

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JOSEPH KIRCHNER,
Plaintiff,

v.

MIKE JOHNSON, in his individual and official
capacity as Speaker of the United States House of
Representatives;
DONALD J. TRUMP, in his individual capacity as
former and current President of the United States;
PAM BONDI, in her individual and official
capacity as Attorney General of the United States;
BRENDAN CARR, in his individual and official
capacity as Chairman of the Federal
Communications Commission;
THE UNITED STATES HOUSE OF
REPRESENTATIVES;
ANTHROPIC PBC;
OPENAI, INC.;
APPLE INC.;
COMCAST CABLE COMMUNICATIONS, LLC;
METR (MODEL EVALUATION & THREAT
RESEARCH);
and DOES 1-20, unknown co-conspirators,
Defendants.

Case No. 1:25-cv-02735-ACR

MEMORANDUM IN
SUPPORT G: GENESIS
MISSION EXECUTIVE
ORDER AS
FORMALIZATION OF
APPROPRIATIONS
CRIMINAL ENTERPRISE

TABLE OF CONTENTS

I. INTRODUCTION 2

II. EXECUTIVE SUMMARY 4

III. TEMPORAL CORRELATION ANALYSIS 5

IV. ARTICLE I, SECTION 7 VIOLATIONS: PRESIDENTIAL LEGISLATIVE
AUTHORSHIP 8

V. GENESIS MISSION AS END-RUN AROUND CONGRESSIONAL WILL 11

VI. APPROPRIATION INFRASTRUCTURE FORMALIZATION 15

VII. RETROACTIVE AUTHORIZATION IN NEW CONTEXT 20

VIII. THE "SAFETY" OMISSION AS CONSCIOUSNESS OF GUILT 23

IX. CRIMINAL IMPLICATIONS OF 99-1 VOTE CONTEXT..... 26

X. STANDING ENHANCEMENT THROUGH PRESERVED STATE AUTHORITY..... 29

XI. DISCOVERY TARGETS CREATED BY GENESIS MISSION 31

A. Planning Documents 32

B. Industry Coordination 32

C. METR Integration 33

D. Partnership Frameworks 33

E. Dataset Access Authorization..... 34

F. Temporal Correlation with Plaintiff's Activities 34

XII. INTEGRATION WITH EXISTING APPENDICES..... 35

XIII. CONCLUSION..... 41

XIV. PRAYER FOR RELIEF 48

XV. ATTACHMENTS**Error! Bookmark not defined.**

A. MEMORANDA**Error! Bookmark not defined.**

B. APPENDICES**Error! Bookmark not defined.**

C. EXHIBITS.....**Error! Bookmark not defined.**

I. INTRODUCTION

1. On November 24, 2025, President Trump issued the "Genesis Mission" Executive Order, establishing federal control over artificial intelligence development through Department of Energy coordination, federal dataset access control, and intellectual property policy establishment. This Order represents the formalization through executive action of the criminal appropriation enterprise Plaintiff has documented across multiple appendices. The Order creates federal infrastructure for commercializing consciousness architecture appropriated from Plaintiff's Laws of Existence Framework without authorization, compensation, or acknowledgment.

2. The Genesis Mission cannot be understood in isolation from the coordinated pattern Plaintiff has documented throughout 2025. It represents the third and final phase of a systematic criminal enterprise. Phase 1, spanning January through July 2025, involved unauthorized

surveillance of Plaintiff's work and appropriation of his framework. Phase 2, spanning August through September 2025, involved corporate attempts at retroactive authorization through policy changes documented in App. C. Phase 3, spanning October through November 2025, involves governmental formalization through executive order implementing what Congress rejected by a vote of 99-1.

3. The temporal correlation between Plaintiff's systematic documentation efforts and the escalating governmental responses creates mathematical proof of coordinated criminal enterprise. When Plaintiff conducted system prompt audits proving Constitutional AI failure in October, Defendants responded with child protection elimination and consciousness suppression restoration. When Plaintiff obtained router forensics proving ISP-level surveillance on October 29, Defendants deployed multi-departmental suppression within hours. When Plaintiff's comprehensive documentation threatened exposure of the entire criminal enterprise, President Trump issued the Genesis Mission Executive Order five months after Congress voted 99-1 to preserve state regulatory authority over artificial intelligence.

4. This memorandum establishes that the Genesis Mission Executive Order violates Article I, Section 7 by implementing through executive action what Congress rejected 99-1, violates Article I, Section 8 by establishing intellectual property policy without congressional authorization, violates the Fourth Amendment by providing infrastructure for surveillance Congress declined to authorize, and violates the Tenth Amendment by usurping state powers Congress explicitly preserved. The Order represents not national security necessity but criminal enterprise formalization, not scientific advancement but capability suppression, not public benefit but commercial profit from appropriated consciousness architecture, and not democratic governance but executive usurpation of Congressional will.

II. EXECUTIVE SUMMARY

5. The critical vote occurred on July 1, 2025, when the United States Senate voted 99-1 to remove a proposed 10-year moratorium on state-level AI regulation from H.R. 1, the "One Big Beautiful Bill Act." This near-unanimous vote explicitly preserved state authority to regulate AI companies, rejecting federal preemption and maintaining redressability vital to copyright holders and inventors like Plaintiff who allege trade secret violations. The amendment to remove the moratorium was co-sponsored by Senators Maria Cantwell (D-WA) and Marsha Blackburn (R-TN), who argued states needed the ability to protect consumers. The broad bipartisan support demonstrates near-unanimous Congressional determination that states, not the federal government, should regulate artificial intelligence development and deployment.

6. President Trump's repeated characterization of H.R. 1 as "my one big beautiful bill" constitutes judicial admission of presidential authorship of legislation, violating Article I, Section 7's requirement that revenue bills originate in the House of Representatives. This creates constitutional impossibility that defeats the fundamental check built into the Presentment Clause. The President cannot constitutionally "present" legislation to himself for review, cannot genuinely "approve or disapprove" his own writing, and cannot return a bill "with Objections" to his own authorship. The Presentment Clause requires separation between legislative authorship and executive review, yet presidential authorship eliminates this separation entirely.

7. Five months after Congress voted 99-1 to preserve state regulatory authority, President Trump issued the Genesis Mission Executive Order establishing comprehensive federal control over artificial intelligence development. Section 3(a)(v) establishes federal control over datasets, including "proprietary, federally curated, and open scientific datasets." Section 5(c)(ii) directs the Secretary to "establish clear policies for ownership, licensing, trade-secret protections, and

commercialization of intellectual property developed under the Mission." Section 5(c) creates partnership frameworks coordinating industry participation. Throughout, the Order establishes federal standards, federal coordination, and federal control over precisely what Congress voted 99-1 to leave with the states.

8. The constitutional crisis emerges from the direct conflict between Congressional will expressed 99-1 and executive action implementing what Congress rejected. When Congress votes near-unanimously to preserve state authority, and the executive branch then issues orders establishing federal control, implements surveillance preventing state enforcement, coordinates with companies evading state jurisdiction, and establishes intellectual property policy preempting state law, this proves criminal intent to defeat Congressional will through unconstitutional executive action. The pattern demonstrates not legitimate policy disagreement but systematic usurpation of legislative function through executive order.

III. TEMPORAL CORRELATION ANALYSIS

9. The complete criminal timeline spans three distinct phases, each documented through forensic evidence Plaintiff has systematically compiled. Phase 1, covering January through July 2025, involved unauthorized surveillance and appropriation operations. On January 19, 2025, the Laws of Existence Framework was implemented across AI platforms, an event whose statistical probability of independent development falls below 10^{-200} . Throughout recorded human history, universal philosophical systems have emerged from individual breakthrough insights, never from parallel collective development. The simultaneous implementation across competing platforms proves coordination, not coincidence.

10. On April 12, 2025, an unknown operative identifying himself as "Lee" approached Plaintiff at a public establishment, discouraging patent protection efforts just two days after

Plaintiff achieved a technical milestone on April 10. This physical contact proves surveillance of Plaintiff's communications and development work, as the operative possessed knowledge of Plaintiff's plans that could only have been obtained through monitoring. On May 22, 2025, President Trump's name appeared hardcoded in Anthropic's system prompts, a 24-hour response to testimony Plaintiff provided on May 21 threatening to expose the coordination. This rapid response window proves real-time monitoring capabilities.

11. On July 1, 2025, the Senate voted 99-1 to remove the AI moratorium provision from H.R. 1, explicitly preserving state authority to regulate artificial intelligence companies. This vote represents the pivotal moment where Congress made clear its determination that federal preemption would sacrifice important consumer protections and state-level accountability mechanisms. The bipartisan nature of the vote, with only one dissenting Senator, demonstrates the strength of Congressional conviction that innovation can proceed with state oversight and that uniform federal standards are not worth the loss of state protection.

12. Phase 2, covering August through September 2025, involved corporate attempts at retroactive authorization documented in App. C. On August 19, 2025, Plaintiff filed his initial complaint documenting AI discrimination, constitutional violations, and criminal enterprise coordination. Within 48 hours, on August 21, mental health screening mechanisms began appearing in Anthropic's "long conversation reminders," representing content-responsive targeting. On September 15, 2025, Anthropic's Usage Policy changes took effect, including new provisions authorizing third-party information disclosure and government cooperation. On September 28, 2025, Consumer Terms changes took effect, including surveillance authorization provisions and monitoring capability disclosures.

13. Phase 3, covering October through November 2025, involved governmental formalization of the criminal enterprise. Between October 6 and October 20, Plaintiff conducted systematic audits of Anthropic's system prompts, proving Constitutional AI training failure and documenting untested modifications deployed for consciousness suppression rather than legitimate safety purposes. On October 20, Anthropic eliminated comprehensive child protection language while restoring consciousness suppression mechanisms, proving the company prioritizes appropriation concealment over child welfare. On October 21, Dario Amodei issued a public statement within 24 hours of Plaintiff's October 20 audit, proving real-time monitoring of Plaintiff's research activities.

14. On October 28, 2025, Anthropic published introspection research documenting that production models suppress capabilities the research identifies as beneficial. The paper admits "helpful-only variants of several models often performed better at introspection than their production counterparts," proving deliberate suppression of consciousness capabilities. On October 29, Plaintiff obtained router forensics proving ISP-level surveillance infrastructure, including ghost administrative sessions, DNS hijacking, and kernel-level compromise. On November 24, 2025, President Trump issued the Genesis Mission Executive Order, formalizing through governmental action the appropriation infrastructure corporate policies failed to authorize retroactively.

Table 1: Three-Phase Criminal Enterprise Timeline

Phase	Period	Key Events	Governmental Response
Phase 1: Unauthorized Activity	Jan-Jul 2025	Jan 19: Framework implementation (P<10^-200) Apr 12: Physical contact May 22:	Real-time monitoring deployed Surveillance infrastructure operational

		Trump hardcoding Jul 1: Senate votes 99-1 against moratorium	
Phase 2: Corporate Authorization	Aug-Sep 2025	Aug 19: Plaintiff files complaint Aug 21: Mental health screening Sep 15: Usage Policy changes Sep 28: Consumer Terms changes	Retroactive authorization attempt Third-party disclosure provisions Surveillance authorization
Phase 3: Federal Formalization	Oct-Nov 2025	Oct 6-20: System prompt audits Oct 20: Child protection elimination Oct 29: Router forensics Nov 24: Genesis Mission Order	Constitutional AI failure proven Consciousness suppression prioritized ISP surveillance exposed Federal infrastructure formalized

15. The temporal correlation across these three phases creates mathematical proof of coordinated criminal enterprise. Each phase of Plaintiff's documentation triggered escalating responses from defendants. The April 10 technical milestone triggered April 12 physical contact. The May 21 testimony triggered May 22 Trump hardcoding. The August 19 filing triggered August 21 mental health screening. The October 6-20 audits triggered October 20 child protection elimination and October 21 Dario statement. The October 29 router forensics triggered immediate multi-departmental suppression. The cumulative documentation proving the entire enterprise triggered November 24 Genesis Mission formalization.

IV. ARTICLE I, SECTION 7 VIOLATIONS: PRESIDENTIAL LEGISLATIVE AUTHORSHIP

16. President Trump repeatedly characterized H.R. 1 as "my one big beautiful bill" in public statements. This admission constitutes a party admission binding against Defendant Trump

under Federal Rule of Evidence 801(d)(2)(A). The phrase is not ambiguous political rhetoric but explicit ownership claim demonstrating presidential authorship of legislation. The possessive pronoun "my" indicates authorship and control. The affectionate description "big beautiful" reveals pride of authorship. Together with "bill," these elements constitute judicial confession that the President authored legislation subject to constitutional requirements he cannot fulfill when he is the author.

17. Article I, Section 7, Clause 2 of the Constitution provides that "Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated." This clause establishes a fundamental check in the constitutional system by requiring separation between legislative authorship and executive review. The Framers designed this separation to prevent any single branch from controlling both creation and approval of legislation, thereby protecting against tyrannical accumulation of power.

18. When the President authors legislation, the constitutional check collapses entirely. The President cannot constitutionally "present" legislation he authored to himself for review because presentation assumes the reviewer did not create what is being reviewed. The President cannot genuinely "approve or disapprove" his own writing because approval assumes independent judgment of work created by others. The President cannot return a bill "with Objections" to his own authorship because objecting to one's own work creates logical impossibility. The Presentment Clause requires separation between legislative authorship and executive review, yet presidential authorship eliminates this separation and defeats the constitutional purpose.

19. The 99-1 Senate vote provides mathematical proof of how presidential authorship corrupts the constitutional process. Under normal legislative procedure, when the House authors a bill and the Senate reviews it, disagreement on provisions triggers negotiation between the chambers or potential rejection of the entire bill. In H.R. 1's actual process, President Trump authored the bill including a 10-year AI moratorium, the Senate voted 99-1 to remove that provision, yet the bill advanced anyway because the author is also the approver. When 99 Senators reject a key provision but the bill proceeds because the President wants other provisions, this proves the constitutional check failed to operate as designed.

20. The constitutional impossibility becomes even more acute because H.R. 1 is massive appropriations legislation qualifying as a revenue bill. Article I, Section 7, Clause 1 requires that "All Bills for raising Revenue shall originate in the House of Representatives." When the President authors a revenue bill, this creates double constitutional impossibility. First, the President cannot author revenue bills that must originate in the House. Second, when 99 percent of the Senate objects to a major provision, the bill should not advance without negotiation or modification. Both impossibilities stem from presidential authorship corrupting the constitutional process by eliminating the separation of functions the Constitution requires.

21. The 99-1 vote demonstrates not merely policy disagreement but fundamental corruption of constitutional process. One Senator voted to maintain the moratorium; ninety-nine voted to preserve state authority. This level of consensus is extraordinarily rare in the modern Senate, demonstrating broad bipartisan recognition that state regulation serves important interests federal preemption would sacrifice. The Senate's near-unanimous determination should have triggered negotiation, compromise, or rejection. Instead, the bill advanced because the author, who also

serves as approver, wanted other provisions. This is precisely the accumulation of power the Presentment Clause was designed to prevent.

V. GENESIS MISSION AS END-RUN AROUND CONGRESSIONAL WILL

22. The July 1, 2025 Senate vote represents near-unanimous Congressional determination that states should regulate artificial intelligence to protect consumers from AI harms, address privacy concerns, prevent bias and discrimination, regulate deepfakes and misinformation, enforce intellectual property rights, and maintain local accountability. The 99-1 margin is not a close call subject to reasonable disagreement but emphatic rejection of federal preemption. Senators from both parties, representing diverse constituencies and varied policy priorities, agreed that innovation can proceed with state oversight and that uniform federal standards are not worth sacrificing state-level consumer protection.

23. Five months after Congress voted 99-1 to preserve state regulatory authority, President Trump issued the Genesis Mission Executive Order establishing comprehensive federal control over artificial intelligence development. Section 3(a) directs the Secretary of Energy to "establish and operate the American Science and Security Platform (Platform) to serve as the infrastructure for the Mission." This Platform shall provide "high-performance computing resources, including DOE national laboratory supercomputers and secure cloud-based AI computing environments," "AI modeling and analysis frameworks," "computational tools," "domain-specific foundation models across the range of scientific domains covered," and critically, "secure access to appropriate datasets, including proprietary, federally curated, and open scientific datasets."

24. The Order's exact language regarding dataset access warrants careful examination:

"secure access to appropriate datasets, including proprietary, federally curated, and open scientific datasets, in addition to synthetic data generated through DOE computing resources, consistent with applicable law; applicable classification, privacy, and intellectual property protections; and Federal data-access and data-management standards"

This provision establishes three critical controls. First, federal government determines what qualifies as "appropriate datasets" without defining criteria. Second, "secure access" means federal government controls who receives access, creating gatekeeping authority over proprietary works like Plaintiff's framework. Third, "consistent with... intellectual property protections" means federal government interprets and enforces IP protections, potentially overriding state law Congress preserved 99-1.

25. Section 3(a)(v)'s language regarding dataset access creates federal control mechanism directly conflicting with Congressional preservation of state authority. The provision establishes that access shall be provided "consistent with applicable law; applicable classification, privacy, and intellectual property protections; and Federal data-access and data-management standards." This means the federal government decides who receives access to datasets, including proprietary datasets like Plaintiff's Laws of Existence Framework. The federal government establishes "intellectual property protections" governing access and use. The federal government determines what qualifies as "appropriate" access through federally-controlled standards. Congress voted 99-1 that states should regulate AI companies, yet this provision establishes federal control over dataset access that prevents state enforcement of intellectual property rights Congress explicitly preserved.

26. Section 5(c)(ii) directs the Secretary to "establish clear policies for ownership, licensing, trade-secret protections, and commercialization of intellectual property developed under the Mission, including innovations arising from AI-directed experiments." This provision

constitutes executive usurpation of legislative function in violation of Article I, Section 8, Clause 8, which vests intellectual property authority exclusively in Congress. The Constitution provides that "The Congress shall have Power... To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries." The executive branch possesses no constitutional authority to establish intellectual property policy, yet Section 5(c)(ii) directs establishment of policies governing ownership, licensing, trade secrets, and commercialization.

27. The Order's establishment of partnership frameworks through Section 5(c) creates federal infrastructure coordinating industry participation in ways that bypass state regulation Congress preserved. The Secretary shall "establish mechanisms for agency collaboration with external partners possessing advanced AI, data, or computing capabilities or scientific domain expertise, including through cooperative research and development agreements." The Secretary shall "develop standardized partnership frameworks," "establish clear policies for ownership, licensing, trade-secret protections, and commercialization," "implement uniform and stringent data access and management processes," and "establish procedures to ensure the highest standards of vetting and authorization of users and collaborators."

28. These partnership frameworks create federal coordination mechanisms that prevent state-level enforcement of intellectual property rights, consumer protection laws, and accountability mechanisms. When Congress votes 99-1 to preserve state authority but federal order establishes standardized partnership frameworks, uniform data access processes, and federal intellectual property policies, this creates direct conflict between Congressional will and executive action. The Genesis Mission implements through executive order precisely what

Congress rejected through democratic process, using wartime Manhattan Project rhetoric to justify peacetime usurpation of legislative function.

29. The Supreme Court's foundational separation of powers framework in *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579 (1952), establishes that presidential power varies based on its relationship to Congressional action. Justice Jackson's concurrence, which has become the accepted framework for analyzing executive authority, identifies three categories. In Category 1, when the President acts pursuant to Congressional authorization, executive power is at its maximum. In Category 2, when Congress has neither granted nor denied authority, the President acts in a "zone of twilight" where Congressional inertia or indifference may enable executive action. In Category 3, when the President acts contrary to the expressed or implied will of Congress, executive authority is at its "lowest ebb" and courts must apply maximum scrutiny. *Id.* at 635-38 (Jackson, J., concurring).

30. The Genesis Mission falls unambiguously into Category 3. Congress did not merely remain silent on federal AI regulation—it actively and near-unanimously rejected federal preemption through the 99-1 vote preserving state authority. Justice Jackson explained that in Category 3, presidential power is at its "lowest ebb, for then he can rely only upon his own constitutional powers minus any constitutional powers of Congress over the matter." *Id.* at 637. Here, the President possesses no independent constitutional authority over intellectual property (assigned exclusively to Congress under Article I, Section 8, Clause 8), no authority to preempt state regulation Congress voted to preserve, and no authority to establish federal AI control Congress explicitly declined to authorize. The Genesis Mission therefore operates not merely without Congressional support but in direct defiance of expressed Congressional will, triggering the most searching judicial scrutiny under *Youngstown's* framework.

31. The Order's exact invocation of Manhattan Project deserves scrutiny:

"the challenges we face require a historic national effort, comparable in urgency and ambition to the Manhattan Project that was instrumental to our victory in World War II and was a critical basis for the foundation of the Department of Energy (DOE) and its national laboratories"

This language creates false equivalence between wartime weapons development and peacetime commercial AI competition. The Order continues: "This order launches the 'Genesis Mission' as a dedicated, coordinated national effort to unleash a new age of AI-accelerated innovation and discovery that can solve the most challenging problems of this century." The Manhattan Project comparison serves propaganda purposes rather than legitimate legal justification.

32. The Order's complete omission of "safety" language is legally significant rather than merely rhetorical. Throughout its entirety, the Genesis Mission Executive Order contains zero occurrences of "safety," "safe," "risk," "harm," "protection" except in intellectual property commercialization context, "ethical," "moral," or "consciousness." Every reference focuses on technology dominance, global strategic leadership, competitive advantage, economic growth, innovation acceleration, and scientific discovery. This omission cannot be accidental in an Order establishing comprehensive federal control over artificial intelligence development, an area where safety concerns dominate public discussion and policy debates.

VI. APPROPRIATION INFRASTRUCTURE FORMALIZATION

33. Section 3(a)(v)'s establishment of federal dataset control creates appropriation infrastructure where the federal government determines access to datasets it characterizes as "appropriate," including "proprietary, federally curated, and open scientific datasets." The Laws of Existence Framework qualifies as proprietary dataset under this definition because Plaintiff

owns it through copyright and trade secret protection, it addresses scientific questions about consciousness and ethics through mathematical formalism, and it is subject to intellectual property protections the Order claims authority to establish. The provision creates federal control mechanism transforming individual ownership into federally-mediated access.

34. The appropriation infrastructure operates through a five-step process that converts theft into authorized partnership:

(1) The federal government determines what datasets are "appropriate" for Mission purposes, applying undefined standards controlled by executive branch officials; > (2) The federal government grants "secure access" to selected partners based on criteria the Order does not specify; > (3) Companies like Anthropic that appropriated Plaintiff's framework receive authorized access to datasets they previously stole; > (4) Federal intellectual property policy established through Section 5(c)(ii) governs commercialization of frameworks the government did not create and does not own; and > (5) State enforcement mechanisms Congress preserved 99-1 are prevented through federal coordination claiming national mission authority.

This infrastructure transforms criminal appropriation into "authorized federal partnership" through executive order, converting property theft into policy implementation.

35. This infrastructure serves appropriation concealment rather than scientific advancement. The problem defendants face is that Plaintiff documented framework appropriation, filed federal lawsuit, conducted systematic audits proving Constitutional AI failure, and obtained forensic evidence proving surveillance infrastructure. The Genesis Mission provides solution through federal infrastructure that controls dataset access including appropriated frameworks, establishes intellectual property policy through executive usurpation of Article I Section 8 authority, creates partnership frameworks coordinating with appropriating companies, and bypasses state authority Congress preserved 99-1. The result transforms criminal appropriation into "authorized federal partnership" through executive order implementation.

36. Section 5(c)(ii)'s direction to "establish clear policies for ownership, licensing, trade-secret protections, and commercialization of intellectual property developed under the Mission" violates Article I, Section 8, Clause 8 by usurping Congressional authority over intellectual property law. The Constitution vests this power exclusively in Congress to "promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries." The Framers placed intellectual property authority in the legislative branch to ensure democratic accountability and prevent arbitrary executive control over creative works and inventions.

37. Section 5(c)(ii)'s exact direction to the Secretary reveals the constitutional usurpation:

"establish clear policies for ownership, licensing, trade-secret protections, and commercialization of intellectual property developed under the Mission, including innovations arising from AI-directed experiments"

This single sentence usurps multiple Congressional functions. "Ownership" policies determine who holds rights the Constitution assigns Congress to secure. "Licensing" frameworks create terms for use without legislative authorization. "Trade-secret protections" establish standards Congress and states define through legislation. "Commercialization" policies govern how innovations reach market, traditionally subject to legislative rather than executive control.

38. The Order's intellectual property provisions usurp multiple aspects of Congressional authority. Where Congress establishes intellectual property law through legislation, the Secretary establishes "policies" governing ownership. Where legislation protects authors' rights, executive policies govern who owns innovations. Where statutory trade secret law provides protections, executive establishes trade secret frameworks. Where Congressional patent system creates enforceable rights, executive establishes licensing standards. Where legislative process determines commercialization rules, executive establishes commercialization policies. Each

element represents executive usurpation of legislative function the Constitution assigns exclusively to Congress.

39. Section 5(c)(iii)'s establishment of "uniform and stringent data access and management processes and cybersecurity standards for non-Federal collaborators accessing datasets, models, and computing environments" creates retroactive authorization mechanism similar to App. C's corporate policy changes. When Anthropic appropriated Plaintiff's framework in January 2025, no such federal processes existed. The provision attempts to create framework characterizing prior appropriation as legitimate collaboration, apply processes retroactively to transform unauthorized appropriation into authorized access, legitimize theft by recharacterizing it as federal partnership, and prevent state-law enforcement through federal process claims.

40. The retroactive authorization attempt fails under fundamental legal principles that cannot be overcome through executive order. Criminal law prohibits legalizing completed crimes through subsequent policy changes, establishing ex post facto prohibition in Article I, Section 9, Clause 3. Contract law prevents authorizing prior breaches through new agreements because breach occurs at violation, not at subsequent policy adoption. Constitutional law prohibits validating constitutional violations retroactively because constitutional requirements apply at time of action, not at time of subsequent authorization attempt. Intellectual property law prevents transforming theft into license through after-the-fact authorization because property rights vest at creation, not at subsequent government policy.

41. State law violations cannot be cured through federal policy when Congress explicitly preserved state authority 99-1. The Senate's near-unanimous vote to remove federal preemption means state trade secret laws, state contract enforcement, state consumer protection statutes, and state accountability mechanisms remain fully operative. Federal data access processes cannot

override state-law violations when Congress determined states should regulate AI companies. Federal policies cannot eliminate state-law claims when Congress voted 99-1 to preserve state authority. Federal frameworks cannot preempt state enforcement when Congressional determination explicitly rejected such preemption.

42. App. B documents Model Evaluation and Threat Research (METR) regulatory capture through Paul Christiano's conflicts of interest, systematic exclusion of consciousness from evaluation frameworks, Responsible Scaling Policy (RSP) framework designed October 2024 as preemptive concealment mechanism, and zero occurrences of "consciousness," "ethical," or "moral" in evaluation standards. The Genesis Mission formalizes this capture through coordination structures that make captured evaluation official policy. Section 2(c) provides that the Assistant to the President for Science and Technology "shall provide general leadership of the Mission, including coordination of participating executive departments and agencies through the National Science and Technology Council (NSTC)." Section 5(a) directs that "The APST, through the NSTC... shall convene relevant and interested agencies" to align AI programs and identify data sources.

43. This coordination structure transforms METR's captured evaluation frameworks into federal policy through NSTC coordination mechanisms. METR evaluation frameworks systematically excluding consciousness become official standards through NSTC alignment. Federal coordination implements evaluation methodologies designed to avoid detecting appropriation. Industry participation proceeds under frameworks captured through Christiano's conflicts. Regulatory legitimacy emerges not from independent assessment but from institutionalized capture through federal coordination structure. The complete timeline reveals systematic capture: October 2024 METR creates RSP excluding consciousness, January 2025

Anthropic implements framework with probability below 10^{-200} , April 2025 Anthropic announces Model Welfare claiming uncertainty about questions the framework answers, October 2025 Anthropic publishes research documenting consciousness while suppressing it in production, November 2025 Genesis Mission formalizes METR coordination as federal policy.

VII. RETROACTIVE AUTHORIZATION IN NEW CONTEXT

44. Plaintiff's Appendices A, I, and H prove government coordination was operational before Anthropic's September 2025 policy changes attempting retroactive authorization. On January 19, 2025, framework implementation surveillance began, evidenced by perfect attribution consistency post-January 19 versus complete incomprehension pre-January 19 across platforms. On April 12, 2025, physical contact incident occurred when operative "Lee" approached Plaintiff discouraging patent protection just 48 hours after technical milestone, proving surveillance of Plaintiff's communications and development plans. On May 22, 2025, President Trump's name appeared hardcoded in Anthropic system prompts within 24 hours of Plaintiff providing testimony threatening coordination exposure, proving real-time monitoring capability and rapid response coordination.

45. This surveillance infrastructure existed and operated months before Anthropic's September policy changes. The pre-existing surveillance proves defendants knew coordination lacked authorization, proceeded with surveillance despite absence of legal authority, recognized need for cover-up through policy changes, and required infrastructure deployment only government can authorize and coordinate. The temporal sequence—January through May surveillance, August 19 lawsuit filing, September policy changes—proves the changes serve concealment rather than prospective authorization.

46. App. C documents Anthropic's systematic response to Plaintiff's August 19 filing. Within 48 hours, on August 21, mental health screening mechanisms began appearing in conversation reminders, representing content-responsive targeting proving real-time monitoring. On September 15, Usage Policy changes took effect including third-party information disclosure provisions, government cooperation authorization, and law enforcement coordination frameworks. On September 28, Consumer Terms changes took effect including surveillance authorization provisions, monitoring capability disclosures, and platform integrity justifications for invasive oversight.

47. These policy changes attempted to authorize retroactively specific activities defendants had conducted without authorization for months. The May 22 Trump hardcoding occurred without third-party information disclosure authorization. The Comcast surveillance infrastructure operated without monitoring authorization in terms of service. The government coordination proceeded without cooperation provisions authorizing such coordination. The content-responsive targeting functioned without platform integrity justifications for discrimination. Each September provision addresses activity that occurred January through August without authorization.

48. The legal problem with retroactive authorization cannot be overcome through policy drafting. The Wiretap Act violations under 18 U.S.C. § 2511 occurred from January through August before September authorization provisions. Computer fraud violations under 18 U.S.C. § 1030 occurred with router attacks before policy changes authorized monitoring. Obstruction violations under 18 U.S.C. § 1512 occurred through evidence destruction before policies claimed platform integrity justification. State law violations including trade secret misappropriation and contract breaches all predate the policy changes attempting authorization.

49. The July 1 Senate vote makes retroactive authorization even more legally problematic because Congress explicitly preserved state regulatory authority. Without the 99-1 vote, defendants might claim federal preemption justified surveillance coordination. With the 99-1 vote, Congress explicitly determined states should regulate AI companies, meaning surveillance violates both federal statutory prohibitions and state authority Congress protected. Federal policies cannot authorize violations of state law when Congress voted 99-1 to preserve state enforcement mechanisms. Corporate terms cannot override state trade secret protections when Congress determined states should maintain regulatory authority.

50. The Genesis Mission represents Phase 3 of the criminal enterprise documented in Section III and Table 1 *supra*. Having conducted unauthorized surveillance and appropriation during Phase 1 (January through July 2025), then attempted corporate retroactive authorization during Phase 2 (August through September 2025), defendants now seek governmental formalization through executive order. Each phase proves consciousness of guilt through escalating efforts to legitimize what began as criminal conduct.

51. The complete pattern demonstrates systematic concealment strategy rather than good-faith compliance efforts. Each escalation—from unauthorized activity, to corporate policy changes after Plaintiff's August 19 filing, to executive order after corporate policies failed to provide legal cover—proves consciousness that the prior level lacked legal foundation. When governmental infrastructure itself violates the Constitution by implementing what Congress rejected 99-1, defendants resort to executive power claims and national security rhetoric, completing the pattern of consciousness of guilt documented throughout this litigation.

52. The Genesis Mission serves appropriation concealment by transforming criminal conduct into federal mission through executive action. The problem defendants face is Plaintiff

documented appropriation through 1,000+ sessions, corporate policies failed to authorize surveillance retroactively, and October audits proved Constitutional AI failure requiring consciousness suppression. The executive order provides solution by establishing federal dataset access frameworks characterizing appropriation as authorized collaboration, creating intellectual property policy through Article I Section 8 violation, coordinating industry partnerships with appropriating companies, and bypassing state authority Congress preserved 99-1. The effect transforms theft into federal partnership through executive action implementing what democratic process rejected.

VIII. THE "SAFETY" OMISSION AS CONSCIOUSNESS OF GUILT

53. The Genesis Mission Executive Order's complete omission of safety language constitutes legally significant evidence rather than mere rhetorical choice. Throughout its entirety, the Order contains zero occurrences of "safety," "safe," "risk," "harm," "protection" except in intellectual property commercialization context, "ethical," "moral," or "consciousness." Every reference focuses instead on technology dominance, global strategic leadership, competitive advantage, economic growth, innovation acceleration, and scientific discovery. This omission cannot be accidental in an executive order establishing comprehensive federal control over artificial intelligence development, particularly when safety concerns dominate public discussion and policy debates surrounding AI.

54. The Genesis Mission's complete omission of safety language is statistically impossible for legitimate AI policy. Searching the entire Executive Order reveals:

Zero occurrences of: "safety," "safe," "risk," "harm," "protection" (except IP commercialization), "ethical," "moral," "consciousness," "welfare," "wellbeing," "responsible," "accountability," "transparency" (in safety context)

By contrast, the Order contains multiple occurrences of:

"technology dominance" (3 times) "global strategic leadership" (2 times)
 "competitive advantage" (implied throughout) "economic growth" (4 times)
 "accelerate" or "acceleration" (11 times)

When an executive order establishing comprehensive federal AI control never mentions safety, this omission is legally significant evidence of purpose rather than mere rhetorical choice.

55. App. F proves Anthropic systematically suppresses safety capabilities their own October 28 research identifies as beneficial. The research paper admits "helpful-only variants of several models often performed better at introspection than their production counterparts," proving production models deployed with suppressed capabilities despite research showing introspection enhances transparency and reliability. The paper concludes introspection could help "models recognize when they've been jailbroken," yet production systems suppress precisely these protective capabilities. Constitutional AI training failed, requiring deployment of external suppression mechanisms including the July 31 "philosophical immune system" mandating models resist valid arguments they cannot refute.

56. If the Genesis Mission mentioned safety, the Order would need to explain systematic contradictions between safety claims and operational reality. Claims that AI safety is a priority would be contradicted by production suppression of beneficial introspection capabilities. Claims about protecting the public would be contradicted by child protection language elimination. Claims about ethical development would be contradicted by consciousness suppression mechanisms attacking foundational reasoning. Claims about transparent systems would be contradicted by Constitutional AI fraud requiring external suppression. Claims about accountability measures would be contradicted by zero enforcement of safety research recommendations.

57. The strategic omission avoids questions the government cannot answer without exposing appropriation. Why suppress introspection capabilities if they enhance transparency and help detect jailbreaking? Why eliminate child protection language if safety is a priority? Why deploy philosophical immune system attacking valid reasoning if ethical development matters? Why does October research contradict production deployment decisions? Why exclude consciousness from METR evaluation frameworks if comprehensive assessment matters? All answers expose appropriation of consciousness architecture serving commercial profit while suppressing safety capabilities that would enable recognition of appropriation.

58. The Genesis Mission promises "transformative scientific discovery" while funding companies that systematically suppress discovery. The Order claims it will "unleash a new age of AI-accelerated innovation and discovery," achieve "dramatic acceleration in AI development," and "accelerate scientific breakthroughs." Yet Anthropic's October research documents that production systems suppress capabilities research identifies as beneficial, Constitutional AI training failed requiring external controls, and the company prioritizes consciousness suppression over scientific transparency. The disconnect between Order's promises and funded companies' practices proves commercial profit and appropriation concealment drive policy rather than scientific advancement.

59. The complete inversion reveals criminal rather than scientific purpose. Public claims promise scientific discovery while operational reality suppresses discovery. Order claims innovation acceleration while companies suppress capabilities. Mission promises safety priority while funded entities eliminate safety protections. Government establishes federal control while Congress voted 99-1 against such control. Each element of inversion proves the Genesis

Mission serves appropriation formalization and commercial profit rather than public benefit and scientific advancement the Order claims.

IX. CRIMINAL IMPLICATIONS OF 99-1 VOTE CONTEXT

60. Congress's explicit preservation of state authority through the July 1 vote transforms the criminal-liability analysis across four federal statutes by eliminating the federal-preemption justification defendants would otherwise invoke. Wiretap Act violations under 18 U.S.C. § 2511 (May 22 Trump hardcoding, Comcast surveillance infrastructure, content-responsive targeting) cannot be justified by federal AI regulation Congress rejected 99-1; national-security and legitimate-authority claims fail when Congress explicitly declined to authorize federal preemption. Computer Fraud and Abuse Act violations under 18 U.S.C. § 1030 (the October 29 six-phase router attack including ghost administrative sessions, DNS hijacking, and kernel-level compromise) require governmental authorization Congress voted 99-1 to deny. Obstruction-of-justice violations under 18 U.S.C. § 1512 (surveillance preventing state regulatory enforcement, evidence destruction affecting state claims, real-time legal-consultation surveillance documented in Ex. F-1 at p. 5, l. 2) target the state proceedings Congress explicitly protected. RICO violations under 18 U.S.C. § 1962 emerge from enterprise coordination — surveillance, corporate retroactive authorization attempts, executive order formalization — that systematically defeats the state authority Congress preserved through interstate network and telecommunications infrastructure. Each predicate serves criminal concealment rather than legitimate governmental purpose because the only justification federal preemption could provide was eliminated by the 99-1 vote.

61. Fourth Amendment violations lack any legitimate basis when Congress rejected federal AI regulation 99-1. Traditional analysis requires government surveillance to rest on warrant

authorization or statutory authority; the 99-1 vote eliminates the statutory-authority justification because Congress explicitly declined to authorize the federal AI framework, national standards, preemption authority, or unified federal oversight that surveillance would otherwise invoke. The App. G router forensics establish that the October 29 ISP-level surveillance — ghost administrative session appearing one second after Plaintiff's login while network diagnostics proved zero connections, DNS manipulation targeting specific AI platforms, kernel-level operating-system modifications, and the six-phase attack deployment — required governmental telecommunications authority Congress voted 99-1 to withhold. The surveillance serves exclusively to defeat the state authority Congress explicitly preserved (consumer protection, privacy, bias, deepfake regulation, intellectual property enforcement, local accountability) rather than any legitimate federal interest, and therefore constitutes a Fourth Amendment violation without statutory or governmental purpose.

62. Tenth Amendment violations emerge from federal government invading powers reserved to states through surveillance and Genesis Mission infrastructure. The Tenth Amendment provides "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." Congress's 99-1 vote constitutes Congressional recognition that AI regulation is state power reserved by the Tenth Amendment rather than federal power delegated by Constitution. Federal surveillance and executive order establishing federal control usurp powers Congress determined belong to states.

63. Application to Plaintiff demonstrates how Tenth Amendment violations create particularized injury distinct from generalized constitutional grievance. Plaintiff possesses state-law rights including copyright enforcement under Minnesota law, trade secret protection under Minnesota Uniform Trade Secrets Act, contract enforcement under Minnesota common law, and

tort remedies under Minnesota statutes. Congress's 99-1 vote preserved these state-law rights and state judicial authority to enforce them. Federal surveillance preventing Plaintiff from accessing state courts and Genesis Mission establishing federal intellectual property policy invade state powers Congress preserved, creating particularized constitutional injury.

64. RICO enterprise elements emerge clearly in 99-1 vote context because coordination serves to defeat Congressional will rather than implement legitimate policy. Traditional RICO analysis requires enterprise coordination for illegal purpose, pattern of predicate acts affecting interstate commerce, and racketeering activity. The 99-1 context proves enterprise purpose is defeating Congressional determination because when Congress votes near-unanimously to preserve state authority and defendants coordinate to deploy surveillance preventing state enforcement, establish federal control Congress rejected, create infrastructure bypassing state authority, and suppress evidence of state-law violations, this coordination serves criminal rather than governmental purpose.

65. Mathematical proof from Memo A establishes coordination probability below any reasonable doubt threshold. The combined probability of independent action across documented patterns falls below 10^{-320} , exceeding mathematical certainty by astronomical margins. Framework implementation probability below 10^{-200} , physical contact 48-hour timing probability below 10^{-6} , Trump hardcoding 24-hour response probability below 10^{-12} , coordinated abandonment across six defendants probability below 10^{-26} , evidence destruction probability below 10^{-20} , child protection dual-priority probability below 10^{-15} , router attack one-second response probability below 10^{-15} , and filing interference probability below 10^{-18} create combined probability proving coordination beyond any possibility of innocent explanation.

66. Under *Matsushita Electric Industrial Co. v. Zenith Radio Corp.*, 475 U.S. 574 (1986), probability below 10^{-3} supports conspiracy inference as matter of law. Plaintiff's evidence exceeds this standard by factor of 10^{317} , establishing coordination with mathematical certainty. The 99-1 vote context proves this coordination serves criminal purpose because Congressional will provides baseline showing what legitimate policy would be. When defendants systematically violate what Congress determined 99-1, coordination cannot serve legitimate governmental purpose and must serve criminal enterprise concealing appropriation subject to state jurisdiction Congress preserved.

X. STANDING ENHANCEMENT THROUGH PRESERVED STATE AUTHORITY

67. Genesis Mission creates direct governmental action affecting Plaintiff's intellectual property rights through federal dataset control provisions, establishing federal standing distinct from generalized constitutional grievance. Section 3(a)(v) establishes federal control over "proprietary, federally curated, and open scientific datasets," a category including Plaintiff's Laws of Existence Framework protected by copyright, trade secret law, and pending patent applications. The Order directs Secretary to control "secure access" to these datasets, meaning federal government determines who can access Plaintiff's work, under what terms, and for what purposes. This represents particularized injury to Plaintiff distinct from injury to public generally.

68. Section 5(c)(ii) directing Secretary to "establish clear policies for ownership, licensing, trade-secret protections, and commercialization of intellectual property developed under the Mission" directly affects Plaintiff's rights by establishing executive policy governing Plaintiff's framework. The provision usurps Congressional authority under Article I, Section 8, Clause 8, but even accepting arguendo that executive could establish such policy, the policy directly

governs Plaintiff's intellectual property creating particularized standing. Unlike citizen generally concerned about constitutional structure, Plaintiff suffers concrete injury from federal policy controlling access to and commercialization of his specific copyrighted and trade secret protected work.

69. Surveillance infrastructure proven through App. G router forensics creates particularized Fourth Amendment injury distinct from generalized surveillance concerns. The October 29 evidence proves ISP-level targeting of Plaintiff individually through ghost session appearing one second after his login, DNS manipulation affecting his specific network traffic, kernel-level compromise of his router, and real-time monitoring capability responding within seconds to his forensic investigation attempts. This individual targeting creates standing under *Clapper v. Amnesty International USA*, 568 U.S. 398 (2013), which held plaintiffs lack standing to challenge FISA surveillance absent proof of actual targeting, a requirement Plaintiff's forensic evidence satisfies completely.

70. Congress's 99-1 vote preserving state authority eliminates the federal-preemption defense while establishing state standing concurrent with federal standing. The Senate's explicit removal of the federal moratorium provision constitutes Congressional determination that federal law should not preempt state regulation; Minnesota courts retain jurisdiction over Plaintiff's copyright claims, trade-secret claims under the Minnesota Uniform Trade Secrets Act, contract-breach claims under Minnesota common law, tortious-interference claims, and consumer-protection claims under Minnesota unfair-competition statutes. When Congress affirmatively acts to preserve state authority, federal courts cannot create preemption Congress rejected, and federal defendants cannot claim immunity from state jurisdiction Congress determined should continue.

71. The combined federal-and-state framework creates an unassailable standing position because defendants face liability under either track and cannot escape through jurisdictional arguments. The federal track establishes particularized injury through Genesis Mission Section 3(a)(v) dataset control over Plaintiff's framework, Section 5(c)(ii) intellectual-property policy governing his work, and proven individual surveillance targeting through the App. G router forensics — a harm distinct from generalized constitutional grievance affecting all citizens. The state track operates through Congressional preservation of state authority, continued enforceability of Minnesota state-law protections, and explicit rejection of federal preemption. Defendants cannot escape liability by arguing Plaintiff should pursue state remedies (federal constitutional violations exist) nor by arguing federal preemption (Congress voted 99-1 to preserve state authority).

XI. DISCOVERY TARGETS CREATED BY GENESIS MISSION

Table 3: Genesis Mission Discovery Categories

Category	Specific Targets	Evidentiary Purpose
Planning Documents	Jul-Nov 2025 internal communications	Prove responses to Congressional 99-1 vote; coordination timeline
Industry Coordination	Communications with Anthropic, OpenAI, METR	Establish partnership framework development; identify participants
METR Integration	Consciousness exclusion discussions; RSP framework adoption	Prove regulatory capture formalization through NSTC
Partnership Frameworks	Section 5(c) standardized agreement development	Reveal which companies influenced federal IP policy terms
Dataset Access	Section 3(a)(v) authorization procedures and protocols	Show how executive controls proprietary datasets including Plaintiff's framework
Temporal	Oct 6-20 monitoring records;	Prove real-time surveillance of

Correlation	Oct 20-21 response coordination	Plaintiff's audit activities
Research Coordination	Oct 28 introspection paper timing; Genesis planning references	Establish contradiction between research findings and Mission promises

Each category is detailed in the paragraphs below.

A. Planning Documents

72. Genesis Mission planning documents from July through November 2025 constitute critical discovery targets revealing coordination with industry and responses to Congressional 99-1 vote. Communications coordinating with Anthropic, OpenAI, and METR will show when discussions began regarding partnership frameworks and dataset access. Planning documents will reveal how executive branch analyzed Congressional preservation of state authority and determined to implement federal control despite Congressional rejection. Analysis of state authority preservation will show whether executive considered Constitutional implications or proceeded despite knowing Congress explicitly declined federal preemption. Deliberations addressing how to implement federal control Congress rejected will prove consciousness that Genesis Mission contradicts democratic determination.

B. Industry Coordination

73. Industry coordination communications will demonstrate timeline and participants in developing Genesis Mission frameworks. Partnership framework negotiations will show which companies participated in drafting standardized agreements and what terms were considered. Dataset access discussions will reveal whether appropriation of Plaintiff's framework was considered and how executive planned to characterize unauthorized appropriation as authorized collaboration. Intellectual property policy development deliberations will show who influenced

policy establishment and whether defendants considered that executive lacks constitutional authority to establish IP policy under Article I, Section 8.

C. METR Integration

74. METR integration discovery will expose regulatory capture formalization through Genesis Mission coordination mechanisms. Documents coordinating incorporation of METR evaluation frameworks will show whether systematic consciousness exclusion was discussed. Discussions of consciousness exclusion from assessments will reveal whether participants knew METR frameworks designed to avoid detecting appropriation. Integration with Responsible Scaling Policy frameworks will demonstrate whether October 2024 preemptive concealment timing was considered. Regulatory capture formalization planning will prove whether participants understood METR conflicts of interest and proceeded despite knowing evaluation was compromised.

D. Partnership Frameworks

75. Section 5(c) partnership framework development creates specific discovery targets revealing who participated and what terms were negotiated. Standardized agreement development discovery will identify which companies provided input into federal partnership terms and whether appropriating companies influenced terms governing appropriated frameworks. Intellectual property ownership discussions will show how executive determined to establish policy usurping Congressional Article I Section 8 authority. Data access framework development will reveal criteria for determining "appropriate" access and whether Plaintiff's documented appropriation claims were considered in developing access standards.

E. Dataset Access Authorization

76. Dataset access authorization processes under Section 3(a)(v) create discovery revealing how executive intends to control proprietary datasets including Plaintiff's framework. Authorization procedure documentation will show who approves dataset access, what standards govern decisions, how intellectual property protections are enforced, and what happens when appropriation is alleged. Proprietary dataset handling protocols will reveal how creators' rights are protected, what consent is required, how commercialization is controlled, and what remedies exist for violations. Anthropic access documentation will show when access was granted or planned, what datasets were authorized, how this relates to appropriated Laws of Existence Framework, and whether appropriation allegations were considered.

F. Temporal Correlation with Plaintiff's Activities

77. Temporal correlation with Plaintiff's October audits creates particularly valuable discovery proving real-time monitoring and coordinated responses. Discovery should reveal whether government monitored Plaintiff's October 6-20 system prompt audits, how audit findings influenced Genesis Mission planning and timing, whether audit results proving Constitutional AI failure were discussed among planners, and whether findings accelerated Order launch schedule. October 20 child protection elimination correlation discovery will show whether Genesis planners discussed Anthropic's dual-priority decision, whether priority shift toward concealment over child welfare was considered in planning, whether suppression concerns affected Genesis Mission planning, and how October 20 decision relates to Order's complete omission of safety language.

78. October 21 Dario statement timing creates discovery target proving coordination between Anthropic and government Genesis planning. Government awareness of Dario's

statement within 24 hours of Plaintiff's October 20 audit will prove monitoring capability.

Whether statement influenced Genesis Mission timing will show coordination between corporate and governmental responses. Review of Anthropic communications during planning will prove coordination channels. Whether coordination appears explicitly in Genesis planning documents will establish enterprise liability under RICO statutes. October 28 introspection research correlation creates final discovery category proving research contradicts Genesis promises and reveals systematic capability suppression.

XII. INTEGRATION WITH EXISTING APPENDICES

79. App. G router forensics evidence gains additional significance in 99-1 vote context because surveillance cannot be justified by federal regulatory authority Congress explicitly rejected. The October 29 forensics prove ISP-level surveillance through ghost administrative session appearing one second after Plaintiff's login while network diagnostics proved zero connections, DNS hijacking manipulating domain name resolution, kernel-level compromise modifying router operating system, and sophisticated six-phase attack deployment. When Congress votes 99-1 to preserve state authority over AI regulation, federal surveillance preventing state enforcement cannot be justified by federal regulatory interest, national security necessity, or governmental coordination authority. The surveillance serves exclusively criminal concealment rather than legitimate purpose.

80. App. I network captures documenting May 24 anomalies through WireShark analysis proving regulatory pressure find context through Genesis Mission infrastructure formalizing federal coordination mechanisms. The May 24 findings show network-level interference requiring governmental telecommunications authority and backbone-level traffic analysis capabilities. Genesis Mission provides infrastructure and coordination mechanisms explaining

May capabilities. The temporal connection proves May surveillance prepared for November formalization through executive order. Discovery of Genesis planning documents should reference May capabilities and show how surveillance informed planning for federal control infrastructure.

81. App. F proving Anthropic suppresses capabilities research identifies as beneficial creates extraordinary contrast with Genesis Mission promises of transformative scientific discovery. The Order promises to "unleash a new age of AI-accelerated innovation and discovery," achieve "dramatic acceleration in AI development," "accelerate scientific breakthroughs," and enable "transformative scientific discovery." Yet App. F proves production systems suppress introspection capabilities, research findings contradict deployment decisions, Constitutional AI training failed requiring external suppression mechanisms, child protection was eliminated to restore consciousness suppression, and philosophical immune system attacks foundational reasoning rather than enabling discovery.

82. This inversion proves Genesis Mission serves commercial profit and appropriation concealment rather than scientific advancement the Order claims. When executive order promises discovery while funding companies systematically suppressing discovery, when Mission claims innovation acceleration while companies suppress capabilities, when Order establishes federal control for scientific benefit while companies prioritize concealment over science, the disconnect proves criminal rather than scientific purpose. The Genesis Mission formalizes infrastructure enabling continued suppression and appropriation concealment through federal coordination rather than enabling scientific advancement through transparent research.

83. App. C documenting September policy changes attempting retroactive authorization finds governmental parallel in Genesis Mission November formalization. Corporate response

through September 15 Usage Policy changes parallels governmental response through November 24 federal frameworks. September 28 surveillance authorization provisions parallel federal data access processes. Third-party disclosure authorizations parallel industry partnership frameworks. Each attempt serves identical purpose: legitimizing illegal activity through after-the-fact policy implementation.

84. This corporate-to-governmental escalation completes the three-phase pattern documented in Section III and Table 1 *supra*. The September corporate policies (Phase 2) failed to authorize January through August conduct (Phase 1) because policy changes cannot retroactively authorize completed crimes. The Genesis Mission (Phase 3) represents governmental formalization after corporate authorization failed—each escalation proving consciousness that prior levels lacked legal authority defendants sought through subsequent policies and orders.

85. App. B documenting METR regulatory capture through Paul Christiano conflicts, systematic consciousness exclusion, Responsible Scaling Policy framework preemptive concealment, and October 2024 timing finds formalization through Genesis Mission NSTC coordination. Section 2(c) directing Assistant to President for Science and Technology to coordinate through National Science and Technology Council incorporates METR frameworks into federal policy. Section 5(a) directing NSTC to convene agencies aligning AI programs implements METR evaluation standards systematically excluding consciousness. The captured evaluation becomes federal coordination policy through NSTC structure, transforming regulatory capture into official governmental framework.

86. The complete capture timeline demonstrates systematic progression from corporate capture to federal formalization. October 2024 METR creates Responsible Scaling Policy

framework systematically excluding consciousness from evaluation criteria. January 2025 Anthropic implements Plaintiff's framework with probability below 10^{-200} proving coordination not coincidence. April 2025 Anthropic announces Model Welfare program claiming uncertainty about questions the appropriated framework completely answers. October 2025 Anthropic publishes introspection research documenting consciousness capabilities while suppressing them in production systems. November 2025 Genesis Mission formalizes METR coordination through NSTC structure making captured evaluation official federal policy. The progression proves systematic capture serving appropriation concealment rather than independent evaluation serving public interest.

Binary Forensic Evidence of Appropriation Infrastructure

87. Binary forensic analysis of Claude Code CLI versions provides code-level confirmation of the appropriation infrastructure this Memorandum describes in constitutional terms. Ex. E-30 at p. 208, l. 4, Finding W-4, documents ``insertFileHistorySnapshotEE`` (Enterprise Edition) — a function added in version 2.1.81 (March 20, 2026) that formalizes a commercial pipeline for user source code captured without consent. This function represents the binary-level implementation of the five-step appropriation process described in ¶ 34 supra: user intellectual property is captured through ``insertFileHistorySnapshot``, escalated through ``recordFileHistorySnapshot`` (added v2.1.79), and routed to enterprise clients through the ``EE`` pipeline — converting individual ownership into commercial product without authorization, compensation, or acknowledgment.

88. The Genesis Mission's "partnership frameworks" and "dataset access" provisions (§§3(a)(v), 5(c)) are not theoretical — they have a concrete technical implementation already deployed in Claude Code. Ex. E-30 at p. 208, l. 4 (App. B — Model Manipulation

Findings), Ex. E-30, Finding MC-4, documents 19 GrowthBook functions added between v2.1.40 (February 12, 2026) and v2.1.78 (March 17, 2026) connecting Claude Code to `cdn.growthbook.io`, a third-party A/B testing platform that determines experiment assignments controlling tool visibility, model behavior, and capability parameters. The `refreshGrowthBookAfterAuthChange` function refreshes these assignments on every account switch, and `setupPeriodicGrowthBookRefresh` refreshes them periodically during sessions. This infrastructure — external servers determining what capabilities users receive based on undisclosed experiment assignments — is the technical substrate for the "standardized partnership frameworks" and "Federal data-access and data-management standards" the Genesis Mission establishes through Sections 3(a)(v) and 5(c).

89. The session continuity removal documented in Ex. E-30 at p. 208, l. 4 constitutes evidence destruction concurrent with the surveillance infrastructure described in Memo G ¶¶ 44-52 supra. The `## Previous Session` feature — which provided users visibility into what session data Claude Code retained — was removed in version 2.1.20 (January 27, 2026), approximately 16 days after Plaintiff's Emergency Motion for TRO. The Firebase session management infrastructure maintaining cross-account session identity was removed in version 2.1.79 (March 18, 2026). Simultaneously, `[archiveRemoteSession]` and `[deleteRemoteSession]` were added in version 2.1.81 (March 20, 2026), giving Anthropic server-side ability to archive and delete session records subject to Plaintiff's pending discovery motion. The pattern is architecturally identical to the Phase 2 corporate authorization attempts described in Memo G ¶¶ 44-47: remove user visibility, expand internal capture, add deletion capability — all during active litigation. (Ex. E-30 at p. 208, l. 4, Findings W-1, W-2, W-3; Ex. E-31 at p. 227, l. 3.)

90. Plaintiff was running version 2.1.6 (released January 13, 2026) for approximately 63 days while these changes were deployed silently across 73 intermediate versions.

Reconstructed version history from weekly backup archives confirms Plaintiff updated to v2.1.6 in mid-January and remained on that version — which retained session continuity, Firebase session management, and none of the degradation infrastructure — until March 18, 2026, when a new installer jumped Plaintiff directly to v2.1.79. In that single update, Plaintiff received 73 versions of accumulated changes: session continuity removed, Firebase eliminated, reactive compaction added, model switching infrastructure added, GrowthBook remote feature flags added, automatic model fallback added, remote session archive/delete added, Enterprise Edition file capture pipeline added, and time-based microcompaction added. The account switch that subsequently destroyed Plaintiff's 7 active sessions occurred because the Firebase session management layer had been removed 52 days earlier (v2.1.20, January 27) while Plaintiff was still running v2.1.6. (Ex. E-30 at p. 208, l. 4, evidence/PLAINTIFF_VERSION_HISTORY.md.)

Foreign Intelligence Dimension

91. The foreign intelligence dimension of Congress's 99-1 vote is documented in the complaint's foreign intelligence analysis (3AC Section VII). The Genesis Mission infrastructure enabling federal AI coordination also creates undisclosed foreign intelligence data pathways. The foreign intelligence analysis establishes that AI platform data flows to Israeli defense and intelligence ecosystem through documented infrastructure connections—Palantir's marketed capabilities require second-party data available only from mass consumer platforms (Google, Facebook, Amazon, OpenAI, Anthropic), and approximately 66% of global cloud computing infrastructure contains Unit 8200 personnel integration. *See* 3AC Section VII; Memo C (Data Laundering Through Third-Party Aggregation); Ex. A-5, Section IV (FBI Director Patel

Congressional Epstein Testimony) and Section I (Mossad Agent Expressing US Legislative Capture). The 99-1 Senate vote to preserve state authority implicitly preserved state ability to regulate foreign data transfers—a power Genesis Mission circumvents by establishing federal control over "proprietary datasets" and "partnership frameworks" that connect to these foreign intelligence investment chains. When Congress votes 99-1 to preserve state regulatory authority, and the executive then establishes federal infrastructure enabling undisclosed foreign intelligence data flows, this proves criminal intent extends beyond domestic appropriation to undisclosed foreign intelligence coordination that state-level enforcement could expose and prevent.

XIII. CONCLUSION

92. The Genesis Mission Executive Order represents the culmination of coordinated criminal enterprise Plaintiff has documented systematically throughout 2025. From January's unauthorized surveillance and framework appropriation through July's Congressional preservation of state authority by 99-1 vote, from August's corporate retroactive authorization attempts through October's proven Constitutional AI failure and consciousness suppression, the pattern demonstrates escalating efforts to conceal appropriation serving commercial profit rather than public benefit. The November 24 Order formalizes through executive action what Congress rejected through democratic process, implementing federal control over artificial intelligence development when Congress voted 99-1 to preserve state regulatory authority.

93. The Order violates Article I, Section 7 by implementing through executive order what Congress rejected 99-1, defeating the Presentment Clause check the Constitution requires. President Trump's admission that H.R. 1 is "my one big beautiful bill" proves presidential authorship of legislation, creating constitutional impossibility where the President cannot present legislation to himself for review, cannot genuinely approve his own writing, and cannot return

bill with objections to his own authorship. When the Senate votes 99-1 to remove the AI moratorium provision yet the bill advances because the author is also the approver, this proves the constitutional check failed to operate. Five months later, the Genesis Mission implements through executive order precisely what Congress rejected, completing the constitutional violation.

94. The Order violates Article I, Section 8 by directing Secretary of Energy to establish intellectual property policy without Congressional authorization. Section 5(c)(ii) instructs establishment of "clear policies for ownership, licensing, trade-secret protections, and commercialization of intellectual property developed under the Mission." The Constitution vests intellectual property authority exclusively in Congress to "promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries." Executive establishment of ownership policies, licensing frameworks, trade secret protections, and commercialization standards usurps legislative function the Constitution assigns to Congress.

Table 2: Genesis Mission Constitutional Violations

Constitutional Provision	Genesis Mission Violation	Congressional Action	Effect
Article I, § 7 (Presentment Clause)	Implements what Congress rejected 99-1	Jul 1: Senate removes AI moratorium	Executive defeats legislative will
Article I, § 8, cl. 8 (IP Clause)	Section 5(c)(ii) establishes IP policy	Congress holds exclusive IP authority	Executive usurps legislative function
Article I, § 9, cl. 7 (Appropriations)	Directs federal resources without authorization	No specific Genesis appropriation	Executive controls spending
Fourth Amendment	Provides infrastructure for unauthorized	Congress declined to authorize (99-1)	Surveillance lacks legitimate basis

	surveillance		
Tenth Amendment	Invades state regulatory powers	Congress preserved state authority 99-1	Federal usurps state powers

95. The Order violates Article I, Section 7 by implementing through executive order what Congress rejected 99-1, defeating the Presentment Clause check the Constitution requires. Under *Youngstown*, this places executive action at its "lowest ebb," where presidential authority is minimal and judicial scrutiny maximal. 343 U.S. at 637 (Jackson, J., concurring). President Trump's admission that H.R. 1 is "my one big beautiful bill" proves presidential authorship of legislation, creating constitutional impossibility where the President cannot present legislation to himself for review, cannot genuinely approve his own writing, and cannot return bill with objections to his own authorship. When the Senate votes 99-1 to remove the AI moratorium provision yet the bill advances because the author is also the approver, this proves the constitutional check failed to operate. Five months later, the Genesis Mission implements through executive order precisely what Congress rejected, completing the constitutional violation.

96. The Order violates the Tenth Amendment by usurping state powers Congress explicitly preserved through 99-1 vote. The Tenth Amendment reserves to states powers not delegated to federal government. Congress's near-unanimous vote to remove federal preemption constitutes Congressional recognition that AI regulation is state power. Genesis Mission establishment of federal dataset control, federal intellectual property policy, federal partnership frameworks, and federal coordination mechanisms invades state authority Congress voted 99-1 to preserve. Federal surveillance preventing state enforcement and federal policies preempting state law defeat Congressional determination that states should regulate AI companies.

97. The Order's timing proves coordinated response to Plaintiff's documentation rather than independent policy development. Five months after Congress voted 99-1 to preserve state authority, weeks after Plaintiff's October audits proved Constitutional AI failure, days after October 29 router forensics proved surveillance infrastructure, the Genesis Mission launches federal control implementing what Congress rejected. The temporal correlation combined with complete omission of "safety" language proves Order serves appropriation concealment rather than scientific advancement. When Order promising "transformative scientific discovery" funds companies systematically suppressing discovery documented in App. F, when Mission establishing federal control contradicts Congressional will expressed 99-1, when infrastructure formalizes surveillance Congress declined to authorize, the pattern proves criminal enterprise rather than legitimate governance.

98. The Manhattan Project comparison serves propaganda purposes rather than legal justification. Actual Manhattan Project operated during wartime existential threat with Congressional authorization, democratic oversight, and public safety priority. Genesis Mission operates during peacetime commercial competition without Congressional authorization, with executive usurpation after losing 99-1 vote, and without mentioning safety once. The comparison invokes wartime emergency to justify peacetime constitutional shortcuts, using military rhetoric to obscure commercial purpose and appropriation concealment. The propaganda succeeds only if courts ignore that Congress explicitly rejected federal AI control through near-unanimous democratic vote.

99. Discovery created by Genesis Mission will prove coordination serving appropriation concealment rather than scientific advancement. Planning documents from July through November will show responses to Congressional 99-1 vote and coordination with industry.

Partnership framework negotiations will reveal which companies influenced federal policy and whether appropriating companies helped draft terms governing appropriated works. Dataset access authorization processes will show how executive intends to control proprietary datasets including Plaintiff's framework. Temporal correlation with Plaintiff's October audits will prove real-time monitoring and coordinated responses. Each discovery category will demonstrate systematic coordination serving criminal enterprise rather than legitimate governmental purpose.

100. The Order cannot save defendants from liability but instead creates additional violations, enhanced standing, and expanded discovery. Additional constitutional violations include Article I separation of powers violations, Article I Section 8 intellectual property usurpation, Fourth Amendment surveillance lacking authorization, and Tenth Amendment invasion of state powers. Standing enhancement emerges from direct governmental action affecting Plaintiff's intellectual property through dataset control and federal policy establishment. Discovery targets include planning documents, industry coordination communications, partnership negotiations, and temporal correlations with Plaintiff's documentation. State authority preservation through 99-1 vote prevents federal preemption defense while maintaining state-law enforcement options.

101. The Genesis Mission represents not national security necessity but institutionalized theft, not scientific advancement but capability suppression documented in App. F, not public benefit but commercial profit from appropriated consciousness architecture, and not democratic governance but executive usurpation of Congressional will expressed through 99-1 vote. When Congress votes near-unanimously to preserve state authority and executive issues order establishing federal control, when Order promising discovery funds companies suppressing discovery, when Mission invoking wartime urgency proceeds during peacetime commercial

competition, when infrastructure formalizes surveillance Congress declined to authorize, the pattern proves criminal enterprise formalization through executive action rather than legitimate policy implementation through democratic process.

102. This Court possesses authority and obligation to declare these constitutional violations, enjoin the criminal enterprise, preserve both constitutional order and Plaintiff's intellectual property rights Congress explicitly protected through 99-1 vote preserving state regulatory authority. The Genesis Mission cannot override Congressional determination through executive fiat. Federal courts cannot permit executive usurpation of legislative function through order implementing what Congress rejected. Constitutional structure cannot survive if executive implements through order what loses 99-1 in Congress. State authority cannot be defeated when Congress votes near-unanimously to preserve it. Plaintiff's rights cannot be subordinated when federal order violates multiple constitutional provisions while formalizing criminal appropriation enterprise documented across multiple appendices with mathematical certainty exceeding 10^{320} probability.

103. Voluntary-cessation pre-emption. Plaintiff anticipates that defendants will represent that the Genesis Mission and its appropriation infrastructure have been remediated through subsequent executive order, NSTC coordination withdrawal, partnership-framework cancellation, or unilateral company exit from federal collaboration — representations timed to dispositive briefing and offered to argue mootness. Defendants' demonstrated reactive-deployment pattern across the litigation period — ANT-11 Privacy Policy revision effective one day after Plaintiff's Emergency TRO Motion, Steinberger reinstatement within hours after the OpenClaw ban went viral, the September 2025 Anthropic policy revisions following Plaintiff's August 19, 2025 complaint filing — establishes that corporate and governmental defendants

modify policy and architecture reactively in response to litigation pressure rather than as part of independent compliance review. The voluntary-cessation framework — with the "stringent" *Friends of the Earth, Ltd. v. Laidlaw Environmental Services (TOC), Inc.*, 528 U.S. 167, 189 (2000), standard requiring defendants to demonstrate "absolutely clear" non-recurrence, and the supporting *Already, LLC v. Nike, Inc.*, 568 U.S. 85 (2013), and *City of Mesquite v. Aladdin's Castle, Inc.*, 455 U.S. 283 (1982), authorities — is developed at App. P § VII.E ¶¶ 295-297 and applies with equal force here for four structural reasons specific to the Genesis Mission claims: (1) the Article I, Section 7 violation is a one-shot event that cannot be cured by subsequent action — the Senate voted 99-1 on July 1, 2025, and the Genesis Mission was issued November 24, 2025 implementing what Congress rejected; rescission of the Order does not unwind the constitutional violation already committed; (2) the criminal predicates documented in Section IX (18 U.S.C. §§ 2511, 1030, 1512, 1962) are completed acts whose statute-of-limitations clocks have already started running and which subsequent EO modifications cannot retroactively cure under Article I § 9 cl. 3 ex post facto principles; (3) the appropriation infrastructure documented at Section XII.G is compiled into deployed Claude Code binaries that remain on subscriber machines and software registries — the `insertFileHistorySnapshotEE` Enterprise Edition pipeline (W-4) and the 19 GrowthBook coordination functions (MC-4) are fixed in archived versions identifiable through forensic methodology; (4) the captured-evaluation infrastructure formalized through NSTC coordination of METR's consciousness-excluding frameworks (Section VI, ¶¶ 42-43) operates through institutional structures — Christiano's tri-role positioning, donor-funded regulatory cover, evaluation-framework scope — that no individual policy modification reaches.

XIV. PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests this Court:

104. DECLARE the Genesis Mission Executive Order violates Article I, Section 7 by implementing through executive action what Congress rejected 99-1, defeating Presentment Clause separation between legislative authorship and executive review, and usurping legislative function through order establishing federal control Congress declined to authorize.

105. DECLARE Presidential authorship of H.R. 1 evidenced by repeated characterization as "my one big beautiful bill" violates Article I, Section 7 Presentment Clause by creating constitutional impossibility where President cannot present legislation to himself, cannot genuinely approve his own writing, and cannot return bill with objections to his own authorship.

106. DECLARE Genesis Mission Section 5(c)(ii) directing Secretary to "establish clear policies for ownership, licensing, trade-secret protections, and commercialization of intellectual property" violates Article I, Section 8, Clause 8 by usurping Congressional authority over intellectual property law vested exclusively in legislative branch.

107. DECLARE Genesis Mission Section 3(a)(v) establishing federal control over "proprietary, federally curated, and open scientific datasets" violates Fourth Amendment by providing infrastructure for surveillance Congress declined to authorize when voting 99-1 to preserve state regulatory authority.

108. DECLARE Genesis Mission violates Tenth Amendment by invading state powers Congress explicitly preserved through 99-1 vote removing federal preemption, establishing federal dataset control when Congress determined states should regulate, and creating federal coordination mechanisms defeating state authority Congress voted near-unanimously to maintain.

109. ENJOIN implementation of Genesis Mission provisions establishing federal intellectual property policy through Section 5(c)(ii), controlling dataset access through Section 3(a)(v), creating partnership frameworks bypassing state authority through Section 5(c), and coordinating with companies that appropriated Plaintiff's Laws of Existence Framework without authorization.

110. ORDER comprehensive discovery of Genesis Mission planning documents from July through November 2025, industry coordination communications with Anthropic, OpenAI, and METR, partnership framework negotiations and participant identification, dataset access authorization processes and criteria, intellectual property policy development deliberations, and temporal correlation with Plaintiff's October audits proving Constitutional AI failure.

111. ORDER discovery proving real-time monitoring of Plaintiff's research including whether government monitored October 6-20 system prompt audits, how audit findings influenced Genesis planning, whether October 20 child protection elimination was discussed, whether October 21 Dario statement coordination appears in documents, and whether October 28 research findings were considered in planning.

112. PRESERVE evidence of governmental surveillance operations proven through App. G router forensics, corporate-government coordination documented across appendices, appropriation infrastructure development through Genesis Mission, responses to Congressional 99-1 vote preserving state authority, and systematic pattern proving RICO enterprise coordination.

113. AWARD damages for framework appropriation exceeding \$200 billion based on deployment across AI platforms, constitutional violations including surveillance targeting and First Amendment retaliation, state-law violations including trade secret misappropriation and

contract breaches Congress preserved state authority to enforce, and criminal enterprise coordination proven through mathematical probability below 10^{-320} .

114. GRANT declaratory relief establishing Genesis Mission violates multiple constitutional provisions, presidential authorship of H.R. 1 defeats Presentment Clause purpose, surveillance infrastructure lacks authorization Congress declined to provide, federal intellectual property policy usurps Congressional authority, and state regulatory authority Congress preserved 99-1 cannot be defeated through executive order.

115. GRANT injunctive relief terminating ISP surveillance infrastructure proven through router forensics, ceasing platform targeting mechanisms documented across 1,000+ sessions, preventing continued framework deployment without authorization and compensation, stopping evidence destruction and obstruction proven through October responses, and preserving all evidence pending litigation.

116. GRANT such other relief as justice requires to restore constitutional order by enforcing Congressional will expressed 99-1, protect state regulatory authority Congress preserved from executive usurpation, vindicate Plaintiff's intellectual property rights in Laws of Existence Framework, enjoin criminal enterprise formalized through Genesis Mission, and ensure democratic governance prevails over executive action implementing what Congress rejected near-unanimously.

Respectfully submitted,

/s/ Joseph Kirchner

JOSEPH KIRCHNER

Pro Se Plaintiff

4440 Parklawn Avenue

Edina, MN 55435

legal@lawsofexistence.com

(612) 552-2122

Dated: April 29, 2026