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Contact 941-876-8112
press@americasfuture.net

America's Future Files Second Amicus Brief with SCOTUS in January 6 Case

Florida – February 9, 2024 – America's Future, Inc., a national leader in the fight to preserve individual rights, promote American values and traditions, and protect the nation's Constitutional Republic, announced that it filed a second [Amicus brief](#) on February 5, 2024, with the Supreme Court of the United States (SCOTUS) in *Fischer v United States (U.S.)*, SCOTUS Dkt. No. 23-5572, supporting petitioner Joseph Fischer and following the SCOTUS granting Fischer's request for a writ of certiorari in December. The first brief filed by America's Future in this case was filed on October 13, 2023, and can be accessed [here](#).

In the SCOTUS announcement granting certiorari, the Court stated that the issue it will resolve in this case is: "Did the D.C. Circuit err in construing [18 U.S.C. § 1512\(c\)](#) ("Witness, Victim, or Informant Tampering") which prohibits obstruction of congressional inquiries and investigations to include acts unrelated to investigations and evidence?"

As background, Mr. Fischer was criminally charged under [18 U.S.C. § 1512\(c\)](#) by the DOJ – a statute enacted to deter corporate malfeasance – based on asserting his [First Amendment](#) rights on January 6 at the Capitol. In reinterpreting the Enron document shredding law, the DOJ used it against Mr. Fischer and others, including former President Donald Trump. The DOJ's misuse of a §1512 to indict election protestors who were exercising their First Amendment rights constitutes, as stated in America's Future brief, "a clear effort to chill the speech, assembly, and petition rights of his political opponents, and should be brought to an end."

As the brief explains, "[T]he government's re-interpretation of § 1512(c)(2) sweeps so broadly that it could be used to criminalize efforts by Americans to exercise their First Amendment rights to speak, assemble, and petition the government. The Justice Department's investigation has already involved abusive surveillance of innocent Americans, having the chilling effect that could be expected. The January 6 prosecutions of even the elderly provide the backdrop for the Biden Administration's

recent creation of a new category of extremists identified as President Donald Trump and his MAGA followers.”

Americans’ rights to assemble and to petition the government for redress of grievances are not only found in the Declaration of Independence and enshrined in the text of our First Amendment but are also found in Colonial Era writings, explained Mary O’Neill, Executive Director of America’s Future. “We urge the SCOTUS to reverse the D.C. Court of Appeals decision. Any other ruling places our nation, our freedoms, and the Rule of Law in jeopardy. Enough is enough.”

To read more details about this filing, along with other briefs filed by America’s Future, please visit our Law & Policy page on our website at www.AmericasFuture.net.

ABOUT AMERICA’S FUTURE, INC.

Founded in 1946, America’s Future, Inc. is a 501(c)(3) nonprofit organization committed to protecting the individual rights of every American and our Judeo-Christian values that make America exceptional. We do our work through educational and informational initiatives, strategic partnerships, communications, and networking opportunities that empower Americans to get involved in the fight to preserve the American way of life, now and for generations to come. For information, visit www.AmericasFuture.net.