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# "THE AFFIDAVIT"

# 2009



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### NEWS RELEASE

Release: No. H1N1-15  
 Date Mailed: September-15-2009  
**For Immediate Release**  
 Contact: Rob Potter—949-715-2217 or 310-877-3002

**WARNING: Drug Cartel Exposed Creating, Releasing,**

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## Injecting, Infecting, and Depopulating Planet with Pandemic H1N1 Swine Flu Viruses and Vaccines

Los Angeles, CA— World leading drug-industry investigators have uncovered stunning documents proving an international drug ring, operating from New York City, is behind the H1N1 swine flu fright and vaccination preparations.

Dr. Leonard G. Horowitz, America's leading consumer health expert, and Sherri Kane, an investigative journalist, have released shocking proof in legal affidavits that leaders of a private global biotechnology "trust" are behind everything you ever heard about pandemic flu, including its origin and alleged prevention via vaccination. Their documents, being sent through attorneys to the FBI today, evidence powerful industrialists operating a crime ring within "Partnership for New York City" are behind the pandemic's creation, media persuasions, vaccination preparations, and health official promotions seen everywhere from supermarkets to health clinics.

"David Rockefeller's trust, that engages several powerful partners on Wall Street, including media moguls Rupert Murdoch, Morton Zuckerman, Thomas Glocer, and former Chairman of the Board of Directors of the Federal Reserve Bank of New York, Jerry Speyer," are implicated in advancing global genocide," Dr. Horowitz wrote to FBI directors, through a team of attorneys assembled to stop the swine flu vaccines from being given.

"This 'partnership' controls biotechnology research and development globally. Health commerce internationally is also



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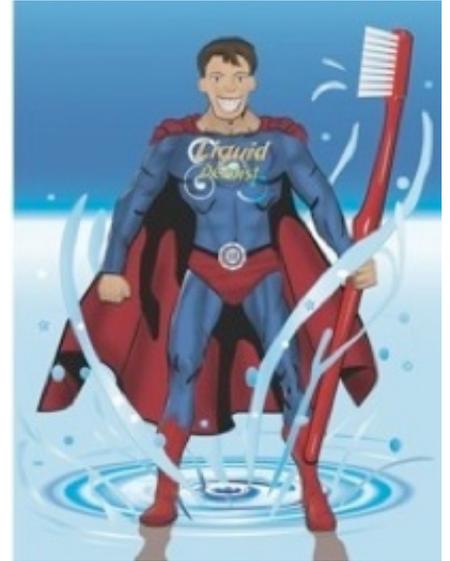
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controlled virtually entirely by this trust that exercises near complete control over mainstream media to promote/propagandize its products and services for the drug cartel's organized crime. This trust, in essence, makes or breaks medical and natural healing markets, primarily through the mass media companies and propaganda it wields for social engineering and market building," Dr. Horowitz wrote.

Among the most stunning revelations from the Horowitz-Kane research are those linking Larry Silverstein of Silverstein Properties, Inc., and the 9-11 terrorist attacks, to the drug cartel's geopolitical, economic, and population reduction activities. Mr. Silverstein, leaser of the World Trade Center who authorized to have building 7 "pulled," meaning detonated, is a chief suspect in the "9-11 truth" investigation. Silverstein is currently landlord and co-partner in the biotechnology trust founded by David Rockefeller and implicated by these new discoveries.

"If these people can get away with killing more than 3,000 people in 8 seconds on 9-11, they are completely capable of murdering millions, even billions, of people worldwide this flu season," Dr. Horowitz commented. "I pray these revelations will save millions of lives and help activists call upon President Barack Obama to demand legitimate inquiries into these genocidal atrocities."

Given the unprecedented nature and urgency of these findings, Dr. Horowitz has posted his affidavit for public review on [FLUscam.com](http://www.fluscam.com), praying other activist will spread the information in order to prompt governments worldwide to cease mass vaccination preparations to avoid becoming accessories to the



**Favorite Links:**

- [www.vaccinationgenocide.com](http://www.vaccinationgenocide.com)
- [www.inlieswetrust.com](http://www.inlieswetrust.com)
- [www.drlenhorowitz.com](http://www.drlenhorowitz.com)
- [www.vaclib.org](http://www.vaclib.org)
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- [www.FLUscam.com](http://www.FLUscam.com)
- [www.healthyworldsolutions.com](http://www.healthyworldsolutions.com)
- [www.originofaids.com](http://www.originofaids.com)
- [LegalActionAgainst Forced Vaccination](#)
- [HealthFreedomUSA](#)
- [HealthFreedomAlliance](#)
- [Swine Flu Hoax with Kevin Trudeau & Robert F. Kennedy, Jr. on "Deadly Immunity"](#)
- [www.PandemicFluOnline.com](http://www.PandemicFluOnline.com)
- [Depopulation by Inoculation](#)
- [PreventDisease.com](http://PreventDisease.com)

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crime of genocide.

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**Note to Journalists:** For interviews with investigators Horowitz and Kane, please contact Rob Potter at 949-715-2217, or e-mail: [info@healthyworldorganization.org](mailto:info@healthyworldorganization.org). **SCROLL DOWN TO READ AFFIDAVIT.**



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## AFFIDAVIT OF LEONARD G. HOROWITZ

1. This Affidavit is based on my personal knowledge, except where otherwise stated, and, if called upon to do so, I could and would competently testify to the matters herein stated.
2. I am a Harvard University trained certified expert in the fields of behavioral science, health education/health promotion, media persuasion, medical sociology, public health, and emerging diseases. I have additional expertise in natural healing methods and materials, including genetics and electro-genetics, by reason of my academic training, scientific publications, and internationally recognized authority and celebrity in these fields.
3. I openly disclose my bias and conflicting interests as a leading author, personal health care educator, consumer protector, alternative and complementary health care specialist, and formulator of natural remedies for public protection and remediation of diseases. I hold trademarks covering several products that compete directly with the drug industry's monopolization of medicine as described herein. This competitive vantage enables me to critically assess elements and actions within "BigPharma" that few people perceive. My sponsorships by natural products companies, including those that manufacture and distribute **OxySilver** and **Liquid Dentist**, helps pay for my expenses in serving as I have for thirty years without grants or academic/institutional restraints providing the freedom to simply "tell it like it is" based on science and researched evidence. Without sponsors, radio and television networks would cease operations, and so would I. The critical difference between BigPharma, and its products, versus the natural health products industry, and my endorsements, is the former is criminally operating and killing people as evidenced herein, whereas my colleagues and I are persecuted by the powers exposed herein, and continue helping people heal naturally nonetheless.
4. I further disclose that I am a Levite priest by virtue of my



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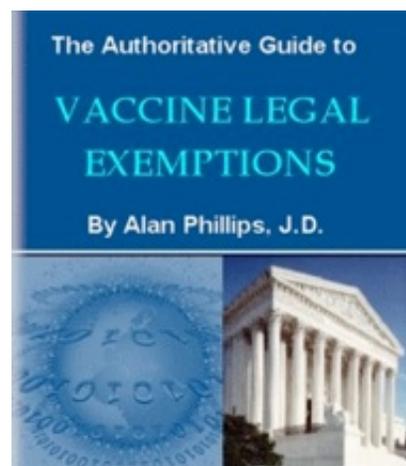


bloodline, spiritual direction, and ecclesiastical commitments. I am the body corporate and Overseer of The Royal Bloodline of David, an omni-denominational healing ministry established in the State of Washington and certified by the Secretary of State therein in 2000; and was the pro se counsel in *Horowitz vs. The State of Hawaii, Department of Health, et al.* (Civ. No. 06-1-0296).

5. Compelled by God and my responsibilities in these positions I have sought on several occasions, by whatever lawful means, to protect the U.S. Constitutional right of every American to exempt from risky vaccinations for religious, philosophical, and medical reasons; and protect Americans' bodies as absolute personal properties for which compensation must be paid if and when taken, according to the 5th Amendment of the Constitution.
6. I understand that substantial historical evidence exists proving unequivocally the Rockefeller family's monopolistic influence over American medicine and public health that is material to this affidavit and related complaint. David Rockefeller's powerful influence over the Council on Foreign Relations, geopolitics, and global economics is solidly established.
7. I have reviewed the records and files cited herein and attest to the following facts that evidence fraud, official malfeasance, organized crime, and the administration of genocide (i.e., iatro-genocide) operating under the guise of "public health" within a trust organization established by David Rockefeller called "Partnership for New York City" involving the US Federal Government, and New York State Government, pertaining to the 2009 H1N1 Swine Flu "outbreak," "pandemic," and advancing vaccination campaign.
8. I conclude that this subject is a matter of extreme urgency, threatening national security, thus demanding the immediate scrutiny of lawmakers and justice department officials, as well as the public-at-large.
9. It is a well-established fact that "outbreaks" have been caused by laboratory "accidents." For instance, the 1977 Influenza A outbreak of human ("swine flu") H1N1 that went extinct for twenty years between 1957 and 1977 suddenly re-emerged immediately following: a. the suspicious unexplained 1976 military outbreak at Fort Dix, New Jersey of this strain that was most likely a covert military experiment; and b. the subsequent swine flu deadly vaccination program that followed the Fort Dix outbreak, and media-driven fright; that has been attributed to a "laboratory source" according to doctors Zimmer and Burke in the *New England Journal of Medicine* (July 16, 2009;Vol.361:279-285). (See **EXHIBIT 1**)
10. The November 1977 sudden reemergence of this Influenza A H1N1 strain in the former Soviet Union is best explained by the National Cancer Institute's 1978 publication titled *Special Virus Cancer Program* (Library call number: E20.3152;V81/977 and 78-21195). This report revealed the June 15, 1976 contract (N01-CP-6-1047) with the American Type Culture Collection to supply "virus materials . . . to investigators throughout the world" via a "US-

### Must Watch!

- [Swine Flu Special Report](#)
- [Anglo American Genocide](#)
- [BAXTER Vaccine "Accident"](#)
- [Sherry Beall KPFK Report](#)
- [CDC's Vaccine Genocide](#)
- [Merck Chief on AIDS Origin](#)
- [Robert Gallo and HIV/AIDS](#)
- [In Lies We Trust Trailer](#)



USSR Agreement" (a dangerous breach of Cold War national security). (See: [EXHIBITS\\_2-3.pdf](#)) Virus materials cited in this document included numerous infectious agents including influenza, parainfluenza, and even laboratory recombinations of influenza with acute lymphocytic leukemia viruses that might spread quick acting lymphatic cancers by sneezing.(See: [EXHIBIT\\_4.pdf](#))

11. The April, 2009 "outbreak" of the H1N1 "swine flu" is, like the 1976 Fort Dix and 1977 general "outbreaks," highly suspicious according to genetic analysts and leading virologists. The rapid mutation rates of the novel agent circulating and feared as the 2009 "swine flu" strongly suggests a laboratory source, either intentionally or accidentally released.
12. To make it more difficult for the public to comprehend what is ongoing in flu labs, according to [EXHIBIT\\_5.pdf](#), World Health Organization officials developed new terminology to describe viruses used in vaccinations, gene therapies, and advancing biotechnologies. The new terms "reference materials," "biosimilars," "data packages," and "mock-up files," each designate viruses and/or viral materials including gene sequences that cause disease and immune system reactions.
13. According to [EXHIBIT\\_6.pdf](#), World Health Organization officials in charge of developing influenza vaccines, Dr. James Robertson and Dr. John Wood, of the National Institute for Biological Standards and Control (NIBSC) in the UK, testified (April, 2006) that "if a pandemic is imminent, . . . A stockpile of live vaccine, . . . could be used to prime the population in advance . . ."
14. According to this document, these doctors are the "Principal Scientists in the Division of Virology at NIBSC. Dr. Wood and Dr. Robertson lead the NIBSC's influenza group. Their responsibilities include the control and standardization of influenza vaccines. On behalf of the United Nations' World Health Organization (WHO) the NIBSC is involved in the serological testing of vaccine trials; the preparation and distribution of influenza viruses to vaccine manufacturers; and the coordination of EU strain selection process." (ie., the selection of viruses that shall be used by governments worldwide, and their "vaccine pipelines."
15. Dr. Robertson also testified that "there is a lack of vaccine research in the UK compared with the US," and that he and Dr. Wood "consider that pandemic vaccine development in the EU has been slow due to limited public funding. This is in contrast to the situation in the USA. Dr. Wood told the group that the NIBSC collaborate with the vaccine industry . . . The EMEA have helped to persuade industry to invest in pandemic vaccines with the introduction of the mock up files and by waiving the regulatory fees . . ." [Emphasis added]
16. The [European Medicines Agency \(EMA\)](#) is a decentralized body of the European Union with headquarters in London. Its main responsibility is, according to its website, "the protection and promotion of public and animal health, through the evaluation and supervision of medicines for human and veterinary use."

17. Thus, it is certain that when the Mexican Swine Flu 2009 "outbreak" occurred in mid April, 2009, first in the United States in two unrelated children living approximately 100 miles apart in southern California, then soon after in Mexico among people who had not been exposed to these two children, that foul play is a most reasonable explanation, especially since this unique virus held genes from avian, swine, Spanish, and regular flu strains—unprecedented in the history of "natural selection" health science addressing evolution of the species.
18. **Occam's Razor analysis** holds that, "Of several acceptable explanations for a mysterious phenomenon, the simplest is preferable, provided that it does not contradict the observed facts."
19. Accountable US Federal officials overseeing America's "biopreparedness" response against this mutant H1N1 flu, including vaccinations and predicted quarantines, offer no definitive explanation for the initial outbreak of this laboratory sourced recombinant; nor does the mainstream media. So called "experts" accept and regurgitate the lame explanation of "somehow" and "somewhere" bird, pig, and 1918 Spanish flu viruses mated curiously synchronously with the first availability of biotechnology to produce vaccines alleged to be safe and effective against this precise new H1N1 and H5N1 genetic recombinant.
20. Alternatively, the following substantial evidence indicts David Rockefeller et al, including celebrated Federal agents, agencies, and vaccine makers that control the mainstream media and the practice of medicine in an organized criminal conspiracy to profit by generating and promoting this pandemic:
- a. Days before the media's first reported swine flu cases in April, 2009, Novavax Corporation, partnered with the General Electric (GE) company that co-owns NewCo with media mogul Rupert Murdoch, issued **press releases** generating widespread publicity.
- b. Thus, America's most powerful news media consortium, and cable television conglomerate, publicized Novavax's vaccine research in collaboration with CDC officials, alleging their vaccine protected against this unprecedented recombination of flu stains—avian, Spanish flu, and regular flu infections. (See [EXHIBIT\\_7.pdf](#))
- c. According to Dr. Robertson's testimony presented above, Novavax received its "biosimulars" through CDC Influenza Branch director, Ruben O. Donis, and Dr. Rick Bright. Dr. Bright previously worked with Dr. Donis at the CDC. In April, 2009, Dr. Bright was Novavax's Vice President of Global Influenza Programs.
- d. The publicized outbreak caused Novavax's stock to soar. Novavax's CEO, Rahul Singhvi, and his previous corporate affiliate, the Merck Pharmaceutical company that manufactures the flu-related pneumonia vaccine (Pneumovax), both profited heavily from the "outbreak," media coverage, and declared advancing pandemic.
- e. No group in the world other than the Anglo-American vaccine

"pipeline," with its faucets at the NIBSC and CDC, could supply Novavax's collaborators with the wherewithal to manufacture and release the recombinant virus reported by officials and Reuter's News Service. (See: [EXHIBIT\\_8.pdf](#))

f.A Google search proves Thomas H. Glocer is the Chief Executive Officer of the Thomson Reuters Corporation (TRC) and Director of the TRC that partnered in David Rockefeller's biotechnology trust called "Partnership for New York City," (PNYC). Thomas H. Glocer is also a Merck [pharmaceutical company] Director since 2007, according the Merck company website. (See: [EXHIBIT\\_9.pdf](#).)

g.Two additional "partners" are the New York State Government, and the US Federal Government, likewise advancing vaccine research in partnership with private companies in this PNYC. Both governments then purchase vaccines from other partners in the PNYC.

h.The PNYC, according to their website (<http://www.pfnyc.org/history.html>), was initially formed out of the merger of two organizations: the New York Chamber of Commerce and Industry and the New York City Partnership. The New York Chamber of Commerce was founded on April 5, 1768 by a group of merchants whose purpose was to encourage business and industry, . . . the Chamber remained sufficiently loyal to the [British] Crown to have received a royal charter in 1770 from King George III, . . . After the [Revolutionary] war, . . . the New York State Legislature . . . confirm[ed] their original charter [on April 13, 1784] . . . entitled "An Act to Remove Doubts Concerning the Chamber of Commerce and to Confirm the Rights and Privileges Thereof." . . . Following in the tradition of three generations of Rockefellers who were closely associated with the Chamber, David Rockefeller transformed the organization in 1979. In that year, he founded the New York City Partnership and affiliated it with the Chamber. Although the original Chamber had taken a broad look at what it considered to be "business interests", it was primarily a business advocacy group. Under Rockefeller's vision, the new Partnership would allow business leaders to work more directly with government and other civic groups to address broader social and economic problems in a 'hands on' way. In 2002, the New York City Partnership and Chamber of Commerce became the Partnership for New York City. . . ."

i.Rupert Murdoch is Co-Chairman with Honorary Co-Chairman David Rockefeller in the PNYC.

j.Rupert Murdoch's mother, Elisabeth Murdoch is Dame Commander of the Order of the British Empire, established by King George V; a Companion of the Order of Australia (AC), which is an order established by Elizabeth II, Queen of Australia. Elisabeth Murdoch administers the Royal Woman's Hospital in Victoria, Australia, a vaccine research center and heavy promoter of the swine flu vaccines and drugs for pregnant women.

k.Jerry I Speyer, owner of the Rockefeller Center, is chair emeritus of the PNYC and on their board of directors. He is Chairman and Co-Chief Executive Officer of Tishman Speyer, Chairman of the

Museum of Modern Art, former Chairman of the Board of Directors, the Federal Reserve Bank of New York; chairman emeritus of Columbia University; chairman emeritus of the Real Estate Board of New York; and a member of the David Rockefeller-directed Council on Foreign Relations.

l. Nelson Rockefeller's protégé, Dr. Henry Kissinger, is a highly influential member of [The Council on Foreign Relations](#), composed of the most influential business leaders in America, and his [Kissinger Associates, Inc.](#) is [Merck and Company, Inc.](#)'s leading management consulting firm.

m. Merck and Company, Inc. is the world's largest vaccine maker. The company not only profits from flu frights and pandemics by sales of [Pneumovax](#), but also is credited for having spread the AIDS virus, HIV, through contaminated hepatitis B vaccines according to research published in the peer reviewed scientific journal [Medical Hypotheses \(Volume 56, Issue 5, Pages 677-686\)](#) by this affiant.

n. Further evidencing an Anglo-American conspiracy to commit iatrogenic using vaccines, a CSL Biotherapies report (See: [EXHIBIT 10.pdf](#)) proves this firm operates one of the world's largest influenza vaccine manufacturing facilities for supply to Australia and global markets. This facility is based in Parkville, Victoria. This document explains the vaccine manufacturing process and exclusive supply of viruses for vaccine research and manufacture from the WHO or the CDC, thusly:

"The first step in making the influenza vaccine is preparing a 'seed' virus. This is a safe form of the influenza virus, which can be grown in hens' eggs to produce the vaccine. Preparation of the seed takes around 3-4 weeks following receipt of a potential candidate virus from international health bodies such as the World Health Organization (WHO) or the US Centers for Disease Control and Prevention (CDC)."

o. So Ruben O. Donis at the CDC had to have sent the H1N1 and H5N1 viruses needed for vaccine manufacture to Novavax, where the CDC's former Dr. Rick Bright, is now implicated in this conspiracy to commit genocide by way of flu vaccines.

p. CSL's primary H1N1 swine flu vaccine testing site is closely linked to Rupert Murdoch. Murdoch funds the Murdoch Children's Research Institute (MCRI) of Victoria, Australia. His daughter-in-law, Sarah Murdoch, is an Ambassador for the MCRI, and a member of its development board since 2000. Murdoch's mother's, Royal Woman's Hospital is testing the H1N1 vaccines, at the time of this writing, on children and pregnant women.

q. The Associate Director of Clinical Development for vaccines at CSL is Dr. Michael Greenberg. CSL is conducting H1N1 vaccine studies on babies at the Murdoch Children's Research Institute, according to the MCRI website. (See: [EXHIBIT 10.pdf](#)) Dr. Greenberg joined GlaxoSmithKline in 2005, and CSL in 2009, further evidencing Rupert Murdoch's ties to SmithKline and CSL.

r. The MCRI is the largest child health research and vaccine testing

institute in Australia. It researches childhood diseases, including many that are vaccine-induced autoimmune diseases associated with antigenic complex formation from geneto-protein recombinations and blood intoxications.

s. Antigenic complex formation is the primary mechanism recognized by immunologists for the generation of myriad auto-immune diseases that result from vaccine-induced/unnatural over-stimulation of the immune system whereafter immune cells are hyper-activated to autogenically attack the body instead of simply the infectious agent/ pathogen or antigen. The medical community calls this auto-immune dysfunction.

t. In September 2009, babies and children were being recruited by the MCRI, for "a pandemic H1N1 swine flu vaccine trial" in Melbourne wherein "about 100 Victorian children aged between 6 months to eight years" were selected for study in collaboration with the University of Melbourne and Federal Government of Australia.

u. This historic testimony evidencing fraud and ongoing genocide within the medical and public health sectors of the WHO-directed US, UK, and Australian governments is best reconciled by medical sociologist Stephen Kunitz's 2000 report in the *Journal of the American Public Health Association* (Vol 90;10:1531-39) wherein he concluded wherever Anglo-American multi-national corporations travel, so goes genocidal depopulation of native people.

v. Now this affiant is aware that White House Environmental Advisor for Barack Obama, Van Jones, resigned for signing a petition in 2004 asking for an investigation of high level Bush administration officials implicated by foreknowledge in the September 11, 2001 World Trade Center "terrorist" attacks that immediately killed more than 3,000 people and many more from respiratory related ailments.

w. This infamous New York site is now home to the PNYC—the world's most powerful biotechnology trust established by David Rockefeller in 1979 with co-partner and co-chairman Ruppert Murdock.

x. It must be known that New York's United Nations building was constructed using Rockefeller money. The United Nations's WHO was established thereafter by the Rockefeller family's foundation in 1948--the year after the same Rockefeller cohort established the CIA. Two years later the Rockefeller Foundation established the U.S. Government's National Science Foundation, the National Institute of Health (NIH), and earlier, the nation's Public Health Service (PHS).\*\*

y. It must be further understood that England's colonialism has transitioned into neocolonialism, commonly called globalism. British influence has evolved most apparently and consistently with financial support by the European banking community led by the Rothchild family that has, according to geopolitical and economic historians, heavily financed Rockefeller family interests since the late 1800s, and vaccination campaigns have been a part of this global conquest agenda.

z. Population reduction by vaccination for eugenics and genocide has earlier examples. Kunitz wrote about the Yanomami Anglo-American genocide in Venezuela. In 1968, very deadly and obviously contraindicated [Edmonson B measles vaccine was administered by James V. Neel](#) and colleagues to conduct genetic studies funded by the Rockefeller Foundation and US Atomic Energy Commission that maintains obvious ties to British commissioners. This vaccine caused the death of several thousand Yanomami. Lesser-known examples of vaccine-induced genocides involve the polio and hepatitis B vaccines as published by this affiant in 2000 in the journal *Medical Hypotheses*; and the Tuberculosis skin testing genocide ongoing in Hawaii as published in [Medical Veritas in 2007](#) (4:1505–1509).

aa. The eugenics movement began at Rockefeller and Carnegie funded Cold Spring Harbor Labs in New York. Eugenics investors in genetic engineering and "population management" extended their institutional control over Nazi Germany; advancing "showers" with IG Farben and Bayer Corporation supplied Zyklone B. Concentration camp victims believed they were taking showers for "public health" and "disinfection," not for "racial hygiene." Later eugenics "experiments" included Tuskegee's syphilis study administered on behalf of Rockefeller interests by the U.S. Public Health Service.

bb. I testify as an expert in medical sociology and vaccine virology this is not "conspiracy theory," but a certifiable "conspiracy reality" operating in health science sustained by a "conspiracy of silence" infecting responsible journalists, the media, and the American people. It is a sociopolitical pathology preventable only by the free exercise of our First Amendment right to a free press. Given the manner in which the defendants control the media, however, including the medical scientific media, America's founding fathers objective to secure civil rights and happiness by way of a free press has been substantially negated by these criminals.

cc. In the United States, the NIH, PHS, and the American Academy of Pediatricians (AAP) have incestuous relationships with "BigPharma" and its ring of organized PNYC criminals. These agencies and official agents minimize vaccination risks, deny vaccine ingredient toxicities (e.g., mercury and the vaccine additive MF59 (Novartis/CHIRON) or ASO2-4 (Glaxo-SmithKlein) containing squalene and IL-2); and promote vaccination policies ignoring reason and legitimate cautions based on published science.

dd. The reach and impact of the defendants' trust, the PNYC, obviously taints geopolitics, economics, and vaccine science globally. For example, according to recent [Biomedical Research Alliance promotions](#), and [PNYC promotions](#), [Kathryn S. Wylde](#), the [President and CEO of the PNYC since 1982](#), was [appointed to the Board of Directors of the Federal Reserve Bank of New York in 2009](#). She describes Asian financial influence on the PNYC thusly:

ee. "The announcement of the China Center is a step toward economic recovery for New York. The Vantone Group's commitment to helping New York become the western headquarters location for the increasing number of global businesses coming out of China is extremely important to our city's future as a global capital

of business and finance.”

ff.The “China Center” lease is being administered by Silverstein Properties, Inc. a “partner company” in the PNYC. It is owned by Larry A. Silverstein, the infamous real estate tycoon, and alleged heroin drug trafficker, who cashed in on his timely \$3.2 billion lease of the World Trade Center property seven weeks before “9-11” (2001). The subsidiary of GE Capitol, Industrial Risk Insurers company, paid some of Mr. Silverstein alleged loss of \$7 billion needed to reconstruct the new World Trade Center.

gg.The top 5 floors of this new construction, “Chinese Center” is administered by Vantone Group director Feng Lun (pronounced Fung LEW-in).

hh.Feng Lun, according to Mr. [Silverstein's press announcement](#), is “a pioneer of China's booming real estate market, so influential that some of the biggest names in American real estate, like Jerry Speyer, Mortimer Zuckerman and Sam Zell, have expressed an interest in forming a partnership with him.”[Emphasis added.](See: [EXHIBIT\\_11.pdf.](#))

ii.The Mortimer B. Zuckerman Research Center (MBZRC) is the namesake created by the chairman and co-founder of the publicly traded Boston Properties, also a partner company in PNYC. The Center is associated the Memorial Sloan-Kettering Cancer Center and Rockefeller University. Zuckerman is also editor-in-chief of U.S. News and World Report and publisher of the Daily News. A Harvard Law grad, he is also member of the Council on Foreign Relations largely directed by honorary PNYC chairman, David Rockefeller. Mr. Zuckerman is a fixture on Sunday talk shows like The McLaughlin Group. Zuckerman is reported to have an estimated net worth of \$2.8 billion. Mr. Zuckerman, a candidate for US Ambassador to Israel, is also a leading financier of the American Lyme Disease Foundation that heavily promoted SmithKline company's disastrous Lymerix vaccine. This vaccine was pulled from the market following hundreds-of-thousands of reported cases of recipients suffering post-vaccination symptoms of Lyme disease.

jj.Another major promoter and Federal Government endorser of SmithKlein's toxic and terminated Lyme disease vaccine is the US Federal Government's, National Institute of Health, National Institute for Allergies and Infectious Diseases (NIAID) Director, Anthony S. Fauci, upon whom Mr. Zuckerman bestowed an “[America's Best Leaders](#)” award on November 24, 2008.

kk.At this same meeting Mr. Zuckerman provided the same award to David Baltimore, the senior pioneer of retroviral research associated with HIV/AIDS-like immunodeficiency bioengineering during the Special Virus Cancer Program (SVCP).

ll.The SVCP was speciously investigated in 2002 by the United States General Accounting Office ([GAO-02-809R Origin of AIDS Virus](#)), that concluded its fraudulent study in June 17, 2002. The investigation was forced by persecuted, and later incarcerated, Honorable Ohio Congressman, James A. Traficant, Jr. Mr. Traficant has decried his persecution by a “Jewish conspiracy” with intimate

ties to Israel and intelligence organizations that adequately describes the defendants in this case.

mm.The SVCP is undoubtedly linked to the origin of HIV/AIDS as evidenced by its documentation revealing HIV co-discoverer, Dr. Robert Gallo, and his employment with the National Cancer Institute overseeing Litton Bionetics's contract (71-2025) (See: EXHIBIT 12) "Investigation of Viral Carcinogenesis in Primates," as "Project Officer." This document relates to the Merck company SVCP contract (71-2059) "Oncogenic Virus Research and Vaccine Development," directed by Dr. Maurice Hilleman. (See: [EXHIBIT 13.pdf](#))

nn.Before his death, Dr. Hilleman, Merck's vaccine division chief, stated that he brought the AIDS virus into North America in contaminated monkeys destined for vaccine research at Merck. This suppressed interview was posted by this affiant on You Tube where it is currently viewable, (See: [YouTube's "Merck Vaccine Chief Brings HIV/AIDS to America"](#))

oo.Litton Bionetics also exclusively administered the NCI's facilities at Fort Detrick, Maryland at the time Litton supplied chimpanzees were used by the CDC, FDA, NIAID, and the Merck drug company to produce four subtypes of hepatitis B virus vaccines for testing on at least three known populations: 1. homosexual men in New York City, 2. African villagers in Zaire/Congo/Uganda, and 3. Willowbrook State School for mentally retarded children on Staten Island in New York. The latter studies were conducted under U.S Army contract with the New York University Medical Center's Dr. Saul Krugman. (See: [EXHIBIT 14.pdf](#))

pp.Thus, the leading HIV/AIDS institute in the US, the NIAID, directed by the leading American infectious disease official, HIV/AIDS czar, and leading swine flu vaccination proponent, Dr. Anthony Fauci, has grossly and criminally neglected compelling documents and solid science that indicts Merck, the FDA, CDC, and his own NIAID. The suppressed and neglected evidence proves the origin of the world's deadliest plague, AIDS, was triggered by hepatitis B vaccinations advanced by this alliance between these defendants' public and private enterprises. (See: [EXHIBIT 15.pdf](#))

qq.Additional analysis of published genetic analyses concordant with this suppressed thesis and documented history of the SVCP, and related HIV activity, will prove to any reasonable person the NIAID played a central role in the aforementioned hepatitis B vaccine studies. (See: USDHEW Virology: Volume 4—Control of Viral Infections. NIAID Task Force Report. Bethesda, MD: Public Health Service, NIH, 79-1834, 1979, p. 20; 65-78) (See again: [EXHIBIT 15.pdf](#))

rr.Related to current swine flu propaganda, the NIAID director, Dr. Fauci, has been heavily [promoting swine flu vaccinations](#) by way of the defendants' media properties as he did previously with the Lyme vaccine.

ss.Dr Fauci was also senior author on the New England Journal of

Medicine's article detailing a suspiciously incomplete developmental history of this novel H1N1 virus. (See: [NEJM Vol. 361;3:225-229, July 16, 2009](#).)

tt. The NIAID and Dr. Fauci operates subject to Central Intelligence Agency (CIA) review and direction according to [CIA documentation](#) and the [Washington Post](#). (See: [EXHIBIT 16.pdf](#))

uu. Dr. Fauci is also co-patent holder (No. 5,696,079; Dec. 9, 1997) (See: [EXHIBIT 17.pdf](#).) on "Immunologic enhancement with intermittent interleukin-2 therapy" described as being central to gene therapies and the future of "geneto-pharmaceuticals." The Assignee on this patent is: The United States of America as represented by the Department of Health (Washington, DC).

vv. The [Associated Press](#) reported that the government owns the patents and the scientists are listed as inventors so they can share in licensing deals struck with private manufacturers. . . . Fauci received \$45,072.82 in royalties since 1997 when the government licensed the treatment they invented to drug maker Chiron Corp. Fauci, allegedly, donated his royalties to charity to avoid conflict-of-interest charges. But he admitted it was his decision to make to withhold disclosures to patients undergoing tests of IL-2 under his supervision.

ww. Thus, Dr. Fauci's co-patent filing evidences entrepreneurship of the US Federal Government, through its Department of Health, at the expense of taxpayers, in this valuable biotechnology now licensed to CHIRON Corporation, makers of the swine flu vaccine adjuvant additive MF59 with squalene. (See: [EXHIBIT 18.pdf](#).)

xx. I am aware of substantial scientific evidence, some of which was attended by the United States Congress during its investigation into Gulf War Syndrome, that [squalene adjuvant is implicated](#) in poisoning masses of military personnel who received the anthrax vaccine.

yy. Regarding the history of IL-2, now in vaccine adjuvant, on Monday, Oct. 6, 2008, Dr. John Niederhuber, the director of the NCI, told Lawrence K. Altman of the [New York Times](#) that Dr. Gallo "was instrumental in every major aspect of the discovery of the AIDS virus." He added: "Dr. Gallo discovered interleukin-2 (IL-2), an immune system signaling molecule, which was necessary for the discovery of the AIDS virus, serving as a co-culture factor that allowed the virus to grow." Dr. Fauci added to this, "There's no doubt that Bob Gallo made enormous contributions to AIDS research, and if the Nobel rules allowed four recipients, Bob would belong in the group". . . .

zz. I am also aware that IL-2 is the "common denominator" among immune system functions, (See: [EXHIBIT 19.pdf](#)) and can cause [severe side effects](#). IL-2 has been recommended for adjuvants. (See: [EXHIBIT 20.pdf](#)) New research on Dr. Fauci's IL-2 in the "proprietary" formula of swine flu vaccine adjuvants show IL-2 caused no benefit whatsoever stimulating the immune systems of 5,8000 subjects at a cost of \$85 million. [CHIRON and taxpayers paid the tab](#). Yet, more money and time will be spent researching

Drs. Fauci and Gallo's darling drug.

aaa.Regarding the other principle ingredient in adjuvants, according to Dr. Andrus Brun Laursen, the [amount of squalene in the Pandremix](#) vaccine made by GlaxoSmithKlein is far more concentrated in the swine flu vaccine than in anthrax vaccine implicated in producing Gulf War Syndrome.

bbb.CHIRON's MF59 adjuvant used in the 2009 swine flu vaccines by GlaxoSmithKline and Novartis, and Merck's Lymerix vaccines, contain squalene along with Dr. Fauci's co-patented Interleuken-2, preferred by the drug trade due to its toxic side effects as this makes money for shareholders in BigPharma.(See: [EXHIBIT\\_20.pdf](#))

ccc.The aforementioned evidences how the American people are being psychologically abused--"brain-washed," sensitized, and traumatized--by the trust's media; and physically assaulted with painful poisonous injections delivering blood contaminations to the ill-informed generally objecting public.

ddd.From the view of theologians, people shall reap what they sew--humanity is being seduced by persuasive media to be physically poisoned by misplaced faith in the CDC, FDA, AAP, NIAID, PHS, NCI; and in Novartis, Novavax, SmithKlein, Merck, CSL, and Baxter Corporation's vaccines. Rather than reinforcing the sacred dictum, "In God We Trust," the PNYC trust conditions people to place faith in medical deities (MDs) to advance an obviously genocidal agenda--the 2009 Swine Flu vaccination campaign. Thus, the constitutionally guaranteed religious freedom from "mandated" blood intoxications (as per Leviticus 19:19) are being attacked and suppressed by Anglo-American agents for David Rockefellers PNYC trust.

eee.Among the trust's deceptive, coercive, unethical, and fraudulent media machinations is their promoted myth that vaccinations are "mandatory" when, by Constitutional law, they shall be voluntary for all who honor of religious beliefs and others philosophically-inclined to refuse given equal protection under the law.

fff.Another second key deception is the notion that "immunization" means "vaccination" or visa versa; when, in fact, "immunization" traditionally referred to a natural exposure to antigens and innate immune response associated with acquiring lasting natural immunity. The word "vaccination," alternatively, refers to a medical procedure that typically triggers hyper-sensitization reactions within the lymphatic system.

ggg.Another fraudulent myth is that the FDA tests products and/or assures safety and efficacy of vaccines. This myth persists due to continuous reinforcement by the news media controlled by the trust, and brainwashed or blindly-biased health officials that repeat this seductive mantra--"vaccines are safe and effective."

hhh.These intentional obfuscations by the media and institutionalized medicine and public health, manipulated and misdirected by the trust, illustrate the social engineering and cross-cultural suppression of native and traditional beliefs in natural healing, immuno-competence, and spiritual metaphysics involved in natural healing,

sustaining wellness, and spontaneous recovery.

iii. And unless We the People diagnose and treat the root causes of this genocidal imposition--a psycho-social, geopolitical, economically debilitating, physically-enslaving pathology, humanity may literally go extinct from genetic mutations and chemical intoxications.

jjj. Alternatively, the recognition and celebration of spiritual immunity bio-energetically commanding natural physical immunity through electro-genetic and hydrosonic processes, must be reexamined and culturally restored. As spiritual beings, humans deserve spiritual solutions more than physical chemical intoxications. The suppressed fields of homeopathy and electroacupuncture demonstrate conclusively efficacy in this regard; yet we see no homeopaths in American hospitals today.

kkk. Supermarkets are even used to peddle vaccines as if medical markets are insufficient. "Safeway" stores seduce shoppers in the US and UK offering **10% discounts** to anyone impulsively inoculated. Who saves? The company owner, Kohlberg Kravis Roberts is partnered with several members of Rockefeller's PNYC trust. Moreover, Safeway's CEO, Steven H. Burd, is Founder of the Coalition to Advance Healthcare Reform (CAHR), the movement's most outspoken salesman. Allied members include: Merck & Company, Inc., Glaxo-SmithKlein, Eli Lilly and Company, Pfizer Inc., and America's leading vaccine testing organization Kaiser Permanente. (See: [EXHIBIT 22.pdf](#))

III. Beyond this gross criminal seduction that neglects natural, alternative and complementary care in "health care reform," the obvious intent of the Federal Government officials, in partnerships and collaborations with pharmaceutical and media industrialists, to engage in organized crime by conspiring to commit psychological warfare to effect a genocidal vaccination agenda is proven by:

- i) Gross chronic criminal irresponsibility for safety testing lasting adequate lengths of time to provide reasonable assurances that new or old vaccines are safe, and will not cause disease or premature death months and years after inoculations.
- ii) Reliance of Federal licensing officials on studies and data exclusively provided by drug companies--vaccine makers who have consistently manipulated data for profit.
- iii) Gross criminal neglect of readily available, lower-to-no cost, risk reducing/zeroing, highly reliable [natural alternatives](#) to risky vaccinations and chemotherapies for the flu (e.g., Tamiflu), such as [mega-doses of Vitamins C and D](#), or the new [silver hydrosols](#) (e.g., [OxySilver](#)). If health officials were not subject to a drug-cult mentality they would be educating the public appropriately how to avoid or recover most naturally and cost-effectively from the flu.
- iv) Gross criminal malfeasance in co-creating persuasive deadly propaganda that generates fears and phobias in people everywhere adding to the psychosocial, economic, and ecological burdens of water polluting and behavior modification from antidepressant drugs' uses and abuses.

- v) Gross criminal failure of Federal officials to establish legitimate vaccine reaction reporting, data collection, injury analysis, and compensation protocols. Today, certifiable reporting of vaccination injuries and illnesses are grossly/criminally neglected, often intentionally hidden; and compensation is non-existent for the vast majority of people injured. For instance, the "Thimerosal VSD Study, Phase I, Update 2/29/00" produced for the CDC, then censored and later altered before publication, gives officials fraudulent information and license to claim mercury in vaccines and recipients is safe at concentrations far exceeding Environmental Protection Agency toxic dose limits.  
([EXHIBIT\\_23.pdf](#))
- vi) Deliberate obfuscation of the meanings of the words "vaccination" and "immunization," the former reflecting an **administrative process** imposing man-made intoxication, the later a natural defense process that develops following natural exposures to germs.
- vii) Gross criminal neglect of common sense and reasoned analysis regarding the epidemiological tracking of the 2009 H1N1 flu outbreak's origin; purposefully evading substantial evidence that the current pandemic virus appeared suddenly, suspiciously, unnaturally, and immediately following companies in the PNYC trust issuing vaccine sales propaganda.
- viii) Gross criminal breach of obtaining adequate informed consent for medical experimentation using inadequately tested vaccines. Obviously, new H1N1 swine flu vaccines containing "live" "mock" viruses, "fast-tracked" to provide only a few weeks of safety testing are risky. It is scientifically established, widely known, and criminally neglected that autoimmune reactions to vaccinations and even cancers caused by recombination of unstable viruses commonly take place months or even years to develop following vaccinations.
- ix) Gross criminal breach of informed consent while "mandating" medical experimentation in recipients of new H1N1 swine flu vaccines containing "live" "mock" viruses that are genetically engineered and expected to recombine with other circulating viruses potentially creating more potent pathogenic strains of flu and more dangerous pandemics.
- x) Fraudulent inducements of people of all ages to accept "mandatory" vaccinations for access to schools and workplaces, to avoid fines and quarantines, and/or to avoid persecution by social service agents and agencies involving child custody battles with officials trained and paid to condemn vaccine objectors.
- xi) Gross neglect of human rights and US Constitutional freedoms of: religion, the press, and to life, liberty, and personal pursuits because Federal officials overstep their statutory authorities when "mandating" vaccinations, even during declared epidemics.
- xii) Official malfeasance and neglect of 4th Amendment rights of people to be secure in their persons and houses, without threat

of unwanted invasions of their bodies and properties.

- xiii) Official malfeasance and neglect of people's 5th Amendment rights to secure life, liberty, or personal property, including their body sovereigns, and due process of law;
- xiv) Nor shall private property be taken for public use, without just compensation. Without compensating people for the taking of their natural immunity, and natural immune system function, due to the medical intervention and immunological intoxication called vaccination, this Constitutional right is grossly subverted.
- xv) Gross criminal neglect of the [US Genocide Accountability Act of 2007, TITLE 18, PART I, CHAPTER 50A, § 1091](#) wherein "We The People of the United States of America," by way of forced, fraudulently coerced, or extortionately compelled vaccinations, are:

- (1) being killed in sufficient numbers to initiate this complaint and charge of genocide;
- (2) submitting to serious bodily injury;
- (3) being permanently impaired in mental faculties through drugs, including Tamiflu, and by mercury in vaccines linked to neuro-developmental and behavioral disorders in children, and aluminum in vaccines potentially triggering or aggravating Alzheimer's dementia;
- (4) subject to conditions of life under "mandatory" vaccination containing human sterilizers, toxic chemicals, and foreign genetic materials that are intended to cause the physical destruction of fertility and immunity as it these occur naturally in human bodies according to God's laws; and
- (5) subject to common side effects requiring detoxification, natural remediation, or risky medical interventions yielding further intoxications depopulating the group in whole or in part;
- (6) imposing measures intended to prevent births within the group as has been documented in [Vaccine Wkly \(1995 May 29 - Jun 5:9-10\)](#) wherein it states, "[T]etanus vaccines laced with hCG have been uncovered in the Philippines and in Nicaragua. In addition to the World Health Organization (WHO), other organizations involved in the development of an anti-fertility vaccine using hCG include the UN Population Fund, the UN Development Programme, the World Bank, the Population Council, the Rockefeller Foundation, the US National Institute of Child Health and Human Development, the All India Institute of Medical Sciences, and Uppsala, Helsinki, and Ohio State universities." (It should be noted that Barack Obama's science czar, John Holdren, co-authored the book [Ecoscience in 1977 calling for population reduction through the use of sterilizing vaccinations](#));
- (7) transfers by force of children of one social group to another group is prohibited under the anti-genocide act--precisely what happened to my daughter in Hawaii [forced to leave High School](#) for failing to become intoxicated by vaccinations and TB tests. This is happening throughout America when unvaccinated children are forced to take the injection or else suffer the stigma of allegedly presenting greater risk to the community of vaccinated children. This policy is psychologically and emotionally abusive; whereas the vaccination alternative is physically intoxicating, generally stressful, and chronically debilitating.

20. In conclusion, compelling evidence in this sworn affidavit including EXHIBITS 1 thru 23 is sufficient to persuade most reasonable people that dangerous conflicts of interest between US Federal health officials and this Rockefeller-established trust are grossly genocidal and frankly criminal. This cartel of drug/media industrialists are killing far more than 1 million Americans annually according to my highly conservative calculations as an expert in this field.

21. For reasons written above, I pray that this honorable Court will carefully examine the evidence exhibited and referenced herein, and rule judiciously by granting an immediate injunction on the FDA's licensing and health agencies' administration of the specious swine flu vaccines until this urgent evidencing of genocide and anti-trust violations can be sufficiently studied and due process of law applied.

22. I declare under penalty of law that the foregoing is true and accurate.

DATED: August 22, 2009

\_\_\_\_\_  
Leonard George Horowitz  
State of Washington  
County of Pend Oreille

Subscribed and sworn to before me, this \_\_\_\_\_ [day of month] day of \_\_\_\_\_ [month], 20\_\_\_\_. [Notary Seal:]

\_\_\_\_\_  
[signature of Notary]

**RELEVANT FEDERAL LAWS BEING BROKEN**

Below is a list of statutes that relate to the criminal violations attested to and evidenced above:

Antitrust Section 1 of the Sherman Act, 15 U.S.C. § 1, provides criminal sanctions against any person "who shall make any contract or engage in any conspiracy" in restraint of commerce. A civil plaintiff must establish that: (1) two or more entities formed a combination or conspiracy; (2) the combination or conspiracy produces, or potentially produces, an unreasonable restraint of trade or commerce; and (3) the restrained trade or commerce is interstate in nature. In a criminal antitrust prosecution, the government must also prove that the defendants intended to restrain commerce and acted with knowledge of the probable consequences of their actions. (e.g., United States v. United States Gypsum Co., 438 U.S. 422, 444 (1978).

Restraint of commerce, vaccine barons suppress publicity for silver hydrosols (e.g., **OxySilver**), and persecute those who promote natural methods and materials for prevention and cure through the FDA and FCC.

Commerce is defined as:

The exchange of commodities for commodities. Considered in a legal point of view, it consists in the various agreements which have for their object to facilitate the exchange of the products of the earth or industry of man, with an intent to realize a profit.

Commodities is defined as:

Any tangible good or product that is the subject of sale or barter.

The PNYC trust conducts commerce that violates:

(1) the Clean Water Act, 33 U.S.C. §§ 1251-1387, which is designed to control and minimize the effects of water pollution by either prohibiting or regulating the discharge of pollutants into water;

People who consume medications urinate and defecate drugs now causing people to consume unwittingly, and without consent, toxic pharmaceuticals. . . .

(2) Safe Drinking Water Act, 43 U.S.C. §§ 300f et seq., which regulates and controls the discharge of harmful contaminants into public water systems as well as the underground injection of contaminants into groundwater that supplies public water systems;

(3) Toxic Substances Control Act, 15 U.S.C. §§ 2601-2692, which imposes criminal sanctions for the knowing violation of the Act which regulates the manufacture, processing distribution or disposal of chemicals that pose an unreasonable risk of injury to the public or environment; and

(4) The False Claims Act of 1863, 18 U.S.C. § 287, provides criminal penalties for the presenting of a false, fictitious or fraudulent claim to a federal agency. This statute has been liberally construed, enabling the government to use it to prosecute a wide array of offenses, including fraudulent federal tax refunds, Medicare and Medicaid Fraud, Social Security Fraud, government contract irregularities and fraudulent claims for unperformed services under government contracts.

Drug industrialists are routinely making false claims, and advancing false study data, to FDA officials who typically overlook the frauds.

Congressional amendments to the False Claim Act in 1986 blurred the dividing line between criminal actions and civil false claims, by strengthening "qui tam" actions. As a result, private citizens may recover up to 25% of a government recovery where the government intervenes and up to 30% where the government does not intervene. Thus, private citizens have a powerful tool and may play an important role in prosecutorial decisions. 31 U.S.C. §§ 3729-3733. The Act provides both for treble damages and a civil penalty

of \$5,000 to \$10,000 per false claim.

#### Federal Conflict Of Interest Statutes

A. 18 U.S.C. § 201 prohibits the bribery of, or the giving of illegal gratuities, to a public official with the intent to influence the official in carrying out an official act.

B. 18 U.S.C. § 203 criminalizes the use of a public office for private gain, whether it be by the officeholder/employee or by an outside individual attempting to influence the governmental official. The "matters" covered include a "contract, claim, controversy . . . [or] charge.

C. Ethics Reform Acts, flowing from Watergate and other public scandals, have imposed criminal sanctions for numerous other actions by public officials and private citizens making criminal use of a public office for private gain. See Note, The Congressional Ethics Dilemma: Constituent Service or Conflict of Interest?, 28 Am. Crim. L. Rev. 343 (1991).

The Federal Food, Drug and Cosmetic Act, 21 U.S.C. §§ 301-394, provides for criminal sanctions and forfeiture as part of its scheme to prevent deleterious, adulterated or misbranded articles from entering interstate commerce. Under this Act, "food" is defined to include "(1) articles used for food or drink for man or other animals, (2) chewing gum, and (3) articles used for components of any such article." 21 U.S.C. § 321(f).

#### Health Care Fraud

The Health Insurance Portability and Accountability Act of 1996, P.L. 104-191, created five new health care fraud crimes and expanded existing money laundering, asset forfeiture and fraud injunction statutes to cover "federal health care offenses." These new crimes, which mirror existing white collar offenses such as mail and wire fraud, embezzlement, false statements and obstruction of justice, provide for jail terms of up to 10 years.

B. 18 U.S.C. §982: "The court, in imposing sentence on a person convicted of a Federal health care offense, shall order the person to forfeit property, real or personal, that constitutes or is derived, directly or indirectly, from the gross proceeds traceable to the commission of the offense."

D. 18 U.S.C. §1347: "Whoever knowingly and willfully executes, or attempts to execute, a scheme or artifice (1) to defraud any health care benefit program; or (2) to obtain, by means of false or fraudulent pretenses . . . any of the money of . . . any health care benefit program" shall be sentenced up to 10 years in prison and fined up to \$250,000.

E. 18 U.S.C. §1518: Obstruction of criminal investigations of health care offenses is punishable by up to 5 years in prison and a fine of as much as \$250,000.

F. 18 U.S.C. §1956: Money laundering statutes apply to the "laundering" of funds derived from the proceeds from health care offenses, allowing for prison sentences of up to 20 years and fines up to \$500,000 or twice the value of the property involved.

G. 18 U.S.C. §3486: Administrative demands are authorized. The federal False Claims Act, 31 U.S.C. § 3729 et seq., and its qui tam or "whistleblower" provisions, which reward private citizens who help the government discover fraudulent claims, are also applicable to health care providers who submit Medicare or other federal funds claims.

#### Mail And Wire Fraud

The federal mail and wire fraud statutes are the "prosecutor's darling." They criminalize "the full range of consumer frauds, stock frauds, land frauds, bank frauds, insurance frauds, and commodity frauds [as well as] blackmail, counterfeiting, election fraud and bribery." Rakoff, *The Federal Mail Fraud Statute (Part 1)*, 18 Duq. L. Rev. 771 (1980). These statutes are frequently utilized to bring federal prosecutions for what would otherwise be state court offenses.

The Mail Fraud Statute, 18 U.S.C. § 1341, provides criminal sanctions for those who:

- (1)engage in a scheme or artifice to defraud;
- (2)with an intent to defraud;
- (3)using the mails to further the fraudulent scheme.

The Wire Fraud Statute, 18 U.S.C. § 1343, contains nearly identical language as the Mail Fraud Statute and prohibits fraud or wire communications.

#### Money Laundering

The Money Laundering Control Act of 1986, 18 U.S.C. §§ 1956-1957, was enacted to deter organized crime and narcotics traffickers from "money laundering," defined as the process by which one conceals the existence, illegal source, or illegal application of income, and disguises that income to make it appear legitimate.

This Act provides criminal sanctions for anyone who conducts a monetary transaction knowing, or with reason to know, that the funds involved were derived from unlawful activity.

While this Act was aimed at "the lifeblood of organized crime," it has been utilized by prosecutors against numerous corporations and otherwise legitimate businesses because it enables prosecutors to reach proceeds of criminal conduct, such as tax offenses.

#### Obstruction Of Justice

The Obstruction of Justice and Perjury statutes, 18 U.S.C. §§ 1501 et seq., are popular statutes for federal prosecutors. These laws, which are designed to protect the integrity of judicial proceedings -- before grand juries, federal agencies and Congress -- are often

utilized to pursue criminal investigations, with otherwise marginal evidence of substantive offenses, because of (a) concealment, alteration or destruction of documents; or (b) encouraging or rendering of false testimony.

#### RICO Offenses

Over the past decade, federal prosecutors have turned to the "RICO" (Racketeer Influenced and Corrupt Organizations Act of 1970) statute, 18 U.S.C. §§ 1961-1968, as a tool in enterprise affecting interstate commerce; (b) acquiring or maintaining through a pattern of racketeering activity or through collection of an unlawful debt an interest in an enterprise affecting interstate commerce; (c) conducting or participating in the conduct of, through a pattern of racketeering activity or through collection of an unlawful debt, the affairs of an enterprise affecting interstate commerce; or (d) conspiring to participate in any of these activities.

Federal prosecutors utilize the RICO statute as a powerful weapon to prosecute offenses such as mail and wire fraud, bankruptcy fraud, and securities fraud. Prosecutors also take advantage of the statute's provisions authorizing courts to enter restraining orders prior to conviction to prevent the transfer of potentially forfeitable property.

While enacted in 1970 as a "frontal attack" on organized crime, prosecutors have taken advantage of the Act's specific statement that it should be interpreted "liberally . . . to effectuate its remedial purposes" to justify its use in other contexts.

The Act prohibits "any person" from: (a) using income received from a pattern of racketeering activity or through collection of an unlawful debt to acquire an interest in an enterprise affecting interstate commerce; (b) acquiring or maintaining through a pattern of racketeering activity or through collection of an unlawful debt an interest in an enterprise affecting interstate commerce; (c) conducting or participating in the conduct of, through a pattern of racketeering activity or through collection of an unlawful debt, the affairs of an enterprise affecting interstate commerce; or (d) conspiring to participate in any of these activities.





