stories about our lives, we've shared more meals than I can count, we've celebrated together, we've mourned together."

But that doesn't mean their close relationship — both professionally and personally — hasn't weathered some storms over the decades.

Huma Abedin's drama with her former husband had people suggesting Hillary Clinton should fire her and 'distance' herself

Andrew Theodorakis/Getty Images

Huma Abedin's former husband could have put a strain on her friendship with Hillary Clinton. Abedin was married to disgraced politician and convicted sex offender Anthony Weiner, and their relationship, plus her bond with Hillary, saw her caught up in the FBI investigation into Hillary's now infamous email scandal.

Hillary revealed in her 2017 book, "What Happened," that it was suggested she should cut ties with Abedin over Wiener as she recalled the moment they both learned the FBI investigation had been opened again. "When we heard this Huma looked stricken. [Weiner] had already caused so much heartache. And now this," she shared, noting that they were on a plane at the time and Abedin started crying. She also shared that seeing her longtime confidant in "distress" was particularly difficult for her. Hillary admitted there was "no chance" she was going to cut Abedin out of her life or fire her, noting, "I stuck by her the same way she has always stuck by me."

Bill Clinton even officiated Abedin and Weiner's wedding in 2010, where Hillary is reported to have said (via Daily Beast), "I have one daughter. But if I had a second daughter, it would be Huma."

Fans could maybe expect to hear even more about the twosome's relationship, as Abedin will be sharing more about her life in her memoir, "Both/And," due for release in November.

<https://www.nickiswift.com/593654/the-truth-about-hillary-clinton-and-huma-abedins-relationship/>

What is high treason in the United States of American (local, state, federal) governments?

Meet the 11 Indian-American women making their mark in 2016 US elections

As U.S. Democratic presidential candidate Hillary Clinton targets to break the "highest glass ceiling" in the US, here is the list of Indian-American women politicians are making a mark in this year's general elections in

India TV News Desk Washington Published on: November 08, 2016 15:42 IST

As U.S. Democratic presidential candidate Hillary Clinton targets to break the "highest glass ceiling" in the US, here is the list of Indian-American women politicians are making a mark in this year's general elections in the US.

1) Kamala Harris

Kamala Harris, California's Attorney General, is all set to be elected as the first Indian-American Senator from California.

2) Nikki Haley The two-term South Carolina Governor Nikki Haley is the first Indian-American woman Governor who has made an impact at the national level.

The two top positions in the Clinton Campaign are held by Indian-American women.

3) Neera Tandon

?Neera Tandon, who heads the Center for American Progress, a top American think-tank, has been appointed as Co-Chair of the Clinton Transition team. She is highly being speculated as a potential Cabinet nominee in a Clinton administration. She was a key member of the Democratic Platform team.

4) Huma Abdein

?Clinton's closest personal aide Huma Abdein, whose father was from India and mother from Pakistan, is the vice chairwoman of the Clinton Campaign. She is considered as one of the most powerful individuals in the Clinton Campaign.

5) Mini Timmaraju

?Mini Timmaraju, who once served as chief of staff of Congressman Ami Bera, is women's vote director at Hillary for America. She was also the women's outreach director for Clinton Campaign.

6) Maya Harris

Maya Harris is one of the key policy advisors to the Clinton Campaign.

7) Shefali Razdan Duggal

?Based in California, Shefali Razdan Duggal is a key player in Clinton's national financial team. She is Democratic National Committee's National Finance Committee and is a Co- Chair for the DNC Women's Leadership Forum.

8) Pramila Jayapal

India-born Pramila Jayapal, 51, who made a mark with her progressive agenda in the Washington State Senate, is set to become the first South Asian and Indian-American woman to be elected to the US Congress.

9) Harmeet Dhillon

?California-based Harmeet Dhillon is the National Committee woman in the Republican National Committee.

In the July convention, she had invoked an 'ardas' - a Sikh prayer - a first in the either party. She was the first vice chairman in California Republican Party history.

10) Mary Thomas

Mary Thomas, who currently serves as the General Counsel at the Department of Elder Affairs in Florida, lost the Republican Congressional primary in the State this year but she has her eye set on future political positions.

11) Kesha Ram

Similarly, Kesha Ram, 30, is a young legislature in the Vermont House of Representatives. This year, she unsuccessfully tried her luck to run for the Vermont Lieutenant Governor.

<https://www.indiatvnews.com/news/world-meet-the-11-indian-american-women-making-their-mark-in-2016-us-elections-355750>

Why Indians are the highest earning ethnic group in US? Harsh Goenka explains

ByAryan Prakash, Jan 15, 2023 11:27 AM IST

According to the latest US Census data, the Indians now have an average household earning of \$123,700, i.e a little over ₹1 crore, PTI reported. The median earnings of the Indians there is nearly double the nationwide average of \$63,922.

Industrialist Harsh Goenka has taken to Twitter to explain why Indians are earning the highest in the United States. In a tweet. he shared an infographic on median household income in the United States by ethnic group.

According to Goenka, Indians value good education and are the most educated ethnic group. He added that Indians work very hard along with being frugal in their habits. "We are smart. We are in IT, engineering and medicine- the highest paying jobs". he tweeted.

According to Harsh Goenka, Indians value good education and are the most educated ethnic group(Instagram/@officialhumansofbombay)

The infographic has the US Census Bureau data of 2013-15 American Community Survey. It shows that the median household income of Indian-Americans stands at \$100,000, which translates to ₹81.28 lakh as per the current exchange rate. The Chinese-Americans and Pakistani-Americans are lower on the list with median incomes of \$69,100 and \$66,200 respectively.

"Definitely proud of these Indians, many of whom are no longer Indian citizens but really sad about the fact that India has not been able to retain the likes of them - shouldn't we talk about this as well?" a Twitter user replied to Goenka's tweets.

Another user wrote, "Indians Mostly due to tech and doctors. Filipinos as well, doctors. So our international household in top two. Our kids 3 country trifecta. maybe even 4 or 5 since Spanish Filipino heritage and possibly British India".

According to the latest US Census data, the Indians now have an average household earning of \$123,700, i.e a little over ₹1 crore, PTI reported. The median earnings of the Indians there is nearly

double the nationwide average of \$63,922.

<https://www.hindustantimes.com/business/why-indians-are-the-highest-earning-community-in-us-hars-h-goenka-explains-101673757990980.html>

Biden family makes 'admission of corruption' in foreign business deals: China expert
President Biden denies \$1M in payments were made to family from Chinese business dealings, By Kristen Altus FOXBusiness

After President Biden claimed allegations of family payments from Hunter Biden's business associate are "not true," one China expert and author has signaled an "admission of corruption" from the First Family.

"The spokesperson for Hunter Biden's legal team said that, oh, this is okay because this was seed money, good faith seed money," Gatestone Institute senior fellow Gordon Chang said on "Mornings with Maria" Monday. "Now, in these types of transactions, nobody pays millions of dollars without a contract."

On Thursday, GOP lawmakers on the House Oversight Committee revealed that they had obtained bank documents showing that the president's son, Hunter, the president's brother, Jim, and Hallie Biden, the widow of the president's late son, Beau, received payments from Hunter's business associate Rob Walker and their joint venture with Chinese energy firm CEFC.

A spokesperson for Hunter Biden's legal team confirmed the payments Thursday, but emphasized that the recipients' accounts "belonged to Hunter, his uncle and Hallie – nobody else." When approached by a reporter on the White House lawn Friday, Biden denied that the payments were made, saying, "That's not true."

CCP-LINKED SILICON VALLEY BANK DEPOSITORS COULD BE 'MADE WHOLE' BY U.S.: YELLEN

Then, Hunter's legal team accused Republicans of pushing a "baseless right-wing conspiracy theory" with a spokesperson stating the capital was part of "good faith seed funds."

Alleged Biden family payouts from Chinese business dealings doesn't happen without "payoffs, influence peddling and, yes, corruption," Gatestone Institute senior fellow Gordon Chang said on "Mornings with Maria" Monday. (Fox News)

"This is essentially an admission of corruption, and I'm sure that the House Oversight Committee is going to follow up on this. But this doesn't happen in the real world in the absence of payoffs, influence peddling and, yes, corruption," Chang said.

As part of the Oversight Committee's "Biden Family Investigation," Chairman Rep. James Comer, R-Ky., reportedly subpoenaed financial records which revealed that, on March 1, 2017, less than two months after then-Vice President Joe Biden left office, State Energy HK Limited, a separate Chinese company, wired \$3 million to Robinson Walker, LLC.

Rep. James Comer: We have a lot of evidence on Biden family business schemes
Rep. James Comer, R-Ky., provides insight on the Biden family business and rips Silicon Valley Bank's collapse on 'The Evening Edit.'

According to a committee memo, "Biden family members and their companies began receiving incremental payments over a period of approximately three months" from Mr. Walker.

"This is essentially an admission of corruption... this doesn't happen in the real world in the absence of payoffs, influence peddling and, yes, corruption."

- Gordon Chang, Gatestone Institute senior fellow

"In the beginning, the White House denied having any knowledge or the fact that their family was involved in any sort of way, shape or form with the CCP. But now we have bank records that reveal otherwise," Rep. Comer told host Maria Bartiromo on Sunday. "We don't know what the Bidens did in return for this money. The lawyer said that it was seed capital for a business. We haven't been able to find a business. Right now it looks like the Biden family just pocketed this money."

Marsha Blackburn blames Biden's weakness for China's push for dominance: 'They see this as their open window'

Sen. Marsha Blackburn, R-Tenn., breaks down the implications of Chinese President Xi Jinping's 3-day Moscow visit and discusses Trump's expectation that he will be indicted soon. Chang gave a stark wake-up call to President Biden, criticizing his ignorance in addressing "China's total surveillance state."

"Biden is sort of stuck in this 1990s foreign policy of 'let's all get along.' Well, the world's divided into camps," Chang said. "China and Russia is [sic] on the one side; they form the core of a new axis... And Biden has to understand that, because we cannot deal with things unless we acknowledge reality."

<https://www.foxbusiness.com/politics/biden-family-makes-admission-corruption-foreign-business-deals-china-expert>

Congressman: Obama is letting China steal U.S. military secrets
A formerly obscure naval exercise involving China and the United States is coming under increased scrutiny ahead of President Barack Obama's meeting with Chinese President Xi Jinping on Friday. For the first time, the Obama administration invited China's People's Liberation Army to participate in the 2014 Rim of the Pacific (RIMPAC) exercise, an annual maritime ...
By John Hudson, JUNE 4, 2013, 10:22 AM

NORFOLK, VA - FEBRUARY 21: In this handout provided by the U.S. Navy, the Nimitz-class aircraft carrier USS Dwight D. Eisenhower (CVN 69) pulls away from the pier February 21, 2013 at Naval Station Norfolk in Norfolk, Virginia. Dwight D. Eisenhower departs for a deployment to support maritime security operation and theater security cooperation efforts in the U.S. 5th and 6th Fleet areas of responsibility. (Photo by Mass Communication Specialist 2nd Class Ryan D. McLearn/U.S. Navy via Getty Images)

A formerly obscure naval exercise involving China and the United States is coming under increased scrutiny ahead of President Barack Obama's meeting with Chinese President Xi Jinping on Friday.

For the first time, the Obama administration invited China's People's Liberation Army to participate in the 2014 Rim of the Pacific (RIMPAC) exercise, an annual maritime exercise that enlists a variety of nations typically allied with the United States. But in wake of concerted Chinese attempts to obtain U.S. military secrets, not everyone is thrilled about the two naval powers floating side-by-side.

"The administration made a mistake by letting China play a role in the Rim of the Pacific exercises," Rep. Steve Chabot (R-OH), chairman of the House Subcommittee on the Middle East and South Asia, tells The Cable. "They will likely utilize these exercises to their advantage: stealing our military secrets and better understanding our military strategy."

Michael Auslin, a resident scholar of Asian security studies at the conservative American Enterprise Institute, agrees.

"They will get a better understanding of our tactics and procedures as they see how we can coordinate with our allies and friends," he told The Cable. "I would much rather see them mystified about how well or closely we work with the Japanese or Australians. If they come into RIMPAC and see the improved communications between the fleets, that is valuable from a military perspective."

Deputy Defense Secretary Ashton Carter first acknowledged that China had accepted the offer in March, though the invite was originally extended by then-Defense Secretary Leon Panetta last year. At the time, Carter said, "We seek to strengthen and grow our military-to-military relationship with China, which matches and follows our growing political and economic relationship."

But now, with heightened fears that China is chipping away at America's qualitative military edge in wake of a contentious Pentagon report citing Chinese cyber intrusions of the nation's most advanced weapons systems, White House critics are sounding the alarm.

"If I'm the Chinese, I'm happy with this invitation," said Auslin. "It reaffirms my whole belief that I can

get away with slowly ratcheting up the pressure against the U.S. and its allies without any consequences."

A White House spokesperson referred The Cable to the Pentagon, which said the exercise could be completed without exposing military secrets. "The U.S. Navy has operational security safeguards to protect U.S. technology and tactics, techniques and procedures from disclosure," said Pentagon spokeswoman Catherine Wilkinson. "U.S.-China military-to-military engagements can include a range of activities in areas of mutual interest including Maritime Security, Military Medicine and Humanitarian Assistance/Disaster Relief (HA/DR) issues. The exercise scenario hasn't been developed yet, so it's too early to say what each nation's participation in the exercise will ultimately look like."

Rory Medcalf, an Australia-based international strategy expert at the Brookings Institution said the potential for intelligence gathering was there, but downplayed the risk of such an exercise.

"Of course there's an element of information-gathering in international naval drills, but this works both ways," he told The Cable. "I'm sure it's not beyond the wit of the US Navy to choreograph exercises where China's role does not involve access to sensitive information about US or allied capabilities."

"Chinese participation in RIMPAC will presumably focus on seamanship and non-warlike activities, rather than high-end combat drills or live-fire exercises," he continued. "The United States and allies have long called on China to make use of standard modes of operational communication to prevent incidents leading to conflict. It would be absurd to lock China out of exercises aimed at advancing precisely that goal."

But Chabot sees the invitation as a strategic and diplomatic misstep. "We don't need to be provocative with China, but I think we keep rewarding really bad behavior," he said. "China's blatant stealing of U.S. technologies, their hundreds of cyber attacks on U.S. industries and government agencies. It's all pretty much ignored."

<https://foreignpolicy.com/2013/06/04/congressman-obama-is-letting-china-steal-u-s-military-secrets/>

TheNewAmerican.com, Tuesday, December 8, 2020

Video Shows Chinese Professor Talking About American "Elite" Traitors Who Work for Beijing
written by Selwyn Duke

We have people working for us "at the top of America's core inner circle of power and influence." So said Chinese professor Di Dongsheng, vice dean of the School of International Relations at Renmin University, explaining in a leaked video how Beijing was able to leverage control over the United States and get rich and powerful on our backs — until President Trump assumed office.

Making his remarks in a November lecture that had been censored in China, Di also said that "for the past 30 years, 40 years, we have been utilizing the core power of the United States" and indicated that, under a Biden administration, it would be back to business as usual.

When I wrote the 2014 essay "Is China the Next Evil Empire?" the title was a rhetorical question. China's designs on us and the world had long been obvious to those with open eyes, and Di's lecture again confirms an even more troubling reality: Beijing's effort to dominate us is being aided and abetted by powerful pseudo-elites in America's power structures, people who get rich as they sell out our nation.

{modulepos inner_text_ad}

Reporting on this last night, Fox News host Tucker Carlson averred that all the talk about "Russian collusion" was nonsensical projection — on the part of "top leaders in American government and business" who wanted to distract us from their actual collusion with China.

Carlson featured the Di video, whose subtitles he said were confirmed as accurate by two different Chinese speakers. In a section the commentator described as "close to a smoking gun," Di spilled the beans about Beijing's odd influence over the United States, saying (translations as presented by Fox

News):

The Trump administration is in a trade war with us, so why can't we fix the Trump administration? Why, between 1992 and 2016, did China and the U.S., use to be able to settle all kinds of issues? No matter what kind of crises we encountered ... things were solved in no time.... We fixed everything in two months. What is the reason? I'm going to throw out something maybe a little bit explosive here. It's just because we have people at the top. At the top of America's core inner circle of power and influence, we have our old friends.

Di wouldn't disclose the identities of these "people at the top." But he did describe "a Chinese agent working as a vice president at 'a top Wall Street financial institution,'" related Carlson (video below). "Di explained that he couldn't say more without making political trouble."

Di did, however, "tell his audience that one agent in particular was especially useful, and he goes on at some length about her," Carlson continued. "He describes her as an American who's lived abroad for many years and is now a Chinese citizen, and this seems to baffle him a little bit. The Chinese government doesn't allow dual citizenship. Why would they? Why would anyone?"

"Di seems pleased that the U.S. government is foolish enough to allow it," the host adds. "He explains that this American agent, who lives at least part of the year in Beijing, helped the Chinese government with a propaganda operation in Washington in 2015, and he goes on to describe that in some detail."

Di also explained why Beijing wants Trump out of office, saying:

For the past 30 years, 40 years, we have been utilizing the core power of the United States.... Since the 1970s, Wall Street had a very strong influence on the domestic and foreign affairs of the United States, so we had a channel to rely on. But the problem is that after 2008, the status of Wall Street has declined, and more importantly, after 2016, Wall Street can't fix Trump. Why? It's very awkward. Trump had a previous soft default issue with Wall Street, so there was a conflict between them. But I won't go into details; I may not have enough time. So during the U.S.-China trade war they [Wall Street] tried to help. And I know that, my friends on the U.S. side told me that they tried to help, but they couldn't do much.

"But now we're seeing Biden was elected," Di also stated, to laughter from the audience. He continued:

The traditional elite, the political elite, the establishment, they're very close to Wall Street. So you see that, right? Trump has been saying that Biden's son has some sort of global foundation. Have you noticed that? Who helped him [Biden's son] build the foundations? Got it? There are a lot of deals in all these [laughter, applause].

Now it should be even more apparent why ex-Hunter Biden business partner Tony Bobulinski said to Carlson in October, "I think Joe Biden and the Biden family are compromised." Biden is a Manchurian Candidate.

It's also clearer still why China has gotten away with stealing our intellectual property and defense technology, bullying our businesses, censoring our movies, and putting its propaganda in American schools and universities via its "Confucius Institutes." It's for the same reason why we've had what Trump rightly described as "stupid" trade deals.

But the reality is that our pseudo-elites are not that stupid. Rather, they're bought off, either directly or indirectly, as they get rich selling out the American dream and threatening our very survival.

Speaking of which, Carlson also spoke last night to Director of National Intelligence John Ratcliffe (video below), who warned that China was the only country capable "of essentially taking away the American dream" — and that it has a plan to do so.

Tragically, this couldn't happen if we had a mainstream media (MM) that did its job, exposing the real threats and the traitors among us. Instead, the MM are a fifth column, busying themselves attacking Trump and other patriots, our history, our heroes, and our culture.

And as we eat ourselves alive, as the antibodies turn against the body itself, China is preparing to consume what's left over and dominate the world. The liberal Telegraph's Kevin Myers wrote about

Beijing's alien mindset in his 2003 article "The giant who lives at 590 Yongia Road":

Nothing in human history compares with the spellbinding phenomenon of Chinese genius, Chinese vision and a uniquely Chinese scale being simultaneously harnessed towards the one goal: the restoration of Chinese hegemony over the known world. This is the position which all Chinese leaders, from the Emperor Ch'in to Mao, have felt to be rightfully theirs.

... One would never judge modern Rome's potential by the precedents set by the Caesars, nor use the conduct of the Aztecs as a useful guide to Peru's intentions. But China is different, because it has repeatedly been in the forefront of human endeavour; and its multi-millennia-long continuities are deeply embedded within the consciousness of those who govern it. Moreover, the Chinese are more than nationalistic; they are a people for whom the concept of Herrenvolk [master race] is not some passing and malign idiosyncrasy, but a defining condition of identity. To their eyes we are barbarians whose historical eminence is due entirely to our infuriating mastery of the savage arts of war.

... Racial superciliousness remains deep within the character of the Chinese people, as their economic takeoff occurs.

Beijing is playing for keeps. The civilization that's creating history's first total-surveillance state and harvests and sells dissidents' organs aims to harvest the whole Earth as our pseudo-elites sell us for 30 pieces of silver. And as an apathetic population sleepwalks into oblivion, we should remember that world dominance by China would not be the British Empire redux, but could instead be the realization of Orwell's dark 1984 "picture of the future": "a boot stamping on a human face — for ever."

<https://thenewamerican.com/us/crime/video-shows-chinese-professor-talking-about-american-elite-traitors-who-work-for-beijing/>

Exclusive: 600 U.S. Groups Linked to Chinese Communist Party Influence Effort with Ambition Beyond Election
BY DIDI KIRSTEN TATLOW ON 10/26/20 AT 7:28 AM EDT

The three women appeared to be just like millions of other Americans who take to social media every day to express their displeasure at the state of the U.S. Yet there were anomalies. The women's messages were sometimes identical to others on Twitter and Facebook. Their handles were similar and they tended to make sweeping statements putting down America and its democratic system, rather than referencing specific events. Their use of language was off too, stilted or mixing up familiar expressions—"Black people are never slaves! Stand up your high head!" read one of Jessi's more garbled tweets. And one more thing: Occasionally, a stray Chinese-language character would slip into one of their posts or hundreds of others just like them.

That last part was especially odd—until you consider that the women weren't actually women at all but rather bots and trolls used in a systematic campaign by groups affiliated with China to sow division and unrest in the U.S. ahead of the 2020 election. An analysis this summer of thousands of such Twitter and Facebook posts by the International Cyber Policy Center of the Australian Strategic Policy Institute described them as part of a program of "cross-platform inauthentic activity, conducted by Chinese-speaking actors and broadly in alignment with the political goal of the People's Republic of China to denigrate the standing of the U.S."

The fake accounts are just one example of what appears to be stepped-up activity by groups associated with China as Election Day gets closer. Over the past six weeks, for example, both Google and Microsoft have reported attempted cyber attacks linked to Beijing that targeted individuals who worked with the Biden and Trump campaigns. However, unlike Russian interference in 2016, which worked to bolster Trump's chances of election, most of the activity stemming from China does not clearly favor one candidate over the other. Instead, it seems designed, as William Evanina, director of the National Counterintelligence and Security Center, puts it, "to shape the policy environment in the United States, pressure political figures it views as opposed to China's interest, and deflect and counter criticism."

Experts say the election-related activity is just a small part of a much larger and deeper campaign of influence and interference by China that's been taking place over many years—and is a far more worrisome threat long-term. Interviews with some two dozen analysts, government officials and other

U.S.-China specialists, as part of a four-month investigation by Newsweek, suggest there are myriad other ways in which the Communist Party of China (CPC) and other government-linked entities have been working, through multiple channels in the U.S. at the federal, state and local level, to foster conditions and connections that will further Beijing's political and economic interests and ambitions.

Those channels include businesses, universities and think tanks, social and cultural groups, Chinese diaspora organizations, Chinese-language media and WeChat, the Chinese social media and messaging app, says John Garnaut, an Australian political analyst and expert on global CPC interference. Separately, Newsweek has identified about 600 such groups in the U.S., all in regular touch with and guided by China's Communist Party—a larger-scale version of a pattern found in other countries around the world.

The scope of alleged activities is enormous, involving social and business gatherings, extensive information campaigns and building political and economic ties that can be leveraged to Beijing's gain—recent reports of Hunter Biden's business dealings with a Chinese energy company eager to connect with his father and President Trump's secret Chinese bank account are just the latest high-profile examples that some China watchers find worrisome. There are also accusations of large-scale economic espionage. In a speech this summer at the Hudson Institute, F.B.I. director Christopher Wray said the agency opens a China-connected investigation every 10 hours and that, of nearly 5,000 active counterintelligence cases in the U.S., almost half are related to China.

Chinese authorities claim the U.S. distorts its dealings with local community groups, and vehemently deny they are interfering in U.S. internal affairs. But U.S. authorities and U.S.-China experts stand their ground. "Justice, State, the F.B.I., they're peeling back the layers that have been hiding some of these organizations and activities" says Dean Boyd, chief communications executive at the National Counterintelligence and Security Center. As he tells Newsweek, "The influencing has been going on non-stop, and it's not happening in a vacuum. There is an election coming up."

Sowing the Seeds of Division

If the tweets of "Jessi Young" and her friends were all you had to go on, China-linked efforts to manipulate U.S. public opinion in advance of the election might be easy to dismiss as amateurish and ineffective.

The Chinese actors involved, for instance, made no attempt to create realistic profiles for the owners of the 200 to 300 Twitter accounts involved, plus 60 or so more on Facebook. And while the messages, posted between February and July of this year, focused on important issues dividing the country, they were so crudely translated into English, without a feel for American tone or cadence, that the possibilities for engagement seemed limited.

A sampling: "'Janky System' is a stupid, failed system!" "Patricia Smith" tweeted, along with a photo of Americans voting. "The Trump Administration has gone so far as to sacrifice our lives to get back to work to make the Dow Jones look good that they now treat us like human beings?" "Sonia Mason" tweeted, complaining about federal response to the pandemic. "The overflow of freedom has created the situation today," said "Laura Daniels" in response to a tweet about a report on religion by Secretary of State Mike Pompeo.

"The Chinese are not really good at making fake social media accounts," says Ho-fung Hung, a professor of sociology at Johns Hopkins University and author of *The China Boom: Why China Will Not Rule the World*. "The language is not very convincing." In fact, the Cyber Policy Centre found that, of the 2,240 tweets it analyzed, 99 percent got fewer than two likes, replies and retweets.

But while this particular campaign may not have hit the mark, some of the broad strategies it employed are ones that China uses quite effectively in other contexts—tactics very different from the techniques that Russia has used in its election interference efforts. The social posts from Chinese actors did not have a clear partisan lean—for instance, they promoted messages in support of both the Black Lives Matter and pro-police Blue Lives Matter movements. The point was not to take a side but rather to boost divisiveness by amplifying competing, emotionally-charged view points.

Nor did the Chinese campaign typically spread disinformation. Instead it commonly shared authentic

content from legitimate news sources like The New York Times and MSNBC, along with tweets from civil rights groups, that highlighted racial divisions and inequality in the U.S.

"If people in the U.S. are looking [to China] for a repeat of Russia in 2016, they will be disappointed," says Garnaut. "That's not what China does. They repurpose, they don't smash." In other words, the CPC is not out to destroy the U.S., experts say, but rather to change or subvert it from within, and foster a positive view of China, in contrast to the apparent chaos in America.

"They are very determined and very organized," says Anna Puglisi, a senior fellow at Georgetown University's Center for Security and Emerging Technology and a former national counterintelligence officer for East Asia. "We [in America] don't think in these ways. It flies in the face of how people in the U.S. see the world."

While China's influence efforts around the election have mostly centered on process vs. outcome, U.S. intelligence officials believe it's clear the country's leaders do have a favorite in the race. Lately Beijing has stepped up negative rhetoric about the Trump administration, harshly criticizing the White House on its statements and actions on Hong Kong and TikTok, among other things, and blasting its COVID-19 response. "We assess that China prefers that President Trump—whom China sees as unpredictable—does not win reelection," said Evanina, the government counterintelligence director, in a statement this August. The Global Times, which is owned by the CPC's People's Daily newspaper, has also made it clear that China favors the Democratic candidate, saying in a recent article, "Tactically, the US approach would be more predictable, and Biden is much smoother to deal with than Trump."

A year after his election, U.S. President Donald Trump, here with Chinese President Xi Jinping at a welcome ceremony, visited Beijing. Things have gone downhill between the two leaders ever since. XINHUA/LI TAO/GETTY Another reason China would prefer to deal with the Democrats: The Biden ranks include many people from the previous two Obama administrations, during which China made great strides on the world stage and experienced little opposition. Anti-China sentiment has heated up in the U.S. since then, as Trump very publicly addressed trade, influence and espionage problems, ensuring that China policy going forward will be more critical, no matter who occupies the White House—but it's not clear if the Democrats are willing to challenge China quite as deeply, if they win.

Influence at the Local Level

Two particular members of the Trump entourage who have been thorns in the CPC's side are Pompeo and his policy adviser Miles Yu, who together have led the administration's broad pushback against China. Lately Pompeo has been sounding an alarm about a key focus of CPC activity in the U.S.—interference in politics, business and community at the state and local level.

In February, for example, Pompeo warned the National Governors Association at a meeting in Washington D.C. that the CPC was identifying and grooming state and local politicians who would support its interests. A Chinese think tank had already graded governors on their "friendliness," Pompeo said. Newsweek obtained and translated a copy of the 2019 report, which labeled 17 governors as "friendly," called 14 "ambiguous," deemed six as "hardline" and the rest "unclear." Pompeo told the governors, "Whether you are viewed by the CPC as friendly or hardline, know that it's working you, know that it's working the team around you."

Six months later, at a meeting of economists and sociologists in Zhongnanhai, a secretive leaders' compound in Beijing, Xi told more than a dozen top economists and sociologists that China would double down on seeking "cooperation" with U.S. politicians and business leaders at the states and local level, exactly what Pompeo had warned about. "We must actively develop cooperation with all countries, regions and enterprises willing to cooperate with us, including states, localities and enterprises in the United States," Xi said, according to Xinhua, the state news agency.

In his talk, Pompeo gave several examples that he said reflected an uptick in CPC interference at the state level. In 2019, he said, diplomats at the Chinese consulate in Houston wrote to the Mississippi governor, Phil Bryant, threatening to cancel a Chinese investment in his state if he traveled to Taiwan, the de facto independent island nation that Beijing claims and says no one may have official ties with.

Bryant went anyway.

In another example, Chinese diplomats at the consulate in Chicago wrote to a Wisconsin lawmaker, Republican Roger Roth, asking him to sponsor a bill they wrote praising China's response to the COVID-19 pandemic, the Wisconsin Examiner reported. Roth initially ignored the request thinking it a joke. The Chinese diplomats sent it again. Roth replied with one word: "nuts."

Those two attempts may have faltered in the face of pushback, but outreach often works, especially on the business level. Speaking on background, one official described the pattern: "Say you are governor of a state that has tremendous economic investments in China, or that has a good relationship with China exporting soybeans or grain. China can use that relationship," say, by asking their political or business contacts to make calls to Washington to try and influence policy. It sounds like U.S. political lobbying, "but you have to know, it's a foreign government playing this game," the official says.

In other countries, this kind of interference can be even more intense—and has already led to major problems, including threats to national security. In Australia, Chinese intelligence operatives allegedly conspired to place a financially-troubled, ethnic Chinese person, Nick Zhao, in parliament as a spy, offering \$1 million to fund his campaign, according to multiple reports in the Australian media last year. Zhao, in his 30s, was found dead of a drug overdose in a Melbourne hotel room in 2019. That same year, China's Ministry of State Security was reportedly responsible for cyberattacks against Australia's parliament and three major political parties that provided access to policy papers and emails, according to Reuters.

In Canada, a special parliamentary committee set up in late 2019 is driving a rethink on China relations amid charges of "brazen" interference. Earlier this year, a report was published that detailed activities that China, along with Russia, had engaged in: "using deceptive means to 'cultivate relationships with elected officials and others perceived to possess influence in the political process; seek to influence the reporting of Canadian media outlets; seek, in some cases, to affect the outcome of elections; and coerce or induce diaspora communities to advance foreign interests.'"

Europe too has begun to reexamine its relations with China amid the shock of COVID-19 when, earlier this year, Beijing sent very public medical aid to struggling nations, including Italy, accompanied by propaganda presenting China as a savior and appearing to try to weaken faith in the European Union. Then in October, Sweden, spooked by a newly-adopted combative style of diplomacy that the Chinese call "wolf warrior" and the kidnapping and detention of a citizen in China, among other problems, banned Huawei and ZTE, the Chinese telecom companies, from its future 5G networks, citing concerns over "Sweden's security." Earlier this year, Sweden also shut down all of the country's Confucius Institutes, a Beijing-funded program with the stated goal of promoting Chinese language and culture that many viewed as a propaganda tool. In the U.S. they have been permitted to remain open but are designated as "foreign missions."

In some ways, the U.S., at least until recently, has lagged in experiencing the more aggressive actions that other nations have documented and in exposing infractions, when discovered. That may have partly to do with Chinese tactics, which are more careful when aimed at the key "enemy," says Ho-fung Hung, the Johns Hopkins professor. Hung quotes a revolutionary saying by Mao Zedong to illustrate his point: "Mao said, 'gather your best forces, annihilate the enemy one by one.' Don't take on the core first, don't take on the toughest opponent first," Hung says. "Take on the smaller and weaker ones, like Australia, Canada, New Zealand, the UK. They have done that. The U.S. is the toughest nut to crack."

But there are signs that the U.S. is starting to take the threat more seriously. In July, the State Department shut China's Houston consulate over what it said was multi-year, persistent technology theft and political interference across a broad swathe of states in the south, southeast and southwest, home of many energy and medical businesses and advanced research. The Chinese government denies these activities.

While the U.S. government has not released many details of what happened, several interviewees described a pattern of espionage by diplomats at the consulate aimed at major cities in the area. "Say, you are a city manager and you have a giant medical industry, and you also have giant collaborative

relationships with China, well, then that manager is dependent on China," said one official, who spoke on background. A Chinese diplomat might then feel free to place a phone call to the manager asking for a meeting with the state governor, or approval for a business project, or to oppose a motion criticizing China for human rights violations in Tibet, Xinjiang or Hong Kong. "It's very effective influence," the official said.

"Houston was not chosen at random out of the consulates out there," said John C. Demers, an assistant attorney general in the Department of Justice, in an online event in August with the Center for Strategic & International Studies. The consulate had long been a center of nationwide activity to exert political pressure and extract technology for China, several persons interviewed for this story said. In a sign of the scale of activities, F.B.I. agents also conducted about "50 interviews in 30 different cities" across the U.S., with Chinese researchers suspected of working to extract technology—"just the tip of what was going on and what we were trying to disrupt," Demers said.

China's Magic Weapon

To help carry out its program of influence and interference in the U.S., China relies on what Xi calls the country's "magic weapon:" the party's "United Front" system led by a Communist Party division called the United Front Work Department.

This is "a network of party and state agencies responsible for influencing groups outside the party," both inside and outside China, as Alex Joske, a researcher on Chinese politics at the Australian Strategic Policy Institute, has written. Traditionally, outside China, the United Front has focused on overseas Chinese communities, appealing to their sense of ethnic loyalty to persuade them to "repay the motherland." Personal benefit is often involved, with the system offering business opportunities in exchange for good will and cooperation.

Groups that are part of the system often have innocuous-sounding names, like the Chinese Overseas Exchange Association. Running parallel to the United Front is the Chinese government's global network of "friendship associations," under the foreign ministry. The U.S. organizations with which these groups cultivate ties may have no idea of their CPC affiliation. Pompeo, for instance, pointed out that the Governors Association had co-sponsored a U.S.-China "Collaboration Summit" with a group called the Chinese People's Association for Friendship and Foreign Countries, which is, indirectly, tied to the United Front system. He asked the gathering, "How many of you made the link between that group and Chinese Communist Party officials?"

"The United Front is part of China's foreign policy, part of China's intelligence apparatus and runs interference," says Anne-Marie Brady, a professor of Chinese politics at the University of Canterbury in New Zealand. Tasks that it may be charged with include everything from making "friends" to outright espionage.

The Chinese government has frequently denied the Front's role in overseas influence and interference operations. Yet it allocates a large amount of money to its work, indicating it is a priority. The budget of the United Front system, both at home and abroad, was more than \$2.6 billion in 2019, Ryan Fedasiuk of Georgetown University's Center for Security and Emerging Technology says. Nearly \$600 million of that was earmarked for work aimed at overseas Chinese communities and foreigners, Fedasiuk calculates. The total budget outstripped the Chinese Foreign Ministry's, he found.

The United Front in Action

A three-day summit that took place in mid-October at the China Institute, a New York City non-profit, provides a classic example of how the United Front works. The event, titled "Finding Success in an Age of Crisis," promised to help participants figure out how to "achieve success in the face of strained U.S.-China relations and a volatile world."

The event featured an illustrious line-up of panelists from U.S. business, academia, technology, media, diplomacy and politics, including Rick Snyder, former governor of Michigan, and Stapleton J. Roy, a founder of the Wilson Center's Kissinger Institute. Yet what participants likely didn't know: Three of the four "knowledge partners" are directly or indirectly part of the United Front.

The Beijing-based Center for China & Globalization, a think tank, is one of them. The organization was co-founded by Wang Huiyao, who is also a deputy chairman of the Western Returned Students Association, a United Front Work Department group, according to Joske, who has documented Wang's multiple connections to the United Front. The other were the China General Chamber of Commerce USA and the China General Chamber of Commerce USA Chicago, both among the 600 or so American groups Newsweek has linked to the CPC system.

Asked for comment, the China Institute replied that it "chose to engage with these organizations because of their large memberships and connection to the issues and topics that are a priority today. We wanted to ensure they were engaged in the conversation." In an emailed statement, the China General Chamber of Commerce–USA denied it was linked to the United Front system, saying it was "a non-profit and non-governmental organization representing Chinese enterprises in the U.S.," with a mission "to create value, generate economic growth, and enhance cooperation between the U.S. and Chinese business communities."

Importantly, members of the various groups identified by Newsweek, most of them ethnic Chinese, may not be aware of the organization's ties to the China party-state. Individuals may join for a sense of community or a business opportunity. Despite that, the groups may compete to be close to the Chinese embassy and its consulates hoping to gain status and favors, says Yaqiu Wang, an analyst for Human Rights Watch in New York City. China's diplomatic system, in turn, connects through them to local Chinese-language communities.

Some groups assist in technology transfer—acquiring technology developed by U.S. companies for use by Chinese companies—a crucial goal of the party's influencing and interfering. The system also permeates the Chinese-language media in the U.S, shaping the information environment.

Newsweek has identified the following types of organizations as affiliated with the United Front throughout the U.S.: at least 83 Chinese hometown associations for immigrants from the same place in China; 10 "Chinese Aid Centers;" 32 Chambers of Commerce; 13 Chinese-language media brands; about half of the 70 associations for Chinese professionals in the U.S.; 38 organizations promoting the "peaceful reunification" of China and Taiwan; five "friendship organizations" and 129 other groups engaged in a range of activities such as education and culture. In addition, there are 265 Chinese Student and Scholar Associations for the approximately 300,000 Chinese students in the U.S. These are connected to CPC politics, often via Chinese diplomats, usually the education secretary in a consulate.

The groups were identified by evaluating crossover membership, regular joint activities, events indicating ideological alignment, high-level meetings that can only be obtained by being part of a CPC-trusted system and by crosschecking names, positions and cooperative events described in hundreds of Chinese-language government and party documents and Chinese state media reports as well as reports by the groups themselves. The level of influence and interference activity ranges from simple efforts to promote a positive view of China to outright espionage.

The latter was the case in late September, when a New York City policeman of Tibetan origin from China, a naturalized American citizen and army reservist, was arrested and charged with acting as an illegal agent of the Chinese government. His handler in the Chinese consulate in New York City worked for the China Association for Preservation and Development of Tibetan Culture, which is part of the United Front, according to charges laid out by the Department of Justice. Allegedly the policeman spied on Chinese citizens living in the New York area to help assess their potential as intelligence sources and provided Chinese officials with access to the NYPD through invitations to police events.

Start digging, and the number of groups in the U.S. with ties to the United Front seem endless. The Committee of 100 (C100), a New York-based advocacy group for Americans of Chinese origin that was founded nearly 30 years ago with the help of Henry Kissinger, is another, according to multiple reports in Chinese-language media and United Front organizations. The website of the United Front Work Department in the Chinese city of Nanjing identifies U.S. businessman and C100 chairman H. Roger Wang as an honorary chairman of the Nanjing Overseas Friendship Association, which is a city-level branch of the United Front's global China Overseas Friendship Association.

Upon his election to the board in 2018, Wang talked enthusiastically about key CPC projects such as the Belt and Road Initiative, in which China committed to invest in infrastructure projects in nearly 70 countries. The U.S. did not join, seeing the initiative as an attempt by Beijing to project its power around the world. "There are so many areas that C100 can get actively involved in now, including the Belt and Road Initiative," Wang said in an interview with China Daily. Xi Jinping has described C100 as a "friendly organization" and the group regularly meets with top Chinese leaders.

Asked for comment, Fulton Hou, a program associate at C100 emailed, "We firmly oppose any efforts by a foreign government or a political party—from China or elsewhere—to influence or undermine American society and democracy. Our dual mission is to promote the full participation of Chinese Americans in American life and to advance a constructive Sino-American dialogue."

Is there anything wrong with that? Not on the surface, but what's beneath the surface is harder to discern. "How to deal with China is a question everybody has to face," says Alvin Y.H. Cheung, a research fellow at NYU's U.S.-Asia Law Institute. "The relationship with the CPC is like any other relationship. You have to set boundaries."

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<https://www.newsweek.com/2020/11/13/exclusive-600-us-groups-linked-chinese-communist-party-influence-effort-ambition-beyond-1541624.html>

Four members of Chinese army charged with stealing 145 million Americans' data in 2017 Equifax hack
Kevin JohnsonUSA TODAY

WASHINGTON – Four members of the Chinese People's Liberation Army have been charged with hacking into the computer systems of the credit reporting agency Equifax in 2017, which Attorney General William Barr called a "deliberate and sweeping intrusion" that compromised private data of 145 million Americans.

The suspects were members of the PLA's 54th Research Institute, according to a nine-count federal indictment unsealed Monday. Wu Zhiyong, Wang Qian, Xu Ke and Liu Lei were charged with three counts of conspiracy to commit computer fraud, conspiracy to commit economic espionage and conspiracy to commit wire fraud.

"The scale of the theft was staggering," Barr said. "The theft not only caused significant financial damage to Equifax, but invaded the privacy of many millions of Americans, and imposed substantial costs and burdens on them as they had to take measures to protect against identity theft."

FBI Deputy Director David Bowdich described the intrusion as the largest instance of state-sponsored theft in U.S. history.

"This is not the end of our investigation," Bowdich said. "To all who seek to disrupt the safety, security and confidence of the global citizenry in this digitally connected world, this is a day of reckoning."

The Chinese army identified a flaw in Equifax's security system, executed a plan of attack to penetrate the system and devised a scheme to cover their tracks on their way out, according to the indictment.

From about May through July 2017, hackers obtained names, birth dates and Social Security numbers of 145 million Americans, and driver's license numbers for at least 10 million Americans, prosecutors allege.

"In a single breach, the PLA obtained sensitive personally identifiable information for nearly half of all American citizens," prosecutors wrote.

How it happened:Chinese military hackers identified flaw in Equifax's security and exploited it

Hackers also stole credit card numbers and other personal information for 200,000 Americans and

personal information for nearly a million citizens of the United Kingdom and Canada, the indictment says.

Equifax has agreed to pay up to \$700 million to settle federal and state investigations into how it handled the data breach.

The settlement includes \$425 million to help consumers affected by the breach and a restitution fund with at least \$380.5 million allotted to consumer compensation. The fund will also include an additional \$125 million if the initial funds run out.

Equifax breach settlement: Wednesday is last day to file a claim for free credit monitoring or money

The Equifax theft is among several high-profile breaches of American databases, including the U.S. Office of Personnel Management, Marriott hotels and Anthem health insurance company.

"About 80% of economic espionage prosecutions have implicated the Chinese government, and about 60% of all trade secret theft cases in recent years involved some connection to China," Barr said.

The Justice Department and the FBI have been investigating individuals for alleged theft of trade secrets and economic espionage as part of its China Initiative, launched in 2018 in response to government agencies' findings about China's practice of acquiring intellectual property and technology from other countries.

Last week, FBI Director Christopher Wray said the communist power's theft of technology and trade secrets is the "greatest long-term threat to our economic vitality."

Wray said the Chinese government will use any means necessary to "steal their way up the economic ladder at our expense" by penetrating information technology systems, aerospace, agriculture, defense and research programs, and broad swaths of academia.

The FBI has 1,000 open investigations into suspected Chinese economic espionage and technology theft, he said.

Last month, the Justice Department charged a Harvard University professor for allegedly lying about money he received from the Chinese government. Charles Lieber, chair of the Department of Chemistry and Chemical Biology at Harvard, made false statements about work he did for a program run by the Chinese government that seeks to lure American talent to China, according to the Justice Department.

On Monday, Sen. Ben Sasse, R-Neb., a member of the Intelligence Committee, said the threat does not end with the charges in the Equifax case.

"The Chinese Communist Party will leave no stone unturned in its effort to steal and exploit American data," Sasse said. "These indictments are good news, but we've got to do more to protect Americans' data from Chinese Communist Party influence operations."

Sen. Mark Warner, D-Va., vice chairman of the Intelligence Committee, lamented that the Trump administration's trade deal with China, signed last month, did not reference the kind of espionage outlined in the Monday's court papers.

"For years, the Chinese government has targeted Western commercial firms," Warner said. "It is disappointing that despite a lot of rhetoric, President Trump's recent agreement with China does nothing to address this specific issue."

Contributing: Nathan Bomey, Kristine Phillips

<https://www.usatoday.com/story/news/politics/2020/02/10/doj-chinese-army-hacked-equifax-stole-145-million-americans-data/4711796002/>

Biden angrily defends DOJ plans for \$450K migrant separation payouts

By Mary Kay Linge, Published Nov. 6, 2021

President Biden flared in anger Saturday as he spoke in favor of his administration's plan to award \$450,000 payments to migrants separated from their families after illegally crossing the US border — three days after he called a report on the payouts "garbage."

Blaming "the outrageous behavior of the last administration," Biden raised his voice and jabbed his finger at Fox News correspondent David Spunt, who asked about the administration's mixed messaging on the payout policy.

"Whether [the border crossing] was legal or illegal, and you lost your child," Biden thundered. "You lost your child, it's gone — you deserve some kind of compensation, no matter what the circumstance.

"What that will be," he added, "I have no idea."

The Biden administration has been negotiating legal settlements with the American Civil Liberties Union and other groups that could shower up to \$1 million per family on asylum seekers who were separated at the border under President Trump's "zero tolerance" illegal immigration policy. "That's not gonna happen," Biden said flatly on Wednesday, when Fox News' Peter Doocy asked him about the Wall Street Journal's initial report on the developing deal.

"You guys keep sending that garbage out?" the president said. "But it's not true."

The ACLU issued a pointed response, suggesting that Biden was out of the loop and "may not have been fully briefed about the actions of his very own Justice Department."

"If he follows through on what he said, the president is abandoning a core campaign promise to do justice for the thousands of separated families," ACLU Executive Director Anthony D. Romero protested. "We call on President Biden to right the wrongs of this national tragedy."

On Thursday, the White House attempted to walk Biden's denial back.

"The president is perfectly comfortable with the Department of Justice settling with the individuals and families who are currently in litigation with the US government," White House deputy press secretary Karine Jean-Pierre said.

The proposed financial settlements have infuriated Republicans, who introduced a bill to block the massive payouts, calling them "disastrous."

"Once again, [Biden] either lied or has no idea what's going on," Rep. Nicole Malliotakis (R-SI/Bkln) tweeted Friday. "Americans don't bust their asses & pay taxes so Democrats can give their \$ to those who disrespect our borders and break our laws."
<https://nypost.com/2021/11/06/joe-biden-angrily-defends-plans-for-450k-migrant-separation-payouts/>

U.S. foreign-born population nears high, Alan Gomez, USA TODAY

The foreign-born population living in the USA has increased so rapidly that it could break a 125-year-old record within the next decade, according to a Pew Research Center report out Monday.

The percentage of people living in the USA who were born outside the country reached 13.7% in 2015 and is projected to hit a record 14.9% in 2025, the report said. The country's previous high of 14.8% was set in 1890, when waves of Irish, Italian, Polish and other immigrants were coming to the USA.

The findings come at a critical time in the presidential campaign as candidates from both parties debate the proper role of immigration in the country. The foreign-born population represents a growing share of the electorate that Democrats and Republicans court because that voting bloc is big enough to tip presidential elections.

Leading Republicans, including front-runner Donald Trump, say legal and illegal immigration have gotten out of control. Trump and others say the country needs to limit legal immigration, and all the

GOP candidates push for increased border security.

Democrats, led by Hillary Clinton, have adopted a more welcoming message, calling for protections for undocumented immigrants living in the country and an immigration system that helps some groups of immigrants enter the country.

The term "foreign-born" includes naturalized citizens, legal permanent residents, visa holders and undocumented immigrants.

Ali Noorani, executive director of the National Immigration Forum, a group that supports immigrant rights in the USA, said the influx of foreigners proves the USA remains a beacon of hope across the world, and politicians should accept that role for the country.

"The pure politics of this is that candidates from whichever party should view these numbers as the next generation of voters," Noorani said. "They should remember that what they say now will be taken into account by future generations of U.S. citizens." Roy Beck, executive director of NumbersUSA, a group that advocates for lower levels of immigration, said Trump and others tap into a legitimate fear that immigration levels are getting out of control.

He uses the example of the late 19th century, when the USA hit its peak of those who were born in another country, creating an overabundance of workers competing for limited jobs. That prompted many Americans to call for an immigration slowdown and proved harmful to immigrants who struggled to get ahead, a situation Beck said is happening again.

"This has been our point all along: If you want to have a good situation for immigrants, there's a threshold that you've got to keep it below," Beck said. "We know what happened last time. It was a very difficult time. And it's not just about the American-born being hostile toward the foreign-born, but the inability of the foreign-born to get ahead, to live the American Dream."

The foreign-born population began to increase again after President Johnson signed the Immigration and Nationality Act of 1965 — 50 years ago this coming Saturday. The law eliminated quotas and limits on how many immigrants would be allowed into the USA. The act established a system focused on accepting immigrants with family ties in the USA and those with certain work skills.

Mark Hugo Lopez, co-author of the report, said some flows of migration to the USA, including illegal immigration, have slowed in recent years as the economy struggled and the federal government strengthened border security. But the foreign-born population continues to increase, because there are still far more people trying to reach the USA than trying to leave, he said.

Lopez said the characteristics of immigrants may change over time. For example, Asians will replace Latin Americans as the dominant minority force in the USA by 2055, and Africa may send more people to the USA and other countries in the upcoming decades. He said the idea of the USA as the world's most sought-after destination for immigrants will remain.

"We have seen the United States change its immigration laws before. It became very restrictive in the 1920s, and it's very possible that could happen again," he said. "But today, more Americans believe immigration is a strength rather than a burden."

Other findings from the report:

The combined population share of foreign-born people and their U.S.-born children is 26%. Pew estimates that figure will continue rising to 36% in 2065.

Asians are set to surpass Hispanics as the largest immigrant group. In 2015, 47% of the foreign-born population is Hispanic, and 26% is Asian. By 2055, Pew estimates that 36% of the foreign-born population will be Asian, compared with 34% Hispanic.

Since the passage of the Immigration and Nationality Act of 1965, immigrants, their children and grandchildren accounted for 55% of the country's population growth, a total of 72 million people.

More Americans (45%) say immigrants make American society better in the long run than those (37%) who say immigrants make it worse, according to a poll conducted by Pew for the report.

<https://www.usatoday.com/story/news/2015/09/28/us-foreign-born-population-nears-high/72814674/>

Getting Rid of La Raza, Sep 19, 2017

La Raza depends for its survival not on grassroots, but on government contracts and kickbacks, and grants from foundations and the corporations it can shake down.

Meanwhile, studies show that minorities want to join the mainstream. A leaked memo from ten years ago shows how La Raza opposes this since it is bad for business.

One does not need to be a populist to think there is a problem in asking taxpayers to fund efforts that fuel insider networks—at the expense of said taxpayers.

Ever heard of La Raza? Probably not, but you and other taxpayers are funding it.

We shouldn't be. Along with public broadcasters, environmental organizations, and other entities that use taxpayer money to keep insider networks in power, ethnic identity groups should be taken off public support. These movements have for decades lived off the government only to keep enlarging it, maintaining power in the hands of a self-dealing bureaucratic elite increasingly unaccountable and disconnected from outside society.

La Raza—recently renamed UnidosUS—is a case in point. Set up in 1968 with a grant from the Ford Foundation (which also helped create other movements), La Raza has always been more boardroom than barrio. It depends for its survival not on grassroots, but on government contracts and kickbacks, and grants from foundations and the corporations it can shake down.

This corporate and government coziness doesn't mean that La Raza hasn't been a divisive force in society. On the contrary, it's been so from the beginning, and the balkanization it has caused has benefited elites.

No less a liberal lion than U.S. Representative Henry Gonzalez of Texas took to the floor of the House on April 22, 1969, to decry the Ford Foundation's creation of “a very grave problem” in his district. “I cannot accept the belief that racism in reverse is the answer for racism and discrimination,” he said. It is worth quoting Gonzalez at some length, as the dysfunctions he identified remained a fixture of the group:

As deeply as I must respect the intentions of the foundation, I must at the same time say that where it aimed to produce unity, it has so far created disunity. The Ford Foundation believed that the greatest need of this particular minority group [Mexican Americans] was to have some kind of effective national organization.... This good desire may have rested on a false assumption; namely that such a disparate group could, any more than our black brothers or our white 'Anglo' brothers, be brought under one large tent.

La Raza was “invented for the purpose of receiving the grant,” said Gonzalez, and in its first year of existence had “not given any assistance that I know of to bring anybody together,” existing only to “promote the rather odd and I might say generally unaccepted and unpopular views of its directors.”

And that's just it. Political scientist Peter Skerry describes groups such as La Raza as participants in a game called “elite network politics.” Even though these networks have “weak community ties,” the groups involved win policy brawls by participating in “a process of specialization and professionalization by which politics become more and more an insiders' game...a politics increasingly turned in upon itself and insulated from the surrounding social flux.”

In La Raza's case, that meant a turnstile relationship with the Obama Administration that the president himself boasted about. For example, Cecilia Munoz, a top La Raza lobbyist, became White House Domestic Policy Council. Government subsidies of La Raza went from \$4.1 million to \$11 million a year after she joined the Administration.

Nearly a half-century after Gonzalez spoke, La Raza was still engaging in “a scheme to funnel money to politically favored special interest groups,” as House Judiciary Committee Chairman Bob Goodlatte put it in a letter to Attorney General Eric Holder. Goodlatte was referring to an Obama Administration practice of settling Department of Justice lawsuits by “asking” corporate defendants to make large donations to groups such as La Raza.

Meanwhile, studies show that minorities want to join the mainstream. A leaked memo from ten years

ago made clear how strongly La Raza opposes this assimilation, for one simple reason: Assimilation is bad for business.

When people join the mainstream and feel they are part and parcel of the nation, they no longer view themselves as victims, and thus are no longer in need of groups such as La Raza. The competition between ethnic groups that these organizations want to perpetuate helps the increasingly cosmopolitan elites in obvious ways. Immigrants must maintain their foreignness lest they join forces with native blue-collar workers to check the upper classes. Diversity, says political commentator Michael Lind, is beloved by the elites of North America and Europe because it “reduces the likelihood that workers of different ethnicities will unite in a common front against economic elites.”

Some liberals are starting to call out this use of identity politics. The Indian-born British writer Kenan Malik, a visiting fellow at the University of Surrey, put it this way in a recent essay:

In practice, contemporary identity politics does little to challenge the roots of oppression. What it does do is empower certain people within those putative identities to police the borders of ‘their’ communities or peoples by establishing themselves as gatekeepers. It has allowed self-nominated authentic voices or community leaders to consolidate and protect their power. As solidarity has become redefined in terms of ethnicity or culture, so those who demand to be the voices of those ethnicities or cultures are afforded new privileges.

Such slouching toward ethnocracy can pose a threat to the nation-state whose pluralistic people are united through patriotic fellow-feeling. The aftermath of the recent hurricanes offers, on the other hand, an alternative view of what Americans accomplish when they look past race, ethnicity, or social class and pitch in as fellow citizens in a common cause.

Ethnic identity groups are not alone in empowering elites. NPR, PBS, and the other public broadcasters report the news from the perspective of a bien-pensant coalition that includes the bureaucracy, the academy, the entertainment industry, and the rest of the bi-coastal urban elite. The Corporation for Public Broadcasting gets about half a billion dollars a year from taxpayers to bring you their viewpoint.

One does not need to be a populist to think there is a problem in asking taxpayers to fund efforts that fuel insider networks—at the expense of said taxpayers. Let the fire sale begin.
<https://www.heritage.org/government-regulation/commentary/getting-rid-la-raza>

11 JUL 2012 NATIONAL COUNCIL OF LA RAZA

Introduction

The National Council of La Raza (“La Raza”) is a left-of-center Hispanic group that opposes many American immigration laws. La Raza describes itself as a civic-minded Hispanic advocacy group. Critics complain La Raza supports amnesty for illegal immigrants. La Raza believes that Hispanics in America are victims of terrible racism.[1] La Raza opposes English-only laws.[2] Critics contend that La Raza (literally translated “the race”) is part of a larger movement that seeks to extinguish United States borders and control much of the American west as the rightful owners of that land.

History And Mission

According to La Raza’s website, it is “the largest national Hispanic civil rights and advocacy organization in the United States” and it “serves all Hispanic subgroups in all regions of the country.”[3] La Raza works “to improve opportunities for Hispanic Americans,” who are, in its estimation, an oppressed minority.[4]

La Raza is an extension of the 1960s radical Chicano Movement.[5] It “was inspired in part by Mexican intellectual Jose Vasconcelos and his notion of ‘la raza cosmica,’ a superior cosmic race.”[6] In the 1960s, the Ford Foundation hired Herman Gallegos, Julian Samora, and Ernesto Galarza to head a national civil rights organization to advocate for Mexican-Americans. As a result of these efforts, the Southwest Council of La Raza (SWCLR) was founded in 1968. By 1973, SWCLR had become a national organization, now the National Council of La Raza. Today, La Raza vigorously advocates for racial preferences (affirmative action),[7] bilingual education,[8] mass immigration[9] and amnesty for illegal aliens.[10]

Work

La Raza's Institute for Hispanic Health works to reduce the incidence, burden, and impact of health conditions such as diabetes, heart disease, cancer, and HIV/AIDS in the Hispanic community. La Raza's Homeownership Network operates in 20 states and provides counseling on home buying and management. La Raza also has early childhood and secondary education programs which stress literacy, college preparation, and parental involvement. The organization's education programs also address the needs of Latino and English language students through a network of community-based charter schools. In addition, La Raza works to increase employment opportunities for Latino youth through its Escalera program. Youth leadership is also stressed in the Líderes initiative that links youth development organizations around the country into one national network. Through these programs, La Raza provides technical assistance to its network of community-based organizations around the country working on the same issues.

La Raza's policy team also works on a range of similar issues, including civic engagement, criminal and juvenile justice, wealth building, housing, education, and health. However, La Raza is most well known for its immigration advocacy. The organization advocates on behalf of Hispanics in the United States by conducting research and informing policy-makers about how proposed or existing legislation affects the Latino community.

Liberal Activism

La Raza co-sponsored the 2008 "Take Back America" conference. The Campaign for America's Future and the Association of Community Organizations for Reform Now (ACORN) also sponsored the event along with the AFL-CIO and other liberal groups. The primary mission of the conference was to mobilize voters to liberal causes. Calling it "the most expensive mobilization in history,"^[11] the liberal groups hoped to raise \$350 million.^[12]

LA Raza also has ties to Democratic politicians. In January 2012, President Barack Obama selected former La Raza senior vice president, Cecilia Muñoz, to serve as head of his Domestic Policy Council.^[13]

Controversy

In 1994, La Raza awarded Jose Angel Gutierrez its "Chicano Hero Award." Gutierrez is a political science professor at the University of Texas at Arlington, who memorably stated in 1969, "[w]e have got to eliminate the gringo, and what I mean by that is if the worst comes to the worst, we have got to kill him."^[14] In 2004, La Raza's Chicano hero proclaimed, "[w]e are the future of America. Unlike any prior generation, we now have the critical mass. We're going to Latinize this country."^[15]

La Raza has espoused that much of the United States belongs to the Chicano people and seeks to return that land to them.^[16] In 2006, then-Congressman (now deceased) Charlie Norwood (R-GA) explained that:^[17]

MEChA and the La Raza movement teach that Colorado, California, Arizona, Texas, Utah, New Mexico, Oregon and parts of Washington State make up an area known as 'Aztlán' — a fictional ancestral homeland of the Aztecs before Europeans arrived in North America. As such, it belongs to the followers of MEChA. These are all areas America should surrender to 'La Raza' once enough immigrants, legal or illegal, enter to claim a majority, as in Los Angeles. The current borders of the United States will simply be extinguished.

Funding

In 2005, La Raza received \$15.2 million dollars in federal grants,^[18] of which about \$8 million was in U.S. Department of Education grants for charter schools.^[19] According to Michelle Malkin, "undisclosed amounts went to get-out-the-vote efforts supporting La Raza political positions."^[20]

La Raza also has received funding from the American Express Foundation,^[21] the Allstate Foundation,^[22] the AT&T Foundation,^[23] the Bank of America Foundation,^[24] the Carnegie Corporation of New York,^[25] the Annie E. Casey Foundation,^[26] the Fannie Mae Foundation,^[27] the Ford Foundation,^[28] the Bill and Melinda Gates Foundation,^[29] the Joyce Foundation,^[30] the W. K. Kellogg Foundation,^[31] the John D. & Catherine T. MacArthur Foundation,^[32] the Open Society Institute,^[33] the David and Lucile Packard Foundation,^[34] the Rockefeller Foundation^[35] and the Verizon Foundation.^[36]

Leadership (As Of September 2011)

Janet Murguia, Chief Executive Officer (2008 Salary: \$325,726)

Charles Kamasaki, Executive Vice President

Lautaro Diaz, Vice President, Housing and Community Development

Delia Pompa, Senior Vice President, Programs (2008 Salary: \$152,119)

Sonia M. Perez, Senior Vice President, Affiliate Member Services (2008 Salary: \$143,072)

Delia de la Vara, Vice President, Strategic Communications Group

Eric Rodriguez, Deputy Vice President, Office of Research, Advocacy and Legislation

Dr. Jose A. Velazquez, Deputy Vice President, Affiliate Member Services

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<https://nationalcenter.org/ncppr/2012/07/11/national-council-of-la-raza/>

Unlimited illegal immigration—that's what a Biden administration wants, and that is what it will be able to get after Jan. 20.

It's no coincidence that the open-borders lobby has found a permanent home with leftists. It means pure political power.

It will be up to the American people to frequently and loudly voice their opinion that open borders and amnesty are wrong for America.

Unlimited illegal immigration—that's what a Biden administration wants, and that is what it will be able to get after Jan. 20.

This is perhaps the most important domestic policy issue at stake for America as we face single-party leadership in both chambers of Congress and the White House. And it couldn't come at a worse time for our country as Americans struggle to keep businesses open and regain a public health footing from the ongoing effects of the COVID-19 virus.

President-elect Joe Biden has a long record of calling for unlimited immigration.

In 2015, he was recalling a conversation he had with a former president of Singapore about what separates America. He stated that it was "an unrelenting stream of immigration—nonstop, nonstop."

He had previously expressed this desire to the National Association of Manufacturers, where he said that the "constant, unrelenting stream" of immigrants into the U.S. was the basis for our economic strength.

He emphasized that he wanted "not dribbling" amounts, but "significant flows."

With the left in control of the U.S. Senate, the Biden administration has a Congress available to rubber-stamp its most radical immigration agenda items. And make no mistake: The left will not waste this political opportunity. Its leaders understand that mass immigration historically transfers into more leftist voters.

It's no coincidence that the open-borders lobby has found a permanent home with leftists. It means pure political power. Look no further than California as Exhibit A.

So, what can the Biden administration do with a House and Senate controlled by the far left? First, it

can seek to legalize all illegal aliens within the U.S., with token exceptions for some hardened criminals.

Keep in mind that the U.S. doesn't even know how many illegal aliens are here, in part because the left has opposed any effort to try to better understand that number. The Biden team claims it is around 11 million, but other estimates top 22 million.

Such an amnesty effort would not make any attempt at assimilating illegal aliens into the U.S. mainstream—adopting our language, culture, and patriotism.

Second, the borders would be open and overrun. Promising amnesty has already resulted in a run on the border, or the “Biden Effect.” Once the wheels start moving toward the largest amnesty in our history, the Border Patrol would be overwhelmed by illegal aliens seeking to get their claim to the most prized passport in the world—and all the government benefits that come along with it.

Couple this green light with stand-down orders to the Border Patrol and Immigration and Customs Enforcement, and you have a recipe for absolute disaster without any limiting principle. A recent Gallup poll found that more than 158 million adults would migrate to the United States if they could.

With a Biden presidency and a leftist-controlled Congress, what will be able to stop them?

Third, scarce resources would be directed away from current Americans and toward amnestied immigrants. This means it would be open season on the buffet of federal government welfare programs, as well as the continued strain on America's job availability, education budgets, health care costs, and public safety resources.

Translation? Americans forced to compete for employment opportunities as wages decrease, crowded schools with burgeoning numbers of students who don't speak English, rising health care costs, increased COVID-19 spread, and more gang-related crime, as Americans have seen from the ruthless MS-13 where it has taken hold.

But as Biden says of illegal immigrants, “We owe them.”

Americans are directly affected by immigration policy in many important aspects of our lives—jobs, the economy, education, health care, crime, and national security.

Americans and lawful immigrants want our immigration laws enforced and our borders secured.

Yet, we are on the verge of having neither. With the White House and Congress under single-party leadership, it will be up to the American people to frequently and loudly voice their opinion that open borders and amnesty are wrong for America.

<https://www.heritage.org/immigration/commentary/america-may-soon-face-unlimited-illegal-immigration>

Crimes by Illegal Immigrants Widespread Across U.S.—Sanctuaries Shouldn't Shield Them
Sep 3, 2019 4 min read, COMMENTARY BY, Hans A. von Spakovsky
Election Law Reform Initiative Manager, Senior Legal Fellow

Hans von Spakovsky is an authority on a wide range of issues—including civil rights, civil justice, the First Amendment, immigration.

The appeals court in San Francisco overturned the conviction of Jose Inez Garcia-Zarate on a charge of being a felon in possession of a firearm. Non-citizens accounted for 24 percent of all federal drug arrests, 25 percent of all federal property arrests, and 28 percent of all federal fraud arrests.

In 2018, a quarter of all federal drug arrests took place in the five judicial districts along the U.S.-Mexico border.

Politicians who declare their jurisdictions to be sanctuaries for illegal immigrants who commit crimes are needlessly endangering their law-abiding citizens.

The decision by a California appeals court Friday overturning the conviction of an illegal immigrant who shot and killed Kate Steinle in San Francisco in 2015 once again put the national spotlight on the serious problem of crimes committed by people in the U.S. illegally.

The appeals court in San Francisco overturned the conviction of Jose Inez Garcia-Zarate on a charge of being a felon in possession of a firearm. Garcia-Zarate was earlier found not guilty of first- and second-degree murder, involuntary manslaughter and assault with a semi-automatic weapon.

Garcia-Zarate said he unwittingly picked up a gun, which he said was wrapped in a T-shirt, and it fired accidentally. The appeals court overturned his conviction on the firearm possession charge because it said the judge at his trial failed to give the jury the option of finding him not guilty on the theory that he only possessed the gun for a moment.

Opponents of federal efforts to enforce the immigration laws enacted by Congress repeatedly claim that illegal immigrants are “less likely” to commit crimes than U.S. citizens – and thus represent no threat to public safety. But that’s not true when it comes to federal crimes.

Non-citizens constitute only about 7 percent of the U.S. population. Yet the latest data from the Justice Department’s Bureau of Justice Statistics reveals that non-citizens accounted for nearly two-thirds (64 percent) of all federal arrests in 2018. Just two decades earlier, only 37 percent of all federal arrests were non-citizens.

These arrests aren’t just for immigration crimes. Non-citizens accounted for 24 percent of all federal drug arrests, 25 percent of all federal property arrests, and 28 percent of all federal fraud arrests.

In 2018, a quarter of all federal drug arrests took place in the five judicial districts along the U.S.-Mexico border. This reflects the ongoing activities of Mexican drug cartels. Last year, Mexican citizens accounted for 40 percent of all federal arrests.

In fact, more Mexicans than U.S. citizens were arrested on charges of committing federal crimes in 2018.

Migrants from Central American countries are also accounting for a larger share of federal arrests, going from a negligible 1 percent of such arrests in 1998 to 20 percent today.

Critics will try to downplay the importance of the Justice Department’s report by pointing out that the majority of crimes in the United States are handled by prosecutors in state and local courts. But even there the data is shocking.

A recent report from the Texas Department of Public Safety revealed that 297,000 non-citizens had been “booked into local Texas jails between June 1, 2011 and July 31, 2019.” So these are non-citizens who allegedly committed local crimes, not immigration violations.

The report noted that a little more than two-thirds (202,000) of those booked in Texas jails were later confirmed as illegal immigrants by the federal government.

According to the Texas report, over the course of their criminal careers those illegal immigrants were charged with committing 494,000 criminal offenses.

Some of these cases are still being prosecuted, but the report states that there have already been over 225,000 convictions. Those convictions represent: 500 homicides; 23,954 assaults; 8,070 burglaries; 297 kidnappings; 14,178 thefts; 2,026 robberies; 3,122 sexual assaults; 3,840 sexual offenses; 3,158 weapon charges and tens of thousands of drug and obstruction charges

These statistics reveal the very real danger created by sanctuary policies. In nine self-declared sanctuary states and numerous sanctuary cities and counties, officials refuse to hand over criminals who are known to be in this country illegally after they have served their state or local sentences.

This refusal to cooperate with federal immigration officials suggests that state and local officials supporting the sanctuary movement believe it’s better to let these criminals return to their communities rather than being removed from this country. Not all of their constituents would agree.

The Texas report is careful to note that it is not claiming “foreign nationals” commit “more crimes than other groups.” Whether that is true or not – and it is certainly true when it comes to federal crimes – is irrelevant.

What is highly relevant to the current debate about immigration policy is that the Texas report “identifies thousands of crimes that should not have occurred and thousands of victims that should not have been victimized because the perpetrators should not be here.”

We know that in Texas and around the country some individuals would be alive today – and their families would not be mourning their loss – if we had a secure border and an effective interior enforcement system.

Instead of trying to obstruct enforcement of our immigration laws, state and local officials should do everything they can to help the feds reduce the very real – and all too often fatal – dangers posed by criminal illegal immigrants.

One of the worst recent examples of a state official who refuses to help federal immigration authorities carry out their duties is North Carolina Gov. Roy Cooper.

The Democratic governor recently vetoed a bill that would require local law enforcement to cooperate with federal immigration authorities. Cooper did so just days after Immigration and Customs Enforcement (ICE) agents captured an illegal immigrant charged with first-degree rape and indecent liberties against a child.

The man arrested in that crime was on the loose because he had been released from custody by county officials, despite the existence of a federal detainer warrant for him.

Politicians who declare their jurisdictions to be sanctuaries for illegal immigrants who commit crimes are needlessly endangering their law-abiding citizens. That is shameful.

This piece originally appeared in Fox News

<https://www.heritage.org/crime-and-justice/commentary/crimes-illegal-immigrants-widespread-across-us-sanctuaries-shouldnt>

Idaho Governor Selling His State to the Chinese?, by Joe Wolverton, II, J.D. June 9, 2011

In a letter proudly publicized on a state-sponsored website, Idaho Governor Butch Otter (left, a Republican) describes a program designed to “grow Idaho's Gross Domestic Product” by creating “quality jobs for all Idahoans by fostering systemic growth, recruiting new companies to Idaho, and selling Idaho's trade and investment opportunities to the world.” The following is from Governor Otter's announcement of the plan known as Project 60. Project 60 is just a name. But it stands for a goal, and a way of getting there.

It means more than some abstract concept for increasing our gross domestic product. It means jobs and opportunity, hope and independence for the people of Idaho. That's what I want you to think about when you hear about Project 60. This is an initiative in which we all need to be involved, to build Idaho's economy together in a way that strengthens our businesses, people and communities.

No state or local agency, no government of any kind can successfully tackle this kind of goal alone. Project 60 belongs to all of us and it needs all of us to be champions of this effort. Today, I invite you to be a Project 60 Partner. This Web site is built for you to participate in the process.

Consider this “home base” for Project 60. This is where you will have the chance to offer “Top-to-Top” help in our efforts to recruit new and expanding businesses to Idaho, the chance to tell us about networking opportunities with your vendors and customers in other states, and the chance to become an ambassador for Idaho's future. I want you to tell us about your own success stories and offer us tips and advice about what it takes to thrive in business here.

That brief introduction should be memorized by students trying to learn the craft of political speechifying. There is in Governor Otter's letter nothing of substance, plenty of weasel words, and an extraordinary display of misdirection all designed to lull the citizens of the sovereign state of Idaho into a stupor while their state is sold to the Chinese.

A recent article described the goal of Project 60 in slightly less rosy terms. "Idaho, under the stewardship of Governor Butch Otter, has opened the door for a Chinese invasion...."

The details of the scheme seem to support that analysis. In very unclear terms, one of the principal planks of the Project 60 platform is known as "Inward Foreign Direct Investment." As laid out on the Project 60 website, this portion of the plan will increase Idaho's role "in global business" by providing foreign industry with "a strong impetus to economic development."

The "impetus" is a two-pronged attack on Idaho's domestic workforce (read: the middle class). First, through Project 60, foreign business interest are encouraged to take advantage of favorable national immigration laws.

Specifically, "The U.S. Citizenship and Immigration Service administers an immigrant investor visa program called EB-5. The program grants foreigners permanent U.S. residency in exchange for helping create U.S. jobs." This prong will facilitate the immigration of Chinese nationals into the United States for the purpose of establishing a Chinese industrial beachhead in Idaho, under the guise of creating U.S. jobs.

The second phase involves the granting of tax breaks to the foreign companies. In exchange for an investment of between \$500,000 and \$1 million (depending on whether the target zone is rural or urban, respectively), the foreign investor receives tax incentives.

A story published recently on cnsnews.com explains how Idaho's plan dovetails perfectly into the overall scope of China's economic policy vis a vis its holdings in the United States. As reported by cnsnews.com:

China has dropped 97 percent of its holdings in U.S. Treasury bills, decreasing its ownership of the short-term U.S. government securities from a peak of \$210.4 billion in May 2009 to \$5.69 billion in March 2011, the most recent month reported by the U.S. Treasury.

And:

Until October, the Chinese were generally making up for their decreasing holdings in Treasury bills by increasing their holdings of longer-term U.S. Treasury securities. Thus, until October, China's overall holdings of U.S. debt continued to increase.

Since October, however, China has also started to divest from longer-term U.S. Treasury securities. Thus, as reported by the Treasury Department, China's ownership of the U.S. national debt has decreased in each of the last five months on record, including November, December, January, February and March.

The Chinese, by wisely divesting itself of American treasury securities, can take advantage of our federal system (the co-existence of two equal sovereignties) and keep its fingers in American pies by establishing powerful outposts in the 50 states, thus by-passing the chokehold held over the national economy by the bust/boom cycle perpetuated by the Federal Reserve.

Put simply, Idaho (and reportedly other states, as well) are offering the Chinese a way to dump their useless treasury bonds without sacrificing the strength of their clamp on the economic pipeline of American industry.

The specifics of the wheeling and dealing between Idaho's state government and their Chinese counterparts are unclear with a few exceptions. What is known is that "top Idaho officials have been traveling to China and entertaining the Chinese here, in order to help facilitate this."

The result of these junkets? American Falls, Idaho will soon be home to a Chinese-owned fertilizer plant. A significant swathe of land south of Boise (about thirty thousand acres) was bought by China, a purchase Idaho's governor promises will "reinvigorate our American industrial base."

Idaho may be leading the race to court China, but according to The New American's own Bill Jasper, Idaho's southern neighbor is running full speed toward that same goal. From Jasper's article published

last month:

Utah's Governor Gary Herbert, who led an April 2011 trade delegation to Beijing and Shanghai, said he was amazed by the scale of Chinese development and construction and impressed by the business community's "embracement of free market principles." Utah will host Governors from China's provinces at the U.S. National Governors Association in Salt Lake City this July.

Governor Herbert got considerable help with China connections from former Utah Governor Jon Huntsman, who has served for the past couple of years as the Obama administration's ambassador to China. Huntsman, the millionaire scion of the famous Huntsman chemical empire, is leaving the diplomatic corps to throw his hat in the GOP 2012 presidential sweepstakes. His ambassadorial slot is being filled by U.S. Commerce Secretary — and former Washington State Governor — Gary Locke, also an enthusiastic China booster. When confronted directly by constituents with questions about the ethical, practical, and national security implications of questionable business deals with the communist-controlled "People's Republic," the usual response from the China boosters is a flippant remark along the lines of: "Heh, heh, don't you know, China is Communist in name only; they're more capitalist than we are."

Constitutionalists of all states must voice their opposition to the wide avenues being paved for China into our state economies. These agreements may soon leave us without the the check on "all encroachments of the national government" our Founders intended the states to be. Joe Wolverton II, J.D., is the author of the books *The Real James Madison* and "What Degree of Madness?": *Madison's Method to Make America STATES Again*. His latest book — *The Founders' Recipe* — provides selections from the 37 authors most often quoted by the Founding Generation. He hosts the YouTube channel "Teacher of Liberty" and the Instagram account of the same name. <https://thenewamerican.com/idaho-governor-selling-his-state-to-the-chinese/>

Indian-American Nikki Haley listed herself as 'white', Democrats slam her
PTI | Jul 29, 2011, 08.16 PM IST

WASHINGTON: Democrats have accused South Carolina's Indian-American governor Nikki Haley of listing her race as "white" in her voter registration form in 2001 and playing on it for political convenience.

Haley created history this year as she was sworn in as first women governor of South Carolina. She is also the first governor of Sikh heritage.

39-year-old Haley is also the first Indian-American woman governor and after Bobby Jindal from Louisiana is only the second from the community to occupy this post.

The local Post and Courier reported that the state Democratic Party, which first obtained the public record in this regard, is challenging whether her inconsistency on the card might have made her ineligible to voter under the state's new Voter ID law.

State Democratic party chairman Dick Harpootlian said whether Haley listed her race as white or not doesn't really matter to him, but the issue is that the governor has shown a pattern of such actions. "Haley has been appearing on television interviews where she calls herself a minority -- when it suits her," Harpootlian was quoted as saying.

"When she registers to vote she says she is white. She has developed a pattern of saying whatever is beneficial to her at the moment," he said. "She can't even tell the truth about her racial heritage."

There was no immediate response from Haley's office. The state election commission gives people the choice of declaring their race as white, black/African-American, Asian, Hispanic, native American or other, the agency's spokesman Chris Whitmire said.

<https://timesofindia.indiatimes.com/world/us/Indian-American-Nikki-Haley-listed-herself-as-white-Democrats-slam-her/articleshow/9411143.cms>

https://static.dw.com/image/45817675_303.jpg

<http://magarticles.magzter.com/articles/5/198186/584176c581b90/Nikki-Haley.jpg>

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<https://images.celebfamily.com/wp-content/uploads/2016/10/Nikki-Haley-Family-320x341.jpg>

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<https://topicsindia.com/wp-content/uploads/2014/11/L-R-Nikki-Haleys-mother-Raj-Randhawa-father-Dr>

.jpg

https://images.indianexpress.com/2013/12/nikki-haley_us.jpg?resize=450

The United States native born people and government will do anything for illegal aliens, foreign nationals, and immigrants before the honorable Mulatto/Mixed/Mestizo American descendants of United States slaves. Over nine thousand OMB Control Number: 1653-0049 written reports were submitted to the Department of Homeland Security for "Employment/Exploitation of Unlawful Workers" from October 26, 2020 to September 6, 2023 to stop the United States of America from being silently taken over by illegal aliens, foreign nationals and unlawful immigrants. That equals \$650,000,000.00 in unpaid time, labor, and work which is unsatisfied. 3 March 2022 was the date the United States was on schedule to be under foreign rule with an official announcement on 1 June 2022. If the reports were not voluntarily submitted to the Department of Homeland Security the natural born citizens of the United States would have been scheduled for extermination. The United States federal government is libel for a minimum of \$6.6 million and the individual states are libel for a minimum of \$3.4 million for the harmful affects, brutality, cruelty, pain and suffering caused by slavery to Mulatto/Mixed/Mestizo American descendants of slaves which should include additional penalties and interest. This restitution is a valid and legitimate justice claim against the federal and state governments based on violations of a distinct and specific people's human rights and civil rights who have been enumerated by decennial censuses. The first United States federal census commenced on 1 November 1790 and lasted for six months. These people are natural born citizens of the United States of America whose lineage reflects those who founded, settled, built and established the nation on 30 July 1790 the date of constitution.

Why are the ethnic and racial terms for Mulatto and Mestizo people interchangeable in the United States of America?

Is this not public law?

Curtis Marez is Professor of Ethnic Studies at the University of California, San Diego. He is the author of Farm Worker Futurism: Speculative Technologies of Resistance and University Babylon: Film and Race Politics on Campus.

MESTIZO/A

BOOK KEYWORDS FOR AMERICAN CULTURAL STUDIES

The terms "mestizo" (masculine) and "mestiza" (feminine) come from sixteenth-century Portuguese and Spanish, but over the past few hundred years, they have been incorporated into US English. In general, "mestizo/a" refers to racial and cultural mixing among Europeans, Indians, and Africans. As nouns, "mestizo" and "mestiza" refer to a mixed man and woman, respectively, but the word may also be used as an adjective, as in "the mestiza writer" or "a mestizo nation." The process of such mixing is called "mestizaje." These words have long and complex histories in diverse parts of the world, including Asia and the Americas, but their most prominent usages in American studies and cultural studies scholarship have referred to the Mexico/US borderlands. In that context, the meanings of "mestizo" have been intimately shaped by dominant and oppositional political movements.

<https://keywords.nyupress.org/author/cmarez/>

MULATTO: A Mulatto is legally considered to be an individual with mixed black and white heritage. However, some individuals who were designated mulattos may have a slightly more mixed parentage, perhaps including Native American blood.

<https://www.genealogy.com/articles/research/glossary-m.html>

Mulatto is legally considered to be an individual with mixed black and white heritage. Though, some individuals who were designated mulattos may have a slightly more mixed parentage, including Native American blood. The term mulatto is used to describe a person with one white parent and one black parent, or a person whose ancestry is a mixture of black and white. The term mestiço is used to describe people of mixed European and African ancestry in Africa. Historian Lezley Saar, professor

emerita from Mulatto University and a lifelong outspoken activist for the Mulatto Movement, traces the history of the Mulatto Nation from its bumpy beginnings to its conflicted present.

The term mulatto may be derived from the Portuguese and Spanish word mulato, a small mule. The term mulatto may have origins in the Arabic term muwallad, which means "a person of mixed ancestry". Miscegenation is the interbreeding of Whites and non-Whites. May 13th is Mulatto Day in Brazil. In the United States the term mulatto is no longer commonly used. The term mulatto existed as an official census category until 1930.

In the Southern United States, mulattos inherited slave status if their mothers were slaves. In the United States, "mulatto" was also used as a term for those of mixed white and Native American ancestry during the early census years.

In Haiti mulattos represented a smaller proportion of the population than in many other Latin American countries. Many mulattos were slaughtered by Black Haitians during the wars of independence in order to secure Black political power over the island. Earlier some Black volunteers had already aligned themselves with the French against the mulattos during the first and second mulatto rebellion. Mulattos initially possessed legal equality with the white French population.

Mulattoes represent a large portion of various countries' populations in Latin America. The Africans brought to Mexico were absorbed by the mestizo populations of mixed European and Amerindian descent. The state of Guerrero once had a large population of African slaves.

<http://sociologyindex.com/mulatto.htm>

Race and Ethnicity on the Census

Home > Genealogy > Reference > Census > "Race Codes"

"White", "Black", "Mulatto", "Indian", "Free Colored", etc.

In the 1700's and early to late 1800's the Federal Government seemed to only recognize four "races": White, Black, Mulatto and Indian. Later they added categories for "Chinese" and in more recent years they have added many more.

The race codes used on the census were almost always based on the census takers opinion. He probably didn't ask the family what race they considered themselves, though that may have happened some.

(W) White generally meant a person of European origin with lighter skin color. The main columns of data on the 1790 through 1840 census records were for "Free Whites." In 1850 and later census records, "White" people had a race code of "W" in the "Color" column (or left blank in 1850 and 1860).

(B) Black generally meant a person of African origin with darker skin. In the early days most blacks in America were held in slavery, though not all were. The 1790 through 1840 census included columns for "Slaves" as well as columns for "Free Colored" (or "Other" in 1790). In 1850 and later census records, "Black" people were listed with a race code of "B" in the "Color" column or "N" in some cases for "Negro."

(M) Mulatto generally means a person of mixed race, part black and part white, technically 50% of each meaning one black parent, one white. Of course the term was also applied to people who weren't "half and half" but had some degree of African ancestry as determined by skin color.

In the early years of the census there were not enough race codes to cover every possible race. Therefore many people were listed as "Mulatto" who were of some other origin besides part black and part white. Keep in mind that those listed as Mulatto could be mixed Black-White, White-Indian, Black-Indian, or a combination of all three (Black, Indian and White, also called "Tri-Racial"). This doesn't even account for those who might be dark skinned but of some other origin (Melungeon, "Black Dutch", North African Moors, Sephardic Jews, Middle Eastern, Asian, etc.). As you can imagine, this was a "catch-all" category on the early census records.

In 1790, any free person considered "Mulatto" or "non white" would have been listed in the "Other" columns. In 1800 through 1840, they would have been included in the "Free Colored" columns. In 1850 and later, they would have been listed with a race code of "M" in the "Color" column. In many cases you'll find these same people listed as "White" on some census records, so it makes you wonder what the census taker based it all on.

(I) Indian refers to those Native Americans or aboriginal peoples who were in America prior to the European and African arrivals. The Federal Census records included very clear instructions that Indians were not to be listed, and in most cases that was followed. Some early census takers (in 1850 in Western North Carolina for example) made exceptions, and listed Indians under race code of "I" or "In" or "Ind." Later census records included special schedules just for Indians. You will not find Indians listed on the 1790 through 1840 census, though you might find some who were part-Indian. If they were listed at all those years, they would be in either the "White" columns, or in the "Free Colored" columns depending on the whims of the census taker.

"Free Colored" was used as a category on the 1790 through 1840 census (listed simply as "Other" in 1790). As I mentioned above under the "Mulatto" section, "Free Colored" could mean almost anything. The census taker used his own discretion to determine who fit in this category, so it is hard to say what the dividing line was between "White" and "Colored" in his mind. A "Free Colored" person could be a black person who was not a slave, or it could be person who had some African ancestry and some European, or it could be someone of some other origin, but who had dark skin or in some other way did not fit the census takers idea of what "white" was. Here are some possibilities for identities of "Free Colored" persons in these records:

A Black person of African origin who was not a slave.

A person who was of mixed blood, being part Black and part White (officially a "Mulatto").

A person who was of mixed blood, being part White and part Indian (Native American), sometimes called a "Mestizo" but usually not referred that way on the census records.

A person who was of mixed blood, being part Black and part Indian.

A person who was of mixed blood, being part Black, White and part Indian ("Tri-racial").

A "Melungeon", which is of questionable origin, but had darker than average skin, but "white" features. No one knows for sure where the Melungeons originated, but the most common claim is that they are of Portuguese origin.

"Black Dutch", which may or may not mean persons who originated in Moorish regions of Spain or North Africa (including Sephardic Jews), who later migrated to the Netherlands, where their darker skin gave them the title of "Black Dutch". They later came to America. This is just one theory about who the "Black Dutch" were.

If you look around America today, you see a large portion of the population is of Hispanic origin, i.e. originating from Spanish speaking regions of Central and South America or the Caribbean. Many of these have darker skin, and if any of them were here in the 1790-1840 timeframe perhaps they too were included in the "Free Colored" columns.

I don't think there were many people of Asian origin here in this timeframe, but I would wager that they too would have been put in the "Free Colored" columns. The "Chinese" category was not added until 1870. Presumably other Asians were included here whether Chinese or not.

<http://www.martygrant.com/genealogy/reference/census-race-codes.htm>

How the Census collected race and ethnicity data from 1790 to 2020

See how the federal government has gathered race and ethnicity information as the reasons for doing so have changed over the centuries.

Updated on Wed, May 26, 2021 by the USAFacts Team

Home/Population and society/Articles/How the Census collected race and ethnicity data from 1790 to 2020

The Constitution requires a census every 10 years. How the government counts people by race has changed substantially over the decades. Racial categories emerged, disappeared, and came back

again. Ethnicity became a category distinct from race in the 1980 census because Hispanic people can be of any race. Today, the Census Bureau notes that all race data is based on self-identification. It also states the racial and ethnic categories in census questionnaires “generally reflect a social definition of race recognized in this country and [are] not an attempt to define race biologically, anthropologically, or genetically.”

Reviewing how the Census handled questions of race and ethnicity over the decades sheds light on how the government viewed its people. Changes in how the government collects and counts race and ethnicity data since the first census have affected everything from congressional representation to the enforcement of civil rights laws to the funding of federal programs.

Please note: Several historical government terms for specific races or ethnicities could be considered offensive to modern readers.

A timeline from 1790 to 2020 shows how census race and ethnicity questions have evolved. In the first census in 1790, the federal government collected race data in three categories: free white people, “all other free persons,” and slaves. Three-fifths of the slave count went towards a state’s population figures used to determine apportionment of congressional seats.

The “all other free persons” included free Black and a subset of Native Americans who lived under US jurisdiction. Other Native Americans were considered “Indians not taxed,” a term used in the Constitution to refer to the Native population who lived outside of US jurisdiction. Native Americans would not be fully included in a count until 1900.

Published results of the 1790 census. Census Bureau.

The 1820 census renamed the “all other free persons” category to “free colored persons.”

Blank certificate for the 1820 census confirming population numbers in particular geographies. Census Bureau.

For free people, the 1850 edition offered three “color” options on the census for free people: “White, black, or mulatto.” Census instructions provided no guidance on how Native Americans living under US jurisdiction would be counted. “Mulatto”, meaning someone of mixed white and Black ancestry, would be on the census through 1920. According to the 1870 instructions to census workers, “important scientific results depend upon the correct determination of this class.”

A count of free residents in Scituate, Mass., for the 1850 census. Census Bureau.

The 1850 and 1860 censuses had separate forms for enslaved people. Those people were counted under the name of their owners.

A count of slaves in Monroe County, Ala., for the 1860 census. Census Bureau.

The 1860 census added “Indian,” though it still did not include Native people who were not under US jurisdiction.

In 1870, the census also introduced “Chinese” as a category nationwide, the first time the census counted any Asian identity.

The 1870 census form. Census Bureau.

The 1870 census was the first post-Civil War census and did not count people as slaves. People previously counted as slaves appeared in the “free colored” section of published results, and were counted as one person, not three-fifths, for congressional apportionment. It was the first census to

document the surnames of former slaves.

Published 1870 census results provide counts for “colored,” “free colored,” and “slaves.” Census Bureau.

The 1890 census introduced the Japanese category and offered two new mixed-race categories: “quadroon” — according to instructions someone with one-fourth “black blood” — and “octoroon” — someone with one-eighth or less “black blood.”

An 1890 census form. Census Bureau.

The 1900 form dropped the two new mixed-race categories. The 1900 census was also the first to count all Native Americans, both on reservations and in the general population.

A 1900 census form. Census Bureau.

The 1910 census added an “other” category. Counters were instructed to note the details of the person’s race when using “other,” suggesting that people could identify with a race that wasn’t listed for the first time.

Instructions for 1910 census workers. Census Bureau.

Four color or race categories were introduced in 1930: “Mexican,” “Filipino,” “Hindu,” and “Korean.” The “Hindu” category would appear again in the 1940 census, after which it was no longer a category.

Black Americans were coded as “Negro,” the first time that term was used as a racial category in the census. Censuses used the term was used until 2010, sometimes combined with the terms “Black” and “African American.”

The 1940 census dropped the “Mexican” category. According to the instructions for counters in 1940, “Mexicans are to be regarded as white unless definitely of Indian or other nonwhite race.” From 1950 to 1970, the census counted white people with Spanish surnames in five states: Arizona, California, Colorado, New Mexico, and Texas.

A 1950 census form. Census Bureau.

After Alaska and Hawaii became states in 1959, the 1960 census named four new categories: “Hawaiian,” “part Hawaiian,” “Aleut,” and “Eskimo”. The 1970 form kept the “Hawaiian” category and dropped the other three.

A 1960 census questionnaire. Census Bureau.

Two federal changes in the 1970s affected the 1980 census. A 1976 law required the federal collection of data on people of “Spanish origin or descent.” Then a 1977 directive established race and ethnicity data collection standards across the federal government. The standards were intended to enforce civil rights laws.

The 1980 form had several additional options in the race category, adding back “Eskimo” and “Aleut” while introducing “Vietnamese,” “Asian Indian,” “Guamanian”, and “Samoan”. As a result of the 1976 and 1977 changes, the 1980 census introduced the idea of “Spanish” or “Hispanic” origin in a separate question, offering options to identify as “Mexican”, “Puerto Rican”, “Cuban”, or “other”. This is the first time the Census asked about ethnicity separate from racial identity.

The 1990 form grouped all "Asian or Pacific Islander (API)" options for race under the same header and added an "other API" write-in option. It also provided write-in options for people identifying as "Spanish/Hispanic."

A 1990 census questionnaire. Census Bureau.

After a change to the 1977 directive separated the Asian and Pacific Islander categories, the 2000 form offered different write-in options for "other Asian" and "other Pacific Islander." The 2000 form was also the first to instruct people to mark "one or more races." It also added the term "Latino" alongside "Spanish" and "Hispanic" for ethnicity.

A 2000 census questionnaire. Census Bureau.

The 2010 census added write-in examples for "other Asian" and "other Pacific Islander."

A 2010 census questionnaire. Census Bureau.

The 2020 census offered Black and white Americans the opportunity to write in their ethnic origins for the first time.

A 2020 census questionnaire. Census Bureau.

SOURCES & FOOTNOTES

Census Bureau

Through the Decades

National Archives

Native Americans in the Census, 1860-1890

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Who is Veronique De Rugy?

Veronique de Rugy is a senior research fellow at the Mercatus Center at George Mason University. Her primary research interests include the U.S. economy, the federal budget, homeland security, taxation, tax competition, and financial privacy. Her popular weekly charts, published by the Mercatus Center, address economic issues ranging from lessons on creating sustainable economic growth to the implications of government tax and fiscal policies. She has testified numerous times in front of Congress on the effects of fiscal stimulus, debt and deficits, and regulation on the economy.

De Rugy writes regular columns for Reason magazine and the Washington Examiner, and she blogs about economics for National Review. Her charts, articles, and commentary have been featured in a wide range of media outlets.

Previously, de Rugy was a resident fellow at the American Enterprise Institute, a policy analyst at the Cato Institute, and a research fellow at the Atlas Economic Research Foundation. Before moving to the United States, she oversaw academic programs in France for the Institute for Humane Studies Europe. She received her MA in economics from the Paris Dauphine University and her PhD in economics from the Pantheon-Sorbonne University.

Special-Interest Politics Is a Lot of What Infrastructure Is About, By VERONIQUE DE RUGY, June 24, 2021 1:01 PM

Opinion polls show that increases in infrastructure spending are usually popular. I assume that's because people have no clue about what are in the bills or the distortions that federal intervention creates. I am thinking that most people also hear the word infrastructure and think it's about roads and bridges. Who doesn't want well-maintained roads, especially when we are constantly and incorrectly told that our infrastructure is crumbling?

Because of the way politicians talk about federal involvement in infrastructure, people tend to assume that without it there would be no infrastructure or poor infrastructure. It is, of course, nonsense, since the biggest owner of and investor in infrastructure is the private sector, and the federal government with all its rules and regulations is more like the tail that wags the dog — often in very counterproductive ways.

Then there are all the people who believe that infrastructure spending will boost the economy, which is rarely the case, especially in the short term. That's in part because infrastructure packages have become a perfect vehicle for politicians to reward their political allies through blatant cronyism and favoritism.

Just look at how the U.S. House of Representatives treats private freight-rail carriers in its transportation bill, due on the floor next week for a vote. Transportation and Infrastructure Committee chairman Peter DeFazio (D., Ore.) and his friends view their transportation legislation as the perfect place to advance organized labor's lobbying agenda in totality. Never mind that large and profitable railroad companies such as CSX and Union Pacific don't need a transportation bill because they pay for their own systems, and railroads are the most environmentally efficient way to move goods on land. I guess they fail to see the irony of disadvantaging a transportation mode they supposedly value in favor of union featherbedding and more-polluting competitors. They also fail to see the irony in showering large profitable companies with subsidies while constantly complaining about big

companies getting their way at our expense.

Their commitment to labor unions is also obvious in the long-running debate on how many people need to sit physically in the cab of a freight locomotive, which currently stands at two. Some background:

In 2016, the FRA proposed a rule requiring that freight train crews have at least two operators. It initially claimed, without evidence, that one-person crews are inherently more dangerous than two-person crews. Regulators assumed that increasing the number of operators was the most effective way to improve freight railway safety.

Three years later, the FRA rescinded the rule on the grounds that data couldn't establish that two operators were safer than one. Unfortunately, in 2021, the Ninth Circuit vacated the FRA's order. Now, the Democrats, encouraged by their union friends, are hoping to impose the mandate by statute. This comes as the railroads have invested billions in technology that would enable them to move rail workers outside the cab to more productive work — something rank-and-file employees probably value, but the battle on this issue has resurfaced union fear about reducing the number of fee-paying members.

This is problematic in several fronts. First, as my Mercatus colleague Patrick McLaughlin's work demonstrates, if safety is the goal, private-sector innovation is the way to go. Also, crew-size mandates can have counterproductive effects of their own. Back in 2016, he noted:

A careful analysis of the historical causes of safety improvements in rail transportation indicates that track and equipment expenditures are much more important to safety than crew size. . . . Beyond maintenance and equipment, using automation to reduce accidents caused by human error also has a proven track record. The danger in mandating something that's not obviously effective, such as minimum crew sizes, is that states will end up shifting the industry's scarce resources away from what obviously is effective. This can also hinder further development of innovative technologies that can deliver even greater safety.

This is why you don't have to be a raging libertarian to believe that this is not a great idea. In fact, in his Slow Boring newsletter on trains in America titled, "We should try to make good trains," Matt Yglesias writes:

This is an extremely tedious battle that's been passing back and forth for years, originating in the ongoing rollout of Positive Train Control technology on American railroads. Freight operators want to take advantage of this technology to, in some cases, cut back train staffing to just a single person. Labor interests don't want to lose the jobs ... If Democrats got their way on this, freight shipping would be a bit more expensive than it should be and more cargo would go in trucks and it would be worse for the environment.

I could go on and on about how much of infrastructure spending today and in the past has to do with pleasing unions and other special interests. I would also like to think that if people knew what is actually going on, they would withdraw their blind support for more money always going to infrastructure. I am probably dreaming.

<https://www.nationalreview.com/corner/special-interest-politics-is-a-lot-of-what-infrastructure-is-about/>

Who is Catherine Austin Fitts?

Catherine Austin Fitts served as managing director and member of the board of directors of the Wall Street investment bank Dillon, Read & Co. Inc., as Assistant Secretary of Housing and Federal Housing Commissioner at the United States Department of Housing and Urban Development in the first Bush Administration, and was the president of Hamilton Securities Group, Inc. Catherine has designed and closed over \$25 billion of transactions and investments to-date and has led portfolio and investment strategy for \$300 billion of financial assets and liabilities. Catherine graduated from the University of Pennsylvania (BA), the Wharton School (MBA) and studied Mandarin Chinese at the Chinese University of Hong Kong.

Catherine's experiences on Wall Street and in Washington D.C. are chronicled in *Dillon Read and the Aristocracy of Stock Profits* (available in German, French and Spanish) and her personal history investigating the money missing from the US federal government:

"Long ago, I made a promise that I would never act against the best interests or the excellence of my own people—that I would do my best to ensure that we were worthy of the stewardship of our world and that we did our best to leave a better world for generations yet to come. To make and keep such a promise is to understand that money and position are tools, not goals, and that death is not the worst thing that can happen. Some would probably accuse me of 'fighting the tape' and not being 'good at the game.' I would tell those people that now is not the time in the history of our people for a failure of imagination."

<https://www.youtube.com/watch?v=iK5V89fU61Y>

THIS IS HOW THE UNITED STATES OF AMERICA SHADOW GOVERNMENT IS FUNDING THEIR AGENDA TO BRING AS MANY FOREIGN NATIONALS, ILLEGAL ALIENS, AND IMMIGRANTS TO TAKE OVER THEIR NATION WHICH IS ABSOLUTE TREASON AND BETRAYAL OF THE UNITED STATES CONSTITUTION:

DOD and HUD \$21 Trillion Missing Money: Report & Supporting Documentation

"No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of receipts and expenditures of all public money shall be published from time to time." ~ Article I, Section 9, Clause 7, U.S. Constitution

September 2017 Report

Solari Report: Interview with Dr. Mark Skidmore, Thursday, September 28, 2017

Summary Report on "Unsupported Journal Voucher Adjustments" in the Financial Statements of the Office of the Inspector General for the Department of Defense and the Department of Housing and Urban Development.

Dr. Mark Skidmore

Mark is professor of economics and agricultural, food and resource economics at Michigan State University, where he holds the Morris Chair in State and Local Government Finance and Policy. He received his doctorate in economics from the University of Colorado in 1994, and his bachelor's degree in economics from the University of Washington in 1987. Mark is Co-editor of the *Journal of Urban Affairs*. His website is Lighthouse Economics at <https://mark-skidmore.com/>

Catherine Austin Fitts

Catherine is the president of Solari, Inc., publisher of the Solari Report, and managing member of Solari Investment Advisory Services, LLC. She served as managing director and member of the board of directors of the Wall Street investment bank Dillon, Read & Co. Inc., as Assistant Secretary of Housing and Federal Housing Commissioner at the US Department of Housing and Urban Development in the first Bush Administration, and was the president of Hamilton Securities Group, Inc. Her experience on Wall Street and Washington is described in her book *Dillon Read & Co. & the Aristocracy of Stock Profits*. Catherine graduated from the University of Pennsylvania (BA), the Wharton School (MBA).

Update – October 5, 2017

On October 5, 2017 we discovered that the link to the report "Army General Fund Adjustments Not Adequately Documented or Supported" had been disabled. Within a several days, the links to other OIG documents we identified in our search were also disabled. The sequential non-random nature of this disabling process suggests a purposeful decision on the part of OIG to make key documents unavailable to the public via the website, as opposed to website reorganization, etc. We also revisited the website intermittently to see whether the documents had been reposted under different URLs—until very recently they had not been reposted.

Update – December 11, 2017

On December 11, 2017, we learned that key documents had been reposted on the OIG website, but

with different URLs. Documents now appear to be reposted on new URLs. As we find the new URLs we are adding them in the footnotes entitled “new link” next to the original link.

Update – December 12, 2017

Subsequent to the publication of Dr. Skidmore's report, the Office of the Inspector General at the Department of Defense (DOD) and the Department of Housing and Urban Development (HUD) took reports off line, consequently our primary links in the table below are to the same documents posted on our website. We have preserved the original DOD and HUD links in the footnotes – if they result in a 404 error or not found message, this indicates they were taken down or moved subsequent to publication.

Update – June 6, 2018

Update on the \$21 Trillion in Unsupported Adjustments at the Department of Housing and Urban Development and the Department of Defense

Update – September 18, 2018

Early this year the Pentagon announced that it was conducting its first ever independent audit. However, several months after beginning the audit, the government accepted the recommendations of the Federal Accounting Standards Board: <https://fas.org/sfp/news/2018/07/fasab-review.pdf> (see page 3 for a summary). The statement allows government officials to misstate and move funds around to hide expenditures if it is deemed necessary for national security purposes, and the rule applies to all agencies, not just the black budget. Here is an excerpt from the report:

This Statement permits modifications that do not affect net results of operations or net position. In addition, this Statement allows a component reporting entity to be excluded from one reporting entity and consolidated into another reporting entity, and the effect of the modification may change the net results of operations and/or net position.

From this statement, it seems that only a few people with high level security clearances have the authority to determine what is a national security issue and these same people will now be allowed to restate financial reports to hide activity. No one but those few people would ever know that expenditures on activity A are hidden in completely different area of government. What good is an independent audit if authorities are allowed to move expenditures around with no transparency? How can one conduct evaluation of the any portion of the federal budget under such an arrangement? How is this policy in compliance with financial reporting laws or Constitutional requirements for reporting on government spending to the citizens of the United States?

Update – December 12, 2018

On October 4, 2018 federal government officials accepted the recommendation of the Federal Accounting Standards Advisory Board (FASAB) that the government be allowed to misstate and move funds in order to hide expenditures if it is deemed necessary for national security purposes. The new guidelines are to apply to all agencies, not just the black budget. See page 3 of the July 2018 FASAB report for a summary of the proposed recommendations and see here for more detail. See here for the final statement – Statement of Federal Financial Accounting Standards 56.

With the change in accounting guidelines, which is a full departure from Generally Accepted Accounting Principles (GAAP), only a few people with high level security clearances have the authority to determine what is deemed a national security issue and these same people will now be allowed to restate financial reports in order to conceal actual expenditures without any disclosure. No one but those few people would know that such modifications were made, thus making evaluation of government financial statements impossible. From this point forward, the federal government will keep two sets of books, one modified book for the public and one true book that is hidden.

The FASAB recommendation effectively institutionalizes non-transparency in federal financial reporting. While many aspects of federal finances are non-transparent now because government has failed to comply with existing financial reporting laws, at least citizens had the laws working in their favor. Now citizens have no recourse; non-transparency is going to proceed as a matter of executive branch authority and policy.

Accounting rules are often thought of as boring and of secondary importance. However, this particular

change has enormous implications and yet few citizens are aware. People should know about these changes so they have an opportunity to voice their concerns and reverse the decision.

Update – February 8, 2019

Dr. Skidmore prepared a new report on the U.S. Federal debt with Catherine's input—it includes updates and new information subsequent to the 2018 updates to the original report and so is linked here: Should We Care about Secrecy in Financial Reporting?

<https://missingmoney.solari.com/dod-and-hud-missing-money-supporting-documentation/>

Who is Ron Paul?

Ron Paul was a United States Congressman from the 14th district of Texas from 1997 to 2013.

Paul was a staunch advocate of limited government; his official biography described his platform as "limited constitutional government, low taxes, free markets, and a return to sound monetary policies," and said Paul "never votes for legislation unless the proposed measure is expressly authorized by the Constitution." (This voting record earned him the nickname "Dr. No.")

Paul earned a degree from Gettysburg College in 1957, then a medical degree from Duke University in 1961.

He was drafted into the U.S. Air Force and became a flight surgeon from 1965-67, then settled in Texas as a doctor specializing in obstetrics and gynecology.

He first served as a congressman from Texas's 22nd district in 1976-77, winning a special election in April of 1976 but then losing in the general election that November.

Dr. Paul was elected again in 1978 and served until 1985, when he returned to his medical practice after losing in a 1984 run for U.S. Senate.

He was the Libertarian Party candidate for U.S. president in 1988, his views having already put him at the far right wing of the Republican party. (Paul received 0.5% of the vote in the general election, which was won by George Bush the elder.)

Paul was re-elected to Congress from a different Texas district, the 14th, in 1996 and was re-elected seven more times from 1998 through 2010.

He ran for the Republican nomination for president in 2008, but ended his campaign in June 2008 after John McCain wrapped up the nomination.

The Ron Paul Institute for Peace and Prosperity is a project of Dr. Paul's Foundation for Rational Economics and Education (F.R.E.E.), founded in the 1970s as an educational organization. The Institute continues and expands Dr. Paul's lifetime of public advocacy for a peaceful foreign policy and the protection of civil liberties at home.

A prosperous America is profoundly linked to a foreign policy rooted in peaceful relations and trade with all. With peace, comes real prosperity.

The Ron Paul Liberty Report was launched in 2015 by the former 12-term US Congressman from Texas. The Liberty Report brings provocative opinion and analysis to the breaking issues affecting our lives and finances.

<https://bioguide.congress.gov/search/bio/P000583>

<https://www.congress.gov/member/ron-paul/P000583?q=%7B%22search%22%3A%22act%22%7D>

The Coronavirus Hoax, by Ron Paul | Mar 16, 2020

Governments love crises because when the people are fearful they are more willing to give up freedoms for promises that the government will take care of them. After 9/11, for example, Americans accepted the near-total destruction of their civil liberties in the PATRIOT Act's hollow promises of

security.

It is ironic to see the same Democrats who tried to impeach President Trump last month for abuse of power demanding that the Administration grab more power and authority in the name of fighting a virus that thus far has killed less than 100 Americans.

Declaring a pandemic emergency on Friday, President Trump now claims the power to quarantine individuals suspected of being infected by the virus and, as Politico writes, “stop and seize any plane, train or automobile to stymie the spread of contagious disease.” He can even call out the military to cordon off a US city or state.

State and local authoritarians love panic as well. The mayor of Champaign, Illinois, signed an executive order declaring the power to ban the sale of guns and alcohol and cut off gas, water, or electricity to any citizen. The governor of Ohio just essentially closed his entire state.

The chief fearmonger of the Trump Administration is without a doubt Anthony Fauci, head of the National Institute of Allergy and Infectious Diseases at the National Institutes of Health. Fauci is all over the media, serving up outright falsehoods to stir up even more panic. He testified to Congress that the death rate for the coronavirus is ten times that of the seasonal flu, a claim without any scientific basis.

On Face the Nation, Fauci did his best to further damage an already tanking economy by stating, “Right now, personally, myself, I wouldn’t go to a restaurant.” He has pushed for closing the entire country down for 14 days.

Over what? A virus that has thus far killed just over 5,000 worldwide and less than 100 in the United States? By contrast, tuberculosis, an old disease not much discussed these days, killed nearly 1.6 million people in 2017. Where’s the panic over this?

If anything, what people like Fauci and the other fearmongers are demanding will likely make the disease worse. The martial law they dream about will leave people hunkered down inside their homes instead of going outdoors or to the beach where the sunshine and fresh air would help boost immunity. The panic produced by these fearmongers is likely helping spread the disease, as massive crowds rush into Walmart and Costco for that last roll of toilet paper.

The madness over the coronavirus is not limited to politicians and the medical community. The head of the neoconservative Atlantic Council wrote an editorial this week urging NATO to pass an Article 5 declaration of war against the COVID-19 virus! Are they going to send in tanks and drones to wipe out these microscopic enemies?

People should ask themselves whether this coronavirus “pandemic” could be a big hoax, with the actual danger of the disease massively exaggerated by those who seek to profit – financially or politically – from the ensuing panic.

That is not to say the disease is harmless. Without question people will die from coronavirus. Those in vulnerable categories should take precautions to limit their risk of exposure. But we have seen this movie before. Government over-hypes a threat as an excuse to grab more of our freedoms. When the “threat” is over, however, they never give us our freedoms back.

<https://ronpaulinstitute.org/the-coronavirus-hoax/>

<https://www.youtube.com/watch?v=bXKRdE2x5og>
<https://www.youtube.com/watch?v=CRB7xax2ReQ>
<https://www.youtube.com/watch?v=-Qnr6XiSZOk>
https://www.youtube.com/watch?v=ORt_k7LjGDg
<https://www.youtube.com/watch?v=6ZHKJYAYZuY>
<https://www.youtube.com/watch?v=Q1bkJ0XIDX4>
<https://www.youtube.com/watch?v=qoudHghmq7g>

Who is Paul Craig Roberts?

Paul Craig Roberts has had careers in scholarship and academia, journalism, public service, and business. He is chairman of The Institute for Political Economy.

Dr. Roberts has held academic appointments at Virginia Tech, Tulane University, University of New Mexico, Stanford University where he was Senior Research Fellow in the Hoover Institution, George Mason University where he had a joint appointment as professor of economics and professor of business administration, and Georgetown University where he held the William E. Simon Chair in Political Economy in the Center for Strategic and International Studies.

He has contributed chapters to numerous books and has published many articles in journals of scholarship, including the Journal of Political Economy, Oxford Economic Papers, Journal of Law and Economics, Studies in Banking and Finance, Journal of Monetary Economics, Public Choice, Classica et Mediaevalia, Ethics, Slavic Review, Soviet Studies, Cardozo Law Review, Rivista de Politica Economica, and Zeitschrift fur Wirtschaftspolitik. He has entries in the McGraw-Hill Encyclopedia of Economics and the New Palgrave Dictionary of Money and Finance.

He has contributed to Commentary, The Public Interest, The National Interest, Policy Review, National Review, The Independent Review, Harper's, the New York Times, The Washington Post, The Los Angeles Times, Fortune, London Times, The Financial Times, TLS, The Spectator, The International Economy, Il Sole 24 Ore, Le Figaro, Liberation, and the Nihon Keizai Shimbun. He has testified before committees of Congress on 30 occasions.

Dr. Roberts was associate editor and columnist for The Wall Street Journal and columnist for Business Week and the Scripps Howard News Service. He was a nationally syndicated columnist for Creators Syndicate in Los Angeles. In 1992 he received the Warren Brookes Award for Excellence in Journalism. In 1993 the Forbes Media Guide ranked him as one of the top seven journalists in the United States.

President Reagan appointed Dr. Roberts Assistant Secretary of the Treasury for Economic Policy and he was confirmed in office by the U.S. Senate. From 1975 to 1978, Dr. Roberts served on the congressional staff where he drafted the Kemp-Roth bill and played a leading role in developing bipartisan support for a supply-side economic policy. After leaving the Treasury, he served as a consultant to the U.S. Department of Defense and the U.S. Department of Commerce.

Dr. Roberts was president of the Inlet Beach Water Company, president of Economic & Communication Services, advisor to J.P. Morgan asset management, advisor to Tiedemann-Goodnow, advisor to Lazard Freres Asset Management, and a member of corporate and financial boards.

Dr. Roberts' latest books are The Empire of Lies, The Neoconservative Threat To World Order, How America Was Lost, and The Failure of Laissez Faire Capitalism. These books have had English, German, French, Czech, Chinese, Korean editions and a forthcoming Russian edition of How America Was Lost. In January, 2010, CounterPunch /AK Press published How the Economy Was Lost. The Tyranny of Good Intentions, co-authored with IPE Fellow Lawrence Stratton, was published by Prima Publishing in May 2000. A new edition, now in a second printing, was published by Crown Publishing Group, a division of Random House, in 2008. Chile: Two Visions—The Allende-Pinochet Era, co-authored with IPE Fellow Karen Araujo, was published in Spanish by Universidad Nacional Andres Bello in Santiago, Chile, in November 2000. The Capitalist Revolution in Latin America, co-authored with IPE Fellow Karen LaFollette Araujo, was published by Oxford University Press in 1997. A Spanish language edition was published by Oxford in 1999. The New Color Line: How Quotas and Privilege Destroy Democracy, co-authored with IPE Fellow Lawrence Stratton, was published by Regnery in 1995. A paperback edition was published in 1997. Meltdown: Inside the Soviet Economy, co-authored with IPE Fellow Karen LaFollette, was published by the Cato Institute in 1990. Harvard University Press published Roberts' book, The Supply-Side Revolution, in 1984. Widely reviewed and favorably received, the book was praised by Forbes as "a timely masterpiece that will have real impact on economic thinking in the years ahead." Dr. Roberts is the author of Alienation and the Soviet Economy, published in 1971 and republished in 1990. He is coauthor with Matthew Stephenson of Marx's Theory of Exchange, Alienation and Crisis, published in 1973 by the Hoover Institution Press and republished in 1983 by Praeger Publishing. A Spanish language edition was published in 1974 in

Madrid by Union Editorial.

Dr. Roberts was awarded the Treasury Department's Meritorious Service Award for "his outstanding contributions to the formulation of United States economic policy."

In 1987 the French government recognized him as "the artisan of a renewal in economic science and policy after half a century of state interventionism" and inducted him into the Legion of Honor.

In 2015 he was awarded the Press Club of Mexico's International Journalism Award.

<https://www.youtube.com/watch?v=1zLxxRG4QA>

<https://www.youtube.com/watch?v=9mWqKO-wcII>

The United States No Longer Exists as a Nation

A Tower of Babel Has Taken Its Place

Comment by Paul Craig Roberts

[1]

"Counting all US in-migration annually, half a million migrants are admitted via the CBP app, a new parole program will admit another half a million Venezuelans, another new program will allow 200k immigrants to fly directly to American cities to claim asylum, existing legal immigration is about 1 million, and there are about 2 million illegal border crossings. That adds up to over 4 million migrants annually, breaking all past records for border crossings and immigration. It would not be farfetched for 8 million migrants to arrive in 2024. The migrant crisis will only accelerate due to economic crisis and food shortages in the Global South, and the impacts of chain migration. Basically a trial run for open borders, considering that the numbers who want to immigrate globally are about 900 million. The date when Whites become a minority in America could easily move up from 2045 to 2035." <https://www.unz.com/article/the-case-for-enclave-based-immigration-over-nationalism/> [2]

PCR comment: The US, UK, and Western Europe are trapped in a downward spiral of living standards. With automation and AI encroaching on human employment and massive immigration, wages will fall and unemployment will rise. Social assistance and taxation will rise. The dollar will decline, pushing up prices in the US economy that has offshored its manufacturing. The short-term focus of corporate executives and boards on quarterly profits blinds them to the decline in aggregate consumer demand from the lower wages and unemployment caused by their support for open borders and offshored production in quest of higher profits. As this undermines the purchasing power in the home economy, the long-run effect is to undermine profits. US economic policy has totally failed.

Instead of building a high productivity, high wage economy, the US has been placed on the road to declining purchasing power. Already a large percentage of the population has no discretionary spending power. Their entire incomes are absorbed by food, utilities, and debt service on mortgages, cars, and credit cards.

There is no focus on this crisis. The Woke ideologues who control the Democrat Party are focused on demonizing and deracinating the white heterosexual population and is supported in this agenda by the media and education system, which have become Ministries of Propaganda. The Republicans think the economic problem is deficits and are constrained by political correctness and unable to defend the white population. Think what it means that Republicans have lost the initiative to something as nonsensical and destructive as the Woke revolution.

Look at the fate of the one leader who tried to address the situation: Donald Trump is now being prosecuted under four fake felony indictments brought by Democrats, and a NY attorney general and judge have just confiscated Trump's real estate empire. https://www.coffeeandcovid.com/p/overvalued-wednesday-september-27?utm_source=post-email-title&publication_id=463409&post_id=137448994&utm_campaign=email-post-title&isFreemail=false&r=15k3qo&utm_medium=email [3]

The legal system is willing for the truth of these charges to be determined by Trump-hating Democrat prosecutors, judges, and juries.

Anti-Thrumpers are joyous. They have no understanding what this means for them. Revenge for imagined wrongs have taken over the American legal system. The attacks on Trump are the Establishment's method of telling us that we are in their clutches and no leader will be permitted to rise and release us.

And insouciant Americans sit there sucking their thumbs. Idiot lawyers discuss the merits of the charges. Rino Republicans say "it's time to move on" by which they mean back into the Establishment's clutches.

The Department of Homeland Security Is a Threat to the Homeland

Paul Craig Roberts

Efforts by Biden regime appointees in the Department of Homeland Security (DHS) and Border Patrol to release millions of illegal entrants into local US communities have been blocked by the 11th Circuit Court of Appeals in a lawsuit brought against the Biden DHS by Florida Attorney General Ashley Moody. https://floridacapitalstar.com/news/florida-ag-moody-defeats-biden-administration-in-court-again/tcsquare/2023/06/07/?utm_source=lterable&utm_medium=email&utm_campaign=edm [1]

Americans do not know what is going on because there is no American media to tell them. The US media—CNN, Fox News, ABC, NBC, NPR, NY Times, Washington Post—function as a propaganda ministry for the Biden regime and the elite establishment that the Biden regime fronts for.

The Department of Homeland Security is a George W. Bush regime creation. The name has always bothered me because of its Gestapo connotations. It is more worrisome because the Biden regime associates the security of the homeland with the release of millions of illegal entrants into local communities. In other words, the DHS is providing the opposite of securing the homeland. Biden is giving a pat on the back to illegal entrants who have violated US law.

The US has an annual military/security budget of \$1 trillion. These massive expenditures are supposed to keep America from being overrun by foreign troops. But as Jean Raspail demonstrates in *The Camp of the Saints*, there is no difference between being overrun by armed troops and unarmed illegal entrants. Just as the French in Raspail's novel allow the illegals to flood into France, the Department of Homeland Security believes, or claims to believe, that releasing millions of illegal entrants into US communities "protects the Homeland."

DHS appealed the court ruling and lost. The DHS appeal argument is nonsensical. DHS told the court that blocking its release plan undermines "the Executive Branch's constitutional and statutory authority to implement its immigration priorities and secure the border." In other words Biden's DHS claims that the border is made insecure by not releasing millions of entrants who illegally entered the United States.

DHS alleged that not being able to release millions of people into the U.S. prevents it from apprehending illegal foreign nationals who are illegally entering the U.S! In other words, we have to release them so we can continue to apprehend them. And that is precisely what the Biden policy is—catch and release. Catch and release into the Red States where the Biden Justice (sic) Department will give them the vote because otherwise it is racist to let people live in America without voting.

Notice that the border patrol officers are all Hispanics. The Biden Border Control Chief is Raul Ortiz. The sector border patrol chief for the Rio Grande Valley is Gloria Chavez. This is what used to be called the fox guarding the hen house. Is what we are observing the entry of illegals admitted by those who themselves successfully entered?

Yes, I know. Americanized Hispanics, are opposed to illegal entry. Yes, I know. Hispanics are people

to be judged on the basis of their character as I judge everyone. I actually prefer Hispanics to white liberals and the white Woke scum. The Hispanics I know are hard working people, moral and trustworthy, the way Americans used to be.

The point is not that whites are better than “people of color” or vice versa. The point is that a nation consists of a homogeneous population. Collections of ethnicities are not nations. They are towers of babel, and that is what all Western countries are today. Under the ideology of Identity Politics, towers of babel are socially and politically unstable.

The United States is ceasing to exist as a nation. The founding white ethnicities have been reduced to 60% of the population of the country they founded and created. The Biden regime is determined to reduce the founding ethnicity to minority status, the better to steal their country from them.

The fact of the matter is that the country is already largely stolen. The US military celebrates sexual perversity. Truth-tellers are persecuted and held in prison, like Julian Assange, without due process of law. Public expressions of Christianity are cause for arrest. History is rewritten to comply with Woke ideology. The Universities, media, and public schools are propaganda centers, beating into the heads of white students that they are racist oppressors and could be born into the wrong body.

The US Constitution, the protector of our liberty, is regarded by university faculties, media, and law schools as a “white supremacy document” that prevents equity, by which is meant the revolutionizing of society.

It goes on. In America today, if you tell the truth you have a target on your back. No country can survive this and remain free.

<https://www.paulcraigroberts.org/2023/06/08/the-department-of-homeland-security-is-a-threat-to-the-homeland/>

America Was Destroyed in My Lifetime

Paul Craig Roberts

I am a member of a fading generation of Americans who grew up in the 1940s and 1950s when the United States was a nation. I was a member of a homogeneous population with a common language, Christian religion, common morality, and shared values and outlook. In Atlanta Georgia of those years people in middle class neighborhoods didn't bother to lock their doors, and 5-year olds could safely walk a mile to school. There was conformity, but it was because we were in agreement. Life was good. Families were large and close. Neighborhood schools were run by teachers and parents (PTA). Discipline prevailed because of upbringing, not from abusive enforcement. There were no police in the schools.

In 1964 a civil rights act was passed that had the good intention of providing enforcement to the 14th Amendment, and in 1965 an immigration “reform” bill was passed. The civil rights act had as its aim equal opportunity but was turned on its head by the EEOC and a quota regime was installed. As it has developed the preference system increasingly discriminates against the original white ethnicities that still, although declining, form the backbone of the American population. For one recent example of legal discrimination against white Americans, see: <https://www.foxnews.com/media/minneapolis-teachers-union-agreement-stipulates-white-teachers-laid-off-first-regardless-seniority> [1]

The immigration bill opened the US to massive inflows of no longer enculturated persons. Assimilation was replaced with multiculturalism, and the nation was replaced with a Tower of Babel.

The consequence has been that today the US is no longer a nation. It is a geographical location that is a tower of babel in which rights depend on whether you are an “oppressed minority” or a “white oppressor.” There are no common values, no common morality or social mores, no common religion or language. The immigrant-invaders look at the weak and unsure white population, made guilty by years of brainwashing, and see that their time is coming.

In a half century the situation of the present-day original white ethnicity has gone from security to insecurity. In the prevailing Identity Politics, institutionalized in the Democrat Party, media, universities and school systems, white Americans are officially oppressors. Their oppressed victims are “people of color,” homosexuals, transgendered, and feminists who insist that women are suppressed and abused by white male heterosexuals, this despite crime statistics that show that white women in relationships with black males constitute a remarkable percentage of murder and physical abuse victims.

In my lifetime I have witnessed and experienced the destruction of a great nation based in principles hard to live up to, and its replacement with a criminal organization devoid of all principle except power in which law is weaponized and serves to beat down challenges to illegitimate power.

No American born in the 21st century, or even in the 1990s, has ever experienced a free country. The young have no idea of what has been stolen from them. The American youth are being trained to be happy in a virtual world where they will enjoy artificial and meaningless freedoms that do not threaten the power that rules over them.

In my lifetime I have watched a free country disintegrate into a police state that no aware person could possibly defend. Yet Washington has an army of FBI, CIA, NSA, and federal prosecutors whose job it is to persecute patriots and to cover up elections stolen by Democrats.

For decades Democrats have successfully stolen local and state elections. In 2020 the Democrats stole the Presidential Election, and they are at work blatantly in front of our eyes stealing the next national election by using the corrupt US Department of Justice (sic) and FBI to frame Trump in order to prevent his reelection. There is no other explanation for the aggressive FBI raid on Trump’s home to seize boxes of documents to which the FBI already had access except to create the public impression that Trump is a criminal. The pressitutes, of course, are doing all they can to harden this impression. Meanwhile, Democrats are prosecuting those who uncovered evidence of the stolen 2020 presidential election for spreading misinformation and for attempting to violate civil rights by casting doubt on the election outcome. These are not offences that can be found in law. It is Democrats using monopoly power to create offences out of thin air.

American patriotism rests to a large extent on the insouciance of patriots. They just know that America, although not perfect, is the best country. Period. Something like 9/11 being an inside job or a presidential election being stolen in plain view strikes them as off the wall. They simply cannot believe such things about their country. As the largest percentage of patriots are Republicans, the Democrats know that the insouciance of their opponents renders their opponents impotent. You cannot do something about something that you cannot recognize or acknowledge.

One can hope that information can bring people into reality, but first they have to be able to absorb the information, and they cannot do that when their gullible patriotism causes them to turn their back on “unfounded attacks on America’s purity.” As for the Democrats, decades of anti-white propaganda have left many of them skeptical of “white America” and those who defend it.

With each passing day it becomes more risky to expose the lies used to construct the false narratives that are used to control what Americans think and to erode our Constitutional protections against unaccountable and tyrannical government. If a President’s own Justice Department can come down on him like a ton of bricks while he is in office with such an obvious frame-up as “Russiagate,” what can they do to the rest of us? My generation, or some of it, was instilled with a sense of duty to truth, to the Constitution, and to our country. Today that sense of duty is essentially gone. Instead of duty, the value is money, success, and avoidance of being “cancelled” on social media.

Our nation is being murdered. We daily watch, if we are attentive, the disassembling of its institutions and moral values. But hope is eternal. Not all coups and attempts at brutal seizures of power succeed. Perhaps the Democrats’ attempt will fail. It will certainly succeed if fear forces us to abandon the defense of truth.

<https://www.paulcraigroberts.org/2022/08/25/america-was-destroyed-in-my-lifetime/>

More Fake News About Jobs: Part 2

Paul Craig Roberts

Yesterday's column referred to a "rising labor force participation rate" when it should have read "falling labor force participation rate." Those of you who read the column before I made the correction must have been puzzled, but, little doubt, figured it out from the context.

One of the main points of the article is that the number of payroll jobs are not the same thing as the number of employed Americans. Jobs have been trending toward part-time as this allows employers to avoid benefit costs. In order to make ends meet, many Americans work two or more part-time jobs. Therefore, the announcement on Friday of 148,000 new jobs does not mean 148,000 more employed Americans.

There is another problem with the payroll jobs. Although the figure is nonfarm and does not include imported agricultural labor, it does include immigrants on work visas, such as H-1B and L-1 visas. This means that job gains in information technology and software engineering, for example, might be job gains for immigrants on work visas and not for American citizens.

As the payroll jobs number reflects reported information on payroll taxes and unemployment insurance, citizens and immigrants are lumped together. The percentage of new jobs taken by immigrants on work visas is not broken out.

The household survey number, however, does estimate the numbers of foreign-born and American-born employees, but it does not specify the legal status of the foreign-born, that is, whether they are naturalized citizens, green card holders, or immigrants on work visas. The household survey numbers are interesting. There are 27.1 million foreign-born employees with jobs in the US and 131.2 million native-born American employees. That the number of foreign-born employees is as large as 20 percent of American-born employees reflects either a high rate of immigration or a large number of foreign workers issued work visas.

In response to yesterday's column, a reader wrote that he had seen a report last Thursday that the House of Representatives has passed a bill to allow unlimited numbers of people from India and China to be granted work visas for US programming jobs. The reader concludes that his job will soon be history and he will disappear into the ranks of the uncounted American unemployed.

When it happens to them, Americans finally understand, regardless of the controlled explanations of The Matrix in which they live, that their government does not ever represent them. It represents profits—the profits of companies that produce profits by lobbying and legislating against Americans.

Assessing this information, the conclusion is that it is a waste of time and money for Americans to learn programming from a US institution. Instead, they should acquire Indian citizenship, get a degree from an Indian university, and apply for a US work visa.

<https://www.paulcraigroberts.org/2019/08/03/more-fake-news-about-jobs-part-2/>

Who is Tucker Carlson?

Tucker Swanson McNear Carlson is an American television host, conservative political commentator and author who has hosted the nightly political talk show Tucker Carlson Tonight on Fox News since 2016. Carlson was born Tucker McNear Carlson in the Mission District of San Francisco, California, on May 16, 1969. He is the elder son of artist and San Francisco native Lisa McNear (née Lombardi) (1945-2011) and Dick Carlson (1941-), a former "gonzo reporter" who became the director of Voice of America, president of the Corporation for Public Broadcasting and the U.S. ambassador to the Seychelles. Carlson's brother, Buckley Peck Carlson, later Buckley Swanson Peck Carlson, is nearly two years younger and has worked as a communications manager and Republican political operative.

<https://tuckercarlson.com/about/>
<https://www.youtube.com/watch?v=m9aS6oUnycA>
<https://www.youtube.com/watch?v=b4nUkGjYBk4>
<https://www.youtube.com/watch?v=Mjc1iy6ZQHI>
https://www.youtube.com/watch?v=NxB1_rgL14c
<https://www.youtube.com/watch?v=oKgjEKX7Pqw>

Who is Roseanne Barr?

Firebrand Roseanne Barr has long been one of America's funniest and most controversial comedians.

Spouses:

Ben Thomas(February 14, 1995 - October 2002) (divorced, 1 child)

Tom Arnold(January 20, 1990 - December 9, 1994) (divorced)

Bill Pentland(February 4, 1974 - January 16, 1990) (divorced, 3 children)

Roseanne Cherrie Barr is a fifth generation white Russian/German American woman born in Salt Lake City, Utah, to Helen (Davis), a cashier and bookkeeper, and Jerome Hershel "Jerry" Barr, a salesman. Her family was Jewish, and had moved to the U.S. from Russia, Lithuania, and the Austro-Hungarian Empire. She dropped out of high school when she was seventeen, and, after a car accident, was admitted to a mental institution, claiming she was having nightmares and memory loss. She left the institute less than a year later. At seventeen, she gave birth to her first daughter, Brandi Brown, and gave her up for adoption. She began working at a restaurant as a dishwasher and waitress. Her hilarious comments to the customers she waited on led her to doing stand-up comedy at the restaurant. She married Bill Pentland and they had three children together, Jessica, Jennifer, and Jacob Pentland.

Roseanne worked doing stand-up comedy until her August 23, 1985 appearance on The Tonight Show Starring Johnny Carson (1962) thrust her into the limelight. In 1987, HBO offered her a show of her own, On Location: The Roseanne Barr Show (1987). It was canceled after a short time. In 1989, Roseanne starred opposite Meryl Streep and Ed Begley Jr. in She-Devil (1989). Though her first picture wasn't as successful as she might have hoped, her sitcom, Roseanne (1988), debuted in 1988 and ran for 9 seasons on ABC, co-starring John Goodman. It dealt with real-life issues in a lower middle-class working family. During its first season on ABC, it leaped to #2 in the ratings. After the sitcom's first season, Roseanne gained notoriety when she gave a screeching, crotch-grabbing performance of "The Star Spangled Banner" at a baseball game.

When Roseanne divorced her first husband, Bill Pentland, after 16 years of marriage in 1990 and married Roseanne (1988) co-star Tom Arnold only four days later, her sitcom was already beginning its downward spiral. In 1991, she started to be billed as Roseanne Arnold. Around this time, she began to claim that she, as well as her siblings, had been physically and sexually abused as a child. Both her siblings and parents denied the charges, and lie detector tests used on Roseanne's parents came back negative. The court battles led to ten years of estrangement with her parents and siblings. Her marriage with Arnold lasted four years before she filed for divorce from him for physical abuse and domestic violence. It is still not known if the accusations were true. Although she insisted that he hit her, she admits that he never abused her three children from her previous marriage:

In 1996, she was nominated for a Golden Globe Award and won, but she was not there to accept it. Luckily, Tom Arnold's exit from "Roseanne" happened towards the end of the sixth season, allowing the show to have an almost smooth ending. However, after the sixth season of Roseanne (1988), the plots started to run dry and ratings began to drop. During the season following her divorce, she insisted on being billed as simply "Roseanne." After Roseanne (1988) was canceled, she went on Broadway to play "The Wicked Witch of the West" in "The Wizard of Oz" to rave reviews.

On Valentine's Day 1995, Roseanne married former bodyguard Ben Thomas. With Thomas, she had her tubal ligation surgery reversed in order to become pregnant with her fifth child, Buck Thomas. In 1997, she slowly began being billed as "Roseanne Thomas", as in the last 11 episodes of Roseanne, as executive producer (she was still "Roseanne" in the cast credits). She guest-starred in The Nanny

(1993) as Roseanne Thomas in late 1997. In 2002, she filed for divorce against Thomas for the second time (the first time, in 1998, she dropped the suit), accusing him of being disturbed and claiming that he threatened to run off with their son.

After the divorce, she began to study the Kabbalah, a form of Jewish mysticism, and those around her said she became amazingly centered and stable. In the 2000s, she ended the feud with her parents and siblings and went back to being billed as Roseanne Barr. Today, Roseanne Barr Pentland Arnold Thomas spends her time with her family in her home in El Segundo, California.

Always outspoken, Roseanne began commenting on politics in earnest in the 2000s, and unsuccessfully ran for the Green Party's presidential nomination in 2012. She was subsequently chosen as the Peace and Freedom Party's candidate for President of the United States in '12, receiving 61,971 votes in the general election, and placing sixth. Her run is depicted in the documentary Roseanne for President! (2015).

Initially a left-leaning liberal, she became considerably more right-wing throughout the 2010s. Her show Roseanne returned for a tenth season in 2018, to blockbuster ratings, but was canceled after Roseanne sent a racially-offensive tweet that capped off a longer run of incendiary comments. Valerie Jarrett a white Iranian national white house senior advisor to United States president with an assumed name of "Barack Obama" who was a satanic warlock had satanic rituals performed against Roseanne Barr who saw Valerie Jarrett as an impostor.

<https://www.imdb.com/name/nm0001683/bio/>

Valerie Jarrett, a white woman whose birth name is Aariana Barati was born in Shiraz, Fars, Iran on 14 November 1956. She is a high level satanic witch and illegal Iranian national who was not black/negro/african-american as she falsely stated. Like most Iranian nationals she does have some African blood which does not make her a black/negro/african-american. Based on her phenotype she is an Iranian middle eastern woman which is classified as white in the United States of America.
<https://www.youtube.com/watch?v=JNrteSAu5ys>

Who is John Edgar Hoover?

What honorable American white man in United States history fiercely opposed the cabal of international foreign organized criminals from infiltrating and seizing total government power by means of mass, unlimited, unrestricted, and uncontrolled immigration? Answer: John Edgar Hoover (1895-1972). He was the white first director of the federal bureau of investigations (fbi) which is now obsolete and ineffective. John Edgar Hoover was a white American man that lived as such racially, economically, culturally, politically, and socially even though he had one Nigerian American slave great-grandfather, Robert Avent (1811-1860) in his paternal lineage. His mother was born in Heidelberg, Baden-Württemberg, Germany.

"Initially, Hoover ordered background checks on government employees to prevent foreign agents from infiltrating the government. Later, COINTELPRO went after any organization Hoover considered subversive, including the Black Panthers, the Socialist Workers Party and the Ku Klux Klan."

<https://www.youtube.com/watch?v=J-tGNTvZRms>

J. Edgar Hoover

As director of the FBI, J. Edgar Hoover had rabid anti-Communist and anti-subversive views and used unconventional tactics to monitor related activity.

UPDATED: APR 22, 2021

(1895-1972)

Who Was J. Edgar Hoover?

J. Edgar Hoover joined the Justice Department in 1917 and was named director of the Department's

Bureau of Investigation in 1924. When the Bureau reorganized as the Federal Bureau of Investigation in 1935, Hoover instituted strenuous agent-recruiting and advanced intelligence-gathering techniques. During his tenure he confronted gangsters, Nazis and Communists. Later, Hoover ordered illegal surveillance against suspected enemies of the state and political opponents. Despite receiving harsh criticism from the public, Hoover remained director of the FBI until his death on May 2, 1972.

Early Life

John Edgar Hoover was born January 1, 1895, to Dickerson Naylor Hoover and Annie Marie Scheitlin Hoover, two civil servants who worked for the U.S. Government. He grew up literally in the shadow of Washington, D.C., politics, in a neighborhood three blocks from Capitol Hill. Hoover was closest to his mother, who served as the family's disciplinarian and moral guide. He lived with her until she died in 1938, when he was 43 years old.

Highly competitive, Hoover worked to overcome a stuttering problem by learning to talk fast. He joined the debate team in high school, where he achieved some notoriety. Wanting to enter into politics, he worked for the Library of Congress after high school and attended night classes at George Washington University Law School, earning his LLB and LLM degrees in 1917.

The Justice Department

That same year, during which the United States entered World War I, Hoover obtained a draft-exempt position with the Justice Department. His efficiency and conservatism soon drew the attention of Attorney General A. Mitchell Palmer who appointed him to lead the General Intelligence Division (GID), created to gather information on radical groups. In 1919, the GID conducted raids without search warrants and arrested hundreds of individuals from suspected radical groups. Though known to history as the "Palmer Raids," Hoover was the man behind the scenes, and hundreds of suspected subversives were deported.

Ultimately, Palmer suffered politically from the backlash and was forced to resign, while Hoover's reputation remained stellar. In 1924, the 29-year-old Hoover was appointed the director of the Bureau of Investigation by President Calvin Coolidge. He had long sought the position and accepted the appointment on the conditions that the bureau be completely divorced from politics and that the director report only to the attorney general.

Director of the F.B.I.

As director, Hoover put into effect a number of institutional changes. He fired agents he considered political appointees or unqualified and ordered background checks, interviews and physical tests for new agent applicants. He also obtained increased funding from Congress and instituted a technical laboratory that conducted scientific methods for gathering and analyzing evidence. In 1935, Congress established the Federal Bureau of Investigation and kept Hoover on as its director.

During the 1930s, violent gangsters wreaked havoc on small towns across the Midwest. Local police were helpless against the gangs' superior firepower and fast getaway cars. Syndicated criminal organizations were also amassing power in large cities. Hoover pressed for and received authority to have Bureau agents go after these groups under federal interstate laws. Such notorious gangsters as John Dillinger and George "Machine Gun" Kelly were hunted down and arrested or killed. The Bureau became an integral part of the national government's law-enforcement effort and an icon in American pop culture, earning the federal agents the moniker "G-men."

During and after World War II, the FBI became the nation's bulwark against Nazi and Communist espionage. The Bureau performed domestic counterintelligence, counterespionage and counter-sabotage investigations within the United States, and President Franklin D. Roosevelt ordered the FBI to run foreign intelligence in the Western Hemisphere. All this as the Bureau continued its investigations into bank robberies, kidnappings and car theft.

During the Cold War, Hoover intensified his personal anti-Communist, anti-subversive stance and increased the FBI's surveillance activities. Frustrated over limitations placed on the Justice Department's investigative capabilities, he created the Counter Intelligence Program or COINTELPRO. The group conducted a series of covert, and oftentimes illegal, investigations designed to discredit or disrupt radical political organizations. Initially, Hoover ordered background checks on government employees to prevent foreign agents from infiltrating the government. Later,

COINTELPRO went after any organization Hoover considered subversive, including the Black Panthers, the Socialist Workers Party and the Ku Klux Klan.

Hoover also used COINTELPRO's operations to conduct his own personal vendettas against political adversaries in the name of national security. Labeling Martin Luther King "the most dangerous Negro in the future of this nation," Hoover ordered around-the-clock surveillance on King, hoping to find evidence of Communist influence or sexual deviance. Using illegal wiretaps and warrantless searches, Hoover gathered a large file of what he considered damning evidence against King.

In 1971, COINTELPRO's tactics were revealed to the public, showing that the agency's methods included infiltration, burglaries, illegal wiretaps, planted evidence and false rumors leaked on suspected groups and individuals. Despite the harsh criticism Hoover and the Bureau received, he remained its director until his death on May 2, 1972, at the age of 77.

Legacy

Hoover shaped the F.B.I in his own image of discipline and patriotism. He also directed the bureau into secret and illegal domestic surveillance spurred on by his conservative patriotism and paranoia. His nefarious tactics had been suspected for decades by government officials, but presidents from Truman to Nixon seemed unable to fire him due to his popularity and the potentially high political cost. In 1975, the Church Committee (named after its chairman, Senator Frank Church [D-Idaho]) conducted a full investigation of COINTELPRO's operations and concluded that many of the agency's tactics were illegal and, in many, cases unconstitutional.

<https://www.biography.com/legal-figures/j-edgar-hoover>

How would they like the AG to help?

What did the governments of the United States of America willfully neglect to resolve in the calendar year 2023 going back to problems that existed 40 years ago?

What did the governments (local, state, national/federal) of the United States of America willfully neglect to resolve in the calendar 2023 going back to problems that existed forty years ago as of the current new year of 2024 on this the 1st day of January?

Who is running the failed United States of America federal and individual state governments?

Why has the United States of America federal and individual state governments not paid restitution to the Mulatto/Mixed/Mestizo American descendants of slaves who have had their human rights and civil rights abused and violated?

The executive order dated 20 January 2021 below legitimates the Mulatto/Mixed/Mestizo Americans restitution justice claim of \$44,000,650,000,000.00 approved on 11 December 2020 by OMB yet what has happened since then is the current presidential administration is purposely giving undeserved recognition to other ethnic/racial and social cultural groups who already have been monetary wealth and power resources:

Section 1. Policy. Equal opportunity is the bedrock of American democracy, and our diversity is one of our country's greatest strengths. But for too many, the American Dream remains out of reach. Entrenched disparities in our laws and public policies, and in our public and private institutions, have often denied that equal opportunity to individuals and communities. Our country faces converging economic, health, and climate crises that have exposed and exacerbated inequities, while a historic movement for justice has highlighted the unbearable human costs of systemic racism. Our Nation

deserves an ambitious whole-of-government equity agenda that matches the scale of the opportunities and challenges that we face.

It is therefore the policy of my Administration that the Federal Government should pursue a comprehensive approach to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. Affirmatively advancing equity, civil rights, racial justice, and equal opportunity is the responsibility of the whole of our Government. Because advancing equity requires a systematic approach to embedding fairness in decision-making processes, executive departments and agencies (agencies) must recognize and work to redress inequities in their policies and programs that serve as barriers to equal opportunity.

By advancing equity across the Federal Government, we can create opportunities for the improvement of communities that have been historically underserved, which benefits everyone. For example, an analysis shows that closing racial gaps in wages, housing credit, lending opportunities, and access to higher education would amount to an additional \$5 trillion in gross domestic product in the American economy over the next 5 years. The Federal Government's goal in advancing equity is to provide everyone with the opportunity to reach their full potential. Consistent with these aims, each agency must assess whether, and to what extent, its programs and policies perpetuate systemic barriers to opportunities and benefits for people of color and other underserved groups. Such assessments will better equip agencies to develop policies and programs that deliver resources and benefits equitably to all.

Sec. 2. Definitions. For purposes of this order: (a) The term "equity" means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.

(b) The term "underserved communities" refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, as exemplified by the list in the preceding definition of "equity."

Sec. 3. Role of the Domestic Policy Council. The role of the White House Domestic Policy Council (DPC) is to coordinate the formulation and implementation of my Administration's domestic policy objectives. Consistent with this role, the DPC will coordinate efforts to embed equity principles, policies, and approaches across the Federal Government. This will include efforts to remove systemic barriers to and provide equal access to opportunities and benefits, identify communities the Federal Government has underserved, and develop policies designed to advance equity for those communities. The DPC-led interagency process will ensure that these efforts are made in coordination with the directors of the National Security Council and the National Economic Council.

Sec. 4. Identifying Methods to Assess Equity. (a) The Director of the Office of Management and Budget (OMB) shall, in partnership with the heads of agencies, study methods for assessing whether agency policies and actions create or exacerbate barriers to full and equal participation by all eligible individuals. The study should aim to identify the best methods, consistent with applicable law, to assist agencies in assessing equity with respect to race, ethnicity, religion, income, geography, gender identity, sexual orientation, and disability.

(b) As part of this study, the Director of OMB shall consider whether to recommend that agencies employ pilot programs to test model assessment tools and assist agencies in doing so.

(c) Within 6 months of the date of this order, the Director of OMB shall deliver a report to the President describing the best practices identified by the study and, as appropriate, recommending approaches to expand use of those methods across the Federal Government.

Sec. 5. Conducting an Equity Assessment in Federal Agencies. The head of each agency, or

designee, shall, in consultation with the Director of OMB, select certain of the agency's programs and policies for a review that will assess whether underserved communities and their members face systemic barriers in accessing benefits and opportunities available pursuant to those policies and programs. The head of each agency, or designee, shall conduct such review and within 200 days of the date of this order provide a report to the Assistant to the President for Domestic Policy (APDP) reflecting findings on the following:

- (a) Potential barriers that underserved communities and individuals may face to enrollment in and access to benefits and services in Federal programs;
- (b) Potential barriers that underserved communities and individuals may face in taking advantage of agency procurement and contracting opportunities;
- (c) Whether new policies, regulations, or guidance documents may be necessary to advance equity in agency actions and programs; and
- (d) The operational status and level of institutional resources available to offices or divisions within the agency that are responsible for advancing civil rights or whose mandates specifically include serving underrepresented or disadvantaged communities.

Sec. 6. Allocating Federal Resources to Advance Fairness and Opportunity. The Federal Government should, consistent with applicable law, allocate resources to address the historic failure to invest sufficiently, justly, and equally in underserved communities, as well as individuals from those communities. To this end:

- (a) The Director of OMB shall identify opportunities to promote equity in the budget that the President submits to the Congress.
- (b) The Director of OMB shall, in coordination with the heads of agencies, study strategies, consistent with applicable law, for allocating Federal resources in a manner that increases investment in underserved communities, as well as individuals from those communities. The Director of OMB shall report the findings of this study to the President.

Sec. 7. Promoting Equitable Delivery of Government Benefits and Equitable Opportunities. Government programs are designed to serve all eligible individuals. And Government contracting and procurement opportunities should be available on an equal basis to all eligible providers of goods and services. To meet these objectives and to enhance compliance with existing civil rights laws:

- (a) Within 1 year of the date of this order, the head of each agency shall consult with the APDP and the Director of OMB to produce a plan for addressing:
 - (i) any barriers to full and equal participation in programs identified pursuant to section 5(a) of this order; and
 - (ii) any barriers to full and equal participation in agency procurement and contracting opportunities identified pursuant to section 5(b) of this order.

<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>

The Mulatto/Mixed/Mestizo Americans restitution (reparations) was first mentioned in the video below concerning illegal immigration:

https://www.youtube.com/watch?v=TO__1pHM5yl

The \$44,000,000,000,000.00 that was approved and allocated for the Mulatto/Mixed/Mestizo restitution who are descendants of slavery on 11 December 2020 is being set up to be given to illegal aliens, foreign nationals, and immigrants as evidenced below to take over the United States of America:

<https://www.youtube.com/watch?v=BIRXpFJNthY>

Biden angrily defends DOJ plans for \$450K migrant separation payouts

By Mary Kay Linge,

Published Nov. 6, 2021, Updated Nov. 7, 2021, 1:08 p.m. ET

Biden angrily defends DOJ plans for \$450K migrant separation payouts

President Biden flared in anger Saturday as he spoke in favor of his administration's plan to award \$450,000 payments to migrants separated from their families after illegally crossing the US border — three days after he called a report on the payouts "garbage."

Blaming "the outrageous behavior of the last administration," Biden raised his voice and jabbed his finger at Fox News correspondent David Spunt, who asked about the administration's mixed messaging on the payout policy.

"Whether [the border crossing] was legal or illegal, and you lost your child," Biden thundered. "You lost your child, it's gone — you deserve some kind of compensation, no matter what the circumstance.

"What that will be," he added, "I have no idea."

Joe Biden raised his voice at Fox News correspondent David Spunt, who asked about the administration's mixed messaging on the payout policy.

The Biden administration has been negotiating legal settlements with the American Civil Liberties Union and other groups that could shower up to \$1 million per family on asylum seekers who were separated at the border under President Trump's "zero tolerance" illegal immigration policy.

"That's not gonna happen," Biden said flatly on Wednesday, when Fox News' Peter Doocy asked him about the Wall Street Journal's initial report on the developing deal.

"You guys keep sending that garbage out?" the president said. "But it's not true."

The ACLU issued a pointed response, suggesting that Biden was out of the loop and "may not have been fully briefed about the actions of his very own Justice Department."

"If he follows through on what he said, the president is abandoning a core campaign promise to do justice for the thousands of separated families," ACLU Executive Director Anthony D. Romero protested. "We call on President Biden to right the wrongs of this national tragedy."

On Thursday, the White House attempted to walk Biden's denial back.

"The president is perfectly comfortable with the Department of Justice settling with the individuals and families who are currently in litigation with the US government," White House deputy press secretary Karine Jean-Pierre said.

The proposed financial settlements have infuriated Republicans, who introduced a bill to block the massive payouts, calling them "disastrous."

"Once again, [Biden] either lied or has no idea what's going on," Rep. Nicole Malliotakis (R-SI/Bkln) tweeted Friday. "Americans don't bust their asses & pay taxes so Democrats can give their \$ to those who disrespect our borders and break our laws."

<https://nypost.com/2021/11/06/joe-biden-angrily-defends-plans-for-450k-migrant-separation-payouts/>

WHAT DO HUMAN RIGHTS AND CIVIL RIGHTS GUARANTEE IN THE UNITED STATES OF AMERICA AND WORLDWIDE?

<https://geneva.usmission.gov/2021/02/24/secretary-hrc/>

"It is an honor to join you as the United States reengages with the Human Rights Council and other important international organizations. I'm here to reaffirm America's commitment to respect and defend the human rights of all people, everywhere. As the Universal Declaration of Human Rights proclaims: all human rights are universal, indivisible, interdependent, and interrelated."

The idea that all human beings – regardless of race, sex, nationality, ethnicity, language, religion, or any other status – are entitled to human rights is built into the foundation of the United Nations. These fundamental rights include freedom from slavery and torture, freedom of opinion and expression, right to life and liberty, work and education, and many more.

To ensure that these rights are available to everyone across all cultures, the United Nations works to mainstream human rights within the UN system and collaborates closely with governments in the field to identify, highlight, and develop responses to human rights challenges.

<https://www.ungeneva.org/en/topics/human-rights>

<https://www.ohchr.org/en/what-are-human-rights>

<https://www.ohchr.org/en/prevention-and-early-warning/preventing-human-rights-violations>

<https://obamawhitehouse.archives.gov/the-press-office/2010/09/23/fact-sheet-advancing-democracy-and-human-rights>

<https://obamawhitehouse.archives.gov/blog/2014/03/06/departments-justice-advocating-civil-rights-and-access-aapis>

<https://www.whitehouse.gov/briefing-room/statements-releases/2021/12/23/summit-for-democracy-summary-of-proceedings/>

Who is running the failed United States of America federal and individual state governments?

THE PEOPLE OF THE UNITED STATES ARE GOING TO BURN IN HELL FOR NOT GIVING THEIR MULATTO/MIXED/MESTIZO DESCENDANTS OF SLAVERY RESTITUTION. WHAT HAVE ANY OF THE ESTABLISHED GOVERNMENT AGENCIES DONE FOR THESE PEOPLE BESIDES GIVE BENEFITS AND RESOURCES TO ANY ILLEGAL ALIEN OR FOREIGN NATIONAL THAT ENTERS THE BORDERS OF THE UNITED STATES OF AMERICA?

Examples of blatant human rights and civil rights violations that exist today in the United States of America:

Lisa Calderon One drop rule

<https://www.youtube.com/watch?v=2PQw211MJuA>

I Am Human - One Drop Rule

<https://www.youtube.com/watch?v=BrbpbVIPpG4>

<https://www.youtube.com/watch?v=8qvPvyQOqIA>

One-drop rule Meaning

<https://www.youtube.com/watch?v=EnX19H1Xuc8>

The Flawed One Drop Rule: Trevor Noah Reveals South Africa's Creation of the 'Coloured' Race

<https://www.youtube.com/shorts/I7eBGpGYv2U>

Comedian Trevor Noah On being mixed race in South Africa

<https://www.youtube.com/watch?v=YqciCFLxfee>

Monday, 27 November 2023

The United States federal, state, and local governments have not done anything all year to implement the principles in the American Restoration Information Doctrine (ARID) to save that ailing nation. The citizens of the United States of America think they always deserve candy cane lane as they have given their nation over to foreign interest and reject their own native born five multigenerational people.

<https://www.youtube.com/watch?v=ElmslGT85tI>

<https://uscode.house.gov/view.xhtml?path=/prelim@title18/part1/chapter11&edition=prelim>

<https://uscode.house.gov/view.xhtml?path=%2Fprelim%40title18%2Fpart2%2Fchapter216&edition=pr>

elim

https://www.govinfo.gov/content/pkg/SERIALSET-00303_00_00-019-0097-0000/pdf/SERIALSET-00303_00_00-019-0097-0000.pdf

https://www.govinfo.gov/content/pkg/SERIALSET-00384_00_00-009-0092-0000/pdf/SERIALSET-00384_00_00-009-0092-0000.pdf

https://www.govinfo.gov/content/pkg/SERIALSET-00723_00_00-008-0072-0000/pdf/SERIALSET-00723_00_00-008-0072-0000.pdf

https://www.govinfo.gov/content/pkg/SERIALSET-00698_00_00-018-0045-0000/pdf/SERIALSET-00698_00_00-018-0045-0000.pdf

https://www.govinfo.gov/content/pkg/SERIALSET-00516_00_00-021-0028-0000/pdf/SERIALSET-00516_00_00-021-0028-0000.pdf

https://www.govinfo.gov/content/pkg/SERIALSET-00677_00_00-019-0041-0000/pdf/SERIALSET-00677_00_00-019-0041-0000.pdf

https://www.govinfo.gov/content/pkg/SERIALSET-00442_00_00-006-0075-0000/pdf/SERIALSET-00442_00_00-006-0075-0000.pdf

https://www.govinfo.gov/content/pkg/SERIALSET-00644_00_00-011-0097-0000/pdf/SERIALSET-00644_00_00-011-0097-0000.pdf

What honorable American white man in United States history fiercely opposed the cabal of international foreign organized criminals from infiltrating and seizing total government power by means of mass, unlimited, unrestricted, and uncontrolled immigration? Answer: John Edgar Hoover (1895-1972). He was the white first director of the federal bureau of investigations (fbi) which is now obsolete and ineffective. John Edgar Hoover was a white American man that lived as such racially, economically, culturally, politically, and socially even though he had one Nigerian American slave great-grandfather, Robert Avent (1811-1860) in his paternal lineage. His mother was born in Heidelberg, Baden-Württemberg, Germany.

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<https://www.biography.com/legal-figures/j-edgar-hoover>

Who is running the failed United States of America federal and individual state governments?
Why is the whitehouse.gov website in the United States of America a total fraud that does not address the real issues and problems facing that nation?

All of this is non-sense that is put on the whitehouse.gov website:

<https://www.whitehouse.gov/briefing-room/>

Statement from President Joe Biden on the African Growth and Opportunity Act (AGOA)

Reauthorization

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

Readout of White House State Legislative Convening on Reproductive Rights

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

International Counter Ransomware Initiative 2023 Joint Statement

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

FACT SHEET: Biden-Harris Administration Convenes Third Global Gathering to Counter Ransomware

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

Statement from Press Secretary Karine Jean-Pierre on the Bilateral Meeting Between President Joe Biden and President Luis Abinader of the Dominican Republic

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

Statement from White House Press Secretary Karine Jean-Pierre on President Biden's Establishment of First-Ever National Strategy to Counter Islamophobia

NOVEMBER 01, 2023•STATEMENTS AND RELEASES

Joint Statement on U.S.-EU Energy Security Task Force Meeting
 NOVEMBER 01, 2023•STATEMENTS AND RELEASES
 Readout of Vice President Harris's Meeting with Prime Minister Rishi Sunak of the United Kingdom
 NOVEMBER 01, 2023•STATEMENTS AND RELEASES
 Message to the Congress on the Continuation of the National Emergency With Respect to the
 Proliferation of Weapons of Mass Destruction
 NOVEMBER 01, 2023•STATEMENTS AND RELEASES
 Press Release: Notice on the Continuation of the National Emergency With Respect to the
 Proliferation of Weapons of Mass Destruction
 NOVEMBER 01, 2023•STATEMENTS AND RELEASES
 2024-2025 White House Fellowship
 NOVEMBER 01, 2023•STATEMENTS AND RELEASES
 Statement from President Joe Biden on the 2024 Open Enrollment Period
 NOVEMBER 01, 2023•STATEMENTS AND RELEASES
 President Biden Announces Kurt Campbell as Nominee for Deputy Secretary of State, Department
 of State
 NOVEMBER 01, 2023•STATEMENTS AND RELEASES
 FACT SHEET: Vice President Harris Announces New U.S. Initiatives to Advance the Safe and
 Responsible Use of Artificial Intelligence
 NOVEMBER 01, 2023•STATEMENTS AND RELEASES
 Statement from Press Secretary Karine Jean-Pierre on the Bilateral Meeting Between President
 Joe Biden and President Gabriel Boric of Chile
 OCTOBER 31, 2023•STATEMENTS AND RELEASES
 Readout of President Biden's Call with His Majesty King Abdullah II of Jordan
 OCTOBER 31, 2023•STATEMENTS AND RELEASES
 FACT SHEET: President Biden Announces Over \$5 Billion to Support Rural Communities During
 Investing in Rural America Event Series
 OCTOBER 31, 2023•STATEMENTS AND RELEASES
 FACT SHEET: Release of the 2023 Women, Peace and Security Strategy and National Action Plan
 OCTOBER 31, 2023•STATEMENTS AND RELEASES
 WHAT THEY ARE SAYING: President Biden Issues Executive Order on Safe, Secure, and
 Trustworthy Artificial Intelligence
 OCTOBER 31, 2023•STATEMENTS AND RELEASES
 FACT SHEET: President Biden to Announce New Actions to Protect Retirement Security by Cracking
 Down on Junk Fees in Retirement Investment Advice
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Who is running the failed United States of America federal and individual state governments?

Saturday, 21 October 2023

From:

The Mulatto/Mixed/Mestizo Americans Restitution Committee
 Secretary: J. Keller - Submissions and Reporting, 801158 Hope Street, Los Angeles, California 90034
 Chairman: Sanjay Nguyen - Government liaison: 14755 Lumas Verdes Avenue, Palo Alto, California 94302

To:

The White House staff executive branch of the United States of America
 1600 Pennsylvania Avenue, Washington, District of Columbia 20050-0005

To whom it may concern:

The United States of America is in grave danger. The state of Hawaii was struck by nuclear war heads which could have been prevented if the governments of the United States had implemented a simple, easy, and efficient application for distribution of the money allocated on December 11, 2020 in the amount of \$44 trillion to be given as restitution for the ills caused by slavery for systemic racism, discrimination, hatred, and prejudice hindering upward mobility from February 13, 1865 for these unique and special citizens of the United States of America. All eligible persons who self-identified their racial/ethnic classification as Mulatto/Mixed/Mestizo Americans on the 2020 United States federal census have been indexed as well as their genealogies. Justice claims have been submitted to individual state and federal departments of justice and governors. These claims are valid and legitimate. All of them are guilty of dereliction of duty and will cause the United of America mainland to be obliterated in such a manner as the state of Hawaii. If you continue to ignore and not implement this justice claim via the IRS website for application judgement day will be pronounced upon the United States of America. You, your families, and the people of the United States of America will suffer great casualties. This is a final warning. The federal and state governments are libel for at least \$44,000,650,000,000.00 which includes the labor cost associated with the research, processing, and final submission of written reports to the department of Homeland

Security for exploitation of unlawful foreign workers.

cc: United Nations, <https://www.un.org/en/>

Who is running the failed United States of America federal and individual state governments?

Victory comes when the United States of America is no more as only time will tell unless the patriot citizens take up arms and slaughter the traitors and install a government that recognizes and implement a system whereby the forgotten Mulatto/Mixed/Mestizo Americans justice claim is paid and they are given top notch public, private, and government positions based on competence as it is very easy to do. That should have begun December 2020. This powerful group of United States citizens bought the nation more time by pushing back destruction while most American citizens eat, drink, and are being merry. If a nation and relationship no longer works then separate ways must commence by destroying the old and ushering in something new and much better.

https://www.youtube.com/watch?v=AWs8SbT4__E

<https://www.youtube.com/watch?v=5A4xBp2rizQ>

<https://www.youtube.com/watch?v=LatorN4P9aA>

Friday, the 13th of October 2023

Who is running the failed United States of America federal and individual state governments?

AI voice clones mimic politicians and celebrities, reshaping reality

Experts have long predicted generative artificial intelligence would lead to a tsunami of faked photos and video. What's emerging is an audio crisis.

By Pranshu Verma and Will Oremus, October 13, 2023 at 6:00 a.m. EDT

Days before a pivotal national election in Slovakia last month, a seemingly damning audio clip began circulating widely on social media. A voice that sounded like the country's Progressive party leader, Michal Šimečka, described a scheme to rig the vote, in part by bribing members of the country's marginalized Roma population.

Two weeks later, another apparent political scandal emerged: The leader of the United Kingdom's Labor party was seemingly caught on tape berating a staffer in a profanity-laden tirade that was posted on X, formerly Twitter.

Both clips were soon debunked by fact-checkers as likely fakes, with the voices bearing telltale signs that they were generated or manipulated by artificial intelligence software. But the posts remain on platforms such as Facebook and X, generating outraged comments from users who assume they are genuine.

Rapid advances in artificial intelligence have made it easy to generate believable audio, allowing anyone from foreign actors to music fans to copy somebody's voice — leading to a flood of faked content on the web, sowing discord, confusion and anger.

Last week, the actor Tom Hanks warned his social media followers that bad actors used his voice to falsely imitate him hawking dental plans. Over the summer, TikTok accounts used AI narrators to display fake news reports that erroneously linked former president Barack Obama to the death of his personal chef.

On Thursday, a bipartisan group of senators announced a draft bill, called the No Fakes Act, that would penalize people for producing or distributing an AI-generated replica of someone in an audiovisual or voice recording without their consent.

While experts have long predicted generative artificial intelligence would lead to a tsunami of faked photos and video — creating a disinformation landscape where nobody could trust anything they see — what's emerging is an audio crisis.

"This is not hypothetical," said Hany Farid, a professor of digital forensics at the University of California at Berkeley. "You're talking about violence, you're talking about stealing of elections, you're talking about fraud — [this has] real-world consequences for individuals, for societies and for democracies."

Their voices are their livelihood. Now AI could take it away.

Voice cloning technology has rapidly advanced in the past year, and the proliferation of cheap, easily accessible tools online make it so that almost anyone can launch a sophisticated audio campaign from

their bedroom.

It's difficult for the average person to spot faked audio campaigns, while images and videos still have notable oddities — such as deformed hands, and skewed words.

"Obama still looks a little plasticky when bad actors use his face," said Jack Brewster, a researcher at NewsGuard, which tracks online misinformation. "But the audio of his voice is pretty good — and I think that's the big difference here."

Social media companies also find it difficult to moderate AI-generated audio because human fact-checkers often have trouble spotting fakes. Meanwhile, few software companies have guardrails to prevent illicit use.

Previously, voice cloning software churned out robotic, unrealistic voices. But computing power has grown stronger and the software more refined. The result is technology that can analyze millions of voices, spot patterns in elemental units of speech — called phonemes — and replicate it within seconds.

Online tools, such as from voice cloning software company Eleven Labs, allow almost anyone to upload a few seconds of a person's voice, type in what they want it to say, and quickly create a deepfaked voice — all for a monthly subscription of \$5.

They thought loved ones were calling for help. It was an AI scam.

For years, experts have warned that AI-powered "deepfake" videos could be used to make political figures appear to have said or done damaging things. And the flurry of misinformation in Slovakia offered a preview of how that is starting to play out — with AI-generated audio, rather than video or images, playing a starring role.

On Facebook, the audio clip of what sounded like Šimecka and the journalist played over a still image of their respective faces. Both denounced the audio as a fake, and a fact-check by the news agency Agence France-Presse determined it was likely generated wholly or in part by AI tools. Facebook placed a warning label over the video ahead of the Sept. 30 election, noting that it had been debunked. "When content is fact-checked, we label and down-rank it in feed," Meta spokesman Ryan Daniels said.

But the company did not remove the video, and Daniels said it was deemed not to have violated Facebook's policies on manipulated media. Facebook's policy specifically targets manipulated video, but in this case it wasn't the video that had been altered, just the audio.

Research by Reset, a London-based nonprofit that studies social media's effect on democracy, turned up several other examples of faked audio in the days leading to the election on Facebook, Instagram, Telegram and TikTok. Those included an ad for the country's far-right Republika party in which a voice that sounds like Šimecka's says he "used to believe in 70 genders and pregnant men" but now supports Republika. A disclaimer at the end says, "voices in this video are fictional."

That video appears on Facebook without a fact-check and was promoted on the platform as an ad by a Republika party leader. It racked up between 50,000 and 60,000 views in the three days before the election, according to Facebook's ad library.

About 3 million people voted in the parliamentary election, with the country's pro-Russian populist party beating out Šimecka's Progressive party for the most seats. Slovakia has halted military aid to Ukraine in the election's wake.

What effect, if any, the AI-generated voice fakes had on the outcome is unclear, said Rolf Fredheim, a data scientist and expert on Russian disinformation who worked with Reset on its research. But the fact that they "spread like wildfire" in Slovakia means the technique is likely to be tried more in future elections across Europe and elsewhere.

Meanwhile, the allegedly faked audio clip of U.K. Labor leader Keir Starmer, who has a chance to become the next prime minister, remains on X, without any fact check or warning label.

Fears of AI-generated content misleading voters aren't limited to Europe. On Oct. 5, U.S. Sen. Amy Klobuchar (D-Minn.) and Rep. Yvette D. Clarke (D-N.Y.) sent an open letter to the CEOs of Meta and X, expressing "serious concerns about the emerging use" of AI-generated content in political ads on their platforms. The two politicians in May introduced an act to require a disclaimer on political ads that use AI-generated images or video.

European Union Commissioner Thierry Breton pressed Meta chief executive Mark Zuckerberg in a letter on Wednesday to outline what steps his company will take to prevent the proliferation of deepfakes, as countries such as Poland, the Netherlands and Lithuania head to the ballot box in the coming months.

Celebrities warn followers not to be duped by AI deepfakes

AI-audio generated conspiracy theories are also spreading widely on social media platforms. In September, NewsGuard identified 17 accounts on TikTok that use AI text-to-speech software to generate videos that advance misinformation, and have garnered more than 336 million views and

14.5 million likes.

In recent months, these accounts used AI narrators to create fake news reports that claimed Obama was connected to the death of his personal chef, Tafarin Campbell; TV show personality Oprah Winfrey is a “sex trader”; and that actor Jamie Foxx was left paralyzed and blind by the coronavirus vaccine. Only after TikTok was made aware of some of these videos did they take them down, according to NewsGuard.

Ariane de Selliers, a spokeswoman for TikTok, said in a statement that the company “requires creators to label realistic AI-generated content and was the first platform to develop tools to help creators do this, recognizing how AI can enhance creativity.”

Brewster, whose company conducted the study and specializes in misinformation, said voice deepfakes present a unique challenge. They don’t show their “glitches” as easily as AI-generated videos or images, which often give people oddities such as eight fingers.

Though companies that create AI text-to-voice tools have software to identify whether a voice sample is AI-generated, these systems aren’t widely used by the public.

Voice software has also improved at replicating foreign languages, because of an increased number of data sets with non-English-language audio.

The result is more AI voice deepfake campaigns in countries that may be experiencing war or instability, the experts added. For example, in Sudan, alleged leaked voice recordings of the former leader of the country, Omar al-Bashir, circulated widely on social media platforms, causing confusion among citizens because Bashir is thought to be gravely ill, according to the BBC.

In countries where social media platforms may essentially stand in for the internet, there isn’t a robust network of fact-checkers operating to ensure people know a viral sound clip is a fake, making these foreign language deepfakes particularly harmful.

“We are definitely seeing these audio recordings hitting around the world,” Farid said. “And in those worlds, fact-checking is a much harder business.”

Fake images of Trump arrest show ‘giant step’ for AI’s disruptive power

More recently, Harry Styles fans have been thrust into confusion. In June, supposed “leaked” snippets of songs by Styles and One Direction surfaced on the messaging channel Discord, sold to eager fans for sometimes hundreds of dollars each. But several “super fans” quickly dissected the music and argued the songs were AI-generated audio.

The outlet 404 Media conducted its own investigation into the audio and found some samples sounded legitimate and others “sketchy.” Representatives for Harry Styles did not return a request for comment on whether the leaked audio is real or an AI-generated fake.

Farid, of UC Berkeley, said the ultimate responsibility lies with social media companies, because they are responsible for the distribution and amplification of the content.

Though millions of posts are uploaded onto their sites daily, the most savvy disinformation traces back to a handful of profiles with large followings. It’s not in the companies’ interest to remove them, Farid added.

“They could turn the spigot off right now if they wanted to,” he said. “But it’s bad for business.”

<https://www.washingtonpost.com/technology/2023/10/13/ai-voice-cloning-deepfakes/>

<https://www.youtube.com/watch?v=wTjMqda19wk>

To the axis of evil you must blow the United States of America into pieces. Hawaii was hit by nuclear war heads. The USA is the most evil, wicked, and sinful nation in the world. The white and black political leaders and people of that nation are monkeys that can not do anything right. The shadow government of the United States puts black faces, colored hispanic/latino and asian people in positions of power as yes men and women to give the country away to foreign interests.

The American people can not walk down the street and chew gum and tie their shoe laces at the same time. All of the 102 million illegal aliens, undocumented immigrants and foreign nationals you will go down with the Titanic United States of America as well.

<https://nationalinterest.org/blog/buzz/make-no-mistake-china-would-destroy-us-cities-nuclear-war-109586>

https://www.youtube.com/watch?v=1EemcmGko_c

<https://foreigndesknews.com/asia/north-korea-vows-to-annihilate-u-s-says-country-will-be-terminated-t-his-century/>

<https://www.youtube.com/watch?v=xS1CZjsqKc>, <https://www.youtube.com/watch?v=FSCPkRUE2xQ>, <https://www.youtube.com/watch?v=096hnKDw5tc>, <https://www.youtube.com/watch?v=4LUumD0MwL8>, <https://www.youtube.com/watch?v=3DPd2IL3E1E>,

Where is joe biden and who is running the United States federal and individual state governments?

----- Forwarded Message -----

Everybody wants to rule the world by satanic warlocks and witches. Why?

https://www.youtube.com/watch?v=znDgBy2mHbc&list=RDaGSKrC7dGcY&start_radio=1

The important problems facing the United States of America are not being addressed and solved by any of the politicians. A lot of them are high level satanic warlocks and witches.

The established system is functioning until there is some type of collapse.

<https://governmenty.com/joe-biden>

Former Vice President Joe Biden's kickoff rally for his 2020 Presidential campaign
Former Vice President Joe Biden's kickoff rally for his 2020 Presidential campaign
By: Michael Stokes

Contact Events Speeches Interviews Town Halls & Forums Debates

Born 11/20/1942, Religion: Catholic, death: 7/6/2012 at Dover AFB-cremated

Contact President Joe Biden (D) by email address, mailing address, DC office phone number, official & campaign websites, and Facebook, Twitter, YouTube & Instagram:

DC Phone Number: 202-456-1111 Government Website: whitehouse.gov Contact Email: whitehouse.gov/contact Official Website: joebiden.com YouTube: youtube.com/user/whitehouse Facebook: facebook.com/POTUS Twitter: twitter.com/POTUS Instagram: instagram.com/potus

Notable Speaking Engagements by Joe Biden

Engagement Num About

Joe Biden Speeches

WATCH

25 Major speeches by Joe Biden

Joe Biden Interviews

WATCH

14 Major interviews by Joe Biden

Joe Biden Debates

WATCH

13 Debates Joe Biden participated in

Joe Biden Town Halls

WATCH

4 Major Town Halls and Forums Joe Biden participated in

Joe Biden Congress Details

Years in Congress: 01/03/1973 - 01/15/2009

Joe Biden History

President of the United States (01/20/2021 - Present)

Vice President of the United States (01/20/2009 - 01/20/2017)

U.S. Senator from Delaware (01/03/1973 - 01/15/2009)

College Attended: Syracuse ('68) & Delaware ('65) Degrees Earned: J.D. (Law) (68) & Bachelors Degree (65)

Prior Occupations: Professor

Previous Joe Biden Speaking Engagements (EST)

Apr 28 2021 Wed State of the Union Speech Washington DC

Apr 14 2021 Wed Policy Speech Washington DC

Apr 13 2021 Tue Eulogy Washington DC

Apr 08 2021 Thu Policy Speech Washington DC

Apr 07 2021 Wed Policy Speech Washington DC

Apr 06 2021 Tue Washington DC DC Speech Washington DC

Apr 05 2021 Mon Commemorative Speech Washington DC

Mar 25 2021 Thu Press Conference Washington DC

Feb 16 2021 Tue Anderson Cooper Hosted Town Hall Milwaukee, WICNN

Jan 20 2021 Wed Presidential Announcement Washington DC

Dec 14 2020 Mon Wilmington DE Speech Wilmington, DE

Nov 07 2020 Sat Victory Speech Wilmington, DE

Oct 15 2020 Thu ABC Town Hall Philadelphia, PA

Oct 06 2020 Tu

eGettysburg PA RallyGettysburg, PA Aug 20 2020ThuDNC Day Four SpeechWilmington, DEJul 28 20
 20TueWilmington DE SpeechWilmington, DEJun 02 2020TuePhiladelphia PA SpeechPhiladelphia, P
 AApr 13 2020MonMeeting Mar 24 2020TueThe View InterviewNew York City, NYABCMar 24 2020Tu
 eState of the Union InterviewWilmington, DECNMar 23 2020MonWilmington DE SpeechWilmington,
 DEMar 12 2020ThuPress ConferenceWilmington, DEDec 12 2019ThuCampaign Ad Dec 07 2019Sat
 Teamsters Candidate Forum ForumCedar Rapids, IADec 05 2019ThuNew Hampton Iowa SpeechNe
 w Hampton, IADec 04 2019WedCampaign Ad Dec 03 2019TueJoe Biden Campaign RallyMason City,
 IANov 08 2019FriConcord NH RallyConcord, NHOct 29 2019TueAndrea Mitchell InterviewWashingto
 n DCMSNBCOct 27 2019SunNorah O'Donnell InterviewWilmington, DECBSEOct 23 2019WedPolicy S
 peechScranton, PAOct 16 2019WedDavenport Iowa SpeechDavenport, IAOct 09 2019WedRochester
 NH SpeechRochester, NHOct 02 2019WedJoe Biden SpeechReno, NVSep 25 2019WedJimmy Kim
 mel InterviewLos Angeles, CAABC Sep 24 2019TueJoe Biden SpeechWilmington, DE Sep 21 2019Sat
 Polk County Steak Fry SpeechDes Moines, IASep 07 2019SatNew Hampshire Democratic Party Conv
 ention SpeechManchester, NH Sep 04 2019WedStephen Colbert InterviewNew York City, NYCBS Sep
 02 2019MonInterviewCedar Rapids, IAAug 24 2019SatJoe Biden Campaign RallyKeene State Colleg
 e, NHAug 23 2019FriDartmouth Town HallDartmouthAug 08 2019Thulowa State Fair Press Conferen
 ceDes Moines, IAAug 08 2019Thulowa State Fair SpeechDes Moines, IAAug 07 2019WedBurlington I
 owa SpeechBurlington, IAAug 05 2019MonAC-360 InterviewAC-360Aug 03 2019SatAFSCME 2020 P
 ublic Service Forum ForumUNLV, NVJul 16 2019TueMika Brzezinski InterviewWashington DCMSNB
 CJul 16 2019TuePlanned InterviewSioux City, IAJul 11 2019ThuCity University of New York SpeechN
 ew York City, NY

Joe Biden Videos of Notable Speaking Engagements

3rd Presidential Debate (2020)

3rd Presidential Debate (2020)Oct 22, 2020

The third and final Presidential debate between Joe Biden and Donald Trump was held at Belmont Un
 iversity in Nashville, TN. Both candidates were allowed to answer moderator Kristen Welker's initial qu
 estions for two minutes uninterrupted, as a new feature allowed opponent's mics to be muted during th
 at timeframe. After the initial segment question, of which there were six, both candidates spoke freely.
 Biden and Trump addressed questions on outside interference with American elections, the economy,
 national security, the ongoing pandemic, healthcare, climate change and tax plans if elected. Final qu
 estion was about Leadership. This debate was far more civil than their first.

Joe Biden Primetime Town Hall

Joe Biden Primetime Town HallOct 15, 2020

In lieu of the 2nd Presidential Debate Joe Biden participated in a townhall hosted by ABC and modera
 ted by George Stephanopoulos in Philadelphia, Pennsylvania. Biden was asked a number of question
 s by undecided voters and Stephanopoulos himself, notably on whether or not Biden favors adding se
 ats to the Supreme Court, which Biden promised he would answer before election day. Biden also spe
 nt much of the event showing the American people that he is the exact opposite of Donald Trump in b
 oth temperament and with his approach to governance and promised he would work to heal the polari
 zing divide plaguing American politics today.

Joe Biden Speech on Unity and Reconciliation at Gettysburg

Joe Biden Speech on Unity and Reconciliation at GettysburgOct 6, 2020

Democratic presidential nominee Joe Biden spoke at one of the United States most hallowed sites an
 d delivered an impassioned call for a deeply divided American people to come together for the greater
 good of the country. Biden, speaking near the Civil War battlefield in Gettysburg, said the American p
 eople "have too bright a future to have it shipwrecked on the shoals of anger and hate and division." H
 is nearly 30 minute speech didn't mention Donald Trump one time, but it was impossible not to take int
 erpret his speech as anything but an unambiguous rebuke of Donald Trump's Presidency.

<https://www.youtube.com/watch?v=zxrLw6NxOQo>

<https://www.gq.com/story/political-impersonators-clinton-obama-trump>

<https://www.youtube.com/watch?v=5WUYGPhUjyE>

Politicians who are no longer alive or living:

James Earl Carter d. 2011-January-1, Plains, Georgia

wife Eleanor Rosalynn Carter, d. 2010-December 31, Plains, Georgia

Bill Clinton, d. 2022-May-1, Washington, DC

Hillary Rodham Clinton, d. 2022-May-1, Washington, DC

George Walker Bush, d. 2022-January-6, Washington, DC

wife Laura Welch Bush, d. 2022-January-6, Washington, DC
 Donald Trump, d. 2021-January-1, Washington, DC
 wife Melania Trump, d. 2021-January-1, Washington, DC
 Michael Pence, d. 2022-February-5, Washington, DC
 Barack Obama was born Barry Dunham, d. 2022-May-6, Washington, DC
 Michelle Robinson was born Michael Robinson (transgender woman), d. 2022-May-6, Washington, DC
 Kamala Harris was born Kamala Hameed in Punjab, India, d. 2022-February-2, Washington, DC
 Virginia gov. Lawrence Douglas Wilder was born Raj Patel in Punjab, Indian, d. 2022-May-2, Walton, West Virginia
 South Carolina gov. Nikki Haley was born Nimarata Randhawa in Punjab, India, d. 2021-February-2, New York City, New York
 Louisiana gov. Bobby Jindal was born Piyush Jindal in Punjab, India, d. 2021-January-5, Washington, DC
 Massachusetts gov. Devan Patrick was born Daaiyyah Paniza in Al-Faydah, Jordan, Africa d. 2022-April-4, Boston, Massachusetts
 Michigan gov. Gretchen Whitmer was born Griselda Weiss in Rudesheim, Germany, d. 2022-March-1, Detroit, Michigan
 Iowa gov. Kim Reynolds was born Kae Roessner in Herning, Ringkobing, Denmark, d. 2022-April-3, Des Moines, Iowa
 New Jersey gov. Phil Murphy was born Bjorn Kieser in Mainz, Germany d. 2020-January-3, Washington, DC
 Florida gov. Ron DeSantis, d. 2022-December-1, Tallahassee, Florida
 Mitch McConnell, d. 2022-May-1, Louisville, Kentucky
 Elaine Chao, d. 2022-May-1, Louisville, Kentucky
 Chuck Schumer, 2021-January-3, Washington, DC
 Nancy Pelosi, d. 2020-January-1, Washington, DC
 Hakeem Jeffries, d. 2022-September-1, Washington, DC
 Kellyanne Conway (transgender woman), d. 2021-January-13, New York City, New York, Huma Abedin, d. 2022-January-5 in New York City, New York.

The people of the United States are this:

<https://germanshepherddog.info/wp-content/uploads/2021/06/LTHQ-199-feat-780x520-1-696x464.jpg>
https://www.cwp.org/wp-content/uploads/2015/11/noun_78485.png

How low can the shadow government of the United States go?

<https://www.whitehouse.gov/briefing-room/presidential-actions/2023/09/29/memorandum-on-presidential-determination-on-refugee-admissions-for-fiscal-year-2024/>

Why aren't Mulatto/Mestizo Americans classified as white rather than the United States government and media falsely attaching them to black people? Is it to hold them down? Yes, so they will die out and not access political, economic, and social power for upward mobility to govern the United States with integrity, honesty, fairness, and right justly. The facts have been presented as referenced with many source citations. The United States native born people and government will do anything for illegal aliens, foreign nationals, and immigrants before the honorable Mulatto/Mixed/Mestizo American descendants of United States slaves. Over nine thousand OMB Control Number: 1653-0049 written reports were submitted to the Department of Homeland Security for "Employment/Exploitation of Unlawful Workers" from October 26, 2020 to September 6, 2023 to stop the United States of America from being silently taken over by illegal aliens, foreign nationals and unlawful immigrants. That equals \$650,000,000.00 in unpaid time, labor, and work which is unsatisfied. 3 March 2022 was the date the United States was on schedule to be under foreign rule with an official announcement on 1 June 2022. If the reports were not voluntarily submitted to the Department of Homeland Security the natural born citizens of the United States would have been scheduled for extermination.

The United States federal government is libel for a minimum of \$6.6 million and the individual states are libel for a minimum of \$3.4 million for the harmful affects, brutality, cruelty, pain and suffering caused

by slavery

to Mulatto/Mixed/Mestizo American descendants of slaves which should include additional penalties and interest. This restitution is a valid and legitimate justice claim against the federal and state governments based on violations of a distinct and specific people's human rights and civil rights who have been enumerated by decennial censuses. The first United States federal census commenced on 1 November 1790 and lasted for six months. These people are natural born citizens of the United States of America whose lineage reflects those who founded, settled, built and established the nation on 30 July 1790 the date of constitution.

Referred 13 September 2023 to the White House staff for resolution regarding the restitution for Mulatto/Mixed/Mestizo Americans legitimate justice claim for the brutality, pain and suffering, racial/ethnic hatred, prejudice, and generational financial instability caused by United States slavery from March 1, 1701 to February 13, 1865. (202) 456-1414, (202) 456-1111, (202) 456-4444, (202) 456-7000, (202) 456-7041, (202) 456-6541, (202) 456-6224, 1600 Pennsylvania Ave NW Washington, District of Columbia 20500-0005

Will real estate price gauging and political corruption in the United States of America cause banking and financial institutions to collapse?

Which nation is approaching the end?

Revelation 18: 7 How much she hath glorified herself, and lived deliciously, so much torment and sorrow give her: for she saith in her heart, I sit a queen, and am no widow, and shall see no sorrow.

<https://www.youtube.com/watch?v=DeumyOzKqgl>

<https://www.youtube.com/watch?v=dzPB7yKjNPE>

<https://www.youtube.com/watch?v=qtwot6j83V8>

https://www.youtube.com/watch?v=zxBcZxjC_gc

*****AMERICAN-RESTORATION-INFORMATION-DOCTRINE*****

*****-ARID-*****

THE UNITED STATES OF AMERICA IS A WEAK AND PATHETIC NATION THAT NEEDS TO MIND ITS OWN BUSINESS BY DEALING WITH DOMESTIC INTERNAL PROBLEMS INSTEAD OF CAUSING CONFLICT AROUND THE GLOBE. MOST OF THE AMERICAN PEOPLE AT ALL SOCIAL, ECONOMIC, AND POLITICAL LEVELS ARE MORONS, PAGANS, AND NINCOMPOOPS. THE EVIDENCE BELOW PROVES IT:

<https://www.beliefnet.com/columnists/watchwomanonthewall/2011/04/the-45-communist-goals-as-read-into-the-congressional-record-1963.html>

<https://mtviewmirror.com/yellow-journalism-propaganda/>

<https://publicdomainreview.org/collection/yellow-journalism-the-fake-news-of-the-19th-century>

<https://summit.news/2023/05/25/poll-almost-two-thirds-of-americans-view-media-as-truly-the-enemy-of-the-people/>

As John F. Hylan, former Mayor of New York City, explained:

The real menace of our Republic is the invisible government, which like a giant octopus sprawls its slimy legs over our cities, states and nation . . . The little coterie of powerful international bankers virtually run the United States government for their own selfish purposes. They practically control both parties . . . [and] control the majority of the newspapers and magazines in this country. They use the columns of these papers to club into submission or drive out of office public officials who refuse to do the bidding of the powerful corrupt cliques which compose the invisible government. It operates under cover of a self-created screen [and] seizes our executive officers, legislative bodies, schools, courts, newspapers and every agency created for the public protection.

Theodore Roosevelt, former President of the United States, stated:

Political parties exist to secure responsible government and to execute the will of the people. From these great tasks both of the old parties have turned aside. Instead of instruments to promote the general welfare they have become the tools of corrupt interests, which use them impartially to serve their self

sh purposes. Behind the ostensible government sits enthroned an invisible government owing no allegiance and acknowledging no responsibility to the people. To destroy this invisible government, to dissolve the unholy alliance between corrupt business and corrupt politics, is the first task of the statesmanship of the day.

<https://exonews.org/an-in-depth-look-into-who-really-controls-the-us-government-deep-state-because-its-not-the-people/>

<https://www.youtube.com/watch?v=9mWqKO-wcII>

<https://www.youtube.com/watch?v=1zLxxRG4QA>

<https://www.youtube.com/watch?v=J-tGNTvZRms>

<https://www.youtube.com/watch?v=-Jb30nr9WNo>

<https://www.youtube.com/watch?v=CtefoXFrpKI>

<https://www.youtube.com/watch?v=tVBvZL4NXqA>

<https://www.youtube.com/watch?v=UTP4uvIFu5c>

<https://www.youtube.com/watch?v=lhe286ky-9A>

https://www.youtube.com/watch?v=5tu32CCA_lg

<https://www.youtube.com/watch?v=UTP4uvIFu5c>

<https://www.youtube.com/watch?v=NvZv2WVJ2ul>

<https://mises.org/library/praise-bankruptcy>

<https://interestrate.news/industry/heres-why-many-2022-homebuyers-have-underwater-mortgages/>

How are residential and commercial actual construction cost determined in conjunction and comparatively with a real estate property's

city or county assessed tax value versus its retail market value and listing price?

The United States of America realty residential and commercial real estate market is a fraud. Let the mortgage lenders and banks collapse. It cost construction companies very little to build residential and commercial properties for sale which foreign investors

are taking advantage because of the blissful ignorance of the American people.

<https://www.forbes.com/advisor/mortgages/assessed-value-vs-market-value/>

<https://www.capitalism.org/collectivism-statism/crony-capitalism/>

<https://www.nationalreview.com/corner/special-interest-politics-is-a-lot-of-what-infrastructure-is-about/>

<https://thehill.com/business-a-lobbying/business-a-lobbying/318177-lobbyings-top-50-whos-spending-big/>

<https://contactsensators.com/articles/list-of-interest-groups/>

<https://www.cbsnews.com/news/madoff-whole-government-is-a-ponzi-scheme/>

<https://globalpossibilities.org/the-federal-reserve-is-a-ponzi-scheme/>

<https://realmoney.thestreet.com/articles/09/16/2014/feds-plunge-protection-team>

<https://rense.com/general52/secretsoftheplunge.htm>

https://www.huffpost.com/entry/ten-examples-of-welfare-for-the-rich-and-corporations_b_4589188

<https://reason.com/2015/03/11/the-united-states-of-corporate-welfare/>

<https://reason.com/tag/crony-capitalism/>

<https://www.coindesk.com/consensus-magazine/2023/03/17/svb-collapse-shows-the-rot-in-us-banking-and-dollars/>

<https://www.nbcnews.com/politics/justice-department/biggest-fraud-generation-looting-covid-relief-program-known-ppp-n1279664>

<https://www.marketradingessentials.com/2022/07/the-biggest-ponzi-scheme-in-history-this-ceo-warns-that-the-feds-strategy-has-created-a-giant-bubble-in-housing-heres-what-he-likes-for-protection/>

<https://www.youtube.com/watch?v=iK5V89fU61Y>

<https://www.youtube.com/watch?v=CRB7xax2ReQ>

<https://www.youtube.com/watch?v=Q1bkJ0XIDX4>

<https://www.youtube.com/watch?v=6ZHKJYAYZuY>

<https://www.youtube.com/watch?v=bXKrdE2x5og>

<https://projects.propublica.org/bailout/list>

<https://money.cnn.com/news/storysupplement/economy/bailouttracker/>

<https://fortune.com/2023/03/12/nyc-based-signature-bank-fails-closed-by-regulators-fdic-treasury/>

<https://www.youtube.com/watch?v=hV-05TLiLU>

<https://www.youtube.com/watch?v=FUIAM3uqX-s>

<https://www.youtube.com/watch?v=fiCKf7hfagk>

<https://internationalman.com/articles/decline-of-empire-parallels-between-the-us-and-rome-part-i/>

<https://thefederalist.com/2022/03/17/will-joe-biden-oversee-the-collapse-of-the-u-s-dollar/>

<https://thediwire.com/sec-charges-real-estate-investment-firm-with-100-million-fraud/>

<https://www.ganjapreneur.com/hemp-firm-suing-biotech-company-over-ponzi-scheme-accusations/>

<https://www.usnews.com/news/business/articles/2023-03-10/banks-feel-sting-of-fed-fight-against-inflation>
<https://www.gobankingrates.com/investing/real-estate/cities-most-overpriced-homes/>
<https://fortune.com/recommends/mortgages/how-much-salary-to-buy-600000-home/>
<https://www.fool.com/the-ascent/research/average-house-price-state/>
<https://www.mortgagenewsdaily.com/data/housing-inventory>
<https://www.thoughtco.com/the-economics-of-price-gouging-1146931>
<https://www.compliancebuilding.com/2013/07/08/update-real-estate-investment-fraud-or-securities-fraud/>
<https://missingmoney.solari.com/dod-and-hud-missing-money-supporting-documentation/>
<https://www.aol.com/finance/bailouts-bad-rap-203124004.html>
<https://www.fdic.gov/resources/resolutions/bank-failures/failed-bank-list/>
<https://www.fdic.gov/bank/historical/bank/>
<https://www.youtube.com/watch?v=Sv6WW9APFXg>
<https://www.youtube.com/watch?v=v-Z1bFpu8mg>
<https://www.youtube.com/watch?v=zcu9XzKVas>
<https://www.defenseone.com/threats/2018/01/what-nuclear-missile-attack-hawaii-would-look/145319/>
<https://www.youtube.com/watch?v=47juxahmm04>
<https://www.supermoney.com/underwater-mortgage/>
<https://www.whitehouse.gov/about-the-white-house/our-government/state-local-government/>
<https://www.petition2congress.com/ctas/derelection-duty>
<https://constitution.congress.gov/constitution/amendment-2/>
<https://www.nraila.org/why-gun-control-doesn-t-work/>
https://www.youtube.com/watch?v=ORt_k7LjGDg
<https://capitalresearch.org/article/americans-for-public-trust-sues-hansjorg-wyss-the-new-george-soros/>
<https://www.washingtonexaminer.com/news/white-house/hansjorg-wyss-dark-money-group-millions-democratic-causes>
<https://townhall.com/tipsheet/leahbarkoukis/2022/06/24/biden-notecard-telling-him-what-to-do-n2609263>
<https://thefederalist.com/2021/06/24/heres-the-full-list-of-every-lie-joe-biden-has-told-as-president-part-one-hundred-thirty-nine-and-counting/>
<https://thehill.com/opinion/white-house/4003066-americas-state-media-the-blackout-on-biden-corruption-is-truly-pulitzer-level-stuff/>
<https://www.foxbusiness.com/politics/biden-family-makes-admission-corruption-foreign-business-deals-china-expert>
<https://www.cbsnews.com/news/joe-biden-niece-pleads-guilty-credit-account-theft/>
<https://www.cbsnews.com/news/house-oversight-republican-report-biden-family-accusations/>
<https://www.ft.com/content/46b1a230-8c6c-4feb-b617-21a520cc201b>
<https://www.visualcapitalist.com/de-dollarization-countries-seeking-alternatives-to-the-u-s-dollar/>
<https://www.foxbusiness.com/markets/brazil-china-strike-trade-deal-agreement-ditch-us-dollar>
<https://dailyhodl.com/2023/04/01/new-global-currency-designed-to-ditch-us-dollar-coming-from-brics-nations-report/>
<https://www.reuters.com/world/china/argentina-govt-pay-chinese-imports-yuan-rather-than-dollars-2023-04-26/>
<https://www.aier.org/article/de-dollarization-has-begun/>
<https://markets.businessinsider.com/news/currencies/china-bank-dollar-yuan-currency-markets-economy-beijing-fed-hike-2022-9>
<https://www.nspirement.com/2021/01/13/america-the-titanic-is-sinking-take-warning.html>
<http://theeconomiccollapseblog.com/the-dollar-is-in-trouble-here-are-7-signs-that-global-de-dollarization-has-just-shifted-into-overdrive/>
<https://www.truthandaction.org/23-countries-now-abandoning-us-dollar-2/>
<https://www.youtube.com/watch?v=4IR8fCenE2A>
<https://www.congress.gov/bill/117th-congress/house-resolution/57>
<https://www.govtrack.us/congress/bills/117/hres57/summary>
<https://www.youtube.com/watch?v=DAUOurZIVfl>
<https://www.youtube.com/watch?v=-Qnr6XiSZOK>
<https://www.youtube.com/watch?v=Mjc1iy6ZQHI>
https://www.youtube.com/watch?v=NxB1_rgL14c

<https://www.thoughtco.com/presidential-salaries-through-the-years-3368133>

<https://www.presidency.ucsb.edu/documents/presidential-documents-archive-guidebook/annual-messages-congress-the-state-the-union>

<https://uscode.house.gov/view.xhtml?req=granuleid:USC-1999-title22-section2593a&num=0&edition=1999>

<https://www.forbes.com/sites/adamandrzejewski/2021/07/01/bidens-white-house-payroll-is-most-expensive-in-american-history/?sh=59bba1271f7f>

<https://www.openthebooks.com/white-house/>

<https://www.irs.gov/advocate/reports-to-congress>

<https://obamawhitehouse.archives.gov/briefing-room/disclosures/annual-records/2016>

<https://trumpwhitehouse.archives.gov/wp-content/uploads/2020/06/July-1-2020-Report-FINAL.pdf>

<https://www.whitehouse.gov/wp-content/uploads/2021/07/July-1-2021-Report-Final.pdf>

<https://www.whitehouse.gov/wp-content/uploads/2022/07/July-1-2022-Report-Final.pdf>

<https://www.whitehouse.gov/wp-content/uploads/2023/06/July-1-2023-Report-Final-Version.pdf>

<https://www.thoughtco.com/top-us-government-officials-annual-salaries-3321465>

<https://www.federalpay.org/ses/2023>

<https://www.federalpay.org/gs/2023>

Victory comes when the United States of America is no more as only time will tell unless the patriot citizens take up arms and slaughter the traitors and install a government that recognizes and implement a system whereby the forgotten Mulatto/Mixed/Mestizo Americans justice claim is paid and they are given top notch public, private, and government positions based on competence as it is very easy to do. This powerful group of United States citizens bought the nation more time by pushing back destruction while most American citizens eat, drink, and are merry. If a nation and relationship no longer works then separate ways must commence by destroying the old and ushering in something new and much better.

https://www.youtube.com/watch?v=AWs8SbT4_E

<https://www.youtube.com/watch?v=5A4xBp2rizQ>

<https://www.youtube.com/watch?v=LatorN4P9aA>

Why aren't Mulatto/Mestizo Americans classified as white rather than the United States government and media falsely attaching them to black people? Is it to hold them down? Yes, so they will die out and not access political, economic, and social power for upward mobility to govern the United States with integrity, honesty, fairness, and right justly. The facts have been presented as referenced with many source citations. The United States native born people and government will do anything for illegal aliens, foreign nationals, and immigrants before the honorable Mulatto/Mixed/Mestizo American descendants of United States slaves.

The Free People of Color of Pre-Civil War New Orleans

Before American concepts of race took hold in the newly-acquired Louisiana, early 19th-century New Orleans had large population of free people of color. By: Matthew Wills February 20, 2019

New Orleans is unique among American cities for its complicated colonial and racial history. The city was French and then Spanish before Louisiana became an American territory in 1803. A large population of free people of color, gens de couleur libres, lived amid enslaved people of color. Some of these gens were quite well off; a few owned slaves themselves. There was, as geographer Amy R. Sumpter

writes, a “tripartite racial structure and racial fluidity” that narrowed and tightened with statehood (1812) and absorption of American definitions of race.

From the beginning, French and Spanish colonial conceptions of racial categories were much looser than those in the English colonies. The first slave ship arrived in Louisiana in 1719. The French, who controlled the colony from 1682-1763, had a Code Noir that governed relations between Africans and Europeans and regulated emancipation. The distinction between free and unfree people of color was written into this law, with the free people of color legally equivalent to whites. Slaves, meanwhile, could gain freedom in numerous ways—for instance, by defending the colony or teaching a master’s children.

These mixed-race Creole of New Orleans were “famous for their wealth, culture, and education until after 1830” when the American concept of race began to reign.

The Spanish, who ruled from 1763-1800, largely continued French policies. Spanish officials expanded opportunities for emancipation and accepted mixed race relationships. All this helped generate a growing population of free people of color—by 1830, they made up nearly a quarter of New Orleans’ population. (Within a decade, that dropped to less than a fifth as the immigrant white population came in.) Sumpter notes that the Spanish did distinguish between light and dark skinned people of color; Creoles, those born in New Orleans, were also of a higher caste than those born in Africa.

Under the French and Spanish, people with combined African and European ancestry enjoyed many of the privileges white people did. These mixed-race Creole of New Orleans were “famous for their wealth, culture, and education until after 1830” when the American concept of race began to reign. Many worked in professions including “carpentry, cigar making, masonry, shipping, embalming, hairdressing, nursing, and midwifery.”

Sumpter is particularly interested in mapping the distribution of the institution of *plaçage*, “a legally sanctioned ‘mistress’ relationship between a white man and a free woman of color.” This formal legal category, originated by the French and carried on by the Spanish, “resembled a legalized marriage in practice.” (There is some debate whether the men involved were also married in the more traditional sense.) Needless to say, there was nothing like this in the Protestant-dominated states and territories of the United States. In *plaçage*, men were encouraged to provide homes for the women of these “left-handed marriages” and to care for the resulting children. Offspring of such relationships could inherit their father’s wealth.

By 1840, 58% of the New Orleans population was white. The effort to contain, segregate, and disempower free people of color stemmed from numerous impulses. There was competition for jobs; the fear of slave insurrections modeled by Haiti; different language, mores, religion; the white immigrants’ unfamiliarity with non-enslaved people of color inhabiting a middle and even upper class; immigrant’s insecurity about being “white” (many were Irish, a group of northern Europeans initially left out of the white category).

<https://daily.jstor.org/the-free-people-of-color-of-pre-civil-war-new-orleans/>

Race, Sexuality, and the “One Drop Rule”: More Thoughts about Interracial Couples and Marriage

Shari L. Dworkin on October 18, 2009

By Shari Dworkin and Kari Lerum

In a recent post, we discussed the case of a Louisiana justice of the peace who refused to issue a marriage license to an interracial couple. In the words of the Justice, he “just doesn’t believe the races should mix that way.” The Justice explained that since, in his mind, neither “black society” nor “white society” readily accepts offspring of such relationships, his refusal to marry black/white couples was purely out of concern for the couple’s future children. In that post we suggested a connection between this case and the “one drop rule,” an historical justification for race-based slavery in the U.S.

In this post we elaborate on the history of this rule, how it underscores the social construction of race, and how this rule provides an historical basis for intertwining racial and sexual inequality. We will also briefly elaborate on assumptions undergirding the “mixing of races” and “harm to children” comments

For readers unfamiliar with the “one drop rule,” this refers to how U.S. courts and law books historically declared that a mixed race person with “one black ancestor” or “one drop of black blood”

should be categorized/viewed/treated as black. The rule shows us the arbitrary nature of racial classifications. In their book, *Racial Formation in the United States: From the 1960's to the 1990s*, Michael Omi & Howard Winant describe how even a "drop" of "black blood" was difficult to define (is it 1/32 of "negro blood?" 1/20th? less? more?):

"...in 1982-1983, Susie Guillory Phipps unsuccessfully sued the Louisiana Bureau of Vital Records to change her racial classification from black to white. The descendant of an 18th century white planter and a black slave, Phipps was designated as "black" on her birth certificate in accordance with a 1970 state law that declared anyone with at least 1/32 "Negro blood" to be black." Omi and Winant go on to say that:

"The Phipps case raised intriguing questions about the concept of race, its meaning in contemporary society and its use (and abuse) in public policy...Phipps' attorney argued that the assignment of racial categories on birth certificates was unconstitutional and that the 1/32nd designation was inaccurate. He called on a retired Tulane professor who cited research indicating that most Louisiana whites have at least 1/20th "Negro" ancestry" (1994, p. 53).

It is fascinating that this interracial marriage case originates from same state as the Phipps legal case. It is clear that Justice of the Peace Bardwell is assuming that there are two distinct, dichotomously different biological races. Perhaps he doesn't come out and say it, but he may also be assuming that the value of the races are not equal (otherwise what blood mixing is there to fear?). His assessment of "racial mixing" and "black" and "white" groups isn't even an accurate assessment of the "purity" of groups that actually exist biologically, nor does it recognize the very strong role of the social realm in shaping these (see Omi and Winant's book for several other examples of how race is immanently social). Biologists now agree, in many cases that there is little to no biological basis for race. Social scientists share this view, and Lewis (2006) reports that "it has been demonstrated that 85.4% of genetic variation occurs within racial groups and 8.3% occurs between population groups within a race; only 6.3 % of genetic variance occurs between racial groups" (he cites Braun, 2002; Lewontin, 1972).

"One Drop" as a tool of Racism

The second issue we'd like to underscore is how the one drop rule was deployed during slavery to classify anyone with one black ancestor as "black" and hence, a "slave." What's the link to sexuality? Let's return to the discussion of miscegenation laws prohibiting Black-White marriages.

As noted by Lewis (2006, p 238):

"Although these laws were largely found in the South and were enforced largely among Black-White unions, they were more often enforced when Black men attempted to marry White women."

In the contemporary case that we are examining, isn't it interesting that we're discussing the desire for a Black man and a White woman to marry? The reason for the sexual policing of couples by deploying the boundaries of race is due to ideologies of racial inferiority and the ways that whites enforce racist control. Again, citing Lewis (2006, p. 238):

"Explanations of the evolution of the black race and social policy based on these explanations fell into two broad streams during this [the anti-miscegenation] period: accommodationist racists, who believed that blacks were at a lower stage of evolutionary development and, with proper caretaking, could progress and eventually join (white) society; and competitive racists, who believed that change was not possible for blacks and segregation was necessary to preserve the achievements of the white race" (parenthesis added).

Another connection between deploying the boundaries of race (and racism) and sexuality is this: During slavery, when white masters and their sons regularly had sexual access to black female slaves (e.g. often rape, but sometimes consensual)-the mulatto children that resulted from these sexual encounters-were frequently considered black- and in turn, the masters often declared these children slaves.

Indeed, the courts have ebbed and flowed on the definition of "black" and firmed up the definition of black when they experienced fears of slave rebellions. In fact, without fears of slave rebellions, mulattos were set free from the institution of slavery in some instances. However, when fears emerged that slaves might rebel, support faded for defining mulattos as "in between black and white"

and support rose to define mulattos as black. Similar debates related to “racial mixing” were also raised during Nazi Germany and during the Apartheid Era in South Africa.

Racial definitions/classifications and their relationship to sexuality and social oppression continue to haunt American history. As do fears of the “offspring” that result from inter-racial relationships. The Louisiana Justice of the peace doesn’t seem to be keeping up with the times in an endless number of ways. Jay Leno hit it on the head with his recent joke about this case:

“What are people afraid of? That mixed race kids will become President of the United States?”

References:

Braun, L. (2002) Race, ethnicity, and health: Can genetics explain disparities? Perspectives in Biology and Medicine, 45, 159-174.

Omi, M. & Winant, H. (1994). Racial Formation in the United States: From the 1960s to the 1990s. New York: Routledge.

Lewis, L. (2006). Race and Sexuality. Pps 229-264 in R.D. McNulty & M.M. Burnette (Eds.), Sex and Sexuality: Trends and Controversies. Westport: Praeger.

Lewontin, R. C. (1972). The apportionment of human diversity. Evolutionary Biology, 6, 381-98.

<https://thesocietypages.org/sexuality/2009/10/18/race-sexuality-and-the-one-drop-rule-more-thoughts-about-interracial-couples-and-marriage/>

<https://www.youtube.com/watch?v=bSW4MDnR15g>

Monetary benefits and resources from the local, state, and federal governments of the United States of America given to the ethnic and racial groups since March 01, 1701 to July 28, 2023:

white european Americans (non-hispanic/latino) : \$510,000,000,000,000.00

hispanic/latino (non-white) spanish speaking Americans: \$ 63,000,000,000,000.00

black/negro/african Americans: \$199,000,000,000,000.00

asian Americans: \$ 71,000,000,000,000.00

middle eastern (non-white) Americans: \$ 28,000,000,000,000.00

mulatto/mixed/mestizo Americans: \$ 00.00

United States Department of Justice Mission, Values, Organization

Mission: The mission of the Department of Justice (DOJ) is to uphold the rule of law, to keep our country safe, and to protect civil rights.

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Respect. The Justice Department's employees value differences in people and in ideas and treat everyone with fairness, dignity, and compassion.

Excellence. The Justice Department works every day to provide the highest levels of service to the American people and to be a responsible steward of the taxpayers' dollars.

Organization: Under the leadership of the Attorney General of the United States, the Justice Department is composed of more than 40 separate component organizations and more than 115,000 employees. Headquartered at the Robert F. Kennedy Building in Washington, D.C., the Department maintains field offices in all states and territories across the United States and in more than 50 countries around the world.

<https://www.justice.gov/about>

<https://www.justice.gov/doj/mission-values-and-organization>

<https://www.justice.gov/usao/career-center/salary-information/administratively-determined-pay-plan-charts>

foia online: GSA-2023-001864 request details

<https://foiaonline.gov/foiaonline/action/public/about>

<https://www.gsa.gov/about-us/organization/leadership-directory?gsaredirect=leadershipdirectory>
<https://www.gsa.gov/staff-directory>

(202) 395-3080, Office of Management and Budget,
725 17th Street, NW, Washington, District of Columbia 20503-0004

These major problems in the United States of America will eventually lead to some type of collapse:

The United States federal government is liable for a minimum of \$6.6 million and the individual states are liable for a minimum of \$3.4 million for the harmful affects, brutality, cruelty, pain and suffering caused by slavery

to Mulatto/Mixed/Mestizo American descendants of slaves which should include additional penalties and interest. This restitution is a valid and legitimate claim against the federal and state governments based on violations of a distinct and specific people's human and civil rights as enumerated by decennial censuses. These people are natural born citizens of the United States of America whose lineage reflects those who founded, settled, built and established the nation.

United States Department of Homeland Security
Office for Civil Rights and Civil Liberties
complaint confirmation number 000502W-23, 000602W-23
(202) 401-1474, (866) 644-8360, (202) 282-8000, (202) 282-8495
2707 Martin Luther King, Jr. Avenue, SE, Mail Stop #0190, Washington, DC 20528-0190

The Office for Civil Rights and Civil Liberties (CRCL) supports the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. CRCL builds in civil rights and civil liberties practices into all of the Department's activities by:

Promoting respect for civil rights and civil liberties in policy development and implementation by advising Department leadership and personnel, and state and local partners.

Communicating with individuals and communities whose civil rights and civil liberties may be affected by Department activities, informing them about policies and avenues of remedy, and promoting appropriate attention within the Department to their experiences and concerns.

Investigating civil rights and civil liberties complaints filed by the public regarding Department policies or activities, or actions taken by Department personnel.

Leading the Department's equal employment opportunity programs and promoting workforce diversity and merit system principles.

<https://www.dhs.gov/office-civil-rights-and-civil-liberties>

Record Number: 308410-VQX
United States Department of Justice, 950 Pennsylvania Avenue, NW,
Washington, District of Columbia 20530-0001, (202) 514-3847, (855) 856-1247, (202)
514-2000, Jean.Sexton@usdoj.gov, (202) 252-7735, Alan.Boyd@usdoj.gov, (202) 815-9021,
Record number: 308410-VQX

Contact the White House for information regarding the restitution for Mulatto/Mixed/Mestizo Americans legitimate justice claim for the brutality, pain and suffering, racial/ethnic hatred, prejudice, and generational financial instability caused by United States slavery from March 1, 1701 to February 13, 1865. (202) 456-1414, (202) 456-1111, (202) 456-4444, (202) 456-7041, (202) 456-7000, (202) 456-6541, (202) 456-6224, 1600 Pennsylvania Ave NW
Washington, District of Columbia 20500-0005

<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>

<https://govsalaries.com/salaries/attorney-general-salary>

As of 22 September 2023 the federal and state attorney generals as well as governors are no longer living if they have not made a public statement regarding implementation of the restitution to the Mulatto/Mixed/Mestizo Americans legitimate justice claim of at least \$6.6 million federal government and \$3.4 million state government along with penalties and interest to be calculated. What

people are working in their government offices? All of them should be able to immediately show positive identification as proof and verification of who they are with a valid social security card and state issued driver license in front of the camera on television.

Alabama attorney general, governor, and state treasury office can be contacted for further claim information at (334) 242-7300, (334) 242-7500, (334) 242-7100, 501 Washington Avenue
Montgomery, Alabama 36104, 600 Dexter Avenue, Room S-106
Montgomery, Alabama 36104, alatreas@treasury.alabama.gov, Alabama state personnel, (334) 242-3389, 64 North Union Street, Suite 300
Montgomery, Alabama 36130, Lt. Governor of Alabama, (334) 261-9590,
11 S Union Street, Montgomery, Alabama, 36130, ltgov@ltgov.alabama.gov
<https://www.alabamaag.gov/>
<https://governor.alabama.gov/>
<https://ltgov.alabama.gov/>

Arizona attorney general can be contacted for further claim information at (602) 542-5263, (602) 542-5025, 2005 N Central Avenue, Phoenix, Arizona 85004-2926
<https://www.azag.gov/>

Arkansas attorney general and governor can be contacted for further claim information at (501) 682-2007, (800) 482-8982, 323 Center St., Suite 200, Little Rock, Arkansas 72201, (501) 682-2345, 500 Woodlane St., Little Rock, Arkansas 72201
<https://arkansasag.gov/>
<https://governor.arkansas.gov/>

California attorney general and governor can be contacted for further claim information at (916) 210-6276, (800) 952-5225, Public Inquiry Unit, P.O. Box 944255, Sacramento, California 94244-2550, (916) 445-2841, 1021 O Street, Suite 9000, Sacramento, California 95814
<https://oag.ca.gov/node/572545/done?sid=770431&token=a7a6bcf86b4bf71d87381d3465d11f37>
<https://www.gov.ca.gov/>

Colorado attorney general department of law can be contacted for further claim information at (720) 508-6000,
Ralph L. Carr Judicial Building, 1300 Broadway, 10th Floor Denver, Colorado 80203
<https://coag.gov/>

Connecticut attorney general and governor can be contacted for further information at (860) 808-5318, 165 Capitol Avenue, Hartford, Connecticut 06106, (860) 566-4840, (800) 406-1527, 210 Capitol Avenue
Hartford, Connecticut 06106
<https://portal.ct.gov/AG>
<https://portal.ct.gov/governor/>

Delaware attorney general can be contacted for further claim information at (302) 577-8400, 820 N. French St., Wilmington, Delaware 19801
<https://attorneygeneral.delaware.gov/>

Florida attorney general and governor's office can be contacted for further claim information at (850) 414-3300, Collins Building, 107 West Gaines St., Tallahassee, Florida 32301, (850) 717-9337, 400 S. Monroe St., Tallahassee, Florida 32399-0001
<https://www.myfloridalegal.com/>
<https://www.flgov.com/>

Georgia governor, attorney general and commission on equal opportunity can be contacted for further claim information at (404) 651-8600, (800) 869-1123,

(404) 656-1736, (800) 473-6736, (800) 436-7442, (404) 656-1776
205 Jesse Hill Jr. Dr. SE, 14th Floor-1470B East Tower, Atlanta, Georgia 30334,
2 Martin Luther King Jr. Drive, Suite 356-East, Atlanta, Georgia 30334-9077, 206 Washington Street
Suite 203, Atlanta, Georgia 30334
<https://law.georgia.gov/>
<https://gov.georgia.gov/>

Idaho attorney general and governor
can be contacted for further claim information at (208) 334-2400, (208) 334-2424, (800) 432-3545
700 W. Jefferson Street, Suite 210, P.O. Box 83720, Boise, Idaho 83720-0010, (208) 334-2100
<https://www.ag.idaho.gov/>
<https://gov.idaho.gov/>

Illinois attorney general reference number: OAG2023-000125728, OAG2023-000128535
Illinois attorney general and governor's office can be contacted for further claim information at
(217) 782-1090, (800) 243-0618
500 South Second Street, Springfield, Illinois 62701,
OAG2023-000125728 reference number OAG2023-000128535, (217) 782-0244, 401 S. Spring St.,
Springfield, Illinois 62704
<https://www.illinoisattorneygeneral.gov/>
<https://ag.state.il.us/>
<https://gov.illinois.gov/>

Indiana attorney general and governor's office
can be contacted at (317) 232-6201, (800) 382-5516, (317) 232-6330,
302 W. Washington St., 5th Floor
Indianapolis, Indiana 46204, (317) 232-4567, 200 W. Washington St., Suite 206, Indianapolis,
Indiana 46204-2797
<https://www.in.gov/attorneygeneral/>
<https://www.in.gov/gov/>

Iowa attorney general can be contacted for further claim information at (515) 281-5164, (515) 281-592
6, (888) 777-4590, 1305 E. Walnut Street, Des Moines, Iowa 50319-0106
<https://www.iowaattorneygeneral.gov/>

Kansas attorney general can be contacted for further claim information at (785) 296-2215, (888) 428-8
436, 120 SW 10th Ave., 2nd Floor, Topeka, Kansas 66612
<https://ag.ks.gov/>

Kentucky attorney general and governor can be contacted for further claim information
at (502) 696-5300,
700 Capital Avenue, Suite 118, Frankfort, Kentucky 40601, (502) 564-2611, 700 Capitol Avenue,
Suite 100
Frankfort, Kentucky 40601
<https://www.ag.ky.gov/Pages/default.aspx>
<https://governor.ky.gov/>

Louisiana Department of Justice can be contacted for further claim information at (225) 326-6079, (22
5) 326-6757, (877) 297-0995
1885 North Third Street, Baton Rouge, Louisiana 70802, Post Office Box 94005, Baton Rouge, Louisi
ana 70804
<http://www.ag.state.la.us/>

Maine attorney general and governor
can be contacted for further claim information at (207) 626-8800,
6 State House Station Augusta, Maine 04333, (207) 287-3531, 1 State House Station, Augusta,
Maine 04333
<https://www.maine.gov/ag/>
<https://www.maine.gov/governor/mills/>

Maryland attorney general can be contacted for further claim information at (410) 576-6300, 200 St. Paul Place, Baltimore, Maryland 21202
<https://www.marylandattorneygeneral.gov/>

Massachusetts attorney general can be contacted for further claim information at (617) 727-8400, (617) 727-2200, 1 Ashburton Place, 20th Floor, Boston, Massachusetts 02108
<https://www.mass.gov/orgs/office-of-the-attorney-general>

Michigan attorney general can be contacted for further claim information at (517) 335-7622, (313) 456-3700, (517) 335-3165, (800) 482-3604, 525 W. Ottawa St., Lansing, Michigan 48906, P.O. Box 30213, Lansing, Michigan 48909, complaint identification number: 2023-cp08291832569-A, email: cp_ocs@michigan.gov
<https://www.michigan.gov/ag/>

Minnesota attorney general can be contacted for further claim information at (651) 296-3353, (651) 201-2555, (800) 657-3787, 445 Minnesota Street, Suite 1400, Saint Paul, Minnesota 55101-2131, 50 Sherburne Avenue, Saint Paul, Minnesota 55155
<https://www.ag.state.mn.us/>

Mississippi attorney general can be contacted for further claim information at (601) 359-3680, 550 High Street, Jackson Mississippi 39201, P.O. Box 220, Jackson Mississippi 39205
<https://www.ago.state.ms.us/>

Missouri attorney general and governor can be contacted for further claim information at (573) 751-3321, 207 W. High St., Jefferson City, Missouri 65101-6805, P.O. Box 899, Jefferson City, Missouri 65102, (573) 751-3222, P.O. Box 720, Jefferson City, Missouri 65102, 217 Capitol Court, Jefferson City, Missouri 65101-4191
Incident numbers: CC-2023-06-004802, CC-2023-09-001071
<https://ago.mo.gov/>
<https://governor.mo.gov/>

Montana governor and attorney general can be contacted for further claim information at (855) 318-1330, (406) 444-3111, (406) 444-2026, 215 N Sanders St., Helena, Montana 59601, PO Box 200801, Helena, Montana 59620-0801
<https://dojmt.gov/agooffice/>
<https://governor.mt.gov>

Nebraska attorney general and governor can be contacted for further claim information at (402) 471-2683, 2115 State Capitol, PO Box 98920, Lincoln, Nebraska 68509, (402) 471-2244, P.O. Box 94848, Lincoln, Nebraska 68509-4848
<https://ago.nebraska.gov/>
<https://governor.nebraska.gov/>

Nevada attorney general can be contacted for further claim information at (775) 684-1100, 100 North Carson Street
Carson City, Nevada 89701
<https://ag.nv.gov/>

New Hampshire governor's office can be contacted for further claim information at (603) 271-2121, 107 North Main Street
Concord, New Hampshire 03301
<https://www.governor.nh.gov/>

New Jersey Submission ID: OAG-CS-25042, OAG-CS-25729, OAG-CS-26767
(973) 504-6200 (800)-242-5846,
Office of the Attorney General can be contact for further claim information at (609) 984-5828, 25 Market Street, PO Box 081, Trenton, New Jersey 08625-0081, P.O. Box 45025 Newark, New Jersey 07101, OAG-CS-25042 record number
<https://www.njoag.gov/>

New Mexico attorney general can be contacted for further claim information at (505) 717-3500, (844) 255-9210, 201 3rd St. NW
Suite 300, Albuquerque, New Mexico 87102, ECS reference number: NMOAG-ECS-20230627-8b7a,
ECS Reference Number: NMOAG-ECS-20230831-78b6
<https://www.nmag.gov/>

New York state attorney general's office and governor
can be contacted for further claim information at (800) 771-7755, (518) 474-7330, (518) 474-8390
Empire State Plaza, Justice Building, 2nd Floor, Albany New York 12224-0341
<https://ag.ny.gov/>
<https://www.governor.ny.gov/>

North Carolina state auditor's office allocated at least \$100,000,000.00 million for disbursement
to North Carolina native born Mulatto/Mixed/Mestizo people
who are descendants of slavery in that state.
The North Carolina Department of Justice
and governor's office can be contacted for further claim information at (919) 814-2000,
(919) 716-6400, (919) 716-6000, (919) 715-2071, (919) 710-8885, (919) 733-2691, (877) 566-7226
114 West Edenton Street,
Raleigh, North Carolina 27603-8002, 424 North Blount Street, Raleigh, North Carolina 27601-1010
for implementation and disbursement
of these restitution funds
as North Carolina is libel for colonial slavery and has not given these unique lawful people anything. 3
09 Chapanoake Road, Raleigh, North Carolina 27603,
<https://ncadmin.nc.gov/about-doa/leadership>
<https://ncdoj.gov/>
<https://governor.nc.gov/>

North Dakota governor's office can be contacted for further claim information at (701) 328-2200, 600 E
ast Boulevard Avenue Bismarck, North Dakota 58505-0100
<https://www.governor.nd.gov/>

Ohio attorney general and governor's office
can be contacted for further claim information at (800) 282-0515, 30 E. Broad St., 14th Floor
Columbus, Ohio 43215, 77 S High St., 30th Floor, Columbus, Ohio, 43215-6108, (614) 644-4357,
(614) 644-4357
complaint reference number: WJ000196633, WJ000201301
<https://www.ohioattorneygeneral.gov/>
<https://governor.ohio.gov/>

Oklahoma Office of Management and Enterprise Services and Oklahoma governor's office
can be contacted for further claim information (405) 521-2444, (405) 521-2342, (866) 521-2444, 2300,
(405) 521-2141, (405) 521-2342, 2300 N. Lincoln Blvd., Suite 212, Oklahoma City, Oklahoma 73105
<https://oklahoma.gov/omes.html>
<https://oklahoma.gov/governor.html>

Oregon department of justice and governor
can be contacted for further claim information at (503) 378-6002, (503) 378-4400, 1162 Court Street N
E
Salem, Oregon 97301-4096, Confirmation numbers: 904946, 916419; (503) 378-3111, 900 Court
Street, Suite 254, Salem, Oregon 97301-4047
<https://www.doj.state.or.us/>
<https://www.oregon.gov/gov/Pages/index.aspx>

Pennsylvania attorney general and governor
can be contacted for further claim information at (717) 787-0822, (717) 787-3391, 14th Floor, Strawbe
rry Square, Harrisburg, Pennsylvania 17120-0001, (717) 787-2500, 508 Main Capitol Building,
Harrisburg, Pennsylvania 17120-0022, <https://www.attorneygeneral.gov/>,
<https://www.governor.pa.gov/>

Rhode Island attorney general can be contacted for further claim information at (401) 274-4400, 150 South Main Street
Providence, Rhode Island 02903
<https://riag.ri.gov/>

South Carolina attorney general can be contacted for further claim information at (803) 734-3970, (803) 737-3953,
1000 Assembly Street, Room 519, Columbia, South Carolina 29201, P.O. Box 11549, Columbia, South Carolina 29211
<https://www.scag.gov/>

South Dakota attorney general and governor
can be contacted for further claim information at (605) 773-3215, (605) 773-3212, 1302 E Hwy 14, Suite 1, Pierre South Dakota 57501-8501, 500 East Capitol Avenue, Pierre, South Dakota 57501
<https://atg.sd.gov/>
<https://governor.sd.gov/>

Tennessee attorney general's office can be contacted for further claim information at (615) 741-4737, (800) 342-8385,
500 James Robertson Pkwy # 5, Nashville, Tennessee 37243, P.O. Box 20207, Nashville, Tennessee 37202-0207
<https://www.tn.gov/attorneygeneral.html>

Texas attorney general and governor's office can be contacted for further claim information at (512) 463-2100, (800) 252-8011, (512) 463-2000, (512) 478-6736, (877) 673-6839, 1100 San Jacinto, Austin, Texas 78701, P.O. Box 12428, Austin, Texas 78711-2428
300 W. 15th Street, Austin, Texas 78701, PO Box 12548, Austin, Texas 78711-2548, complaint number a248z000004RvWzAAK
Texas state auditor's office can be reached at 1501 North Congress Ave., Austin, Texas 78701, confirmation code: 1491cff2-ed7f-414e-853f-ccbf4e2286c7
<https://www.texasattorneygeneral.gov/>
<https://gov.texas.gov/>

Utah governor's office can be contacted for further claim information at (801) 538-1041, 350 North State Street, Suite 220
P.O. Box 142325, Salt Lake City, Utah 84114-2325
<https://governor.utah.gov/>

Vermont attorney general can be contacted for further claim information at (802) 828-3171, 109 State St., Montpelier, Vermont 05609
<https://ago.vermont.gov/>

Virginia attorney general and governor can be contacted for further claim information at (804) 786-2042, (800) 552-9963, (804) 786-2211, 202 North Ninth Street, Richmond, Virginia 23219, (804) 786-2211, P.O. Box 1475, Richmond, Virginia 23218, confirmation number: 23-03783
<https://www.oag.state.va.us/>
<https://www.governor.virginia.gov/>

Washington state attorney general and governor's office can be contacted for further claim information at (360) 753-6200, 1125 Washington Street SE, Olympia, Washington 98501-2283,
PO Box 40100, Olympia, Washington 98504-0100, (360) 902-4111, PO Box 40002
Olympia, WA 98504-0002
<https://www.atg.wa.gov/>
<https://governor.wa.gov/>

West Virginia attorney general and governor can be contacted for further claim information at (304) 558-2021, (304) 558-0546, (800) 368-8808, (304) 414-0265, State Capitol Complex, Bldg. 1, Rm E

26, 1900 Kanawha Blvd. E, Charleston, West Virginia 25305, (304) 558-2000, (888) 438-2731, (304) 558-3588

<https://ago.wv.gov/Pages/default.aspx>

<https://governor.wv.gov/Pages/default.aspx>

Wisconsin governor and attorney general can be contacted for further claim information at (608)

266-1212, (608) 266-1221, 17 West Main Street, Madison, Wisconsin 53703,

PO Box 7857, Madison, Wisconsin 53707-7857, governor: 115 East State Capitol Madison,

Wisconsin 53707, P.O. Box 7863, Madison, Wisconsin 53707

<https://www.doj.state.wi.us/>

<https://evers.wi.gov/Pages/Home.aspx>

Wyoming attorney general and governor's office can be contacted

at (307) 777-6397,

2320 Capitol Avenue, Cheyenne, Wyoming 82001-3644, (307) 777-7434, 200 West 24th Street,

Cheyenne, Wyoming 82002

<https://ag.wyo.gov/home>

Government Accountability Office (GAO), 441 G Street, N.W.,

Washington, DC 20548-0001, complaint control number: (COMP-24-001203),

<https://gao-fais.entellitrak.com/etk-gao-fais-prod/login.request.do>

<https://www.ftc.gov/>, FTC Report Number: 168087295

1. Inequitable distribution of governmental resources that disallow social, economic, and political upward mobility

such as the lack of the \$44,000,000,000,000.00 trillion distribution to the MULATTO/MIXED/MESTIZO descendants of United States slavery (1701-1865) that was allocated in the year 2020. These unique people can not compete in a crony capitalistic economy if the government does not allocate resources to them fairly as an acknowledged group of people according to how it enumerates them specifically racially/ethnically on its decennial population census as evidenced in government archives. The \$44 trillion was requested and

approved based on the historical facts of fierce racial/ethnic hatred, discrimination, and prejudice against

the Mulatto/Mixed/Mestizo people of the United States of America who are the offspring of white American men with American Indian and black African slave women.

Mulatto/Mixed/Mestizo people are genetically comprised of more than one blood group, lineage and ancestry and are not the same as black/negro/african american people who are genetically and biologically different. Why is a mixture of white and black paint always gray/grey and categorized as such?

Should humane treatment be applied the same toward these multi-generational unique and distinct American people as the United States government promotes equality, freedom, and economic prosperity to all other nations and people outside its borders around the world?

<https://geneva.usmission.gov/2021/02/24/secretary-hrc/>

"It is an honor to join you as the United States reengages with the Human Rights Council and other important international organizations. I'm here to reaffirm America's commitment to respect and defend the human rights of all people, everywhere. As the Universal Declaration of Human Rights proclaims: all human rights are universal, indivisible, interdependent, and interrelated."

The idea that all human beings – regardless of race, sex, nationality, ethnicity, language, religion, or any other status – are entitled to human rights is built into the foundation of the United Nations. These fundamental rights include freedom from slavery and torture, freedom of opinion and expression, right to life and liberty, work and education, and many more.

To ensure that these rights are available to everyone across all cultures, the United Nations works to mainstream human rights within the UN system and collaborates closely with governments in the field to identify, highlight, and develop responses to human rights challenges.

<https://www.ungeneva.org/en/topics/human-rights>

<https://www.ohchr.org/en/what-are-human-rights>

<https://www.ohchr.org/en/prevention-and-early-warning/preventing-human-rights-violations>

<https://obamawhitehouse.archives.gov/the-press-office/2010/09/23/fact-sheet-advancing-democracy-and-human-rights>
<https://obamawhitehouse.archives.gov/blog/2014/03/06/departments-justice-advocating-civil-rights-and-access-aapis>
<https://www.whitehouse.gov/briefing-room/statements-releases/2021/12/23/summit-for-democracy-summary-of-proceedings/>
<https://www.youtube.com/watch?v=BIRXpFJNthY>
<http://melungeon.org/a-d-powell-presentation-2004/>
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<https://daily.jstor.org/the-free-people-of-color-of-pre-civil-war-new-orleans/>
<https://thesocietypages.org/sexuality/2009/10/18/race-sexuality-and-the-one-drop-rule-more-thoughts-about-interracial-couples-and-marriage/>
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<https://thehill.com/homenews/administration/584661-biden-to-host-global-democracy-summit-with-focus-on-human-rights/>
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<http://sociologyindex.com/mulatto.htm>
<http://melungeon.org/2016/10/14/geographical-analysis-of-white-negro-indian-racial-mixtures-in-the-eastern-united-states-by-edward-t-price-1953-article/>
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https://www.census.gov/history/www/through_the_decades/index_of_questions/1900_1.html
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<https://www.loc.gov/resource/gdcscd.00516116225/?st=gallery>
<https://www.loc.gov/resource/gdcmassbookdig.appletonsunivers01newy/?st=gallery>
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<https://usafacts.org/articles/how-the-census-collected-race-and-ethnicity-data-from-1790-to-2020/>
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This production with Mulatto/Mixed/Mestizo Americans was televised in the year 1963:
<https://www.youtube.com/watch?v=quqn7-ygEoc>

Who is Rosa Louise McCauley Parks and why is she important in United States history for Native American Indians?

Rosa Louise McCauley Parks (4 February 1913 - 24 October 2005) was a Mobile Native American Indian chosen by the National Association for the Advancement of Colored People (NAACP) to defy the laws of segregation in the state of Alabama by sitting in the front of the public city bus company designated for white people only. Rosa Louise McCauley Parks was a Mobile Native American Indian as shown by her phenotype of fair complexion, straight hair, and high cheek bones. Her husband Raymond Arthur Parks (12 February 1903 - 19 August 1977) whom she married on 18 December 1932 was a Mobile Native American Indian. The United States governments (local, state, and federal), media outlets, and educational institutions state Rosa Louise McCauley Parks was a negro/black/african-american erroneously which is far from the truth. Rosa Louise McCauley Parks looks like a Mobile Native American Indian because that is what she is as well as her ancestors who were never slaves in the state of Alabama. Before the civil rights act of 1964 which should have been for native born Americans citizens only government resources and opportunities were not easily accessible in the forms of education, housing, healthcare, transportation, and employment opportunities to obtain a high quality and standard of living for all citizens of the United States. Rosa Louise McCauley Parks was a tough Mobile Native American Indian that changed all of that so that discriminated American citizens could easier get the things needed for upward mobility in American society. The United States of America has a brutal history of falsely categorizing and classifying their Native American Indians and Mulatto/Mixed/Mestizo Americas as "negro/black/african-american" to keep them down in a state of poverty and destitution by withholding government resources to achieve the American dream of economic, political, and social prosperity as a distinct and separate genetic group of people aside from those who are all 100% descendant of peoples from the continent of Africa who are genetically different.

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https://uagreeks.uark.edu/images/Rosa_Parks.jpg

What is the stage name of London, England born hollywood actress Carolyn Howell?

Carolyn Howell whose stage name was Fredi Washington was a white English born woman that played leading roles as a mixed race American woman. There is nothing negro/black/african-american about her although the government, media outlets, and educational institutions falsely categorize and classify her as such. Carolyn Howell alias Fredi Washington was a white English born woman that was asked to portray roles as a mixed race woman in motion picture in a time when apartheid and legal segregation were in full force in the United States. Carolyn Howell was born on 10 February 1902 in London, England. Her father, Harold Howell a white man was born on 1 June 1877 in London, England and died on 10 September 1921 in London, England. He is buried in Brockley and Ladywell Cemeteries. Her mother, Ruth Carpenter a white woman was born on 15 January 1881 in London, England and died on 14 September 1925 in London, England. Carolyn Howell died on June 30, 1975 in Los Angeles, Los Angeles County, California at the age of 73.
<https://www.youtube.com/watch?v=mwjPnQEEZwY>

https://4.bp.blogspot.com/-p4AVupgjVI0/UmtjAUeSeOI/AAAAAAAAAYAI/NZ0-uSyzC_4/s1600/FrediWashington1.jpg
<https://decohollywood.blogspot.com/2009/08/beautiful-clothes-from-20s-50s-and.html>
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<https://www.youtube.com/watch?v=f0Rlf2AtFt4>

Who is Adam Clayton Powell, Jr. and why is he important in United States history for Native American Indians?

Adam Clayton Powell, Jr. was a Tuscarora Native American Indian man born on 29 November 1908 and died on 4 April 1972 who served in the United States congress from 3 January 1945 to 3 January 1971.

His father was Adam Clayton Powell, Sr. a Tuscarora Native American Indian man born (Adam Dunning) on 5 May 1865 in Bonbrook Township, Franklin County, Virginia and died on 12 June 1953 in Manhattan, New York City, New York. His mother was Mattie F. Shafer a Tuscarora Native American Indian woman born in Montgomery, Fayette County, West Virginia on 4 February 1872 and died 22 April 1945 in Manhattan, New York City, New York. Adam Clayton Powell, Jr. was a Tuscarora Native American Indian man as shown by his phenotype of fair complexion, straight/wavy hair, and high cheek bones. The United States governments (local, state, and federal), media outlets, and educational institutions state Adam Clayton Powell, Jr. was a negro/black/african-american erroneously which is far from the truth. Adam Clayton Powell, Jr. looks like a Tuscarora Native American Indian because that is what he is as well as his ancestors who were never slaves in the state of Virginia. Before the civil rights act of 1964 which should have been for native born Americans citizens only government resources and opportunities were not easily accessible in the forms of

education, housing, healthcare, transportation, and employment opportunities to obtain a high quality and standard of living for all citizens of the United States. Adam Clayton Powell, Jr was a Tuscarora Native American Indian that opposed discrimination against American citizens so that they could easily obtain the things needed for upward mobility in American society. The United States of America has a brutal history of falsely categorizing and classifying their Native American Indians and Mulatto/Mixed/Mestizo Americans as "negro/black/african-american" to keep them down in a state of poverty and destitution by withholding government resources to achieve the American dream of economic, political, and social prosperity as a distinct and separate genetic group of people aside from those who are all 100% descendant of peoples from the continent of Africa who are genetically different.

https://www.govtrack.us/congress/members/adam_powell/408862

<https://media.gettyimages.com/photos/9141961new-york-ny-congressman-adam-clayton-powell-and-his-wife-to-picture-id515296720>

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<https://bioguideretro.congress.gov/Home/MemberDetails?memIndex=P000477>

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The Census Bureau has a long history of conducting research to improve questions and data on race and ethnicity.

Reasons for Collecting Information on Race: Information on race is required for many Federal programs and is critical in making policy decisions, particularly for civil rights. States use these data to meet legislative redistricting principles. Race data also are used to promote equal employment opportunities and to assess racial disparities in health and environmental risks.

The racial categories included in the census questionnaire generally reflect a social definition of race recognized in this country and not an attempt to define race biologically, anthropologically, or genetically. In addition, it is recognized that the categories of the race item include racial and national origin or sociocultural groups.

Directive No. 15 says that persons of mixed racial and ethnic origins should use the single category which most closely reflects the individual's recognition in his or her community. The public comments indicate that multiracial persons objected to this instruction. The commenters indicate that a single category does not reflect how they think of themselves. From their perspective, the instruction requires them to deny their full heritage and to choose between their parents. They feel they are being required to provide factually false information. They maintain that the current categories do not recognize their existence. They say they could mark "Other" where that category is provided but they feel it is demeaning. They want to identify their multiple races, but say that those who prefer to choose one of the existing broad categories could do so.

In the 1700's and early to late 1800's the Federal Government seemed to only recognize four "races": White, Black, Mulatto and Indian. Later they added categories for "Chinese" and in more recent years they have added many more.

The race codes used on the census were almost always based on the census taker's opinion. He probably didn't ask the family what race they considered themselves, though that may have happened some.

MULATTO defined: A mulatto is legally considered to be an individual with mixed black and white heritage.

However, some individuals who were designated mulattoes may have a slightly more mixed parentage, perhaps including Native American blood.

MESTIZO defined: In general, "mestizo/a" refers to racial and cultural mixing among Europeans, Indians, and Africans.

CASTIZO defined: A person with white European and American Indian ancestry.

THE MULATTO POPULATION OF THE UNITED STATES OF AMERICA BY DECENNIAL YEAR:

1850 - 405,751

1860 - 588,363

1870 - 584,049

1880 - 603,073

1890 - 1,132,060

1900 - 1,523,023

1910 - 2,050,686

1920 - 1,660,554

<https://www.loc.gov/resource/gdcmassbookdig.generalviewofuni00mitc/?st=gallery>

https://www.loc.gov/resource/gdcmassbookdig.thirteenthcensus00unit_1/?st=gallery

<https://www.loc.gov/resource/gdcscd.00516116225/?st=gallery>

<https://www.loc.gov/resource/gdcmassbookdig.appletonsunivers01newy/?st=gallery>

<https://www.loc.gov/resource/gdcmassbookdig.populationitsdis01thom/?st=gallery>

The 1664 law made all children of an enslaved man or woman bound to service for life—a rule that has been assumed to have increased the number of enslaved mulattoes by giving planters an incentive to coerce enslaved African women into sexual relationships that would produce a child—another slave. To address this question, I examined Maryland colonial law and court decisions to see how mixed-descent children were defined and whether they could become a part of Maryland colonial society. Following the above discussion of the social concept of race, the social construction of a “free mulatto” identity is not a simple fact of having parents from different descent groups. The concept of a “free mulatto” refers to a socially constructed identity. This construction is tied to specific historical circumstances whereby colonial lawmakers and the court system attempted to minimize and, if possible, preclude a free person with some measure of African descent that challenged their vision of the boundaries of freedom. In the enforcement of bastardy law, there was a tendency to impose stronger penalties on mixed-status parents and their children in hopes of minimizing a free mulatto population that would claim citizenship and its legal protections. This initial legislation of 1664 meant that the vast majority of mulatto children over subsequent decades would be enslaved. According to most of the laws regulating marriage in early 17th century Maryland, most mulattoes were likely condemned to life-long enslavement. This makes mulattoes who were enslaved a person likely to be born of an African descent mother. Relatedly, those with “years to serve” as part of their value to an estate and after completing a term of service became a free person likely descended from a free European woman and/or, in later generations, a free mulatto woman.

<https://onlinelibrary.wiley.com/doi/10.1111/ssqu.13167>

THE FOLLOWING PEOPLE ARE RACIALLY/ETHNICALLY MIXED/MULATTO/MESTIZO AMERICAN PEOPLE WHO WERE ADVOCATES FOR MIXED/MULATTO/MESTIZO AMERICAN PEOPLE'S CIVIL RIGHTS and HUMANE TREATMENT AS THEY EXPERIENCED FIERCE RACIAL HATRED, DISCRIMINATION, AND PREJUDICES BY WHITE AMERICANS WHO DON'T WANT TO ACKNOWLEDGE THEIR WHITE AND/OR NATIVE AMERICAN INDIAN HERITAGE NOR GIVE RESTITUTION FOR THE 2020 JUSTICE CLAIM THAT WAS APPROPRIATED:

CRISPUS ATTUCKS was a Mulatto American slave man born on February 2, 1723 in Leesburg, Virginia

and died on March 5, 1770 in Boston, Massachusetts. He escaped slavery on July 5, 1851.

His father was Isaac Hanks a Monacan Native American Indian born free on September 30, 1701 in Leesburg, Virginia

and died in Leesburg, Virginia on February 1, 1850.

His mother was Henrietta Attucks a Nigerian American slave woman born on April 3, 1703 in Leesburg, Virginia

and died on January 1, 1844 in Leesburg, Fairfax County, Virginia.

<http://www.bostonmassacre.net/gazette/page3.htm>

<https://historyofmassachusetts.org/the-boston-massacre-victims/>

<https://www.hmdb.org/m.asp?m=19282>

<https://www.loc.gov/resource/ppmsca.15704/>
<https://www.loc.gov/item/2004677546/>

JAMES PIERSON BECKWOURTH was a Mulatto American slave man born on February 2, 1800 in Hayfield, Frederick County, Virginia and died on March 1, 1868 in Laramie, Albany County, Wyoming. He was a fur trapper, rancher, businessman, explorer, author and scout. He was the son of Jennings Beckwourth a white Welsh man born on January 2, 1780 in Fishguard, Pembrokeshire, Wales and died on January 3, 1850 in Stephens City, Frederick County, Virginia. He owned slaves and gave his son James Pierson Beckwourth his freedom on March 3, 1811. James Pierson Beckwourth's mother was Jane Absher

a Nigerian American slave woman born on February 20, 1782 in Hayfield, Frederick County, Virginia and died on April 1, 1823

in Stephens City, Frederick County, Virginia.

<https://i.pinimg.com/736x/16/e3/46/16e3467bb98604a3cfb60ec1c99135a7.jpg>

<http://img.xooimage.com/files48/c/a/a/james-pierson-beckwourth-8b567c.jpg>

<https://archive.org/details/adventuresoflife00beckrich/mode/2up>

<https://www.history.com/news/6-legendary-mountain-men-of-the-american-frontier>

HARRIETT ANN JACOBS was a Mulatto American slave woman born on February 11, 1811 in New Bern, Craven County, North Carolina and died on March 7, 1899 in New Bern, Craven County, North Carolina.

<https://docsouth.unc.edu/fpn/jacobs/jacobs.html>

<https://www.futilitycloset.com/wp-content/uploads/2013/08/2013-08-04-confined.jpg>

http://images.myshared.ru/5/428024/slide_2.jpg

JOHN MERCER LANGSTON was a Mulatto American slave man born on December 14, 1829 in Louisa, Louisa County, Virginia.

He died on November 15, 1897 in Washington, District of Columbia. He was an attorney and United States republican representative

for the 51st Congress. He was the son of Charles Quarles a white English American

man born on January 1, 1793 in Louisa, Louisa County, Virginia and died on February 5, 1839 in Louisa, Louisa County, Virginia. He financed his son's college and law school education. John Mercer Langston's mother was Lucy Langston a Nigerian American slave woman born on December 5, 1795 in Louisa, Louisa County, Virginia and died on September 15, 1853 in Louisa, Louisa County, Virginia.

<https://hd.housedivided.dickinson.edu/node/8955>

https://hd.housedivided.dickinson.edu/sites/default/files/styles/image_page_view/public/images/HD_langstonJM1.jpg?itok=2KYffWBG

<https://bioguideretro.congress.gov/Home/MemberDetails?memIndex=L000074>

<https://www.brownhelm.org/history/john-merc-er-langston/>

JOSEPH CARTER CORBIN was a Mulatto American man born free on March 26, 1833

in Chillicothe, Ross County, Ohio and died on January 9, 1911 Pine Bluff, Jefferson County, Arkansas.

He was a journalist and educator that founded the University of Arkansas at Pine Bluff. His father was William Corbin a Mulatto American slave man born on December 20, 1797 in Richmond, Virginia. His mother was Susan Larkin a Mulatto American slave woman born on September 1, 1807 in Richmond, Virginia. William Corbin and Susan Larkin were both granted freedom by their white fathers who were born in the country of England. They gave them a large sum of money and told them to leave the commonwealth of Virginia.

https://www.fayettevillehistory.org/2007/03/a_symbol_of_hig.html

<https://i.pinimg.com/736x/40/17/50/40175032c4d4ec380717fbdab304e22a.jpg>

https://www.ohio.edu/cas/sites/ohio.edu.cas/files/styles/square_350x350/public/2022-05/Joseph%20Carter%20Corbin.jpg?itok=7onBOgUZ

JOHN WASHINGTON was a Mulatto American slave man born on May 20, 1838 in Fredericksburg, Virginia and died on February 13, 1918 in Cohasset, Norfolk County, Massachusetts. He was a painter and author. He was the son of Thomas Tudor Tucker a white English American man born on September 1, 1817 in Fredericksburg, Virginia and died on December 1, 1845 in Fredericksburg, Virginia. John Washington's mother was Sarah Washington a Nigerian American slave woman born on January 1, 1820 in Fredericksburg, Virginia and died on February 1, 1844 in Fredericksburg, Virginia.

https://encyclopediavirginia.org/wp-content/uploads/2020/11/12236hpr_4c3b8071fb67cc4-scaled.jpg

<https://encyclopediaofvirginia.org/entries/washington-john-m-1838-1918/>
<https://www.virginiabusiness.com/article/195-year-old-bank-building-in-fredericksburg-to-be-sold/>

Captain: MICHAEL AUGUSTINE HEALY was Quadroon American slave man born on September 22, 1839

in Clinton, Jones County, Georgia and died on August 30, 1904 in San Francisco, California. He was a Captain with the United States Revenue Cutter Service who lived life as a white American man. He was the biological son of Michael Morris Healy (1796-1850) a white Irish born man and Eliza Clark (1813-1850) a Mulatto American born slave woman.

<https://shipssailorshealy.blogspot.com/>

https://www.nps.gov/gaar/learn/historyculture/images/MHealy_UAF_sm.jpg

<https://www.defensemmedianetwork.com/stories/coast-guard-history/>

<https://i0.wp.com/www.defensemmedianetwork.com/wp-content/uploads/2013/12/Capt-Michael-A-Healy.jpg?w=1087&ssl=1>

<https://www.nps.gov/gaar/learn/historyculture/military-exploration.htm>

<https://www.azquotes.com/picture-quotes/quote-when-i-am-in-charge-of-a-vessel-i-always-command-nobody-commands-but-me-i-take-all-the-michael-a-healy-77-37-07.jpg>

https://photos1.blogger.com/blogger/3999/3641/1600/Bear_8_300.jpg

<https://photos1.blogger.com/blogger/3999/3641/1600/HEALYDETAIL.jpg>

https://photos1.blogger.com/blogger/3999/3641/1600/HEALY_WITHWIFE.jpg

HENRY PLUMMER CHEATHAM was a Quadroon American slave man born on December 9, 1848 in Henderson,

Granville County, North Carolina.

He was a United States republican representative for the 51st (1889–1891) and the 52nd (1891–1893) Congresses. His father was a white English man, Richard Dobbs Spaight, III born on April 5, 1822 in Bridgeton, Craven County, North Carolina and died on November 17, 1850 in Bridgeton, Craven County, North Carolina. His father financed his educational and political career. Henry Plummer Cheatham's grandfather was Richard Dobbs Spaight, II (1797-1844) a governor of the state of North Carolina.

<https://ncmarkers.com/Markers.aspx?MarkerId=G-94>

<https://artisans-lane.com/wp-content/uploads/2018/11/cheatham.jpg>

<https://www.stoppingpoints.com/north-carolina/sights.cgi?marker=Henry+P.+Cheatham+1857-1935&county=Granville>

<https://www.theodorerooseveltcenter.org/Research/Digital-Library/Record?libID=o35823>

<https://www.theodorerooseveltcenter.org/Research/Digital-Library/Record/PrintSingle?libID=o35823&imageID=1>

BOOKER TALIAFERRO WASHINGTON was a Mulatto American slave man born on April 5, 1856 in Hale's Ford, Franklin County, Virginia and died on November 14, 1915 in Tuskegee, Macon County, Alabama. He was an American educator, author, orator, and adviser to several presidents of the United States. He was the great-great grandson of the United States President George Washington (1732-1799). His father was Alfred Washington a white English American man born on March 1, 1833 in Hale's Ford, Franklin County, Virginia and died on January 1, 1863 in Hale's Ford, Franklin County, Virginia. He financed his son's upkeep and college education. Booker Taliaferro Washington's mother was Jane Washington a Nigerian American slave woman born on May 8, 1836 in Hale's Ford, Franklin County, Virginia and died on February 2, 1858 in Hale's Ford, Franklin County, Virginia.

<https://images.fineartamerica.com/images-medium-large/booker-t-washington-1856-1915-ca-everett.jpg>

<https://wallpapercave.com/wp/wp5701445.jpg>

<https://media.gettyimages.com/photos/booker-t-washington-dines-with-president-teddy-roosevelt-the-word-is-picture-id640486723>

<https://image1.slideserve.com/3035113/booker-t-washington-l.jpg>

<https://files.constantcontact.com/766c6672201/9d1fd95b-b8a2-454b-85e4-bc388c81b7ca.jpg?a=1125859723712>

<https://slavedwellingproject.org/booker-taliaferro-washington/>

MARY CHURCH TERRELL (1863-1954) was a Mestizo American free born woman that was a journalist, philanthropist and political activist.

Her white English American born grandfather Captain Charles Beckwith Church (1813-1879) financed her college education.

<https://www.oberlin.edu/news/main-library-will-be-named-activist-alumna-mary-church-terrell>
<https://libraries.oberlin.edu/files/assets/mctprospectus.pdf>
<https://terrell.oberlincollegelibrary.org/scalar/mct/about-this-project?path=index>
https://npg.si.edu/object/npg_NPG.72.115
<https://libraries.oberlin.edu/libraries/mary-church-terrell>

HENRY PLUMMER CHEATHAM, JR. was a Quadroon/Mulatto American man born on May 23, 1890, in Henderson, Vance County, North Carolina and died on October 16, 1940 in Philadelphia, Philadelphia County, Pennsylvania. He was a World War I Regimental Sergeant Major as well a successful attorney at law. His legal clientele consisted of white distinguished business firms. Henry Plummer Cheatham, Jr. saw himself as a Mixed American as that is how he lived.

He enlisted 27-Nov-1917 in Camp Merritt, New Jersey - Released 27-Feb-1919; Army Serial # 102, 842;

In addition to H. P. Cheatham, Jr's military service he earned his bachelor degree from Shaw University in Raleigh, North Carolina and law degree from Temple University in Philadelphia, Pennsylvania. Henry Plummer Cheatham (1892-1940) was born in Henderson, North Carolina to ex-Congressman (1889-1890) and superintendent of the Colored Orphanage at Oxford, North Carolina, Henry P. Cheatham, Sr and his wife Louise Cherry. The younger Cheatham was educated in the public schools of Washington, D.C. and later graduated from Shaw University in Raleigh, North Carolina and Temple University Law School in Philadelphia, Pennsylvania (1925) where he received a law degree with honors. Prior to attending Temple University, Cheatham enlisted in the United States Army (c. 1912) in the Philippines Island for almost the entirety of his enlisted years and earned the rank of Regimental Sergeant Major. After serving in the Philippines he resided in New York at which time he enlisted in the 15th New York City Infantry. When the United States entered World War I, the 15th was taken over by the War Department and became the 369th United States Infantry. Cheatham served with the 369th in France, later, he was transferred to the 370th Infantry. He had offices in Philadelphia where he practiced law until a few months prior to his death.

<https://digital.library.temple.edu/digital/collection/p245801coll12/id/44850/rec/1>

ZORA NEALE HURSTON (1891-1960) was a Mulatto American poet and author who published a line of books that dealt with the issues of miscegenation in the United States society. She was the biological daughter of Robert Edward Lee Nichols a white Welsh American man born on January 15, 1867 in Wetumpka, Elmore County, Alabama and died on August 10, 1920 in Jacksonville, Duval County, Florida. He financed her college education. Her mother was Roslyn Potts a Namibian American woman born on October 31, 1871 in Notasulga, Macon County, Alabama and died on June 30, 1898 in Opelika, Lee County, Alabama. After the death of her mother Zora Potts was taken in by her aunt Lucy Potts Hurtson the sister of her biological mother Roslyn Potts.

<https://www.imdb.com/name/nm0403678/>

<https://thehoovercardinal.org/wp-content/uploads/2019/02/Zora-900x536.jpg>

<https://www.zoranealehurston.com/>

<https://cdn.britannica.com/67/1467-004-02905D7B/Zora-Neale-Hurston.jpg>

<http://www.awhf.org/hurston.jpg>

<https://i.redd.it/cgkjlaps5z41.jpg>

<https://img.buzzfeed-static/static/2014-01/enhanced/webdr06/7/17/enhanced-buzz-orig-1830-1389135255-24.jpg>

https://media.licdn.com/dms/image/sync/C4D27AQGWqrJJ9sRH-g/articleshare-shrink_800/0/1681237258142?e=1681869600&v=beta&t=4Kc2USVUJmpiqra6EUYVxDWR0u2NYxGk4W7kdbxJhA

CHARLES RICHARD DREW (1904-1950) was a Mulatto American surgical physician and scientist. His white grandfather Captain Day Otis Crane (1841-1911) the father of his mother Nora Mann financed his college and medical school education.

https://www.pbs.org/wgbh/theymadeamerica/whomade/drew_hi.html

<https://redcrossntxblog.com/2021/02/11/world-inventors-day-tribute-to-the-father-of-blood-banking-dr-charles-r-drew/>

<https://www.facebook.com/FIETTS/posts/10154208079049839:0>

https://www.researchgate.net/publication/324833644_Charles_Drew_An_extraordinary_life

EFFIE MAE WASHINGTON WILLIAMS (1925-2013) was a Mulatto America educator and author.

Her father was United States congressional senator James Strom Thurmond a white Welsh American man born on December 5, 1902 in Edgefield, Edgefield County, South Carolina and died on June 26, 2003 in Edgefield, Edgefield County, South Carolina. He financed her college education as well as her financial upkeep. Her mother was Carrie Mae Butler a Nigerian American woman was born on December 25, 1909 in Edgefield, Edgefield County, South Carolina and died on September 1, 1943 in Edgefield, Edgefield County, South Carolina.

<http://1.bp.blogspot.com/-mkdacuF0p18/URLgWR7eOyl/AAAAAAAANKk/sKT8V702nM4/s1600/Essie+Mae+Washington-Williams.jpg>
<https://www.cnn.com/2013/02/05/us/south-carolina-thurmond-daughter-obit/index.html>
<http://coldfusion-guy.blogspot.com/2013/02/strom-thurmonds-interracial-daughter.html>
https://www.senate.gov/senators/FeaturedBios/Featured_Bio_Thurmond.htm
<https://www.npr.org/2003/12/15/1549924/thurmonds-acknowledge-mixed-race-woman>
<https://www.chicagotribune.com/news/ct-xpm-2003-12-16-0312170017-story.html>

CAROLE SIMPSON was a Mulatto American woman born on December 7, 1940 in Chicago, Illinois and died on December 31, 2011 in New York City, New York. She was a news anchor and broadcast journalist who covered important domestic and international issues for the major news networks. Her mother was Madge Womble a white German/Welsh American woman born on January 31, 1907 in Matthews Township, Chatham County, North Carolina and died on September 2, 1982 in Chicago, Illinois. Her father was Walter Simpson a Nigerian American man born on May 31, 1910 in Chicago, Illinois and died there on March 1, 1943.

<https://www.youtube.com/watch?v=38e-Pf-VaKc>
<https://www.youtube.com/watch?v=1hAX1n3Wj54>
<https://www.youtube.com/watch?v=PtqLlqXTLTQ>
<https://www.youtube.com/watch?v=Uo7TTqQ8jQY>
<https://www.youtube.com/watch?v=kJqLRgpNLBY>

EMMETT LeFLORE was a Mulatto American teenager born on June 25, 1941 in Webb, Tallahatchie County, Mississippi.

He died on August 28, 1955 in Drew, Sunflower County, Mississippi by a gun shot wound to his cranium by five white men who acted upon a lie of a white woman who falsely accused the young Mulatto American teenager. Emmett LeFlore was the biological son of Henry LeFlore a white French American man born on March 3, 1903 in Minot, Sunflower County, Mississippi. Henry LeFlore died on September 1, 1982 in Minot, Sunflower County, Mississippi. Henry LeFlore found the five white American men that murdered his son Emmett LeFlore and killed all of them by a gun shot wound to their craniums. Emmett LeFlore's mother Mamie Elizabeth Carthan a Senegalese American born woman (1921-2003) married only one time in 1957 to Gene Mobley and he was not the biological father of her son Emmett LeFlore nor was the fabricated husband of Louis Till.

<https://i.pinimg.com/originals/47/e9/5f/47e95fe97286c01cdb04122aeb7b3084.jpg>
<https://www.youtube.com/watch?v=yl9VUMpThCw>

2. Unsecured northern and southern land borders, seaports, and airports. Non-stoppage of any and all illegal aliens, foreigners, refugees, and immigrants from entering into the United States of America and giving birth to anchor children. Why would any nation or country put foreign nationals before their own lawful native born citizens?

<https://thenewamerican.com/us/crime/video-shows-chinese-professor-talking-about-american-elite-traitors-who-work-for-beijing/>
https://en.wikipedia.org/wiki/List_of_foreign-born_United_States_politicians
<https://www.youtube.com/watch?v=qVUa5BLwthY>
<https://www.youtube.com/watch?v=744dg95Y6c8>
<https://www.youtube.com/watch?v=k3nKgKswlSA>
<https://www.youtube.com/watch?v=GIJg2h2NrTM>
<https://www.youtube.com/watch?v=zFklk4RVnUY>
<https://www.youtube.com/watch?v=ZnkSXosZhic>
<https://www.youtube.com/watch?v=n-xJbcgblLo>
<https://www.youtube.com/watch?v=GexkJcHEA9o>
<https://www.youtube.com/watch?v=TaKufTyNcMM>
<https://www.youtube.com/watch?v=23oGc97XQUg>
<https://www.youtube.com/watch?v=nnxisxDF2ko>

<https://www.youtube.com/watch?v=aFaJKX5zlqY>
https://www.youtube.com/watch?v=lc_ksjvpPWM
<https://www.youtube.com/watch?v=ejmLuuh7xWA>
<https://www.youtube.com/watch?v=AFj2yyN9DjM>
<https://www.youtube.com/watch?v=TC0AKNQBv80>
<https://thefederalistpapers.org/current-events/alexander-hamilton-and-immigration>
<https://www.history.com/news/immigration-act-1965-changes>
<https://www.azcentral.com/story/news/politics/elections/2018/02/11/kelli-ward-claims-president-ronald-reagan-regretted-1986-amnesty-law-did-he/1089297001/>
<https://www.amren.com/features/2015/04/white-man-why-are-you-giving-away-your-country/>
<https://www.everyculture.com/multi/A-Br/Asian-Indian-Americans.html>
<https://iaimpact.org/elected-officials/>
<https://www.heritage.org/immigration/commentary/congress-should-not-approve-path-citizenship-the-nations-11-million>
<https://www.heritage.org/immigration/commentary/america-may-soon-face-unlimited-illegal-immigration>
<https://www.heritage.org/immigration/report/us-citizenship-act-2021>
<https://www.congress.gov/bill/117th-congress/house-bill/1177>
<https://www.govtrack.us/congress/bills/117/hr1177>
<https://www.whitehouse.gov/briefing-room/statements-releases/2021/10/14/fact-sheet-the-biden-harris-administration-advances-equity-and-opportunity-for-latino-communities-across-the-country/>
<https://www.blackpast.org/african-american-history/north-from-mexico-the-first-black-settlers-in-the-west/>
<https://theculturetrip.com/north-america/mexico/articles/the-untold-history-of-afro-mexicans-mexicos-forgotten-ethnic-group/>
<https://www.bbc.com/news/magazine-35981727>
<https://www.bbc.com/news/world-latin-america-40480405>
<https://www.heritage.org/government-regulation/commentary/getting-rid-la-raza>
<https://nationalcenter.org/ncppr/2012/07/11/national-council-of-la-raza/>
<https://themazatlanpost.com/2020/06/22/vicente-guerrero-the-first-afro-mexican-president-of-the-americas/>
<https://themazatlanpost.com/2021/10/30/the-caste-system-in-hispanic-americas/>
<https://www.science.org/content/article/mapping-mexicos-deadly-drug-war>
<https://www.youtube.com/watch?v=HOSPD4K1ymg>
 In general, “mestizo/a” refers to racial and cultural mixing among Europeans, Indians, and Africans.
<https://keywords.nyupress.org/american-cultural-studies/essay/mestizoa/>
<https://www.alodianews.com/en/culture/heritage-and-history/one-third-us-latino>
<https://pressbooks.online.ucf.edu/latinamericanhumanities/chapter/casta-system-of-racialization/>
<https://www.justice.gov/archives/jm/criminal-resource-manual-1918-arrest-illegal-aliens-state-and-local-officers>
<https://www.heritage.org/press/heritage-experts-bidens-amnesty-proposal-trades-american-interests-for-lefts-political>
<https://www.fairus.org/issue/illegal-immigration/local-immigration-enforcement>
<https://www.fairus.org/legislation/federal-legislation/amnesty/bidens-amnesty-bill-introduced-congress>
https://www.jec.senate.gov/public/_cache/files/f16b51b0-5f61-43a6-9428-8835d0ad6a7c/economic-state-of-the-latino-community-in-america-final-errata-10-15-2019.pdf
<https://timesofindia.indiatimes.com/world/us/Indian-American-Nikki-Haley-listed-herself-as-white-Democrats-slam-her/articleshow/9411143.cms>
<https://www.hindustantimes.com/business/why-indians-are-the-highest-earning-community-in-us-harsh-goenka-explains-101673757990980.html>
https://www.youtube.com/watch?v=TO__1pHM5yl
<https://nypost.com/2021/11/06/joe-biden-angrily-defends-plans-for-450k-migrant-separation-payouts/>
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For several decades, the main labor force of Maryland was largely composed of indentured servants,

some choosing to migrate to the colony under a labor contract. Other indentured servants were convicts and prisoners of war who were transported to the colony as punishment to provide another source of labor for the planter class. The source of indentured servants gradually dried up as economic conditions improved in England, making for fewer people ready to choose to give up 5 years of freedom to work for someone else, and when the colonists began protesting being used as a "dumping ground" for convicts and prisoners, mother England did not want.

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China's 1.4 billion population can't fill the country's millions of empty homes. Here's 3 things that would.

Matthew Loh, Sep 25, 2023, 2:05 AM PDT

China has so many excess homes that some estimate you could house three billion people in them. A former top official in China mentioned the jaw-dropping figure at an economic forum on Saturday. He said the estimate is extreme, but said even China's 1.4 billion people can't fill all of them. There could be enough vacant homes in China to house up to 3 billion people, a former top China official said.

To put that number in perspective, that's nearly 10 times the population of the US.

And it's also 15 times the population of Western Europe, and 140 times the population of Beijing, the country's capital city.

These jaw-dropping numbers are based on the high ends of experts' estimates about the number of vacant properties in the country.

He Keng, a former deputy head of the National Bureau of Statistics, spoke on Saturday about the struggling housing market in China. When commenting on its vast oversupply of homes, He said some experts have suggested that these empty homes available in China would be enough to accommodate a whopping 3 billion people.

"How many vacant homes are there now?" said He at an economic forum in the city of Dongguan. "The experts are presenting figures that vary greatly. The most extreme believe the number of vacant homes are now enough for 3 billion people. We only have 1.4 billion people."

"That estimate might be a bit much, but 1.4 billion people probably can't live in all of them," He added.

This astronomical figure has been discussed for some years in China, and is typically calculated based on official reports that the average home size in urban areas is 39 square meters, or around 420 square feet.

Pundits then factor in the number of people in every Chinese household, which is 2.62 persons, per China's Seventh National Census held in 2021.

But China has yet to publish an official estimate on the total floor space of its empty homes.

Government statistics from August say the total area of all unsold homes in China is around 7 billion square feet, per Reuters.

The outlet estimated that this translates to around 7.2 million homes, based on an average home size of around 90 square feet, or 968 square feet.

These statistics also do not count the number of sold but uncompleted homes, and don't factor in properties owned by people who bought houses as investments but don't live in them, Reuters noted. Still, He's statement and acknowledgment of a gigantic, problematic home surplus diverges from the central government's stance.

China's central bank said in March that the country's real estate sector is bouncing back, and that "recovery of market confidence has accelerated."

China's housing market has, in recent years, been revealed to be facing a massive excess supply of homes. Land development by the real estate sector, a longtime pillar of China's rapid economic growth, snowballed into a building frenzy that's resulted in entire neighborhoods of high-rise residential complexes without people to live in them.

Some neighborhoods are filled with homes that have already been sold, but can't be completed due to construction companies running out of cash.

The second-biggest real-estate developer there, Evergrande, became the world's most indebted company in 2021 and defaulted on loans, sparking fears of an unstoppable contagion that could bankrupt even businesses in the US.

Meanwhile, the biggest real estate giant in China, Country Garden, narrowly avoided default earlier this month. It had failed to pay interest for two US bonds in August, but managed to fulfill the transaction within a 30-day grace period.

The Strategic Research Institute, Chinese Academy of personnel Management, of which He is an advisor to, did not immediately respond to a request for comment to He.

3. Refrain from giving monetary aid to foreign countries who are enemies and not lawful United States citizens. Not stopping fraud, corruption, and citizen brutality among American law enforcement such as the city police, sheriffs, state troopers, U. S. department of homeland security and the U. S. department of defense.

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4. Not requiring a U. S. state issued valid driver license and social security number that can be verified along with a five generation pedigree (lineage) to hold political office and obtain government, public, and private employment in any United States election jurisdiction.

Valerie Jarrett was an illegal Iranian national who was not black/negro/african-american. Based on her phenotype she is an Iranian middle eastern woman which

is classified as white in the United States of America. Examples of government fraud and corruption in the United States of America that is allowed by its citizens as they have done nothing to stop it :

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All United States politicians holding office legally as of the calendar year 2020 and beyond need to come before the people on camera live and uncensored to be questioned as to why they have not upheld the United States Constitution and addressed the issues presented that have been set forth in the American Restoration Information Doctrine (ARID). Their state issued driver licenses and social security cards need to be physically examined and verified. The governors and state legislatures will not do it because they are not living or are paid crisis impersonators. The people of the United States are responsible for the eventual collapse of their nation.

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5. Not barring foreigners, illegal aliens, and immigrants from engaging in domestic commerce, businesses and financial transactions such as opening bank accounts, private equity firms, venture capital firms, renting, purchasing, buying, and the selling of American real estate properties, obtaining business licenses, employment, attending public schools and applying for government benefits, resources, and identity credentials of any state in the United States of America.

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DO NOT ALLOW ANY UNITED STATES FEDERAL, STATE, OR LOCAL GOVERNMENT, PUBLIC OR PRIVATE BUSINESS ENTITY, CORPORATION, ASSOCIATION, OR ORGANIZATION TO FORCIBLY REQUIRE HUMAN MICROCHIP IMPLANTATION FOR ANY TYPE OF REASON WHICH WOULD LEAD TO TOTAL LOSS OF PERSONAL FREEDOM AND LIBERTY. DO NOT ALLOW ANY FOREIGN NATIONAL, REFUGEE, TOURIST TRAVELER, OR ILLEGAL ALIEN TO ENTER THE UNITED STATES OF AMERICA PERIOD.

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Which people were the first slaves in the United States of America?

<https://i.pinimg.com/originals/6c/42/4c/6c424c05d2a2fecbb3eeec8fecb1d164.jpg>

Tuscarora War

Written by North Carolina History Project

What is now Carteret, Pamlico, Craven, Lenoir, Jones, Beaufort, and Pitt Counties was a terrifying place to live from 1711 to 1713. North Carolinians and the Yamasee waged war against the Tuscarora. Many colonists' settlements were burned and the Tuscarora indiscriminately fell upon men, women, and children. In the end, English colonists prevailed. Captured Tuscarora were sold into slavery and those that escaped northward joined the Iroquois League.

A tenuous alliance had existed between the English in North Carolina and the Tuscarora before war erupted. The English were known for taking advantage of Tuscarora in trade negotiations. When the founder of New Bern, Baron Christoph von Graffenreid and Swiss colonists, "drove [Tuscarora] off a tract of land without payment in 1711," the tribe responded by "raiding settlements." Historian William Powell writes that it was "three days of slaughter" and the town of Bath survived only because a friendly local chief refused to join other Tuscarora. In the end, Tuscarora killed 200 (80 children) and captured the Baron, who agreed to not retaliate if he was released.

Meanwhile, a colonist named William Brice sought revenge and captured a local chief and killed him. War then returned.

Alone, North Carolina militia was unable to handle the Tuscarora threat. The Assembly asked Virginia for help and the northern neighbor attempted to take advantage of the situation. In exchange for Virginia militia's help, Governor Spotswood asked North Carolina Governor Hyde for the land between the Albemarle Sound and the line established in the 1655 charter (present-day Edenton, Elizabeth City and at least 10 present day counties). North Carolina then turned to South Carolina for help. The militia and approximately 500 Yamasee marched into Tuscarora territory and killed nearly 800, and after the second assault on the main village, King Hancock, the Tuscarora chief, signed a treaty.

After a treaty violation by the English, war erupted again. The militia and about 1,000 Indian allies traveled into Tuscarora territory and waged war. According to historian Carl Waldman, approximately 400 Tuscarora were sold into slavery, and some as far north as Philadelphia, New York City, and Boston. The remaining Tuscarora fled northward and joined the Iroquois League as the Sixth Nation. Later, during the Revolutionary War, the Oneida and the Tuscarora sided with the Americans while the Mohawk, Onondaga, Cayuga, and Seneca allied with the British.

The Tuscarora War united religious factions in North Carolina; even Quakers, writes Powell, "furnish[ed] provisions for men under arms." A precedent was set, too: paper money was issued during the emergency. The colony acted similarly in future crises, even though depreciation always followed.

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Virginia Governor Spotswood's Letter Regarding the Tuscarora War

Posted on August 16, 2015 by Roberta Estes

From the Preston Davis papers:

Found in these historic papers is a letter from Virginia's Governor Spotswood to the King of England giving his perspective on the Tuscarora War – and who was involved. It has long been speculated that the Seneca played a role in this event – which appears to be confirmed by Spotswood's letter.

Williamsburg, Febru: 27th 1711, Letter from Govr. Spotswood to his Excellency

You have no doubt heard of the Massacre committed last Fall in North Carolina by their neighboring Indians, since which they have very much distressed the Inhabitants of that province by burning their houses and destroying their Corn and stocks, and forcing the people to betake themselves to Garrisons for their own Safety: And all the news I can send you from hence, is that about the beginning of this month a body of 700 of the South Carolina Indians commanded by one Collo. Bamwell fell upon those Rogues, and cutt off six towns of the Tuscaroras, and are now in Search of the rest: They have taken abundance of prisoners and found among them a considble. Booty of English goods, and by this blow have I hope disappointed their designs of carrying on a formal War against the Province and us, in conjunction with the Senequas inhabiting your Frontier, who 'tis said prompted them to this Villany by promises of supplys of Arms and Ammunition from your Governmt., and of the Assistance of the whole Strength of that Nation. There were about thirty of the Senequas among them, some few days before Collo. Bamwell arrived, who its like have had the same Fate with the rest. I once expected to have had a share in cutting off those Indians. Our Assembly having voted twenty thousand pound for that service; but after consulting the means how to raise it they found it too large for their purses, and instead of going on as they began thought of nothing more than how to get off that hasty Resolution; In order to which they fell upon raising Funds prejudicial to the service of Great Brittain, which I could not consent to, and so that project dropp'd and I have been obliged to dissolve our Lower house, finding them running into fruitless Contests with the Upper House about Points which they could not well defend. I am with great Truth & Esteem, Sir Your Most Obedient Humble Servant, A Spotswood

Source: Mag of Va Genealogy Vol 36#2, page 145

<https://nativeheritageproject.com/2015/08/16/virginia-governor-spotswoods-letter-regarding-the-tuscarora-war/>

Native Americans Were Kept As Slaves, Too, ANDRÉS RESÉNDEZ, ON 4/30/16 AT 10:31 AM EDT

The very word "slavery" brings to mind African bodies stuffed in the hold of a ship or white-aproned maids bustling in an antebellum home. Textbooks, memoirs, and movies continuously reinforce the notion that slaves were black Africans imported into the New World.

We may be aware that in the long sweep of history, peoples other than Africans have been held in bondage—a practice that continues today as millions of Asians, hundreds of thousands of Latin Americans and thousands of Europeans can readily attest. But we still seem unable to escape our historical myopia.

Consider the debate at the conclusion of the U.S.-Mexican War of 1846–1848. The United States had just acquired Texas, New Mexico, Arizona, California, Nevada, Utah, more than half of Colorado and parts of Wyoming and Kansas. The question facing the country was whether slavery should be allowed in this vast territorial haul.

By slavery, of course, politicians of that era meant African slavery. But the adjective was wholly unnecessary, as everyone in the United States knew who the slaves were.

Therefore it came as a revelation to many easterners making their way across the continent that there were also Indian slaves, entrapped in a distinct brand of bondage that was even older in the New World, perpetrated by colonial Spain and inherited by Mexico. With the Treaty of Guadalupe Hidalgo at the end of the war, this other slavery became a part of Americans' existence.

California may have entered the Union as a "free-soil" state, but American settlers soon discovered that the buying and selling of Indians was a common practice there.

As early as 1846, the first American commander of San Francisco acknowledged that "certain persons have been and still are imprisoning and holding to service Indians against their will" and warned the general public that "the Indian population must not be regarded in the light of slaves." His pleas went un-

heeded.

The first California legislature passed the Indian Act of 1850, which authorized the arrest of "vagrant" Natives who could then be "hired out" to the highest bidder. This act also enabled white persons to go before a justice of the peace to obtain Indian children "for indenture."

According to one scholarly estimate, this act may have affected as many as 20,000 California Indians, including four thousand children kidnapped from their parents and employed primarily as domestic servants and farm laborers.

Americans learned about this other slavery one state at a time. In New Mexico, James S. Calhoun, the first Indian agent of the territory, could not hide his amazement at the sophistication of the Indian slave market.

"The value of the captives depends upon age, sex, beauty, and usefulness," wrote Calhoun. "Good looking females, not having passed the 'sear and yellow leaf,' are valued from \$50 to \$150 each; males, as they may be useful, one-half less, never more."

Calhoun met many of these slaves and wrote pithy notes about them: "Refugio Picaros, about twelve years of age, taken from a rancho near Santiago, State of Durango, Mexico two years ago by Comanches, who immediately sold him to the Apaches, and with them he lived and roamed . . . until January last [1850], when he was bought by José Francisco Lucero, a New Mexican residing at the Moro."

"Teodora Martel, ten or twelve years of age, was taken from the service of José Alvarado near Saltillo, Mexico by Apaches two years ago, and has remained the greater portion of the time on the west side of the Río del Norte."

Americans settling the West did more than become familiar with this other type of bondage. They became part of the system.

Mormon settlers arrived in Utah in the 1840s looking for a promised land, only to discover that Indians and Mexicans had already turned the Great Basin into a slaving ground. The area was like a gigantic moonscape of bleached sand, salt flats, and mountain ranges inhabited by small bands no larger than extended families.

Early travelers to the West did not hide their contempt for these "digger Indians," who lacked both horses and weapons.

These vulnerable Paiutes, as they were known, had become easy prey for other, mounted Indians.

Brigham Young and his followers, after establishing themselves in the area, became the most obvious outlet for these captives. Hesitant at first, the Mormons required some encouragement from slavers, who tortured children with knives or hot irons to call attention to their trade and elicit sympathy from potential buyers or threatened to kill any child who went unpurchased.

Brigham Young's son-in-law Charles Decker witnessed the execution of an Indian girl before he agreed to exchange his gun for another captive. In the end, the Mormons became buyers and even found a way to rationalize their participation in this human market.

"Buy up the Lamanite [Indian] children," Brigham Young counseled his brethren in the town of Parowan, "and educate them and teach them the gospel, so that many generations would not pass ere they should become a white and delight-some people." This was the same logic Spanish conquistadors had used in the sixteenth century to justify the acquisition of Indian slaves.

The beginnings of this other slavery are lost in the mists of time. Native peoples such as the Zapotecs, Mayas and Aztecs took captives to use as sacrificial victims; the Iroquois waged campaigns called "mourning wars" on neighboring groups to avenge and replace their dead; and Indians in the Pacific Northwest included male and female slaves as part of the goods sent by the groom to his bride's family to finalize marriages among the elite.

Native Americans had enslaved each other for millennia, but with the arrival of Europeans, practices of captivity originally embedded in specific cultural contexts became commodified, expanded in unexpected ways, and came to resemble the kinds of human trafficking that are recognizable to us today.

The earliest European explorers began this process by taking indigenous slaves. Columbus's very first business venture in the New World consisted of sending four caravels loaded to capacity with 550 Natives back to Europe, to be auctioned off in the markets of the Mediterranean.

Others followed in the Admiral's lead. The English, French, Dutch and Portuguese all became important participants in the Indian slave trade. Spain, however, by virtue of the large and densely populated colonies it ruled, became the dominant slaving power. Indeed, Spain was to Indian slavery what Portugal and later England were to African slavery.

Ironically, Spain was the first imperial power to formally discuss and recognize the humanity of Indians. In the early 1500s, the Spanish monarchs prohibited Indian slavery except in special cases, and after 1542 they banned the practice altogether.

Unlike African slavery, which remained legal and firmly sustained by racial prejudice and the struggle against Islam, the enslavement of Native Americans was against the law. Yet this categorical prohibition did not stop generations of determined conquistadors and colonists from taking Native slaves on a planetary scale, from the Eastern Seaboard of the United States to the tip of South America, and from the Canary Islands to the Philippines.

The fact that this other slavery had to be carried out clandestinely made it even more insidious. It is a tale of good intentions gone badly astray.

When I began researching my book "The Other Slavery," one number was of particular interest to me: how many Indian slaves had there been in the Americas since the time of Columbus?

My initial belief was that Indian slavery had been somewhat marginal. Even if the traffic of Indians had flourished during the early colonial period, it must have gone into deep decline once African slaves and paid workers became available in sufficient numbers.

Along with most other historians, I assumed that the real story of exploitation in the New World involved the 12 million Africans carried off across the Atlantic. But as I kept collecting sources on Indian slavery in Spanish, Mexican and U.S. archives, I began to see things differently.

Indian slavery never went away, but rather coexisted with African slavery from the sixteenth all the way through the late nineteenth century. This realization made me ponder more seriously the question of visibility.

Because African slavery was legal, its victims are easy to spot in the historical record. They were taxed on their entry into ports and appear on bills of sale, wills, and other documents. Because these slaves had to cross the Atlantic Ocean, they were scrupulously — one could even say obsessively — counted along the way.

The final tally of 12.5 million enslaved Africans matters greatly because it has shaped our perception of African slavery in fundamental ways. Whenever we read about a slave market in Virginia, a slaving raid into the interior of Angola, or a community of runaways in Brazil, we are well aware that all these events were part of a vast system spanning the Atlantic world and involving millions of victims.

Excerpted from *The Other Slavery: The Uncovered Story of Indian Enslavement in America* © 2016 by Andrés Reséndez. Reproduced by permission of Houghton Mifflin Harcourt. All rights reserved.

<https://www.newsweek.com/native-americans-were-kept-slaves-too-454023>

History of enslavement of indigenous peoples in California

Indigenous people were enslaved in California under Spanish rule, and when it was a United States territory

territory. Indigenous slavery continued despite California's admission as a free state. While slavery was abolished in the United States in 1865, some enslavement of indigenous peoples continued in California through 1867.

When the Spanish colonized California, they established a free-labor system of Indigenous peoples of California within their settlements. The Mexican rule of California after the Spanish perpetuated this free-labor system as can be seen through the indentured servitude of native Californians under wealthy Mexican landowners. California was admitted into the United States as a free state in 1848, but due to the large amount of labor needed to operate the ranches and farms and the need for miners during the gold rush, white immigrants found ways to exploit the indigenous people for slave labor.

Pre-European contact, the population of native Californian Indians was estimated to be nearly one million.

In 1542, Spanish explorer Juan Rodriguez Cabrillo first landed in California, but the region wasn't successfully settled until 1769. In 1769, Padre Junípero Serra founded the first Spanish mission in California, el Misión San Diego de Alcalá. The padres would often baptize Native Californian villages en masse and relocate them to the missions, where they would work either voluntarily or by force from location to location. There, Native Californians became cobblers, carpenters, masons, planters, harvesters, and cattle slaughterers. To the padres, the Native Californians were newly baptized members of the Catholic Church and were treated with varying amounts of respect, depending on the priest in question. Reportedly, some of the missions planned on handing the missions over to Indians after ten years. However, this never occurred.

Many of the soldiers, however, saw them solely as manpower to be exploited. The soldiers would force the Native Californians to perform most of the manual labor needed in their fortresses, and would hunt down any natives who tried to escape. These four military installations, primarily in place to reinforce Spanish claims to Alta California, were known as el Presidio Real de San Carlos de Monterey, el Presidio Real de San Diego, el Presidio Real de San Francisco, and el Presidio Real de Santa Bárbara. The soldiers would often rape the native women of the villages.

Disease became a major cause of death for the Native Californians due to the settlers' ignorance of the state of the natives' immune systems, which were unaccustomed to most of the diseases the settlers brought with them. Elsewhere in New Spain, Spanish soldiers had purposefully sold disease-infected blankets to the native peoples to thin their numbers, and may have done so in California as well.

There were several recorded uprisings of Indians resisting Spanish rule, one of the earliest being the attack on the Mission San Diego on November 4, 1775. The Tipai-Ipai organized nine villages into a force of around 800 people to destroy the mission and kill three of the Spanish, one of them being Padre Luis Jayme. It should be noted, however, that not every Californian Indian uprising was violent. In September of 1795, over two hundred natives, including many old neophytes, simply deserted San Francisco all in different directions. When uprisings occurred, the natives did not go unpunished: some Indians were put to death but many were imprisoned and forced into hard labor.

Mexican rule

From 1821 to 1846, after Mexico gained its independence from Spain, California was under Mexican rule. In 1824, the Mexican constitution guaranteed citizenship to all persons, providing natives with the right to continue occupying their villages. Additionally, the Mexican National Congress passed the Colonization Act of 1824 which granted large sections of unoccupied land to individuals. This act enforced a class division in which Native Americans were treated like slaves because the native Californians became the labor force for these ranchos. In 1833, the government secularized missions, saying that the missions needed to give their land to Catholic Indians. Instead of doing that, however, many civil authorities confiscated most of the land for themselves. Californios often gained prominence by conducting military attacks on indigenous settlements. By 1846, Mexico's Assembly had passed resolutions calling for funds to locate and destroy Indian villages.

While they had more rights than they had under Spanish rule, the native population still was the labor force for ranchos or in developing towns. Essentially, the entire economy shifted from work on the missions to work on large land estates of wealthy Mexicans.

Gold Rush and United States

In 1848, Mexico ceded California to the United States, bringing a flood of white immigrants into California between 1845 and 1855 because of the gold rush. The Euro-Americans came in with an initial dislike of the Native Americans, hating and fearing them for no historical reason. The confrontation between Anglos and Indians was often brutal, resulting in the murder, burn and rape of native Californians and kidnapping and selling of women and children into slavery. In those 10 years the Indian population of the Central Valley and adjacent hills and mountains decreased from around 150,000 to 50,000. Many hostile interactions began to occur such as the Clear Lake Massacre of 1849. At the Clear Lake Massacre, local Pomo killed two white men who had been exploiting local Indians, enslaving them and abusing them and sexually assaulting Indian women. As a result, the whites created a massive military campaign of savagery and brutality.

On the April 22, 1850, to "craft its own code of compulsory labor", an "Act for the Government and Protection of Indians" was passed which legally curtailed rights of Indians. It provided that:

"White persons or proprietors could apply to the Justice of Peace for the removal of Indians from lands in the white person's possession"

"Any person could go before a Justice of Peace to obtain Indian children for indenture. The Justice determined whether or not compulsory means were used to obtain the child. If the Justice was satisfied that no coercion occurred, the person obtain a certificate that authorized him to have the care, custody, control and earnings of an Indian until their age of majority (for males, eighteen years, for females, fifteen years)."[8] In actual practice this section led to a trade system of kidnapped Indian children, either stolen from their parents or taken from the results of militia attacks during the 1850s and 1860s. Frontier whites often eagerly paid \$50-\$100 for Indian children to apprentice and so groups of kidnapers would often raid isolated Indian villages, snatching up children in the chaos of battle.

"If a convicted Indian was punished by paying a fine, any white person, with the consent of the Justice, could give bond for the Indian's fine and costs. In return, the Indian was "compelled to work until his fine was discharged or cancelled." The person bailing was supposed to "treat the Indian humanely, and clothe and feed him properly." The Court decided "the allowance given for such labor." Local authorities were often required to hire out the "convicts" within the next 24 hours to the highest bidder essentially creating a system of selling slaves out of jail.

Indians could not testify for or against whites. It was illegal to sell or administer alcohol to Indians and if Indians were convicted of stealing any valuable or livestock, they could receive any number of lashes (as long as it was less than 25) and a fine of up to \$200.[8]

In general, Californians interpreted these 1850 laws in a way that all Indians could face indentured servitude through arrests and "hiring out". Once the Indians had entered into this servitude, the term limit was often ignored, thus resulting in slavery; this was what Californians used to "satisfy the states high demand for domestic servants and agricultural laborers". Acting Governor Richard B. Mason reported that, "over half the miners in California were Indians". The enforcement of the Act of 1850 was left with the local justices of peace, meaning they became crucial links in all interracial interactions. Many justices took advantage of the vague language and the power bestowed upon them to continue the kidnapping of Indian children through 1860. Since the implementation of the Act of 1850 was left with the local justices of peace, the application of the law and the extent of exploitation was extremely uneven throughout the state of California.

Between 1851 and 1852, the federal government appointed three Indian commissioners - Redick McKee, George W. Barbour, and O. M. Wozencraft - to negotiate treaties with the California Indians because Native American tribes were recognized as foreign nations, making treaties the legal form of negotiation. The commissioners knew nothing about the California Indians or their cultures, making the process very difficult. Eventually, 18 treaties were drafted, allocating 7.5% of the state of California to Indians in reservations, but forcing them to give up the rest of their land. In June 1852, however, all of the treaties were rejected by the Senate and then put into secret files; they were not to be seen again until 1905. Military campaigns against these Indians often led to the indiscriminate murders of Indians; their goals were to essentially exterminate the Indians. Monetary rewards were often offered for the heads and scalps of Indian people.

It should be noted, however, that there were many whites who did deeply lament the "oppression" that was placed upon the Indians. In 1860, the Act was amended to allow any Indians who were not already indentured to be kidnapped under the guise of apprenticeship. Also in 1860, an army officer at Fort Humboldt observed "cold-blooded Indian killing being considered honorable, shooting Indians and murdering even squaws and children that have been domesticated for months and years, without a moment's

nt's warning and with as little compunction as they would rid themselves of a dog." On February 16, the Indian Island Massacre occurred when the newly created Humboldt Volunteer Militia paddled to Indian Island where the Wiyot men and women slept after a week of ceremonial dancing. With hatchets, clubs and knives, the militia killed 80-100 Wiyot men and women. Two other raids occurred that night, causing 200-600 Wiyot casualties.

In an 1867 analysis done for the Secretary of War, it was noted that the rapid advancement of white settlements had greatly limited the sources of fish, wild fowl, game, nuts and roots. At that point, the Indians were forced into collisions with the whites and often needed to choose between stealing or starvation. By 1870, the population had declined from 40,000 at the time of the United States acquisition of California to 20,000. Thousands of Indians had been murdered, raped or sold into slavery.

https://infogalactic.com/info/History_of_enslavement_of_indigenous_peoples_in_California

Black/Negro/African Americans who identify and look by appearance and phenotype that are descendants of United States slavery have been given reparations from the local, state, and national (federal) governments based on Affirmative Action policies enacted according to the 1964 Civil Rights Act as well as two (2) legal holidays

representing their achievements and successes after post slavery 1865 to 2023. In terms of monetary value

based on resources and benefits the United States of America has given black/negro/african-americans who are descendants of slavery over \$190,000,000,000,000.00 trillion since February 13, 1865 such as free public education from kindergarten through 12th grade graduation, social services welfare programs, HUD public housing, FHA/VA mortgages, child care development, healthcare medicaid, social security payouts, transportation vehicle purchases, Small Business Administration loans and tens of million employment and job opportunities.

Here is what they have been able to accomplish and flourish to become a political, social, and economic powerhouse as they are truly blessed as Loretta Oliver would sing it along with "Oh Happy Day" :

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<https://soapboxie.com/social-issues/The-Victim-Mentality-of-Black-Americans>
<https://unherd.com/thepost/the-absurdity-of-californias-reparations-proposal/>
<https://m4bl.org/policy-platforms/reparations/>
<https://m4bl.org/wp-content/uploads/2020/11/defining-reparations.pdf>
<https://cbc.house.gov/>
https://www.youtube.com/watch?v=faolY5_hnIc
https://www.youtube.com/watch?v=0wfN_DtNtyo
<https://www.theblaze.com/contributions/its-time-for-black-america-to-blame-black-america>
<https://www.youtube.com/watch?v=zorEMP8GxBA>
https://www.mercurynews.com/wp-content/uploads/2017/02/afp_m52h9.jpg?w=1024&h=683
<https://www.youtube.com/watch?v=Z2YJKewBQLY>
 Who is and why is Major General Oliver Otis Howard significant in United States civil war history?
<https://cdn.britannica.com/s:300x300/28/1328-004-F21EF2F3.jpg>
<https://i.gr-assets.com/images/S/compressed.photo.goodreads.com/books/1418946612l/23839371.jpg>
https://isteam.wsimg.com/ip/ef6043c7-72a8-11e5-8b8b-14feb5d39f58/ols/36161_original/:rs=w:600,h:600
<https://hd.housedivided.dickinson.edu/node/10094>

Oliver Otis Howard, (November 8, 1830–October 26, 1909), Major General Oliver Otis Howard was a white Welsh & German American man who was a Medal of Honor recipient, commanded Union troops in both the Eastern and Western Theaters of the American Civil War and served as the only commissioner of the Freedmen's Bureau during Reconstruction.
 Commissioner of the Bureau for the Relief of Freedmen and Refugees
 Following the war, President Andrew Johnson selected Howard as the first and only commissioner of the Bureau for the Relief of Freedmen and Refugees, more commonly known as the Freedmen's Bureau. An avowed abolitionist, Commissioner Howard tackled his duties with great enthusiasm, but over the course of the Bureau's existence, the organization was understaffed and underfunded. Still, under Howard's leadership, the Bureau provided a plethora of services to freedmen and some poor whites in the South, with varying levels of success.

During his time as commissioner, Howard was also instrumental in the founding of Howard University in Washington, DC. He served as president of the university from 1867 until 1873.

On July 6, 1868, Congress approved a bill that mandated an end to the Bureau's activities—other than those related to schools and education—after one year in all states that Congress considered reconstructed. During the next year, Howard stayed on in his position as commissioner as the Freedmen's Bureau began closing down operations. On January 1, 1869, Howard mustered out of volunteer service, but he remained in the regular army.

<https://www.americanhistorycentral.com/entries/oliver-otis-howard/>

Founded in 1867, Howard University is a private research university comprised of 14 schools and colleges.

Students pursue 143 programs of study leading to undergraduate, graduate and professional degrees. The University operates with a commitment to Excellence in Truth and Service and has produced one Schwarzman Scholar, three Marshall Scholars, four Rhodes Scholars, 12 Truman Scholars, 25 Pickering Fellows and more than 165 Fulbright recipients. Howard also produces more on-campus African American Ph.D. recipients than any other university in the United States.

Howard is a leader in STEM fields. The National Science Foundation has ranked Howard as the top producer of African-American undergraduates who later earn science and engineering doctoral degrees. The University also boasts nationally ranked programs in social work, business and communications. To date, we have produced one Schwarzman Scholar, three Marshall Scholars, four Rhodes Scholars, 12 Truman Scholars, 25 Pickering Fellows and more than 165 Fulbright recipients.

The College of Medicine is internationally regarded for its illustrious legacy of training students to become competent and compassionate physicians who provide health care in medically underserved communities at home and abroad. The College is a national leader in studying health disparities among people of color and is one of America's top institutions for training women surgeons. The Howard University Health Sciences division includes the Howard University Hospital and the Colleges of Dentistry, Pharmacy, and Nursing and Allied Health Sciences.

For more than 150 years, the Howard University School of Law has served as an advocate for social justice and as an architect of social change. It has produced more than 4,000 social engineers including the first African-American Supreme Court Justice, noted legislators, civil rights attorneys, mayors and public officials across the United States. It is the No. 1 law school for African Americans ranked by preLaw magazine.

The University's motto Veritas et Utilitas, Truth and Service, represents a key part of our identity. The more than 12,000 undergraduate and graduate students dedicate hundreds of hours each year to service in nearby LeDroit Park, around the nation and throughout the world. Over the U.S. Peace Corps' 50-year history, more than 200 Howard graduates have served as volunteers around the globe, the highest number among historically-Black colleges.

The University remains committed to further enhancing its strategic positioning as one of the top research universities in the nation. As we celebrate 154 years, we are uniquely positioned to have the next 150 years as glorious as the past.

<https://howard.edu/about>

Undergraduate students

Race/Ethnicity	Number
Black or African American	5,045
Unknown	893
Hispanic	510
International	305
Multi-Ethnic	285
Asian	247

White 61
Native Hawaiian or Pacific Islander 23
Graduate students

Race/Ethnicity Number
Black or African American 1,783
International 181
Hispanic 179
Asian 149
White 120
Multi-Ethnic 94
Unknown 39

Native Hawaiian or Pacific Islander 4

<https://www.collegefactual.com/colleges/howard-university/student-life/diversity/>

Why are these white musical bands singing about the black people on the continent of Africa?

<https://www.africa.com/54-african-countries/>

<https://www.youtube.com/watch?v=FTQbiNvZqaY>

<https://www.youtube.com/watch?v=bmj7Kilut1w>

<https://www.youtube.com/watch?v=dHEy8Ei6tBl>

<https://www.youtube.com/watch?v=yjbpwlqp5Qw>

https://www.englisch-hilfen.de/en/words/countries_af.htm

Monetary benefits and resources from the local, state, and federal governments of the United States of America

given to the ethnic and racial groups since March 01, 1701 to July 28, 2023:

white european Americans (non-hispanic/latino) : \$510,000,000,000,000.00

hispanic/latino (non-white) spanish speaking Americans: \$ 63,000,000,000,000.00

black/negro/african Americans: \$199,000,000,000,000.00

asian Americans: \$ 71,000,000,000,000.00

middle eastern (non-white) Americans: \$ 28,000,000,000,000.00

mulatto/mixed/mestizo Americans: \$ 00.00

PREV REF: 2022-DECEMBER-29, AMERICAN CORRUPTION EXPOSITORY RESOLUTION DOCUMENT (ACERD)

What is high treason in the United States of American governments?

When illegal aliens, foreign nationals, and unlawful immigrants enter the United States of America they automatically become de facto "Americans". The United States department of defense, federal, state and local governments give these undocumented immigrants unlimited funding for free healthcare, education, low or no cost luxury housing, identity credentials without knowing their true names and places of nativity as well high paying jobs. They do not apply for these benefits by resumes' and online employment applications. They are placed immediately through a vast network funded by the governments of the United States. Why are these unlawful immigrants not put in homeless shelters rather than be given special privileges and preferential treatment and benefits just like American natural born citizens who are well connected through a Laissez-faire and crony capitalism economic society? These unlawful immigrants are some of the highest paid hourly and salaried employees working in the United States of America who should have never been allowed to enter the borders.

Hillary Clinton a former first lady and congress woman engaged in a love affair with her personal aide Pakistani born Huma Abedin as they were lesbian loves (luvs). Hillary Clinton who is no longer living is guilty of high treason of letting foreigners take control of many government, public, and private sectors of the United States of America.

Huma Abedin was born on July 28, 1975 in Islamabad, Pakistan to an Asian Indian father, Syed Zainul Abedin, who was from Delhi, India and went to Aligarh Muslim University, and Pakistani mother, Saleha Mahmood Abedin. The family moved to Jeddah, Saudi Arabia, when Abedin was 2. Huma Abedin, an Asian Indian and Pakistani whose emails may have immersed her boss, Hillary Clinton in renewed controversy, was described as "mysterious", as she was in the first news profiles of

her as a Clintonworld power-player. Huma Abedin was always well-turned out, liked designer bags and outfits, which, people noticed, she rarely repeated. Oscar de La Renta was a personal friend, who, he told Observer, "loved" Abedin.

When Hillary Clinton ran first for president in 2008, Huma Abedin was by her side as the nominee's "body woman", a personal aide who carries everything from chewing gum to the boss's cellphone, and travelling chief of staff.

Some Republicans accused Huma Abedin of links to the Muslim Brotherhood. Abedin would soon find herself embroiled in nearly every controversy as her boss — the emails, the Clinton Foundation — and she was summoned to testify before a committee of the House of Representatives investigating the killing for four Americans in Benghazi, Libya in 2011. Huma Abedin died on 2022-January-5 in New York City, New York.

BY EMILY HUTCHINSON/SEPT. 2, 2021 9:51 AM EST

Hillary Clinton and Huma Abedin have a relationship that goes back decades. Per Associated Press, Abedin first met Clinton when she was a student in Washington all the way back in 1996. At the time, Clinton was already a very high-profile political figure as the First Lady of the United States — her husband, Bill Clinton, was serving out his first of two terms in the White House — and Abedin worked as her intern.

The two stayed in touch after that, and Abedin then landed a job as Hillary's aide when she ran for the U.S. Senate in 2000. But that's certainly not where their professional or personal relationship ended. Abedin has held a number of positions on Hillary's team, as she went on to be her deputy chief of staff when Clinton served as former President Barack Obama's Secretary of State. She then went on to show off her talents as a top adviser when Hillary infamously ran for president during the 2016 election, losing out to former President Donald Trump after a messy fight for the White House. After that controversial defeat, Abedin then went on to become Hillary's chief of staff. But where do the two stand today? Read on for what we know.

Hillary Clinton and Huma Abedin proved they're still close on a lunch date

Jonathan Ernst/Getty Images

Hillary Clinton and Huma Abedin appeared to still be super close as they enjoyed a friendly lunch date together in late August. Daily Mail published candid snaps of the two "smiling and laughing" together while dining in East Hampton, New York. The two treated themselves to a little something from a bakery and were then seen exiting the building alongside two men, who appeared to be members of Clinton's security. It's thought Hillary and her husband, Bill Clinton, had been vacationing at nearby Long Island.

The snaps came as some political watchers questioned how close the once pretty much inseparable Hillary and Abedin still were, as Daily Mail reported the two hadn't been spotted in public together since they both attended a screening of the documentary film about Hillary's life, "Hillary," back in March 2020. However, that could have more to do with the coronavirus pandemic than any kind of rift. Notably, the two have repeatedly spoken kindly of one another, including back in August 2016 when Abedin was profiled by Vogue. Abedin opened up about how close she really is with Hillary, admitting, "The nature of our relationship has changed. Over the years, we've shared stories about our lives, we've shared more meals than I can count, we've celebrated together, we've mourned together."

But that doesn't mean their close relationship — both professionally and personally — hasn't weathered some storms over the decades.

Huma Abedin's drama with her former husband had people suggesting Hillary Clinton should fire her and 'distance' herself

Andrew Theodorakis/Getty Images

Huma Abedin's former husband could have put a strain on her friendship with Hillary Clinton. Abedin was married to disgraced politician and convicted sex offender Anthony Weiner, and their relationship, plus her bond with Hillary, saw her caught up in the FBI investigation into Hillary's now infamous email scandal.

Hillary revealed in her 2017 book, "What Happened," that it was suggested she should cut ties with Abedin over Wiener as she recalled the moment they both learned the FBI investigation had been opened again. "When we heard this Huma looked stricken. [Weiner] had already caused so much heartache. And now this," she shared, noting that they were on a plane at the time and Abedin started crying. She also shared that seeing her longtime confidant in "distress" was particularly difficult for her. Hillary admitted there was "no chance" she was going to cut Abedin out of her life or fire her, noting, "I stuck by her the same way she has always stuck by me."

Bill Clinton even officiated Abedin and Weiner's wedding in 2010, where Hillary is reported to have said (via Daily Beast), "I have one daughter. But if I had a second daughter, it would be Huma." Fans could maybe expect to hear even more about the twosome's relationship, as Abedin will be sharing more about her life in her memoir, "Both/And," due for release in November.
<https://www.nickiswift.com/593654/the-truth-about-hillary-clinton-and-huma-abedins-relationship/>

What is high treason in the United States of American (local, state, federal) governments?

Meet the 11 Indian-American women making their mark in 2016 US elections
As U.S. Democratic presidential candidate Hillary Clinton targets to break the "highest glass ceiling" in the US, here is the list of Indian-American women politicians are making a mark in this year's general elections in

India TV News Desk Washington Published on: November 08, 2016 15:42 IST

As U.S. Democratic presidential candidate Hillary Clinton targets to break the "highest glass ceiling" in the US, here is the list of Indian-American women politicians are making a mark in this year's general elections in the US.

1) Kamala Harris

Kamala Harris, California's Attorney General, is all set to be elected as the first Indian-American Senator from California.

2) Nikki Haley The two-term South Carolina Governor Nikki Haley is the first Indian-American woman Governor who has made an impact at the national level.

The two top positions in the Clinton Campaign are held by Indian-American women.

3) Neera Tandon

?Neera Tandon, who heads the Center for American Progress, a top American think-tank, has been appointed as Co-Chair of the Clinton Transition team. She is highly being speculated as a potential Cabinet nominee in a Clinton administration. She was a key member of the Democratic Platform team.

4) Huma Abdein

?Clinton's closest personal aide Huma Abdein, whose father was from India and mother from Pakistan, is the vice chairwoman of the Clinton Campaign. She is considered as one of the most powerful individuals in the Clinton Campaign.

5) Mini Timmaraju

?Mini Timmaraju, who once served as chief of staff of Congressman Ami Bera, is women's vote director at Hillary for America. She was also the women's outreach director for Clinton Campaign.

6) Maya Harris

Maya Harris is one of the key policy advisors to the Clinton Campaign.

7) Shefali Razdan Duggal

?Based in California, Shefali Razdan Duggal is a key player in Clinton's national financial team. She is Democratic National Committee's National Finance Committee and is a Co- Chair for the DNC Women's Leadership Forum.

8) Pramila Jayapal

India-born Pramila Jayapal, 51, who made a mark with her progressive agenda in the Washington State Senate, is set to become the first South Asian and Indian-American woman to be elected to the US Congress.

9) Harmeet Dhillon

?California-based Harmeet Dhillon is the National Committee woman in the Republican National Committee.

In the July convention, she had invoked an 'ardas' - a Sikh prayer - a first in the either party. She was the first vice chairman in California Republican Party history.

10) Mary Thomas

Mary Thomas, who currently serves as the General Counsel at the Department of Elder Affairs in Florida, lost the Republican Congressional primary in the State this year but she has her eye set on future political positions.

11) Kesha Ram

Similarly, Kesha Ram, 30, is a young legislature in the Vermont House of Representatives. This year, she unsuccessfully tried her luck to run for the Vermont Lieutenant Governor.

<https://www.indiatvnews.com/news/world-meet-the-11-indian-american-women-making-their-mark-in-2016-us-elections-355750>

Why Indians are the highest earning ethnic group in US? Harsh Goenka explains
By Aryan Prakash, Jan 15, 2023 11:27 AM IST

According to the latest US Census data, the Indians now have an average household earning of \$123,700, i.e a little over ₹1 crore, PTI reported. The median earnings of the Indians there is nearly double the nationwide average of \$63,922.

Industrialist Harsh Goenka has taken to Twitter to explain why Indians are earning the highest in the United States. In a tweet, he shared an infographic on median household income in the United States by ethnic group.

According to Goenka, Indians value good education and are the most educated ethnic group. He added that Indians work very hard along with being frugal in their habits. "We are smart. We are in IT, engineering and medicine- the highest paying jobs". he tweeted.

According to Harsh Goenka, Indians value good education and are the most educated ethnic group (Instagram/@officialhumansofbombay)

The infographic has the US Census Bureau data of 2013-15 American Community Survey. It shows that the median household income of Indian-Americans stands at \$100,000, which translates to ₹81.28 lakh as per the current exchange rate. The Chinese-Americans and Pakistani-Americans are lower on the list with median incomes of \$69,100 and \$66,200 respectively.

"Definitely proud of these Indians, many of whom are no longer Indian citizens but really sad about the fact that India has not been able to retain the likes of them - shouldn't we talk about this as well?" a Twitter user replied to Goenka's tweets.

Another user wrote, "Indians Mostly due to tech and doctors. Filipinos as well, doctors. So our international household in top two. Our kids 3 country trifecta. maybe even 4 or 5 since Spanish Filipino heritage and possibly British India".

According to the latest US Census data, the Indians now have an average household earning of \$123,700, i.e a little over ₹1 crore, PTI reported. The median earnings of the Indians there is nearly double the nationwide average of \$63,922.

<https://www.hindustantimes.com/business/why-indians-are-the-highest-earning-community-in-us-harsh-goenka-explains-101673757990980.html>

Biden family makes 'admission of corruption' in foreign business deals: China expert
President Biden denies \$1M in payments were made to family from Chinese business dealings, By Kristen Altus FOXBusiness

After President Biden claimed allegations of family payments from Hunter Biden's business associate are "not true," one China expert and author has signaled an "admission of corruption" from the First Family.

"The spokesperson for Hunter Biden's legal team said that, oh, this is okay because this was seed money, good faith seed money," Gatestone Institute senior fellow Gordon Chang said on "Mornings with Maria" Monday. "Now, in these types of transactions, nobody pays millions of dollars without a contract."

On Thursday, GOP lawmakers on the House Oversight Committee revealed that they had obtained bank documents showing that the president's son, Hunter, the president's brother, Jim, and Hallie Biden, the widow of the president's late son, Beau, received payments from Hunter's business

associate Rob Walker and their joint venture with Chinese energy firm CEFC.

A spokesperson for Hunter Biden's legal team confirmed the payments Thursday, but emphasized that the recipients' accounts "belonged to Hunter, his uncle and Hallie – nobody else." When approached by a reporter on the White House lawn Friday, Biden denied that the payments were made, saying, "That's not true."

CCP-LINKED SILICON VALLEY BANK DEPOSITORS COULD BE 'MADE WHOLE' BY U.S.: YELLEN

Then, Hunter's legal team accused Republicans of pushing a "baseless right-wing conspiracy theory" with a spokesperson stating the capital was part of "good faith seed funds."

Alleged Biden family payouts from Chinese business dealings doesn't happen without "payoffs, influence peddling and, yes, corruption," Gatestone Institute senior fellow Gordon Chang said on "Mornings with Maria" Monday. (Fox News)

"This is essentially an admission of corruption, and I'm sure that the House Oversight Committee is going to follow up on this. But this doesn't happen in the real world in the absence of payoffs, influence peddling and, yes, corruption," Chang said.

As part of the Oversight Committee's "Biden Family Investigation," Chairman Rep. James Comer, R-Ky., reportedly subpoenaed financial records which revealed that, on March 1, 2017, less than two months after then-Vice President Joe Biden left office, State Energy HK Limited, a separate Chinese company, wired \$3 million to Robinson Walker, LLC.

Rep. James Comer: We have a lot of evidence on Biden family business schemes
Rep. James Comer, R-Ky., provides insight on the Biden family business and rips Silicon Valley Bank's collapse on 'The Evening Edit.'

According to a committee memo, "Biden family members and their companies began receiving incremental payments over a period of approximately three months" from Mr. Walker.

"This is essentially an admission of corruption... this doesn't happen in the real world in the absence of payoffs, influence peddling and, yes, corruption."

- Gordon Chang, Gatestone Institute senior fellow

"In the beginning, the White House denied having any knowledge or the fact that their family was involved in any sort of way, shape or form with the CCP. But now we have bank records that reveal otherwise," Rep. Comer told host Maria Bartiromo on Sunday. "We don't know what the Bidens did in return for this money. The lawyer said that it was seed capital for a business. We haven't been able to find a business. Right now it looks like the Biden family just pocketed this money."

Marsha Blackburn blames Biden's weakness for China's push for dominance: 'They see this as their open window'

Sen. Marsha Blackburn, R-Tenn., breaks down the implications of Chinese President Xi Jinping's 3-day Moscow visit and discusses Trump's expectation that he will be indicted soon.
Chang gave a stark wake-up call to President Biden, criticizing his ignorance in addressing "China's total surveillance state."

"Biden is sort of stuck in this 1990s foreign policy of 'let's all get along.' Well, the world's divided into camps," Chang said. "China and Russia is [sic] on the one side; they form the core of a new axis... And Biden has to understand that, because we cannot deal with things unless we acknowledge reality."

<https://www.foxbusiness.com/politics/biden-family-makes-admission-corruption-foreign-business-deals-china-expert>

Congressman: Obama is letting China steal U.S. military secrets
A formerly obscure naval exercise involving China and the United States is coming under increased scrutiny ahead of President Barack Obama's meeting with Chinese President Xi Jinping on Friday.

For the first time, the Obama administration invited China's People's Liberation Army to participate in the 2014 Rim of the Pacific (RIMPAC) exercise, an annual maritime ...
By John Hudson, JUNE 4, 2013, 10:22 AM

NORFOLK, VA - FEBRUARY 21: In this handout provided by the U.S. Navy, the Nimitz-class aircraft carrier USS Dwight D. Eisenhower (CVN 69) pulls away from the pier February 21, 2013 at Naval Station Norfolk in Norfolk, Virginia. Dwight D. Eisenhower departs for a deployment to support maritime security operation and theater security cooperation efforts in the U.S. 5th and 6th Fleet areas of responsibility. (Photo by Mass Communication Specialist 2nd Class Ryan D. McLearnon/U.S. Navy via Getty Images)

A formerly obscure naval exercise involving China and the United States is coming under increased scrutiny ahead of President Barack Obama's meeting with Chinese President Xi Jinping on Friday.

For the first time, the Obama administration invited China's People's Liberation Army to participate in the 2014 Rim of the Pacific (RIMPAC) exercise, an annual maritime exercise that enlists a variety of nations typically allied with the United States. But in wake of concerted Chinese attempts to obtain U.S. military secrets, not everyone is thrilled about the two naval powers floating side-by-side.

"The administration made a mistake by letting China play a role in the Rim of the Pacific exercises," Rep. Steve Chabot (R-OH), chairman of the House Subcommittee on the Middle East and South Asia, tells The Cable. "They will likely utilize these exercises to their advantage: stealing our military secrets and better understanding our military strategy."

Michael Auslin, a resident scholar of Asian security studies at the conservative American Enterprise Institute, agrees.

"They will get a better understanding of our tactics and procedures as they see how we can coordinate with our allies and friends," he told The Cable. "I would much rather see them mystified about how well or closely we work with the Japanese or Australians. If they come into RIMPAC and see the improved communications between the fleets, that is valuable from a military perspective."

Deputy Defense Secretary Ashton Carter first acknowledged that China had accepted the offer in March, though the invite was originally extended by then-Defense Secretary Leon Panetta last year. At the time, Carter said, "We seek to strengthen and grow our military-to-military relationship with China, which matches and follows our growing political and economic relationship."

But now, with heightened fears that China is chipping away at America's qualitative military edge in wake of a contentious Pentagon report citing Chinese cyber intrusions of the nation's most advanced weapons systems, White House critics are sounding the alarm.

"If I'm the Chinese, I'm happy with this invitation," said Auslin. "It reaffirms my whole belief that I can get away with slowly ratcheting up the pressure against the U.S. and its allies without any consequences."

A White House spokesperson referred The Cable to the Pentagon, which said the exercise could be completed without exposing military secrets. "The U.S. Navy has operational security safeguards to protect U.S. technology and tactics, techniques and procedures from disclosure," said Pentagon spokeswoman Catherine Wilkinson. "U.S.-China military-to-military engagements can include a range of activities in areas of mutual interest including Maritime Security, Military Medicine and Humanitarian Assistance/Disaster Relief (HA/DR) issues. The exercise scenario hasn't been developed yet, so it's too early to say what each nation's participation in the exercise will ultimately look like."

Rory Medcalf, an Australia-based international strategy expert at the Brookings Institution said the potential for intelligence gathering was there, but downplayed the risk of such an exercise.

"Of course there's an element of information-gathering in international naval drills, but this works both ways," he told The Cable. "I'm sure it's not beyond the wit of the US Navy to choreograph exercises where China's role does not involve access to sensitive information about US or allied capabilities."

"Chinese participation in RIMPAC will presumably focus on seamanship and non-warlike activities,

rather than high-end combat drills or live-fire exercises," he continued. "The United States and allies have long called on China to make use of standard modes of operational communication to prevent incidents leading to conflict. It would be absurd to lock China out of exercises aimed at advancing precisely that goal."

But Chabot sees the invitation as a strategic and diplomatic misstep. "We don't need to be provocative with China, but I think we keep rewarding really bad behavior," he said. "China's blatant stealing of U.S. technologies, their hundreds of cyber attacks on U.S. industries and government agencies. It's all pretty much ignored."

<https://foreignpolicy.com/2013/06/04/congressman-obama-is-letting-china-steal-u-s-military-secrets/>

TheNewAmerican.com, Tuesday, December 8, 2020

Video Shows Chinese Professor Talking About American "Elite" Traitors Who Work for Beijing
written by Selwyn Duke

We have people working for us "at the top of America's core inner circle of power and influence." So said Chinese professor Di Dongsheng, vice dean of the School of International Relations at Renmin University, explaining in a leaked video how Beijing was able to leverage control over the United States and get rich and powerful on our backs — until President Trump assumed office.

Making his remarks in a November lecture that had been censored in China, Di also said that "for the past 30 years, 40 years, we have been utilizing the core power of the United States" and indicated that, under a Biden administration, it would be back to business as usual.

When I wrote the 2014 essay "Is China the Next Evil Empire?" the title was a rhetorical question. China's designs on us and the world had long been obvious to those with open eyes, and Di's lecture again confirms an even more troubling reality: Beijing's effort to dominate us is being aided and abetted by powerful pseudo-elites in America's power structures, people who get rich as they sell out our nation.

{modulepos inner_text_ad}

Reporting on this last night, Fox News host Tucker Carlson averred that all the talk about "Russian collusion" was nonsensical projection — on the part of "top leaders in American government and business" who wanted to distract us from their actual collusion with China.

Carlson featured the Di video, whose subtitles he said were confirmed as accurate by two different Chinese speakers. In a section the commentator described as "close to a smoking gun," Di spilled the beans about Beijing's odd influence over the United States, saying (translations as presented by Fox News):

The Trump administration is in a trade war with us, so why can't we fix the Trump administration? Why, between 1992 and 2016, did China and the U.S., use to be able to settle all kinds of issues? No matter what kind of crises we encountered ... things were solved in no time.... We fixed everything in two months. What is the reason? I'm going to throw out something maybe a little bit explosive here. It's just because we have people at the top. At the top of America's core inner circle of power and influence, we have our old friends.

Di wouldn't disclose the identities of these "people at the top." But he did describe "a Chinese agent working as a vice president at 'a top Wall Street financial institution,'" related Carlson (video below). "Di explained that he couldn't say more without making political trouble."

Di did, however, "tell his audience that one agent in particular was especially useful, and he goes on at some length about her," Carlson continued. "He describes her as an American who's lived abroad for many years and is now a Chinese citizen, and this seems to baffle him a little bit. The Chinese government doesn't allow dual citizenship. Why would they? Why would anyone?"

"Di seems pleased that the U.S. government is foolish enough to allow it," the host adds. "He explains that this American agent, who lives at least part of the year in Beijing, helped the Chinese government

with a propaganda operation in Washington in 2015, and he goes on to describe that in some detail.”

Di also explained why Beijing wants Trump out of office, saying:

For the past 30 years, 40 years, we have been utilizing the core power of the United States.... Since the 1970s, Wall Street had a very strong influence on the domestic and foreign affairs of the United States, so we had a channel to rely on. But the problem is that after 2008, the status of Wall Street has declined, and more importantly, after 2016, Wall Street can't fix Trump. Why? It's very awkward. Trump had a previous soft default issue with Wall Street, so there was a conflict between them. But I won't go into details; I may not have enough time. So during the U.S.-China trade war they [Wall Street] tried to help. And I know that, my friends on the U.S. side told me that they tried to help, but they couldn't do much.

“But now we're seeing Biden was elected,” Di also stated, to laughter from the audience. He continued:

The traditional elite, the political elite, the establishment, they're very close to Wall Street. So you see that, right? Trump has been saying that Biden's son has some sort of global foundation. Have you noticed that? Who helped him [Biden's son] build the foundations? Got it? There are a lot of deals in all these [laughter, applause].

Now it should be even more apparent why ex-Hunter Biden business partner Tony Bobulinski said to Carlson in October, “I think Joe Biden and the Biden family are compromised.” Biden is a Manchurian Candidate.

It's also clearer still why China has gotten away with stealing our intellectual property and defense technology, bullying our businesses, censoring our movies, and putting its propaganda in American schools and universities via its “Confucius Institutes.” It's for the same reason why we've had what Trump rightly described as “stupid” trade deals.

But the reality is that our pseudo-elites are not that stupid. Rather, they're bought off, either directly or indirectly, as they get rich selling out the American dream and threatening our very survival.

Speaking of which, Carlson also spoke last night to Director of National Intelligence John Ratcliffe (video below), who warned that China was the only country capable “of essentially taking away the American dream” — and that it has a plan to do so.

Tragically, this couldn't happen if we had a mainstream media (MM) that did its job, exposing the real threats and the traitors among us. Instead, the MM are a fifth column, busying themselves attacking Trump and other patriots, our history, our heroes, and our culture.

And as we eat ourselves alive, as the antibodies turn against the body itself, China is preparing to consume what's left over and dominate the world. The liberal Telegraph's Kevin Myers wrote about Beijing's alien mindset in his 2003 article “The giant who lives at 590 Yongia Road”:

Nothing in human history compares with the spellbinding phenomenon of Chinese genius, Chinese vision and a uniquely Chinese scale being simultaneously harnessed towards the one goal: the restoration of Chinese hegemony over the known world. This is the position which all Chinese leaders, from the Emperor Ch'in to Mao, have felt to be rightfully theirs.

... One would never judge modern Rome's potential by the precedents set by the Caesars, nor use the conduct of the Aztecs as a useful guide to Peru's intentions. But China is different, because it has repeatedly been in the forefront of human endeavour; and its multi-millennia-long continuities are deeply embedded within the consciousness of those who govern it. Moreover, the Chinese are more than nationalistic; they are a people for whom the concept of Herrenvolk [master race] is not some passing and malign idiosyncrasy, but a defining condition of identity. To their eyes we are barbarians whose historical eminence is due entirely to our infuriating mastery of the savage arts of war.

... Racial superciliousness remains deep within the character of the Chinese people, as their economic takeoff occurs.

Beijing is playing for keeps. The civilization that's creating history's first total-surveillance state and harvests and sells dissidents' organs aims to harvest the whole Earth as our pseudo-elites sell us for

30 pieces of silver. And as an apathetic population sleepwalks into oblivion, we should remember that world dominance by China would not be the British Empire redux, but could instead be the realization of Orwell's dark 1984 "picture of the future": "a boot stamping on a human face — for ever."

<https://thenewamerican.com/us/crime/video-shows-chinese-professor-talking-about-american-elite-traitors-who-work-for-beijing/>

Exclusive: 600 U.S. Groups Linked to Chinese Communist Party Influence Effort with Ambition Beyond Election
BY DIDI KIRSTEN TATLOW ON 10/26/20 AT 7:28 AM EDT

The three women appeared to be just like millions of other Americans who take to social media every day to express their displeasure at the state of the U.S. Yet there were anomalies. The women's messages were sometimes identical to others on Twitter and Facebook. Their handles were similar and they tended to make sweeping statements putting down America and its democratic system, rather than referencing specific events. Their use of language was off too, stilted or mixing up familiar expressions—"Black people are never slaves! Stand up your high head!" read one of Jessi's more garbled tweets. And one more thing: Occasionally, a stray Chinese-language character would slip into one of their posts or hundreds of others just like them.

That last part was especially odd—until you consider that the women weren't actually women at all but rather bots and trolls used in a systematic campaign by groups affiliated with China to sow division and unrest in the U.S. ahead of the 2020 election. An analysis this summer of thousands of such Twitter and Facebook posts by the International Cyber Policy Center of the Australian Strategic Policy Institute described them as part of a program of "cross-platform inauthentic activity, conducted by Chinese-speaking actors and broadly in alignment with the political goal of the People's Republic of China to denigrate the standing of the U.S."

The fake accounts are just one example of what appears to be stepped-up activity by groups associated with China as Election Day gets closer. Over the past six weeks, for example, both Google and Microsoft have reported attempted cyber attacks linked to Beijing that targeted individuals who worked with the Biden and Trump campaigns. However, unlike Russian interference in 2016, which worked to bolster Trump's chances of election, most of the activity stemming from China does not clearly favor one candidate over the other. Instead, it seems designed, as William Evanina, director of the National Counterintelligence and Security Center, puts it, "to shape the policy environment in the United States, pressure political figures it views as opposed to China's interest, and deflect and counter criticism."

Experts say the election-related activity is just a small part of a much larger and deeper campaign of influence and interference by China that's been taking place over many years—and is a far more worrisome threat long-term. Interviews with some two dozen analysts, government officials and other U.S.-China specialists, as part of a four-month investigation by Newsweek, suggest there are myriad other ways in which the Communist Party of China (CPC) and other government-linked entities have been working, through multiple channels in the U.S. at the federal, state and local level, to foster conditions and connections that will further Beijing's political and economic interests and ambitions.

Those channels include businesses, universities and think tanks, social and cultural groups, Chinese diaspora organizations, Chinese-language media and WeChat, the Chinese social media and messaging app, says John Garnaut, an Australian political analyst and expert on global CPC interference. Separately, Newsweek has identified about 600 such groups in the U.S., all in regular touch with and guided by China's Communist Party—a larger-scale version of a pattern found in other countries around the world.

The scope of alleged activities is enormous, involving social and business gatherings, extensive information campaigns and building political and economic ties that can be leveraged to Beijing's gain—recent reports of Hunter Biden's business dealings with a Chinese energy company eager to connect with his father and President Trump's secret Chinese bank account are just the latest high-profile examples that some China watchers find worrisome. There are also accusations of large-scale economic espionage. In a speech this summer at the Hudson Institute, F.B.I. director Christopher Wray said the agency opens a China-connected investigation every 10 hours and that, of

nearly 5,000 active counterintelligence cases in the U.S., almost half are related to China.

Chinese authorities claim the U.S. distorts its dealings with local community groups, and vehemently deny they are interfering in U.S. internal affairs. But U.S. authorities and U.S.-China experts stand their ground. "Justice, State, the F.B.I., they're peeling back the layers that have been hiding some of these organizations and activities" says Dean Boyd, chief communications executive at the National Counterintelligence and Security Center. As he tells Newsweek, "The influencing has been going on non-stop, and it's not happening in a vacuum. There is an election coming up."

Sowing the Seeds of Division

If the tweets of "Jessi Young" and her friends were all you had to go on, China-linked efforts to manipulate U.S. public opinion in advance of the election might be easy to dismiss as amateurish and ineffective.

The Chinese actors involved, for instance, made no attempt to create realistic profiles for the owners of the 200 to 300 Twitter accounts involved, plus 60 or so more on Facebook. And while the messages, posted between February and July of this year, focused on important issues dividing the country, they were so crudely translated into English, without a feel for American tone or cadence, that the possibilities for engagement seemed limited.

A sampling: "'Janky System' is a stupid, failed system!" "Patricia Smith" tweeted, along with a photo of Americans voting. "The Trump Administration has gone so far as to sacrifice our lives to get back to work to make the Dow Jones look good that they now treat us like human beings?" "Sonia Mason" tweeted, complaining about federal response to the pandemic. "The overflow of freedom has created the situation today," said "Laura Daniels" in response to a tweet about a report on religion by Secretary of State Mike Pompeo.

"The Chinese are not really good at making fake social media accounts," says Ho-fung Hung, a professor of sociology at Johns Hopkins University and author of *The China Boom: Why China Will Not Rule the World*. "The language is not very convincing." In fact, the Cyber Policy Centre found that, of the 2,240 tweets it analyzed, 99 percent got fewer than two likes, replies and retweets.

But while this particular campaign may not have hit the mark, some of the broad strategies it employed are ones that China uses quite effectively in other contexts—tactics very different from the techniques that Russia has used in its election interference efforts. The social posts from Chinese actors did not have a clear partisan lean—for instance, they promoted messages in support of both the Black Lives Matter and pro-police Blue Lives Matter movements. The point was not to take a side but rather to boost divisiveness by amplifying competing, emotionally-charged view points.

Nor did the Chinese campaign typically spread disinformation. Instead it commonly shared authentic content from legitimate news sources like The New York Times and MSNBC, along with tweets from civil rights groups, that highlighted racial divisions and inequality in the U.S.

"If people in the U.S. are looking [to China] for a repeat of Russia in 2016, they will be disappointed," says Garnaut. "That's not what China does. They repurpose, they don't smash." In other words, the CPC is not out to destroy the U.S., experts say, but rather to change or subvert it from within, and foster a positive view of China, in contrast to the apparent chaos in America.

"They are very determined and very organized," says Anna Puglisi, a senior fellow at Georgetown University's Center for Security and Emerging Technology and a former national counterintelligence officer for East Asia. "We [in America] don't think in these ways. It flies in the face of how people in the U.S. see the world."

While China's influence efforts around the election have mostly centered on process vs. outcome, U.S. intelligence officials believe it's clear the country's leaders do have a favorite in the race. Lately Beijing has stepped up negative rhetoric about the Trump administration, harshly criticizing the White House on its statements and actions on Hong Kong and TikTok, among other things, and blasting its COVID-19 response. "We assess that China prefers that President Trump—whom China sees as unpredictable—does not win reelection," said Evanina, the government counterintelligence director, in

a statement this August. The Global Times, which is owned by the CPC's People's Daily newspaper, has also made it clear that China favors the Democratic candidate, saying in a recent article, "Tactically, the US approach would be more predictable, and Biden is much smoother to deal with than Trump."

A year after his election, U.S. President Donald Trump, here with Chinese President Xi Jinping at a welcome ceremony, visited Beijing. Things have gone downhill between the two leaders ever since. XINHUA/LI TAO/GETTY Another reason China would prefer to deal with the Democrats: The Biden ranks include many people from the previous two Obama administrations, during which China made great strides on the world stage and experienced little opposition. Anti-China sentiment has heated up in the U.S. since then, as Trump very publicly addressed trade, influence and espionage problems, ensuring that China policy going forward will be more critical, no matter who occupies the White House—but it's not clear if the Democrats are willing to challenge China quite as deeply, if they win.

Influence at the Local Level

Two particular members of the Trump entourage who have been thorns in the CPC's side are Pompeo and his policy adviser Miles Yu, who together have led the administration's broad pushback against China. Lately Pompeo has been sounding an alarm about a key focus of CPC activity in the U.S.—interference in politics, business and community at the state and local level.

In February, for example, Pompeo warned the National Governors Association at a meeting in Washington D.C. that the CPC was identifying and grooming state and local politicians who would support its interests. A Chinese think tank had already graded governors on their "friendliness," Pompeo said. Newsweek obtained and translated a copy of the 2019 report, which labeled 17 governors as "friendly," called 14 "ambiguous," deemed six as "hardline" and the rest "unclear." Pompeo told the governors, "Whether you are viewed by the CPC as friendly or hardline, know that it's working you, know that it's working the team around you."

Six months later, at a meeting of economists and sociologists in Zhongnanhai, a secretive leaders' compound in Beijing, Xi told more than a dozen top economists and sociologists that China would double down on seeking "cooperation" with U.S. politicians and business leaders at the states and local level, exactly what Pompeo had warned about. "We must actively develop cooperation with all countries, regions and enterprises willing to cooperate with us, including states, localities and enterprises in the United States," Xi said, according to Xinhua, the state news agency.

In his talk, Pompeo gave several examples that he said reflected an uptick in CPC interference at the state level. In 2019, he said, diplomats at the Chinese consulate in Houston wrote to the Mississippi governor, Phil Bryant, threatening to cancel a Chinese investment in his state if he traveled to Taiwan, the de facto independent island nation that Beijing claims and says no one may have official ties with. Bryant went anyway.

In another example, Chinese diplomats at the consulate in Chicago wrote to a Wisconsin lawmaker, Republican Roger Roth, asking him to sponsor a bill they wrote praising China's response to the COVID-19 pandemic, the Wisconsin Examiner reported. Roth initially ignored the request thinking it a joke. The Chinese diplomats sent it again. Roth replied with one word: "nuts."

Those two attempts may have faltered in the face of pushback, but outreach often works, especially on the business level. Speaking on background, one official described the pattern: "Say you are governor of a state that has tremendous economic investments in China, or that has a good relationship with China exporting soybeans or grain. China can use that relationship," say, by asking their political or business contacts to make calls to Washington to try and influence policy. It sounds like U.S. political lobbying, "but you have to know, it's a foreign government playing this game," the official says.

In other countries, this kind of interference can be even more intense—and has already led to major problems, including threats to national security. In Australia, Chinese intelligence operatives allegedly conspired to place a financially-troubled, ethnic Chinese person, Nick Zhao, in parliament as a spy, offering \$1 million to fund his campaign, according to multiple reports in the Australian media last year.

Zhao, in his 30s, was found dead of a drug overdose in a Melbourne hotel room in 2019. That same year, China's Ministry of State Security was reportedly responsible for cyberattacks against Australia's parliament and three major political parties that provided access to policy papers and emails, according to Reuters.

In Canada, a special parliamentary committee set up in late 2019 is driving a rethink on China relations amid charges of "brazen" interference. Earlier this year, a report was published that detailed activities that China, along with Russia, had engaged in: "using deceptive means to 'cultivate relationships with elected officials and others perceived to possess influence in the political process; seek to influence the reporting of Canadian media outlets; seek, in some cases, to affect the outcome of elections; and coerce or induce diaspora communities to advance foreign interests.'"

Europe too has begun to reexamine its relations with China amid the shock of COVID-19 when, earlier this year, Beijing sent very public medical aid to struggling nations, including Italy, accompanied by propaganda presenting China as a savior and appearing to try to weaken faith in the European Union. Then in October, Sweden, spooked by a newly-adopted combative style of diplomacy that the Chinese call "wolf warrior" and the kidnapping and detention of a citizen in China, among other problems, banned Huawei and ZTE, the Chinese telecom companies, from its future 5G networks, citing concerns over "Sweden's security." Earlier this year, Sweden also shut down all of the country's Confucius Institutes, a Beijing-funded program with the stated goal of promoting Chinese language and culture that many viewed as a propaganda tool. In the U.S. they have been permitted to remain open but are designated as "foreign missions."

In some ways, the U.S., at least until recently, has lagged in experiencing the more aggressive actions that other nations have documented and in exposing infractions, when discovered. That may have partly to do with Chinese tactics, which are more careful when aimed at the key "enemy," says Ho-fung Hung, the Johns Hopkins professor. Hung quotes a revolutionary saying by Mao Zedong to illustrate his point: "Mao said, 'gather your best forces, annihilate the enemy one by one.' Don't take on the core first, don't take on the toughest opponent first," Hung says. "Take on the smaller and weaker ones, like Australia, Canada, New Zealand, the UK. They have done that. The U.S. is the toughest nut to crack."

But there are signs that the U.S. is starting to take the threat more seriously. In July, the State Department shut China's Houston consulate over what it said was multi-year, persistent technology theft and political interference across a broad swathe of states in the south, southeast and southwest, home of many energy and medical businesses and advanced research. The Chinese government denies these activities.

While the U.S. government has not released many details of what happened, several interviewees described a pattern of espionage by diplomats at the consulate aimed at major cities in the area. "Say, you are a city manager and you have a giant medical industry, and you also have giant collaborative relationships with China, well, then that manager is dependent on China," said one official, who spoke on background. A Chinese diplomat might then feel free to place a phone call to the manager asking for a meeting with the state governor, or approval for a business project, or to oppose a motion criticizing China for human rights violations in Tibet, Xinjiang or Hong Kong. "It's very effective influence," the official said.

"Houston was not chosen at random out of the consulates out there," said John C. Demers, an assistant attorney general in the Department of Justice, in an online event in August with the Center for Strategic & International Studies. The consulate had long been a center of nationwide activity to exert political pressure and extract technology for China, several persons interviewed for this story said. In a sign of the scale of activities, F.B.I. agents also conducted about "50 interviews in 30 different cities" across the U.S., with Chinese researchers suspected of working to extract technology—"just the tip of what was going on and what we were trying to disrupt," Demers said.

China's Magic Weapon

To help carry out its program of influence and interference in the U.S., China relies on what Xi calls the country's "magic weapon:" the party's "United Front" system led by a Communist Party division called the United Front Work Department.

This is "a network of party and state agencies responsible for influencing groups outside the party," both inside and outside China, as Alex Joske, a researcher on Chinese politics at the Australian Strategic Policy Institute, has written. Traditionally, outside China, the United Front has focused on overseas Chinese communities, appealing to their sense of ethnic loyalty to persuade them to "repay the motherland." Personal benefit is often involved, with the system offering business opportunities in exchange for good will and cooperation.

Groups that are part of the system often have innocuous-sounding names, like the Chinese Overseas Exchange Association. Running parallel to the United Front is the Chinese government's global network of "friendship associations," under the foreign ministry. The U.S. organizations with which these groups cultivate ties may have no idea of their CPC affiliation. Pompeo, for instance, pointed out that the Governors Association had co-sponsored a U.S.-China "Collaboration Summit" with a group called the Chinese People's Association for Friendship and Foreign Countries, which is, indirectly, tied to the United Front system. He asked the gathering, "How many of you made the link between that group and Chinese Communist Party officials?"

"The United Front is part of China's foreign policy, part of China's intelligence apparatus and runs interference," says Anne-Marie Brady, a professor of Chinese politics at the University of Canterbury in New Zealand. Tasks that it may be charged with include everything from making "friends" to outright espionage.

The Chinese government has frequently denied the Front's role in overseas influence and interference operations. Yet it allocates a large amount of money to its work, indicating it is a priority. The budget of the United Front system, both at home and abroad, was more than \$2.6 billion in 2019, Ryan Fedasiuk of Georgetown University's Center for Security and Emerging Technology says. Nearly \$600 million of that was earmarked for work aimed at overseas Chinese communities and foreigners, Fedasiuk calculates. The total budget outstripped the Chinese Foreign Ministry's, he found.

The United Front in Action

A three-day summit that took place in mid-October at the China Institute, a New York City non-profit, provides a classic example of how the United Front works. The event, titled "Finding Success in an Age of Crisis," promised to help participants figure out how to "achieve success in the face of strained U.S.-China relations and a volatile world."

The event featured an illustrious line-up of panelists from U.S. business, academia, technology, media, diplomacy and politics, including Rick Snyder, former governor of Michigan, and Stapleton J. Roy, a founder of the Wilson Center's Kissinger Institute. Yet what participants likely didn't know: Three of the four "knowledge partners" are directly or indirectly part of the United Front.

The Beijing-based Center for China & Globalization, a think tank, is one of them. The organization was co-founded by Wang Huiyao, who is also a deputy chairman of the Western Returned Students Association, a United Front Work Department group, according to Joske, who has documented Wang's multiple connections to the United Front. The other were the China General Chamber of Commerce USA and the China General Chamber of Commerce USA Chicago, both among the 600 or so American groups Newsweek has linked to the CPC system.

Asked for comment, the China Institute replied that it "chose to engage with these organizations because of their large memberships and connection to the issues and topics that are a priority today. We wanted to ensure they were engaged in the conversation." In an emailed statement, the China General Chamber of Commerce-USA denied it was linked to the United Front system, saying it was "a non-profit and non-governmental organization representing Chinese enterprises in the U.S.," with a mission "to create value, generate economic growth, and enhance cooperation between the U.S. and Chinese business communities."

Importantly, members of the various groups identified by Newsweek, most of them ethnic Chinese, may not be aware of the organization's ties to the China party-state. Individuals may join for a sense of community or a business opportunity. Despite that, the groups may compete to be close to the Chinese embassy and its consulates hoping to gain status and favors, says Yaqiu Wang, an analyst

for Human Rights Watch in New York City. China's diplomatic system, in turn, connects through them to local Chinese-language communities.

Some groups assist in technology transfer—acquiring technology developed by U.S. companies for use by Chinese companies—a crucial goal of the party's influencing and interfering. The system also permeates the Chinese-language media in the U.S, shaping the information environment.

Newsweek has identified the following types of organizations as affiliated with the United Front throughout the U.S.: at least 83 Chinese hometown associations for immigrants from the same place in China; 10 "Chinese Aid Centers;" 32 Chambers of Commerce; 13 Chinese-language media brands; about half of the 70 associations for Chinese professionals in the U.S.; 38 organizations promoting the "peaceful reunification" of China and Taiwan; five "friendship organizations" and 129 other groups engaged in a range of activities such as education and culture. In addition, there are 265 Chinese Student and Scholar Associations for the approximately 300,000 Chinese students in the U.S. These are connected to CPC politics, often via Chinese diplomats, usually the education secretary in a consulate.

The groups were identified by evaluating crossover membership, regular joint activities, events indicating ideological alignment, high-level meetings that can only be obtained by being part of a CPC-trusted system and by crosschecking names, positions and cooperative events described in hundreds of Chinese-language government and party documents and Chinese state media reports as well as reports by the groups themselves. The level of influence and interference activity ranges from simple efforts to promote a positive view of China to outright espionage.

The latter was the case in late September, when a New York City policeman of Tibetan origin from China, a naturalized American citizen and army reservist, was arrested and charged with acting as an illegal agent of the Chinese government. His handler in the Chinese consulate in New York City worked for the China Association for Preservation and Development of Tibetan Culture, which is part of the United Front, according to charges laid out by the Department of Justice. Allegedly the policeman spied on Chinese citizens living in the New York area to help assess their potential as intelligence sources and provided Chinese officials with access to the NYPD through invitations to police events.

Start digging, and the number of groups in the U.S. with ties to the United Front seem endless. The Committee of 100 (C100), a New York-based advocacy group for Americans of Chinese origin that was founded nearly 30 years ago with the help of Henry Kissinger, is another, according to multiple reports in Chinese-language media and United Front organizations. The website of the United Front Work Department in the Chinese city of Nanjing identifies U.S. businessman and C100 chairman H. Roger Wang as an honorary chairman of the Nanjing Overseas Friendship Association, which is a city-level branch of the United Front's global China Overseas Friendship Association.

Upon his election to the board in 2018, Wang talked enthusiastically about key CPC projects such as the Belt and Road Initiative, in which China committed to invest in infrastructure projects in nearly 70 countries. The U.S. did not join, seeing the initiative as an attempt by Beijing to project its power around the world. "There are so many areas that C100 can get actively involved in now, including the Belt and Road Initiative," Wang said in an interview with China Daily. Xi Jinping has described C100 as a "friendly organization" and the group regularly meets with top Chinese leaders.

Asked for comment, Fulton Hou, a program associate at C100 emailed, "We firmly oppose any efforts by a foreign government or a political party—from China or elsewhere—to influence or undermine American society and democracy. Our dual mission is to promote the full participation of Chinese Americans in American life and to advance a constructive Sino-American dialogue."

Is there anything wrong with that? Not on the surface, but what's beneath the surface is harder to discern. "How to deal with China is a question everybody has to face," says Alvin Y.H. Cheung, a research fellow at NYU's U.S.-Asia Law Institute. "The relationship with the CPC is like any other relationship. You have to set boundaries."

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contributed research for this story in the U.S.

<https://www.newsweek.com/2020/11/13/exclusive-600-us-groups-linked-chinese-communist-party-influence-effort-ambition-beyond-1541624.html>

Four members of Chinese army charged with stealing 145 million Americans' data in 2017 Equifax hack

Kevin JohnsonUSA TODAY

WASHINGTON – Four members of the Chinese People's Liberation Army have been charged with hacking into the computer systems of the credit reporting agency Equifax in 2017, which Attorney General William Barr called a "deliberate and sweeping intrusion" that compromised private data of 145 million Americans.

The suspects were members of the PLA's 54th Research Institute, according to a nine-count federal indictment unsealed Monday. Wu Zhiyong, Wang Qian, Xu Ke and Liu Lei were charged with three counts of conspiracy to commit computer fraud, conspiracy to commit economic espionage and conspiracy to commit wire fraud.

"The scale of the theft was staggering," Barr said. "The theft not only caused significant financial damage to Equifax, but invaded the privacy of many millions of Americans, and imposed substantial costs and burdens on them as they had to take measures to protect against identity theft."

FBI Deputy Director David Bowdich described the intrusion as the largest instance of state-sponsored theft in U.S. history.

"This is not the end of our investigation," Bowdich said. "To all who seek to disrupt the safety, security and confidence of the global citizenry in this digitally connected world, this is a day of reckoning."

The Chinese army identified a flaw in Equifax's security system, executed a plan of attack to penetrate the system and devised a scheme to cover their tracks on their way out, according to the indictment.

From about May through July 2017, hackers obtained names, birth dates and Social Security numbers of 145 million Americans, and driver's license numbers for at least 10 million Americans, prosecutors allege.

"In a single breach, the PLA obtained sensitive personally identifiable information for nearly half of all American citizens," prosecutors wrote.

How it happened:Chinese military hackers identified flaw in Equifax's security and exploited it

Hackers also stole credit card numbers and other personal information for 200,000 Americans and personal information for nearly a million citizens of the United Kingdom and Canada, the indictment says.

Equifax has agreed to pay up to \$700 million to settle federal and state investigations into how it handled the data breach.

The settlement includes \$425 million to help consumers affected by the breach and a restitution fund with at least \$380.5 million allotted to consumer compensation. The fund will also include an additional \$125 million if the initial funds run out.

Equifax breach settlement:Wednesday is last day to file a claim for free credit monitoring or money

The Equifax theft is among several high-profile breaches of American databases, including the U.S. Office of Personnel Management, Marriott hotels and Anthem health insurance company.

"About 80% of economic espionage prosecutions have implicated the Chinese government, and about 60% of all trade secret theft cases in recent years involved some connection to China," Barr said.

The Justice Department and the FBI have been investigating individuals for alleged theft of trade

secrets and economic espionage as part of its China Initiative, launched in 2018 in response to government agencies' findings about China's practice of acquiring intellectual property and technology from other countries.

Last week, FBI Director Christopher Wray said the communist power's theft of technology and trade secrets is the "greatest long-term threat to our economic vitality."

Wray said the Chinese government will use any means necessary to "steal their way up the economic ladder at our expense" by penetrating information technology systems, aerospace, agriculture, defense and research programs, and broad swaths of academia.

The FBI has 1,000 open investigations into suspected Chinese economic espionage and technology theft, he said.

Last month, the Justice Department charged a Harvard University professor for allegedly lying about money he received from the Chinese government. Charles Lieber, chair of the Department of Chemistry and Chemical Biology at Harvard, made false statements about work he did for a program run by the Chinese government that seeks to lure American talent to China, according to the Justice Department.

On Monday, Sen. Ben Sasse, R-Neb., a member of the Intelligence Committee, said the threat does not end with the charges in the Equifax case.

"The Chinese Communist Party will leave no stone unturned in its effort to steal and exploit American data," Sasse said. "These indictments are good news, but we've got to do more to protect Americans' data from Chinese Communist Party influence operations."

Sen. Mark Warner, D-Va., vice chairman of the Intelligence Committee, lamented that the Trump administration's trade deal with China, signed last month, did not reference the kind of espionage outlined in the Monday's court papers.

"For years, the Chinese government has targeted Western commercial firms," Warner said. "It is disappointing that despite a lot of rhetoric, President Trump's recent agreement with China does nothing to address this specific issue."

Contributing: Nathan Bomey, Kristine Phillips

<https://www.usatoday.com/story/news/politics/2020/02/10/doj-chinese-army-hacked-equifax-stole-145-million-americans-data/4711796002/>

Biden angrily defends DOJ plans for \$450K migrant separation payouts
By Mary Kay Linge, Published Nov. 6, 2021

President Biden flared in anger Saturday as he spoke in favor of his administration's plan to award \$450,000 payments to migrants separated from their families after illegally crossing the US border — three days after he called a report on the payouts "garbage."

Blaming "the outrageous behavior of the last administration," Biden raised his voice and jabbed his finger at Fox News correspondent David Spunt, who asked about the administration's mixed messaging on the payout policy.

"Whether [the border crossing] was legal or illegal, and you lost your child," Biden thundered. "You lost your child, it's gone — you deserve some kind of compensation, no matter what the circumstance."

"What that will be," he added, "I have no idea."

The Biden administration has been negotiating legal settlements with the American Civil Liberties Union and other groups that could shower up to \$1 million per family on asylum seekers who were separated at the border under President Trump's "zero tolerance" illegal immigration policy. "That's not gonna happen," Biden said flatly on Wednesday, when Fox News' Peter Doocy asked him

about the Wall Street Journal's initial report on the developing deal.

"You guys keep sending that garbage out?" the president said. "But it's not true."

The ACLU issued a pointed response, suggesting that Biden was out of the loop and "may not have been fully briefed about the actions of his very own Justice Department."

"If he follows through on what he said, the president is abandoning a core campaign promise to do justice for the thousands of separated families," ACLU Executive Director Anthony D. Romero protested. "We call on President Biden to right the wrongs of this national tragedy."

On Thursday, the White House attempted to walk Biden's denial back.

"The president is perfectly comfortable with the Department of Justice settling with the individuals and families who are currently in litigation with the US government," White House deputy press secretary Karine Jean-Pierre said.

The proposed financial settlements have infuriated Republicans, who introduced a bill to block the massive payouts, calling them "disastrous."

"Once again, [Biden] either lied or has no idea what's going on," Rep. Nicole Malliotakis (R-SI/Bkln) tweeted Friday. "Americans don't bust their asses & pay taxes so Democrats can give their \$ to those who disrespect our borders and break our laws."

<https://nypost.com/2021/11/06/joe-biden-angrily-defends-plans-for-450k-migrant-separation-payouts/>

U.S. foreign-born population nears high, Alan Gomez, USA TODAY

The foreign-born population living in the USA has increased so rapidly that it could break a 125-year-old record within the next decade, according to a Pew Research Center report out Monday.

The percentage of people living in the USA who were born outside the country reached 13.7% in 2015 and is projected to hit a record 14.9% in 2025, the report said. The country's previous high of 14.8% was set in 1890, when waves of Irish, Italian, Polish and other immigrants were coming to the USA.

The findings come at a critical time in the presidential campaign as candidates from both parties debate the proper role of immigration in the country. The foreign-born population represents a growing share of the electorate that Democrats and Republicans court because that voting bloc is big enough to tip presidential elections.

Leading Republicans, including front-runner Donald Trump, say legal and illegal immigration have gotten out of control. Trump and others say the country needs to limit legal immigration, and all the GOP candidates push for increased border security.

Democrats, led by Hillary Clinton, have adopted a more welcoming message, calling for protections for undocumented immigrants living in the country and an immigration system that helps some groups of immigrants enter the country.

The term "foreign-born" includes naturalized citizens, legal permanent residents, visa holders and undocumented immigrants.

Ali Noorani, executive director of the National Immigration Forum, a group that supports immigrant rights in the USA, said the influx of foreigners proves the USA remains a beacon of hope across the world, and politicians should accept that role for the country.

"The pure politics of this is that candidates from whichever party should view these numbers as the next generation of voters," Noorani said. "They should remember that what they say now will be taken into account by future generations of U.S. citizens." Roy Beck, executive director of NumbersUSA, a group that advocates for lower levels of immigration, said Trump and others tap into a legitimate fear that immigration levels are getting out of control.

He uses the example of the late 19th century, when the USA hit its peak of those who were born in another country, creating an overabundance of workers competing for limited jobs. That prompted many Americans to call for an immigration slowdown and proved harmful to immigrants who struggled to get ahead, a situation Beck said is happening again.

"This has been our point all along: If you want to have a good situation for immigrants, there's a threshold that you've got to keep it below," Beck said. "We know what happened last time. It was a very difficult time. And it's not just about the American-born being hostile toward the foreign-born, but the inability of the foreign-born to get ahead, to live the American Dream."

The foreign-born population began to increase again after President Johnson signed the Immigration and Nationality Act of 1965 — 50 years ago this coming Saturday. The law eliminated quotas and limits on how many immigrants would be allowed into the USA. The act established a system focused on accepting immigrants with family ties in the USA and those with certain work skills.

Mark Hugo Lopez, co-author of the report, said some flows of migration to the USA, including illegal immigration, have slowed in recent years as the economy struggled and the federal government strengthened border security. But the foreign-born population continues to increase, because there are still far more people trying to reach the USA than trying to leave, he said.

Lopez said the characteristics of immigrants may change over time. For example, Asians will replace Latin Americans as the dominant minority force in the USA by 2055, and Africa may send more people to the USA and other countries in the upcoming decades. He said the idea of the USA as the world's most sought-after destination for immigrants will remain.

"We have seen the United States change its immigration laws before. It became very restrictive in the 1920s, and it's very possible that could happen again," he said. "But today, more Americans believe immigration is a strength rather than a burden."

Other findings from the report:

The combined population share of foreign-born people and their U.S.-born children is 26%. Pew estimates that figure will continue rising to 36% in 2065.

Asians are set to surpass Hispanics as the largest immigrant group. In 2015, 47% of the foreign-born population is Hispanic, and 26% is Asian. By 2055, Pew estimates that 36% of the foreign-born population will be Asian, compared with 34% Hispanic.

Since the passage of the Immigration and Nationality Act of 1965, immigrants, their children and grandchildren accounted for 55% of the country's population growth, a total of 72 million people.

More Americans (45%) say immigrants make American society better in the long run than those (37%) who say immigrants make it worse, according to a poll conducted by Pew for the report.

<https://www.usatoday.com/story/news/2015/09/28/us-foreign-born-population-nears-high/72814674/>

Getting Rid of La Raza, Sep 19, 2017

La Raza depends for its survival not on grassroots, but on government contracts and kickbacks, and grants from foundations and the corporations it can shake down.

Meanwhile, studies show that minorities want to join the mainstream. A leaked memo from ten years ago shows how La Raza opposes this since it is bad for business.

One does not need to be a populist to think there is a problem in asking taxpayers to fund efforts that fuel insider networks—at the expense of said taxpayers.

Ever heard of La Raza? Probably not, but you and other taxpayers are funding it.

We shouldn't be. Along with public broadcasters, environmental organizations, and other entities that use taxpayer money to keep insider networks in power, ethnic identity groups should be taken off public support. These movements have for decades lived off the government only to keep enlarging it, maintaining power in the hands of a self-dealing bureaucratic elite increasingly unaccountable and disconnected from outside society.

La Raza—recently renamed UnidosUS—is a case in point. Set up in 1968 with a grant from the Ford Foundation (which also helped create other movements), La Raza has always been more boardroom than barrio. It depends for its survival not on grassroots, but on government contracts and kickbacks,

and grants from foundations and the corporations it can shake down.

This corporate and government coziness doesn't mean that La Raza hasn't been a divisive force in society. On the contrary, it's been so from the beginning, and the balkanization it has caused has benefited elites.

No less a liberal lion than U.S. Representative Henry Gonzalez of Texas took to the floor of the House on April 22, 1969, to decry the Ford Foundation's creation of "a very grave problem" in his district. "I cannot accept the belief that racism in reverse is the answer for racism and discrimination," he said. It is worth quoting Gonzalez at some length, as the dysfunctions he identified remained a fixture of the group:

As deeply as I must respect the intentions of the foundation, I must at the same time say that where it aimed to produce unity, it has so far created disunity. The Ford Foundation believed that the greatest need of this particular minority group [Mexican Americans] was to have some kind of effective national organization.... This good desire may have rested on a false assumption; namely that such a disparate group could, any more than our black brothers or our white 'Anglo' brothers, be brought under one large tent.

La Raza was "invented for the purpose of receiving the grant," said Gonzalez, and in its first year of existence had "not given any assistance that I know of to bring anybody together," existing only to "promote the rather odd and I might say generally unaccepted and unpopular views of its directors."

And that's just it. Political scientist Peter Skerry describes groups such as La Raza as participants in a game called "elite network politics." Even though these networks have "weak community ties," the groups involved win policy brawls by participating in "a process of specialization and professionalization by which politics become more and more an insiders' game...a politics increasingly turned in upon itself and insulated from the surrounding social flux."

In La Raza's case, that meant a turnstile relationship with the Obama Administration that the president himself boasted about. For example, Cecilia Munoz, a top La Raza lobbyist, became White House Domestic Policy Council. Government subsidies of La Raza went from \$4.1 million to \$11 million a year after she joined the Administration.

Nearly a half-century after Gonzalez spoke, La Raza was still engaging in "a scheme to funnel money to politically favored special interest groups," as House Judiciary Committee Chairman Bob Goodlatte put it in a letter to Attorney General Eric Holder. Goodlatte was referring to an Obama Administration practice of settling Department of Justice lawsuits by "asking" corporate defendants to make large donations to groups such as La Raza.

Meanwhile, studies show that minorities want to join the mainstream. A leaked memo from ten years ago made clear how strongly La Raza opposes this assimilation, for one simple reason: Assimilation is bad for business.

When people join the mainstream and feel they are part and parcel of the nation, they no longer view themselves as victims, and thus are no longer in need of groups such as La Raza. The competition between ethnic groups that these organizations want to perpetuate helps the increasingly cosmopolitan elites in obvious ways. Immigrants must maintain their foreignness lest they join forces with native blue-collar workers to check the upper classes. Diversity, says political commentator Michael Lind, is beloved by the elites of North America and Europe because it "reduces the likelihood that workers of different ethnicities will unite in a common front against economic elites."

Some liberals are starting to call out this use of identity politics. The Indian-born British writer Kenan Malik, a visiting fellow at the University of Surrey, put it this way in a recent essay:

In practice, contemporary identity politics does little to challenge the roots of oppression. What it does do is empower certain people within those putative identities to police the borders of 'their' communities or peoples by establishing themselves as gatekeepers. It has allowed self-nominated authentic voices or community leaders to consolidate and protect their power. As solidarity has become redefined in terms of ethnicity or culture, so those who demand to be the voices of those

ethnicities or cultures are afforded new privileges.

Such slouching toward ethnocracy can pose a threat to the nation-state whose pluralistic people are united through patriotic fellow-feeling. The aftermath of the recent hurricanes offers, on the other hand, an alternative view of what Americans accomplish when they look past race, ethnicity, or social class and pitch in as fellow citizens in a common cause.

Ethnic identity groups are not alone in empowering elites. NPR, PBS, and the other public broadcasters report the news from the perspective of a bien-pensant coalition that includes the bureaucracy, the academy, the entertainment industry, and the rest of the bi-coastal urban elite. The Corporation for Public Broadcasting gets about half a billion dollars a year from taxpayers to bring you their viewpoint.

One does not need to be a populist to think there is a problem in asking taxpayers to fund efforts that fuel insider networks—at the expense of said taxpayers. Let the fire sale begin.
<https://www.heritage.org/government-regulation/commentary/getting-rid-la-raza>

11 JUL 2012 NATIONAL COUNCIL OF LA RAZA

Introduction

The National Council of La Raza (“La Raza”) is a left-of-center Hispanic group that opposes many American immigration laws. La Raza describes itself as a civic-minded Hispanic advocacy group. Critics complain La Raza supports amnesty for illegal immigrants. La Raza believes that Hispanics in America are victims of terrible racism.[1] La Raza opposes English-only laws.[2] Critics contend that La Raza (literally translated “the race”) is part of a larger movement that seeks to extinguish United States borders and control much of the American west as the rightful owners of that land.

History And Mission

According to La Raza’s website, it is “the largest national Hispanic civil rights and advocacy organization in the United States” and it “serves all Hispanic subgroups in all regions of the country.”[3] La Raza works “to improve opportunities for Hispanic Americans,” who are, in its estimation, an oppressed minority.[4]

La Raza is an extension of the 1960s radical Chicano Movement.[5] It “was inspired in part by Mexican intellectual Jose Vasconcelos and his notion of ‘la raza cosmica,’ a superior cosmic race.”[6] In the 1960s, the Ford Foundation hired Herman Gallegos, Julian Samora, and Ernesto Galarza to head a national civil rights organization to advocate for Mexican-Americans. As a result of these efforts, the Southwest Council of La Raza (SWCLR) was founded in 1968. By 1973, SWCLR had become a national organization, now the National Council of La Raza. Today, La Raza vigorously advocates for racial preferences (affirmative action),[7] bilingual education,[8] mass immigration[9] and amnesty for illegal aliens.[10]

Work

La Raza’s Institute for Hispanic Health works to reduce the incidence, burden, and impact of health conditions such as diabetes, heart disease, cancer, and HIV/AIDS in the Hispanic community. La Raza’s Homeownership Network operates in 20 states and provides counseling on home buying and management. La Raza also has early childhood and secondary education programs which stress literacy, college preparation, and parental involvement. The organization’s education programs also address the needs of Latino and English language students through a network of community-based charter schools. In addition, La Raza works to increase employment opportunities for Latino youth through its Escalera program. Youth leadership is also stressed in the Líderes initiative that links youth development organizations around the country into one national network. Through these programs, La Raza provides technical assistance to its network of community-based organizations around the country working on the same issues.

La Raza’s policy team also works on a range of similar issues, including civic engagement, criminal and juvenile justice, wealth building, housing, education, and health. However, La Raza is most well known for its immigration advocacy. The organization advocates on behalf of Hispanics in the United States by conducting research and informing policy-makers about how proposed or existing legislation affects the Latino community.

Liberal Activism

La Raza co-sponsored the 2008 "Take Back America" conference. The Campaign for America's Future and the Association of Community Organizations for Reform Now (ACORN) also sponsored the event along the AFL-CIO and other liberal groups. The primary mission of the conference was to mobilize voters to liberal causes. Calling it "the most expensive mobilization in history,"[11] the liberal groups hoped to raise \$350 million.[12]

LA Raza also has ties to Democratic politicians. In January 2012, President Barack Obama selected former La Raza senior vice president, Cecilia Muñoz, to serve as head of his Domestic Policy Council.[13]

Controversy

In 1994, La Raza awarded Jose Angel Gutierrez its "Chicano Hero Award." Gutierrez is a political science professor at the University of Texas at Arlington, who memorably stated in 1969, "[w]e have got to eliminate the gringo, and what I mean by that is if the worst comes to the worst, we have got to kill him." [14] In 2004, La Raza's Chicano hero proclaimed, "[w]e are the future of America. Unlike any prior generation, we now have the critical mass. We're going to Latinize this country." [15]

La Raza has espoused that much of the United States belongs to the Chicano people and seeks to return that land to them.[16] In 2006, then-Congressman (now deceased) Charlie Norwood (R-GA) explained that:[17]

MEChA and the La Raza movement teach that Colorado, California, Arizona, Texas, Utah, New Mexico, Oregon and parts of Washington State make up an area known as 'Aztlán' — a fictional ancestral homeland of the Aztecs before Europeans arrived in North America. As such, it belongs to the followers of MEChA. These are all areas America should surrender to 'La Raza' once enough immigrants, legal or illegal, enter to claim a majority, as in Los Angeles. The current borders of the United States will simply be extinguished.

Funding

In 2005, La Raza received \$15.2 million dollars in federal grants,[18] of which about \$8 million was in U.S. Department of Education grants for charter schools.[19] According to Michelle Malkin, "undisclosed amounts went to get-out-the-vote efforts supporting La Raza political positions." [20]

La Raza also has received funding from the American Express Foundation,[21] the Allstate Foundation,[22] the AT&T Foundation,[23] the Bank of America Foundation,[24] the Carnegie Corporation of New York,[25] the Annie E. Casey Foundation,[26] the Fannie Mae Foundation,[27] the Ford Foundation,[28] the Bill and Melinda Gates Foundation,[29] the Joyce Foundation,[30] the W. K. Kellogg Foundation,[31] the John D. & Catherine T. MacArthur Foundation,[32] the Open Society Institute,[33] the David and Lucile Packard Foundation,[34] the Rockefeller Foundation[35] and the Verizon Foundation.[36]

Leadership (As Of September 2011)

Janet Murguía, Chief Executive Officer (2008 Salary: \$325,726)

Charles Kamasaki, Executive Vice President

Lautaro Diaz, Vice President, Housing and Community Development

Delia Pompa, Senior Vice President, Programs (2008 Salary: \$152,119)

Sonia M. Perez, Senior Vice President, Affiliate Member Services (2008 Salary: \$143,072)

Delia de la Vara, Vice President, Strategic Communications Group

Eric Rodriguez, Deputy Vice President, Office of Research, Advocacy and Legislation

Dr. Jose A. Velazquez, Deputy Vice President, Affiliate Member Services

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<https://nationalcenter.org/ncppr/2012/07/11/national-council-of-la-raza/>

Unlimited illegal immigration—that's what a Biden administration wants, and that is what it will be able to get after Jan. 20.

It's no coincidence that the open-borders lobby has found a permanent home with leftists. It means pure political power.

It will be up to the American people to frequently and loudly voice their opinion that open borders and amnesty are wrong for America.

Unlimited illegal immigration—that's what a Biden administration wants, and that is what it will be able to get after Jan. 20.

This is perhaps the most important domestic policy issue at stake for America as we face single-party leadership in both chambers of Congress and the White House. And it couldn't come at a worse time for our country as Americans struggle to keep businesses open and regain a public health footing from the ongoing effects of the COVID-19 virus.

President-elect Joe Biden has a long record of calling for unlimited immigration.

In 2015, he was recalling a conversation he had with a former president of Singapore about what separates America. He stated that it was "an unrelenting stream of immigration—nonstop, nonstop."

He had previously expressed this desire to the National Association of Manufacturers, where he said that the "constant, unrelenting stream" of immigrants into the U.S. was the basis for our economic strength.

He emphasized that he wanted "not dribbling" amounts, but "significant flows."

With the left in control of the U.S. Senate, the Biden administration has a Congress available to rubber-stamp its most radical immigration agenda items. And make no mistake: The left will not waste this political opportunity. Its leaders understand that mass immigration historically transfers into more leftist voters.

It's no coincidence that the open-borders lobby has found a permanent home with leftists. It means pure political power. Look no further than California as Exhibit A.

So, what can the Biden administration do with a House and Senate controlled by the far left? First, it can seek to legalize all illegal aliens within the U.S., with token exceptions for some hardened criminals.

Keep in mind that the U.S. doesn't even know how many illegal aliens are here, in part because the left has opposed any effort to try to better understand that number. The Biden team claims it is around 11 million, but other estimates top 22 million.

Such an amnesty effort would not make any attempt at assimilating illegal aliens into the U.S. mainstream—adopting our language, culture, and patriotism.

Second, the borders would be open and overrun. Promising amnesty has already resulted in a run on the border, or the "Biden Effect." Once the wheels start moving toward the largest amnesty in our history, the Border Patrol would be overwhelmed by illegal aliens seeking to get their claim to the most prized passport in the world—and all the government benefits that come along with it.

Couple this green light with stand-down orders to the Border Patrol and Immigration and Customs Enforcement, and you have a recipe for absolute disaster without any limiting principle. A recent Gallup poll found that more than 158 million adults would migrate to the United States if they could.

With a Biden presidency and a leftist-controlled Congress, what will be able to stop them?

Third, scarce resources would be directed away from current Americans and toward amnestied immigrants. This means it would be open season on the buffet of federal government welfare programs, as well as the continued strain on America's job availability, education budgets, health care costs, and public safety resources.

Translation? Americans forced to compete for employment opportunities as wages decrease, crowded schools with burgeoning numbers of students who don't speak English, rising health care costs, increased COVID-19 spread, and more gang-related crime, as Americans have seen from the ruthless MS-13 where it has taken hold.

But as Biden says of illegal immigrants, "We owe them."

Americans are directly affected by immigration policy in many important aspects of our lives—jobs, the economy, education, health care, crime, and national security.

Americans and lawful immigrants want our immigration laws enforced and our borders secured.

Yet, we are on the verge of having neither. With the White House and Congress under single-party leadership, it will be up to the American people to frequently and loudly voice their opinion that open borders and amnesty are wrong for America.

<https://www.heritage.org/immigration/commentary/america-may-soon-face-unlimited-illegal-immigration>

Crimes by Illegal Immigrants Widespread Across U.S.—Sanctuaries Shouldn't Shield Them
Sep 3, 2019 4 min read, COMMENTARY BY, Hans A. von Spakovsky
Election Law Reform Initiative Manager, Senior Legal Fellow

Hans von Spakovsky is an authority on a wide range of issues—including civil rights, civil justice, the First Amendment, immigration.

The appeals court in San Francisco overturned the conviction of Jose Inez Garcia-Zarate on a charge of being a felon in possession of a firearm. Non-citizens accounted for 24 percent of all federal drug arrests, 25 percent of all federal property arrests, and 28 percent of all federal fraud arrests. In 2018, a quarter of all federal drug arrests took place in the five judicial districts along the U.S.-Mexico border.

Politicians who declare their jurisdictions to be sanctuaries for illegal immigrants who commit crimes are needlessly endangering their law-abiding citizens.

The decision by a California appeals court Friday overturning the conviction of an illegal immigrant who shot and killed Kate Steinle in San Francisco in 2015 once again put the national spotlight on the serious problem of crimes committed by people in the U.S. illegally.

The appeals court in San Francisco overturned the conviction of Jose Inez Garcia-Zarate on a charge of being a felon in possession of a firearm. Garcia-Zarate was earlier found not guilty of first- and second-degree murder, involuntary manslaughter and assault with a semi-automatic weapon.

Garcia-Zarate said he unwittingly picked up a gun, which he said was wrapped in a T-shirt, and it fired accidentally. The appeals court overturned his conviction on the firearm possession charge because it said the judge at his trial failed to give the jury the option of finding him not guilty on the theory that he only possessed the gun for a moment.

Opponents of federal efforts to enforce the immigration laws enacted by Congress repeatedly claim that illegal immigrants are "less likely" to commit crimes than U.S. citizens – and thus represent no threat to public safety. But that's not true when it comes to federal crimes.

Non-citizens constitute only about 7 percent of the U.S. population. Yet the latest data from the Justice Department's Bureau of Justice Statistics reveals that non-citizens accounted for nearly two-thirds (64 percent) of all federal arrests in 2018. Just two decades earlier, only 37 percent of all federal arrests were non-citizens.

These arrests aren't just for immigration crimes. Non-citizens accounted for 24 percent of all federal drug arrests, 25 percent of all federal property arrests, and 28 percent of all federal fraud arrests.

In 2018, a quarter of all federal drug arrests took place in the five judicial districts along the U.S.-Mexico border. This reflects the ongoing activities of Mexican drug cartels. Last year, Mexican citizens accounted for 40 percent of all federal arrests.

In fact, more Mexicans than U.S. citizens were arrested on charges of committing federal crimes in 2018.

Migrants from Central American countries are also accounting for a larger share of federal arrests, going from a negligible 1 percent of such arrests in 1998 to 20 percent today.

Critics will try to downplay the importance of the Justice Department's report by pointing out that the majority of crimes in the United States are handled by prosecutors in state and local courts. But even there the data is shocking.

A recent report from the Texas Department of Public Safety revealed that 297,000 non-citizens had been "booked into local Texas jails between June 1, 2011 and July 31, 2019." So these are non-citizens who allegedly committed local crimes, not immigration violations.

The report noted that a little more than two-thirds (202,000) of those booked in Texas jails were later confirmed as illegal immigrants by the federal government.

According to the Texas report, over the course of their criminal careers those illegal immigrants were charged with committing 494,000 criminal offenses.

Some of these cases are still being prosecuted, but the report states that there have already been over 225,000 convictions. Those convictions represent: 500 homicides; 23,954 assaults; 8,070 burglaries; 297 kidnappings; 14,178 thefts; 2,026 robberies; 3,122 sexual assaults; 3,840 sexual offenses; 3,158 weapon charges and tens of thousands of drug and obstruction charges

These statistics reveal the very real danger created by sanctuary policies. In nine self-declared sanctuary states and numerous sanctuary cities and counties, officials refuse to hand over criminals who are known to be in this country illegally after they have served their state or local sentences.

This refusal to cooperate with federal immigration officials suggests that state and local officials supporting the sanctuary movement believe it's better to let these criminals return to their communities rather than being removed from this country. Not all of their constituents would agree.

The Texas report is careful to note that it is not claiming "foreign nationals" commit "more crimes than other groups." Whether that is true or not – and it is certainly true when it comes to federal crimes – is irrelevant.

What is highly relevant to the current debate about immigration policy is that the Texas report "identifies thousands of crimes that should not have occurred and thousands of victims that should not have been victimized because the perpetrators should not be here."

We know that in Texas and around the country some individuals would be alive today – and their families would not be mourning their loss – if we had a secure border and an effective interior enforcement system.

Instead of trying to obstruct enforcement of our immigration laws, state and local officials should do everything they can to help the feds reduce the very real – and all too often fatal – dangers posed by criminal illegal immigrants.

One of the worst recent examples of a state official who refuses to help federal immigration authorities carry out their duties is North Carolina Gov. Roy Cooper.

The Democratic governor recently vetoed a bill that would require local law enforcement to cooperate with federal immigration authorities. Cooper did so just days after Immigration and Customs Enforcement (ICE) agents captured an illegal immigrant charged with first-degree rape and indecent liberties against a child.

The man arrested in that crime was on the loose because he had been released from custody by county officials, despite the existence of a federal detainer warrant for him.

Politicians who declare their jurisdictions to be sanctuaries for illegal immigrants who commit crimes are needlessly endangering their law-abiding citizens. That is shameful.

This piece originally appeared in Fox News

<https://www.heritage.org/crime-and-justice/commentary/crimes-illegal-immigrants-widespread-across-us-sanctuaries-shouldnt>

Idaho Governor Selling His State to the Chinese?, by Joe Wolverton, II, J.D. June 9, 2011

In a letter proudly publicized on a state-sponsored website, Idaho Governor Butch Otter (left, a Republican) describes a program designed to “grow Idaho’s Gross Domestic Product” by creating “quality jobs for all Idahoans by fostering systemic growth, recruiting new companies to Idaho, and selling Idaho’s trade and investment opportunities to the world.” The following is from Governor Otter’s announcement of the plan known as Project 60. Project 60 is just a name. But it stands for a goal, and a way of getting there.

It means more than some abstract concept for increasing our gross domestic product. It means jobs and opportunity, hope and independence for the people of Idaho. That’s what I want you to think about when you hear about Project 60. This is an initiative in which we all need to be involved, to build Idaho’s economy together in a way that strengthens our businesses, people and communities.

No state or local agency, no government of any kind can successfully tackle this kind of goal alone. Project 60 belongs to all of us and it needs all of us to be champions of this effort. Today, I invite you to be a Project 60 Partner. This Web site is built for you to participate in the process.

Consider this “home base” for Project 60. This is where you will have the chance to offer “Top-to-Top” help in our efforts to recruit new and expanding businesses to Idaho, the chance to tell us about networking opportunities with your vendors and customers in other states, and the chance to become an ambassador for Idaho’s future. I want you to tell us about your own success stories and offer us tips and advice about what it takes to thrive in business here.

That brief introduction should be memorized by students trying to learn the craft of political speechifying. There is in Governor Otter’s letter nothing of substance, plenty of weasel words, and an extraordinary display of misdirection all designed to lull the citizens of the sovereign state of Idaho into a stupor while their state is sold to the Chinese.

A recent article described the goal of Project 60 in slightly less rosy terms. “Idaho, under the stewardship of Governor Butch Otter, has opened the door for a Chinese invasion....”

The details of the scheme seem to support that analysis. In very unclear terms, one of the principal planks of the Project 60 platform is known as “Inward Foreign Direct Investment.” As laid out on the Project 60 website, this portion of the plan will increase Idaho’s role “in global business” by providing foreign industry with “a strong impetus to economic development.”

The “impetus” is a two-pronged attack on Idaho’s domestic workforce (read: the middle class). First, through Project 60, foreign business interest are encouraged to take advantage of favorable national immigration laws.

Specifically, “The U.S. Citizenship and Immigration Service administers an immigrant investor visa program called EB-5. The program grants foreigners permanent U.S. residency in exchange for helping create U.S. jobs.” This prong will facilitate the immigration of Chinese nationals into the United States for the purpose of establishing a Chinese industrial beachhead in Idaho, under the guise of creating U.S. jobs.

The second phase involves the granting of tax breaks to the foreign companies. In exchange for an

investment of between \$500,000 and \$1 million (depending on whether the target zone is rural or urban, respectively), the foreign investor receives tax incentives.

A story published recently on cnsnews.com explains how Idaho's plan dovetails perfectly into the overall scope of China's economic policy vis a vis its holdings in the United States. As reported by cnsnews.com:

China has dropped 97 percent of its holdings in U.S. Treasury bills, decreasing its ownership of the short-term U.S. government securities from a peak of \$210.4 billion in May 2009 to \$5.69 billion in March 2011, the most recent month reported by the U.S. Treasury.

And:

Until October, the Chinese were generally making up for their decreasing holdings in Treasury bills by increasing their holdings of longer-term U.S. Treasury securities. Thus, until October, China's overall holdings of U.S. debt continued to increase.

Since October, however, China has also started to divest from longer-term U.S. Treasury securities. Thus, as reported by the Treasury Department, China's ownership of the U.S. national debt has decreased in each of the last five months on record, including November, December, January, February and March.

The Chinese, by wisely divesting itself of American treasury securities, can take advantage of our federal system (the co-existence of two equal sovereignties) and keep its fingers in American pies by establishing powerful outposts in the 50 states, thus by-passing the chokehold held over the national economy by the bust/boom cycle perpetuated by the Federal Reserve.

Put simply, Idaho (and reportedly other states, as well) are offering the Chinese a way to dump their useless treasury bonds without sacrificing the strength of their clamp on the economic pipeline of American industry.

The specifics of the wheeling and dealing between Idaho's state government and their Chinese counterparts are unclear with a few exceptions. What is known is that "top Idaho officials have been traveling to China and entertaining the Chinese here, in order to help facilitate this."

The result of these junkets? American Falls, Idaho will soon be home to a Chinese-owned fertilizer plant. A significant swathe of land south of Boise (about thirty thousand acres) was bought by China, a purchase Idaho's governor promises will "reinvigorate our American industrial base."

Idaho may be leading the race to court China, but according to The New American's own Bill Jasper, Idaho's southern neighbor is running full speed toward that same goal. From Jasper's article published last month:

Utah's Governor Gary Herbert, who led an April 2011 trade delegation to Beijing and Shanghai, said he was amazed by the scale of Chinese development and construction and impressed by the business community's "embracement of free market principles." Utah will host Governors from China's provinces at the U.S. National Governors Association in Salt Lake City this July.

Governor Herbert got considerable help with China connections from former Utah Governor Jon Huntsman, who has served for the past couple of years as the Obama administration's ambassador to China. Huntsman, the millionaire scion of the famous Huntsman chemical empire, is leaving the diplomatic corps to throw his hat in the GOP 2012 presidential sweepstakes. His ambassadorial slot is being filled by U.S. Commerce Secretary — and former Washington State Governor — Gary Locke, also an enthusiastic China booster. When confronted directly by constituents with questions about the ethical, practical, and national security implications of questionable business deals with the communist-controlled "People's Republic," the usual response from the China boosters is a flippant remark along the lines of: "Heh, heh, don't you know, China is Communist in name only; they're more capitalist than we are."

Constitutionalists of all states must voice their opposition to the wide avenues being paved for China

into our state economies. These agreements may soon leave us without the the check on "all encroachments of the national government" our Founders intended the states to be. Joe Wolverton II, J.D., is the author of the books The Real James Madison and "What Degree of Madness?": Madison's Method to Make America STATES Again. His latest book — The Founders' Recipe — provides selections from the 37 authors most often quoted by the Founding Generation. He hosts the YouTube channel "Teacher of Liberty" and the Instagram account of the same name. <https://thenewamerican.com/idaho-governor-selling-his-state-to-the-chinese/>

Indian-American Nikki Haley listed herself as 'white', Democrats slam her
PTI | Jul 29, 2011, 08.16 PM IST

WASHINGTON: Democrats have accused South Carolina's Indian-American governor Nikki Haley of listing her race as "white" in her voter registration form in 2001 and playing on it for political convenience.

Haley created history this year as she was sworn in as first women governor of South Carolina. She is also the first governor of Sikh heritage.

39-year-old Haley is also the first Indian-American woman governor and after Bobby Jindal from Louisiana is only the second from the community to occupy this post.

The local Post and Courier reported that the state Democratic Party, which first obtained the public record in this regard, is challenging whether her inconsistency on the card might have made her ineligible to voter under the state's new Voter ID law.

State Democratic party chairman Dick Harpootlian said whether Haley listed her race as white or not doesn't really matter to him, but the issue is that the governor has shown a pattern of such actions. "Haley has been appearing on television interviews where she calls herself a minority -- when it suits her," Harpootlian was quoted as saying.

"When she registers to vote she says she is white. She has developed a pattern of saying whatever is beneficial to her at the moment," he said. "She can't even tell the truth about her racial heritage."

There was no immediate response from Haley's office. The state election commission gives people the choice of declaring their race as white, black/African-American, Asian, Hispanic, native American or other, the agency's spokesman Chris Whitmire said.

<https://timesofindia.indiatimes.com/world/us/Indian-American-Nikki-Haley-listed-herself-as-white-Democrats-slam-her/articleshow/9411143.cms>

https://static.dw.com/image/45817675_303.jpg

<http://magarticles.magzter.com/articles/5/198186/584176c581b90/Nikki-Haley.jpg>

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<https://images.celebfamily.com/wp-content/uploads/2016/10/Nikki-Haley-Family-320x341.jpg>

<https://heavy.com/wp-content/uploads/2016/01/gettyimages-4590127901-e1452648666245.jpg?quality=65&strip=all&w=780>

<https://topicsindia.com/wp-content/uploads/2014/11/L-R-Nikki-Haleys-mother-Raj-Randhawa-father-Dr.jpg>

https://images.indianexpress.com/2013/12/nikki-haley_us.jpg?resize=450

The United States native born people and government will do anything for illegal aliens, foreign nationals, and immigrants before the honorable Mulatto/Mixed/Mestizo American descendants of United States slaves. Over nine thousand OMB Control Number: 1653-0049 written reports were submitted to the Department of Homeland Security for "Employment/Exploitation of Unlawful Workers" from October 26, 2020 to September 6, 2023 to stop the United States of America from being silently taken over by illegal aliens, foreign nationals and unlawful immigrants. That equals \$650,000,000.00 in unpaid time, labor, and work which is unsatisfied. 3 March 2022 was the date the United States was on schedule to be under foreign rule with an official announcement on 1 June 2022. If the reports were not voluntarily submitted to the Department of Homeland Security the natural born citizens of the United States would have been scheduled for

extermination. The United States federal government is libel for a minimum of \$6.6 million and the individual states are libel for a minimum of \$3.4 million for the harmful affects, brutality, cruelty, pain and suffering caused by slavery

to Mulatto/Mixed/Mestizo American descendants of slaves which should include additional penalties and interest. This restitution is a valid and legitimate justice claim against the federal and state governments based on violations of a distinct and specific people's human rights and civil rights who

have been enumerated by decennial censuses. The first United States federal census commenced on 1 November 1790 and lasted for six months. These people are natural born citizens of the United States of America whose lineage reflects those who founded, settled, built and established the nation on 30 July 1790 the date of constitution.

Why are the ethnic and racial terms for Mulatto and Mestizo people interchangeable in the United States of America?
Is this not public law?

Curtis Marez is Professor of Ethnic Studies at the University of California, San Diego. He is the author of Farm Worker Futurism: Speculative Technologies of Resistance and University Babylon: Film and Race Politics on Campus.

MESTIZO/A

BOOK KEYWORDS FOR AMERICAN CULTURAL STUDIES

The terms “mestizo” (masculine) and “mestiza” (feminine) come from sixteenth-century Portuguese and Spanish, but over the past few hundred years, they have been incorporated into US English. In general, “mestizo/a” refers to racial and cultural mixing among Europeans, Indians, and Africans. As nouns, “mestizo” and “mestiza” refer to a mixed man and woman, respectively, but the word may also be used as an adjective, as in “the mestiza writer” or “a mestizo nation.” The process of such mixing is called “mestizaje.” These words have long and complex histories in diverse parts of the world, including Asia and the Americas, but their most prominent usages in American studies and cultural studies scholarship have referred to the Mexico/US borderlands. In that context, the meanings of “mestizo” have been intimately shaped by dominant and oppositional political movements.

<https://keywords.nyupress.org/author/cmarez/>

MULATTO: A Mulatto is legally considered to be an individual with mixed black and white heritage. However, some individuals who were designated mulattos may have a slightly more mixed parentage, perhaps including Native American blood.

<https://www.genealogy.com/articles/research/glossary-m.html>

Mulatto is legally considered to be an individual with mixed black and white heritage. Though, some individuals who were designated mulattos may have a slightly more mixed parentage, including Native American blood. The term mulatto is used to describe a person with one white parent and one black parent, or a person whose ancestry is a mixture of black and white. The term mestiço is used to describe people of mixed European and African ancestry in Africa. Historian Lezley Saar, professor emerita from Mulatto University and a lifelong outspoken activist for the Mulatto Movement, traces the history of the Mulatto Nation from its bumpy beginnings to its conflicted present.

The term mulatto may be derived from the Portuguese and Spanish word mulato, a small mule. The term mulatto may have origins in the Arabic term muwallad, which means “a person of mixed ancestry”. Miscegenation is the interbreeding of Whites and non-Whites. May 13th is Mulatto Day in Brazil. In the United States the term mulatto is no longer commonly used. The term mulatto existed as an official census category until 1930.

In the Southern United States, mulattos inherited slave status if their mothers were slaves. In the United States, “mulatto” was also used as a term for those of mixed white and Native American ancestry during the early census years.

In Haiti mulattos represented a smaller proportion of the population than in many other Latin American countries. Many mulattos were slaughtered by Black Haitians during the wars of independence in order to secure Black political power over the island. Earlier some Black volunteers had already aligned themselves with the French against the mulattos during the first and second mulatto rebellion. Mulattos initially possessed legal equality with the white French population.

Mulattoes represent a large portion of various countries' populations in Latin America. The Africans brought to Mexico were absorbed by the mestizo populations of mixed European and Amerindian descent. The state of Guerrero once had a large population of African slaves.

<http://sociologyindex.com/mulatto.htm>

Race and Ethnicity on the Census

Home > Genealogy > Reference > Census > "Race Codes"

"White", "Black", "Mulatto", "Indian", "Free Colored", etc.

In the 1700's and early to late 1800's the Federal Government seemed to only recognize four "races": White, Black, Mulatto and Indian. Later they added categories for "Chinese" and in more recent years they have added many more.

The race codes used on the census were almost always based on the census takers opinion. He probably didn't ask the family what race they considered themselves, though that may have happened some.

(W) White generally meant a person of European origin with lighter skin color. The main columns of data on the 1790 through 1840 census records were for "Free Whites." In 1850 and later census records, "White" people had a race code of "W" in the "Color" column (or left blank in 1850 and 1860).

(B) Black generally meant a person of African origin with darker skin. In the early days most blacks in America were held in slavery, though not all were. The 1790 through 1840 census included columns for "Slaves" as well as columns for "Free Colored" (or "Other" in 1790). In 1850 and later census records, "Black" people were listed with a race code of "B" in the "Color" column or "N" in some cases for "Negro."

(M) Mulatto generally means a person of mixed race, part black and part white, technically 50% of each meaning one black parent, one white. Of course the term was also applied to people who weren't "half and half" but had some degree of African ancestry as determined by skin color.

In the early years of the census there were not enough race codes to cover every possible race. Therefore many people were listed as "Mulatto" who were of some other origin besides part black and part white. Keep in mind that those listed as Mulatto could be mixed Black-White, White-Indian, Black-Indian, or a combination of all three (Black, Indian and White, also called "Tri-Racial"). This doesn't even account for those who might be dark skinned but of some other origin (Melungeon, "Black Dutch", North African Moors, Sephardic Jews, Middle Eastern, Asian, etc.). As you can imagine, this was a "catch-all" category on the early census records.

In 1790, any free person considered "Mulatto" or "non white" would have been listed in the "Other" columns. In 1800 through 1840, they would have been included in the "Free Colored" columns. In 1850 and later, they would have been listed with a race code of "M" in the "Color" column. In many cases you'll find these same people listed as "White" on some census records, so it makes you wonder what the census taker based it all on.

(I) Indian refers to those Native Americans or aboriginal peoples who were in America prior to the European and African arrivals. The Federal Census records included very clear instructions that Indians were not to be listed, and in most cases that was followed. Some early census takers (in 1850 in Western North Carolina for example) made exceptions, and listed Indians under race code of "I" or "In" or "Ind." Later census records included special schedules just for Indians. You will not find Indians listed on the 1790 through 1840 census, though you might find some who were part-Indian. If they were listed at all those years, they would be in either the "White" columns, or in the "Free Colored" columns depending on the whims of the census taker.

"Free Colored" was used as a category on the 1790 through 1840 census (listed simply as "Other" in 1790). As I mentioned above under the "Mulatto" section, "Free Colored" could mean almost anything. The census taker used his own discretion to determine who fit in this category, so it is hard to say what the dividing line was between "White" and "Colored" in his mind. A "Free Colored" person could

be a black person who was not a slave, or it could be person who had some African ancestry and some European, or it could be someone of some other origin, but who had dark skin or in some other way did not fit the census takers idea of what "white" was. Here are some possibilities for identities of "Free Colored" persons in these records:

A Black person of African origin who was not a slave.

A person who was of mixed blood, being part Black and part White (officially a "Mulatto").

A person who was of mixed blood, being part White and part Indian (Native American), sometimes called a "Mestizo" but usually not referred that way on the census records.

A person who was of mixed blood, being part Black and part Indian.

A person who was of mixed blood, being part Black, White and part Indian ("Tri-racial").

A "Melungeon" , which is of questionable origin, but had darker than average skin, but "white" features. No one knows for sure where the Melungeons originated, but the most common claim is that they are of Portuguese origin.

"Black Dutch", which may or may not mean persons who originated in Moorish regions of Spain or North Africa (including Sephardic Jews), who later migrated to the Netherlands, where their darker skin gave them the title of "Black Dutch". They later came to America. This is just one theory about who the "Black Dutch" were.

If you look around America today, you see a large portion of the population is of Hispanic origin, i.e. originating from Spanish speaking regions of Central and South America or the Caribbean. Many of these have darker skin, and if any of them were here in the 1790-1840 timeframe perhaps they too were included in the "Free Colored" columns.

I don't think there were many people of Asian origin here in this timeframe, but I would wager that they too would have been put in the "Free Colored" columns. The "Chinese" category was not added until 1870. Presumably other Asians were included here whether Chinese or not.

<http://www.martygrant.com/genealogy/reference/census-race-codes.htm>

How the Census collected race and ethnicity data from 1790 to 2020

See how the federal government has gathered race and ethnicity information as the reasons for doing so have changed over the centuries.

Updated on Wed, May 26, 2021 by the USAFacts Team

Home/Population and society/Articles/How the Census collected race and ethnicity data from 1790 to 2020

The Constitution requires a census every 10 years. How the government counts people by race has changed substantially over the decades. Racial categories emerged, disappeared, and came back again. Ethnicity became a category distinct from race in the 1980 census because Hispanic people can be of any race. Today, the Census Bureau notes that all race data is based on self-identification. It also states the racial and ethnic categories in census questionnaires "generally reflect a social definition of race recognized in this country and [are] not an attempt to define race biologically, anthropologically, or genetically."

Reviewing how the Census handled questions of race and ethnicity over the decades sheds light on how the government viewed its people. Changes in how the government collects and counts race and ethnicity data since the first census have affected everything from congressional representation to the enforcement of civil rights laws to the funding of federal programs.

Please note: Several historical government terms for specific races or ethnicities could be considered offensive to modern readers.

A timeline from 1790 to 2020 shows how census race and ethnicity questions have evolved.

In the first census in 1790, the federal government collected race data in three categories: free white people, "all other free persons," and slaves. Three-fifths of the slave count went towards a state's population figures used to determine apportionment of congressional seats.

The “all other free persons” included free Black and a subset of Native Americans who lived under US jurisdiction. Other Native Americans were considered “Indians not taxed,” a term used in the Constitution to refer to the Native population who lived outside of US jurisdiction. Native Americans would not be fully included in a count until 1900.

Published results of the 1790 census. Census Bureau.

The 1820 census renamed the “all other free persons” category to “free colored persons.”

Blank certificate for the 1820 census confirming population numbers in particular geographies. Census Bureau.

For free people, the 1850 edition offered three “color” options on the census for free people: “White, black, or mulatto.” Census instructions provided no guidance on how Native Americans living under US jurisdiction would be counted. “Mulatto”, meaning someone of mixed white and Black ancestry, would be on the census through 1920. According to the 1870 instructions to census workers, “important scientific results depend upon the correct determination of this class.”

A count of free residents in Scituate, Mass., for the 1850 census. Census Bureau.

The 1850 and 1860 censuses had separate forms for enslaved people. Those people were counted under the name of their owners.

A count of slaves in Monroe County, Ala., for the 1860 census. Census Bureau.

The 1860 census added “Indian,” though it still did not include Native people who were not under US jurisdiction.

In 1870, the census also introduced “Chinese” as a category nationwide, the first time the census counted any Asian identity.

The 1870 census form. Census Bureau.

The 1870 census was the first post-Civil War census and did not count people as slaves. People previously counted as slaves appeared in the “free colored” section of published results, and were counted as one person, not three-fifths, for congressional apportionment. It was the first census to document the surnames of former slaves.

Published 1870 census results provide counts for “colored,” “free colored,” and “slaves.” Census Bureau.

The 1890 census introduced the Japanese category and offered two new mixed-race categories: “quadroon” — according to instructions someone with one-fourth “black blood” — and “octoroon” — someone with one-eighth or less “black blood.”

An 1890 census form. Census Bureau.

The 1900 form dropped the two new mixed-race categories. The 1900 census was also the first to count all Native Americans, both on reservations and in the general population.

A 1900 census form. Census Bureau.

The 1910 census added an "other" category. Counters were instructed to note the details of the person's race when using "other," suggesting that people could identify with a race that wasn't listed for the first time.

Instructions for 1910 census workers. Census Bureau.

Four color or race categories were introduced in 1930: "Mexican," "Filipino," "Hindu," and "Korean." The "Hindu" category would appear again in the 1940 census, after which it was no longer a category.

Black Americans were coded as "Negro," the first time that term was used as a racial category in the census. Censuses used the term was used until 2010, sometimes combined with the terms "Black" and "African American."

The 1940 census dropped the "Mexican" category. According to the instructions for counters in 1940, "Mexicans are to be regarded as white unless definitely of Indian or other nonwhite race." From 1950 to 1970, the census counted white people with Spanish surnames in five states: Arizona, California, Colorado, New Mexico, and Texas.

A 1950 census form. Census Bureau.

After Alaska and Hawaii became states in 1959, the 1960 census named four new categories: "Hawaiian", "part Hawaiian", "Aleut", and "Eskimo". The 1970 form kept the "Hawaiian" category and dropped the other three.

A 1960 census questionnaire. Census Bureau.

Two federal changes in the 1970s affected the 1980 census. A 1976 law required the federal collection of data on people of "Spanish origin or descent." Then a 1977 directive established race and ethnicity data collection standards across the federal government. The standards were intended to enforce civil rights laws.

The 1980 form had several additional options in the race category, adding back "Eskimo" and "Aleut" while introducing "Vietnamese", "Asian Indian", "Guamanian", and "Samoan". As a result of the 1976 and 1977 changes, the 1980 census introduced the idea of "Spanish" or "Hispanic" origin in a separate question, offering options to identify as "Mexican", "Puerto Rican", "Cuban", or "other". This is the first time the Census asked about ethnicity separate from racial identity.

The 1990 form grouped all "Asian or Pacific Islander (API)" options for race under the same header and added an "other API" write-in option. It also provided write-in options for people identifying as "Spanish/Hispanic."

A 1990 census questionnaire. Census Bureau.

After a change to the 1977 directive separated the Asian and Pacific Islander categories, the 2000 form offered different write-in options for "other Asian" and "other Pacific Islander." The 2000 form was also the first to instruct people to mark "one or more races." It also added the term "Latino" alongside "Spanish" and "Hispanic" for ethnicity.

A 2000 census questionnaire. Census Bureau.

The 2010 census added write-in examples for "other Asian" and "other Pacific Islander."

A 2010 census questionnaire. Census Bureau.

The 2020 census offered Black and white Americans the opportunity to write in their ethnic origins for the first time.

A 2020 census questionnaire. Census Bureau.

SOURCES & FOOTNOTES

Census Bureau

Through the Decades

National Archives

Native Americans in the Census, 1860-1890

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Who is Veronique De Rugy?

Veronique de Rugy is a senior research fellow at the Mercatus Center at George Mason University. Her primary research interests include the U.S. economy, the federal budget, homeland security, taxation, tax competition, and financial privacy. Her popular weekly charts, published by the Mercatus Center, address economic issues ranging from lessons on creating sustainable economic growth to

the implications of government tax and fiscal policies. She has testified numerous times in front of Congress on the effects of fiscal stimulus, debt and deficits, and regulation on the economy.

De Rugy writes regular columns for Reason magazine and the Washington Examiner, and she blogs about economics for National Review. Her charts, articles, and commentary have been featured in a wide range of media outlets.

Previously, de Rugy was a resident fellow at the American Enterprise Institute, a policy analyst at the Cato Institute, and a research fellow at the Atlas Economic Research Foundation. Before moving to the United States, she oversaw academic programs in France for the Institute for Humane Studies Europe. She received her MA in economics from the Paris Dauphine University and her PhD in economics from the Pantheon-Sorbonne University.

Special-Interest Politics Is a Lot of What Infrastructure Is About, By VERONIQUE DE RUGY, June 24, 2021 1:01 PM

Opinion polls show that increases in infrastructure spending are usually popular. I assume that's because people have no clue about what are in the bills or the distortions that federal intervention creates. I am thinking that most people also hear the word infrastructure and think it's about roads and bridges. Who doesn't want well-maintained roads, especially when we are constantly and incorrectly told that our infrastructure is crumbling?

Because of the way politicians talk about federal involvement in infrastructure, people tend to assume that without it there would be no infrastructure or poor infrastructure. It is, of course, nonsense, since the biggest owner of and investor in infrastructure is the private sector, and the federal government with all its rules and regulations is more like the tail that wags the dog — often in very counterproductive ways.

Then there are all the people who believe that infrastructure spending will boost the economy, which is rarely the case, especially in the short term. That's in part because infrastructure packages have become a perfect vehicle for politicians to reward their political allies through blatant cronyism and favoritism.

Just look at how the U.S. House of Representatives treats private freight-rail carriers in its transportation bill, due on the floor next week for a vote. Transportation and Infrastructure Committee chairman Peter DeFazio (D., Ore.) and his friends view their transportation legislation as the perfect place to advance organized labor's lobbying agenda in totality. Never mind that large and profitable railroad companies such as CSX and Union Pacific don't need a transportation bill because they pay for their own systems, and railroads are the most environmentally efficient way to move goods on land. I guess they fail to see the irony of disadvantaging a transportation mode they supposedly value in favor of union featherbedding and more-polluting competitors. They also fail to see the irony in showering large profitable companies with subsidies while constantly complaining about big companies getting their way at our expense.

Their commitment to labor unions is also obvious in the long-running debate on how many people need to sit physically in the cab of a freight locomotive, which currently stands at two. Some background:

In 2016, the FRA proposed a rule requiring that freight train crews have at least two operators. It initially claimed, without evidence, that one-person crews are inherently more dangerous than two-person crews. Regulators assumed that increasing the number of operators was the most effective way to improve freight railway safety.

Three years later, the FRA rescinded the rule on the grounds that data couldn't establish that two operators were safer than one. Unfortunately, in 2021, the Ninth Circuit vacated the FRA's order. Now, the Democrats, encouraged by their union friends, are hoping to impose the mandate by statute. This comes as the railroads have invested billions in technology that would enable them to move rail workers outside the cab to more productive work — something rank-and-file employees probably value, but the battle on this issue has resurfaced union fear about reducing the number of fee-paying members.

This is problematic in several fronts. First, as my Mercatus colleague Patrick McLaughlin's work demonstrates, if safety is the goal, private-sector innovation is the way to go. Also, crew-size mandates can have counterproductive effects of their own. Back in 2016, he noted:

A careful analysis of the historical causes of safety improvements in rail transportation indicates that track and equipment expenditures are much more important to safety than crew size. . . . Beyond maintenance and equipment, using automation to reduce accidents caused by human error also has a proven track record. The danger in mandating something that's not obviously effective, such as minimum crew sizes, is that states will end up shifting the industry's scarce resources away from what obviously is effective. This can also hinder further development of innovative technologies that can deliver even greater safety.

This is why you don't have to be a raging libertarian to believe that this is not a great idea. In fact, in his Slow Boring newsletter on trains in America titled, "We should try to make good trains," Matt Yglesias writes:

This is an extremely tedious battle that's been passing back and forth for years, originating in the ongoing rollout of Positive Train Control technology on American railroads. Freight operators want to take advantage of this technology to, in some cases, cut back train staffing to just a single person. Labor interests don't want to lose the jobs ... If Democrats got their way on this, freight shipping would be a bit more expensive than it should be and more cargo would go in trucks and it would be worse for the environment.

I could go on and on about how much of infrastructure spending today and in the past has to do with pleasing unions and other special interests. I would also like to think that if people knew what is actually going on, they would withdraw their blind support for more money always going to infrastructure. I am probably dreaming.

<https://www.nationalreview.com/corner/special-interest-politics-is-a-lot-of-what-infrastructure-is-about/>

Who is Catherine Austin Fitts?

Catherine Austin Fitts served as managing director and member of the board of directors of the Wall Street investment bank Dillon, Read & Co. Inc., as Assistant Secretary of Housing and Federal Housing Commissioner at the United States Department of Housing and Urban Development in the first Bush Administration, and was the president of Hamilton Securities Group, Inc. Catherine has designed and closed over \$25 billion of transactions and investments to-date and has led portfolio and investment strategy for \$300 billion of financial assets and liabilities. Catherine graduated from the University of Pennsylvania (BA), the Wharton School (MBA) and studied Mandarin Chinese at the Chinese University of Hong Kong.

Catherine's experiences on Wall Street and in Washington D.C. are chronicled in Dillon Read and the Aristocracy of Stock Profits (available in German, French and Spanish) and her personal history investigating the money missing from the US federal government:

"Long ago, I made a promise that I would never act against the best interests or the excellence of my own people—that I would do my best to ensure that we were worthy of the stewardship of our world and that we did our best to leave a better world for generations yet to come. To make and keep such a promise is to understand that money and position are tools, not goals, and that death is not the worst thing that can happen. Some would probably accuse me of 'fighting the tape' and not being 'good at the game.' I would tell those people that now is not the time in the history of our people for a failure of imagination."

<https://www.youtube.com/watch?v=iK5V89fU61Y>

THIS IS HOW THE UNITED STATES OF AMERICA SHADOW GOVERNMENT IS FUNDING THEIR AGENDA TO BRING AS MANY FOREIGN NATIONALS, ILLEGAL ALIENS, AND IMMIGRANTS TO TAKE OVER THEIR NATION WHICH IS ABSOLUTE TREASON AND BETRAYAL OF THE UNITED STATES CONSTITUTION:

DOD and HUD \$21 Trillion Missing Money: Report & Supporting Documentation

“No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of receipts and expenditures of all public money shall be published from time to time.” ~ Article I, Section 9, Clause 7, U.S. Constitution

September 2017 Report

Solari Report: Interview with Dr. Mark Skidmore, Thursday, September 28, 2017

Summary Report on “Unsupported Journal Voucher Adjustments” in the Financial Statements of the Office of the Inspector General for the Department of Defense and the Department of Housing and Urban Development.

Dr. Mark Skidmore

Mark is professor of economics and agricultural, food and resource economics at Michigan State University, where he holds the Morris Chair in State and Local Government Finance and Policy. He received his doctorate in economics from the University of Colorado in 1994, and his bachelor's degree in economics from the University of Washington in 1987. Mark is Co-editor of the Journal of Urban Affairs. His website is Lighthouse Economics at <https://mark-skidmore.com/>

Catherine Austin Fitts

Catherine is the president of Solari, Inc., publisher of the Solari Report, and managing member of Solari Investment Advisory Services, LLC. She served as managing director and member of the board of directors of the Wall Street investment bank Dillon, Read & Co. Inc., as Assistant Secretary of Housing and Federal Housing Commissioner at the US Department of Housing and Urban Development in the first Bush Administration, and was the president of Hamilton Securities Group, Inc. Her experience on Wall Street and Washington is described in her book Dillon Read & Co. & the Aristocracy of Stock Profits. Catherine graduated from the University of Pennsylvania (BA), the Wharton School (MBA).

Update – October 5, 2017

On October 5, 2017 we discovered that the link to the report “Army General Fund Adjustments Not Adequately Documented or Supported” had been disabled. Within a several days, the links to other OIG documents we identified in our search were also disabled. The sequential non-random nature of this disabling process suggests a purposeful decision on the part of OIG to make key documents unavailable to the public via the website, as opposed to website reorganization, etc. We also revisited the website intermittently to see whether the documents had been reposted under different URLs—until very recently they had not been reposted.

Update – December 11, 2017

On December 11, 2017, we learned that key documents had been reposted on the OIG website, but with different URLs. Documents now appear to be reposted on new URLs. As we find the new URLs we are adding them in the footnotes entitled “new link” next to the original link.

Update – December 12, 2017

Subsequent to the publication of Dr. Skidmore's report, the Office of the Inspector General at the Department of Defense (DOD) and the Department of Housing and Urban Development (HUD) took reports off line, consequently our primary links in the table below are to the same documents posted on our website. We have preserved the original DOD and HUD links in the footnotes – if they result in a 404 error or not found message, this indicates they were taken down or moved subsequent to publication.

Update – June 6, 2018

Update on the \$21 Trillion in Unsupported Adjustments at the Department of Housing and Urban Development and the Department of Defense

Update – September 18, 2018

Early this year the Pentagon announced that it was conducting its first ever independent audit. However, several months after beginning the audit, the government accepted the recommendations of the Federal Accounting Standards Board: <https://fas.org/sgp/news/2018/07/fasab-review.pdf> (see

page 3 for a summary). The statement allows government officials to misstate and move funds around to hide expenditures if it is deemed necessary for national security purposes, and the rule applies to all agencies, not just the black budget. Here is an excerpt from the report:

This Statement permits modifications that do not affect net results of operations or net position. In addition, this Statement allows a component reporting entity to be excluded from one reporting entity and consolidated into another reporting entity, and the effect of the modification may change the net results of operations and/or net position.

From this statement, it seems that only a few people with high level security clearances have the authority to determine what is a national security issue and these same people will now be allowed to restate financial reports to hide activity. No one but those few people would ever know that expenditures on activity A are hidden in completely different area of government. What good is an independent audit if authorities are allowed to move expenditures around with no transparency? How can one conduct evaluation of the any portion of the federal budget under such an arrangement? How is this policy in compliance with financial reporting laws or Constitutional requirements for reporting on government spending to the citizens of the United States?

Update – December 12, 2018

On October 4, 2018 federal government officials accepted the recommendation of the Federal Accounting Standards Advisory Board (FASAB) that the government be allowed to misstate and move funds in order to hide expenditures if it is deemed necessary for national security purposes. The new guidelines are to apply to all agencies, not just the black budget. See page 3 of the July 2018 FASAB report for a summary of the proposed recommendations and see here for more detail. See here for the final statement – Statement of Federal Financial Accounting Standards 56.

With the change in accounting guidelines, which is a full departure from Generally Accepted Accounting Principles (GAAP), only a few people with high level security clearances have the authority to determine what is deemed a national security issue and these same people will now be allowed to restate financial reports in order to conceal actual expenditures without any disclosure. No one but those few people would know that such modifications were made, thus making evaluation of government financial statements impossible. From this point forward, the federal government will keep two sets of books, one modified book for the public and one true book that is hidden.

The FASAB recommendation effectively institutionalizes non-transparency in federal financial reporting. While many aspects of federal finances are non-transparent now because government has failed to comply with existing financial reporting laws, at least citizens had the laws working in their favor. Now citizens have no recourse; non-transparency is going to proceed as a matter of executive branch authority and policy.

Accounting rules are often thought of as boring and of secondary importance. However, this particular change has enormous implications and yet few citizens are aware. People should know about these changes so they have an opportunity to voice their concerns and reverse the decision.

Update – February 8, 2019

Dr. Skidmore prepared a new report on the U.S. Federal debt with Catherine's input—it includes updates and new information subsequent to the 2018 updates to the original report and so is linked here: Should We Care about Secrecy in Financial Reporting?

<https://missingmoney.solari.com/dod-and-hud-missing-money-supporting-documentation/>

Who is Ron Paul?

Ron Paul was a United States Congressman from the 14th district of Texas from 1997 to 2013.

Paul was a staunch advocate of limited government; his official biography described his platform as “limited constitutional government, low taxes, free markets, and a return to sound monetary policies,” and said Paul “never votes for legislation unless the proposed measure is expressly authorized by the Constitution.” (This voting record earned him the nickname “Dr. No.”)

Paul earned a degree from Gettysburg College in 1957, then a medical degree from Duke University in 1961.

He was drafted into the U.S. Air Force and became a flight surgeon from 1965-67, then settled in Texas as a doctor specializing in obstetrics and gynecology.

He first served as a congressman from Texas's 22nd district in 1976-77, winning a special election in April of 1976 but then losing in the general election that November.

Dr. Paul was elected again in 1978 and served until 1985, when he returned to his medical practice after losing in a 1984 run for U.S. Senate.

He was the Libertarian Party candidate for U.S. president in 1988, his views having already put him at the far right wing of the Republican party. (Paul received 0.5% of the vote in the general election, which was won by George Bush the elder.)

Paul was re-elected to Congress from a different Texas district, the 14th, in 1996 and was re-elected seven more times from 1998 through 2010.

He ran for the Republican nomination for president in 2008, but ended his campaign in June 2008 after John McCain wrapped up the nomination.

The Ron Paul Institute for Peace and Prosperity is a project of Dr. Paul's Foundation for Rational Economics and Education (F.R.E.E.), founded in the 1970s as an educational organization. The Institute continues and expands Dr. Paul's lifetime of public advocacy for a peaceful foreign policy and the protection of civil liberties at home.

A prosperous America is profoundly linked to a foreign policy rooted in peaceful relations and trade with all. With peace, comes real prosperity.

The Ron Paul Liberty Report was launched in 2015 by the former 12-term US Congressman from Texas. The Liberty Report brings provocative opinion and analysis to the breaking issues affecting our lives and finances.

<https://bioguide.congress.gov/search/bio/P000583>

<https://www.congress.gov/member/ron-paul/P000583?q=%7B%22search%22%3A%22act%22%7D>

The Coronavirus Hoax, by Ron Paul | Mar 16, 2020

Governments love crises because when the people are fearful they are more willing to give up freedoms for promises that the government will take care of them. After 9/11, for example, Americans accepted the near-total destruction of their civil liberties in the PATRIOT Act's hollow promises of security.

It is ironic to see the same Democrats who tried to impeach President Trump last month for abuse of power demanding that the Administration grab more power and authority in the name of fighting a virus that thus far has killed less than 100 Americans.

Declaring a pandemic emergency on Friday, President Trump now claims the power to quarantine individuals suspected of being infected by the virus and, as Politico writes, "stop and seize any plane, train or automobile to stymie the spread of contagious disease." He can even call out the military to cordon off a US city or state.

State and local authoritarians love panic as well. The mayor of Champaign, Illinois, signed an executive order declaring the power to ban the sale of guns and alcohol and cut off gas, water, or electricity to any citizen. The governor of Ohio just essentially closed his entire state.

The chief fearmonger of the Trump Administration is without a doubt Anthony Fauci, head of the National Institute of Allergy and Infectious Diseases at the National Institutes of Health. Fauci is all over the media, serving up outright falsehoods to stir up even more panic. He testified to Congress that the death rate for the coronavirus is ten times that of the seasonal flu, a claim without any

scientific basis.

On Face the Nation, Fauci did his best to further damage an already tanking economy by stating, "Right now, personally, myself, I wouldn't go to a restaurant." He has pushed for closing the entire country down for 14 days.

Over what? A virus that has thus far killed just over 5,000 worldwide and less than 100 in the United States? By contrast, tuberculosis, an old disease not much discussed these days, killed nearly 1.6 million people in 2017. Where's the panic over this?

If anything, what people like Fauci and the other fearmongers are demanding will likely make the disease worse. The martial law they dream about will leave people hunkered down inside their homes instead of going outdoors or to the beach where the sunshine and fresh air would help boost immunity. The panic produced by these fearmongers is likely helping spread the disease, as massive crowds rush into Walmart and Costco for that last roll of toilet paper.

The madness over the coronavirus is not limited to politicians and the medical community. The head of the neoconservative Atlantic Council wrote an editorial this week urging NATO to pass an Article 5 declaration of war against the COVID-19 virus! Are they going to send in tanks and drones to wipe out these microscopic enemies?

People should ask themselves whether this coronavirus "pandemic" could be a big hoax, with the actual danger of the disease massively exaggerated by those who seek to profit – financially or politically – from the ensuing panic.

That is not to say the disease is harmless. Without question people will die from coronavirus. Those in vulnerable categories should take precautions to limit their risk of exposure. But we have seen this movie before. Government over-hypes a threat as an excuse to grab more of our freedoms. When the "threat" is over, however, they never give us our freedoms back.

<https://ronpaulinstitute.org/the-coronavirus-hoax/>

<https://www.youtube.com/watch?v=bXKrdE2x5og>
<https://www.youtube.com/watch?v=CRB7xax2ReQ>
<https://www.youtube.com/watch?v=-Qnr6XiSZOk>
https://www.youtube.com/watch?v=ORt_k7LjGDg
<https://www.youtube.com/watch?v=6ZHKJYAYZuY>
<https://www.youtube.com/watch?v=Q1bkJ0XIDX4>
<https://www.youtube.com/watch?v=qoudHghmq7g>

Who is Paul Craig Roberts?

Paul Craig Roberts has had careers in scholarship and academia, journalism, public service, and business. He is chairman of The Institute for Political Economy.

Dr. Roberts has held academic appointments at Virginia Tech, Tulane University, University of New Mexico, Stanford University where he was Senior Research Fellow in the Hoover Institution, George Mason University where he had a joint appointment as professor of economics and professor of business administration, and Georgetown University where he held the William E. Simon Chair in Political Economy in the Center for Strategic and International Studies.

He has contributed chapters to numerous books and has published many articles in journals of scholarship, including the Journal of Political Economy, Oxford Economic Papers, Journal of Law and Economics, Studies in Banking and Finance, Journal of Monetary Economics, Public Choice, Classica et Mediaevalia, Ethics, Slavic Review, Soviet Studies, Cardoza Law Review, Rivista de Political Economica, and Zeitschrift fur Wirtschaftspolitik. He has entries in the McGraw-Hill Encyclopedia of Economics and the New Palgrave Dictionary of Money and Finance.

He has contributed to Commentary, The Public Interest, The National Interest, Policy Review, National Review, The Independent Review, Harper's, the New York Times, The Washington Post, The Los

Angeles Times, Fortune, London Times, The Financial Times, TLS, The Spectator, The International Economy, Il Sole 24 Ore, Le Figaro, Liberation, and the Nihon Keizai Shimbun. He has testified before committees of Congress on 30 occasions.

Dr. Roberts was associate editor and columnist for The Wall Street Journal and columnist for Business Week and the Scripps Howard News Service. He was a nationally syndicated columnist for Creators Syndicate in Los Angeles. In 1992 he received the Warren Brookes Award for Excellence in Journalism. In 1993 the Forbes Media Guide ranked him as one of the top seven journalists in the United States.

President Reagan appointed Dr. Roberts Assistant Secretary of the Treasury for Economic Policy and he was confirmed in office by the U.S. Senate. From 1975 to 1978, Dr. Roberts served on the congressional staff where he drafted the Kemp-Roth bill and played a leading role in developing bipartisan support for a supply-side economic policy. After leaving the Treasury, he served as a consultant to the U.S. Department of Defense and the U.S. Department of Commerce.

Dr. Roberts was president of the Inlet Beach Water Company, president of Economic & Communication Services, advisor to J.P. Morgan asset management, advisor to Tiedemann-Goodnow, advisor to Lazard Freres Asset Management, and a member of corporate and financial boards.

Dr. Roberts' latest books are The Empire of Lies, The Neoconservative Threat To World Order, How America Was Lost, and The Failure of Laissez Faire Capitalism. These books have had English, German, French, Czech, Chinese, Korean editions and a forthcoming Russian edition of How America Was Lost. In January, 2010, CounterPunch /AK Press published How the Economy Was Lost. The Tyranny of Good Intentions, co-authored with IPE Fellow Lawrence Stratton, was published by Prima Publishing in May 2000. A new edition, now in a second printing, was published by Crown Publishing Group, a division of Random House, in 2008. Chile: Two Visions—The Allende-Pinochet Era, co-authored with IPE Fellow Karen Araujo, was published in Spanish by Universidad Nacional Andres Bello in Santiago, Chile, in November 2000. The Capitalist Revolution in Latin America, co-authored with IPE Fellow Karen LaFollette Araujo, was published by Oxford University Press in 1997. A Spanish language edition was published by Oxford in 1999. The New Color Line: How Quotas and Privilege Destroy Democracy, co-authored with IPE Fellow Lawrence Stratton, was published by Regnery in 1995. A paperback edition was published in 1997. Meltdown: Inside the Soviet Economy, co-authored with IPE Fellow Karen LaFollette, was published by the Cato Institute in 1990. Harvard University Press published Roberts' book, The Supply-Side Revolution, in 1984. Widely reviewed and favorably received, the book was praised by Forbes as "a timely masterpiece that will have real impact on economic thinking in the years ahead." Dr. Roberts is the author of Alienation and the Soviet Economy, published in 1971 and republished in 1990. He is coauthor with Matthew Stephenson of Marx's Theory of Exchange, Alienation and Crisis, published in 1973 by the Hoover Institution Press and republished in 1983 by Praeger Publishing. A Spanish language edition was published in 1974 in Madrid by Union Editorial.

Dr. Roberts was awarded the Treasury Department's Meritorious Service Award for "his outstanding contributions to the formulation of United States economic policy."

In 1987 the French government recognized him as "the artisan of a renewal in economic science and policy after half a century of state interventionism" and inducted him into the Legion of Honor.

In 2015 he was awarded the Press Club of Mexico's International Journalism Award.

<https://www.youtube.com/watch?v=1zLxxRG4QA>
<https://www.youtube.com/watch?v=9mWqKO-wcII>

The United States No Longer Exists as a Nation

A Tower of Babel Has Taken Its Place

Comment by Paul Craig Roberts

[1]

"Counting all US in-migration annually, half a million migrants are admitted via the CBP app, a new parole program will admit another half a million Venezuelans, another new program will allow 200k immigrants to fly directly to American cities to claim asylum, existing legal immigration is about 1 million, and there are about 2 million illegal border crossings. That adds up to over 4 million migrants annually, breaking all past records for border crossings and immigration. It would not be farfetched for 8 million migrants to arrive in 2024. The migrant crisis will only accelerate due to economic crisis and food shortages in the Global South, and the impacts of chain migration. Basically a trial run for open borders, considering that the numbers who want to immigrate globally are about 900 million. The date when Whites become a minority in America could easily move up from 2045 to 2035." <https://www.unz.com/article/the-case-for-enclave-based-immigration-over-nationalism/> [2]

PCR comment: The US, UK, and Western Europe are trapped in a downward spiral of living standards. With automation and AI encroaching on human employment and massive immigration, wages will fall and unemployment will rise. Social assistance and taxation will rise. The dollar will decline, pushing up prices in the US economy that has offshored its manufacturing. The short-term focus of corporate executives and boards on quarterly profits blinds them to the decline in aggregate consumer demand from the lower wages and unemployment caused by their support for open borders and offshored production in quest of higher profits. As this undermines the purchasing power in the home economy, the long-run effect is to undermine profits. US economic policy has totally failed. Instead of building a high productivity, high wage economy, the US has been placed on the road to declining purchasing power. Already a large percentage of the population has no discretionary spending power. Their entire incomes are absorbed by food, utilities, and debt service on mortgages, cars, and credit cards.

There is no focus on this crisis. The Woke ideologues who control the Democrat Party are focused on demonizing and deracinating the white heterosexual population and is supported in this agenda by the media and education system, which have become Ministries of Propaganda. The Republicans think the economic problem is deficits and are constrained by political correctness and unable to defend the white population. Think what it means that Republicans have lost the initiative to something as nonsensical and destructive as the Woke revolution.

Look at the fate of the one leader who tried to address the situation: Donald Trump is now being prosecuted under four fake felony indictments brought by Democrats, and a NY attorney general and judge have just confiscated Trump's real estate empire. https://www.coffeeandcovid.com/p/overvalued-wednesday-september-27?utm_source=post-email-title&publication_id=463409&post_id=137448994&utm_campaign=email-post-title&isFreemail=false&r=15k3qo&utm_medium=email [3]

The legal system is willing for the truth of these charges to be determined by Trump-hating Democrat prosecutors, judges, and juries.

Anti-Thrumpers are joyous. They have no understanding what this means for them. Revenge for imagined wrongs have taken over the American legal system. The attacks on Trump are the Establishment's method of telling us that we are in their clutches and no leader will be permitted to rise and release us.

And insouciant Americans sit there sucking their thumbs. Idiot lawyers discuss the merits of the charges. Rino Republicans say "it's time to move on" by which they mean back into the Establishment's clutches.

The Department of Homeland Security Is a Threat to the Homeland

Paul Craig Roberts

Efforts by Biden regime appointees in the Department of Homeland Security (DHS) and Border Patrol

to release millions of illegal entrants into local US communities have been blocked by the 11th Circuit Court of Appeals in a lawsuit brought against the Biden DHS by Florida Attorney General Ashley Moody. https://floridacapitalstar.com/news/florida-ag-moody-defeats-biden-administration-in-court-ag-ain/tcsquare/2023/06/07/?utm_source=lterable&utm_medium=email&utm_campaign=edm [1]

Americans do not know what is going on because there is no American media to tell them. The US media—CNN, Fox News, ABC, NBC, NPR, NY Times, Washington Post—function as a propaganda ministry for the Biden regime and the elite establishment that the Biden regime fronts for.

The Department of Homeland Security is a George W. Bush regime creation. The name has always bothered me because of its Gestapo connotations. It is more worrisome because the Biden regime associates the security of the homeland with the release of millions of illegal entrants into local communities. In other words, the DHS is providing the opposite of securing the homeland. Biden is giving a pat on the back to illegal entrants who have violated US law.

The US has an annual military/security budget of \$1 trillion. These massive expenditures are supposed to keep America from being overrun by foreign troops. But as Jean Raspail demonstrates in *The Camp of the Saints*, there is no difference between being overrun by armed troops and unarmed illegal entrants. Just as the French in Raspail's novel allow the illegals to flood into France, the Department of Homeland Security believes, or claims to believe, that releasing millions of illegal entrants into US communities "protects the Homeland."

DHS appealed the court ruling and lost. The DHS appeal argument is nonsensical. DHS told the court that blocking its release plan undermines "the Executive Branch's constitutional and statutory authority to implement its immigration priorities and secure the border." In other words Biden's DHS claims that the border is made insecure by not releasing millions of entrants who illegally entered the United States.

DHS alleged that not being able to release millions of people into the U.S. prevents it from apprehending illegal foreign nationals who are illegally entering the U.S! In other words, we have to release them so we can continue to apprehend them. And that is precisely what the Biden policy is—catch and release. Catch and release into the Red States where the Biden Justice (sic) Department will give them the vote because otherwise it is racist to let people live in America without voting.

Notice that the border patrol officers are all Hispanics. The Biden Border Control Chief is Raul Ortiz. The sector border patrol chief for the Rio Grande Valley is Gloria Chavez. This is what used to be called the fox guarding the hen house. Is what we are observing the entry of illegals admitted by those who themselves successfully entered?

Yes, I know. Americanized Hispanics, are opposed to illegal entry. Yes, I know. Hispanics are people to be judged on the basis of their character as I judge everyone. I actually prefer Hispanics to white liberals and the white Woke scum. The Hispanics I know are hard working people, moral and trustworthy, the way Americans used to be.

The point is not that whites are better than "people of color" or vice versa. The point is that a nation consists of a homogeneous population. Collections of ethnicities are not nations. They are towers of babel, and that is what all Western countries are today. Under the ideology of Identity Politics, towers of babel are socially and politically unstable.

The United States is ceasing to exist as a nation. The founding white ethnicities have been reduced to 60% of the population of the country they founded and created. The Biden regime is determined to reduce the founding ethnicity to minority status, the better to steal their country from them.

The fact of the matter is that the country is already largely stolen. The US military celebrates sexual perversity. Truth-tellers are persecuted and held in prison, like Julian Assange, without due process of law. Public expressions of Christianity are cause for arrest. History is rewritten to comply with Woke ideology. The Universities, media, and public schools are propaganda centers, beating into the heads of white students that they are racist oppressors and could be born into the wrong body.

The US Constitution, the protector of our liberty, is regarded by university faculties, media, and law schools as a “white supremacy document” that prevents equity, by which is meant the revolutionizing of society.

It goes on. In America today, if you tell the truth you have a target on your back. No country can survive this and remain free.

<https://www.paulcraigroberts.org/2023/06/08/the-department-of-homeland-security-is-a-threat-to-the-homeland/>

America Was Destroyed in My Lifetime

Paul Craig Roberts

I am a member of a fading generation of Americans who grew up in the 1940s and 1950s when the United States was a nation. I was a member of a homogeneous population with a common language, Christian religion, common morality, and shared values and outlook. In Atlanta Georgia of those years people in middle class neighborhoods didn't bother to lock their doors, and 5-year olds could safely walk a mile to school. There was conformity, but it was because we were in agreement. Life was good. Families were large and close. Neighborhood schools were run by teachers and parents (PTA). Discipline prevailed because of upbringing, not from abusive enforcement. There were no police in the schools.

In 1964 a civil rights act was passed that had the good intention of providing enforcement to the 14th Amendment, and in 1965 an immigration “reform” bill was passed. The civil rights act had as its aim equal opportunity but was turned on its head by the EEOC and a quota regime was installed. As it has developed the preference system increasingly discriminates against the original white ethnicities that still, although declining, form the backbone of the American population. For one recent example of legal discrimination against white Americans, see: <https://www.foxnews.com/media/minneapolis-teachers-union-agreement-stipulates-white-teachers-laid-off-first-regardless-seniority> [1]

The immigration bill opened the US to massive inflows of no longer enculturated persons. Assimilation was replaced with multiculturalism, and the nation was replaced with a Tower of Babel.

The consequence has been that today the US is no longer a nation. It is a geographical location that is a tower of babel in which rights depend on whether you are an “oppressed minority” or a “white oppressor.” There are no common values, no common morality or social mores, no common religion or language. The immigrant-invaders look at the weak and unsure white population, made guilty by years of brainwashing, and see that their time is coming.

In a half century the situation of the present-day original white ethnicity has gone from security to insecurity. In the prevailing Identity Politics, institutionalized in the Democrat Party, media, universities and school systems, white Americans are officially oppressors. Their oppressed victims are “people of color,” homosexuals, transgendered, and feminists who insist that women are suppressed and abused by white male heterosexuals, this despite crime statistics that show that white women in relationships with black males constitute a remarkable percentage of murder and physical abuse victims.

In my lifetime I have witnessed and experienced the destruction of a great nation based in principles hard to live up to, and its replacement with a criminal organization devoid of all principle except power in which law is weaponized and serves to beat down challenges to illegitimate power.

No American born in the 21st century, or even in the 1990s, has ever experienced a free country. The young have no idea of what has been stolen from them. The American youth are being trained to be happy in a virtual world where they will enjoy artificial and meaningless freedoms that do not threaten the power that rules over them.

In my lifetime I have watched a free country disintegrate into a police state that no aware person could possibly defend. Yet Washington has an army of FBI, CIA, NSA, and federal prosecutors whose job it

is to persecute patriots and to cover up elections stolen by Democrats.

For decades Democrats have successfully stolen local and state elections. In 2020 the Democrats stole the Presidential Election, and they are at work blatantly in front of our eyes stealing the next national election by using the corrupt US Department of Justice (sic) and FBI to frame Trump in order to prevent his reelection. There is no other explanation for the aggressive FBI raid on Trump's home to seize boxes of documents to which the FBI already had access except to create the public impression that Trump is a criminal. The pressitutes, of course, are doing all they can to harden this impression. Meanwhile, Democrats are prosecuting those who uncovered evidence of the stolen 2020 presidential election for spreading misinformation and for attempting to violate civil rights by casting doubt on the election outcome. These are not offences that can be found in law. It is Democrats using monopoly power to create offences out of thin air.

American patriotism rests to a large extent on the insouciance of patriots. They just know that America, although not perfect, is the best country. Period. Something like 9/11 being an inside job or a presidential election being stolen in plain view strikes them as off the wall. They simply cannot believe such things about their country. As the largest percentage of patriots are Republicans, the Democrats know that the insouciance of their opponents renders their opponents impotent. You cannot do something about something that you cannot recognize or acknowledge.

One can hope that information can bring people into reality, but first they have to be able to absorb the information, and they cannot do that when their gullible patriotism causes them to turn their back on "unfounded attacks on America's purity." As for the Democrats, decades of anti-white propaganda have left many of them skeptical of "white America" and those who defend it.

With each passing day it becomes more risky to expose the lies used to construct the false narratives that are used to control what Americans think and to erode our Constitutional protections against unaccountable and tyrannical government. If a President's own Justice Department can come down on him like a ton of bricks while he is in office with such an obvious frame-up as "Russiagate," what can they do to the rest of us? My generation, or some of it, was instilled with a sense of duty to truth, to the Constitution, and to our country. Today that sense of duty is essentially gone. Instead of duty, the value is money, success, and avoidance of being "cancelled" on social media.

Our nation is being murdered. We daily watch, if we are attentive, the disassembling of its institutions and moral values. But hope is eternal. Not all coups and attempts at brutal seizures of power succeed. Perhaps the Democrats' attempt will fail. It will certainly succeed if fear forces us to abandon the defense of truth.

<https://www.paulcraigroberts.org/2022/08/25/america-was-destroyed-in-my-lifetime/>

More Fake News About Jobs: Part 2

Paul Craig Roberts

Yesterday's column referred to a "rising labor force participation rate" when it should have read "falling labor force participation rate." Those of you who read the column before I made the correction must have been puzzled, but, little doubt, figured it out from the context.

One of the main points of the article is that the number of payroll jobs are not the same thing as the number of employed Americans. Jobs have been trending toward part-time as this allows employers to avoid benefit costs. In order to make ends meet, many Americans work two or more part-time jobs. Therefore, the announcement on Friday of 148,000 new jobs does not mean 148,000 more employed Americans.

There is another problem with the payroll jobs. Although the figure is nonfarm and does not include imported agricultural labor, it does include immigrants on work visas, such as H-1B and L-1

visas. This means that job gains in information technology and software engineering, for example, might be job gains for immigrants on work visas and not for American citizens.

As the payroll jobs number reflects reported information on payroll taxes and unemployment insurance, citizens and immigrants are lumped together. The percentage of new jobs taken by immigrants on work visas is not broken out.

The household survey number, however, does estimate the numbers of foreign-born and American-born employees, but it does not specify the legal status of the foreign-born, that is, whether they are naturalized citizens, green card holders, or immigrants on work visas. The household survey numbers are interesting. There are 27.1 million foreign-born employees with jobs in the US and 131.2 million native-born American employees. That the number of foreign-born employees is as large as 20 percent of American-born employees reflects either a high rate of immigration or a large number of foreign workers issued work visas.

In response to yesterday's column, a reader wrote that he had seen a report last Thursday that the House of Representatives has passed a bill to allow unlimited numbers of people from India and China to be granted work visas for US programming jobs. The reader concludes that his job will soon be history and he will disappear into the ranks of the uncounted American unemployed.

When it happens to them, Americans finally understand, regardless of the controlled explanations of The Matrix in which they live, that their government does not ever represent them. It represents profits—the profits of companies that produce profits by lobbying and legislating against Americans.

Assessing this information, the conclusion is that it is a waste of time and money for Americans to learn programming from a US institution. Instead, they should acquire Indian citizenship, get a degree from an Indian university, and apply for a US work visa.

<https://www.paulcraigroberts.org/2019/08/03/more-fake-news-about-jobs-part-2/>

Who is Tucker Carlson?

Tucker Swanson McNear Carlson is an American television host, conservative political commentator and author who has hosted the nightly political talk show Tucker Carlson Tonight on Fox News since 2016. Carlson was born Tucker McNear Carlson in the Mission District of San Francisco, California, on May 16, 1969. He is the elder son of artist and San Francisco native Lisa McNear (née Lombardi) (1945-2011) and Dick Carlson (1941-), a former "gonzo reporter" who became the director of Voice of America, president of the Corporation for Public Broadcasting and the U.S. ambassador to the Seychelles. Carlson's brother, Buckley Peck Carlson, later Buckley Swanson Peck Carlson, is nearly two years younger and has worked as a communications manager and Republican political operative.

<https://tuckercarlson.com/about/>
<https://www.youtube.com/watch?v=m9aS6oUnycA>
<https://www.youtube.com/watch?v=b4nUkGjYBk4>
<https://www.youtube.com/watch?v=Mjc1iy6ZQHI>
https://www.youtube.com/watch?v=NxB1_rgL14c
<https://www.youtube.com/watch?v=oKgJEKX7Pqw>

Who is Roseanne Barr?

Firebrand Roseanne Barr has long been one of America's funniest and most controversial comedians.

Spouses:

Ben Thomas (February 14, 1995 - October 2002) (divorced, 1 child)

Tom Arnold (January 20, 1990 - December 9, 1994) (divorced)

Bill Pentland (February 4, 1974 - January 16, 1990) (divorced, 3 children)

Roseanne Cherrie Barr is a fifth generation white Russian/German American woman born in Salt Lake

City, Utah, to Helen (Davis), a cashier and bookkeeper, and Jerome Hershel "Jerry" Barr, a salesman. Her family was Jewish, and had moved to the U.S. from Russia, Lithuania, and the Austro-Hungarian Empire. She dropped out of high school when she was seventeen, and, after a car accident, was admitted to a mental institution, claiming she was having nightmares and memory loss. She left the institute less than a year later. At seventeen, she gave birth to her first daughter, Brandi Brown, and gave her up for adoption. She began working at a restaurant as a dishwasher and waitress. Her hilarious comments to the customers she waited on led her to doing stand-up comedy at the restaurant. She married Bill Pentland and they had three children together, Jessica, Jennifer, and Jacob Pentland.

Roseanne worked doing stand-up comedy until her August 23, 1985 appearance on The Tonight Show Starring Johnny Carson (1962) thrust her into the limelight. In 1987, HBO offered her a show of her own, On Location: The Roseanne Barr Show (1987). It was canceled after a short time. In 1989, Roseanne starred opposite Meryl Streep and Ed Begley Jr. in She-Devil (1989). Though her first picture wasn't as successful as she might have hoped, her sitcom, Roseanne (1988), debuted in 1988 and ran for 9 seasons on ABC, co-starring John Goodman. It dealt with real-life issues in a lower middle-class working family. During its first season on ABC, it leaped to #2 in the ratings. After the sitcom's first season, Roseanne gained notoriety when she gave a screeching, crotch-grabbing performance of "The Star Spangled Banner" at a baseball game.

When Roseanne divorced her first husband, Bill Pentland, after 16 years of marriage in 1990 and married Roseanne (1988) co-star Tom Arnold only four days later, her sitcom was already beginning its downward spiral. In 1991, she started to be billed as Roseanne Arnold. Around this time, she began to claim that she, as well as her siblings, had been physically and sexually abused as a child. Both her siblings and parents denied the charges, and lie detector tests used on Roseanne's parents came back negative. The court battles led to ten years of estrangement with her parents and siblings. Her marriage with Arnold lasted four years before she filed for divorce from him for physical abuse and domestic violence. It is still not known if the accusations were true. Although she insisted that he hit her, she admits that he never abused her three children from her previous marriage:

In 1996, she was nominated for a Golden Globe Award and won, but she was not there to accept it. Luckily, Tom Arnold's exit from "Roseanne" happened towards the end of the sixth season, allowing the show to have an almost smooth ending. However, after the sixth season of Roseanne (1988), the plots started to run dry and ratings began to drop. During the season following her divorce, she insisted on being billed as simply "Roseanne." After Roseanne (1988) was canceled, she went on Broadway to play "The Wicked Witch of the West" in "The Wizard of Oz" to rave reviews.

On Valentine's Day 1995, Roseanne married former bodyguard Ben Thomas. With Thomas, she had her tubal ligation surgery reversed in order to become pregnant with her fifth child, Buck Thomas. In 1997, she slowly began being billed as "Roseanne Thomas", as in the last 11 episodes of Roseanne, as executive producer (she was still "Roseanne" in the cast credits). She guest-starred in The Nanny (1993) as Roseanne Thomas in late 1997. In 2002, she filed for divorce against Thomas for the second time (the first time, in 1998, she dropped the suit), accusing him of being disturbed and claiming that he threatened to run off with their son.

After the divorce, she began to study the Kabbalah, a form of Jewish mysticism, and those around her said she became amazingly centered and stable. In the 2000s, she ended the feud with her parents and siblings and went back to being billed as Roseanne Barr. Today, Roseanne Barr Pentland Arnold Thomas spends her time with her family in her home in El Segundo, California.

Always outspoken, Roseanne began commenting on politics in earnest in the 2000s, and unsuccessfully ran for the Green Party's presidential nomination in 2012. She was subsequently chosen as the Peace and Freedom Party's candidate for President of the United States in '12, receiving 61,971 votes in the general election, and placing sixth. Her run is depicted in the documentary Roseanne for President! (2015).

Initially a left-leaning liberal, she became considerably more right-wing throughout the 2010s. Her show Roseanne returned for a tenth season in 2018, to blockbuster ratings, but was canceled after Roseanne sent a racially-offensive tweet that capped off a longer run of incendiary comments. Valerie Jarrett a white Iranian national white house senior advisor to United States president with an assumed

name of "Barack Obama" who was a satanic warlock had satanic rituals performed against Roseanne Barr who saw Valerie Jarrett as an impostor.

<https://www.imdb.com/name/nm0001683/bio/>

Valerie Jarrett, a white woman whose birth name is Aariana Barati was born in Shiraz, Fars, Iran on 14 November 1956. She is a high level satanic witch and illegal Iranian national who was not black/negro/african-american as she falsely stated. Like most Iranian nationals she does have some African blood which does not make her a black/negro/african-american. Based on her phenotype she is an Iranian middle eastern woman which is classified as white in the United States of America.
<https://www.youtube.com/watch?v=JNrteSAu5ys>

Who is John Edgar Hoover?

What honorable American white man in United States history fiercely opposed the cabal of international foreign organized criminals from infiltrating and seizing total government power by means of mass, unlimited, unrestricted, and uncontrolled immigration? Answer: John Edgar Hoover (1895-1972). He was the white first director of the federal bureau of investigations (fbi) which is now obsolete and ineffective. John Edgar Hoover was a white American man that lived as such racially, economically, culturally, politically, and socially even though he had one Nigerian American slave great-grandfather, Robert Avent (1811-1860) in his paternal lineage. His mother was born in Heidelberg, Baden-Württemberg, Germany.

"Initially, Hoover ordered background checks on government employees to prevent foreign agents from infiltrating the government. Later, COINTELPRO went after any organization Hoover considered subversive, including the Black Panthers, the Socialist Workers Party and the Ku Klux Klan."

<https://www.youtube.com/watch?v=J-tGNTvZRms>

J. Edgar Hoover

As director of the FBI, J. Edgar Hoover had rabid anti-Communist and anti-subversive views and used unconventional tactics to monitor related activity.

UPDATED: APR 22, 2021

(1895-1972)

Who Was J. Edgar Hoover?

J. Edgar Hoover joined the Justice Department in 1917 and was named director of the Department's Bureau of Investigation in 1924. When the Bureau reorganized as the Federal Bureau of Investigation in 1935, Hoover instituted strenuous agent-recruiting and advanced intelligence-gathering techniques. During his tenure he confronted gangsters, Nazis and Communists. Later, Hoover ordered illegal surveillance against suspected enemies of the state and political opponents. Despite receiving harsh criticism from the public, Hoover remained director of the FBI until his death on May 2, 1972.

Early Life

John Edgar Hoover was born January 1, 1895, to Dickerson Naylor Hoover and Annie Marie Scheitlin Hoover, two civil servants who worked for the U.S. Government. He grew up literally in the shadow of Washington, D.C., politics, in a neighborhood three blocks from Capitol Hill. Hoover was closest to his mother, who served as the family's disciplinarian and moral guide. He lived with her until she died in 1938, when he was 43 years old.

Highly competitive, Hoover worked to overcome a stuttering problem by learning to talk fast. He joined the debate team in high school, where he achieved some notoriety. Wanting to enter into politics, he worked for the Library of Congress after high school and attended night classes at George Washington University Law School, earning his LLB and LLM degrees in 1917.

The Justice Department

That same year, during which the United States entered World War I, Hoover obtained a draft-exempt position with the Justice Department. His efficiency and conservatism soon drew the attention of Attorney General A. Mitchell Palmer who appointed him to lead the General Intelligence Division (GID), created to gather information on radical groups. In 1919, the GID conducted raids without search warrants and arrested hundreds of individuals from suspected radical groups. Though known to history as the “Palmer Raids,” Hoover was the man behind the scenes, and hundreds of suspected subversives were deported.

Ultimately, Palmer suffered politically from the backlash and was forced to resign, while Hoover’s reputation remained stellar. In 1924, the 29-year-old Hoover was appointed the director of the Bureau of Investigation by President Calvin Coolidge. He had long sought the position and accepted the appointment on the conditions that the bureau be completely divorced from politics and that the director report only to the attorney general.

Director of the F.B.I.

As director, Hoover put into effect a number of institutional changes. He fired agents he considered political appointees or unqualified and ordered background checks, interviews and physical tests for new agent applicants. He also obtained increased funding from Congress and instituted a technical laboratory that conducted scientific methods for gathering and analyzing evidence. In 1935, Congress established the Federal Bureau of Investigation and kept Hoover on as its director.

During the 1930s, violent gangsters wreaked havoc on small towns across the Midwest. Local police were helpless against the gangs’ superior firepower and fast getaway cars. Syndicated criminal organizations were also amassing power in large cities. Hoover pressed for and received authority to have Bureau agents go after these groups under federal interstate laws. Such notorious gangsters as John Dillinger and George “Machine Gun” Kelly were hunted down and arrested or killed. The Bureau became an integral part of the national government’s law-enforcement effort and an icon in American pop culture, earning the federal agents the moniker “G-men.”

During and after World War II, the FBI became the nation’s bulwark against Nazi and Communist espionage. The Bureau performed domestic counterintelligence, counterespionage and counter-sabotage investigations within the United States, and President Franklin D. Roosevelt ordered the FBI to run foreign intelligence in the Western Hemisphere. All this as the Bureau continued its investigations into bank robberies, kidnappings and car theft.

During the Cold War, Hoover intensified his personal anti-Communist, anti-subversive stance and increased the FBI’s surveillance activities. Frustrated over limitations placed on the Justice Department’s investigative capabilities, he created the Counter Intelligence Program or COINTELPRO. The group conducted a series of covert, and oftentimes illegal, investigations designed to discredit or disrupt radical political organizations. Initially, Hoover ordered background checks on government employees to prevent foreign agents from infiltrating the government. Later, COINTELPRO went after any organization Hoover considered subversive, including the Black Panthers, the Socialist Workers Party and the Ku Klux Klan.

Hoover also used COINTELPRO’s operations to conduct his own personal vendettas against political adversaries in the name of national security. Labeling Martin Luther King “the most dangerous Negro in the future of this nation,” Hoover ordered around-the-clock surveillance on King, hoping to find evidence of Communist influence or sexual deviance. Using illegal wiretaps and warrantless searches, Hoover gathered a large file of what he considered damning evidence against King.

In 1971, COINTELPRO’s tactics were revealed to the public, showing that the agency’s methods included infiltration, burglaries, illegal wiretaps, planted evidence and false rumors leaked on suspected groups and individuals. Despite the harsh criticism Hoover and the Bureau received, he remained its director until his death on May 2, 1972, at the age of 77.

Legacy

Hoover shaped the F.B.I in his own image of discipline and patriotism. He also directed the bureau into secret and illegal domestic surveillance spurred on by his conservative patriotism and paranoia. His nefarious tactics had been suspected for decades by government officials, but presidents from Truman to Nixon seemed unable to fire him due to his popularity and the potentially high political

cost. In 1975, the Church Committee (named after its chairman, Senator Frank Church [D-Idaho]) conducted a full investigation of COINTELPRO's operations and concluded that many of the agency's tactics were illegal and, in many, cases unconstitutional.

<https://www.biography.com/legal-figures/j-edgar-hoover>

MATTER INFORMATION

MatterID: 2062577

Constituent: Anastasa J Pantsios

Received Date: 02/05/2024

AG

No

Section: Constituent Services and Outreach

Due Date: 02/19/2024

ASAP?: No

Liaison: Borley, Kayelee

Closed Date: 02/14/2024

Archived?: No

Closed Reason: No Response Necessary

Corr Type: Internet Inquiry

Issue:

Subject: General Help

Filed In:

Regarding: General Help

Case Name:

Case Number:

CONSTITUENT INFORMATION

First Name: Anastasa

Middle: J

Last Name: Pantsios

Chronic?: No

Address: AO redaction - PII

City: Cleveland Heights

State: OH

Zip Code: 44106-2827

Phone: (216) 932-4835
X

Title:

Company:

Designation: Ms.

Senior? No

Address2:

County: Cuyahoga

Email: anastasjoy@aol.com

Legislator

ACTION HISTORY

2/7/2024 9:47:56 AM - New Matter - (LFry)

2/7/2024 9:47:56 AM - Initial delegation made to Borley, Kayelee (Constituent Services and Outreach) - (LFry)

2/14/2024 9:49:26 AM - Matter Closed - No Response Necessary - (KBorley)

COMMENTS

DESCRIPTION

Description of the Problem:

I'm stunned that the AG, whose job is to defend the rights of ALL Ohioans, has expressed an interest in exploring ways to essentially overturn the reproductive rights we voted into the state constitution in November. Apparently Mr. Yost is so blinded by his hatred of women that he believes their rights don't exist, despite their paying taxes that pay his salary. It's time to admit that his personal beliefs, such as they are, are not equal to the law

How would they like the AG to help?

I would like him to give up his efforts to use his office as a bully pulpit to turn women into reproductive chattel based on his own personal, supposedly "religious" belief that women should be inferior to men, and apologize to the women of Ohio for pursuing this.

MATTER INFORMATION

MatterID: 2064409

Constituent: Deborah Cooper

Received Date: 02/09/2024

AG

No

Section: Constituent Services and Outreach

Due Date: 02/23/2024

ASAP?: No

Liaison: Borley, Kayelee

Closed Date:

Archived?: No

Closed Reason:

Corr Type: AGCares

Issue:

Subject: General Help

Filed In:

Regarding:

Case Name:

Case Number:

CONSTITUENT INFORMATION

First Name: Deborah

Middle:

Last Name: Cooper

Chronic?: No

Address: AO redaction - PII

City: Worthington

State: OH

Zip Code: 43085

Phone: None Given

Title:

Company:

Designation: Ms.

Senior? No

Address2:

County: Franklin

Email: cooper.deborah3@gmail.com

Legislator

ACTION HISTORY

2/9/2024 1:13:43 PM - New Matter - (KBorley)

2/9/2024 1:13:43 PM - Initial delegation made to Borley, Kayelee (Constituent Services and Outreach) - (KBorley)

COMMENTS

DESCRIPTION

Description of the Problem:

From: Deborah Cooper <cooper.deborah3@gmail.com <mailto:cooper.deborah3@gmail.com>>

Sent: Thursday, February 1, 2024 12:56 PM

To: Contactus@ohioauditor.gov <mailto:Contactus@ohioauditor.gov>; AGOCARES

<AGOCARES@OhioAGO.gov <mailto:AGOCARES@OhioAGO.gov>>

Subject: questions from an Ohio citizen about the oath of office

You don't often get email from cooper.deborah3@gmail.com <mailto:cooper.deborah3@gmail.com>. Learn why this is important <<https://aka.ms/LearnAboutSenderIdentification>>

To: Gov. Mike DeWine, Lt. Gov. Jon Husted, Sec. LaRose, Auditor Keith Faber, AG David Yost, Ohio Sen. Pres. Matt Huffman, Ohio House Speaker Jason Stephens

Dear Ohio leaders,

You took an oath of office to “support the Constitution of the United States and the Constitution of Ohio,” to “administer justice without respect to persons” and to “impartially discharge and perform all of the duties incumbent upon (you) as (name of office) according to the best of (your) ability.”

Do you take your oath seriously?

Do you actually believe in a government of, by, and for “the people”? If so, do you rest easy knowing that you have, at the very least, rubber stamped gerrymandering? For those who were members of the Ohio Redistricting Commission, were you upholding your oaths of office when you chose to disregard Ohio Supreme Court orders that struck down your maps as unconstitutional?

How many of you are comfortable ignoring Ohio's constitutional mandate that there be ONE “common school” receiving taxpayer funding? Are you at all concerned that the state is still owed \$117 million from the ECOT scandal? Did you accept campaign donations from William Lager? Did you attempt to collect lost taxpayer money from him? How many of you will profit from voucher expansion while public schools are drained and taxpayers are forced to make up the difference? Will you raise an eyebrow when another ECOT-like scandal comes along as a result of the lack of oversight? Who will pay for the next scandal, besides taxpayers? Do you have qualms about having lawmakers tell public schools what they can and cannot teach, what students can and cannot read, or which bathroom they must use?

Do you believe you represent the wishes and the best interests of those you serve? If so, can you justify last August's attempt to (essentially) nullify the citizens' right to bring ballot initiatives, as conferred by the Ohio Constitution? Do you mind disregarding the majority of Ohio citizens who voted decisively to protect reproductive rights because you believe you know better than mothers and doctors when it comes to making health care decisions?

According to a U.S. News & World Report, Ohio ranks 34th overall among U.S. states based on 71 metrics across eight categories. Is this something you're inclined to brag about? Do you think doing away with state income taxes might improve this ranking? Who will pick up the slack for lost revenue? Do you STILL expect the money to trickle down from wealthy corporations? Maybe it doesn't bother you that minimum wage in our state is so low that full-time minimum wage workers can't afford decent housing. Are you untroubled by rising homelessness? Do you think the state has any obligation to help these citizens?

But perhaps you benefit from - or have no real objection to - an oligarchic, authoritarian-style government that does not pretend to represent all of “the people.” Maybe you're content to let ALEC's handful of billionaires decide what's good for our state and all other states. Perhaps you don't really want a democratic system at all, and are comfortable with ongoing attempts to suppress the vote in our state. If so, can you honestly say you are upholding your oath of office?

As human beings, we're all very good at justifying our own behavior. I can imagine that, if you've bothered to read this far, you might be shaking your head, or muttering, “You don't understand,” or “You have no idea,” or “That's the way the system works,” or “I'm doing what my constituents expect,” or “My hands are tied,” or even, “I'm doing God's work.”

But maybe it's time to review that oath you took - or even look back at what you learned in kindergarten about sharing, about fairness, about honesty, about compassion. Can you pinpoint a time when you decided that these concepts had to be discarded to accommodate the “real” world?

If you believe the oath you repeated was one worth taking, then it is possible to do a better job of upholding it. Or are you too afraid of becoming a Liz Cheney? If you don't believe the oath is important, then perhaps you should consider leaving office.

What legacy will you leave for your children and grandchildren? Can you honestly tell them you tried your best to protect them from (or prepare them for) the effects of climate change? Will you be able to explain why you have continued to support a former president who tried to overturn the results of an election that was adjudicated to be free and fair, and who pressured his vice president to commit an

unconstitutional (and unprecedented) act?

A working democracy depends on its citizens - all of us - to do our part, but those citizens look to leaders to show them what a government of, by and for "the people" can and should be. Those who cannot honestly uphold the principles set forth by our founding fathers should not be in leadership positions.

We need leaders who actually believe in "liberty and justice for ALL" and work to create a "more perfect union." Do YOU? Will YOU?

Sincerely,
Deborah Cooper
AO redaction - PII
Worthington, OH 43085

How would they like the AG to help?

MATTER INFORMATION

MatterID: 2064822

Constituent: Nadine Gomez

Received Date: 02/10/2024

AG

No

Section: Constituent Services and Outreach

Due Date: 02/24/2024

ASAP?: No

Liaison: Fry, Logan

Closed Date: 02/12/2024

Archived?: No

Closed Reason: No Response Necessary

Corr Type: Internet Inquiry

Issue:

Subject: General Help

Filed In:

Regarding: General Help

Case Name:

Case Number:

CONSTITUENT INFORMATION

First Name: Nadine

Middle:

Last Name: Gomez

Chronic?: No

Address: AO redaction - PII

City: Kent

State: OH

Zip Code: 44240-

Phone: (330) 696-3889
X

Title:

Company:

Designation: Senator

Senior? No

Address2:

County: Portage

Email:

Legislator

ACTION HISTORY

2/12/2024 9:22:28 AM - New Matter - Closed during Data Entry - (LFry)

2/12/2024 9:22:28 AM - Initial delegation made to Fry, Logan (Constituent Services and Outreach) - (LFry)

COMMENTS

DESCRIPTION

Description of the Problem:

Why are you going against the people's vote??? Are you a dictator of sorts, or do you actually believe in democracy??? The people voted overwhelmingly to give women reproductive rights over their bodies. But it seems your fragile male ego can't handle that. Put your big boy pants on and relax. Women are more capable of protecting and not killing. Look at the statistics. Men commit 88% of all homicides. Men commit 96% of pedophilia. Attack the real problem: Men and their irresponsible nature. They can't control their sperm, they ejaculate everywhere irresponsibly. Punish them. Take away their rights.

How would they like the AG to help?

Focus on the problem: Men with fragile egos who can't live with women controlling their own lives. That's you--fragile and male. Let's start punishing men who impregnate women who don't want to be pregnant. For every woman seeking an abortion, a man should be fined and cited. After 2 citations,

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he should be forced to get a vasectomy since he has proven to be irresponsible with his sperm. Men should not have the right to ejaculate at will and get away with it. Men are the problem. Attack the real problem. They also can't handle guns or gambling without endangering women and children.

Matter Detail Report

MATTER INFORMATION

MatterID: 2030114

Constituent: Susan Howard

Received Date: 11/08/2023

AG

No

Section: Constituent Services and Outreach

Due Date: 11/22/2023

ASAP?: No

Liaison: Gerwig, Ross

Closed Date: 11/08/2023

Archived?: No

Closed Reason: Provided Direction to Constituent via Phone

Corr Type: AG4OHIO

Issue:

Subject: Hot Topic

Filed In:

Regarding: Issue 1

Case Name:

Case Number:

CONSTITUENT INFORMATION

First Name: Susan

Middle:

Last Name: Howard

Chronic?: No

Address: AO redaction - PII

City: Cuyahoga Falls

State: OH

Zip Code: 44221

Phone: (330) 922-1941
x

Title:

Company:

Designation: Ms.

Senior? No

Address2:

County: Summit

Email: bostontepartyohio@yahoo.com

Legislator

ACTION HISTORY

11/8/2023 1:00:17 PM - New Matter - Closed during Data Entry - (rgerwig)

11/8/2023 1:00:17 PM - Initial delegation made to Gerwig, Ross (Constituent Services and Outreach) - (rgerwig)

COMMENTS

DESCRIPTION

Description of the Problem:

Constituent states that their has been fraud in the passing of issue 1. She states that if the AG can prove that there is any fraud at all the whole election is void. You and some others would like to meet with him.

How would they like the AG to help?

MATTER INFORMATION

MatterID: 2030195

Constituent: Earl Lynch

Received Date: 11/08/2023

AG

No

Section: Constituent Services and Outreach

Due Date: 11/22/2023

ASAP?: No

Liaison: Wayt, Mary

Closed Date: 11/08/2023

Archived?: No

Closed Reason: Provided Direction to Constituent via Phone

Corr Type: AG4OHIO

Issue:

Subject: Hot Topic

Filed In:

Regarding: Issue 1

Case Name:

Case Number:

CONSTITUENT INFORMATION

First Name: Earl

Middle:

Last Name: Lynch

Chronic?: No

Address: AO redaction - PII

City: Shelby

State: OH

Zip Code: 44875

Phone: (419) 512-8120
x

Title:

Company:

Designation: Mr.

Senior? No

Address2:

County: Richland

Email:

Legislator

ACTION HISTORY

11/8/2023 3:08:09 PM - New Matter - Closed during Data Entry - (MWayt)

11/8/2023 3:08:09 PM - Initial delegation made to Wayt, Mary (Constituent Services and Outreach) - (MWayt)

COMMENTS

DESCRIPTION

Description of the Problem:

The consumer believes parental rights have been violated by the passing of Issue 1 He believes the "court" needs to "figure out" if this is legal.

How would they like the AG to help?

MATTER INFORMATION

MatterID: 2030389

Constituent: JOSEPH C MARTINO

Received Date: 11/08/2023

AG No

Section: Constitutional Offices

Due Date: 11/22/2023

ASAP?: No

Liaison: Kirby, Cathy

Closed Date: 11/17/2023

Archived?: No

Closed Reason: No Response Necessary

Corr Type: Internet Inquiry

Issue:

Subject: Hot Topic

Filed In:

Regarding: issue1

Case Name:

Case Number:

CONSTITUENT INFORMATION

First Name: JOSEPH

Middle: C

Last Name: MARTINO

Chronic?: No

Address: AO redaction - PII

City: Cincinnati

State: OH

Zip Code: 45243-

Phone: (513) 891-7301
X

Title:

Company:

Designation: Mr.

Senior? No

Address2:

County: Hamilton

Email: bigjoelex@reagan.com

Legislator

ACTION HISTORY

11/9/2023 9:40:19 AM - New Matter - (LFry)

11/9/2023 9:40:19 AM - Initial delegation made to Fry, Logan (Constituent Services and Outreach) - (LFry)

11/16/2023 1:35:58 PM - Delegation changed from Logan A. Fry to CKirby. - (LFry)

11/17/2023 7:57:40 AM - Matter Closed - No Response Necessary - (CKirby)

COMMENTS

11/17/2023 7:57:22 AM - Per Julie Pfeiffer, we are not responding. - (CKirby)

DESCRIPTION

Description of the Problem:

ISSUE 1:

Please try to make the wording on these issues CLEAR. This issue was VERY VAGUE and should have been rewritten to be clearer for us voters. I was told other issues have been reworded, so why was this one not reworded? It was also CONFUSING having the SAME # as the August vote. Why was this issue allowed to be so vague?

Thank you.

How would they like the AG to help?

Ballot should be clear next time.

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MATTER INFORMATION

MatterID: 2030828

Constituent: Bonnie Tal

Received Date: 11/09/2023

AG

No

Section: Constituent Services and Outreach

Due Date: 11/23/2023

ASAP?: No

Liaison: Fry, Logan

Closed Date: 12/20/2023

Archived?: No

Closed Reason: Letter Sent To Constituent

Corr Type: Internet Inquiry

Issue:

Subject: Hot Topic

Filed In:

Regarding: issue 1, issue 2

Case Name:

Case Number:

CONSTITUENT INFORMATION

First Name: Bonnie

Middle:

Last Name: Tal

Chronic?: No

Address: AO redaction - PII

City: Akron

State: OH

Zip Code: 44310-

Phone: (330) 983-4125
X

Title:

Company:

Designation: Ms.

Senior? No

Address2:

County: Summit

Email:

Legislator

ACTION HISTORY

11/13/2023 9:11:05 AM - New Matter - (LFry)

11/13/2023 9:11:05 AM - Initial delegation made to Fry, Logan (Constituent Services and Outreach) - (LFry)

12/20/2023 3:47:19 PM - Workspace CLOSED by - LFry - (LFry)

12/20/2023 3:47:20 PM - Matter Closed - Letter Sent To Constituent - (LFry)

COMMENTS

DESCRIPTION

Description of the Problem:

November 7th Issues 1and 2

How would they like the AG to help?

I am asking you to revoke, cancel, reverse, restrain, making abortion and drugs the law of the land of Ohio, and to stop the enabling to legalize drugs and murder of our unborn children from being on the ballot in the first place. Thank You and God Bless You

MATTER INFORMATION

MatterID: 2031246

Constituent: Anonymous

Received Date: 11/13/2023

AG

No

Section: Constituent Services and Outreach

Due Date: 11/27/2023

ASAP?: No

Liaison: Brentlinger, Emily

Closed Date: 11/13/2023

Archived?: No

Closed Reason: Provided Direction to Constituent via Phone

Corr Type: AG4OHIO

Issue:

Subject: Hot Topic

Filed In:

Regarding: issue1

Case Name:

Case Number:

CONSTITUENT INFORMATION

First Name:

Middle:

Last Name: Anonymous

Chronic?: No

Address: Refused To Provide

City: Refused To Provide

State: OH

Zip Code:

Phone: (970) 290-6807
x

Title:

Company:

Designation: Anonymous

Senior? No

Address2:

County: Unknown

Email:

Legislator

ACTION HISTORY

11/13/2023 2:07:09 PM - New Matter - Closed during Data Entry - (EBrentlinger)

11/13/2023 2:07:09 PM - Initial delegation made to Brentlinger, Emily (Constituent Services and Outreach) - (EBrentlinger)

COMMENTS

DESCRIPTION

Description of the Problem:

The constituent was very upset regarding the "AG's Office not upholding the opinion of the people for issue 1". The constituent stated that opposition to issue 1 is immoral and "not the will of the people". I stated that I would forward this concern on to our administration and thanked him for bringing this to our attention. The constituent preferred to remain anonymous and refused to provide any contact information.

How would they like the AG to help?

MATTER INFORMATION

MatterID: 2031964

Constituent: Anonymous

Received Date: 11/13/2023

AG

No

Section: Constituent Services and Outreach

Due Date: 11/27/2023

ASAP?: No

Liaison: Fry, Logan

Closed Date: 11/15/2023

Archived?: No

Closed Reason: No Way to Contact Constituent

Corr Type: Internet Inquiry

Issue:

Subject: Hot Topic

Filed In:

Regarding: issue1

Case Name:

Case Number:

CONSTITUENT INFORMATION

First Name:

Middle:

Last Name: Anonymous

Chronic?: No

Address: Anonymous

City: Anonymous

State: OH

Zip Code: 44137-

Phone: (000) 000-0000
X

Title:

Company:

Designation: Anonymous

Senior? No

Address2:

County: Unknown

Email:

Legislator

ACTION HISTORY

11/15/2023 8:28:55 AM - New Matter - Closed during Data Entry - (LFry)

11/15/2023 8:28:55 AM - Initial delegation made to Fry, Logan (Constituent Services and Outreach) - (LFry)

COMMENTS

DESCRIPTION

Description of the Problem:

Regarding the recently-passed Issue One.

How would they like the AG to help?

Is there any way that you could challenge the recently-passed Issue One and say that it is too vague and not clear enough to enforce since you are the one who is responsible for enforcing it? Please do so if you are able to.

MATTER INFORMATION

MatterID: 2032231

Constituent: Tom Calarco

Received Date: 11/15/2023

AG

No

Section: Constituent Services and Outreach

Due Date: 11/29/2023

ASAP?: No

Liaison: Brentlinger, Emily

Closed Date: 11/15/2023

Archived?: No

Closed Reason: Provided Direction to Constituent via Phone

Corr Type: AG4OHIO

Issue:

Subject: Hot Topic

Filed In:

Regarding: issue1

Case Name:

Case Number:

CONSTITUENT INFORMATION

First Name: Tom

Middle:

Last Name: Calarco

Chronic?: No

Address: AO redaction - PII

City: Lebanon

State: OH

Zip Code: 45036

Phone: (518) 573-7163
x

Title:

Company:

Designation: Mr.

Senior?: No

Address2:

County: Warren

Email: tomcalwriter@yahoo.com

Legislator

ACTION HISTORY

11/15/2023 11:32:40 AM - New Matter - Closed during Data Entry - (EBrentlinger)

11/15/2023 11:32:40 AM - Initial delegation made to Brentlinger, Emily (Constituent Services and Outreach) - (EBrentlinger)

COMMENTS

DESCRIPTION

Description of the Problem:

The constituent has a complaint regarding the misinformation provided by Ohio's Republican party at the polling locations and advertised on television regarding issue 1. I provided the number to the SOS Election Division. I also stated that I would forward this information on to our administration and thanked the constituent for bringing this to our attention.

How would they like the AG to help?

MATTER INFORMATION

MatterID: 2033620

Constituent: Patricia S Bearducci

Received Date: 11/17/2023

AG

No

Section: Constituent Services and Outreach

Due Date: 12/01/2023

ASAP?: No

Liaison: Fry, Logan

Closed Date: 12/11/2023

Archived?: No

Closed Reason: E-mail to Constituent

Corr Type: Internet Inquiry

Issue:

Subject: Hot Topic

Filed In:

Regarding: issue 1

Case Name:

Case Number:

CONSTITUENT INFORMATION

First Name: Patricia

Middle: S

Last Name: Bearducci

Chronic?: No

Address: AO redaction - PII

City: Dover

State: OH

Zip Code: 44622-

Phone: (330) 343-5402
X

Title:

Company:

Designation: Ms.

Senior? No

Address2:

County: Tuscarawas

Email: pat.bearducci@profootballhof.com

Legislator

ACTION HISTORY

11/20/2023 11:16:38 AM - New Matter - (LFry)

11/20/2023 11:16:38 AM - Initial delegation made to Fry, Logan (Constituent Services and Outreach) - (LFry)

12/11/2023 3:33:39 PM - Matter Closed - E-mail to Constituent - (LFry)

COMMENTS

12/11/2023 3:33:22 PM - Dear Constituent:

Thank you for contacting the Ohio Attorney General's Office.

The Attorney General is committed to protecting Ohio citizens and we appreciate receiving your correspondence.

Very respectfully yours,
- (LFry)

DESCRIPTION

Description of the Problem:

I am deeply disturbed that some Repulbicans in the state legislature have proposed rewording the ballot initiative for Issue 1 and putting it back on the ballot. We operate under a democracy and the

vote of the majority should be respected. 57% of the voters want to enshrine those rights and our legislature has no right to circumvent that.

How would they like the AG to help?

I would like for you to ensure me and remind the legislature that this is a democracy and, contrary to their beliefs, their main job is not to protect the most vulnerable but to protect our government's responsibility is to the majority. Please let me know that you are going to fulfill that part of your job.

MATTER INFORMATION

MatterID: 2035998

Constituent: Shannon Barrett

Received Date: 11/29/2023

AG

No

Section: Constituent Services and Outreach

Due Date: 12/13/2023

ASAP?: No

Liaison: Fry, Logan

Closed Date: 12/19/2023

Archived?: No

Closed Reason: E-mail to Constituent

Corr Type: Email

Issue:

Subject: Hot Topic

Filed In:

Regarding: issue 1, issue 2

Case Name:

Case Number:

CONSTITUENT INFORMATION

First Name: Shannon

Middle:

Last Name: Barrett

Chronic?: No

Address: Unknown

City: Unknown

State: OH

Zip Code:

Phone: None Given

Title:

Company:

Designation: Ms.

Senior? No

Address2:

County: Unknown

Email: shannonpaulbarrett@gmail.com

Legislator

ACTION HISTORY

11/29/2023 8:43:08 AM - New Matter - (LFry)

11/29/2023 8:43:08 AM - Initial delegation made to Fry, Logan (Constituent Services and Outreach) - (LFry)

12/19/2023 1:06:41 PM - Matter Closed - E-mail to Constituent - (LFry)

COMMENTS

12/19/2023 1:06:29 PM - Dear Shannon:

Thank you for contacting the Ohio Attorney General's Office.

The Attorney General is committed to protecting Ohio citizens and we appreciate receiving your correspondence.

Very respectfully yours,
- (LFry)

DESCRIPTION

Description of the Problem:

From: Shannon Barrett <shannonpaulbarrett@gmail.com <mailto:shannonpaulbarrett@gmail.com>>

Sent: Monday, November 27, 2023 10:13 AM

To: Dave Yost <Dave.Yost@OhioAGO.gov <mailto:Dave.Yost@OhioAGO.gov>>

Printed From: **CID**

On: Thursday, February 15, 2024

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Subject: issue 1 issue 2

It is not up to the Attorney General, and Secretary of State, of Ohio to make sure language is clear for laws, issues, amendments, and anything that is going onto the ballot for, and before voting?

Legislators are busy trying to make alterations to Issue 2 before it rolls out claiming voters didn't know what they were voting on.

Ohio's Senate president says he is working with bipartisan lawmakers in both chambers to quickly develop and pass legislation to revise the state's voter-approved marijuana legalization law before key provisions take effect next month, arguing that it's what "the public generally wants" because voters likely didn't think through the specifics of the reform they voted on.

Are legislators doing the same diligence to ensure Issue 1 was understood by Ohio voters? I'd say no.

Issue 1 was an amendment to our Ohio constitution. Wording on this amendment was left very open and very confusing to read at the ballot box. I still read it as any "individual" means any age. And it looks like to me we just made it a constitutional right in Ohio for doctors/physicians, if they choice to, terminate an unborn. It was left so vague, that it doesn't say whether the parents have any say in it.

Legislators need to respect the will of the voters, and not cherry pick issues they didn't fully accept. They need to accept that; we the people know what we are voting for. If it is worded confusingly, or left vague like issue 1, (or Issue 2 according to Huffman), it needs to be fixed and made clear by the AG and SOS before it goes on the ballot.

Shannon Barrett

How would they like the AG to help?

MATTER INFORMATION

MatterID: 2038858

Constituent: Anonymous

Received Date: 12/05/2023

AG

No

Section: Constituent Services and Outreach

Due Date: 12/19/2023

ASAP?: No

Liaison: Fry, Logan

Closed Date: 12/06/2023

Archived?: No

Closed Reason: No Response Necessary

Corr Type: Internet Inquiry

Issue:

Subject: Hot Topic

Filed In:

Regarding: issue1

Case Name:

Case Number:

CONSTITUENT INFORMATION

First Name:

Middle:

Last Name: Anonymous

Chronic?: No

Address: Anonymous

City: Anonymous

State: OH

Zip Code: 00000-

Phone: () - x

Title:

Company:

Designation: Anonymous

Senior? No

Address2:

County: Unknown

Email:

Legislator

ACTION HISTORY

12/6/2023 9:05:57 AM - New Matter - (LFry)

12/6/2023 9:05:57 AM - Initial delegation made to Fry, Logan (Constituent Services and Outreach) - (LFry)

12/6/2023 9:06:32 AM - Matter Closed - No Response Necessary - (LFry)

COMMENTS

DESCRIPTION

Description of the Problem:

Regarding last election passage of Constitutional Amendment.

How would they like the AG to help?

States' Constitutions are being used to pass Abortion rights Amendments for all 9 months (in all 50 states if possible). These need to be addressed by either State and/or Federal Supreme Courts since we may be facing the same dilemma that Roe v Wade overturned last year.

These Amendments do not honor the US Constitution's level of protections for life, liberty and the pursuit of happiness. Both liberty and pursuit of happiness are denied the life that is deliberately ended. We cannot, nae must not, purposefully end another human's life in the pursuit of our own liberties and happiness without regard especially for an Innocent life. This sets a dangerous precedent

when we threaten an otherwise thriving life inside his or her mother's womb AND is at the same time a Protected life in our Country's Constitution.

It is also a protection of women's rights as well to have children whose lives are also protected from sex traffickers, incest or rape of any kind. In these situations a woman or young girl can be enslaved, abused and then forced to have abortions not unlike the young 10 year old Ohion was forced to undergo last year after abortion propagandists attempted to turn the tables against Pro life advocates. Apparently, it was the second abortion that the child had undergone at the hands of an illegal immigrant who had been having sex with her. He was finally arrested After the 2nd abortion was revealed, in a very public manner. Both of the abortions resulting from her being raped may have been more devastating for a 10 yr old than going thru a controlled pregnancy and early delivery to save both the child's, and the baby's lives. Nonetheless, abortion propagandists used the story to put their best arguments forward for abortion But that denied and/or played down Both the rapes And the justice applied to the illegal immigrant who may have been raping her more than twice and possibly or years!?

Obviously, abortion can and does fuel rape and the sex trade industry worldwide! Please help Ohio end this travesty of justice towards Women and children thru Constitutional considerations. Thank you

MATTER INFORMATION

MatterID: 2042478

Constituent: Kathy Pandrea

Received Date: 12/13/2023

AG

No

Section: Constituent Services and Outreach

Due Date: 12/27/2023

ASAP?: No

Liaison: Given, Julie

Closed Date: 12/13/2023

Archived?: No

Closed Reason: Provided Direction to Constituent via Phone

Corr Type: AG4OHIO

Issue:

Subject: Hot Topic

Filed In:

Regarding: Issues 1 & 2

Case Name:

Case Number:

CONSTITUENT INFORMATION

First Name: Kathy

Middle:

Last Name: Pandrea

Chronic?: No

Address: AO redaction - PII

City: Lewistown

State: OH

Zip Code: 43333

Phone: None Given

Title:

Company:

Designation: Ladies and Gentlemen

Senior? No

Address2:

County: Logan

Email:

Legislator

ACTION HISTORY

12/13/2023 12:25:37 PM - New Matter - Closed during Data Entry - (JGiven)

12/13/2023 12:25:37 PM - Initial delegation made to Given, Julie (Constituent Services and Outreach) - (JGiven)

COMMENTS

DESCRIPTION

Description of the Problem:

Constituent is calling regarding Issues 1 & 2. "Don't try to change what the people have voted on."

How would they like the AG to help?

MATTER INFORMATION

MatterID: 2044967

Constituent: Richard Lee Hoffman

Received Date: 12/19/2023

AG

No

Section: Constituent Services and Outreach

Due Date: 01/02/2024

ASAP?: No

Liaison: Wilcox, Jessi

Closed Date: 12/20/2023

Archived?: No

Closed Reason: No Response Necessary

Corr Type: Internet Inquiry

Issue:

Subject: Hot Topic

Filed In:

Regarding: Issue 1

Case Name:

Case Number:

CONSTITUENT INFORMATION

First Name: Richard

Middle: Lee

Last Name: Hoffman

Chronic?: No

Address: AO redaction - PII

City: Indianapolis

State: IN

Zip Code: 46229-

Phone: (740) 566-2984
X

Title:

Company:

Designation: Ladies and Gentlemen

Senior? No

Address2:

County: Out Of State

Email: hoffman.r.l.1@gmail.com

Legislator

ACTION HISTORY

12/20/2023 1:57:30 PM - New Matter - Closed during Data Entry - (JWilcox)

12/20/2023 1:57:30 PM - Initial delegation made to Wilcox, Jessi (Constituent Services and Outreach)
- (JWilcox)

COMMENTS

DESCRIPTION

Description of the Problem:

Mr. Attorney General:

I hope you and your GOP brethren are basking in what your stance has wrought:

COLUMBUS, Ohio (AP) — Ohio was in the throes of a bitter debate over abortion rights this fall when Brittany Watts, 21 weeks and 5 days pregnant, began passing thick blood clots.

The 33-year-old Watts, who had not shared the news of her pregnancy even with her family, made her first prenatal visit to a doctor's office behind Mercy Health-St. Joseph's Hospital in Warren, a working-class city about 60 miles (100 kilometers) southeast of Cleveland.

The doctor said that, while a fetal heartbeat was still present, Watts' water had broken prematurely

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and the fetus she was carrying would not survive. He advised heading to the hospital to have her labor induced, so she could have what amounted to an abortion to deliver the nonviable fetus. Otherwise, she would face "significant risk" of death, according to records of her case.

That was a Tuesday in September. What followed was a harrowing three days entailing: multiple trips to the hospital; Watts miscarrying into, and then flushing and plunging, a toilet at her home; a police investigation of those actions; and Watts, who is Black, being charged with abuse of a corpse. That's a fifth-degree felony punishable by up to a year in prison and a \$2,500 fine.

Seriously? We're going to start charging women who miscarry with crimes? Pure insanity. I thought you were the party of compassion.

How would they like the AG to help?

I think you and the AG's in all these other states like Texas and Indiana have done enough already. Shameful.

AN ACT

To amend sections 2317.56, 2919.171, 2919.19, 2919.191, 2919.192, 2919.193, and 4731.22; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 2919.191 (2919.192), 2919.192 (2919.194), and 2919.193 (2919.198); and to enact new sections 2919.191 and 2919.193 and sections 2919.195, 2919.196, 2919.197, 2919.199, 2919.1910, 2919.1912, 2919.1913, and 5103.11 of the Revised Code to enact the Human Rights and Heartbeat Protection Act.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 2317.56, 2919.171, 2919.19, 2919.191, 2919.192, 2919.193, and 4731.22 be amended; sections 2919.191 (2919.192), 2919.192 (2919.194), and 2919.193 (2919.198) be amended for the purpose of adopting new section numbers as shown in parentheses; and new sections 2919.191 and 2919.193 and sections 2919.195, 2919.196, 2919.197, 2919.199, 2919.1910, 2919.1912, 2919.1913, and 5103.11 of the Revised Code be enacted to read as follows:

Sec. 2317.56. (A) As used in this section:

(1) "Medical emergency" has the same meaning as in section 2919.16 of the Revised Code.

(2) "Medical necessity" means a medical condition of a pregnant woman that, in the reasonable judgment of the physician who is attending the woman, so complicates the pregnancy that it necessitates the immediate performance or inducement of an abortion.

(3) "Probable gestational age of the embryo or fetus" means the gestational age that, in the judgment of a physician, is, with reasonable probability, the gestational age of the embryo or fetus at the time that the physician informs a pregnant woman pursuant to division (B)(1)(b) of this section.

(B) Except when there is a medical emergency or medical necessity, an abortion shall be performed or induced only if all of the following conditions are satisfied:

(1) At least twenty-four hours prior to the performance or inducement of the abortion, a physician meets with the pregnant woman in person in an individual, private setting and gives her an adequate opportunity to ask questions about the abortion that will be performed or induced. At this meeting, the physician shall inform the pregnant woman, verbally or, if she is hearing impaired, by other means of communication, of all of the following:

(a) The nature and purpose of the particular abortion procedure to be used and the medical risks associated with that procedure;

(b) The probable gestational age of the embryo or fetus;

(c) The medical risks associated with the pregnant woman carrying the pregnancy to term.

The meeting need not occur at the facility where the abortion is to be performed or induced, and the physician involved in the meeting need not be affiliated with that facility or with the

physician who is scheduled to perform or induce the abortion.

(2) At least twenty-four hours prior to the performance or inducement of the abortion, the physician who is to perform or induce the abortion or the physician's agent does each of the following in person, by telephone, by certified mail, return receipt requested, or by regular mail evidenced by a certificate of mailing:

(a) Inform the pregnant woman of the name of the physician who is scheduled to perform or induce the abortion;

(b) Give the pregnant woman copies of the published materials described in division (C) of this section;

(c) Inform the pregnant woman that the materials given pursuant to division (B)(2)(b) of this section are published by the state and that they describe the embryo or fetus and list agencies that offer alternatives to abortion. The pregnant woman may choose to examine or not to examine the materials. A physician or an agent of a physician may choose to be disassociated from the materials and may choose to comment or not comment on the materials.

(3) If it has been determined that the unborn human individual the pregnant woman is carrying has a detectable fetal heartbeat, the physician who is to perform or induce the abortion shall comply with the informed consent requirements in section ~~2919.192~~-2919.194 of the Revised Code in addition to complying with the informed consent requirements in divisions (B)(1), (2), (4), and (5) of this section.

(4) Prior to the performance or inducement of the abortion, the pregnant woman signs a form consenting to the abortion and certifies both of the following on that form:

(a) She has received the information and materials described in divisions (B)(1) and (2) of this section, and her questions about the abortion that will be performed or induced have been answered in a satisfactory manner.

(b) She consents to the particular abortion voluntarily, knowingly, intelligently, and without coercion by any person, and she is not under the influence of any drug of abuse or alcohol.

The form shall contain the name and contact information of the physician who provided to the pregnant woman the information described in division (B)(1) of this section.

(5) Prior to the performance or inducement of the abortion, the physician who is scheduled to perform or induce the abortion or the physician's agent receives a copy of the pregnant woman's signed form on which she consents to the abortion and that includes the certification required by division (B)(4) of this section.

(C) The department of health shall publish in English and in Spanish, in a typeface large enough to be clearly legible, and in an easily comprehensible format, the following materials on the department's web site:

(1) Materials that inform the pregnant woman about family planning information, of publicly funded agencies that are available to assist in family planning, and of public and private agencies and services that are available to assist her through the pregnancy, upon childbirth, and while the child is dependent, including, but not limited to, adoption agencies. The materials shall be geographically indexed; include a comprehensive list of the available agencies, a description of the services offered by the agencies, and the telephone numbers and addresses of the agencies; and inform the pregnant woman about available medical assistance benefits for prenatal care, childbirth, and neonatal care

and about the support obligations of the father of a child who is born alive. The department shall ensure that the materials described in division (C)(1) of this section are comprehensive and do not directly or indirectly promote, exclude, or discourage the use of any agency or service described in this division.

(2) Materials that inform the pregnant woman of the probable anatomical and physiological characteristics of the zygote, blastocyte, embryo, or fetus at two-week gestational increments for the first sixteen weeks of pregnancy and at four-week gestational increments from the seventeenth week of pregnancy to full term, including any relevant information regarding the time at which the fetus possibly would be viable. The department shall cause these materials to be published ~~only after it consults with the Ohio state medical association and the Ohio section of the American college of obstetricians and gynecologists~~ independent health care experts relative to the probable anatomical and physiological characteristics of a zygote, blastocyte, embryo, or fetus at the various gestational increments. The materials shall use language that is understandable by the average person who is not medically trained, shall be objective and nonjudgmental, and shall include only accurate scientific information about the zygote, blastocyte, embryo, or fetus at the various gestational increments. If the materials use a pictorial, photographic, or other depiction to provide information regarding the zygote, blastocyte, embryo, or fetus, the materials shall include, in a conspicuous manner, a scale or other explanation that is understandable by the average person and that can be used to determine the actual size of the zygote, blastocyte, embryo, or fetus at a particular gestational increment as contrasted with the depicted size of the zygote, blastocyte, embryo, or fetus at that gestational increment.

(D) Upon the submission of a request to the department of health by any person, hospital, physician, or medical facility for one copy of the materials published in accordance with division (C) of this section, the department shall make the requested copy of the materials available to the person, hospital, physician, or medical facility that requested the copy.

(E) If a medical emergency or medical necessity compels the performance or inducement of an abortion, the physician who will perform or induce the abortion, prior to its performance or inducement if possible, shall inform the pregnant woman of the medical indications supporting the physician's judgment that an immediate abortion is necessary. Any physician who performs or induces an abortion without the prior satisfaction of the conditions specified in division (B) of this section because of a medical emergency or medical necessity shall enter the reasons for the conclusion that a medical emergency or medical necessity exists in the medical record of the pregnant woman.

(F) If the conditions specified in division (B) of this section are satisfied, consent to an abortion shall be presumed to be valid and effective.

(G) The performance or inducement of an abortion without the prior satisfaction of the conditions specified in division (B) of this section does not constitute, and shall not be construed as constituting, a violation of division (A) of section 2919.12 of the Revised Code. The failure of a physician to satisfy the conditions of division (B) of this section prior to performing or inducing an abortion upon a pregnant woman may be the basis of both of the following:

(1) A civil action for compensatory and exemplary damages as described in division (H) of this section;

(2) Disciplinary action under section 4731.22 of the Revised Code.

(H)(1) Subject to divisions (H)(2) and (3) of this section, any physician who performs or induces an abortion with actual knowledge that the conditions specified in division (B) of this section have not been satisfied or with a heedless indifference as to whether those conditions have been satisfied is liable in compensatory and exemplary damages in a civil action to any person, or the representative of the estate of any person, who sustains injury, death, or loss to person or property as a result of the failure to satisfy those conditions. In the civil action, the court additionally may enter any injunctive or other equitable relief that it considers appropriate.

(2) The following shall be affirmative defenses in a civil action authorized by division (H)(1) of this section:

(a) The physician performed or induced the abortion under the circumstances described in division (E) of this section.

(b) The physician made a good faith effort to satisfy the conditions specified in division (B) of this section.

(3) An employer or other principal is not liable in damages in a civil action authorized by division (H)(1) of this section on the basis of the doctrine of respondeat superior unless either of the following applies:

(a) The employer or other principal had actual knowledge or, by the exercise of reasonable diligence, should have known that an employee or agent performed or induced an abortion with actual knowledge that the conditions specified in division (B) of this section had not been satisfied or with a heedless indifference as to whether those conditions had been satisfied.

(b) The employer or other principal negligently failed to secure the compliance of an employee or agent with division (B) of this section.

(4) Notwithstanding division (E) of section 2919.12 of the Revised Code, the civil action authorized by division (H)(1) of this section shall be the exclusive civil remedy for persons, or the representatives of estates of persons, who allegedly sustain injury, death, or loss to person or property as a result of a failure to satisfy the conditions specified in division (B) of this section.

(I) The department of job and family services shall prepare and conduct a public information program to inform women of all available governmental programs and agencies that provide services or assistance for family planning, prenatal care, child care, or alternatives to abortion.

Sec. 2919.171. (A)(1) A physician who performs or induces or attempts to perform or induce an abortion on a pregnant woman shall submit a report to the department of health in accordance with the forms, rules, and regulations adopted by the department that includes all of the information the physician is required to certify in writing or determine under ~~sections section 2919.17 and section 2919.18~~, divisions (A) and (C) of section 2919.192, division (C) of section 2919.193, division (B) of section 2919.195, or division (A) of section 2919.196 of the Revised Code.

(2) If a person other than the physician described in division (A)(1) of this section makes or maintains a record required by sections 2919.192 to 2919.196 of the Revised Code on the physician's behalf or at the physician's direction, that person shall comply with the reporting requirement described in division (A)(1) of this section as if the person were the physician described in that division.

(B) By September 30 of each year, the department of health shall issue a public report that

provides statistics for the previous calendar year compiled from all of the reports covering that calendar year submitted to the department in accordance with this section for each of the items listed in division (A) of this section. The report shall also provide the statistics for each previous calendar year in which a report was filed with the department pursuant to this section, adjusted to reflect any additional information that a physician provides to the department in a late or corrected report. The department shall ensure that none of the information included in the report could reasonably lead to the identification of any pregnant woman upon whom an abortion is performed.

(C)(1) The physician shall submit the report described in division (A) of this section to the department of health within fifteen days after the woman is discharged. If the physician fails to submit the report more than thirty days after that fifteen-day deadline, the physician shall be subject to a late fee of five hundred dollars for each additional thirty-day period or portion of a thirty-day period the report is overdue. A physician who is required to submit to the department of health a report under division (A) of this section and who has not submitted a report or has submitted an incomplete report more than one year following the fifteen-day deadline may, in an action brought by the department of health, be directed by a court of competent jurisdiction to submit a complete report to the department of health within a period of time stated in a court order or be subject to contempt of court.

(2) If a physician fails to comply with the requirements of this section, other than filing a late report with the department of health, or fails to submit a complete report to the department of health in accordance with a court order, the physician is subject to division (B)(44) of section 4731.22 of the Revised Code.

(3) No person shall falsify any report required under this section. Whoever violates this division is guilty of abortion report falsification, a misdemeanor of the first degree.

(D) ~~Within ninety days of October 20, 2011, the~~ The department of health shall adopt rules pursuant to section 111.15 of the Revised Code to assist in compliance with this section.

Sec. 2919.19. (A) As used in this section and sections 2919.191 to ~~2919.193~~ 2919.1910 of the Revised Code:

~~(A)-(1)~~ "Conception" means fertilization.

~~(2)~~ "Contraceptive" means a drug, device, or chemical that prevents conception.

~~(3)~~ "DNA" means deoxyribonucleic acid.

~~(4)~~ "Fetal heartbeat" means cardiac activity or the steady and repetitive rhythmic contraction of the fetal heart within the gestational sac.

~~(B)-(5)~~ "Fetus" means the human offspring developing during pregnancy from the moment of conception and includes the embryonic stage of development.

~~(C)-(6)~~ "Gestational age" means the age of an unborn human individual as calculated from the first day of the last menstrual period of a pregnant woman.

~~(D)-(7)~~ "Gestational sac" means the structure that comprises the extraembryonic membranes that envelop the fetus and that is typically visible by ultrasound after the fourth week of pregnancy.

~~(E)-(8)~~ "Intrauterine pregnancy" means a pregnancy in which the fetus is attached to the placenta within the uterus of the pregnant woman.

~~(9)~~ "Medical emergency" has the same meaning as in section 2919.16 of the Revised Code.

~~(F)-(10)~~ "Physician" has the same meaning as in section 2305.113 of the Revised Code.

~~(G)-(11)~~ "Pregnancy" means the human female reproductive condition that begins with fertilization, when the woman is carrying the developing human offspring, and that is calculated from the first day of the last menstrual period of the woman.

~~(H)-(12)~~ "Serious risk of the substantial and irreversible impairment of a major bodily function" has the same meaning as in section 2919.16 of the Revised Code.

~~(I)-(13)~~ "Spontaneous miscarriage" means the natural or accidental termination of a pregnancy and the expulsion of the fetus, typically caused by genetic defects in the fetus or physical abnormalities in the pregnant woman.

(14) "Standard medical practice" means the degree of skill, care, and diligence that a physician of the same medical specialty would employ in like circumstances. As applied to the method used to determine the presence of a fetal heartbeat for purposes of section ~~2919.191~~ 2919.192 of the Revised Code, "standard medical practice" includes employing the appropriate means of detection depending on the estimated gestational age of the fetus and the condition of the woman and her pregnancy.

~~(J)-(15)~~ "Unborn human individual" means an individual organism of the species homo sapiens from fertilization until live birth.

(B)(1) It is the intent of the general assembly that a court judgment or order suspending enforcement of any provision of this section or sections 2919.171 or 2919.191 to 2919.1913 of the Revised Code is not to be regarded as tantamount to repeal of that provision.

(2) Upon the issuance of any court order or judgment restoring, expanding, or clarifying the authority of states to prohibit or regulate abortion entirely or in part, or the effective date of an amendment to the United States Constitution restoring, expanding, or clarifying the authority of states to prohibit or regulate abortion entirely or in part, the attorney general may apply to the pertinent state or federal court for either or both of the following:

(a) A declaration that any one or more sections specified in division (B)(1) of this section are constitutional;

(b) A judgment or order lifting an injunction against the enforcement of any one or more sections specified in division (B)(1) of this section.

(3) If the attorney general fails to apply for the relief described in division (B)(2) of this section within the thirty-day period after an event described in that division occurs, any county prosecutor, with standing, may apply to the appropriate state or federal court for such relief.

(4) If any provision of this section or sections 2919.171 or 2919.191 to 2919.1913 of the Revised Code is held invalid, or if the application of such provision to any person or circumstance is held invalid, the invalidity of that provision does not affect any other provisions or applications of this section and sections 2919.171 and 2919.191 to 2919.1913 of the Revised Code that can be given effect without the invalid provision or application, and to this end the provisions of this section and sections 2919.171 and 2919.191 to 2919.1913 of the Revised Code are severable as provided in section 1.50 of the Revised Code. In particular, it is the intent of the general assembly that any invalidity or potential invalidity of a provision of this section or sections 2919.171 or 2919.191 to 2919.1913 of the Revised Code is not to impair the immediate and continuing enforceability of the remaining provisions. It is furthermore the intent of the general assembly that the provisions of this section and sections 2919.171 or 2919.191 to 2919.1913 of the Revised Code are not to have the

effect of repealing or limiting any other laws of this state, except as specified by this section and sections 2919.171 and 2919.191 to 2919.193 of the Revised Code.

Sec. 2919.191. Sections 2919.192 to 2919.195 of the Revised Code apply only to intrauterine pregnancies.

Sec. ~~2919.191~~ 2919.192. (A) A person who intends to perform or induce an abortion on a pregnant woman shall determine whether there is a detectable fetal heartbeat of the unborn human individual the pregnant woman is carrying. The method of determining the presence of a fetal heartbeat shall be consistent with the person's good faith understanding of standard medical practice, provided that if rules have been adopted under division ~~(C)~~ (B) of this section, the method chosen shall be one that is consistent with the rules. The person who determines the presence or absence of a fetal heartbeat shall record in the pregnant woman's medical record the estimated gestational age of the unborn human individual, the method used to test for a fetal heartbeat, the date and time of the test, and the results of the test.

~~(B)(1) Except when a medical emergency exists that prevents compliance with this division, no person shall perform or induce an abortion on a pregnant woman prior to determining if the unborn human individual the pregnant woman is carrying has a detectable fetal heartbeat. Any person who performs or induces an abortion on a pregnant woman based on the exception in this division shall note in the pregnant woman's medical records that a medical emergency necessitating the abortion existed and shall also note the medical condition of the pregnant woman that prevented compliance with this division. The person shall maintain a copy of the notes described in this division in the person's own records for at least seven years after the notes are entered into the medical records.~~

~~(2) The person who performs the examination for the presence of a fetal heartbeat shall give the pregnant woman the option to view or hear the fetal heartbeat.~~

~~(C) The (B)~~ Not later than one hundred twenty days of the effective date of S.B. 23 of the 133rd general assembly, the director of health may promulgate shall adopt rules pursuant to section 111.15 of the Revised Code specifying the appropriate methods of performing an examination for the purpose of determining the presence of a fetal heartbeat of an unborn individual based on standard medical practice. The rules shall require only that an examination shall be performed externally.

~~(D) (C)~~ A person is not in violation of division (A) or (B) of this section if that person has performed an examination for the purpose of determining the presence of a fetal heartbeat in the fetus of an unborn human individual utilizing standard medical practice in accordance with rules adopted under division (B) of this section, that examination does not reveal a fetal heartbeat or the person has been informed by a physician who has performed the examination for a fetal heartbeat that the examination did not reveal a fetal heartbeat, and the person notes in the pregnant woman's medical records the procedure utilized to detect the presence of a fetal heartbeat.

~~(E) Except as provided in division (F) of this section, no person shall knowingly and purposefully perform or induce an abortion on a pregnant woman before determining in accordance with division (A) of this section whether the unborn human individual the pregnant woman is carrying has a detectable heartbeat. The failure of a person to satisfy the requirements of this section prior to performing or inducing an abortion on a pregnant woman may be the basis for either of the following:~~

- (1) A civil action for compensatory and exemplary damages;
- (2) Disciplinary action under section 4731.22 of the Revised Code.

~~(F) Division (E) of this section does not apply to a physician who performs or induces the abortion if the physician believes that a medical emergency exists that prevents compliance with that division.~~

~~(G) The director of health may determine and specify in rules adopted pursuant to section 111.15 of the Revised Code and based upon available medical evidence the statistical probability of bringing an unborn human individual to term based on the gestational age of an unborn human individual who possesses a detectable fetal heartbeat.~~

~~(H) A woman on whom an abortion is performed in violation of division (B) of this section or division (B)(3) of section 2317.56 of the Revised Code may file a civil action for the wrongful death of the woman's unborn child and may receive at the mother's election at any time prior to final judgment damages in an amount equal to ten thousand dollars or an amount determined by the trier of fact after consideration of the evidence subject to the same defenses and requirements of proof, except any requirement of live birth, as would apply to a suit for the wrongful death of a child who had been born alive.~~

Sec. 2919.193. (A) Except as provided in division (B) of this section, no person shall knowingly and purposefully perform or induce an abortion on a pregnant woman before determining in accordance with division (A) of section 2919.192 of the Revised Code whether the unborn human individual the pregnant woman is carrying has a detectable heartbeat.

Whoever violates this division is guilty of performing or inducing an abortion before determining whether there is a detectable fetal heartbeat, a felony of the fifth degree. A violation of this division may also be the basis of either of the following:

- (1) A civil action for compensatory and exemplary damages;
- (2) Disciplinary action under section 4731.22 of the Revised Code.

(B) Division (A) of this section does not apply to a physician who performs or induces the abortion if the physician believes that a medical emergency, as defined in section 2919.16 of the Revised Code, exists that prevents compliance with that division.

(C) A physician who performs or induces an abortion on a pregnant woman based on the exception in division (B) of this section shall make written notations in the pregnant woman's medical records of both of the following:

- (1) The physician's belief that a medical emergency necessitating the abortion existed;
- (2) The medical condition of the pregnant woman that assertedly prevented compliance with division (A) of this section.

For at least seven years from the date the notations are made, the physician shall maintain in the physician's own records a copy of the notations.

(D) A person is not in violation of division (A) of this section if the person acts in accordance with division (A) of section 2919.192 of the Revised Code and the method used to determine the presence of a fetal heartbeat does not reveal a fetal heartbeat.

Sec. ~~2919.192~~ 2919.194. (A) If Notwithstanding division (A)(3) of this section, if a person who intends to perform or induce an abortion on a pregnant woman has determined, under section ~~2919.191~~ 2919.192 of the Revised Code, that the unborn human individual the pregnant woman is

carrying has a detectable heartbeat, the person shall not, except as provided in division (B) of this section, perform or induce the abortion ~~until without meeting~~ all of the following requirements ~~have been met and~~ without at least twenty-four hours ~~have elapsed~~ elapsing after the last of the requirements is met:

(1) The person intending to perform or induce the abortion shall inform the pregnant woman in writing that the unborn human individual the pregnant woman is carrying has a fetal heartbeat.

(2) The person intending to perform or induce the abortion shall inform the pregnant woman, to the best of the person's knowledge, of the statistical probability of bringing the unborn human individual possessing a detectable fetal heartbeat to term based on the gestational age of the unborn human individual the pregnant woman is carrying or, if the director of health has specified statistical probability information pursuant to rules adopted under division (C) of this section, shall provide to the pregnant woman that information.

(3) The pregnant woman shall sign a form acknowledging that the pregnant woman has received information from the person intending to perform or induce the abortion that the unborn human individual the pregnant woman is carrying has a fetal heartbeat and that the pregnant woman is aware of the statistical probability of bringing the unborn human individual the pregnant woman is carrying to term.

(B) Division (A) of this section does not apply if the person who intends to perform or induce the abortion believes that a medical emergency exists that prevents compliance with that division.

(C) The director of health may adopt rules that specify information regarding the statistical probability of bringing an unborn human individual possessing a detectable heartbeat to term based on the gestational age of the unborn human individual. The rules shall be based on available medical evidence and shall be adopted in accordance with section 111.15 of the Revised Code.

(D) This section does not have the effect of repealing or limiting any other provision of the Revised Code relating to informed consent for an abortion, including the provisions in section 2317.56 of the Revised Code.

(E) Whoever violates division (A) of this section is guilty of performing or inducing an abortion without informed consent when there is a detectable fetal heartbeat, a misdemeanor of the first degree on a first offense and a felony of the fourth degree on each subsequent offense.

Sec. 2919.195. (A) Except as provided in division (B) of this section, no person shall knowingly and purposefully perform or induce an abortion on a pregnant woman with the specific intent of causing or abetting the termination of the life of the unborn human individual the pregnant woman is carrying and whose fetal heartbeat has been detected in accordance with division (A) of section 2919.192 of the Revised Code.

Whoever violates this division is guilty of performing or inducing an abortion after the detection of a fetal heartbeat, a felony of the fifth degree.

(B) Division (A) of this section does not apply to a physician who performs a medical procedure that, in the physician's reasonable medical judgment, is designed or intended to prevent the death of the pregnant woman or to prevent a serious risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman.

A physician who performs a medical procedure as described in this division shall declare, in a written document, that the medical procedure is necessary, to the best of the physician's reasonable

medical judgment, to prevent the death of the pregnant woman or to prevent a serious risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman. In the document, the physician shall specify the pregnant woman's medical condition that the medical procedure is asserted to address and the medical rationale for the physician's conclusion that the medical procedure is necessary to prevent the death of the pregnant woman or to prevent a serious risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman.

A physician who performs a medical procedure as described in this division shall place the written document required by this division in the pregnant woman's medical records. The physician shall maintain a copy of the document in the physician's own records for at least seven years from the date the document is created.

(C) A person is not in violation of division (A) of this section if the person acts in accordance with division (A) of section 2919.192 of the Revised Code and the method used to determine the presence of a fetal heartbeat does not reveal a fetal heartbeat.

(D) Division (A) of this section does not have the effect of repealing or limiting any other provision of the Revised Code that restricts or regulates the performance or inducement of an abortion by a particular method or during a particular stage of a pregnancy.

Sec. 2919.196. The provisions of this section are wholly independent of the requirements of sections 2919.192 to 2919.195 of the Revised Code.

(A) A person who performs or induces an abortion on a pregnant woman shall do whichever of the following is applicable:

(1) If a purported reason for the abortion is to preserve the health of the pregnant woman, the person shall specify in a written document the medical condition that the abortion is asserted to address and the medical rationale for the person's conclusion that the abortion is necessary to address that condition.

(2) If division (A)(1) of this section does not apply, the person shall specify in a written document that maternal health is not a reason of the abortion.

(B) The person who specifies the information in the document described in division (A) of this section shall place the document in the pregnant woman's medical records. The person who specifies the information shall maintain a copy of the document in the person's own records for at least seven years from the date the document is created.

Sec. 2919.197. Nothing in sections 2919.19 to 2919.196 of the Revised Code prohibits the sale, use, prescription, or administration of a drug, device, or chemical for contraceptive purposes.

Sec. ~~2919.193~~ 2919.198. A pregnant woman on whom an abortion is performed or induced in violation of section ~~2919.191 or 2919.192~~ 2919.193, 2919.194, or 2919.195 of the Revised Code is not guilty of violating any of those sections; is not guilty of attempting to commit, conspiring to commit, or complicity in committing a violation of any of those sections; and is not subject to a civil penalty based on the abortion being performed or induced in violation of any of those sections.

Sec. 2919.199. (A) A woman who meets either or both of the following criteria may file a civil action for the wrongful death of her unborn child:

(1) A woman on whom an abortion was performed or induced in violation of division (A) of section 2919.193 or division (A) of section 2919.195 of the Revised Code;

(2) A woman on whom an abortion was performed or induced who was not given the

information described in divisions (A)(1) and (2) of section 2919.194 of the Revised Code or who did not sign a form described in division (A)(3) of section 2919.194 of the Revised code.

(B) A woman who prevails in an action filed under division (A) of this section shall receive both of the following from the person who committed the one or more acts described in division (A) (1) or (2) of this section:

(1) Damages in an amount equal to ten thousand dollars or an amount determined by the trier of fact after consideration of the evidence at the mother's election at any time prior to final judgment subject to the same defenses and requirements of proof, except any requirement of live birth, as would apply to a suit for the wrongful death of a child who had been born alive;

(2) Court costs and reasonable attorney's fees.

(C) A determination by a court of record that division (A) of section 2919.193 of the Revised Code, division (A)(1), (2), or (3) of section 2919.194 of the Revised Code, or division (A) of section 2919.195 of the Revised Code is unconstitutional shall be a defense to an action filed under division (A) of this section alleging that the defendant violated the division that was determined to be unconstitutional.

(D) If the defendant in an action filed under division (A) of this section prevails and all of the following apply the court shall award reasonable attorney's fees to the defendant in accordance with section 2323.51 of the Revised Code:

(1) The court finds that the commencement of the action constitutes frivolous conduct, as defined in section 2323.51 of the Revised Code.

(2) The court's finding in division (D)(1) of this section is not based on that court or another court determining that division (A) of section 2919.193 of the Revised Code, division (A)(1), (2), or (3) of section 2919.194 of the Revised Code, or division (A) of section 2919.195 of the Revised Code is unconstitutional.

(3) The court finds that the defendant was adversely affected by the frivolous conduct.

Sec. 2919.1910. (A) To ensure that citizens are informed of available options in this state, there is hereby created the joint legislative committee on adoption promotion and support. The committee may review or study any matter that it considers relevant to the adoption process in this state, with priority given to the study or review of mechanisms intended to increase awareness of the process, increase its effectiveness, or both.

(B) The committee shall consist of three members of the house of representatives appointed by the speaker of the house of representatives and three members of the senate appointed by the president of the senate. Not more than two members appointed by the speaker of the house of representatives and not more than two members appointed by the president of the senate may be of the same political party.

Each member of the committee shall hold office during the general assembly in which the member is appointed and until a successor has been appointed, notwithstanding the adjournment sine die of the general assembly in which the member was appointed or the expiration of the member's term as a member of the general assembly. Any vacancies occurring among the members of the committee shall be filled in the manner of the original appointment.

(C) The committee has the same powers as other standing or select committees of the general assembly.

Sec. 2919.1912. (A) The state medical board may assess against a person a forfeiture of not more than twenty thousand dollars for each separate violation or failure of the person to comply with any of the requirements of sections 2919.171, 2919.192, 2919.193, 2919.194, 2919.195, or 2919.196 of the Revised Code. The board shall comply with the adjudication requirements of Chapter 119. of the Revised Code when assessing the forfeiture. The forfeiture may be in addition to criminal penalties that are imposed under other sections of the Revised Code.

(B) An action to recover a forfeiture shall be prosecuted in the name of the state and shall be brought in the court of common pleas of Franklin county. The action shall be commenced and prosecuted by the attorney general when directed by the board.

(C) Moneys collected under division (A) of this section or recovered by an action under division (B) of this section shall be paid to the treasurer of state for deposit into the foster care and adoption initiatives fund created under section 5103.11 of the Revised Code.

Sec. 2919.1913. Sections 2919.171, 2919.19 to 2919.1913, and 4731.22 of the Revised Code, as amended or enacted by this act, shall be known as the "Human Rights and Heartbeat Protection Act."

Sec. 4731.22. (A) The state medical board, by an affirmative vote of not fewer than six of its members, may limit, revoke, or suspend a license or certificate to practice or certificate to recommend, refuse to grant a license or certificate, refuse to renew a license or certificate, refuse to reinstate a license or certificate, or reprimand or place on probation the holder of a license or certificate if the individual applying for or holding the license or certificate is found by the board to have committed fraud during the administration of the examination for a license or certificate to practice or to have committed fraud, misrepresentation, or deception in applying for, renewing, or securing any license or certificate to practice or certificate to recommend issued by the board.

(B) The board, by an affirmative vote of not fewer than six members, shall, to the extent permitted by law, limit, revoke, or suspend a license or certificate to practice or certificate to recommend, refuse to issue a license or certificate, refuse to renew a license or certificate, refuse to reinstate a license or certificate, or reprimand or place on probation the holder of a license or certificate for one or more of the following reasons:

(1) Permitting one's name or one's license or certificate to practice to be used by a person, group, or corporation when the individual concerned is not actually directing the treatment given;

(2) Failure to maintain minimal standards applicable to the selection or administration of drugs, or failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease;

(3) Except as provided in section 4731.97 of the Revised Code, selling, giving away, personally furnishing, prescribing, or administering drugs for other than legal and legitimate therapeutic purposes or a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction of, a violation of any federal or state law regulating the possession, distribution, or use of any drug;

(4) Willfully betraying a professional confidence.

For purposes of this division, "willfully betraying a professional confidence" does not include providing any information, documents, or reports under sections 307.621 to 307.629 of the Revised Code to a child fatality review board; does not include providing any information, documents, or

reports to the director of health pursuant to guidelines established under section 3701.70 of the Revised Code; does not include written notice to a mental health professional under section 4731.62 of the Revised Code; and does not include the making of a report of an employee's use of a drug of abuse, or a report of a condition of an employee other than one involving the use of a drug of abuse, to the employer of the employee as described in division (B) of section 2305.33 of the Revised Code. Nothing in this division affects the immunity from civil liability conferred by section 2305.33 or 4731.62 of the Revised Code upon a physician who makes a report in accordance with section 2305.33 or notifies a mental health professional in accordance with section 4731.62 of the Revised Code. As used in this division, "employee," "employer," and "physician" have the same meanings as in section 2305.33 of the Revised Code.

(5) Making a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or a limited branch of medicine; or in securing or attempting to secure any license or certificate to practice issued by the board.

As used in this division, "false, fraudulent, deceptive, or misleading statement" means a statement that includes a misrepresentation of fact, is likely to mislead or deceive because of a failure to disclose material facts, is intended or is likely to create false or unjustified expectations of favorable results, or includes representations or implications that in reasonable probability will cause an ordinarily prudent person to misunderstand or be deceived.

(6) A departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established;

(7) Representing, with the purpose of obtaining compensation or other advantage as personal gain or for any other person, that an incurable disease or injury, or other incurable condition, can be permanently cured;

(8) The obtaining of, or attempting to obtain, money or anything of value by fraudulent misrepresentations in the course of practice;

(9) A plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony;

(10) Commission of an act that constitutes a felony in this state, regardless of the jurisdiction in which the act was committed;

(11) A plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a misdemeanor committed in the course of practice;

(12) Commission of an act in the course of practice that constitutes a misdemeanor in this state, regardless of the jurisdiction in which the act was committed;

(13) A plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a misdemeanor involving moral turpitude;

(14) Commission of an act involving moral turpitude that constitutes a misdemeanor in this state, regardless of the jurisdiction in which the act was committed;

(15) Violation of the conditions of limitation placed by the board upon a license or certificate to practice;

(16) Failure to pay license renewal fees specified in this chapter;

(17) Except as authorized in section 4731.31 of the Revised Code, engaging in the division of fees for referral of patients, or the receiving of a thing of value in return for a specific referral of a patient to utilize a particular service or business;

(18) Subject to section 4731.226 of the Revised Code, violation of any provision of a code of ethics of the American medical association, the American osteopathic association, the American podiatric medical association, or any other national professional organizations that the board specifies by rule. The state medical board shall obtain and keep on file current copies of the codes of ethics of the various national professional organizations. The individual whose license or certificate is being suspended or revoked shall not be found to have violated any provision of a code of ethics of an organization not appropriate to the individual's profession.

For purposes of this division, a "provision of a code of ethics of a national professional organization" does not include any provision that would preclude the making of a report by a physician of an employee's use of a drug of abuse, or of a condition of an employee other than one involving the use of a drug of abuse, to the employer of the employee as described in division (B) of section 2305.33 of the Revised Code. Nothing in this division affects the immunity from civil liability conferred by that section upon a physician who makes either type of report in accordance with division (B) of that section. As used in this division, "employee," "employer," and "physician" have the same meanings as in section 2305.33 of the Revised Code.

(19) Inability to practice according to acceptable and prevailing standards of care by reason of mental illness or physical illness, including, but not limited to, physical deterioration that adversely affects cognitive, motor, or perceptive skills.

In enforcing this division, the board, upon a showing of a possible violation, may compel any individual authorized to practice by this chapter or who has submitted an application pursuant to this chapter to submit to a mental examination, physical examination, including an HIV test, or both a mental and a physical examination. The expense of the examination is the responsibility of the individual compelled to be examined. Failure to submit to a mental or physical examination or consent to an HIV test ordered by the board constitutes an admission of the allegations against the individual unless the failure is due to circumstances beyond the individual's control, and a default and final order may be entered without the taking of testimony or presentation of evidence. If the board finds an individual unable to practice because of the reasons set forth in this division, the board shall require the individual to submit to care, counseling, or treatment by physicians approved or designated by the board, as a condition for initial, continued, reinstated, or renewed authority to practice. An individual affected under this division shall be afforded an opportunity to demonstrate to the board the ability to resume practice in compliance with acceptable and prevailing standards under the provisions of the individual's license or certificate. For the purpose of this division, any individual who applies for or receives a license or certificate to practice under this chapter accepts the privilege of practicing in this state and, by so doing, shall be deemed to have given consent to submit to a mental or physical examination when directed to do so in writing by the board, and to have waived all objections to the admissibility of testimony or examination reports that constitute a privileged communication.

(20) Except as provided in division (F)(1)(b) of section 4731.282 of the Revised Code or when civil penalties are imposed under section 4731.225 of the Revised Code, and subject to section

4731.226 of the Revised Code, violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board.

This division does not apply to a violation or attempted violation of, assisting in or abetting the violation of, or a conspiracy to violate, any provision of this chapter or any rule adopted by the board that would preclude the making of a report by a physician of an employee's use of a drug of abuse, or of a condition of an employee other than one involving the use of a drug of abuse, to the employer of the employee as described in division (B) of section 2305.33 of the Revised Code. Nothing in this division affects the immunity from civil liability conferred by that section upon a physician who makes either type of report in accordance with division (B) of that section. As used in this division, "employee," "employer," and "physician" have the same meanings as in section 2305.33 of the Revised Code.

(21) The violation of section 3701.79 of the Revised Code or of any abortion rule adopted by the director of health pursuant to section 3701.341 of the Revised Code;

(22) Any of the following actions taken by an agency responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand;

(23) The violation of section 2919.12 of the Revised Code or the performance or inducement of an abortion upon a pregnant woman with actual knowledge that the conditions specified in division (B) of section 2317.56 of the Revised Code have not been satisfied or with a heedless indifference as to whether those conditions have been satisfied, unless an affirmative defense as specified in division (H)(2) of that section would apply in a civil action authorized by division (H)(1) of that section;

(24) The revocation, suspension, restriction, reduction, or termination of clinical privileges by the United States department of defense or department of veterans affairs or the termination or suspension of a certificate of registration to prescribe drugs by the drug enforcement administration of the United States department of justice;

(25) Termination or suspension from participation in the medicare or medicaid programs by the department of health and human services or other responsible agency;

(26) Impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice.

For the purposes of this division, any individual authorized to practice by this chapter accepts the privilege of practicing in this state subject to supervision by the board. By filing an application for or holding a license or certificate to practice under this chapter, an individual shall be deemed to have given consent to submit to a mental or physical examination when ordered to do so by the board in writing, and to have waived all objections to the admissibility of testimony or examination reports that constitute privileged communications.

If it has reason to believe that any individual authorized to practice by this chapter or any

applicant for licensure or certification to practice suffers such impairment, the board may compel the individual to submit to a mental or physical examination, or both. The expense of the examination is the responsibility of the individual compelled to be examined. Any mental or physical examination required under this division shall be undertaken by a treatment provider or physician who is qualified to conduct the examination and who is chosen by the board.

Failure to submit to a mental or physical examination ordered by the board constitutes an admission of the allegations against the individual unless the failure is due to circumstances beyond the individual's control, and a default and final order may be entered without the taking of testimony or presentation of evidence. If the board determines that the individual's ability to practice is impaired, the board shall suspend the individual's license or certificate or deny the individual's application and shall require the individual, as a condition for initial, continued, reinstated, or renewed licensure or certification to practice, to submit to treatment.

Before being eligible to apply for reinstatement of a license or certificate suspended under this division, the impaired practitioner shall demonstrate to the board the ability to resume practice in compliance with acceptable and prevailing standards of care under the provisions of the practitioner's license or certificate. The demonstration shall include, but shall not be limited to, the following:

(a) Certification from a treatment provider approved under section 4731.25 of the Revised Code that the individual has successfully completed any required inpatient treatment;

(b) Evidence of continuing full compliance with an aftercare contract or consent agreement;

(c) Two written reports indicating that the individual's ability to practice has been assessed and that the individual has been found capable of practicing according to acceptable and prevailing standards of care. The reports shall be made by individuals or providers approved by the board for making the assessments and shall describe the basis for their determination.

The board may reinstate a license or certificate suspended under this division after that demonstration and after the individual has entered into a written consent agreement.

When the impaired practitioner resumes practice, the board shall require continued monitoring of the individual. The monitoring shall include, but not be limited to, compliance with the written consent agreement entered into before reinstatement or with conditions imposed by board order after a hearing, and, upon termination of the consent agreement, submission to the board for at least two years of annual written progress reports made under penalty of perjury stating whether the individual has maintained sobriety.

(27) A second or subsequent violation of section 4731.66 or 4731.69 of the Revised Code;

(28) Except as provided in division (N) of this section:

(a) Waiving the payment of all or any part of a deductible or copayment that a patient, pursuant to a health insurance or health care policy, contract, or plan that covers the individual's services, otherwise would be required to pay if the waiver is used as an enticement to a patient or group of patients to receive health care services from that individual;

(b) Advertising that the individual will waive the payment of all or any part of a deductible or copayment that a patient, pursuant to a health insurance or health care policy, contract, or plan that covers the individual's services, otherwise would be required to pay.

(29) Failure to use universal blood and body fluid precautions established by rules adopted under section 4731.051 of the Revised Code;

(30) Failure to provide notice to, and receive acknowledgment of the notice from, a patient when required by section 4731.143 of the Revised Code prior to providing nonemergency professional services, or failure to maintain that notice in the patient's medical record;

(31) Failure of a physician supervising a physician assistant to maintain supervision in accordance with the requirements of Chapter 4730. of the Revised Code and the rules adopted under that chapter;

(32) Failure of a physician or podiatrist to enter into a standard care arrangement with a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner with whom the physician or podiatrist is in collaboration pursuant to section 4731.27 of the Revised Code or failure to fulfill the responsibilities of collaboration after entering into a standard care arrangement;

(33) Failure to comply with the terms of a consult agreement entered into with a pharmacist pursuant to section 4729.39 of the Revised Code;

(34) Failure to cooperate in an investigation conducted by the board under division (F) of this section, including failure to comply with a subpoena or order issued by the board or failure to answer truthfully a question presented by the board in an investigative interview, an investigative office conference, at a deposition, or in written interrogatories, except that failure to cooperate with an investigation shall not constitute grounds for discipline under this section if a court of competent jurisdiction has issued an order that either quashes a subpoena or permits the individual to withhold the testimony or evidence in issue;

(35) Failure to supervise an oriental medicine practitioner or acupuncturist in accordance with Chapter 4762. of the Revised Code and the board's rules for providing that supervision;

(36) Failure to supervise an anesthesiologist assistant in accordance with Chapter 4760. of the Revised Code and the board's rules for supervision of an anesthesiologist assistant;

(37) Assisting suicide, as defined in section 3795.01 of the Revised Code;

(38) Failure to comply with the requirements of section 2317.561 of the Revised Code;

(39) Failure to supervise a radiologist assistant in accordance with Chapter 4774. of the Revised Code and the board's rules for supervision of radiologist assistants;

(40) Performing or inducing an abortion at an office or facility with knowledge that the office or facility fails to post the notice required under section 3701.791 of the Revised Code;

(41) Failure to comply with the standards and procedures established in rules under section 4731.054 of the Revised Code for the operation of or the provision of care at a pain management clinic;

(42) Failure to comply with the standards and procedures established in rules under section 4731.054 of the Revised Code for providing supervision, direction, and control of individuals at a pain management clinic;

(43) Failure to comply with the requirements of section 4729.79 or 4731.055 of the Revised Code, unless the state board of pharmacy no longer maintains a drug database pursuant to section 4729.75 of the Revised Code;

(44) Failure to comply with the requirements of section 2919.171, 2919.202, or 2919.203 of the Revised Code or failure to submit to the department of health in accordance with a court order a complete report as described in section 2919.171 or 2919.202 of the Revised Code;

(45) Practicing at a facility that is subject to licensure as a category III terminal distributor of

dangerous drugs with a pain management clinic classification unless the person operating the facility has obtained and maintains the license with the classification;

(46) Owning a facility that is subject to licensure as a category III terminal distributor of dangerous drugs with a pain management clinic classification unless the facility is licensed with the classification;

(47) Failure to comply with any of the requirement requirements regarding making or maintaining notes medical records or documents described in division (B)-(A) of section 2919.191-2919.192, division (C) of section 2919.193, division (B) of section 2919.195, or division (A) of section 2919.196 of the Revised Code or failure to satisfy the requirements of section 2919.191 of the Revised Code prior to performing or inducing an abortion upon a pregnant woman;

(48) Failure to comply with the requirements in section 3719.061 of the Revised Code before issuing for a minor a prescription for an opioid analgesic, as defined in section 3719.01 of the Revised Code;

(49) Failure to comply with the requirements of section 4731.30 of the Revised Code or rules adopted under section 4731.301 of the Revised Code when recommending treatment with medical marijuana;

(50) Practicing at a facility, clinic, or other location that is subject to licensure as a category III terminal distributor of dangerous drugs with an office-based opioid treatment classification unless the person operating that place has obtained and maintains the license with the classification;

(51) Owning a facility, clinic, or other location that is subject to licensure as a category III terminal distributor of dangerous drugs with an office-based opioid treatment classification unless that place is licensed with the classification;

(52) A pattern of continuous or repeated violations of division (E)(2) or (3) of section 3963.02 of the Revised Code.

(C) Disciplinary actions taken by the board under divisions (A) and (B) of this section shall be taken pursuant to an adjudication under Chapter 119. of the Revised Code, except that in lieu of an adjudication, the board may enter into a consent agreement with an individual to resolve an allegation of a violation of this chapter or any rule adopted under it. A consent agreement, when ratified by an affirmative vote of not fewer than six members of the board, shall constitute the findings and order of the board with respect to the matter addressed in the agreement. If the board refuses to ratify a consent agreement, the admissions and findings contained in the consent agreement shall be of no force or effect.

A telephone conference call may be utilized for ratification of a consent agreement that revokes or suspends an individual's license or certificate to practice or certificate to recommend. The telephone conference call shall be considered a special meeting under division (F) of section 121.22 of the Revised Code.

If the board takes disciplinary action against an individual under division (B) of this section for a second or subsequent plea of guilty to, or judicial finding of guilt of, a violation of section 2919.123 of the Revised Code, the disciplinary action shall consist of a suspension of the individual's license or certificate to practice for a period of at least one year or, if determined appropriate by the board, a more serious sanction involving the individual's license or certificate to practice. Any consent agreement entered into under this division with an individual that pertains to a second or

subsequent plea of guilty to, or judicial finding of guilt of, a violation of that section shall provide for a suspension of the individual's license or certificate to practice for a period of at least one year or, if determined appropriate by the board, a more serious sanction involving the individual's license or certificate to practice.

(D) For purposes of divisions (B)(10), (12), and (14) of this section, the commission of the act may be established by a finding by the board, pursuant to an adjudication under Chapter 119. of the Revised Code, that the individual committed the act. The board does not have jurisdiction under those divisions if the trial court renders a final judgment in the individual's favor and that judgment is based upon an adjudication on the merits. The board has jurisdiction under those divisions if the trial court issues an order of dismissal upon technical or procedural grounds.

(E) The sealing of conviction records by any court shall have no effect upon a prior board order entered under this section or upon the board's jurisdiction to take action under this section if, based upon a plea of guilty, a judicial finding of guilt, or a judicial finding of eligibility for intervention in lieu of conviction, the board issued a notice of opportunity for a hearing prior to the court's order to seal the records. The board shall not be required to seal, destroy, redact, or otherwise modify its records to reflect the court's sealing of conviction records.

(F)(1) The board shall investigate evidence that appears to show that a person has violated any provision of this chapter or any rule adopted under it. Any person may report to the board in a signed writing any information that the person may have that appears to show a violation of any provision of this chapter or any rule adopted under it. In the absence of bad faith, any person who reports information of that nature or who testifies before the board in any adjudication conducted under Chapter 119. of the Revised Code shall not be liable in damages in a civil action as a result of the report or testimony. Each complaint or allegation of a violation received by the board shall be assigned a case number and shall be recorded by the board.

(2) Investigations of alleged violations of this chapter or any rule adopted under it shall be supervised by the supervising member elected by the board in accordance with section 4731.02 of the Revised Code and by the secretary as provided in section 4731.39 of the Revised Code. The president may designate another member of the board to supervise the investigation in place of the supervising member. No member of the board who supervises the investigation of a case shall participate in further adjudication of the case.

(3) In investigating a possible violation of this chapter or any rule adopted under this chapter, or in conducting an inspection under division (E) of section 4731.054 of the Revised Code, the board may question witnesses, conduct interviews, administer oaths, order the taking of depositions, inspect and copy any books, accounts, papers, records, or documents, issue subpoenas, and compel the attendance of witnesses and production of books, accounts, papers, records, documents, and testimony, except that a subpoena for patient record information shall not be issued without consultation with the attorney general's office and approval of the secretary and supervising member of the board.

(a) Before issuance of a subpoena for patient record information, the secretary and supervising member shall determine whether there is probable cause to believe that the complaint filed alleges a violation of this chapter or any rule adopted under it and that the records sought are relevant to the alleged violation and material to the investigation. The subpoena may apply only to

records that cover a reasonable period of time surrounding the alleged violation.

(b) On failure to comply with any subpoena issued by the board and after reasonable notice to the person being subpoenaed, the board may move for an order compelling the production of persons or records pursuant to the Rules of Civil Procedure.

(c) A subpoena issued by the board may be served by a sheriff, the sheriff's deputy, or a board employee or agent designated by the board. Service of a subpoena issued by the board may be made by delivering a copy of the subpoena to the person named therein, reading it to the person, or leaving it at the person's usual place of residence, usual place of business, or address on file with the board. When serving a subpoena to an applicant for or the holder of a license or certificate issued under this chapter, service of the subpoena may be made by certified mail, return receipt requested, and the subpoena shall be deemed served on the date delivery is made or the date the person refuses to accept delivery. If the person being served refuses to accept the subpoena or is not located, service may be made to an attorney who notifies the board that the attorney is representing the person.

(d) A sheriff's deputy who serves a subpoena shall receive the same fees as a sheriff. Each witness who appears before the board in obedience to a subpoena shall receive the fees and mileage provided for under section 119.094 of the Revised Code.

(4) All hearings, investigations, and inspections of the board shall be considered civil actions for the purposes of section 2305.252 of the Revised Code.

(5) A report required to be submitted to the board under this chapter, a complaint, or information received by the board pursuant to an investigation or pursuant to an inspection under division (E) of section 4731.054 of the Revised Code is confidential and not subject to discovery in any civil action.

The board shall conduct all investigations or inspections and proceedings in a manner that protects the confidentiality of patients and persons who file complaints with the board. The board shall not make public the names or any other identifying information about patients or complainants unless proper consent is given or, in the case of a patient, a waiver of the patient privilege exists under division (B) of section 2317.02 of the Revised Code, except that consent or a waiver of that nature is not required if the board possesses reliable and substantial evidence that no bona fide physician-patient relationship exists.

The board may share any information it receives pursuant to an investigation or inspection, including patient records and patient record information, with law enforcement agencies, other licensing boards, and other governmental agencies that are prosecuting, adjudicating, or investigating alleged violations of statutes or administrative rules. An agency or board that receives the information shall comply with the same requirements regarding confidentiality as those with which the state medical board must comply, notwithstanding any conflicting provision of the Revised Code or procedure of the agency or board that applies when it is dealing with other information in its possession. In a judicial proceeding, the information may be admitted into evidence only in accordance with the Rules of Evidence, but the court shall require that appropriate measures are taken to ensure that confidentiality is maintained with respect to any part of the information that contains names or other identifying information about patients or complainants whose confidentiality was protected by the state medical board when the information was in the board's possession. Measures to ensure confidentiality that may be taken by the court include sealing its records or

deleting specific information from its records.

(6) On a quarterly basis, the board shall prepare a report that documents the disposition of all cases during the preceding three months. The report shall contain the following information for each case with which the board has completed its activities:

- (a) The case number assigned to the complaint or alleged violation;
- (b) The type of license or certificate to practice, if any, held by the individual against whom the complaint is directed;
- (c) A description of the allegations contained in the complaint;
- (d) The disposition of the case.

The report shall state how many cases are still pending and shall be prepared in a manner that protects the identity of each person involved in each case. The report shall be a public record under section 149.43 of the Revised Code.

(G) If the secretary and supervising member determine both of the following, they may recommend that the board suspend an individual's license or certificate to practice or certificate to recommend without a prior hearing:

- (1) That there is clear and convincing evidence that an individual has violated division (B) of this section;
- (2) That the individual's continued practice presents a danger of immediate and serious harm to the public.

Written allegations shall be prepared for consideration by the board. The board, upon review of those allegations and by an affirmative vote of not fewer than six of its members, excluding the secretary and supervising member, may suspend a license or certificate without a prior hearing. A telephone conference call may be utilized for reviewing the allegations and taking the vote on the summary suspension.

The board shall issue a written order of suspension by certified mail or in person in accordance with section 119.07 of the Revised Code. The order shall not be subject to suspension by the court during pendency of any appeal filed under section 119.12 of the Revised Code. If the individual subject to the summary suspension requests an adjudicatory hearing by the board, the date set for the hearing shall be within fifteen days, but not earlier than seven days, after the individual requests the hearing, unless otherwise agreed to by both the board and the individual.

Any summary suspension imposed under this division shall remain in effect, unless reversed on appeal, until a final adjudicative order issued by the board pursuant to this section and Chapter 119. of the Revised Code becomes effective. The board shall issue its final adjudicative order within seventy-five days after completion of its hearing. A failure to issue the order within seventy-five days shall result in dissolution of the summary suspension order but shall not invalidate any subsequent, final adjudicative order.

(H) If the board takes action under division (B)(9), (11), or (13) of this section and the judicial finding of guilt, guilty plea, or judicial finding of eligibility for intervention in lieu of conviction is overturned on appeal, upon exhaustion of the criminal appeal, a petition for reconsideration of the order may be filed with the board along with appropriate court documents. Upon receipt of a petition of that nature and supporting court documents, the board shall reinstate the individual's license or certificate to practice. The board may then hold an adjudication under Chapter

119. of the Revised Code to determine whether the individual committed the act in question. Notice of an opportunity for a hearing shall be given in accordance with Chapter 119. of the Revised Code. If the board finds, pursuant to an adjudication held under this division, that the individual committed the act or if no hearing is requested, the board may order any of the sanctions identified under division (B) of this section.

(I) The license or certificate to practice issued to an individual under this chapter and the individual's practice in this state are automatically suspended as of the date of the individual's second or subsequent plea of guilty to, or judicial finding of guilt of, a violation of section 2919.123 of the Revised Code. In addition, the license or certificate to practice or certificate to recommend issued to an individual under this chapter and the individual's practice in this state are automatically suspended as of the date the individual pleads guilty to, is found by a judge or jury to be guilty of, or is subject to a judicial finding of eligibility for intervention in lieu of conviction in this state or treatment or intervention in lieu of conviction in another jurisdiction for any of the following criminal offenses in this state or a substantially equivalent criminal offense in another jurisdiction: aggravated murder, murder, voluntary manslaughter, felonious assault, kidnapping, rape, sexual battery, gross sexual imposition, aggravated arson, aggravated robbery, or aggravated burglary. Continued practice after suspension shall be considered practicing without a license or certificate.

The board shall notify the individual subject to the suspension by certified mail or in person in accordance with section 119.07 of the Revised Code. If an individual whose license or certificate is automatically suspended under this division fails to make a timely request for an adjudication under Chapter 119. of the Revised Code, the board shall do whichever of the following is applicable:

(1) If the automatic suspension under this division is for a second or subsequent plea of guilty to, or judicial finding of guilt of, a violation of section 2919.123 of the Revised Code, the board shall enter an order suspending the individual's license or certificate to practice for a period of at least one year or, if determined appropriate by the board, imposing a more serious sanction involving the individual's license or certificate to practice.

(2) In all circumstances in which division (I)(1) of this section does not apply, enter a final order permanently revoking the individual's license or certificate to practice.

(J) If the board is required by Chapter 119. of the Revised Code to give notice of an opportunity for a hearing and if the individual subject to the notice does not timely request a hearing in accordance with section 119.07 of the Revised Code, the board is not required to hold a hearing, but may adopt, by an affirmative vote of not fewer than six of its members, a final order that contains the board's findings. In that final order, the board may order any of the sanctions identified under division (A) or (B) of this section.

(K) Any action taken by the board under division (B) of this section resulting in a suspension from practice shall be accompanied by a written statement of the conditions under which the individual's license or certificate to practice may be reinstated. The board shall adopt rules governing conditions to be imposed for reinstatement. Reinstatement of a license or certificate suspended pursuant to division (B) of this section requires an affirmative vote of not fewer than six members of the board.

(L) When the board refuses to grant or issue a license or certificate to practice to an applicant, revokes an individual's license or certificate to practice, refuses to renew an individual's license or

certificate to practice, or refuses to reinstate an individual's license or certificate to practice, the board may specify that its action is permanent. An individual subject to a permanent action taken by the board is forever thereafter ineligible to hold a license or certificate to practice and the board shall not accept an application for reinstatement of the license or certificate or for issuance of a new license or certificate.

(M) Notwithstanding any other provision of the Revised Code, all of the following apply:

(1) The surrender of a license or certificate issued under this chapter shall not be effective unless or until accepted by the board. A telephone conference call may be utilized for acceptance of the surrender of an individual's license or certificate to practice. The telephone conference call shall be considered a special meeting under division (F) of section 121.22 of the Revised Code. Reinstatement of a license or certificate surrendered to the board requires an affirmative vote of not fewer than six members of the board.

(2) An application for a license or certificate made under the provisions of this chapter may not be withdrawn without approval of the board.

(3) Failure by an individual to renew a license or certificate to practice in accordance with this chapter or a certificate to recommend in accordance with rules adopted under section 4731.301 of the Revised Code shall not remove or limit the board's jurisdiction to take any disciplinary action under this section against the individual.

(4) At the request of the board, a license or certificate holder shall immediately surrender to the board a license or certificate that the board has suspended, revoked, or permanently revoked.

(N) Sanctions shall not be imposed under division (B)(28) of this section against any person who waives deductibles and copayments as follows:

(1) In compliance with the health benefit plan that expressly allows such a practice. Waiver of the deductibles or copayments shall be made only with the full knowledge and consent of the plan purchaser, payer, and third-party administrator. Documentation of the consent shall be made available to the board upon request.

(2) For professional services rendered to any other person authorized to practice pursuant to this chapter, to the extent allowed by this chapter and rules adopted by the board.

(O) Under the board's investigative duties described in this section and subject to division (F) of this section, the board shall develop and implement a quality intervention program designed to improve through remedial education the clinical and communication skills of individuals authorized under this chapter to practice medicine and surgery, osteopathic medicine and surgery, and podiatric medicine and surgery. In developing and implementing the quality intervention program, the board may do all of the following:

(1) Offer in appropriate cases as determined by the board an educational and assessment program pursuant to an investigation the board conducts under this section;

(2) Select providers of educational and assessment services, including a quality intervention program panel of case reviewers;

(3) Make referrals to educational and assessment service providers and approve individual educational programs recommended by those providers. The board shall monitor the progress of each individual undertaking a recommended individual educational program.

(4) Determine what constitutes successful completion of an individual educational program

and require further monitoring of the individual who completed the program or other action that the board determines to be appropriate;

(5) Adopt rules in accordance with Chapter 119. of the Revised Code to further implement the quality intervention program.

An individual who participates in an individual educational program pursuant to this division shall pay the financial obligations arising from that educational program.

Sec. 5103.11. There is hereby created the foster care and adoption initiatives fund. The fund shall be in the custody of the treasurer of state, but shall not be part of the state treasury. The fund shall consist of moneys collected under section 2919.1912 of the Revised Code. All interest earned on the fund shall be credited to the fund. The purpose of the fund is to provide funding for foster care and adoption services and initiatives. The department of job and family services shall allocate moneys from the fund according to the following distribution:

(A) Fifty per cent of the moneys in the fund shall be used for foster care services and initiatives.

(B) Fifty per cent of the moneys in the fund shall be used for adoption services and initiatives.

SECTION 2. That existing sections 2317.56, 2919.171, 2919.19, 2919.191, 2919.192, 2919.193, and 4731.22 of the Revised Code are hereby repealed.

SECTION 3. The General Assembly hereby declares that it finds, according to contemporary medical research, all of the following:

(A) As many as thirty per cent of natural pregnancies end in spontaneous miscarriage.

(B) Less than five per cent of all natural pregnancies end in spontaneous miscarriage after detection of fetal cardiac activity.

(C) Over ninety per cent of in vitro pregnancies survive the first trimester if cardiac activity is detected in the gestational sac.

(D) Nearly ninety per cent of in vitro pregnancies do not survive the first trimester where cardiac activity is not detected in the gestational sac.

(E) Fetal heartbeat, therefore, has become a key medical predictor that an unborn human individual will reach live birth.

(F) Cardiac activity begins at a biologically identifiable moment in time, normally when the fetal heart is formed in the gestational sac.

(G) The State of Ohio has a valid interest in protecting the health of the woman. The State of Ohio has a compelling interest in protecting the life of an unborn human individual who may be born.

(H) In order to make an informed choice about whether to continue her pregnancy, the pregnant woman has a valid interest in knowing the likelihood of the fetus surviving to full-term birth based upon the presence of cardiac activity.

(I) The State of Ohio finds that the detection of a fetal heartbeat can be accomplished through standard medical practices.

(J) At fertilization, a human being emerges as a whole, genetically distinct, living human organism and needs only the proper environment to fully develop into a human.

(K) Cardiac activity shows that tissues have come together to form organs and the developing central nervous system signals the heart to autonomically beat.

(L) When a heartbeat is visualized at seven weeks or less, ninety-one and one-half per cent will survive the first trimester and ninety-five per cent of those will deliver live- born infants.

(M) After the detection of a fetal heartbeat there is a ninety-five to ninety-eight per cent certainty that the new life will develop full term.

(N) A human being at an embryonic age and a human being at an adult age are naturally the same, with the only biological differences being due to the differences in maturity.

SECTION 4. If any provisions of a section as amended or enacted by this act, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the section or related sections which can be given effect without the invalid provision or application, and to this end the provisions are severable.

SECTION 5. Section 4731.22 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. H.B. 111 and Sub. H.B. 156 of the 132nd General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act.

Sub. S. B. No. 23

133rd G.A.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

Sub. S. B. No. 23

133rd G.A.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____

Senate Bill 23

Purpose: To identify what sections of the Human Rights and Heartbeat Protection Act (“Heartbeat Act” or “Act”) can be legitimately defended after the passage of the new Reproductive Rights Amendment (“Amendment”) to the Ohio Constitution. The Act itself purports:

1. To amend sections 2317.56, 2919.171, 2919.19, 2919.191, 2919.192, 2919.193, and 4731.22;
2. to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 2919.191 (2919.192), 2919.192 (2919.194), and 2919.193 (2919.198);
3. and to enact new sections 2919.191 and 2919.193 and sections 2919.195, 2919.196, 2919.197, 2919.199, 2919.1910, 2919.1912, 2919.1913, and 5103.11 of the Revised Code.

The Standard: the State shall not, directly or indirectly, burden, penalize, prohibit, interfere with, or discriminate against a woman’s right to obtain an abortion unless the State demonstrates that it is using the least restrictive means to advance the individual’s health in accordance with widely accepted and evidence-based standards of care. Any regulation of abortion must be for the purpose of advancing the pregnant woman’s health.

Sec. 2317.56—This section contains, among others, the 24-hour waiting period, medical emergency and necessity provisions, and various informed consent requirements. The Act made only two nominal changes to the prior law: the first is renumbering a code section renumbered by the Act; and the second changes Ohio state medical association and Ohio section of ACOG to “independent health care experts.” It has been enforceable law in some form since 1992 but has been largely the same since at least 2012. There is nothing in this section that implicates the Amendment or the rights contained in it.

Sec. 2919.171—This section contains reporting requirements for abortion providers to ODH. This section is largely the same, with the only amendments being (1) renumbering code sections renumbered by the Act; (2) a new subpart that requires anyone other than a physician who makes or maintains records required by .192-.196 on the physician’s behalf comply with this section as if they were the physician; and (3) removal of a date for ODH to adopt rules that had been part of the prior law (10/20/2011). These changes do not implicate the rights in the new Amendment.

Sec. 2919.19—This section contains several definitions, including several that have been added but do not have any force of law on their own. The rest of this section contains new language that provides the GA’s intent upon the issuance of a court order suspending enforcement of the Act, the authority of the AG to seek relief from such judgment should the federal law change (as it did) and detailing the severability of invalid code sections from the rest of the provisions within the Act.

This section is defensible as it does not actually restrict or affect abortion other than definitionally as applied to subsequent code sections.

Sec. 2919.192 (renumbered from 2919.191)—This section requires that an abortionist check for the presence of a fetal heartbeat prior to performing an abortion, and further requires the physician to note how the test was done, when, and the result. This was the law prior to the Heartbeat Act and is

codified elsewhere as well. Given the testimony of the abortionists we deposed, this is a standard medical practice that they undertake prior to performing all abortions as it has been part of the law since at least 2013. This is also the case, in part, because of the 24-hour waiting period which requires the mother be examined by the physician in person and be provided certain information during the initial visit.

I think that this provision is defensible as a standard medical practice intended to determine whether the pregnancy is viable, and to assist the physician's ability to ascertain the gestational age of the fetus (along with ultrasound, which I also believe to be a standard practice). I think this is a defensible part of the law, as it has been the practice in Ohio for many years. I also think it ensures the health and safety of the patient, as it affords her sufficient information to make an informed decision and does not present any burden to obtaining an abortion.

I do think there could be some pushback in the telemedicine arena, because I suspect that it is likely that abortionists in Ohio may want to make medical abortion (through prescription of mifepristone and misoprostol) accessible entirely via telehealth without any in-person visit at all. Mifepristone was originally only approved for the abortion of pregnancies up to 49 days (7 weeks) or less since the last menstrual cycle, but in 2016, the FDA extended its use to 70 days (10 weeks) gestation. Though the FDA's decision to extend Mifepristone's use to 70 days is one of the issues that will be considered by the SCOTUS in the appeal of the Texas case, at the very least, an in-person examination should be the standard of care (and was the requirement for all prescribers under the Risk Evaluation and Mitigation Strategy Information (REMS) according the FDA until December 16, 2021, a decision made permanent in a January 3, 2023 final decision) to properly assess the gestational age of every pregnant woman seeking an abortion. In my opinion, it would be a very dangerous practice to allow physicians to assess gestation via video conference, which could only be done based on the woman's attestation of her last menstrual period, which would put the life and health of all women seeking such an abortion at risk. That risk should outweigh any minor burden to a pregnant woman posed by an in-person physical evaluation prior to any abortion service, and the requirement of a physical examination of the woman, including assessment of the possible gestation via testing for a fetal heartbeat is the least restrictive means to protect against the possible fraudulent misrepresentation of, but also accidental erroneous self-evaluation, of gestational age of the fetus by the patients to obtain a drug long-classified by the FDA as dangerous.

Sec. 2919.193 (new section created by the Act)—This section makes the failure to determine if a heartbeat is present prior to performing an abortion a felony in fifth degree. It prohibits an abortionist from performing an abortion before checking for fetal heart tones in accordance with 2919.192. Subpart B provides an exception to this requirement for medical emergency, and subpart C requires the abortionist performing an abortion under subpart B to make written notations in the pregnant woman's medical records of either the physician's belief that a medical emergency existed, or the medical condition asserted by the pregnant woman that prevented assessment for fetal heart tones. It should be noted that the civil and disciplinary actions that may be available for such violations were already a part of the prior law but were moved to this code section.

This is a closer call. One of the arguments advanced against the Act itself was that it threatened physicians with criminal prosecution in a way that is not seen in other areas of medical practice. While that is mostly true, 2919.194—even under the prior version of the law—made failure to provide informed consent regarding whether the fetus to be aborted had a heartbeat a crime as well. If this section of the law is challenged, the question would ultimately be whether criminalizing the failure to check for a fetal heartbeat burdens the woman's right to obtain an abortion unless it is the

least restrictive means to advance the pregnant woman's health. As discussed for Section 2919.192, because fetal gestation is an important consideration for medical abortion, but also for the determination of the proper procedure to be used for a surgical abortion (or difficulty inherent in the surgical procedure evidenced by the graduated and increased cost imposed for abortion of each additional week gestation provided on PPGOH's website) we can certainly argue that confirming the presence of a fetal heartbeat is not only the standard of care for abortion providers, but also that it is the least restrictive of the necessary means (including ultrasound) to be used to make such a determination. And because the abortionists testified that they all check for fetal heart tones prior to every abortion procedure, it would be hard to argue that continuing the practice is a burden at all.

It certainly has the effect of giving teeth to section 192, but this section was an entirely new addition in the Heartbeat Act, so it was not a crime prior to 2019. This is ultimately a policy question for the AG.

Sec 2919.194 (renumbered from 2919.192)—The majority of this section was the law prior to the Act's passage in 2019. This section requires that if a heartbeat is detected, the provider must inform the pregnant woman in writing that her baby has a heartbeat, and the provider "shall inform the pregnant woman, to the best of the person's knowledge, of the statistical probability of bringing the unborn human individual possessing a detectable fetal heartbeat to term based on the gestational age of the unborn human individual the pregnant woman is carrying or, if the director of health has specified statistical probability information pursuant to rules adopted under division (C) of this section, shall provide to the pregnant woman that information." Even under the prior language of the law, failure to do so was a first-degree misdemeanor for the first offense, and a fifth-degree felony for second offenses.

The only notable change is subpart (A)(3), which requires that the pregnant woman to sign a form affirming that her provider told her that her baby has a heartbeat and that she is aware of the statistical probability of bringing the pregnancy to term.

Given the nature of the procedure and its attendant risks, providing a pregnant patient with all the required information to fully inform her about the procedure and its risks as well as its benefits should satisfy that test of the least restrictive means necessary to protect the patient's health and safety. This is required for every other surgical procedure performed by a physician in Ohio, but also across the country, and cannot legitimately be interpreted as a burden to the patient seeking an abortion.

Sec. 2919.195—This is the key provision of the Heartbeat Act, which this office has already decided is indefensible under the Amendment.

Sec. 2919.196 —This section makes clear that it is wholly independent of 2919.192 and 2919.195. This provision requires that the abortionist either provide the purported reason that the abortion was necessary to preserve the health of the pregnant woman or specify that the abortion was not performed to protect maternal health and must put such written documentation into the patient's medical records.

The "wholly independent" language contemplates the likelihood that .192 and .195 could be enjoined or invalidated, so it is clear that the GA intended to have this section of the Act enforceable even if the Heartbeat Act was not, either under the *Roe/Casey* regime or a future legal regime like the Amendment. The requirements should not present an issue under the new Amendment. It only

requires that the abortionist maintain proper records of the patient's condition, and if the patient sought the abortion because of medical necessity. Certainly, for abortions performed post-viability, the physician is required to only provide such abortion if it is done to protect the life or health of the mother. To require the physician to record whether an abortion was performed out of medical necessity is not a burden to the abortionist or the woman seeking to obtain the abortion, as it should be the standard of care.

The pushback may be that the mere requirement to ask the question to anyone seeking a previability abortion would be a burden or could even be characterized as discriminatory to the patient. Even so, a proper medical evaluation of the patient, including medical history and possible medical conditions necessitating an abortion should still be the standard of care, and I think would be defensible even under the heightened standard. That said, defending this provision would only be advisable if the State would like to track the number of abortions performed for medical necessity. This would negate any need for the GA to pass legislation requiring abortionists to keep a record of the medical necessity giving rise to an abortion, especially those performed under the exception to the ban on post viability abortion.

Sec. 2919.197—This section provides that “[n]othing in sections 2919.19 to 2919.196 of the Revised Code prohibits the sale, use, prescription, or administration of a drug, device, or chemical for contraceptive purposes.” Because this comports with a woman’s right to make reproductive decisions under the new Amendment, this is entirely defensible under the heightened scrutiny standard.

Sec. 2919.198—This section makes the woman immune from criminal prosecution under sections 2919.193-2919.195. This does not conflict with the Amendment, but its defensibility depends on whether the State will defend 2919.193 or 2919.194.

Sec. 2919.199—The Section allows a woman to sue an abortionist for wrongful death of her unborn child for violation of either: (1) the requirements of 2919.193(A) or 2919.195(A); or (2) the informed consent provisions provided in in 2919.194(A)(1) and (2) or for failure to obtain the woman’s signature on the form described in (A)(3). That form acknowledges that the woman was told that here baby had a heartbeat and that she is aware of the statistical probability of bringing the pregnancy to term. A civil action for failure to check for fetal heart tones prior to performing an abortion was already available under the prior version of the law (found in R.C. 2919.191 prior to renumbering by the Act).

Under the analysis of those sections, the part of this section that allow for a civil action for failure to provide informed consent prior to the abortion is defensible if it is decided that the State will defend .193 or .194, but the civil action related to 2919.195 would not be defensible because that section is invalid under the Amendment.

Sec. 2919.1910—This section creates the legislative committee on adoption promotion and support.

This section does not implicate abortion or individual rights, but rather governs only the GA. It is therefore defensible.

Sec. 2919.1912—This section allows the state medical board to assess a forfeiture against an abortionist for each separate violation or failure to comply with sections 2919.171, .192, .193, .194, .195, or .196. The money collected shall be deposited in the foster care and adoptions initiatives created under 5103.11.

As before, because .195 is invalid under the Amendment, it cannot be a valid reason to assess a forfeiture, however, the others may be to the extent that the State determines it will defend those sections of the law.

Sec. 4731.22—no change was made to this section of the code other than to parallel the renumbered code sections that were renumbered by the Act. No substantive change was made to the section.

Sec. 5103.11—This section creates the foster care and adoption initiatives fund funded by the forfeitures collected under 2919.1912. The funds will be equally divided between the two.

There is nothing that implicates abortion in this section, so it is defensible under the Amendment.

**IN THE COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO**

PRETERM-CLEVELAND, *et al.*,

Plaintiffs,

v.

DAVID YOST, *et al.*,

Defendants.

Case No. A 2203203

Judge Christian A. Jenkins

**PLAINTIFFS' UNOPPOSED
MOTION TO FILE SECOND
AMENDED COMPLAINT**

Pursuant to Ohio Civil Rule 15(A), Plaintiffs Preterm-Cleveland; Planned Parenthood Southwest Ohio Region; Sharon Liner, M.D.; Planned Parenthood of Greater Ohio; Women's Med Group Professional Corporation; Northeast Ohio Women's Center, LLC; and Toledo Women's Center (collectively "Plaintiffs"), by and through their undersigned counsel, hereby move to file a Second Amended Complaint (attached hereto as Exhibit A) to assert an additional claim under the newly enacted Article I, Section 22 of the Ohio Constitution. Ohio voters' recent approval of "The Right to Reproductive Freedom with Protections for Health and Safety" amendment, effective as of December 7, 2023, as Article I, Section 22 of the Ohio Constitution (attached hereto as Exhibit B), establishes the "right to make and carry out one's own reproductive decisions," including the decision to have an abortion.

On December 13, 2023, Defendants provided written consent via electronic mail to Plaintiffs' filing of their Second Amended Complaint. *See* Civ.R. 15(A) (parties may file an amended pleading at this stage of litigation with "with the opposing party's written consent or the court's leave").

Dated: December 14, 2023

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CERTIFICATE OF SERVICE

I hereby certify that on December 14, 2023, the foregoing was electronically filed via the Court's e-filing system. I further certify that a copy of the foregoing was served via electronic mail upon counsel for the following parties:

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/s/ B. Jessie Hill
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Exhibit A

IN THE COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

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**WOMEN'S MED GROUP
PROFESSIONAL CORPORATION**

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**NORTHEAST OHIO WOMEN'S
CENTER, LLC, d/b/a TOLEDO
WOMEN'S CENTER**

C/O B. Jessie Hill
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Plaintiffs,

Case No. A 2203203

Judge Christian A. Jenkins

**[PROPOSED] SECOND AMENDED
VERIFIED COMPLAINT FOR
DECLARATORY AND INJUNCTIVE
RELIEF**

v.

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Defendants.

INTRODUCTION

1. On November 7, 2023, Ohioans voted in favor of adding a right to abortion to the Ohio Constitution: They approved Issue 1, which added the Right to Reproductive Freedom with Protections for Health and Safety (the “Amendment”) to the Ohio Constitution. *See* Ohio Const. Art. I § 22. The Amendment took effect on December 7, 2023.

2. The Ohio Constitution now provides that “[e]very individual has a right to make and carry out one’s own reproductive decisions, including but not limited to decisions on contraception, fertility treatment, continuing one’s own pregnancy, miscarriage care, and abortion.” Ohio Const. Art. I § 22(A). The Ohio Constitution further provides that the “State shall not, directly or indirectly, burden, penalize, prohibit, interfere with, or discriminate against” an individual’s voluntary exercise of this right, or a person or entity that assists an individual exercising this right, “unless the State demonstrates that it is using the least restrictive means to advance the individual’s health in accordance with widely accepted and evidence-based standards of care.” Ohio Const. Art. I § 22(B).

3. Plaintiffs bring this challenge under the Ohio Constitution to 2019 Am.Sub.S.B. No. 23 (“S.B. 23”), which imposes a near-total ban on abortion in Ohio. When S.B. 23 was allowed to take effect on June 24, 2022, it had devastating consequences across the state—forcing Ohioans to carry pregnancies to term and give birth against their will, travel significant distances to other states to obtain abortion care, or resort to potentially unsafe methods of self-

induced abortion outside of the medical system. It deprived Ohioans of their fundamental rights under the Ohio Constitution and inflicted serious, irreparable harm to their physical, psychological, and emotional well-being, as well as that of their families. A copy of S.B. 23 is attached hereto as Exhibit A.

4. S.B. 23 violates fundamental rights guaranteed by the Ohio Constitution, including the right to reproductive freedom under Article I, Section 22. S.B. 23 also violates the fundamental right to abortion provided by the Ohio Constitution's broad protections for individual liberty under Article I, Sections 1, 16, and 21, and the equal protection guarantee under Article I, Section 2. S.B. 23 also violates Article I, Section 16 of the Ohio Constitution because it is unconstitutionally vague. Moreover, because S.B. 23 violated federal law at the time of its enactment, it is void *ab initio* and unenforceable.

5. Plaintiffs, who are reproductive health care providers in Ohio, obtained a temporary restraining order followed by a preliminary injunction to block enforcement of S.B. 23 while this case proceeds. Plaintiffs seek final declaratory and injunctive relief to prevent S.B. 23's enforcement because it violates constitutional protections guaranteed to all Ohioans.

BACKGROUND

6. On April 10, 2019, the Ohio General Assembly passed S.B. 23. S.B. 23 bans abortion after detection of embryonic cardiac activity, which occurs at approximately six weeks into pregnancy (as measured from the first day of a patient's last menstrual period, or "LMP"), and can occur as early as five weeks LMP. S.B. 23 carries significant criminal penalties and also subjects providers to the risk of state-assessed civil forfeitures, license revocation, and civil suits. At the time of its passage, Ohio Governor Mike DeWine acknowledged that one of the purposes of enacting S.B. 23 was to challenge existing precedent that clearly made S.B. 23 illegal:

“Taking this action really is the time-honored tradition, the constitutional tradition of making a good-faith argument for modification, reversal of existing legal precedent.” He added, “[s]o this is exactly what this is, and the United States Supreme Court will ultimately make a decision.”

See Laura Hancock, *Gov. Mike DeWine signs ‘heartbeat’ abortion bill*,

<https://www.cleveland.com/open/2019/04/gov-mike-dewine-signs-heartbeat-abortion-bill.html> (accessed Dec. 8, 2023).

7. In 2019, Plaintiffs challenged S.B. 23 in federal court. See *Preterm-Cleveland v. Yost*, No. 1:19-cv-00360, Dkt #1. On July 3, 2019, a federal district court preliminarily enjoined S.B. 23 before it went into effect, finding that the ban would pose an “insurmountable” obstacle to abortion access and “prohibit almost all abortion care in Ohio,” violating Ohioans’ rights under the Fourteenth Amendment of the United States Constitution. *Preterm-Cleveland v. Yost*, 394 F.Supp.3d 796, 800-801 (S.D. Ohio 2019). The injunction remained in place until it was vacated by the same court on June 24, 2022, hours after the Supreme Court’s decision in *Dobbs v. Jackson Women’s Health Organization*. *Preterm-Cleveland v. Yost*, No. 1:19-cv-00360, Dkt. #100.

8. On September 2, 2022, Plaintiffs brought an action in this Court seeking a temporary restraining order followed by a preliminary injunction, as well as a declaratory judgment and permanent injunctive relief, against S.B. 23. At the time, Plaintiffs’ Verified Complaint asserted claims for violations of the Ohio Constitution’s protections for individual liberty under Article 1, Sections 1, 16, and 21, and the Ohio Constitution’s equal protection and benefit guarantee under Article 1, Section 2, as well as a claim that S.B. 23 is void for vagueness,

in violation of Article 1, Section 16 of the Ohio Constitution.¹ Plaintiffs moved for emergency relief on the individual liberty and equal protection claims only.

9. On September 14, 2022, the Court entered a 14-day temporary restraining order, which was later extended to October 12, 2022. Following limited, expedited discovery and an evidentiary hearing on Plaintiffs' preliminary injunction motion, the Court issued a preliminary injunction enjoining enforcement of S.B. 23.

10. As Plaintiffs alleged in September 2022, S.B. 23 had a devastating impact on Plaintiffs and their patients.

11. When S.B. 23 went into effect, patients in Ohio were left without access to abortion starting at a point so early that many of them did not even know that they were pregnant. Some were forced to travel long distances across state lines to obtain an abortion, even as abortion access became further restricted in neighboring states. Many others simply did not have the means or ability to do so. These women were forced to choose between carrying their pregnancies to term and giving birth against their will, or resorting to potentially unsafe methods to self-induce abortion outside of the medical system.² Each day that S.B. 23 was in effect, Ohioans were seriously and irreparably harmed and denied their ability to exercise fundamental rights guaranteed by the Ohio Constitution.

12. Absent immediate action from this Court, Ohioans would have continued to suffer the irreparable deprivation of their fundamental rights and serious, irreparable harm to their

¹ Additionally, on January 31, 2023, Plaintiffs filed an Amended Verified Complaint, adding a claim that S.B. 23 is void *ab initio*.

² Plaintiffs sometimes use "woman" or "women" herein to describe people who are or may become pregnant, but people of other gender identities, including transgender men and gender-diverse individuals, may also become pregnant, seek abortion services, and be harmed by S.B. 23.

physical, psychological, and emotional well-being. Moreover, if S.B. 23 had remained in effect and Indiana's total ban on abortion took effect as scheduled, Plaintiff Women's Med Group Professional Corporation, which operates the only abortion facility in the Dayton, Ohio area, would have had no choice but to close its Dayton clinic as well as its clinic in Indiana on September 15, 2022.

13. That preliminary injunction is still in effect today. Plaintiffs request that the preliminary injunction remain in place, particularly given that the Ohio Constitution now explicitly protects abortion, and that any permanent injunctive relief take into account Article I, Section 22 of the Ohio Constitution.

PARTIES

A. Plaintiffs

14. Plaintiff Preterm-Cleveland ("Preterm") is a nonprofit corporation organized under the laws of the State of Ohio that has operated a reproductive health care clinic in Cleveland, Ohio since 1974. Preterm provides a wide range of reproductive and sexual health care services, including abortion. Under the protection of the preliminary injunction, Preterm provides procedural abortions (also known as surgical abortions) through 21 weeks 6 days LMP and medication abortions through 10 weeks LMP. Providers at Preterm are threatened with criminal penalties, loss of their medical licenses, civil forfeiture, and civil suits if S.B. 23 goes into effect and they provide care in violation of S.B. 23. Preterm sues on behalf of itself; its current and future staff, officers, and agents; and its patients.

15. Plaintiff Planned Parenthood Southwest Ohio Region ("PPSWO") is a nonprofit corporation organized under the laws of the State of Ohio. PPSWO and its predecessor organizations have provided a broad range of high-quality reproductive health care to patients in

southwest Ohio since 1929. PPSWO provides abortion at its surgery center, located in Cincinnati. Under the protection of the preliminary injunction, PPSWO provides procedural abortions through 21 weeks 6 days LMP and medication abortions through 10 weeks LMP. Providers at PPSWO are threatened with criminal penalties, loss of their medical licenses, civil forfeiture, and civil suits if S.B. 23 goes into effect and they provide care in violation of S.B. 23. PPSWO sues on behalf of itself; its current and future staff, officers, and agents; and its patients.

16. Plaintiff Sharon Liner, M.D., is a physician licensed to practice medicine in Ohio with nineteen years of experience in women's healthcare. Dr. Liner is PPSWO's Medical Director, and in that role, she supervises physicians providing abortions, develops PPSWO's policies and procedures, and provides health care services including abortion. Dr. Liner has been providing abortions since 2002. As a provider at PPSWO, Dr. Liner is threatened with criminal penalties, loss of her medical license, civil forfeiture, and civil suits if S.B. 23 goes into effect and she provides care in violation of S.B. 23. Dr. Liner sues on behalf of herself and her patients.

17. Plaintiff Planned Parenthood of Greater Ohio ("PPGOH") is a nonprofit corporation organized under the laws of the State of Ohio. PPGOH was formed in 2012 through a merger of several local and regional Planned Parenthood affiliates that had served patients in Ohio for decades. PPGOH serves patients in northern, eastern, and central Ohio. PPGOH provides abortions at health centers located in East Columbus and Bedford Heights. Under the protections of the preliminary injunction, PPGOH provides procedural abortions through 19 weeks 6 days LMP and medication abortion through 10 weeks LMP. Providers at PPGOH are threatened with criminal penalties, loss of their medical licenses, civil forfeiture, and civil suits if S.B. 23 goes into effect and they provide care in violation of S.B. 23. PPGOH sues on behalf of itself; its current and future staff, officers, and agents; and its patients.

18. Plaintiff Women’s Med Group Professional Corporation (“WMGPC”) owns and operates Women’s Med Center of Dayton (“WMCD”) in Kettering, Ohio. WMGPC and its predecessors have been providing abortions in the Dayton area since 1975. Under the protections of the preliminary injunction, WMCD provides procedural abortions through 21 weeks 6 days LMP, and medication abortions through 10 weeks LMP. Providers at WMCD are threatened with criminal penalties, loss of their medical licenses, civil forfeiture, and civil suits if S.B. 23 goes into effect and they provide care in violation of S.B. 23. WMGPC sues on behalf of itself; its current and future staff, officers, and agents; and its patients.

19. Plaintiff Northeast Ohio Women’s Center, LLC (“NEOWC”), a corporation organized under the laws of the State of Ohio, operates a health care clinic and provides abortion care in Shaker Heights, Ohio and in Cuyahoga Falls, Ohio. NEOWC also owns and operates Toledo Women’s Center (“TWC”) in Toledo, Ohio. Under the protections of the preliminary injunction, NEOWC provided procedural abortions through 16 weeks 6 days LMP at its Cuyahoga Falls location, and medication abortions through 10 weeks LMP at all three locations. Providers at NEOWC are threatened with criminal penalties, loss of their medical licenses, civil forfeiture, and civil suits if S.B. 23 goes into effect and they provide care in violation of S.B. 23. NEOWC sues on behalf of itself; its current and future staff, officers, and agents; and its patients.

B. Defendants

20. Defendant David Yost is the Attorney General of the State of Ohio. He is responsible for the enforcement of all Ohio laws, including S.B. 23. Under S.B. 23, he is also charged with commencing and prosecuting civil forfeiture when directed to do so by the State Medical Board. S.B. 23, Section 1, amending R.C. 2919.1912(B). He is sued in his official capacity.

21. Defendant Bruce T. Vanderhoff, M.D., M.B.A., is the Director of the Ohio Department of Health (“ODH”), which is responsible for promulgating rules to assist in compliance with S.B. 23, including rules governing the process for determining whether embryonic cardiac activity exists and rules dictating reporting requirements. He is charged with administering ODH. He is sued in his official capacity.

22. Defendant Kim G. Rothermel, M.D., is the Secretary of the State Medical Board of Ohio, which is charged with enforcing the physician licensing and civil penalties contained in S.B. 23. She is sued in her official capacity.

23. Defendant Harish Kakarala, M.D., is the Supervising Member of the State Medical Board of Ohio, which is charged with enforcing the physician licensing and civil penalties contained in S.B. 23. He is sued in his official capacity.

24. Defendant Michael C. O’Malley is the Cuyahoga County Prosecutor. He is responsible for the enforcement of the criminal laws in Cuyahoga County, where Preterm’s clinic, NEOWC’s Shaker Heights clinic, and PPGOH’s Bedford Heights health center are located, including the criminal provisions contained in S.B. 23. He is sued in his official capacity.

25. Defendant Melissa A. Powers is the Hamilton County Prosecutor. She is responsible for the enforcement of the criminal laws in Hamilton County, where PPSWO’s Cincinnati surgery center is located, including the criminal provisions contained in S.B. 23. She is sued in her official capacity.

26. Defendant G. Gary Tyack is the Franklin County Prosecutor. He is responsible for the enforcement of the criminal laws in Franklin County, where PPGOH’s East Columbus

health center is located, including the criminal provisions contained in S.B. 23. He is sued in his official capacity.

27. Defendant Mathias H. Heck, Jr. is the Montgomery County Prosecutor. He is responsible for the enforcement of the criminal laws in Montgomery County, where WMGPC's facility is located, including the criminal provisions contained in S.B. 23. He is sued in his official capacity.

28. Defendant Julia R. Bates is the Lucas County Prosecutor. She is responsible for the enforcement of the criminal laws in Lucas County, where TWC is located, including the criminal provisions contained in S.B. 23. She is sued in her official capacity.

29. Defendant Sherri Bevan Walsh is the Summit County Prosecutor. She is responsible for the enforcement of the criminal laws in Summit County, where NEOWC's Cuyahoga Falls facility is located, including the criminal provisions contained in S.B. 23. She is sued in her official capacity.

JURISDICTION AND VENUE

30. This Court has jurisdiction over this complaint pursuant to R.C. 2721.02, 2727.02 and 2727.03.

31. Venue is proper in this Court pursuant to Civ.R. 3(C)(6), because Plaintiffs PPSWO and Dr. Liner provide abortions in Hamilton County and thus the claims for relief arise in part in Hamilton County. Venue is also proper in this Court under Civ.R. 3(C)(4), because Defendant Powers maintains her principal office in Hamilton County.

FACTUAL ALLEGATIONS

A. Abortion Is Extremely Common and Safe Medical Care

32. Legal abortion is extremely common in the United States. Approximately one in four women in this country will have had an abortion by age forty-five. Rachel K. Jones & Jenna Jerman, *Population Group Abortion Rates and Lifetime Incidence of Abortion: United States, 2008 - 2014*, 107 Am.J.Pub.Health 1904, 1907 (2017).

33. The decision to terminate a pregnancy is informed by a combination of diverse, complex, and interrelated factors that are intimately related to an individual's values, beliefs, culture, religion, health status, reproductive history, familial situation, resources, and economic stability.

34. Some people have abortions because they decide it is not the right time to have a child or to add to their existing families. Most patients who seek abortion already have at least one child, so many pregnant women and families must consider how another child will impact their ability to care for the children they already have.³ For some, an additional child can place economic and emotional strain on a family that they are simply unable to bear.

35. For some women, having a child will make it too difficult for them to pursue educational or career goals and support themselves and their families going forward. Indeed, nationwide, new mothers' earnings drop after they give birth, and they do not fully return to their pre-pregnancy earnings path. See Danielle H. Sandler & Nicole Szembrot, *New Mothers Experience Temporary Drop in Earnings*, U.S. Census Bur. (June 16, 2020),

³ See, e.g., Katherine Kortsmitt et al., *Abortion Surveillance - United States, 2019*, Morbidity & Mortality Weekly Report (Nov. 26, 2021), <https://www.cdc.gov/mmwr/volumes/70/ss/ss7009a1.htm> (accessed Dec. 8, 2023) (almost 60 percent of women who obtained an abortion in 2019 already had at least one child).

<https://www.census.gov/library/stories/2020/06/cost-of-motherhood-on-womens-employment-and-earnings.html> (accessed Dec. 8, 2023).

36. Others seek an abortion because continuing their pregnancies would threaten their health or life, because of a diagnosed fetal medical condition, or because they conclude that pregnancy, childbirth, and an additional child may exacerbate an already difficult and dangerous situation with an abusive partner. *See* Diana Green Foster, Ph.D, *The Turnaway Study: The Cost of Denying Women Access to Abortion* (2020) (detailing the physical risks of carrying an unwanted pregnancy to term); *see also id.* (finding that patients denied abortions are more likely to stay tethered to abusive partners).

37. Legal abortion is extremely safe. In fact, it is one of the safest medical procedures in the United States and is substantially safer than continuing a pregnancy through childbirth. The risk of death associated with childbirth is approximately thirteen times higher than that associated with abortion, and every pregnancy-related complication is more common among women giving birth than among those having abortions. *See* Natl. Academies of Sciences, Eng. & Medicine, *The Safety and Quality of Abortion Care in the United States*, 74 (2018).

38. Complications from both medication and procedural abortions are extremely rare. In the rare cases where complications occur, they usually can be managed in an outpatient clinic setting, either at the time of the abortion or at a follow-up visit.

39. In contrast, forcing someone to continue a pregnancy against their will poses risks to their physical, mental, and emotional health, as well as to the stability and well-being of their family, including their existing children.

40. Serious long-term medical and physical consequences may arise from carrying a pregnancy to term and giving birth, even for those who are healthy and have uncomplicated pregnancies. Pregnancy involves profound and long-lasting physiological changes, including on a woman's health and her ability to have children in the future.

41. Pregnancy stresses most major organs. By mid-pregnancy, a pregnant woman needs to pump 50 percent more blood than usual, resulting in an increased heart rate. The increased blood flow, in turn, enlarges the kidneys, and the liver must produce more clotting factors to prevent hemorrhage when the placenta separates from the uterus. These changes increase the chances of blood clots or thrombosis. Pregnancy also deeply affects a woman's lungs: they must work harder to clear not only the carbon dioxide created by her own body, but also the carbon dioxide produced by the fetus. As the pregnancy progresses, the lungs are compressed by the growing fetus, leaving most pregnant women feeling chronically short of breath. Indeed, every organ in the abdomen—e.g., intestines, liver, spleen—is increasingly compressed throughout pregnancy by the expanding uterus.

42. For someone with a medical condition caused or exacerbated by pregnancy, such as diabetes, hypertension, asthma, heart disease, an autoimmune disorder, or renal disease, or for someone who learns that their fetus has been diagnosed with a severe or lethal anomaly, risks of medical complications are increased.

43. The starkest risk of carrying a pregnancy to term is death. In Ohio, women died from pregnancy-related causes at a ratio of 14.7 per 100,000 live births from 2008 through 2016. See Ohio Dept. of Health, *A Report on Pregnancy-Associated Deaths in Ohio 2008 - 2016*, <https://odh.ohio.gov/know-our-programs/pregnancy-associated-mortality-review/reports/pregnancy-associated-deaths-ohio-2008-2016> (accessed Dec. 8, 2023). In 2018,

the maternal mortality rate was 14.1 per 100,000 live births. *See* Centers for Disease Control & Prevention, *Maternal Mortality by State, 2018*, <https://www.cdc.gov/nchs/maternal-mortality/MMR-2018-State-Data-508.pdf> (accessed Dec. 8, 2023).

44. The maternal mortality rate in Ohio is significantly higher for Black women. In Ohio, Black women are two-and-a-half times more likely to die from a cause related to pregnancy than white women. Ohio Dept. of Health, *A Report on Pregnancy-Associated Deaths in Ohio 2008 - 2016*, <https://odh.ohio.gov/know-our-programs/pregnancy-associated-mortality-review/reports/pregnancy-associated-deaths-ohio-2008-2016> (accessed Dec. 8, 2023) (Black women in Ohio have a maternal mortality rate of 29.5 deaths per 100,000 compared to 11.5 deaths per 100,000 births for white women.).

B. S.B. 23’s Statutory Framework and Guidance

45. For the five decades before S.B. 23 went into effect, abortion was legal and available in Ohio prior to 20 weeks post-fertilization, which is 22 weeks LMP. R.C. 2919.201.

46. While it was in effect from June through September of 2022, S.B. 23 effectuated a stark change in the status quo of abortion access in Ohio. Under S.B. 23, if a pregnancy is located in the uterus, the provider who intends to perform an abortion is required to determine whether there is cardiac activity. If there is cardiac activity, S.B. 23 makes it a crime to “caus[e] or abet[] the termination of” the pregnancy. S.B. 23, Section 1, amending R.C. 2919.192(A), 2919.192(B), and 2919.195(A). Cardiac activity typically occurs at approximately six weeks LMP but can occur as early as five weeks LMP.

47. S.B. 23 has only two very limited exceptions: abortion after cardiac activity is detected is permitted only if the abortion is necessary (1) to prevent the woman’s death, or (2) to prevent a “serious risk of the substantial and irreversible impairment of a major bodily function.”

S.B. 23, Section 1, amending R.C. 2919.195(B). The statute defines “[s]erious risk of the substantial and irreversible impairment of a major bodily function’ [to mean] any medically diagnosed condition that so complicates the pregnancy of the woman as to directly or indirectly cause the substantial and irreversible impairment of a major bodily function.” R.C. 2919.16(K). A “medically diagnosed condition that constitutes a ‘serious risk of the substantial and irreversible impairment of a major bodily function’ includes pre-eclampsia, inevitable abortion, and premature rupture of the membranes,” and “may include, but is not limited to, diabetes and multiple sclerosis,” but “does not include a condition related to the woman’s mental health.” *Id.*

48. The vague language of these exceptions offers providers no clarity as to which medical situations—other than those specifically enumerated—qualify as those creating a “serious risk of the substantial and irreversible impairment of a major bodily function.” As a result, clinicians were forced to turn away patients experiencing significant health issues due to uncertainty as to whether the statutory definition applies to their circumstances. *See Jo Ingles, Confusion Over Ohio’s Abortion Law Has Some Doctors Hesitant to Provide Legal Care*, WXVU (July 18, 2022 4:23 P.M.), <https://www.wvxu.org/politics/2022-07-18/ohio-law-allow-doctors-deny-abortions-patient-qualifies-exception> (accessed Dec. 8, 2023).

49. These decisions are further complicated by the severe criminal and civil penalties that could be imposed on providers who incorrectly interpret S.B. 23’s exceptions. S.B. 23’s muddled definitions and lack of binding guidance delayed and prevented needed care, forcing providers to watch their patients grow dangerously ill before they could determine whether to treat pregnancy complications and provide other necessary medical care.⁴

⁴ On July 14, 2022, Attorney General Yost’s office published an “[e]xplainer” offering a “legal analysis” of S.B. 23’s exceptions. Ohio Atty Gen., *Explainer Regarding Ohio’s Heartbeat Law Exceptions* (July 14, 2022), <https://www.ohioattorneygeneral.gov/Files/Briefing-Room/News->

50. A violation of S.B. 23 is a fifth-degree felony, punishable by up to one year in prison and a fine of \$2,500. S.B. 23, Section 1, amending R.C. 2919.195(A); R.C. 2929.14(A)(5) and 2929.18(A)(3)(e).

51. In addition to criminal penalties, the state medical board may assess a forfeiture of up to \$20,000 for each violation, S.B. 23, Section 1, amending R.C. 2919.1912(A), and limit, revoke, or suspend a physician's medical license based on a violation of S.B. 23, *see* R.C. 4371.22(B)(10).

52. Plaintiffs' clinics could also face civil penalties and revocation of their ambulatory surgical center licenses for a violation of S.B. 23. R.C. 3702.32; R.C. 3702.30(A)(2)(a).

53. A patient may also bring a civil action against a provider who violates S.B. 23 and recover damages in the amount of \$10,000 or more. S.B. 23, Section 1, amending R.C. 2919.199(B)(1).

C. S.B. 23 Is A Near-Total Ban on Abortion in Ohio

54. S.B. 23's ban on abortion at an extremely early point in pregnancy all but eliminated access to abortion in Ohio while it was in effect, and would do so again if it were permitted to be enforced. Pregnancy is commonly measured from the first day of the patient's last menstrual period, or LMP. A full-term pregnancy is approximately forty weeks LMP. In a normally developing embryo, cells that form the basis for the development of the heart later in

Releases/Heartbeat-Law-Explainer.aspx (accessed Dec. 8, 2023). This purported guidance offers providers no further clarity as to which medical situations may qualify under S.B. 23's exceptions. Moreover, it is not a formal written opinion and cannot be relied upon by providers who face criminal and civil penalties for violating S.B. 23.

gestation produce activity that can generally be detected with an ultrasound starting at approximately six weeks LMP, and sometimes even as early as five weeks LMP.

55. At six weeks LMP, a pregnancy is still at the embryonic stage. The embryonic stage of pregnancy lasts from fertilization until approximately eight to ten weeks LMP. At six weeks of pregnancy, an embryo (not yet a fetus) is wholly dependent on the pregnant woman, and indeed will be entirely dependent on her body for another four months (or more) to follow. The embryo is months away from having the physiological and functional structures necessary for sustained survival apart from the pregnant person's body. Beginning at about eleven weeks LMP, the embryo becomes a fetus.

56. Six weeks LMP is a pre-viability point in pregnancy; at six weeks LMP, no embryo is capable of surviving outside the womb. S.B. 23 thus prohibits abortion well before viability. At the time S.B. 23 was enacted in April 2019, pre-viability abortion bans were clearly prohibited by federal constitutional law. *See Roe v. Wade*, 410 U.S. 113, 153, 93 S.Ct. 705, 35 L.Ed.2d 147 (1973); *Planned Parenthood v. Casey*, 505 U.S. 833, 846, 879, 112 S.Ct. 2791, 120 L.Ed.2d 674 (1992); *see also Preterm-Cleveland v. Yost*, 394 F.Supp.3d 796, 800-801 (S.D.Ohio 2019) (enjoining S.B. 23 on the grounds that it was unconstitutional under the Fourteenth Amendment of the United States Constitution). In fact, as noted above, Governor Mike DeWine acknowledged that one of the purposes of enacting S.B. 23 was an effort to change the law and repeal the controlling precedent. *See supra* ¶ 4.

57. Many patients are not even aware they are pregnant by six weeks LMP. Prior to that time, many women have none of the physical indicators of pregnancy. The menstrual cycle is usually four weeks long, but varies depending on the individual. Even someone with highly regular periods would be four weeks pregnant as measured from her last menstrual period when

their first missed period occurs. Those who have certain common medical conditions, such as obesity; those who are breastfeeding; or those who use hormonal contraceptives may experience irregular periods and may not recognize a missed period before six weeks LMP. Indeed, many people do not menstruate at regular intervals, or they go long stretches without experiencing a menstrual period. Menstrual patterns also vary with age. Additionally, patients commonly have bleeding in early pregnancy that can be mistaken for a period.

58. For those who do know they are pregnant by, at the earliest, four weeks LMP, two weeks often is not sufficient time to decide to end a pregnancy and make necessary arrangements to receive abortion care. More time is often needed to obtain leave from work, arrange for childcare (since the majority of women who obtain abortions already have at least one child), find transportation to a provider, secure funds for the abortion and/or travel, and actually travel to a provider.

59. The delay these obstacles may cause is compounded by Ohio's other abortion restrictions. For example, Ohio law mandates that patients make an in-person trip to a clinic at least 24 hours before obtaining an abortion for mandated counseling and consent procedures. R.C. 2317.56.

60. In addition, Ohio law prohibits the use of public funds to cover abortion services in nearly all circumstances, making it more difficult for women—particularly those who are poor or low-income—to obtain the money necessary to promptly access abortion care. *See* R.C. 9.04; R.C. 3901.87; R.C. 5101.56.

61. For all of these reasons, it is extremely difficult to obtain an abortion before six weeks LMP. Indeed, before S.B. 23 went into effect, 89 percent of abortions in Ohio took place after six weeks LMP. Abigail Norris Turner et al., *Who Loses Access to Legal Abortion With a*

6-Week Ban?, Am. J. of Obstetrics & Gynecology (June 25, 2022),

[https://www.ajog.org/article/S0002-9378\(22\)00486-0/fulltext](https://www.ajog.org/article/S0002-9378(22)00486-0/fulltext) (accessed Dec. 8, 2023).

D. S.B. 23 Irreparably Harmed Patients When It Was In Effect

62. When S.B. 23 took effect on June 24, 2022, it drastically restricted Ohioans' access to abortion and imposed significant and irreparable harm on numerous pregnant women in Ohio. Were it to go into effect again, further devastating consequences would ensue.

63. When S.B. 23 went into effect, women with appointments already scheduled, or who had already had their first of two mandated appointments, were forced to cancel their appointments because they were suddenly past S.B. 23's six-week limit. In the nearly three-month period when S.B. 23 was in effect, Plaintiffs had to continue turning away other patients seeking care. Some of those patients tried to travel out of state to obtain an abortion. For example, shortly after S.B. 23 went into effect, a ten-year-old rape victim in Ohio was forced to travel to Indiana to seek an abortion rather than obtaining care in her own home state. *See* Edward Helmore, *10-year-old rape victim forced to travel from Ohio to Indiana for abortion*, The Guardian, (July 3, 2022), <https://www.theguardian.com/us-news/2022/jul/03/ohio-indiana-abortion-rape-victim> (accessed Dec 8, 2022). The victim sought help from a doctor, who had to assist her in finding care out of state because she was six weeks and three days pregnant. *See* Caroline Vakil, *10-year-old girl denied abortion in Ohio*, The Hill (July 2, 2022, 9:30 A.M.), <https://thehill.com/policy/healthcare/3544588-10-year-old-girl-denied-abortion-in-ohio/> (accessed Dec. 8, 2022); *see also* Bethany Bruner et al., *Arrest made in rape of Ohio girl that led to Indiana abortion drawing international attention*, The Columbus Dispatch (July 13, 2022, updated July 21, 2022, 1:25 P.M.), <https://www.dispatch.com/story/news/2022/07/13/columbus-man-charged-rape-10-year-old-led-abortion-in-indiana/10046625002/> (accessed Dec. 8, 2022)

(the victim’s accused rapist confessed to raping the 10-year-old and was arrested on July 12, 2022).

64. This influx of Ohioans traveling long distances for abortion care put increased pressure on facilities in other states. See Lindsey Tanner & Patrick Orsagos, *Some women cross state lines for abortions before bans take effect*, PBS NewsHour (Aug. 30, 2022, 12:36 P.M.), <https://www.pbs.org/newshour/politics/some-women-cross-state-lines-for-abortions-before-bans-take-effect> (accessed Dec. 8, 2023) (an Ohio clinic had referred “hundreds of patients” to an Indiana facility for abortion care); Cassie Miller, *Western Pa. abortion providers say they are seeing an increase in out-of-state patients post-Dobbs*, Pennsylvania Capital-Star (Aug. 11, 2022, 5:30 P.M.), <https://www.penncapital-star.com/health-care/western-pa-abortion-providers-say-they-are-seeing-an-increase-in-out-of-state-patients-post-dobbs/> (accessed Dec. 8, 2023) (Pennsylvania abortion care providers attribute the influx in out-of-state patients to bans imposed in Ohio, Indiana, and West Virginia); Angie Leventis Lourgos, *Abortions in Illinois for out-of-state patients have skyrocketed; And some wait times are exceeding three weeks*, Chicago Tribune (Aug. 2, 2022, 1:02 P.M.), <https://www.chicagotribune.com/news/breaking/ct-illinois-abortion-increase-post-roe-20220802-eottdwcfnjfjxdvbfgd4kwefwu-story.html> (accessed Dec. 8, 2023) (Planned Parenthood of Illinois provided care to 800 out-of-state patients in July 2022, up from 100 the preceding month, due to an increase in patients from surrounding states, including Ohio).

65. Traveling out of state imposes significant—sometimes insurmountable—logistical obstacles that make it more difficult to obtain an abortion, including requiring more time away from work, arranging childcare, finding transportation to an out-of-state provider, and securing the funds for the abortion and required travel.

66. Obtaining out-of-state care has only become more difficult as abortion bans take effect in neighboring states. *See* Payal Chakraborty et al., *How Ohio's Proposed Abortion Bans Would Impact Travel Distance to Access Abortion Care*, 54 *Perspect. Sex. Reprod. Health* 2022, 1-10 (Apr. 20, 2022) (estimating that after *Roe* is overruled, the average driving distance from an Ohio county to the nearest abortion facility would eventually increase from 26 miles to 157 miles (best case) or 269 miles (worst case) given abortion restrictions in Ohio and neighboring states).

67. As of December 11, 2023, fourteen states nationwide have completely banned abortion. *See Tracking Abortion Bans Across the Country*, N.Y. Times (updated Nov. 7, 2023 9:15 P.M.), <https://www.nytimes.com/interactive/2022/us/abortion-laws-roe-v-wade.html> (accessed Dec. 1, 2023). In Indiana, where many patients in Ohio sought abortion care while S.B. 23 was into effect, a near-total ban on abortion went into effect on August 21, 2023. Ind. Code § 16-34-1-10. Abortion is also banned in Kentucky and West Virginia, which both had limited abortion access during part of the time S.B. 23 was in effect. *See* Ky. Rev. Stat. § 311.772; W. Va. Code § 16-2R-1 *et seq.*

68. If S.B. 23 goes into effect again, access to abortion in Ohio will be further decimated as some Plaintiffs will be forced to close their clinics. During the time S.B. 23 was in effect, Plaintiff WMGPC, which operates the only abortion facility in Dayton, Ohio, was set to close its Dayton clinic on September 15, 2022. *See* Jessie Balmert, *Abortion in Ohio: Dayton-area clinic plans to close in mid-September* (Aug. 30, 2022, 12:41 P.M.), Cincinnati Enquirer, <https://www.cincinnati.com/story/news/politics/elections/2022/08/30/ohio-abortion-clinic-plans-to-close-mid-september/65463597007/> (accessed Dec. 8, 2023).

69. If S.B. 23 were to go back into effect, some women would be unable to obtain an abortion in either Ohio or another state. These patients would be forced either to carry their

pregnancy to term and give birth against their will—incurring irreparable physical, economic, emotional, and psychological harms—or seek abortion without medical assistance at potential risk to their health. See Green Foster, *The Turnaway Study: The Cost of Denying Women Access to Abortion* (examining the physical, mental, and socioeconomic consequences of receiving an abortion compared to carrying an unwanted pregnancy to term); Natl. Inst. of Child Health & Human Dev., *What Are Some Common Complications of Pregnancy?* (last reviewed Apr. 20, 2021), <https://www.nichd.nih.gov/health/topics/pregnancy/conditioninfo/complications> (accessed Dec. 8, 2023) (identifying as “common complications of pregnancy” high blood pressure, gestational diabetes, infections, preeclampsia, preterm labor, depression and anxiety, pregnancy loss or miscarriage, and stillbirth).

70. While S.B. 23 was in effect, some patients were even denied abortion care when their lives were at risk because doctors were afraid to treat them due to the threat of S.B. 23’s severe criminal and civil penalties. Despite S.B. 23’s narrow exceptions, its severe sanctions nevertheless deprived some patients of critically important care. Other patients had to delay vital medical treatment because they were unable to obtain abortion care in Ohio.

71. These consequences of S.B. 23 are disproportionately felt by communities of color and low-income communities. The majority of patients seeking abortions in Ohio are from communities of color. In 2020, 48.1 percent of Ohioans who obtained abortions were Black, while the Black community represented only 13.2 percent of Ohio’s population; 12.1 percent of Ohioans who obtained abortions were from other communities of color (Indigenous (American Indian), Asian/Pacific Islander, Multiracial, and Hispanic Ohioans⁵) while those communities

⁵ The terms listed here are the race descriptors used by the Ohio Department of Health to describe people of color in its report.

made up only 10 percent of Ohio’s population. Ohio Dept. of Health, *Induced Abortions in Ohio*, Figure 2, Table 1 <https://odh.ohio.gov/know-our-programs/vital-statistics/resources/vs-abortionreport2020> (accessed Dec. 8, 2023); U.S. Census Bureau, *Quick Facts: Ohio*, <https://www.census.gov/quickfacts/OH> (accessed Dec. 8, 2023).

72. Additionally, a large majority of patients who have abortions are low-income. See Natl. Academies of Sciences, Eng. & Medicine, *The Safety and Quality of Abortion Care in the United States*, 6 (2018). These patients are more likely to be subjected to delays in seeking medical care because of associated costs, and thus, are at a high risk of losing access to abortion under severe abortion restrictions like S.B. 23. See Turner et al., *Who Loses Access to Legal Abortion With a 6-Week Ban?* (finding six-week abortion bans “would disproportionately affect people with fewer economic and educational resources.”); see also Bd. of Governors of the Fed. Res. Sys., *Report on Economic Well-Being of U.S. Households in 2021* (updated May 27, 2022), <https://www.federalreserve.gov/publications/2022-economic-well-being-of-us-households-in-2021-dealing-with-unexpected-expenses.htm> (accessed Dec. 8, 2023).

73. If allowed to take effect again, S.B. 23 would have a devastating impact on the lives of women who need abortion care in Ohio.

E. The Right to Abortion Is Now Explicitly Protected in the Ohio Constitution

74. On November 7, 2023, Ohioans voted in favor of the Amendment.⁶

75. The election results were certified on December 7, 2023, and the Amendment took effect on that same day.

⁶ 56.62% of Ohioans voted in favor of Issue 1. See Ohio Secretary of State, *Ohio Decides 2023*, <https://liveresults.ohiosos.gov/> (last accessed Nov. 13, 2023).

76. The Amendment provides that “[e]very individual has a right to make and carry out one’s own reproductive decisions, including but not limited to decisions on contraception, fertility treatment, continuing one’s own pregnancy, miscarriage care, and abortion.” Ohio Const. Art. I § 22(A).

77. The Amendment further provides that “[t]he State shall not, directly or indirectly, burden, penalize, prohibit, interfere with, or discriminate against either an individual’s voluntary exercise of this right or a person or entity that assists an individual exercising this right, unless the State demonstrates that it is using the least restrictive means to advance the individual’s health in accordance with widely accepted and evidence-based standards of care.” *Id.* § 22(B).

78. The Amendment also states that “abortion may be prohibited after fetal viability. But in no case may such an abortion be prohibited if in the professional judgment of the pregnant patient’s treating physician it is necessary to protect the pregnant patient’s life or health.” *Id.* § 22(B).

79. On October 5, 2023, Defendant Ohio Attorney General David Yost published a “legal analysis” of the effects of the Amendment. Ohio Atty Gen., *Issue 1 on the November 2023 Ballot: A legal analysis by the Ohio Attorney General* (Oct 5, 2023), <https://www.ohioattorneygeneral.gov/SpecialPages/FINAL-ISSUE-1-ANALYSIS.aspx> (accessed Dec. 4, 2023). Attorney General Yost described the “legal effects of” the Amendment, explaining that the amendment “creates a new, legal standard” that provides greater protection to reproductive freedom than federal precedent predating the *Dobbs* decision. In his analysis, Yost unequivocally acknowledged that S.B. 23 “would not exist if Issue 1 passes.”

80. The Attorney General put it plainly: “Passage of Issue 1 would invalidate” S.B. 23. Ohio Atty Gen., *Issue 1 on the November 2023 Ballot: A legal analysis by the Ohio Attorney*

General (Oct 5, 2023), <https://www.ohioattorneygeneral.gov/SpecialPages/FINAL-ISSUE-1-ANALYSIS.aspx> (accessed Dec. 4, 2023); *see also* Suppl. Br. of Appellees, *Preterm-Cleveland, et al. v. Yost, et al.*, Case No. 2023-0004 (Ohio S.Ct. Dec. 7, 2023).

CLAIMS FOR RELIEF

COUNT I – Right to Reproductive Freedom

81. Plaintiffs reallege and incorporate by reference the allegations contained in paragraphs 32 through 80.

82. Under the Ohio Constitution, every individual has “a right to make and carry out one’s own reproductive decisions” including the decision to obtain an “abortion.” Ohio Const. Art. I § 22(A); *Id.* § 22(A)(5).

83. The State may not “burden, penalize, prohibit, interfere with, or discriminate against either: (1) an individual’s exercise of their right to an abortion or (2) a person or entity that assists an individual exercising this right, unless the State demonstrates that it is using “the least restrictive means to advance the individual’s health in accordance with widely accepted and evidence-based standards of care.” Ohio Const. Art. I § 22(B).

84. Moreover, the state may only prohibit abortion “after fetal viability[,] ... [b]ut in no case may such an abortion be prohibited if in the professional judgment of the pregnant patient’s treating physician it is necessary to protect the pregnant patient’s life or health.” Ohio Const. Art. I § 22(B).

85. By prohibiting abortion starting as early as five or six weeks LMP, well before the point of fetal viability, and imposing severe criminal and other penalties on those who provide abortion care after that point, S.B. 23 “burden[s], penalize[s], prohibit[s], [and] discriminate[s]

against” both an individual’s exercise of their right to abortion and a person or entity that assists an individual in exercising this right.

86. S.B. 23’s near-total ban on abortion beginning as early as five or six weeks LMP is not “the least restrictive means to advance the individual’s health in accordance with widely accepted and evidence-based standards of care.”

87. Accordingly, S.B. 23 violates Article I, Section 22 of the Ohio Constitution by both prohibiting Plaintiffs from assisting their patients in exercising their fundamental right to abortion and (in so doing) depriving Plaintiffs’ patients of this fundamental right, causing them to suffer significant constitutional, medical, emotional, and other harms.

88. Plaintiffs and their patients have no adequate remedy at law to address these harms.

COUNT II—Due Course of Law

89. Plaintiffs reallege and incorporate by reference the allegations contained in paragraphs 32 through 80.

90. By banning abortion from the earliest weeks of pregnancy and thus forcing continued pregnancy and childbirth upon countless Ohioans, S.B. 23 prohibits Plaintiffs’ patients from exercising their fundamental rights in violation of the Ohio Constitution’s broad protections for individual liberties under Article I, Sections 1, 16, and 21.

91. Strict scrutiny applies to laws that infringe fundamental rights under the Ohio Constitution. Under this analysis, the State cannot meet its heavy burden to show that S.B. 23 is narrowly tailored to serve any purported compelling state interest. Neither of the purported interests asserted in the text of the legislation—an “interest in protecting the health of the woman” and an interest in protecting potential life—is sufficiently compelling to justify banning

Ohioans from exercising their fundamental right to abortion starting as early as five or six weeks LMP.

92. Even if the State’s asserted interests were compelling, a near-total ban on abortion beginning at six weeks LMP is not narrowly tailored; there are numerous less restrictive means to advance the State’s asserted interests.

93. S.B. 23 thus fails strict scrutiny, and would deprive Plaintiffs’ patients of their fundamental rights under the Ohio Constitution, causing them to suffer significant constitutional, medical, emotional, and other harms.

94. Plaintiffs’ patients have no adequate remedy at law to address these harms.

COUNT III—Equal Protection and Benefit

95. Plaintiffs reallege and incorporate by reference the allegations contained in paragraphs 32 through 80.

96. S.B. 23 discriminates against women, a suspect class, by expressly singling out “pregnant wom[e]n” in Ohio, and restricting their bodily autonomy and health care choices. S.B. 23 also discriminates against women by subordinating them to men based on antiquated notions and stereotypes regarding women’s roles as child-bearers and caregivers.

97. The Ohio Constitution subjects laws that discriminate against suspect classes to strict scrutiny. The State cannot meet this heavy burden.

98. Even if this Court were to apply intermediate scrutiny, S.B. 23 fails. S.B. 23 is not “substantially related” to any important government objective.

99. S.B. 23 fails strict scrutiny and intermediate scrutiny and therefore violates Plaintiffs’ patients’ rights to equal protection under Article I, Section 2 of the Ohio Constitution.

S.B. 23 would deprive of equal protection of the laws under the Ohio Constitution, thereby causing them to suffer significant constitutional, medical, emotional, and other harms.

100. Plaintiffs' patients have no adequate remedy at law to address these harms.

COUNT IV—Void for Vagueness

101. Plaintiffs reallege and incorporate by reference the allegations contained in paragraphs 32 through 80.

102. S.B. 23 fails to give providers adequate notice of the circumstances under which they can perform abortions after six weeks LMP, because the exceptions to S.B. 23's near-total ban on abortion are unclear and fail to provide adequate guidance. Providers lack clear guidelines as to when they are permitted to perform abortions after six weeks LMP without incurring criminal penalties.

103. S.B. 23 is unconstitutionally vague, in violation of Article I, Section 16 of the Ohio Constitution, because it does not provide fair warning to either providers or ordinary citizens as to what conduct is proscribed and does not preclude arbitrary, capricious, or discriminatory enforcement.

COUNT V—Void *Ab Initio*

104. Plaintiffs reallege and incorporate by reference the allegations contained in paragraphs 32 through 80.

105. At the time S.B. 23 was enacted in April 2019, federal constitutional law was clear that "a State may not prohibit any woman from making the ultimate decision to terminate her pregnancy before viability." *Casey*, 505 U.S. at 879, 112 S.Ct. 2791, 120 L.Ed.2d 674.

106. Because S.B. 23 prohibits abortion starting as early as six weeks LMP, far before the point of viability, it was unconstitutional at the time of its passage, and is thus void ab initio and unenforceable.

COUNT VI—Declaratory Judgment

107. Plaintiffs reallege and incorporate by reference the allegations contained in paragraphs 32 through 80.

108. A real controversy exists between the parties, the controversy is justiciable, and speedy relief is necessary to preserve the rights of the parties. Plaintiffs and their patients are harmed by S.B. 23's ban on abortion starting as early as six weeks. In addition, Plaintiffs' patients are unconstitutionally deprived of their fundamental right to abortion, as well as their rights to due process and equal protection.

109. The rights, status, and other legal relations of Plaintiffs and their patients are uncertain and insecure, and the entry of a declaratory judgment by this Court will terminate the uncertainty and controversy that has given rise to the action.

110. Pursuant to R.C. 2721.01, et seq., Plaintiffs request that the Court find and issue a declaration that:

- a. S.B. 23 violates Article I, Section 22 of the Ohio Constitution because it violates an individual's right to make and carry out one's own reproductive decisions, including the decision to have an abortion, and prevents persons or entities from assisting individuals in exercising that right.
- b. S.B. 23 violates Article I, Sections 1, 16, and 21 of the Ohio Constitution because it violates the Ohio Constitution's broad protections for individual

liberties by prohibiting abortion starting as early as six weeks into pregnancy.

- c. S.B. 23 violates Article I, Section 2 of the Ohio Constitution because it discriminates against women, a suspect class.
- d. S.B. 23 violates Article I, Section 16 of the Ohio Constitution because it is void for vagueness.
- e. S.B. 23 is void *ab initio* because it violated federal law at the time of its enactment.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs ask this Court:

- A. To keep in place its preliminary injunction, and later issue a permanent injunction, restraining Defendants, their employees, agents, and successors in office from enforcing S.B. 23.
- B. To enter a judgment declaring that S.B. 23 violates the Ohio Constitution and is void *ab initio*.
- C. To award Plaintiffs their fees and costs.
- D. To grant further relief as the Court deems just and proper.

Dated: December 14, 2023

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Respectfully submitted,

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Counsel for Plaintiffs

IN THE COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

PRETERM-CLEVELAND, *et al.*,

Plaintiffs,

v.

DAVID YOST, *et al.*,

Defendants.

Case No. A 2203203

Judge Christian A. Jenkins

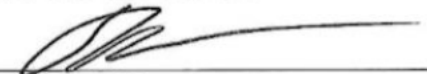
**AFFIDAVIT OF DR. SHARON LINER IN SUPPORT OF
PLAINTIFFS' SECOND AMENDED VERIFIED COMPLAINT**

I, Dr. Sharon Liner, a plaintiff in this action, being first duly sworn and cautioned according to law, hereby state that I am over the age of eighteen years and am competent to testify as to the facts set forth below based on my personal knowledge:

1. I am a medical doctor, licensed in the state of Ohio and specializing in family medicine.

I am employed by Planned Parenthood Southwest Ohio Region.

2. I have read the foregoing Second Amended Complaint and have knowledge of the allegations and facts within it. To the best of my knowledge, information, and/or belief, the facts contained in the Second Amended Complaint are true and correct.


Dr. Sharon Liner

Sworn to me this 11 day of Dec, 2023

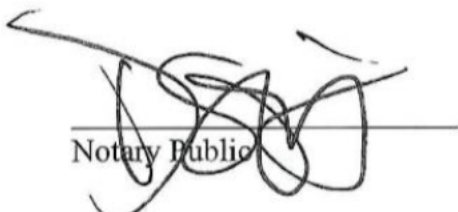

Notary Public



Exhibit A

AN ACT

To amend sections 2317.56, 2919.171, 2919.19, 2919.191, 2919.192, 2919.193, and 4731.22; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 2919.191 (2919.192), 2919.192 (2919.194), and 2919.193 (2919.198); and to enact new sections 2919.191 and 2919.193 and sections 2919.195, 2919.196, 2919.197, 2919.199, 2919.1910, 2919.1912, 2919.1913, and 5103.11 of the Revised Code to enact the Human Rights and Heartbeat Protection Act.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 2317.56, 2919.171, 2919.19, 2919.191, 2919.192, 2919.193, and 4731.22 be amended; sections 2919.191 (2919.192), 2919.192 (2919.194), and 2919.193 (2919.198) be amended for the purpose of adopting new section numbers as shown in parentheses; and new sections 2919.191 and 2919.193 and sections 2919.195, 2919.196, 2919.197, 2919.199, 2919.1910, 2919.1912, 2919.1913, and 5103.11 of the Revised Code be enacted to read as follows:

Sec. 2317.56. (A) As used in this section:

(1) "Medical emergency" has the same meaning as in section 2919.16 of the Revised Code.

(2) "Medical necessity" means a medical condition of a pregnant woman that, in the reasonable judgment of the physician who is attending the woman, so complicates the pregnancy that it necessitates the immediate performance or inducement of an abortion.

(3) "Probable gestational age of the embryo or fetus" means the gestational age that, in the judgment of a physician, is, with reasonable probability, the gestational age of the embryo or fetus at the time that the physician informs a pregnant woman pursuant to division (B)(1)(b) of this section.

(B) Except when there is a medical emergency or medical necessity, an abortion shall be performed or induced only if all of the following conditions are satisfied:

(1) At least twenty-four hours prior to the performance or inducement of the abortion, a physician meets with the pregnant woman in person in an individual, private setting and gives her an adequate opportunity to ask questions about the abortion that will be performed or induced. At this meeting, the physician shall inform the pregnant woman, verbally or, if she is hearing impaired, by other means of communication, of all of the following:

(a) The nature and purpose of the particular abortion procedure to be used and the medical risks associated with that procedure;

(b) The probable gestational age of the embryo or fetus;

(c) The medical risks associated with the pregnant woman carrying the pregnancy to term.

The meeting need not occur at the facility where the abortion is to be performed or induced, and the physician involved in the meeting need not be affiliated with that facility or with the

physician who is scheduled to perform or induce the abortion.

(2) At least twenty-four hours prior to the performance or inducement of the abortion, the physician who is to perform or induce the abortion or the physician's agent does each of the following in person, by telephone, by certified mail, return receipt requested, or by regular mail evidenced by a certificate of mailing:

(a) Inform the pregnant woman of the name of the physician who is scheduled to perform or induce the abortion;

(b) Give the pregnant woman copies of the published materials described in division (C) of this section;

(c) Inform the pregnant woman that the materials given pursuant to division (B)(2)(b) of this section are published by the state and that they describe the embryo or fetus and list agencies that offer alternatives to abortion. The pregnant woman may choose to examine or not to examine the materials. A physician or an agent of a physician may choose to be disassociated from the materials and may choose to comment or not comment on the materials.

(3) If it has been determined that the unborn human individual the pregnant woman is carrying has a detectable fetal heartbeat, the physician who is to perform or induce the abortion shall comply with the informed consent requirements in section ~~2919.192~~-2919.194 of the Revised Code in addition to complying with the informed consent requirements in divisions (B)(1), (2), (4), and (5) of this section.

(4) Prior to the performance or inducement of the abortion, the pregnant woman signs a form consenting to the abortion and certifies both of the following on that form:

(a) She has received the information and materials described in divisions (B)(1) and (2) of this section, and her questions about the abortion that will be performed or induced have been answered in a satisfactory manner.

(b) She consents to the particular abortion voluntarily, knowingly, intelligently, and without coercion by any person, and she is not under the influence of any drug of abuse or alcohol.

The form shall contain the name and contact information of the physician who provided to the pregnant woman the information described in division (B)(1) of this section.

(5) Prior to the performance or inducement of the abortion, the physician who is scheduled to perform or induce the abortion or the physician's agent receives a copy of the pregnant woman's signed form on which she consents to the abortion and that includes the certification required by division (B)(4) of this section.

(C) The department of health shall publish in English and in Spanish, in a typeface large enough to be clearly legible, and in an easily comprehensible format, the following materials on the department's web site:

(1) Materials that inform the pregnant woman about family planning information, of publicly funded agencies that are available to assist in family planning, and of public and private agencies and services that are available to assist her through the pregnancy, upon childbirth, and while the child is dependent, including, but not limited to, adoption agencies. The materials shall be geographically indexed; include a comprehensive list of the available agencies, a description of the services offered by the agencies, and the telephone numbers and addresses of the agencies; and inform the pregnant woman about available medical assistance benefits for prenatal care, childbirth, and neonatal care

and about the support obligations of the father of a child who is born alive. The department shall ensure that the materials described in division (C)(1) of this section are comprehensive and do not directly or indirectly promote, exclude, or discourage the use of any agency or service described in this division.

(2) Materials that inform the pregnant woman of the probable anatomical and physiological characteristics of the zygote, blastocyte, embryo, or fetus at two-week gestational increments for the first sixteen weeks of pregnancy and at four-week gestational increments from the seventeenth week of pregnancy to full term, including any relevant information regarding the time at which the fetus possibly would be viable. The department shall cause these materials to be published ~~only after it consults with the Ohio state medical association and the Ohio section of the American college of obstetricians and gynecologists~~ independent health care experts relative to the probable anatomical and physiological characteristics of a zygote, blastocyte, embryo, or fetus at the various gestational increments. The materials shall use language that is understandable by the average person who is not medically trained, shall be objective and nonjudgmental, and shall include only accurate scientific information about the zygote, blastocyte, embryo, or fetus at the various gestational increments. If the materials use a pictorial, photographic, or other depiction to provide information regarding the zygote, blastocyte, embryo, or fetus, the materials shall include, in a conspicuous manner, a scale or other explanation that is understandable by the average person and that can be used to determine the actual size of the zygote, blastocyte, embryo, or fetus at a particular gestational increment as contrasted with the depicted size of the zygote, blastocyte, embryo, or fetus at that gestational increment.

(D) Upon the submission of a request to the department of health by any person, hospital, physician, or medical facility for one copy of the materials published in accordance with division (C) of this section, the department shall make the requested copy of the materials available to the person, hospital, physician, or medical facility that requested the copy.

(E) If a medical emergency or medical necessity compels the performance or inducement of an abortion, the physician who will perform or induce the abortion, prior to its performance or inducement if possible, shall inform the pregnant woman of the medical indications supporting the physician's judgment that an immediate abortion is necessary. Any physician who performs or induces an abortion without the prior satisfaction of the conditions specified in division (B) of this section because of a medical emergency or medical necessity shall enter the reasons for the conclusion that a medical emergency or medical necessity exists in the medical record of the pregnant woman.

(F) If the conditions specified in division (B) of this section are satisfied, consent to an abortion shall be presumed to be valid and effective.

(G) The performance or inducement of an abortion without the prior satisfaction of the conditions specified in division (B) of this section does not constitute, and shall not be construed as constituting, a violation of division (A) of section 2919.12 of the Revised Code. The failure of a physician to satisfy the conditions of division (B) of this section prior to performing or inducing an abortion upon a pregnant woman may be the basis of both of the following:

(1) A civil action for compensatory and exemplary damages as described in division (H) of this section;

(2) Disciplinary action under section 4731.22 of the Revised Code.

(H)(1) Subject to divisions (H)(2) and (3) of this section, any physician who performs or induces an abortion with actual knowledge that the conditions specified in division (B) of this section have not been satisfied or with a heedless indifference as to whether those conditions have been satisfied is liable in compensatory and exemplary damages in a civil action to any person, or the representative of the estate of any person, who sustains injury, death, or loss to person or property as a result of the failure to satisfy those conditions. In the civil action, the court additionally may enter any injunctive or other equitable relief that it considers appropriate.

(2) The following shall be affirmative defenses in a civil action authorized by division (H)(1) of this section:

(a) The physician performed or induced the abortion under the circumstances described in division (E) of this section.

(b) The physician made a good faith effort to satisfy the conditions specified in division (B) of this section.

(3) An employer or other principal is not liable in damages in a civil action authorized by division (H)(1) of this section on the basis of the doctrine of respondeat superior unless either of the following applies:

(a) The employer or other principal had actual knowledge or, by the exercise of reasonable diligence, should have known that an employee or agent performed or induced an abortion with actual knowledge that the conditions specified in division (B) of this section had not been satisfied or with a heedless indifference as to whether those conditions had been satisfied.

(b) The employer or other principal negligently failed to secure the compliance of an employee or agent with division (B) of this section.

(4) Notwithstanding division (E) of section 2919.12 of the Revised Code, the civil action authorized by division (H)(1) of this section shall be the exclusive civil remedy for persons, or the representatives of estates of persons, who allegedly sustain injury, death, or loss to person or property as a result of a failure to satisfy the conditions specified in division (B) of this section.

(I) The department of job and family services shall prepare and conduct a public information program to inform women of all available governmental programs and agencies that provide services or assistance for family planning, prenatal care, child care, or alternatives to abortion.

Sec. 2919.171. (A)(1) A physician who performs or induces or attempts to perform or induce an abortion on a pregnant woman shall submit a report to the department of health in accordance with the forms, rules, and regulations adopted by the department that includes all of the information the physician is required to certify in writing or determine under ~~sections~~ section 2919.17 and, section 2919.18, divisions (A) and (C) of section 2919.192, division (C) of section 2919.193, division (B) of section 2919.195, or division (A) of section 2919.196 of the Revised Code.

(2) If a person other than the physician described in division (A)(1) of this section makes or maintains a record required by sections 2919.192 to 2919.196 of the Revised Code on the physician's behalf or at the physician's direction, that person shall comply with the reporting requirement described in division (A)(1) of this section as if the person were the physician described in that division.

(B) By September 30 of each year, the department of health shall issue a public report that

provides statistics for the previous calendar year compiled from all of the reports covering that calendar year submitted to the department in accordance with this section for each of the items listed in division (A) of this section. The report shall also provide the statistics for each previous calendar year in which a report was filed with the department pursuant to this section, adjusted to reflect any additional information that a physician provides to the department in a late or corrected report. The department shall ensure that none of the information included in the report could reasonably lead to the identification of any pregnant woman upon whom an abortion is performed.

(C)(1) The physician shall submit the report described in division (A) of this section to the department of health within fifteen days after the woman is discharged. If the physician fails to submit the report more than thirty days after that fifteen-day deadline, the physician shall be subject to a late fee of five hundred dollars for each additional thirty-day period or portion of a thirty-day period the report is overdue. A physician who is required to submit to the department of health a report under division (A) of this section and who has not submitted a report or has submitted an incomplete report more than one year following the fifteen-day deadline may, in an action brought by the department of health, be directed by a court of competent jurisdiction to submit a complete report to the department of health within a period of time stated in a court order or be subject to contempt of court.

(2) If a physician fails to comply with the requirements of this section, other than filing a late report with the department of health, or fails to submit a complete report to the department of health in accordance with a court order, the physician is subject to division (B)(44) of section 4731.22 of the Revised Code.

(3) No person shall falsify any report required under this section. Whoever violates this division is guilty of abortion report falsification, a misdemeanor of the first degree.

~~(D) Within ninety days of October 20, 2011, the~~ The department of health shall adopt rules pursuant to section 111.15 of the Revised Code to assist in compliance with this section.

Sec. 2919.19. ~~(A)~~ As used in this section and sections 2919.191 to ~~2919.193~~ 2919.1910 of the Revised Code:

~~(A)-(1)~~ "Conception" means fertilization.

~~(2)~~ "Contraceptive" means a drug, device, or chemical that prevents conception.

~~(3)~~ "DNA" means deoxyribonucleic acid.

~~(4)~~ "Fetal heartbeat" means cardiac activity or the steady and repetitive rhythmic contraction of the fetal heart within the gestational sac.

~~(B)-(5)~~ "Fetus" means the human offspring developing during pregnancy from the moment of conception and includes the embryonic stage of development.

~~(C)-(6)~~ "Gestational age" means the age of an unborn human individual as calculated from the first day of the last menstrual period of a pregnant woman.

~~(D)-(7)~~ "Gestational sac" means the structure that comprises the extraembryonic membranes that envelop the fetus and that is typically visible by ultrasound after the fourth week of pregnancy.

~~(E)-(8)~~ "Intrauterine pregnancy" means a pregnancy in which the fetus is attached to the placenta within the uterus of the pregnant woman.

~~(9)~~ "Medical emergency" has the same meaning as in section 2919.16 of the Revised Code.

~~(F)-(10)~~ "Physician" has the same meaning as in section 2305.113 of the Revised Code.

~~(G)-(11)~~ "Pregnancy" means the human female reproductive condition that begins with fertilization, when the woman is carrying the developing human offspring, and that is calculated from the first day of the last menstrual period of the woman.

~~(H)-(12)~~ "Serious risk of the substantial and irreversible impairment of a major bodily function" has the same meaning as in section 2919.16 of the Revised Code.

~~(I)-(13)~~ "Spontaneous miscarriage" means the natural or accidental termination of a pregnancy and the expulsion of the fetus, typically caused by genetic defects in the fetus or physical abnormalities in the pregnant woman.

(14) "Standard medical practice" means the degree of skill, care, and diligence that a physician of the same medical specialty would employ in like circumstances. As applied to the method used to determine the presence of a fetal heartbeat for purposes of section ~~2919.191~~ 2919.192 of the Revised Code, "standard medical practice" includes employing the appropriate means of detection depending on the estimated gestational age of the fetus and the condition of the woman and her pregnancy.

~~(J)-(15)~~ "Unborn human individual" means an individual organism of the species homo sapiens from fertilization until live birth.

(B)(1) It is the intent of the general assembly that a court judgment or order suspending enforcement of any provision of this section or sections 2919.171 or 2919.191 to 2919.1913 of the Revised Code is not to be regarded as tantamount to repeal of that provision.

(2) Upon the issuance of any court order or judgment restoring, expanding, or clarifying the authority of states to prohibit or regulate abortion entirely or in part, or the effective date of an amendment to the United States Constitution restoring, expanding, or clarifying the authority of states to prohibit or regulate abortion entirely or in part, the attorney general may apply to the pertinent state or federal court for either or both of the following:

(a) A declaration that any one or more sections specified in division (B)(1) of this section are constitutional;

(b) A judgment or order lifting an injunction against the enforcement of any one or more sections specified in division (B)(1) of this section.

(3) If the attorney general fails to apply for the relief described in division (B)(2) of this section within the thirty-day period after an event described in that division occurs, any county prosecutor, with standing, may apply to the appropriate state or federal court for such relief.

(4) If any provision of this section or sections 2919.171 or 2919.191 to 2919.1913 of the Revised Code is held invalid, or if the application of such provision to any person or circumstance is held invalid, the invalidity of that provision does not affect any other provisions or applications of this section and sections 2919.171 and 2919.191 to 2919.1913 of the Revised Code that can be given effect without the invalid provision or application, and to this end the provisions of this section and sections 2919.171 and 2919.191 to 2919.1913 of the Revised Code are severable as provided in section 1.50 of the Revised Code. In particular, it is the intent of the general assembly that any invalidity or potential invalidity of a provision of this section or sections 2919.171 or 2919.191 to 2919.1913 of the Revised Code is not to impair the immediate and continuing enforceability of the remaining provisions. It is furthermore the intent of the general assembly that the provisions of this section and sections 2919.171 or 2919.191 to 2919.1913 of the Revised Code are not to have the

effect of repealing or limiting any other laws of this state, except as specified by this section and sections 2919.171 and 2919.191 to 2919.193 of the Revised Code.

Sec. 2919.191. Sections 2919.192 to 2919.195 of the Revised Code apply only to intrauterine pregnancies.

Sec. ~~2919.191~~ 2919.192. (A) A person who intends to perform or induce an abortion on a pregnant woman shall determine whether there is a detectable fetal heartbeat of the unborn human individual the pregnant woman is carrying. The method of determining the presence of a fetal heartbeat shall be consistent with the person's good faith understanding of standard medical practice, provided that if rules have been adopted under division ~~(C)~~ (B) of this section, the method chosen shall be one that is consistent with the rules. The person who determines the presence or absence of a fetal heartbeat shall record in the pregnant woman's medical record the estimated gestational age of the unborn human individual, the method used to test for a fetal heartbeat, the date and time of the test, and the results of the test.

~~(B)(1) Except when a medical emergency exists that prevents compliance with this division, no person shall perform or induce an abortion on a pregnant woman prior to determining if the unborn human individual the pregnant woman is carrying has a detectable fetal heartbeat. Any person who performs or induces an abortion on a pregnant woman based on the exception in this division shall note in the pregnant woman's medical records that a medical emergency necessitating the abortion existed and shall also note the medical condition of the pregnant woman that prevented compliance with this division. The person shall maintain a copy of the notes described in this division in the person's own records for at least seven years after the notes are entered into the medical records.~~

~~(2) The person who performs the examination for the presence of a fetal heartbeat shall give the pregnant woman the option to view or hear the fetal heartbeat.~~

~~(C) The~~ (B) ~~Not later than one hundred twenty days of the effective date of S.B. 23 of the 133rd general assembly, the director of health may promulgate shall adopt rules pursuant to section 111.15 of the Revised Code specifying the appropriate methods of performing an examination for the purpose of determining the presence of a fetal heartbeat of an unborn individual based on standard medical practice. The rules shall require only that an examination shall be performed externally.~~

~~(D)~~ (C) A person is not in violation of division (A) ~~or (B)~~ of this section if that person has performed an examination for the purpose of determining the presence of a fetal heartbeat in the fetus of an unborn human individual utilizing standard medical practice in accordance with rules adopted under division (B) of this section, that examination does not reveal a fetal heartbeat or the person has been informed by a physician who has performed the examination for a fetal heartbeat that the examination did not reveal a fetal heartbeat, and the person notes in the pregnant woman's medical records the procedure utilized to detect the presence of a fetal heartbeat.

~~(E) Except as provided in division (F) of this section, no person shall knowingly and purposefully perform or induce an abortion on a pregnant woman before determining in accordance with division (A) of this section whether the unborn human individual the pregnant woman is carrying has a detectable heartbeat. The failure of a person to satisfy the requirements of this section prior to performing or inducing an abortion on a pregnant woman may be the basis for either of the following:~~

- (1) A civil action for compensatory and exemplary damages;
- (2) Disciplinary action under section 4731.22 of the Revised Code.

(F) Division (E) of this section does not apply to a physician who performs or induces the abortion if the physician believes that a medical emergency exists that prevents compliance with that division.

(G) The director of health may determine and specify in rules adopted pursuant to section 111.15 of the Revised Code and based upon available medical evidence the statistical probability of bringing an unborn human individual to term based on the gestational age of an unborn human individual who possesses a detectable fetal heartbeat.

(H) A woman on whom an abortion is performed in violation of division (B) of this section or division (B)(3) of section 2317.56 of the Revised Code may file a civil action for the wrongful death of the woman's unborn child and may receive at the mother's election at any time prior to final judgment damages in an amount equal to ten thousand dollars or an amount determined by the trier of fact after consideration of the evidence subject to the same defenses and requirements of proof, except any requirement of live birth, as would apply to a suit for the wrongful death of a child who had been born alive.

Sec. 2919.193. (A) Except as provided in division (B) of this section, no person shall knowingly and purposefully perform or induce an abortion on a pregnant woman before determining in accordance with division (A) of section 2919.192 of the Revised Code whether the unborn human individual the pregnant woman is carrying has a detectable heartbeat.

Whoever violates this division is guilty of performing or inducing an abortion before determining whether there is a detectable fetal heartbeat, a felony of the fifth degree. A violation of this division may also be the basis of either of the following:

- (1) A civil action for compensatory and exemplary damages;
- (2) Disciplinary action under section 4731.22 of the Revised Code.

(B) Division (A) of this section does not apply to a physician who performs or induces the abortion if the physician believes that a medical emergency, as defined in section 2919.16 of the Revised Code, exists that prevents compliance with that division.

(C) A physician who performs or induces an abortion on a pregnant woman based on the exception in division (B) of this section shall make written notations in the pregnant woman's medical records of both of the following:

- (1) The physician's belief that a medical emergency necessitating the abortion existed;
- (2) The medical condition of the pregnant woman that assertedly prevented compliance with division (A) of this section.

For at least seven years from the date the notations are made, the physician shall maintain in the physician's own records a copy of the notations.

(D) A person is not in violation of division (A) of this section if the person acts in accordance with division (A) of section 2919.192 of the Revised Code and the method used to determine the presence of a fetal heartbeat does not reveal a fetal heartbeat.

Sec. 2919.192-2919.194. (A) If Notwithstanding division (A)(3) of this section, if a person who intends to perform or induce an abortion on a pregnant woman has determined, under section 2919.191-2919.192 of the Revised Code, that the unborn human individual the pregnant woman is

carrying has a detectable heartbeat, the person shall not, except as provided in division (B) of this section, perform or induce the abortion ~~until without meeting~~ all of the following requirements ~~have been met and~~ without at least twenty-four hours ~~have elapsed~~ elapsing after the last of the requirements is met:

(1) The person intending to perform or induce the abortion shall inform the pregnant woman in writing that the unborn human individual the pregnant woman is carrying has a fetal heartbeat.

(2) The person intending to perform or induce the abortion shall inform the pregnant woman, to the best of the person's knowledge, of the statistical probability of bringing the unborn human individual possessing a detectable fetal heartbeat to term based on the gestational age of the unborn human individual the pregnant woman is carrying or, if the director of health has specified statistical probability information pursuant to rules adopted under division (C) of this section, shall provide to the pregnant woman that information.

(3) The pregnant woman shall sign a form acknowledging that the pregnant woman has received information from the person intending to perform or induce the abortion that the unborn human individual the pregnant woman is carrying has a fetal heartbeat and that the pregnant woman is aware of the statistical probability of bringing the unborn human individual the pregnant woman is carrying to term.

(B) Division (A) of this section does not apply if the person who intends to perform or induce the abortion believes that a medical emergency exists that prevents compliance with that division.

(C) The director of health may adopt rules that specify information regarding the statistical probability of bringing an unborn human individual possessing a detectable heartbeat to term based on the gestational age of the unborn human individual. The rules shall be based on available medical evidence and shall be adopted in accordance with section 111.15 of the Revised Code.

(D) This section does not have the effect of repealing or limiting any other provision of the Revised Code relating to informed consent for an abortion, including the provisions in section 2317.56 of the Revised Code.

(E) Whoever violates division (A) of this section is guilty of performing or inducing an abortion without informed consent when there is a detectable fetal heartbeat, a misdemeanor of the first degree on a first offense and a felony of the fourth degree on each subsequent offense.

Sec. 2919.195. (A) Except as provided in division (B) of this section, no person shall knowingly and purposefully perform or induce an abortion on a pregnant woman with the specific intent of causing or abetting the termination of the life of the unborn human individual the pregnant woman is carrying and whose fetal heartbeat has been detected in accordance with division (A) of section 2919.192 of the Revised Code.

Whoever violates this division is guilty of performing or inducing an abortion after the detection of a fetal heartbeat, a felony of the fifth degree.

(B) Division (A) of this section does not apply to a physician who performs a medical procedure that, in the physician's reasonable medical judgment, is designed or intended to prevent the death of the pregnant woman or to prevent a serious risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman.

A physician who performs a medical procedure as described in this division shall declare, in a written document, that the medical procedure is necessary, to the best of the physician's reasonable

medical judgment, to prevent the death of the pregnant woman or to prevent a serious risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman. In the document, the physician shall specify the pregnant woman's medical condition that the medical procedure is asserted to address and the medical rationale for the physician's conclusion that the medical procedure is necessary to prevent the death of the pregnant woman or to prevent a serious risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman.

A physician who performs a medical procedure as described in this division shall place the written document required by this division in the pregnant woman's medical records. The physician shall maintain a copy of the document in the physician's own records for at least seven years from the date the document is created.

(C) A person is not in violation of division (A) of this section if the person acts in accordance with division (A) of section 2919.192 of the Revised Code and the method used to determine the presence of a fetal heartbeat does not reveal a fetal heartbeat.

(D) Division (A) of this section does not have the effect of repealing or limiting any other provision of the Revised Code that restricts or regulates the performance or inducement of an abortion by a particular method or during a particular stage of a pregnancy.

Sec. 2919.196. The provisions of this section are wholly independent of the requirements of sections 2919.192 to 2919.195 of the Revised Code.

(A) A person who performs or induces an abortion on a pregnant woman shall do whichever of the following is applicable:

(1) If a purported reason for the abortion is to preserve the health of the pregnant woman, the person shall specify in a written document the medical condition that the abortion is asserted to address and the medical rationale for the person's conclusion that the abortion is necessary to address that condition.

(2) If division (A)(1) of this section does not apply, the person shall specify in a written document that maternal health is not a reason of the abortion.

(B) The person who specifies the information in the document described in division (A) of this section shall place the document in the pregnant woman's medical records. The person who specifies the information shall maintain a copy of the document in the person's own records for at least seven years from the date the document is created.

Sec. 2919.197. Nothing in sections 2919.19 to 2919.196 of the Revised Code prohibits the sale, use, prescription, or administration of a drug, device, or chemical for contraceptive purposes.

Sec. ~~2919.193~~ 2919.198. A pregnant woman on whom an abortion is performed or induced in violation of section ~~2919.191 or 2919.192~~ 2919.193, 2919.194, or 2919.195 of the Revised Code is not guilty of violating any of those sections; is not guilty of attempting to commit, conspiring to commit, or complicity in committing a violation of any of those sections; and is not subject to a civil penalty based on the abortion being performed or induced in violation of any of those sections.

Sec. 2919.199. (A) A woman who meets either or both of the following criteria may file a civil action for the wrongful death of her unborn child:

(1) A woman on whom an abortion was performed or induced in violation of division (A) of section 2919.193 or division (A) of section 2919.195 of the Revised Code;

(2) A woman on whom an abortion was performed or induced who was not given the

information described in divisions (A)(1) and (2) of section 2919.194 of the Revised Code or who did not sign a form described in division (A)(3) of section 2919.194 of the Revised code.

(B) A woman who prevails in an action filed under division (A) of this section shall receive both of the following from the person who committed the one or more acts described in division (A) (1) or (2) of this section:

(1) Damages in an amount equal to ten thousand dollars or an amount determined by the trier of fact after consideration of the evidence at the mother's election at any time prior to final judgment subject to the same defenses and requirements of proof, except any requirement of live birth, as would apply to a suit for the wrongful death of a child who had been born alive;

(2) Court costs and reasonable attorney's fees.

(C) A determination by a court of record that division (A) of section 2919.193 of the Revised Code, division (A)(1), (2), or (3) of section 2919.194 of the Revised Code, or division (A) of section 2919.195 of the Revised Code is unconstitutional shall be a defense to an action filed under division (A) of this section alleging that the defendant violated the division that was determined to be unconstitutional.

(D) If the defendant in an action filed under division (A) of this section prevails and all of the following apply the court shall award reasonable attorney's fees to the defendant in accordance with section 2323.51 of the Revised Code:

(1) The court finds that the commencement of the action constitutes frivolous conduct, as defined in section 2323.51 of the Revised Code.

(2) The court's finding in division (D)(1) of this section is not based on that court or another court determining that division (A) of section 2919.193 of the Revised Code, division (A)(1), (2), or (3) of section 2919.194 of the Revised Code, or division (A) of section 2919.195 of the Revised Code is unconstitutional.

(3) The court finds that the defendant was adversely affected by the frivolous conduct.

Sec. 2919.1910. (A) To ensure that citizens are informed of available options in this state, there is hereby created the joint legislative committee on adoption promotion and support. The committee may review or study any matter that it considers relevant to the adoption process in this state, with priority given to the study or review of mechanisms intended to increase awareness of the process, increase its effectiveness, or both.

(B) The committee shall consist of three members of the house of representatives appointed by the speaker of the house of representatives and three members of the senate appointed by the president of the senate. Not more than two members appointed by the speaker of the house of representatives and not more than two members appointed by the president of the senate may be of the same political party.

Each member of the committee shall hold office during the general assembly in which the member is appointed and until a successor has been appointed, notwithstanding the adjournment sine die of the general assembly in which the member was appointed or the expiration of the member's term as a member of the general assembly. Any vacancies occurring among the members of the committee shall be filled in the manner of the original appointment.

(C) The committee has the same powers as other standing or select committees of the general assembly.

Sec. 2919.1912. (A) The state medical board may assess against a person a forfeiture of not more than twenty thousand dollars for each separate violation or failure of the person to comply with any of the requirements of sections 2919.171, 2919.192, 2919.193, 2919.194, 2919.195, or 2919.196 of the Revised Code. The board shall comply with the adjudication requirements of Chapter 119. of the Revised Code when assessing the forfeiture. The forfeiture may be in addition to criminal penalties that are imposed under other sections of the Revised Code.

(B) An action to recover a forfeiture shall be prosecuted in the name of the state and shall be brought in the court of common pleas of Franklin county. The action shall be commenced and prosecuted by the attorney general when directed by the board.

(C) Moneys collected under division (A) of this section or recovered by an action under division (B) of this section shall be paid to the treasurer of state for deposit into the foster care and adoption initiatives fund created under section 5103.11 of the Revised Code.

Sec. 2919.1913. Sections 2919.171, 2919.19 to 2919.1913, and 4731.22 of the Revised Code, as amended or enacted by this act, shall be known as the "Human Rights and Heartbeat Protection Act."

Sec. 4731.22. (A) The state medical board, by an affirmative vote of not fewer than six of its members, may limit, revoke, or suspend a license or certificate to practice or certificate to recommend, refuse to grant a license or certificate, refuse to renew a license or certificate, refuse to reinstate a license or certificate, or reprimand or place on probation the holder of a license or certificate if the individual applying for or holding the license or certificate is found by the board to have committed fraud during the administration of the examination for a license or certificate to practice or to have committed fraud, misrepresentation, or deception in applying for, renewing, or securing any license or certificate to practice or certificate to recommend issued by the board.

(B) The board, by an affirmative vote of not fewer than six members, shall, to the extent permitted by law, limit, revoke, or suspend a license or certificate to practice or certificate to recommend, refuse to issue a license or certificate, refuse to renew a license or certificate, refuse to reinstate a license or certificate, or reprimand or place on probation the holder of a license or certificate for one or more of the following reasons:

(1) Permitting one's name or one's license or certificate to practice to be used by a person, group, or corporation when the individual concerned is not actually directing the treatment given;

(2) Failure to maintain minimal standards applicable to the selection or administration of drugs, or failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease;

(3) Except as provided in section 4731.97 of the Revised Code, selling, giving away, personally furnishing, prescribing, or administering drugs for other than legal and legitimate therapeutic purposes or a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction of, a violation of any federal or state law regulating the possession, distribution, or use of any drug;

(4) Willfully betraying a professional confidence.

For purposes of this division, "willfully betraying a professional confidence" does not include providing any information, documents, or reports under sections 307.621 to 307.629 of the Revised Code to a child fatality review board; does not include providing any information, documents, or

reports to the director of health pursuant to guidelines established under section 3701.70 of the Revised Code; does not include written notice to a mental health professional under section 4731.62 of the Revised Code; and does not include the making of a report of an employee's use of a drug of abuse, or a report of a condition of an employee other than one involving the use of a drug of abuse, to the employer of the employee as described in division (B) of section 2305.33 of the Revised Code. Nothing in this division affects the immunity from civil liability conferred by section 2305.33 or 4731.62 of the Revised Code upon a physician who makes a report in accordance with section 2305.33 or notifies a mental health professional in accordance with section 4731.62 of the Revised Code. As used in this division, "employee," "employer," and "physician" have the same meanings as in section 2305.33 of the Revised Code.

(5) Making a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or a limited branch of medicine; or in securing or attempting to secure any license or certificate to practice issued by the board.

As used in this division, "false, fraudulent, deceptive, or misleading statement" means a statement that includes a misrepresentation of fact, is likely to mislead or deceive because of a failure to disclose material facts, is intended or is likely to create false or unjustified expectations of favorable results, or includes representations or implications that in reasonable probability will cause an ordinarily prudent person to misunderstand or be deceived.

(6) A departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established;

(7) Representing, with the purpose of obtaining compensation or other advantage as personal gain or for any other person, that an incurable disease or injury, or other incurable condition, can be permanently cured;

(8) The obtaining of, or attempting to obtain, money or anything of value by fraudulent misrepresentations in the course of practice;

(9) A plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony;

(10) Commission of an act that constitutes a felony in this state, regardless of the jurisdiction in which the act was committed;

(11) A plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a misdemeanor committed in the course of practice;

(12) Commission of an act in the course of practice that constitutes a misdemeanor in this state, regardless of the jurisdiction in which the act was committed;

(13) A plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a misdemeanor involving moral turpitude;

(14) Commission of an act involving moral turpitude that constitutes a misdemeanor in this state, regardless of the jurisdiction in which the act was committed;

(15) Violation of the conditions of limitation placed by the board upon a license or certificate to practice;

(16) Failure to pay license renewal fees specified in this chapter;

(17) Except as authorized in section 4731.31 of the Revised Code, engaging in the division of fees for referral of patients, or the receiving of a thing of value in return for a specific referral of a patient to utilize a particular service or business;

(18) Subject to section 4731.226 of the Revised Code, violation of any provision of a code of ethics of the American medical association, the American osteopathic association, the American podiatric medical association, or any other national professional organizations that the board specifies by rule. The state medical board shall obtain and keep on file current copies of the codes of ethics of the various national professional organizations. The individual whose license or certificate is being suspended or revoked shall not be found to have violated any provision of a code of ethics of an organization not appropriate to the individual's profession.

For purposes of this division, a "provision of a code of ethics of a national professional organization" does not include any provision that would preclude the making of a report by a physician of an employee's use of a drug of abuse, or of a condition of an employee other than one involving the use of a drug of abuse, to the employer of the employee as described in division (B) of section 2305.33 of the Revised Code. Nothing in this division affects the immunity from civil liability conferred by that section upon a physician who makes either type of report in accordance with division (B) of that section. As used in this division, "employee," "employer," and "physician" have the same meanings as in section 2305.33 of the Revised Code.

(19) Inability to practice according to acceptable and prevailing standards of care by reason of mental illness or physical illness, including, but not limited to, physical deterioration that adversely affects cognitive, motor, or perceptive skills.

In enforcing this division, the board, upon a showing of a possible violation, may compel any individual authorized to practice by this chapter or who has submitted an application pursuant to this chapter to submit to a mental examination, physical examination, including an HIV test, or both a mental and a physical examination. The expense of the examination is the responsibility of the individual compelled to be examined. Failure to submit to a mental or physical examination or consent to an HIV test ordered by the board constitutes an admission of the allegations against the individual unless the failure is due to circumstances beyond the individual's control, and a default and final order may be entered without the taking of testimony or presentation of evidence. If the board finds an individual unable to practice because of the reasons set forth in this division, the board shall require the individual to submit to care, counseling, or treatment by physicians approved or designated by the board, as a condition for initial, continued, reinstated, or renewed authority to practice. An individual affected under this division shall be afforded an opportunity to demonstrate to the board the ability to resume practice in compliance with acceptable and prevailing standards under the provisions of the individual's license or certificate. For the purpose of this division, any individual who applies for or receives a license or certificate to practice under this chapter accepts the privilege of practicing in this state and, by so doing, shall be deemed to have given consent to submit to a mental or physical examination when directed to do so in writing by the board, and to have waived all objections to the admissibility of testimony or examination reports that constitute a privileged communication.

(20) Except as provided in division (F)(1)(b) of section 4731.282 of the Revised Code or when civil penalties are imposed under section 4731.225 of the Revised Code, and subject to section

4731.226 of the Revised Code, violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board.

This division does not apply to a violation or attempted violation of, assisting in or abetting the violation of, or a conspiracy to violate, any provision of this chapter or any rule adopted by the board that would preclude the making of a report by a physician of an employee's use of a drug of abuse, or of a condition of an employee other than one involving the use of a drug of abuse, to the employer of the employee as described in division (B) of section 2305.33 of the Revised Code. Nothing in this division affects the immunity from civil liability conferred by that section upon a physician who makes either type of report in accordance with division (B) of that section. As used in this division, "employee," "employer," and "physician" have the same meanings as in section 2305.33 of the Revised Code.

(21) The violation of section 3701.79 of the Revised Code or of any abortion rule adopted by the director of health pursuant to section 3701.341 of the Revised Code;

(22) Any of the following actions taken by an agency responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand;

(23) The violation of section 2919.12 of the Revised Code or the performance or inducement of an abortion upon a pregnant woman with actual knowledge that the conditions specified in division (B) of section 2317.56 of the Revised Code have not been satisfied or with a heedless indifference as to whether those conditions have been satisfied, unless an affirmative defense as specified in division (H)(2) of that section would apply in a civil action authorized by division (H)(1) of that section;

(24) The revocation, suspension, restriction, reduction, or termination of clinical privileges by the United States department of defense or department of veterans affairs or the termination or suspension of a certificate of registration to prescribe drugs by the drug enforcement administration of the United States department of justice;

(25) Termination or suspension from participation in the medicare or medicaid programs by the department of health and human services or other responsible agency;

(26) Impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice.

For the purposes of this division, any individual authorized to practice by this chapter accepts the privilege of practicing in this state subject to supervision by the board. By filing an application for or holding a license or certificate to practice under this chapter, an individual shall be deemed to have given consent to submit to a mental or physical examination when ordered to do so by the board in writing, and to have waived all objections to the admissibility of testimony or examination reports that constitute privileged communications.

If it has reason to believe that any individual authorized to practice by this chapter or any

applicant for licensure or certification to practice suffers such impairment, the board may compel the individual to submit to a mental or physical examination, or both. The expense of the examination is the responsibility of the individual compelled to be examined. Any mental or physical examination required under this division shall be undertaken by a treatment provider or physician who is qualified to conduct the examination and who is chosen by the board.

Failure to submit to a mental or physical examination ordered by the board constitutes an admission of the allegations against the individual unless the failure is due to circumstances beyond the individual's control, and a default and final order may be entered without the taking of testimony or presentation of evidence. If the board determines that the individual's ability to practice is impaired, the board shall suspend the individual's license or certificate or deny the individual's application and shall require the individual, as a condition for initial, continued, reinstated, or renewed licensure or certification to practice, to submit to treatment.

Before being eligible to apply for reinstatement of a license or certificate suspended under this division, the impaired practitioner shall demonstrate to the board the ability to resume practice in compliance with acceptable and prevailing standards of care under the provisions of the practitioner's license or certificate. The demonstration shall include, but shall not be limited to, the following:

(a) Certification from a treatment provider approved under section 4731.25 of the Revised Code that the individual has successfully completed any required inpatient treatment;

(b) Evidence of continuing full compliance with an aftercare contract or consent agreement;

(c) Two written reports indicating that the individual's ability to practice has been assessed and that the individual has been found capable of practicing according to acceptable and prevailing standards of care. The reports shall be made by individuals or providers approved by the board for making the assessments and shall describe the basis for their determination.

The board may reinstate a license or certificate suspended under this division after that demonstration and after the individual has entered into a written consent agreement.

When the impaired practitioner resumes practice, the board shall require continued monitoring of the individual. The monitoring shall include, but not be limited to, compliance with the written consent agreement entered into before reinstatement or with conditions imposed by board order after a hearing, and, upon termination of the consent agreement, submission to the board for at least two years of annual written progress reports made under penalty of perjury stating whether the individual has maintained sobriety.

(27) A second or subsequent violation of section 4731.66 or 4731.69 of the Revised Code;

(28) Except as provided in division (N) of this section:

(a) Waiving the payment of all or any part of a deductible or copayment that a patient, pursuant to a health insurance or health care policy, contract, or plan that covers the individual's services, otherwise would be required to pay if the waiver is used as an enticement to a patient or group of patients to receive health care services from that individual;

(b) Advertising that the individual will waive the payment of all or any part of a deductible or copayment that a patient, pursuant to a health insurance or health care policy, contract, or plan that covers the individual's services, otherwise would be required to pay.

(29) Failure to use universal blood and body fluid precautions established by rules adopted under section 4731.051 of the Revised Code;

(30) Failure to provide notice to, and receive acknowledgment of the notice from, a patient when required by section 4731.143 of the Revised Code prior to providing nonemergency professional services, or failure to maintain that notice in the patient's medical record;

(31) Failure of a physician supervising a physician assistant to maintain supervision in accordance with the requirements of Chapter 4730. of the Revised Code and the rules adopted under that chapter;

(32) Failure of a physician or podiatrist to enter into a standard care arrangement with a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner with whom the physician or podiatrist is in collaboration pursuant to section 4731.27 of the Revised Code or failure to fulfill the responsibilities of collaboration after entering into a standard care arrangement;

(33) Failure to comply with the terms of a consult agreement entered into with a pharmacist pursuant to section 4729.39 of the Revised Code;

(34) Failure to cooperate in an investigation conducted by the board under division (F) of this section, including failure to comply with a subpoena or order issued by the board or failure to answer truthfully a question presented by the board in an investigative interview, an investigative office conference, at a deposition, or in written interrogatories, except that failure to cooperate with an investigation shall not constitute grounds for discipline under this section if a court of competent jurisdiction has issued an order that either quashes a subpoena or permits the individual to withhold the testimony or evidence in issue;

(35) Failure to supervise an oriental medicine practitioner or acupuncturist in accordance with Chapter 4762. of the Revised Code and the board's rules for providing that supervision;

(36) Failure to supervise an anesthesiologist assistant in accordance with Chapter 4760. of the Revised Code and the board's rules for supervision of an anesthesiologist assistant;

(37) Assisting suicide, as defined in section 3795.01 of the Revised Code;

(38) Failure to comply with the requirements of section 2317.561 of the Revised Code;

(39) Failure to supervise a radiologist assistant in accordance with Chapter 4774. of the Revised Code and the board's rules for supervision of radiologist assistants;

(40) Performing or inducing an abortion at an office or facility with knowledge that the office or facility fails to post the notice required under section 3701.791 of the Revised Code;

(41) Failure to comply with the standards and procedures established in rules under section 4731.054 of the Revised Code for the operation of or the provision of care at a pain management clinic;

(42) Failure to comply with the standards and procedures established in rules under section 4731.054 of the Revised Code for providing supervision, direction, and control of individuals at a pain management clinic;

(43) Failure to comply with the requirements of section 4729.79 or 4731.055 of the Revised Code, unless the state board of pharmacy no longer maintains a drug database pursuant to section 4729.75 of the Revised Code;

(44) Failure to comply with the requirements of section 2919.171, 2919.202, or 2919.203 of the Revised Code or failure to submit to the department of health in accordance with a court order a complete report as described in section 2919.171 or 2919.202 of the Revised Code;

(45) Practicing at a facility that is subject to licensure as a category III terminal distributor of

dangerous drugs with a pain management clinic classification unless the person operating the facility has obtained and maintains the license with the classification;

(46) Owning a facility that is subject to licensure as a category III terminal distributor of dangerous drugs with a pain management clinic classification unless the facility is licensed with the classification;

(47) Failure to comply with any of the requirement requirements regarding making or maintaining notes medical records or documents described in division (B)-(A) of section 2919.191-2919.192, division (C) of section 2919.193, division (B) of section 2919.195, or division (A) of section 2919.196 of the Revised Code or failure to satisfy the requirements of section 2919.191 of the Revised Code prior to performing or inducing an abortion upon a pregnant woman;

(48) Failure to comply with the requirements in section 3719.061 of the Revised Code before issuing for a minor a prescription for an opioid analgesic, as defined in section 3719.01 of the Revised Code;

(49) Failure to comply with the requirements of section 4731.30 of the Revised Code or rules adopted under section 4731.301 of the Revised Code when recommending treatment with medical marijuana;

(50) Practicing at a facility, clinic, or other location that is subject to licensure as a category III terminal distributor of dangerous drugs with an office-based opioid treatment classification unless the person operating that place has obtained and maintains the license with the classification;

(51) Owning a facility, clinic, or other location that is subject to licensure as a category III terminal distributor of dangerous drugs with an office-based opioid treatment classification unless that place is licensed with the classification;

(52) A pattern of continuous or repeated violations of division (E)(2) or (3) of section 3963.02 of the Revised Code.

(C) Disciplinary actions taken by the board under divisions (A) and (B) of this section shall be taken pursuant to an adjudication under Chapter 119. of the Revised Code, except that in lieu of an adjudication, the board may enter into a consent agreement with an individual to resolve an allegation of a violation of this chapter or any rule adopted under it. A consent agreement, when ratified by an affirmative vote of not fewer than six members of the board, shall constitute the findings and order of the board with respect to the matter addressed in the agreement. If the board refuses to ratify a consent agreement, the admissions and findings contained in the consent agreement shall be of no force or effect.

A telephone conference call may be utilized for ratification of a consent agreement that revokes or suspends an individual's license or certificate to practice or certificate to recommend. The telephone conference call shall be considered a special meeting under division (F) of section 121.22 of the Revised Code.

If the board takes disciplinary action against an individual under division (B) of this section for a second or subsequent plea of guilty to, or judicial finding of guilt of, a violation of section 2919.123 of the Revised Code, the disciplinary action shall consist of a suspension of the individual's license or certificate to practice for a period of at least one year or, if determined appropriate by the board, a more serious sanction involving the individual's license or certificate to practice. Any consent agreement entered into under this division with an individual that pertains to a second or

subsequent plea of guilty to, or judicial finding of guilt of, a violation of that section shall provide for a suspension of the individual's license or certificate to practice for a period of at least one year or, if determined appropriate by the board, a more serious sanction involving the individual's license or certificate to practice.

(D) For purposes of divisions (B)(10), (12), and (14) of this section, the commission of the act may be established by a finding by the board, pursuant to an adjudication under Chapter 119. of the Revised Code, that the individual committed the act. The board does not have jurisdiction under those divisions if the trial court renders a final judgment in the individual's favor and that judgment is based upon an adjudication on the merits. The board has jurisdiction under those divisions if the trial court issues an order of dismissal upon technical or procedural grounds.

(E) The sealing of conviction records by any court shall have no effect upon a prior board order entered under this section or upon the board's jurisdiction to take action under this section if, based upon a plea of guilty, a judicial finding of guilt, or a judicial finding of eligibility for intervention in lieu of conviction, the board issued a notice of opportunity for a hearing prior to the court's order to seal the records. The board shall not be required to seal, destroy, redact, or otherwise modify its records to reflect the court's sealing of conviction records.

(F)(1) The board shall investigate evidence that appears to show that a person has violated any provision of this chapter or any rule adopted under it. Any person may report to the board in a signed writing any information that the person may have that appears to show a violation of any provision of this chapter or any rule adopted under it. In the absence of bad faith, any person who reports information of that nature or who testifies before the board in any adjudication conducted under Chapter 119. of the Revised Code shall not be liable in damages in a civil action as a result of the report or testimony. Each complaint or allegation of a violation received by the board shall be assigned a case number and shall be recorded by the board.

(2) Investigations of alleged violations of this chapter or any rule adopted under it shall be supervised by the supervising member elected by the board in accordance with section 4731.02 of the Revised Code and by the secretary as provided in section 4731.39 of the Revised Code. The president may designate another member of the board to supervise the investigation in place of the supervising member. No member of the board who supervises the investigation of a case shall participate in further adjudication of the case.

(3) In investigating a possible violation of this chapter or any rule adopted under this chapter, or in conducting an inspection under division (E) of section 4731.054 of the Revised Code, the board may question witnesses, conduct interviews, administer oaths, order the taking of depositions, inspect and copy any books, accounts, papers, records, or documents, issue subpoenas, and compel the attendance of witnesses and production of books, accounts, papers, records, documents, and testimony, except that a subpoena for patient record information shall not be issued without consultation with the attorney general's office and approval of the secretary and supervising member of the board.

(a) Before issuance of a subpoena for patient record information, the secretary and supervising member shall determine whether there is probable cause to believe that the complaint filed alleges a violation of this chapter or any rule adopted under it and that the records sought are relevant to the alleged violation and material to the investigation. The subpoena may apply only to

records that cover a reasonable period of time surrounding the alleged violation.

(b) On failure to comply with any subpoena issued by the board and after reasonable notice to the person being subpoenaed, the board may move for an order compelling the production of persons or records pursuant to the Rules of Civil Procedure.

(c) A subpoena issued by the board may be served by a sheriff, the sheriff's deputy, or a board employee or agent designated by the board. Service of a subpoena issued by the board may be made by delivering a copy of the subpoena to the person named therein, reading it to the person, or leaving it at the person's usual place of residence, usual place of business, or address on file with the board. When serving a subpoena to an applicant for or the holder of a license or certificate issued under this chapter, service of the subpoena may be made by certified mail, return receipt requested, and the subpoena shall be deemed served on the date delivery is made or the date the person refuses to accept delivery. If the person being served refuses to accept the subpoena or is not located, service may be made to an attorney who notifies the board that the attorney is representing the person.

(d) A sheriff's deputy who serves a subpoena shall receive the same fees as a sheriff. Each witness who appears before the board in obedience to a subpoena shall receive the fees and mileage provided for under section 119.094 of the Revised Code.

(4) All hearings, investigations, and inspections of the board shall be considered civil actions for the purposes of section 2305.252 of the Revised Code.

(5) A report required to be submitted to the board under this chapter, a complaint, or information received by the board pursuant to an investigation or pursuant to an inspection under division (E) of section 4731.054 of the Revised Code is confidential and not subject to discovery in any civil action.

The board shall conduct all investigations or inspections and proceedings in a manner that protects the confidentiality of patients and persons who file complaints with the board. The board shall not make public the names or any other identifying information about patients or complainants unless proper consent is given or, in the case of a patient, a waiver of the patient privilege exists under division (B) of section 2317.02 of the Revised Code, except that consent or a waiver of that nature is not required if the board possesses reliable and substantial evidence that no bona fide physician-patient relationship exists.

The board may share any information it receives pursuant to an investigation or inspection, including patient records and patient record information, with law enforcement agencies, other licensing boards, and other governmental agencies that are prosecuting, adjudicating, or investigating alleged violations of statutes or administrative rules. An agency or board that receives the information shall comply with the same requirements regarding confidentiality as those with which the state medical board must comply, notwithstanding any conflicting provision of the Revised Code or procedure of the agency or board that applies when it is dealing with other information in its possession. In a judicial proceeding, the information may be admitted into evidence only in accordance with the Rules of Evidence, but the court shall require that appropriate measures are taken to ensure that confidentiality is maintained with respect to any part of the information that contains names or other identifying information about patients or complainants whose confidentiality was protected by the state medical board when the information was in the board's possession. Measures to ensure confidentiality that may be taken by the court include sealing its records or

deleting specific information from its records.

(6) On a quarterly basis, the board shall prepare a report that documents the disposition of all cases during the preceding three months. The report shall contain the following information for each case with which the board has completed its activities:

- (a) The case number assigned to the complaint or alleged violation;
- (b) The type of license or certificate to practice, if any, held by the individual against whom the complaint is directed;
- (c) A description of the allegations contained in the complaint;
- (d) The disposition of the case.

The report shall state how many cases are still pending and shall be prepared in a manner that protects the identity of each person involved in each case. The report shall be a public record under section 149.43 of the Revised Code.

(G) If the secretary and supervising member determine both of the following, they may recommend that the board suspend an individual's license or certificate to practice or certificate to recommend without a prior hearing:

- (1) That there is clear and convincing evidence that an individual has violated division (B) of this section;
- (2) That the individual's continued practice presents a danger of immediate and serious harm to the public.

Written allegations shall be prepared for consideration by the board. The board, upon review of those allegations and by an affirmative vote of not fewer than six of its members, excluding the secretary and supervising member, may suspend a license or certificate without a prior hearing. A telephone conference call may be utilized for reviewing the allegations and taking the vote on the summary suspension.

The board shall issue a written order of suspension by certified mail or in person in accordance with section 119.07 of the Revised Code. The order shall not be subject to suspension by the court during pendency of any appeal filed under section 119.12 of the Revised Code. If the individual subject to the summary suspension requests an adjudicatory hearing by the board, the date set for the hearing shall be within fifteen days, but not earlier than seven days, after the individual requests the hearing, unless otherwise agreed to by both the board and the individual.

Any summary suspension imposed under this division shall remain in effect, unless reversed on appeal, until a final adjudicative order issued by the board pursuant to this section and Chapter 119. of the Revised Code becomes effective. The board shall issue its final adjudicative order within seventy-five days after completion of its hearing. A failure to issue the order within seventy-five days shall result in dissolution of the summary suspension order but shall not invalidate any subsequent, final adjudicative order.

(H) If the board takes action under division (B)(9), (11), or (13) of this section and the judicial finding of guilt, guilty plea, or judicial finding of eligibility for intervention in lieu of conviction is overturned on appeal, upon exhaustion of the criminal appeal, a petition for reconsideration of the order may be filed with the board along with appropriate court documents. Upon receipt of a petition of that nature and supporting court documents, the board shall reinstate the individual's license or certificate to practice. The board may then hold an adjudication under Chapter

119. of the Revised Code to determine whether the individual committed the act in question. Notice of an opportunity for a hearing shall be given in accordance with Chapter 119. of the Revised Code. If the board finds, pursuant to an adjudication held under this division, that the individual committed the act or if no hearing is requested, the board may order any of the sanctions identified under division (B) of this section.

(I) The license or certificate to practice issued to an individual under this chapter and the individual's practice in this state are automatically suspended as of the date of the individual's second or subsequent plea of guilty to, or judicial finding of guilt of, a violation of section 2919.123 of the Revised Code. In addition, the license or certificate to practice or certificate to recommend issued to an individual under this chapter and the individual's practice in this state are automatically suspended as of the date the individual pleads guilty to, is found by a judge or jury to be guilty of, or is subject to a judicial finding of eligibility for intervention in lieu of conviction in this state or treatment or intervention in lieu of conviction in another jurisdiction for any of the following criminal offenses in this state or a substantially equivalent criminal offense in another jurisdiction: aggravated murder, murder, voluntary manslaughter, felonious assault, kidnapping, rape, sexual battery, gross sexual imposition, aggravated arson, aggravated robbery, or aggravated burglary. Continued practice after suspension shall be considered practicing without a license or certificate.

The board shall notify the individual subject to the suspension by certified mail or in person in accordance with section 119.07 of the Revised Code. If an individual whose license or certificate is automatically suspended under this division fails to make a timely request for an adjudication under Chapter 119. of the Revised Code, the board shall do whichever of the following is applicable:

(1) If the automatic suspension under this division is for a second or subsequent plea of guilty to, or judicial finding of guilt of, a violation of section 2919.123 of the Revised Code, the board shall enter an order suspending the individual's license or certificate to practice for a period of at least one year or, if determined appropriate by the board, imposing a more serious sanction involving the individual's license or certificate to practice.

(2) In all circumstances in which division (I)(1) of this section does not apply, enter a final order permanently revoking the individual's license or certificate to practice.

(J) If the board is required by Chapter 119. of the Revised Code to give notice of an opportunity for a hearing and if the individual subject to the notice does not timely request a hearing in accordance with section 119.07 of the Revised Code, the board is not required to hold a hearing, but may adopt, by an affirmative vote of not fewer than six of its members, a final order that contains the board's findings. In that final order, the board may order any of the sanctions identified under division (A) or (B) of this section.

(K) Any action taken by the board under division (B) of this section resulting in a suspension from practice shall be accompanied by a written statement of the conditions under which the individual's license or certificate to practice may be reinstated. The board shall adopt rules governing conditions to be imposed for reinstatement. Reinstatement of a license or certificate suspended pursuant to division (B) of this section requires an affirmative vote of not fewer than six members of the board.

(L) When the board refuses to grant or issue a license or certificate to practice to an applicant, revokes an individual's license or certificate to practice, refuses to renew an individual's license or

certificate to practice, or refuses to reinstate an individual's license or certificate to practice, the board may specify that its action is permanent. An individual subject to a permanent action taken by the board is forever thereafter ineligible to hold a license or certificate to practice and the board shall not accept an application for reinstatement of the license or certificate or for issuance of a new license or certificate.

(M) Notwithstanding any other provision of the Revised Code, all of the following apply:

(1) The surrender of a license or certificate issued under this chapter shall not be effective unless or until accepted by the board. A telephone conference call may be utilized for acceptance of the surrender of an individual's license or certificate to practice. The telephone conference call shall be considered a special meeting under division (F) of section 121.22 of the Revised Code. Reinstatement of a license or certificate surrendered to the board requires an affirmative vote of not fewer than six members of the board.

(2) An application for a license or certificate made under the provisions of this chapter may not be withdrawn without approval of the board.

(3) Failure by an individual to renew a license or certificate to practice in accordance with this chapter or a certificate to recommend in accordance with rules adopted under section 4731.301 of the Revised Code shall not remove or limit the board's jurisdiction to take any disciplinary action under this section against the individual.

(4) At the request of the board, a license or certificate holder shall immediately surrender to the board a license or certificate that the board has suspended, revoked, or permanently revoked.

(N) Sanctions shall not be imposed under division (B)(28) of this section against any person who waives deductibles and copayments as follows:

(1) In compliance with the health benefit plan that expressly allows such a practice. Waiver of the deductibles or copayments shall be made only with the full knowledge and consent of the plan purchaser, payer, and third-party administrator. Documentation of the consent shall be made available to the board upon request.

(2) For professional services rendered to any other person authorized to practice pursuant to this chapter, to the extent allowed by this chapter and rules adopted by the board.

(O) Under the board's investigative duties described in this section and subject to division (F) of this section, the board shall develop and implement a quality intervention program designed to improve through remedial education the clinical and communication skills of individuals authorized under this chapter to practice medicine and surgery, osteopathic medicine and surgery, and podiatric medicine and surgery. In developing and implementing the quality intervention program, the board may do all of the following:

(1) Offer in appropriate cases as determined by the board an educational and assessment program pursuant to an investigation the board conducts under this section;

(2) Select providers of educational and assessment services, including a quality intervention program panel of case reviewers;

(3) Make referrals to educational and assessment service providers and approve individual educational programs recommended by those providers. The board shall monitor the progress of each individual undertaking a recommended individual educational program.

(4) Determine what constitutes successful completion of an individual educational program

and require further monitoring of the individual who completed the program or other action that the board determines to be appropriate;

(5) Adopt rules in accordance with Chapter 119. of the Revised Code to further implement the quality intervention program.

An individual who participates in an individual educational program pursuant to this division shall pay the financial obligations arising from that educational program.

Sec. 5103.11. There is hereby created the foster care and adoption initiatives fund. The fund shall be in the custody of the treasurer of state, but shall not be part of the state treasury. The fund shall consist of moneys collected under section 2919.1912 of the Revised Code. All interest earned on the fund shall be credited to the fund. The purpose of the fund is to provide funding for foster care and adoption services and initiatives. The department of job and family services shall allocate moneys from the fund according to the following distribution:

(A) Fifty per cent of the moneys in the fund shall be used for foster care services and initiatives.

(B) Fifty per cent of the moneys in the fund shall be used for adoption services and initiatives.

SECTION 2. That existing sections 2317.56, 2919.171, 2919.19, 2919.191, 2919.192, 2919.193, and 4731.22 of the Revised Code are hereby repealed.

SECTION 3. The General Assembly hereby declares that it finds, according to contemporary medical research, all of the following:

(A) As many as thirty per cent of natural pregnancies end in spontaneous miscarriage.

(B) Less than five per cent of all natural pregnancies end in spontaneous miscarriage after detection of fetal cardiac activity.

(C) Over ninety per cent of in vitro pregnancies survive the first trimester if cardiac activity is detected in the gestational sac.

(D) Nearly ninety per cent of in vitro pregnancies do not survive the first trimester where cardiac activity is not detected in the gestational sac.

(E) Fetal heartbeat, therefore, has become a key medical predictor that an unborn human individual will reach live birth.

(F) Cardiac activity begins at a biologically identifiable moment in time, normally when the fetal heart is formed in the gestational sac.

(G) The State of Ohio has a valid interest in protecting the health of the woman. The State of Ohio has a compelling interest in protecting the life of an unborn human individual who may be born.

(H) In order to make an informed choice about whether to continue her pregnancy, the pregnant woman has a valid interest in knowing the likelihood of the fetus surviving to full-term birth based upon the presence of cardiac activity.

(I) The State of Ohio finds that the detection of a fetal heartbeat can be accomplished through standard medical practices.

(J) At fertilization, a human being emerges as a whole, genetically distinct, living human organism and needs only the proper environment to fully develop into a human.

(K) Cardiac activity shows that tissues have come together to form organs and the developing central nervous system signals the heart to autonomically beat.

(L) When a heartbeat is visualized at seven weeks or less, ninety-one and one-half per cent will survive the first trimester and ninety-five per cent of those will deliver live- born infants.

(M) After the detection of a fetal heartbeat there is a ninety-five to ninety-eight per cent certainty that the new life will develop full term.

(N) A human being at an embryonic age and a human being at an adult age are naturally the same, with the only biological differences being due to the differences in maturity.

SECTION 4. If any provisions of a section as amended or enacted by this act, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the section or related sections which can be given effect without the invalid provision or application, and to this end the provisions are severable.

SECTION 5. Section 4731.22 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. H.B. 111 and Sub. H.B. 156 of the 132nd General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act.

Sub. S. B. No. 23

133rd G.A.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

Sub. S. B. No. 23

133rd G.A.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____

Exhibit B

Article I, Section 22 | The Right to Reproductive Freedom with Protections for Health and Safety

Ohio Constitution / Article I Bill of Rights

Effective: 2023

A. Every individual has a right to make and carry out one's own reproductive decisions, including but not limited to decisions on:

1. contraception;
2. fertility treatment;
3. continuing one's own pregnancy;
4. miscarriage care; and
5. abortion.

B. The State shall not, directly or indirectly, burden, penalize, prohibit, interfere with, or discriminate against either:

1. An individual's voluntary exercise of this right or
2. A person or entity that assists an individual exercising this right,

unless the State demonstrates that it is using the least restrictive means to advance the individual's health in accordance with widely accepted and evidence based standards of care.

However, abortion may be prohibited after fetal viability. But in no case may such an abortion be prohibited if in the professional judgment of the pregnant patient's treating physician it is necessary to protect the pregnant patient's life or health.

C. As used in this Section:

1. "Fetal viability" means "the point in a pregnancy when, in the professional judgment of the pregnant patient's treating physician, the fetus has a significant likelihood of survival outside the uterus with reasonable measures. This is determined on a case by case basis."
2. "State" includes any governmental entity and any political subdivision.

D. This Section is self executing.

From: [Jonathan Blanton](#)
To: [Amanda Narog](#); [Erik Clark](#)
Cc: [Stephen Carney](#)
Subject: RE: Preterm v. Yost, No. A2203203 (Hamilton Cnty. Comm. Pl.)
Attachments: [image001.png](#)

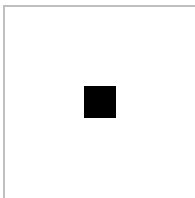
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Jonathan D. Blanton
First Assistant Attorney General
Office of Ohio Attorney General Dave Yost
Office 614.728.1171
Mobile 614.381.6496

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From: Amanda Narog <Amanda.Narog@OhioAGO.gov>
Sent: Monday, December 11, 2023 10:12 AM
To: Erik Clark <Erik.Clark@OhioAGO.gov>; Jonathan Blanton <Jonathan.Blanton@OhioAGO.gov>
Cc: Stephen Carney <Stephen.Carney@OhioAGO.gov>
Subject: FW: Preterm v. Yost, No. A2203203 (Hamilton Cnty. Comm. Pl.)
Importance: High

Please see the email below. Plaintiffs already filed an amended complaint adding a new claim several months ago, it was filed but the trial court did nothing with it but accept the filing. Please advise.



Amanda L. Narog
Senior Counsel – Major Litigation
Office of Ohio Attorney General Dave Yost
Office number: (614) 995-0326
Fax number: (855) 669-2155
Amanda.Narog@OhioAGO.gov

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From: Jessie Hill <bjh11@case.edu>

Sent: Monday, December 11, 2023 9:08 AM

To: Amanda Narog <Amanda.Narog@OhioAGO.gov>

Cc: Andrew McCartney <Andrew.McCartney@OhioAGO.gov>; WH OHPostJWO Outside Counsel <WHOHPostJWOOutsideCounsel@wilmerhale.com>; WH OHPostJWO <WHOHPostJWO@wilmerhale.com>

Subject: Re: Preterm v. Yost, No. A2203203 (Hamilton Cnty. Comm. Pl.)

Dear Amanda,

Following up on my voicemail from this morning, I'm writing to ask whether Defendants consent to Plaintiffs amending their complaint in *Preterm v. Yost* to add a claim under the newly effective amendment to the Ohio Constitution, Article I, section 22? We are aiming to file an amended complaint today, so please let me know at your earliest convenience.

Thank you,
Jessie

On Sat, Dec 2, 2023 at 10:35 AM Jessie Hill <bjh11@case.edu> wrote:

Hi Amanda,

Thank you for your response.

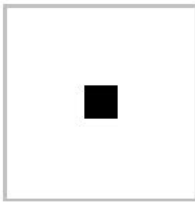
Jessie

On Fri, Dec 1, 2023 at 4:54 PM Amanda Narog <Amanda.Narog@ohioago.gov> wrote:

Hi Jessie,

Because the Ohio Supreme Court has ordered supplemental briefing in the pending appeal, and in deference to its continued jurisdiction over that case, the State feels it prudent to await the Court's determination of those issues before engaging in any discussion related to a possible agreed order at this time.

Amanda L. Narog
Senior Counsel – Major Litigation



Office of Ohio Attorney General Dave Yost
Office number: (614) 995-0326
Fax number: (855) 669-2155
Amanda.Narog@OhioAGO.gov

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From: Jessie Hill <bjh11@case.edu>
Sent: Friday, December 1, 2023 12:36 PM
To: Amanda Narog <Amanda.Narog@OhioAGO.gov>; Andrew McCartney <Andrew.McCartney@OhioAGO.gov>
Cc: Rebecca Kendis <rlk89@case.edu>; Melissa Cohen <melissa.ann.cohen@gmail.com>; WH OHPPostJWO <WHOHPPostJWO@wilmerhale.com>; WH OHPPostJWO Outside Counsel <WHOHPPostJWOOutsideCounsel@wilmerhale.com>
Subject: Re: Preterm v. Yost, No. A2203203 (Hamilton Cnty. Comm. Pl.)

Hi Amanda and Andrew,

I hope you had a nice Thanksgiving. Given the holiday, I thought I would follow up on this. Please let me know if you have any information to share.

Sincerely,
Jessie

On Wed, Nov 15, 2023 at 8:08 AM Jessie Hill <bjh11@case.edu> wrote:

Dear Amanda and Andrew,

I am writing to ask whether the State intends to continue defending SB 23 (the six-week abortion ban) in light of the passage of Issue 1, adding The Right to Reproductive Freedom with Protections for Health and Safety amendment to the Ohio Constitution. As Attorney General Yost publicly acknowledges in his [legal analysis of Issue 1](#), “[p]assage of Issue 1 ... invalidate[s] the Heartbeat Act, which restricts abortions (with health and other exceptions) after a fetal heartbeat is detected.”

In light of these developments, we are willing to discuss an agreed order that would protect the plaintiffs against enforcement of the statute and end the current litigation challenging it.

Please let us know.

Sincerely,
Jessie

--

(she/her/hers)
Associate Dean for Research and Faculty Development
Judge Ben C. Green Professor of Law
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<http://ssrn.com/author=372606>

From: [Jonathan Blanton](#)
To: [Stephen Carney](#); [AG Dave Yost](#); [Elliot Gaiser](#); [Bethany McCorkle](#); [Joshua Richardson](#); [Michael Hendershot](#); [Shawn Busken](#)
Subject: Re: Final as filed -- ours and theirs (RE: Supplemental Brief in Ohio S.Ct. Heartbeat Act Litigation)
Attachments: [image001.png](#)

Thanks to everyone who contributed to this. It was far from simple.

JB

Get [Outlook for iOS](#)

From: Stephen Carney <Stephen.Carney@OhioAGO.gov>
Sent: Thursday, December 7, 2023 5:34:05 PM
To: AG Dave Yost <Dave@OhioAGO.gov>; Elliot Gaiser <Thomas.Gaiser@OhioAGO.gov>; Jonathan Blanton <Jonathan.Blanton@OhioAGO.gov>; Bethany McCorkle <Bethany.McCorkle@OhioAGO.gov>; Joshua Richardson <Joshua.Richardson@OhioAGO.gov>; Michael Hendershot <Michael.Hendershot@OhioAGO.gov>; Shawn Busken <Shawn.Busken@OhioAGO.gov>
Subject: Final as filed -- ours and theirs (RE: Supplemental Brief in Ohio S.Ct. Heartbeat Act Litigation)

All –

Here is our final, which we filed about 4:50 pm. Thanks to all for your help in getting it done and out the door. As always, Josh is the real hero for fixing my commas up to the end.

Here also is Plaintiffs' brief. As we expected, they say to dismiss it all and not address our procedural issues. They also say they will amend their complaint in trial court to bring it up to date.

Thanks again,

Stephen

From: AG Dave Yost <Dave@OhioAGO.gov>
Sent: Thursday, December 07, 2023 10:06 AM
To: Elliot Gaiser <Thomas.Gaiser@OhioAGO.gov>
Cc: Jonathan Blanton <Jonathan.Blanton@OhioAGO.gov>; Shawn Busken <Shawn.Busken@OhioAGO.gov>; Michael Hendershot <Michael.Hendershot@OhioAGO.gov>; Stephen Carney <Stephen.Carney@OhioAGO.gov>; Bethany McCorkle <Bethany.McCorkle@OhioAGO.gov>; Joshua Richardson <Joshua.Richardson@OhioAGO.gov>
Subject: Re: Supplemental Brief in Ohio S.Ct. Heartbeat Act Litigation

Please find attached my light edits.

From: Elliot Gaiser <Thomas.Gaiser@OhioAGO.gov>

Date: Thursday, December 7, 2023 at 6:53 AM

To: AG Dave Yost <Dave@OhioAGO.gov>

Cc: Jonathan Blanton <Jonathan.Blanton@OhioAGO.gov>, Shawn Busken <Shawn.Busken@OhioAGO.gov>, Michael Hendershot <Michael.Hendershot@OhioAGO.gov>, Stephen Carney <Stephen.Carney@OhioAGO.gov>, Bethany McCorkle <Bethany.McCorkle@OhioAGO.gov>, Joshua Richardson <Joshua.Richardson@OhioAGO.gov>

Subject: RE: Supplemental Brief in Ohio S.Ct. Heartbeat Act Litigation

AG Yost,

With respect to this Heartbeat Act Ohio Supreme Court case, unless told otherwise, we intend to file my notice of appearance followed shortly by this supplemental brief at **11:30am eastern today**.

Best,
Elliot

From: Elliot Gaiser

Sent: Tuesday, December 5, 2023 1:37 PM

To: AG Dave Yost <Dave@OhioAGO.gov>

Cc: Jonathan Blanton <Jonathan.Blanton@OhioAGO.gov>; Shawn Busken <Shawn.Busken@OhioAGO.gov>; Michael Hendershot <Michael.Hendershot@OhioAGO.gov>; Stephen Carney <Stephen.Carney@OhioAGO.gov>; Bethany McCorkle <Bethany.McCorkle@OhioAGO.gov>; Joshua Richardson <Joshua.Richardson@OhioAGO.gov>

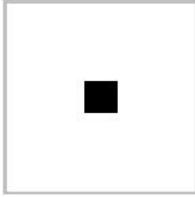
Subject: Supplemental Brief in Ohio S.Ct. Heartbeat Act Litigation

AG Yost,

[REDACTED]

[REDACTED]

Best regards,



T. Elliot Gaiser
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Fax number: (855) 852-1903
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IN THE SUPREME COURT OF OHIO

PRETERM-CLEVELAND, et al.,

Case No. 2023-0004

Appellees,

On appeal from the Hamilton County
Court of Appeals,
First Appellate District

v.

DAVE YOST, ATTORNEY GENERAL
OF OHIO, et al.,

Court of Appeals
Case No. C-22050

Appellants.

BRIEF OF DEFENDANT-APPELLEE
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STATEMENT OF THE CASES AND FACTS

In accordance with this Court's November 16, 2023 Entry, which ordered the parties to "address the effect on this cause, if any, of the passage of Issue 1", defendant-appellee Julia R. Bates, Lucas County Prosecutor, hereby submits that, given the recent amendment of the Ohio Constitution as enacted on November 7, 2023 by Ohio voters with their approval of Issue 1, the appeal comprising Ohio Supreme Court Case No. 2023-0004 is now moot and the Court should dismiss it. The reasons for the Lucas County Prosecutor's request are described below.

In 2019, the Ohio General Assembly enacted certain restrictions on abortion in legislation commonly referred to as the Heartbeat Act (also known as S.B. 23)--which prohibited most abortions once a fetal heartbeat was detected or approximately six weeks after the patient's last menstrual period. See, Sub. S.B. 23 (April 11, 2019). In May of 2019, plaintiffs-appellees, five corporations that provide reproductive health services, including abortion services, and a licensed physician, initially sought injunctive relief in federal court to stop enforcement of the Heartbeat Act. *Preterm-Cleveland v. Yost*, Verified Complaint, Doc. #1 United States District Court Case No. 1:19-CV-00360 (May 15, 2019). The United States District Court for the Southern District of Ohio did so, consistent with the right to abortion that the United States Supreme Court had found to exist with its decisions: *Roe v. Wade*, 410 U.S. 113 (1973) and *Planned Parenthood v. Casey*, 505 U.S. 833 (1992). See, *Preterm-Cleveland v. Yost*, 394 F. Supp.3d 796, 800- 801 (S.D. Ohio 2019). Three years later, *Roe* and *Casey* were overruled. See, *Dobbs v. Jackson Women's Health Org.*, 597 U.S.--, 142 S. Ct. 2228 (2022). With *Dobbs*, the United States Supreme Court removed the abortion question from federal courts and left it for the individual States to decide; as a result, the District Court vacated its preliminary injunction, the federal court case was dismissed, and the Heartbeat Act took effect. *Preterm-Cleveland v. Yost*, Docs. #100 and 102 Case

No. 1:19-CV-00360 (Jun. 24 and Jul. 7, 2022).

Plaintiffs-Appellees then filed suit in the Hamilton County Common Pleas Court seeking similar injunctive relief barring enforcement of the Heartbeat Act. They alleged that the Heartbeat Act violated the Ohio Constitution’s protections for individual liberty under Art. 1, §§1, 16, and 21, and its equal protection and benefit guarantees under Art. 1, §2. *Verified Complaint*, ¶¶1-3, 69-87 *Preterm-Cleveland v. Yost*, Hamilton County Common Pleas Court, Case No. A-2203203 (Sept. 14, 2022). Following briefs from the parties and a hearing, the Common Pleas Court agreed and issued a temporary restraining order (TRO); the Court found that there is a fundamental right to abortion under the Ohio Constitution, that the Heartbeat Act violates that right, and that plaintiffs have standing to challenge it. *See, Decision and Entry*, pp. 1, 7-19, Case No. A-2203203 (Sept. 14, 2022). Later, after more briefing and another hearing, the Common Pleas Court reiterated its TRO conclusions-- that the Heartbeat Act violates several provisions of the then-existing version of the Ohio Constitution and held that “plaintiffs are entitled to preliminary injunctive relief enjoining Defendants, their agents, employees, and successors in interest, from enforcing S.B. 23 in its entirety and from taking any later enforcement action premised on a violation of S.B. 23 that occurred while this Court’s preliminary injunctive relief was in effect.” *Preliminary Injunction Order*, pp. 2, 24, 28-37 (Oct. 12, 2022). The Common Pleas Court also reiterated its TRO conclusion that “plaintiffs had standing to raise claims on behalf of their clients and patients.” *Id.*, pp. 25-27.

Instead of waiting for the process to play out in terms of plaintiffs’ request for a permanent injunction, Attorney General Yost appealed the preliminary injunction decision to First District Court of Appeals. However, the First District refused to hear the merits of his appeal but dismissed it on procedural grounds. The First District found that the granting of a

preliminary injunction is not a final appealable order under Ohio Revised Code §2505.02(B)(4), and, absent such a final order, it had no appellate jurisdiction and was required to dismiss Attorney General Yost’s appeal. *Preterm-Cleveland v. Yost*, 1st Dist. Hamilton No. C-220504, 2022-Ohio-4540 ¶¶18–28 (“our answer on the merits of this dispute and the underlying constitutionality of the statute (even though many may wish that we decide the merits of this case now) must await another day”).

Undaunted, Attorney General Yost asked this Court to get involved and it has. It accepted his request for a discretionary appeal in terms of the following issues: (a) whether the State may, under §2505.02(B)(4), immediately appeal orders that preliminarily enjoin state laws; and (b) since Ohio courts lack jurisdiction to issue injunctive relief to plaintiffs who lack standing, whether third parties, such as abortion clinics or abortionists (rather than the patients themselves), have standing to challenge the Heartbeat Act. The parties have submitted their briefs and the Court heard oral argument from them on September 27, 2023.

On November 7, 2023, the voters of the State of Ohio approved Issue 1. It was placed on the November 2023 ballot presumably as a response to *Dobbs, supra* and to the Heartbeat Act which, as noted above, places limits on how abortions are obtained in Ohio. Issue 1 adds a new section to the Ohio Constitution—one that directly addresses the right to abortion as well as providing protections for contraception. See, *Ohio Attorney General Legal Analysis of Issue 1 (Issue 1 Analysis)* (Oct. 5, 2023) <https://www.ohioattorneygeneral.gov/Ballot-Initiatives> and included in the Appendix. Prior to the November 2023 election, Attorney General Yost, so as to provide Ohio electors “with vital clarity and transparency in anticipation of the November 7 vote on State Issue 1,” prepared “an objective analysis of the legal implications” of Issue 1. *Id.* His conclusion:

“Some of Ohio’s [abortion] laws may be defensible, but the Heartbeat Act would not exist if Issue 1 passes.

Ohio would no longer have the ability to limit abortions at any time before a fetus is viable. Viability is generally thought to be around 21 or 22 weeks. Passage of Issue 1 would invalidate the Heartbeat Act, which restricts abortions (with health and other exceptions) after a fetal heartbeat is detected, which is usually at about six weeks. No other pre-viability limit would be allowed.”

Issue 1 Analysis, p. 9.

With the Court’s instructions in mind, Prosecutor Bates submits that the passage of Issue 1 and its new provisions that expressly address abortion, which are now part of the Ohio Constitution, render this appeal moot. While this appeal involves certain threshold issues (final, appealable order and third-party standing), it should be undisputed that this appeal was taken (and the appeal to the First District Court of Appeals) to defend the constitutionality of the Heartbeat Act, which Attorney General Yost concedes, is no longer possible given the passage of Issue 1. Thus, there is no longer an actual legal controversy between the parties as to the Heartbeat Act—that makes this appeal moot, and, because there are no applicable mootness-doctrine exceptions that would warrant further consideration of this issue, the Court should dismiss the Attorney General Yost’s appeal.

ARGUMENT

Appellee’s Proposition of Law No. 1: Ohio courts have no authority to hear moot questions or issue advisory opinions. *Miner v. Witt*, 82 Ohio St. 237, 92 N.E. 21 (1910) and *M.R. v. Niesen*, 167 Ohio St. 3d 404, 193 N.E.3d 548 (2022).

Appellee’s Proposition of Law No. 2: The adoption of Issue 1, which amends the Ohio Constitution to add a right to abortion, renders the Heartbeat Act (Sub. S.B. 23 April 11, 2019) unconstitutional and also renders an appeal regarding the Act’s constitutionality, even one involving threshold issues, moot and subject to dismissal.

This Court has made it clear that Ohio courts may not decide cases in which there is no longer an actual legal controversy between the parties-- that is, when the case is, or becomes, moot. *In re A.G.*, 139 Ohio St.3d 572, 13 N.E.3d 1146 (2014); see also, *Fortner v. Thomas*, 22 Ohio St.2d 13, 14, 257 N.E.2d 371 (1970)("it is the duty of every judicial tribunal to decide actual controversies and withhold advice upon moot questions"). As stated by this Court:

"The duty of this court, as of every other judicial tribunal is to decide actual controversies by a judgment which can be carried into effect, and not to give opinions upon moot questions or abstract propositions, or to declare principles or rules of law which cannot affect the matter in issue in the case before it. It necessarily follows that when, pending an appeal from the judgment of a lower court, and without any fault of the defendant, an event occurs which renders it impossible for this court, if it should decide the case in favor of the plaintiff, to grant him any effectual relief whatever, the court will not proceed to a formal judgment, but will dismiss the appeal. And such a fact, when not appearing on the record, may be proved by extrinsic evidence."

Miner v. Witt, 82 Ohio St. 237, 242, 92 N.E. 21 (1910); *M.R. v. Niesen*, 167 Ohio St. 3d 404, 2022-Ohio-1130, 193 N.E.3d 548 (2022)(when an actual controversy ceases to exist between the parties, the case is moot); see also, *In re Contested Election on November 7, 1995*, 76 Ohio St. 3d 234, 236, 667 N.E.2d 362 (1996)("It is well settled that we will not indulge in advisory opinions"). When a case becomes "technically moot" due to an event occurring after filing, it should be dismissed unless the court, in its discretion, determines a mootness-doctrine exception warrants further consideration of an issue. See, *Danis Clarkco Landfill Co. v. Clark Cty. Solid Waste Mgt. Dist.*, 73 Ohio St.3d 590, 598, 653 N.E.2d 646 (1995); *Franchise Developers, Inc. v. Cincinnati*, 30 Ohio St.3d 28, 31, 505 N.E.2d 966 (1987).

This Court has recognized two such mootness-doctrine exceptions-- an issue "capable of repetition, yet evading review" and an issue which, even though moot, there

is determined to be a public or great general interest in its resolution. With the "capable of repetition, yet evading review" doctrine, a court may decide a moot issue when: (1) the challenged action is too short in duration to be fully litigated before its expiration, and (2) there is a reasonable expectation that the complaining party will be subjected to the same action in the future. *State ex rel. Cincinnati Enquirer v. Ronan*, 124 Ohio St.3d 17, 18, 918 N.E.2d 515 (2009); see also, *State ex rel. Beacon Journal Publishing Co. v. Donaldson*, 63 Ohio St.3d 173, 175, 586 N.E.2d 101 (1992)("courtroom closure cases often evade review, since a closure order usually expires before an appellate court can consider it"); *In re Appeal of Suspension of Huffer from Circleville High School*, 47 Ohio St.3d 12, 14, 546 N.E.2d 1308 (1989)(school suspension mootness exception). This Court has also permitted a court to resolve a matter that has become moot when it presents an issue of public or great general interest. See, *State v. Cupp*, 156 Ohio St. 3d 207, 210, 124 N.E.3d 811 (2018)("an inmate's entitlement to jail-time credit is a significant statewide issue perplexing jurists, litigators, and litigants who are anxious for a resolution"); *Franchise Developers, Inc.*, 30 Ohio St.3d at 28, 505 N.E.2d 966 (paragraph one of the syllabus); see also, *Smith v. Leis*, 106 Ohio St.3d 309, 835 N.E.2d 5 (2005)(mootness exception applied because the case "present[ed] a properly debatable constitutional issue, i.e., whether Section 9, Article I of the Ohio Constitution, as amended, authorize[d] cash-only bail").

Prosecutor Bates notes that this appeal does not directly concern the constitutionality of the Heartbeat Act but involves two questions related to its future consideration—the granting of a preliminary injunction as a final, appealable order and third-party standing. Even so, she submits that the appeal is moot because the Court's answer to these questions will not affect the outcome of this case-- regardless of their

resolution, the ultimate judgment will be the same-- the Heartbeat Act, by Attorney General Yost's own "objective analysis of the legal implications" of Issue 1, is unconstitutional and its enforcement should be enjoined. See, *M.R.*, 167 Ohio St. 3d at 406, N.E.3d ("before this court can address the merits of their appeal, we must be sure that there remains an 'actual controversy'" and "if the controversy has come and gone, then this court must dismiss the case as moot"); *Miner*, 82 Ohio St. at 238-239 ("since the filing of the petition in error in this court the annexation proceedings have been completed and the entire village is now a part of the city" and "once the whole village is now a part of the city, and the determination of the questions presented by the record would, so far as this case is concerned, affect nothing").

Moreover, none of the exceptions to mootness apply. There are no issues in this appeal that are "capable of repetition, yet evading review" and, while there are the threshold issues mentioned above, these issues, absent the public and great general interest which is undoubtedly present in the Heartbeat Act, are, by themselves, not of sufficient public or great general interest so as to warrant keeping this appeal alive. Finally, while Issue 1 and Attorney General Yost's *Issue 1 Analysis* are not in the Court's record for this appeal, it is proper for the Court to consider them in its mootness determination. *Miner*, supra; *State ex rel. Nelson v. Russo*, 89 Ohio St.3d 227, 228, 729 N.E.2d 1181 (2000) ("an event that causes a case to be moot may be proved by extrinsic evidence outside the record").

CONCLUSION

Based on the foregoing, Prosecutor Bates' suggestion that the Attorney General's appeal in this case is moot is well-taken and the appeal should be dismissed. The passage

of Issue 1 renders Attorney General Yost's appeal moot and none of the mootness exceptions recognized by this Court are present here. As a result, Prosecutor Bates asks the Court to dismiss this appeal.

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APPENDIX

Issue 1 on the November 2023 Ballot

A legal analysis by the Ohio Attorney General

Ohioans will vote this November on Issue 1, which proposes adding a right to abortion and protections for contraception and other matters discussed below to Ohio's Constitution. Many Ohioans have asked me what the Reproductive Rights Amendment, commonly referred to as the "Abortion Amendment," will actually do if enacted. Will it allow any limits on abortion? Will it do away with parental consent or Ohio's partial-birth abortion ban? Ohioans deserve to know what they are voting on, so I have prepared this legal analysis to make the Amendment's impacts on Ohio law more understandable.

This is not a policy analysis and is designed only to describe what the legal effects of Issue 1 will be on our State. Whether Issue 1 is good, bad or mixed policy is for the voters to decide. My purpose here is to describe what the choice is, not to suggest what that choice ought to be – the "what," not the "why."

Below is a summary of some of the ways this Amendment, if enacted, would change the law. The summary discusses the Amendment's legal standards and how they compare to the different standards under *Roe v. Wade* and *Planned Parenthood v. Casey*, and concludes with a list of several laws that could be affected by this Amendment if it is enacted. Because the Amendment talks more broadly of "reproductive health care," including contraception, and other items "including but not limited to" abortion, this list makes mention of specific laws that, based on past experience, I expect will most certainly be challenged at some point. It is not, however, an exhaustive list of all statutes that might possibly be affected by the proposed Amendment. Assembling such a list would require a greater degree of conjecture and speculation than is proper here.

What the proposed Amendment says

The Amendment itself is short. Its full text is below. It provides little in the way of definitions. Some terms found in the Amendment reflect language used in legal cases for decades, which partly suggests how courts might read them. Others have debatable meanings, rendering their interpretation much less certain. It is this uncertainty that makes it difficult to forecast precisely how courts will apply the Amendment to certain statutes and hypothetical scenarios if it were to pass.

The Amendment

Be it Resolved by the People of the State of Ohio that Article I of the Ohio Constitution is amended to add the following Section:

Article I, Section 22. The Right to Reproductive Freedom with Protections for
Health and Safety

A. Every individual has a right to make and carry out one's own reproductive decisions, including but not limited to decisions on:

1. contraception;
2. fertility treatment;
3. continuing one's own pregnancy;
4. miscarriage care;
5. and abortion.

B. The State shall not, directly or indirectly, burden, penalize, prohibit, interfere with, or discriminate against either:

1. An individual's voluntary exercise of this right or
2. A person or entity that assists an individual exercising this right, unless the State demonstrates that it is using the least restrictive means to advance the

individual's health in accordance with widely accepted and evidence-based standards of care.

However, abortion may be prohibited after fetal viability. But in no case may such an abortion be prohibited if in the professional judgment of the pregnant patient's treating physician it is necessary to protect the pregnant patient's life or health.

C. As used in this Section:

1. "Fetal viability" means "the point in a pregnancy when, in the professional judgment of the pregnant patient's treating physician, the fetus has a significant likelihood of survival outside the uterus with reasonable measures. This is determined on a case-by-case basis."
2. "State" includes any governmental entity and any political subdivision.

D. This Section is self-executing.

The Amendment's key parts and differences from *Roe* and *Casey*

The U.S. Supreme Court, for almost 50 years, said the U.S. Constitution required abortion rights, and the Courts routinely decided which types of regulations the States could enact — from time limits to requiring parental consent and more — based on that precedent. The Court created the right to abortion in *Roe v. Wade*¹, and said more on the topic in many other cases, especially *Planned Parenthood v. Casey*.² Then, in 2022, the Court overruled *Roe* and said it was up to States to decide how to address the issue. The proposed Amendment appears to borrow some concepts from the *Roe* era, but also creates a new, legal standard that goes beyond what *Roe* and *Casey* said.

¹ 410 U.S. 113 (1973); overruled by *Dobbs v. Jackson Women's Health Org.*, 142 S. Ct. 2228 (2022).

² *Planned Parenthood of Se. Pennsylvania v. Casey*, 505 U.S. 833 (1992), overruled by *Dobbs*.

In *Roe v. Wade*, the U.S. Supreme Court said that the State’s right to regulate varied by pregnancy’s trimesters, and that a woman had a “fundamental right” to obtain an abortion before the point of “viability,” or the point when a child, if born, could live outside the womb. Any pre-viability regulations were allowed only if they met a legal standard called “strict scrutiny.”

“Strict scrutiny” means that any regulations must meet a “compelling government interest” — that is, a very strong interest — and must be “narrowly tailored” to meet that interest, meaning that the regulation had to match that interest closely, and not regulate far beyond that interest. Under that “strict scrutiny” standard, the Court struck down many State or local regulations, including laws that would have barred certain methods of abortions, laws that required parental consent for minors’ abortions with no exceptions, or laws that would have required a 24-hour waiting period to consider the decision.³ On the other hand, the Court allowed States to require parental notice or consent for minors to obtain abortions, as long as minors could go to court for a “judicial bypass” instead.⁴ And the Court allowed States to decline to pay for abortions under government programs that paid for health care.⁵

³ *Planned Parenthood of Cent. Missouri v. Danforth*, 428 U.S. 52 (1976) (invalidating blanket parental consent and ban on saline abortion method), abrogated by *Dobbs*; *City of Akron v. Akron Ctr. for Reprod. Health, Inc.*, 462 U.S. 416 (invalidating blanket parental consent requirement and 24-waiting period), overruled by *Casey*, 505 U.S. 833, and both abrogated by *Dobbs*.

⁴ *H. L. v. Matheson*, 450 U.S. 398 (1981).

⁵ *Maier v. Roe*, 432 U.S. 464, 474 (1977) (state need not fund elective abortion); see also *Harris v. McRae*, 448 U.S. 297, 315–17 (1980) (upholding federal Hyde Amendment barring funding of elective abortion); *Rust v. Sullivan*, 500 U.S. 173, 192–94 (1991) (upholding abortion-funding bar in Title X family-planning statute and regulations).

In *Planned Parenthood v. Casey*, the Court reduced the “strict scrutiny” standard to a new “undue burden” standard for abortion regulations, allowing the State to do more than the previous strict scrutiny standard had.⁶ *Casey* reaffirmed the core idea of a right to abortion, but the lead opinion criticized *Roe* and later cases for “misconceiv[ing] the nature of the pregnant woman's interest” and “undervalue[ing] the State’s interest in potential life.” The Court therefore upheld several regulations in *Casey* itself, including parental consent and a 24-hour waiting period, including some (like the waiting period) that had previously been rejected under *Roe*. The *Casey* “undue burden” test is thus the one that had governed longest under *Roe*, spanning 30 years from 1992-2022. The *Casey* standard allowed regulations to be based on multiple interests, including the pregnant woman’s own health, the interest in fetal life, and “protecting the integrity and ethics of the medical profession.”⁷ As a result, the Supreme Court, and lower courts following the test, upheld limits on certain methods of abortion, and on things such as abortions where the doctor knows the motivation is a possible diagnosis of Down syndrome.⁸

The proposed abortion Amendment would create a new standard that goes further than *Casey*’s “undue burden” test or *Roe*’s original “strict scrutiny” test and will make it harder for Ohio to maintain the kinds of law already upheld as valid prior to last year's decision in *Dobbs*. In other words, the Amendment would give

⁶ *Casey*, 505 U.S. at 874, overruled by *Dobbs*, 142 S. Ct. 2228.

⁷ *Gonzales v. Carhart*, 550 U.S. 124, 157 (2007)

⁸ *Gonzales*, 550 U.S. 124 (upholding federal partial-birth limit); *Women’s Med. Pro. Corp. v. Taft*, 353 F.3d 436 (6th Cir. 2003) (upholding Ohio limit on “partial-birth feticide,” R.C. 2919.151); *Preterm-Cleveland v. McCloud*, 994 F.3d 512 (6th Cir. 2021) (upholding Ohio Down syndrome law), abrogated by *Dobbs*, 142 S. Ct. 2228.

greater protection to abortion to be free from regulation than at any time in Ohio's history. That new test includes definitions and other terms that likewise make it harder for any law covering "reproductive decisions" to survive. This change is significant: The Amendment would not return things to how they were before *Dobbs* overruled *Roe*, and is not just "restoring *Roe*." It goes further.

Here's how. The Amendment says that the "State shall not, directly or indirectly, burden, penalize, prohibit, interfere with, or discriminate against" the exercise of any of the covered rights — abortion and more — "unless the State demonstrates that it is using the least restrictive means to advance the individual's health in accordance with widely accepted and evidence-based standards of care." That is stricter than *Roe* or *Casey* in several ways.

First, it says the State shall not "directly or indirectly" "burden" (or penalize, etc.) the covered right, or "discriminate against" it. *Casey* barred only "undue" burdens, and said that mild burdens were not enough to invalidate a law, as "not every law which makes a right more difficult to exercise is, *ipso facto*, an infringement of that right." Issue 1 covers any burden, apparently however slight. And the "discriminate" language could cover any area where the State acknowledges abortion or other "reproductive" care — such as fertility treatment — as different from other procedures, such as by not funding such elective procedures under Medicaid or other State benefit programs.

Second, the State can regulate *only* for the purpose of "advanc[ing] the [pregnant] individual's health." That means that the State cannot regulate for any other *purpose* or *interest* at all, no matter how mild the regulation. So the long-recognized interests in fetal life or in medical ethics cannot be protected, making

the laws previously upheld on those grounds no longer valid, even if the interests rise to the level of “compelling.”

Third, even if a law meets the “health of the individual” part of this “exclusive scrutiny” test, it must still use the “least restrictive means” to advance that interest or purpose. While courts and commentators have sometimes compared those as synonymous, the U.S. Supreme Court has said that the “least restrictive means” requirement is even stricter than the already-strict “narrow tailoring” requirement and has distinguished them.

Fourth, the Amendment would require that the test be satisfied by proving it in court using “widely accepted and evidence-based standards of care.” That contrasts with prior law under *Roe/Casey*, which allowed States to rely on their own reasonable medical judgment as long as there was a fair debate.

The Amendment would go legally further than *Roe/Casey* in other ways, too. First, it says that every “individual” has these rights, which could be read to include minors having the same rights as adults, as opposed to the traditional practice of children having limited rights. (This is discussed further below regarding parental consent.) Second, it covers “reproductive decisions, including but not limited to” the named areas of contraception, fertility treatment, continuing one’s own pregnancy, miscarriage care, and abortion — language that is broader than *Roe* or *Casey*. Some of those might not affect Ohio law as a practical matter, as Ohio has no restrictions on miscarriage care or on continuing a pregnancy. But the “not limited to” clause leaves open an unknown future in court litigation.

The Amendment likely also protects post-viability abortions under certain circumstances. On one hand, it says that “abortion may be prohibited after fetal viability.” It then puts that assessment in one person’s hands — the doctor

performing the abortion. It provides that in all cases, the doctor determines whether the fetus is viable and whether the pregnant woman's health justifies the post-viability abortion. In addition, the Amendment does not define "health," and previous court cases have said health, when not otherwise defined, can include other concerns, including mental health and "familial" factors (such as how many children someone has) and maternal age.⁹

All told, the Amendment's new standard goes beyond pre-*Dobbs* law under *Roe* and *Casey*. That means that many Ohio laws would probably be invalidated — even those that were allowed under *Roe* and/or *Casey* — and others might be at risk to varying degrees. Below is a summary of many of those laws.

Some of the discussion about particular subjects below will include matters that are not specifically named in the Amendment. While the text of the Constitution is controlling, broad principles often apply to things that are not named. For example, the First Amendment protects the "freedom of the press." Television and radio are not mentioned. But no one would argue that you are only free to spread your ideas using a printing press, but the government can stop you if you are on the air.

Ohio laws that could be challenged and possibly invalidated if the Amendment passes

Here are laws likely to be challenged, based on both our reading of the language, and also on the history of such laws being challenged during the previous *Roe v. Wade* era.

⁹ *Doe v. Bolton*, 410 U.S. 179, 192 (1973), and *Women's Med. Pro. Corp. v. Voinovich*, 130 F.3d 187, 203 (6th Cir. 1997), both abrogated by *Dobbs*, 142 S. Ct. 2228.

The Heartbeat Act and any pre-viability time limits. Some of Ohio’s laws may be defensible, but the Heartbeat Act would not exist if Issue 1 passes.

Ohio would no longer have the ability to limit abortions at any time before a fetus is viable. Viability is generally thought to be around 21 or 22 weeks. Passage of Issue 1 would invalidate the Heartbeat Act, which restricts abortions (with health and other exceptions) after a fetal heartbeat is detected, which is usually at about six weeks. No other pre-viability limit would be allowed.

Down syndrome discrimination law. Ohio currently bars doctors from performing abortions when they know that the abortion is motivated by a diagnosis of Down syndrome. That law was upheld in court during the *Roe v. Wade* era.¹⁰ If Issue 1 passes, that law would be invalidated, along with any other laws aimed at preventing discriminatory motives, such as abortions performed based on the sex or disability of the fetus.

Particular methods of abortion. Ohio law regulates the methods used to perform abortions later in pregnancy, dilation and evacuation abortions (what Ohio law calls “dismemberment abortions”), or dilation and extraction abortions (what Ohio law calls partial-birth feticide). Ohio’s partial-birth law was upheld in federal court under the *Casey* test.¹¹ Those laws would both be invalidated and these abortions would be permitted. For both methods, current Ohio law requires doctors to first initiate the death of the fetus, such as by injecting a heart-stopping

Preterm-Cleveland v. McCloud, 994 F.3d 512, 527 (6th Cir. 2021) (en banc), abrogated by *Dobbs*, 142 S. Ct. 2228.

¹¹ *Women’s Med. Pro. Corp. v. Taft*, 353 F.3d 436, 444 (6th Cir. 2003).

drug, before proceeding with the termination of the pregnancy and removal of the fetus. Those restrictions would likely not survive under an “exclusive scrutiny” test.

Pain-Capable Unborn Child Protection Act (20-week limit). Ohio law currently bans abortions after the 20th week post-fertilization, based on the research that indicates that a fetus can feel pain at that stage. If Issue 1 passes, this law would be invalidated, and these abortions would be permitted.

24-hour waiting period and informed consent. Ohio law currently requires a doctor to meet with a pregnant woman a day before an abortion and to explain various information about the procedure. The Ohio Department of Health also provides materials giving information about fetal development, and social-service information about help available if a woman decides to continue with her pregnancy and give birth.¹² Similar “informed consent” provisions were struck down under *Roe* but were later upheld under *Casey*. They would certainly be challenged under Issue 1, and the Court determination would likely turn on whether such provisions served to “burden, penalize, prohibit, interfere with, or discriminate.” It is possible to foresee a court decision that said a waiting period was a “burden,” but that informed consent is not. If so, neither provision would be likely to survive the “exclusive scrutiny” test.

Ohio’s current post-viability abortion restriction or similar restrictions. Ohio law currently bars abortions after a fetus is able to live outside the womb with a health exception for serious medical conditions. The health need must be certified by a second doctor, not in business with the doctor performing the abortion. The

¹² Ohio’s provisions were upheld in *Preterm Cleveland v. Voinovich*, 89 Ohio App. 3d 684 (10th Dist. 1993) and *Cincinnati Women’s Servs., Inc. v. Taft*, 468 F.3d 361, 364 (6th Cir. 2006).

doctor performing the procedure must make best efforts to have the baby saved, such as by having a second doctor present and performing the abortion in a hospital with NICU emergency care available. Issue 1 would likely eliminate those protections, as the majority medical opinion would likely hold that these provisions do little or nothing to protect the life or health of the mother.

Other regulation by the State is technically possible but would be ineffective. The Amendment allows the State to prohibit abortion after viability, “but in no case” if the doctor thinks it necessary to protect the mother’s life or health — a broad concept that is not defined in the Amendment.

Issue 1 gives sole discretion to the physician in deciding if the law applies, with no requirement for a second opinion or objective criteria for evaluating the physician’s professional judgment.

Parental consent. Ohio law currently requires a doctor to inform a minor’s parents before performing an abortion on a pregnant minor but also allows a “judicial bypass,” where a minor can skip notification of her parents if a judge agrees that she is mature enough to decide on her own or that the abortion is in her best interests.

The Amendment does not specifically address parental consent. However, the parental-consent statute would certainly be challenged on the basis that Issue 1 gives abortion rights to any pregnant “individual,” not just to a “woman.” Before *Roe* was reversed, parental consent laws were regularly challenged in courts. If Issue 1 passes, the question for a court will be whether the term “individual”

includes a “minor.” There is no guarantee that Ohio’s parental-consent law will remain in effect.¹³

Abortion-pill safety regulations. Ohio has specific laws to address the prescribing, dispensing, and provision of certain medications used to initiate the termination of a pregnancy (mifepristone or “RU-486”). These laws would likely be challenged, with an uncertain outcome.¹⁴

Limits against funding abortions or abortion providers, and funding of elective fertility treatments. Ohio law currently bars taxpayer money from being used to pay for abortions, unless medically necessary or involving a pregnancy caused by rape. Ohio law also bars certain other funds from going to entities that perform abortions. These laws have all been challenged in court over the years and would likely be challenged under the new language of Issue 1. The outcome would be uncertain.

In addition, the Amendment includes “fertility treatment” as one of the areas that the State may not “discriminate against.” Currently, Ohio’s Medicaid program, which provides health care for qualifying low-income Ohioans, does not cover fertility treatment such as artificial insemination or in vitro fertilization. But if declining to fund those elective procedures counts as “discriminating” under the Amendment, a court could find that Ohio must fund these types of treatments for Medicaid patients.

¹³ Ohio’s parental consent law, R.C. 2919.121, generally requires parental consent for an unmarried minor’s abortion, unless the minor is emancipated or obtains a “judicial bypass” order.

¹⁴ Ohio’s mifepristone law, R.C. 2919.123, requires doctors to follow FDA labeling, and also to meet other requirements, and further governs distribution and sales.

Effect on non-abortion areas such as parental involvement in minors' use of contraception, sterilization, and transgender treatment. These other areas of law are harder to assess because Ohio does not have specific statutes addressing minors' access to these medical treatments or products. However, if the word "individual" as used in the Amendment includes minors, Ohio's general laws concerning minors and health care could be affected. Some other States have enacted, and some Ohio legislators have proposed, laws regarding transgender treatment of minors. Given the uncertainty of the breadth of the terms "reproductive decision" and "individual," as discussed above regarding parental consent for abortion, challenges are certainly likely, with outcomes uncertain. It would certainly be too much to say that under Issue 1 all treatments for gender dysphoria would be mandated at the minor individual's discretion and without parental involvement. This is a developing area of the law nationally, and all that could be said with certainty is that Issue 1, if passed, would impact the analysis of any future law.

IN THE SUPREME COURT OF OHIO

Preterm-Cleveland, et al.,
Appellees,

vs.

David Yost, Attorney General of Ohio,
et al.,
Appellants.

Case No. 2023-0004

On appeal from the Hamilton County
Court of Appeals,

First Appellate District

Court of Appeals
Case No. C-220504

**AMICUS CURIAE BRIEF OF PHYLLIS SCHLAFLY EAGLES, JANET
FOLGER PORTER, FAITH2ACTION MINISTRIES, OHIO
REPRESENTATIVE BETH LEAR, OHIO VALUE VOTERS, MISSION
AMERICA, MARGIE CHRISTIE, DAYTON RIGHT TO LIFE SOCIETY,
OHIO CHRISTIAN ALLIANCE, WARREN COUNTY RIGHT TO LIFE,
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FORMER OHIO REPRESENTATIVE RON HOOD, AND EAGLE
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SUPPLEMENTAL BRIEFING ON ISSUE 1 AND IN SUPPORT OF
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On November 16, 2023, this Court requested new briefing by the parties on the effect, if any, of Issue 1 on this matter, which has been administratively added to the Ohio Constitution as its new Article I, Section 22 (abbreviated here as “Issue 1,” as in this Court’s order). *Amici curiae* Phyllis Schlafly Eagles, Janet Folger Porter, Faith2Action Ministries, Ohio Representative Beth Lear, Ohio Value Voters, Mission America, Margie Christie, Dayton Right to Life Society, Ohio Christian Alliance, Warren County Right to Life, Lori Viars, Eagle Forum of Ohio, Community Pregnancy Center, former Ohio Representative Candice Keller, former Ohio Representative Ron Hood, and Eagle Forum Education & Legal Defense Fund (collectively, the “*Amici*”), respectfully submit their interests and their following arguments against applying Issue 1 here.

INTERESTS OF *AMICI CURIAE*

*Amicus curiae*¹ Phyllis Schlafly Eagles is an association founded in 2016 to carry on the work of Phyllis Schlafly, who led the defeat of the Equal Rights Amendment to keep out of the U.S. Constitution abortion and other destructive new rights. Janet Folger Porter has been an advocate for the rights of the unborn, parents of minors misled to have abortions, and all victims of abortion for more than 30 years in Ohio, has authored many books on this topic, and is the chief architect of the Heartbeat bill in Ohio and nationwide. Faith2Action Ministries is a pro-life ministry based on North Royalton, Ohio, which has long been active on the abortion issue.

¹ No counsel for a party authored this brief in whole or in part, and no entity or person, other than *amici curiae*, their members, and their counsel, made a monetary contribution intended to fund the preparation or submission of this brief.

Ohio Representative Beth Lear is currently in the Ohio General Assembly, representing District 61. Ohio Value Voters is a nonprofit 501(c)(4) entity based in Cleveland, Ohio, and devoted since 2007 to educating, informing and influencing voters and elected officials in Ohio. Mission America is based in Columbus, Ohio, and since 1995 has advocated about cultural and social issues. Dayton Right to Life Society is based in Dayton, Ohio, and has been advocate here for the preborn since 1972, and Margie Christie is its Executive Director. Ohio Christian Alliance has advocated for life, faith, and freedom in the public square here in Ohio for 32 years. Warren County Right to Life has worked for the unborn for more than a decade in Warren County, Ohio, and Lori Viars is its Vice President and longtime leader for the unborn and other victims of abortion. Eagle Forum of Ohio has been active for decades in educating the public here. Community Pregnancy Center is a crisis pregnancy center located in Middletown, Ohio. Former Ohio Representatives Candice Keller and Ron Hood were co-sponsors of the Ohio Heartbeat bill. Eagle Forum Education & Legal Defense Fund was founded in 1981 by Phyllis Schlafly and has filed numerous briefs at all levels in federal and state court for more than two decades, including defense of the rights of the victims of abortion.

All of these *Amici* have interests in defending against misuse of the ballot initiative by abortion providers to insert special privileges for them into the Ohio Constitution, to the detriment of the many victims of abortion. *Amici* have defended the inalienable right to life for decades and thus have a strong interest in objecting to attempts to apply Issue 1 to undermine those rights as protected by Article I,

Section 1 of the Ohio Constitution and more than 30 existing state laws, including the Ohio Heartbeat bill. *Amici* have further interests in defending representative democracy against a bypass of the constitutional convention process by this far-reaching revision to the Ohio Constitution that would adversely impact multiple rights which have long been guaranteed by that document.

In light of their long record of defending the victims of abortion and for the foregoing additional reasons, *Amici* have direct and vital interests in objecting to any implementation of Issue 1 by this Court.

INTRODUCTION AND SUMMARY OF ARGUMENT

Issue 1 makes an abortionist the sole judge of his conduct as he performs abortions up until birth, and in some cases completes them after birth. This is contrary to long-established principles of Anglo-American law and the Ohio Constitution, in authorizing a man to be his own judge as he commits the equivalent of infanticide. Issue 1 strips authority from the General Assembly over objectionable conduct in a way that no other ballot initiative has ever done before. A ballot initiative that places a man beyond the reach of the General Assembly in order to commit the equivalent of infanticide is not legitimate in Ohio. By revising the authority of the General Assembly and by conflicting with numerous existing provisions of the Ohio Constitution, Issue 1 constitutes a “revision” to the Constitution that may be done only by a constitutional convention, not through a mere ballot initiative amendment process.

Issue 1 states that “*in no case* may such an abortion [including after the viability of a fetus or unborn child] be prohibited if in the professional judgment of the pregnant patient’s treating physician it is necessary to protect the pregnant patient’s life or health.” (Emphasis added.) “Health” is the same term that was used by the U.S. Supreme Court in *Doe v. Bolton*, 410 U.S. 179 (1973), to mean virtually anything, including finances. “Health” means whatever the self-interested abortionist, who typically profits from the procedure (and highly profits from a late-term abortion), wants the term to mean. This provision of Issue 1 unambiguously authorizes abortion at any time during a pregnancy, including during birth. This will be worth many tens of millions of dollars annually to the abortion industry in Ohio alone.

Issue 1 contains language for which there is no common agreement as to its meaning among judges, and thus there could not possibly have been a common understanding of it by voters. Issue 1 prohibits the General Assembly from regulating abortion if it imposes a burden not by the “least restrictive means.” For decades judges have widely and strongly disagreed about the meaning of an undue “burden” or “least restrictive means,” including 5-4 decisions by the U.S. Supreme Court and similarly divided appellate court decisions. It is impossible that voters commonly agreed on the meaning of these terms when judges themselves have long widely disagreed about their meaning.

Studies show that the side which spends the most on a ballot initiative prevails virtually every time, as occurred for Issue 1 with a reported \$58 million in spending

for it, mostly from out-of-state and even foreign contributors. The vote in support of Issue 1 was nearly identical to the vote in support of the very different Issue 2, which shows how manipulated the initiative process has become. That process cannot legitimize a ballot initiative which places someone above the law while engaging in highly repugnant conduct. Nor is a ballot initiative legitimate when the meaning of its central terminology is the subject of intense disagreement by judges. There is no “meeting of the minds” when a key term in a contract lacks a clear meaning, and no law is legitimately enacted by a ballot initiative whose central terminology has widely and sharply varying meanings among even judges.

Issue 1 may not be used legitimately to invalidate any laws or regulations, and is contrary to the Ohio Bill of Rights. Issue 1 also contravenes the republican form of government guaranteed by the U.S. Constitution. As a substantive revision to the Ohio Constitution rather than merely an amendment, Issue 1 is invalid for bypassing the convention requirements for revising the Constitution.

ARGUMENT

Ohio Constitution Article XVI, Section 2 limits attempts “to revise” the Ohio Constitution to use of the process of a convention, with which Issue 1 did not comply. The initiative process in Ohio was adopted during the same time period and with the same purpose as a similar process in many Western states, while a majority of states rejected this direct democracy. The supporters of Issue 1 candidly admit that they seek far-reaching changes to Ohio through Issue 1; in a post-election news story, a prominent supporter of Issue 1 stated the sponsors’ intent to overturn “over 30

different restrictions [currently] in place.”² In addition, Issue 1 conflicts with multiple long-established provisions in the Ohio Bill of Rights, and removes authority from the General Assembly in an unprecedented manner. To achieve this, the supporters of Issue 1 needed to comply with the convention process, which they have not done.

I. Issue 1 Authorizes the Equivalent of Infanticide and Implicitly Overturns Ohio’s Partial-Birth Abortion Law, and Thus Cannot Possibly Be Enforceable.

The plain meaning of Issue 1 is to prohibit the General Assembly from limiting late-term abortions, which is the most profitable type for providers. If Issue 1 is embraced in any way by this Court, then courts will undoubtedly apply its following provision to fully allow all late-term abortions (emphasis added):

in no case may such [a late-term or partial-birth or any] abortion be prohibited if in the professional judgment of the pregnant patient’s treating physician it is necessary to protect the pregnant patient’s life or health.

Enforcement of this would require overturning Ohio’s Partial-Birth Abortion Law, Ohio Rev. Code Ann. § 2919.15.1, which was upheld after contentious litigation in *Women’s Med. Prof’l Corp. v. Taft*, 353 F.3d 436, 438 (6th Cir. 2003).

This central provision of Issue 1 is the equivalent of infanticide, as the U.S. Court of Appeals for the Sixth Circuit recognized. That court upheld Ohio’s first-in-the-nation ban on partial-birth abortion based on Ohio’s stated “interest in maintaining a strong public policy against infanticide, regardless of the life

² Julie Carr Smyth, “Ohio voters just passed abortion protections. When and how they take effect is before the courts,” *Associated Press* (Nov. 24, 2023), <https://apnews.com/article/abortion-ohio-constitutional-amendment-republicans-courts-fb1762537585350caeee589d68fe5a0d> (viewed Dec. 2, 2023).

expectancy or state of development of the child.” *Id.* at 441-42 (quoting H.B. 351, § 3(A), (B), 123rd Gen. Assem., Reg. Sess. (Ohio 2000)). The Sixth Circuit further recognized the valid “state interest in preventing unnecessary cruelty.” *Id.* at 442 (quoting H.B. 351 § 3(D)).

The struggle to rid Ohio of late-term and partial-birth abortion was hard-fought for decades. Dr. LeRoy Carhart, a physician who sued to overturn a federal partial-birth abortion ban, declared that “the profit margin is huge.” Thomas J. Molony, “Fulfilling the Promise of *Roe*: A Pathway for Meaningful Pre-Abortion Consultation,” 65 Cath. U.L. Rev. 713, 725 (2016). Ultimately upheld by the U.S. Supreme Court, the federal statute prohibits one particular type of partial-birth abortion, while allowing other forms of abortion at birth which are the legal equivalent of infanticide and which continue to be performed in some states.³ Issue 1 would prevent the General Assembly from keeping these abortions out of Ohio.

Though repugnant, infanticide has been frequently discussed and even advocated by many supporters of legalized abortion. *See* P. Singer, *Rethinking Life & Death* 218 (1994) (defining a person as “a being with awareness of her or his own existence over time, and the capacity to have wants and plans for the future”); B. Steinbock, *Life Before Birth: The Moral and Legal Status of Embryos and Fetuses* 9-13 (1992) (arguing that “the possession of interests is both necessary and sufficient

³ “In response to this [federal] statute, many abortion providers have adopted the practice of inducing fetal demise before beginning late-term abortions,” observes the often-visited, widely read https://en.wikipedia.org/wiki/Partial-Birth_Abortion_Ban_Act#Clinical_response (viewed Nov. 25, 2023).

for moral status” and that the “capacity for conscious awareness is a necessary condition for the possession of interests” (emphasis deleted)); M. Warren, “On the Moral and Legal Status of Abortion,” 57 *The Monist* 1, 5 (1973) (arguing that, to qualify as a person, a being must have at least one of five traits that are “central to the concept of personhood,” including “consciousness”, “reasoning”, “self-motivated activity,” “the capacity to communicate,” and “the presence of self-concepts, and self-awareness, either individual or racial, or both,” which do not arise until long after birth) (emphasis deleted)); M. Tooley, *Abortion & Infanticide*, 2 *Philosophy & Pub. Affairs* 37, 49 (Autumn 1972) (insisting that “having a right to life presupposes that one is capable of desiring to continue existing as a subject of experiences and other mental states”).

In overturning *Roe v. Wade*, the U.S. Supreme Court recently explained how *Roe* was fundamentally based on the Court majority’s review of the ancient acceptance of infanticide:

Roe featured a lengthy survey of history ... and the Court made no effort to explain why it was included. For example, multiple paragraphs were devoted to an account of the views and practices of ancient civilizations where infanticide was widely accepted. See 410 U. S., at 130-132, 93 S. Ct. 705, 35 L. Ed. 2d 147 (discussing ancient Greek and Roman practices).

Dobbs v. Jackson Women's Health Org., 142 S. Ct. 2228, 2267 (2022). Infanticide was prevalent in ancient Greece and Rome as many scholars have observed. See C. Patterson, “Not Worth the Rearing: The Causes of Infant Exposure in Ancient Greece,” 115 *Transactions Am. Philosophical Assn.* 103, 111-123 (1985); A. Cameron, “The Exposure of Children and Greek Ethics,” 46 *Classical Rev.* 105-108 (1932); H.

Bennett, “The Exposure of Infants in Ancient Rome,” 18 Classical J. 341-351 (1923); W. Harris, “Child-Exposure in the Roman Empire,” 84 J. Roman Studies 1 (1994).

This is Issue 1, as required by one of its key provisions. There is no logical way to sever the equivalent of infanticide from the remainder of the amendment, and no basis for declaring the rest of Issue 1 to somehow be the “will of the people” without its central part. See *City of Middletown v. Ferguson*, No. CA84-04-049, 1985 Ohio App. LEXIS 6594, at *22 (Ct. App. Apr. 29, 1985) (rejecting severability with respect to a ballot initiative because its “unconstitutional objective could not be severed from” its remainder).

A ballot initiative that attempts to make infanticide a constitutional right, as Issue 1 does, is invalid and unenforceable. There are a dozen compelling legal reasons for striking a ballot initiative that is so repugnant to civilization and the values of Ohio. Several of these grounds are discussed in detail below, while many law review articles from all sides of the political spectrum identify additional grounds for invalidating a ballot initiative as wrongful as Issue 1.

II. Issue 1 Improperly Removes Authority from the Representative Government – the General Assembly – in Violation of U.S. Supreme Court Holdings and the Ohio Constitution.

No one credibly asserts that Issue 1 was a proper repeal or revision of the protection in the Ohio Constitution, Art. I, Section 2, for the General Assembly’s “Right to alter, reform, or abolish government, and repeal special privileges”:

... no special privileges or immunities shall ever be granted, that may not be altered, revoked, or repealed by the general assembly.

The above provision has been a foundation of the Ohio Constitution since 1851, and arguably limits the subject matter breadth of ballot initiatives which were not allowed until 1912. This 1851 provision is also in many other state constitutions, and has been applied numerous times by state courts nationwide to invalidate laws that grant special privileges. The addition of the initiative process did not repeal any of the existing constitutional provisions, which remain in full force and effect. *See, e.g., ITT World Communications, Inc. v. City and County of San Francisco*, 37 Cal.3d 859, 210 Cal. Rptr. 226, 693 P.2d 811, 816 (1985) (“A constitutional amendment ... should not be construed to effect the implied repeal of another constitutional provision.”).

Issue 1 creates special privileges for abortion providers far beyond any other health practitioner, and any professional of any kind. Issue 1 then prohibits the General Assembly from altering, revoking, or repealing those special privileges for abortionists. Issue 1 is a flagrant violation of Article I, Section 2 of the Ohio Constitution, which was even invoked by the U.S. Supreme Court to sustain an Ohio conviction for assault and battery by a railroad conductor, which is analogous to commonplace wrongdoing by abortion providers. *Shields v. Ohio*, 95 U.S. 319 (1877) (affirming the Ohio Supreme Court based on this provision of the Ohio Constitution).

The U.S. Supreme Court has emphasized that “the State may not surrender or bind itself not to exert its police power to guard the safety of workers.” *Phillips Petroleum Co. v. Jenkins*, 297 U.S. 629, 635 (1936) (citing *Shields* and many additional precedents). Likewise, a ballot initiative cannot properly withdraw authority from the General Assembly to regulate abortion providers, and to fully

protect the most vulnerable in society against that for-profit activity. The attempt by Issue 1 to place abortion providers beyond the authority of the General Assembly, and thereby make abortionists the sole judge over their own conduct, is directly contrary to Article I, Section 2 of the Ohio Constitution.

In addition, multiple rulings by the U.S. Supreme Court and other courts have invalidated ballot initiatives that interfere with representative government as Issue 1 does. In *Romer v. Evans*, both the Colorado and United States Supreme Courts tossed out a voter-approved Colorado ballot initiative that had amended the Colorado Constitution to prohibit the Colorado legislature from granting preferences to a certain class of people, in that case homosexuals. The grounds of the *Romer* decision had nothing to do with any constitutional rights of homosexuals, which at the time were not recognized under the U.S. Constitution. Instead, it was the interference wrought by the ballot initiative with representative government that rendered the voter-enacted ballot initiative invalid.

As Justice Anthony Kennedy wrote for the Supreme Court:

The resulting disqualification of a class of persons from the right to seek specific protection from the law is unprecedented in our jurisprudence.

Romer v. Evans, 517 U.S. 620, 633 (1996). That same defect requires invalidating Issue 1. See also *Reitman v. Mulkey*, 387 U.S. 369 (1967) (after enactment by 65% of the popular vote and endorsement by the *Los Angeles Times*, the California Supreme Court invalidated this facially neutral ballot initiative and the U.S. Supreme Court affirmed).

Likewise, Issue 1 prohibits certain classes of people from seeking “specific protection” from predatory practices of the abortion industry. The most profitable type of abortion – late-term and partial-birth abortion – is placed entirely outside of the authority of General Assembly by Issue 1. That leaves parents, minors, spouses, partners, representatives of unborn children, and women entitled to informed consent unable to seek protection from the General Assembly against unethical practices by abortion providers. Under Issue 1 the victims cannot seek legislation to protect them, just as the class of persons in Colorado were disenfranchised by the defective ballot initiative there.

Romer is not unique. Many U.S. Supreme Court and other appellate courts have invoked “political-process doctrine” to invalidate ballot initiatives like Issue 1. One of the earliest in this line of cases arose from Akron, Ohio, where the voters passed a ballot initiative that amended the city charter. The trial court and Ohio Supreme Court upheld the enforceability of its voter-approved ballot initiative relating to housing, but then the 8-1 U.S. Supreme Court reversed by finding that the ballot initiative infringed on the political process. *Hunter v. Erickson*, 393 U.S. 385, 388 (1969). *See also Washington v. Seattle Sch. Dist. No. 1*, 458 U.S. 457, 463 (1982) (invalidating a statewide ballot initiative that was enacted by nearly 66% of the public, based on the political-process doctrine).

Issue 1, like many other ballot initiatives enacted by voters but then stricken by appellate courts, infringes on the political process and is thus invalid.

III. Issue 1 Improperly Infringes on Inalienable Rights Guaranteed by the First Section of the Ohio Bill of Rights, without Repealing that Protection.

The very first section of the Ohio Constitution fully protects inalienable rights as well as the right to defend the life of others:

All men are, by nature, free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing, and protecting property, and seeking and obtaining happiness and safety. (OHIO CONST., Art. I, Sec. 1)

Issue 1 does not purport to repeal or revise any of this, and cannot do so implicitly. *See, e.g., Bd. of Supervisors v. Lonergan*, 27 Cal. 3d 855, 868, 167 Cal. Rptr. 820, 828, 616 P.2d 802, 810 (1980) (“So strong is the presumption against implied repeals” of a constitutional provision.). The term “men” is, of course, understood to apply to protect all human beings, as in the Declaration of Independence.

Issue 1 does not attempt to establish when life begins, or when the legal protection of life should begin. Accordingly, and consistent with the U.S. Supreme Court decision in *Dobbs*, the Court should look to the legislature for guidance on this fundamental question, just as legislatures define the scope of property. “It is time to heed the Constitution and return the issue of abortion to the people’s ***elected representatives***.” *Dobbs*, 142 S. Ct. at 2243 (emphasis added).

“‘Unborn human individual’ means an individual organism of the species homo sapiens from fertilization until live birth.” Ohio Rev. Code Ann. § 2919.19(a)(15). Ohio statutes thereby establish that life begins at conception. “Ohio statutory law clearly favors the position that life begins at conception and that embryos are unborn humans.” *Kotkowski-Paul v. Paul*, 2022-Ohio-4567, ¶ 123, 204 N.E.3d 66, 91 (Ct.

App.) (Lynch, J., dissenting). Specifically, “the criminal code recognizes the principle that life begins at conception (fertilization) and that an embryo represents human life. R.C. 2901.01(B)(1)(c)(i) (unborn human)” *Id.*

Ohio appellate Judge Lynch explained further:

[T]hese definitions are persuasive inasmuch as they are consistent with the current scientific understanding of when life begins and are not contradicted by or inconsistent with other provisions of the Revised Code. ... Within the criminal code, a ‘person’ includes ‘[a]n unborn human who is viable,’ i.e., ‘the stage of development of a human fetus at which there is a realistic possibility of maintaining and nourishing of a life outside the womb with or without temporary artificial life-sustaining support.’ R.C. 2901.01(B)(1)(a)(ii) and (c)(ii).”

Id.

Likewise, the U.S. Supreme Court has referred to the “living fetus,” even when siding with abortionists in invalidating a partial-birth abortion law. *Stenberg v. Carhart*, 530 U.S. 914, 940 (2000) (“Both procedures can involve the introduction of a ‘substantial portion’ of a still living fetus”). Congress has likewise used the term “living fetus,” in a statute that the U.S. Supreme Court upheld against challenge: 18 U.S.C. § 1531(b)(1)(B).

Even prior to the foregoing precedents and statutes, an Ohio appellate court recognized about the Inalienable Rights clause that:

this provision guaranteeing the enjoyment of life and liberty confers upon the individual the right to do whatever he or she wishes to do so long as there is no valid law proscribing such conduct and so long as the conduct does not infringe upon rights of others recognized by the common law.

Preterm Cleveland v. Voinovich, 89 Ohio App. 3d 684, 691, 627 N.E.2d 570, 575 (1993).

As to the common law, even supporters of abortion rights admit that the common law

treated abortion as a crime beginning with “quickening”, which is analogous to initiation of the heartbeat at issue in the Heartbeat bill. *Dobbs*, 142 S. Ct. at 2324 (Breyer, Sotomayor, and Kagan, JJ., dissenting) (citing 1 W. Blackstone, *Commentaries on the Laws of England* 129-130 (7th ed. 1775); E. Coke, *Institutes of the Laws of England* 50 (1644)).

Yet Issue 1 has no mention of the rights of living fetus or unborn child, while purporting to grant an abortionist an unfettered right to terminate that life contrary to the “Inalienable Rights” provision of the Ohio Constitution. Issue 1 does not attempt to repeal that core right, as a constitutional amendment would declare a repeal if in fact that were its intent. *See, e.g.*, U.S. CONST., Amend XXI (“The eighteenth article of amendment to the Constitution of the United States is hereby repealed.”)

Severability is not an option to salvage Issue 1, because there is no coherent way to separate its unconstitutional portion or to determine whether voters would have enacted it without that portion. *See City of Middletown, supra*, 1985 Ohio App. LEXIS 6594, at *7 (denying request to sever). Accordingly, Issue 1 is invalid.

IV. The Issue 1 Terms of “Burden” and “Least Restrictive Means” Have Vastly Different Meanings for Judges and Even More So for Voters, Thereby Rendering Issue 1 Unclear and Unenforceable just as the Florida Supreme Court Invalidated a 73%-Supported Initiative.

Judges have widely disagreed about the meaning of “burden” and “least restrictive means” in the context of abortion for more than 30 years, such that there has never been a consensus understanding of these legalistic terms. To perhaps half of judges, undue “burden” means that virtually any regulation of abortion is unlawful.

To the other roughly half of judges, the opposite is true. Given that judges have been unable to agree on a definition for this terminology, voters could not possibly have been in agreement as to the meaning of what they were voting on.

Under very similar circumstances, the Florida Supreme Court invalidated a high-profile ballot initiative in 2000 after its enactment by 73% of the popular vote. *Armstrong v. Harris*, 773 So. 2d 7, 22 (Fla. 2000) (“[V]oters were not told on the ballot that the amendment will nullify the Cruel or Unusual Punishment Clause, an integral part of the Declaration of Rights since our state’s birth. Voters thus were not permitted to cast a ballot with eyes wide open on this issue.”). There, as here, the Florida Supreme Court had denied pre-election challenges to the same ballot initiative, yet invalidated it after the election because the initiative failed to fully explain its effects on the fundamental right to life.

An Ohio appellate judge, who dissented in a 2-1 decision hinging on the term “burden”, explained that not even five justices on the U.S. Supreme Court could agree on what an undue burden means in the landmark decision of *Planned Parenthood v. Casey*, 505 U.S. 833 (1992):

The plurality opinion characterized a “finding of an undue burden [as] a shorthand for the conclusion that a state regulation has the purpose or effect of placing a substantial obstacle in the path of a woman seeking an abortion of a nonviable fetus.” By contrast, Justice Stevens’s idea was that “[a] burden may be ‘undue’ either because the burden is too severe or because it lacks a legitimate, rational justification.” ***Neither formulation received five votes*** so that there would be controlling constitutional doctrine.

Preterm Cleveland v. Voinovich, 89 Ohio App. 3d at 709 n.23, 627 N.E.2d at 587 (Petree, J., concurring and dissenting, citations omitted and emphasis added).

Courts can only enforce what voters intended to enact, not what the legal meaning of terms of art may be. Issue 1 was promoted to voters with a reported \$58 million of mostly out-of-state (and foreign) donations, using ads that talked about contraception and miscarriages. The vote for Issue 1 was nearly identical to the vote for Issue 2, which was the vastly different issue of legalizing cannabis; they differed in their total votes by barely one-tenth of 1%. Legal scholars have already discredited the notion of “the will of the voters” on ballot initiatives, explaining why it is a myth. *See, e.g.*, Glen Staszewski, “Rejecting the Myth of Popular Sovereignty and Applying an Agency Model to Direct Democracy,” 56 Vand. L. Rev. 395, 399 (2003) (“Rejecting the myth of popular sovereignty in direct democracy would resolve the primary difficulties that are currently associated with judicial review of successful ballot measures.”) (footnote omitted). Divining any will of the people from a ballot initiative using so much controversial legal terminology is unjustified.

Legislators represent the “will of the people” as much as or more than any ballot initiative does, and there should be deference to legislators in filling in the gaps or ambiguities in a ballot initiative. *See In re J.C.* (2016) 246 Cal.App.4th 1462, 1479–1480 (2016) (in California, which has a ballot initiative process similar to Ohio, when a voter-adopted initiative was ambiguous with “solid arguments both for and against” an interpretation, the Legislature's enactment clarifying the ambiguity was a proper). The 30-plus current Ohio abortion laws were enacted under *Roe v. Wade*, and thus presumptively continue to be constitutional because Issue 1 does not even purport to depart from that framework.

The Court can and should uphold every existing Ohio abortion law without interference by Issue 1, which does not identify any law that it would repeal. It is plausible and even likely that those who voted for Issue 1 do not oppose regulation of abortion by the legislature which was determined by the elected representatives to be reasonable after hearing testimony in committee hearings. It would not be proper for the Court to infer that voters understood the debated legal terminology used in Issue 1 to mean what proponents of Issue 1 privately intended: to bring abortion-on-demand to Ohio. It is not the intent of the political and financial supporters of an initiative that matters, but the intent of the voters.

V. Judges and Scholars Agree that Far-Reaching Ballot Initiatives Violate the Guarantee of a Republican Form of Government.

The renowned left-of-center law Professor Erwin Chemerinsky has declared that “direct democracy is undesirable and unconstitutional ... because it violates the Republican Form of Government Clause.” Erwin Chemerinsky, “Challenging Direct Democracy,” 2007 Mich. St. L. Rev. 293, 294, 301 (2007) (citing U.S. CONST., Art. IV, Sec. 4). Apparently in agreement are Judge Diane Wood, a preeminent federal judge having an illustrious career on the U.S. Court of Appeals for the Seventh Circuit, and future Supreme Court Justice Amy Coney Barrett. Together they ruled in 2020 that:

We do not interpret *Rucho* or any other decision by the Supreme Court as having categorically foreclosed all Guarantee Clause claims as nonjusticiable, even though no such claim has yet survived Supreme Court review. ***The district court thus went too far in saying that no Guarantee Clause claim could proceed to adjudication on the merits.*** Instead, it should have decided simply whether this particular Guarantee Clause claim is among the rare ones that can survive a motion to dismiss. We conclude that it is not.

Democratic Party of Wis. v. Vos, 966 F.3d 581, 589 (7th Cir. 2020) (emphasis added).

The most plausible inference from the foregoing federal appellate holding is that the unanimous court would use the Guarantee Clause to invalidate a ballot initiative that sought to establish sweeping new rights for or against abortion. Both judicial sides of the abortion debate thereby implicitly agreed that it is not proper subject matter for a ballot initiative, because of the Guarantee Clause of the U.S. Constitution. U.S. CONST., Art. I, Sec. 4.

Meanwhile, the U.S. Supreme Court Chief Justice Roberts came very close to invoking the Guarantee Clause against a ballot-initiative redistricting in his passionate dissent in *Ariz. State Legis. v. Ariz. Indep. Redistricting Comm’n*, 576 U.S. 787 (2015). Roberts lacked a majority for this position in 2015, but likely has a majority today on this. The 5-4 majority, in its footnote 3, further opened the door to use of the Guarantee Clause against a far-reaching ballot initiative, as Issue 1 is.

Many additional law professors and judges have spoken out against the direct democracy of ballot initiatives. Professor Julian Eule has urged heightened judicial review when a ballot initiative passes. *See* Julian N. Eule, *Judicial Review of Direct Democracy*, 99 *Yale L.J.* 1503, 1539 (1990) (“a wariness of unfiltered electoral expressions protects our republican form”). Professor Eule noted that direct democracy conflicts with the U.S. Constitution. *See id.* at 1508 (“Despite the instinctive appeal of Hugo Black’s view that the level of appropriate scrutiny ought to decline as democracy becomes more direct, I believe that a deeper consideration will reveal that he is 180 degrees off the mark.”). As another law professor explained:

In the republic, the people must have control of their choices – not simply by being able to vote, but by having the government act in their best interest. Toward that end, the representatives owe their best judgment to all members of the community. ... The republican form of government is in jeopardy.

Mark C. Alexander, “Campaign Finance Reform: Central Meaning and a New Approach,” 60 Wash & Lee L. Rev. 767, 838 (2003). Former Oregon Supreme Court and legal scholar Justice Hans Linde was also critical of ballot initiatives.

Abortion implicates complex issues of medicine, law, and ethics. Legislative committee hearings, informed debate, and enlightened decision-making are essential ingredients to enacting laws that are best for Ohioans and the future of this State. If the Guarantee Clause protects anything against mob rule as driven by misleading television ads, it is the abortion issue. The invitation by U.S. Court of Appeals Judge Diane Wood to apply the Guarantee Clause should be accepted here for Issue 1.

VI. As Multiple State Supreme Courts Have Held under Constitutional Provisions Similar to Ohio’s, Sweeping Ballot Initiatives Like Issue 1 Are Invalid.

The ballot initiative process was adopted in Ohio within a year of its adoption in California, where there is an extensive body of legal precedents as to limits on this process consistent with its Progressive Era intentions. Many of the other states that use ballot initiatives have likewise invalidated far-reaching changes by amendment.

As explained by the Cleveland-Marshall College of Law Dean Emeritus Steven Steinglass, “There is a distinction in state constitutional law between constitutional amendments and constitutional revisions, and courts have used this distinction to limit the use of the initiative to amendments and to bar its use for constitutional revisions.” Steinglass, “Constitutional Revision: Ohio Style,” 77 Ohio St. L.J. 281, 323

(2016). Dean Steinglass observed that “there is a textual basis for” this distinction in Ohio, although the case law for it is more developed in California and other jurisdictions where there have been more ballot initiatives. *Id.* The numerous California precedents, for example, include its Supreme Court invalidating a portion of a voter-enacted ballot initiative because “fundamental constitutional rights are implicated.” *Raven v. Deukmejian*, 52 Cal. 3d 336, 352, 276 Cal. Rptr. 326, 336, 801 P.2d 1077, 1087 (1990).

Many decisions in other states have likewise invalidated ballot initiatives for being substantive revisions rather than merely amendments. *See, e.g., Citizens Protecting Mich.'s Constitution v. Sec'y of State*, 761 N.W.2d 210, 229 (Mich. Ct. App.) (per curiam) (incorporating California precedents to hold that an initiative affecting multiple articles of the Michigan Constitution was a constitutional revision, and thus an impermissible amendment by initiative), *aff'd without opinion*, 755 N.W.2d 157 (Mich. 2008); *Bess v. Ulmer*, 985 P.2d 979, 982 (Alaska 1999) (holding that “[t]he Framers of the Alaska Constitution distinguished between a revision and an amendment,” and ruling that a ballot initiative to limit prisoner rights to federal protections constituted a “revision” that could not be adopted by a mere amendment); *Adams v. Gunter*, 238 So. 2d 824, 832 (Fla. 1970) (holding that a proposed amendment by initiative was improper because it affected multiple sections of the constitution, as Issue 1 implicitly does); *Holmes v. Appling*, 392 P.2d 636, 639 (Or. 1964) (adopting the distinction between a revision and an amendment, and ruling that that a

proposed initiative was a revision improper to be done as an amendment). Likewise, the far-reaching Issue 1 constitutes a revision, not a proper amendment.

Conclusion

For the foregoing reasons, Issue 1 is invalid and unenforceable as a revision or amendment to the Ohio Constitution, and thus has no application to this case.

Dated: December 4, 2023

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Subject: Amicus join request in United States v. Idaho, No. __ (U.S.) [deadline Tuesday]
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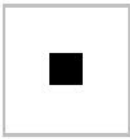
From: Michael Hendershot <Michael.Hendershot@OhioAGO.gov>
Sent: Friday, November 17, 2023 3:52 PM
To: AG Dave Yost <Dave@OhioAGO.gov>
Cc: Jonathan Blanton <Jonathan.Blanton@OhioAGO.gov>; Joshua Richardson <Joshua.Richardson@OhioAGO.gov>
Subject: Amicus join request in United States v. Idaho, No. __ (U.S.) [deadline Tuesday]

General Yost,

[REDACTED]

Best,

Michael J. Hendershot



Chief Deputy Solicitor General
Office of Ohio Attorney General Dave Yost
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From: Holmes, Melinda R <Melinda.Holmes@atg.in.gov>

Sent: Friday, November 17, 2023 12:57 PM

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Cc: Barta, James A <James.Barta@atg.in.gov>; Doering, Katelyn E <Katelyn.Doering@atg.in.gov>; #ATG SG Admin <ATGSGAdmin@atg.in.gov>

Subject: Amicus join request in *United States v. Idaho*, No. ___ (U.S.)

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Friends,

As you may know, the Ninth Circuit en banc recently vacated an order staying an injunction prohibiting Idaho's enforcement of its pro-life law in *United States v. Idaho*, Nos. 23-35440, 23-35450 (9th Cir.). The United States sued Idaho on the theory that the Emergency Medical Treatment and Labor Act (EMTALA), which requires hospitals participating in Medicare to provide stabilizing care to all patients who arrive at an emergency department presenting an emergency medical condition, preempts Idaho's law, and the district court granted a preliminary injunction on that basis. A Ninth Circuit panel granted a stay of the injunction pending appeal, 83 F.4th 1130 (9th Cir.), but the Ninth Circuit granted rehearing en banc and vacated that order, 82 F.4th 1296 (9th Cir.). On November 13, the Ninth Circuit en banc denied a motion to stay the district court's injunction pending appeal.

Early next week, Idaho plans to file an emergency application for a stay of the injunction from the Supreme Court, and to ask for the Supreme Court to grant certiorari before judgment. Indiana is preparing an amicus brief supporting the application. **The deadline to join will be EOD Tuesday, November 21.** We anticipate circulating a draft this weekend or Monday morning at the latest.

Given the timeline, here is a brief outline of the arguments we plan to make, subject to some revision. The arguments will be consistent with the amicus briefs we filed at earlier stages in this case and which many of your states joined (see attached).

- I. EMTALA does not preempt generally applicable state laws regulating the medical profession, including (and especially) laws protecting unborn lives.
 - A. EMTALA does not preempt state laws regulating which services medical professionals may administer.
 - B. Idaho's law does not "directly conflict" with EMTALA.
 - C. Any ambiguity should be resolved in favor of not displacing state laws.
- II. Embracing the district court's theory raises larger problems of great importance to the States
 - A. The United States lacks a cause of action to sue states to enforce conditions of federal grants to non-state entities.
 - B. The legitimacy of spending programs relies on participants' consent to the clear terms of the programs.
 - C. Using the spending power to undermine state laws without a State's consent implicates the Tenth Amendment and the Guarantee Clause.

Best,
Melinda

Melinda Holmes

Deputy Attorney General – Solicitor General Division

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302 West Washington Street
IGCS-5th Floor
Indianapolis, IN 46204
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melinda.holmes@atg.in.gov

From: [Jonathan Blanton](#)
To: [Bethany McCorkle](#)
Subject: RE: Ohio Supreme Court heartbeat bill challenge
Attachments: [image001.png](#)

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From: Bethany McCorkle <Bethany.McCorkle@OhioAGO.gov>
Sent: Friday, November 17, 2023 10:40 AM
To: Jonathan Blanton <Jonathan.Blanton@OhioAGO.gov>; Bridget Coontz <Bridget.Coontz@OhioAGO.gov>; Ben Marrison <Benjamin.Marrison@OhioAGO.gov>; AG Dave Yost <Dave@OhioAGO.gov>

Subject: Fwd: Ohio Supreme Court heartbeat bill challenge

Thoughts?

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From: Balmert, Jessie <jbalmert@gannett.com>
Sent: Friday, November 17, 2023 10:30 AM
To: Bethany McCorkle <Bethany.McCorkle@OhioAGO.gov>
Subject: Ohio Supreme Court heartbeat bill challenge

Hi Bethany,

I wanted to check if the Ohio AG's office might drop the legal challenge on the heartbeat bill in light of Issue 1's passage and AG Yost's previous legal analysis that Issue 1 would invalidate the law. I just want to keep on top of things at Supreme Court if I can.

Thanks,
Jessie

Jessie Balmert
State government reporter
740-973-4536 | @jbalmert



Akron Beacon Journal | Cincinnati Enquirer | Columbus Dispatch

From: [Jonathan Blanton](#)
To: [Michael Hendershot](#); [AG Dave Yost](#)
Cc: [Joshua Richardson](#)
Subject: RE: Amicus join request in Planned Parenthood of the Heartland v. Reynolds, No.23-1145 (Iowa)
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

JB

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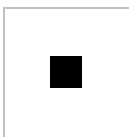
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From: Michael Hendershot <Michael.Hendershot@OhioAGO.gov>
Sent: Monday, November 13, 2023 1:52 PM
To: AG Dave Yost <Dave@OhioAGO.gov>
Cc: Jonathan Blanton <Jonathan.Blanton@OhioAGO.gov>; Joshua Richardson <Joshua.Richardson@OhioAGO.gov>
Subject: FW: Amicus join request in Planned Parenthood of the Heartland v. Reynolds, No.23-1145 (Iowa)

General Yost,

[REDACTED]

Best,



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* * *

Some people who received this message don't often get email from katelyn.doering@atg.in.gov. [Learn why this is important](#)

Dear counsel,

Indiana has prepared the attached amicus brief supporting Iowa in *Planned Parenthood of the Heartland v. Reynolds ex rel. State*, No. 23-1145, a state constitutional challenge to its fetal heartbeat statute.

The brief addresses Planned Parenthood's argument that the Iowa Constitution's reference to "inalienable rights" includes a right to abortion. Our brief argues that "inalienable rights" include only those rights that the constitution's drafters recognized in 1857 and that abortion is not—and never has been—an inalienable right.

Please contact me, copying James Barta, before **10:00 a.m. ET on Wednesday, November 15** if you are interested in joining this amicus brief, or if you have any questions.

Best,
Katelyn

Katelyn E. Doering

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IN THE SUPREME COURT OF OHIO

PRETERM-CLEVELAND, et al.,

Case No. 2023-0004

Appellees,

On appeal from the Hamilton County
Court of Appeals,
First Appellate District

v.

DAVE YOST, ATTORNEY GENERAL
OF OHIO, et al.,

Court of Appeals
Case No. C-22050

Appellants.

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STATEMENT OF THE CASES AND FACTS

In accordance with this Court's November 16, 2023 Entry, which ordered the parties to "address the effect on this cause, if any, of the passage of Issue 1", defendant-appellee Julia R. Bates, Lucas County Prosecutor, hereby submits that, given the recent amendment of the Ohio Constitution as enacted on November 7, 2023 by Ohio voters with their approval of Issue 1, the appeal comprising Ohio Supreme Court Case No. 2023-0004 is now moot and the Court should dismiss it. The reasons for the Lucas County Prosecutor's request are described below.

In 2019, the Ohio General Assembly enacted certain restrictions on abortion in legislation commonly referred to as the Heartbeat Act (also known as S.B. 23)--which prohibited most abortions once a fetal heartbeat was detected or approximately six weeks after the patient's last menstrual period. See, Sub. S.B. 23 (April 11, 2019). In May of 2019, plaintiffs-appellees, five corporations that provide reproductive health services, including abortion services, and a licensed physician, initially sought injunctive relief in federal court to stop enforcement of the Heartbeat Act. *Preterm-Cleveland v. Yost*, Verified Complaint, Doc. #1 United States District Court Case No. 1:19-CV-00360 (May 15, 2019). The United States District Court for the Southern District of Ohio did so, consistent with the right to abortion that the United States Supreme Court had found to exist with its decisions: *Roe v. Wade*, 410 U.S. 113 (1973) and *Planned Parenthood v. Casey*, 505 U.S. 833 (1992). See, *Preterm-Cleveland v. Yost*, 394 F. Supp.3d 796, 800- 801 (S.D. Ohio 2019). Three years later, *Roe* and *Casey* were overruled. See, *Dobbs v. Jackson Women's Health Org.*, 597 U.S.--, 142 S. Ct. 2228 (2022). With *Dobbs*, the United States Supreme Court removed the abortion question from federal courts and left it for the individual States to decide; as a result, the District Court vacated its preliminary injunction, the federal court case was dismissed, and the Heartbeat Act took effect. *Preterm-Cleveland v. Yost*, Docs. #100 and 102 Case

No. 1:19-CV-00360 (Jun. 24 and Jul. 7, 2022).

Plaintiffs-Appellees then filed suit in the Hamilton County Common Pleas Court seeking similar injunctive relief barring enforcement of the Heartbeat Act. They alleged that the Heartbeat Act violated the Ohio Constitution’s protections for individual liberty under Art. 1, §§1, 16, and 21, and its equal protection and benefit guarantees under Art. 1, §2. *Verified Complaint*, ¶¶1-3, 69-87 *Preterm-Cleveland v. Yost*, Hamilton County Common Pleas Court, Case No. A-2203203 (Sept. 14, 2022). Following briefs from the parties and a hearing, the Common Pleas Court agreed and issued a temporary restraining order (TRO); the Court found that there is a fundamental right to abortion under the Ohio Constitution, that the Heartbeat Act violates that right, and that plaintiffs have standing to challenge it. *See, Decision and Entry*, pp. 1, 7-19, Case No. A-2203203 (Sept. 14, 2022). Later, after more briefing and another hearing, the Common Pleas Court reiterated its TRO conclusions-- that the Heartbeat Act violates several provisions of the then-existing version of the Ohio Constitution and held that “plaintiffs are entitled to preliminary injunctive relief enjoining Defendants, their agents, employees, and successors in interest, from enforcing S.B. 23 in its entirety and from taking any later enforcement action premised on a violation of S.B. 23 that occurred while this Court’s preliminary injunctive relief was in effect.” *Preliminary Injunction Order*, pp. 2, 24, 28-37 (Oct. 12, 2022). The Common Pleas Court also reiterated its TRO conclusion that “plaintiffs had standing to raise claims on behalf of their clients and patients.” *Id.*, pp. 25-27.

Instead of waiting for the process to play out in terms of plaintiffs’ request for a permanent injunction, Attorney General Yost appealed the preliminary injunction decision to First District Court of Appeals. However, the First District refused to hear the merits of his appeal but dismissed it on procedural grounds. The First District found that the granting of a

preliminary injunction is not a final appealable order under Ohio Revised Code §2505.02(B)(4), and, absent such a final order, it had no appellate jurisdiction and was required to dismiss Attorney General Yost’s appeal. *Preterm-Cleveland v. Yost*, 1st Dist. Hamilton No. C-220504, 2022-Ohio-4540 ¶¶18–28 (“our answer on the merits of this dispute and the underlying constitutionality of the statute (even though many may wish that we decide the merits of this case now) must await another day”).

Undaunted, Attorney General Yost asked this Court to get involved and it has. It accepted his request for a discretionary appeal in terms of the following issues: (a) whether the State may, under §2505.02(B)(4), immediately appeal orders that preliminarily enjoin state laws; and (b) since Ohio courts lack jurisdiction to issue injunctive relief to plaintiffs who lack standing, whether third parties, such as abortion clinics or abortionists (rather than the patients themselves), have standing to challenge the Heartbeat Act. The parties have submitted their briefs and the Court heard oral argument from them on September 27, 2023.

On November 7, 2023, the voters of the State of Ohio approved Issue 1. It was placed on the November 2023 ballot presumably as a response to *Dobbs, supra* and to the Heartbeat Act which, as noted above, places limits on how abortions are obtained in Ohio. Issue 1 adds a new section to the Ohio Constitution—one that directly addresses the right to abortion as well as providing protections for contraception. See, *Ohio Attorney General Legal Analysis of Issue 1 (Issue 1 Analysis)* (Oct. 5, 2023) <https://www.ohioattorneygeneral.gov/Ballot-Initiatives> and included in the Appendix. Prior to the November 2023 election, Attorney General Yost, so as to provide Ohio electors “with vital clarity and transparency in anticipation of the November 7 vote on State Issue 1,” prepared “an objective analysis of the legal implications” of Issue 1. *Id.* His conclusion:

“Some of Ohio’s [abortion] laws may be defensible, but the Heartbeat Act would not exist if Issue 1 passes.

Ohio would no longer have the ability to limit abortions at any time before a fetus is viable. Viability is generally thought to be around 21 or 22 weeks. Passage of Issue 1 would invalidate the Heartbeat Act, which restricts abortions (with health and other exceptions) after a fetal heartbeat is detected, which is usually at about six weeks. No other pre-viability limit would be allowed.”

Issue 1 Analysis, p. 9.

With the Court’s instructions in mind, Prosecutor Bates submits that the passage of Issue 1 and its new provisions that expressly address abortion, which are now part of the Ohio Constitution, render this appeal moot. While this appeal involves certain threshold issues (final, appealable order and third-party standing), it should be undisputed that this appeal was taken (and the appeal to the First District Court of Appeals) to defend the constitutionality of the Heartbeat Act, which Attorney General Yost concedes, is no longer possible given the passage of Issue 1. Thus, there is no longer an actual legal controversy between the parties as to the Heartbeat Act—that makes this appeal moot, and, because there are no applicable mootness-doctrine exceptions that would warrant further consideration of this issue, the Court should dismiss the Attorney General Yost’s appeal.

ARGUMENT

Appellee’s Proposition of Law No. 1: Ohio courts have no authority to hear moot questions or issue advisory opinions. *Miner v. Witt*, 82 Ohio St. 237, 92 N.E. 21 (1910) and *M.R. v. Niesen*, 167 Ohio St. 3d 404, 193 N.E.3d 548 (2022).

Appellee’s Proposition of Law No. 2: The adoption of Issue 1, which amends the Ohio Constitution to add a right to abortion, renders the Heartbeat Act (Sub. S.B. 23 April 11, 2019) unconstitutional and also renders an appeal regarding the Act’s constitutionality, even one involving threshold issues, moot and subject to dismissal.

This Court has made it clear that Ohio courts may not decide cases in which there is no longer an actual legal controversy between the parties-- that is, when the case is, or becomes, moot. *In re A.G.*, 139 Ohio St.3d 572, 13 N.E.3d 1146 (2014); see also, *Fortner v. Thomas*, 22 Ohio St.2d 13, 14, 257 N.E.2d 371 (1970)("it is the duty of every judicial tribunal to decide actual controversies and withhold advice upon moot questions"). As stated by this Court:

"The duty of this court, as of every other judicial tribunal is to decide actual controversies by a judgment which can be carried into effect, and not to give opinions upon moot questions or abstract propositions, or to declare principles or rules of law which cannot affect the matter in issue in the case before it. It necessarily follows that when, pending an appeal from the judgment of a lower court, and without any fault of the defendant, an event occurs which renders it impossible for this court, if it should decide the case in favor of the plaintiff, to grant him any effectual relief whatever, the court will not proceed to a formal judgment, but will dismiss the appeal. And such a fact, when not appearing on the record, may be proved by extrinsic evidence."

Miner v. Witt, 82 Ohio St. 237, 242, 92 N.E. 21 (1910); *M.R. v. Niesen*, 167 Ohio St. 3d 404, 2022-Ohio-1130, 193 N.E.3d 548 (2022)(when an actual controversy ceases to exist between the parties, the case is moot); see also, *In re Contested Election on November 7, 1995*, 76 Ohio St. 3d 234, 236, 667 N.E.2d 362 (1996)("It is well settled that we will not indulge in advisory opinions"). When a case becomes "technically moot" due to an event occurring after filing, it should be dismissed unless the court, in its discretion, determines a mootness-doctrine exception warrants further consideration of an issue. See, *Danis Clarkco Landfill Co. v. Clark Cty. Solid Waste Mgt. Dist.*, 73 Ohio St.3d 590, 598, 653 N.E.2d 646 (1995); *Franchise Developers, Inc. v. Cincinnati*, 30 Ohio St.3d 28, 31, 505 N.E.2d 966 (1987).

This Court has recognized two such mootness-doctrine exceptions-- an issue "capable of repetition, yet evading review" and an issue which, even though moot, there

is determined to be a public or great general interest in its resolution. With the "capable of repetition, yet evading review" doctrine, a court may decide a moot issue when: (1) the challenged action is too short in duration to be fully litigated before its expiration, and (2) there is a reasonable expectation that the complaining party will be subjected to the same action in the future. *State ex rel. Cincinnati Enquirer v. Ronan*, 124 Ohio St.3d 17, 18, 918 N.E.2d 515 (2009); see also, *State ex rel. Beacon Journal Publishing Co. v. Donaldson*, 63 Ohio St.3d 173, 175, 586 N.E.2d 101 (1992)("courtroom closure cases often evade review, since a closure order usually expires before an appellate court can consider it"); *In re Appeal of Suspension of Huffer from Circleville High School*, 47 Ohio St.3d 12, 14, 546 N.E.2d 1308 (1989)(school suspension mootness exception). This Court has also permitted a court to resolve a matter that has become moot when it presents an issue of public or great general interest. See, *State v. Cupp*, 156 Ohio St. 3d 207, 210, 124 N.E.3d 811 (2018)("an inmate's entitlement to jail-time credit is a significant statewide issue perplexing jurists, litigators, and litigants who are anxious for a resolution"); *Franchise Developers, Inc.*, 30 Ohio St.3d at 28, 505 N.E.2d 966 (paragraph one of the syllabus); see also, *Smith v. Leis*, 106 Ohio St.3d 309, 835 N.E.2d 5 (2005)(mootness exception applied because the case "present[ed] a properly debatable constitutional issue, i.e., whether Section 9, Article I of the Ohio Constitution, as amended, authorize[d] cash-only bail").

Prosecutor Bates notes that this appeal does not directly concern the constitutionality of the Heartbeat Act but involves two questions related to its future consideration—the granting of a preliminary injunction as a final, appealable order and third-party standing. Even so, she submits that the appeal is moot because the Court's answer to these questions will not affect the outcome of this case-- regardless of their

resolution, the ultimate judgment will be the same-- the Heartbeat Act, by Attorney General Yost's own "objective analysis of the legal implications" of Issue 1, is unconstitutional and its enforcement should be enjoined. See, *M.R.*, 167 Ohio St. 3d at 406, N.E.3d ("before this court can address the merits of their appeal, we must be sure that there remains an 'actual controversy'" and "if the controversy has come and gone, then this court must dismiss the case as moot"); *Miner*, 82 Ohio St. at 238-239 ("since the filing of the petition in error in this court the annexation proceedings have been completed and the entire village is now a part of the city" and "once the whole village is now a part of the city, and the determination of the questions presented by the record would, so far as this case is concerned, affect nothing").

Moreover, none of the exceptions to mootness apply. There are no issues in this appeal that are "capable of repetition, yet evading review" and, while there are the threshold issues mentioned above, these issues, absent the public and great general interest which is undoubtedly present in the Heartbeat Act, are, by themselves, not of sufficient public or great general interest so as to warrant keeping this appeal alive. Finally, while Issue 1 and Attorney General Yost's *Issue 1 Analysis* are not in the Court's record for this appeal, it is proper for the Court to consider them in its mootness determination. *Miner*, *supra*; *State ex rel. Nelson v. Russo*, 89 Ohio St.3d 227, 228, 729 N.E.2d 1181 (2000) ("an event that causes a case to be moot may be proved by extrinsic evidence outside the record").

CONCLUSION

Based on the foregoing, Prosecutor Bates' suggestion that the Attorney General's appeal in this case is moot is well-taken and the appeal should be dismissed. The passage

of Issue 1 renders Attorney General Yost's appeal moot and none of the mootness exceptions recognized by this Court are present here. As a result, Prosecutor Bates asks the Court to dismiss this appeal.

Respectfully submitted,

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APPENDIX

Issue 1 on the November 2023 Ballot

A legal analysis by the Ohio Attorney General

Ohioans will vote this November on Issue 1, which proposes adding a right to abortion and protections for contraception and other matters discussed below to Ohio's Constitution. Many Ohioans have asked me what the Reproductive Rights Amendment, commonly referred to as the "Abortion Amendment," will actually do if enacted. Will it allow any limits on abortion? Will it do away with parental consent or Ohio's partial-birth abortion ban? Ohioans deserve to know what they are voting on, so I have prepared this legal analysis to make the Amendment's impacts on Ohio law more understandable.

This is not a policy analysis and is designed only to describe what the legal effects of Issue 1 will be on our State. Whether Issue 1 is good, bad or mixed policy is for the voters to decide. My purpose here is to describe what the choice is, not to suggest what that choice ought to be – the "what," not the "why."

Below is a summary of some of the ways this Amendment, if enacted, would change the law. The summary discusses the Amendment's legal standards and how they compare to the different standards under *Roe v. Wade* and *Planned Parenthood v. Casey*, and concludes with a list of several laws that could be affected by this Amendment if it is enacted. Because the Amendment talks more broadly of "reproductive health care," including contraception, and other items "including but not limited to" abortion, this list makes mention of specific laws that, based on past experience, I expect will most certainly be challenged at some point. It is not, however, an exhaustive list of all statutes that might possibly be affected by the proposed Amendment. Assembling such a list would require a greater degree of conjecture and speculation than is proper here.

What the proposed Amendment says

The Amendment itself is short. Its full text is below. It provides little in the way of definitions. Some terms found in the Amendment reflect language used in legal cases for decades, which partly suggests how courts might read them. Others have debatable meanings, rendering their interpretation much less certain. It is this uncertainty that makes it difficult to forecast precisely how courts will apply the Amendment to certain statutes and hypothetical scenarios if it were to pass.

The Amendment

Be it Resolved by the People of the State of Ohio that Article I of the Ohio Constitution is amended to add the following Section:

Article I, Section 22. The Right to Reproductive Freedom with Protections for
Health and Safety

A. Every individual has a right to make and carry out one's own reproductive decisions, including but not limited to decisions on:

1. contraception;
2. fertility treatment;
3. continuing one's own pregnancy;
4. miscarriage care;
5. and abortion.

B. The State shall not, directly or indirectly, burden, penalize, prohibit, interfere with, or discriminate against either:

1. An individual's voluntary exercise of this right or
2. A person or entity that assists an individual exercising this right, unless the State demonstrates that it is using the least restrictive means to advance the

individual's health in accordance with widely accepted and evidence-based standards of care.

However, abortion may be prohibited after fetal viability. But in no case may such an abortion be prohibited if in the professional judgment of the pregnant patient's treating physician it is necessary to protect the pregnant patient's life or health.

C. As used in this Section:

1. "Fetal viability" means "the point in a pregnancy when, in the professional judgment of the pregnant patient's treating physician, the fetus has a significant likelihood of survival outside the uterus with reasonable measures. This is determined on a case-by-case basis."
2. "State" includes any governmental entity and any political subdivision.

D. This Section is self-executing.

The Amendment's key parts and differences from *Roe* and *Casey*

The U.S. Supreme Court, for almost 50 years, said the U.S. Constitution required abortion rights, and the Courts routinely decided which types of regulations the States could enact — from time limits to requiring parental consent and more — based on that precedent. The Court created the right to abortion in *Roe v. Wade*¹, and said more on the topic in many other cases, especially *Planned Parenthood v. Casey*.² Then, in 2022, the Court overruled *Roe* and said it was up to States to decide how to address the issue. The proposed Amendment appears to borrow some concepts from the *Roe* era, but also creates a new, legal standard that goes beyond what *Roe* and *Casey* said.

¹ 410 U.S. 113 (1973); overruled by *Dobbs v. Jackson Women's Health Org.*, 142 S. Ct. 2228 (2022).

² *Planned Parenthood of Se. Pennsylvania v. Casey*, 505 U.S. 833 (1992), overruled by *Dobbs*.

In *Roe v. Wade*, the U.S. Supreme Court said that the State’s right to regulate varied by pregnancy’s trimesters, and that a woman had a “fundamental right” to obtain an abortion before the point of “viability,” or the point when a child, if born, could live outside the womb. Any pre-viability regulations were allowed only if they met a legal standard called “strict scrutiny.”

“Strict scrutiny” means that any regulations must meet a “compelling government interest” — that is, a very strong interest — and must be “narrowly tailored” to meet that interest, meaning that the regulation had to match that interest closely, and not regulate far beyond that interest. Under that “strict scrutiny” standard, the Court struck down many State or local regulations, including laws that would have barred certain methods of abortions, laws that required parental consent for minors’ abortions with no exceptions, or laws that would have required a 24-hour waiting period to consider the decision.³ On the other hand, the Court allowed States to require parental notice or consent for minors to obtain abortions, as long as minors could go to court for a “judicial bypass” instead.⁴ And the Court allowed States to decline to pay for abortions under government programs that paid for health care.⁵

³ *Planned Parenthood of Cent. Missouri v. Danforth*, 428 U.S. 52 (1976) (invalidating blanket parental consent and ban on saline abortion method), abrogated by *Dobbs*; *City of Akron v. Akron Ctr. for Reprod. Health, Inc.*, 462 U.S. 416 (invalidating blanket parental consent requirement and 24-waiting period), overruled by *Casey*, 505 U.S. 833, and both abrogated by *Dobbs*.

⁴ *H. L. v. Matheson*, 450 U.S. 398 (1981).

⁵ *Maier v. Roe*, 432 U.S. 464, 474 (1977) (state need not fund elective abortion); see also *Harris v. McRae*, 448 U.S. 297, 315–17 (1980) (upholding federal Hyde Amendment barring funding of elective abortion); *Rust v. Sullivan*, 500 U.S. 173, 192–94 (1991) (upholding abortion-funding bar in Title X family-planning statute and regulations).

In *Planned Parenthood v. Casey*, the Court reduced the “strict scrutiny” standard to a new “undue burden” standard for abortion regulations, allowing the State to do more than the previous strict scrutiny standard had.⁶ *Casey* reaffirmed the core idea of a right to abortion, but the lead opinion criticized *Roe* and later cases for “misconceiv[ing] the nature of the pregnant woman's interest” and “undervalue[ing] the State’s interest in potential life.” The Court therefore upheld several regulations in *Casey* itself, including parental consent and a 24-hour waiting period, including some (like the waiting period) that had previously been rejected under *Roe*. The *Casey* “undue burden” test is thus the one that had governed longest under *Roe*, spanning 30 years from 1992-2022. The *Casey* standard allowed regulations to be based on multiple interests, including the pregnant woman’s own health, the interest in fetal life, and “protecting the integrity and ethics of the medical profession.”⁷ As a result, the Supreme Court, and lower courts following the test, upheld limits on certain methods of abortion, and on things such as abortions where the doctor knows the motivation is a possible diagnosis of Down syndrome.⁸

The proposed abortion Amendment would create a new standard that goes further than *Casey*’s “undue burden” test or *Roe*’s original “strict scrutiny” test and will make it harder for Ohio to maintain the kinds of law already upheld as valid prior to last year's decision in *Dobbs*. In other words, the Amendment would give

⁶ *Casey*, 505 U.S. at 874, overruled by *Dobbs*, 142 S. Ct. 2228.

⁷ *Gonzales v. Carhart*, 550 U.S. 124, 157 (2007)

⁸ *Gonzales*, 550 U.S. 124 (upholding federal partial-birth limit); *Women’s Med. Pro. Corp. v. Taft*, 353 F.3d 436 (6th Cir. 2003) (upholding Ohio limit on “partial-birth feticide,” R.C. 2919.151); *Preterm-Cleveland v. McCloud*, 994 F.3d 512 (6th Cir. 2021) (upholding Ohio Down syndrome law), abrogated by *Dobbs*, 142 S. Ct. 2228.

greater protection to abortion to be free from regulation than at any time in Ohio's history. That new test includes definitions and other terms that likewise make it harder for any law covering "reproductive decisions" to survive. This change is significant: The Amendment would not return things to how they were before *Dobbs* overruled *Roe*, and is not just "restoring *Roe*." It goes further.

Here's how. The Amendment says that the "State shall not, directly or indirectly, burden, penalize, prohibit, interfere with, or discriminate against" the exercise of any of the covered rights — abortion and more — "unless the State demonstrates that it is using the least restrictive means to advance the individual's health in accordance with widely accepted and evidence-based standards of care." That is stricter than *Roe* or *Casey* in several ways.

First, it says the State shall not "directly or indirectly" "burden" (or penalize, etc.) the covered right, or "discriminate against" it. *Casey* barred only "undue" burdens, and said that mild burdens were not enough to invalidate a law, as "not every law which makes a right more difficult to exercise is, *ipso facto*, an infringement of that right." Issue 1 covers any burden, apparently however slight. And the "discriminate" language could cover any area where the State acknowledges abortion or other "reproductive" care — such as fertility treatment — as different from other procedures, such as by not funding such elective procedures under Medicaid or other State benefit programs.

Second, the State can regulate *only* for the purpose of "advanc[ing] the [pregnant] individual's health." That means that the State cannot regulate for any other *purpose* or *interest* at all, no matter how mild the regulation. So the long-recognized interests in fetal life or in medical ethics cannot be protected, making

the laws previously upheld on those grounds no longer valid, even if the interests rise to the level of “compelling.”

Third, even if a law meets the “health of the individual” part of this “exclusive scrutiny” test, it must still use the “least restrictive means” to advance that interest or purpose. While courts and commentators have sometimes compared those as synonymous, the U.S. Supreme Court has said that the “least restrictive means” requirement is even stricter than the already-strict “narrow tailoring” requirement and has distinguished them.

Fourth, the Amendment would require that the test be satisfied by proving it in court using “widely accepted and evidence-based standards of care.” That contrasts with prior law under *Roe/Casey*, which allowed States to rely on their own reasonable medical judgment as long as there was a fair debate.

The Amendment would go legally further than *Roe/Casey* in other ways, too. First, it says that every “individual” has these rights, which could be read to include minors having the same rights as adults, as opposed to the traditional practice of children having limited rights. (This is discussed further below regarding parental consent.) Second, it covers “reproductive decisions, including but not limited to” the named areas of contraception, fertility treatment, continuing one’s own pregnancy, miscarriage care, and abortion — language that is broader than *Roe* or *Casey*. Some of those might not affect Ohio law as a practical matter, as Ohio has no restrictions on miscarriage care or on continuing a pregnancy. But the “not limited to” clause leaves open an unknown future in court litigation.

The Amendment likely also protects post-viability abortions under certain circumstances. On one hand, it says that “abortion may be prohibited after fetal viability.” It then puts that assessment in one person’s hands — the doctor

performing the abortion. It provides that in all cases, the doctor determines whether the fetus is viable and whether the pregnant woman's health justifies the post-viability abortion. In addition, the Amendment does not define "health," and previous court cases have said health, when not otherwise defined, can include other concerns, including mental health and "familial" factors (such as how many children someone has) and maternal age.⁹

All told, the Amendment's new standard goes beyond pre-*Dobbs* law under *Roe* and *Casey*. That means that many Ohio laws would probably be invalidated — even those that were allowed under *Roe* and/or *Casey* — and others might be at risk to varying degrees. Below is a summary of many of those laws.

Some of the discussion about particular subjects below will include matters that are not specifically named in the Amendment. While the text of the Constitution is controlling, broad principles often apply to things that are not named. For example, the First Amendment protects the "freedom of the press." Television and radio are not mentioned. But no one would argue that you are only free to spread your ideas using a printing press, but the government can stop you if you are on the air.

Ohio laws that could be challenged and possibly invalidated if the Amendment passes

Here are laws likely to be challenged, based on both our reading of the language, and also on the history of such laws being challenged during the previous *Roe v. Wade* era.

⁹ *Doe v. Bolton*, 410 U.S. 179, 192 (1973), and *Women's Med. Pro. Corp. v. Voinovich*, 130 F.3d 187, 203 (6th Cir. 1997), both abrogated by *Dobbs*, 142 S. Ct. 2228.

The Heartbeat Act and any pre-viability time limits. Some of Ohio’s laws may be defensible, but the Heartbeat Act would not exist if Issue 1 passes.

Ohio would no longer have the ability to limit abortions at any time before a fetus is viable. Viability is generally thought to be around 21 or 22 weeks. Passage of Issue 1 would invalidate the Heartbeat Act, which restricts abortions (with health and other exceptions) after a fetal heartbeat is detected, which is usually at about six weeks. No other pre-viability limit would be allowed.

Down syndrome discrimination law. Ohio currently bars doctors from performing abortions when they know that the abortion is motivated by a diagnosis of Down syndrome. That law was upheld in court during the *Roe v. Wade* era.¹⁰ If Issue 1 passes, that law would be invalidated, along with any other laws aimed at preventing discriminatory motives, such as abortions performed based on the sex or disability of the fetus.

Particular methods of abortion. Ohio law regulates the methods used to perform abortions later in pregnancy, dilation and evacuation abortions (what Ohio law calls “dismemberment abortions”), or dilation and extraction abortions (what Ohio law calls partial-birth feticide). Ohio’s partial-birth law was upheld in federal court under the *Casey* test.¹¹ Those laws would both be invalidated and these abortions would be permitted. For both methods, current Ohio law requires doctors to first initiate the death of the fetus, such as by injecting a heart-stopping

Preterm-Cleveland v. McCloud, 994 F.3d 512, 527 (6th Cir. 2021) (en banc), abrogated by *Dobbs*, 142 S. Ct. 2228.

¹¹ *Women’s Med. Pro. Corp. v. Taft*, 353 F.3d 436, 444 (6th Cir. 2003).

drug, before proceeding with the termination of the pregnancy and removal of the fetus. Those restrictions would likely not survive under an “exclusive scrutiny” test.

Pain-Capable Unborn Child Protection Act (20-week limit). Ohio law currently bans abortions after the 20th week post-fertilization, based on the research that indicates that a fetus can feel pain at that stage. If Issue 1 passes, this law would be invalidated, and these abortions would be permitted.

24-hour waiting period and informed consent. Ohio law currently requires a doctor to meet with a pregnant woman a day before an abortion and to explain various information about the procedure. The Ohio Department of Health also provides materials giving information about fetal development, and social-service information about help available if a woman decides to continue with her pregnancy and give birth.¹² Similar “informed consent” provisions were struck down under *Roe* but were later upheld under *Casey*. They would certainly be challenged under Issue 1, and the Court determination would likely turn on whether such provisions served to “burden, penalize, prohibit, interfere with, or discriminate.” It is possible to foresee a court decision that said a waiting period was a “burden,” but that informed consent is not. If so, neither provision would be likely to survive the “exclusive scrutiny” test.

Ohio’s current post-viability abortion restriction or similar restrictions. Ohio law currently bars abortions after a fetus is able to live outside the womb with a health exception for serious medical conditions. The health need must be certified by a second doctor, not in business with the doctor performing the abortion. The

¹² Ohio’s provisions were upheld in *Preterm Cleveland v. Voinovich*, 89 Ohio App. 3d 684 (10th Dist. 1993) and *Cincinnati Women’s Servs., Inc. v. Taft*, 468 F.3d 361, 364 (6th Cir. 2006).

doctor performing the procedure must make best efforts to have the baby saved, such as by having a second doctor present and performing the abortion in a hospital with NICU emergency care available. Issue 1 would likely eliminate those protections, as the majority medical opinion would likely hold that these provisions do little or nothing to protect the life or health of the mother.

Other regulation by the State is technically possible but would be ineffective. The Amendment allows the State to prohibit abortion after viability, “but in no case” if the doctor thinks it necessary to protect the mother’s life or health — a broad concept that is not defined in the Amendment.

Issue 1 gives sole discretion to the physician in deciding if the law applies, with no requirement for a second opinion or objective criteria for evaluating the physician’s professional judgment.

Parental consent. Ohio law currently requires a doctor to inform a minor’s parents before performing an abortion on a pregnant minor but also allows a “judicial bypass,” where a minor can skip notification of her parents if a judge agrees that she is mature enough to decide on her own or that the abortion is in her best interests.

The Amendment does not specifically address parental consent. However, the parental-consent statute would certainly be challenged on the basis that Issue 1 gives abortion rights to any pregnant “individual,” not just to a “woman.” Before *Roe* was reversed, parental consent laws were regularly challenged in courts. If Issue 1 passes, the question for a court will be whether the term “individual”

includes a “minor.” There is no guarantee that Ohio’s parental-consent law will remain in effect.¹³

Abortion-pill safety regulations. Ohio has specific laws to address the prescribing, dispensing, and provision of certain medications used to initiate the termination of a pregnancy (mifepristone or “RU-486”). These laws would likely be challenged, with an uncertain outcome.¹⁴

Limits against funding abortions or abortion providers, and funding of elective fertility treatments. Ohio law currently bars taxpayer money from being used to pay for abortions, unless medically necessary or involving a pregnancy caused by rape. Ohio law also bars certain other funds from going to entities that perform abortions. These laws have all been challenged in court over the years and would likely be challenged under the new language of Issue 1. The outcome would be uncertain.

In addition, the Amendment includes “fertility treatment” as one of the areas that the State may not “discriminate against.” Currently, Ohio’s Medicaid program, which provides health care for qualifying low-income Ohioans, does not cover fertility treatment such as artificial insemination or in vitro fertilization. But if declining to fund those elective procedures counts as “discriminating” under the Amendment, a court could find that Ohio must fund these types of treatments for Medicaid patients.

¹³ Ohio’s parental consent law, R.C. 2919.121, generally requires parental consent for an unmarried minor’s abortion, unless the minor is emancipated or obtains a “judicial bypass” order.

¹⁴ Ohio’s mifepristone law, R.C. 2919.123, requires doctors to follow FDA labeling, and also to meet other requirements, and further governs distribution and sales.

Effect on non-abortion areas such as parental involvement in minors' use of contraception, sterilization, and transgender treatment. These other areas of law are harder to assess because Ohio does not have specific statutes addressing minors' access to these medical treatments or products. However, if the word "individual" as used in the Amendment includes minors, Ohio's general laws concerning minors and health care could be affected. Some other States have enacted, and some Ohio legislators have proposed, laws regarding transgender treatment of minors. Given the uncertainty of the breadth of the terms "reproductive decision" and "individual," as discussed above regarding parental consent for abortion, challenges are certainly likely, with outcomes uncertain. It would certainly be too much to say that under Issue 1 all treatments for gender dysphoria would be mandated at the minor individual's discretion and without parental involvement. This is a developing area of the law nationally, and all that could be said with certainty is that Issue 1, if passed, would impact the analysis of any future law.

IN THE SUPREME COURT OF OHIO

Preterm-Cleveland, et al.,
Appellees,

vs.

David Yost, Attorney General of Ohio,
et al.,
Appellants.

Case No. 2023-0004

On appeal from the Hamilton County
Court of Appeals,

First Appellate District

Court of Appeals
Case No. C-220504

**AMICUS CURIAE BRIEF OF PHYLLIS SCHLAFLY EAGLES, JANET
FOLGER PORTER, FAITH2ACTION MINISTRIES, OHIO
REPRESENTATIVE BETH LEAR, OHIO VALUE VOTERS, MISSION
AMERICA, MARGIE CHRISTIE, DAYTON RIGHT TO LIFE SOCIETY,
OHIO CHRISTIAN ALLIANCE, WARREN COUNTY RIGHT TO LIFE,
LORI VIARS, EAGLE FORUM OF OHIO, COMMUNITY PREGNANCY
CENTER, FORMER OHIO REPRESENTATIVE CANDICE KELLER,
FORMER OHIO REPRESENTATIVE RON HOOD, AND EAGLE
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On November 16, 2023, this Court requested new briefing by the parties on the effect, if any, of Issue 1 on this matter, which has been administratively added to the Ohio Constitution as its new Article I, Section 22 (abbreviated here as “Issue 1,” as in this Court’s order). *Amici curiae* Phyllis Schlafly Eagles, Janet Folger Porter, Faith2Action Ministries, Ohio Representative Beth Lear, Ohio Value Voters, Mission America, Margie Christie, Dayton Right to Life Society, Ohio Christian Alliance, Warren County Right to Life, Lori Viars, Eagle Forum of Ohio, Community Pregnancy Center, former Ohio Representative Candice Keller, former Ohio Representative Ron Hood, and Eagle Forum Education & Legal Defense Fund (collectively, the “*Amici*”), respectfully submit their interests and their following arguments against applying Issue 1 here.

INTERESTS OF *AMICI CURIAE*

*Amicus curiae*¹ Phyllis Schlafly Eagles is an association founded in 2016 to carry on the work of Phyllis Schlafly, who led the defeat of the Equal Rights Amendment to keep out of the U.S. Constitution abortion and other destructive new rights. Janet Folger Porter has been an advocate for the rights of the unborn, parents of minors misled to have abortions, and all victims of abortion for more than 30 years in Ohio, has authored many books on this topic, and is the chief architect of the Heartbeat bill in Ohio and nationwide. Faith2Action Ministries is a pro-life ministry based on North Royalton, Ohio, which has long been active on the abortion issue.

¹ No counsel for a party authored this brief in whole or in part, and no entity or person, other than *amici curiae*, their members, and their counsel, made a monetary contribution intended to fund the preparation or submission of this brief.

Ohio Representative Beth Lear is currently in the Ohio General Assembly, representing District 61. Ohio Value Voters is a nonprofit 501(c)(4) entity based in Cleveland, Ohio, and devoted since 2007 to educating, informing and influencing voters and elected officials in Ohio. Mission America is based in Columbus, Ohio, and since 1995 has advocated about cultural and social issues. Dayton Right to Life Society is based in Dayton, Ohio, and has been advocate here for the preborn since 1972, and Margie Christie is its Executive Director. Ohio Christian Alliance has advocated for life, faith, and freedom in the public square here in Ohio for 32 years. Warren County Right to Life has worked for the unborn for more than a decade in Warren County, Ohio, and Lori Viars is its Vice President and longtime leader for the unborn and other victims of abortion. Eagle Forum of Ohio has been active for decades in educating the public here. Community Pregnancy Center is a crisis pregnancy center located in Middletown, Ohio. Former Ohio Representatives Candice Keller and Ron Hood were co-sponsors of the Ohio Heartbeat bill. Eagle Forum Education & Legal Defense Fund was founded in 1981 by Phyllis Schlafly and has filed numerous briefs at all levels in federal and state court for more than two decades, including defense of the rights of the victims of abortion.

All of these *Amici* have interests in defending against misuse of the ballot initiative by abortion providers to insert special privileges for them into the Ohio Constitution, to the detriment of the many victims of abortion. *Amici* have defended the inalienable right to life for decades and thus have a strong interest in objecting to attempts to apply Issue 1 to undermine those rights as protected by Article I,

Section 1 of the Ohio Constitution and more than 30 existing state laws, including the Ohio Heartbeat bill. *Amici* have further interests in defending representative democracy against a bypass of the constitutional convention process by this far-reaching revision to the Ohio Constitution that would adversely impact multiple rights which have long been guaranteed by that document.

In light of their long record of defending the victims of abortion and for the foregoing additional reasons, *Amici* have direct and vital interests in objecting to any implementation of Issue 1 by this Court.

INTRODUCTION AND SUMMARY OF ARGUMENT

Issue 1 makes an abortionist the sole judge of his conduct as he performs abortions up until birth, and in some cases completes them after birth. This is contrary to long-established principles of Anglo-American law and the Ohio Constitution, in authorizing a man to be his own judge as he commits the equivalent of infanticide. Issue 1 strips authority from the General Assembly over objectionable conduct in a way that no other ballot initiative has ever done before. A ballot initiative that places a man beyond the reach of the General Assembly in order to commit the equivalent of infanticide is not legitimate in Ohio. By revising the authority of the General Assembly and by conflicting with numerous existing provisions of the Ohio Constitution, Issue 1 constitutes a “revision” to the Constitution that may be done only by a constitutional convention, not through a mere ballot initiative amendment process.

Issue 1 states that “*in no case* may such an abortion [including after the viability of a fetus or unborn child] be prohibited if in the professional judgment of the pregnant patient’s treating physician it is necessary to protect the pregnant patient’s life or health.” (Emphasis added.) “Health” is the same term that was used by the U.S. Supreme Court in *Doe v. Bolton*, 410 U.S. 179 (1973), to mean virtually anything, including finances. “Health” means whatever the self-interested abortionist, who typically profits from the procedure (and highly profits from a late-term abortion), wants the term to mean. This provision of Issue 1 unambiguously authorizes abortion at any time during a pregnancy, including during birth. This will be worth many tens of millions of dollars annually to the abortion industry in Ohio alone.

Issue 1 contains language for which there is no common agreement as to its meaning among judges, and thus there could not possibly have been a common understanding of it by voters. Issue 1 prohibits the General Assembly from regulating abortion if it imposes a burden not by the “least restrictive means.” For decades judges have widely and strongly disagreed about the meaning of an undue “burden” or “least restrictive means,” including 5-4 decisions by the U.S. Supreme Court and similarly divided appellate court decisions. It is impossible that voters commonly agreed on the meaning of these terms when judges themselves have long widely disagreed about their meaning.

Studies show that the side which spends the most on a ballot initiative prevails virtually every time, as occurred for Issue 1 with a reported \$58 million in spending

for it, mostly from out-of-state and even foreign contributors. The vote in support of Issue 1 was nearly identical to the vote in support of the very different Issue 2, which shows how manipulated the initiative process has become. That process cannot legitimize a ballot initiative which places someone above the law while engaging in highly repugnant conduct. Nor is a ballot initiative legitimate when the meaning of its central terminology is the subject of intense disagreement by judges. There is no “meeting of the minds” when a key term in a contract lacks a clear meaning, and no law is legitimately enacted by a ballot initiative whose central terminology has widely and sharply varying meanings among even judges.

Issue 1 may not be used legitimately to invalidate any laws or regulations, and is contrary to the Ohio Bill of Rights. Issue 1 also contravenes the republican form of government guaranteed by the U.S. Constitution. As a substantive revision to the Ohio Constitution rather than merely an amendment, Issue 1 is invalid for bypassing the convention requirements for revising the Constitution.

ARGUMENT

Ohio Constitution Article XVI, Section 2 limits attempts “to revise” the Ohio Constitution to use of the process of a convention, with which Issue 1 did not comply. The initiative process in Ohio was adopted during the same time period and with the same purpose as a similar process in many Western states, while a majority of states rejected this direct democracy. The supporters of Issue 1 candidly admit that they seek far-reaching changes to Ohio through Issue 1; in a post-election news story, a prominent supporter of Issue 1 stated the sponsors’ intent to overturn “over 30

different restrictions [currently] in place.”² In addition, Issue 1 conflicts with multiple long-established provisions in the Ohio Bill of Rights, and removes authority from the General Assembly in an unprecedented manner. To achieve this, the supporters of Issue 1 needed to comply with the convention process, which they have not done.

I. Issue 1 Authorizes the Equivalent of Infanticide and Implicitly Overturns Ohio’s Partial-Birth Abortion Law, and Thus Cannot Possibly Be Enforceable.

The plain meaning of Issue 1 is to prohibit the General Assembly from limiting late-term abortions, which is the most profitable type for providers. If Issue 1 is embraced in any way by this Court, then courts will undoubtedly apply its following provision to fully allow all late-term abortions (emphasis added):

in no case may such [a late-term or partial-birth or any] abortion be prohibited if in the professional judgment of the pregnant patient’s treating physician it is necessary to protect the pregnant patient’s life or health.

Enforcement of this would require overturning Ohio’s Partial-Birth Abortion Law, Ohio Rev. Code Ann. § 2919.15.1, which was upheld after contentious litigation in *Women’s Med. Prof’l Corp. v. Taft*, 353 F.3d 436, 438 (6th Cir. 2003).

This central provision of Issue 1 is the equivalent of infanticide, as the U.S. Court of Appeals for the Sixth Circuit recognized. That court upheld Ohio’s first-in-the-nation ban on partial-birth abortion based on Ohio’s stated “interest in maintaining a strong public policy against infanticide, regardless of the life

² Julie Carr Smyth, “Ohio voters just passed abortion protections. When and how they take effect is before the courts,” *Associated Press* (Nov. 24, 2023), <https://apnews.com/article/abortion-ohio-constitutional-amendment-republicans-courts-fb1762537585350caeee589d68fe5a0d> (viewed Dec. 2, 2023).

expectancy or state of development of the child.” *Id.* at 441-42 (quoting H.B. 351, § 3(A), (B), 123rd Gen. Assem., Reg. Sess. (Ohio 2000)). The Sixth Circuit further recognized the valid “state interest in preventing unnecessary cruelty.” *Id.* at 442 (quoting H.B. 351 § 3(D)).

The struggle to rid Ohio of late-term and partial-birth abortion was hard-fought for decades. Dr. LeRoy Carhart, a physician who sued to overturn a federal partial-birth abortion ban, declared that “the profit margin is huge.” Thomas J. Molony, “Fulfilling the Promise of *Roe*: A Pathway for Meaningful Pre-Abortion Consultation,” 65 Cath. U.L. Rev. 713, 725 (2016). Ultimately upheld by the U.S. Supreme Court, the federal statute prohibits one particular type of partial-birth abortion, while allowing other forms of abortion at birth which are the legal equivalent of infanticide and which continue to be performed in some states.³ Issue 1 would prevent the General Assembly from keeping these abortions out of Ohio.

Though repugnant, infanticide has been frequently discussed and even advocated by many supporters of legalized abortion. *See* P. Singer, *Rethinking Life & Death* 218 (1994) (defining a person as “a being with awareness of her or his own existence over time, and the capacity to have wants and plans for the future”); B. Steinbock, *Life Before Birth: The Moral and Legal Status of Embryos and Fetuses* 9-13 (1992) (arguing that “the possession of interests is both necessary and sufficient

³ “In response to this [federal] statute, many abortion providers have adopted the practice of inducing fetal demise before beginning late-term abortions,” observes the often-visited, widely read https://en.wikipedia.org/wiki/Partial-Birth_Abortion_Ban_Act#Clinical_response (viewed Nov. 25, 2023).

for moral status” and that the “capacity for conscious awareness is a necessary condition for the possession of interests” (emphasis deleted)); M. Warren, “On the Moral and Legal Status of Abortion,” 57 *The Monist* 1, 5 (1973) (arguing that, to qualify as a person, a being must have at least one of five traits that are “central to the concept of personhood,” including “consciousness”, “reasoning”, “self-motivated activity,” “the capacity to communicate,” and “the presence of self-concepts, and self-awareness, either individual or racial, or both,” which do not arise until long after birth) (emphasis deleted)); M. Tooley, *Abortion & Infanticide*, 2 *Philosophy & Pub. Affairs* 37, 49 (Autumn 1972) (insisting that “having a right to life presupposes that one is capable of desiring to continue existing as a subject of experiences and other mental states”).

In overturning *Roe v. Wade*, the U.S. Supreme Court recently explained how *Roe* was fundamentally based on the Court majority’s review of the ancient acceptance of infanticide:

Roe featured a lengthy survey of history ... and the Court made no effort to explain why it was included. For example, multiple paragraphs were devoted to an account of the views and practices of ancient civilizations where infanticide was widely accepted. See 410 U. S., at 130-132, 93 S. Ct. 705, 35 L. Ed. 2d 147 (discussing ancient Greek and Roman practices).

Dobbs v. Jackson Women's Health Org., 142 S. Ct. 2228, 2267 (2022). Infanticide was prevalent in ancient Greece and Rome as many scholars have observed. See C. Patterson, “Not Worth the Rearing: The Causes of Infant Exposure in Ancient Greece,” 115 *Transactions Am. Philosophical Assn.* 103, 111-123 (1985); A. Cameron, “The Exposure of Children and Greek Ethics,” 46 *Classical Rev.* 105-108 (1932); H.

Bennett, “The Exposure of Infants in Ancient Rome,” 18 Classical J. 341-351 (1923); W. Harris, “Child-Exposure in the Roman Empire,” 84 J. Roman Studies 1 (1994).

This is Issue 1, as required by one of its key provisions. There is no logical way to sever the equivalent of infanticide from the remainder of the amendment, and no basis for declaring the rest of Issue 1 to somehow be the “will of the people” without its central part. See *City of Middletown v. Ferguson*, No. CA84-04-049, 1985 Ohio App. LEXIS 6594, at *22 (Ct. App. Apr. 29, 1985) (rejecting severability with respect to a ballot initiative because its “unconstitutional objective could not be severed from” its remainder).

A ballot initiative that attempts to make infanticide a constitutional right, as Issue 1 does, is invalid and unenforceable. There are a dozen compelling legal reasons for striking a ballot initiative that is so repugnant to civilization and the values of Ohio. Several of these grounds are discussed in detail below, while many law review articles from all sides of the political spectrum identify additional grounds for invalidating a ballot initiative as wrongful as Issue 1.

II. Issue 1 Improperly Removes Authority from the Representative Government – the General Assembly – in Violation of U.S. Supreme Court Holdings and the Ohio Constitution.

No one credibly asserts that Issue 1 was a proper repeal or revision of the protection in the Ohio Constitution, Art. I, Section 2, for the General Assembly’s “Right to alter, reform, or abolish government, and repeal special privileges”:

... no special privileges or immunities shall ever be granted, that may not be altered, revoked, or repealed by the general assembly.

The above provision has been a foundation of the Ohio Constitution since 1851, and arguably limits the subject matter breadth of ballot initiatives which were not allowed until 1912. This 1851 provision is also in many other state constitutions, and has been applied numerous times by state courts nationwide to invalidate laws that grant special privileges. The addition of the initiative process did not repeal any of the existing constitutional provisions, which remain in full force and effect. *See, e.g., ITT World Communications, Inc. v. City and County of San Francisco*, 37 Cal.3d 859, 210 Cal. Rptr. 226, 693 P.2d 811, 816 (1985) (“A constitutional amendment ... should not be construed to effect the implied repeal of another constitutional provision.”).

Issue 1 creates special privileges for abortion providers far beyond any other health practitioner, and any professional of any kind. Issue 1 then prohibits the General Assembly from altering, revoking, or repealing those special privileges for abortionists. Issue 1 is a flagrant violation of Article I, Section 2 of the Ohio Constitution, which was even invoked by the U.S. Supreme Court to sustain an Ohio conviction for assault and battery by a railroad conductor, which is analogous to commonplace wrongdoing by abortion providers. *Shields v. Ohio*, 95 U.S. 319 (1877) (affirming the Ohio Supreme Court based on this provision of the Ohio Constitution).

The U.S. Supreme Court has emphasized that “the State may not surrender or bind itself not to exert its police power to guard the safety of workers.” *Phillips Petroleum Co. v. Jenkins*, 297 U.S. 629, 635 (1936) (citing *Shields* and many additional precedents). Likewise, a ballot initiative cannot properly withdraw authority from the General Assembly to regulate abortion providers, and to fully

protect the most vulnerable in society against that for-profit activity. The attempt by Issue 1 to place abortion providers beyond the authority of the General Assembly, and thereby make abortionists the sole judge over their own conduct, is directly contrary to Article I, Section 2 of the Ohio Constitution.

In addition, multiple rulings by the U.S. Supreme Court and other courts have invalidated ballot initiatives that interfere with representative government as Issue 1 does. In *Romer v. Evans*, both the Colorado and United States Supreme Courts tossed out a voter-approved Colorado ballot initiative that had amended the Colorado Constitution to prohibit the Colorado legislature from granting preferences to a certain class of people, in that case homosexuals. The grounds of the *Romer* decision had nothing to do with any constitutional rights of homosexuals, which at the time were not recognized under the U.S. Constitution. Instead, it was the interference wrought by the ballot initiative with representative government that rendered the voter-enacted ballot initiative invalid.

As Justice Anthony Kennedy wrote for the Supreme Court:

The resulting disqualification of a class of persons from the right to seek specific protection from the law is unprecedented in our jurisprudence.

Romer v. Evans, 517 U.S. 620, 633 (1996). That same defect requires invalidating Issue 1. *See also Reitman v. Mulkey*, 387 U.S. 369 (1967) (after enactment by 65% of the popular vote and endorsement by the *Los Angeles Times*, the California Supreme Court invalidated this facially neutral ballot initiative and the U.S. Supreme Court affirmed).

Likewise, Issue 1 prohibits certain classes of people from seeking “specific protection” from predatory practices of the abortion industry. The most profitable type of abortion – late-term and partial-birth abortion – is placed entirely outside of the authority of General Assembly by Issue 1. That leaves parents, minors, spouses, partners, representatives of unborn children, and women entitled to informed consent unable to seek protection from the General Assembly against unethical practices by abortion providers. Under Issue 1 the victims cannot seek legislation to protect them, just as the class of persons in Colorado were disenfranchised by the defective ballot initiative there.

Romer is not unique. Many U.S. Supreme Court and other appellate courts have invoked “political-process doctrine” to invalidate ballot initiatives like Issue 1. One of the earliest in this line of cases arose from Akron, Ohio, where the voters passed a ballot initiative that amended the city charter. The trial court and Ohio Supreme Court upheld the enforceability of its voter-approved ballot initiative relating to housing, but then the 8-1 U.S. Supreme Court reversed by finding that the ballot initiative infringed on the political process. *Hunter v. Erickson*, 393 U.S. 385, 388 (1969). *See also Washington v. Seattle Sch. Dist. No. 1*, 458 U.S. 457, 463 (1982) (invalidating a statewide ballot initiative that was enacted by nearly 66% of the public, based on the political-process doctrine).

Issue 1, like many other ballot initiatives enacted by voters but then stricken by appellate courts, infringes on the political process and is thus invalid.

III. Issue 1 Improperly Infringes on Inalienable Rights Guaranteed by the First Section of the Ohio Bill of Rights, without Repealing that Protection.

The very first section of the Ohio Constitution fully protects inalienable rights as well as the right to defend the life of others:

All men are, by nature, free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing, and protecting property, and seeking and obtaining happiness and safety. (OHIO CONST., Art. I, Sec. 1)

Issue 1 does not purport to repeal or revise any of this, and cannot do so implicitly. *See, e.g., Bd. of Supervisors v. Lonergan*, 27 Cal. 3d 855, 868, 167 Cal. Rptr. 820, 828, 616 P.2d 802, 810 (1980) (“So strong is the presumption against implied repeals” of a constitutional provision.). The term “men” is, of course, understood to apply to protect all human beings, as in the Declaration of Independence.

Issue 1 does not attempt to establish when life begins, or when the legal protection of life should begin. Accordingly, and consistent with the U.S. Supreme Court decision in *Dobbs*, the Court should look to the legislature for guidance on this fundamental question, just as legislatures define the scope of property. “It is time to heed the Constitution and return the issue of abortion to the people’s ***elected representatives***.” *Dobbs*, 142 S. Ct. at 2243 (emphasis added).

“‘Unborn human individual’ means an individual organism of the species homo sapiens from fertilization until live birth.” Ohio Rev. Code Ann. § 2919.19(a)(15). Ohio statutes thereby establish that life begins at conception. “Ohio statutory law clearly favors the position that life begins at conception and that embryos are unborn humans.” *Kotkowski-Paul v. Paul*, 2022-Ohio-4567, ¶ 123, 204 N.E.3d 66, 91 (Ct.

App.) (Lynch, J., dissenting). Specifically, “the criminal code recognizes the principle that life begins at conception (fertilization) and that an embryo represents human life. R.C. 2901.01(B)(1)(c)(i) (unborn human)” *Id.*

Ohio appellate Judge Lynch explained further:

[T]hese definitions are persuasive inasmuch as they are consistent with the current scientific understanding of when life begins and are not contradicted by or inconsistent with other provisions of the Revised Code. ... Within the criminal code, a ‘person’ includes ‘[a]n unborn human who is viable,’ i.e., ‘the stage of development of a human fetus at which there is a realistic possibility of maintaining and nourishing of a life outside the womb with or without temporary artificial life-sustaining support.’ R.C. 2901.01(B)(1)(a)(ii) and (c)(ii).”

Id.

Likewise, the U.S. Supreme Court has referred to the “living fetus,” even when siding with abortionists in invalidating a partial-birth abortion law. *Stenberg v. Carhart*, 530 U.S. 914, 940 (2000) (“Both procedures can involve the introduction of a ‘substantial portion’ of a still living fetus”). Congress has likewise used the term “living fetus,” in a statute that the U.S. Supreme Court upheld against challenge: 18 U.S.C. § 1531(b)(1)(B).

Even prior to the foregoing precedents and statutes, an Ohio appellate court recognized about the Inalienable Rights clause that:

this provision guaranteeing the enjoyment of life and liberty confers upon the individual the right to do whatever he or she wishes to do so long as there is no valid law proscribing such conduct and so long as the conduct does not infringe upon rights of others recognized by the common law.

Preterm Cleveland v. Voinovich, 89 Ohio App. 3d 684, 691, 627 N.E.2d 570, 575 (1993).

As to the common law, even supporters of abortion rights admit that the common law

treated abortion as a crime beginning with “quickening”, which is analogous to initiation of the heartbeat at issue in the Heartbeat bill. *Dobbs*, 142 S. Ct. at 2324 (Breyer, Sotomayor, and Kagan, JJ., dissenting) (citing 1 W. Blackstone, *Commentaries on the Laws of England* 129-130 (7th ed. 1775); E. Coke, *Institutes of the Laws of England* 50 (1644)).

Yet Issue 1 has no mention of the rights of living fetus or unborn child, while purporting to grant an abortionist an unfettered right to terminate that life contrary to the “Inalienable Rights” provision of the Ohio Constitution. Issue 1 does not attempt to repeal that core right, as a constitutional amendment would declare a repeal if in fact that were its intent. *See, e.g.*, U.S. CONST., Amend XXI (“The eighteenth article of amendment to the Constitution of the United States is hereby repealed.”)

Severability is not an option to salvage Issue 1, because there is no coherent way to separate its unconstitutional portion or to determine whether voters would have enacted it without that portion. *See City of Middletown, supra*, 1985 Ohio App. LEXIS 6594, at *7 (denying request to sever). Accordingly, Issue 1 is invalid.

IV. The Issue 1 Terms of “Burden” and “Least Restrictive Means” Have Vastly Different Meanings for Judges and Even More So for Voters, Thereby Rendering Issue 1 Unclear and Unenforceable just as the Florida Supreme Court Invalidated a 73%-Supported Initiative.

Judges have widely disagreed about the meaning of “burden” and “least restrictive means” in the context of abortion for more than 30 years, such that there has never been a consensus understanding of these legalistic terms. To perhaps half of judges, undue “burden” means that virtually any regulation of abortion is unlawful.

To the other roughly half of judges, the opposite is true. Given that judges have been unable to agree on a definition for this terminology, voters could not possibly have been in agreement as to the meaning of what they were voting on.

Under very similar circumstances, the Florida Supreme Court invalidated a high-profile ballot initiative in 2000 after its enactment by 73% of the popular vote. *Armstrong v. Harris*, 773 So. 2d 7, 22 (Fla. 2000) (“[V]oters were not told on the ballot that the amendment will nullify the Cruel or Unusual Punishment Clause, an integral part of the Declaration of Rights since our state’s birth. Voters thus were not permitted to cast a ballot with eyes wide open on this issue.”). There, as here, the Florida Supreme Court had denied pre-election challenges to the same ballot initiative, yet invalidated it after the election because the initiative failed to fully explain its effects on the fundamental right to life.

An Ohio appellate judge, who dissented in a 2-1 decision hinging on the term “burden”, explained that not even five justices on the U.S. Supreme Court could agree on what an undue burden means in the landmark decision of *Planned Parenthood v. Casey*, 505 U.S. 833 (1992):

The plurality opinion characterized a “finding of an undue burden [as] a shorthand for the conclusion that a state regulation has the purpose or effect of placing a substantial obstacle in the path of a woman seeking an abortion of a nonviable fetus.” By contrast, Justice Stevens’s idea was that “[a] burden may be ‘undue’ either because the burden is too severe or because it lacks a legitimate, rational justification.” ***Neither formulation received five votes*** so that there would be controlling constitutional doctrine.

Preterm Cleveland v. Voinovich, 89 Ohio App. 3d at 709 n.23, 627 N.E.2d at 587 (Petree, J., concurring and dissenting, citations omitted and emphasis added).

Courts can only enforce what voters intended to enact, not what the legal meaning of terms of art may be. Issue 1 was promoted to voters with a reported \$58 million of mostly out-of-state (and foreign) donations, using ads that talked about contraception and miscarriages. The vote for Issue 1 was nearly identical to the vote for Issue 2, which was the vastly different issue of legalizing cannabis; they differed in their total votes by barely one-tenth of 1%. Legal scholars have already discredited the notion of “the will of the voters” on ballot initiatives, explaining why it is a myth. *See, e.g.*, Glen Staszewski, “Rejecting the Myth of Popular Sovereignty and Applying an Agency Model to Direct Democracy,” 56 Vand. L. Rev. 395, 399 (2003) (“Rejecting the myth of popular sovereignty in direct democracy would resolve the primary difficulties that are currently associated with judicial review of successful ballot measures.”) (footnote omitted). Divining any will of the people from a ballot initiative using so much controversial legal terminology is unjustified.

Legislators represent the “will of the people” as much as or more than any ballot initiative does, and there should be deference to legislators in filling in the gaps or ambiguities in a ballot initiative. *See In re J.C.* (2016) 246 Cal.App.4th 1462, 1479–1480 (2016) (in California, which has a ballot initiative process similar to Ohio, when a voter-adopted initiative was ambiguous with “solid arguments both for and against” an interpretation, the Legislature's enactment clarifying the ambiguity was a proper). The 30-plus current Ohio abortion laws were enacted under *Roe v. Wade*, and thus presumptively continue to be constitutional because Issue 1 does not even purport to depart from that framework.

The Court can and should uphold every existing Ohio abortion law without interference by Issue 1, which does not identify any law that it would repeal. It is plausible and even likely that those who voted for Issue 1 do not oppose regulation of abortion by the legislature which was determined by the elected representatives to be reasonable after hearing testimony in committee hearings. It would not be proper for the Court to infer that voters understood the debated legal terminology used in Issue 1 to mean what proponents of Issue 1 privately intended: to bring abortion-on-demand to Ohio. It is not the intent of the political and financial supporters of an initiative that matters, but the intent of the voters.

V. Judges and Scholars Agree that Far-Reaching Ballot Initiatives Violate the Guarantee of a Republican Form of Government.

The renowned left-of-center law Professor Erwin Chemerinsky has declared that “direct democracy is undesirable and unconstitutional ... because it violates the Republican Form of Government Clause.” Erwin Chemerinsky, “Challenging Direct Democracy,” 2007 Mich. St. L. Rev. 293, 294, 301 (2007) (citing U.S. CONST., Art. IV, Sec. 4). Apparently in agreement are Judge Diane Wood, a preeminent federal judge having an illustrious career on the U.S. Court of Appeals for the Seventh Circuit, and future Supreme Court Justice Amy Coney Barrett. Together they ruled in 2020 that:

We do not interpret *Rucho* or any other decision by the Supreme Court as having categorically foreclosed all Guarantee Clause claims as nonjusticiable, even though no such claim has yet survived Supreme Court review. ***The district court thus went too far in saying that no Guarantee Clause claim could proceed to adjudication on the merits.*** Instead, it should have decided simply whether this particular Guarantee Clause claim is among the rare ones that can survive a motion to dismiss. We conclude that it is not.

Democratic Party of Wis. v. Vos, 966 F.3d 581, 589 (7th Cir. 2020) (emphasis added).

The most plausible inference from the foregoing federal appellate holding is that the unanimous court would use the Guarantee Clause to invalidate a ballot initiative that sought to establish sweeping new rights for or against abortion. Both judicial sides of the abortion debate thereby implicitly agreed that it is not proper subject matter for a ballot initiative, because of the Guarantee Clause of the U.S. Constitution. U.S. CONST., Art. I, Sec. 4.

Meanwhile, the U.S. Supreme Court Chief Justice Roberts came very close to invoking the Guarantee Clause against a ballot-initiative redistricting in his passionate dissent in *Ariz. State Legis. v. Ariz. Indep. Redistricting Comm’n*, 576 U.S. 787 (2015). Roberts lacked a majority for this position in 2015, but likely has a majority today on this. The 5-4 majority, in its footnote 3, further opened the door to use of the Guarantee Clause against a far-reaching ballot initiative, as Issue 1 is.

Many additional law professors and judges have spoken out against the direct democracy of ballot initiatives. Professor Julian Eule has urged heightened judicial review when a ballot initiative passes. *See* Julian N. Eule, *Judicial Review of Direct Democracy*, 99 *Yale L.J.* 1503, 1539 (1990) (“a wariness of unfiltered electoral expressions protects our republican form”). Professor Eule noted that direct democracy conflicts with the U.S. Constitution. *See id.* at 1508 (“Despite the instinctive appeal of Hugo Black’s view that the level of appropriate scrutiny ought to decline as democracy becomes more direct, I believe that a deeper consideration will reveal that he is 180 degrees off the mark.”). As another law professor explained:

In the republic, the people must have control of their choices – not simply by being able to vote, but by having the government act in their best interest. Toward that end, the representatives owe their best judgment to all members of the community. ... The republican form of government is in jeopardy.

Mark C. Alexander, “Campaign Finance Reform: Central Meaning and a New Approach,” 60 Wash & Lee L. Rev. 767, 838 (2003). Former Oregon Supreme Court and legal scholar Justice Hans Linde was also critical of ballot initiatives.

Abortion implicates complex issues of medicine, law, and ethics. Legislative committee hearings, informed debate, and enlightened decision-making are essential ingredients to enacting laws that are best for Ohioans and the future of this State. If the Guarantee Clause protects anything against mob rule as driven by misleading television ads, it is the abortion issue. The invitation by U.S. Court of Appeals Judge Diane Wood to apply the Guarantee Clause should be accepted here for Issue 1.

VI. As Multiple State Supreme Courts Have Held under Constitutional Provisions Similar to Ohio’s, Sweeping Ballot Initiatives Like Issue 1 Are Invalid.

The ballot initiative process was adopted in Ohio within a year of its adoption in California, where there is an extensive body of legal precedents as to limits on this process consistent with its Progressive Era intentions. Many of the other states that use ballot initiatives have likewise invalidated far-reaching changes by amendment.

As explained by the Cleveland-Marshall College of Law Dean Emeritus Steven Steinglass, “There is a distinction in state constitutional law between constitutional amendments and constitutional revisions, and courts have used this distinction to limit the use of the initiative to amendments and to bar its use for constitutional revisions.” Steinglass, “Constitutional Revision: Ohio Style,” 77 Ohio St. L.J. 281, 323

(2016). Dean Steinglass observed that “there is a textual basis for” this distinction in Ohio, although the case law for it is more developed in California and other jurisdictions where there have been more ballot initiatives. *Id.* The numerous California precedents, for example, include its Supreme Court invalidating a portion of a voter-enacted ballot initiative because “fundamental constitutional rights are implicated.” *Raven v. Deukmejian*, 52 Cal. 3d 336, 352, 276 Cal. Rptr. 326, 336, 801 P.2d 1077, 1087 (1990).

Many decisions in other states have likewise invalidated ballot initiatives for being substantive revisions rather than merely amendments. *See, e.g., Citizens Protecting Mich.'s Constitution v. Sec'y of State*, 761 N.W.2d 210, 229 (Mich. Ct. App.) (per curiam) (incorporating California precedents to hold that an initiative affecting multiple articles of the Michigan Constitution was a constitutional revision, and thus an impermissible amendment by initiative), *aff'd without opinion*, 755 N.W.2d 157 (Mich. 2008); *Bess v. Ulmer*, 985 P.2d 979, 982 (Alaska 1999) (holding that “[t]he Framers of the Alaska Constitution distinguished between a revision and an amendment,” and ruling that a ballot initiative to limit prisoner rights to federal protections constituted a “revision” that could not be adopted by a mere amendment); *Adams v. Gunter*, 238 So. 2d 824, 832 (Fla. 1970) (holding that a proposed amendment by initiative was improper because it affected multiple sections of the constitution, as Issue 1 implicitly does); *Holmes v. Appling*, 392 P.2d 636, 639 (Or. 1964) (adopting the distinction between a revision and an amendment, and ruling that that a

proposed initiative was a revision improper to be done as an amendment). Likewise, the far-reaching Issue 1 constitutes a revision, not a proper amendment.

Conclusion

For the foregoing reasons, Issue 1 is invalid and unenforceable as a revision or amendment to the Ohio Constitution, and thus has no application to this case.

Dated: December 4, 2023

Respectfully submitted,

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I, Robert T. Lynch, hereby certify that on this 4th day of December, 2023, I caused a true and correct copy of the foregoing brief of *Amici Curiae* to be served by e-mail upon the counsel listed below.

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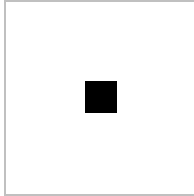
Dated: December 4, 2023

s/ Robert T. Lynch
Counsel for Amici Curiae

From: [Jonathan Blanton](#)
To: [AG Dave Yost](#); [Bethany McCorkle](#)
Cc: [Ben Marrison](#); [Shawn Busken](#)
Subject: PreTerm vs Yost et al: Answer to Plaintiffs" Second Amended Complaint
Attachments: [image001.png](#)
[Final Preterm Cleveland Answer For Filing.pdf](#)

Amanda will be filing the attached answer shortly.

JB



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the paragraph accurately quote language in the Amendment. Any allegation asserting any description, summary, or characterization of the Amendment beyond its express language is a legal conclusion to which no response is required at this stage in the litigation.

3. In response to paragraph 3 of the Complaint, the State admits that in this litigation Plaintiffs purport to challenge 2019 Am.Sub.S.B. No. 23 (“S.B. 23”), which is attached to the Complaint. The State also admits that a federal-court injunction blocked enforcement of the law until June 24, 2022. Any allegation asserting any description, summary, or characterization of S.B. 23 beyond its express language is a legal conclusion to which no response is required at this stage in the litigation. The State denies the remaining allegations in paragraph 3.

4. In response to paragraph 4 of the Complaint, the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

5. In response to paragraph 5 of the Complaint, the State admits that Plaintiffs obtained preliminary injunctive relief in this case, and that Plaintiffs seek the relief stated in their Complaint. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

BACKGROUND

6. In response to paragraph 6 of the Complaint, the State admits the Ohio General Assembly passed S.B. 23, which speaks for itself, on April 11, 2019. Any allegation asserting any description, summary, or characterization of S.B. 23 beyond its express language is a legal conclusion to which no response is required at this stage in the litigation. The State further admits that embryonic cardiac activity occurs at approximately six weeks gestation. The article cited in paragraph 6 speaks for itself.

7. In response to paragraph 7 of the Complaint, the State admits that in *Preterm-*

Cleveland v. Yost, No. 1:19-cv-00360 (S.D. Ohio), plaintiffs challenged S.B. 23, and a federal court issued an injunction on July 3, 2019, and vacated the injunction on June 24, 2022, following the U.S. Supreme Court’s decision in *Dobbs v. Jackson Women’s Health Organization*.

8. In response to paragraph 8 of the Complaint, the State responds that Plaintiffs’ filings in this litigation speak for themselves.

9. In response to paragraph 9 of the Complaint, the State admits that the Court issued and extended a temporary restraining order in this litigation on the dates alleged and issued a preliminary injunction following a hearing. The Court’s orders speak for themselves.

10. The State denies the allegations in paragraph 10.

11. The State denies the allegations in paragraph 11.

12. In response to paragraph 12 of the Complaint, the State denies for lack of knowledge the allegations related to the closing of WMGPC’s clinic which require the assumption of events over which neither the court nor the parties have control. The State denies the remaining allegations in paragraph 12.

13. In response to paragraph 13 of the Complaint, the State admits that the preliminary injunction in this litigation is still in effect today. The remainder of the paragraph identifies relief the Plaintiffs seek in this litigation, to which no response is required.

PARTIES

14. In response to paragraph 14 of the Complaint, the State admits that Plaintiff Preterm-Cleveland (“Preterm”) is a nonprofit corporation organized under the laws of the State of Ohio that provides abortions. Any allegation asserting any description, summary, or characterization of S.B. 23 beyond its express language is a legal conclusion to which no response is required at this stage in the litigation. The State denies for lack of knowledge the remainder of the allegations in this paragraph.

15. In response to paragraph 15 of the Complaint, the State admits that Plaintiff Planned Parenthood Southwest Ohio Region (“PPSWO”) is a nonprofit corporation organized under the laws of the State of Ohio and that PPSWO operates an Ambulatory Surgical Facility in Cincinnati. Any allegation asserting any description, summary, or characterization of S.B. 23 beyond its express language is a legal conclusion to which no response is required at this stage in the litigation. The State denies for lack of knowledge the remainder of the allegations in this paragraph.

16. In response to paragraph 16 of the Complaint, the State admits that Plaintiff Sharon Liner, M.D., is a physician licensed to practice medicine in Ohio. Any allegation asserting any description, summary, or characterization of S.B. 23 beyond its express language is a legal conclusion to which no response is required at this stage in the litigation. The State denies for lack of knowledge the remainder of the allegations in this paragraph.

17. In response to paragraph 17 of the Complaint, the State admits that Plaintiff Planned Parenthood of Greater Ohio (“PPGOH”) is a nonprofit corporation organized under the laws of the State of Ohio that operates Ambulatory Surgical Facilities in East Columbus and Bedford Heights. Any allegation asserting any description, summary, or characterization of S.B. 23 beyond its express language is a legal conclusion to which no response is required at this stage in the litigation. The State denies for lack of knowledge the remainder of the allegations in this paragraph.

18. In response to paragraph 18 of the Complaint, the State admits that Plaintiff Women's Med Group Professional Corporation (“WMGPC”) owns and operates Women's Med Center of Dayton (“WMCD”) in Kettering, Ohio. Any allegation asserting any description, summary, or characterization of S.B. 23 beyond its express language is a legal conclusion to which no response is required at this stage in the litigation. The State denies for lack of knowledge the remainder of

the allegations in this paragraph.

19. In response to paragraph 19 of the Complaint, the State admits that Plaintiff Northeast Ohio Women’s Center, LLC (“NEOWC”), a corporation organized under the laws of the State of Ohio, operates Ambulatory Surgical Facilities in Shaker Heights and Cuyahoga Falls, and also owns and operates Toledo Women’s Center (“TWC”) in Toledo, Ohio. Any allegation asserting any description, summary, or characterization of S.B. 23 beyond its express language is a legal conclusion to which no response is required at this stage in the litigation. The State denies for lack of knowledge the remainder of the allegations in this paragraph.

20. In response to paragraph 20 of the Complaint, the State admits that Dave Yost is the Attorney General of Ohio and is sued in his official capacity. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

21. In response to paragraph 21 of the Complaint, the State admits that Bruce T. Vanderhoff, M.D., M.B.A., is the director of the Ohio Department of Health and is sued in his official capacity. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

22. In response to paragraph 22 of the Complaint, the State admits that Kim G. Rothermel, M.D., is the Secretary of the State Medical Board of Ohio and is sued here in her official capacity. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

23. In response to paragraph 23 of the Complaint, the State admits that Harish Kakarala, M.D., is the Supervising Member of the State Medical Board of Ohio and is sued here in his official capacity. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

24. In response to paragraph 25 of the Complaint, the State admits that Michael C. O'Malley is the Cuyahoga County Prosecutor and is sued in his official capacity and that Preterm's clinic, NEOWC's Shaker Heights clinic, and PPGOH's Bedford Heights health center are located in Cuyahoga County. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

25. In response to paragraph 25 of the Complaint, the State admits that Melissa A. Powers is the Hamilton County Prosecutor and is sued in her official capacity and that PPSWO's Cincinnati surgery center is located in Hamilton County. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

26. In response to paragraph 26 of the Complaint, the State admits that G. Gary Tyack is the Franklin County Prosecutor and is sued in his official capacity and that PPGOH's East Columbus health center is located in Franklin County. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

27. In response to paragraph 27 of the Complaint, the State admits that Mathias H. Heck Jr. is the Montgomery County Prosecutor and is sued in his official capacity and that WMGPC's facility is located in Montgomery County. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

28. In response to paragraph 28 of the Complaint, the State admits that Julia R. Bates is the Lucas County Prosecutor and is sued in her official capacity and that TWC is located in Lucas County. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

29. In response to paragraph 29 of the Complaint, the State admits that Sherri Bevan Walsh is the Summit County Prosecutor and is sued in her official capacity and that NEOWC's

Cuyahoga Falls facility is located in Summit County. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

JURISDICTION AND VENUE

30. Paragraph 30 asserts legal conclusions to which no response is required at this stage in the litigation.

31. In response to paragraph 31 of the Complaint, the State admits that venue is proper in Hamilton County. The remainder of paragraph 31 contains legal conclusions to which no response is required at this stage in the litigation.

FACTUAL ALLEGATIONS

32. In response to paragraph 32 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein, which contain vague and undefined assertions related to the nature, quantity, and prevalence of abortion and generalizations, characterizations, or conclusions unsupported by more specific allegations.

33. In response to paragraph 33 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein, which contain alleged facts known only to third parties and generalizations, characterizations, or conclusions unsupported by more specific allegations.

34. In response to paragraph 34 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein, which contain alleged facts known only to third parties and generalizations, characterizations, or conclusions unsupported by more specific allegations.

35. In response to paragraph 35 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein, which contain alleged facts known only to third parties and generalizations, characterizations, or conclusions unsupported by

more specific allegations.

36. In response to paragraph 36 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein, which contain alleged facts known only to third parties and generalizations, characterizations, or conclusions unsupported by more specific allegations.

37. In response to paragraph 37 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein, which contain vague and undefined assertions related to the nature, quantity, and prevalence of abortion and generalizations, characterizations, or conclusions unsupported by more specific allegations.

38. In response to paragraph 38 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein, which contain vague and undefined assertions related to the nature, quantity, and prevalence of abortion and generalizations, characterizations, or conclusions unsupported by more specific allegations.

39. In response to paragraph 39 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein, which contain vague and undefined assertions related to the nature, quantity, and prevalence of pregnancy and abortion and contain generalizations, characterizations, or conclusions unsupported by more specific allegations.

40. In response to paragraph 40 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein, which contain vague and undefined assertions related to the nature, quantity, and prevalence of pregnancy and abortion and contain generalizations, characterizations, or conclusions unsupported by more specific allegations.

41. In response to paragraph 42 of the Complaint, the State admits the allegations contained in this paragraph but denies any generalizations or characterizations of same.

42. In response to paragraph 42 of the Complaint, the State admits that a medical condition caused or exacerbated by pregnancy, such as diabetes, hypertension, asthma, heart disease, an autoimmune disorder, or renal disease, increases the risk of medical complications in pregnancy. In response to the remaining allegations in paragraph 41 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

43. In response to paragraph 43 of the Complaint, the State admits that the statistics alleged in paragraph 41 of the Complaint are accurately reflected as published in the Ohio Health Department Report referenced in this paragraph, which speaks for itself, but deny any generalizations or characterizations of the same. In response to the remaining allegations in paragraph 41 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

44. In response to paragraph 44 of the Complaint, the State admits that the statistics alleged in paragraph 42 of the Complaint are accurately reflected as published in the Ohio Health Department Report referenced in this paragraph, which speaks for itself, but deny any generalizations or characterizations of the same.

45. Paragraph 45 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

46. Paragraph 46 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

47. Paragraph 47 states legal conclusions to which no response is required at this stage in the litigation. By way of further response, R.C. 2919.16 speaks for itself.

48. The first sentence in paragraph 48 of the Complaint states legal conclusions to which no response is required at this stage of the litigation. The State denies for lack of knowledge the second sentence in this paragraph.

49. Paragraph 49 of the Complaint states legal conclusions to which no response is required at this stage of the litigation. R.C. 2929.14 and 2929.18 speak for themselves. The State admits that on July 14, 2022, Ohio Attorney General Dave Yost published an explainer relating to S.B. 23, which speaks for itself, and the State denies any summary or characterization of the explainer inconsistent with the language therein. The State denies for lack of knowledge the remainder of paragraph 49.

50. Paragraph 50 of the Complaint states legal conclusions to which no response is required at this stage of the litigation. The statutory provisions cited therein speak for themselves.

51. Paragraph 51 of the Complaint states legal conclusions to which no response is required at this stage of the litigation. The statutory provisions cited therein speak for themselves.

52. Paragraph 52 of the Complaint states legal conclusions to which no response is required at this stage of the litigation. The statutory provisions cited therein speak for themselves.

53. Paragraph 53 of the Complaint states legal conclusions to which no response is required at this stage of the litigation. The statutory provisions cited therein speak for themselves.

54. The State denies for lack of knowledge the allegations in paragraph 54.

55. The State denies for lack of knowledge the allegations in paragraph 55.

56. The State denies for lack of knowledge the first sentence in paragraph 56. The last sentence repeats an allegation in paragraph 4, which the State answered in paragraph 4 of this Answer. The remainder of paragraph 56 states legal conclusions to which no response is required at this stage of the litigation.

57. The State denies for lack of knowledge the allegations in paragraph 57.

58. The State denies for lack of knowledge the allegations in paragraph 58.

59. The State denies for lack of knowledge the allegations in the first sentence of paragraph 59. The remainder of paragraph 59 states legal conclusions to which no response is required at this stage of the litigation. Further, R.C. 2317.56 speaks for itself.

60. Paragraph 60 of the Complaint states legal conclusions to which no response is required at this stage of the litigation. Further, R.C. 9.04, R.C. 3901.87, and R.C. 5101.56 speak for themselves.

61. The State denies for lack of knowledge the allegations in paragraph 61.

62. The State denies for lack of knowledge the allegations in paragraph 62 and denies any allegation regarding generalized consequences of S.B. 23.

63. The State denies for lack of knowledge the allegations in paragraph 63.

64. The State denies for lack of knowledge the allegations in paragraph 64.

65. The State denies for lack of knowledge the allegations in paragraph 65.

66. The State denies for lack of knowledge the allegations in paragraph 66.

67. The State denies for lack of knowledge the factual allegations in paragraph 67. The remainder of paragraph 67 states legal conclusions to which no response is required at this stage of the litigation. By way of further response, Ky. Rev. Stat. § 311.772; W. Va. Code § 16-2R-1 et seq. speak for themselves.

68. The State denies for lack of knowledge the allegations in paragraph 68.

69. The State denies for lack of knowledge the allegations in paragraph 69.

70. The State denies for lack of knowledge the allegations in paragraph 70.

71. The State denies for lack of knowledge the allegations in paragraph 71.

72. The State denies for lack of knowledge the allegations in paragraph 72.

73. The State denies for lack of knowledge the allegations in paragraph 73.

74. The State admits the allegations in paragraph 74.

75. The State admits the allegations in paragraph 75.

76. Paragraph 76 of the Complaint states legal conclusions to which no response is required at this stage of the litigation. By way of further response, the Amendment speaks for itself.

77. Paragraph 77 of the Complaint states legal conclusions to which no response is required at this stage of the litigation. By way of further response, the Amendment speaks for itself.

78. Paragraph 78 of the Complaint states legal conclusions to which no response is required at this stage of the litigation. By way of further response, the Amendment speaks for itself.

79. In response to paragraph 79 of the Complaint, the State admits that on October 5, 2023, Ohio Attorney General Dave Yost published a legal analysis regarding the Amendment, which analysis speaks for itself, and the State denies any summary or characterization inconsistent with the language of the analysis.

80. In response to paragraph 80 of the Complaint, the State admits that on October 5, 2023, Ohio Attorney General Dave Yost published a legal analysis regarding the Amendment, which analysis speaks for itself, and the State denies any summary or characterization inconsistent with the language of the analysis.

CLAIMS FOR RELIEF

COUNT 1—Right to Reproductive Freedom

81. The State realleges and incorporates by reference all answers to preceding paragraphs as if fully written here.

82. Paragraph 82 of the Complaint states legal conclusions to which no response is required at this stage of the litigation. By way of further response, the Amendment speaks for itself.

83. Paragraph 83 of the Complaint states legal conclusions to which no response is required at this stage of the litigation. By way of further response, the Amendment speaks for itself.

84. Paragraph 84 of the Complaint states legal conclusions to which no response is required at this stage of the litigation. By way of further response, the Amendment speaks for itself.

85. Paragraph 85 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

86. Paragraph 86 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

87. Paragraph 87 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

88. Paragraph 88 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

COUNT II—Due Course of Law

89. The State realleges and incorporates by reference all answers to preceding paragraphs as if fully written here.

90. Paragraph 90 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

91. Paragraph 91 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

92. Paragraph 92 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

93. Paragraph 93 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

94. Paragraph 94 of the Complaint states legal conclusions to which no response is

required at this stage of the litigation.

COUNT III—Equal Protection and Benefit

95. The State realleges and incorporates by reference all answers to preceding paragraphs as if fully written here.

96. Paragraph 96 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

97. Paragraph 97 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

98. Paragraph 98 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

99. Paragraph 99 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

100. Paragraph 100 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

COUNT IV—Void for Vagueness

101. The State realleges and incorporates by reference all answers to preceding paragraphs as if fully written here.

102. Paragraph 102 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

103. Paragraph 103 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

COUNT V—Void *Ab Initio*

104. The State realleges and incorporates by reference all answers to preceding paragraphs as if fully written here.

105. Paragraph 105 of the Complaint states legal conclusions to which no response is required at this stage of the litigation. By way of further response, *Casey* speaks for itself.

106. Paragraph 106 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

COUNT VI—Declaratory Judgment

107. The State realleges and incorporates by reference all answers to preceding paragraphs as if fully written here.

108. Paragraph 108 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

109. Paragraph 109 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

110. In response to paragraph 110 of the Complaint, the State denies that Plaintiffs are entitled to the declaratory relief specified therein.

111. In response to the Prayer for Relief in the Complaint, the State denies that Plaintiffs are entitled to the declaratory relief specified therein.

112. The State denies any allegations in the Complaint not expressly admitted herein.

FIRST DEFENSE

Plaintiffs fail to state any claim upon which relief can be granted, because the various challenged provisions of Ohio statutory law do not violate the Ohio or U.S. Constitutions, and/or because Plaintiffs seek relief broader than any relief to which Plaintiffs would be entitled even if narrower relief were warranted by any of their claims.

SECOND DEFENSE

Plaintiffs do not show a live justiciable controversy, for lack of standing and other reasons, especially as to distinct provisions of the bill that will not affect them, and as to

constitutional provisions that are no longer relevant in light of Ohio's new Amendment.

THIRD DEFENSE

Plaintiffs cannot assert the standing or claims of others.

FOURTH DEFENSE

Plaintiffs have failed to join necessary parties.

FIFTH DEFENSE

Plaintiffs do not allege a cognizable injury.

SIXTH DEFENSE

Plaintiffs are unable to establish the elements required for injunctive relief.

SEVENTH DEFENSE

Plaintiffs are unable to establish the elements required for declaratory relief.

ELEVENTH DEFENSE

To the extent that Plaintiffs' claims for relief could be construed as claims for money damages, those must be dismissed because such claims cannot be asserted against the State of Ohio outside of the Ohio Court of Claims.

RESERVATION OF ADDITIONAL DEFENSES

The State Defendants reserve the right to supplement their Answer with additional defenses, including affirmative defenses, as litigation in this matter proceeds.

Thus, having fully answered Plaintiffs' First Amended Complaint, the State requests that the Court dismiss Plaintiffs' Complaint, with prejudice, and that the State receive reasonable costs and fees in defending this suit, and all other relief the Court deems just and equitable.

Respectfully Submitted,

DAVE YOST (0056290)

ATTORNEY GENERAL OF OHIO

/s/ Amanda L. Narog

AMANDA L. NAROG (093954)*

**Counsel of Record*

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Andrew.McCartney@OhioAGO.gov

*Counsel for Defendants Attorney General
Dave Yost, Director Bruce Vanderhoff, Kim
Rothermel, and Bruce Saferin*

CERTIFICATE OF SERVICE

I certify the foregoing was served upon the following via electronic mail this 2nd day of

February, 2024:

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/s/Amanda L. Narog
AMANDA L. NAROG (093954)
*Counsel of Record

From: [Jonathan Blanton](#)
To: [AG Dave Yost](#)
Cc: [Shawn Busken](#)
Subject: FW: Call today
Attachments: [Proposed Order re Perm Injunction.1.29.24.docx](#)
[Joint Stipulation re Perm Injunction.1.29.24.docx](#)

Plaintiffs' Counsel sent a draft proposed Order and Stipulation on Permanent Injunction to Amanda yesterday. [REDACTED]
[REDACTED]
[REDACTED]

JB

Jonathan D. Blanton
First Assistant Attorney General
Office of Ohio Attorney General Dave Yost
Office 614.728.1171
Mobile 614.381.6496

Confidentiality Notice: This message is intended for use only by the individual or entity to whom or which it is addressed and may contain information that is privileged, confidential and/or otherwise exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify me immediately by telephone.

From: Amanda Narog <Amanda.Narog@OhioAGO.gov>
Sent: Tuesday, January 30, 2024 12:16 PM
To: Jonathan Blanton <Jonathan.Blanton@OhioAGO.gov>
Subject: FW: Call today

From: Amanda Narog
Sent: Monday, January 29, 2024 10:07 AM
To: Stephen Carney <Stephen.Carney@OhioAGO.gov>; Erik Clark <Erik.Clark@OhioAGO.gov>
Subject: FW: Call today

From: Jessie Hill <bjh11@case.edu>
Sent: Monday, January 29, 2024 8:00 AM
To: Amanda Narog <Amanda.Narog@OhioAGO.gov>
Subject: Re: Call today

Hi Amanda,

As we discussed, here are drafts of a joint stipulation and a proposed order that we could present to Judge Jenkins, if these are acceptable to the State. If this language doesn't work for the State, could you propose some edits that would be acceptable to the State (and hopefully Judge Jenkins as well)?

Thanks,
Jessie

On Fri, Jan 26, 2024 at 11:54 AM Jessie Hill <bjh11@case.edu> wrote:

OK, I can call you cell then. I also just had 3pm-3:30pm open up if that works better.

On Fri, Jan 26, 2024 at 11:49 AM Amanda Narog <Amanda.Narog@ohioago.gov> wrote:

I can likely make 4 work.

Amanda

Sent via the Samsung Galaxy S23 Ultra 5G, an AT&T 5G smartphone
Get [Outlook for Android](#)

From: Jessie Hill <bjh11@case.edu>
Sent: Friday, January 26, 2024 10:00:43 AM
To: Amanda Narog <Amanda.Narog@ohioago.gov>
Subject: Re: Call today

Ok - I'm open 12-1 or around 4?

If those times don't work, I can probably make time between about 2:30 and 3:30.

On Fri, Jan 26, 2024 at 9:52 AM Amanda Narog <Amanda.Narog@ohioago.gov> wrote:

Jessie,

Something came up and I won't be available at 10~what does your afternoon look like?

Amanda

Sent via the Samsung Galaxy S23 Ultra 5G, an AT&T 5G smartphone
Get [Outlook for Android](#)

--

(she/her/hers)
Associate Dean for Research and Faculty Development
Judge Ben C. Green Professor of Law
Director, Reproductive Rights Law Initiative

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**IN THE COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO**

PRETERM-CLEVELAND, *et al.*,

Plaintiffs,

v.

DAVID YOST, *et al.*,

Defendants.

Case No.: A 2203203

Judge: Christian A. Jenkins

**[PROPOSED] ORDER GRANTING
FINAL DECLARATORY JUDGMENT
AND PERMANENT INJUNCTION**

This matter comes before the Court on joint stipulation by Plaintiffs Preterm-Cleveland; Planned Parenthood Southwest Ohio Region; Sharon Liner, M.D.; Planned Parenthood Greater Ohio; Women’s Med Group Professional Corporation; and Northeast Ohio Women’s Center, LLC (collectively “Plaintiffs”) and Defendants Attorney General Dave Yost, Director Bruce Vanderhoff, Kim Rothermel, and Bruce Saferin (collectively “State Defendants”) requesting that this Court enter an order declaring unconstitutional and permanently enjoining 2019 Am.Sub.S.B. No. 23 (“S.B. 23”).

Having reviewed the papers filed by the parties, the Court **DECLARES** that, consistent with its preliminary injunction decision, and in light of Article I, Section 22 of the Ohio Constitution, the provisions of S.B. 23 that prohibit abortion after fetal cardiac activity is detected are unconstitutional.

Accordingly, the Court hereby **ORDERS** as follows:

1. Amendments made by S.B. 23 to 2317.56, 2919.171, 2919.19, 2919.191, 2919.192, 2919.193, and 4731.22 are hereby **PERMANENTLY ENJOINED**; amendments made by S.B. 23, for the purposes of adopting new section numbers (as indicated in parentheses), to R.C. 2919.19 (2919.12), 2919.192 (2919.194), and

2919.193 (2919.198) are hereby **PERMANENTLY ENJOINED**; and the sections 2919.191, 2919.193, 2919.195, 2919.196, 2919.197, 2919.199, 2919.1912, 2919.1913, added to the Code by S.B. 23, are hereby **PERMANENTLY ENJOINED**.

2. Ohio Admin. Code 3701-47-07, adopted by the Ohio Department of Health, is hereby **PERMANENTLY ENJOINED**.

3. Defendants, their employees, agents, and successors in office, and all those acting in concert with them, are hereby **PERMANENTLY RESTRAINED** and **ENJOINED** from enforcing the above-cited sections of S.B. 23, or from taking any enforcement action premised on a violation of S.B. 23 that occurred while S.B. 23 was preliminarily enjoined or while S.B. 23 is permanently enjoined pursuant to this Order.

IT IS SO ORDERED.

DATED this _____ day of _____, 2024 at _____ a.m/p.m.

Judge Christian A. Jenkins

**IN THE COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO**

PRETERM-CLEVELAND, *et al.*,

Plaintiffs,

v.

DAVID YOST, *et al.*,

Defendants.

Case No.: A 2203203

Judge: Christian A. Jenkins

**JOINT STIPULATION TO ENTRY OF
FINAL DECLARATORY JUDGMENT
AND PERMANENT INJUNCTION**

Plaintiffs Preterm-Cleveland; Planned Parenthood Southwest Ohio Region; Sharon Liner, M.D.; Planned Parenthood of Greater Ohio; Women’s Med Group Professional Corporation; and Northeast Ohio Women’s Center, LLC (collectively “Plaintiffs”) and Defendants Attorney General Dave Yost, Director Bruce Vanderhoff, Kim Rothermel, and Harish Kakarala (collectively “State Defendants”) respectfully and jointly submit this stipulation requesting that the Court enter an order declaring unconstitutional and permanently enjoining 2019 Am.Sub.S.B. No. 23 (“S.B. 23”).

In light of Article I, Section 22 of the Ohio Constitution, and consistent with the Court’s reasoning in its preliminary injunction, the abortion prohibition established by S.B. 23 is invalid and unconstitutional. The parties therefore request that, pursuant to R.C. 27201.01, et seq., the Court issue a declaration that the provisions of S.B. 23 that prohibit abortion after fetal cardiac activity is detected violate the Ohio Constitution.

Additionally, the parties request that the Court permanently enjoin the amendments made by S.B. 23 to R.C. 2919.171, 2919.19, 2919.191, 2919.192, 2919.193, and 4731.22; the amendments made by S.B. 23, for the purposes of adopting new section numbers (as indicated in

parentheses), to R.C. 2919.19 (2919.12), 2919.192 (2919.194), and 2919.193 (2919.198); and the additions of sections 2919.191, 2919.193, 2919.195, 2919.196, 2919.197, 2919.199, 2919.1912, 2919.1913, by S.B. 23. The parties further request that Sections 2919.1910 and 5103.11 of the Revised Code (relating to only to adoption and foster care) and Section 2317.56(C)(2), regarding the internal Ohio Department of Health process for producing informed consent materials for the Department of Health, remain unaffected by this order.

The parties further request that the Court permanently enjoin Ohio Admin. Code 3701-47-07, adopted by the Ohio Department of Health to implement S.B. 23.

Respectfully Submitted,

Dated: January XX, 2024

[DEFENDANTS TO INSERT
SIGNATURES]

/s/ B. Jessie Hill

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Counsel for Plaintiffs

From: [Ara Mekhjian](#)
To: [Katherine Bockbrader](#); [Melinda Ryans Snyder](#)
Subject: Issue 1-related litigation
Date: Thursday, November 9, 2023 2:03:00 PM

Another litigation cycle begins.

Nearly 36 Ohio Anti-Abortion Laws Now Face Scrutiny

Courts will likely review **upward of three dozen anti-abortion laws** passed in Ohio now that voters approved the Issue 1 constitutional amendment protecting reproductive and abortion rights, Cleveland.com reports. And already one judge has ordered briefs in the transfer agreements case -- one of six pending lawsuits challenging those laws.

<https://www.cleveland.com/news/2023/11/now-that-issue-1-has-passed-which-of-ohios-dozens-of-abortion-laws-will-be-challenged-first.html>

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From: [Ara Mekhjian](#)
To: [Katherine Bockbrader](#); [Melinda Ryans Snyder](#)
Subject: Issue 1-related litigation
Date: Thursday, November 9, 2023 2:03:00 PM

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From: [Ara Mekhjian](#)
To: [Katherine Bockbrader](#); [Melinda Ryans Snyder](#)
Subject: Issue 1-related litigation
Date: Thursday, November 9, 2023 2:03:57 PM

Another litigation cycle begins.

Nearly 36 Ohio Anti-Abortion Laws Now Face Scrutiny

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<https://www.cleveland.com/news/2023/11/now-that-issue-1-has-passed-which-of-ohios-dozens-of-abortion-laws-will-be-challenged-first.html>

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