

Attorney General's Office
California Department of Justice
Attn: Public Inquiry Unit
P.O. Box 944255
Sacramento, CA 94244-2550

September 3, 2025

Dear Attorney General Rob Bonta:

We, the undersigned organizations, advocates, and concerned citizens, respectfully submit this notice of preemptive authority. We invoke your constitutional, statutory, and fiduciary responsibilities to protect the most vulnerable members of society by reassessing standards in a variety of legal regimes that are illegally ensuring the discounting of their lives and rights, as well as their political disenfranchisement.

These standards - for assessing what constitutes the green in “greenwashing” - as well as the processes for developing them, are designed to illegally enrich some children at disenfranchising and deadly cost to others. These standards - which enable fraud by omission centred on the concealment of the multi-faceted impacts of children entering the world - skew the measures of climate and other reparations many are owed, and as described below harm their health, survival, and development.

Governments are enabling companies and nonprofits - with assessment and disclosure standards that omit and / or skews how birth and development outcomes impact value claims - to create an illegally fraudulent fantasy world of progress that, as temperatures rise, kill many. This benefits those in government and the corrupt funders and executives at the private entities, while harming the most vulnerable. Those grassroots entities truly representing the vulnerable cannot compete in the marketplace of information under such a standard.

More specifically, we urge you to consider your authority **to bring unfair competition litigation using the preemptive standards described below against entities omitting the impacts of children entering the world on their value assessments and impact reporting**, a practice of fraud by omission that hides objective baselines for assessing harm, and thus accurate prioritization and measurements of climate reparations etc. There is sufficient liability here to lever a larger change that would alter “baby bond” and the other popular minimum income regimes discussed below to ensure intergenerational justice.

While the below will cite positive law and authority, our position is that the fundamental legal authority is a grundnorm that measurably and equitably empowers the constituents of any legal system. Documents, like constitutions, do not constitute political entities. People do. And the authority for courts to set precedent around the “one person, one vote” standard for equal protection discussed below derives from and is conditioned in a primary rule of constitutional equity and empowerment, a requirement logically inherent in the phrase “We the people” and similar conditions premising constitutions.

Background

Recent filings before the United Nations Human Rights Council, and African Commission on Human and Peoples' Rights, have detailed peer-reviewed research tracing millions of deaths in the unfolding climate and related crises to a very specific failure in the design of human rights, and reproductive rights, systems decades ago. The failure (by elevating autonomy over political equity) privatized the constitutive creation of power relations, gutting the effective impact of all child-rights regimes and setting the stage for a growth-based climate crisis in which only the impoverished face serious threats. The move was - at the most fundamental level - illegal because under it there are no legal protections for / obligations to the most vulnerable: children are brought into conditions that violate their rights, with after-the-fact interventions and applications of rights, after adults have already gotten the benefit of exploiting them. This in turn threatens political legitimacy, inserting a false premise in which citizens have been expected to follow the law without actually being empowered by it.

More specifically, as described below, we invoke your obligations under the best interpretations of preambular collective pronouns (“We . . .”) in things like state and local constitutions, as interpreted under precedent to ensure one-person, one self-determinative vote¹ and other areas of constitutional law, as well as the Article I and other provisions of the International Covenant on Civil and Political Rights (ICCPR), to ensure the political and constitutional self-determination of your constituents.

The meaning of terms like “we,” and the equal protection and political enfranchisement precedent deriving from that meaning, requires equal offsets of one another’s political influence relative to zero or neutral standard, which in turn requires minimal thresholds of wellbeing and empowerment for all children (consistent with state obligations under the Children’s Convention and other instruments), high thresholds that are inconsistent with the low thresholds and standards being used by Coca-Cola. Those same standards were used by many of the nonprofits funded by wealthy families (families plagued with an interest convergence problem in the face of the crucial family reforms they ignored) claiming to watchdog it and similar companies.

The preemptive standards are based a concrete metric centered on *constitutive political* equity and self-determination (starting with climate restoration through enhanced democratic representation), rather than using the current commercialized standards of welfare that begin (based on a fiction inserted into human rights in the Twentieth Century to avoid child equity) by exploiting infants for economic growth, driving the climate and related crises by enriching some at deadly cost to others, with the commercial self-determination of some made at cost to the political self-determination of others.

There are massive differences between the two standards in terms of things like permissible emissions, levels of democratic representation, minimal birth and development conditions for children consistent with the Children’s Convention, etc. The current, more commercial standards are illegal and killing millions.

¹ See generally *Reynolds v. Sims*, 377 U.S. 533 (1964).

Governments have a preemptive obligation to measure harms from zero and remediate (via the “legitimations” that precede reparations, described below) as such - [rather than measuring from the high numbers that created crisis](#), because the only source of legitimate governance is the empowerment of its constituents, something first contingent on their birth and development. This obligation includes ensuring child-rights based planning as a constitutional process shifts entitlements and mandates for funding (via revising “baby bond” and other pronatal mechanisms [to orient from equity instead](#)) in ways that [significantly alters behavior and future outcomes](#).

This moves towards an inclusive system - the sort that would have used accurate criteria for evaluation and avoiding things like the climate crisis, defining terms like “green” for all children to thrive, rather than defining such terms to allow **massive disparate impacts in which wealthy children become further enriched at deadly cost to vulnerable children**.

Governments do not have the right to change the meaning of disenfranchisement in order to escape responsibility for that wrong. A government’s authority depends on fair representation and accurate measures of harm. That authority comes from the people’s ability to govern themselves—not only those alive today, but also future generations. When governments create policies about birth and development mainly to boost the economy instead of empowering citizens, they are exploiting people. This not only harms individuals, but also undermines the government’s own right to govern. The damage done by such policies must be measured honestly and compensated fairly.

Your authority derives from and is contingent on accurate assessment and the remediation of threats to the *political* self-determination of your constituents (roughly eight standards revolving around [restorative climate emission levels](#)), rather than your benchmarking to the *commercial* self-determination of constituents - the system of exploitation over empowerment driving the climate crisis. Many of the standards currently in use to assess and remediate harm (like high permissible levels of climate emissions enabled by diluted levels of democracy / representative ratios that favor the influential) [are the same standards that caused the harms](#) and are drastically different from the [number set necessary](#) for political legitimacy, allowing many to avoid liability. This amounts to moving the goalposts to allow for harm that was illegal - in violation of children’s rights (under the [Children’s Convention](#) and many other instruments) to be [measureably](#) empowered, and governments’ (whose authority is fully derivative) first duty to ensure that empowerment.

As discussed below, legal regimes enabling sustainability claims by Coca-Cola, Inc. and others, most often use the commercial standard. This is a fraudulent equity and impact standard, enabling inaccurate claims that lack crucial context and allowing some to get the benefits of a legal system premised on including and empowering its constituents while paying the low cost of actually treating those constituents as consumers / economic-inputs in growth-based economies.

If we ask Coca-Cola. and [even the many of the nonprofits currently challenging their claims](#), how they were factoring in children entering the world as a variable in their assessments and reporting schemes, we find illegally exploitative metrics - a quiet segregation - with no minimum thresholds that treat children of color as deserving substantially less than white children, metrics that did more harm than good by objective thresholds like healthy climates / temperatures.

The use of these standards - contrary to the self-determination of a functional one-person, one influential vote system that requires low emissions and democratic representative ratios - [risks countless lives](#), and has already led to the deaths of millions in vulnerable regions of the world. Children born in conditions that violate their rights represent a cost to be avoided, not a benefit to be exploited.

What started at Fair Start as research into growth has shown a much deeper problem, [deriving from the exclusionary political process by which terms like “green” have been standardized](#) - a process that not only subjects infants to the impacts of high levels of pollutants, but deprives them of resources to deal with those pollutants, and an effective voice in political systems to remediate any of the threats they face.

Again, the standards here **are preemptive. Our truthful discourse, inclusive of key contexts and our full impacts, is what actually creates the sense of obligation to future children and thus a better future.**

Governments have no authority to redefine the disenfranchisements detailed below to avoid their own liability. Political equity - the basis of your authority and ability to entitle wealth - is a matter of objective numbers, relative to accurate baselines from which to measure harm. Your authority and sovereignty derives from the measurable sovereignty, or self-determination, of your constituents - the majority of which have yet to be born. Exploiting those constituents through birth and developmental policies designed to grow economies rather than empower citizens is illegal as detailed below, and not just because it harms them but because it illegitimizes your authority.

The harms caused by such policies to date must be accurately compensated. Not prioritizing political equity as a fundamental norm has done more harm to our world and values than downstream public interest interventions have done good, and by measures we all accept - like moderate temperatures and meaningful voice in processes that impact us. Political representatives that ignore this do empower their constituents, and lack legitimacy.

Governments have no inherent authority and there are no inherent rights to wealth. Nor can they make their own rules for the language of obligation that is required for them to remain legitimate. This notice sets a standard that allows all to know when the tail is wagging the dog. The difference between the standards proposed here, versus the status quo of presuming illegal levels of harm to avoid accurate compensation, will save millions of lives worldwide.

This petition contends that the state is legally obligated to take preemptive action to assess and report harms to infants under both domestic and international law. Inaction violates infants' substantive due process rights under the Fifth and Fourteenth Amendments and undermines the federal government's trust responsibility to ensure public health, equity, and representative governance.

Again: Today, many children are being enriched at deadly environmental, political, social, etc. costs to other children. This is illegal. We can all do better by preemptively and fully accounting harm to maternal and infant health and development when assessing and reporting the value we add to the world, and our impacts upon it. Doing so is crucial because the norm, under an

omissive but common cost/benefit system (equifraud), historically used to subvert racial justice movements, is to discount their rights to enrich some at deadly cost to others. This is an illegal standard that blocks our obligation to derive our benefits and the political authority of governments to the equal empowerment of their constituents, disenfranchising the vulnerable relative to legitimate measures that link climate emission levels to their inseparables: democratic representative ratios, levels of political equity, minimum thresholds for infant development, etc.

I. Constitutional and Statutory Obligations

A. Substantive Due Process and Equal Protection

The preemption described above derives from the meanings of preambular collective pronouns (“We . . .”) in things like state and local constitutions, as interpreted under precedent to ensure one-person, one self-determinative vote² and other areas of constitutional law, as well as the Article I and other provisions of the International Covenant on Civil and Political Rights (ICCPR), to ensure the political and constitutional self-determination of your constituents. The meaning of terms like “we,” and the equal protection and political enfranchisement precedent deriving from that meaning, requires equal offsets of one another’s political influence relative to zero or neutral standard, which in turn requires minimal thresholds of wellbeing and empowerment for all children (consistent with state obligations under the Children’s Convention and other instruments), high thresholds that are inconsistent with the low thresholds and standards being used by Coca-Cola and many of the nonprofits funded by wealthy families claiming to watchdog it and similar companies.

Infants possess a constitutionally protected right to life, bodily integrity, and health. The state may not affirmatively cause harm or remain deliberately indifferent to known risks (see *DeShaney v. Winnebago Cty. Dept. of Social Services*, 489 U.S. 189 (1989); *County of Sacramento v. Lewis*, 523 U.S. 833 (1998)). This duty is particularly acute in structurally marginalized communities such as the Black, Indigenous, low-income where infants face disproportionately higher risks of premature death, and systemic neglect. Failure to assess or remedy these disparities may amount to unconstitutional disparate impact and dereliction of federal equity mandates. Sufficient precedent, challenging illegal business models in the case of housing discrimination for example, exists to enable corrective actions now.

B. Federal Environmental and Child Protection Statutes

When children’s rights are left out, justice is undermined, fraud flourishes, and those children are treated as if they have no value or future. Federal environmental laws, including the Clean Air Act, Safe Drinking Water Act, Toxic Substances Control Act, and National Environmental Policy Act, require federal agencies to assess, disclose, and mitigate environmental harms, particularly where vulnerable populations like infants are disproportionately impacted. Additional statutes such as the Individuals with Disabilities Education Act (IDEA), Child Abuse Prevention and Treatment Act (CAPTA), and maternal and child health provisions of the Public Health Service Act further reflect the government’s obligation to proactively prevent foreseeable harms to children.

² See generally *Reynolds v. Sims*, 377 U.S. 533 (1964).

II. Systemic Failure, Illegitimacy of Current Standards and the Missing Step: Children's Rights

The omissive and illegal standards described below are based on the historic subversion of racial justice movements, and stem from assessing bodily autonomy out of the context of one's political authority, which allowed governments and elites to assume authority and entitlements rather than dynamically legitimating them through empowering their constituents in measurable ways. The standards are based on a false premise, reproductive autonomy, with influence and power relations never subjected to children's rights as limiting obligations on would-be parents' whim.

In constructing the logic of entitlements and obligations—such as reproductive rights and property rights—human rights theorists overlooked a critical intermediary: the rights of children. This omission created a legitimacy fraud, devaluing children to zero and disrupting the fundamental valuation of human relationships. As explored by Nobel Laureate Steven Chu in *Forbes*, "The World Economy Is a Pyramid Scheme", this systemic exploitation continues to enrich the few at the expense of millions, perpetuating cycles of inequity and environmental degradation.

The omission of children's rights not only weakens the chain of legitimacy but also allows performative fraud to undo the "object in the subject," thus undermining justice. No valuation system outside of zero remains for the omitted, who are those left without recognition or investment in their future.

The inequitable growth this ensured was sustained for less than a handful of generations before it caused catastrophic economic, ecological and political outcomes, creating unsustainable demand, cheap labor, and diluted political equity - all enabled by discounting future children's (and animals') rights. The standard has allowed benchmarking of terms like green, humane, eco, sustainable, net-zero, equitable, etc. that in ways that have no connection to the actual birth and development conditions children need to survive, and benchmarking process that has been driven by a first-order lack of equity standards in value assessments and claims.

Despite clear evidence that growth and the birth/developmental positionality inherent in it are the fundamental and largest driver of harm, many organizations and activists intentionally ignore the driver to avoid questioning and perhaps threatening their own privileged positionality. If they can get the benefit of impact without paying the costs of actually making it happen, they will.

Recent filings before the United Nations Human Rights Council, and African Commission on Human and Peoples' Rights, have detailed peer-reviewed research tracing millions of deaths in the unfolding climate and related crises to a very specific failure in the design of human rights, and reproductive rights, systems decades ago. The move privatized the constitutive creation of power relations, gutting the impact of all child-rights regimes. But this also threatened political legitimacy, inserting a false premise in which citizens have been expected to follow the law without actually being empowered by it.

The failure created an illegal and fraudulent standard that treats children of color as worth exponentially fewer resources and more risk. The standard - when used by governments - allows companies and other entities to benefit from the slow and quiet disenfranchising growth that brings children into conditions that violate their birthrights, and rights political equity, or one's capacity to influence outcomes, like climate policies, that affect them.

This standard, by ignoring the political equity of the child at birth, permits governments and corporations to avoid accountability for the catastrophic ecological, social, and political consequences of inequitable growth. It allows "equitywashing" which is the systematic omission of the cost of disempowered births from value claims under the guise of sustainability or corporate social responsibility. This is more than greenwashing; it is a first-order structural fraud. It allows the influential to define "green" in a way that benefits some at deadly cost to others. Limiting analyses to greenwashing elides fundamental causation, and robs victims of protection and compensation, and by disenfranchising the vulnerable in a system of state-backed but increasingly illegitimate violence thereby exacerbates violence. The standard, by omission of key facts, blocks the deriving and conditioning of political obligation on constituents being actually empowered.

III. Fraudulent Impact Standards and Political Disenfranchisement

The use of this fraudulent standard - and the hiding of fundamental causation - underpins many of today's most deadly and unjust outcomes. For example, in the case of Coca-Cola and Fairlife LLC, recent lawsuits have revealed that the greatest driver of harm was not cruelty alone but the foundational inequity that allowed the enterprise to operate with impunity.

By failing to account for the inequity and disempowerment of children entering the world, governments have enabled corporate actors to profit from invisible and systemic disenfranchisement. For instance, a woman may lawfully terminate a pregnancy but then die months later in a climate crisis-induced heatwave because she had no political influence, no economic means, and no social capital. Her vulnerability was not "unlucky"; it was legislated, birth and development based disenfranchisement. And it was enabled by omissive, commercial language - like sustainability claims - that hide the political harm.

This dynamic underscores a fatal flaw: compliance with the law cannot be morally or legally required if the law itself was not derived from empowered constituents. Current reforms—like diversity, equity, inclusion, and justice (DEIJ) initiatives—are not sufficient. In fact, by operating after the fact, and dividing left/right over matters like affirmative action rather than uniting around the existential justice of responsible parenting, they have done more harm than good with elites on both sides degrading political equity for their own benefit. True justice requires a preemptive standard that acknowledges and rectifies the structural exclusion of entire populations from political representation, enabled by omissions that ensure listeners assume illegal levels of disenfranchising, inequitable, and unsustainable growth are the only option.

IV. Preemptive Standard and Legal Remedy

You are required under the International Covenant on Civil and Political Rights (ICCPR) to ensure the political self-determination of your constituents, a concrete metric centered on

political equity, rather than using the commercialized standards driving the climate and related crises. The requirements [are detailed here](#). Ignoring these standards has led to the existential disenfranchisement of countless persons, [on many levels](#).

Remediating to those standards required treating an equity-modified Meyer threshold standard as the preemptive measure to replace the illegal and fraudulent one, that through incentivized parenting delay, equity reparations, and a resource measure beneath which no child should be born, can move the world quickly towards Partha's Dasgupta's optimality and for all a measurable level of capacity to control the influence of others, or be self-determining.

The meaning of “We” in federal and state constitutions implies a political equity threshold that requires interpreting state law in accord with the political equity threshold in ways to specify legitimacy-corrected Meyer thresholds (the correction of which avoid the discounting or commercialization of autonomy by taking it out of the context of one’s political equity, or measurable level of capacity to control the influence of others, or be self-determining) for all these areas of law in order to account for the fundamental driver of the crisis, and not continue to replicate it. The term must be interpreted to protect the capacity of constituents under a “one person, one vote” (which requires measurable self-determination) to equally influence the rules that control who has influence over them.

All of the relevant case precedent regarding that rule is premised on that right of self-determination, which once the subversion of racial justice standard is accounted for, requires measurable capacity to control the influence of others. This is the plain meaning of the term “we” and other sovereign/collective pronouns as used in constitutional and statutory contexts, and these terms modify subsequent texts. This avoids a system that prevents racism in language, hiring, education, and housing, but not in assessing state responsibility for things like some infants dying in heat waves while others are enriched, racism severely limiting their opportunities in life even if they do survive.

- **Mandatory birth equity thresholds** beneath which no child may be born.
- **Reparative redistribution** of resources to ensure that every child is born with the capacity to participate in self-determining systems of governance.

Such requirements move policy towards a legitimate, and relational, set of values that includes actual obligation and self-determination, not a commercialized version of those values based on the nonsensical idea that having children has more to do with parental autonomy than political equity.

Government authority and private entitlements derive not from tradition or economic dominance, but from the measurable empowerment of constituents. States have no legitimate authority absent the precondition of equal political equity at birth. Applying this principle here will impact business models wreaking havoc elsewhere.³

³ For example, the Coca-Cola factory at the edge of San Cristobal de las Casa, Mexico, drains over 300,000 gallons of water a day from the local land because the government allows it (Lopez & Jacobs,

This standard is consistent with the International Bill of Human Rights,⁴ the International Covenant on Civil and Political Rights⁵, the interpretive frameworks rooted in “one person, one vote,”⁶ and the constitutional right to be let alone or free from the nonconsensual influence of others⁷, authority around democratic vote dilution⁸, the right of self-determination for indigenous persons and communities⁹, etc. Domestically, this preemptive standard - which implies one **influential** vote, certainly with enough influence [to avoid infants dying in heat waves](#) - has enforceability under consumer protection laws (such as federal and state deceptive trade practices acts), constitutional doctrines of equal protection, and common law prohibitions against fraud.

V. Enforcement, AI Monitoring, and Global Justice

Artificial intelligence tools trained to detect racial and systemic injustice can distinguish between surface-level equity (e.g., representation in hiring) and foundational equity (e.g., birth positioning and political agency). These systems should be employed to identify fraudulent equity claims and to develop algorithms that evaluate both the **subject** and **object** of value claims. The correct measure of damages to infants requires zero-baseline accounting and [strict metrics \(using cumulative standards for representative rations, political equality, climate emissions, etc.\)](#) for birth-equity reparations from subject, or legitimate and inclusive, values.

For example, decreasing the discount rate from 5% to 2.5% often increases the estimated damages by a factor of 5. Nordhaus, William D. “[Revisiting the Social Cost of Carbon](#).” Proceedings of the National Academy of Sciences, vol. 114, no. 7, 31 Jan. 2017, pp. 1518–1523.

As described above, discounting is illegal because it is based on a racist fallacy that treats the act of having children as more personal to the parents than interpersonal to the children and communities they comprised, a fiction designed decades ago to avoid racial equity and which had the inadvertent effect of delegitimizing governance because the creation - at birth - of our [relations with others are never based on our mutually empowering obligations to them](#).

A policy that sets permissible emissions as an objective benchmark differs radically from one that defines those same emissions in terms of a “we” that includes all children—empowered, protected, and self-determining. True value lies not in the efficiency of the system but in the legitimacy of its foundation.

2018). As a result, Coke is more accessible than water, with significant negative impacts on public health: <https://www.nytimes.com/2018/07/14/world/americas/mexico-coca-cola-diabetes.html>. See <https://fairstartmovement.org/fair-start-today-moves-to-standardize-climate-damage-evaluations-at-the-un-and-override-any-conflicting-standards/>.

⁴ See <https://www.ohchr.org/en/what-are-human-rights/international-bill-human-rights>

⁵ See <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

⁶ See https://www.law.cornell.edu/wex/one-person_one-vote_rule.

⁷ See <https://climatecasechart.com/case/animal-legal-defense-fund-v-united-states/>

⁸ See <https://www.law.cornell.edu/constitution-conan/amendment-14/equality-standard-and-vote-dilution>

⁹ See <https://www.bia.gov/regional-offices/great-plains/self-determination>

That process of constituting just relations (the first and necessary condition of being free) starts with one question: How are you accounting for children coming into their world relative to the conditions and political equity, so that power relations and political systems are actually rights-based and legitimate? One can't claim to create real value when one starts by violating rights, and the state's authority comes from measurably empowering its constituents, not allowing the deaths of millions based on race-based birth inequity.

The Fair Start movement uses simple questionnaires to assess legitimate claims:

_____’s claimed value add does not account for child inequity, and treating children of color as deserving of less, and disenfranchising them. That’s illegal, and a mistake that caused horrible outcomes that are undoing X’s claimed value add, including allowing our governments to never actually empower the people they claim to represent. For example _____

This avoids a system that prevents racism in language, hiring, education, and housing, but not in assessing state responsibility for things like some infants dying in heat waves while others are enriched, racism severely limiting their opportunities in life even if they do survive. What other source could there be for state authority and the entitlements its authority protects, ensuring obligations that enrich some children at deadly cost to others? One either derives governance from the governed, and conditions it as such, or not. The only meaning of the fundamental reference to “We,” in the state and federal constitution, requires the former.

Use of collective pronouns to imply obligation, without requiring the costs of it in the form of birth equity-level investments in planned birth and development relations, is a false premise and illegal.

Global pressure is mounting for reparative justice, particularly from African-led coalitions experiencing the most catastrophic impacts of inequitable development. These coalitions are calling for **family-based climate reparations** grounded in the right to be born into empowering conditions. They are also demanding an end to the **unfair competition posed by U.S.-based nonprofits** that ignore the equitywashing standard in their impact reporting.

Many massive environmental organizations in the United States have engaged in blatant fraud, raising millions to save particular areas of the world, while knowingly allowing birth inequity to enrich their funders while simultaneously exacerbating macro social, environmental and economic conditions that are now destroying those areas. They manufactured numbers that hid the enrichment of their and their funders’ children at deadly cost to the most vulnerable, claiming victories for animals while choosing growth-based policies that everyday undid those victories, and never challenging fundamental standards and business models based on the cruel treatment of future infants and animals. The policy choices ensured the organizations and their funders did better, while the protected classes the organizations were created to protect did worse.

A close examination will show performative interventions designed to publicize granular victories and raise money while the benefits of their work were being undone by more macro forces. If they are allowed to engage in the charade version of social justice that created the

climate crisis they will do so. A preemptive cause of action against the use of a fraudulent equity and impact standard would prevent this.

The most fundamental currency is empowerment, not economic growth, and nonprofits that hid the erosion of empowerment with decades of misleading claims about their victories, and progress for the public interest, were doing more on balance to promote private interests.

VI. Legal and Moral Imperatives

States enabling companies like Coca-Cola to make misleading claims while obscuring the full scope of their impact are not merely negligent; they are complicit in structural fraud. These omissions undermine democratic legitimacy, harm future generations, and entrench racialized birth inequality. The only viable legal and moral path forward is to anchor all state authority and entitlement allocation to the measurable empowerment of infants and the equitable constitution of future generations.

The research is clear: The largest driver of harms in that case, exponentially greater than any other, was the use of the illegal and fraudulent standard. Environmental and related harms, once the failure and fraud are corrected for, must be measured, ameliorated and compensated for using a zero-baseline measure that does not discount the future lives of infants and animals but rather treats all political authority and the assignment of private entitlements like wealth as derived from and conditioned upon the measurable birth - and thus political equity - of their constituents. Anything less involves overshooting and degrading ecological social and political thresholds humans and nonhumans need to thrive, and manufactured numbers that hide liability for the crisis and endanger countless persons. Discount rates are illegal because they ignore the multiple entry thresholds that are necessary for political legitimacy.

The law must no longer exclude infants from the calculus of justice. There is no valid claim to national sovereignty, legal legitimacy, or democratic participation that does not begin with the empowerment of children. Political authority must be derived, not assumed—and that derivation begins at birth.

V. Areas where preemption should be prioritized:

1. Assessing the legality of business models - like Coca-Cola's - that drive equity and impact fraud, and their underlying system of valuation, and enjoining fraudulent aspects where required (using liability for the fraud [or growthwashing](#) as a practical lever). This includes assessing damages and the necessary remedies, including injunctions against the illegal business models, in cases like those described above. Using standards for what is "green" benchmarked to the needs of wealthy investors and their children (like the children of Governor Newsom) at deadly cost to at-risk infants, and then using an exclusionary legal process that disenfranchises and denies political equity to lock those standards in place, is illegal.
2. State and federal "baby bond" measures that currently act as pronatal incentives to ensure economic growth, but which must be revised to incentivize ensuring all children are born above a threshold of conditions likely to ensure their and thus collective [political equity](#). [Collective family planning care groups](#) seek to elevate all children being born above

certain thresholds that would equitably empower them. Wealthy families in the United States, for example, planning for another child generally do not meet this obligation, nor do the value and impact claims made by the for-profit and non-profit entities generally fund capture that obligation because they omit birth equity as a factor in the valuation. Moving towards collective family planning remedies this problem, and its impact on self-determination and equal protection from things like [disparities in access to air-conditioning that track race](#). No person at risk of such a scenario would have voted for that outcome. Instead they were disenfranchised by the standards described above, robbed of their choice to avoid it.

3. State regimes for AI governance, ensuring that no coding assumes or conveys the concept of political obligation in a system without ensuring the measurable and equitable empowerment of those subject to that system. Again, there is an express or implied "we" that prefaces all legal instruments and should be read as a zero baseline requirement, one that [enables birth equity standards that override the conflicting status quo that has commercialized democracies](#) by taking freedom out of its creation/birth/political equity context. AI governance should ban code that assumes political authority without guaranteeing equal empowerment, grounding all legal and political systems in a "zero baseline" of birth equity rather than commercialized democracy. Current AI governance is already moving toward "zero baselines" and "birth equity," but the governance frames it in terms of human rights impact assessments, bans on manipulative AI, and protections against discrimination.

Relief Requested:

We urge that the state:

1. **Immediately initiate a public assessment** of infant vulnerability based on birth equity, environmental justice, and political empowerment.
2. **Recognize and adopt a preemptive, equity-modified standard** for assessing environmental and related damages, replacing the current fraudulent metric and requiring relevant disclaimers.
3. **Pursue enforcement actions like UCL litigation against** corporations and entities that use fraudulent value standards to shift costs to children and vulnerable communities. The state can use consumer law to move our current commercial and exploitative relations towards more equitizing political relations. Our value and impact claims orient and situate us as claimants, relative to preemptive or constitutive standards for our actual obligations to the constituents whose measurable empowerment is the only basis for your authority.
4. **Engage international partners** to support birth equity-centered climate reparations and governance reforms to avoid disenfranchising assessments, claims, and the fundamentally illegal standards they rely on and reinforce.

Our language can constitute a better future by including our legitimating obligations, or further the current chaos by omitting our obligations. We need collective planning and equity as the

center of systems to ensure the former and there is growing political will among many to take democracy and freedom seriously enough to make this change.

Respectfully submitted,

Truth Alliance

The Fair Start Movement