



A BILL (H.R. 3005)

“To direct the Joint Committee on the Library to replace the bust of Roger Brook Taney in the Old Supreme Court Chamber of the United States Capitol with a bust of Thurgood Marshall to be obtained by the Joint Committee on the Library and to remove certain statues from areas of the United States Capitol which are accessible to the public, to remove all statues of individuals who voluntarily served the Confederate States of America from display in the United States Capitol, and for other purposes.”

Introduction

The “U.S. House of Representatives” voted to pass “H.R. 3005” on Tuesday of June 29, 2021, legislation that would remove “Confederate Statues” from Capitol grounds. The final vote was 285-120; Sixty-seven Republicans joined every House Democrat present to vote in favor of the measure.

This legislation is an ongoing act of “WAR” upon the “History” of our “Nation” as preserved through “Paintings,” “Photographs,” and “Statutes.” When a “Nation” has been conquered, one of the first acts to be taken is to destroy the “History” of the conquered “Nation” and to destroy the “Posterity” of its “people”

by importing "foreigners" by the thousands into the conquered "Nation." The conquered "Nation" spoken of is "The United States of America" and the conquering "Nation" is "Vatican City State."

The "Papacy" of "Vatican City State" has sent his "Agents," the "Jesuits," and his sympathizers into the "Public Offices" of our "government." We have "Joseph Biden," a "Jesuit," holding the "Office of President," we have the Catholic, "Kamala Harris," usurping the "Office" of "Vice-President," and the Catholic, "Nancy Pelosi," usurping the "Office" of "Speaker of the House" of the "U.S. Congress." Among the fifty-five (55) "Jesuit" educated members of the "117th Congress" are thirteen (13) "Senators" and forty (42) "House Members" from eleven (11) "Jesuit Institutions."

The "Jesuit Institutions" include "Georgetown University," with twenty-eight (28) (including eight (8) "Senators") alumni in "Congress;" followed by "Boston College," with seven (7); "Fordham University," six (6); "College of the Holy Cross," three (3). "Loyola University" of "Chicago," "Marquette University," "Saint Peter's University," "Santa Clara University," and the "University of Detroit Mercy" each have two (2) alumni in "Congress;" "Creighton University" and "Gonzaga University" each have one (1) alum in "Congress" - and it's sad to say that U.S. Rep. House Majority Leader, "Steny Hoyer" (D-Md), the author of "H.R. 3005," is a "Catholic Jesuit" sympathizer.

Justice Roger Brook Taney

"Roger Brook Taney" was the "Chief Justice" of the "U.S. Supreme Court" from March 17, 1777 until his death of October 12, 1864. During his tenure, he authored several "Court" cases:

1. United States v. Segui, 35 U.S. 306 (1836) [*upholding the validity of a Spanish land grant in Florida*];
2. Charles River Bridge v. Warren Bridge, 36 U.S. 420 (1837) [*Contract Clause of the Constitution*];
3. The Amistad, 40 U.S. 518 (1841) [*slave trade and slave ownership*];
4. Swift v. Tyson, 41 U.S. 1 (1842) [*Federal common law in diversity jurisdiction cases, later overturned*];
5. Prigg v. Pennsylvania, 41 U.S. 539 (1842) [*runaway slaves*];
6. Luther v. Borden, 48 U.S. 1 (1849) [*guarantee clause of Article Four of the United States Constitution*];
7. Passenger Cases, 48 U.S. 283 (1849) [*taxation of immigrants, constitutionality of state laws regarding foreign commerce*];
8. Sheldon v. Sill, 49 U.S. 441 (1850) [*Congressional control of the jurisdiction of the lower federal courts*];
9. Hotchkiss v. Greenwood, 52 U.S. 248 (1850) [*Early standard for non-obviousness in United States patent law*];
10. Strader v. Graham, 51 U.S. 82 (1851) [*slavery and the application of state laws thereof*];
11. Cooley v. Board of Wardens, 53 U.S. 299 (1852) [*pilotage laws under the Commerce Clause*];
12. Dred Scott v. Sandford, 60 U.S. 393 (1857) [*slavery, the definition of citizenship*];
13. Ableman v. Booth, 62 U.S. 506 (1859) [*The contradiction of Federal law by States*];

14. Prize Cases, 67 U.S. 635 (1863) [*presidential powers in wartime*].

Isn't it interesting that the only "case" of "Justice Taney" that has been criticized by the "U.S. House of Congress" is the "Dred Scott v. Sanford, 60 U.S. 393 (1857)" case, and upon this one (1) single "case," he has been demonized?

Even though this "case" may be unpopular today, the question must be asked: "*By what authority does the "U.S. Congress" rely upon to apply the standards of today to the years of "1700's" and "1800's"?*" Is not what the "members" of the "U.S. Congress" doing is creating an "enactment of law" condemning that which was "lawful" in past years (*The "Ruling" of "Dred Scott v. Sandford"*) and making those "Rulings" to be "unlawful" by today's standards? In otherwords, the creation of an "ex-post facto law" (*which is prohibited by "Article I, Section 9, Clause 3"*) and applying that "law" to the exclusive powers of the "Judicial Branch" of government?

Notwithstanding the wording of "H.R. 3005," the "Court" of "Dred Scott v. Sandford" has never been "overturned" by any other "case" of the "U.S. Supreme Court," and as such, it is as valid today as the day it was written [*notwithstanding the claim of "mootness" using non-existent "Amendments" to the "Constitution" for "The United States of America" ("Fourteenth" & "Fifteenth Amendments")*].

Then we come to:

"This sacred space, this temple of democracy has been defiled for too long. We ought not to forget history. We must learn from history," Leader Hoyer said on the House floor ahead of the vote. "But we ought not to honor that which defiles the principles for which we ... stand,"

"It's time to remove those symbols of slavery, segregation and sedition from these halls,"

"U.S. Rep. Hoyer" is entitled to his "Opinions" just as anyone else, but he does not have the authority to use his "Office" to speak for the "people" of this "Nation." First, the "bust" of an "individual" does not represent "principles," it is to give "recognition" and "honor"

to "accomplishments." As we can see from the above listing of "Court Cases" of "Justice Taney," there are a lot of "accomplishments" that deserve "honor" and "recognition." And second, "Justice Taney" is one of the rightful "Claimants" to the "Preambled Posterity" of the "Constitution" for "The United States of America" for he is a "natural born white Caucasian male Citizen" of "The United States of America" while his replacement, "Thurgood Marshall" (being of the "Negro" race) is not. Hmmm! We have a problem.

Associate Justice Thurgood Marshall

Only those whom are of the "Posterity" of the "Preamble" to the "Constitution" for "The United States of America" have the qualifications of being "Citizens" of "The United States of America." This status of "Posterity" may not be had by any enactment of "Law" or "Constitutional Amendment" without the approval of the "people" sitting in a "Amendment Convention."

For the "members" of "Congress" to vote "Thurgood Marshall" to have his "bust" displayed in the "Old Chambers" of the "Supreme Court," the "U.S. Congress" must be in conformity with "Section 1814" of the "Revised Statutes" ("2 U.S.C. 2131") which states in part:

"Suitable structures and railings shall be erected in the old hall of Representatives for the reception and protection of statuary, and the same shall be under the supervision and direction of the Architect of the Capitol. And the President is authorized to invite all the States to provide and furnish statues, in marble or bronze, not exceeding two in number for each State, of deceased persons **who have been citizens thereof, . . .**" [*Emphasis added*].

First thing to discover, the law of "2 U.S.C. 2131" declares that it is for "the States to provide and furnish statues," not the "members" of the "U.S. Congress." Furthermore, the law of "2 U.S.C. 2131" declares that the "statutes" shall be of "deceased persons who have been citizens thereof." [*Emphasis added*].

To discover the "citizenship status" of "Thurgood Marshall," one must turn to the "State Constitution" of the "State" of his "birth," the "State of Maryland."

Within that "Constitution" we find several "Sections" that state:

"... *every citizen having the qualifications prescribed by the Constitution* ..."

[*Emphasis added*].

The "Constitution," which the "Constitution" for the "State of Maryland" is making reference to, is the "Fourteenth Amendment" to the "Constitution" for "The United States of America."

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States *and of the state wherein they reside*. ..."
[*Emphasis added*].

U.S. Constitution, Fourteenth Amendment, Section One

As the "Fourteenth Amendment" was never ratified with "Amendment Conventions" of the "states," it is not an "Amendment" to the "Constitution" for "The United States of America." "Thurgood Marshall" (being a "Negro" whose "state citizenship" is dependent upon the "citizenship status" of the "Constitution" for "The United States of America"), was never a "citizen" of the "State of Maryland." (see the "Article" on the "Non-Amendments to the Constitution for The United States of America" to be found on the "Internet" at:

<https://tinyurl.com/5wcnjsmd>

There is no "Complaint" to be had with "Thurgood Marshall" holding the position of "Associate Justice" with the "U.S. Supreme Court." There are no provisions within the "Constitution" for "The United States of America" to be found that identifies the "Office Qualifications" of a "Justice" of the "U.S. Supreme Court" other than holding that "Office" during "good behavior" ("U.S. Const., Art II, Sec. I, Cl. 1").

A "Complaint" may be had of the removal of a "state" ("State") sponsored "statue" from the "Statuary Hall" of the "Capitol" or of the "Old Supreme Court Chamber" for such removal by the "U.S. Congress" is "barred" by "2 U.S. Code § 2132":

"(a) Request by State

"(1) Any State may request the Joint Committee on the Library of Congress to approve the replacement of a statue the State has provided for display in Statuary Hall in the Capitol of the United States under section 2131 of this title.

"(2) A request shall be considered under paragraph (1) only if —

"(A) the request has been approved by a resolution adopted by the legislature of the State and the request has been approved by the Governor of the State, and

"(B) the statue to be replaced has been displayed in the Capitol of the United States for at least 10 years as of the time the request is made, except that the Joint Committee may waive this requirement for cause at the request of a State.

"(b) Agreement upon approval - If the Joint Committee on the Library of Congress approves a request under subsection (a), the Architect of the Capitol shall enter into an agreement with the State to carry out the replacement in accordance with the request and any conditions the Joint Committee may require for its approval. Such agreement shall provide that —

"(1) the new statue shall be subject to the same conditions and restrictions as apply to any statue provided by a State under section 2131 of this title, and

"(2) the State shall pay any costs related to the replacement, including costs in connection with the design, construction, transportation, and placement of the new statue, the removal and transportation of the statue being replaced, and any unveiling ceremony.

"(c) Limitation on number of State statues

"Nothing in this section shall be interpreted to permit a State to have more than two statues on display in the Capitol of the United States.

“(d) Ownership of replaced statue; removal

“(1) Subject to the approval of the Joint Committee on the Library, ownership of any statue replaced under this section shall be transferred to the State.

“(2) If any statue is removed from the Capitol of the United States as part of a transfer of ownership under paragraph (1), then it may not be returned to the Capitol for display unless such display is specifically authorized by Federal law.

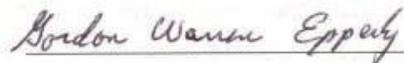
“(e) Relocation of statue

“The Architect of the Capitol, upon the approval of the Joint Committee on the Library and with the advice of the Commission of Fine Arts as requested, is authorized and directed to relocate within the United States Capitol any of the statues received from the States under section 2131 of this title prior to December 21, 2000, and to provide for the reception, location, and relocation of the statues received on and after December 21, 2000, from the States under such section.” [*Emphases added*].

Conclusion

The “members” of the “House” of the “U.S. Congress” have no authority to enlarge or diminish the “Posterity” clause of the “Preamble” to the “Constitution” for “The United States of America” for which the “status of citizenship” of our “Nation” is founded upon. As the “Bill” that identifies itself as “H.R. 3005” exceeds the authority of existing “Statutes” and the “U.S. Constitution,” it must be found to be “unconstitutional,” null and void.

Respectfully Submitted



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117TH CONGRESS
1ST SESSION

H. R. 3005

To direct the Joint Committee on the Library to replace the bust of Roger Brooke Taney in the Old Supreme Court Chamber of the United States Capitol with a bust of Thurgood Marshall to be obtained by the Joint Committee on the Library and to remove certain statues from areas of the United States Capitol which are accessible to the public, to remove all statues of individuals who voluntarily served the Confederate States of America from display in the United States Capitol, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2021

Mr. HOYER (for himself, Ms. LEE of California, Mr. CLYBURN, Mrs. BEATTY, Ms. BASS, Mr. BROWN, Mr. BUTTERFIELD, Mr. CLEAVER, Mr. COOPER, Mr. MALINOWSKI, Mr. MCGOVERN, Mr. MFUME, Ms. NORTON, Mr. RASKIN, Mr. RUPPERSBERGER, Mr. THOMPSON of Mississippi, Mr. TRONE, and Mr. SARBANES) introduced the following bill; which was referred to the Committee on House Administration

A BILL

To direct the Joint Committee on the Library to replace the bust of Roger Brooke Taney in the Old Supreme Court Chamber of the United States Capitol with a bust of Thurgood Marshall to be obtained by the Joint Committee on the Library and to remove certain statues from areas of the United States Capitol which are accessible to the public, to remove all statues of individuals who voluntarily served the Confederate States of America

from display in the United States Capitol, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. REPLACEMENT OF BUST OF ROGER BROOKE**

4 **TANEY WITH BUST OF THURGOOD MAR-**

5 **SHALL.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) While sitting in the United States Capitol,
8 the Supreme Court issued the infamous *Dred Scott*
9 *v. Sandford* decision on March 6, 1857. Written by
10 Chief Justice Roger Brooke Taney, whose bust sits
11 inside the entrance to the Old Supreme Court
12 Chamber in the United States Capitol, this opinion
13 declared that African Americans were not citizens of
14 the United States and could not sue in Federal
15 courts. This decision further declared that Congress
16 did not have the authority to prohibit slavery in the
17 territories.

18 (2) Chief Justice Roger Brooke Taney’s author-
19 ship of *Dred Scott v. Sandford*, the effects of which
20 would only be overturned years later by the ratifica-
21 tion of the 13th, 14th, and 15th Amendments to the
22 Constitution of the United States, renders a bust of
23 his likeness unsuitable for the honor of display to
24 the many visitors to the United States Capitol.

1 (3) As Frederick Douglass said of this decision
2 in May 1857, “This infamous decision of the Slave-
3 holding wing of the Supreme Court maintains that
4 slaves are within the contemplation of the Constitu-
5 tion of the United States, property; that slaves are
6 property in the same sense that horses, sheep, and
7 swine are property; that the old doctrine that slavery
8 is a creature of local law is false; that the right of
9 the slaveholder to his slave does not depend upon
10 the local law, but is secured wherever the Constitu-
11 tion of the United States extends; that Congress has
12 no right to prohibit slavery anywhere; that slavery
13 may go in safety anywhere under the star-spangled
14 banner; that colored persons of African descent have
15 no rights that white men are bound to respect; that
16 colored men of African descent are not and cannot
17 be citizens of the United States.”.

18 (4) While the removal of Chief Justice Roger
19 Brooke Taney’s bust from the United States Capitol
20 does not relieve the Congress of the historical
21 wrongs it committed to protect the institution of
22 slavery, it expresses Congress’s recognition of one of
23 the most notorious wrongs to have ever taken place
24 in one of its rooms, that of Chief Justice Roger
25 Brooke Taney’s *Dred Scott v. Sandford* decision.

1 (b) REMOVAL OF BUST OF ROGER BROOKE
2 TANEY.—Not later than 45 days after the date of the en-
3 actment of this Act, the Joint Committee on the Library
4 shall remove the bust of Roger Brooke Taney in the Old
5 Supreme Court Chamber of the United States Capitol.

6 (c) REPLACEMENT WITH BUST OF THURGOOD MAR-
7 SHALL.—

8 (1) OBTAINING BUST.—Not later than 2 years
9 after the date of the enactment of this Act, the Joint
10 Committee on the Library shall enter into an agree-
11 ment to obtain a bust of Thurgood Marshall, under
12 such terms and conditions as the Joint Committee
13 considers appropriate consistent with applicable law.

14 (2) PLACEMENT.—The Joint Committee on the
15 Library shall place the bust obtained under para-
16 graph (1) in the location in the Old Supreme Court
17 Chamber of the United States Capitol where the
18 bust of Roger Brooke Taney was located prior to re-
19 moval by the Architect of the Capitol under sub-
20 section (b).

21 **SEC. 2. REQUIREMENTS AND REMOVAL PROCEDURES FOR**
22 **STATUES IN NATIONAL STATUARY HALL.**

23 (a) REQUIREMENTS.—Section 1814 of the Revised
24 Statutes (2 U.S.C. 2131) is amended by inserting “(other
25 than persons who served voluntarily in the military forces

1 or government of the Confederate States of America or
2 in the military forces or government of a State while the
3 State was in rebellion against the United States)” after
4 “military services”.

5 (b) STATUE REMOVAL PROCEDURES.—

6 (1) IN GENERAL.—

7 (A) IDENTIFICATION BY ARCHITECT OF
8 THE CAPITOL.—The Architect of the Capitol
9 shall identify all statues on display in the
10 United States Capitol that do not meet the re-
11 quirements of section 1814 of the Revised Stat-
12 utes (2 U.S.C. 2131), as amended by subsection
13 (a).

14 (B) REMOVAL BY JOINT COMMITTEE ON
15 THE LIBRARY.—The Joint Committee on the
16 Library shall arrange for the removal of each
17 statue identified by the Architect of the Capitol
18 under subparagraph (A) from any area of the
19 United States Capitol which is accessible to the
20 public by not later than 120 days after the date
21 of the enactment of this Act.

22 (2) RETURN OF STATUES.—A statue which is
23 removed under this subsection and which was pro-
24 vided for display by a State shall be returned to the
25 State, and the ownership of the statue transferred to

1 the State, if the State so requests and agrees to pay
2 any costs related to the transportation of the statue
3 to the State.

4 (3) REPLACEMENT OF STATUES.—A State that
5 has a statue removed under this subsection may re-
6 place such statue in accordance with the require-
7 ments and procedures of section 1814 of the Revised
8 Statutes (2 U.S.C. 2131) and section 311 of the
9 Legislative Branch Appropriations Act, 2001 (2
10 U.S.C. 2132).

11 (c) STORAGE.—The Architect of the Capitol shall
12 keep any statue removed under this section in storage
13 pending the return of the statue to the State.

14 **SEC. 3. REMOVAL OF CERTAIN OTHER STATUES AND**
15 **BUSTS.**

16 (a) CONFEDERATE STATUES AND BUSTS.—

17 (1) REMOVAL.—Not later than 45 days after
18 the date of the enactment of this Act, the Joint
19 Committee on the Library, together with the Cura-
20 tor of the House of Representatives or the Curator
21 of the Senate (as the case may be), shall remove all
22 Confederate statues and Confederate busts from any
23 area of the United States Capitol which is accessible
24 to the public.

25 (2) DEFINITIONS.—

1 (A) CONFEDERATE STATUE.—In this sub-
2 section, the term “Confederate statue” means a
3 statue which was provided by a State for dis-
4 play in the United States Capitol that depicts—

5 (i) any individual who served volun-
6 tarily at any time as a member of the
7 Armed Forces of the Confederate States of
8 America or of the military of a State while
9 the State was in open rebellion against the
10 United States; or

11 (ii) any individual who served as an
12 official of the Government of the Confed-
13 erate States of America or as an official of
14 a State while the State was in open rebel-
15 lion against the United States.

16 (B) CONFEDERATE BUST.—In this sub-
17 section, the term “Confederate bust” means a
18 bust which depicts an individual described in
19 clause (i) or (ii) of subparagraph (A).

20 (b) OTHER STATUES.—Not later than 45 days after
21 the date of the enactment of this Act, the Joint Committee
22 on the Library shall remove the statue of Charles Brantley
23 Aycock, the statue of John Caldwell Calhoun, and the
24 statue of James Paul Clarke from any area of the United
25 State Capitol which is accessible to the public.

1 (c) STORAGE.—The Architect of the Capitol shall
2 keep any statue or bust removed under this section in stor-
3 age.

4 (d) EXCLUSION OF STATUES SUBJECT TO OTHER
5 REMOVAL PROCEDURES.—This subsection does not apply
6 with respect to any statue which is subject to removal
7 under section 2.

8 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

9 There are authorized to be appropriated such sums
10 as may be necessary to carry out this Act, and any
11 amounts so appropriated shall remain available until ex-
12 pended.

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