

John Doe
1423 W. 5th avenue
Los Angeles, California 90047

The Honorable-----

Jan. 20, 2010

Reference: Pending congressional action extension date of Feb. 28, 2010 for action on the \$3.4 billion settlement in favor of the so-called Five Civilized Tribes.

Dear Representative:

We are asking you to ensure protection of the Fractionated Legal Trust Fund and Trust Land Interests of the beneficiaries, heirs and assigns of Ethnic Black Indian Citizens of the 5 Civilized Tribes who are presently claimants in a case docketed in the United States Supreme Court (Harvest Institute Freedmen Federation, Black Indians United Legal Defense Fund and William Warrior). Known collectively as Indian Freedmen (Black Indians), or under Tribe specific designations of Cherokee Freedmen, Chickasaw Freedmen, Choctaw Freedmen, Creek Freedmen and Seminole Freedmen. They are the Descendants of Native American and African Slaves held by the Cherokee, Chickasaw, Choctaw, Creek and Seminole Nations. Many are still attached to Autonomous Indian Freedmen Governments under numerous Band appellations such as, United Warrior Band of Seminoles (formerly self-emancipating Seminole Negro Scouts), United Loyal Muscogee Creek Band, United Ishtehotopih Band of Chickasaw, United Tuscaloosa Band of Choctaw and others.

You can help by entering a Special Bill, Amendment or Append to Existing Legislation or Demanding an Injunction.

The Interior Department has decided in the \$3.4 Billion Settlement of the Cobell Class Action [renamed, The Individual Indian Money Account Litigation Settlement Act of 2009] that it will only reconcile Trust Accounts from the year 1887 and buy back the Fractionated Interest of Individual Indian Money Account Holders having modern accounts recorded in the "Electronic Era". This is code for 'accounts managed after Freedmen were exiled from the Indian Nations,' which threatens to exclude the rightful Trust and Land claims of Indian Freedmen due to Federal mismanagement and failed Federate Duties, against the same perpetrator.

We find it problematic that ceded Lands and Trust Fund Accounts accorded Indian Freedmen by the 1866 Treaties are being willfully overlooked as if they were not written in the indefeasible language of Treaties, which are the Supreme Law of the Land.

Key in accessing Cobell settlement claims is existing inserted language that requires claimants to supply "Tribal Numbers" and "Trust Account Numbers," which Indian Freedmen have been denied due to years of failed petitions to enroll in "the modern manifestation of Tribes." They claim to represent the original parent Tribal Nations. Indian Freedmen have been excluded from participation in modern Tribes due to violations of the 1866 Treaties, discriminatory use of the Dawes Final Indian Citizenship and Freedmen Rolls, 1898-1907, insistence upon a Blood Quantum Designation (which Freedmen were denied) even though Blood Quantum designation was not required by the Treaties for Freedmen Citizenship in Tribes. Also problematic are Discriminatory Federal Laws and Codified

Rules of Access to Federal Programs excluding Freedmen based on race (a practice that the U.S. Federal Government has pledged not to indulge in).

Oklahoma Indian Territory contained an area of 19,785,781 acres, and was occupied by the Five Civilized Tribes. Indian Freedmen of the 5 Civilized Tribes (Black Indians) and their descendants were ceded thousands of acres of extremely valuable lands replete in Natural Resources (Oil, Natural Gas, Coal and derivatives) within the Geographical Domain of each Tribe. These ceded lands are part of the historical record created by the 1866 Treaties between the U.S. and Union Loyalist Factions of the Tribes.

Background: In the Cobell case, the U.S. Government has chosen 1887 as the earliest date it can reconcile Trust Account and Trust Land Accounts. This is curious given the Bold language of the 1866 Treaties, which demonstrates very clearly that the Tribes ceded Trust Lands to the U.S. Government for the settlement of Indian Freedmen ("Citizens of African Ancestry and Blood") and established Trust Accounts at the same time to benefit Ethnic Black Indians a full 21 years before the date the Government has chosen to acknowledge.

Interestingly, in 1887, Congress passed the General Allotment Act which became known as the Dawes Act which divided the ceded lands into individual parcels. It did not apply to the Five Civilized tribes in Indian Territory. However, the Congressional Act of March 3, 1893, which became the Dawes Commission Act, also empowered the Dawes Commission to treat the Five Civilized Tribes separately and to procure from these tribes agreements for allotment of severalty lands in preparation for dissolving the Indian Tribal Government to prepare Oklahoma for Statehood, thrusting Freedmen Trust Lands and Trust Accounts into the thick of Government Accounting.

In reality what all of that means is that the U.S. Government was authorized in 1893 to take the common land of tribes (including lands ceded to Freedmen) and divide it into separate parcels and issue original Indian land patents to Indians and Freedmen.

Of course in true U.S. Government style, the Dawes Commission did not get around to documenting all the eligible Indian Freedmen for original land patents until 1898. They finished counting them in 1907 (at Oklahoma Statehood). Most Freedmen got their original Tribal Land Patents between 1906 and 1908.

Oklahoma Statehood occurred in 1907 and segregationist policy went into immediate effect. Faced with the rise of the mixed blood Native American-White descendants of the Confederacy who overran the Full Blood Indians, the historical backers of Indian Freedmen, agitated Caucasian-Indian racists induced Congress in 1910 Congress to issue a ruling to remove the Federal protections on Indian Freedmen Lands and order that Indian Freedmen to begin paying Taxes on the non-taxable Indian Lands that they only held by patent for 4 years. Their lands were guaranteed protection by the Dawes Act to be protected for a minimum of 21 years, after which they were then eligible for an extension.

By that time the hordes of grafters, con artists, thugs and thieves moved in to begin driving Freedmen off their allotted lands. Others took advantage of the poor Freedmen who had no way to access U.S. dollars in the Indian outback to pay Taxes on their lands to the U.S. Government. Indian Freedmen were wholly dispossessed of lands they only held title to for a maximum of four years in the best case scenarios and only 1 year in the worst case scenarios. Some Indian Freedmen lands were recorded as sold with no signature of the owner. Regardless, Indian Freedmen were granted lands in 1866. Their Trust lands were divided into severalty from 1898 through 1906, which makes Freedmen and their Descendants beneficiaries having Fractionated Interests in Trust Lands and Funds.

Language to include in a Special Bill, Amendment or Append to Existing Legislation or Demanding an Injunction;

Protection of Fractionated Indian Freedmen Interest

As Partite Interests in each of the 1866 Treaties, Indian Freedmen were mandated measurable Fractionated Interests in the communal Lands of the 5 Civilized Tribes. However, most tangible benefits intended for Indian Freedmen were lost due to the impact of fiduciary failures to protect said interests. At this crucial point in history there is a way for Congress to harness its plenary powers to make amends and ameliorate the present condition of the unique Ethnic Protectorate of the Tribes, through the Legislative Approval of the \$3.4 billion Cobell settlement.

On December 8, 2009 the U.S. Federal Government agreed upon a \$3.4 Billion settlement in the Cobell v. Salazar claim involving mismanaged Indian Trust Funds and Tribal Lands managed by Federal Stewards, since 1887. You are directed to view each of the 1866 Treaty Articles, which validates the necessity of Political Representation for the intended interests of Indian Freedmen Settlements and Land Distributions included in Districts, Communities, Areas and Individual Allotments set-aside for the location and use of Indian Freedmen Citizens of the 5 Civilized Tribes and Mississippi Choctaw, in the Curtis Act, Section 2; the Atoka Agreement -- which was approved by Congress and incorporated in section 29 of the Act of June 28, 1898, 30 Stat. 505, c. 517 and a supplemental agreement, found in the Act of July 1, 1902, 32 Stat. 641, c. 1362. [Note: March 21, 1866 Seminole Treaty, Article(s) 3, 7.1-7.3; April 28, 1866 Choctaw and Chickasaw Treaty, Article(s) 3,7, 8.1-8.13; June 14, 1866 Creek Treaty, Article(s) 3, 10; July 19, 1866 Cherokee Treaty, Article(s) 4 and 12].

Generations of Indian Freedmen Claims

A litany of Trust Fund and Land mismanagement claims filed by generations of Indian Freedmen bolsters claims of fractionated interests ranging from a low 40-160 acre parcels to as much as 1.5 million acres of Tribal Lands set aside for Freedmen as Homesteads, Settlements, Individual Allotments, Missions, Schools, Church, Cemeteries and Orphan Homes, specifically mandated to benefit Indian Freedmen of the 5 Civilized Tribes by the 1866 Treaties, and ensuing Congressional Acts, Resolutions and Court Actions.

Legislation For Indian Freedmen Inclusion Prior To February 28, 2010

In light of the necessity of Congressional Approval and Judicial Consent to resolve the settlement agreement, it is imperative that Indian Freedmen attain immediate Congressional Legislation introduced as a Private Bill, Special Bill, Attachment to the House Bill, Rider (additional clause) and/or providing language inclusive of the Fractionated Interests of Indian Freedmen, which must be inserted as an initiative to preserve the rights of Indian Freedmen, provide legal relief, or to foster reconciliation with redress.

By statute, it was provided that there should be a committee or commission of three members of Indian Affairs appointed to treat with the Five Civilized Tribes, which was directed to be inclusive of the political interests of all members, including Indian Freedmen. Each of the 1866 Treaties contends that Political Representation should be commensurate with the number of Indian Freedmen in increments of each 1,000. Organizations essential to Indian Freedmen having Class Action Claims entered in Federal Courts prior to 12/9/09 must act ASAP (between now and February 28, 2010) as Objectifies to the settlement agreement in Cobell without Indian Freedmen Claims, in order to have our fractionated interests as a Class considered by Congress and the Courts.

Thanking you in advance.