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The Honorable Mike Johnson  
Speaker  
U.S. House of Representatives  
568 Cannon House Office Building  
Washington, D.C. 20515

Dear Speaker Johnson:

We congratulate you on your election to serve as Speaker of the United States House of Representatives and look forward to working with you at this critical moment, when an illegal and unconstitutional "Special Counsel" is attempting to jail President Biden's election opponent, former President Donald J. Trump.

We have received many petitions from our supporters asking for action on various bills seeking to defund the office of "Special Counsel" Jack Smith. Here is a copy of one of the letters received by our supporters.

***Stop The Rogue Globalist Lawyer  
Prosecuting Donald Trump!***

Joe Biden has weaponized the Department of Justice for personal political gain... and anti-Trump U.N. lawyer Jack Smith is his attack dog. Here he is in the black and purple robes of the global court. He left a U.N. tribunal to persecute former President Trump. Smith is trying to take down Biden's biggest threat, using falsified indictments and non-existent supporting "evidence."



**We would appreciate your reply to these concerns, as reflected in the hundreds of petitions that have been signed by Americans and directed to you as Speaker of**

**the House. You can reach me at the above address, email address, and phone number. Our petition to you reads as follows:**

**Dear Mr. Speaker:**

**Whereas,** the activities of anti-Trump U.N. lawyer Jack Smith represent the Left's weaponization of the federal government...

**Whereas,** Smith's work for the illegal and unconstitutional International Criminal Court constitutes grounds for the dismissal of his indictments of former President Trump...

**Whereas,** the work of Jack Smith's wife on behalf of Michelle Obama, wife of the former president, constitutes evidence of partisan bias and a conflict of interest on Smith's part...

**Whereas,** the Biden Administration's weaponization of the Department of Justice for personal political gain through the appointment of Jack Smith is "nothing short of appalling," as noted by U.S. Rep. Andy Ogles (Tenn 5th)...

**Whereas,** in November 2022, Smith was tasked with taking down Biden's biggest threat, President Donald J. Trump, using falsified indictments and non-existent supporting "evidence"...

**Whereas,** patriotic Americans cannot stand for such behavior and believe it's past time that Congress uses its power of the purse to fire Jack Smith...

**Therefore,** I respectfully call upon you to authorize hearings on and seek a quick vote on the "You're Fired Act" and any other bill to defund the office of Special Counsel Jack Smith.

In our view, Congress has no alternative but to consider defunding Smith's illegitimate and illegal quest to put the former president in prison. We would be pleased to present testimony on this matter, just as we offered testimony to then-Senator Joseph Biden when he tried and failed to ram through the U.N.'s Law of the Sea Treaty.

Mr. Speaker, so that you can understand our perspective on this issue, for years my organization America's Survival, Inc. worked on behalf of Michael New, the patriotic former U.S. soldier who refused to serve under the command of the United Nations. Michael New was court-martialed by President Bill Clinton for standing up FOR the U.S. Constitution and AGAINST the anti-American United Nations.

I co-wrote, *Michael New - Mercenary...or American Soldier*, about the case.

Michael New was assigned to a U.N. operation but refused to serve in a U.N. uniform. He refused to wear a blue beret and serve under foreign commanders on deployments not authorized by Congress. He argued that his oath required him to accept the lawful orders of his superiors in the Army of the United States.

**In the case of "Special Counsel" Jack Smith, however, we have the opposite set of circumstances. He went to work for foreign courts after serving in the Obama Justice Department. Smith was then photographed in his global garb, wearing black and purple robes, reflecting his service to an international court.**

He worked for two global tribunals, one a project of the European Union, the Kosovo Tribunal, and the other a project of the United Nations, the International Criminal Court

(ICC). We know that he signed a “solemn declaration” to the Kosovo tribunal, clearly making him an agent of a foreign entity. The record shows that when Jack Smith became a “Specialist Prosecutor” for the Kosovo Tribunal, a project of the European Union, he “signed a solemn declaration that he would exercise his functions independently, impartially and conscientiously.”

This sounds impressive but it is not in conformity with American law and the American tradition of due process.

Regarding the ICC, for which he worked, it was created under the auspices of the United Nations and the ICC treaty has never been ratified by the United States.

Back in 1998, I was joined by Howard Phillips, chairman of the Conservative Caucus in opposition to the ICC. We made several important points:

- Approval of the International Criminal Court by the President and Senate would be in fundamental conflict with their Constitutional oaths. (Hence, it has never been ratified).
- The Constitution of the United States makes clear that “All legislative Powers shall be vested in a Congress of the United States.” Powers which are vested cannot be transferred. (In other words, private citizens working for international agencies cannot be given the legal powers of the United States).
- Article III of the U.S. Constitution stipulates in Section 1 that “The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish.” (The Kosovo Tribunal and the ICC are not sponsored or endorsed by the United States).
- The U.N.’s International Criminal Court is not under the Constitution of the United States, as is the U.S. Supreme Court and the various inferior courts, and was not structured to be subordinate to our Congress. (This is another reason the ICC treaty has not been ratified).

**Therefore, Smith was a private citizen but with an allegiance to a foreign entity when he was picked by Attorney General Merrick Garland to serve as a “Special Counsel” to prosecute former President Trump.**

As you know, former Reagan Attorney General Ed Meese submitted a friend-of-the-court brief on December 20 to the Supreme Court explaining that “Special Counsel” Jack Smith’s appointment was illegal and unconstitutional. “Essentially,” reported Breitbart news, “U.S. Attorney General Merrick Garland improperly appointed Smith to an office that does not exist with authority Garland does not possess.”

How is it possible, then, that the appointment was made in the first place?

In straightforward common-sense language, Steven G. Calabresi, a constitutional lawyer working with Meese, analyzed the statutes at issue and argues that Jack Smith

is a private citizen and that he was given “all of the power of a U.S. Attorney, and also nationwide jurisdiction,” but was never confirmed to that post as required by law.

Meese cites statutes determining that Smith had to be nominated by the President and confirmed by the Senate for the office of Special Counsel, which he now holds, in the same way that U.S. Attorneys are nominated and confirmed for their offices. Smith was not. Hence, Smith’s position is “blatantly unconstitutional.”

In the brief, Meese refers to various statutes -- 28 U.S.C. 509, 510, 515, and 533 – which were cited by Garland and notes, “none of those statutes [cited by Garland to justify Smith’s appointment], nor any other statutory or constitutional provisions, remotely authorized the appointment by the Attorney General of a private citizen to receive extraordinary criminal law enforcement power under the title of Special Counsel.”

**Meese and the attorneys acknowledge there is a legal basis for the “creation and appointment of special assistants or special counsels who merely assist U.S. Attorneys when the public interest so requires.” But there is no statutory basis for a Special Counsel of the kind personified by Jack Smith, with the powers of a U.S. attorney and national jurisdiction.**

They add, “He [Smith] was hired as a powerful standalone officer who replaces rather than assists the functions of United States Attorneys within the scope of his jurisdiction. This is precisely the role that the Ethics in Government Act authorized for independent counsels. But that statute no longer exists, and in the absence of that statute or a similar one, there is simply no statutory office of Special Counsel to which Smith could be appointed to function as a stand-in for a U.S. Attorney.”

They explain that federal statutes and the Constitution do not allow the Attorney General “to appoint a private citizen, who has never been confirmed by the Senate, as a substitute United States Attorney under the title ‘Special Counsel.’ That is what happened on November 18, 2022. That appointment was unlawful, as are all the legal actions that have flowed from it, including citizen Smith’s current attempt to obtain a ruling from this Court.”

**This means that the Supreme Court has no alternative but to rule that Smith’s appointment was illegal and unconstitutional and the Congress must consider its constitutional responsibilities to defund this illegal and unconstitutional entity.**

It’s a fact that when Attorney General Merrick Garland announced the appointment of Smith, he described him as a “former” career Justice Department prosecutor and “former” chief prosecutor for a global tribunal. To be “Special Counsel,” Garland said Smith had “resigned as the chief prosecutor for the special court in The Hague charged with investigating and adjudicating war crimes in Kosovo.” But there is more. “From 2008 to 2010,” Garland declared, “he [Smith] served with the International Criminal Court [ICC], where he supervised war crimes investigations.”

But Smith is far more than just a private citizen. As the record shows, he is a globalist lawyer who worked for international agencies and institutions who has been selected to use extra-legal tactics against a former American president, to keep him off the ballot in 2024 and then jail him on United Nations charges of “contempt” for the New World Order.

The American people need to know that there is a “Detention Center” for the ICC located within a Dutch prison complex in Scheveningen on the outskirts of The Hague, a city in The Netherlands. This is where Trump could be jailed.

**The evidence shows that so-called “citizen Smith,” a private citizen, is in fact a global citizen. His legal antics -- and those of his boss Merrick Garland -- must be rejected as illegal and unconstitutional by the Supreme Court and Congress.**

On one level, the idea that a U.N. entity can prosecute “war crimes” is laughable. In a January 19, 1997 article in the Washinton Post, I cited evidence that former U.N Secretary-General Kurt Waldheim was exposed as a Nazi collaborator and barred from the United States and yet continued to get a United Nations pension. The U.N. pension fund is now worth \$84.4 billion!

On another level, however, there is a real possibility the United Nations would seek to indict and imprison Trump. Let me explain why.

Responding to public concern about the United Nations, on June 11, 2020 President Donald J. Trump issued Executive Order 13928, declaring as “illegitimate” the proclaimed “jurisdiction” of the ICC over personnel of the United States. But on April 2, 2021, the Biden administration revoked the Executive Order.

In effect, Trump was imposing sanctions in the form of visa/travel restrictions and asset freezes targeting International Criminal Court officials as well as other persons that contribute to the Court’s illegal investigations against the United States and its allies.

But with Biden now on the side of the ICC, one left-wing organization said that Trump, as a former or future president, could be prosecuted for “contempt” for international law before the ICC. That threat is in addition to Jack Smith’s campaign of persecution against Trump.

**That organization, which calls itself “Just Security,” had two interesting people on its advisory board: Avril Haines, who served as Principal Deputy National Security Advisor to President Obama and is now Biden’s Director of National Intelligence, and Jake Sullivan, who served in the Obama administration as national security adviser to Vice President Joe Biden and Director of Policy Planning at the U.S. Department of State, as well as deputy chief of staff to Secretary of State Hillary Clinton. He is now Biden’s national security advisor.**

Not surprisingly, the organization is supported by the Soros-funded Open Society Foundations.

The ICC treaty was NOT ratified, but Biden went ahead anyway, appointing Beth Van Schaack as the Ambassador-at-Large for Global Criminal Justice, launching what she called “a sorely needed reset of the U.S. relationship with the ICC,” and saying the U.S. Government will “continue rebuilding the U.S.-ICC relationship and put it on a more durable path...”

Her bio also includes work for the Office of the Prosecutor of the International Criminal Tribunals for Rwanda and the Former Yugoslavia in The Hague.

It turns out that she also served as Executive Editor for Just Security, the same organization pushing a charge of “contempt” against Trump on a global basis.

**While the Supreme Court must rule on Smith’s status under U.S. law, Congress must consider the fact that the United States never ratified the International Criminal Court treaty and that Smith switched his allegiance from the United States to a system of international courts.**

By way of background, in my 1995 book, *Global Bondage: The U.N. Plan to Rule the World*, I went into detail about U.N. plans for an International Criminal Court that could prosecute American citizens. Jack Smith represents the latest aspect of this campaign, which is unfolding as I predicted.

We believe that once Smith “convicts” Trump on dubious grounds in the United States, they will try to put him on trial internationally and send him to The Hague. That is the agenda for a second Biden term.

**One of Smith’s indictments against Trump is over the events of January 6, when some demonstrators entered the Capitol. Smith blames Trump for that. But Trump had urged protesters to assemble peacefully and patriotically.**

Utilizing U.N.-style tactics, Smith has asked U.S. District Judge Tanya Chutkan, an Obama appointee, to prohibit Trump from arguing that he is being selectively prosecuted and that then-Speaker Rep, Nancy Pelosi and others allowed the January 6 security failures to occur, so Trump could be blamed and then prosecuted. There was also FBI knowledge in advance of what happened on Capitol Hill on January 6.

The plan was to provoke violence to justify a crackdown that gives more power to intelligence and law enforcement agencies to go after Trump and his supporters. This gave rise to the appointment of Jack Smith.

There is also the matter of American taxpayer dollars underwriting aspects of this anti-Trump campaign.

The International Criminal Court was established by what is called the Rome Statute but the treaty was negotiated “within” the U.N. and under its authority. The ICC asked for and received membership in the United Nations Joint Staff Pension Fund, meaning that its officials and lawyers would get paid under U.N. auspices. The Court

**All of this means that American taxpayers who pay for the United Nations were forced to provide funds illegally to Jack Smith and his team of U.N.-trained lawyers.**

As you know, Smith's petition for a writ of certiorari (review) to accelerate his prosecution of former President Trump was denied by the Supreme Court on December 22, meaning that Smith was not allowed to bypass other courts in rushing to put Trump behind bars. However, the Court did not address or rule on the unlawful nature of Smith's appointment.

The House of Representatives can address these matters as well. As you know, Rep. Andy Ogles (R-TN) has filed legislation to defund Jack Smith. The "YOU'RE FIRED Act," H.R.5194, would stop "Jack Smith's taxpayer-funded witch hunt of President Trump," Rep. Ogles says. H.R. 4707, introduced by Rep. Matt Gaetz (R-FL), would prohibit federal funding for Special Counsel Smith's office.

As the "lawfare" against Trump proceeds and if Jack Smith's campaign succeeds, we can anticipate an International Criminal Tribunal targeting the United States, focusing on President Trump or any Republican president. One charge could be "contempt" of international law over the ICC, followed by charges of "racial terrorism" or "environmental crimes" against America itself.

Verdicts at the international level could amount to tens of trillions of dollars.

**We anticipate Supreme Court rulings on some of these matters. But hearings into the matter of defunding the office of Special Counsel Jack Smith is one way for House Republicans to expose and stop these schemes. We stand ready to testify on the hard evidence which exists and could undermine and even terminate this prosecution of our former president.**

Thank you for your work on behalf of the American constitutional system.

For America's Survival,

A handwritten signature in black ink, appearing to read "Cliff Kincaid". The signature is written in a cursive, flowing style.

Cliff Kincaid