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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO HEALTH AND SAFETY -- THE ATMOSPHERE PROTECTION ACT

Introduced By: Representatives Quattrocchi, Place, Chippendale, Rea, and Nardone

Date Introduced: March 01, 2023

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 99

4 THE ATMOSPHERE PROTECTION ACT

5 **23-99-1. Short title.**

6 This chapter shall be known and may be cited as "The Atmosphere Protection Act."

7 **23-99-2. Legislative intent.**

8 (a) To preserve the safe, healthful, resilient and peaceful uses of Rhode Island's atmosphere
9 for people, the environment, and agriculture, and to improve climate efforts, by prohibiting
10 hazardous atmospheric polluting activities, providing enforcement and penalties for violative
11 activity.

12 (b) The assembly finds that many atmospheric activities involving the intentional release
13 of hazardous emissions harm human health and safety, the environment, agriculture, aviation,
14 security, and the economy of the State of Rhode Island.

15 (c) It is, therefore, the intention of the general assembly to prohibit deliberate polluting
16 activities in Rhode Island's atmosphere and at ground level, as further set forth by the terms and
17 provisions of this chapter.

18 **23-99-3. Legislative findings.**

19 (1) Scope. Inclusive of stratospheric aerosol injection (SAI), solar radiation management

1 (SRM), weather modification, cloud-seeding, carbon dioxide removal (CDR), and other
2 techniques, hazardous atmospheric activities are diverse, varying greatly in their characteristics and
3 consequences. Included herein are anthropogenic, intentionally polluting atmospheric activities,
4 and may involve ground-based, underwater, and/or atmosphere-based activities, including, without
5 limitation, aerosol injection, and other deployments by facilities such as aircraft, rockets, unmanned
6 aerial vehicles (UAVs) and drones of all sizes down to pico, large balloons, wireless infrastructures,
7 ships and/or submarines.

8 (2) Scope of regulatory authority. Aerosol injection, cloud-seeding, weather modification,
9 geoengineering and other hazardous atmospheric activities, purposed to intentionally pollute and/or
10 manipulate the environment, are hereby prohibited within or above the State of Rhode Island.

11 (3) SRM activities include, without limitation:

12 (i) Atmospheric sunscreens or solar shields: Known-to-be toxic reflective materials are
13 injected into the stratosphere. These include, without limitation, sulfur dioxide (SO₂), sulfuric acid
14 (H₂- SO₄) and aluminum oxide (Al₂O₃).

15 (ii) Carbon black or black carbon releases: Deliberate, atmospheric releases of soot are
16 used to produce artificial weather events. In particular, aerosolized coal combustion fly ash liberates
17 dispersed aluminum, which, when absorbed into human and other bodies, is a primary factor in the
18 pronounced increase in neurological diseases and the widespread debilitation of Earth's biota.

19 (iii) Rocket emissions: Entirely unregulated, these include, without limitation, black carbon
20 soot and alumina particles in addition to carbon monoxide (CO), chlorine, sulfuric compounds,
21 methane, and water vapor, a "greenhouse gas," blocking sunlight and reflecting terrestrial heat;

22 (iv) Cloud brightening: Sodium chloride (NaCl) or sea salt, seawater, nitric acid (HNO₃),
23 and/or other materials injected into clouds make the clouds more reflective, after which the salt and
24 other materials rain out over land areas contaminating freshwater supplies.

25 (v) Salt flare rockets: Fired into clouds, these rockets trigger rain downpours containing
26 salt, which contaminates freshwater supplies, desiccates surfaces, and makes the atmosphere and
27 exposed biota, including humans, more conductive;

28 (vi) Cloud-seeding releases of Silver Iodide (AgI) and/or solid dry ice (a registered
29 pesticide), which is carbon dioxide (CO₂), the latter increasing carbon levels that state policies
30 rather intend to decrease;

31 (vii) Less direct sunlight reaching Earth's surface, with fewer winter freezes and higher
32 humidity, resulting in increased molds, mildews, fungi, and other pathogens and pests that develop
33 from such conditions – with human, animal, pollinating insect, and plant diseases resulting
34 therefrom;

- 1 (viii) Increases in acid rain loads from the airborne injection or releases of sulfur and
2 aluminum oxides, with human, animal, plant, and water-resource degradation;
- 3 (ix) Changes in distribution patterns and chemical contents of rainfall, resulting in floods
4 and droughts;
- 5 (x) Algal blooms, with impacts upon human health, aquatic systems, and economies;
- 6 (xi) The near-impossibility of restoring devalued natural resources, with the undermining
7 and waste of state-funded conservation programs;
- 8 (xii) The potential, through radiative forcing, to reflect too much heat back to Earth, or to
9 produce excessive cold by reflecting too much cosmic energy away from Earth, and to bring about
10 feedback loops creating weather extremes.
- 11 (xiii) Increased ultraviolet (UV) radiation (including UVA, UVB, and UVC) at Earth's
12 surface: UV is strongly absorbed by organic materials such as living tissues, with UVC's high
13 energy and small wavelength particularly capable of destroying DNA and reproduction;
- 14 (xiv) Increased combustibility of Earth's terrestrial surfaces, by means of fallen
15 particulates, some pyrophoric and/or desiccating, with increased incidence of fires;
- 16 (xv) Significant increases in ambient mechanical vibration and noise pollution, leading to,
17 without limitation, increased incidence of nervous system and cardiac irregularities;
- 18 (xvi) Increased metals content in surface-dwelling and aquatic organisms, producing
19 heightened bodily electrical conductivity and radiation absorption, with more susceptibilities and
20 damages; particularly where atmospheric electrical charges are naturally or otherwise intensified;
- 21 (xvii) Extreme harm to vulnerable human subpopulations and to the more vulnerable
22 species such as bees and other pollinators;
- 23 (xviii) Significant changes to Earth's atmosphere's electric, magnetic, and electromagnetic
24 properties through the induction of high-intensity, decimeter-, centimeter-, and millimeter-wave
25 microwave radiation from increasingly densified wireless facilities, terrestrial and atmospheric,
26 resulting in extreme and less predictable weather, the desiccation of humans, animals, insects and
27 plants; blood-cell clumping (Rouleaux formation), blood-clotting increase, and blood-oxygen
28 deprivation in humans and animals; diabetes and asthma increase in humans and animals; and the
29 reduction and ultimate eradication of animal and insect populations, particularly pollinators
30 dependent for navigation upon geomagnetism;
- 31 (xix) Visibility impairment and clutter, reducing aviation safety and accelerating collision
32 rates with satellites, balloons and nearly one million "space-junk" or "space-debris" particles;
- 33 (xx) RF/MW radiation interference from exponentially increasing numbers of microwave-
34 irradiating satellites interacting with ground based infrastructure potentially costing the public

1 billions of dollars;

2 (xxi) Per the William & Mary Law Review, the enabling of the Internet of Bodies (IoB), a
3 “mesh” or grid through which every human and most animals would contain worn, ingested,
4 inhaled, and/or injected chips or sensors of micro to pico size with transmitting antennas, with every
5 body functioning as an internet node with thousands of internal datapoints, toward complete
6 warrantless surveillance and control, even by foreign entities, with constant biometric data
7 collection and loss of autonomy under an overarching Artificial Intelligence, in violation of the
8 U.S. Constitution’s Fourth Amendment as well as the Rhode Island State Constitution’s Article I,
9 §7.

10 (xxii) Vulnerability of communications signals from the potential for solar flare alteration
11 or demolition of space-based solar power systems.

12 (xxiii) Electrical grid is vulnerable to attack through the hackability of the “smart” grid and
13 “smart” devices; Intense microwave radiation spikes transmitted from the “smart” grid, inclusive
14 of “smart” meters, could spark fires, in addition to harming health and the environment.

15 (xxiv) Increasing incidence of dementias, learning impairments, cardiovascular and
16 respiratory diseases, diabetes, autoimmunity, birth defects, infertility, cancers, and early death in
17 humans; and increasing impairment, disease, debility and early death likewise in other living
18 beings.

19 (xxv) Mass psychological and social changes by means of lithium and other psychoactive
20 substances’ releases;

21 (xxvi) Increased damage to the ozone layer;

22 (xxvii) Carbon capture and sequestration programs redistribute pollution, storing it
23 underground instead of stopping the pollution before it exits the smokestack;

24 (xxviii) Economic losses to various sectors of society and to the state itself, resulting from,
25 without limitation, human health damages, with productivity loss, increased and earlier health-care
26 needs, and heightened suffering for those injured and/or sensitized by prior hazardous exposures;

27 (xxiv) Contaminated soils and water supplies, loss of pollinators such as bees, butterflies
28 and birds, decreased crop yields, dead and dying forests, loss of habitats, decline of fisheries, rising
29 pollution cleanup costs, and less solar power production from lack of sunlight reaching Earth’s sur-
30 face;

31 (xxx) The potential and ease for enemies, foreign and domestic, to cause harm
32 intentionally;

33 (A) Necessity arising from federal stance.

34 (I) States’ “rights”, including their authorities, are correctly exerted where federal

1 restrictions have become oppressive or destructive.

2 (II) In view of these facts, the general assembly declares that all hazardous atmospheric
3 activities such as aerosol injection, cloud-seeding, weather modification and other forms of geo-
4 engineering, must be prohibited in order to prevent the intentional release of harmful polluting
5 emissions, with penalties and enforcement provided for violative activity.

6 **23-99-4. Definitions.**

7 For purposes of this chapter, the following terms shall have the following meanings:

8 (1) "Albedo" means the fraction of incident radiation, such as light and heat, reflected by
9 a natural cloud or by materials injected into the atmosphere.

10 (2) "Area" means a portion within the confines of the state or its territorial waters, including
11 the atmosphere above the state.

12 (3) "Artificial intelligence" or "AI" means and refers to systems or machines that mimic
13 human intelligence to perform tasks and can iteratively improve themselves based on the
14 information they collect. AI manifests in a number of forms.

15 (4) "Atmospheric activity" means any deliberate polluting activity conducted by any
16 iteration of human, machine learning, or artificial intelligence (AI) or any combination thereof, that
17 occurs in the atmosphere and may have harmful consequences upon health, the environment and/or
18 agriculture.

19 (5) "Atmospheric contaminant" means any type of aerosol, biologic and/or transbiologic
20 agent, chaff, genetically modified agent, metal, radioactive material, vapor, particulate down to or
21 less than one nanometer in diameter, and any air pollutant regulated by the state, including without
22 limitation those deemed "unnecessary" pursuant to the general laws, any xenobiotic (foreign-to-
23 life) electromagnetic radiation and fields, mechanical vibration and other physical agents, or any
24 combination of these contaminants.

25 (6) "Chaff" means aluminum-coated silica glass fibers typically dispersed in bundles
26 containing five million (5,000,000) to one hundred million (100,000,000) inhalable fibers, which
27 fall to ground in about one day, or for nanochaff, years, and then fall and break apart; while
28 purposed to confuse foreign radars and satellite vision, chaff can cause power outages and interfere
29 with air-traffic control;

30 (7) "Department" means the Rhode Island department of environmental management
31 (DEM).

32 (8) "Director" means the director of the department of environmental management (DEM).

33 (9) "Entity" means any of the following: individual; trust; firm; joint stock company;
34 corporation, including a quasi-governmental corporation; non-governmental organization (NGO),

1 partnership; association; syndicate; municipality or state or municipal agency; program; fire
2 district; club; nonprofit agency; commission; university or college in this state; department or
3 agency of the state, the federal government, or any interstate or international governance or
4 instrumentality thereof, including foreign, domestic and mercenary armed services; or region
5 within the United States.

6 (10) "Geoengineering" means the intentional manipulation of the environment, involving
7 nuclear, biological, transbiological, chemical, electromagnetic and/or other physical-agent
8 contaminants that effect changes to Earth's atmosphere and/or surface; and is inclusive of weather
9 modification, aerosol injection, or cloud-seeding.

10 (11) "Hazard" means a substance or physical agent by its nature harmful to living
11 organisms, generally, and/or to property or another interest of value.

12 (12) "Individual" means any man, woman or child.

13 (13) "Machine learning" means the process relative to AI, in which a machine can learn on
14 its own without being explicitly programmed.

15 (14) "Physical agent" means an agent other than a substance, including, without limitation,
16 radiofrequency/microwave and other electromagnetic radiation and fields, barometric pressure,
17 temperature, gravity, kinetic weaponry, mechanical vibration and sound.

18 (15) "Radiative forcing" means measures of heat energy coming from the sun and reflected
19 back to space, as opposed to measures of terrestrial heat energy, reflected back to Earth's surface.

20 (16) "Release" means any activity that results in the issuance of contaminants such as the
21 emitting, transmitting, discharging or injecting of one or more nuclear, biological, trans-biological,
22 chemical, and/or physical agents into the ambient atmosphere; whether once, intermittently, or
23 continuously.

24 (17) "Stratosphere" means the region of the upper atmosphere extending upward from the
25 edge of the troposphere to about thirty (30) miles fifty kilometers (50 km) above the Earth.

26 (18) "Troposphere" means the region of the lowest layer of the atmosphere, six (6) to
27 twelve (12) miles high in altitude, wherein temperature steadily drops with increasing altitude and
28 nearly all cloud formations occur and weather conditions manifest.

29 (19) "Weather modification" means the changing, controlling, or interfering with; or
30 attempting to change, control, or interfere with; the natural development of cloud forms,
31 precipitation, barometric pressure, temperature, conductivity and/or other electromagnetic or sonic
32 characteristics of the atmosphere.

33 **23-99-5. Regulation by the state.**

34 (a) Given officials' obligation to promote the safety of life and property, and due to the

1 lack of state security and potential for significant harm, all state climate-related appointees shall
2 be, or have been, administered the state oath of office and shall fulfill the obligations thereunder to
3 protect the state and federal constitutions and Rhode Island constituents, requiring appointees'
4 direct responsiveness to constituents and not to foreign or out-of-state entities.

5 (b) The department shall refer potential violations as reported by state agencies or members
6 of the public to the emergency management protection agency, as set forth in this chapter.

7 (c) There is hereby created a health-and-environment protection trust fund into which shall
8 be deposited violation fines under this chapter.

9 (d) The department is authorized to and shall implement this chapter, determining when
10 violations have occurred and referring them to compliance authorities.

11 **23-99-6. Violative activity.**

12 (a) The director shall immediately issue a cease-and-desist order upon the discovery of a
13 potentially hazardous atmospheric activity, where an agency, department, office, program, or
14 member of the public produces evidence to the department that the atmospheric activity may be
15 occurring that involves intentional release of a hazardous emission.

16 (b) The cease-and-desist order under subsection (a) of this section, shall have the weight
17 of a court order and any violation shall be punished under law.

18 **23-99-7. Departmental notice to cease federal or foreign-approved programs.**

19 (a) Where an activity that the department has deemed hazardous has been approved,
20 explicitly or implicitly, by the federal government, the department shall issue a notice to the
21 appropriate federal authority or agency that the hazardous activity cannot lawfully be carried out
22 within or over the State of Rhode Island, pursuant to the tenth amendment of the United States
23 Constitution.

24 (b) Government and armed forces projects operating within or above the State of Rhode
25 Island shall meet all the requirements of this chapter.

26 **23-99-8. Penalties and enforcement.**

27 An entity or individual who engages in an activity under this chapter or person who uses
28 an unmarked or unidentified aircraft or other vehicle or facility to carry out a hazardous atmospheric
29 activity involving intentional pollution or who fails to comply with the regulations set forth:

30 (1) Has committed a felony and shall pay a fine of not less than five hundred thousand
31 dollars (\$500,000) or be imprisoned for not less than three (3) years, or both;

32 (2) Shall be guilty of a separate offense for each day during which violative activity has
33 been conducted, repeated, or continued; and

34 (3) Shall be deemed in violation, and subject to further penalties under any other applicable

1 state environmental protection laws.

2 **23-99-9. Public participation – Reporting.**

3 (a) The department shall encourage the public to monitor, measure, document and report
4 present, potential and past incidents that may constitute cloud-seeding, weather modification,
5 geoengineering or other intentional hazardous atmospheric polluting activities.

6 (b) An individual who presents evidence of potentially harmful atmospheric activity under
7 subsection (a) of this section, shall email or otherwise write and send any of the following to the
8 director or to any state police office or public official:

9 (1) Evidentiary photographs, each separately titled as an electronic or hard-copy document,
10 with the respective location from which, and, if the content is from other than a measuring device,
11 the direction in which, the photo was taken, with its time and date;

12 (2) Independent precipitation analysis reports, photography, videography, audiography,
13 microscopy, spectrometry, metering, and other forms of evidence shall similarly be submitted in
14 writing to the director or to any state office, or any state public official; and

15 (3) Videography of activity involving intentional release of hazardous emissions.

16 (c) A public official who has received information under subsection (a) of this section, and
17 has reason to suspect violative activity based on evidence presented by an agency or individual
18 under subsection (b) of this section, shall, directly or through a designee, report in writing within
19 twenty-four (24) hours all documentary and supportive evidence to the emergency management
20 protection agency for enforcement.

21 (d) A report to any state official of apparently harmful nuclear, biological, transbiological
22 and/or chemical (“NBC”) emissions shall trigger investigation of the source(s) and contents of said
23 emissions, without limitation. Spectrometry of air and rainwater and other testing may be used to
24 determine specific contents of emissions. Where the emissions are harmful to humans or the
25 environment, per primary scientific study, enforcement shall ensue pursuant to § 23-99-8.

26 (e) A report to any state official of excessive electromagnetic radiation or fields, as defined
27 in subsection (b) of this section in any part of the spectrum, including, without limitation,
28 microwave or maser, infrared, light or laser, and ionizing radiation, or report of intense mechanical
29 vibration, noise, or other physical agent, with evidence, including possible photographs,
30 videography, audio recordings, measurements of the agents, or other detection, shall trigger
31 immediately for attention within two (2) hours DEM emergency measurements of peaks and
32 averages over time with the appropriate, calibrated meters and forensic, detection devices both at
33 and near the reported location. Where professional metering and monitoring equipment is needed
34 but not owned by the state, DEM personnel shall partner with academic institutions for investigative

1 activity, in order to provide evidentiary findings that would qualify under the Supreme Court
2 Daubert Rule in judiciary contexts.

3 **23-99-10. Investigatory findings – Responses.**

4 As established in this chapter, manipulation of the environment involves the intentional
5 release of hazardous polluting emissions. A finding of:

6 (1) Any NBCs that are either xenobiotic and should not exist in the natural environment,
7 or that are found at xenobiotic levels or levels beyond the legal limits of the state or federal
8 government, shall trigger enforcement as follows, over all federal, state and corporate entities:

9 (i) DEM's immediate communication of the requirement of the owner and/or operator of
10 each facility or infrastructure deploying or releasing the specific agent or agents, to produce records
11 of all data collection on emissions of the extant operations of any site(s) at or near where xenobiotic
12 agents or excessive levels are or have been detected, and convey said records to the department;

13 (ii) DEM's order to cease operations of the facilities or infrastructure(s) other than those
14 operations needed for police, fire, emergency services, and aviation safety; and

15 (iii) DEM's evaluation within twenty-four (24) hours of the owner's and/or operator's
16 performance in causing the cessation of all operations except those activities exempted under
17 subsection (1)(ii) of this section.

18 (2) Radiofrequency/ Microwave (RF/MW) radiation, including maser, of signal strength
19 metered at and near the reported, publicly-accessible location in excess of -85 dBm (decibel-
20 milliwatt) for any frequency or channel band specified by a transmitting entity's FCC transmission
21 license;

22 (3) Extreme-low-frequency alternating current (AC) electric fields in excess of one volt
23 per meter (V/m);

24 (4) Magnetic fields in excess of one milliGauss (mG);

25 (5) Transients in the electrical wiring, also called "dirty electricity", which must be filtered
26 for safety;

27 (6) Ionizing radiation in excess of 0.02 milliSievert per hour (mSv/h);

28 (7) Laser, Li-Vi, strobe, or other light with harmful effects; or

29 (8) Any vibration, noise, saser, sonic weapon, or other physical agent exceeding other
30 official limits, guidelines or standards, such as eCode360, shall trigger:

31 (i) DEM's immediate communication of the requirement of the owner or operator of each
32 antenna, or facility or infrastructure deploying excessively energy-demanding and/or public-
33 exposing transmissions, or other source of energy or vibration at or near the reported location, to
34 produce records of all data collection on the extant operators at one or more sites near where

1 excessive xenobiotic electromagnetism and fields, mechanical vibration, or other physical agents
2 are or have been detected, and to convey said records to the department within twenty-four (24)
3 hours;

4 (ii) DEM's immediate communication of the requirement of the owner of the facility, or
5 utility or other service equipment at or near the reported location to provide within one business
6 day all data collection records up to that date and time of electrical usage at or near the reported
7 location.

8 (iii) DEM's order to cease operations of all antennas on, and other deployments of energy
9 or vibration emitted from, the measured structure or facility, other than the operations needed for
10 police, fire, emergency services, and aviation safety;

11 (iv) DEM's evaluation within twenty-four (24) hours of the owner's or operator's
12 performance in causing the cessation of all operations except those activities exempted under
13 subsection (8)(iii) of this section; and

14 (v) Emergency management preparedness agency referral of potential criminal activity to
15 the judiciary for prosecution.

16 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY -- THE ATMOSPHERE PROTECTION ACT

1 This act would prohibit the intentional release of hazardous polluting emissions into the
2 atmosphere and provide for a natural climate while increasing resiliency by prohibiting deliberate
3 atmospheric pollution and manipulation of the environment. Violation fees would be collected and
4 placed into a trust fund for municipal-level allocation for projects that promote the safety of life
5 and property as well as environmental and agricultural health free from hazardous atmospheric
6 activities.

7 This act would take effect upon passage.

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