

March 2024

Re: Threats to the constitutional rights of U.S. citizens posed by proposed amendments to the World Health Organization's *International Health Regulations (IHR)* and a new *Pandemic Treaty*.

Hon. Joe Biden
The White House
Washington, D.C.
20500

Dear Mr. President:

As the chief legal officers of our respective States, charged not only with enforcing the law, but also with securing the civil and other rights of our citizens, we oppose two instruments now under negotiation that would give the World Health Organization (WHO) unprecedented *and unconstitutional* powers over the United States and her people.

If adopted, these proposed accords: a) would radically transform the WHO's existing International Health Regulations (IHRs); and b) a new "Pandemic Agreement" (Treaty) would threaten national sovereignty, undermine states' rights, and imperil constitutionally guaranteed freedoms.

The object of these instruments is to grant the WHO, and specifically its unelected, unaccountable Director-General, the authority to restrict U.S. citizens' rights, for example, to freedom of speech, privacy, movement (especially travel across borders) and informed consent, and otherwise violate our Constitution's First, Fourth, Fifth, Tenth and Fourteenth Amendments.

We must, therefore, oppose such accords on the following grounds:

1. If the two proposed instruments were to be adopted, the WHO would be transformed from an advisory, charitable organization into the world's governor of public health. The WHO is currently limited to an advisory role and has no authority to enforce its recommendations. But, under the proposed IHR amendments and Pandemic Treaty, the WHO's Director-General would achieve the power unilaterally to declare a "public health emergency of international concern" (PHEIC) in one or more member nations. Such declarations can include perceived or *potential* emergencies other than pandemics, including for example: climate change, immigration, gun violence or even "emergencies" involving plants, animals or ecosystems.
2. The proposed IHR amendments and Pandemic Treaty would further surrender sovereignty to the WHO as its Director-General would be authorized to dictate *what must be done* in response to such a declared PHEIC. America's elected representatives would no longer set the nation's public health policies. And, under the WHO's proposed agreements, American citizens would

be obliged to comply with whatever the Director-General directs concerning mitigation of these emergencies. That would include permitted treatments during a declared public health emergency.

3. Other problems abound with both the proposed IHR amendments and the Pandemic Treaty, including: the institution of a global surveillance infrastructure, ostensibly in the interest of public health, but with the inherent opportunity for *control*, as with Communist China's "social credit system"; obliging states parties to establish means of censoring speech and requiring what would amount to the proliferation of potential biological weapons.
4. Responsibility for public health policy is not among the federal government's enumerated powers under the U.S. Constitution. It is, therefore, reserved for the states. The federal government certainly cannot transfer any authority for public health policy to the WHO given that it does not, in fact, exercise that authority.

We, the undesigned State Attorneys General, will resist any attempt to transfer authority to the World Health Organization for public policy affecting our citizens and any effort the WHO might undertake to assert such authority over them.

Respectfully,