Petition to Congress of the United States of America to Apply Fundamental Law to the Violations of the Law of Nations by The Department of Interior Against Sovereign Tribal Nations

In Title 25 USCS, ss 450 Congress finds: *The Congress, after careful review of the Federal Government's historical and special legal relationship with and resulting responsibilities to, American Indian people, finds that*

(1) the prolonged Federal domination of Indian service programs has served to retard rather than enhance the progress of Indian people and their communities by depriving Indians of the full opportunity to develop leadership skills crucial to the realization of self government and has denied to the Indian people an effective voice in the planning and implementation of programs for the benefit of Indians which are responsive to the true needs of Indian communities and

(2)the Indian people will never surrender their desire to control their relationships both among themselves and with non-Indian governments, organizations, and persons.

The task remains for our citizens to decide who must hear the issues, arising from this prolonged Federal administration, and how the grievances of the Tribal Nations can be lawfully addressed by the Nations themselves.

The Sovereign Traditional governments stood long before the Reservations were established. The way the people of these governments practice their way of life has worked very well without the guardianship of the Federal Government. It is my intent to prove in this document that venue is a matter between Nations under our fundamental law , the Constitution for the United States of America, The Supreme Court, and the Principles of The Law of Nations.

Since 1831, United States jurisdiction over Indian matters has been addressed by many famous cases. Cherokee v Georgia, Supreme Court 30. U.S. (5 Pet.) 1 (1831) and the resulting opines have long been recognized as important documents in law concerning Sovereign Indian Nations. The Cherokee Nation wanted to impose an injunction on the State of Georgia, forbidding certain laws from being implemented by the State on Cherokee Land. Since the Supreme Court is permitted only to hear matters of its jurisdiction and assumes its power from the Constitution, the court ruled that Indian Nations are not "foreign" in the sense of the Constitution and that they are a domestic dependent nation whose Sovereignty depends on the Federal Government. The Supreme Court decided that it was not a matter over which The Supreme Court had jurisdiction.

This left the matter unsettled between the State and the Cherokee Nation. No injunction was given, however, it did not settle the matter of venue and jurisdiction for grievances of Sovereign Indian Nations. A Supreme Court Opinion of a matter over which the court had no jurisdiction could not become a rule in decisional law.

If the Cherokee Nation had presented a Rogatory letter to Congress, its proper venue by our Constitution, then Congress would have been bound by the Fundamental Law of Nations to call a Conference offering solutions to the matter. If Congress had enforced the law of Nations, the subsequent "Trail of Tears" would not be in our history.

In California v Cabazon, the Supreme Court upheld the inherent, perfect rights of the Cabazon Nation to regulate hunting and fishing on its own land without State control. This case upholds the right of the Cabazon Nation by preventing the State's control over

another Sovereign Nation. Since the Plaintiff was the State of California, appealing to a court of jurisdiction, then this was the proper decision. The Plaintiff had venue and the court denied the State's jurisdiction to regulate trade on Indian Sovereign Land.

Worchester v Georgia (31 US 515, 1882) is often construed to place the jurisdiction of the Supreme Court over matters between states and Indian Nations. It, however, does not reverse Cherokee v Georgia. Instead it set forth the complainants (Cherokee Nation) to be a foreign state, not owing allegiance to the United States. This is the proper decision but fails to reveal to the Plaintiff that the matter had venue in Congress. The Supreme Court accepted its ability to decide matters between a citizen of the state of Georgia and the state of Georgia when the citizen had taken refuge on Indian Land.

Johnson v McIntosh (8 Wheat, 54) allowed Chief Justice John Marshall to decide that the United States had assumed dominion over Indian Lands. Yet we find no Papal Bulls or Doctrines of Discovery in the Law of Nations. Instead we find in ss 97, *When a country is occupied by wandering families, like those of pastoral tribes, which move from place to place according to their needs, it is possessed by them in common. They hold it to the exclusion of other peoples, and they cannot be justly deprived of lands of which they are making use. But let us repeat again here what we have said more than once, namely, that the savage tribes of North America had no right to keep to themselves the whole of that vast continent; and provided sufficient land were left to the Indians, others might, without injustice to them, settle in certain parts of a region, the whole of which the Indians were unable to occupy. If the Arabian shepherds were willing to cultivate the soil carefully, a smaller area would suffice for them.* ***Still, no other Nation has the right to restrict their possessions, unless it is in absolute need of land; for, after all, they are in possession of the country, they make use of it after their own fashion, they obtain from it what is needed for their manner of life, as to which no one may dictate to them.***

One of the Federal Government's claims to power over Indians is derived from Art. I, S. 8, cl. 3 of the Constitution for the United States of America. This gives Congress the power to regulate commerce with Indian Tribes. But this Article of the Constitution could not give Congress authority over the internal affairs of the Indian Nations, since the founders of the Constitution had no authority themselves. This Article only gives jurisdiction to Congress over Treaties with Indians.

In the case of US v Kagama, *supra*, 118 US 375 (1886), jurisdiction seems to be given *from the necessity of giving uniform* ***protection*** *to a dependent people.* This falls under the category of the Doctrine of Necessity, yet still there is no actual jurisdiction over the Sovereign Nations.

From the beginning of this assumption of jurisdiction, by The Doctrine of Necessity, our laws concerning Indians have developed under Titles 18, 43, 44, and of course Title 25 and the corresponding sections of the Code of Federal Regulations.

Black's Law, sixth edition contains no definition for Indian. However, it does have a definition for Indian Tribe: *A separate and distinct community or body of the aboriginal Indian race of men found in the United States. An Indian tribe within the meaning of Indian Nonintercourse Act is a body of Indians of the same or similar race, united in a community under one leadership or government, and inhabiting a particular, though sometimes ill-defined territory.* This sounds like a sovereign nation.

Title 25 U.S.C., which deals *exclusively* with Indians, provides no definition of Indian until Chapter 15 under definitions (1301). It says: For purposes of this subchapter, the term

(1)Indian Tribe means any tribe band or other group of Indians subject to the jurisdiction of the United States, and recognized as having the powers of self government.

(2)"powers of self government" means and includes all governmental powers possessed by an Indian tribe (see above definition*), executive, legislative, and judicial, and all offices and means the inherent power of Indian tribes, hereby recognized and affirmed, to exercise criminal jurisdiction over all Indians* (this sounds like the U.S. government).

(3) "Indian court" means any Indian Tribal court or court of Indian offense, and

(4) "Indian" means any person who would be subject to the jurisdiction of the United States as an Indian under section ***1153, Title 18, U.S.C.,*** (Crimes and Criminal Procedure*) if that person were to commit an offense listed in that section in Indian country to which that section applies.*

When the laws concerning Indians developed, Congress had to *redefine* the position of the Sovereign to one over which it could have jurisdiction. This defines Indian for all basis of Indian Law over which Congress has *actual* jurisdiction. Title 18, U.S.C., Crimes and Criminal Procedure, section 1153, refers to *criminal Indians,* and says : (a) *shall be subject to the same law and penalties as all other persons committing any of the above* ***offenses*** *within the exclusive jurisdiction of the United States.*

Under the Rules of Title 18 U.S.C., Rule 54, we find that the definition of *offense* is a *violation of an act of Congress*. In other words, any *Indigenous human being* who goes to Washington, or another place under the *jurisdiction of the United States,* (like Guam, Puerto Rico, The U.S. Virgin Islands) and *violates an act of Congress,* is a *criminal Indian* by definition of 25 USC sec. 1301. There are a few other definitions for Indians in 25 USC indicated by subchapter. There is one in ss 1452 which says *Indian means any person who is a member of any Indian tribe, band, group, pueblo, or community which is recognized by the federal government as eligible for services from the Bureau of Indian Affairs and any "Native " as defined in the Alaska Native Claims Settlement Act (43 USC 1601 et seq). In ss 3103 Indian means any member of an Indian tribe. 3202 says Indian is any individual who is a member of an Indian Tribe* and so on and so forth until Native American takes on the same definition as Indian.

Under Title 28 U.S.C. Rule 81, we also find that *statute* means *Acts of Congress.* And under Title 18 U.S.C. Rule 54 we find that *Acts of Congress* means *those which are locally applicable in Washington D.C. and the territories*

Even these definitions, which Congress allowed Washington to use, are excepted by the use of the word *person* in its content. You see in Title 1 U.S.C. Chapter 1, subsection 1, Part II, sub subsection 12, it says *(in determining the meaning of any Act of Congress, unless the context indicates otherwise) In common usage, term "persons" does not include the* ***sovereign*** *and* ***statutes*** *employing it will ordinarily not be construed to do so.*

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This would indicate that any code or statute in 25 U.S.C. when referring to

Indians refers only to *non-sovereign persons* who violate acts of Congress in the *exclusive jurisdiction of the United States,* or are members of an *Indian Tribe* by the definition in Chapter 15. *In other words, if a human being calls himself an Indian in Washington Law, then he redefines his character to become by definition, a criminal Indian or an Indian who is a member of a tribe under the jurisdiction of the United States or entitled to receive benefits from the BIA.*

For the Indian, born on the Reservation, it would not be possible to have Citizenship in the United States of America, unless he is naturalized in one of the several States, *thereby capturing the protection of the Constitution. Otherwise he is a Sovereign Citizen of the Nation in which he was born.* The contracts which Indian people signed, identifying themselves as criminal Indians in order to receive benefits from the BIA, were not fully disclosed if they included changing their *sovereign* position to one which is *under the jurisdiction of the United States.* Therefore, if disputed in the proper venue, they should be considered null and void due to lack of disclosure. Title 25 U.S.C. provides the Bill of Rights for Indians in Chapter 15, if he should commit a crime in Washington or one of the territories, but the Congress is not under Constitutional limitations when it is legislating for areas under its *exclusive jurisdiction.*

Pursuant to Downes v Bidwell 182, U.S. 244 "*Constitutional restrictions and limitations were not applicable to the areas of lands, enclaves, territories and possessions over which Congress has "exclusive legislative authority.*" This does not include Sovereign Indian Land. We already have a Constitutional restriction concerning these lands. It is called The Law of Nations.

Under Title 48, U.S.C., Chapter 10 *Territorial Provisions of a General Nature* section 1451 it says*: Nothing in Title 23 of the Revised Statutes shall be construed to impair the rights of person or property pertaining to the Indians in any Territory, so long as such rights remain unextinguished by treaty between the United States and such Indians, or to include any Territory which, by treaty with any Indian tribe, is not without the consent of such tribe, embraced within the territorial limits or jurisdiction of any State or Territory: but all such territory shall be excepted out of the boundaries, and constitute no part of any Territory now or hereafter organized until such tribe signifies its assent to the President to be embraced within a particular Territory As used herein, the term "Territory" does not include the Virgin Islands, Puerto Rico, American Samoa, Guam, or the Northern Mariana Islands.*

In Foley Brothers Inc. v Filardo, 336 US 281 it states *"federal legislation applies only within the territorial jurisdiction of the United States."* Black's Law defines Federal as meaning *belonging to the general government or union of states. Founded on or organized under the Constitution of the United States. Pertaining to the national government of the United States. Of or constituting a government in which power is distributed between a central authority (i.e. federal government) and a number of constituent territorial units (i.e. states).* Indian Land is not within the territorial jurisdiction of the United States unless the tribe specifically agrees to inclusion in a territory by treaty.

Downes v Bidwell is not the final authority on federal jurisdiction. The Constitution is the final authority. However, the statement is enough for us to see that it has become the accepted rule. This may seem off point, but bear with me as I think it is

important to the case. Let's go over the accepted rules again. *federal legislation applies only within the territorial jurisdiction of the United States.* And *Constitutional restrictions and limitations were not applicable to the areas of lands, enclave, territories and possessions over which Congress has "exclusive legislative authority."*

These two cases give to the word *federal* the Black's Law meaning *pertaining to the national government of the United States.* ***(Over which Congress has "exclusive legislative authority).***

Where do the District Courts acquire jurisdiction to decide matters for Indians? Through the undisclosed contracts the Indians signed, placing them under the *jurisdiction of the United States(the United States which is not under constitutional restrictions).* This jurisdiction does not come from the Constitution in its ability to apply needful rules and regulations over Washington D.C. or the territories. This jurisdiction comes from the assumed disclosure of the contracts which American Indians are forced to sign in order to receive benefits from a Nation which has decided, under the Doctrine of Necessity, that it must provide. The United States District Courts are Article IV courts. These courts are for federal employees in matters of administration of funding to the various departments hence the courts for violations of Acts of Congress. Although an *Indian Tribe* by definition may have venue in these courts, these decisions are limited to the subject matter of Article IV powers, the power of Congress to provide the needful rules and regulations for Washington D.C. and the territories and to establish courts for those purposes. These court decisions do not apply to Indian Land.

The Indian Agent system which began with forts and other needful buildings for an army to keep the Indians imprisoned on the reservation, has graduated over time to a system of tribal police and District approved "tribal courts" operating on Indian Land through a created jurisdiction called "Indian Country" under Title 25 U.S.C. Along with these funding courts are the Sovereign Tribal Laws of the Indian Tribes as described in Black's Law. You see the definition for *Tribal Court,* in U.S. Code, are those recognized as having the *ability to receive funding from the BIA*. They are the courts of distribution of funding to the *individual Indians (with social security numbers or BIA cards) yet operating without lawful jurisdiction on the land.*

Title 18 U.S.C., Crimes and Criminal Procedure under subsection 1151 gives us a breakdown of *Indian Country,* which seems to give us a place where these Indian laws apply. The basis of this is of course U.S. Code describing Indian Country as if it were a place. This place does not exist in law. It is a *division* of power between the Secretary of Interior and the Department of Justice and their ability to control the funding going to the various departments. Even Congress was careful about its definitions. When broken down, the Indian Country to which these laws refer, could only refer to a place in Washington, D.C. or in one of the Territories. It says, *(a) all* ***land*** *within the limits of any Indian reservation* ***under the jurisdiction of the United States Government,*** *notwithstanding the issuance of any patent* (which are under the jurisdiction of the Secretary of the Interior), *and* ***including*** *any rights of ways running through the reservation,*(under the Department of Justice)*(b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state,*(Indian Reservations are not within the limits of any state and communities are people, not land.)

and (c) all Indian allotments, the Indian titles to which have not been extinguished, ***including*** *rights of ways running through the same.*

According to Black's Law, Sixth Edition include means *to confine within*. In statute it can take on this meaning or it may mean *and or,* or *in addition to.* The rights of ways could be determined to mean either *only the rights of ways,* or it could be *in addition to* this nonexistent land, in Washington, DC or one of the territories.

Indian country in Black's Law is defined by decisional law in a court under the jurisdiction of the United States. These are the courtroom decisions between entities, which are corporately structured in the United States.

According to Black's Law, Indian tribal property *is property in which an Indian tribe has legally enforceable interest. Such terms refer to real property, the title which is vested in the United States but held in trust for the Indian tribe.* This definition is based on the 86 Wash. 2d. (Chief Seattle Properties, Inc. v Kitsapp County), another corporate decision. This is as close as can be found in describing Indian Land in decisional law, without defining Indian Land according to the Law of Nations.

Law is fundamental. The Law of Nations holds that the right to occupancy is held in trust by the Nation which holds sovereignty. Indian Land Title could only have been put in trust to the United States by the original owners of the land, the settlors. This could have been done by treaty, but these treaties would be recorded by both the United States and the Nations. If these treaties truly put land in trust (by a written instrument), then title belongs to the ***beneficiaries*** and not to the Trustees. Any attorney can tell you that in order for a Trustee to hold his position, then the Trustee cannot have benefit of title to Trust properties. This would be a conflict of interest and an attorney would not place such stipulations to a trust. This would be gross negligence. If a Trustee receives benefit of title to trust properties, then he could be charged by the ***beneficiaries*** with a crime called "failure to perform fiduciary functions", as well as theft. An inter vivo trust may give a settlor income from a trust, or management abilities of a trust, or even the power to dispose of trust property, but never to a Trustee for his own benefit. If the Congress disposes of Indian Trust Land to the benefit of itself through the Department of the Interior, then it violates its position as a Trustee. This violates the laws of contracts.

If federal agents or ***tribal police*** *as they are defined, enforce* ***their*** *law and* ***United States District Court*** *decisions on tribal lands, then they do this in a* ***foreign country*** *and in doing this they* ***break their own law by their own definitions.*** *You see Indian Land is not a land, enclave, territory, or other possession of the United States.* Indian Land is Indian Treaty Land, described and excepted under Title 44, Chapter Fifteen, ss 1511. This Land cannot be surveyed or documented for Presidential Executive orders. Our Constitution of the Confederation and Union of the several States, called the United States of America, gave no allowance to Congress to acquire jurisdiction over Indian Land. Congress only has the power to do what the Constitution says it has the power to do.

Congress has upheld that it is the duty of Congress to oversee the funding of Indian Nations by the necessity of *giving aid and uniform protection* to a dependent Nation. Yet Congress has placed this duty under the Executive Office of the District (President) to appoint the Secretary of Interior who governs the BIA through presidential executive order.

By Reorganization Plan number 3 of 1940, authorized by Congressional policy under Title 5 U.S.C., ss 901, and found at 43 U.S.C., ss 6, Congress **transferred authority** of the General Land office, which was regulated by the Congress, to the Department of the Interior (43 USCS ss.1451) . The General Land Office was changed from a **Federal** (under the jurisdiction of Congress) agency to an **agency** (under Executive Order). This transfers power from the Congressional Branch to the Executive Branch. This should fundamentally have been accomplished by an Amendment to the Constitution requiring the vote of both houses and ratification by the people. It is my contention that this was done under pressure from the President at the time. Basically what this did was give to the Secretary of the Interior the record keeping of our Public Lands. Washington, D.C. and the territories are excepted from this Act.

The Secretary of the Interior has many powers, here I will list a few.

Power over the public lands record keeping and surveying for all Presidential Executive orders (43 USCS, ss 2). Power over mining claims, (30 U.S.C., ss 46 et seq) Power over all such duties as pertain to private claims. Power over the issuance of all grants of land under authority of the Government (43 USCS ss 2). Power to intervene in any case involving any agency in the Department of the Interior including but not limited to the Bureau of Land Management and the Bureau of Indian Affairs. Power over the distribution of funding to all Indians, Indian Tribes, Indian Tribal Courts (the recognized courts who are recognized by the ability to receive funding from the BIA), (43 CFR, ss 4.5). Authority over contracts with Indians (25 USC ss 84), and in Title 25 USC, ss 4011, the responsibility to account for the daily and annual balances of Indian trust funds, the fiduciary functions claimed by Congress.

Also in Title 43 USCS ss 1451, (5), the Secretary of the Interior may from time to time effect such transfers of agencies he deems necessary and funding for that agency within the Department of Interior. I think we must know what the Native elders have said many times. *We hired the fox to watch the chicken house.* Under our current structure, all land taken from Indians, whether by the District Courts, Indian Tribal Courts, or the death of Indians, then become public lands which may be patented, leased, claimed, etc., exclusively by the Department of Interior. Our National Parks, or Public lands were formed out of Indian Treaty land.

Congress gave its constitutional jurisdiction over our public lands under Article 1 sec. 8 cl. 17 and Article 4 sec. 3 cl 2, excepting the District of Columbia and the territories, to an agency which is now regulated by the Code of Federal Regulations (under Executive Order) and called The Bureau of Land Management. Under the same authority, the Secretary of the Interior, is the authority over distributing funding to the people of a land which was created out of *exceptions of authority* and called "Indian Country."

The exceptions to this jurisdiction over Indian Country are the sections which extend the Indian Liquor Laws to Indian Country. This exception placed this jurisdiction under the Department of the Army, and later under the Attorney General, who regulates licensing for liquor and gambling on the Reservations. This is covered under Title 18, Chapter 15, ss 1151 et seq., the same place we find the definition of Indian.

In *its duties toward the pursuance of making needful rules and regulations*, the Congress, along with the Department of Interior, was allowed to create a *Nation without*

a land called Indian Country and transfer the funding for this from one department to the other in the Department of the Interior. Under 48 USC ss 1421(i), the Department of Interior also has the authority over the Civil Government of Guam. The Governor of Guam is defined in this subsection as the Commissioner of the Internal Revenue, under substitution of terms. The Commissioner of Internal Revenue makes the rules for the collection and distribution of the Guam Territorial Income Tax. The power to regulate the money coming from these departments is given by Presidential Proclamation, found under the Code of Federal Regulations.

Title 1 of the CFR under 1.1, definitions, describes an agency to mean *each authority, whether or not within or subject to review by another agency of the United States, other than the Congress, the courts, the District of Columbia, the Commonwealth of Puerto Rico and the territories and possessions of the United States.*

Document ***includes*** *any Presidential proclamation or executive order* ***and any*** *rule, regulation, order certificate, code of fair competition, license, notice, or similar instrument, promulgated by an agency.* Documents become Presidential Executive Orders by the rules of the Administrative Committees Act found under Title 5. All of these sources called agencies are from the Executive Branch.

These codes clearly define the Title of Nobility given to the Secretary of Interior over Indian people's money and our public lands. While we live free, as Citizens of the several States, we place the people who need our help the most *under the jurisdiction of a government which governs itself*, not from Congress or the courts or even Washington, D.C., but by the agencies organized under the Executive Branch. These agencies give power back to the various departments under the Code of Federal Regulations, governed by Presidential Executive Order. By allowing this, Congress, under the guise of giving *uniform protection,* fails to protect even the lands which it claims to hold in trust.

In Title 25 USCS ss 631 under *Basic programs for conservation and development of resources, projects, and appropriations,* funding is provided to the Department of Interior in the guise of *giving aid to the Navajo and Hopi people.* Without *Equitable Title* to the land, Congress provides funding for soil and water conservation, irrigation projects, surveys and studies of timber, coal, mineral and other physical human resources (labor), development of industrial and business enterprises, roads, trails, telephone and radio communications systems, hospitals, schools, housing and last but not least, ***RELOCATION AND RESETTLEMENT OF NAVAJO AND HOPI INDIANS.***

This Title of Nobility provides no benefit to the people of the land once they have left it. Whose government is this? Under 30 USCS , ss 902, Congress establishes the Black Lung Trust Fund and administers its authority. Title 26, Chapter 42 , ss 4952 et seq. taxes this Trust Fund for acts of self dealing. This is an excise tax on coal, establishing a trust which is exempted by Title 26 as a Trust which is not taxable and administered to the qualified recipients of the disease called Black Lung. This, however, is distributed to the states in increments as the state requires it in workmen's Compensation reimbursements for Black Lung disease. The power over this Trust fund is given to the Secretary of Labor to administer. However, moneys not distributed are held in trust. Income tax is imposed under special rules. The one dollar per ton tax imposed at 30 USCS on coal mined in the States and Territories does not mention Indian Reservations or public lands.

Who is mining coal on Indian Reservations and Indian Land? Peabody Coal, owned by Lehman Bros., now a member of The Energy Group of the United Nations. Congress gave money to the Executive Branch to provide untaxed coal to the United Nations which is mined on both Indian Land and Public Land. With no excise tax on the coal, it may be sold one dollar per ton cheaper than any of the States or territories. This is a crime against the people of the States.

When the Hopi and Navajo Sovereign Nations refused to sign an agreement to relocate, the leaders of the Department of Interior Tribal Government filed a suit in The United States District Court under the guise of jurisdiction over grazing land. This grazing land, established under the "Stock Raising Homestead Act" by ss 315 of Title 43, authorizes the Secretary of Interior to establish grazing districts on our public lands. Although this act particularly exempts Indian Reservations, the citizens of the Navajo Reservations have been ordered to reduce their stock and excess cattle have been confiscated and destroyed or sold. This United States District Court decision, which cannot apply to Indian Land, is being enforced under the guise that there is a land dispute among the Navajo and Hopi tribes. Tribal police, employees of the Department of Interior are enforcing this United States District Court decision.

If a Congressional Representative receives information, reporting a crime, committed by the various agencies of the Department of Interior, claiming false jurisdiction, and then overlooks this crime and other violations of the Law of Nations, then that Congressman is guilty of a crime in our Fundamental Law called Misprisions.

Black's Law defines misprisions as *a word used to describe an offense which does not posses a specific name. But more particularly and properly the term denotes either:*

(1) a contempt against the sovereign, the government or the courts of justice, including not only contempts of court, properly so called, but also forms of seditions or disloyal conduct and leze-majesty; (2) maladministration of public office, neglect or improper performance of official duty, including peculation of public funds: (3) neglect of light account made of a crime, that is, failure in the duty of a citizen to endeavor to prevent the commission of a crime, or having knowledge of its commission, to fail to reveal it to the proper authorities. Concealment of crime. Misprisions of Treason is concealment of treason.

Blackstone's commentaries published in 1825 (iv:74,119,121) defines the crime of misprisions of treason. The Proclamation of 1763 also brought this crime into English Common Law.

The Law of Nations says in ss 94: *A sovereign may prohibit entrance into his territory, either to all foreigners in general or to certain persons, or in certain cases or for certain particular purposes, according as the welfare of the State may require. There is full justification for so doing in the rights of ownership and sovereignty; everyone is obliged to respect the prohibition, and those who presume to violate it incur the penalties fixed to render it effective.* How can the Sovereign Tribal Nations expect to enforce their rights if the Department of Interior has unlimited funding to enforce its paper jurisdiction?

Many people believe that the United Nations is the international law. According to Article 11, Section 2, p 2 of the Constitution, the President is given the power to make

treaties by the advice and concurrence of two thirds of the Senate. According to our Constitution, our Treaties must comply with the Law of Nations. Yet the United Nations has not sworn to uphold the Law of Nations in any of its documents.

In the Constitution, under the powers of Congress, Article III, Section 17 it says, *to exercise exclusive legislation over such district(Not to exceed ten miles square) as may by cession of particular states and the acceptance of Congress, become the seat of the government of the United States and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, etc.* Article IV, section 3 paragraph 2 states, *The Congress shall have Power to dispose of and make all needful rules and regulations respecting the Territory or other Property belonging to the United States.* This means, in essence, that Congress has jurisdiction over Washington and that either Congress or the people must settle the matter of The District and its undisclosed contracts of jurisdiction.

You as a Congressman of the United States of America have been informed that this ex post facto jurisdiction onto Indian land is a crime. You have power to do something about it. Lest you also become a misprisioner of crime, then you should be ready to stand on the Fundamental Law of the United States of America. You see, American Citizens and Citizens of the Alliance of States have *exclusive* jurisdiction over Congress, which legislates for the United States, Washington D.C.

We elect our legislators to regulate themselves according to the Constitution. We must stand in remedy to cease and desist enforcement of jurisdiction which does not stand by law or treaty.

Article I, section 8, clause10 of the Constitution gives Congress the power to define and punish piracies and Felonies committed on the High Seas, and Offences against the Law of Nations. Did our forefathers expect their children to forget The Law of Nations? I say not, yet it is so rarely read and so rarely spoken of that virtually no average person has ever heard of it. And there it is, right in the midst of our Constitution.

The Law of Nations provides the definition of the crimes which Congress overlays on the reservations by its dependent nation status. According to The Law of Nations, all Nations owe to each other the right to contract amongst themselves. If the Nations have designed a constitution for their own people as all of the several States have done, then they must be able to choose to live by their laws, the common law which is the law of their land.

The Constitution, in Article I Sec.10 says, *No State shall pass any Bill of Attainder, ex post facto law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.* This of course means that you and I should be able to contract between ourselves without any interference by the State or Federal Government. Yet, in Title 25 of the Code Of Federal Regulations, ss 81, all **amendments and constitutions** of the recognized Indian Tribes (those entitled to benefits) must be approved by the Secretary of the Interior.

What fundamental law do we have which would give us the right to impair any other Nation in its right to contract internally or externally? Citizens of the several States have the protection of their state legislatures and the guarantee of a Republican form of government. Our Constitutions do not have to be approved by anyone except the representatives of the people. The people have the right to amend their Constitutions.

Indian Sovereign Governments are Contracts in every sense of the word, whether they be by Oral Tradition, Wampum Belts, Stone Tablets, or written constitutions. These contracts precede any treaties or contracts with the government, private corporations or the BIA. In the states the newcomer laws would be considered ex post facto law and the contracts signed by the people of the Nations would be null and void due to lack of disclosure.

As Citizens of the USA, we may have failed to prevent our government, and private corporations such as The Energy Group, The Bureau of Land Management, and The Department of Interior from going onto Indian Land and contracting with Indians to do certain things, or give up certain rights, or even their land, but by no fundamental law or natural law are we bound to enforce these contracts. The Law of Nations defines the difference between a perfect right and an imperfect right, yet the Congress sends billions of dollars a year to the BIA to enforce these contracts.

Our Constitution provides a way, in fundamental law, as a Confederation of States to decide its foreign policy. In America, the people are still Sovereign. The people exercise exclusive power over the House of Representatives and the Senate. I say, that any officer of our Executive Branch or Congress or any Law Enforcement official, when swearing to uphold the Constitution of the United States of America, swears also to uphold The Law of Nations, even if he or she has never read it. In every sense of the word, the Constitution is a treaty between the States. We are under contract to abide by a body of Law which includes another body of law of which we have never heard, much less read.

Our forefathers studied The Law of Nations carefully and established it as foreign policy, giving Congress the power to interpret and enforce lawful foreign policy. In the establishing of the Confederation of Republics called The United States of America, they wrote the Constitution *requiring* our Congress to abide by and punish offenses against The Law of Nations.

I will try to familiarize you with The Law of Nature as applied to The Law of Nations, later known as The Law of Nations, or The Principles of Natural Law as It Applies to Sovereign and Nations. It will be impossible to do it justice without reading the entire body of the Law.

Here are some direct quotes, condensed and compiled to make a clear understanding of the nature of this book and its intents and purposes.

The Law of Nations is the science of the rights which exist between Nations or States, and of the obligations corresponding to these rights.

We use the term necessary Law of Nations for that law which results from applying the natural law to Nations. It is necessary, because Nations are absolutely bound to observe it. It contains those precepts which the natural law dictates to States, and it is no less binding upon them than it is upon individuals. For States are composed of men, and their policies, are determined by men and these men are subject to the natural law under whatever capacity they act.

Since this law is not subject to change and the obligations which it imposes are necessary and indispensable, Nations can not alter it by agreement, nor individually or mutually release themselves from it.

It is by the application of this principle that a distinction can be made between

lawful and unlawful treaties or conventions and between customs which are innocent and reasonable and those which are unjust and deserving of condemnation.

All treaties and customs contrary to the dictates of the necessary Law of Nations are unlawful.

The liberty of a Nation would not remain complete if other Nations presumed to inspect and control its conduct, a presumption which would be contrary to the natural law, which declares every Nation free and independent of all other Nations.

From this source we deduce a natural society existing among all men. The general law of this society is that each member should assist the others in all their needs, as far as he can do so without neglecting his duties to himself, a law which all men must obey if they are to live conformably to their nature and to the designs of their common Creator; a law which our own welfare, our happiness and our best interests should render sacred to each one of us.

In consequence of that liberty and independence it follows that it is for each nation to decide what its conscience demands of it, what it can or can not do; what it thinks well or does not think well to do; and therefore it is for each Nation to consider and determine what duties it can fulfill towards others without failing in its duty towards itself. Hence in all cases in which it belongs to a Nation to judge of the extent of its duty, no other Nation may force it to act one way or another. Any attempt to do so would be an encroachment upon the liberty of Nations.

Still another important question is here presented. It belongs essentially to the social body to make laws concerning the manner in which it is to be governed and the conduct of its citizens. This function is called the legislative power. The exercise of it may be confided by the Nation to the Prince, or to an assembly, or to both conjointly; and they are thereby empowered to make new laws and to repeal old ones. The question arises whether their power extends to the fundamental laws, whether they can change the constitution of the State. The principles we have laid down lead us to decide definitely that the authority of these legislators does not go that far, and that the fundamental laws must be sacred to them, unless they are expressly empowered by the Nation to change them; for the constitution of a State should possess stability; and since the Nation established it in the first place, and afterwards confided the legislative power to certain persons, the fundamental laws are excepted from their authority...In a word, it is from the constitution that the legislators derive their power; how then could they change it without destroying the source of their authority?

The Law of Nations says, in ss 329, *Suppose that arbitrators should condemn a sovereign state in reparation for an offense, to become subject to the offended state; would any sensible man say that the state should submit to the decision?*

It is the body of the Nation alone which has the right to check its rulers when they abuse their power.

The Sovereign power of a Nation is limited and regulated by the fundamental laws.

Conferences and congresses are therefore a means of conciliation which the natural law recommends to Nations as appropriate for peaceful settlements of their

disputes.

As a Congressman you are required to receive the Tribal Nation's Letters Rogatory and hear the witnesses. The Secretary of State could not possibly retain this power without amending the Constitution. You are requested to investigate the Titles of Nobility given throughout U.S. Code in acts like The Black Lung Act, The Indian Reorganization Act and The Stock Raising Homestead Act. You must clarify to The Department of Interior and the Bureau of Land Management that The Stock Raising Homestead Act and every authority established under it specifically excludes Indian Reservations. The Native Americans have every right to govern themselves and We The People are bound by natural law and The Law of Nations to help them in any way we can.

The Law of Nations on page 6, paragraph 13 says, *The first general law, which is to be found in the very end of the society of Nations, is that each Nation should contribute as far as it can to the happiness and advancement of other Nations.*

Since Nations are free and independent of one another as men are by nature, the second general law of their society is that each Nation should be left to the peaceable enjoyment of that liberty which belongs to it by nature. The natural society of nations can not continue unless the rights which belong to each by nature are respected. No Nation is willing to give up its liberty; it will rather choose to break off all intercourse with those who attempt to encroach upon it.

External obligations are divided into perfect and imperfect, and the rights they give rise to are likewise perfect and imperfect. Perfect rights are those which carry with them the right of compelling the fulfillment of the corresponding obligations; imperfect rights can not so compel. Perfect obligations are those which give rise to the right of enforcing them, imperfect obligations give but the right to request.

In understanding our Indian policies and our right to request that the Nations give up their sovereignty, their right to govern themselves, in order to receive benefits, then we see that we have *a natural right to provide their benefits and protection*, and an *imperfect right* to request that the Nations act according to our policies, with *no* right to enforce these policies on Indian Sovereign Land.

What are these policies by which the Nations are required to abide in order to receive what they are owed by natural right? There can be no better witnesses than the American Indians who are forced to abide by them in order to survive.

Prepare yourselves to hear the grievances of the Nations by Letters Rogatory and witnesses, and to settle the issues by Conference called by the Citizens of the several States or Congress as specified by our fundamental law, the Constitution and the Law of Nations.

You see, it is not the Indian Nations who depend on the United States for their sovereignty. When we entered the Nation's land some five hundred years ago, the Nations, abiding by the Natural Law, gave us the right to govern ourselves. Therefore, it is upon the Indian Nations, which *our* right of sovereignty depends.

Ann Maria McCurry Raabe,
and other Citizens whose names follow.

(written by)
Ann Maria McCurry Raabe, a Human Being, born in the County of Abbeville, in the Sovereign State of South Carolina, now living in the state of Florida and enjoying the privileges and immunities of a Citizen of the Several states, provided under Article III, section 2, of the Constitution for the United States of America.