DATE:

FROM:

TO:

1. Governor, State of (add full address an full name of Gov)
2. Attorney General, State of ( ditto )
3. Director, Department of Motor Vehicles (ditto )
4. Commissioner, Inland Revenue Service (ditto)

**CC**:

1. Mr. John Barrasso, M.D.

Chairman, U.S. Senate Committee on Indian Affairs,

838 Hart Senate Office Building, Washington D.C. 20510

1. Mr. Tracy Toulu

Director, Office of Tribal Justice

U.S. Department of Justice,

950 Pennsylvania Avenue N.W., Washington D.C. 20530

**NOTICE OF RESCISSION OF IMPLIED CONTRACT WITH STATE AND FEDERAL GOVERNMENTS**

Ladies and Gentlemen,

A. This is a formal Notice to advise and inform you that, effective immediately, I assert and claim my inalienable rights, and among these rights is my right to no longer wish to participate as a citizen of the State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, or of the United States government. I also rescind my right to vote in any elections. I have taken no oath, nor swore any allegiance to any municipal, county, state or federal government.

1. I am instead asserting and claiming my status and standing as a denizen of a tribal Native American government whose inherent sovereignty predates European contact the United States Constitution. This in essence means that in the event I am pulled over based on “probable cause” as asserted by a law enforcement officer, I cannot be prosecuted in State courts as they have no jurisdiction over Indians and Indian affairs. See Worcester v. Georgia, 31 U.S. (6 Pet.) 5151 (1832); Williams v. Lee, 358 U.S. 217 (1959); Iron Crow v. Ogallala Sioux Tribe, 129 F. Supp. 15 (1955); Wisconsin Potowatomies of Hannahville Indian Community v. Houston, 393 F. Supp. 719; American Indian Agricultural Credit Consortium, Inc. v. Fredericks, 551 F. Supp. 1020 (1982); Inyo County v. Paiute-Shoshone Indians of the Bishop Community, 538 U.S. 701 (2003); Rice v. Olson, 324 U.S. 786 (1945)(quoted in McClanahan v. Arizona State Tax Commission, 411 US. 164, 168 (1973)). My lawyers advise me that none f these cases have been overruled either by precedent or enacted legislation.

**Please be advised that exclusive criminal jurisdiction over Indians and Indian affairs is granted under 18 United States Code § 1152 and 25 United States 1301**.

**I respectfully request the Attorney-General to inform the County Sheriff and local law enforcement officers of this Notice.**

2. Further be further advised that I invoke my rights under Article 1, section 10 of the United States Constitution that guarantees me that no State shall impair the obligation of a (private) contract that I have willingly, freely, and voluntarily entered into with a tribal Native American government. In essence, this means that the State has to respect my decision to contract solely with a native tribal government.

3. All my affairs in commerce as a tribal corporation are associated with Revenue Ruling 94-16 which grants tax exemptions for tribal corporations under Section 17 of the Indian Reorganization Act (Howard-Wheeler Act) of 1934. As an individual I invoke the rights provided for under Section V of Revenue Ruling 67-284.

5. My travel requirements within continental America will be met by a Tribal Travel Permit in *Indian country* as defined in 18 United States Code § 1151. I will therefore not be requiring a State issued driver’s license because I am contracting with a tribal government under federal Indian law, and abiding by Article 13 of the Universal Declaration of Human Rights which grants me the liberty to travel, reside in, and/or work in any part of the state where I please within the limits of respect for the liberty and rights of others.

6. I will fully understand if you choose not to respond to this Notice. However, please be advised that I reserve the right to invoke the doctrine of estoppel by acquiescence (Latin: *qui tacet consentire videtur* – he who is silent is taken to agree) as upheld in Georgia v. South Carolina, 497 U.S. 376 (1990), 110 S. Ct. 2903, 111 l. Ed. 2d. 309; Central Pacific Railway Co. v. Alameda County, 264 U.S. 463 (1932).

7. There are some fundamental principles that underlie the entire field of **Federal Indian Law** (*Handbook of Federal Indian Law*, by Felix S. Cohen. (2005 ed., p. 2):

“First, an Indian nation possesses in the first instance all of the powers of a sovereign state. Those powers that are lawfully vested in an Indian nation are not, in general, delegated powers granted by express acts of Congress, but rather inherent powers of a limited sovereignty that has never been extinguished because of the unique and peculiar circumstances in which Indians and Indian tribes were forced to accept encroachment by white settlers with a plethora of laws, orders, rules, and regulations in tow. This inherent sovereignty preexisted the formation of the United States and persists unless diminished by treaty or statute or, in certain instances, by federal common law which is, admittedly, and regrettably, hazardous to the Indians and Indian tribes if the judge embarks on a subjective quest for the truth in an effort to render justice to a particular case involving Indian rights. It is because of this retained sovereignty that Tribes have a “government-to-government relationship” with the federal government.

Second, the federal government arrogated to itself broad powers and responsibilities in Indian affairs that stretches the limits of their power and authority when constitutional restraints are applied. Strictures of judge-made law like “plenary power,” “implied divestiture,” “trust relationship,” and even journalistic raids like “manifest destiny” do not appear in any federal law or the Indian Commerce Clause. Yet it is supposed to be the sine qua non of the government-to-government relationship between the Indians, tribes and the federal government. Moreover, federal Indian law is characterized by a tension between doctrines that grant the United States powers over Tribes and their Members and doctrines that both limit federal power and place affirmative obligations on the United States. These obligations toward Indian nations and Indians are rooted in what has become known as the “trust relationship, a doctrine grounded in Indian law. An implication of the trust relationship is that treaties and statutes affecting Indians and Tribes are ordinarily *subject to special rules of construction that presume retention of tribal sovereignty and property rights*.

Third, *state authority in Indian affairs is limited*. Federal supremacy in this area of law leaves little room for state involvement because there has been no Treaty concluded between Indian Tribes and state governments. Tribal retained inherent sovereignty is another function of this peculiar state of affairs. But this does not mean that Tribes and States cannot enter into mutually beneficial relationships and agreements consistent with federal law and tribal law. “

When it comes to recognizing and validating the rights of Indians and Tribes, States are in constant denial since achieving statehood within Indian country. Titles to land in Indian country were never repealed unless a specific Act of Congress extinguished Indian title. The 1763 Royal Proclamation and the 1787 Northwest Ordinance placed great emphasis on the fact that Indian title must be honored, respected, and recognized. Subsequent legislation and U.S. Supreme court decisions breached and violated every treaty that conferred personal and property rights to Indians and Tribes. The court of conscience, civilized conduct and behavior have been dismantled and utterly destroyed in this “land of the free and the home of the brave.”

It appears that the American Indian is unable, not unwilling, to fight juggernaut government with his intellect alone.

Thank you for your indulgence.

Yours Sincerely,