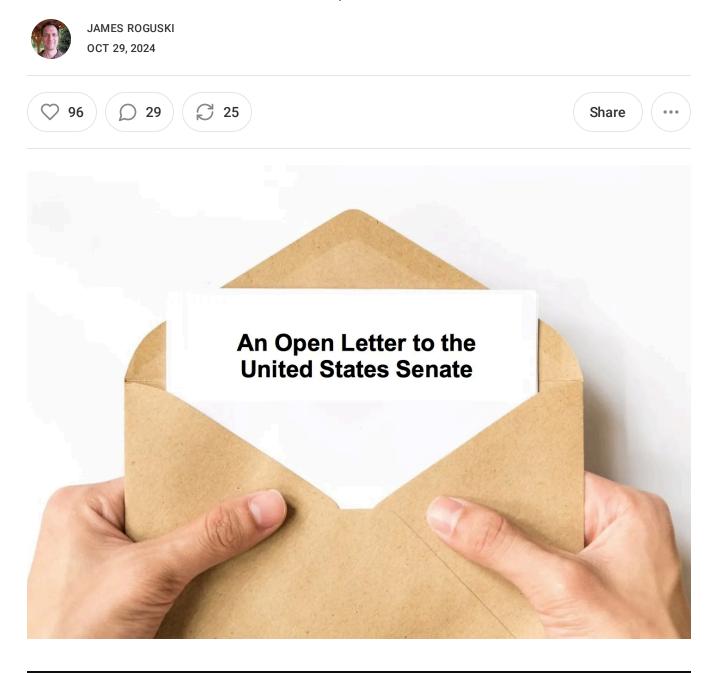
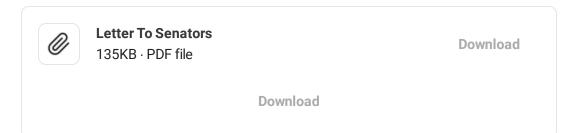
An Open Letter to the U.S. Senate

Please help to bring this open letter to the attention of each and every one of the 100 United States Senators as soon as possible.



Scroll down the page for contact information for all 100 United States Senators.



Please watch the video below:



 $\underline{https://www.brighteon.com/9734b5fe-37b5-4fd3-94f7-445fa579a8e5}$

TO MY READERS:

There are many reasons why people should oppose the World Health Organization's proposed "Pandemic Agreement," and I encourage you to write to your government officials directly and share your opinions with them.

I also encourage you to include a video recording of your opinions in the communications that you send to your public servants, and I also encourage you to share a link to the many videos produced by others (https://RejectTheTreaty.com). Let them know what We the People think.

However, the first step in the process of opposition is to raise everyone's awareness of the improper and unlawful nature of the entire negotiating process.

Below is an open letter to the United States Senate.

Please help to bring this open letter to the attention of each and every member of the Senate (not just the two Senators from your state).

The final two sessions of the U.S. Senate will be from November 12-22, 2024 and December 2-20, 2024. <u>SENATE CALENDAR</u>

Contact information for all 100 Senators can be found at the bottom of this article.

An Open Letter To The United States Senate:

Dear Senators:

This letter is sent to request that you investigate the procedures by which the negotiations of the proposed "Pandemic Agreement" have been, and are currently being conducted by the Biden Administration.

Despite the World Health Organization's claims of openness and transparency, the last official version of the proposed "Pandemic Agreement" was made available on May 27, 2024.

https://apps.who.int/gb/ebwha/pdf_files/WHA77/A77_10-en.pdf

The Intergovernmental Negotiating Body has been given until May 2025 to conclude negotiations, but the Biden Administration appears to be on the verge of concluding these negotiations by November 11, 2024. The Senate does not come back into session until November 12, 2024.

https://apps.who.int/gb/inb/pdf_files/inb12/A_inb12_2-en.pdf

The Biden Administration also apparently intends to officially agree to the proposed "Pandemic Agreement" before the end of their term in office. Doing so would lock the United States into the "Pandemic Agreement" for at least 3 years. (Article 32)

Unfortunately, the Biden Administration appears to be ignoring and/or violating the proper procedures and legal requirements that are supposed to govern the conduct of these negotiations.

I call upon you to investigate this matter.

Below are just some of the questions that the Senate must ask of the Biden Administration to ensure that the proper negotiating procedures have been and are being followed. The appropriate sections of the Foreign Affairs Manual (FAM) are referenced for your convenience. https://fam.state.gov/Volumes/Details/11FAM

1. Has the Legal Advisor to the Secretary of State determined whether the proposed "Pandemic Agreement" is to be considered as an agreement that is (a) pursuant to a treaty, (b) pursuant to legislation, or (c) pursuant to the Constitutional authority of the President?

11 FAM 723.4

- Who specifically has been authorized by the Secretary of State to conduct the negotiations of the proposed "Pandemic Agreement?"
 11 FAM 724.1, 11 FAM 724.3
- 3. Who specifically has been authorized by the Secretary of State to agree upon a date for signature and/or to sign the treaty or agreement?

 11 FAM 724.2, 11 FAM 724.3
- 4. Has Ambassador Pamela Hamamoto and/or others involved in the "Pandemic Agreement" negotiations properly submitted an "action memorandum" seeking official authorization to negotiate and/or conclude a treaty or other international agreement addressed to the Secretary of State and has it been cleared with the Office of the Legal Adviser (including the Assistant Legal Adviser for Treaty Affairs), the Office of the Assistant Secretary for Legislative Affairs, other

appropriate bureaus, and any other agency (such as Defense, Commerce, etc.) which has primary responsibility or a substantial interest in the subject matter?

11 FAM 724.3(a)

- 5. Has Ambassador Pamela Hamamoto and/or others involved in the "Pandemic Agreement" negotiations formally received proper authorization in writing to negotiate and/or conclude and/or sign a treaty or other international agreement as detailed in the above mentioned "action memorandum?"

 11 FAM 724.3(a)
- 6. Has the Assistant Secretary for Legislative Affairs properly advised the appropriate Congressional leaders and committees of the intention to negotiate a significant new international agreement? Have Congressional leaders and committees been consulted concerning such agreements, and have they been kept informed of developments affecting them, including especially whether any legislation is considered necessary or desirable for the implementation of the new treaty or agreement?

<u>11 FAM 725.1(5)</u>

- 7. Have the potential costs associated with the proposed Pandemic Agreement's commitment to furnish funds, goods, or services beyond or in addition to those authorized in an approved budget been determined? What arrangements are being planned or carried out concerning consultation with the Office of Management and Budget (OMB) for such commitment?

 11 FAM 724.3(d)
- 8. Have adequate reasons been provided to justify the rush to conclude the negotiations and to adopt and sign the proposed "Pandemic Agreement" before May 2025?

11 FAM 723.3(7)

9. Does the Biden administration plan to provide a public comment period so that the will of the American people can be heard regarding the proposed "Pandemic Agreement?"

<u>11 FAM 725.1(6)</u>

10. Who specifically has been given the full powers to sign the "Pandemic Agreement" on behalf of the United States?

11 FAM 745

There are many reasons why I oppose the World Health Organization's proposed "Pandemic Treaty" but the main reason is because the Biden Administration has clearly ignored the will of the American people.

Please review what We The People have to say:

https://RejectTheTreaty.com

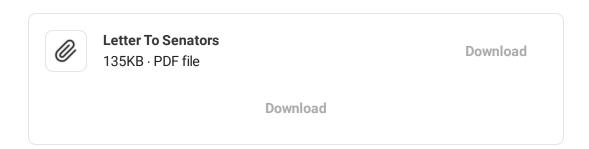
Your ignore-ance of and/or ongoing silence regarding this matter will be seen as consent to the actions of the Biden Administration.

I implore you to investigate this matter and I expect you to speak out publicly about it as soon as possible.

Sincerely,

James Roguski

310-619-3055



Details regarding the proper conduct of international negotiations and excerpts from the Foreign Affairs Manual are listed below.

Scroll down the page further for contact information for all 100 United States Senators.

The Circular 175 Procedure:

The Circular 175 procedure refers to regulations developed by the State Department to ensure the proper exercise of the treaty-making power. Its principal objective is to make sure that the making of treaties and other international agreements for the United States is carried out within constitutional and other appropriate limits, and with appropriate involvement by the State Department. The original Circular 175 was a 1955 Department Circular prescribing a process for prior coordination and approval of treaties and international agreements. This title has been retained; the applicable procedures are now contained at 11 FAM 720.

There are two kinds of Circular 175 requests.

One calls for the approval of full powers to sign treaties that the President will send to the Senate for advice and consent to ratification.

Since under international law full powers may be issued only by heads of State and Foreign Ministers, approval of full powers is not a delegable function.

The more typical Circular 175 request is an action memorandum from a bureau or office in the State Department to a Department official at the Assistant Secretary level or above, requesting authority to negotiate, conclude, amend, extend, or terminate an international agreement.

The memorandum may request -

- authority to negotiate and/or conclude;
- authority to extend and/or amend; or
- authority to terminate/withdraw from

an international agreement.

The memorandum should set forth the issue for decision; the principal features of the proposed agreement; any special problems that may be encountered along with any contemplated solutions to those problems; and policy benefits to the United States of the requested action.

It also should address whether there will be congressional consultations and whether an environmental impact assessment is needed. Where a proposed agreement involves commitments of resources beyond those authorized by approved budgets, the matter must be addressed.

The action memorandum should be accompanied by any texts to be negotiated or concluded, and generally a memorandum of law discussing thoroughly the legal bases for the agreement.

Background information or additional detail may be included as attachments. The memorandum is cleared by all interested federal agencies and by relevant offices within the State Department. In certain circumstances, the Office of Treaty Affairs may conclude that a blanket authorization is appropriate where a series of agreements of the same general type are to be negotiated according to a more or less standard formula.

The thoroughness and care devoted to the Circular 175 procedure is designed to ensure -

- that approval for the negotiation and conclusion of all international agreements is obtained at appropriate policy levels;
- that agencies or offices having responsibility for any aspect of the subject matter involved have approved the negotiation and, prior to conclusion, the text of the agreement;
- that any issues that might arise between the Congress and the executive, and any questions regarding the use of the treaty power, are resolved; and
- that adequate legal authority for each treaty or executive agreement exists.

Further, the Circular 175 procedure assists the State Department in transmitting to the Congress pursuant to the Case-Zablocki Act (1 U.S.C. 112b) the text of any international agreement other than a treaty to which the United States is a party as soon as practicable after such agreement has entered into force with respect to the United States but in no event later than sixty days thereafter.

The Circular 175 procedure does not apply to documents that are not binding under international law. Thus, statements of intent or documents of a political nature not intended to be legally binding are not covered by the Circular 175 procedure.

The determination whether a document is or is not an international agreement must be made by the Office of the Legal Adviser at the State Department.

 $\underline{https://2009-2017.state.gov/s/l/treaty/c175/index.htm}$

The Foreign Affairs Manual

https://fam.state.gov/Volumes/Details/11FAM

TREATIES AND OTHER INTERNATIONAL AGREEMENTS

- 710 UNIFORM MEASURES AND PROCEDURES
- 720 NEGOTIATION AND CONCLUSION
- 730 GUIDELINES FOR CONCLUDING INTERNATIONAL AGREEMENTS
- 740 MULTILATERAL TREATIES AND AGREEMENTS
- 750 RESPONSIBILITIES OF THE ASSISTANT LEGAL ADVISER FOR TREATY

 AFFAIRS (L/T)

Excerpts from the Foreign Affairs Manual:

11 FAM 723.2-2 International Agreements Other Than Treaties

(CT:POL-48; 09-25-2006)

International agreements brought into force with respect to the United States on a constitutional basis other than with the advice and consent of the Senate are "international agreements other than treaties." (The term "sole executive agreement" is appropriately reserved for agreements made solely on the basis of the constitutional authority of the President.) There are three constitutional bases for international agreements other than treaties as set forth below. An international agreement may be concluded pursuant to one or more of these constitutional bases:

- (1) Treaty;
- (2) Legislation;
- (3) Constitutional authority of the President.

11 FAM 723.4 Questions as to Type of Agreement to Be Used; Consultation with Congress

b. When there is any question whether an international agreement should be concluded as a treaty or as an international agreement other than a treaty, the matter is brought to the attention, in the first instance, of the Legal Adviser for Treaty Affairs. If the Assistant Legal Adviser for Treaty Affairs considers the question to be a serious one that may warrant formal congressional consultation, s/he or an appropriate representative of the Office of the Legal Adviser will consult with the Assistant Secretary for Legislative Affairs (or designee) and other affected bureaus. Upon receiving their views on the subject, the Legal Adviser will, if the matter has not been resolved, transmit a memorandum thereon to the Secretary (or designee) for a decision. Every practicable effort will be made to identify such questions at the earliest possible date so that consultations may be completed in sufficient time to avoid last-minute consideration.

c. Consultations on such questions will be held with congressional leaders and committees as may be appropriate. Arrangements for such consultations shall be made by the Assistant Secretary for Legislative Affairs and shall be held with the assistance of the Office of the Legal Adviser (L) and such other offices as may be determined. Nothing in this section shall be taken as derogating from the requirement of appropriate consultations with the Congress in accordance with 11 FAM 725.1, subparagraph (5), in connection with the initiation of, and developments during negotiations for international agreements, particularly where the agreements are of special interest to the Congress.

11 FAM 724 ACTION REQUIRED IN NEGOTIATION, CONCLUSION, AND TERMINATION OF TREATIES AND INTERNATIONAL AGREEMENTS

11 FAM 724.1 Authorization Required to Undertake Negotiations

(CT:POL-44; 05-26-2006)

Negotiations of treaties, or other "significant" international agreements, or for their extension or revision, are not to be undertaken, nor any exploratory discussions undertaken with representatives of another government or international organization, until authorized in writing by the Secretary or an officer specifically authorized by the Secretary for that purpose.

11 FAM 724.2 Scope of Authorization

(CT:POL-44; 05-26-2006)

Approval of a request for authorization to negotiate a treaty or other international agreement does not constitute advance approval of the text nor authorization to agree upon a date for signature or to sign the treaty or agreement. Authorization to agree upon a given date for, and to proceed with, signature must be specifically requested in writing, as provided in 11 FAM 724.3. This applies to treaties and other agreements to be signed abroad as well as those to be signed at Washington. Special instructions may be required, because of the special circumstances involved, for multilateral conventions or agreements to be signed at international conferences.

11 FAM 725 RESPONSIBILITY OF OFFICE OR OFFICER CONDUCTING NEGOTIATIONS

11 FAM 725.1 Conduct of Negotiations

(CT:POL-44; 05-26-2006)

The office or officer responsible for any negotiations keeps in mind that:

(1) During the negotiations no position is communicated to a foreign government or to an international organization as a U.S. position that goes beyond any existing authorization or

instructions;

- (2) No proposal is made or position is agreed to beyond the original authorization without appropriate clearance (see <u>11 FAM 722.3</u>, paragraph a);
- (3) All significant policy-determining memoranda and instructions to the field on the subject of the negotiations have appropriate clearance (see <u>11 FAM 724.3</u>, paragraph a);
- (4) The Secretary or other principal, as appropriate, is kept informed in writing of important policy decisions and developments, including any particularly significant departures from substantially standard drafts that have evolved;
- (5) With the advice and assistance of the Assistant Secretary for Legislative Affairs, the appropriate congressional leaders and committees are advised of the intention to negotiate significant new international agreements, consulted concerning such agreements, and kept informed of developments affecting them, including especially whether any legislation is considered necessary or desirable for the implementation of the new treaty or agreement. Where the proposal for any especially important treaty or other international agreement is contemplated, the Office of the Assistant Secretary for Legislative Affairs will be informed as early as possible by the office responsible for the subjects;
- (6) The interest of the public be taken into account and, where in the opinion of the Secretary of State or his or her designee the circumstances permit, the public be given an opportunity to comment;
- (7) In no case, after accord has been reached on the substance and wording of the texts to be signed, do the negotiators sign an agreement or exchange notes constituting an agreement until a request under 11 FAM 724.3 for authorization to conclude has been approved and, if at a post abroad, until instructed by the Department to do so as stated in 11 FAM 731.3.

11 FAM 742.4 Instructions to Negotiators

The U.S. delegation to a conference may be comprised of one or more representatives. As a rule, the U.S. delegation is furnished written instructions by the Department prior to the

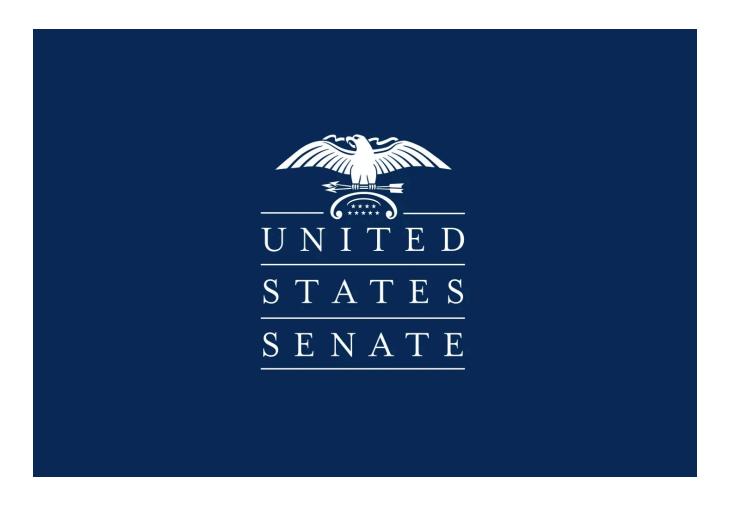
conference in the form of a position paper for the U.S. delegation cleared with the Secretary or an officer specifically authorized by him or her and other appropriate Department officers for that purpose, under the procedures described in 11 FAM 722, subparagraph (3). The Office of the Legal Adviser (L) in all instances reviews drafts of international conventions to be considered in meetings of an international organization of which the United States is a member; when necessary, it also provides legal assistance at international conferences and meetings.

11 FAM 745 FULL POWERS

a. In the case of a multilateral agreement drawn up at an international conference, this Government customarily (almost invariably, in the case of a treaty) issues to one or more of its representatives at the conference an instrument of full power authorizing signature of the agreement on behalf of the United States. In some instances, issuance of the full power is deferred until it is relatively certain that the agreement formulated is to be signed for the United States. (See 11 FAM 733.) Ordinarily, that full power is presented by the representatives to the secretary general of the conference upon arrival of the delegation at the conference site. It may be submitted in advance of arrival, but usually that is not necessary.

Please help to bring this open letter to the attention of each and every one of the 100 United States Senators as soon as possible.

 $\underline{https://jamesroguski.substack.com/p/an-open-letter-to-the-us-senate}$



MAIL, CALL AND EMAIL ALL 100 SENATORS:

The final two sessions of the U.S. Senate will be from November 12-22, 2024 and December 2-20, 2024. <u>SENATE CALENDAR</u>

Click on the contact link to access their local office phone numbers.

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The Senate will next be in session from November 12-22, 2024 and December 2-20, 2024.

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