
H.B. 38 Requires Personal Permission for Microchip Implant

Legislators must protect Georgians from forced microchip implants!

"There's no way in the world, having read this information, that I would have one of those chips implanted in my skin, or in one of my family members. Given the preliminary animal data, it looks to me that there's definitely cause for concern."

– Dr. Robert Benezra¹, Head of Cancer Biology Genetics, Memorial Sloan-Kettering Cancer Center, N.Y.

States Prohibiting Forced Microchip Implants

May 30, 2006, Wisconsin Governor Jim Doyle signed a law prohibiting forcible microchip implants in humans. The law simply states, "No person may require an individual to undergo the implanting of a microchip." Violators pay \$10,000 per day until the microchip is removed.

April 4, 2007, North Dakota Governor John Hoeven signed an Act against forced implants in humans. It states: "Implanting microchips prohibited. A person may not require that an individual have inserted into that individual's body a microchip containing a radio frequency identification device. A violation of this section is a class A misdemeanor."

October 12, 2007, California Governor Arnold Schwarzenegger signed S.B. 362 criminalizing forced microchip implants. It "would prohibit a person from requiring, coercing, or compelling any other individual to undergo the subcutaneous implanting of an identification device, as defined" and violators would be assessed \$1,000 per day the implant remains or \$10,000 total.

May 23, 2008, Oklahoma Governor Brad Henry approved S.B. 47 to "Prohibit forced implanting of microchips or other permanent mark in humans – Authorize fine."

Background

Since only a small number of individuals have received microchip implants since 2001, there's no long-term research on their effect on humans. However, reports published between 1990 and 2006 reveal adverse reactions to microchips in laboratory animals and dogs, including soft tissue cancers. Also, chips in mice bodies have migrated into their limbs, abdomens or heads.

Documented instances of chip-induced cancer in pets should be cause to stop human microchip implants, while individuals *with* implants should be informed of chipping dangers and offered a process for removal. In addition, mandatory microchipping of animals should cease, as well.

The following excerpts are taken from testimony² to the Oklahoma Senate Committee on Health & Human Services in support of Oklahoma's S.B. 47 that passed May 23, 2008. The title of the bill is "Prohibiting the Forced Implantation of a Microchip" in humans.

- In a 2005³ promotion of its product, VeriChip offered to chip the residents of Orange Grove Center, a facility in Chattanooga, Tennessee, that cares for the developmentally disabled. Although the offer included free injections of microchips, the plan was de-railed after the public questioned the ethics of chipping people who couldn't give informed consent.

- Also in 2005⁴, former Secretary of Health and Human Services and 2008 presidential candidate Tommy Thompson joined the board of directors for VeriChip Corp. He suggests that (a) every American should receive a VeriChip implant to link to their electronic medical records and would like (b) the VeriChip to replace dog tags for military personnel.
- VeriChip claims to have contacted the Pentagon⁵ about RFID implants in military personnel.
- During the September 2005 Supreme Court confirmation hearings for Justice John Roberts, Senator Joseph Biden⁶ commented, “Can a microscopic tag be implanted in a person’s body to track his every movement? There’s actual discussion about that. You will rule on that – mark my words – before your tenure is over.”
- Two years ago New Jersey’s oldest and largest insurer, Horizon Blue Cross and Blue Shield⁷, Hackensack Regional Medical Center and VeriChip worked to develop a business case for chipping people. Privacy and civil liberties advocates caution that insurers could require customers to get chipped or offer significant premium penalties for those that refuse.

Considering the facts, forced microchip implantation is more of a threat now than was evident in 2006 when Representative Setzler’s resolution passed authorizing a committee to research microchip usage. For 30 years cattle have been tracked *via* electronic ear tags and in the 1990s chipping was extended to fish, pets and racehorses, while retailers use chips to track inventory.

Now, in addition to the VeriChip technology, Somark has a *chipless RFID tattoo* that would be smaller and less bulky than the “rice-grain-sized glass encapsulated” product now promoted. Already, questions are debated as to which groups may be “fair game” for tracking with ever-more-sophisticated RFID – Alzheimer’s patients, sex offenders, convicts, illegal aliens, parolees. With no law requiring personal consent, RFID implants could be forced on everyone.

This is the fourth year Representative Setzler has introduced microchip legislation. His first created a study committee. H.B. 276 of 2007 would have regulated the use of genetic data and prohibited forced RFID implants in humans. It died. In 2008 his H.B. 940, simply, required personal consent before a microchip could be implanted in an individual’s body. It died, too.

Latest Microchip Bill

H.B. 38 Prohibits Forced Microchip Implantation in Humans

This year Representative Setzler introduced H.B. 38, which is outlined as follows:

- (a) Without personal permission, no individual shall be implanted with a microchip internally, beneath the skin, or applied to the skin. (This does not include pacemakers.)
- (b) Anyone covertly implanted has two-years to sue for \$10,000 per day it remains in the body.
- (c) Composite State Bd. of Medical Examiners shall regulate doctors that do voluntary implants.

ACTION – Support. Call House Judiciary Committee Representatives Willard, Ch., 404 656-5125; Ralston, 656-0213; Jacobs, 656-0152; Golick, 656-5943; Wilkinson, 463-8143; Allison, 656-0177; Bruce, 656-0314; Dobbs, 656-7859; Hatfield, 656-0109; Lane, 656-5087; Lindsey, 463-2245; Maddox, 656-0109; McKillip, 656-0220; Oliver, 656-0265; O’Neal, 656-5103; Shipp, 656-6372; Stephenson, 656-0126; Teilhet, 656-0298; and Weldon, 656-0152.

¹ “Microchip-Induced Tumors in Laboratory Rodents and Dogs: A Review of the Literature 1990-2006,” by Katherine Albrecht, Ed.D., CASPIAN at <http://www.antichips.com/cancer>

² By Liz McIntyre and Dr. Katherine Albrecht caspian Consumer Advocates and Co-authors of the *Spychips* book series

³ *Chattanooga Free Press*, 11-4-05; “Chips Spark Ethics Concerns”

⁴ Katherine Albrecht, “Transcript of Interview with Tommy Thompson Former U.S. Sec. Of H & HS,” 7-11-05

⁵ “Company Trying to Get Under Soldiers’ Skin,” *Examiner.com*, 8-21-06

⁶ *WashingtonPost.com*, “Transcript: Day One of the Roberts Hearings,” 9-13-05

⁷ *eWeek.com*, 7-19-06, “Insurers Study Implanting RFID Chips in Patients,” accessed 2-7-07

S.B. 134 & H.B. 408: Identical Bills Supplant the Electoral College

Two-Fold Function of the Electoral College:

It provides a (a) check on federal power and (b) equalizes the playing field for all states, large and small.

Electoral College and U.S. Constitution

- Article II and Amendments XII and XXIII of the *Constitution of the United States* designate the Electoral College as the method for certifying winners in presidential elections.
- Each state appoints electors, equal to its number of U.S. Senators and Representatives.
- Electors are expected to vote in accord with presidential votes cast within their home state.
- No U.S. Senator or Representative or person holding an office of trust or profit under the U.S. may be appointed an elector.

Advantages of the Electoral College

- It's the only function of national government that's performed outside of Washington, D.C.
- It prevents densely populated cities and states from controlling presidential elections.
- It induces presidential candidates to regard every state equally important, regardless of size.

S.B. 134 by Senator Orrock and **H.B. 408** by Representative Benfield were jointly introduced to promote the "Agreement Among the States to Elect the President by National Popular Vote" by undermining the Electoral College. Their identical bills are briefly outlined below:

Article 1. Membership. The plan is to enlist all states and the District of Columbia.

Article 2. Right of the people in member states to vote for President and Vice President.

The directive: "Each member state shall conduct a state-wide popular election for President and Vice President of the U.S."

Article 3. Manner of appointing presidential electors in member states. Outlines the process.

Article 4. Other provisions. The goal: supplant Electoral College, "...when states cumulatively possessing a majority of the electoral votes have enacted this agreement in substantially the same form and the enactments by such states have taken effect in each state."

Article 5. Definitions. Explanation of terms used throughout the bill.

ACTION – Oppose S.B. 134. Contact Ethics Committee Senators Johnson, 404 656-5109; Hooks, 656-0065; Crosby, 463-5258; Butler, 656-0075; Douglas, 656-0503; Hamrick, 656-0036; Jack Hill, 656-5038; Lester Jackson, 463-5261; Reed, 463-1379; Stone, 463-2518; & Thomas, 656-6436.

ACTION – Oppose H.B. 408. Contact Governmental Affairs Representatives Austin Scott, Ch., 404 656-5132; Meadows, 656-0298; O'Neal, 656-5103; Brooks, 656-6372; Butler, 463-2245; Chambers, 656-3949; Floyd, 656-0314; Hamilton, 656-0188; Hatfield, 656-0109; Morgan, 656-0109; Mosby, 656-0287; Oliver, 646-0265; Jay Powell, 656-0177; Alan Powell, 656-0202; and Ralston, 656-0213.

Medicare for All, Including Illegal Aliens

S.R. 187, also by Senator Orrock, was introduced February 11th. It urges Congress to adopt H.R. 676, the "Expanded and Improved Medicare for All Act," which would provide socialized medicine to *everyone in America*. The bill states, "[A]ll U.S. *residents*¹ would be eligible to receive a "Medicare for All" card, allowing them access to all health care services at all health care facilities across the country in the Medicare for All system." Her bill would create publicly financed insurance for everyone in America under a National Health Insurance Board that would recommend changes for Congress and the Department of Health and Human Services.

ACTION – Oppose. Contact Insurance and Labor Committee Senators Hudgens, Ch., 404 656-4700; Shafer, 656-0048; Moody, 463-8055; Brown, 656-5035; Chapman, 656-0045; Golden, 656-7580; Harbison, 656-0074; Murphy, 656-7127; Pearson, 656-9221; Ramsey, 463-2598; & Rogers, 463-1378.

¹ Note that she would not limit Medicare to U.S. citizens, but to all U.S. RESIDENTS. That would include illegal aliens.

H.B. 388 Human Embryo Defined As Child

H.B. 388 introduced by Representative James Mills of District 25 on February 12th, makes an important change to Georgia law by adding “human embryo” to the definition of “child.” In addition to declaring that a human embryo is a person, this bill provides these explanations:

- “Embryo” or “human embryo” means an individual fertilized ovum of the human species, from the single-cell stage to eight-week development.
- “Embryo transfer” means the relinquishment of rights and responsibilities by the genetic parent or parents of a human embryo and the acceptance of said rights and responsibilities by an adopting parent or parents.
- Embryo transfer shall be conducted pursuant to the adoption laws of this state.
- Relinquishment of rights of a human embryo by genetic parents shall take place before implantation.
- A written surrender of rights shall be obtained from the genetic mother and father, unless the embryo was derived from donor gametes.
- A taxpayer shall not be allowed an exemption for a dependent as a deduction in computing Georgia taxable income until and unless such human embryo is born.

ACTION – Support. Call House Judiciary Committee Representatives Willard, Ch., 404 656-5125; Ralston, 656-0213; Jacobs, 656-0152; Golick, 656-5943; Wilkinson, 463-8143; Allison, 656-0177; Bruce, 656-0314; Dobbs, 656-7859; Hatfield, 656-0109; Lane, 656-5087; Lindsey, 463-2245; Maddox, 656-0109; McKillip, 656-0220; Oliver, 656-0265; O’Neal, 656-5103; Shipp, 656-6372; Stephenson, 656-0126; Teilhet, 656-0298; and Weldon, 656-0152.

Good News for Motorists: Seat Belts and Insurance Rates

S.B. 23 introduced January 15th by Senator Hawkins of District 49 provides that an occupant’s use or non use of a seat belt cannot be sufficient reason to determine vehicular insurance rates.

The following is stated in the bill. “The failure of an occupant of a motor vehicle to wear a seat safety belt in any seat of a motor vehicle which has a seat safety belt or belts shall not be any basis for cancellation of coverage or increase in insurance rates.”

ACTION – Support. Call Judiciary Committee Senators Smith, Ch., 404 656-0034; Harp, 463-3931; Hamrick, 656-0036; Adelman, 463-1376; Brown, 656-5035; Cowsert, 463-1366; Crosby, 463-5258; Fort, 656-5091; Hill, Judson, 656-0150; Reed, 463-1379; Seabaugh, 646-6446; and Wiles 657-0406.

Will Voter Registration Be Reserved for U.S. Citizens?

S.B. 86 passed the Senate Ethics Committee February 12th, moving it a step closer to requiring proof of U.S. citizenship¹ for voter registration in Georgia. It stipulates that voter registration from another state is not satisfactory evidence of citizenship. Georgia was part of last November’s investigation that identified 100,000 voters who appeared to have voted in more than one state and 42,000 voters that were registered in Florida as well as in Georgia.

ACTION – Support. Contact Rules Committee Senators Balfour, Ch., 656-0095; Hamrick, 656-0036; Seabaugh, 656-6446; Adelman, 463-1376; Butler, 656-0075; Jack Hill, 656-5038; Hooks, 656-0065; Johnson, 656-5109; Moody, 463-8055; Pearson, 656-9221; Rogers, 463-1378; Shafer, 656-0048; Smith, 656-0034; Thomas, 656-6436; Tolleson, 656-0081; Unterman, 463-1368; and Williams, 656-0089.

¹ See previous issues of *Georgia Insight* for bills requiring proof of citizenship, but still in committee: H.B. 45 (1-23-09) and H.B. 209 (2-6-09) both in House Governmental Affairs Committee. H.B. 139 (2-13-09) is in House Judiciary Committee.

Previous issues of *Georgia Insight* are archived at georgiaeagle.org and georgiainsight.org.