Filing # 188744902 E-Filed 12/28/2023 09:07:21 AM

IN THE CIRCUIT COURT OF THE 12TH JUDICIAL CIRCUIT
IN AND FOR SARASOTA COUNTY, FLORIDA

STATE OF FLORIDA

Plaintiff,
v.

Case No.: 2021 CF 007559 NC
Judge Donna Marie Padar

Joseph D. Gilberti, P.E., a licensed Professional Engineer

Defendant.
_____/

NOTICE OF FILING – Gilberti vs George W. Bush et al – Palm Beach County Florida

End the Terrorism of 9-11 Sarasota Connection tied to New York and Florida Primary Water hidden by Judge Padar and all Circuit 12, 13, 17 and 20 Judges, Clerks, Cops and JA's with Tampa Middle District and US Southern District of Florida in Treason per Title 18 US Code 241-242

COMES NOW, Secured Creditor of Minerals and Land rights, Joseph D. Gilberti, P.E., ("Engineer of Record") pursuant to applicable Florida Rules of Civil Procedure, hereby files JUDICIAL NOTICE of new case filed in Palm Beach County against ex Presidents Obama, George Bush, Trump, Biden and this sick gang of Terrorist Judges in Sarasota and their EPA agencies who attacked our most valuable US Drinking Water Resource now for over 20years with Developer like Neil Benderson, Pat Neil, Turner Family, Hugh Culverhouse, Palmer Ranch, Lakewood Ranch, Bonita Homes, Lennar, Minto Homes, Debartolo and more from Tampa to South Florida.

These groups use colleges named like Harvard, Yale, Notre Dame with the Diocese of Venice, Miami and the Dirty Pope and Vatican to kill children with Wars and Eugenics this underground knowledge hidden can fix in days.

This court with all US Candidates and Florida Leaders for over the past years has ILLEGALLY filed charges, attacked with ridiculous doctors for competency and helped Sarasota County Commission with George W. Bush, Jeb Bush and Desantis with Tom Widen, Chris Hallet, Judge Krugg and Judge Padar are attacking all Americans, causing a massive Cancer Cluster in Florida from the taps with EPA, swfwmd, Sfwmd, St. John WMD, FDEP, NYDEP, NJDEP on record now; as shown on the Sarasota County in a Fraud Transfer on October 5, 2020 on 72 Partners vs Cecil Daughtrey Case 2011 CA 04209 NC and for this frivolous case above, while kidnapping the Engineer of Record for a regional water supply project from Tampa to South Florida. Using timed CIA, George Bush, Tampa Courts and Judges down to Lee, Broward and Miami with attacks approved by US Congress on USA via H.R. 5736 Smith Mundt act that this court helps do with

Filed 12/28/2023 10:27 AM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

officers, clerks and Cops within the Courtroom, including the entire State Attorneys office Ed Brodsky and now Manatee County staff and Commission as well.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent to the State Tom Widen as well as others on Service list and related cases below who are part of related cases was furnished via E-File system email this 28th day of December, 2023 to:

/s/*Joe Gilberti*

Joseph D. Gilberti, Jr., PE
Defendant
385 Donora Blvd
Ft Myers Beach, FL 33931
813-470-6000
Gilberiwater@gmail.com
www.gilbertibluegold.com

cc. US Senate/Congress and Media; other Courts
Florida Ethics Committee
FDLE
FBI
Major Universities and Florida Schools

EXHIBIT A

NEW RICO and FRAUD on AMERICA with Terrorism acts by US Judges
CASE FILED IN PALM BEACH COUNTY
Case 50 2023 CA 016963 MB

George W. Bush, Dick Cheney, Tampa Central Command McDill Air Force Base, Central Intelligence Agency (CIA), United Nations, New York City Port Authority, New York City Department of Environmental Protection (NYDEP), New York City Police Department (NYPD), City Council of New York City, Mayor Eric Adams, Greenberg Traurig Law, Federal Bureau of Investigation (FBI), Laurence D. Fink **BLACKROCK INVESTMENT GROUP, LLC**; Harvard University, Yale University, Archdiocese of New York, Archdiocese of Miami, Boca Raton ADL, Ron Desantis, Donald Trump, Joe Biden, Barrack Obama, Jeb Bush, Nikki Haley, Elon Musk, Bill Gates and **THE PENTAGON**.

IN THE CIRCUIT COURT OF THE FIFTEENTH
JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY, FLORIDA

CIRCUIT CIVIL DIVISION: "AD"
CASE NO.: 502023CA016963XXXAMB

JOSEPH D GILBERTI,
Plaintiff/Petitioner
vs.
GEORGE W BUSH,
DONALD J TRUMP,
NEW YORK PORT AUTHORITY,
et al.,
Defendant/Respondents.
_____/

ORDER IMPLEMENTING DIFFERENTIATED CASE MANAGEMENT PLAN, DESIGNATING CASE TO THE GENERAL TRACK, ORDER SETTING CALENDAR CALL AND CASE MANAGEMENT CONFERENCE AND DIRECTING PRETRIAL AND MEDIATION PROCEDURES (DCMGJT)

THIS MATTER is a Circuit Civil case calling for a jury trial. Accordingly, it is

ORDERED AND ADJUDGED that pursuant to Administrative Order 3.110 (as amended), this case is designated to the **GENERAL TRACK**. The deadlines established by this Order are to ensure the case is **disposed of within 18 months from the date of filing.** To that end, the following procedures and deadlines shall be strictly observed:

I. **SERVICE OF THIS ORDER, ACTIVE CASE MANAGEMENT AND NON-COMPLIANCE**

Plaintiff/Petitioner is directed to serve this Order upon each Defendant/Respondent with the Initial Complaint/Petition and Summons. The deadlines and procedures set forth herein are firm and may be modified only upon a showing of a good faith attempt to comply with the deadlines or demonstration of a significant change of circumstances and through the process established in the 15th Circuit's Administrative Order 3.110 (as amended).

The parties are expected to actively manage the case and to confer early and often to ensure compliance with this order and timely resolution of the case. The parties and counsel are expected to govern themselves at all times with a spirit of cooperation, professionalism, and civility. They are expected to accommodate each other whenever reasonably possible and eliminate disputes by reasonable agreements.

Self-Represented/Pro se litigants (i.e. those without counsel) are held to the same obligations imposed upon counsel.

Motions to extend deadlines must be filed *prior* to the deadline. Untimely motions will be denied absent compelling circumstances and showing of good cause.

NONCOMPLIANCE WITH THIS ORDER, ABSENT A SHOWING OF GOOD

CAUSE, MAY RESULT IN DISMISSAL OF THE ACTION, THE STRIKING OF PLEADINGS, WITNESSES, OR EXHIBITS, REMOVAL OF THE CASE FROM THE DOCKET, DEFAULT OR ANY OTHER APPROPRIATE SANCTION.

The failure to act in good faith and comply with this order must be reported, if not resolved through a conference of the parties and good faith conferral, by filing a **"Suggestion of Non-Compliance with Pre-Trial Order"** that must be set for hearing in a timely manner. The Suggestion must name the non-compliant person, describe the act of non-compliance, be served upon all parties and sent to the Court's chambers. Responses may only be submitted upon request of the Court. Failure to correct any non-compliance before the hearing may result in sanctions as described above. The parties will notify the Court immediately if non-compliance is cured; if cured more than 7 days before the hearing, the hearing may be cancelled.

II. **SCHEDULING, CONTINUANCES AND PRETRIAL DEADLINES**

A CASE MANAGEMENT CONFERENCE and CALENDAR CALL will be held on June 20, 2025. The parties must be ready to try the case by that day. The specific time of Case Management Conference and procedures for conducting Calendar Call can be found on the Division's webpages at www.15thcircuit.com. The Calendar Call may be conducted in-person or by e-calendar.

The trial period begins the first business day of the immediately following week after the above-listed Case Management Conference and Calendar Call, unless otherwise described in the divisional instructions or by court order.

TRIAL CONTINUANCES: If a case cannot be ready for trial by the Calendar Call despite all good faith efforts, a motion to continue trial must be set for a Differentiated Case Management (DCM) Conference as described in the 15th Circuit's Administrative Order 3.110 (as amended) and the next paragraph. Any motion to continue the trial must comply with Fla. R. Civ. P. Rule 1.460, including that they are signed by the client. The Motion must be filed and the DCM Conference set no more than **30 DAYS** from the last defendant being served or as soon as circumstances giving rise to the need for a continuance becomes known and only for good cause. Every motion for a continuance must include a proposed Amended DCMO resetting each pretrial deadline that remains applicable and indicating the month the case can be ready for trial.

DCM CONFERENCES: DCM conferences are scheduled through the Circuit's Online Scheduling System under DCM- Case Management Conference Scheduling. No less than ten (10) days in advance of the DCM Conference the parties must file with the Clerk a Joint Status Report that:

1. Concisely updates the Court on the status of the case,
2. Identifies pending motions and other matters the Court needs to address, and
3. If applicable, provides a proposed revised pretrial schedule.

The parties must upload the Joint Status report at least 7 days in advance of a DCM Conference through the e-courtesy feature of the Circuit's Online Scheduling System. The parties are to be prepared at the DCM Conference to address the topics listed in Rule 1.200(a) and for the court, at its discretion, to hear or set for hearing any pending motions.

The following deadlines (discussed in detail below) apply unless otherwise modified by the Court:

	EVENTS	DESCRIPTION	COMPLETION DEADLINE
1.	Service of Complaint	See Part III.A, infra	April 23, 2024 Service under extension is only by court order.
2.	Pleading Amendments/ Adding parties	See Part III.B, infra	June 22, 2024
3.	Resolution of all motions/objections directed to the pleadings *(i.e. to dismiss or strike)* and pleadings closed *	See Part III.B, infra	August 31, 2024
4.	Expert Witnesses and Compulsory Examinations	See Part III.D, infra	February 20, 2025
5.	Witness & Exhibit Lists	See Part III.C, infra	February 20, 2025
6.	Rebuttal Witness Lists	See Part III.E, infra	March 12, 2025
7.	Filing Summary Judgment & *Daubert* Motions	See Part III.J, infra	March 22, 2025
8.	Discovery Cut-Off	See Part III.H, infra	March 22, 2025
9.	Pre-Trial Meet & Confer	See Part III.I, infra	May 21, 2025
10.	Deposition Designations	See Part III.G, infra	May 31, 2025
11.	Deadline for Mediation	See Part IV, infra	June 10, 2025
12.	Deadline to hear ALL Motions	See Part III.J, infra	June 15, 2025
13.	Jury Instructions and Verdict Form	See Part III.O, infra	June 17, 2025
14.	Trial Ready Date **	See Part II, supra	June 20, 2025

Fla. R. Gen. Prac. & Jud. Admin. Rule 2.514 governs if any deadlines falls on a weekend or holiday.

* The parties must expeditiously address any motions directed to the pleadings. Defensive motions under Rule 1.140 of the Fla. R. Civ. P., motions to extend time to file a defensive motion or pleading, and any other motion preventing the matter from being at issue shall be set for hearing within **five (5) days** of filing. The motion should be scheduled for hearing at the earliest date that the Court and parties are available.

** The Court reserves the authority to expedite the trial setting and amend the pretrial deadlines accordingly.

III. UNIFORM PRETRIAL PROCEDURES

A. Timely Service and Defaults:

Parties must make reasonable efforts to ensure speedy service. Each return of service must be separately filed for each defendant. If service is not completed within 90 days, an Order will be issued directing service by the **120 DAY**

DEADLINE. Failure to comply will result in dismissal of the case or party for lack of service. Any motions to extend the deadline for service must specify why service could not have been effectuated, what is being done to effectuate service and request only that amount of additional time necessary.

If all defendants become defaulted, a Motion for Default Final Judgment along with supporting documentation must be filed within **30 days** of the last default and set for hearing at the next available hearing time.

B. **Amendment of Pleadings, Motions Directed at Pleadings and Notice for Trial:**

Any Motions to Amend Pleadings to add parties, must be filed no later than the first business day **180 DAYS AFTER THE CASE IS FILED**.

The parties must expeditiously address any other motions directed to the pleadings. Defensive motions under Rule 1.140, Fla. R. Civ. P., motions to extend time to file a defensive motion or pleading, and any other motion preventing the matter from being at issue must be set for hearing within **5 days** of filing to be heard at the earliest date that the Court and parties are available.

If the pleadings are not closed and the case not at issue **250 DAYS AFTER FILING**, the parties must appear for a DCM Conference to be noticed and held in accordance within the 15th Circuit's Administrative Order 3.110 and Divisional Instructions located on the Circuit's website for the Division to which the case is assigned.

C. **Exhibits and Witnesses**. On the last business day no later than **120 DAYS PRIOR TO CALENDAR CALL**, the parties must exchange lists of all trial exhibits, names and addresses of all trial witnesses.

D. **Expert Witnesses and Compulsory Medical Examinations.** If Expert Witnesses or Compulsory Medical Examinations are anticipated, the Parties must confer and establish a schedule for completing related discovery, including deadlines for disclosures, written discovery, depositions and motions directed at Experts or Compulsory Medical Examiners that will result in the completion of Expert/CME Discovery and resolution of Motions directed at them at least **120 DAYS BEFORE TRIAL**.

If agreed, the parties must submit a proposed Expert/CME Scheduling Order for entry by the Court. If not, the parties must appear for a DCM Case Management Conference.

Expert Disclosures: In addition to names and addresses of each expert retained to formulate an expert opinion with regard to this cause, both on the initial listing and on rebuttal, the parties must provide:

1. The subject matter about which the expert will testify;
2. The substance of facts and opinions to which the expert will testify;
3. A summary of the grounds for each opinion;
4. A copy of any written reports issued by the expert; and
5. A copy of the expert's curriculum vitae.

One Expert Per Specialty: The parties will be limited to one expert witness per

specialty unless they obtain leave of Court to list and call more than one expert witness per specialty, no later than 60 days prior to calendar call.

E. **Rebuttal Witnesses and Exhibits.** On the last business day no later than **100 DAYS PRIOR TO CALENDAR CALL**, the parties must exchange lists of names and addresses of all rebuttal witnesses and list of any rebuttal exhibits.

F. **Additional Exhibits, Witnesses Or Objections.** At trial, the parties will be strictly limited to exhibits and witnesses disclosed and objections reserved on the schedules attached to the Pre-Trial Stipulation prepared in accordance with paragraphs D and E, absent agreement specifically stated in the Pre-Trial Stipulation or order of the Court upon good cause shown. Failure to reserve objections constitutes a waiver. A party desiring to use an exhibit or witness discovered after counsel have conferred pursuant to paragraph D must immediately furnish the Court and other counsel with a description of the exhibit or with the witness' name and address and the expected subject matter of the witness' testimony, together with the reason for the late discovery of the exhibit or witness. Use of the exhibit or witness may be allowed by the Court for good cause shown or to prevent manifest injustice.

G. **Deposition Designations.** No later than **20 DAYS PRIOR TO CALENDAR CALL**, each party must serve designation of depositions, or portions of depositions, each intends to offer as testimony. No later than **10 DAYS PRIOR TO CALENDAR CALL**, each opposing party is to serve any counter (or "fairness") designations to portions of depositions designated, together with objections to the depositions, or portions thereof, originally designated. No later than **5 DAYS BEFORE** calendar call, each party must serve any objections to counter designations served by an opposing party.

H. **Discovery Cutoff.** Unless otherwise agreed in the Pre-Trial Stipulation, all discovery must be completed no later than **90 DAYS PRIOR TO CALENDAR CALL** absent agreement for later discovery specifically stated in the Pre-Trial Stipulation or for other good cause shown. Absent unforeseeable, exigent circumstances, the failure to complete discovery is not grounds for a continuance.

I. **Pre-Trial Meet and Confer.** On the last business day no later than **30 DAYS PRIOR TO CALENDAR CALL**, the parties must confer and:

1. Discuss settlement;
2. Simplify the issues and stipulate, in writing, as to as many facts and issues as possible;
3. Prepare a Pre-Trial Stipulation in accordance with paragraph E; and
4. List all objections to trial exhibits.

J. **Motions:** The Parties must plan for, file and timely set hearings for any motions they expect the Court to address in advance of trial. **No motions will be heard the day of trial**. Few are appropriate after Calendar Call. The parties must confer early in the case and coordinate briefing and discovery schedules, as necessary, to ensure motions are timely heard.

While motion practice is critical to the advancement and streamlining of a case, the Parties are reminded they **DO NOT have an absolute right to most motions being**

heard. Failure to timely file and set motions for hearing in advance of Calendar Call will likely result the Court denying a request for hearing. Failure to file and have a motion heard is not grounds for a trial continuance.

Summary Judgment and *Daubert* Motions must be filed at least **90 DAYS prior to Calendar Call**. The parties shall confer regarding summary judgment motions to ensure discovery necessary for those motions is completed in advance of their filing.

ALL MOTIONS (including dispositive motions to motions in limine), must be heard no less than **5 days before Calendar Call**. Parties must plan and seek hearing time sufficiently in advance to ensure this deadline is met.

K. **Filing of Pre-Trial Stipulation.** It is the duty of counsel for the Plaintiff to see that the Pre-Trial Stipulation is drawn, executed by counsel for all parties, and filed with the Clerk no later than **20 DAYS PRIOR TO CALENDAR CALL**. Unilateral pretrial statements are disallowed, unless approved by the Court, after notice and hearing showing good cause. Counsel for all parties are charged with good faith cooperation in this regard. The Pre-Trial Stipulation must contain in separately numbered paragraphs:

1. A list of all pending motions including Motions *In Limine* and *Daubert* Motions requiring action by the Court and the dates those motions are set for hearing. **Motions not listed are deemed waived**.
2. Stipulated facts requiring no proof at trial which may be read to the trier of fact;
3. A statement of all issues of fact for determination at trial;
4. Lists of exhibits itemized as follows:

    a. Exhibits to be admitted by Plaintiff without objection;
    b. Exhibits to be admitted by Defendant without objection;
    c. Objected to Exhibits, with the specific basis for the objection stated.

    Note: Reasonably specific description of each exhibit is required. Non-specific descriptions like "all documents produced in discovery" will be stricken. Moreover, Objections may not be "reserved." Failure to specify an objection constitutes its waiver.
5. Each party's numbered list of trial witnesses with addresses (including all known rebuttal witnesses); the list of witnesses must be on separate schedules attached to the Stipulation;
6. A statement of total estimated time for trial, including the time needed per side for (1) jury selection, (2) opening arguments, (3) each case in chief, and (4) closing arguments.
7. Names of attorneys to try case and their contact information; and
8. The number of peremptory challenges per party.

Failure to file the Pre-Trial Stipulation or a Court Approved Unilateral Stipulation as provided above may result in the case being stricken from the Court's calendar or

other sanctions, including dismissal or default.

L. **Pre-Trial Conference pursuant to Fla. R. Civ. P. 1.200** If a pre-trial conference is set upon motion of a party or by the Court, counsel must meet and prepare a stipulation pursuant to paragraph K, infra, and file the stipulation no later than **5 DAYS BEFORE THE CONFERENCE**. Failure to request a pre-trial conference in a timely fashion constitutes a waiver of the notice of requirement of Rule 1.200. Absent prior approval, Motions for Summary Judgment will not be heard at any pre-trial conference.

M. **Pre-Marking Exhibits.** Prior to trial, each party is to mark for identification all exhibits, as directed by the clerk. (instructions and templates found at www.mypalmbeachclerk.com/departments/courts/evidence-guidelines/civil-evidence)

N. **Enlarged Jury Panels:** Local Rules require advance approval of the Chief Judge and Jury Office for jury panels exceeding 31 jurors. To ensure enough jurors are available, requests for enlarged jury panels must be resolved at least 6 months before calendar call.

O. **Jury Instructions and Verdict Form:** A joint set of proposed jury instructions and a proposed verdict form must be provided to the court no less than **3 days BEFORE TRIAL** in a printed form appropriate for submission to the jury and in Microsoft Word format.

If there is an objection to a proposed instruction, the instruction should be followed by the specific objection, a brief explanation, and a citation to legal authority. If an alternative or modified instruction is proposed, it should follow the instruction it is intended to replace.

P. **Unique Questions Of Law.** Prior to calendar call, counsel for the parties are directed to exchange and simultaneously submit to the Court appropriate memoranda with citations to legal authority in support of any unique legal questions that may reasonably be anticipated to arise during the trial.

IV. MEDIATION

A. All parties are required to participate in mediation as follows:

1. The attendance of counsel who will try the case and representatives of each party with full authority to enter into a complete compromise and settlement is mandatory. If insurance is involved, an adjuster with authority up to the policy limits must attend.
2. At least one week prior to a scheduled mediation conference, all parties are to file with the mediator a brief, written summary of the case containing a list of issues as to each party.
3. All communications at the mediation conference are privileged consistent with Florida Statutes sections 44.102 and 90.408.
4. The mediator has no power to compel or enforce a settlement agreement. If a settlement is reached, it is a responsibility of the attorneys or parties to reduce the agreement to writing and to comply with Florida Rule of Civil Procedure

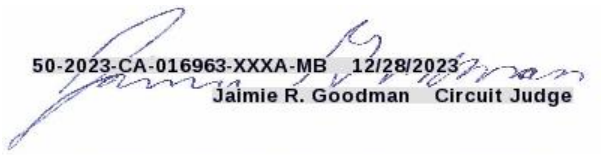
1.730(b), unless waived.

B. The Plaintiff's attorney is responsible for scheduling mediation. The parties should agree on a mediator. If they are unable to agree, any party may apply to the Court for appointment of a mediator in conformity with Rule 1.720 (j), Fla. R. Civ. P. The lead attorney or party must file and serve on all parties and the mediator a Notice of Mediation giving the time, place, and date of the mediation and the mediator's name.

C. **Completion of mediation prior to calendar call is a prerequisite to trial and must be completed no later than 10 DAYS PRIOR TO CALENDAR CALL.** If mediation is not conducted, or if a party fails to participate in mediation, the case, at the Court's discretion, may be stricken from the trial calendar, pleadings may be stricken, and other sanctions may be imposed.

D. Any party opposing mediation may proceed under Florida Rule of Civil Procedure 1.700(b).

DONE AND ORDERED in West Palm Beach, Palm Beach County, Florida.



50-2023-CA-016963-XXXA-MB 12/28/2023
Jaimie R. Goodman
Circuit Judge

A copy of this Order has been furnished to the Plaintiff. The Plaintiff shall serve this Order to the Defendant(s) in compliance with Administrative Order 3.110 (amended).

This notice is provided pursuant to Administrative Order No. 2.207-7/22

"If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact William Hutchings, Jr., Americans with Disabilities Act Coordinator, Palm Beach County Courthouse, 205 North Dixie Highway West Palm Beach, Florida 33401; telephone number (561) 355-4380 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711."

"Si usted es una persona minusválida que necesita algún acomodamiento para poder participar en este procedimiento, usted tiene derecho, sin tener gastos propios, a que se le provea cierta ayuda. Tenga la amabilidad de ponerse en contacto con William Hutchings, Jr., 205 N.

Dixie Highway, West Palm Beach, Florida 33401; teléfono número (561) 355-4380, por lo menos 7 días antes de la cita fijada para su comparecencia en los tribunales, o inmediatamente después de recibir esta notificación si el tiempo antes de la comparecencia que se ha programado es menos de 7 días; si usted tiene discapacitación del oído o de la voz, llame al 711."

"Si ou se yon moun ki enfim ki bezwen akomodasyon pou w ka patisipe nan pwosedi sa, ou kalifye san ou pa gen okenn lajan pou w peye, gen pwovizyon pou jwen kèk èd. Tanpri kontakte William Hutchings, Jr., kòòdonatè pwogram Lwa pou ameriken ki Enfim yo nan Tribinal Konte Palm Beach la ki nan 205 North Dixie Highway, West Palm Beach, Florida 33401; telefòn li se (561) 355-4380 nan 7 jou anvan dat ou gen randevou pou parèt nan tribinal la, oubyen imedyatman apre ou fin resevwa konvokasyon an si lè ou gen pou w parèt nan tribinal la mwens ke 7 jou; si ou gen pwoblèm pou w tande oubyen pale, rele 711."

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

JOSEPH D. GILBERTI, PE, a licensed Professional Engineer in the State of Florida,

Case No:_____

Plaintiff,

DEMAND FOR JURY TRIAL

v.

George W. Bush, Dick Cheney, Tampa Central Command McDill Air Force Base, Central Intelligence Agency (CIA), United Nations, New York City Port Authority, New York City Department of Environmental Protection (NYDEP), New York City Police Department (NYPD), City Council of New York City, Mayor Eric Adams, Greenberg Traurig Law, Federal Bureau of Investigation (FBI), Laurence D. Fink **BLACKROCK INVESTMENT GROUP, LLC**; Harvard University, Yale University, Archdiocese of New York, Archdiocese of Miami, Boca Raton ADL, Ron Desantis, Donald Trump, Joe Biden, Barrack Obama, Jeb Bush, Nikky Haley, Elon Musk, Bill Gates and **THE PENTAGON**.

Defendants.
_____/

COMPLAINT

Mass Torts, Racketeering Influence and Corruption Organization, Negligence, Fraud on United States of America and its Primary Water Supply from Earths Core found by Plaintiff and timed Terrorism to subdue Engineer of Record with HR 5736

Conspiracy per Title 18 US Code, 241 & 242

COMES NOW, the Plaintiff, JOSEPH D. PLAINTIFF, JR. ("Plaintiff") hereby sues Defendants listed above ("Defendants") for **Terrorism against America pursuant to HR 5736 Mod of 2012, per Article 1 Section 8, Fraud, Theft, Regional Water supply Eugenics, Racketeering, Negligence, Quieting Title, Trespass and Ejectment pursuant to Florida Statutes**, and in support thereof, states the following:

JURISDICTION AND VENUE

1. Jurisdiction of this Court is invoked pursuant to (i) Article III of the United States Constitution, (ii) the provisions of 28 U.S.C. §1331, §1343(a)(3) and (4), §2201 and §2202 and 42 U.S.C. §1983, and (iii) the provisions of 28 U.S.C. §1367.

2. Venue is proper pursuant to 28 U.S.C. § 1391.

3. At all material times, Defendants committed these unlawful violations under color of state law in bad faith and with malicious purpose in reckless, wanton, and willful disregard of Plaintiffs' human, safety, and property rights.

4. The Plaintiff, Joseph D. Gilberti, P.E., is a natural person and professional engineer doing business on approximately 2500 acres of property and mineral rights owned by Plaintiff since 2012 in Sarasota County, Florida.

5. The Defendants are doing business in from Tampa to South Florida.

6. The Defendants, show listed Government Entities from State, Local and Federal agencies above such as but not limited to, all of which do business in the State of Florida and overall USA and other Nations.

7. Private or public traded Defendants such as but not limited to, Blackrock Corporation LLC, CSX Transportation and Seminole Gulf Railway do business in Florida.

8. Defendants, Pentagon and FBI do business in the State of Florida.

9. This Court has jurisdiction over the parties and the subject matter hereto and a potential bifurcating, Change in Venue and/or merging of existing and new Federal cases across America and Florida progress which are directly related to this case.

10. Venue is appropriate in Palm Beach County, 15th Judicial Circuit for purposes of filing and discovery due to an UNDUE INFLUENCE in West and South Florida on Plaintiff's civil rights, attacks on his Children from Schools, Cops, Secret Service, FBI, US Marshals and Sheriffs to hide the resource and deter Plaintiff from prevailing and engineering and constructing infrastructure with Primary Water to the Taps of Florida, New York, New Jersey and more, for over 10yrs using DOJ to attack THE PEOPLE and their Drinking Water Supply needs, by avoiding all discovery and requested Evidentiary

hearing with Professionals in Water Supply with a gang of Judges, Lawyers, attorney Politicians, Universities and Cops on the payoff books to attack all Americans.

11. Plaintiffs bring this action pursuant 42 U.S.C. § 1983 for violations of civil rights under the First, Fourth, and Fourteenth Amendments to the United States Constitution.

12. This Court has subject-matter jurisdiction over this matter pursuant to 28 U.S.C. § 1331 (federal question) and 28 U.S.C. § 1343(a)(3) (civil rights); 28 U.S.C. § 1367 provides supplemental jurisdiction over the state law tort claims that arose from the same common nuclei of facts.

13. These constitutional law violations are "capable of repetition, yet evading review." *Roe v. Wade*, 410 U.S. 113, 125 (1973) (citing *Southern Pacific Terminal Co. v. ICC*, 219 U. S. 498, 515 (1911), *Moore v. Ogilvie*, 394 U. S. 814, 816 (1969), *Carroll v. Princess Anne*, 393 U. S. 175, 178-179 (1968), *United States v. W. T. Grant Co*., 345 U. S. 629, 632-633 (1953)).

14. THE ENGINEER was kidnapped timed with the FDEP SRF Marjorie Stoneman Douglas funding application just 17 days prior to the Marjory Stoneman Douglas Shooting in Broward where 17 were shot and 17 wounded in game tied to Smith-Mundt act where Hollywood in Los Angeles sells stories to Government to sells Manufactured news for their Propaganda agenda to attack other nations and now America since its Congressional approval under Obama in 2012 via the H.R. 5736 The Smith-Mundt Modernization Act of 2012, initiated days after our World Resource find by Tampa Central command and this Florida Enterprise of Terrorist civil servants and Developers tied to huge Corporations like Walt Disney owners, Seminole Tribe Casinos, Federal Reserve Bank and corrupt Judges in land grabs and cohersion on tax base grants for their Enterprise which includes a front called 72 Partners LLC and BFSL Holdings LLC.

ALLEGATIONS COMMON TO ALL COUNTS

15. Prior to July 26, 2013, Cecil Daughtrey Jr. and Patricia A. Daughtrey (collectively "Daughtrey") were the owners of the entire seven parcel property. However, on July 26, 2013, Daughtrey conveyed, via properly witnessed and executed Warranty Deed, a portion of the Property to PLAINTIFF. A true and correct copy of the Warranty Deed is attached as **EXHIBIT "A".** Since then a State and National attack by Florida Leaders and CIA with Bush Family has taken place on Plaintiff and Americans to hide PRIMARY WATER to TAPS of Florida for 10yrs now with a barrage of attacks to subdue the Engineer of Record and Deed Holder while attacking Daughtrey land as they didnt know exactly where the resource was on the forested ranch. **We had to hide it on Civil engineering plans during these Timed Terrorism attacks, fueled by all Florida Sheriff and FBI under Title 18 Treason.....to protect our fellow Americans from these US Terrorist Politicians and Lawyers in Florida, such as Greenberg Traurig and Henderson Franklin and all Sarasota Lawyers (its a gang) tied to Rothschild World Bank and a gang of Retarded Judges who lie, cheat and steal to kill children with Cancer Rates at the tap by PLAYING STUPID ON EVIDENTIARY HEARING and NOT ALLOWING ANY EVIDENCE while they attack with Desantis and Yale fools for 10yrs.**

16. The US Congress never finished Impeachment issues that disappeared in Media spot light once a Black Harvard Terrorist President Barrack Hussain Obama and Trump replaces the last Terrorist President tied to Harvard and Yale and Defendants with Catholic Church filled with Pedophiles tied to Epstein list in Florida.

17. George W. Bush – ex President George W. Bush who was in Sarasota Classroom day of 9-11 is into Blue Gold. See Blue Gold Bush Family and has used the Carlton Family and

72 Partners members of Notre Dame, Lee Pallardy and C1 bank/Ozark Bank Thomas Howze to pay off Judges, Clerks and Commissioners from Tampa to South Florida and up into Washington, Georgia and abroad to claim these underground resources and cases are frivolous without any Court hearings or due process. They use Smith Mundt acts and MODIFICATION in 2012 to attack Americans with the CIA and Hollywood manufactured news with this Court and many Florida courts now starting to understand this CIA highly trained and illegal coup against The Engineers rights to attack his clients and lands with Sheriffs and Judges under investigation.

18. Bush family was one of the original Presidents who created the CIA and works with Greenberg Traurig to control DOJ and more to attack Americans and their Water Supply with the DOJ and fake new or combined fake and real new timed with these cases and our permitting. The Judges avoid all due process as they are too incompetent or lazy to allow witnesses and due process.

19. Bill Clinton – Ex President associated with 72 Partners LLC, and their funders via Donnie Clark of Myakka City or Myakka Gold drug dealers. Rob Goodwin who was partners with Donnie Clark part of the same above and show a definite connection to Blue Gold Bush Family and Sarasota's 9-11 connection. See *Gilberti vs George W. Bush*, *et al* filed in New York City where THE ENGINEER now has a new project with Blue Gold from New Jersey Washington Rock to New York to save lives as the Aqua Ducts in New York can fail any day killing millions on file and sent to the mayors office and over 20 Commissioners last week.

20. 72 Partners LLC – Consist of Lee Pallardy, Thomas Howze, Kenny Harrison, and Laurence Hall. This is the front for most of the coordination with Terrorism and is a well known for Illegal activities, Title Fraud and works with Terrorism funding groups like

Greenberg Traurig Law and Israel Chemical/ Mosaic Phosphate or THE MOSAIC Company.

21. Christopher Shaw, Esq. (Hillsborough County ex-Public Defender – Attorney who fabricated AR-15 emails timed the Stoneman Douglas Shooting shown in Appendix under oath, to hide the Resource with Defendants at Stoneman Douglas and Media to attack America and this World underground Medicine Resource.

22. Defendant SCOTT ISRAEL ("Israel") was at all pertinent times the Broward County Sheriff and the decision maker AND timed the Shooting with Plaintiff's Marjorie Stoneman Douglas SRF funding Submittal, with a massive group of media and Political figures hiding a critical US Resource while creating Fear and Vaccinations with LIES using the Smith-Mundt Act Modifications of 2012 and 2013, and compromised the future careers and safety of the young DRAMA kids or students at Marjory Stoneman Douglas High school.

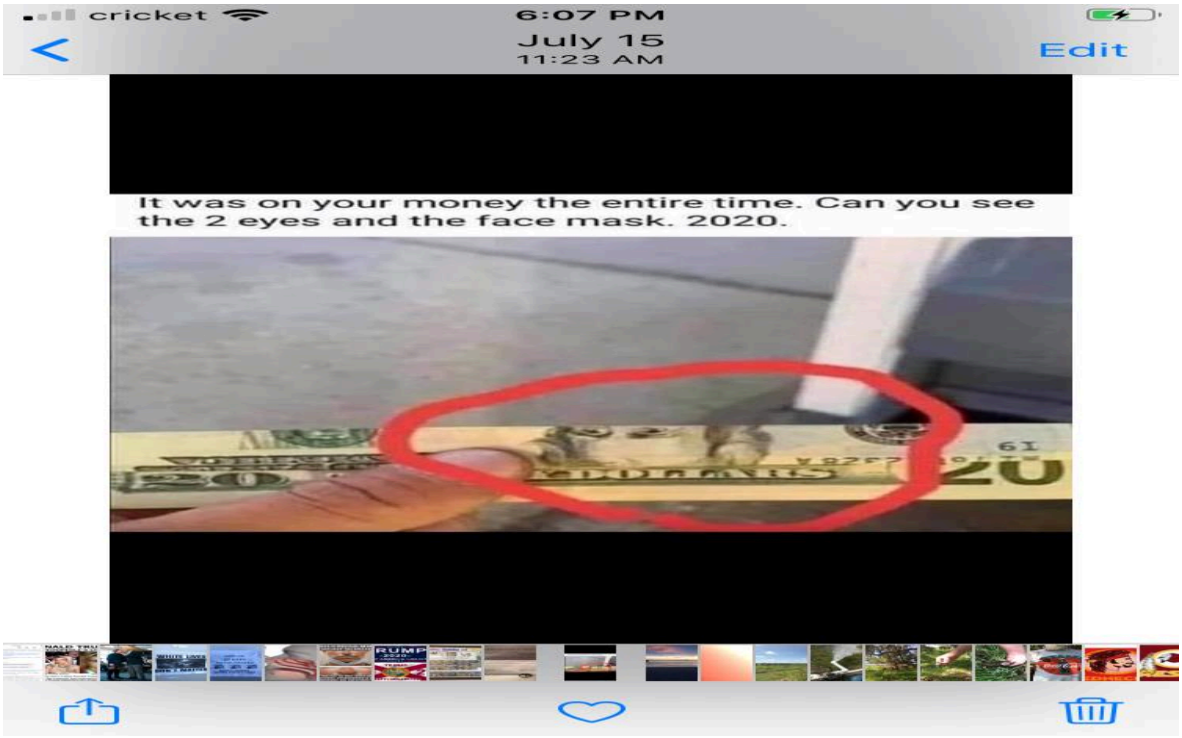
23. Defendant SCOT PETERSON ("Peterson") was at all pertinent times a Broward County deputy and was specifically tasked with protecting the Plaintiffs; even it meant risking his own life. It was and is a heroic job and one upon which people reply in the case of a life and death emergency. He was tasked with the job to protect the children at the school with the knowledge that he was possibly the only armed person in the immediate vicinity of the school. His job duties required him to run towards danger at risk of life and limb, and not to run away from danger for the sole purpose of sole-preservation. His arbitrary and conscience-shocking actions and inactions directly and predictably caused children to die, get injured, and get traumatized. Peterson is employed by the Broward County as a deputy police officer in the Marjory Stoneman Douglas High school, and at all times relevant herein was acting under the color of state law.

24. Some Defendants were present at Marjory Stoneman Douglas High school during the shooting , know of the timing of the US Resource to FDEP to Marjorie Stoneman Douglas and the offer at the School Board on March 20, 2018 just after the event, by the Defendant, of ONE MILLION DOLLARS for each shot survivor to show us your wounds with forensics, help open this secret resource timed on your shooting by FDEP and Florida-US Politicians and continued to hide the Resource with FDEP and Judges, US Marshals, Police and Media, for years knowing Tap water is based on Cancer and Viruses-Disease rates. See Gilberti vs Nikolas Cruz, et al, that has started Discovery showing how the Judge Dimitrouleas is now under Federal

NATURE OF THE ACTION

29. This is a 42 U.S. Code § 1983 federal civil rights case under the First and Fourth Amendments of the United States Constitution as applied to the States under the United States Constitution's Fourteenth Amendment for the Defendants' individual and collective personal, malicious, and unlawful violations under color of state law of Plaintiffs' individual and collective constitutional rights to free speech and protection against unreasonable search of Plaintiff's bodies as well as state tort claims for civil conspiracy. See *Gilberti vs Pentagon, et al*, in Arlington VA, Case 21-cv-680, which in includes FBI, CIA, etc., that will include this case evidence and discovery and others via *Gilberti vs CDC, et. al*, and *Gilberti vs Desantis, et al*, headed to US Supreme Court for Racketeering by Florida Department of Justice, State and US Judges, Florida Department of Law Enforcement, Florida Dept of Education & US Leaders being paid by large foreign corporations and Greenberg Traurig to time Terrorism, using FDEP and DOE agencies, and Global Corps after this resource with Florida Congress, US Presidents such as but not limited to Israel Chemical LTD/Mosaic Phosphate of Florida hiding Global

Water & Medicine Resources with EPA and Federal Reserve Board/Central Banks. This Resource has reading never seen on Earth that affects Medicine and National Defense.



This mask has been on the $20bill since 2003 and is part of the same Smith-Mundt Modification pattern used to subdue Engineer Gilberti with various Terrorist attacks shown in this complaint and multiple filed related cases throughout Florida and Washington DC.

30. Defendants are working with U.S. Federal Reserve, EPA, FEMA, CDC, WHO, Hollywood Producers, Israel Mosaic Phosphate, corrupt Judges, Court clerks, law-firms, Florida leaders, EPA and foreign Terrorist to subdue Plaintiff who found a hidden underground Natural resource in Medicine, Energy and Water Supply production and National Defense. Defendants are working in a Racketeering Enterprise with Leaders, agencies and Land Developers to destroy water supply and Americans with higher rates of Cancers, Viruses and Diseases as well as destroying the Environment, Fish & Wildlife, Tourism, Jobs and Macroeconomic growth in Florida, America and abroad. **This unique property has Geological indicators that show**

America how to find more in days and create millions of Jobs, new medicine and economic sustainability.

31. Below is a diagram of major concerns by thousands of citizens who asked Plaintiff to be the West Florida expert at Desoto County against this Enterprise and Mosaic Phosphate and Plaintiff was approved for said expert to protect millions of Floridian and Americans from this Enterprise.

32. Defendants committed these unlawful violations of Plaintiff's constitutional and state rights under color of state law in bad faith and with malicious purpose in reckless, wanton, and willful disregard of Plaintiff's human, safety, and property rights.

33. A Judiciary without honesty has little chance of executing its moral and constitutional duties, no matter how many rules of ethics exist. This is especially true in America, where the judiciary is afforded wide discretion. Every decision left up to the discretion of a judge—is a potential opportunity for corruption. Today, oil, gas, minerals, drinking water and natural resources and their entitlements are often decided by judges making decisions without the ability to understand the long term engineering and infrastructure affects of hiding massive drinking water resources of the health quality. The Judges are often influenced by local Corporations, Law-firms and bribes if the stakes are so economically high in the region, no salary could compare to the monetary corrupt bribes or offers.

Figure 1 – Israel Chemical LTD/Mosaic destroy massive surface rivers used for Raw Drinking Water Resources, Economy, Fish & Wildlife at West Florida Rivers with Phosphate mining with Defendants and Agencies in Racketeering Enterprise to fill Cancer Centers with Treated Water vs Gilberti Endless Alkaline spring water.

34. The case involves the Defendants in a massive Enterprise which consist of Judicial courts, Judges, State attorneys, public defenders, Police officers, Utility directors, water and health agencies, hard money loan sharks, local law-firms and developers who have teamed up against THE ENGINEER to steal a hidden underground resource which more valuable that

Gold, in an effort to hide it and its knowledge to find more like it from THE AMERICAN PEOPLE; and keep cancer and diseases rising in the region from Water supply being treated from polluted rivers and corporate dumping at the Taps.

By this suit, Plaintiff seeks federal district court review of the federal and Florida constitutionality of Defendants' actions for both on their face and as applied, which:

(i) Deny an impartial tribunal;

(ii) Violate United States Code, Title 4§§101 and 102;

(iii) Violate Florida Statute §876.05(1)

(IV) **CRIMES OF GENOCIDE/EUGENICS**
General Assembly resolution 260 A(III) of 9 December 1948 Entry into force: 12 January 1951, in accordance with article XIII

Having considered the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world, Recognizing that at all periods of history genocide has inflicted great losses on humanity, and being convinced that, in order to liberate mankind from such an odious scourge, international co-operation is required, Hereby agree as hereinafter provided:

Article I

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

Article II

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

(a) Killing members of the group;

(b) Causing serious bodily or mental harm to members of the group;

(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

(d) Imposing measures intended to prevent births within the group;

(e) Forcibly transferring children of the group to another group.

Article III

The following acts shall be punishable:

(a) Genocide;

(b) Conspiracy to commit genocide;

(c) Direct and public incitement to commit genocide;

(d) Attempt to commit genocide;

(e) Complicity in genocide.

35. THE ENGINEER brings this action against DEFENDANTS for a **Violation of RICO, 18 U.S.C. § 1961-1968, *et seq* (a), (b), (c) and (d).** THE ENGINEER seeks damages from DEFENDANTS who are working in a massive Enterprise tied to water supply eugenics across Florida, USA and the World with the World Health Organization in MOU agreements with the Environmental Protection Agency, FDEP in Tallahassee at the Florida Marjorie Stoneman Douglas State Revolving Fund, 2001-2010 Florida Forever Trust Funds, ESLAPP in Sarasota Florida, Global Cooperative Agreements of combined Environmental and Global Healthcare sustainability crimes by essentially hiding and/or stealing secret underground critical

National Defense Resources of 'Blue Gold'..... or ready to drink Alkaline Spring Water from Earth not Manmade.

36. The Defendants with other Racketeering Enterprises are manipulating the Department of Education and Courtroom Judges, Police, Fire and University personal and systems to subdue Appellant timed with civil cases, permitting, investment proposals to hide critical a unique drinking water and resource 2000ft below the plaintiff's Sarasota land, verified by third party consultants.

37. This unique resource was hidden 50yrs by NASA and EPA, to stall new energy production resources and new science to depopulate Humanity, increase costs, pollutions, and attack THE ENGINEER from exposing the knowledge and resource to THE PEOPLE of the United States of American and Florida; preventing his ability to Due process in courtrooms, taking his 1st, 2nd, 4th, 5th, 6th, 8th and 14th Constitutional Amendments with multiple Judges in multiple jurisdictions working together to hide the US Resource for foreign corps like Israel Chemical LTD, Mosaic Phosphate and more; retroactive with the unique resource discovery. A full blown attack on the Engineer, his clients, his family, children, bank accounts, reputation and business has been taking place continuously from 2011 to present time, with fake AR-15 emails created by the Tampa State Attorney office and ex-public defenders. .

38. Defendants are attacking a National Security resource and future Blue Gold pipeline project that produces millions in profits per day. While damaging millions of US Citizens with lower level of service water supply from poor raw drinking water resources that are heavily treated with chemicals vs. natural endless alkaline spring water; causing higher Cancer Rates at the home and business taps, bottling plants, parks, schools, and more. While increasing the possibilities of Viruses like Zika and Coronavirus, hiding answers to Vaccines, medicine solutions, energy solutions, and new technologies by hiding secret underground critical US

Resources such as this resource with never seen endless new Water mixtures that are unique to Human health.

IV. FACTUAL ALLEGATIONS

39. Plaintiff is located and does business within the State of Florida and United States of America.

40. Defendants are located and do business within the State of Florida and United States of America.

41. All defendants are State actors, and as such, the United States Constitution governs their individual and collective actions when acting on Tax payer behalf to protect the public.

42. Defendants formal and informal policies, written or unwritten, allowed, encouraged or enabled Defendants to violate Plaintiffs' individual constitutional rights and conspire to commit these constitutional violations.

43. This issue is a matter of great public concern. A Global hidden underground Drinking Water, new Medicine and Energy Resource has been found and is being attacked by a pool of Judges, Agency personnel, Law Firms and Court Circuits in West Florida and Washington DC to hide this critical National Defense Resource from America for foreign owned corporations infiltrating Florida Politicians, having a great impact upon Florida students, their families, and Florida's citizens.

44. Defendants retaliated against Plaintiff who was exercising his free speech rights when Defendants in a Racketeering Enterprise to sell bottling, Cancer Centers and Pharmaceutical medicine due to Low Level of Service drinking water supply at the tap from very low level of Service RAW WATER RESOURCES. Defendants attacked his land in Sarasota,

his family, his clients and projects when Plaintiff was whistleblowing the US Resource with permitting submittals, mass emails, and social media posts in an effort of Redress of Grievance.

44. Defendants illegally with falsified police reports involving AR-15 death threats to Plaintiffs 1st, 2nd, 4th, 5th, 6th, 8th and 14th Amendment rights under the United States Constitution.

45. Plaintiffs continued to suffer Defendants' individual and collective retaliation for voicing their concerns over this unconstitutional forced low level of service of water supply causing higher cancer rates, diseases and viruses to millions of Americans in the West and South Florida Regions.

46. These deprivations under color of state law are actionable under and may be redressed by 42 U.S.C. §1983. Plaintiffs will seek their attorneys' fees and costs under 42 U.S.C. §1988 if and when they prevail.

V. COUNT 1 - CIVIL RIGHTS ALLEGATIONS

47. Plaintiff sent files, plans, and readings with email copies to several recipients, local agencies, County attorneys, media and consultants, to expose this World hidden underground Resource by attaining transparency, and properly exercising his First Amendment rights.

48. Plaintiff's civil rights, freedom, projects, incomes were attacked by Defendants, their court influences, Judges, local police, law firms with fake police reports, confessions and time terrorist attacks to raise bonds timed with civil land cases to subdue him.

49. These court docket games with software turnover in other county circuits, timed with Judges and law-firms, who are all harboring the terrorism and hiding access to secret underground endless Oceans of unique spring to millions of Taps and Earth Science critical to Humanity. See Timeline of Events below:

50. Below is a rough indicator of the unbelievable corruption that took place in front of everyone while they watched in fear just like the masks for the FAKE CORONVIRUS PANDEMIC by the same group and more.

COUNT VIII –CIVIL RICO
(CIVIL REMEDIES FOR CRIMINAL PRACTICES ACT)

51. This is an action for damages which exceed $15,000.00, exclusive of interest, costs and attorney's fees for violation of the Civil Remedies for Criminal Practices Act ("CCFCPA").

52. The Plaintiff re-allege the allegations contained in paragraphs 2 through 88, above, as though the same were fully set forth herein.

53. Defendants conspired or endeavored to acquire and maintain an interest in the real property owned by the Plaintiff, through a pattern of criminal activity or through the collection of an unlawful debt and usage of US and State Tax base within a Fraudulent Transfer of over 2000 acres switched out.

54. At all material times, Defendants were associated with an enterprise, which from approximately January, 2010 through the present has functioned as a continuing unit and has been engaged in an ongoing and continuing course of conduct with the common purpose of obtaining an ownership or other interest in the Plaintiff' land and mineral rights, and/or for the purpose of achieving or maintaining a monopoly power on its benefits to hide it and destroy Americans.

55. In furtherance of such goals, the enterprise engaged in a pattern of criminal activity including, but not limited to, violations of Chapter 838, Florida Statutes, relating to bribery and misuse of public office, and violations of §817.54, Florida Statutes, by obtaining the Mortgage, Note and other Loan Documents and Title by false pretenses.

56. Defendants participated and/or conspired to participate in said enterprise through a pattern of criminal activity and/or the collection of an unlawful debt.

57. As a direct result of the foregoing, the Engineer has suffered, and is continuing to suffer, damages.

COUNT IX –28 U.S.C. §3304 (b)(1)(A)
Transfer with Intent to Hinder, Delay or Defraud a Creditor

58. The Plaintiff re-alleges the allegations contained in paragraphs 2 through 93, above, as through the same were fully set forth herein.

59. Defendants transferred ownership interests with actual intent to hinder, delay or defraud Plaintiff, including without limitation, the tax base used to purchase the lands in fraud to keep treated water pumping vs filtered spring water with lower water bills and cancer rates. Also in an effort to hide the Global medicine and water supply knowledge to desert nations like Israel and the Middle East where Water is not available, as well as lying to the Public on reasons for the land purchase at Sarasota parks department.

60. With respect to the Fraudulent Transfer on October 5, 2020 via Sarasota case 2011 CA 04209 NC, the following badges of fraud, among others, are applicable and are to be considered in determining actual intent:

a. the transfer was to an insider:
b. 72 Partners LLC, its assigns of deeds, and Sarasota County retained possession or control of property after it was transferred fraudulently.
c. No consideration was received by Plaintiff and his civil rights were attacked and his life was attacked to insure the Defendants can hide the Regional underground river of spring water supply.
d. The transfer occurred shortly after Plaintiff was illegally arrested with false police reports by Defendants.

COUNT X –Fla Stat. § 726.105 (1)(a)
Transfer with Intent to Hinder, Delay or Defraud a Creditor

61. The Plaintiff re-alleges the allegations contained in paragraphs 2 through 96, above, as through the same were fully set forth herein.

62. Defendants transferred ownership interests with actual intent to hinder, delay or defraud Plaintiff, including without limitation, the tax base used to purchase the lands in fraud to keep treated water pumping vs filtered spring water with lower water bills and cancer rates. Also in an effort to hide the Global medicine and water supply knowledge to desert nations like Israel and the Middle East where Water is not available, as well as lying to the Public on reasons for the land purchase at Sarasota parks department.

63. With respect to the Fraudulent Transfer on October 5, 2020 via Sarasota case 2011 CA 04209 NC, the following badges of fraud, among others, are applicable and are to be considered in determining actual intent:

    a. the transfer was to an insider:
    b. 72 Partners LLC, its assigns of deeds, and Sarasota County retained possession or control of property after it was transferred fraudulently.
    c. No consideration was received by Plaintiff and his civil rights were attacked and his life was attacked to insure the Defendants can hide the Regional underground river of spring water supply.
    d. The transfer occurred shortly after Plaintiff was illegally arrested with false police reports by Defendants.
    e. Ryan Snyder switched out the legal description the day of the online sale, while 72 Partners and Defendants used to online bids with Defendants in a scheme with software, with Judges in all the region, including all 2ndDCA judges who sit in a merit panel and are locked in from being voted out for years while attacking defendant with lower court gangs of Judges, attorney Politicians like Ron Desantis, and defendants who are all mostly lawyers.

COUNT XI
Equitable Lien Foreclosure

64. The Plaintiff re-allege the allegations contained in paragraphs 2 through 99, above, as through the same were fully set forth herein.

65. Defendants were paid with funds obtained through fraud or egregious conduct.

66. Defendants used over $5.5 million in tax base to invest in, purchase and or fraud and subdue Plaintiff land, life and civil rights timed with US Terrorism acts using media to

hide it and DOJ to attack Plaintiff and the global knowledge and/or regional project to the State of Florida.

COUNT XII -28 U.S.C. § 1346
FEDERAL TORTS CLAIM ACT (FTCA)

67. The Plaintiff re-allege the allegations contained in paragraphs 2 through 102, above, as through the same were fully set forth herein.

68. Defendants have used Federal and State funds to hide ENDLESS AND LESS EXPENSIVE Primary Water raw drinking water resources from Tampa to Miami and now New Jersey and New York as Plaintiff discovered another access to Primary Water at Washington Rock in NJ to **save New York $100 million/day** in cost where the drinking water is spring water and also endless without contaminants.

69. Federal Tort Claims Act (August 2, 1946, ch. 646, Title IV, 60 Stat. 812, 28 U.S.C. Part VI, Chapter 171 and 28 U.S.C. § 1346) ("FTCA") is a 1946 federal statute that permits private parties to sue the United States in a federal court for most torts committed by persons acting on behalf of the United States.

70. Defendants **stole over $5.5 million** in tax base to invest in, purchase and or fraud and subdue Plaintiff Sarasota land, life and civil rights timed with US Terrorism acts using media to hide it and DOJ to attack Plaintiff and the global knowledge and/or regional project to the State of Florida.

WHEREFORE, the Plaintiff demands judgment against Defendants for damages, reasonable attorneys' fees, costs, and such further relief as the Court may deem proper. Plaintiff respectfully requests this Honorable Court GRANT this Complaint, enter a Judgment for full

possession of the Property of the Plaintiff and quieting title and all persons claiming interest under the Defendants; and additionally:

A. Pursuant to 28 U.S.C. §3306 (a)(1), the avoidance of the fraudulent transfers to the extent necessary to satisfy the loss of life from Cancer rates and loss of revenue to the State and THE CITIZENS from higher water bills, and losses to the Plaintiff, his project revenues when pumping over 750MGD to the public for the past 5-10 years.

B. Pursuant to Fla Stat. 726.108(1)(a), the avoidance of the fraudulent transfers described above and attached to the extent necessary to satisfy the disgorgement and damages by Defendants on the Plaintiff.

C. Evaluate Connection agreement for Water supply with Plaintiff and Peace River Manasota Water Supply, Lower West Coast Service Area and South Florida down to Naples along Seminole Gulf Railway (formally owned by CSX sold and timed with Terrorism acts with Help of BLACKROCK AND VANGUARD with Bill Gates Canadian Railways, Amtrak and the Federal Railway Association.

D. Call in all continuing service civil engineers, municipal staff at Manatee, Sarasota, Charlotte, Lee County and local utility departments and arrest all Utility staff and directors for Treason.

E. Investigate and arrest Defendants involved specifically in the October 5, 2021 sale fraud by pulling Meta data experts as well as the October 14, 2013 trial on Cecil Daughtrey that never got notice due to E-file software being uploaded for the first time and suddenly a trial during an Obama HP Glitch Federal shutdown on Columbus day, while Plaintiff is attacked with fabricated emails by Hillsborough State Attorneys office who has a long standing relationship with many of the defendants to subdue Plaintiff timed with permits, civil actions and more.

F. Lockup all existing livestock and turn over full possession of livestock to Plaintiff for sale.

G. Inventory all proceeds of bought and sold livestock from Defendants or others on this property and compensate Plaintiff 3x the value of the amounts.

H. Call in agents from at least 25 other states from Pentagon and FBI and experts on 10yr timeline of Terrorism by Florida FBI and arrest all who knew for Conspiring

against Plaintiff and Americans with Terrorism acts involving all Florida Politicians and Sheriffs;

I. Report to 50 states of Attorney Generals as cases get BIFURCATED and all Circuit 12, 13, 17 and 20 Judges get called in on GENERAL ETHICS knowing of this Terrorism Timeline at the DOJ for 10yrs and still ongoing.

J. Recommend arrest for Title 18 US Code to Attorney General for all who conspired using H.R. 5736 or other means on this underground critical knowledge that would have saved millions of lives since the April 3, 2013 find by Plaintiff and 12 days later the Obama – 9-11 Sarasota gang of Terrorist Lawyers-Media-FBI-CIA-Navy Seals did the Boston Bomb with Tampa Central command, their Yale-Harvard Lawyer Ron Desantis; the NAVY SEAL ATTORNEY TERRORIST who coordinated it with all US CONGRESS which will be proven as this complaint as discovery proceeds.

K. Allow depositions to Desantis and all Judges with transcripts showing 72 Partners and their attorneys blaming Sarasota County for the fraudulent sale that stole over $500 billion (due to Primary Water access and land size & location with Florida development, medicine and Port control from Tampa to Naples/Miami) in land on October 5, 2020 with Desantis and all Florida Politicians, Trump, Biden and Media influencing Circuit 12, 13, 17, 20, and Tampa Middle District, Florida Southern District, showing obvious FRAUD for $187,000 sale of 2500acres while Plaintiff is kidnapped for the 23rd time in 10yrs;

L. Call in Plaintiffs witnesses and allow time for discover on new lawsuits coming in related by Plaintiffs new councils being interviewed for new case and filing.

M. Freeze all spending for Environmental and State Water Supply Revolving funds from Tampa to Miami until Sarasota Commission, Florida Sheriffs and Media are detained for US Treason and Eugenics.

N. Detain Ashley Moody and all Judges, State Attorneys and Law firms with Military and FBI for Title 18 US Code 241 & 242 immediately and stop the Treachery by the entire State of Florida Politicians, US Congress and Media.

O. Allow time to potentially merge case with new incoming mortgage and title fraud case by attorneys, as well as negotiation that are pending with *Plaintiff vs Carmine Marceno-Pentagon*, et al, Lee case 2022 CA 03080 NC and many others merging with this case. The civil right attacks are from State to Federal officers.

P. Testimony coming on transcripts will prove Judge Walker, in Cecil Daughtrey foreclosure sale, Defendants and their council's frauded America and millions of Florida tax payers with FDEP and more with over 25 to 50 Judges in the West and South Florida region using UNDUE INFLUENCE on Plaintiff Rights to attack America and Water Supply in the Region with US Congress who in-acted WAR on America on May 10, 2012, per HR 5736, pursuant to Article 1 Section 8 of the US Constitution with the UNDUE INFLUENCE of the Federal Reserve Banks and CDC games with a Fake Media Pandemic.

Q. Arrest George, Jeb and Marvin Bush with US Military and order a Water pump report and health scan to let American realize all US Congress, Desantis, Florida, New York to California hid this Florida resource and Global knowledge to maintain Wars in Middle East and World Hunger for years. Arrest all Tampa to Miami Judges who knew and Sheriffs for Title 18 USC 241-242.

R. Allow a 5 Day Evidentiary Hearing on all issue immediately for the Public before another US President gets in trouble for being a Chicken on Water Supply this Critical.

Dated this 25h day of December, 2023.

/s/ *Joe Gilberti*

Joseph D. Gilberti PE
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EXHIBIT "A".

Impeaching George W. Bush, President of the United States, of high crimes and misdemeanors.

IN THE HOUSE OF REPRESENTATIVES

June 10, 2008

Mr. Kucinich submitted the following resolution

June 11, 2008

By motion of the House, referred to the Committee on the Judiciary

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RESOLUTION

Impeaching George W. Bush, President of the United States, of high crimes and misdemeanors.

Resolved, That President George W. Bush be impeached for high crimes and misdemeanors, and that the following articles of impeachment be exhibited to the United States Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of the people of the United States of America, in maintenance and support of its impeachment against President George W. Bush for high crimes and misdemeanors.

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has committed the following abuses of power.

Article I--Creating a Secret Propaganda Campaign To Manufacture a False Case for War Against Iraq

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, illegally spent public dollars on a secret propaganda program to manufacture a false cause for war against Iraq.

The Department of Defense (DOD) has engaged in a years-long secret domestic propaganda campaign to promote the invasion and occupation of Iraq. This secret program was defended by the White House Press Secretary following its exposure. This program follows the pattern of crimes detailed in articles I, II, IV, and VIII. The mission of this program placed it within the field controlled by the White House Iraq Group (WHIG), a White House task-force formed in August 2002 to market an invasion of Iraq to the American people. The group included Karl Rove, I. Lewis Libby, Condoleezza Rice, Karen Hughes, Mary Matalin, Stephen Hadley, Nicholas E. Calio, and James R. Wilkinson.

The WHIG produced white papers detailing so-called intelligence of Iraq's nuclear threat that later proved to be false. This supposed intelligence included the claim that Iraq had sought uranium from Niger as well as the claim that the high strength aluminum tubes Iraq purchased from China were to be used for the sole purpose of building centrifuges to enrich uranium. Unlike the National Intelligence Estimate of 2002, the WHIG's white papers provided ``gripping images and stories'' and used ``literary license'' with intelligence. The WHIG's white papers were written at the same time and by the same people as speeches and talking points prepared for President Bush and some of his top officials.

The WHIG also organized a media blitz in which, between September 7-8, 2002, President Bush and his top advisers appeared on numerous interviews and all provided similarly gripping images about the possibility of nuclear attack by Iraq. The timing was no coincidence, as Andrew Card explained in an interview regarding waiting until after Labor Day to try to sell the American people on military action against

Iraq, ``From a marketing point of view, you don't introduce new products in August.".
September 7-8, 2002:
NBC's ``Meet the Press'': Vice President Cheney accused Saddam of moving aggressively to develop nuclear weapons over the past 14 months to add to his stockpile of chemical and biological arms.
CNN: Then-National Security Adviser Rice said, regarding the likelihood of Iraq obtaining a nuclear weapon, ``We don't want the smoking gun to be a mushroom cloud.".
CBS: President Bush declared that Saddam was ``six months away from developing a weapon'', and cited satellite photos of construction in Iraq where weapons inspectors once visited as evidence that Saddam was trying to develop nuclear arms.
The Pentagon military analyst propaganda program was revealed in an April 20, 2002, New York Times article. The program illegally involved ``covert attempts to mold opinion through the undisclosed use of third parties''. Secretary of Defense Donald Rumsfeld recruited 75 retired military officers and gave them talking points to deliver on Fox, CNN, ABC, NBC, CBS, and MSNBC, and according to the New York Times report, which has not been disputed by the Pentagon or the White House, ``Participants were instructed not to quote their briefers directly or otherwise describe their contacts with the Pentagon.".
According to the Pentagon's own internal documents, the military analysts were considered ``message force multipliers'' or ``surrogates'' who would deliver administration ``themes and messages'' to millions of Americans ``in the form of their own opinions''. In fact, they did deliver the themes and the messages but did not reveal that the Pentagon had provided them with their talking points. Robert S. Bevelacqua, a retired Green Beret and Fox News military analyst described this as follows: ``It was them saying, `We need to stick our hands up your back and move your mouth for you.'.".
Congress has restricted annual appropriations bills since 1951 with this language: ``No part of any appropriation contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.".
A March 21, 2005, report by the Congressional Research Service states that ``publicity or propaganda'' is defined by the U.S. Government Accountability Office (GAO) to mean either (1) self-aggrandizement by public officials, (2) purely partisan activity, or (3) ``covert propaganda''.
These concerns about ``covert propaganda'' were also the basis for the GAO's standard for determining when government-funded video news releases are illegal:
``The failure of an agency to identify itself as the source of a prepackaged news story misleads the viewing public by encouraging the viewing audience to believe that the broadcasting news organization developed the information. The prepackaged news stories are

purposefully designed to be indistinguishable from news segments broadcast to the public. When the television viewing public does not know that the stories they watched on television news programs about the government were in fact prepared by the government, the stories are, in this sense, no longer purely factual--the essential fact of attribution is missing.".

The White House's own Office of Legal Council stated in a memorandum written in 2005 following the controversy over the Armstrong Williams scandal:

``Over the years, GAO has interpreted `publicity or propaganda' restrictions to preclude use of appropriated funds for, among other things, so-called `covert propaganda'. . . . Consistent with that view, the OLC determined in 1988 that a statutory prohibition on using appropriated funds for `publicity or propaganda' precluded undisclosed agency funding of advocacy by third-party groups. We stated that `covert attempts to mold opinion through the undisclosed use of third parties' would run afoul of restrictions on using appropriated funds for `propaganda'.".

Asked about the Pentagon's propaganda program at White House press briefing in April 2008, White House Press Secretary Dana Perino defended it, not by arguing that it was legal but by suggesting that it ``should'' be: ``Look, I didn't know look, I think that you guys should take a step back and look at this look, DOD has made a decision, they've decided to stop this program. But I would say that one of the things that we try to do in the administration is get information out to a variety of people so that everybody else can call them and ask their opinion about something. And I don't think that that should be against the law. And I think that it's absolutely appropriate to provide information to people who are seeking it and are going to be providing their opinions on it. It doesn't necessarily mean that all of those military analysts ever agreed with the administration. I think you can go back and look and think that a lot of their analysis was pretty tough on the administration. That doesn't mean that we shouldn't talk to people.".

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article II--Falsely, Systematically, and With Criminal Intent Conflating the Attacks of September 11, 2001 With Misrepresentation of Iraq as an Imminent Security Threat as Part of a Fraudulent Justification for a War of Aggression

In his conduct while President of the United States, George W.

Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, executed a calculated and wide-ranging strategy to deceive the citizens and Congress of the United States into believing that there was and is a connection between Iraq and Saddam Hussein on the one hand, and the attacks of September 11, 2001, and al Qaeda, on the other hand, so as to falsely justify the use of the United States Armed Forces against the nation of Iraq in a manner that is damaging to the national security interests of the United States, as well as to fraudulently obtain and maintain congressional authorization and funding for the use of such military force against Iraq, thereby interfering with and obstructing Congress's lawful functions of overseeing foreign affairs and declaring war.

The means used to implement this deception were and continue to be, first, allowing, authorizing and sanctioning the manipulation of intelligence analysis by those under his direction and control, including the Vice President and the Vice President's agents, and second, personally making, or causing, authorizing and allowing to be made through highly-placed subordinates, including the President's Chief of Staff, the White House Press Secretary and other White House spokespersons, the Secretaries of State and Defense, the National Security Advisor, and their deputies and spokespersons, false and fraudulent representations to the citizens of the United States and Congress regarding an alleged connection between Saddam Hussein and Iraq, on the one hand, and the September 11th attacks and al Qaeda, on the other hand, that were half-true, literally true but misleading, and/or made without a reasonable basis and with reckless indifference to their truth, as well as omitting to state facts necessary to present an accurate picture of the truth as follows:

(1) On or about September 12, 2001, former terrorism advisor Richard Clarke personally informed the President that neither Saddam Hussein nor Iraq was responsible for the September 11th attacks. On September 18, Clarke submitted to the President's National Security Adviser Condoleezza Rice a memo he had written in response to George W. Bush's specific request that stated: (1) the case for linking Hussein to the September 11th attacks was weak; (2) only anecdotal evidence linked Hussein to al Qaeda; (3) Osama Bin Laden resented the secularism of Saddam Hussein; and (4) there was no confirmed reporting of Saddam Hussein cooperating with Bin Laden on unconventional weapons.

(2) Ten days after the September 11th attacks the President received a President's Daily Briefing which indicated that the

U.S. intelligence community had no evidence linking Saddam Hussein to the September 11th attacks and that there was ``scant credible evidence that Iraq had any significant collaborative ties with Al Qaeda".
(3) In Defense Intelligence Terrorism Summary No. 044-02, issued in February 2002, the United States Defense Intelligence Agency cast significant doubt on the possibility of a Saddam Hussein-al Qaeda conspiracy: ``Saddam's regime is intensely secular and is wary of Islamic revolutionary movements. Moreover, Baghdad is unlikely to provide assistance to a group it cannot control.".
(4) The October 2002 National Intelligence Estimate gave a ``Low Confidence" rating to the notion of whether ``in desperation Saddam would share chemical or biological weapons with Al Qaeda". The CIA never informed the President that there was an operational relationship between al Qaeda and Saddam Hussein; on the contrary, its most ``aggressive" analysis contained in ``Iraq and al-Qa'ida: Interpreting a Murky Relationship" dated June 21, 2002, was that Iraq had had ``sporadic, wary contacts with al-Qa'ida since the mid-1990s rather than a relationship with al-Qa'ida that has developed over time".
(5) Notwithstanding his knowledge that neither Saddam Hussein nor Iraq was in any way connected to the September 11th attacks, the President allowed and authorized those acting under his direction and control, including Vice President Richard B. Cheney and Lewis Libby, who reported directly to both the President and the Vice President, and Secretary of Defense Donald Rumsfeld, among others, to pressure intelligence analysts to alter their assessments and to create special units outside of, and unknown to, the intelligence community in order to secretly obtain unreliable information, to manufacture intelligence or reinterpret raw data in ways that would further the Bush administration's goal of fraudulently establishing a relationship not only between Iraq and al Qaeda, but between Iraq and the attacks of September 11th.
(6) Further, despite his full awareness that Iraq and Saddam Hussein had no relationship to the September 11th attacks, the President, and those acting under his direction and control have, since at least 2002 and continuing to the present, repeatedly issued public statements deliberately worded to mislead, words calculated in their implication to bring unrelated actors and circumstances into an artificially contrived reality thereby facilitating the systematic deception of Congress and the American people. Thus the public and some members of Congress, came to believe, falsely, that there was a connection between Iraq and the attacks of 9/11. This was accomplished through well-publicized statements by the Bush

Administration which contrived to continually tie Iraq and 9/11 in the same statements of grave concern without making an explicit charge:

(A) ``[If] Iraq regimes [sic] continues to defy us, and the world, we will move deliberately, yet decisively, to hold Iraq to account. . . . It's a new world we're in. We used to think two oceans could separate us from an enemy. On that tragic day, September the 11th, 2001, we found out that's not the case. We found out this great land of liberty and of freedom and of justice is vulnerable. And therefore we must do everything we can--everything we can--to secure the homeland, to make us safe." Speech of President Bush in Iowa on September 16, 2002.

(B) ``With every step the Iraqi regime takes toward gaining and deploying the most terrible weapons, our own options to confront that regime will narrow. And if an emboldened regime were to supply these weapons to terrorist allies, then the attacks of September 11th would be a prelude to far greater horrors." March 6, 2003, Statement of President Bush in National Press Conference.

(C) ``The battle of Iraq is one victory in a war on terror that began on September the 11, 2001--and still goes on. That terrible morning, 19 evil men--the shock troops of a hateful ideology--gave America and the civilized world a glimpse of their ambitions. They imagined, in the words of one terrorist, that September the 11th would be the `beginning of the end of America'. By seeking to turn our cities into killing fields, terrorists and their allies believed that they could destroy this nation's resolve, and force our retreat from the world. They have failed." May 1, 2003, Speech of President Bush on U.S.S. Abraham Lincoln.

(D) ``Now we're in a new and unprecedented war against violent Islamic extremists. This is an ideological conflict we face against murderers and killers who try to impose their will. These are the people that attacked us on September the 11th and killed nearly 3,000 people. The stakes are high, and once again, we have had to change our strategic thinking. The major battleground in this war is Iraq." June 28, 2007, Speech of President Bush at the Naval War College in Newport, Rhode Island.

(7) Notwithstanding his knowledge that there was no credible evidence of a working relationship between Saddam Hussein and al Qaeda and that the intelligence community had

specifically assessed that there was no such operational relationship, the President, both personally and through his subordinates and agents, has repeatedly falsely represented, both explicitly and implicitly, and through the misleading use of selectively-chosen facts, to the citizens of the United States and to the Congress that there was and is such an ongoing operational relationship, to wit:

(A) ``We know that Iraq and al Qaeda have had high-level contacts that go back a decade. Some al Qaeda leaders who fled Afghanistan went to Iraq. These include one very senior al Qaeda leader who received medical treatment in Baghdad this year, and who has been associated with planning for chemical and biological attacks. We've learned that Iraq has trained al Qaeda members in bomb-making and poisons and deadly gases." September 28, 2002, Weekly Radio Address of President Bush to the Nation.

(B) ``[W]e we need to think about Saddam Hussein using al Qaeda to do his dirty work, to not leave fingerprints behind." October 14, 2002, Remarks by President Bush in Michigan.

(C) ``We know he's got ties with al Qaeda." November 1, 2002, Speech of President Bush in New Hampshire.

(D) ``Evidence from intelligence sources, secret communications, and statements by people now in custody reveal that Saddam Hussein aids and protects terrorists, including members of al Qaeda. Secretly, and without fingerprints, he could provide one of his hidden weapons to terrorists, or help them develop their own." January 28, 2003, President Bush's State of the Union Address.

(E) ``[W]hat I want to bring to your attention today is the potentially much more sinister nexus between Iraq and the al Qaeda terrorist network, a nexus that combines classic terrorist organizations and modern methods of murder. Iraq today harbors a deadly terrorist network. . . ." February 5, 2003, Speech of Former Secretary of State Colin Powell to the United Nations.

(F) ``The battle of Iraq is one victory in a war on terror that began on September the 11, 2001--and still goes on. . . . [T]he liberation of Iraq . . . removed an ally of al Qaeda." May 1, 2003, Speech of President Bush on U.S.S. Abraham Lincoln.

(8) The Senate Select Committee on Intelligence Report on Whether Public Statements Regarding Iraq by U.S. Government Officials Were Substantiated by Intelligence Information, which

was released on June 5, 2008, concluded that:
(A) ``Statements and implications by the President and Secretary of State suggesting that Iraq and al-Qa'ida had a partnership, or that Iraq had provided al-Qa'ida with weapons training, were not substantiated by the intelligence.".
(B) ``The Intelligence Community did not confirm that Muhammad Atta met an Iraqi intelligence officer in Prague in 2001 as the Vice President repeatedly claimed.".
Through his participation and instance in the breathtaking scope of this deception, the President has used the highest office of trust to wage a campaign of deception of such sophistication as to deliberately subvert the national security interests of the United States. His dishonesty set the stage for the loss of more than 4,000 United States servicemembers; injuries to tens of thousands of soldiers, the loss of more than 1,000,000 innocent Iraqi citizens since the United States invasion; the loss of approximately $527 billion in war costs which has increased our Federal debt and the ultimate expenditure of three to five trillion dollars for all costs covering the war; the loss of military readiness within the United States Armed Services due to overextension, the lack of training and lack of equipment; the loss of United States credibility in world affairs; and the decades of likely blowback created by the invasion of Iraq.
In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article III--Misleading the American People and Members of Congress To Believe Iraq Possessed Weapons of Mass Destruction, so as To Manufacture a False Case for War

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, executed instead a calculated and wide-ranging strategy to deceive the citizens and Congress of the United States into believing that the nation of Iraq possessed weapons of mass destruction in order to justify the use of the United States Armed Forces against the nation of Iraq in a

manner damaging to our national security interests, thereby interfering with and obstructing Congress's lawful functions of overseeing foreign affairs and declaring war.

The means used to implement this deception were and continue to be personally making, or causing, authorizing and allowing to be made through highly-placed subordinates, including the President's Chief of Staff, the White House Press Secretary and other White House spokespersons, the Secretaries of State and Defense, the National Security Advisor, and their deputies and spokespersons, false and fraudulent representations to the citizens of the United States and Congress regarding Iraq's alleged possession of biological, chemical and nuclear weapons that were half-true, literally true but misleading, and/or made without a reasonable basis and with reckless indifference to their truth, as well as omitting to state facts necessary to present an accurate picture of the truth as follows:

(1) Long before the March 19, 2003, invasion of Iraq, a wealth of intelligence informed the President and those under his direction and control that Iraq's stockpiles of chemical and biological weapons had been destroyed well before 1998 and that there was little, if any, credible intelligence that showed otherwise. As reported in the Washington Post in March of 2003, in 1995, Saddam Hussein's son-in-law Hussein Kamel had informed U.S. and British intelligence officers that ``all weapons--biological, chemical, missile, nuclear were destroyed.'' In September 2002, the Defense Intelligence Agency issued a report that concluded: ``A substantial amount of Iraq's chemical warfare agents, precursors, munitions and production equipment were destroyed between 1991 and 1998 as a result of Operation Desert Storm and UNSCOM actions . . . [T]here is no reliable information on whether Iraq is producing and stockpiling chemical weapons or whether Iraq has--or will--establish its chemical warfare agent production facilities.'' Notwithstanding the absence of evidence proving that such stockpiles existed and in direct contradiction to substantial evidence that showed they did not exist, the President and his subordinates and agents made numerous false representations claiming with certainty that Iraq possessed chemical and biological weapons that it was developing to use to attack the United States, to wit:

(A) ``[T]he notion of a Saddam Hussein with his great oil wealth, with his inventory that he already has of biological and chemical weapons . . . is, I think, a frightening proposition for anybody who thinks about it.'' Statement of Vice President Cheney on CBS's Face the Nation, March 24, 2002.

(B) ``In defiance of the United Nations, Iraq has stockpiled biological and chemical weapons, and is rebuilding the facilities used to make more of those

weapons." Speech of President Bush, October 5, 2002.
(C) ``All the world has now seen the footage of an Iraqi Mirage aircraft with a fuel tank modified to spray biological agents over wide areas. Iraq has developed spray devices that could be used on unmanned aerial vehicles with ranges far beyond what is permitted by the Security Council. A UAV launched from a vessel off the American coast could reach hundreds of miles inland." Statement by President Bush from the White House, February 6, 2003.
(2) Despite overwhelming intelligence in the form of statements and reports filed by and on behalf of the CIA, the State Department and the IAEA, among others, which indicated that the claim was untrue, the President, and those under his direction and control, made numerous representations claiming and implying through misleading language that Iraq was attempting to purchase uranium from Niger in order to falsely buttress its argument that Iraq was reconstituting its nuclear weapons program, including:
(A) ``The regime has the scientists and facilities to build nuclear weapons, and is seeking the materials needed to do so." Statement of President Bush from White House, October 2, 2002.
(B) ``The [Iraqi] report also failed to deal with issues which have arisen since 1998, including: . . . attempts to acquire uranium and the means to enrich it." Letter from President Bush to Vice President Cheney and the Senate, January 20, 2003.
(C) ``The British Government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa." President Bush Delivers State of the Union Address, January 28, 2003.
(3) Despite overwhelming evidence in the form of reports by nuclear weapons experts from the Energy, the Defense and State Departments, as well from outside and international agencies which assessed that aluminum tubes the Iraqis were purchasing were not suitable for nuclear centrifuge use and were, on the contrary, identical to ones used in rockets already being manufactured by the Iraqis, the President, and those under his direction and control, persisted in making numerous false and fraudulent representations implying and stating explicitly that the Iraqis were purchasing the tubes for use in a nuclear weapons program, to wit:
(A) ``We do know that there have been shipments going . . . into Iraq . . . of aluminum tubes that really are only suited to--high-quality aluminum tools [sic] that are only really suited for nuclear weapons programs, centrifuge programs." Statement of then

National Security Advisor Condoleezza Rice on CNN's Late Edition with Wolf Blitzer, September 8, 2002.
(B) ``Our intelligence sources tell us that he has attempted to purchase high-strength aluminum tubes suitable for nuclear weapons production." President Bush's State of the Union Address, January 28, 2003.
(C) ``[H]e has made repeated covert attempts to acquire high-specification aluminum tubes from 11 different countries, even after inspections resumed. . . . By now, just about everyone has heard of these tubes and we all know that there are differences of opinion. There is controversy about what these tubes are for. Most U.S. experts think they are intended to serve as rotors in centrifuges used to enrich uranium." Speech of Former Secretary of State Colin Powell to the United Nations, February 5, 2003.
(4) The President, both personally and acting through those under his direction and control, suppressed material information, selectively declassified information for the improper purposes of retaliating against a whistleblower and presenting a misleading picture of the alleged threat from Iraq, facilitated the exposure of the identity of a covert CIA operative and thereafter not only failed to investigate the improper leaks of classified information from within his administration, but also failed to cooperate with an investigation into possible federal violations resulting from this activity and, finally, entirely undermined the prosecution by commuting the sentence of Lewis Libby citing false and insubstantial grounds, all in an effort to prevent Congress and the citizens of the United States from discovering the fraudulent nature of the President's claimed justifications for the invasion of Iraq.
(5) The Senate Select Committee on Intelligence Report on Whether Public Statements Regarding Iraq by U.S. Government Officials Were Substantiated by Intelligence Information, which was released on June 5, 2008, concluded that:
(A) ``Statements by the President and Vice President prior to the October 2002 National Intelligence Estimate regarding Iraq's chemical weapons production capability and activities did not reflect the intelligence community's uncertainties as to whether such production was ongoing.".
(B) ``The Secretary of Defense's statement that the Iraqi government operated underground WMD facilities that were not vulnerable to conventional airstrikes because they were underground and deeply buried was not substantiated by available intelligence information.".
(C) Chairman of the Senate Intelligence Committee

Jay Rockefeller concluded: ``In making the case for war, the Administration repeatedly presented intelligence as fact when in reality it was unsubstantiated, contradicted, or even non-existent. As a result, the American people were led to believe that the threat from Iraq was much greater than actually existed.".

The President has subverted the national security interests of the United States by setting the stage for the loss of more than 4,000 United States servicemembers and the injury to tens of thousands of U.S. soldiers; the loss of more than 1,000,000 innocent Iraqi citizens since the United States invasion; the loss of approximately $500 billion in war costs which has increased our Federal debt with a long term financial cost of between three and five trillion dollars; the loss of military readiness within the United States Armed Services due to overextension, the lack of training and lack of equipment; the loss of United States credibility in world affairs; and the decades of likely blowback created by the invasion of Iraq.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article IV--Misleading the American People and Members of Congress To Believe Iraq Posed an Imminent Threat to the United States

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, executed a calculated and wide-ranging strategy to deceive the citizens and Congress of the United States into believing that the nation of Iraq posed an imminent threat to the United States in order to justify the use of the United States Armed Forces against the nation of Iraq in a manner damaging to our national security interests, thereby interfering with and obstructing Congress's lawful functions of overseeing foreign affairs and declaring war.

The means used to implement this deception were and continue to be, first, allowing, authorizing and sanctioning the manipulation of intelligence analysis by those under his direction and control, including the Vice President and the Vice President's agents, and

second, personally making, or causing, authorizing and allowing to be made through highly-placed subordinates, including the President's Chief of Staff, the White House Press Secretary and other White House spokespersons, the Secretaries of State and Defense, the National Security Advisor, and their deputies and spokespersons, false and fraudulent representations to the citizens of the United States and Congress regarding an alleged urgent threat posed by Iraq, statements that were half-true, literally true but misleading, and/or made without a reasonable basis and with reckless indifference to their truth, as well as omitting to state facts necessary to present an accurate picture of the truth as follows:

(1) Notwithstanding the complete absence of intelligence analysis to support a claim that Iraq posed an imminent or urgent threat to the United States and the intelligence community's assessment that Iraq was in fact not likely to attack the United States unless it was itself attacked, President Bush, both personally and through his agents and subordinates, made, allowed and caused to be made repeated false representations to the citizens and Congress of the United States implying and explicitly stating that such a dire threat existed, including the following:

(A) ``States such as these [Iraq, Iran, and North Korea] and their terrorist allies constitute an axis of evil, arming to threaten the peace of the world. By seeking weapons of mass destruction, these regimes pose a grave and growing danger. They could provide these arms to terrorists, giving them the means to match their hatred. They could attack our allies or attempt to blackmail the United States. In any of these cases, the price of indifference would be catastrophic." President Bush's State of the Union Address, January 29, 2002.

(B) ``Simply stated, there is no doubt that Saddam Hussein has weapons of mass destruction. He is amassing them to use against our friends, our enemies, and against us." Speech of Vice President Cheney at VFW 103rd National Convention, August 26, 2002.

(C) ``The history, the logic, and the facts lead to one conclusion: Saddam Hussein's regime is a grave and gathering danger. To suggest otherwise is to hope against the evidence. To assume this regime's good faith is to bet the lives of millions and the peace of the world in a reckless gamble. And this is a risk we must not take." Address of President Bush to the United Nations General Assembly, September 12, 2002.

(D) ``[N]o terrorist state poses a greater or more immediate threat to the security of our people than the regime of Saddam Hussein and Iraq." Statement of

Former Defense Secretary Donald Rumsfeld to Congress, September 19, 2002.
(E) ``On its present course, the Iraqi regime is a threat of unique urgency . . . it has developed weapons of mass death." Statement of President Bush at White House, October 2, 2002.
(F) ``But the President also believes that this problem has to be dealt with, and if the United Nations won't deal with it, then the United States, with other likeminded nations, may have to deal with it. We would prefer not to go that route, but the danger is so great, with respect to Saddam Hussein having weapons of mass destruction, and perhaps even terrorists getting hold of such weapons, that it is time for the international community to act, and if it doesn't act, the President is prepared to act with likeminded nations." Statement of Former Secretary of State Colin Powell in interview with Ellen Ratner of Talk Radio News, October 30, 2002.
(G) ``Today the world is also uniting to answer the unique and urgent threat posed by Iraq. A dictator who has used weapons of mass destruction on his own people must not be allowed to produce or possess those weapons. We will not permit Saddam Hussein to blackmail and/or terrorize nations which love freedom." Speech by President Bush to Prague Atlantic Student Summit, November 20, 2002.
(H) ``But the risk of doing nothing, the risk of the security of this country being jeopardized at the hands of a madman with weapons of mass destruction far exceeds the risk of any action we may be forced to take." President Bush meets with National Economic Council at White House, February 25, 2003.
(2) In furtherance of his fraudulent effort to deceive Congress and the citizens of the United States into believing that Iraq and Saddam Hussein posed an imminent threat to the United States, the President allowed and authorized those acting under his direction and control, including Vice President Richard B. Cheney, former Secretary of Defense Donald Rumsfeld, and Lewis Libby, who reported directly to both the President and the Vice President, among others, to pressure intelligence analysts to tailor their assessments and to create special units outside of, and unknown to, the intelligence community in order to secretly obtain unreliable information, to manufacture intelligence, or to reinterpret raw data in ways that would support the Bush administration's plan to invade Iraq based on a false claim of urgency despite the lack of justification for such a preemptive action.

(3) The Senate Select Committee on Intelligence Report on Whether Public Statements Regarding Iraq by U.S. Government Officials Were Substantiated by Intelligence Information, which was released on June 5, 2008, concluded that: ``Statements by the President and the Vice President indicating that Saddam Hussein was prepared to give weapons of mass destruction to terrorist groups for attacks against the United States were contradicted by available intelligence information.".

Thus the President willfully and falsely misrepresented Iraq as an urgent threat requiring immediate action thereby subverting the national security interests of the United States by setting the stage for the loss of more than 4,000 United States servicemembers; the injuries to tens of thousands of U.S. soldiers; the deaths of more than 1,000,000 Iraqi citizens since the United States invasion; the loss of approximately $527 billion in war costs which has increased our Federal debt and the ultimate costs of the war between three trillion and five trillion dollars; the loss of military readiness within the United States Armed Services due to overextension, the lack of training and lack of equipment; the loss of United States credibility in world affairs; and the decades of likely blowback created by the invasion of Iraq.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article V--Illegally Misspending Funds to Secretly Begin a War of Aggression

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed", has both personally and acting through his agents and subordinates, together with the Vice President, illegally misspent funds to begin a war in secret prior to any Congressional authorization.

The President used over $2 billion in the summer of 2002 to prepare for the invasion of Iraq. First reported in Bob Woodward's book, Plan of Attack, and later confirmed by the Congressional Research Service, Bush took money appropriated by Congress for Afghanistan and other programs and--with no Congressional notification--used it to build airfields in Qatar and to make other preparations for the invasion of

Iraq. This constituted a violation of article I, section 9 of the U.S. Constitution, as well as a violation of the War Powers Act of 1973. In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article VI--Invading Iraq in Violation of the Requirements of H.J. Res. 114

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', exceeded his Constitutional authority to wage war by invading Iraq in 2003 without meeting the requirements of H.J. Res. 114, the ``Authorization for Use of Military Force Against Iraq Resolution of 2002'' to wit:

(1) H.J. Res. 114 contains several Whereas clauses consistent with statements being made by the White House at the time regarding the threat from Iraq as evidenced by the following:

(A) H.J. Res. 114 states ``Whereas Iraq both poses a continuing threat to the national security of the United States and international peace and security in the Persian Gulf region and remains in material and unacceptable breach of its international obligations by, among other things, continuing to possess and develop a significant chemical and biological weapons capability, actively seeking a nuclear weapons capability, and supporting and harboring terrorist organizations;''; and

(B) H.J. Res. 114 states ``Whereas members of Al Qaeda, an organization bearing responsibility for attacks on the United States, its citizens, and interests, including the attacks that occurred on September 11, 2001, are known to be in Iraq;''.

(2) H.J. Res. 114 states that the President must provide a determination, the truthfulness of which is implied, that military force is necessary in order to use the authorization, as evidenced by the following:

(A) Section 3 of H.J. Res. 114 states:

``(b) Presidential Determination.--In connection with the exercise

of the authority granted in subsection (a) to use force the President shall, prior to such exercise or as soon thereafter as may be feasible, but no later than 48 hours after exercising such authority, make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that--
``(1) reliance by the United States on further diplomatic or other peaceful means alone either (A) will not adequately protect the national security of the United States against the continuing threat posed by Iraq or (B) is not likely to lead to enforcement of all relevant United Nations Security Council resolutions regarding Iraq; and
``(2) acting pursuant to this joint resolution is consistent with the United States and other countries continuing to take the necessary actions against international terrorist and terrorist organizations, including those nations, organizations, or persons who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001.".
(3) On March 18, 2003, President George Bush sent a letter to Congress stating that he had made that determination as evidenced by the following:
(A) March 18th, 2003 Letter to Congress stating:
``Consistent with section 3(b) of the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243), and based on information available to me, including that in the enclosed document, I determine that:
``(i) reliance by the United States on further diplomatic and other peaceful means alone will neither (A) adequately protect the national security of the United States against the continuing threat posed by Iraq nor (B) likely lead to enforcement of all relevant United Nations Security Council resolutions regarding Iraq; and
``(ii) acting pursuant to the Constitution and Public Law 107-243 is consistent with the United States and other countries continuing to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations, or persons who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001.".
(4) President George Bush knew that these statements were false as evidenced by:
(A) Information provided with articles I, II, III, IV, and V.

(B) A statement by President George Bush in an interview with Tony Blair on January 31st, 2003: [WH]
Reporter: ``One question for you both. Do you believe that there is a link between Saddam Hussein, a direct link, and the men who attacked on September the 11th?"
President Bush: ``I can't make that claim".
(C) An article on February 19th by Terrorism expert Rohan Gunaratna states ``I could find no evidence of links between Iraq and Al Qaeda. The documentation and interviews indicated that Al Qaeda regarded Saddam, a secular leader, as an infidel.". [International Herald Tribune]
(D) According to a February 2nd, 2003 article in the New York Times: [NYT]
At the Federal Bureau of Investigation, some investigators said they were baffled by the Bush administration's insistence on a solid link between Iraq and Osama bin Laden's network. ``We've been looking at this hard for more than a year and you know what, we just don't think it's there", a government official said.
(5) Section 3C of H.J. Res 114 states that ``Nothing in this joint resolution supersedes any requirement of the War Powers Resolution.".
(6) The War Powers Resolution Section 9(d)(1) states:
``(d) Nothing in this joint resolution--
``(1) is intended to alter the constitutional authority of the Congress or of the President, or the provision of existing treaties; or".
(7) The United Nations Charter was an existing treaty and, as shown in article VIII, the invasion of Iraq violated that treaty.
(8) President George Bush knowingly failed to meet the requirements of H.J. Res. 114 and violated the requirement of the War Powers Resolution and, thereby, invaded Iraq without the authority of Congress.
In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article VII--Invading Iraq Absent a Declaration of War

In his conduct while President of the United States, George W.

Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has launched a war against Iraq absent any congressional declaration of war or equivalent action.

Article I, section 8, clause 11 (the War Powers Clause) makes clear that the United States Congress holds the exclusive power to decide whether or not to send the nation into war. ``The Congress'', the War Powers Clause states, ``shall have power . . . To declare war . . .''

The October 2002 congressional resolution on Iraq did not constitute a declaration of war or equivalent action. The resolution stated: ``The President is authorized to use the Armed Forces of the United States as he deems necessary and appropriate in order to (1) defend the national security of the United States against the continuing threat posed by Iraq; and (2) enforce all relevant United Nations Security Council resolutions regarding Iraq.'' The resolution unlawfully sought to delegate to the President the decision of whether or not to initiate a war against Iraq, based on whether he deemed it ``necessary and appropriate.'' The Constitution does not allow Congress to delegate this exclusive power to the President, nor does it allow the President to seize this power.

In March 2003, the President launched a war against Iraq without any constitutional authority.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article VIII--Invading Iraq, a Sovereign Nation, in Violation of the U.N. Charter and International Criminal Law

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', violated United States law by invading the sovereign country of Iraq in violation of the United Nations Charter to wit:

(1) International Laws ratified by Congress are part of United States Law and must be followed as evidenced by the following:

(A) Article VI of the United States Constitution, which states ``This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land;".
(2) The U.N. Charter, which entered into force following ratification by the United States in 1945, requires Security Council approval for the use of force except for self-defense against an armed attack as evidenced by the following:
(A) Chapter 1, article 2 of the United Nations Charter states:
``3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.
``4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.".
(B) Chapter 7, article 51 of the United Nations Charter states:
``51. Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.".
(3) There was no armed attack upon the United States by Iraq.
(4) The Security Council did not vote to approve the use of force against Iraq as evidenced by:
(A) A United Nation Press release which states that the United States had failed to convince the Security Council to approve the use of military force against Iraq. [UN]
(5) President Bush directed the United States military to invade Iraq on March 19th, 2003 in violation of the U.N. Charter and, therefore, in violation of United States Law as evidenced by the following:
(A) A letter from President Bush to Congress dated March 21st, 2003 stating ``I directed U.S. Armed Forces, operating with other coalition forces, to commence combat operations on March 19, 2003, against Iraq.". [WH]
(B) On September 16, 2004, Kofi Annan, the Secretary General of the United Nations, speaking on the invasion, said, ``I have indicated it was not in conformity with the U.N. charter. From our point of

view, from the charter point of view, it was illegal.". [BBC]
(C) The consequence of the instant and direction of President George W. Bush, in ordering an attack upon Iraq, a sovereign nation is in direct violation of United States Code, title 18, part 1, chapter 118, section 2441, governing the offense of war crimes.
(6) In the course of invading and occupying Iraq, the President, as Commander in Chief, has taken responsibility for the targeting of civilians, journalists, hospitals, and ambulances, use of antipersonnel weapons including cluster bombs in densely settled urban areas, the use of white phosphorous as a weapon, depleted uranium weapons, and the use of a new version of napalm found in Mark 77 firebombs. Under the direction of President George Bush, the United States has engaged in collective punishment of Iraqi civilian populations, including but not limited to blocking roads, cutting electricity and water, destroying fuel stations, planting bombs in farm fields, demolishing houses, and plowing over orchards.
(A) Under the principle of ``command responsibility'', i.e., that a de jure command can be civilian as well as military, and can apply to the policy command of heads of state, said command brings President George Bush within the reach of international criminal law under the Additional Protocol I of June 8, 1977, to the Geneva Conventions of August 12, 1949, and Relating to the Protection of Victims of International Armed Conflicts, article 86(2). The United States is a state signatory to Additional Protocol I, on December 12, 1977.
(B) Furthermore, article 85(3) of said Protocol I defines as a grave breach making a civilian population or individual civilians the object of attacks. This offense, together with the principle of command responsibility, places President George Bush's conduct under the reach of the same law and principles described as the basis for war crimes prosecution at Nuremburg, under article 6 of the Charter of the Nuremberg Tribunals: including crimes against peace, violations of the laws and customs of war and crimes against humanity, similarly codified in the Rome Statute of the International Criminal Court, articles 5 through 8.
(C) The Lancet Report has established massive civilian casualties in Iraq as a result of the United States invasion and occupation of that country.
(D) International laws governing wars of aggression are completely prohibited under the legal principle of

jus cogens, whether or not a nation has signed or ratified a particular international agreement.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article IX--Failing To Provide Troops with Body Armor and Vehicle Armor

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, has been responsible for the deaths of members of the U.S. military and serious injury and trauma to other soldiers, by failing to provide available body armor and vehicle armor.

While engaging in an invasion and occupation of choice, not fought in self-defense, and not launched in accordance with any timetable other than the President's choosing, President Bush sent U.S. troops into danger without providing them with armor. This shortcoming has been known for years, during which time, the President has chosen to allow soldiers and marines to continue to face unnecessary risk to life and limb rather then providing them with armor.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article X--Falsifying Accounts of U.S. Troop Deaths and Injuries for Political Purposes

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his

agents and subordinates, together with the Vice President, promoted false propaganda stories about members of the United States military, including individuals both dead and injured.

The White House and the Department of Defense (DOD) in 2004 promoted a false account of the death of Specialist Pat Tillman, reporting that he had died in a hostile exchange, delaying release of the information that he had died from friendly fire, shot in the forehead three times in a manner that led investigating doctors to believe he had been shot at close range.

A 2005 report by Brig. Gen. Gary M. Jones reported that in the days immediately following Specialist Tillman's death, U.S. Army investigators were aware that Specialist Tillman was killed by friendly fire, shot three times to the head, and that senior Army commanders, including Gen. John Abizaid, knew of this fact within days of the shooting but nevertheless approved the awarding of the Silver Star, Purple Heart, and a posthumous promotion.

On April 24, 2007, Spc. Bryan O'Neal, the last soldier to see Specialist Pat Tillman alive, testified before the House Oversight and Government Reform Committee that he was warned by superiors not to divulge information that a fellow soldier killed Specialist Tillman, especially to the Tillman family. The White House refused to provide requested documents to the committee, citing ``executive branch confidentiality interests.".

The White House and DOD in 2003 promoted a false account of the injury of Jessica Dawn Lynch, reporting that she had been captured in a hostile exchange and had been dramatically rescued. On April 2, 2003, the DOD released a video of the rescue and claimed that Lynch had stab and bullet wounds, and that she had been slapped about on her hospital bed and interrogated. Iraqi doctors and nurses later interviewed, including Dr. Harith Al-Houssona, a doctor in the Nasirya hospital, described Lynch's injuries as ``a broken arm, a broken thigh, and a dislocated ankle." According to Al-Houssona, there was no sign of gunshot or stab wounds, and Lynch's injuries were consistent with those that would be suffered in a car accident. Al-Houssona's claims were later confirmed in a U.S. Army report leaked on July 10, 2003.

Lynch denied that she fought or was wounded fighting, telling Diane Sawyer that the Pentagon ``used me to symbolize all this stuff. It's wrong. I don't know why they filmed [my rescue] or why they say these things. . . . I did not shoot, not a round, nothing. I went down praying to my knees. And that's the last I remember." She reported excellent treatment in Iraq, and that one person in the hospital even sang to her to help her feel at home.

On April 24, 2007, Lynch testified before the House Committee on Oversight and Government Reform:

``[Right after my capture], tales of great heroism were being told. My parent's home in Wirt County was under siege of the media all repeating the story of the little girl Rambo from the hills who went down fighting. It was not true. . . . I am still confused as to why

they chose to lie.".
The White House had heavily promoted the false story of Lynch's rescue, including in a speech by President Bush on April 28, 2003. After the fiction was exposed, the President awarded Lynch the Bronze Star.
In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XI--Establishment of Permanent U.S. Military Bases in Iraq

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has violated an act of Congress that he himself signed into law by using public funds to construct permanent U.S. military bases in Iraq.
On January 28, 2008, President George W. Bush signed into law the National Defense Authorization Act for Fiscal Year 2008 (H.R. 4986). Noting that the Act ``authorizes funding for the defense of the United States and its interests abroad, for military construction, and for national security-related energy programs'', the president added the following ``signing statement'':
``Provisions of the Act, including sections 841, 846, 1079, and 1222, purport to impose requirements that could inhibit the President's ability to carry out his constitutional obligations to take care that the laws be faithfully executed, to protect national security, to supervise the executive branch, and to execute his authority as Commander in Chief. The executive branch shall construe such provisions in a manner consistent with the constitutional authority of the President.".
Section 1222 clearly prohibits the expenditure of money for the purpose of establishing permanent U.S. military bases in Iraq. The construction of over $1 billion in U.S. military bases in Iraq, including runways for aircraft, continues despite congressional intent, as the Administration intends to force upon the Iraqi Government such terms which will assure the bases remain in Iraq.
Iraqi officials have informed Members of Congress in May 2008 of the strong opposition within the Iraqi parliament and throughout Iraq to the agreement that the administration is trying to negotiate with Iraqi Prime Minister Nouri al-Maliki. The agreement seeks to assure a

long-term U.S. presence in Iraq of which military bases are the most obvious, sufficient and necessary construct, thus clearly defying Congressional intent as to the matter and meaning of ``permanency''. In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XII--Initiating a War Against Iraq for Control of That Nation's Natural Resources

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, invaded and occupied a foreign nation for the purpose, among other purposes, of seizing control of that nation's oil.

The White House and its representatives in Iraq have, since the occupation of Baghdad began, attempted to gain control of Iraqi oil. This effort has included pressuring the new Iraqi Government to pass a hydrocarbon law. Within weeks of the fall of Saddam Hussein in 2003, the U.S. Agency for International Development (USAid) awarded a $240 million contract to Bearing Point, a private U.S. company. A Bearing Point employee, based in the U.S. embassy in Baghdad, was hired to advise the Iraqi Ministry of Oil on drawing up the new hydrocarbon law. The draft law places executives of foreign oil companies on a council with the task of approving their own contracts with Iraq; it denies the Iraqi National Oil Company exclusive rights for the exploration, development, production, transportation, and marketing of Iraqi oil, and allows foreign companies to control Iraqi oil fields containing 80 percent of Iraqi oil for up to 35 years through contracts that can remain secret for up to 2 months. The draft law itself contains secret appendices.

President Bush provided unrelated reasons for the invasion of Iraq to the public and Congress, but those reasons have been established to have been categorically fraudulent, as evidenced by the herein mentioned Articles of Impeachment I, II, III, IV, VI, and VII.

Parallel to the development of plans for war against Iraq, the U.S. State Department's Future of Iraq project, begun as early as April 2002, involved meetings in Washington and London of 17 working groups, each composed of 10 to 20 Iraqi exiles and international experts

selected by the State Department. The Oil and Energy working group met four times between December 2002 and April 2003. Ibrahim Bahr al-Uloum, later the Iraqi Oil Minister, was a member of the group, which concluded that Iraq ``should be opened to international oil companies as quickly as possible after the war,'' and that, ``the country should establish a conducive business environment to attract investment of oil and gas resources.'' The same group recommended production-sharing agreements with foreign oil companies, the same approach found in the draft hydrocarbon law, and control over Iraq's oil resources remains a prime objective of the Bush Administration.

Prior to his election as Vice President, Dick Cheney, then-CEO of Halliburton, in a speech at the Institute of Petroleum in 1999 demonstrated a keen awareness of the sensitive economic and geopolitical role of Middle East oil resources saying: ``By 2010, we will need on the order of an additional 50 million barrels a day. So where is the oil going to come from? Governments and national oil companies are obviously controlling about 90 percent of the assets. Oil remains fundamentally a government business. While many regions of the world offer great oil opportunities, the Middle East, with two-thirds of the world's oil and lowest cost, is still where the prize ultimately lies. Even though companies are anxious for greater access there, progress continues to be slow.''.

The Vice President led the work of a secret energy task force, as described in article XXXII below, a task force that focused on, among other things, the acquisition of Iraqi oil through developing a controlling private corporate interest in said oil.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XIII--Creating a Secret Task Force To Develop Energy and Military Policies With Respect to Iraq and Other Countries

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has both personally and acting through his agents and subordinates, together with the Vice President, created a secret task force to guide our nation's energy policy and military policy, and undermined Congress's ability to legislate by thwarting attempts to investigate the nature of that policy.

A Government Accountability Office (GAO) Report on the Cheney

Energy Task Force, in August 2003, described the creation of this task force as follows:

``In a January 29, 2001, memorandum, the President established NEPDG [the National Energy Policy Development Group]--comprised of the Vice President, nine cabinet-level officials, and four other senior administration officials--to gather information, deliberate, and make recommendations to the President by the end of fiscal year 2001. The President called on the Vice President to chair the group, direct its work and, as necessary, establish subordinate working groups to assist NEPDG.''.

The four ``other senior administration officials'' were the Director of the Office of Management and Budget, the Assistant to the President and Deputy Chief of Staff for Policy, the Assistant to the President for Economic Policy, and the Deputy Assistant to the President for Intergovernmental Affairs.

The GAO report found that:

``In developing the National Energy Policy report, the NEPDG Principals, Support Group, and participating agency officials and staff met with, solicited input from, or received information and advice from nonfederal energy stakeholders, principally petroleum, coal, nuclear, natural gas, and electricity industry representatives and lobbyists. The extent to which submissions from any of these stakeholders were solicited, influenced policy deliberations, or were incorporated into the final report cannot be determined based on the limited information made available to GAO. NEPDG met and conducted its work in two distinct phases: the first phase culminated in a March 19, 2001, briefing to the President on challenges relating to energy supply and the resulting economic impact; the second phase ended with the May 16, 2001, presentation of the final report to the President. The Office of the Vice President's (OVP) unwillingness to provide the NEPDG records or other related information precluded GAO from fully achieving its objectives and substantially limited GAO's ability to comprehensively analyze the NEPDG process associated with that process.

``None of the key federal entities involved in the NEPDG effort provided GAO with a complete accounting of the costs that they incurred during the development of the National Energy Policy report. The two federal entities responsible for funding the NEPDG effort--OVP and the Department of Energy (DOE)--did not provide the comprehensive cost information that GAO requested. OVP provided GAO with 77 pages of information, two-thirds of which contained no cost information while the remaining one-third contained some miscellaneous information of little to no usefulness. OVP stated that it would not provide any additional information. DOE, the Department of the Interior, and the Environmental Protection Agency (EPA) provided GAO with estimates of certain costs and salaries associated with the NEPDG effort, but these estimates, all calculated in different ways, were not comprehensive.''.

In 2003, the Commerce Department disclosed a partial collection of materials from the NEPDG, including documents, maps, and charts, dated

March 2001, of Iraq's, Saudi Arabia's and the United Arab Emirates' oil fields, pipelines, refineries, tanker terminals, and development projects.
On November 16, 2005, the Washington Post reported on a White House document showing that oil company executives had met with the NEPDG, something that some of those same executives had just that week denied in Congressional testimony. The Bush Administration had not corrected the inaccurate testimony.
On July 18, 2007, the Washington Post reported the full list of names of those who had met with the NEPDG.
In 1998, Kenneth Derr, then chief executive of Chevron, told a San Francisco audience, ``Iraq possesses huge reserves of oil and gas, reserves I'd love Chevron to have access to.'' According to the GAO report, Chevron provided detailed advice to the NEPDG.
In March, 2001, the NEPDG recommended that the United States Government support initiatives by Middle Eastern countries ``to open up areas of their energy sectors to foreign investment.'' Following the invasion of Iraq, the United States has pressured the new Iraqi parliament to pass a hydrocarbon law that would do exactly that. The draft law, if passed, would take the majority of Iraq's oil out of the exclusive hands of the Iraqi Government and open it to international oil companies for a generation or more. The Bush administration hired Bearing Point, a U.S. company, to help write the law in 2004. It was submitted to the Iraqi Council of Representatives in May 2007.
In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XIV--Misprision of a Felony, Misuse and Exposure of Classified Information and Obstruction of Justice in the Matter of Valerie Plame Wilson, Clandestine Agent of the Central Intelligence Agency

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President,
(1) suppressed material information;
(2) selectively declassified information for the improper purposes of retaliating against a whistleblower and presenting a misleading picture of the alleged threat from Iraq;

(3) facilitated the exposure of the identity of Valerie Plame Wilson who had theretofore been employed as a covert CIA operative;
(4) failed to investigate the improper leaks of classified information from within his administration;
(5) failed to cooperate with an investigation into possible federal violations resulting from this activity; and
(6) finally, entirely undermined the prosecution by commuting the sentence of Lewis Libby citing false and insubstantial grounds, all in an effort to prevent Congress and the citizens of the United States from discovering the deceitful nature of the President's claimed justifications for the invasion of Iraq.
In facilitating this exposure of classified information and the subsequent cover-up, in all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XV--Providing Immunity From Prosecution for Criminal Contractors in Iraq

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, established policies granting United States Government contractors and their employees in Iraq immunity from Iraqi law, U.S. law, and international law.
Lewis Paul Bremer III, then-Director of Reconstruction and Humanitarian Assistance for post-war Iraq, on June 27, 2004, issued Coalition Provisional Authority Order Number 17, which granted members of the U.S. military, U.S. mercenaries, and other U.S. contractor employees immunity from Iraqi law.
The Bush Administration has chosen not to apply the Uniform Code of Military Justice or United States law to mercenaries and other contractors employed by the United States Government in Iraq. Operating free of Iraqi or U.S. law, mercenaries have killed many Iraqi civilians in a manner that observers have described as aggression and not as self-defense. Many U.S. contractors have also alleged that they have been the victims of aggression (in several cases of rape) by

their fellow contract employees in Iraq. These charges have not been brought to trial, and in several cases the contracting companies and the U.S. State Department have worked together in attempting to cover them up.
Under the Fourth Geneva Convention, to which the United States is party, and which under article VI of the U.S. Constitution is therefore the supreme law of the United States, it is the responsibility of an occupying force to ensure the protection and human rights of the civilian population. The efforts of President Bush and his subordinates to attempt to establish a lawless zone in Iraq are in violation of the law.
In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XVI--Reckless Misspending and Waste of U.S. Tax Dollars in Connection With Iraq Contractors

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, recklessly wasted public funds on contracts awarded to close associates, including companies guilty of defrauding the government in the past, contracts awarded without competitive bidding, ``cost-plus'' contracts designed to encourage cost overruns, and contracts not requiring satisfactory completion of the work. These failures have been the rule, not the exception, in the awarding of contracts for work in the United States and abroad over the past seven years. Repeated exposure of fraud and waste has not been met by the president with correction of systemic problems, but rather with retribution against whistleblowers.
The House Committee on Oversight and Government Reform reported on Iraq reconstruction contracting:
``From the beginning, the Administration adopted a flawed contracting approach in Iraq. Instead of maximizing competition, the Administration opted to award no-bid, cost-plus contracts to politically connected contractors. Halliburton's secret $7 billion contract to restore Iraq's oil infrastructure is the prime example. Under this no-bid, cost-plus contract, Halliburton was reimbursed for its costs and then received an additional fee, which was a percentage of its costs. This created an incentive for Halliburton to run up its

costs in order to increase its potential profit.
``Even after the Administration claimed it was awarding Iraq contracts competitively in early 2004, real price competition was missing. Iraq was divided geographically and by economic sector into a handful of fiefdoms. Individual contractors were then awarded monopoly contracts for all of the work within given fiefdoms. Because these monopoly contracts were awarded before specific projects were identified, there was no actual price competition for more than 2,000 projects.
``In the absence of price competition, rigorous government oversight becomes essential for accountability. Yet the Administration turned much of the contract oversight work over to private companies with blatant conflicts of interest. Oversight contractors oversaw their business partners and, in some cases, were placed in a position to assist their own construction work under separate monopoly construction contracts. . . .
``Under Halliburton's two largest Iraq contracts, Pentagon auditors found $1 billion in `questioned' costs and over $400 million in `unsupported' costs. Former Halliburton employees testified that the company charged $45 for cases of soda, billed $100 to clean 15-pound bags of laundry, and insisted on housing its staff at the five-star Kempinski hotel in Kuwait. Halliburton truck drivers testified that the company `torched' brand new $85,000 trucks rather than perform relatively minor repairs and regular maintenance. Halliburton procurement officials described the company's informal motto in Iraq as `Don't worry about price. It's cost-plus.' A Halliburton manager was indicted for `major fraud against the United States' for allegedly billing more than $5.5 billion for work that should have cost only $685,000 in exchange for a $1 million kickback from a Kuwaiti subcontractor. . . .
``The Air Force found that another U.S. Government contractor, Custer Battles, set up shell subcontractors to inflate prices. Those overcharges were passed along to the U.S. Government under the company's cost-plus contract to provide security for Baghdad International Airport. In one case, the company allegedly took Iraqi-owned forklifts, re-painted them, and leased them to the U.S. Government.
``Despite the spending of billions of taxpayer dollars, U.S. reconstruction efforts in keys sectors of the Iraqi economy are failing. Over two years after the U.S.-led invasion of Iraq, oil and electricity production has fallen below pre-war levels. The Administration has failed to even measure how many Iraqis lack access to drinkable water.".
``Constitution in Crisis", a book by Congressman John Conyers, details the Bush Administration's response when contract abuse is made public:
``Bunnatine Greenhouse was the chief contracting officer at the Army Corps of Engineers, the agency that has managed much of the

reconstruction work in Iraq. In October 2004, Ms. Greenhouse came forward and revealed that top Pentagon officials showed improper favoritism to Halliburton when awarding military contracts to Halliburton subsidiary Kellogg Brown & Root (KBR). Greenhouse stated that when the Pentagon awarded Halliburton a five-year $7 billion contract, it pressured her to withdraw her objections, actions which she claimed were unprecedented in her experience.

``On June 27, 2005, Ms. Greenhouse testified before Congress, detailing that the contract award process was compromised by improper influence by political appointees, participation by Halliburton officials in meetings where bidding requirements were discussed, and a lack of competition. She stated that the Halliburton contracts represented `the most blatant and improper contract abuse I have witnessed during the course of my professional career.' Days before the hearing, the acting general counsel of the Army Corps of Engineers paid Ms. Greenhouse a visit and reportedly let it be known that it would not be in her best interest to appear voluntarily.

``On August 27, 2005, the Army demoted Ms. Greenhouse, removing her from the elite Senior Executive Service and transferring her to a lesser job in the corps' civil works division. As Frank Rich of The New York Times described the situation, `[H]er crime was not obstructing justice but pursuing it by vehemently questioning irregularities in the awarding of some $7 billion worth of no-bid contracts in Iraq to the Halliburton subsidiary Kellogg Brown Root.' The demotion was in apparent retaliation for her speaking out against the abuses, even though she previously had stellar reviews and over 20 years of experience in military procurement.".

The House Committee on Oversight and Government Reform reports on domestic contracting:

``The Administration's domestic contracting record is no better than its record on Iraq. Waste, fraud, and abuse appear to be the rule rather than the exception. . . .

``A Transportation Security Administration (TSA) cost-plus contract with NCS Pearson, Inc., to hire Federal airport screeners was plagued by poor management and egregious waste. Pentagon auditors challenged $303 million (over 40 percent) of the $741 million spent by Pearson under the contract. The auditors detailed numerous concerns with the charges of Pearson and its subcontractors, such as `$20-an-hour temporary workers billed to the government at $48 per hour, subcontractors who signed out $5,000 in cash at a time with no supporting documents, $377,273.75 in unsubstantiated long distance phone calls, $514,201 to rent tents that flooded in a rainstorm, [and] $4.4 million in ``no show'' fees for job candidates who did not appear for tests.' A Pearson employee who supervised Pearson's hiring efforts at 43 sites in the U.S. described the contract as `a waste of taxpayer's money.' The CEO of one Pearson subcontractor paid herself $5.4 million for nine months work and provided herself with a $270,000 pension. . . .

``The Administration is spending $239 million on the Integrated Surveillance and Intelligence System, a no-bid contract to provide thousands of cameras and sensors to monitor activity on the Mexican and Canadian borders. Auditors found that the contractor, International Microwave Corp., billed for work it never did and charged for equipment it never provided, `creat[ing] a potential for overpayments of almost $13 million.' Moreover, the border monitoring system reportedly does not work. . . .
``After spending more than $4.5 billion on screening equipment for the Nation's entry points, the Department of Homeland Security is now `moving to replace or alter much of' it because `it is ineffective, unreliable or too expensive to operate.' For example, radiation monitors at ports and borders reportedly could not `differentiate between radiation emitted by a nuclear bomb and naturally occurring radiation from everyday material like cat litter or ceramic tile'. . .

``The TSA awarded Boeing a cost-plus contract to install over 1,000 explosive detection systems for airline passenger luggage. After installation, the machines `began to register false alarms' and `[s]creeners were forced to open and hand-check bags.' To reduce the number of false alarms, the sensitivity of the machines was lowered, which reduced the effectiveness of the detectors. Despite these serious problems, Boeing received an $82 million profit that the Inspector General determined to be `excessive'. . . .
``The FBI spent $170 million on a `Virtual Case File' system that does not operate as required. After three years of work under a cost-plus contract failed to produce a functional system, the FBI scrapped the program and began work on the new `Sentinel' Case File System. . .

``The Department of Homeland Security Inspector General found that taxpayer dollars were being lavished on perks for agency officials. One IG report found that TSA spent over $400,000 on its first leader's executive office suite. Another found that TSA spent $350,000 on a gold-plated gym. . . .
``According to news reports, Pentagon auditors . . . examined a contract between the Transportation Security Administration (TSA) and Unisys, a technology and consulting company, for the upgrade of airport computer networks. Among other irregularities, government auditors found that Unisys may have overbilled for as much as 171,000 hours of labor and overtime by charging for employees at up to twice their actual rate of compensation. While the cost ceiling for the contract was set at $1 billion, Unisys has reportedly billed the Government $940 million with more than half of the seven-year contract remaining and more than half of the TSA-monitored airports still lacking upgraded networks.".
In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of

the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XVII--Illegal Detention: Detaining Indefinitely and Without Charge Persons Both U.S. Citizens and Foreign Captives

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, violated United States and International Law and the U.S. Constitution by illegally detaining indefinitely and without charge persons both U.S. citizens and foreign captives.

In a statement on February 7, 2002, President Bush declared that in the U.S. fight against al Qaeda, ``none of the provisions of Geneva apply,'' thus rejecting the Geneva Conventions that protect captives in wars and other conflicts. By that time, the administration was already transporting captives from the war in Afghanistan, both alleged al Qaeda members and supporters, and also Afghans accused of being fighters in the army of the Taliban government, to U.S.-run prisons in Afghanistan and to the detention facility at Guantanamo Bay, Cuba. The round-up and detention without charge of Muslim non-citizens inside the U.S. began almost immediately after the September 11, 2001, attacks on the World Trade Center and the Pentagon, with some being held as long as nine months. The U.S., on orders of the president, began capturing and detaining without charge alleged terror suspects in other countries and detaining them abroad and at the U.S. Naval base in Guantanamo. Many of these detainees have been subjected to systematic abuse, including beatings, which have been subsequently documented by news reports, photographic evidence, testimony in Congress, lawsuits, and in the case of detainees in the U.S., by an investigation conducted by the Justice Department's Office of the Inspector General.

In violation of U.S. law and the Geneva Conventions, the Bush Administration instructed the Department of Justice and the U.S. Department of Defense to refuse to provide the identities or locations of these detainees, despite requests from Congress and from attorneys for the detainees. The president even declared the right to detain U.S. citizens indefinitely, without charge and without providing them access to counsel or the courts, thus depriving them of their constitutional and basic human rights. Several of those U.S. citizens were held in military brigs in solitary confinement for as long as three years before being either released or transferred to civilian detention.

Detainees in U.S. custody in Iraq and Guantanamo have, in violation of the Geneva Conventions, been hidden from and denied visits by the International Red Cross organization, while thousands of others in Iraq, Guantanamo, Afghanistan, ships in foreign off-shore sites, and an unknown number of so-called ``black sites'' around the world have been denied any opportunity to challenge their detentions. The president, acting on his own claimed authority, has declared the hundreds of detainees at Guantanamo Bay to be ``enemy combatants'' not subject to U.S. law and not even subject to military law, but nonetheless potentially liable to the death penalty.

The detention of individuals without due process violates the 5th Amendment. While the Bush administration has been rebuked in several court cases, most recently that of Ali al-Marri, it continues to attempt to exceed constitutional limits.

In all of these actions violating U.S. and International law, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XVIII--Torture: Secretly Authorizing, and Encouraging the Use of Torture Against Captives in Afghanistan, Iraq, and Other Places, as a Matter of Official Policy

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, violated United States and International Law and the U.S. Constitution by secretly authorizing and encouraging the use of torture against captives in Afghanistan, Iraq in connection with the so-called ``war'' on terror.

In violation of the Constitution, U.S. law, the Geneva Conventions (to which the U.S. is a signatory), and in violation of basic human rights, torture has been authorized by the President and his administration as official policy. Water-boarding, beatings, faked executions, confinement in extreme cold or extreme heat, prolonged enforcement of painful stress positions, sleep deprivation, sexual humiliation, and the defiling of religious articles have been practiced and exposed as routine at Guantanamo, at Abu Ghraib Prison and other U.S. detention sites in Iraq, and at Bagram Air Base in Afghanistan.

The president, besides bearing responsibility for authorizing the use

of torture, also as Commander in Chief, bears ultimate responsibility for the failure to halt these practices and to punish those responsible once they were exposed.

The administration has sought to claim the abuse of captives is not torture, by redefining torture. An August 1, 2002, memorandum from the Administration's Office of Legal Counsel Jay S. Bybee addressed to White House Counsel Alberto R. Gonzales concluded that to constitute torture, any pain inflicted must be akin to that accompanying ``serious physical injury, such as organ failure, impairment of bodily function, or even death.'' The memorandum went on to state that even should an act constitute torture under that minimal definition, it might still be permissible if applied to ``interrogations undertaken pursuant to the President's Commander-in-Chief powers.'' The memorandum further asserted that ``necessity or self-defense could provide justifications that would eliminate any criminal liability.''

This effort to redefine torture by calling certain practices simply ``enhanced interrogation techniques'' flies in the face of the Third Geneva Convention Relating to the Treatment of Prisoners of War, which states that ``No physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind whatever. Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to any unpleasant or disadvantageous treatment of any kind.''

Torture is further prohibited by the Universal Declaration of Human Rights, the paramount international human rights statement adopted unanimously by the United Nations General Assembly, including the United States, in 1948. Torture and other cruel, inhuman or degrading treatment or punishment is also prohibited by international treaties ratified by the United States: the International Covenant on Civil and Political Rights (ICCPR) and the Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT).

When the Congress, in the Defense Authorization Act of 2006, overwhelmingly passed a measure banning torture and sent it to the President's desk for signature, the President, who together with his vice president, had fought hard to block passage of the amendment, signed it, but then quietly appended a signing statement in which he pointedly asserted that as Commander in Chief, he was not bound to obey its strictures.

The administration's encouragement of and failure to prevent torture of American captives in the wars in Iraq and Afghanistan, and in the battle against terrorism, has undermined the rule of law in the U.S. and in the U.S. military, and has seriously damaged both the effort to combat global terrorism, and more broadly, America's image abroad. In his effort to hide torture by U.S. military forces and the CIA, the president has defied Congress and has lied to the American people, repeatedly claiming that the U.S. ``does not torture''.

In all of these actions and decisions in violation of U.S. and International law, President George W. Bush has acted in a manner

contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XIX--Rendition: Kidnapping People and Taking Them Against Their Will to ``Black Sites'' Located in Other Nations, Including Nations Known To Practice Torture

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, violated United States and International Law and the U.S. Constitution by kidnapping people and renditioning them to ``black sites'' located in other nations, including nations known to practice torture.

The president has publicly admitted that since the 9/11 attacks in 2001, the U.S. has been kidnapping and transporting against the will of the subject (renditioning) in its so-called ``war'' on terror--even people captured by U.S. personnel in friendly nations like Sweden, Germany, Macedonia and Italy--and ferrying them to places like Bagram Airbase in Afghanistan, and to prisons operated in Eastern European countries, African countries and Middle Eastern countries where security forces are known to practice torture.

These people are captured and held indefinitely, without any charges being filed, and are held without being identified to the Red Cross, or to their families. Many are clearly innocent, and several cases, including one in Canada and one in Germany, have demonstrably been shown subsequently to have been in error, because of a similarity of names or because of misinformation provided to U.S. authorities. Such a policy is in clear violation of U.S. and International Law, and has placed the United States in the position of a pariah state. The CIA has no law enforcement authority, and cannot legally arrest or detain anyone. The program of ``extraordinary rendition'' authorized by the president is the substantial equivalent of the policies of ``disappearing'' people, practices widely practiced and universally condemned in the military dictatorships of Latin America during the late 20th Century.

The administration has claimed that prior administrations have practiced extraordinary rendition, but, while this is technically true, earlier renditions were used only to capture people with outstanding arrest warrants or convictions who were outside in order to deliver them to stand trial or serve their sentences in the U.S. The president

has refused to divulge how many people have been subject to extraordinary rendition since September, 2001. It is possible that some have died in captivity. As one U.S. official has stated off the record, regarding the program, some of those who were renditioned were later delivered to Guantanamo, while others were sent there directly. An example of this is the case of six Algerian Bosnians who, immediately after being cleared by the Supreme Court of Bosnia Herzegovina in January 2002 of allegedly plotting to attack the U.S. and U.K. embassies, were captured, bound and gagged by U.S. special forces and renditioned to Guantanamo.

In perhaps the most egregious proven case of rendition, Maher Arar, a Canadian citizen born in Syria, was picked up in September 2002 while transiting through New York's JFK airport on his way home to Canada. Immigration and FBI officials detained and interrogated him for nearly two weeks, illegally denying him his rights to access counsel, the Canadian consulate, and the courts. Executive branch officials asked him if he would volunteer to go to Syria, where he hadn't been in 15 years, and Maher refused.

Maher was put on a private jet plane operated by the CIA and sent to Jordan, where he was beaten for 8 hours, and then delivered to Syria, where he was beaten and interrogated for 18 hours a day for a couple of weeks. He was whipped on his back and hands with a 2 inch thick electric cable and asked questions similar to those he had been asked in the United States. For over ten months Maher was held in an underground grave-like cell--3 x 6 x 7 feet--which was damp and cold, and in which the only light came in through a hole in the ceiling. After a year of this, Maher was released without any charges. He is now back home in Canada with his family. Upon his release, the Syrian Government announced he had no links to al Qaeda, and the Canadian Government has also said they've found no links to al Qaeda. The Canadian Government launched a Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar, to investigate the role of Canadian officials, but the Bush Administration has refused to cooperate with the Inquiry.

Hundreds of flights of CIA-chartered planes have been documented as having passed through European countries on extraordinary rendition missions like that involving Maher Arar, but the administration refuses to state how many people have been subjects of this illegal program.

The same U.S. laws prohibiting aiding and abetting torture also prohibit sending someone to a country where there is a substantial likelihood they may be tortured. Article 3 of CAT prohibits forced return where there is a ``substantial likelihood'' that an individual ``may be in danger of'' torture, and has been implemented by Federal statute. Article 7 of the ICCPR prohibits return to country of origin where individuals may be ``at risk'' of either torture or cruel, inhuman or degrading treatment.

Under international Human Rights law, transferring a POW to any nation where he or she is likely to be tortured or inhumanely treated

violates article 12 of the Third Geneva Convention, and transferring any civilian who is a protected person under the Fourth Geneva Convention is a grave breach and a criminal act.

In situations of armed conflict, both international human rights law and humanitarian law apply. A person captured in the zone of military hostilities ``must have some status under international law; he is either a prisoner of war and, as such, covered by the Third Convention, [or] a civilian covered by the Fourth Convention. . . . There is no intermediate status; nobody in enemy hands can be outside the law.'' Although the state is obligated to repatriate prisoners of war as soon as hostilities cease, the ICRC's commentary on the 1949 Conventions states that prisoners should not be repatriated where there are serious reasons for fearing that repatriating the individual would be contrary to general principles of established international law for the protection of human beings. Thus, all of the Guantanamo detainees as well as renditioned captives are protected by international human rights protections and humanitarian law.

By his actions as outlined above, the President has abused his power, broken the law, deceived the American people, and placed American military personnel, and indeed all Americans--especially those who may travel or live abroad--at risk of similar treatment. Furthermore, in the eyes of the rest of the world, the President has made the U.S., once a model of respect for human rights and respect for the rule of law, into a state where international law is neither respected nor upheld.

In all of these actions and decisions in violation of United States and International law, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XX--Imprisoning Children

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, authorized or permitted the arrest and detention of at least 2,500 children under the age of 18 as ``enemy combatants'' in Iraq, Afghanistan, and at Guantanamo Bay Naval Station in violation of the Fourth Geneva Convention relating to the treatment of ``protected persons'' and the Optional Protocol to the Geneva Convention on the Rights of the Child on the Involvement of Children in

Armed Conflict, signed by the U.S. in 2002. To wit:
In May 2008, the U.S. Government reported to the United Nations that it has been holding upwards of 2,500 children under the age of 18 as ``enemy combatants'' at detention centers in Iraq, Afghanistan and at Guantanamo Bay (where there was a special center, Camp Iguana, established just for holding children). The length of these detentions has frequently exceeded a year, and in some cases has stretched to five years. Some of these detainees have reached adulthood in detention and are now not being reported as child detainees because they are no longer children.
In addition to detaining children as ``enemy combatants'', it has been widely reported in media reports that the U.S. military in Iraq has, based upon Pentagon rules of engagement, been treating boys as young as 14 years of age as ``potential combatants'', subject to arrest and even to being killed. In Fallujah, in the days ahead of the November 2004 all-out assault, Marines ringing the city were reported to be turning back into the city men and boys ``of combat age'' who were trying to flee the impending scene of battle--an act which in itself is a violation of the Geneva Conventions, which require combatants to permit anyone, combatants as well as civilians, to surrender, and to leave the scene of battle.
Under the Fourth Geneva Convention, to which the United States has been a signatory since 1949, children under the age of 15 captured in conflicts, even if they have been fighting, are to be considered victims, not prisoners. In 2002, the United States signed the Optional Protocol to the Geneva Convention on the Rights of the Child on the Involvement of children in Armed Conflict, which raised this age for this category of ``protected person'' to under 18.
The continued detention of such children, some as young as 10, by the U.S. military is a violation of both convention and protocol, and as such constitutes a war crime for which the President, as Commander in Chief, bears full responsibility.
In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XXI--Misleading Congress and the American People About Threats From Iran, and Supporting Terrorist Organizations Within Iran, With the Goal of Overthrowing the Iranian Government

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United

States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has both personally and acting through his agents and subordinates misled the Congress and the citizens of the United States about a threat of nuclear attack from the nation of Iran.
The National Intelligence Estimate released to Congress and the public on December 4, 2007, which confirmed that the government of the nation of Iran had ceased any efforts to develop nuclear weapons, was completed in 2006. Yet, the president and his aides continued to suggest during 2007 that such a nuclear threat was developing and might already exist. National Security Adviser Stephen Hadley stated at the time the National Intelligence Estimate regarding Iran was released that the president had been briefed on its findings ``in the last few months''. Hadley's statement establishes a timeline that shows the president knowingly sought to deceive Congress and the American people about a nuclear threat that did not exist.
Hadley has stated that the president ``was basically told: stand down'' and, yet, the president and his aides continued to make false claims about the prospect that Iran was trying to ``build a nuclear weapon'' that could lead to ``World War III''.
This evidence establishes that the president actively engaged in and had full knowledge of a campaign by his administration to make a false ``case'' for an attack on Iran, thus warping the national security debate at a critical juncture and creating the prospect of an illegal and unnecessary attack on a sovereign nation.
Even after the National Intelligence Estimate was released to Congress and the American people, the president stated that he did not believe anything had changed and suggested that he and members of his administration would continue to argue that Iran should be seen as posing a threat to the United States. He did this despite the fact that United States intelligence agencies had clearly and officially stated that this was not the case.
Evidence suggests that the Bush Administration's attempts to portray Iran as a threat are part of a broader U.S. policy toward Iran. On September 30, 2001, then-Secretary of Defense Donald Rumsfeld established an official military objective of overturning the regime in Iran, as well as those in Iraq, Syria, and four other countries in the Middle East, according to a document quoted in then-Undersecretary of Defense for Policy Douglas Feith's book, ``War and Decision''. General Wesley Clark, reports in his book ``Winning Modern Wars'' being told by a friend in the Pentagon in November 2001 that the list of governments that Rumsfeld and Deputy Secretary of Defense Paul Wolfowitz planned to overthrow included Iraq, Iran, Syria, Libya, Sudan, and Somalia. Clark writes that the list also included Lebanon. Journalist Gareth Porter reported in May 2008 asking Feith at a public event which of the six regimes on the Clark list were included in the Rumsfeld paper, to which Feith replied ``All of them''. Rumsfeld's aides also drafted a second version of the paper, as instructions to all military commanders in the development of

``campaign plans against terrorism''. The paper called for military commanders to assist other government agencies ``as directed'' to ``encourage populations dominated by terrorist organizations or their supporters to overthrow that domination''.

In January 2005, Seymour Hersh reported in the New Yorker Magazine that the Bush Administration had been conducting secret reconnaissance missions inside Iran at least since the summer of 2004.

In June 2005 former United Nations weapons inspector Scott Ritter reported that United States security forces had been sending members of the Mujahedeen-e Khalq (MEK) into Iranian territory. The MEK has been designated a terrorist organization by the United States, the European Union, Canada, Iraq, and Iran. Ritter reported that the United States Central Intelligence Agency (CIA) had used the MEK to carry out remote bombings in Iran.

In April 2006, Hersh reported in the New Yorker Magazine that U.S. combat troops had entered and were operating in Iran, where they were working with minority groups including the Azeris, Baluchis, and Kurds.

Also in April 2006, Larisa Alexandrovna reported on Raw Story that the U.S. Department of Defense (DOD) was working with and training the MEK, or former members of the MEK, sending them to commit acts of violence in southern Iran in areas where recent attacks had left many dead. Raw Story reported that the Pentagon had adopted the policy of supporting MEK shortly after the 2003 invasion of Iraq, and in response to the influence of Vice President Richard B. Cheney's office. Raw Story subsequently reported that no Presidential finding, and no Congressional oversight, existed on MEK operations.

In March 2007, Hersh reported in the New Yorker Magazine that the Bush administration was attempting to stem the growth of Shiite influence in the Middle East (specifically the Iranian Government and Hezbollah in Lebanon) by funding violent Sunni organizations, without any Congressional authorization or oversight. Hersh said funds had been given to ``three Sunni jihadist groups . . . connected to al Qaeda'' that ``want to take on Hezbollah''.

In April 2008, the Los Angeles Times reported that conflicts with insurgent groups along Iran's borders were understood by the Iranian Government as a proxy war with the United States and were leading Iran to support its allies against the United States occupation force in Iraq. Among the groups the U.S. DOD is supporting, according to this report, is the Party for Free Life in Kurdistan, known by its Kurdish acronym, PEJAK. The United States has provided ``foodstuffs, economic assistance, medical supplies, and Russian military equipment, some of it funneled through nonprofit groups''.

In May 2008, Andrew Cockburn reported on Counter Punch that President Bush, six weeks earlier had signed a secret finding authorizing a covert offensive against the Iranian regime. President Bush's secret directive covers actions across an area stretching from Lebanon to Afghanistan, and purports to sanction actions up to and including the funding of organizations like the MEK and the

assassination of public officials.
All of these actions by the President and his agents and subordinates exhibit a disregard for the truth and a recklessness with regard to national security, nuclear proliferation and the global role of the United States military that is not merely unacceptable but dangerous in a commander in chief.
In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XXII--Creating Secret Laws

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, established a body of secret laws through the issuance of legal opinions by the Department of Justice's Office of Legal Counsel (OLC).
The OLC's March 14, 2003, interrogation memorandum (``Yoo Memorandum'') was declassified years after it served as law for the executive branch. On April 29, 2008, House Judiciary Committee Chairman John Conyers and Subcommittee on the Constitution, Civil Rights and Civil Liberties Chairman Jerrold Nadler wrote in a letter to Attorney General Michael Mukasey:
``It appears to us that there was never any legitimate basis for the purely legal analysis contained in this document to be classified in the first place. The Yoo Memorandum does not describe sources and methods of intelligence gathering, or any specific facts regarding any interrogation activities. Instead, it consists almost entirely of the Department's legal views, which are not properly kept secret from Congress and the American people. J. William Leonard, the Director of the National Archive's Office of Information Security Oversight Office, and a top expert in this field concurs, commenting that `[t]he document in question is purely a legal analysis' that contains `nothing which would justify classification'. In addition, the Yoo Memorandum suggests an extraordinary breadth and aggressiveness of OLC's secret legal opinion-making. Much attention has rightly been given to the statement in footnote 10 in the March 14, 2003, memorandum that, in an October 23, 2001, opinion, OLC concluded `that the Fourth Amendment had no application to domestic military operations'. As you know, we have

requested a copy of that memorandum on no less than four prior occasions and we continue to demand access to this important document.
``In addition to this opinion, however, the Yoo Memorandum references at least 10 other OLC opinions on weighty matters of great interest to the American people that also do not appear to have been released. These appear to cover matters such as the power of Congress to regulate the conduct of military commissions, legal constraints on the `military detention of United States citizens', legal rules applicable to the boarding and searching foreign ships, the President's authority to render U.S. detainees to the custody of foreign governments, and the President's authority to breach or suspend U.S. treaty obligations. Furthermore, it has been more than five years since the Yoo Memorandum was authored, raising the question how many other such memoranda and letters have been secretly authored and utilized by the Administration.
``Indeed, a recent court filing by the Department in FOIA litigation involving the Central Intelligence Agency identifies 8 additional secret OLC opinions, dating from August 6, 2004, to February 18, 2007. Given that these reflect only OLC memoranda identified in the files of the CIA, and based on the sampling procedures under which that listing was generated, it appears that these represent only a small portion of the secret OLC memoranda generated during this time, with the true number almost certainly much higher.".
Senator Russ Feingold, in a statement during an April 30, 2008, Senate hearing stated:
``It is a basic tenet of democracy that the people have a right to know the law. In keeping with this principle, the laws passed by Congress and the case law of our courts have historically been matters of public record. And when it became apparent in the middle of the 20th century that federal agencies were increasingly creating a body of non-public administrative law, Congress passed several statutes requiring this law to be made public, for the express purpose of preventing a regime of `secret law'. That purpose today is being thwarted. Congressional enactments and agency regulations are for the most part still public. But the law that applies in this country is determined not only by statutes and regulations, but also by the controlling interpretations of courts and, in some cases, the executive branch. More and more, this body of executive and judicial law is being kept secret from the public, and too often from Congress as well. . . .
``A legal interpretation by the Justice Department's Office of Legal Counsel . . . binds the entire executive branch, just like a regulation or the ruling of a court. In the words of former OLC head Jack Goldsmith, `These executive branch precedents are ``law'' for the executive branch'. The Yoo memorandum was, for a nine-month period in 2003 until it was withdrawn by Mr. Goldsmith, the law that this Administration followed when it came to matters of torture. And of course, that law was essentially a declaration that few if any laws applied. . . .

``Another body of secret law is the controlling interpretations of the Foreign Intelligence Surveillance Act that are issued by the Foreign Intelligence Surveillance Court. FISA, of course, is the law that governs the Government's ability in intelligence investigations to conduct wiretaps and search the homes of people in the United States. Under that statute, the FISA Court is directed to evaluate wiretap and search warrant applications and decide whether the standard for issuing a warrant has been met--a largely factual evaluation that is properly done behind closed doors. But with the evolution of technology and with this Administration's efforts to get the Court's blessing for its illegal wiretapping activities, we now know that the Court's role is broader, and that it is very much engaged in substantive interpretations of the governing statute. These interpretations are as much a part of this country's surveillance law as the statute itself. Without access to them, it is impossible for Congress or the public to have an informed debate on matters that deeply affect the privacy and civil liberties of all
Americans . . .
``The Administration's shroud of secrecy extends to agency rules and executive pronouncements, such as Executive Orders, that carry the force of law. Through the diligent efforts of my colleague Senator Whitehouse, we have learned that OLC has taken the position that a President can `waive' or `modify' a published Executive Order without any notice to the public or Congress--simply by not following it.".
In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.
In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XXIII--Violation of the Posse Comitatus Act

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, repeatedly and illegally established programs

to appropriate the power of the military for use in law enforcement. Specifically, he has contravened U.S.C. title 18, section 1385, originally enacted in 1878, subsequently amended as ``Use of Army and Air Force as Posse Comitatus'' and commonly known as the Posse Comitatus Act.

The Act states:

``Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined under this title or imprisoned not more than two years, or both.''.

The Posse Comitatus Act is designed to prevent the military from becoming a national police force.

The Declaration of Independence states as a specific grievance against the British that the King had ``kept among us, in times of peace, Standing Armies without the consent of our legislatures,'' had ``affected to render the Military independent of and superior to the civil power,'' and had ``quarter[ed] large bodies of armed troops among us . . . protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these States''.

Despite the Posse Comitatus Act's intent, and in contravention of the law, President Bush--

(1) has used military forces for law enforcement purposes on U.S. border patrol;

(2) has established a program to use military personnel for surveillance and information on criminal activities;

(3) is using military espionage equipment to collect intelligence information for law enforcement use on civilians within the United States; and

(4) employs active duty military personnel in surveillance agencies, including the Central Intelligence Agency (CIA).

In June 2006, President Bush ordered National Guard troops deployed to the border shared by Mexico with Arizona, Texas, and California. This deployment, which by 2007 reached a maximum of 6,000 troops, had orders to ``conduct surveillance and operate detection equipment, work with border entry identification teams, analyze information, assist with communications and give administrative support to the Border Patrol'' and concerned ``. . . providing intelligence . . . inspecting cargo, and conducting surveillance''.

The Air Force's ``Eagle Eyes'' program encourages Air Force military staff to gather evidence on American citizens. Eagle Eyes instructs Air Force personnel to engage in surveillance and then advises them to ``alert local authorities'', asking military staff to surveil and gather evidence on public citizens. This contravenes DoD Directive 5525.5 ``SUBJECT: DoD Cooperation with Civilian Law Enforcement'' which limits such activities.

President Bush has implemented a program to use imagery from military satellites for domestic law enforcement through the National

Applications Office.
President Bush has assigned numerous active duty military personnel to civilian institutions such as the CIA and the Department of Homeland Security, both of which have responsibilities for law enforcement and intelligence.
In addition, on May 9, 2007, President Bush released ``National Security Presidential Directive/NSPD 51'', which effectively gives the president unchecked power to control the entire government and to define that government in time of an emergency, as well as the power to determine whether there is an emergency. The document also contains ``classified Continuity Annexes''. In July 2007, and again in August 2007, Rep. Peter DeFazio, a senior member of the House Homeland Security Committee, sought access to the classified annexes. DeFazio and other leaders of the Homeland Security Committee, including Chairman Bennie Thompson, have been denied a review of the Continuity of Government classified annexes.
In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XXIV--Spying on American Citizens, Without a Court-Ordered Warrant, in Violation of the Law and the Fourth Amendment

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, knowingly violated the Fourth Amendment to the Constitution and the Foreign Intelligence Service Act of 1978 (FISA) by authorizing warrantless electronic surveillance of American citizens to wit:
(1) The President was aware of the FISA Law requiring a court order for any wiretap as evidenced by the following:
(A) ``Now, by the way, any time you hear the United States Government talking about wiretap, it requires--a wiretap requires a court order. Nothing has changed, by the way. When we're talking about chasing down terrorists, we're talking about getting a court order before we do so.'' White House Press conference on April 20, 2004. [White House Transcript]
(B) ``Law enforcement officers need a Federal

judge's permission to wiretap a foreign terrorist's phone, or to track his calls, or to search his property. Officers must meet strict standards to use any of the tools we're talking about." President Bush's speech in Baltimore, Maryland, on July 20th, 2005. [White House Transcript]

(2) The President repeatedly ordered the NSA to place wiretaps on American citizens without requesting a warrant from FISA as evidenced by the following:

(A) ``Months after the Sept. 11 attacks, President Bush secretly authorized the National Security Agency to eavesdrop on Americans and others inside the United States to search for evidence of terrorist activity without the court-approved warrants ordinarily required for domestic spying, according to government officials." New York Times article by James Risen and Eric Lichtblau on December 12, 2005. [NYTimes]

(B) The President admits to authorizing the program by stating ``I have reauthorized this program more than 30 times since the September the 11th attacks, and I intend to do so for as long as our nation faces a continuing threat from al Qaeda and related groups. The NSA's activities under this authorization are thoroughly reviewed by the Justice Department and NSA's top legal officials, including NSA's general counsel and inspector general. Leaders in Congress have been briefed more than a dozen times on this authorization and the activities conducted under it." Radio Address from the White House on December 17, 2005. [White House Transcript]

(C) In a December 19th, 2005 press conference the President publicly admitted to using a combination of surveillance techniques including some with permission from the FISA courts and some without permission from FISA.

Reporter: It was, why did you skip the basic safeguards of asking courts for permission for the intercepts?

THE PRESIDENT: . . . We use FISA still--you're referring to the FISA court in your question--of course, we use FISAs. But FISA is for long-term monitoring. What is needed in order to protect the American people is the ability to move quickly to detect. Now, having suggested this idea, I then, obviously, went to the question, is it legal to do so? I am--I swore to uphold the laws. Do I have the legal authority to do this? And the answer is, absolutely. As I mentioned in my remarks, the legal authority is derived from the Constitution, as well as the authorization of force by the United States Congress. [White House Transcript]

(D) Mike McConnell, the Director of National

Intelligence, in a letter to Senator Arlen Specter, acknowledged that Bush's Executive Order in 2001 authorized a series of secret surveillance activities and included undisclosed activities beyond the warrantless surveillance of e-mails and phone calls that Bush confirmed in December 2005. ``NSA Spying Part of Broader Effort'' by Dan Eggen, Washington Post, 8/1/07.

(3) The President ordered the surveillance to be conducted in a way that would spy upon private communications between American citizens located within the United States borders as evidenced by the following:

(A) Mark Klein, a retired AT&T communications technician, submitted an affidavit in support of the Electronic Frontier Foundation's FF's lawsuit against AT&T. He testified that in 2003 he connected a ``splitter'' that sent a copy of Internet traffic and phone calls to a secure room that was operated by the NSA in the San Francisco office of AT&T. He heard from a co-worker that similar rooms were being constructed in other cities, including Seattle, San Jose, Los Angeles, and San Diego. From ``Whistle-Blower Outs NSA Spy Room'', Wired News, 4/7/06. [Wired] [EFF Case]

(4) The President asserted an inherent authority to conduct electronic surveillance based on the Constitution and the ``Authorization to use Military Force in Iraq'' (AUMF) that was not legally valid as evidenced by the following:

(A) In a December 19th, 2005 Press Briefing General Alberto Gonzales admitted that the surveillance authorized by the President was not only done without FISA warrants, but that the nature of the surveillance was so far removed from what FISA can approve that FISA could not even be amended to allow it. Gonzales stated ``We have had discussions with Congress in the past--certain members of Congress--as to whether or not FISA could be amended to allow us to adequately deal with this kind of threat, and we were advised that that would be difficult, if not impossible.''.

(B) The fourth amendment to the United States Constitution states ``The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.''.

(C) ``The Foreign Intelligence Surveillance Act of 1978 unambiguously limits warrantless domestic

electronic surveillance, even in a congressionally declared war, to the first 15 days of that war; criminalizes any such electronic surveillance not authorized by statute; and expressly establishes FISA and two chapters of the federal criminal code, governing wiretaps for intelligence purposes and for criminal investigation, respectively, as the `exclusive means by which electronic surveillance . . . and the interception of domestic wire, oral, and electronic communications may be conducted.'. 50 U.S.C. 1811, 1809, 18 U.S.C. 2511(2)(f)." Letter from Harvard Law Professor Lawrence Tribe to John Conyers on 1/6/06.

(D) In a December 19th, 2005 Press Briefing Attorney General Alberto Gonzales stated ``Our position is, is that the authorization to use force, which was passed by the Congress in the days following September 11th, constitutes that other authorization, that other statute by Congress, to engage in this kind of signals intelligence.".

(E) The ``Authorization to use Military Force in Iraq" does not give any explicit authorization related to electronic surveillance. [H.J. Res. 114]

(F) ``From the foregoing analysis, it appears unlikely that a court would hold that Congress has expressly or impliedly authorized the NSA electronic surveillance operations here under discussion, and it would likewise appear that, to the extent that those surveillances fall within the definition of `electronic surveillance' within the meaning of FISA or any activity regulated under title III, Congress intended to cover the entire field with these statutes.". From the ``Presidential Authority to Conduct Warrantless Electronic Surveillance to Gather Foreign Intelligence Information" by the Congressional Research Service on January 5, 2006.

(G) ``The inescapable conclusion is that the AUMF did not implicitly authorize what the FISA expressly prohibited. It follows that the presidential program of surveillance at issue here is a violation of the separation of powers--as grave an abuse of executive authority as I can recall ever having studied." Letter from Harvard Law Professor Lawrence Tribe to John Conyers on 1/6/06.

(H) On August 17, 2006, Judge Anna Diggs Taylor of the United States District Court in Detroit, in ACLU v. NSA, ruled that the ``NSA program to wiretap the international communications of some Americans without a court warrant violated the Constitution. . . . Judge

Taylor ruled that the program violated both the Fourth Amendment and a 1978 law that requires warrants from a secret court for intelligence wiretaps involving people in the United States. She rejected the administration's repeated assertions that a 2001 Congressional authorization and the president's constitutional authority allowed the program." From a New York Times article ``Judge Finds Wiretap Actions Violate the Law" 8/18/06 and the Memorandum Opinion.

(I) In July 2007, the Sixth Circuit Court of Appeals dismissed the case, ruling the plaintiffs had no standing to sue because, given the secretive nature of the surveillance, they could not state with certainty that they have been wiretapped by the NSA. This ruling did not address the legality of the surveillance so Judge Taylor's decision is the only ruling on that issue. [ACLU Legal Documents]

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XXV--Directing Telecommunications Companies To Create an Illegal and Unconstitutional Database of the Private Telephone Numbers and Emails of American Citizens

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed", has both personally and acting through his agents and subordinates, violated the Stored Communications Act of 1986 and the Telecommunications Act of 1996 by creating of a very large database containing information related to the private telephone calls and emails of American citizens, to wit:

The President requested that telecommunication companies release customer phone records to the Government illegally as evidenced by the following:

``The Stored Communications Act of 1986 (SCA) prohibits the knowing disclosure of customer telephone records to the government unless pursuant to subpoena, warrant or a National Security Letter (or other Administrative subpoena); with the customers lawful consent; or there is a business necessity; or an emergency involving the danger of death

or serious physical injury. None of these exceptions apply to the circumstance described in the USA Today story." From page 169, ``George W Bush versus the U.S. Constitution.". Compiled at the direction of Representative John Conyers.
According to a May 11, 2006, article in USA Today by Lesley Cauley, ``The National Security Agency has been secretly collecting the phone call records of tens of millions of Americans, using data provided by AT&T, Verizon, and BellSouth." An unidentified source said ``The agency's goal is to `create a database of every call ever made' within the nation's borders.".
In early 2001, Qwest CEO Joseph Nacchio rejected a request from the NSA to turn over customers records of phone calls, emails and other Internet activity. Nacchio believed that complying with the request would violate the Telecommunications Act of 1996. From National Journal, November 2, 2007.
In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XXVI--Announcing the Intent To Violate Laws With Signing Statements, and Violating Those Laws

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed", has used signing statements to claim the right to violate acts of Congress even as he signs them into law.
In June 2007, the Government Accountability Office reported that in a sample of Bush signing statements the office had studied, for 30 percent of them the Bush administration had already proceeded to violate the laws the statements claimed the right to violate.
In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XXVII--Failing To Comply With Congressional Subpoenas and Instructing Former Employees Not To Comply

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, refused to comply with Congressional subpoenas, and instructed former employees not to comply with subpoenas.

Subpoenas not complied with include:

A House Judiciary Committee subpoena for Justice Department papers and Emails, issued April 10, 2007;

A House Oversight and Government Reform Committee subpoena for the testimony of the Secretary of State, issued April 25, 2007;

A House Judiciary Committee subpoena for the testimony of former White House Counsel Harriet Miers and documents, issued June 13, 2007;

A Senate Judiciary Committee subpoena for documents and testimony of White House Chief of Staff Joshua Bolten, issued June 13, 2007;

A Senate Judiciary Committee subpoena for documents and testimony of White House Political Director Sara Taylor, issued June 13, 2007 (Taylor appeared but refused to answer questions);

A Senate Judiciary Committee subpoena for documents and testimony of White House Deputy Chief of Staff Karl Rove, issued June 26, 2007;

A Senate Judiciary Committee subpoena for documents and testimony of White House Deputy Political Director J. Scott Jennings, issued June 26, 2007 (Jennings appeared but refused to answer questions);

A Senate Judiciary Committee subpoena for legal analysis and other documents concerning the NSA warrantless wiretapping program from the White House, Vice President Richard Cheney, The Department of Justice, and the National Security Council. If the documents are not produced, the subpoena requires the testimony of White House chief of staff Josh Bolten, Attorney General Alberto Gonzales, Cheney chief of staff David Addington, National Security Council executive director V. Philip Lago, issued June 27, 2007; and

A House Oversight and Government Reform Committee subpoena for Lt. General Kensinger.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of

the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XXVIII--Tampering With Free and Fair Elections, Corruption of the Administration of Justice

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, conspired to undermine and tamper with the conduct of free and fair elections, and to corrupt the administration of justice by United States Attorneys and other employees of the Department of Justice, through abuse of the appointment power. Toward this end, the President and Vice President, both personally and through their agents, did:

Engage in a program of manufacturing false allegations of voting fraud in targeted jurisdictions where the Democratic Party enjoyed an advantage in electoral performance or otherwise was problematic for the President's Republican Party, in order that public confidence in election results favorable to the Democratic Party be undermined;

Direct United States Attorneys to launch and announce investigations of certain leaders, candidates and elected officials affiliated with the Democratic Party at times calculated to cause the most political damage and confusion, most often in the weeks immediately preceding an election, in order that public confidence in the suitability for office of Democratic Party leaders, candidates and elected officials be undermined;

Direct United States Attorneys to terminate or scale back existing investigations of certain Republican Party leaders, candidates and elected officials allied with the George W. Bush administration, and to refuse to pursue new or proposed investigations of certain Republican Party leaders, candidates and elected officials allied with the George W. Bush administration, in order that public confidence in the suitability of such Republican Party leaders, candidates and elected officials be bolstered or restored; and

Threaten to terminate the employment of the following United States Attorneys who refused to comply with such directives and purposes;

David C. Iglesias as U.S. Attorney for the District

of New Mexico;
Kevin V. Ryan as U.S. Attorney for the Northern
District of California;
John L. McKay as U.S. Attorney for the Western
District of Washington;
Paul K. Charlton as U.S. Attorney for the District
of Arizona;
Carol C. Lam as U.S. Attorney for the Southern
District of California;
Daniel G. Bogden as U.S. Attorney for the District
of Nevada;
Margaret M. Chiara as U.S. Attorney for the Western
District of Michigan;
Todd Graves as U.S. Attorney for the Western
District of Missouri;
Harry E. ``Bud'' Cummins, III as U.S. Attorney for
the Eastern District of Arkansas;
Thomas M. DiBiagio as U.S. Attorney for the
District of Maryland; and
Kasey Warner as U.S. Attorney for the Southern
District of West Virginia.
Further, George W. Bush has both personally and acting through his agents and subordinates, together with the Vice President conspired to obstruct the lawful Congressional investigation of these dismissals of United States Attorneys and the related scheme to undermine and tamper with the conduct of free and fair elections, and to corrupt the administration of justice.
Contrary to his oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, George W. Bush has without lawful cause or excuse directed not to appear before the Committee on the Judiciary of the House of Representatives certain witnesses summoned by duly authorized subpoenas issued by that Committee on June 13, 2007.
In refusing to permit the testimony of these witnesses George W. Bush, substituting his judgment as to what testimony was necessary for the inquiry, interposed the powers of the Presidency against the lawful subpoenas of the House of Representatives, thereby assuming to himself functions and judgments necessary to the exercise of the checking and balancing power of oversight vested in the House of Representatives.
Further, the President has both personally and acting through his agents and subordinates, together with the Vice President directed the United States Attorney for the District of Columbia to decline to prosecute for contempt of Congress the aforementioned witnesses, Joshua B. Bolten and Harriet E. Miers, despite the obligation to do so as established by statute (2 U.S.C. 194) and pursuant to the direction of the United States House of Representatives as embodied in its

resolution (H. Res. 982) of February 14, 2008.
In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XXIX--Conspiracy To Violate the Voting Rights Act of 1965

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, has willfully corrupted and manipulated the electoral process of the United States for his personal gain and the personal gain of his co-conspirators and allies; has violated the United States Constitution and law by failing to protect the civil rights of African-American voters and others in the 2004 Election, and has impeded the right of the people to vote and have their vote properly and accurately counted, in that--
(1) on November 5, 2002, and prior thereto, James Tobin, while serving as the regional director of the National Republican Senatorial Campaign Committee and as the New England Chairman of Bush-Cheney '04 Inc., did, at the direction of the White House under the administration of George W. Bush, along with other agents both known and unknown, commit unlawful acts by aiding and abetting a scheme to use computerized hang-up calls to jam phone lines set up by the New Hampshire Democratic Party and the Manchester firefighters' union on Election Day;
(2) an investigation by the Democratic staff of the House Judiciary Committee into the voting procedures in Ohio during the 2004 election found ``widespread instances of intimidation and misinformation in violation of the Voting Rights Act, the Civil Rights Act of 1968, Equal Protection, Due Process and the Ohio right to vote'';
(3) the 14th Amendment Equal Protection Clause guarantees that no minority group will suffer disparate treatment in a Federal, State, or local election in stating that: ``No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.''.

However, during and at various times of the year 2004, John Kenneth Blackwell, then serving as the Secretary of State for the State of Ohio and also serving simultaneously as Co-Chairman of the Committee to Re-Elect George W. Bush in the State of Ohio, did, at the direction of the White House under the administration of George W. Bush, along with other agents both known and unknown, commit unlawful acts in violation of the Equal Protection Clause of the 14th Amendment to the United States Constitution by failing to protect the voting rights of African-American citizens in Ohio and further, John Kenneth Blackwell did disenfranchise African-American voters under color of law, by--

(A) willfully denying certain neighborhoods in the cities of Cleveland, Ohio, and Columbus, Ohio, along with other urban areas in the State of Ohio, an adequate number of electronic voting machines and provisional paper ballots, thereby unlawfully impeding duly registered voters from the act of voting and thus violating the civil rights of an unknown number of United States citizens;

(i) in Franklin County, George W. Bush and his agent, Ohio Secretary of State John Kenneth Blackwell, Co-Chair of the Bush-Cheney Re-election Campaign, failed to protect the rights of African-American voters by not properly investigating the withholding of 125 electronic voting machines assigned to the city of Columbus;

(ii) forty-two African-American precincts in Columbus were each missing one voting machine that had been present in the 2004 primary; and

(iii) African-American voters in the city of Columbus were forced to wait three to seven hours to vote in the 2004 presidential election;

(B) willfully issuing unclear and conflicting rules regarding the methods and manner of becoming a legally registered voter in the State of Ohio, and willfully issuing unclear and unnecessary edicts regarding the weight of paper registration forms legally acceptable to the State of Ohio, thereby creating confusion for both voters and voting officials and thus impeding the right of an unknown number of United States citizens to register and vote;

(i) Ohio Secretary of State John Kenneth Blackwell directed through Advisory 2004-31 that voter registration forms, which were

greatest in urban minority areas, should not be accepted and should be returned unless submitted on 80 bond paper weight. Blackwell's own office was found to be using 60 bond paper weight;
(C) willfully permitted and encouraged election officials in Cleveland, Cincinnati, and Toledo to conduct a massive partisan purge of registered voter rolls, eventually expunging more than 300,000 voters, many of whom were duly registered voters, and who were thus deprived of their constitutional right to vote;
(i) between the 2000 and 2004 Ohio presidential elections, 24.93 percent of the voters in the city of Cleveland, a city with a majority of African-American citizens, were purged from the voting rolls;
(ii) in that same period, the Ohio county of Miami, with census data indicating a 98 percent Caucasian population, refused to purge any voters from its rolls. Miami County ``merged'' voters from other surrounding counties into its voting rolls and even allowed voters from other states to vote; and
(iii) in Toledo, Ohio, an urban city with a high African-American concentration, 28,000 voters were purged from the voting rolls in August of 2004, just prior to the presidential election. This purge was conducted under the control and direction of George W. Bush's agent, Ohio Secretary of State John Kenneth Blackwell outside of the regularly established cycle of purging voters in odd-numbered years;
(D) willfully allowing Ohio Secretary of State John Kenneth Blackwell, acting under color of law and as an agent of George W. Bush, to issue a directive that no votes would be counted unless cast in the right precinct, reversing Ohio's long-standing practice of counting votes for president if cast in the right county;
(E) willfully allowing his agent, Ohio Secretary of State John Kenneth Blackwell, the Co-Chair of the Bush-Cheney Re-election Campaign, to do nothing to assure the voting rights of 10,000 people in the city of Cleveland when a computer error by the private vendor Diebold Election Systems, Inc. incorrectly disenfranchised 10,000 voters;
(F) willfully allowing his agent, Ohio Secretary of State John Kenneth Blackwell, the Co-Chair of the Bush-

Cheney Re-election Campaign, to ensure that uncounted and provisional ballots in Ohio's 2004 presidential election would be disproportionately concentrated in urban African-American districts;
(i) in Ohio's Lucas County, which includes Toledo, 3,122 or 41.13 percent of the provisional ballots went uncounted under the direction of George W. Bush's agent, the Secretary of State of Ohio, John Kenneth Blackwell, Co-Chair of the Committee to Re-Elect Bush/Cheney in Ohio;
(ii) in Ohio's Cuyahoga County, which includes Cleveland, 8,559 or 32.82 percent of the provisional ballots went uncounted;
(iii) in Ohio's Hamilton County, which includes Cincinnati, 3,529 or 24.23 percent of the provisional ballots went uncounted; and
(iv) Statewide, the provisional ballot rejection rate was 9 percent as compared to the greater figures in the urban areas;
(4) the Department of Justice, charged with enforcing the Voting Rights Act of 1965, the 14th Amendment's Equal Protection Clause, and other voting rights laws in the United States of America, under the direction and Administration of George W. Bush did willfully and purposely obstruct and stonewall legitimate criminal investigations into myriad cases of reported electoral fraud and suppression in the State of Ohio. Such activities, carried out by the department on behalf of George W. Bush in counties such as Franklin and Knox by persons such as John K. Tanner and others, were meant to confound and whitewash legitimate legal criminal investigations into the suppression of massive numbers of legally registered voters and the removal of their right to cast a ballot fairly and freely in the State of Ohio, which was crucial to the certified electoral victory of George W. Bush in 2004;
(5) on or about November 1, 2006, members of the United States Department of Justice, under the control and direction of the Administration of George W. Bush, brought indictments for voter registration fraud within days of an election, in order to directly effect the outcome of that election for partisan purposes, and in doing so, thereby violated the Justice Department's own rules against filing election-related indictments close to an election;
(6) emails have been obtained showing that the Republican National Committee and members of Bush-Cheney '04 Inc., did, at the direction of the White House under the Administration of George W. Bush, engage in voter suppression in five states by a method know as ``vote caging'', an illegal voter suppression

technique;
(7) agents of George W. Bush, including Mark F. ``Thor'' Hearne, the national general counsel of Bush/Cheney '04, Inc., did, at the behest of George W. Bush, as members of a criminal front group, distribute known false information and propaganda in the hopes of forwarding legislation and other actions that would result in the disenfranchisement of Democratic voters for partisan purposes. The scheme, run under the auspices of an organization known as ``The American Center for Voting Rights'' (ACVR), was funded by agents of George W. Bush in violation of laws governing tax exempt 501(c)3 organizations and in violation of federal laws forbidding the distribution of such propaganda by the Federal Government and agents working on its behalf;
(8) members of the United States Department of Justice, under the control and direction of the Administration of George W. Bush, did, for partisan reasons, illegally and with malice aforethought block career attorneys and other officials in the Department of Justice from filing three lawsuits charging local and county governments with violating the voting rights of African-Americans and other minorities, according to seven former senior United States Justice Department employees;
(9) members of the United States Department of Justice, under the control and direction of the Administration of George W. Bush, did illegally and with malice aforethought derail at least two investigations into possible voter discrimination, according to a letter sent to the Senate Rules and Administration Committee and written by former employees of the United States Department of Justice, Voting Rights Section; and
(10) members of the United States Election Assistance Commission (EAC), under the control and direction of the Administration of George W. Bush, have purposefully and willfully misled the public, in violation of several laws, by;
(A) withholding from the public and then altering a legally mandated report on the true measure and threat of Voter Fraud, as commissioned by the EAC and completed in June 2006, prior to the 2006 mid-term election, but withheld from release prior to that election when its information would have been useful in the administration of elections across the country, because the results of the statutorily required and tax-payer funded report did not conform with the illegal, partisan propaganda efforts and politicized agenda of the Bush Administration;
(B) withholding from the public a legally mandated report on the disenfranchising effect of Photo Identification laws at the polling place, shown to disproportionately disenfranchise voters not of George

W. Bush's political party. The report was commissioned by the EAC and completed in June 2006, prior to the 2006 mid-term election, but withheld from release prior to that election when its information would have been useful in the administration of elections across the country; and

(C) withholding from the public a legally mandated report on the effectiveness of Provisional Voting as commissioned by the EAC and completed in June 2006, prior to the 2006 mid-term election, but withheld from release prior to that election when its information would have been useful in the administration of elections across the country, and keeping that report unreleased for more than a year until it was revealed by independent media outlets.

For directly harming the rights and manner of suffrage, for suffering to make them secret and unknowable, for overseeing and participating in the disenfranchisement of legal voters, for instituting debates and doubts about the true nature of elections, all against the will and consent of local voters affected, and forced through threats of litigation by agents and agencies overseen by George W. Bush, the actions of Mr. Bush to do the opposite of securing and guaranteeing the right of the people to alter or abolish their government via the electoral process, being a violation of an inalienable right, and an immediate threat to Liberty.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XXX--Misleading Congress and the American People in an Attempt To Destroy Medicare

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, pursued policies which deliberately drained the fiscal resources of Medicare by forcing it to compete with subsidized private insurance plans which are allowed to arbitrarily select or not select those they will cover; failing to provide reasonable levels of reimbursements to Medicare

providers, thereby discouraging providers from participating in the program, and designing a Medicare Part D benefit without cost controls which allowed pharmaceutical companies to gouge the American taxpayers for the price of prescription drugs.

The President created, manipulated, and disseminated information given to the citizens and Congress of the United States in support of his prescription drug plan for Medicare that enriched drug companies while failing to save beneficiaries sufficient money on their prescription drugs. He misled Congress and the American people into thinking the cost of the benefit was $400 billion. It was widely understood that if the cost exceeded that amount, the bill would not pass due to concerns about fiscal irresponsibility.

A Medicare Actuary who possessed information regarding the true cost of the plan, $539 billion, was instructed by the Medicare Administrator to deny Congressional requests for it. The Actuary was threatened with sanctions if the information was disclosed to Congress, which, unaware of the information, approved the bill. Despite the fact that official cost estimates far exceeded $400 billion, President Bush offered assurances to Congress that the cost was $400 billion, when his office had information to the contrary. In the House of Representatives, the bill passed by a single vote and the Conference Report passed by only 5 votes. The White House knew the actual cost of the drug benefit was high enough to prevent its passage. Yet the White House concealed the truth and impeded an investigation into its culpability.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XXXI--Katrina: Failure To Plan for the Predicted Disaster of Hurricane Katrina, Failure To Respond to a Civil Emergency

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, failed to take sufficient action to protect life and property prior to and in the face of Hurricane Katrina in 2005, given decades of foreknowledge of the dangers of storms to New Orleans and specific forewarning in the days prior to the storm. The President failed to prepare for predictable and predicted disasters,

failed to respond to an immediate need of which he was informed, and has subsequently failed to rebuild the section of our nation that was destroyed.

Hurricane Katrina killed at least 1,282 people, with 2 million more displaced. 302,000 housing units were destroyed or damaged by the hurricane, 71 percent of these were low-income units. More than 500 sewage plants were destroyed, more than 170 point-source leakages of gasoline, oil, or natural gas, more than 2,000 gas stations submerged, several chemical plants, 8 oil refineries, and a superfund site was submerged. 8 million gallons of oil were spilled. Toxic materials seeped into floodwaters and spread through much of the city and surrounding areas.

The predictable increased strength of hurricanes such as Katrina has been identified by scientists for years, and yet the Bush Administration has denied this science and restricted such information from official reports, publications, and the National Oceanic and Atmospheric Agency's website. Donald Kennedy, editor-in-chief of Science, wrote in 2006 that ``hurricane intensity has increased with oceanic surface temperatures over the past 30 years. The physics of hurricane intensity growth . . . has clarified and explained the thermodynamic basis for these observations. [Kerry] Emanuel has tested this relationship and presented convincing evidence.".

FEMA's 2001 list of the top three most likely and most devastating disasters were a San Francisco earthquake, a terrorist attack on New York, and a Category 4 hurricane hitting New Orleans, with New Orleans being the number one item on that list. FEMA conducted a five-day hurricane simulation exercise in 2004, ``Hurricane Pam'', mimicking a Katrina-like event. This exercise combined the National Weather Service, the U.S. Army Corps of Engineers, the LSU Hurricane Center and other state and federal agencies, resulting in the development of emergency response plans. The exercise demonstrated, among other things, that thousands of mainly indigent New Orleans residents would be unable to evacuate on their own. They would need substantial government assistance. These plans, however, were not implemented in part due to the President's slashing of funds for protection. In the year before Hurricane Katrina hit, the President continued to cut budgets and deny grants to the Gulf Coast. In June of 2004, the Army Corps of Engineers levee budget for New Orleans was cut, and it was cut again in June of 2005, this time by $71.2 million or a whopping 44 percent of the budget. As a result, ACE was forced to suspend any repair work on the levees. In 2004 FEMA denied a Louisiana disaster mitigation grant request.

The President was given multiple warnings that Hurricane Katrina had a high likelihood of causing serious damage to New Orleans and the Gulf Coast. At 10 a.m. on Sunday, August 28, 2005, the day before the storm hit, the National Weather Service published an alert titled ``DEVASTATING DAMAGE EXPECTED''. Printed in all capital letters, the alert stated that ``MOST OF THE AREA WILL BE UNINHABITABLE FOR WEEKS .

. . PERHAPS LONGER. AT LEAST ONE HALF OF WELL CONSTRUCTED HOMES WILL HAVE ROOF AND WALL FAILURE. . . . POWER OUTAGES WILL LAST FOR WEEKS. . . . WATER SHORTAGES WILL MAKE HUMAN SUFFERING INCREDIBLE BY MODERN STANDARDS.".

The Homeland Security Department also briefed the President on the scenario, warning of levee breaches and severe flooding. According to the New York Times, ``a Homeland Security Department report submitted to the White House at 1:47 a.m. on August 29, hours before the storm hit, said, `Any storm rated Category 4 or greater will likely lead to severe flooding and/or levee breaching.'" These warnings clearly contradict the statements made by President Bush immediately after the storm that such devastation could not have been predicted. On September 1, 2005, the President said, ``I don't think anyone anticipated the breach of the levees.".

The President's response to Katrina via FEMA and DHS was criminally delayed, indifferent, and inept. The only FEMA employee posted in New Orleans in the immediate aftermath of Hurricane Katrina, Marty Bahamonde, emailed head of FEMA Michael Brown from his Blackberry device on August 31, 2005, regarding the conditions. The email was urgent and detailed and indicated that ``The situation is past critical. . . . Estimates are many will die within hours.". Brown's reply was emblematic of the administration's entire response to the catastrophe: ``Thanks for the update. Anything specific I need to do or tweak?". The Secretary of Homeland Security, Michael Chertoff, did not declare an emergency, did not mobilize the Federal resources, and seemed to not even know what was happening on the ground until reporters told him.

On Friday, August 26, 2005, Governor Kathleen Blanco declared a State of Emergency in Louisiana and Governor Haley Barbour of Mississippi followed suit the next day. Also on that Saturday, Governor Blanco asked the President to declare a Federal State of Emergency, and on August 28, 2005, the Sunday before the storm hit, Mayor Nagin declared a State of Emergency in New Orleans. This shows that the local authorities, responding to federal warnings, knew how bad the destruction was going to be and anticipated being overwhelmed. Failure to act under these circumstances demonstrates gross negligence.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XXXII--Misleading Congress and the American People, Systematically Undermining Efforts To Address Global Climate Change

In his conduct while President of the United States, George W.

Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, ignored the peril to life and property posed by global climate change, manipulated scientific information and mishandled protective policy, constituting nonfeasance and malfeasance in office, abuse of power, dereliction of duty, and deception of Congress and the American people.

President Bush knew the expected effects of climate change and the role of human activities in driving climate change. This knowledge preceded his first Presidential term.

(1) During his 2000 Presidential campaign, he promised to regulate carbon dioxide emissions.

(2) In 2001, the Intergovernmental Panel on Climate Change, a global body of hundreds of the world's foremost experts on climate change, concluded that ``most of observed warming over last 50 years (is) likely due to increases in greenhouse gas concentrations due to human activities.'' The Third Assessment Report projected several effects of climate change such as continued ``widespread retreat'' of glaciers, an ``increase threats to human health, particularly in lower income populations, predominantly within tropical/subtropical countries'', and ``water shortages''.

(3) The grave danger to national security posed by global climate change was recognized by the Pentagon's Defense Advanced Planning Research Projects Agency in October of 2003. An agency-commissioned report ``explores how such an abrupt climate change scenario could potentially de-stabilize the geo-political environment, leading to skirmishes, battles, and even war due to resource constraints such as: 1) Food shortages due to decreases in net global agricultural production, 2) Decreased availability and quality of fresh water in key regions due to shifted precipitation patters, causing more frequent floods and droughts, 3) Disrupted access to energy supplies due to extensive sea ice and storminess.''.

(4) A December 2004 paper in Science reviewed 928 studies published in peer reviewed journals to determine the number providing evidence against the existence of a link between anthropogenic emissions of carbon dioxide and climate change. ``Remarkably, none of the papers disagreed with the consensus position.''.

(5) The November 2007 Inter-Governmental Panel on Climate Change (IPCC) Fourth Assessment Report showed that global anthropogenic emissions of greenhouse gasses have increased 70 percent between 1970 and 2004, and anthropogenic emissions are

very likely the cause of global climate change. The report concluded that global climate change could cause the extinction of 20 to 30 percent of species in unique ecosystems such as the polar areas and biodiversity hotspots, increase extreme weather events especially in the developing world, and have adverse effects on food production and fresh water availability.

The President has done little to address this most serious of problems, thus constituting an abuse of power and criminal neglect. He has also actively endeavored to undermine efforts by the Federal Government, States, and other nations to take action on their own.

(1) In March 2001, President Bush announced the U.S. would not be pursuing ratification of the Kyoto Protocol, an international effort to reduce greenhouse gasses. The United States is the only industrialized nation that has failed to ratify the accord.

(2) In March of 2008, Representative Henry Waxman wrote to EPA Administrator Stephen Johnson: ``In August 2003, the Bush Administration denied a petition to regulate CO<INF>2</INF> emissions from motor vehicles by deciding that CO<INF>2</INF> was not a pollutant under the Clean Air Act. In April 2007, the U.S. Supreme Court overruled that determination in Massachusetts v. EPA. The Supreme Court wrote that `If EPA makes a finding of endangerment, the Clean Air Act requires the agency to regulate emissions of the deleterious pollutant from new motor vehicles.'. The EPA then conducted an extensive investigation involving 60-70 staff who concluded that `CO<INF>2</INF> emissions endanger both human health and welfare.'. These findings were submitted to the White House, after which work on the findings and the required regulations was halted.".

(3) A Memo to Members of the Committee on Oversight and Government Reform on May 19, 2008, stated, ``The record before the Committee shows: (1) the career staff at EPA unanimously supported granting California's petition (to be allowed to regulate greenhouse gas emissions from cars and trucks, consistent with California state law); (2) Stephen Johnson, the Administrator of EPA, also supported granting California's petition at least in part; and (3) Administrator Johnson reversed his position after communications with officials in the White House.".

The President has suppressed the release of scientific information related to global climate change, an action which undermines Congress's ability to legislate and provide oversight, and which has thwarted efforts to prevent global climate change despite the serious threat that it poses.

(1) In February, 2001, ExxonMobil wrote a memo to the White House outlining ways to influence the outcome of the Third Assessment report by the Intergovernmental Panel on Climate

Change. The memo opposed the reelection of Dr. Robert Watson as the IPCC Chair. The White House then supported an opposition candidate, who was subsequently elected to replace Dr. Watson.
(2) The New York Times on January 29, 2006, reported that James Hansen, NASA's senior climate scientist was warned of ``dire consequences'' if he continued to speak out about global climate change and the need for reducing emissions of associated gasses. The Times also reported that: ``At climate laboratories of the National Oceanic and Atmospheric Administration, for example, many scientists who routinely took calls from reporters five years ago can now do so only if the interview is approved by administration officials in Washington, and then only if a public affairs officer is present or on the phone.''.
(3) In December of 2007, the House Committee on Oversight and Government Reform issued a report based on 16 months of investigation and 27,000 pages of documentation. According to the summary: ``The evidence before the Committee leads to one inescapable conclusion: the Bush Administration has engaged in a systematic effort to manipulate climate change science and mislead policy makers and the public about the dangers of global warming.'' The report described how the White House appointed former petroleum industry lobbyist Phil Cooney as head of the Council on Environmental Quality. The report states ``There was a systematic White House effort to minimize the significance of climate change by editing climate change reports. CEQ Chief of Staff Phil Cooney and other CEQ officials made at least 294 edits to the Administration's Strategic Plan of the Climate Change Science Program to exaggerate or emphasize scientific uncertainties or to de-emphasize or diminish the importance of the human role in global warming.''.
(4) On April 23, 2008, Representative Henry Waxman wrote a letter to EPA Administrator Stephen L. Johnson. In it he reported: ``Almost 1,600 EPA scientists completed the Union of Concerned Scientists survey questionnaire. Over 22 percent of these scientists reported that `selective or incomplete use of data to justify a specific regulatory outcome' occurred `frequently' or `occasionally' at EPA. Ninety-four EPA scientists reported being frequently or occasionally directed to inappropriately exclude or alter technical information from an EPA scientific document. Nearly 200 EPA scientists said that they have frequently or occasionally been in situations in which scientists have actively objected to, resigned from or removed themselves from a project because of pressure to change scientific findings.''.
In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and subversive of constitutional government, to the prejudice of the cause of law and

justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XXXIII--Repeatedly Ignored and Failed To Respond to High Level Intelligence Warnings of Planned Terrorist Attacks in the U.S., Prior to 9/11

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, failed in his Constitutional duties to take proper steps to protect the nation prior to September 11, 2001.

The White House's top counter-terrorism adviser, Richard A. Clarke, has testified that from the beginning of George W. Bush's presidency until September 11, 2001, Clarke attempted unsuccessfully to persuade President Bush to take steps to protect the nation against terrorism.

Clarke sent a memorandum to then-National Security Advisor Condoleezza Rice on January 24, 2001, ``urgently'' but unsuccessfully requesting ``a Cabinet-level meeting to deal with the impending al Qaeda attack.''.

In April 2001, Clarke was finally granted a meeting, but only with second-in-command department representatives, including Deputy Secretary of Defense Paul Wolfowitz, who made light of Clarke's concerns.

Clarke confirms that in June, July, and August 2001, the Central Intelligence Agency (CIA) warned the president in daily briefings of unprecedented indications that a major al Qaeda attack was going to happen against the United States somewhere in the world in the weeks and months ahead. Yet, Clarke was still unable to convene a cabinet-level meeting to address the issue.

Condoleezza Rice has testified that George Tenet met with the president 40 times to warn him that a major al Qaeda attack was going to take place, and that in response the president did not convene any meetings of top officials. At such meetings, the FBI could have shared information on possible terrorists enrolled at flight schools. Among the many preventive steps that could have been taken, the Federal Aviation Administration, airlines, and airports might have been put on full alert.

According to Condoleezza Rice, the first and only cabinet-level meeting prior to 9/11 to discuss the threat of terrorist attacks took place on September 4, 2001, one week before the attacks in New York and Washington.

On August 6, 2001, President Bush was presented a President's Daily Brief (PDB) article titled ``Bin Laden Determined to Strike in U.S.''. The lead sentence of that PDB article indicated that Bin Laden and his followers wanted to ``follow the example of World Trade Center bomber Ramzi Yousef and `bring the fighting to America'''. The article warned: ``Al-Qa'ida members--including some who are U.S. citizens--have resided in or traveled to the U.S. for years, and the group apparently maintains a support structure that could aid attacks.''.

The article cited a ``more sensational threat reporting that Bin Laden wanted to hijack a U.S. aircraft'', but indicated that the CIA had not been able to corroborate such reporting. The PDB item included information from the FBI indicating ``patterns of suspicious activity in this country consistent with preparations for hijackings or other types of attacks, including recent surveillance of Federal buildings in New York''. The article also noted that the CIA and FBI were investigating ``a call to our embassy in the UAE in May saying that a group of Bin Laden supporters was in the U.S. planning attacks with explosives''.

The president spent the rest of August 6, and almost all the rest of August 2001 on vacation. There is no evidence that he called any meetings of his advisers to discuss this alarming report. When the title and substance of this PDB article were later reported in the press, then-National Security Adviser Condoleezza Rice began a sustained campaign to play down its significance, until the actual text was eventually released by the White House.

New York Times writer Douglas Jehl, put it this way: ``In a single 17-sentence document, the intelligence briefing delivered to President Bush in August 2001 spells out the who, hints at the what and points towards the where of the terrorist attacks on New York and Washington that followed 36 days later.''.

Eleanor Hill, Executive Director of the joint congressional committee investigating the performance of the U.S. intelligence community before September 11, 2001, reported in mid-September 2002 that intelligence reports a year earlier ``reiterated a consistent and constant theme: Osama bin Laden's intent to launch terrorist attacks inside the United States''.

That joint inquiry revealed that just two months before September 11, an intelligence briefing for ``senior government officials'' predicted a terrorist attack with these words: ``The attack will be spectacular and designed to inflict mass casualties against U.S. facilities or interests. Attack preparations have been made. Attack will occur with little or no warning.''.

Given the White House's insistence on secrecy with regard to what intelligence was given to President Bush, the joint-inquiry report does not divulge whether he took part in that briefing. Even if he did not, it strains credulity to suppose that those ``senior government officials'' would have kept its alarming substance from the president. Again, there is no evidence that the president held any meetings or

took any action to deal with the threats of such attacks.
In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States.
Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XXXIV--Obstruction of Investigation Into the Attacks of September 11, 2001

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, obstructed investigations into the attacks on the World Trade Center and Pentagon on September 11, 2001.
Following September 11, 2001, President Bush and Vice President Cheney took strong steps to thwart any and all proposals that the circumstances of the attack be addressed. Then-Secretary of State Colin Powell was forced to renege on his public promise on September 23 that a ``White Paper'' would be issued to explain the circumstances. Less than two weeks after that promise, Powell apologized for his ``unfortunate choice of words'', and explained that Americans would have to rely on ``information coming out in the press and in other ways''.
On September 26, 2001, President Bush drove to Central Intelligence Agency (CIA) headquarters in Langley, Virginia, stood with Director of Central Intelligence George Tenet and said: ``My report to the nation is, we've got the best intelligence we can possibly have thanks to the men and women of the C.I.A.'' George Tenet subsequently and falsely claimed not to have visited the president personally between the start of Bush's long Crawford vacation and September 11, 2001.
Testifying before the 9/11 Commission on April 14, 2004, Tenet answered a question from Commission member Timothy Roemer by referring to the president's vacation (July 29-August 30) in Crawford and insisting that he did not see the president at all in August 2001.
``You never talked with him?'' Roemer asked. ``No'', Tenet replied, explaining that for much of August he too was ``on leave''. An Agency spokesman called reporters that same evening to say Tenet had misspoken, and that Tenet had briefed Bush on August 17 and 31. The spokesman explained that the second briefing took place after the president had returned to Washington, and played down the first one, in Crawford, as uneventful.

In his book, At the Center of the Storm (2007), Tenet refers to what is almost certainly his August 17 visit to Crawford as a follow-up to the ``Bin Laden Determined to Strike in the U.S.'' article in the CIA-prepared President's Daily Brief of August 6. That briefing was immortalized in a Time Magazine photo capturing Harriet Myers holding the PDB open for the president, as two CIA officers sit by. It is the same briefing to which the president reportedly reacted by telling the CIA briefer, ``All right, you've covered your ass now.''. (Ron Suskind, The One-Percent Doctrine, p. 2, 2006). In At the Center of the Storm, Tenet writes: ``A few weeks after the August 6 PDB was delivered, I followed it to Crawford to make sure that the president stayed current on events.''.

A White House press release suggests Tenet was also there a week later, on August 24. According to the August 25, 2001, release, President Bush, addressing a group of visitors to Crawford on August 25, told them: ``George Tenet and I, yesterday, we piled in the new nominees for the Chairman of the Joint Chiefs, the Vice Chairman and their wives and went right up the canyon.''.

In early February 2002, Vice President Dick Cheney warned then-Senate Majority Leader Tom Daschle that if Congress went ahead with an investigation, administration officials might not show up to testify.

As pressure grew for an investigation, the president and vice president agreed to the establishment of a congressional joint committee to conduct a ``Joint Inquiry''. Eleanor Hill, Executive Director of the Inquiry, opened the Joint Inquiry's final public hearing in mid-September 2002 with the following disclaimer: ``I need to report that, according to the White House and the Director of Central Intelligence, the president's knowledge of intelligence information relevant to this inquiry remains classified, even when the substance of the intelligence information has been declassified.''.

The National Commission on Terrorist Attacks, also known as the 9/11 Commission, was created on November 27, 2002, following the passage of congressional legislation signed into law by President Bush. The President was asked to testify before the Commission. He refused to testify except for one hour in private with only two Commission members, with no oath administered, with no recording or note taking, and with the Vice President at his side. Commission Co-Chair Lee Hamilton has written that he believes the commission was set up to fail, was underfunded, was rushed, and did not receive proper cooperation and access to information.

A December 2007 review of classified documents by former members of the Commission found that the commission had made repeated and detailed requests to the CIA in 2003 and 2004 for documents and other information about the interrogation of operatives of l Qaeda, and had been told falsely by a top CIA official that the agency had ``produced or made available for review'' everything that had been requested.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President, and subversive of

constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article XXXV--Endangering the Health of 9/11 First Responders

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ``to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, recklessly endangered the health of first responders, residents, and workers at and near the former location of the World Trade Center in New York City.

The Inspector General of the Environmental Protection Agency (EPA) August 21, 2003, report numbered 2003-P-00012 and entitled ``EPA's Response to the World Trade Center Collapse: Challenges, Successes, and Areas for Improvement'', includes the following findings:

``[W]hen EPA made a September 18 announcement that the air was `safe' to breathe, it did not have sufficient data and analyses to make such a blanket statement. At that time, air monitoring data was lacking for several pollutants of concern, including particulate matter and polychlorinated biphenyls (PCBs). Furthermore, The White House Council on Environmental Quality (CEQ) influenced, through the collaboration process, the information that EPA communicated to the public through its early press releases when it convinced EPA to add reassuring statements and delete cautionary ones.''. . .

``As a result of the White House CEQ's influence, guidance for cleaning indoor spaces and information about the potential health effects from WTC debris were not included in EPA-issued press releases. In addition, based on CEQ's influence, reassuring information was added to at least one press release and cautionary information was deleted from EPA's draft version of that press release. . . . [T]he White House's role in EPA's public communications about WTC environmental conditions was described in a September 12, 2001, e-mail from the EPA Deputy Administrator's Chief of Staff to senior EPA officials:

```All statements to the media should be cleared through the NSC [National Security Council] before they are released.'

``According to the EPA Chief of Staff, one particular CEQ official was designated to work with EPA to ensure that clearance was obtained through NSC. The Associate Administrator
```

for the EPA Office of Communications, Education, and Media Relations (OCEMR)³ said that no press release could be issued for a 3- to 4-week period after September 11 without approval from the CEQ contact.".

Acting EPA Administrator Marianne Horinko, who sat in on EPA meetings with the White House, has said in an interview that the White House played a coordinating role. The National Security Council played the key role, filtering incoming data on ground zero air and water, Horinko said: ``I think that the thinking was, these are experts in WMD (weapons of mass destruction), so they should have the coordinating role.".

In the cleanup of the Pentagon following September 11, 2001, Occupational Safety and Health Administration laws were enforced, and no workers became ill. At the World Trade Center site, the same laws were not enforced.

In the years since the release of the EPA Inspector General's above-cited report, the Bush Administration has still not effected a clean-up of the indoor air in apartments and workspaces near the site. Screenings conducted at the Mount Sinai Medical Center and released in the September 10, 2004, Morbidity and Mortality Weekly Report (MMWR) of the Federal Centers For Disease Control and Prevention (CDC), produced the following results:

``Both upper and lower respiratory problems and mental health difficulties are widespread among rescue and recovery workers who dug through the ruins of the World Trade Center in the days following its destruction in the attack of September 11, 2001.

``An analysis of the screenings of 1,138 workers and volunteers who responded to the World Trade Center disaster found that nearly three-quarters of them experienced new or worsened upper respiratory problems at some point while working at Ground Zero. And half of those examined had upper and/or lower respiratory symptoms that persisted up to the time of their examinations, an average of eight months after their WTC efforts ended.".

A larger study released in 2006 found that roughly 70 percent of nearly 10,000 workers tested at Mount Sinai from 2002 to 2004 reported that they had new or substantially worsened respiratory problems while or after working at ground zero. This study showed that many of the respiratory ailments, including sinusitis and asthma, and gastrointestinal problems related to them, initially reported by ground zero workers persisted or grew worse over time. Most of the ground zero workers in the study who reported trouble breathing while working there were still having those problems two and a half years later, an indication of chronic illness unlikely to improve over time.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President, and subversive of constitutional government, to the prejudice of the cause of law and

justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

A SUSTAINABLE DRINKING WATER SUPPLY FOR NEW YORK CITY

ST. ANOTHONY'S BLUE GOLD TRANSMISSION ALIGNMENT

GEORGE WASHINGTON ROCK, NEW JERSEY TO NEW YORK CITY

TO

REVITILIZE ENVIRONMENT, ECONOMY AND HEALTH

SERVING

EASTERN NEW JERSEY AND NEW YORK CITY

FOR

OWNER/ACCESS TO SECRET UNDERGROUND RIVER NEAR MOUNT WASHTUNG

Anthony Menza
505 Warren Road
Warren, NJ 07059

BY

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Office of the Governor of New York
Office of the Governor of New Jersey
Office of the Governor of Delaware
New York Department of Environmental Protection
New Jersey Department of Environmental Protection
Natural Resource Defense Council
New Jersey Transit Corporation
Army Core of Engineers
American Water Company, Inc.
New York Department of Health
Department of Transportation

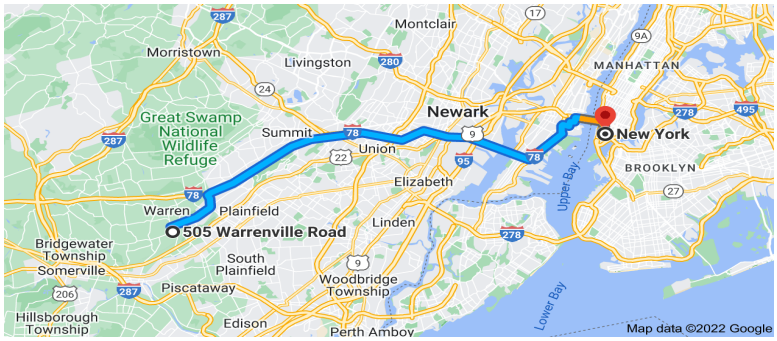
November 6, 2022

PRELIMINARY ALIGNMENT AND FEASIBILITY REPORT

PROJECT OVERVIEW

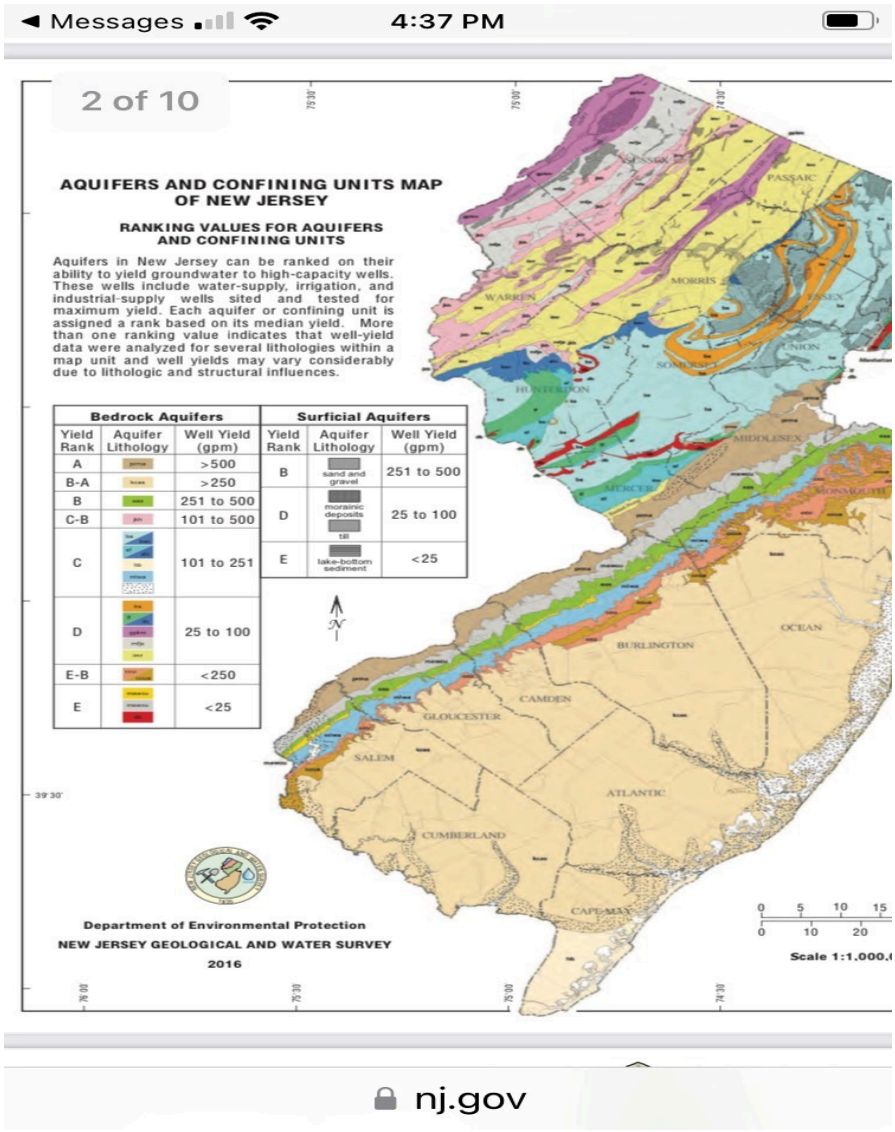
The Menza residence is located at 505 Warren Road, New Jersey in the upper limits of Washington Rock or Washtung Mountain (old Blue Hills) toward the eastern end of New Jersey only 25miles west of New York City and approximately 2000 feet above where an old Lava spill from deep in the Earth left a massive underground river access point below our clients land. The old, deep well with pure and endless drinking water was reserved and is the only lot in the area that was not required to hook up to the local water supply infrastructures during assessments due to the high quality of the Well and this unique access point. The property is located in hills of Somerset County with many potential routes for a large 9ft diameter Blue Gold Transmission down existing railroad right-of way (R/W), Interstate I-78 and 22 R/W to flow downhill into the much needed new source to all of New York City.

The location of the rural lot of approximately 1.5 acres with access to a deep basalt layer of the only historical area in New Jersey with Volcanic Trappa rock providing a alkaline type source, which is also location very close to large populations such as eastern New Jersey and New York City.



Alignment 1 - I-78 from Washington Rock to New York City
(alternative links from SR 22, Dunellen Railroad R/W, and Power Easements)

Map of the underground formations by State of New Jersey public record USGS maps.



LandTech Design Group, Inc. is has another large project in Florida showing new transmissions down CSX Railroads and Interstate I-75 from Sarasota Florida to Miami solving the Florida North South conflict for over 10yrs where water quality and shortages from the same type of old style designs using reservoirs and rain dependency. Our new site resourcing and engineering concepts solve major water supply problems and lower the utility, water bills, taxes and risk to States and is being implemented in larger regions and now in your area, to help the American People move away from the old ways of water supply risk factors and issues that we request to discuss below in workshops with Staff and Agencies from New York City, New Jersey and Delaware systematically to expedite.

(1) Alignments alternative down local roadways, Highways, existing Railroad R/w and Power easements.

(2) Project Prospectus for Job Creation from Spring Water to the Tap of Homes in eastern New Jersey and New York City

(3) Overall 30 mile Transmission Alignments from Washington Rock or Washtung Mountain (Old Blue Hills) to New York City.

(4) Water Readings and Historical maps of secret hidden resource and through LandTech Design Group, Inc., new Hypothesis for Water Origin Theory showing endless Water below hidden by EPA Ice Comet theory

(5) Demands and Flows needed along alignment (preliminary)

(6) Appendix
- New York Aqua-duct failure reports showing upcoming disasters
- New York current Aqua-Duct System Shutdown in June 2022
- Arsenic leaking in System without warnings in NYC from aqua-ducts no longer sustainable to the Public on a major and long time Level of Service
- Florida's 300mile Blue Gold Pipeline from KT Event showing similar secret resources that can solve the whole nations water supply with new science and access points.

WORKSHOP REQUEST WITH NEW YORK CITY MAYOR AND STAFF

Although this report is submitted preliminary, we have much more in our file, but wish to discuss the Water Supply interconnection models, future Capital improvement funds, matching funds and of course the Public Need which this new hidden resource may be expedited for funding as an Alternative Drinking Water Resource in case the ENTIRE AQUA-DUCT collapses into New York City from the 250yr old system, that has over 80yr old concrete aqua-ducts failing, that may create a massive Pandemic in New York City of NO WATER SUPPLY within days of the Collapse.

This system could stabilize the Risk within 2yrs construction, with the ability to allow the old system to be shut down in phases so in the end there are two sources from two different States serving New York city. The existing old system under duress from Delaware and the new proposed System via St Anthony's Blue Gold Pipeline. The failures and leaks within the Delaware system has caused home flooding which is a function also of the old system.

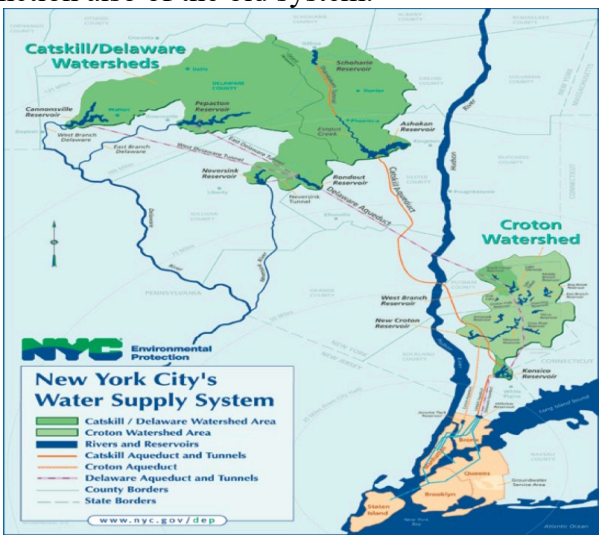


Diagram 1

Water Supply ready to collapse at Aqua-ducts affecting over 20million People in New York and Delaware instantly (80 to 400yr old infrastructure needs replacement)

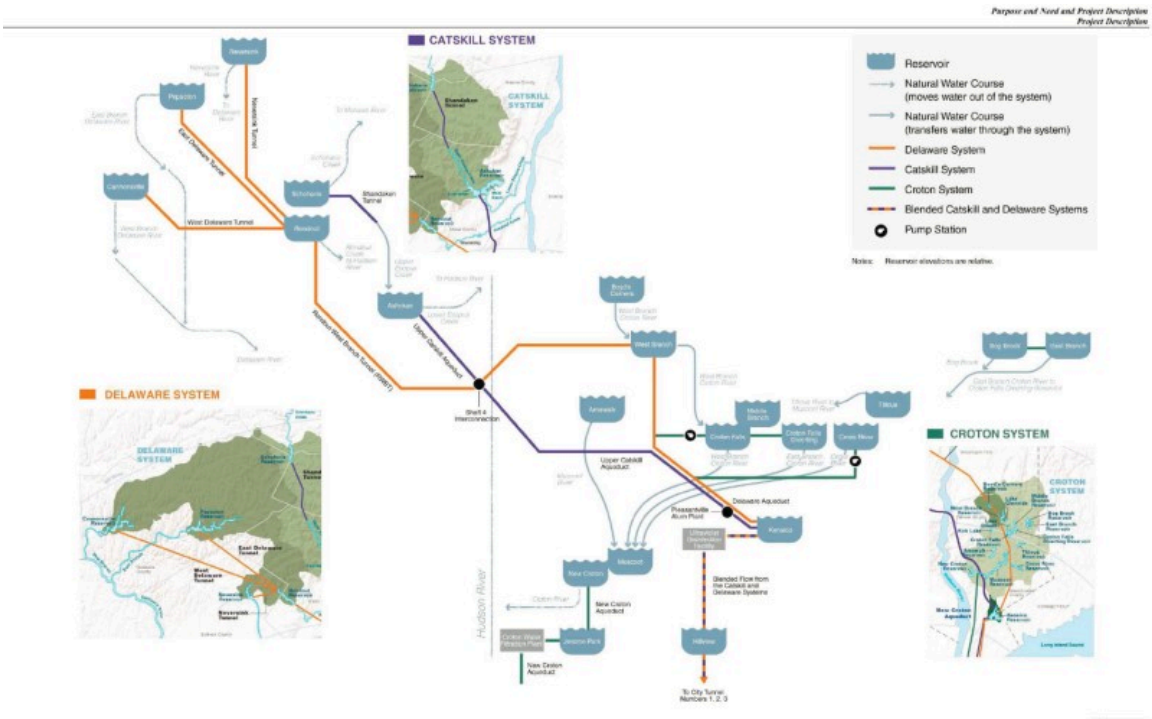


Diagram 2
Water Supply DEPENDS ON RAIN and subject to droughts and ready to collapse at Aqua-ducts affecting over 20million People in New York and Delaware instantly
(80 to 400yr old infrastructure needs replacement)

CONCLUSION

Our new deep underground resource and proposed Blue Gold (primary Water Cycle) alignment not only provides better quality but a closer and more sustainable water source while the existing sources from Delaware systems will continue to increase in cost through renovations in perpetuity due to the age of concrete and other factors of use and break down. No matter how long you try the existing system while eventually fail and stop water to New York as warned to the Public by the Engineers in the region with an emphasis in multiple seminars, meetings, books and reports since 2013 and getting worse. Drinking Water supply effects Local, State, Federal and Global Sustainability in every way, shape or form.

For the past 400years New York is served from surface systems and Aqua-ducts that have been renovated to concrete aqua-ducts in the 1940's which have begun again to fail since 1980's or for the past 40yrs, but with a huge risk to a much larger population. These constructed aqua-ducts up State from New York in Delaware have now become a risky business in that Water Supply can be completely shut off if a collapse of the very frail reinforced concrete aqua-ducts shown in various reports in our Appendix by the National and State Authorities.

The existing water supply system in New York has even affected the population in Delaware with flooding. Reports show from the 1990's over 35million gallons per day are leaking, but fail to show whats leaking in and contaminating the water supply. Please contact our office at your earliest convenience so we can coordinate a Zoom Meeting and discuss three workshops completed with your staff in New York City on our proposal to help three States in Water Supply issues.

APPENDIX

EXHIBIT A

AMERICA TONIGHT
MON-FRI 9:30PM ET/6:30PM PT
(/WATCH/SHOWS/AMERICA-TONIGHT.HTML)

NEW YORK CITY, DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP)

Why New Yorkers should be worried about their water supply

Experts warn that "the champagne of urban water supplies" is under dire threat

August 4, 2014 2:00PM ET

by **Aaron Ernst (/profiles/e/aaron-ernst.html) -** @aaronernst (http://www.twitter.com/aaronernst)
& **Christof Putzel (/profiles/p/christof-putzel0.html) -** @ChristofPutzel (http://www.twitter.com/Chr

A water main burst near UCLA last week, spilling 20 million gallons of water, flooding cars, and blasting a 15-foot hole into Sunset Boulevard. The 30-foot geyser was the result of a cracked pipe, which burst in the midst of California's ongoing drought, wasting water that could have supplied 100,000 people.

It took a very visible failure of water infrastructure in a major city to get the public and politicians interested in the invisible, and increasingly creaky, infrastructure. Public figures such as Los Angeles Councilman Mitch Englander have voiced their concern (http://www.latimes.com/local/cityhall/la-me-ucla-flooding-20140731-story.html#page=1), calling the flooding part of the city's larger "infrastructure crisis."

Experts estimate that water systems countrywide will need to be replaced, at the tune of $1 trillion over the next 25 years. But while the flooding in Los Angeles captured headlines around the country, the inconvenience it caused pales in comparison to the threat facing America's biggest metropolis: New York City.

'Champagne' water

Every day, more than 9 million New Yorkers consume more than 1 billion gallons of some of the purest water in the U.S. Called "the champagne of urban water supplies," it requires no filtration.

The secret to its purity is the pristine condition of the protected watersheds upstate. Located more than 100 miles north of the city, this water is collected by a vast system of 19 reservoirs in the Croton, Catskill and Delaware watersheds that feed an intricate system of more than 6,000 miles of pipes, shafts and subterranean aqueducts.

"New York City has been building water supply infrastructure almost continuously for 170 years," said Kevin Bone

Kevin Bone is an expert on the invisible infrastructure that keeps New York City's water taps flowing. America Tonight

(http://cooper.edu/architecture/people/kevin-bone), a professor at Cooper Union, and co-author of "Water-Works: The Architecture and Engineering of the New York City Water Supply," (http://www.amazon.com/Water-Works-Architecture-Engineering-Water-

Supply/dp/1580931766) the definitive history of New York City's infrastructure. "It is the largest, single capital investment that New York City has made, including the subway systems."

That constant investment has been needed to keep up with the explosive growth of the city. In 1930s, and again running out of water, New York City built what many consider to be the crown jewel of its water infrastructure: the Delaware Aqueduct. Finished in 1945, this deep rock pressure tunnel tapped into the Delaware watershed and was designed to deliver up to 850 million gallons of water per day to New York City. On any given day, it delivers anywhere between 50 to 80 percent of the city's water.

But over the years, the residents in a neighborhood of the small upstate town of Wawarsing, located over the aqueduct, began to notice something odd. Whenever it rained, roads backed up, basements flooded.

David Sickles in his basement, waist-deep in water. David Sickles

Longtime resident David Sickles had to move his electrical panels to the ceiling of his basement so that they wouldn't short out. Ed Jennings, who lived in the neighborhood for more than 50 years, said the problem steadily got worse over the years.

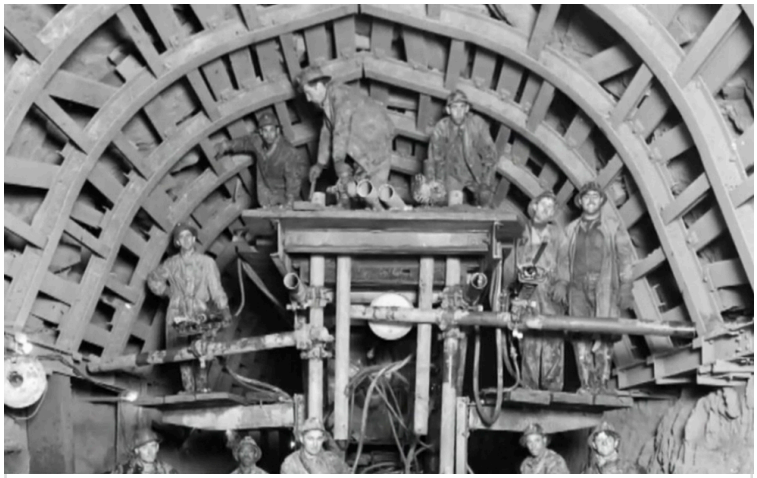
"When we bought the house there was a little bit of water on the floor," Jennings recalled. "And then, as the years went on, then it got more and more and more and more. And it finally came up to about four feet. Several times a year. It wasn't four feet of water all the time."

Initially, the residents didn't even consider that there could be a problem with the aqueduct.

"We just thought there was a lot of water in the area," Jennings explained, laughing. And New York City officials denied that the town's flooding was connected to the aqueduct. "The city always said no, it wasn't leaking. It wasn't the tunnel leaking," remembered Jennings.

But the Delaware Aqueduct was leaking, and not just in the town of Wawarsing. In the town of Newburgh, 35 miles southeast, residents thought that a stream bubbling out of a wetlands was a natural artesian well. In reality, the water was coming out of a 36-square-foot tunnel carved out by the force of water blasting from a crack in the aqueduct buried 650 feet underground. Combined with the leak in Wawarsing, New York City's Department of Environmental Protection admitted in the early 1990s that the aqueduct was leaking at a rate of up to 35 million gallons a day. That's enough water to supply nearly half a million people a day.

More than waste



The Delaware Aqueduct under construction. It was completed in 1945. New York City, Department of Environmental Protection (DEP)

But while the aqueduct is wasting twice the amount daily that the UCLA water main break did in its entirety, the waste isn't what worries Bill Wegner, the staff scientist at Riverkeeper, a watchdog organization that monitors the health of the watersheds that feed New York City.

"Worst-case scenario is you'd have a catastrophic failure," he said. "If the tunnel, which is under pressure, were to collapse, the whole aqueduct would have to be shut down. Fifty percent of the city's water supply would cease to exist."

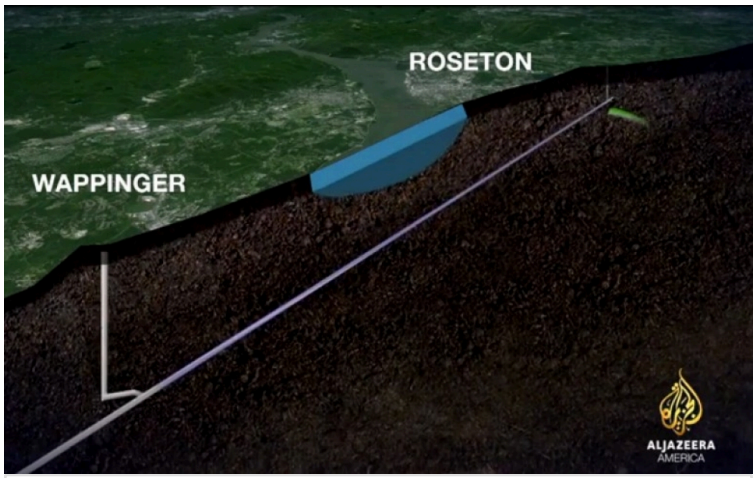
A 2001 report (http://www.riverkeeper.org/wp-content/uploads/2009/06/Full-Report-Finger-in-the-Dike.pdf) published by Riverkeeper concluded that New York City's reservoirs would run out of water in just 80 days.

"If you do the math and figure out that the city's going to be hurting for water for 50 percent of its consumers, it is really a catastrophic event," Wegner said.

And the city would be out of water for years, the amount of time experts estimate it would take to make the repairs, according to the Riverkeeper report. In addition to the Riverkeeper report clearly spelling out the specter of disaster, the election of Michael Bloomberg, who

worried that a water tunnel failure could shut down the city, finally forced the DEP to move to confront the problem after decades.

"The number's going to be $1.5 billion to do the entire program to make the fix," said Paul Rush, deputy commissioner of the DEP. "About two-thirds of it, $1 billion, will actually go into construction a bypass tunnel around the location with the most significant leakage in Roseton, and to do additional concrete grouting in the Wawarsing section."



The city is constructing a bypass around the location with the most significant leakage, which at some point will require the entire aqueduct to be shut down for eight months. America Tonight

The new bypass tunnel will be one of the most complicated undertakings in the agency's history. Bored deep beneath the Hudson, it will create a bypass around the worst of the leaks.

Construction began last November and is expected to be finished sometime in 2021. At that time, the entire aqueduct will be shut down to allow the bypass to be connected, and it will be dewatered so that the leaks in Wawarsing can be fixed. Since that will deprive New York City of nearly half its water supply, the DEP is currently in the process of making improvements to other parts of the system to make up for the reduced water. The city is making improvements to Catskill Aqueduct, will bring the Croton watershed back online, tap into wells in Queens, and is pushing New Yorkers to use less water during the repairs.

And after decades of denying responsibility, the DEP is stepping up and addressing the human impacts of the leak.

"We've moved forward in Wawarsing with some programs and working closely with the county, with the state and with the town to create a buyout program in Wawarsing," Rush said.

Many of those near the leak in Wawarsing have taken the money from the buyout and moved on. In the impacted neighborhood, mostly just empty lots and soon-to-be-demolished homes remain.

Jennings is one of the ones who took the buyout. He feels mostly one emotion as he stands on the edge of the vacant field where his home used to be.

“Sheer joy, actually,” he said, ruefully. “ I was just happy to get out of here, as I think a lot of people are.”

But Sickles is staying. He doesn’t believe the money offered by the DEP reflects the true value of his home.

“I’d be taking, like, a $50,000 loss for what they wanted to give me,” Sickles said. “This was the place we were moving into. This was the place we were happy with, you know?

“The flooding came. Well now, ain’t too darn much I can do about it.”

And there’s not much New Yorkers can do about it either – except cross their fingers and hope that the leaks are repaired before disaster strikes.

MORE STORIES FROM AMERICA TONIGHT

RELATED NEWS

TOPICS
Infrastructure (/topics/topic/issue/infrastructure.html), Water (/topics/topic/issue/water.html)

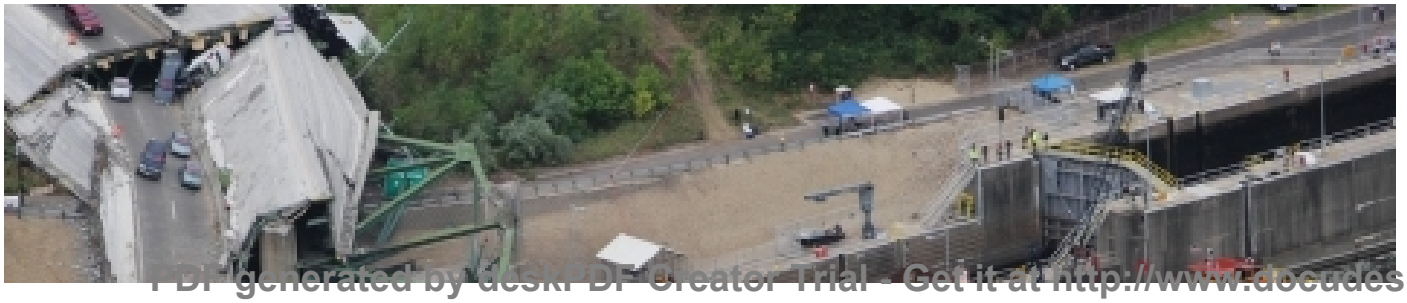


EXHIBIT B

ENVIRONMENT

New York City Prepares to Shut Down the Delaware Aqueduct

For the first time in almost a century, a critical piece of New York City's water infrastructure needs fixing. The impacts could be felt throughout the city's 2,000-square-mile watershed.

Liam Mayo 3:14 PM EDT on Jun 2, 2022

Credit: NYC DEP

A photo from the NYC DEP archives, taken on November 5, 1942, shows steel reinforcement ready for concreting in part of the 85-mile-long Delaware Aqueduct.

Update: On Thursday, June 9, the Department of Environmental Protection (DEP) announced that the Delaware Aqueduct shutdown will be delayed until next year. It now projects the shutdown will begin on October 1, 2023 and end May 31, 2024.

The delay is due to a few preparatory projects that still need some work, according to DEP spokesperson Edward Timbers. These include: connecting the Croton Filtration Plant to City Water Tunnel #2; a project to facilitate moving water around at the Cross River and Croton Falls pumping stations; and projects to secure backup supplies of water for affected upstate municipalities.

"Because there are so many projects, there was never a set date for a shutdown," says Timbers. "Rather there is a window of time within which planners determined all the necessary projects, hydrology etc. would align to allow for a successful shutdown. Today we are announcing that we expect the shutdown to happen in the fall of 2023."

Do you know where your water comes from?

Sometimes it's obvious. If you live in a rural house that has its own well, you probably have a pretty good idea. Sometimes it says on the bottle: an aquifer in Fiji, springs at the foot of the French Alps or the little town of Poland, Maine.

Sometimes it's not that obvious. Turn on a tap, and you might get water that's traveled from dozens or even hundreds of miles away.

This fall, New York City will embark on a hugely ambitious engineering project that could impact people throughout its water supply system, from rural people in the Catskill mountains to New Yorkers in the five boroughs who rely on upstate water every time they turn on a tap. If all goes smoothly, few might even know the project is happening. But if the city's water plans go awry, people throughout the state could get a rough education in where water comes from, and why it matters.

The Delaware River can be a calm place, well suited for rafting, fishing and other outdoors activities. Whether the river stays calm depends on the weather, and how it interacts with the whole watershed system and its reservoirs. Photo by Liam Mayo.

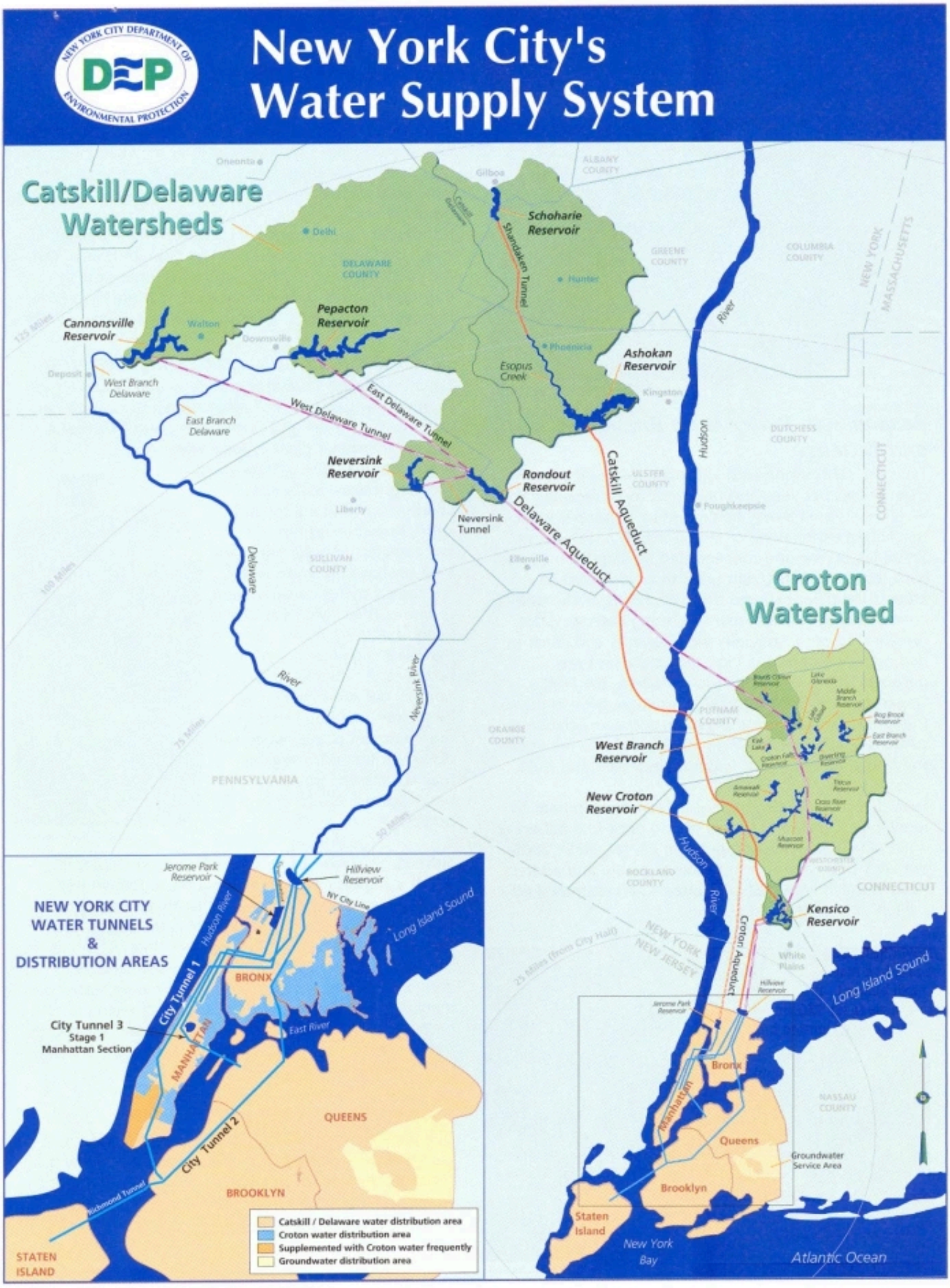
Turn on any tap in New York City, and about half of the water that comes out has traveled there all the way from the headwaters of the Delaware River, more than 100 miles upstate.

New York City gets its water from a far-reaching water supply system governed by the city's Department of Environmental Protection (DEP). The DEP bears the mandate of providing water to 8.5 million city residents and another 1 million residents in the surrounding counties of Westchester, Putnam, Orange, and Ulster.

Together, New York City and its water-supply neighbors consume about a billion gallons of drinking water a day. To supply 9.5 million people with that much water requires a 2,000-square-mile watershed, with countless miles of pipes and infrastructure that reach out to reservoirs of the Hudson Valley and the Catskill

Mountains and bring water back into the city.

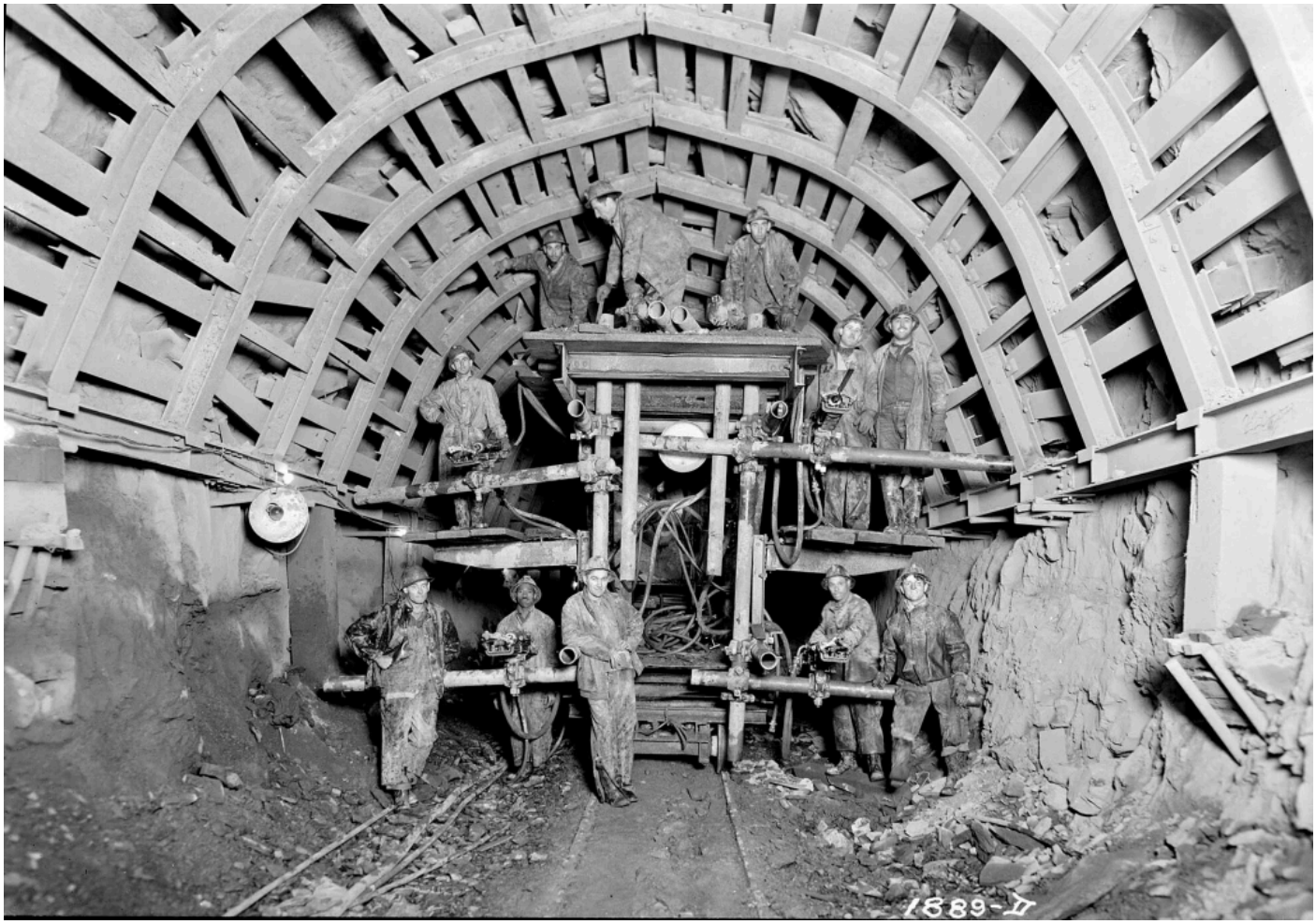
New York City's Water Supply System



A map of the New York City watershed system, and the two massive aqueducts that serve as its main water conduits. Source: NYC DEP.

About half of the one-billion-gallon daily supply comes from four reservoirs on the upper Delaware River: the Cannonsville, the Neversink, the Pepacton and the Rondout. Together, those reservoirs provide the city with around five to six hundred million gallons a day, depending on the day and the conditions of the system.

All that water flows through a single underground tunnel: the Delaware Aqueduct. And this fall, the DEP is going to temporarily shut that aqueduct down.



Workers with a drill carriage in the Rondout-West Branch Tunnel, a part of the Delaware Aqueduct. Photo taken October 24, 1939, during the construction of the aqueduct. Source: NYC DEP archives.

The Delaware Aqueduct was originally built in the 1930s and 40s. It connects the Rondout Reservoir in the southern Catskill mountains with the West Branch Reservoir over in Putnam County. From there, the Aqueduct passes through

several reservoirs in the Hudson Valley before depositing its water into the Hillview Reservoir on the outskirts of the Bronx. At 85 miles long, it holds the title of the longest tunnel in the world, and has been dubbed "the eighth wonder of the world" as a marvel of 20th-century engineering.

It's a critical piece of infrastructure to New York City. But it's also a damaged piece of infrastructure, and has been for decades.

The DEP began monitoring two leaks in the aqueduct early in the 1990s, one in the Orange County hamlet of Roseton near Newburgh, and one in the Ulster County town of Wawarsing. The two leaks combined release around 20 million gallons of water per day, with 95 percent of that total coming from the Roseton leak.

Plans for the repair of the aqueduct have been taking shape for years, and are now in place. The DEP has built a 2.5-mile bypass tunnel under the Hudson River, which it plans to connect to the main tunnel before and after the leaking section of the aqueduct under Newburgh, and it plans to grout closed the leaks in Wawarsing. It's a billion-dollar project, and it's one the DEP has been planning for decades.

To accomplish these repairs, the DEP needs to shut the aqueduct down and drain it, allowing work to be done on the inside. Repairs are scheduled to start in October, with a projected shutdown of five to eight months.

Keeping a Close Eye on the Watershed

It's easy to see the impact this might have on New York City. A community losing access to half its drinking water, even temporarily, is a big deal, especially when it's a community of 9.5 million.

But the city's water system planners aren't worried that New York will run out of water while the aqueduct is shut down, in part because they have planned ahead to have some flexibility to delay the project if the conditions aren't right to carry it

out.

“We’ll want to have ideal conditions in order to make the shutdown and connect the bypass tunnel,” says DEP director of communications Edward Timbers. “If it happens that we don’t have ideal conditions, we will wait until the following fall/winter season.”

The basic plan for ensuring that New York City has enough water during the shutdown involves using the Catskill Aqueduct, the city’s other main water conduit, to balance use between the Delaware reservoirs and others in the Catskills and the Hudson Valley.

The DEP plans to take more water than usual from the Delaware reservoirs prior to the shutdown, drawing down those reservoirs to around 30 percent of their normal capacity and letting the reservoirs elsewhere in the watershed fill up. Once the Delaware Aqueduct shuts down, the DEP will switch to drawing water from the Catskills and Hudson Valley reservoirs through the Catskill Aqueduct, relying on the water that filled them up while it was emptying the Delaware reservoirs.

One change New York City residents might notice while the repair project is ongoing: Their famously delicious water will taste different. Naturally occurring soil compounds called geosmin and methylisoborneol, harmless compounds whose levels rise in the fall throughout the city’s reservoir system, cause water to have a musty or earthy smell. In a normal year, the DEP would manage their impact on the water supply by switching between reservoirs when concentrations rise in one part of the system, but with the Delaware Aqueduct shut down, there will be several months with little flexibility in the system for switching.

When the aqueduct repairs are finished, the DEP will open the floodgates and use mostly water from the Delaware reservoirs until levels in both water supply systems are stable.

The Delaware Aqueduct repairs are part of a larger set of repair projects across the city’s water supply system, collectively known as the Water for the Future

project, some of which needed to be completed before the shutdown to prepare for the aqueduct going offline. Foremost among these projects was the rehabilitation and repair of the Catskill Aqueduct.

Over the course of its lifespan, the Catskill Aqueduct gradually lost some of its capacity due to a buildup of biofilm on its interior, a phenomenon that formed quickly in the years after the aqueduct first came online in 1915. The accumulation on the tunnel's walls reduced the Catskill Aqueduct's capacity from 660 million gallons a day down to roughly 590. The repair project, conducted between 2017 and 2021, restored the aqueduct to its full capacity, helping to facilitate the DEP's balancing act between the Delaware and the Catskill reservoirs around the shutdown.

While the Catskill Aqueduct project gave a boost to water supply, other Water for the Future projects took aim at reducing consumption in the city. Between 2013 and 2018, the DEP spent $50 million on upgrades to improve water conservation, retrofitting older equipment with more efficient models, funding water recycling systems and increasing public awareness around water consumption. Those upgrades helped to bring the city's average demand down from more than 1 billion gallons a day in 2012 to 979 million gallons a day in 2021.

The DEP is relying on forecasting as well as planning to ensure the shutdown goes smoothly.

In a meeting on April 7, DEP Bureau of Water Supply Chief of Staff Jennifer Garigliano, who plays a key role in the Delaware Aqueduct repair planning, spoke to the Upper Delaware Council, an organization that manages the upper Delaware River in partnership with the National Park Service, about those plans.

The DEP has a great many resources invested in forecasting conditions in the watershed, said Garigliano. "We're going to watch it very closely…leading into the shutdown, during the shutdown, and even after the shutdown." If the conditions don't look good, the city won't shut down the aqueduct. One of the city's most important tools for forecasting watershed conditions is the Operations Support

Tool, an $8.5 million computer modeling system launched in 2014 that draws on weather forecasts, snowpack and stream data as well as operational data from the reservoirs, and can model the impact of different alternate future scenarios and planning decisions.

As a last resort, the DEP can bring the Delaware Aqueduct back online even in the middle of repairs, according to the Water for the Future Program's environmental impact statement. "If, at any given time, system demand exceeds predicted available supply, demobilization from the RWBT [the Roundout/West Branch Tunnel, the portion of the Delaware Aqueduct that runs under the Hudson River] bypass tunnel connection would be initiated, the RWBT would be brought back into service and the water supply systems would be allowed to return to typical conditions."

A stream overflows from heavy rainfall in April 2022, when the Delaware River hit flooding stages in varying degrees of severity at several points. Photo by Liam Mayo.

The region has seen more wet years than dry over the past decade. The

Delaware River Basin, which includes New York City's watershed and spans four states, experienced a series of emergency flood events between 2004 and 2006 that brought the river to its highest point since 1955, when record flooding killed 99 people throughout the basin. The basin experienced further flooding in 2003, 2011, 2020 and 2021. Flooding from Hurricane Irene in 2011 caused devastation and death across the East Coast, and was particularly intense in the Catskills region where New York City's watershed lies.

That trend seems likely to continue. A summary of the 2021 weather for the upper Delaware region released by the National Park Service indicated that it was the fifth warmest and the twenty-third wettest year on record. Precipitation has increased almost half an inch every decade since 1895.

Already in 2022, floods have struck in the upper Delaware. Heavy rainfall on April 7 and 8 led to moderate flooding along the East Branch of the river, and minor flooding along the river's West Branch. The Neversink, Pepacton and Cannonsville reservoirs all spilled over, with reservoirs all filled over 100 percent and excess water spilling out over the top of the reservoir's dams.

"The issue of climate change is just so important here," says Skelding. With the region seeing increasingly dangerous storms, he believes the DEP needs to pay close attention to local flooding concerns during the shutdown.

The DEP has told upstate watershed communities that the agency will weigh conditions throughout the watershed as it decides whether to go ahead with the shutdown or not. The DEP has the option to bail out and push the shutdown back a year if conditions are too dry, for fears of water shortages in the city, but it can also exercise that option if conditions in the watershed are wet enough that flooding is a concern.

If everything works out, the upper Delaware region should weather the situation without major flooding events. But the possibility of flooding is there, and it's one local residents—and businesses—are keeping an eye on.

“Flooding is inevitably an issue with any business that’s near or on the river,” says Evan Padua.

Evan and his father Mike Padua run Sweetwater Guide Service, which offers guided fishing and floating boat tours along the upper Delaware River.

The large water releases the DEP will use to help draw down the reservoirs in preparation for the shutdown aren’t necessarily a huge flood risk, Padua says. He’s more worried about the possibility of flooding the following spring: If the repairs to the aqueduct take longer than expected, the reservoirs could fill up with rain even at maximum releases, and the DEP won’t have a way to control flooding from the excess water that spills out over the top of the dams.

Padua is fairly sanguine about the possibility of flooding. There will always be a risk of floods, he says, with or without repairs. The fishing boats and guide services along the river can generally find water to work in, consolidating in areas of the river that have received less rain.

While those who depend on the river for their livelihoods can adapt to changes in flow, infrastructure like roads, bridges, and buildings downstream of the reservoirs is vulnerable to increasingly severe weather. The accelerating pace of climate change means that the flood risks associated with taking the Delaware Aqueduct offline will only increase with every passing year, if the repairs are delayed.

Getting the Word Out

Skelding is hoping for the best, but he says many people in the upper Delaware aren’t aware that the shutdown is coming. He’s advocating for robust public outreach from the DEP.

In recent months, the DEP has embarked on a campaign to spread the word in the upstate watershed.

Garigliano has made the rounds of regional conservation councils, presenting on

the shutdown and on the DEP's plans for its management. She presented to the interstate Delaware River Basin Commission on March 23, and the Upper Delaware Council, a partnership of local, state, and federal governments and agencies, on April 7.

At the April meeting, members of the Upper Delaware Council asked Garigliano how that communication would persist going forward. What happens if flows deviate from the plan? How will the DEP let people know?

The DEP is still building those avenues of communication, said Garigliano. So far, DEP representatives had gotten the word out mostly through attending different conferences and meetings. The DEP also has an emergency plan to mass-send recorded messages to people's phones, social media pages, and the like. In the event of a major flood, the DEP can work with the National Weather Service to issue alerts.

"There are many avenues, in the event that something goes wrong, for us to get a message out, or if we're starting to see something," said Garigliano.

Life Above the Leaks

The impacts at either end of the Delaware Aqueduct will only hit as the aqueduct gets shut down. Those in the middle are already decades in the making.

The water leaking from the Delaware Aqueduct in Wawarsing and Roseton didn't vanish into the ether after it left the aqueduct. It bled out and into the groundwater of each town, affecting residents and local wells.

A 2017 environmental impact statement released for the Water for the Future program indicated 145 parcels with current or potential wells in Wawarsing that the leaking aqueduct could impact, and 27 in Roseton.

Residents in Wawarsing felt those impacts firsthand, experiencing flooded wells and homes. According to a study done by the US Geological Survey, these issues

were first reported by Wawarsing residents in 1992.

For many Wawarsing residents living above the leaking Delaware Aqueduct, flooding has been a constant presence in their homes. Photo courtesy of the Wawarsing Flooded Residents Facebook page.

Laura Smith was affected more recently. She and her husband bought a house in Wawarsing in 2003. They noticed a little water in their basement the following year, she says. But their first encounter with major flooding took place in the first few weeks of April, 2005.

Flooding in their home became a constant presence in the time she lived there, Smith recalls. “We flooded in the wintertime; we flooded at every season in the year.” Smith and her neighbors were pumping water out of their basements for weeks at a time. “We were all flood mitigators,” she says.

The residents of that neighborhood had an early inkling that their flooding issues

were related to the leaking Delaware Aqueduct; Smith recalls older residents telling her about the aqueduct when she first asked around about the flooding in the area. But the early conversations she and other residents had with the DEP were difficult, and it took a significant amount of local organizing and reaching out to local representatives to have the DEP hear their concerns.

The DEP asked the US Geological Survey to study the area in 2008, prompted by local reports of flooding. Four years of study later, the USGS determined in a pair of studies that, while higher-than-normal rates of precipitation was a major contributor to flooding regionally, leakage from the Delaware Aqueduct had a measurable contribution to local issues.

Under increasing pressure to address the problems of homeowners in the area of the leaks, the DEP had a number of responses to the concerns of Wawarsing residents. “DEP partnered with the Town [of Wawarsing], and Ulster County and has provided more than $25 million dollars for local programs to address water concerns,” says Timbers; those programs included pumps, testing and water treatment systems.

As the USGS studies completed, the DEP turned to another form of resolution: paying residents to leave the area. “A home buyout program… [helped] 39 residents relocate and return those areas to green space,” says Timbers. “A neighborhood repair program improved drainage, waterproofed basements and added gutters to 38 other residents that desired to stay in their homes.”

Smith was one resident who took the buyout. Her home and those of her neighbors were demolished and removed, leaving the area as open space.

Smith says it was the organization and the action of local advocates that forced the DEP to respond. “We knew, if we didn’t do anything, we were sinking.”

In September of 2021, flooding from the remnants of Hurricane Ida swept across the Upper Delaware region, where three to 10 inches of rain fell over the course of two days. Photo by Liam Mayo.

Moving a billion gallons of water a day into New York City is no easy task. Doing so with aging infrastructure in a changing climate is doubly so.

As complex as it is, most of the time the system just works. You can turn on a tap and have water without needing to know where it came from. It's when the system breaks down that knowledge and advocacy become important. Smith learned a lot about the geology of her area when she had to look into the flooding in her basement, she says.

If the shutdown of the Delaware Aqueduct goes as planned, disruptions to the watershed should be minimal, and New York City will have plenty of water. By 2023, the aqueduct's reopening should restore the system to its normal functioning.

But whether or not the repairs proceed without a hitch, Skelding is urging the city

to be open and transparent with residents throughout its water system. “Everybody has a stake in this.”

Liam Mayo
Liam Mayo was born in Boston, spent his childhood in Wisconsin, and went to school for written arts and literature at Bard College. He currently works in the upper Delaware River area as a staff reporter for the River Reporter, and spends his spare time revising a magic-realist novel set in rural New York.

Read More: Climate Change Delaware Aqueduct Delaware River Friends of the Upper Delaware River

The Latest

POLITICS

The Working Families Party Wants Your Vote

In this tight electoral environment, New York’s Working Families Party is primed to play a significant role. The progressive third party is trying to convince voters that it remains a vital force in New York politics, while seeking to push a number of Democrats over the finish line and promoting a slate of progressive policies statewide and nationally.

Will Solomon

POLITICS

On the Trail with Josh Riley

The democratic candidate for NY-19 steps off the campaign trail and onto a hiking trail to talk about the issues.

Patrick Grego

SOCIAL JUSTICE

Short-Terming the Market: For the Many’s “Homes Are Not

EXHIBIT C

New York

This article is more than **1 month old**

Toxic arsenic levels make tap water unsafe for thousands in New York City

Residents of one of the largest public housing complexes in Manhattan have not had safe drinking water for more than a week

Gloria Oladipo

@gaoladipo

Tue 6 Sep 2022 13.28 EDT

Dangerous levels of arsenic were found in a New York City Public Housing Authority (NYCHA) complex, leaving thousands of affected residents without safe tap water.

The crisis plays out as people in the predominantly Black city of Jackson, Mississippi, have gone without clean drinking water for more than a month, with residents using bottled water for everyday needs like cooking and brushing

residents using bottled water for everyday needs like cooking and brushing teeth.

Residents of New York City's Jacob Riis Houses, one of the largest public housing complexes in the Manhattan borough, have not had safe drinking water for more than a week after arsenic levels above federal standards were found in the building's water supply.

As of Monday, tenants were told to continue avoiding the building's tap water as officials await additional test results, though most recent testing over the weekend found no arsenic in the complex's water supply, NBC New York reported.

The NYCHA has been handing out bottled water to residents in the wake of the test results, but many have condemned the agency for failing to inform residents of the potentially contaminated water supply.

Tap water in the complex, which contains 19 buildings and has more than 3,700 residents, was first tested by NYCHA in August after several complaints from residents about cloudy, brown water.

The Jacob Riis Houses complex in Manhattan in 2014. Photograph: Richard Levine/Corbis/Getty Images

But, as first reported by New York-based publication The City, residents were

But, as first reported by New York-based publication The City, residents were only informed of the arsenic contamination last Friday, despite officials knowing about the test results two weeks earlier.

"We don't drink their water," said Riis resident Malina Barbosa, who told CITY that tenants had not been told about the water issues. "It kind of smells. When they turn it off and it comes back on, it's brown."

Last Friday in the late evening, a NYCHA official informed The City that New York City mayor Eric Adams would be handing out bottled water to residents in the complex but would not be responding to press questions.

The NYCHA later that day confirmed to The City that water in the public housing complex had previously tested positive for arsenic, but those test results had reportedly only been confirmed that day.

A spokesperson for Adams also confirmed the positive test result in a subsequent statement to The City.

The mayor's spokesperson wrote: "Preliminary results received today from retesting showed arsenic levels higher than the federal standard for drinking water, and while there is no evidence linking it to the cloudy water, the city has taken immediate action, including providing support and drinking water to every household at Riis while we conduct additional water testing."

An investigation is being conducted on how the Riis complex's water supply became contaminated in the first place, and the NYCHA has been instructed to keep all paper documents connected to the arsenic investigation, The City reported.

Exposure to arsenic has been linked to several types of cancer and lower IQ scores in children.

The NYCHA has previously faced intense scrutiny for its mishandling of past complaints, including rats, mold, and other blighted conditions.

The agency was under a US justice department investigation in 2016 about the health and safety of its building developments, including elevated lead levels in the blood of its residents, and it is currently under the oversight of a federal monitor.

The current issues in Jackson and with the NYCHA's water system form of a larger infrastructure problem plaguing much of America's drinking water infrastructure, particularly in marginalized communities.

"For the longest [time], I have been experiencing dirty water, and now we got to the point where we ain't got no water," 30-year-old Jackson resident Kendrick Hart recently told the Guardian.

EXHIBIT D

LANDTECH DESIGN GROUP, INC.
Planning, Engineering & Consulting Services
385 Donora Blvd
Fort Myers Beach, Florida 33931
813-470-6000 Direct
gilbertiwater@gmail.com

September 1, 2022

Brian Hamman, Commissioner District 4
Pamela Keyes, Lee County Utility Director
Dist4@leegov.com
Utilities@leegov.com
Lee County Board of County Commissioners, Florida
2120 Main Street
Fort Myers, Florida 33901

PROJECT: **CLOSER TO THE HEART**
West Florida Alignment down CSX/Seminole Gulf Railway

RE: Public Records Request Pursuant to Chapter 119 F.S.
Memorandum of Understanding for Capacity Reservation
Request for Special Presentation & Workshop

Dear Commissioner Hamman and County Utility Director Ms. Pamala Keyes:

Enclosed herewith are alignment plans for a large Alkaline Spring Water transmission system serving over 750 MGD of Clean Natural Spring Water to West Florida from our property located at or near 9438 Daughtrey Road, Sarasota, Florida 34266 as shown on the alignment plans and FDEP permit plans submitted to Nolin Moon P.E. and Jon Iglehart of Fort Myers FDEP and Health Department.

We are proposing a new 75mile Blue Gold (Antioxidant Spring Water) and Airport Fuel Transmission Alignment down the old CSX/Seminole Railway right of way with an INTERCONNECT WATER SYSTEM to Sarasota, Desoto, Charlotte, Lee and Collier Counties.

We are offering Natural Cancer preventing Alkaline Spring Water to your existing systems providing **LESS EXPENSIVE AND MUCH HIGHER WATER QUALITY TO YOUR CITIZENS AT NO COST TO THEM** for this extension. Eliminating all Sea Water intrusion issues for raw drinking water supply wells or polluted river sources entirely. Simply sign the Memorandum of Understanding to reserve existing and future Capacity.

We also want to discuss an entire spring water service area for Lehigh Acres and future potential assessment areas and cross connections to Fort Myers Beach & Bonita systems. We need survey and workshop with staff and information to final our design and construction costs for our investors.

Currently Southwest Florida Water Supply Plan utilizing recycled sewer and brackish resources to Citizens home tap knowing a shower induces a liter of water each day. We presented this resource to Lee County School Board on April 28, 2015 at 2hr & 7 min discussing Civil Servant raises as Alkaline homes increase equity, creates a housing boom and raises mileage rates for Cops, Fireman & Teachers and local industries.

THIS IS A PUBLIC RECORD REQUEST PURSUANT TO CHAPTER 119 F.S. FOR ASBUILTS OF WATER SUPPLY SYSTEMS, FUTURE EXPANSIONS AND CONTRACTS IN YOUR COUNTY FOR WATER SUPPLY SYSTEMS ALONG THIS CSX R/W AND THE BEST WAY TO SERVICE EACH EXISTING WTP TO CONVERT IT TO A SPRING WATER FILTRATION PLANT WITH NO WATER RESTRICTIONS.

Attached is an Alignment of the existing railway that only is used for a small attraction and minimal service and the owners of both CSX and Seminole Railway we are proposing to construct within. Removing the Train tracks and providing Utilities and Bike Paths, as CSX has a program to move their operations to I-75 where our Future phases take this access to a deep underground Ocean to South Florida. See letters sent to Commissioner Mann on August 31, 2015 on public records.

Please have your utility staff and planning staff set a meeting at your office this month to expedite our needs so we can bring lower water bills, lower cancer and virus rates and increase home equity and housing production in this region of Florida this UNIQUE WORLD RESOURCE BRINGS TO WEST FLORIDA COUNTIES.

Any consultant can verify this resource in minutes and nothing in any bottled Water compares. It's cleaner than dialysis water.

Please contact us at your earliest convenience to discuss this Natural Resource with you in person and our consultants.

LANDTECH DESIGN GROUP, INC.
Regards,

Joe Gilberti

Joseph D. Gilberti, Jr., PE
President
385 Donora Blvd
Fort Myers Beach, Florida 33931
www.gilbertibluegold.com
813-470-6000

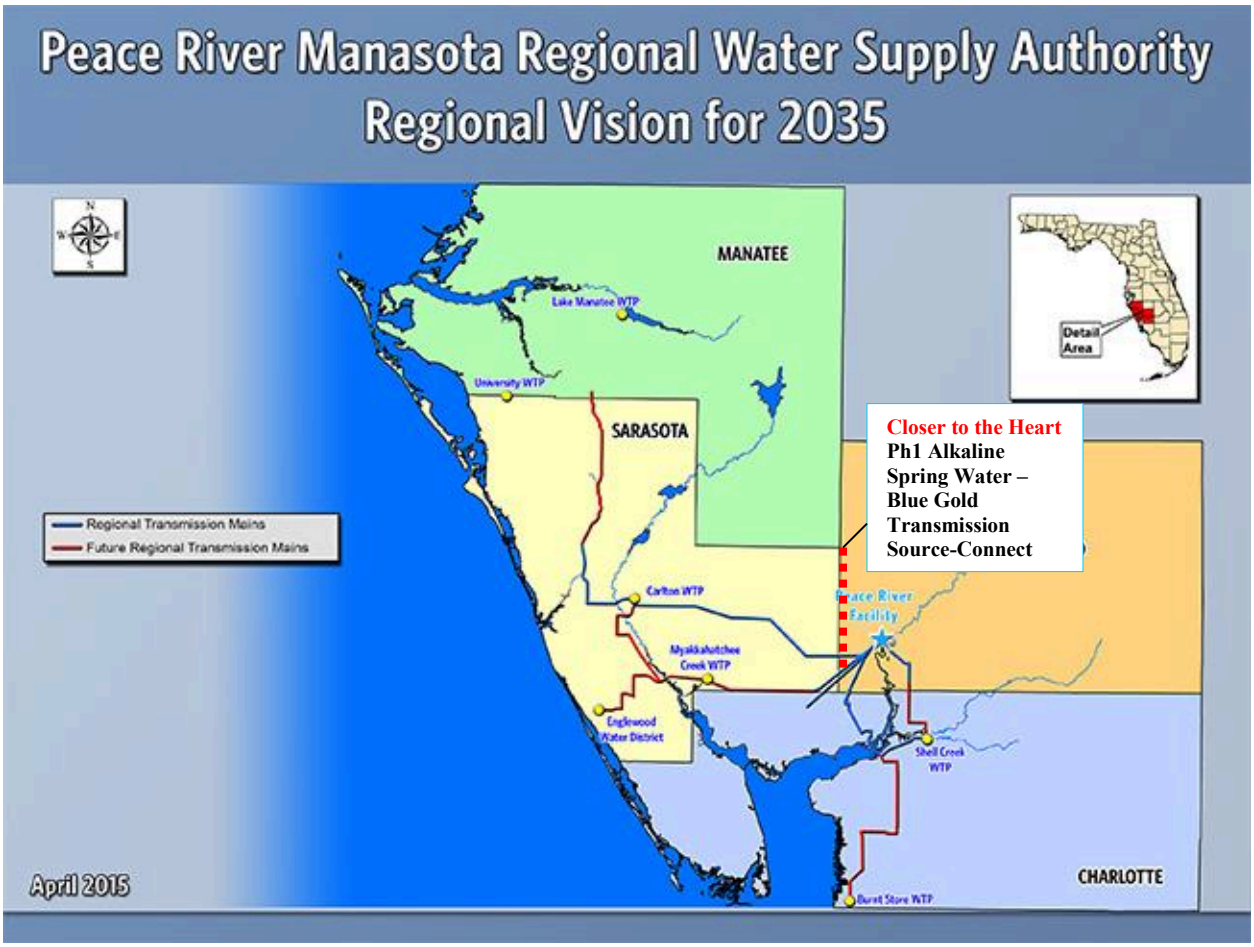
cc:\ MPO, Swfrpc, Lee School Board, Pentagon, Involved Municipalities & Agencies

Enclosures

LANDTECH DESIGN GROUP, INC
813-470-6000
www.gilbertibluegold.com

EXHIBIT A

Permitted Alignment plans to Peace River Manasota that ties to CSX/Seminole Railway down to Marco Island from Sarasota from EPA hidden Secret underground access to Oceans of Spring Water to the Taps of Millions with Medicine aspects



Connection from S.R. 72 Clark Road Tri-County Monument at Flint Farms Peace River Loop Option
See attached Engineering Plans submitted to FDEP Jon Iglehart Fort Myers Office May 2020 approved by Desoto County and ready to start Construction to serve Taps.

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EXHIBIT B

Proposed Utility Transmission Alignment REPLACE Seminole Railway/CSX as this is a much higher PUBLIC NEED and the Railway will be taken through Eminent Domain considering the Actions of CSX and Seminole since Hurricane Charlie on Record regarding this World Resource and Statewide Project solving Florida Poor Water Supply

Alternative 1 – Rail-to-trail
A "rail-to-trail" alignment is within the Seminole Gulf Railway (SGLR) corridor. This alternative is a multiuse path that is converted to a trail from an inactive rail line.

Alternative 2 – Rail-to-trail
A "rail-with-trail" alignment is parallel to the Seminole Gulf Railway (SGLR) corridor rail line. The path would be built within the railroad right-of-way on one side of the rail line. This allows the rail to continue to be operational.

Alternative 3 – Trail Alignment Adjacent to Road
A "rail-to-trail" alignment is within the Seminole Gulf Railway (SGLR) corridor. This alternative is a multiuse path that is converted to a trail from an inactive rail line.

These various alignment Studies are now better served to REMOVE the Train and install the Spring Water for a Huge True Economic Driver.

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813-470-6000
www.gilbertibluegold.com

EXHIBIT C

Existing Seminole Gulf Railway/CSX being replaced by Blue Gold and Airport Fuel Transmission to lower Fuel Truck Traffic and provide FREE HEALTHCARE at the Tap of Homes, Hospitals, Schools and Businesses

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813-470-6000
www.gilbertibluegold.com

EXHIBIT D

Health Scan of Water Readings unique to Human Health and Economic Sustainability to the South Florida Regions to lower utility costs and taxes

ETR Environmental Testing & Research Laboratories

Report #: 11712156
Date : 11/7/2012
P.O.Number: 102 Ck

Same as Client

Matrix: Well Water
Client: Cecil Daughtrey Jr.
Sample Location 9438 Daughtrey Rd
Sidell FL 34266
Phone (813) 470-6000

This sample taken by Joe Gilberti, P.E. at 3:00:00 PM on 10/24/2012. . Point of collection: Well #2

Health Scan Report

	Results		Public Drinking Water EPA Limits
General Bacteria			
Total Coliform	Absent	Animal or Vegetational Bacteria	0
Fecal/E. Coli	Absent	Animal Bacteria	0
MicroAnalysis			
MicroAnalysis	See Attached		
General Chemistry			
Sodium	74.05 mg/L	20.0 mg/L is Mass. DEP Guideline	250.0 mg/L
Potassium	4.11 mg/L	A Component of Salt	No Limit
Copper	Not Detected	Indicates Plumbing Corrosion	1.30 mg/L
Iron	0.64 mg/L	Brown Stains, Bitter Taste	0.30 mg/L
Manganese	Not Detected	May Cause Laundry Staining	0.05 mg/L
Magnesium	71.90 mg/L	A Component of Hardness	No Limit
Calcium	118.20 mg/L	A Component of Hardness	No Limit
Arsenic	Not Detected	A Toxic Metal	0.010 mg/L
Lead	Not Detected	A Toxic Metal	0.015 mg/L
Zinc.	Not Detected	A Toxic Metal	5.0 mg/L
pH	7.49 SU	Acid/Basic Determination	6.5 - 8.5 SU
Turbidity	0.49 N.T.U.	Presence of Particles	No Limit
Color	Not Detected	Clarity (0), Discoloration (15)	15.0 C.U.
Odor	Not Detected	Odor due to Contamination	3.0 T.O.N.
Conductivity	1771.0 umhos	Electrical Resistance (umhos/cm)	No Limit
T.D.S.	1,062.6 mg/L	Total Dissolved Minerals Present	500.0 mg/L
Sediment	Absent	Undissolved Solids	Present
Alkalinity	170.0 mg/L	Ability to Neutralize acid	No Limit
Chlorine	Not Detected	A Disinfectant	4.0 mg/L
Chloride	206.13 mg/L	A component of salt	250.0 mg/L
Hardness	591.2 mg/L	0 - 75 is considered soft	No Limit
Nitrate as Nitrogen	0.29 mg/L	Indicator of Biological Waste	10.0 mg/L
Nitrite as Nitrogen	Not Detected	Indicator of Waste	1.0 mg/L
Ammonia as Nitrogen	0.497 mg/L	Indicator of Waste	No Limit
Sulfate	851.40 mg/L	A Mineral, Can Cause Odor	250.0 mg/L
Radiochemistry			
Radon in Water	Not Detected	Massachusetts D.E.P. Guideline	10,000 pCi/L

The integrity of the sample and results are dependent on the quality of sampling. The results apply only to the actual sample tested. Environmental Testing and Research Laboratories shall be held harmless from any liability arising out of the use of such results.

60 Elm Hill Ave. Leominster MA 01453-4864 (978) 840-2941 (800) 344-9977 Page 1 of 3
info@etrlabs.com www.etrlabs.com

LANDTECH DESIGN GROUP, INC
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EXHIBIT D
(Continued)

ETR Environmental Testing & Research Laboratories

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Sample Location 9438 Daughtrey Rd
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Phone (813) 470-6000

This sample taken by Joe Gilberti, P.E. at 3:00:00 PM on 10/24/2012. . Point of collection: Well #2

Health Scan Report

	Results	Public Drinking Water EPA Limits
Organic Analysis		
Benzene	Not Detected	5.0 ug/L
Bromobenzene	Not Detected	No Limit
Bromochloromethane	Not Detected	No Limit
Bromodichloromethane	Not Detected	No Limit
Bromoform	Not Detected	No Limit
Bromomethane	Not Detected	No Limit
n-Butylbenzene	Not Detected	No Limit
sec-Butylbenzene	Not Detected	No Limit
tert-Butylbenzene	Not Detected	No Limit
Carbon-Tetrachloride	Not Detected	5.0 ug/L
Chlorodibromomethane	Not Detected	No Limit
Chloroethane	Not Detected	No Limit
Chloroform	Not Detected	No Limit
Chloromethane	Not Detected	No Limit
1,2-Chlorotoluene	Not Detected	No Limit
1,4-Chlorotoluene	Not Detected	No Limit
1,2-Dibromo-3-chloropropane	Not Detected	No Limit
Dibromomethane	Not Detected	No Limit
1,2-Dibromomethane	Not Detected	No Limit
1,3-Dichlorobenzene	Not Detected	No Limit
1,2-Dichlorobenzene	Not Detected	600.0 ug/L
1,4-Dichlorobenzene	Not Detected	5.0 ug/L
Dichlorodifluoromethane	Not Detected	No Limit
1,1-Dichloroethane	Not Detected	No Limit
1,2-Dichloroethane	Not Detected	5.0 ug/L
1,1-Dichloroethylene	Not Detected	7.0 ug/L
cis-1,2-Dichloroethene	Not Detected	70.0 ug/L
trans-1,2-dichloroethene	Not Detected	100.0 ug/L
1,2-Dichloropropane	Not Detected	5.0 ug/L
1,3-Dichloropropane	Not Detected	No Limit
2,2-Dichloropropane	Not Detected	No Limit
1,1-Dichloropropene	Not Detected	No Limit
1,3-Dichloropropene	Not Detected	No Limit
trans-1,3-Dichloropropene	Not Detected	No Limit
Ethylbenzene	Not Detected	700.0 ug/L
Fluorotrichloromethane	Not Detected	No Limit

60 Elm Hill Ave. Leominster MA 01453-4864 (978) 840-2941 (800) 344-9977
info@etrlabs.com www.etrlabs.com

EXHIBIT D
(Continued)

ETR Environmental Testing & Research Laboratories

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Sidell FL 34266
Phone (813) 470-6000

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Health Scan Report

	Results		Public Drinking Water EPA Limits
Hexachlorobutadiene	Not Detected		No Limit
Isopropylbenzene	Not Detected		No Limit
Methyl-t-Butyl Ether (MTBE)	Not Detected	Massachusetts DEP Limit	70.0 ug/L
p-Isopropyltoluene	Not Detected		No Limit
Methylene Chloride	Not Detected		5.0 ug/L
Monochlorobenzene	Not Detected		100.0 ug/L
Napthalene	Not Detected		No Limit
n-Propylbenzene	Not Detected		No Limit
Styrene	Not Detected		100.0 ug/L
1,1,1,2-Tetrachloroethane	Not Detected		No Limit
1,1,2,2-Tetrachloroethane	Not Detected		No Limit
Tetrachloroethylene	Not Detected		5.0 ug/L
Toluene	Not Detected		1000.0 ug/L
1,2,3-Trichlorobenzene	Not Detected		No Limit
1,2,4-Trichlorobenzene	Not Detected		70.0 ug/L
1,1,1-Trichloroethane	Not Detected		200.0 ug/L
1,1,2-Trichloroethane	Not Detected		5.0 ug/L
Trichloroethylene	Not Detected		5.0 ug/L
1,2,3-Trichloropropane	Not Detected		No Limit
1,2,4-Trimethylbenzene	Not Detected		No Limit
1,3,5-Trimethylbenzene	Not Detected		No Limit
Vinyl Chloride	Not Detected		2.0 ug/L
o-Xylene	Not Detected		T. Xylenes 10K ug/
m+p Xylenes	Not Detected		T. Xylenes 10K ug/

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EXHIBIT E

FDEP Fort Myers Lee County- Record Permitting

FLORIDA DEPARTMENT OF
Environmental Protection

South District
PO Box 2549
Fort Myers FL 33902-2549
SouthDistrict@FloridaDEP.gov

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

October 19, 2020

Joseph Gilberti, P.E.
gilbertiwater@gmail.com

Re: DeSoto County – Potable Water
Facility Name: Closer to the Heart
Facility ID: 6142734
DEP Application No.: 78714-026-DS

Dear Mr. Gilberti:

Thank you for your application for your concern about the processing of your application for the Closer to the Heart Project. We asked for signatures from the utility on the application form, a Public Service Commission Certification and authorization from the owners of the lands the water line will go through. You requested a dryline permit to allow for more time to secure the authorizations. All permits are issued with these authorizations. Dryline permits are issued when critical facilities (such as pump stations and treatment facilities) have not been built.

These are the reasons we need the authorizations:

Your project will provide water to the Peace River Manasota Regional Water Supply Authority. This utility must sign the application to bind itself to ensure proper operation.

We need approval from the owners of the properties where the pipeline will be installed. The Department may not convey any rights, privileges, title of other entities' properties. That permission must come from the property owner.

We need a copy of the Public Service Commission's (PSC) certificate authorizing you to provide the water service. This certificate is required for every public water system in DeSoto County. This certificate grants you the service territory for water. Without the certificate the Department may not issue a permit.

Without these approvals, any permit the Department issues will not meet the minimum requirements for water systems. Our intent is to permit projects that meet the basic requirements. When the project conforms to the rules, we can successfully defend challenges in court.

I also asked by email on June 24 about plans and construction though the wetlands as well as diameters for flushing stations. These questions are not as critical as securing the authorizations. I can authorize up to 90 more days for you to provide the authorizations. Please let me know if you need it.

I hope this letter clarifies the Department's needs for permitting.

Sincerely,

Nolin Moon
Environmental Administrator

EXHIBIT F

Preliminary Sustainability Study for South Florida

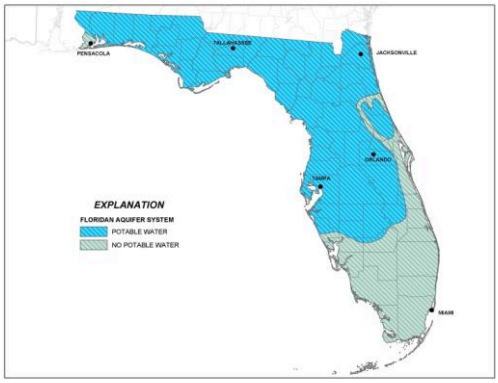
LANDTECH DESIGN GROUP, INC
813-470-6000
www.gilbertibluegold.com

PROSPECTUS

GILBERTI WATER COMPANY

SARASOTA, FLORIDA

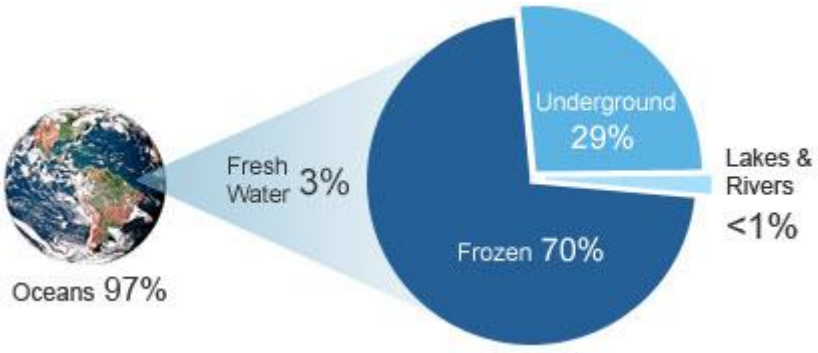
"CLEAN WATER IS IN SHORT SUPPLY WITH INCREASING DEMAND ACROSS **FLORIDA"**



Map generated from Florida Department of Environmental Protection

As the world's population increase drastically, its collective thirst for clean drinking water, agriculture, industry, and maintaining high standards of living to increases with it. The world faces a dwindling supply of freshwater in many regions where it's most needed. With growing urbanization and industrial demand in emerging market countries, water contamination from industrial waste and pollution are also growing concerns for communities everywhere in Florida.

The continual imbalance in the supply and demand for clean drinking water creates a significant need for Florida developers, municipalities and Global investment in sustainable methods of collecting, treating, and delivering water efficiently. It also presents a significant potential growth opportunity for investors around the World to recognize this vital resource in demand. Gilberti Water Company eliminates the needs for expensive treatment with a natural alkaline spring source that is accessed 2000 feet below our 2500 acre Sarasota Ranch, located near the Interstate of I-75 in west Florida, and can generate enough water for millions of residents, developers, bottling companies from Tampa to South Florida.

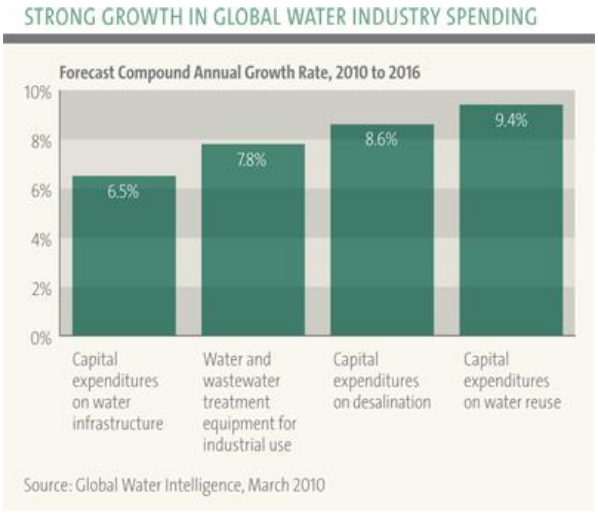


Although over two-thirds of the earth is covered in water, 97% of it is salt water, only 3% is freshwater, of the world's small supply of this precious resource, less than 1% is available for human consumption. The demand for freshwater is growing twice as fast as the global population and Florida's resources can attract developers with this one of a kind alkaline high mineral spring source.

The United Nations estimates that human consumption of water increased sixfold in the 20th century, while the population itself only tripled.

As if freshwater isn't scarce enough, much of it is wasted due to aging infrastructure. In the United States, up to 20% is lost to leakage. It is estimated that replacing the U.S. water infrastructure would cost between $300 billion and $1 trillion. And, at the current rate of investment, it would take 900 years to get the job done.

The problem affects more than just potable drinking water. In northwest China, for example, factories have closed because there isn't enough water to operate them. Chinese government economists estimate that this and other environmental challenges generally shave 10% off the country's gross domestic product every year. Statewide and local water resource suppliers and agencies and industry alike increasingly recognize that improving the water infrastructure will be critical to solving the Florida water crisis. In fact globally, over the next five years, investment in water infrastructure, wastewater treatment, desalination, and recycling is expected to rise steadily, as shown in the chart below.



An increase in infrastructure spending and a confluence of other issues—a finite supply of freshwater, global population growth, the modernization of USA and Florida's developing populations, and the need for technology to maximize water supplies make spring water in large quantities a critical area for resource development control and a potential area of significant investment opportunity.

“Together We Can” with clean water for Job growth, Public Health and Sustainability”

CONTACT DETAILS:

Joseph D. Gilberti, Jr., P.E, President
9438 Daughtrey Road
Sidell, FL 34266
813-482-8512 direct
813-482-7918 main
gilberti.water.company.fla@gmail.com

Industry:

Gilberti Water Company proposed operations in the Water Supply, Water Bottling, Real Estate Development, and Civil Engineering & Construction Services.

Financing Sought:

Approximately 250 miles of Transmission average costs is $300,000/inch per mile. Therefore funding to Miami Dade is in the range of $6 Billion dollars. Considering tax base increases from developers and consumers with the cleanest antioxidant water in the world from the Tap and Port shipping of this Blue Gold from Ports, revenues can be replenished to the US Tax payer within a few years. The bottling profits from say the Michigan compact at $3 Million per day can subsidize Florida health care and infrastructure within just a few years. The pipeline monies can be generated by government funding, developer agreements and municipal reservations for water based on the Clean Water act 62-555(310) F.A.C. The access to the source at the ranch can be held by our partnership agreement for pumping and bottling and even medical research. A future Joint venture agreement with existing Water supply authorities who have less quality and quantities of water withdrawn from polluted rivers, or shallow salt intruded aquifers will create a Political advantage for the pipeline which serves THE PEOPLE.

Mission Statement:

Create a spring water supply company to serve Florida homes and developments and create a bottling venture with an existing large vendor such as Nestle’, Coca Cola or PepsiCo with this unique spring water. Eventually ship out from the Ports of Florida to create a global export of water generating profits for health care needs and millions of housing and construction jobs for USA families.

Business Description:

A Water Supply with an in-house engineering design build company that works with real estate developers, contractors, investors and bottling companies to serve existing municipalities the cleanest water in the region without the use of heavy chemicals, and strategically place and entitled land projects for development and job growth, with our pipeline engineering plans that can control where the water is delivered first, with partnering of local County Commissioners.

Company Background and Resume:

Expertise — Civil Engineering and Project Management for small to very large scale land development projects. Permit expediting and due diligence.

Academic Background — Bachelor of Science, Mechanical Engineering, University of Florida, 1993

Registration — Professional Engineer Florida PE #56079
ASCE American Society of Civil Engineers
ASME American Society of Mechanical Engineers
FES Florida Engineering Society
Engineering Contractor CLASS A - Broward County CC#87-971

Experience — Self-employed for the last 15 years in the State of Florida. A multitude of civil engineering, planning, zoning and construction administration knowledge throughout the State of Florida. Similar consulting experience within the surrounding states such as GA, SC, NC and the Caribbean islands as well. Land development engineering projects within these areas including site feasibility studies; site planning; platting and regulatory approvals; value engineering; construction cost estimates; construction management and inspection; environmental issues, as well as complete engineering site work design including site planning and processing; due diligence; water distribution systems; sanitary sewer collection and transmission systems; surface water management and site drainage systems; paving and grading design; and pavement marking and signage. Similar project experience is as follows:

Project Involvements

- River Hall Storm water management permitting - 1000 Acre Subdivision - Lee County, Florida
- Somerset at Plantation - 500 Acre plus Subdivision along Treeline Ave- Fort Myers, Florida
- Paseo Development - 850 acre plus Subdivision - Lee County, Florida
- Multiple residential subdivision throughout Collier/Lee/Charlotte/Hendry Counties - List available
- Murdock Transportation Facility – Charlotte County School District Bus transfer station.
- Charlotte CTC Votec Educational Center – Port Charlotte, FL – Science building expansion/renovations
- Gladiolus Drive - SWM Permit Modifications to CDD systems for LCDOT
- Prima Luce - 105 Unit Twin Tower High Rise on River - Downtown First Street - Fort Myers, Florida
- Hidden Lake Residential - Multifamily Subdivision - Bonita Springs, Florida
- Treeline Preserve - Mixed Use - Commercial/Multifamily Mini Mall plaza - Fort Myers, Florida
- Various Commercial Retail and Office projects – Charlotte and Sarasota County
- 6000 Acre Due Diligence for Camaretta Properties - DeSoto County, Florida
- Multiple 2500 Acre plus Due Diligence within Hendry County, Florida
- Paradise Shoppes of Estero - Commercial/Retail Plaza including Publix and Walgreens - Lee County
- S.R. 80 Lighting LAPP Coordination - Continuing Service with CFM for downtown renovations/repair and grant fund
- Various Civil design and permit expediting for Elementary/Middle and High School Projects within Collier/Lee/Charlotte Counties
- Deering Bay Marina – Coral Gables, Florida – 35 slip Yacht marina – drainage, permitting, dredging and utilities
- Doral Housing Development – Homestead, Florida – infrastructure for multifamily and single family residential areas with two parks
- Florida International University – Miami, Florida – Student Housing Facilities

- SSDI Storm Utility – Miami Beach, Florida – Utility construction within Portofino DRI
- Mitsubishi Sales & Service – Miami, Florida – site engineering and Regulatory approvals
- University of Miami – Due Diligence for future student housing
- Portofino Towers – Water Developer agreement and DRI
- North Miami Beach – Various Traffic Calming analysis within city limits
- Biscayne Boulevard – Various drainage studies for overall improvements
- Silver Lakes and Silver Shores – Broward County – 1300 acres of platting and engineering including commercial and residential development, parks and roads.
- Port Everglades Berth 30 Crane Rail Extension
- Hollywood Fashion Mall - Alterations and Site Renovations
- Land Section 8 - Plum Bay/Plum Harbor, Tamarac, Florida - 500 Units
- Alhambra Springs - Pembroke Pines, Florida - 291 Unit Subdivision
- Bonaventure Tract 13, 30, 31, Broward County, Florida - Town homes
- Indigo Lakes, Coconut Creek, Florida - 450 Unit Subdivision
- Coral Bay, Margate, Florida - Master Drainage Routing, Numerous Subdivision within
- Cameron Waterways, Deerfield Beach, Florida - 300 Apartments
- Sawgrass Exchange, Coconut Creek, Florida - 570 Units Subdivision with Commercial
- Somerset at Jacaranda, Plantation, Florida - 150 Town homes
- Village at Harmony Lakes, Davie, Florida - 572 Unit Subdivision
- Palms at Sawgrass Mills, Sunrise, Florida - 400 Apartments
- Jog Estates, P.U.D. in Palm Beach County - 104 Unit Subdivision
- A-4 Lift station Restoration– Town of Palm Beach at the Breakers Hotel
- Yacht Club at Highland Beach, Palm Beach, Florida - Mid-rise Apartments on A1A and Intercostal Waterway Areas
- Barefoot Cove, Hypoluxo, Florida - 115 Apartments and US1 Turn lanes
- Town of Palm Beach D-12 Pump Station
- City of West Palm Beach Parks & Recreation – Numerous Parks and Cemeteries
- Marriott Ocean Point – Palm Beach Shores, Florida – site civil engineering/permitting
- Highland, Roosevelt & Addison Elementary, Palm Beach County, Florida
- City Pahokee, Palm Beach County - Water & Sewer Infrastructure Improvements
- Glades County Correctional Facility, Glades County, Florida - 750 Bed Prison
- The Pavilion Parking Garages – Tampa, Florida – Multi-story parking garages
- Crestwood, Royal Palm Beach, Florida - 218 Unit Subdivision
- Hyatt Resort & Casino – St. Kitts, West Indies
- Asian Village Antigua Island – 1800 acres of Resorts, golf courses, villas and homes.
- Exuma Bay Island – Bahamas, FL – Multiple hotels and golf course development for entire island including desalinization plants, infrastructure and environmental permitting
- Enron Nitrogen Power Plants – Dominican Republic, New Jersey, South Americas
- ACOE Beach renourishment projects – Various cleanup earthwork dredging plans from Hurricane Hugo damages for the eastern United States.

MARKETS:

Water bottling, residential and commercial land development control and entitlements with high ranking reimbursements of grant incentives, from both State and Federal grant programs due to the water resource and Job creation. Opportunity to Joint Venture with Government controlled Water Supply Agencies such as Dade County Water & Sewer, Broward County, Palm Beach County, South Florida Cities, Peace River Manasota Water Board, Tampa Bay Water Authority, Southwest and South Florida Water Management and to increase quality and quantities of Clean Water with this lower Floridan underground spring source.

Worldwide Bottling Companies, Developers and pharmaceutical groups will have extreme interests in this one of a kind spring Alkaline source for distribution in bottling, increase housing equity with spring water to the tap, and chemical changes in medicine from a high mineral and pH combination in water never seen before in Sunny Florida.

FINANCIAL PROJECTIONS:

	Year 1	Year 2	Year 3	Year 4
Revenue	$50,000,000 to $500,000,000	$100,000,000 to $5,000,000,000	$500,000,000 to $6,000,000,000	$10 Billion
Operating Income	$10,000,000	$17,500,000	$20,00,000	$50,000,000

WHAT IS INCLUDED?

- ✓ Multiple Water resource grants to pay or reimburse construction costs of pipeline such as but not limited to FDEP Revolving Fund, SWFWMD Corporative funding, Obama Fix it Right Infrastructure funds, etc.
- ✓ Support the community to deliver environmental and social benefits for the entire community and environment by reducing Sink Holes from a source in the Lower Floridan.
- ✓ Increase triple bottom line (social, environmental and financial) performance.
- ✓ A chance to network with community, government and other business.
- ✓ Link to more than 1000 communities by later phasing of a 250 mile pipeline from Tampa to South Florida
- ✓ Engineering plans for permits near completion to start development and bottling negotiations.

WHY YOUR ORGANIZATION SHOULD SUPPORT THIS PROJECT?

With your groups experience in real estate marketing, client base, and funding ability we can partner with our lands resource and engineering and permitting ability to carry this water to a multitude of investors and agencies that need it.

Tremendous returns on investment with one of a kind minerals to collateral your start up investments and allow us as a team to market and bring large corporate and local agencies to the project reserving water reservations to develop both Commercial and Housing projects, bottling and pharmaceutical ventures, and stellar reimbursements from Government grant incentives from the Clean Water Act.

Help us celebrate by helping us reach our goal increasing Jobs and Public Health and Welfare from the State of Florida utilizing this incredible natural spring water resource with the highest Mineral and pH combination in quality with enormous never ending quantity of Water ever seen in the Region or on this Planet

250 Mile Pipeline from Sarasota to South Florida creates millions of new Jobs

Click here to view Closer to the Heart 300 Mile Spring Transmission - Sarasota to South Florida - One Million Jobs Instantly.

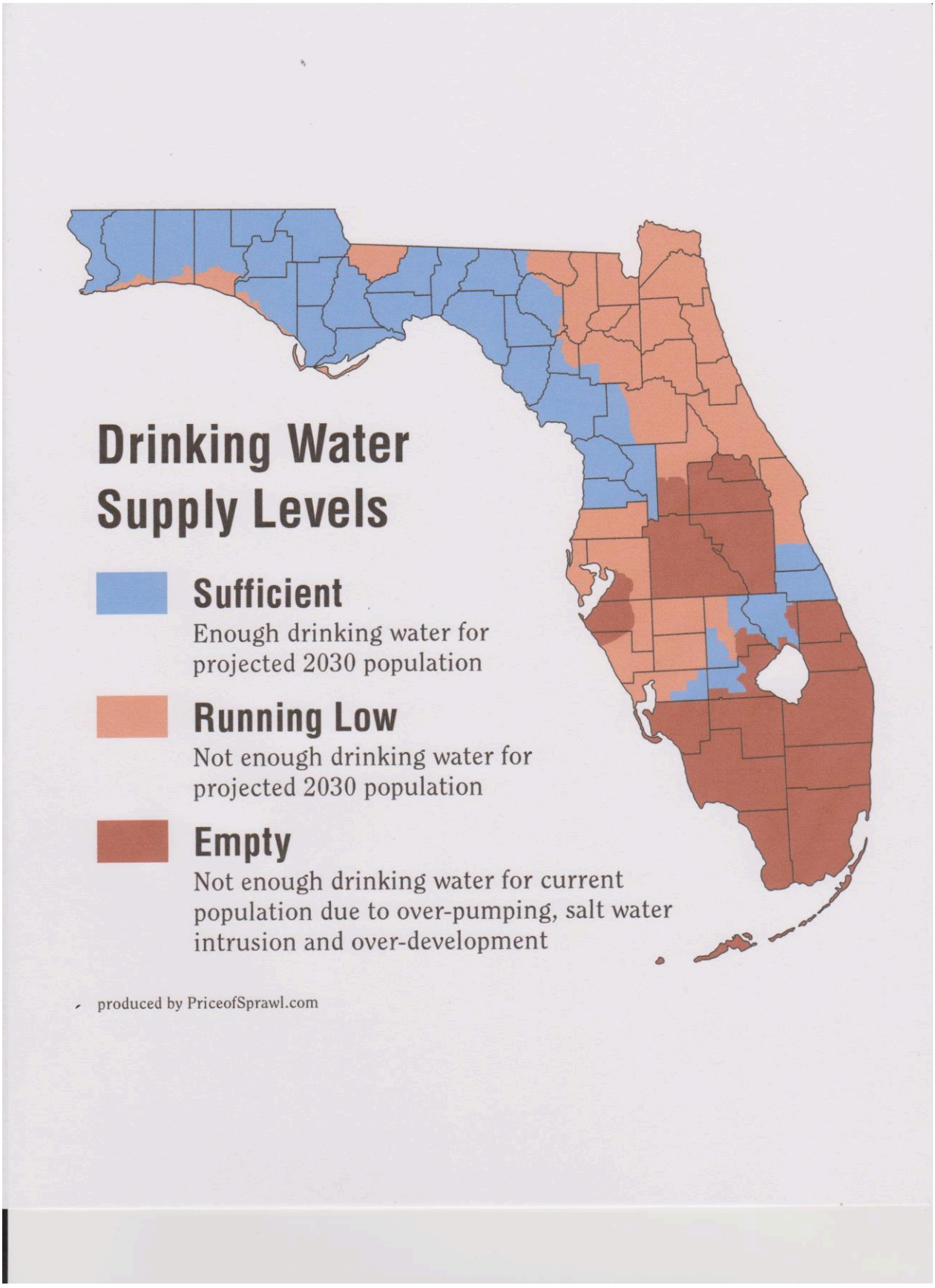
Click here to view Fountain of Youth - Down the Hole Video April 3 2013

Yucatan Meteor lifts Florida out of Ocean Floor causing springs in Lower Floridan Aquifer

Closer to the Heart Deep Floridan Spring source 1500 feet below Daughtrey Ranch

https://www.youtube.com/watch?v=ycoFtdcSyok - Video link of 1500 foot deep Floridan Well Flowing artesian

Water Shortages and needs from Urban Sprawl and Job Growth from Development



ETR Environmental Testing & Research Laboratories

Report #: 11712156
Date : 11/7/2012
P.O.Number: 102 Ck

Same as Client

Matrix: Well Water
Client: Cecil Daughtrey Jr.
Sample Location 9438 Daughtrey Rd
Sidell FL 34266
Phone (813) 470-6000

This sample taken by Joe Gilberti, P.E. at 3:00:00 PM on 10/24/2012. . Point of collection: Well #2

Health Scan Report

	Results		Public Drinking Water EPA Limits
General Bacteria			
Total Coliform	Absent	Animal or Vegetational Bacteria	0
Fecal/E. Coli	Absent	Animal Bacteria	0
MicroAnalysis			
MicroAnalysis	See Attached		
General Chemistry			
Sodium	74.05 mg/L	20.0 mg/L is Mass. DEP Guideline	250.0 mg/L
Potassium	4.11 mg/L	A Component of Salt	No Limit
Copper	Not Detected	Indicates Plumbing Corrosion	1.30 mg/L
Iron	0.64 mg/L	Brown Stains, Bitter Taste	0.30 mg/L
Manganese	Not Detected	May Cause Laundry Staining	0.05 mg/L
Magnesium	71.90 mg/L	A Component of Hardness	No Limit
Calcium	118.20 mg/L	A Component of Hardness	No Limit
Arsenic	Not Detected	A Toxic Metal	0.010 mg/L
Lead	Not Detected	A Toxic Metal	0.015 mg/L
Zinc.	Not Detected	A Toxic Metal	5.0 mg/L
pH	7.49 SU	Acid/Basic Determination	6.5 - 8.5 SU
Turbidity	0.49 N.T.U.	Presence of Particles	No Limit
Color	Not Detected	Clarity (0), Discoloration (15)	15.0 C.U.
Odor	Not Detected	Odor due to Contamination	3.0 T.O.N.
Conductivity	1771.0 umhos	Electrical Resistance (umhos/cm)	No Limit
T.D.S.	1,062.6 mg/L	Total Dissolved Minerals Present	500.0 mg/L
Sediment	Absent	Undissolved Solids	Present
Alkalinity	170.0 mg/L	Ability to Neutralize acid	No Limit
Chlorine	Not Detected	A Disinfectant	4.0 mg/L
Chloride	206.13 mg/L	A component of salt	250.0 mg/L
Hardness	591.2 mg/L	0 - 75 is considered soft	No Limit
Nitrate as Nitrogen	0.29 mg/L	Indicator of Biological Waste	10.0 mg/L
Nitrite as Nitrogen	Not Detected	Indicator of Waste	1.0 mg/L
Ammonia as Nitrogen	0.497 mg/L	Indicator of Waste	No Limit
Sulfate	851.40 mg/L	A Mineral, Can Cause Odor	250.0 mg/L
Radiochemistry			
Radon in Water	Not Detected	Massachusetts D.E.P. Guideline	10,000 pCi/L

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info@etrlabs.com www.etrlabs.com

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Health Scan Report

	Results	Public Drinking Water EPA Limits
Organic Analysis		
Benzene	Not Detected	5.0 ug/L
Bromobenzene	Not Detected	No Limit
Bromochloromethane	Not Detected	No Limit
Bromodichloromethane	Not Detected	No Limit
Bromoform	Not Detected	No Limit
Bromomethane	Not Detected	No Limit
n-Butylbenzene	Not Detected	No Limit
sec-Butylbenzene	Not Detected	No Limit
tert-Butylbenzene	Not Detected	No Limit
Carbon-Tetrachloride	Not Detected	5.0 ug/L
Chlorodibromomethane	Not Detected	No Limit
Chloroethane	Not Detected	No Limit
Chloroform	Not Detected	No Limit
Chloromethane	Not Detected	No Limit
1,2-Chlorotoluene	Not Detected	No Limit
1,4-Chlorotoluene	Not Detected	No Limit
1,2-Dibromo-3-chloropropane	Not Detected	No Limit
Dibromomethane	Not Detected	No Limit
1,2-Dibromomethane	Not Detected	No Limit
1,3-Dichlorobenzene	Not Detected	No Limit
1,2-Dichlorobenzene	Not Detected	600.0 ug/L
1,4-Dichlorobenzene	Not Detected	5.0 ug/L
Dichlorodifluoromethane	Not Detected	No Limit
1,1-Dichloroethane	Not Detected	No Limit
1,2-Dichloroethane	Not Detected	5.0 ug/L
1,1-Dichloroethylene	Not Detected	7.0 ug/L
cis-1,2-Dichloroethene	Not Detected	70.0 ug/L
trans-1,2-dichloroethene	Not Detected	100.0 ug/L
1,2-Dichloropropane	Not Detected	5.0 ug/L
1,3-Dichloropropane	Not Detected	No Limit
2,2-Dichloropropane	Not Detected	No Limit
1,1-Dichloropropene	Not Detected	No Limit
1,3-Dichloropropene	Not Detected	No Limit
trans-1,3-Dichloropropene	Not Detected	No Limit
Ethylbenzene	Not Detected	700.0 ug/L
Fluorotrichloromethane	Not Detected	No Limit

ETR Environmental Testing & Research Laboratories

Report #: 11712156
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Sample Location 9438 Daughtrey Rd
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Phone (813) 470-6000

This sample taken by Joe Gilberti, P.E. at 3:00:00 PM on 10/24/2012. . Point of collection: Well #2

Health Scan Report

	Results		Public Drinking Water EPA Limits
Hexachlorobutadiene	Not Detected		No Limit
Isopropylbenzene	Not Detected		No Limit
Methyl-t-Butyl Ether (MTBE)	Not Detected	Massachusetts DEP Limit	70.0 ug/L
p-Isopropyltoluene	Not Detected		No Limit
Methylene Chloride	Not Detected		5.0 ug/L
Monochlorobenzene	Not Detected		100.0 ug/L
Napthalene	Not Detected		No Limit
n-Propylbenzene	Not Detected		No Limit
Styrene	Not Detected		100.0 ug/L
1,1,1,2-Tetrachloroethane	Not Detected		No Limit
1,1,2,2-Tetrachloroethane	Not Detected		No Limit
Tetrachloroethylene	Not Detected		5.0 ug/L
Toluene	Not Detected		1000.0 ug/L
1,2,3-Trichlorobenzene	Not Detected		No Limit
1,2,4-Trichlorobenzene	Not Detected		70.0 ug/L
1,1,1-Trichloroethane	Not Detected		200.0 ug/L
1,1,2-Trichloroethane	Not Detected		5.0 ug/L
Trichloroethylene	Not Detected		5.0 ug/L
1,2,3-Trichloropropane	Not Detected		No Limit
1,2,4-Trimethylbenzene	Not Detected		No Limit
1,3,5-Trimethylbenzene	Not Detected		No Limit
Vinyl Chloride	Not Detected		2.0 ug/L
o-Xylene	Not Detected		T. Xylenes 10K ug/
m+p Xylenes	Not Detected		T. Xylenes 10K ug/

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info@etrlabs.com www.etrlabs.com

Overview of Drinking Water Regulations

Federal Drinking Water Regulations

The United States Environmental Protection Agency (U.S. EPA) sets national standards for tap water, which help ensure consistent quality in our nation's water supply. U.S. EPA prioritizes contaminants for potential regulation based on risk and how often they occur in water supplies. U.S. EPA sets a health goal based on risk (including risks to the most sensitive people, e.g., infants, children, pregnant women, the elderly, and the immuno-compromised). U.S. EPA then sets a legal limit for the contaminant in drinking water or a required treatment technique as close to the health goal as feasible.

U.S. EPA sets primary drinking water standards through a three-step process:

- First, U.S. EPA identifies contaminants that occur in drinking water and may adversely affect public health and with a frequency and at levels that pose a threat to public health.

- Second, U.S. EPA determines a maximum contaminant level goal for contaminants it decides to regulate. This goal is the level of a contaminant in drinking water below which there is no known or expected risk to health. These goals allow for a margin of safety.

- Third, U.S. EPA specifies a maximum contaminant level, the maximum permissible level of a contaminant in drinking water, which is delivered to any user of a public water system. These levels are enforceable standards, and are set as close to the goals as feasible. When it is not economically or technically feasible to set a maximum level, or when there is no reliable or economic method to detect contaminants in the water, U.S. EPA instead sets a required treatment technique that specifies a way to treat the water to remove contaminants.

Safe Drinking Water Act

Congress originally passed the SDWA in 1974 to protect public health by regulating the nation's public drinking water supplies. The law was amended in 1986, 1996 and 2002 and requires many actions to protect drinking water and its sources. The SDWA does not regulate private wells that serve fewer than 25 individuals.

The SDWA applies to every PWS in the United States. There are currently more than 170,000 PWSs providing water to almost all Americans at some time in their lives.

Essential components of the SDWA include protection and prevention. States and water suppliers must conduct assessments of water sources to see where they may be vulnerable to contamination. Water systems may also voluntarily adopt programs to protect their watershed or wellhead and states can use legal authorities from other laws to prevent pollution.

The SDWA mandates that states have programs to certify water system operators and make sure that new water systems have the technical, financial, and managerial capacity to provide safe drinking water. The SDWA also sets a framework for the Underground Injection Control (UIC) program to control the injection of wastes into ground water. U.S. EPA and states implement the UIC program, which sets standards for safe waste injection practices and bans certain types of injection altogether. All of these programs help prevent the contamination of drinking water.

National Secondary Drinking Water Regulations (NSDWRs or secondary standards) are non-enforceable guidelines concerning contaminants that may cause cosmetic effects (such as skin or tooth discoloration) or aesthetic effects (such as taste, odor, or color) in drinking water. U.S. EPA recommends secondary standards to water systems but does not require systems to comply. However, states may choose to adopt them as enforceable standards.

History of Water Treatment

Hippocrates (460 – 354 BC), the father of modern medicine wrote "whoever wishes to investigate medicine properly should … consider the water that the inhabitants use … for water contributes much to health.
The history of water treatment dates back to ancient times. The first constructed sources of drinking water were shallow wells scooped out in wet areas. As tools were developed, deeper wells were constructed such as the ancient Egyptian Joseph's well at Cairo dug to a depth of 297 feet in solid rock. It is two stories, the upper to a depth of 165 feet was 18 feet by 24 feet, and the lower was 132 feet and 9 feet by 15 feet. Water was raised in two lifts by means of buckets on endless chains.

Methods for improving the aesthetic qualities of drinking water were recorded as early as 4000 BC. In addition, there are references in Sanskrit dating back to 2000 BC that refer to boiling and filtering drinking water. Egyptians used alum for clarifying water in the 16th century BC and wick siphons to transfer water from one vessel to another to remove suspended contaminants in the 13th century BC.

Otto Warburg Nobel Peace Prize 1931 - Cancer Cells and pH in the Body

"Cancer Cell Mitosis or production slows down with pH greater than 7.3"

Scientific work and Nobel Prize

Otto Warburg, 1931

While working at the Marine Biological Station, Warburg performed research on oxygen consumption in sea urchin eggs after fertilization, and proved that upon fertilization, the rate of respiration increases by as much as sixfold. His experiments also proved iron is essential for the development of the larval stage.

In 1918, Warburg was appointed professor at the Kaiser Wilhelm Institute for Biology in Berlin-Dahlem (part of the Kaiser-Wilhelm-Gesellschaft). By 1931 he was named director of the Kaiser Wilhelm Institute for Cell Physiology, which was founded the previous year by a donation of theRockefeller Foundation to the Kaiser Wilhelm Gesellschaft (since renamed the Max Planck Society).

Warburg investigated the metabolism of tumors and the respiration of cells, particularly cancer cells, and in 1931 was awarded the Nobel Prize in Physiology for his "discovery of the nature and mode of action of the respiratory enzyme."[2] The award came after receiving 46 nominations over a period of nine years beginning in 1923, 13 of which were submitted in 1931, the year he won the prize.[3]

In 1944, Warburg was nominated for a second Nobel Prize in Physiology by Albert Szent-Györgyi, for his work on nicotinamide, the mechanism and enzymes involved in fermentation, and the discovery of flavin (in yellow enzymes).[4][5] Some sources reported he was selected to receive the award that year, but was prevented from receiving it by Adolf Hitler's regime, which had issued a decree in 1937 that forbade Germans from accepting Nobel Prizes.[6][7] According to the Nobel Foundation, this rumor is not true; although he was considered a worthwhile candidate, he was not selected for the prize.[4]

Three scientists who worked in Warburg's lab, including Sir Hans Adolf Krebs, went on to win the Nobel Prize. Among other discoveries, Krebs is credited with the identification of the citric acid cycle (or Szentgyörgyi-Krebs cycle).

Warburg's combined work in plant physiology, cell metabolism and oncology made him an integral figure in the later development of systems biology.[8] He worked with Dean Burk in photosynthesis to discover the I-quantum reaction that splits the CO_2, activated by the respiration.[9]

Cancer hypothesis

Main article: Warburg hypothesis

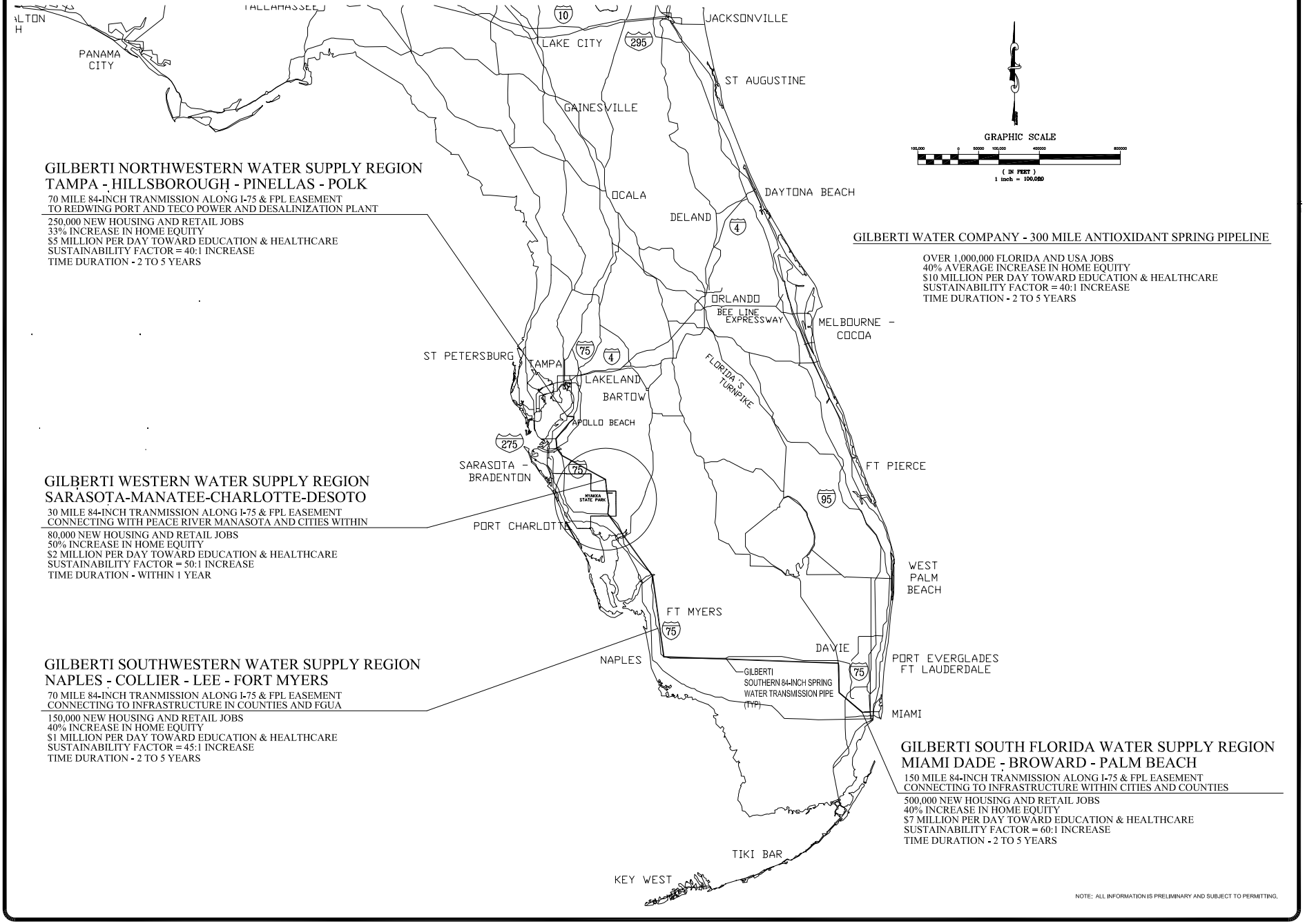
In 1924, Warburg hypothesized that cancer, malignant growth, and tumor growth are caused by tumor cells mainly generating energy (as e.g.adenosine triphosphate / ATP) by nonoxidative breakdown of glucose (a process called glycolysis) and the subsequent recycling of the metabolite NADH back to its oxidized form, for reuse in the glycolytic cycle to complete the process (known as fermentation, or anaerobic respiration). This is in contrast to "healthy" cells, which mainly generate energy from oxidative breakdown of pyruvate. Pyruvate is an end product of glycolysis, and is oxidized within the mitochondria. Hence, and according to Warburg, cancer should be interpreted as amitochondrial dysfunction.

Cancer, above all other diseases, has countless secondary causes. But, even for cancer, there is only one prime cause. Summarized in a few words, the prime cause of cancer is the replacement of the respiration of oxygen in normal body cells by a fermentation of sugar.

—Otto H. Warburg, [10]

Warburg continued to develop the hypothesis experimentally, and held several prominent lectures outlining the theory and the data.[11]

The concept that cancer cells switch to fermentation in lieu of aerobic respiration has become widely accepted, even if it is not seen as the cause of cancer. Some suggest the Warburg phenomenon could be used to develop anticancer drugs.[12] Meanwhile, cancer cell glycolysis is the basis of positron emission tomography (18-FDG PET), a medical imaging technology that relies on this phenomenon.[12][13]



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NOTE: ALL INFORMATION IS PRELIMINARY AND SUBJECT TO PERMITTING.

DATE: REVISIONS: BY:

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November 22, 2021

To Whom it May Concern:

Re: CLOSER TO THE HEART

Over the past 13 years I have supervised & used downhole video units and water quality logging trucks in a variety of areas including Closer to the Heart. Based on the results obtained during our pull back zone testing, water quality is extremely good for both the area and depth, the pH values during zone testing ranged from 7.8 to 11

If you have any questions about the above information or if we may be of any further assistance please don't hesitate to call. Thank you.

Sincerely,

Jim Murray

Jim Murray
President