

**INDIANS AS WARDS OF THE UNITED STATES GOVERNMENT IS  
A HOAX  
BY  
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2007**

How many times have you seen in print or heard attorney's for Indian tribes and or federal/state agencies assert and recite the Bureau of Indian Affairs has authority to establish the metes and bounds of reservations and tribal enrolled members via Title 25 U.S.C. and its progeny because 'they are "wards"' of the United States government? The assertions and recitations the B.I.A. is "Parens Patriae"\* to these enrolled tribal members is patently false! (\*Lat. "parent of his country." Used when the government acts on behalf of a child or mentally ill person. Refers to the "state" as the guardian of minors and incompetent people).

The following enactment unambiguously affirms the continued assertions and recitations the B.I.A. exerts such 'control' over enrolled tribal members is yet more false premises and inferences used to 'bully' anyone opposing Title 25 U.S.C.:

*Freedom from Federal Supervision Act (1953), 67 Stat. B132 (1953) - August 1, 1953, saw the end of Indians as wards of the U.S. Several tribes were "terminated" by statute.*

So how it is no one seems to know of this obscure 1953 enactment?

Or, why is it not used in litigation with tribes and or state/federal agencies by anyone opposing any insertion by the B.I.A. and other Indian Industry advocates of the 'Parens Patriae' argument into any dispute involving tribes, and lay persons or groups opposing anything involving a tribe re. (1) 'land to trust' (2) casino construction (3) 'sovereign immunity issues' (4) E.P.A. alleged delegation to a tribe to 'regulate' utilities and or natural resources like water (5) and so on?

In this author's opinion, no one has used this 1953 enactment in any litigation simply because (1) no one pointed it out to the opponents of Title 25 U.S.C. (2) too lazy to do the legal search (3) lacked appreciation of the U.S. Constitutional significance of the enactment (4) arrogance or lacking initiative to 'think' outside of the box

Considering tribes are no longer ‘wards’ of the government thanks to the above enactment, what are they?

Here are a few hints:

1. Article IV, Section 4 forecloses any notion tribes are ‘governments’ within the meaning of the U.S. Constitution.
2. The U.S. Constitution also forecloses any notion they are ‘sovereign nations within a sovereign nation’ as such a condition would dismantle the whole of the U.S. Constitution not to mention running afoul of numerous national security enactments re. (1) Title 50, U.S.C. Appendix-War and National Defense, Defense Production Act of 1950-Exon Florio (2) U.S.A. Patriot Act of 2001, P.L. 107-56, 115 Stat. (3) Intelligence Reform and Terrorist Prevention Act of 2004, P.L. 108-458, 118 Stat. 3638 and (4) Homeland Security Act of 2002, P.L. 107-296, 116 Stat. 2135 (2002). And, any assertion and recitation that ‘tribes’ are ‘*domestic dependent nations*’ citing dicta from Justice Marshall’s Indian Trilogy is foreclosed by *Stare Decisis*.
3. All Indians are, in reality, citizens of the United States as of The Indian Citizenship Act of 1924 (If you don’t like The Indian Citizenship Act of 1924 as authority for ‘citizenship,’ then read the Fourteenth Amendment’s paragraph 2-All Indians, excluding Indians not taxed, are citizens of the United States). No more and no less individual (not groups or tribes) possessors of the U.S. Constitution’s entire mantle of protection...particularly against the states and national government abrogating, impinging or abusing their conceded U.S. Constitutional protections. The U.S. Constitution was written to protect the individual sovereign/Body-politic not groups!

So, again, what are federally recognized Indian tribes? In the opinion of this author, Indian tribes are no more than private enterprise made up on like ‘blood quantum’ members.

The unvarnished truth is Indian tribes are no longer ‘wards’ of the federal government, nor are they ‘domestic dependent nations;’ then what U.S. Constitutional authority does the legislative and executive branches of government have to enact Title 25 U.S.C. that is not a PRESUMPTIVELY UNCONSTITUTIONAL blood quantum race based enactment necessitating STRICT SCRUTINY for violating the Body-politics U.S. Constitutional

protections and the protections of anyone 'caught-up' in dealing with tribes on anything?

For those of you 'caught-up' in litigation or pending litigation involving tribe(s) and or state/federal agencies, sue elected servants by name including governors and U.S. Senate and House elected servants citing whatever the dispute is over as Title 25 et al is a blood quantum race based PRESUMPTIVELY UNCONSTITUTIONAL enactment impinging or trespassing or abrogating your First, Fifth, Ninth, Tenth and Fourteenth Amendment protections plus Article IV, Section 4 guarantee necessitating STRICT SCURTINY analysis by the judiciary. (See author's Endo, Strict Scrutiny and Presumptively Unconstitutional essays)

Do not file under any federal or state or Indian common law i.e. Title 42 #1893! The U.S. Constitution provides all of the (1) 'cause of action,' (2) 'personal harm,' and (3) 'nexus to elected servants conduct to the personal harm to you,' necessary to prevail. The key is not to get into a federal common law slug-fest where Indian Industry advocates can trot out any and all of the decisions supporting Title 25 U.S.C.

A challenge to the Constitutionality of Title 25 as a whole precludes the Indian Industry advocates- including state/federal agencies and or officials- from arguing any court decisions involving Title 25. Why is that? Because the other side cannot use Title 25 as a defense and or argument when the very Title is being challenged as un-Constitutional! Does that make sense?