

## **Section V:**

**U.S. Codes Violated by Donald J. Trump in relation to  
the Illegal Approval of the Dakota Access Pipeline Project,  
including  
United States Code Title 18 Part 1  
Chapter 13 § “Conspiracy Against Rights”  
Against Tribes and The People of The United States**

## Donald Trump Involved in “Conspiracy Against Rights” Against Tribes and Against People of The United States:



<sup>41</sup> Donald J. Trump, as premeditated within his official Campaign Platform, commit to eliminating the “Waters of the U.S. Rule”; though seemingly unrelated to “the approval process of DAPL”, Trump's administration's calculated activities directly attack not only regulations which protect ecosystems, wildlife, & public health, but also they serve to attack *one of the only Legislative Civil Remedies (U.S. Code Title 33 CHAPTER 26 SUBCHAPTER III §1321 – see pages 60-61)* reserved to The People the enable them to halt &/or destroy a vessel discharging or imposing an imminent threat to discharge oil into the Waters of the United States, *such as* the Dakota Access Pipeline Project, *for instance*.

**Screenshot retrieved from The White House's website<sup>42</sup> on June 13, 2017  
re: “Plans to Eliminate So-Called 'Harmful' & Unnecessary Policies'  
such as the Climate Action Plan & Waters of the U.S. Rule”:**

A screenshot of the White House website's 'Issues' page. The header features the White House logo and navigation links: BRIEFING ROOM, ISSUES, THE ADMINISTRATION, PARTICIPATE, and 1600 PENN. The main content area is titled 'An America First Energy Plan' and includes a paragraph about energy's importance and a list of issues on the left sidebar.

the WHITE HOUSE PRESIDENT DONALD J. TRUMP

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Issues

**America First Energy Plan**

America First Foreign Policy

Bringing Back Jobs And Growth

Making Our Military Strong Again

Standing Up For Our Law Enforcement Community

## An America First Energy Plan

Energy is an essential part of American life and a staple of the world economy. The Trump Administration is committed to energy policies that lower costs for hardworking Americans and maximize the use of American resources, freeing us from dependence on foreign oil.

For too long, we've been held back by burdensome regulations on our energy industry. President Trump is committed to eliminating harmful and unnecessary policies such as the Climate Action Plan and the Waters of the U.S. rule. Lifting these restrictions will greatly help American workers, increasing

<sup>41</sup> Photo Source: Shoebat, "Donald Trump Is An American Pagan & Is An Unquestionably Better Choice Than The Fake Christians Running Against Him" by Andrew Bieszad, 3-3-2016: [shoebat.com/2016/03/03/donald-trump-is-an-american-pagan-and-is-an-unquestionably-better-choice-than-the-fake-christians-running-against-him/](http://shoebat.com/2016/03/03/donald-trump-is-an-american-pagan-and-is-an-unquestionably-better-choice-than-the-fake-christians-running-against-him/)

<sup>42</sup> The White House, “America First Energy Plan”: [www.whitehouse.gov/america-first-energy](http://www.whitehouse.gov/america-first-energy)

## **Exposing Trump Administration's Subversive & Malicious Agenda to Deregulate Protection for America's Waters:**

**Plan re: “Eliminating Harmful & Unnecessary Policies such as the Climate Action Plan & the Waters of the U.S. Rule”, *clarified*:**

On February 28, 2017, the Office of the Press Secretary released the following Presidential Executive Order in relation to the possible “rescinding of” the Waters of the U.S. Rule – *excerpts*:

**Sec. 2. Review of the Waters of the United States Rule.** (a) The Administrator of the Environmental Protection Agency (Administrator – *Scott Pruitt*<sup>43</sup>) **and** the Assistant Secretary of the Army for Civil Works (Assistant Secretary – *Jo-Ellen Darcy*<sup>44</sup>) **shall review the** final rule entitled **"Clean Water Rule: Definition of 'Waters of the United States,'" 80 Fed. Reg. 37054** (June 29, 2015), for consistency with the policy set forth in section 1 of this order **& publish for notice & comment a proposed rule rescinding** or revising **the rule**, as appropriate & consistent with law.

**Sec. 3. Definition of "Navigable Waters" in Future Rulemaking.** In connection with the proposed rule described in section 2(a) of this order, **the Administrator & the Assistant Secretary shall consider interpreting the term "navigable waters," as defined in 33 U.S.C. 1362(7), in a manner consistent with the opinion of Justice Antonin Scalia in *Rapanos v. United States*, 547 U.S. 715 (2006).**<sup>45</sup>

### **About Justice Scalia's opinion in *Rapanos v. United States*, 547 U.S. 715 (2006):**

The case involved developer John A. Rapanos (*Midland, Michigan*), whose project were stopped because of environmental regulations that make up the Clean Water Act.

In 1989, Rapanos pulled trees & filled over 54 acres of wetlands with sand on his private property for the purpose of preparing space to construct a mall. He did not file for a permit, & instead decided to destroy the wetlands which were protected by the Migratory Bird Rule & thus are under the jurisdiction of federal protection according to the “Waters of the U.S. Rule”.<sup>46</sup> In 1995, a U.S. District Court jury sided with the EPA's contention, that he violated The Clean Water Act, finding him guilty in a criminal case of destroying 54 acres of wetlands. In 1998, he was fined \$185,000 & sentenced to three years probation & 200 hours of community service.<sup>47</sup>

43 EPA's Administrator, *Scott Pruitt*: [www.epa.gov/aboutepa/epas-administrator](http://www.epa.gov/aboutepa/epas-administrator)

44 US Army, Honorable Jo-Ellen Darcy, *Assistant Secretary of the Army (Civil Works)*: <http://asacw.hqda.pentagon.mil/Darcy.aspx>

45 The White House, “*Presidential Executive Order on Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule*”: [www.whitehouse.gov/the-press-office/2017/02/28/presidential-executive-order-restoring-rule-law-federalism-and-economic](http://www.whitehouse.gov/the-press-office/2017/02/28/presidential-executive-order-restoring-rule-law-federalism-and-economic)

46 Barringer, Felicity (2004-05-18). “*Michigan Landowner Who Filled Wetlands Faces Prison*”. The New York Times. p. A20.

47 Intel, “*John A. Rapanos, who vowed 'Fight to the death' against EPA, dies at 80*”, 2-11-2016: [www.mlive.com/news/bay-city/index.ssf/2016/02/feisty\\_midland\\_developer\\_john.html](http://www.mlive.com/news/bay-city/index.ssf/2016/02/feisty_midland_developer_john.html)



He argued the land was not a “wetland” & that he was not breaking the law, but his own consultant & state employees disagreed. Rapanos claimed that his land was up to 20 miles from any “navigable waterways”, & that “tributaries” are not “navigable waterways” & thus cannot be regulated under the Waters of the U.S. Rule, which only can be applied to “navigable waterways”.<sup>48</sup>

He fought the case all the way to the U.S. Supreme Court, claiming his land was too far from a navigable waterway to be under jurisdiction of the Clean Water Act. M. REED HOPPER, ESQ. argued in Mr. Rapanos's favor; below is a transcript from the court case, followed by J. Scalia's subsequent opinion re: “the definition of Waters of the U.S.” (page 59):

**MR HOPPER:** This is a case of agency overreaching... the Corps & EPA pushed the very limits of congressional authority... They claim 404(a) jurisdiction over the entire tributary system, from the smallest trickle to the largest watershed... sweeping in remote, non-navigable wetlands 20 miles from the traditional (non-tributary) navigable water... the agencies assert jurisdiction over even the entire watershed. For example, the Mississippi watershed, the largest in the Nation, covers 1 million square... miles & reaches from the Rockies to the Appalachians & drains 41 percent of the 48 lower States. ...

**CHIEF JUSTICE ROBERTS:** How... do you define a tributary? ...

**MR. HOPPER:** ... **under the (Clean Water Act) all tributaries are excluded...**

**CHIEF JUSTICE ROBERTS:** Okay, but... the Missouri is a tributary of the Mississippi, but I assume it's still covered.

**MR. HOPPER:** ... **anything that... does not constitute the channel, the traditional navigable water, & anything not abutting .. as an inseparably bound up wetland would constitute a tributary...**

**JUSTICE SCALIA:** ... [H]ow come putting poison in... the wetlands is bad, but it's okay to put it in the tributary.... **as I understand it, the reason we held wetlands were included within the waters of the United States was not... that you could poison the waters by poisoning the wetlands, but rather, it was that it's very hard to tell where the navigable water ends & the wetland begins.... If it's... adjacent to a navigable water & it's wet, we're going to say it's part of a navigable water... And, of course, that basis doesn't apply to tributaries, does it? You – you can always tell where the tributary ends. It ends at the point where it goes into the main river.**

**JUSTICE SOUTER:** ... the purpose of the regulation is to protect the purity of the ultimate navigable water? And isn't the inclusion of the reference to tributaries an indication that it said if we want to attain the objective, which is clearly constitutional, then we have got to recognize these means, i.e., regulation of – of pollution in wetlands & tributaries, in order to reach that objective? ...

**MR. HOPPER:** **I don't believe so, Your Honor.** The – the problem that... that **the Government cannot show any clear indication that Congress intended to**

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<sup>48</sup> Greenhouse, Linda (2005-10-12). "Supreme Court Takes Up 2 Cases Challenging Powers of U.S. Regulators to Protect Wetlands". The New York Times. p. A14.



**regulate the entire tributary system.... Congress intended to regulate wetlands adjacent to navigable waters, but as to other waters, this Court could come to no conclusion because the Congress had never defined other waters.**

**JUSTICE SOUTER:** ... if we assume that Congress was being as... cautious as you suggest, then Congress' caution... was allowing an end *run around the regulation* for the reasons we went into a moment ago. All you've got to do is – is dump the pollutant further – far enough upstream in the watershed & you get away scot-free. And it's very difficult to believe that Congress could have intended that.

**MR. HOPPER:** **I don't think it's difficult to believe that at all...**

**JUSTICE SCALIA:** ... **it's very absurd to call... waters of the United States... a drainage ditch dug ... by the municipality or – you know, or a gutter in a street.**

**GENERAL CLEMENT:** ... First of all, **this case has not been litigated under the theory that the key difference is whether it's man-made or natural, & that defines somehow the scope of a tributary...** the difference between that which is a man-made channel & that which is a natural channel is both difficult to discern & utterly beside the point for purposes of this regulatory scheme.

**JUSTICE SCALIA:** What... percentage of... the territory of the United States do you believe is... subjected to permits from the Corps of Engineers on your theory whenever you want to move dirt, whenever you want to deposit sand? **What... percentage of the total land mass of the United States, if you define tributary as broadly as you define it to include?** Every storm drain? I mean, it's the whole country, isn't it? ... All the water goes down to the sea & there's some kind of a drain or – or a bed that takes the water down there.

**GENERAL CLEMENT:** Well, I think the precise answer to your question being none of the land mass – none of the land itself would be regulated...

**JUSTICE SCALIA:** **You're calling empty ditches – not unless you call empty ditches land, which I do.**

**GENERAL CLEMENT:** Well, the – the Corps doesn't. They treat those as water bodies... it's important to understand that the Corps & the EPA's view of wetlands would cover about 80 percent of the wetlands in the country... because about 20 percent of the Nation's wetlands are isolated.

**JUSTICE SCALIA:** Bu... **under your theory, the Corps of Engineers would have jurisdiction over any land that is part of that tributary system as well. If any of that land has a deposit of... some materials that could leach into or... drain into the... tributary system, which is to say any gutter, in theory, the – the Federal Government can regulate it all. No?**

**GENERAL CLEMENT:** I don't think that's right, Justice Scalia. The Corps has regulated this channelized tributary system. It has done it without regard to whether those channels are seasonally dry in some areas, & I think that's a rational judgment... what's important is while the Corps & the Federal Government regulate

that channelized system of tributaries, non-point source pollution is still something that's in the primary providence of the States. And so it's not true that the Corps is asserting an authority to regulate land as such... Congress... said that... the banks of the navigable rivers or their tributaries are within the scope of this program, as it did in 1899 in section 13 of the Rivers and Harbors Act, we'd be here defending that as a valid exercise of Congress' authority not just under the Commerce Clause... With respect, Justice Scalia, in 1899 in section 13 of the Rivers and Harbors Act, the so-called Refuse Act, Congress regulated the navigable waters & their tributaries. Now, in fairness, the focus there was this idea that they only regulated the tributaries if they could show that it flowed into the navigable waters themselves, but they asserted right in the text of the statute in 1899 the authority to regulate the tributaries & the banks. And that shows what I think is a very important...

**JUSTICE SCALIA:** ... **You... interpret tributary to include storm drains & ditches that only carry off rainwater...** when you talk about adjacent to a tributary, I think, you know, maybe adjacent to the Missouri River or something like that. No. You're talking about adjacent to a storm drain... because I don't know how a storm drain is a water of the United States.... **I do not see how a storm drain under anybody's concept is a water of the United States.**

**GENERAL CLEMENT:** With respect, Justice Scalia, some things that you might classify as a storm drain are actually very deep channels that have a continuous flow of water that were... **some things that are part of the storm water drainage system of a city are actually things that were previous navigable natural waters..** tributaries are covered... some things that the Corps thinks are tributaries **you disagree with**, that would be fine... the States still have plenary control over the nonpoint source pollution. They still have an important cooperative role in... the overall program... section 404, subsection (g) of the statute... that provision makes crystal clear that the waters of the United States, for purposes of the Clean Water Act, extend beyond traditional navigable waters & their adjacent wetlands.

**JUSTICE SCALIA:** **So you say that the authority... of the Corps extends... to lands that, if altered, could have some hydrological connection.**

**GENERAL CLEMENT:** No, that's not it, Justice Scalia. What I'm saying is what the Corps has always done for 30 years is said they are going to regulate a physically proximate, adjacent wetland without regard to whether or not there's a **berm** (*raised portion of land that separates the bodies of water at times when flooding is not occurring there...*

**JUSTICE SCALIA:** ... **If there is currently no hydrological connection, there is a berm, there is no – there is no connection to the navigable waters of the United – what could possibly be the basis for their asserting jurisdiction?**<sup>49</sup>

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<sup>49</sup> Case Transcript: JOHN A. RAPANOS, ET UX., : Petitioners : v. : No. 04-1034 UNITED STATES; : and : JUNE CARABELL, ET AL., : Petitioners : v. : No. 04-1384 UNITED STATES ARMY CORPS OF : ENGINEERS, ET AL.: [www.supremecourt.gov/oral\\_arguments/argument\\_transcripts/04-1034.pdf](http://www.supremecourt.gov/oral_arguments/argument_transcripts/04-1034.pdf)



The high court in a 5-4 decision in 2006 overturned rulings against Rapanos & sent the case back to U.S. District Court in Detroit for reconsideration, saying regulators might have exceeded their authority in preventing Rapanos develop his land. In 2007, the Bush administration issued guidance for the EPA & the U.S. Army Corps, making it more difficult to gain Clean Water Act protection for “non-permanent streams & nearby wetlands”.<sup>50</sup>

On June 19, 2006, Justice Scalia released the following opinion regarding what should & should not be regulated under the definition of “Waters of the United States”; by redefining the Waters of the U.S. Rule, regulation of waters, including dumping of hazardous materials into them, would be removed from federal jurisdiction, & regulation would be left to states, which traditionally has imposed a *conflict of interest* in regard to regulations which thereby lead to contamination of waterways which inevitably flow into navigable waters. The Court's opinion:

**Unregulated:** “arroyos, coulees, & washes”, “channels with little water flow (*ambiguous, leaves up to states to decide what 'little' is*) in a given year.”, “drain tiles, storm drains systems, & culverts”, “wetlands 'adjacent' to navigable interstate waters if they are hydrologically connected 'through directional sheet flow during storm events , or if they are connected by flooding, on average, once every 100 years’”, “waters within 200 feet of a tributary”, “waters wherein a hydrological connection between the non-navigable & navigable waters has no ‘direct abutment’ to the navigable waters (*i.e. marshlands which flow into rivers during storms would not be protected*)”, “waters with 'insubstantial hydrologic connection' (*ambiguous, permits connection & thus contamination*)”, “bodies of water with molecules that will inevitably flow towards & mix with water from connecting bodies”<sup>51</sup>, “man-made drainage ditches that run along one side of the wetland, separated by a 4-foot-wide man-made berm, which is 'largely or entirely impermeable to water, & blocks drainage from the wetland', but which 'may permit overflow to the ditch’”, “waters that are adjacent to neighboring tributaries of navigable waters & have a significant nexus to navigable waters”<sup>52</sup>, “channels through which water flows intermittently or ephemerally, or that periodically provide drainage for rainfall”<sup>53</sup>, “wetlands with an intermittent, physically remote hydrologic connection to navigable waters ”<sup>54</sup>, “tributaries” (*page 56*), “drainage ditches dug by a municipality”, “gutters”, “ditches which at times are not filled with water, but which flow directly into tributaries or navigable waters during storms” (*page 57*), “land that is part of the tributary system which has a deposit of materials that would leach into the tributary system during storms (*'washes'*)”, & “lands that have been altered & have hydrological connection to a navigable waterway” (*page 58*).

**Regulated:** The phrase “the waters of the United States” includes only “relatively permanent, standing or continuously flowing bodies of water 'forming geographic features' that are described as 'streams, oceans, rivers, or lakes, & only wetlands with a continuous surface connection to those bodies of water”<sup>55</sup>

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50 Intel, “John A. Rapanos, who vowed 'Fight to the death' against EPA, dies at 80”, 2-11-2016:

[www.mlive.com/news/bay-city/index.ssf/2016/02/feisty\\_midland\\_developer\\_john.html](http://www.mlive.com/news/bay-city/index.ssf/2016/02/feisty_midland_developer_john.html)

51 Part I § 11 & 12 of Opinion: JUSTIA; US SUPREME COURT: OPINION OF SCALIA, J., *RAPANOS V.*

*UNITED STATES* 547 U. S. (2006): <https://supreme.justia.com/cases/federal/us/547/715/opinion.html>

52 Part II § 3, 4, *OPINION OF SCALIA, J.*: <https://supreme.justia.com/cases/federal/us/547/715/opinion.html>

53 Part III § 10, 11, *OPINION OF SCALIA, J.*: <https://supreme.justia.com/cases/federal/us/547/715/opinion.html>

54 Part VI § 6, *OPINION OF SCALIA, J.*: <https://supreme.justia.com/cases/federal/us/547/715/opinion.html>

55 Part III § 11 & VI § 6, *OPINION OF SCALIA*: <https://supreme.justia.com/cases/federal/us/547/715/opinion.html>



**Trump's Executive Order to Redefine "Navigable Waters" as defined in 33 U.S.C. 1362(7), in a manner consistent with the opinion of Justice Scalia in *Rapanos v. United States*, 547 U.S. 715 (2006) is a Case of Reckless Endangerment, & Violates Fiduciary Duty of The United States Under The Supremacy Clause:<sup>56</sup>**

It is evident that if the Trump Administration is seeking to exclude from environmental protection through federal jurisdiction, “waterways which drain into navigable waters during storms”, so that contamination can occur into such waterways (including drainage ditches which flow during storms) without having to adhere to regulations. According to the definition based on Justice Scalia's opinion, waters such as Lake Oahe, which drains The Missouri River, would be excluded from federal jurisdiction. Therefore, the Trump Administration is attempting to exclude protections *and* civil remedies, such as U.S. Code Title 33 – Ch. 26 - SUBCHAPTER III - §1321 - Oil and hazardous substance liability, from being administered.

**Referenced on pages 37 & 54, & within the booklet “Water Protectors' Declaration of *Casus foederis*, and *Petition for a Redress of Grievances*”:**

U.S. Code Title 33 - NAVIGATION AND NAVIGABLE WATERS  
CHAPTER 26 - WATER POLLUTION PREVENTION AND CONTROL  
SUBCHAPTER III - STANDARDS AND ENFORCEMENT,  
§1321 - Oil and hazardous substance liability(C)(1)(A)(i), (ii), (iv), and (e)

**(c) Federal removal authority**

**(1) General removal requirement**

- (A) The President shall, in accordance with the National Contingency Plan & any appropriate Area Contingency Plan, ensure effective & immediate removal of a discharge, and mitigation or prevention of a substantial threat of a discharge, of oil or a hazardous substance—
  - (i) into or on the navigable waters;
  - (ii) on the adjoining shorelines to the navigable waters;
  - (iii) into or on the waters of the exclusive economic zone; or
  - (iv) that may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States.
- (B) In carrying out this paragraph, the President may—
  - (i) remove or arrange for the removal of a discharge, and mitigate or prevent a substantial threat of a discharge, at any time;
  - (ii) direct or monitor all Federal, State, and private actions to remove a discharge; and
  - (iii) remove and, if necessary, destroy a vessel discharging, or threatening of

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<sup>56</sup> The White House, “*Presidential Executive Order on Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule*”: [www.whitehouse.gov/the-press-office/2017/02/28/presidential-executive-order-restoring-rule-law-federalism-and-economic](http://www.whitehouse.gov/the-press-office/2017/02/28/presidential-executive-order-restoring-rule-law-federalism-and-economic)

discharge, by whatever means are available.

(2) Discharge posing substantial threat to public health or welfare

- (A) If a discharge, or a substantial threat of a discharge, of oil or a hazardous substance from a vessel, offshore facility, or onshore facility is of such a size or character as to be a substantial threat to the public health or welfare of the United States, including but not limited to fish, shellfish, wildlife, other natural resources, and the public and private beaches and shorelines of the United States, the President shall direct all Federal, State, and private actions to remove the discharge or to mitigate or prevent the threat of the discharge.
- (B) In carrying out this paragraph, the President may, without regard to any other provision of law governing contracting procedures or employment of personnel by the Federal Government—
  - (i) remove or arrange for the removal of the discharge, or mitigate or prevent the substantial threat of the discharge; and
  - (ii) remove and, if necessary, destroy a vessel discharging, or threatening to discharge, by whatever means are available.

**(e) Civil enforcement**

(1) Orders protecting public health

In addition to any action taken by a State or local government, when the President determines that there may be an imminent and substantial threat to the public health or welfare of the United States, including fish, shellfish, & wildlife, public & private property, shorelines, beaches, habitat, & other living & nonliving natural resources under the jurisdiction or control of the United States, because of an actual or threatened discharge of oil or a hazardous substance from a vessel or facility in violation of subsection (b) of this section, the President may—

- (A) require the Attorney General to secure any relief from any person, including the owner or operator of the vessel or facility, as may be necessary to abate such endangerment; or
- (B) after notice to the affected State, take any other action under this section, including issuing administrative orders, that may be necessary to protect the public health and welfare.

(2) Jurisdiction of district courts

The district courts of the United States shall have jurisdiction to grant any relief under this subsection that the public interest and the equities of the case may require.<sup>57</sup>

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<sup>57</sup> US Government Publishing Office, United States Code, 2010 Edition, Title 33 - NAVIGATION AND NAVIGABLE WATERS, CHAPTER 26 - WATER POLLUTION PREVENTION AND CONTROL, SUBCHAPTER III - STANDARDS AND ENFORCEMENT, Sec. 1321 - Oil and hazardous substance liability: [www.gpo.gov/fdsys/pkg/USCODE-2010-title33/html/USCODE-2010-title33-chap26-subchapIII-sec1321.htm](http://www.gpo.gov/fdsys/pkg/USCODE-2010-title33/html/USCODE-2010-title33-chap26-subchapIII-sec1321.htm)

## **U.S. Codes violated by Donald J. Trump:**

### **United States Code**

**Title 18 - CRIMES AND CRIMINAL PROCEDURE**

**PART I - CRIMES**

**CHAPTER 115 - TREASON, SEDITION, AND SUBVERSIVE ACTIVITIES**

**Sec. 2387 - Activities affecting armed forces generally** *(page 41)*

**U.S. Code Title 18 – CRIMES AND CRIMINAL PROCEDURE**

**PART I – CRIMES**

**CHAPTER 19 – CONSPIRACY**

**§371 - Conspiracy to commit offense or to defraud United States** *(page 49)*

**U.S. Code Title 18 – CRIMES AND CRIMINAL PROCEDURE**

**PART I – CRIMES**

**CHAPTER 13 – CIVIL RIGHTS**

**§241 - Conspiracy against rights** *(page 47)*

### **United States Code**

**Title 18 – CRIMES AND CRIMINAL PROCEDURE**

**PART I – CRIMES**

**§1621(1). Perjury generally** *(page 50)*

### **United States Code**

**Title 7 – CHAPTER 50 – SUBCHAPTER VIII**

**§2009cc–14. Unlawful acts and omissions; breach of fiduciary duty**

**(b) Fiduciary duties** *(page 47)*

**Criminal Gross Negligence** *(page 46)*

**Reckless Endangerment** *(page 48)*

**“Sovereign Immunity” is an “Arbitrary and Capricious”, inadmissible defense**  
*(page 41).*