

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

NATIVA PARTY TRUST,

by and through its Trustee, on behalf of itself and all Black American Descendants of
U.S. Chattel Slavery and Afro-Indigenous People of this Land,

Plaintiff,

v.

**UNITED STATES OF AMERICA;
U.S. DEPARTMENT OF JUSTICE;
U.S. DEPARTMENT OF THE INTERIOR, including the BUREAU OF INDIAN
AFFAIRS;
U.S. DEPARTMENT OF AGRICULTURE;
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT;
U.S. DEPARTMENT OF THE TREASURY;
U.S. CENSUS BUREAU;
OFFICE OF MANAGEMENT AND BUDGET;
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION;
and DOES 1–50,**

Defendants.

Case No.: _____

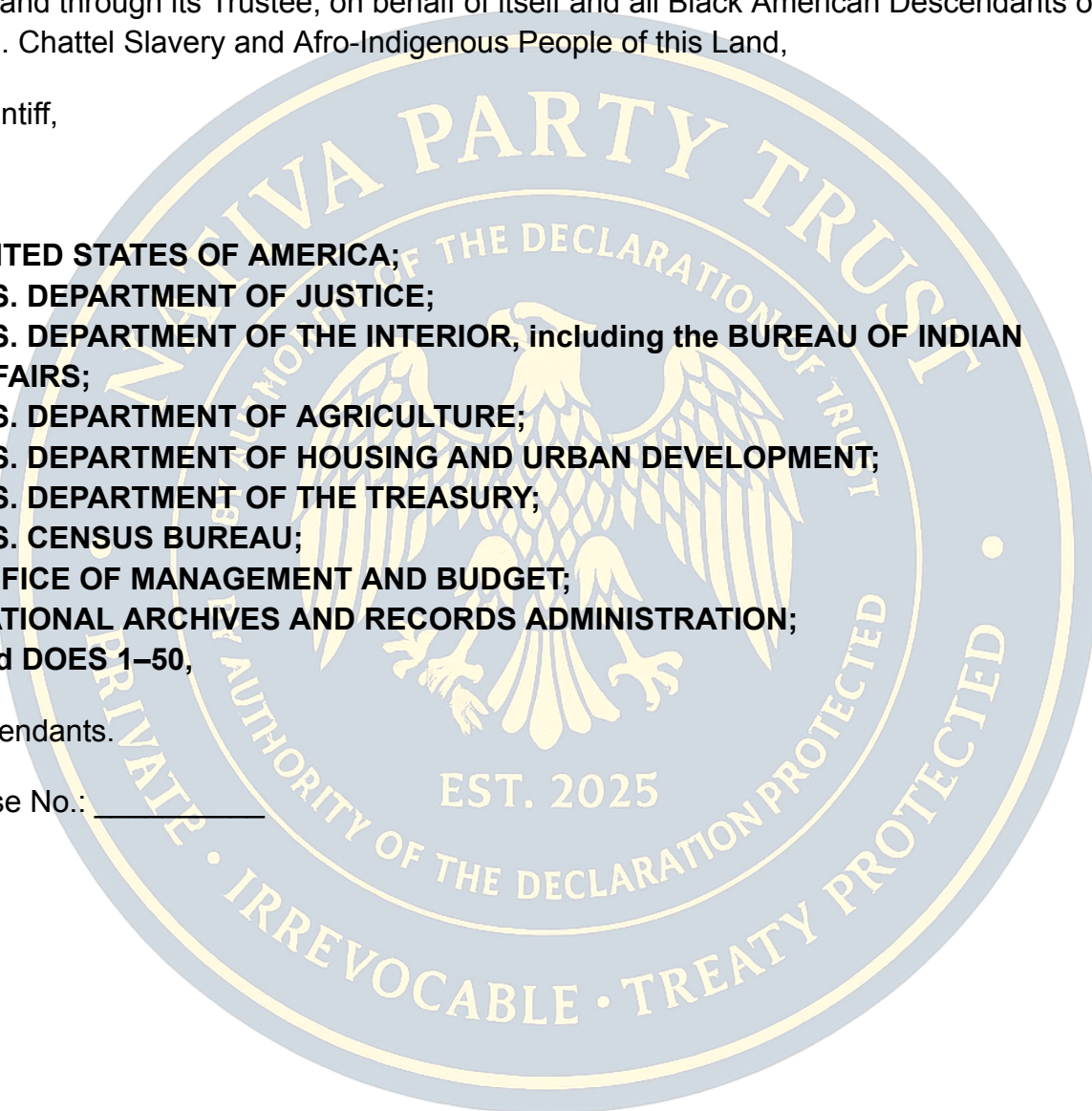


TABLE OF AUTHORITIES

Treaties

- Treaty with the Cherokee Nation, July 19, 1866, 14 Stat. 799
- Treaty with the Creek Nation, June 14, 1866, 14 Stat. 785
- Treaty with the Choctaw and Chickasaw Nations, Apr. 28, 1866, 14 Stat. 769
- Treaty with the Seminole Nation, Mar. 21, 1866, 14 Stat. 755

United States Supreme Court Cases

- *Powell v. Alabama*, 287 U.S. 45 (1932) – denial of due process to Black defendants.
- *Brown v. Board of Education*, 347 U.S. 483 (1954) – “separate but equal” unconstitutional.
- *Hernandez v. Texas*, 347 U.S. 475 (1954) – racial classifications violate Equal Protection.
- *Batson v. Kentucky*, 476 U.S. 79 (1986) – racially discriminatory jury selection unlawful.
- *Foster v. Chatman*, 578 U.S. 488 (2016) – reaffirmed *Batson* protections.
- *Flowers v. Mississippi*, 139 S. Ct. 2228 (2019) – systemic jury bias against Black defendants.

Federal Appellate & District Court Cases

- *Cherokee Nation v. Nash*, 267 F. Supp. 3d 86 (D.D.C. 2017) – Freedmen descendants remain entitled to treaty rights.
- *Pigford v. Glickman*, 185 F.R.D. 82 (D.D.C. 1999) – USDA discrimination against Black farmers.
- *United States v. City of Parma*, 494 F. Supp. 1049 (N.D. Ohio 1980) – housing discrimination under the Fair Housing Act.
- *Newton v. Diamond*, 388 F.3d 1189 (9th Cir. 2004) – appropriation of Black cultural property undervalued.
- *United States v. Wells Fargo Bank, N.A.*, No. 1:12-cv-01150 (D.D.C. 2012) – predatory lending targeting Black borrowers.
- *United States v. Countrywide Financial Corp.*, No. 2:11-cv-10540 (C.D. Cal. 2011) – discriminatory mortgage practices.

State Law & Commissions

- *Rosewood Compensation Act* (Fla. 1994) – reparations for destruction of Black town.
- Tulsa Race Massacre Commission Report (2001) – findings on government complicity and damages.

Statutes & Constitutional Provisions

- U.S. Const. art. VI, cl. 2 – Supremacy Clause (treaties are supreme law of the land).
- U.S. Const. amend. XIII – prohibition of slavery and involuntary servitude (with exception clause).

- U.S. Const. amend. XIV – Equal Protection and Due Process Clauses.
- 42 U.S.C. § 1981 – equal rights under contracts.
- 42 U.S.C. § 1983 – civil action for deprivation of rights.
- Civil Rights Act of 1964, Title VI – prohibition on discrimination in federally funded programs.
- Fair Housing Act of 1968 – prohibits housing discrimination.
- Voting Rights Act of 1965 – protection of voting access.

International Law

- International Covenant on Civil and Political Rights (ICCPR).
- International Convention on the Elimination of All Forms of Racial Discrimination (CERD).
- UN Declaration on the Rights of Indigenous Peoples (UNDRIP).
- Genocide Convention (Convention on the Prevention and Punishment of the Crime of Genocide).
- ILO Forced Labour Convention, 1930 (No. 29).

COMPLAINT

NATIVA PARTY TRUST, BY AND THROUGH ITS TRUSTEE, ON BEHALF OF ITSELF AND ALL BLACK AMERICAN DESCENDANTS OF U.S. CHATTEL SLAVERY AND AFRO-INDIGENOUS PEOPLE OF THIS LAND, BRINGS THIS PETITION AND COMPLAINT AGAINST DEFENDANTS AND ALLEGES AS FOLLOWS:

I. INTRODUCTION

1. This action is brought by Plaintiff(s), descendants of Afro-Indigenous peoples of the United States, who are heirs to the Treaties of 1866 and other federal obligations. Plaintiffs seek judicial recognition, enforcement, and redress for more than 150 years of systemic treaty violations, fraudulent misclassification, land theft, banking fraud, mass incarceration, and diversion of federal resources.
2. This Complaint is not speculative. The federal government, its agencies, and recognized tribal corporations have already admitted much of the wrongdoing in congressional reports, federal court decisions, and archived records. Yet, Plaintiffs remain denied their identity, land, and rights, while fraudulent entities are recognized in their place.

II. JURISDICTION AND VENUE

3. This Court has jurisdiction under **28 U.S.C. § 1331** (federal question), **28 U.S.C. § 1343** (civil rights), and **28 U.S.C. § 1357** (treaty enforcement).
4. Venue is proper in this District under **28 U.S.C. § 1391(e)** because Defendants are officers of the United States and acts complained of occurred within this jurisdiction.
5. The United States waived sovereign immunity under the **Administrative Procedure Act (5 U.S.C. §§ 701–706)** and by ratifying the Treaties of 1866, which remain binding under the **Supremacy Clause (U.S. Const. art. VI)**.

III. PARTIES

Plaintiff(s):

6. Plaintiff(s) are Afro-Indigenous descendants of persons emancipated by the Civil War, expressly named in the Treaties of 1866 as beneficiaries of equal citizenship, land, and rights. Plaintiffs are not immigrants, nor “African-Americans” as fraudulently reclassified by federal policy, but heirs to the treaties, lands, and obligations of this Nation.

Defendants:

7. **United States of America**, acting through its agencies, including the Department of the Interior, Bureau of Indian Affairs, Department of Agriculture, Department of Housing and Urban Development, and Department of Justice.

8. **Federally Recognized Tribal Corporations**, including reconstructed entities operating under the names Cherokee Nation, Creek Nation, Choctaw Nation, Chickasaw Nation, and Seminole Nation, which have colluded with Defendants to exclude Freedmen heirs while accepting land, funding, and sovereignty benefits.

9. **Other Officials and Agencies** as discovery identifies, including officers of state governments who participated in land theft, banking fraud, discriminatory housing, and incarceration schemes.

IV. STATEMENT OF FACTS

(This is where all the expanded sections we’ve been building go: Identity Fraud, Treaties, Land Theft, Banking, Mass Incarceration, Judicial Bias, Resource Diversion, Education/Health Neglect, Misclassification as “African-American,” Fraudulent Tribal Recognition, Internal Complicity, etc. Each subsection will be broken down with citations to case law and archives.)

V. CAUSES OF ACTION (COUNTS)

1. Breach of the Treaties of 1866 (Supremacy Clause).
2. Equal Protection and Due Process Violations (5th & 14th Amendments).
3. Takings Without Just Compensation (5th Amendment).
4. Civil Rights Statutory Violations (42 U.S.C. §§ 1981, 1982, Title VI, FHA, VRA).
5. Fraud, Misclassification, and Unjust Enrichment (OMB Directive 15, Dawes Rolls, birth certificate scheme).
6. Mass Criminalization and Incarceration (13th Amendment exploitation).
7. Judicial Bias and Denial of Access to Courts (First & Fourteenth Amendments).
8. Violation of Freedmen Tribal Rights Through Incarceration (Treaties of 1866).
9. International Law Violations (ICCPR, CERD, UNDRIP, Genocide Convention).

VI. PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that this Court grant the following relief:

1. Declarations
 - Declare that the Treaties of 1866 remain binding federal law under the Supremacy Clause.
 - Declare that Plaintiffs are the lawful heirs of U.S. chattel slavery and Afro-Indigenous people entitled to all rights, resources, and protections guaranteed by treaty, statute, and international law.
 - Declare that Defendants' acts of racial misclassification, fraud, resource diversion, and denial of treaty enforcement are unlawful.

2. Restitution and Compensation

- Order restitution of all lands, property, and resources wrongfully taken from Plaintiffs and their ancestors.
- Order just compensation for unconstitutional takings, including the rescission of Field Order 15, heirs' property seizures, and eminent domain abuses.
- Order disgorgement of all profits, funds, and benefits unjustly obtained by Defendants and non-heir entities through fraud, misclassification, and exclusion.

3. Injunctive Relief

- Enjoin Defendants from continuing racial misclassification of Plaintiffs as "African-American."
- Enjoin Defendants from diverting federal resources to non-heirs, fraudulent tribal corporations, and substitute populations.
- Enjoin Defendants, their agents, and collaborators from blocking, mocking, or denying access to courts for treaty enforcement.
- Enjoin the Bureau of Prisons, Department of Justice, and all state/federal jail systems from holding heirs under unlawful jurisdiction.

4. Monetary Damages

- Award compensatory and consequential damages in an amount to be proven at trial, consistent with Appendix A (estimated \$14 trillion and continuing).
- Award punitive damages sufficient to deter further violations of Plaintiffs' treaty, constitutional, and civil rights.

5. Civil Rights Remedies

- Award all remedies available under 42 U.S.C. §§ 1981, 1983, Title VI of the Civil Rights Act, the Fair Housing Act, and the Voting Rights Act.
- Award attorneys' fees and costs pursuant to 42 U.S.C. § 1988 and all other applicable statutes.

6. Structural Relief

- Establish a federally supervised Reparations and Restitution Trust Fund administered for the benefit of Plaintiffs and their descendants.
- Appoint a federal monitor or special master to oversee compliance with treaty obligations and equal protection guarantees.

7. International Remedies

- Declare that Defendants' conduct violates binding international treaties, including the ICCPR, CERD, the Genocide Convention, and UNDRIP.
- Refer violations to the United Nations Human Rights Council and other treaty monitoring bodies for review and enforcement.

8. Other Relief

- Grant such other and further relief as this Court deems just and proper.

A. Identity Fraud and Misclassification

10. Plaintiffs are the direct descendants of Afro-Indigenous peoples emancipated in the aftermath of the Civil War, specifically named in the **Treaties of 1866** as beneficiaries of equal citizenship, land, and rights.
11. Rather than honor these treaties, Defendants engaged in a deliberate campaign of **identity fraud and misclassification**. This included:
 - The creation of dual birth certificate systems, which converted sovereign heirs into corporate wards.

- The fraudulent reclassification of “Negro,” “Colored,” and “Black” persons into the manufactured category “African-American.”
12. This reclassification was institutionalized through **OMB Directive No. 15 (1977)**, which collapsed “Black” into “Black or African-American,” thereby erasing the distinct legal identity of Afro-Indigenous heirs.
 13. In the late 1980s, political campaigns, including those led by public figures such as Jesse Jackson, reinforced the adoption of “African-American” as the official identity for descendants of U.S. slavery.
 14. By attaching heirs to a foreign continent and governments with which they have no blood or treaty connection, Defendants erased sovereignty, diluted treaty rights, and diverted reparations.
 15. Courts have long held that racial classifications cannot be manipulated to strip protections. In *Hernandez v. Texas*, 347 U.S. 475 (1954), the Court ruled that classifications designed to exclude groups violate Equal Protection.
 16. In *Cherokee Nation v. Nash*, 267 F. Supp. 3d 86 (D.D.C. 2017), this Court confirmed that Freedmen descendants are still treaty beneficiaries, regardless of racial label.
 17. Defendants’ misclassification of heirs as “African-American” constitutes fraud, identity theft, and unjust enrichment in violation of the **Supremacy Clause**, the **Civil Rights Act of 1866 (42 U.S.C. § 1981)**, and the **Fourteenth Amendment**.

B. Breach of the Treaties of 1866

18. The United States signed the Treaties of 1866 with the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations. These treaties guaranteed that Freedmen and their descendants would be incorporated into the nations “with all the rights of native citizens.”
19. The treaties also secured land rights, equal citizenship, and protections against exclusion or discrimination.
20. Despite these guarantees, Defendants colluded with reconstructed tribal governments and the Bureau of Indian Affairs to strip Plaintiffs of these rights.

21. The **Dawes Rolls (1898–1914)** fraudulently separated “By Blood” rolls from “Freedmen” rolls, creating a false distinction that denied Plaintiffs land and sovereignty while enriching non-Heir groups.
22. Federal archives and congressional records reveal that the purpose of the Dawes Commission was to reduce tribal rolls and exclude Freedmen heirs from benefits.
23. In *Cherokee Nation v. Nash* (2017), this Court held that Freedmen rights under the Treaty of 1866 remain enforceable and binding. The same principle applies to the Creek, Choctaw, Chickasaw, and Seminole treaties.
24. By failing to enforce these treaties and instead empowering fraudulent tribal entities, Defendants breached the **Supremacy Clause (U.S. Const. art. VI)**, which requires treaties to be upheld as the supreme law of the land.
25. Plaintiffs continue to suffer denial of tribal citizenship, land, and resources in direct violation of the Treaties of 1866.

C. Land Theft and Dispossession

26. Following the Civil War, land was promised to emancipated families under **Sherman’s Field Order No. 15 (1865)**, commonly known as “40 acres and a mule.” Tens of thousands of Black families settled this land.
27. President Andrew Johnson rescinded the Order within the same year, restoring confiscated Confederate lands to former slaveholders. Plaintiffs’ ancestors were forcibly removed, their land seized without compensation.
28. The **Southern Homestead Act of 1866** nominally made land available to freed people but was structured to exclude them through legal, financial, and administrative barriers.
29. Federal and state governments repeatedly dispossessed Black communities through eminent domain, heirs’ property loopholes, and discriminatory tax seizures.
30. Massacres at Wilmington (1898), Tulsa (1921), Rosewood (1923), and Elaine (1919) resulted in the burning of prosperous Black communities, the theft of land, and the displacement of thousands. Government complicity in these massacres

is documented in state and congressional reports.

31. In *Rosewood Compensation Act* (Fla. 1994), the State of Florida formally acknowledged its role in the destruction of a Black town and established compensation, proving state liability for racial massacres tied to land theft.
32. Agricultural land was further stripped from Black heirs through systemic USDA discrimination, as confirmed in *Pigford v. Glickman*, 185 F.R.D. 82 (D.D.C. 1999), where the U.S. admitted to decades of racially discriminatory loan practices against Black farmers.
33. The cumulative result is a catastrophic loss of Black-owned land. From 1910 to today, Black land ownership has fallen from approximately 16 million acres to less than 3 million acres.
34. These takings constitute violations of the **Fifth Amendment Takings Clause**, the **Equal Protection Clause**, and the Treaties of 1866.

D. Wealth and Banking Fraud

35. In 1865, Congress chartered the **Freedmen's Savings and Trust Company**, promoted alongside the Freedmen's Bureau. Over 70,000 depositors entrusted their savings to the Bank, amounting to millions of dollars.
36. White trustees engaged in reckless speculation and fraud. In 1874, the Bank collapsed, wiping out nearly all deposits. Congress refused to reimburse depositors, destroying the first generation of Black capital accumulation.
37. This constituted breach of fiduciary duty and fraud by the federal government, which endorsed the Bank and housed it in official buildings.
38. Later, Black veterans were systematically excluded from benefits of the **GI Bill of Rights (1944)**, including home loans, education grants, and business support, which were disproportionately distributed to white veterans.
39. The **Home Owners' Loan Corporation (1930s)** created redlining maps labeling Black neighborhoods as "hazardous." The **Federal Housing Administration** and banks then denied mortgages in these areas, forcing Black families into exploitative contracts.

40. In *United States v. City of Parma*, 494 F. Supp. 1049 (N.D. Ohio 1980), the Court found such housing discrimination violated the Fair Housing Act.
41. In the 2000s, major banks targeted Black borrowers with subprime loans, even when qualified for prime rates. Settlements in *U.S. v. Wells Fargo* (2012) and *U.S. v. Countrywide* (2011) confirmed systemic predatory lending against Black borrowers.
42. The 2008 housing crash disproportionately wiped out Black wealth, with median household wealth falling by nearly 50%.
43. Today, the median wealth of Black households remains one-tenth that of white households, a direct result of systemic banking fraud and government-enabled discrimination.
44. These actions constitute violations of **42 U.S.C. § 1981** (contract rights), the **Fair Housing Act**, and the **Equal Protection Clause**.

E. Mass Criminalization and Incarceration

45. The **Thirteenth Amendment (1865)** abolished slavery “except as a punishment for crime.” This exception clause was weaponized to re-enslave Afro-Indigenous people under a false jurisdiction that treaties never permitted.
46. Under the **Treaties of 1866**, Freedmen heirs were to be incorporated into the Nations with “all the rights of native citizens,” which included tribal self-governance and jurisdiction. Plaintiffs should have remained subject to their own Nations’ systems of justice.
47. Instead, Defendants unilaterally placed Freedmen heirs under state and federal criminal jurisdiction, in violation of treaty guarantees.
48. States then enacted **Black Codes**, criminalizing everyday conduct such as loitering, unemployment, or breach of labor contracts. Freedmen heirs were arrested en masse, leased to private corporations, and placed into segregated “Black jails.”
49. Convict leasing, chain gangs, and forced prison labor provided the state with a replacement for slavery, despite its abolition.

50. The United States Supreme Court in *Powell v. Alabama*, 287 U.S. 45 (1932), acknowledged that Black defendants were denied due process in criminal trials. Yet systemic bias persisted, and Freedmen heirs continued to be denied fair trials.
51. In the 20th century, the **War on Drugs** and mandatory minimum sentencing laws disproportionately targeted Black communities. Despite equal rates of drug use across races, Black defendants were up to ten times more likely to be arrested and sentenced.
52. Modern prisons continue to profit from the incarceration of Afro-Indigenous heirs, a system directly descended from convict leasing.
53. These acts constitute a breach of the **Treaties of 1866**, violations of the **Thirteenth and Fourteenth Amendments**, and violations of international prohibitions on forced labor and racial discrimination.

F. Judicial Bias and Denial of Access

54. Plaintiffs have been systematically denied meaningful access to justice.
55. Court clerks frequently refuse to file documents presented by Afro-Indigenous heirs, exceeding their ministerial role and obstructing due process.
56. Judges routinely dismiss treaty-based claims as “frivolous” or “sovereign citizen” arguments, mocking Plaintiffs’ assertions rather than addressing jurisdictional law.
57. Such dismissals directly violate the **Supremacy Clause**, which mandates that treaties are the supreme law of the land.
58. Plaintiffs were forced into U.S. jurisdiction when, under treaty, they were entitled to remain within their Nations. Unlike other tribal citizens, who retain distinct sovereign justice systems, Freedmen heirs were stripped of sovereignty and absorbed into state and federal courts.
59. This fraudulent jurisdictional shift erased Plaintiffs’ ability to enforce their rights under the Treaties of 1866, constituting a continuing breach of treaty and constitutional protections.

60. Courts have acknowledged racial bias in the judicial system. In *Batson v. Kentucky*, 476 U.S. 79 (1986), the Supreme Court ruled that racially motivated jury selection violates Equal Protection. In *Foster v. Chatman*, 578 U.S. 488 (2016), and *Flowers v. Mississippi*, 139 S. Ct. 2228 (2019), the Court reaffirmed ongoing systemic discrimination in jury trials.
61. The **DOJ Ferguson Report (2015)** confirmed that municipal courts exploit Black residents with excessive fines and arrests, using the judicial system as a revenue scheme rather than as a forum for justice.
62. These acts violate the **First Amendment** (right to petition), the **Fifth and Fourteenth Amendments** (due process and equal protection), and binding treaty obligations under the Treaties of 1866.

G. Fraudulent Tribal Recognition and Heirship

63. The United States has knowingly empowered **reconstructed tribal corporations** that are not the original sovereign Nations who signed the Treaties of 1866.
64. After the Civil War, the Bureau of Indian Affairs (BIA) and the Dawes Commission restructured tribal governments under federal oversight. These corporate-style entities were given land, federal recognition, and sovereignty rights, while excluding Freedmen heirs.
65. The **Dawes Rolls (1898–1914)** deliberately separated “By Blood” citizens from “Freedmen.” This separation was not based on culture or lineage but on race, as defined by U.S. officials, to fraudulently strip Plaintiffs of land and citizenship.
66. Federal archives and congressional reports confirm that the purpose of the Dawes Commission was to reduce rolls and deny benefits to Freedmen heirs.
67. Despite treaty guarantees of equality, the United States continues to recognize corporate tribal entities that exclude Freedmen heirs. These reconstructed bodies falsely claim to be the original Nations, while in fact they were chartered under federal authority and controlled by the Department of the Interior.
68. In *Cherokee Nation v. Nash*, 267 F. Supp. 3d 86 (D.D.C. 2017), the Court confirmed that Freedmen descendants remain entitled to treaty rights. This proves that any exclusion of heirs is unlawful.

69. By substituting false tribal governments for the original sovereign peoples, Defendants engaged in **fraudulent heirship**, granting land and rights to non-heir entities while stripping Plaintiffs of their inheritance.
70. Plaintiffs reject being transferred from one government to another. Recognition of non-heir corporate entities does not satisfy treaty obligations and constitutes ongoing fraud.

H. Resource Diversion and Cultural Exploitation

71. Federal programs originally created to address the conditions of Black descendants of slavery have been diverted to other groups.
72. In 1977, **OMB Directive No. 15** collapsed “Black” into a broad “minority” classification, grouping heirs of slavery with immigrants from Africa, the Caribbean, Latin America, and elsewhere. This diluted resources that were meant for Plaintiffs.
73. Federal and state funds for housing, healthcare, education, and business development have since been disproportionately allocated to immigrant populations, while longstanding Black communities remain underfunded.
74. Recent **Department of Homeland Security reports** confirm billions allocated to emergency housing and healthcare for incoming migrants, while descendants of slavery continue to face disinvestment.
75. Beyond resources, Black cultural production — music, athletics, film, and fashion — has been globally exploited for trillions of dollars in profit. Yet the originators remain underpaid and systematically denied intellectual property rights.
76. In *Newton v. Diamond*, 388 F.3d 1189 (9th Cir. 2004), the court acknowledged appropriation of a jazz composition but minimized compensation, reflecting systemic undervaluation of Black cultural property.
77. Museums, universities, and corporations profit from Black history and heritage without compensating heirs, while false narratives control the representation of Plaintiffs’ identity.
78. These actions constitute:

- Violations of the **Equal Protection Clause**;
- Violations of the **Civil Rights Act of 1964 (Title VI)**;
- Breach of the **Treaties of 1866**;
- Violations of international law, including the **International Covenant on Economic, Social, and Cultural Rights**.

I. Education, Health, and Social Neglect

79. Plaintiffs have been systematically denied equal education, healthcare, and social protections, while other groups — including voluntary immigrants — have received resources originally intended for descendants of slavery.
80. In education, *Brown v. Board of Education*, 347 U.S. 483 (1954), struck down segregation, yet Black schools remain underfunded due to discriminatory housing policies and federal neglect.
81. Federal programs such as **Title I** funding were diluted when Plaintiffs were misclassified as “African-American,” a term that conflates heirs of slavery with voluntary African immigrants. This diverted resources away from Plaintiffs’ communities.
82. Hospitals in Black neighborhoods have been chronically underfunded, while newly arrived immigrant groups received federal health funding, refugee medical assistance, and Medicaid access. Environmental racism further subjected Black neighborhoods to toxic industries.
83. Social service programs such as **AFDC** and **TANF** were disproportionately restrictive toward Black families, with punitive work requirements and benefit caps, while immigrant groups received billions in resettlement and development support.
84. The fraudulent label “African-American” enabled this diversion by attaching heirs of U.S. slavery to Africa. Defendants presented Plaintiffs as part of a continental diaspora rather than as a distinct people with treaty rights.
85. In truth, Afro-Indigenous heirs are not immigrants from Africa, nor subject to African governments. Their sovereignty and legal claims arise from treaties and

land within the United States.

86. By collapsing heirs into the “African-American” category, Defendants diluted Plaintiffs’ treaty rights and reparations while expanding benefits to non-heir populations.

87. These acts constitute violations of the **Equal Protection Clause**, the **Civil Rights Act of 1964 (Title VI)**, and breaches of the **Treaties of 1866**.

J. Internal Gatekeeping and Complicity

88. In addition to direct government action, Plaintiffs have been harmed by **internal collaboration and gatekeeping**. Certain individuals and organizations within Black communities accepted positions, recognition, or funding in exchange for suppressing the rights of Freedmen heirs.

89. During Reconstruction, select preachers, lawyers, and political figures were elevated by the federal government as “representatives” of the freed population. Many of these individuals entered into agreements that benefitted themselves while leaving the majority of heirs without land, restitution, or enforceable rights.

90. In the 20th century, civil rights organizations and leaders often advanced broad “minority” or “African-American” identities that diluted treaty-based claims. By substituting integration and symbolic recognition for reparations and sovereignty, they diverted momentum away from enforcement of the Treaties of 1866.

91. In the late 1980s, public figures promoted “African-American” as the official identity label. This campaign, while presented as empowering, functioned as a tool of erasure, attaching Plaintiffs to a foreign continent and undermining their unique legal status as heirs of slavery in the United States.

92. Today, certain gatekeepers within both reconstructed tribal governments and Black institutions continue to collaborate with Defendants by accepting recognition, land, or funding while blocking claims of Freedmen heirs.

93. This internal complicity has strengthened Defendants’ fraud, providing a false appearance of consent from Black leaders and communities, while the majority of heirs remain dispossessed and disenfranchised.

94. These actions do not relieve Defendants of liability but demonstrate the **systematic and layered nature of the fraud**, which combined government action with internal co-optation to deny Plaintiffs their rightful inheritance.

J. Internal Gatekeeping and Complicity (Expanded)

97. Plaintiffs acknowledge that progress against segregation and overt racism was made during the Civil Rights era. However, the **framework adopted by certain Black leaders and organizations deliberately excluded treaty enforcement, reparations, and sovereignty** for descendants of U.S. slavery.
98. **Dr. Martin Luther King, Jr.** advanced integration and nonviolent protest, but his public agenda did not center the Treaties of 1866 or reparations claims. His “I Have a Dream” framework was appropriated by Defendants to promote race-neutral policies, leaving Plaintiffs’ distinct legal rights unaddressed.
99. **The NAACP and the Urban League**, while challenging segregation and discrimination, actively pursued strategies of assimilation and inclusion rather than sovereignty or reparations. They often discouraged direct demands for land restitution or treaty enforcement, narrowing the scope of Black claims to civil rights within existing U.S. structures.
100. **The Southern Christian Leadership Conference (SCLC)**, under King and later successors, focused on moral appeals for integration rather than the legal enforcement of treaties, land rights, and reparations.
101. **The Congressional Black Caucus (CBC)**, established in 1971, has not prioritized reparations or treaty enforcement despite its influence within Congress. Instead, the CBC has advanced broad “minority” legislation that benefits multiple groups while diluting the claims of U.S. slavery descendants.
102. In the late 20th century, **Jesse Jackson** and others promoted the adoption of the term “African-American.” This rebranded descendants of U.S. slavery as part of a global diaspora, attaching Plaintiffs to Africa rather than to their treaty rights within the United States. This misclassification directly contributed to resource diversion and reparations denial.
103. **Al Sharpton** and similar media-recognized figures often positioned themselves as spokesmen for Black America, but primarily addressed police brutality or electoral politics. They did not lead campaigns for treaty enforcement

or land restitution, effectively maintaining the limited civil rights framework.

104. **Certain leaders of Historically Black Colleges and Universities (HBCUs)** partnered with federal and corporate programs that emphasized assimilation and professional development, while avoiding advocacy for reparations or treaty enforcement. In exchange, institutions received funding, while heirs' broader legal claims were sidelined.
105. Many clergy and community leaders accepted federal grants and recognition in exchange for discouraging reparations demands and promoting "minority coalition" language that diluted heirs' unique status.
106. These individuals and organizations acted, intentionally or unintentionally, as **gatekeepers**, providing legitimacy to U.S. policies that erased treaty heirs' distinct claims.
107. Plaintiffs recognize the contributions of these leaders to racial progress but assert that their frameworks — by excluding reparations and sovereignty — strengthened Defendants' fraud.
108. This internal complicity constitutes an additional factor in the continued denial of Plaintiffs' identity, land, and reparations.

K. Leadership Visibility and Selective Advocacy

109. Plaintiffs allege that, over decades, leadership and high-profile organizations within the Black community have at times engaged in **selective visibility**—appearing prominently and mobilizing public attention principally when incidents affecting Black communities become widely publicized or "go viral" on social media and in mainstream press.
110. Plaintiffs further allege that, contemporaneously, ordinary heirs and local community members seeking assistance for treaty enforcement, land restitution, reparations, or other legal remedies are frequently **denied or deferred assistance**, referred to other bodies, or told to wait for broader political processes rather than being offered direct legal, organizational, or institutional support.
111. This pattern of selective attention materially harmed Plaintiffs by:
- a. delaying urgent legal claims that required immediate documentation and filing;
 - b. allowing Defendants greater opportunity to consolidate records, obscure

evidence, and strengthen fraudulent recognition of non-heir entities; and
c. creating the appearance of progress while underlying treaty and property claims remained unaddressed.

112. Plaintiffs assert that this is not an attack on the historic contributions of community leaders or organizations, many of whom advanced crucial civil rights protections. Rather, Plaintiffs allege that the **strategic choices** by some leaders and organizations—to focus public campaigns on episodic, high-visibility events rather than sustained legal campaigns for treaty enforcement and reparations—contributed to the long-term denial of Plaintiffs' rights.

113. Plaintiffs further allege that on multiple occasions they directly requested assistance (including requests for legal representation, public advocacy, or organizational support) from certain community organizations and leaders and either received no response, were referred away without substantive follow-up, or were encouraged to pursue non-binding political remedies. Those refusals and deferrals are part of the factual record supporting Plaintiffs' claim that internal gatekeeping impeded remedy and redress.

114. Evidence supporting these allegations may include, but is not limited to:
a. dated copies of written requests for assistance to organizations and individual leaders and any responses or lack thereof;
b. social-media posts, press releases, and public statements from leaders and organizations that show the timing and content of their public engagement;
c. affidavits and declarations from Plaintiffs and community members describing requests for help and responses received; and
d. records of referrals, meeting notes, or correspondence demonstrating deferral to non-binding political avenues.

115. Plaintiffs submit these allegations to show (1) why Plaintiffs' claims were not advanced earlier through other channels, (2) how internal gatekeeping interacts with governmental and institutional fraud to perpetuate harm, and (3) the need for structural remedies to ensure that treaty enforcement and reparations efforts are pursued systematically rather than episodically.

V. CAUSES OF ACTION

COUNT I – BREACH OF THE TREATIES OF 1866 (SUPREMACY CLAUSE)

- Treaties guaranteed Freedmen heirs full citizenship and rights.
- Dawes Rolls and fraudulent tribal recognition excluded heirs.
- *Cherokee Nation v. Nash* (2017) proves treaty rights remain binding.

WHEREFORE, Defendants' actions and omissions constitute a continuing breach of the Treaties of 1866, enforceable under the Supremacy Clause, entitling Plaintiffs to declaratory, injunctive, and monetary relief.

COUNT II – EQUAL PROTECTION & DUE PROCESS VIOLATIONS (5th & 14th AMENDMENTS)

- Misclassification as "African-American."
- Resource diversion to non-heirs.
- Court ridicule of treaty claims (*Batson, Flowers, Foster* confirm bias).

WHEREFORE, Defendants' acts and omissions violate the Equal Protection and Due Process Clauses, entitling Plaintiffs to declaratory, injunctive, and monetary relief.

COUNT III – TAKINGS WITHOUT JUST COMPENSATION (5th AMENDMENT)

- Land theft via rescission of Field Order 15, heirs' property seizures, eminent domain, and massacres.
- *Pigford v. Glickman* confirms federal discrimination in agriculture.

WHEREFORE, Defendants' conduct constitutes unconstitutional takings without just compensation, entitling Plaintiffs to restitution of land or damages, as well as declaratory and injunctive relief.

COUNT IV – CIVIL RIGHTS STATUTORY VIOLATIONS

- **42 U.S.C. § 1981 – denial of contract rights (banking, housing, business).**
- **Title VI of Civil Rights Act – discriminatory use of federal funds.**
- **Fair Housing Act – redlining and predatory lending (*Wells Fargo, Countrywide* settlements).**
- **Voting Rights Act – ongoing gerrymandering and suppression.**

WHEREFORE, Defendants' acts and omissions violate these federal statutes, entitling Plaintiffs to all remedies available under law, including declaratory, injunctive, and monetary relief.

COUNT V – FRAUD, MISCLASSIFICATION, AND UNJUST ENRICHMENT

- **Birth certificates and dual systems = conversion of heirs into wards.**
- **OMB Directive 15 = fraudulent “African-American” classification.**
- **Fraudulent enrichment of non-heir tribal corporations.**

WHEREFORE, Defendants' acts and omissions constitute fraud, misclassification, and unjust enrichment, entitling Plaintiffs to restitution, disgorgement, damages, and injunctive relief.

COUNT VI – MASS CRIMINALIZATION AND INCARCERATION (13th AMENDMENT ABUSE)

- Black Codes, convict leasing, chain gangs, Black jails.
- War on Drugs disparities.
- *Powell v. Alabama* and *Batson v. Kentucky* confirm systemic bias.

WHEREFORE, Defendants' conduct constitutes unlawful exploitation under the 13th Amendment, entitling Plaintiffs to declaratory relief, release of unlawfully held heirs, and damages.

COUNT VII – JUDICIAL BIAS AND DENIAL OF ACCESS TO COURTS

- Clerks blocking filings, courts mocking treaty claims.
- Denial of treaty enforcement violates Supremacy Clause.
- *Flowers v. Mississippi* and DOJ Ferguson Report show systemic bias.

WHEREFORE, Defendants' conduct denies Plaintiffs access to courts and treaty enforcement, entitling Plaintiffs to declaratory, injunctive, and monetary relief.

COUNT VIII – VIOLATION OF FREEDMEN TRIBAL RIGHTS THROUGH INCARCERATION

- Treaties guaranteed equal citizenship in Nations.
- U.S. stripped heirs of tribal jurisdiction and placed them into state/federal jails.
- Breach of treaties and violation of international law (UNDRIP, Genocide Convention).

WHEREFORE, Defendants' conduct constitutes a violation of treaty rights and international law, entitling Plaintiffs to enforcement of treaty rights, release from unlawful jurisdiction, and damages.

COUNT IX – INTERNATIONAL LAW VIOLATIONS

- ICCPR, CERD, Forced Labour Convention, Genocide Convention.
- Supremacy Clause requires enforcement of treaties as “law of the land.”

WHEREFORE, Defendants’ actions and omissions violate binding international law, enforceable under the Supremacy Clause, entitling Plaintiffs to declaratory, injunctive, and monetary relief, as well as referral to international oversight.

VI. PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that this Court enter judgment in their favor and against Defendants, and provide the following relief:

A. Declaration of Rights

1. Declare that Plaintiffs are the rightful heirs under the Treaties of 1866 with all rights, citizenship, and protections guaranteed therein.
2. Declare that Defendants’ misclassification of Plaintiffs as “African-American” is fraudulent and unlawful.
3. Declare that the recognition of reconstructed tribal corporations in place of Freedmen heirs is a breach of treaty and unlawful substitution.

B. Land and Property Restitution

4. Order restitution or restoration of lands unlawfully seized from Freedmen heirs through rescission of Sherman’s Field Orders, heirs’ property fraud, discriminatory taxation, and eminent domain.
5. Where land restoration is not feasible, order **just compensation** under the Fifth Amendment Takings Clause.

C. Monetary Damages and Reparations

6. Award compensatory damages for lost wealth, property, and resources arising from

land theft, banking fraud, redlining, predatory lending, and USDA discrimination.

7. Award damages for the destruction of Black communities in massacres such as Tulsa (1921), Rosewood (1923), and Wilmington (1898).

8. Award damages for unlawful taxation, fines, and fees extracted through racially biased municipal and judicial systems (*DOJ Ferguson Report*).

9. Establish a **federally supervised Reparations Trust Fund** for the exclusive benefit of Freedmen heirs, financed by Defendants and funded to reflect generations of stolen labor, land, and wealth.

10. Order a full **historical accounting** of funds and resources diverted to non-heirs (including immigrants, corporate tribal entities, and institutions) that should have been allocated to Plaintiffs.

D. Injunctive Relief

11. Enjoin Defendants from further misclassifying Plaintiffs as “African-American” or “minority.”

12. Enjoin Defendants from recognizing reconstructed tribal corporations that exclude Freedmen heirs as the lawful “Nations” under the Treaties of 1866.

13. Enjoin Defendants from denying Plaintiffs equal access to education, healthcare, housing, and federal programs.

E. Structural and International Remedies

14. Appoint an **independent federal monitor** to oversee treaty enforcement, reparations distribution, and compliance.

15. Order review and release of Afro-Indigenous heirs incarcerated in violation of treaty rights and the Thirteenth Amendment’s exploitation clause.

16. Refer the matter to international bodies, including the **United Nations Human Rights Council**, for oversight consistent with the **ICCPR, CERD, UNDRIP, and Genocide Convention**.

F. Attorneys’ Fees and Costs

17. Award Plaintiffs reasonable attorneys’ fees, costs, and expenses pursuant to 42 U.S.C. § 1988 and other applicable provisions.

G. Other Relief

18. Grant such other and further relief as the Court deems just and proper in light of Defendants’ historical and continuing violations.

C. Monetary Damages and Reparations (Quantified)

6. Award compensatory damages for lost land and property. From 1865–present, Plaintiffs lost approximately **15 million acres** of land (reduced from 16 million acres in 1910 to less than 3 million today). Using USDA average farmland value

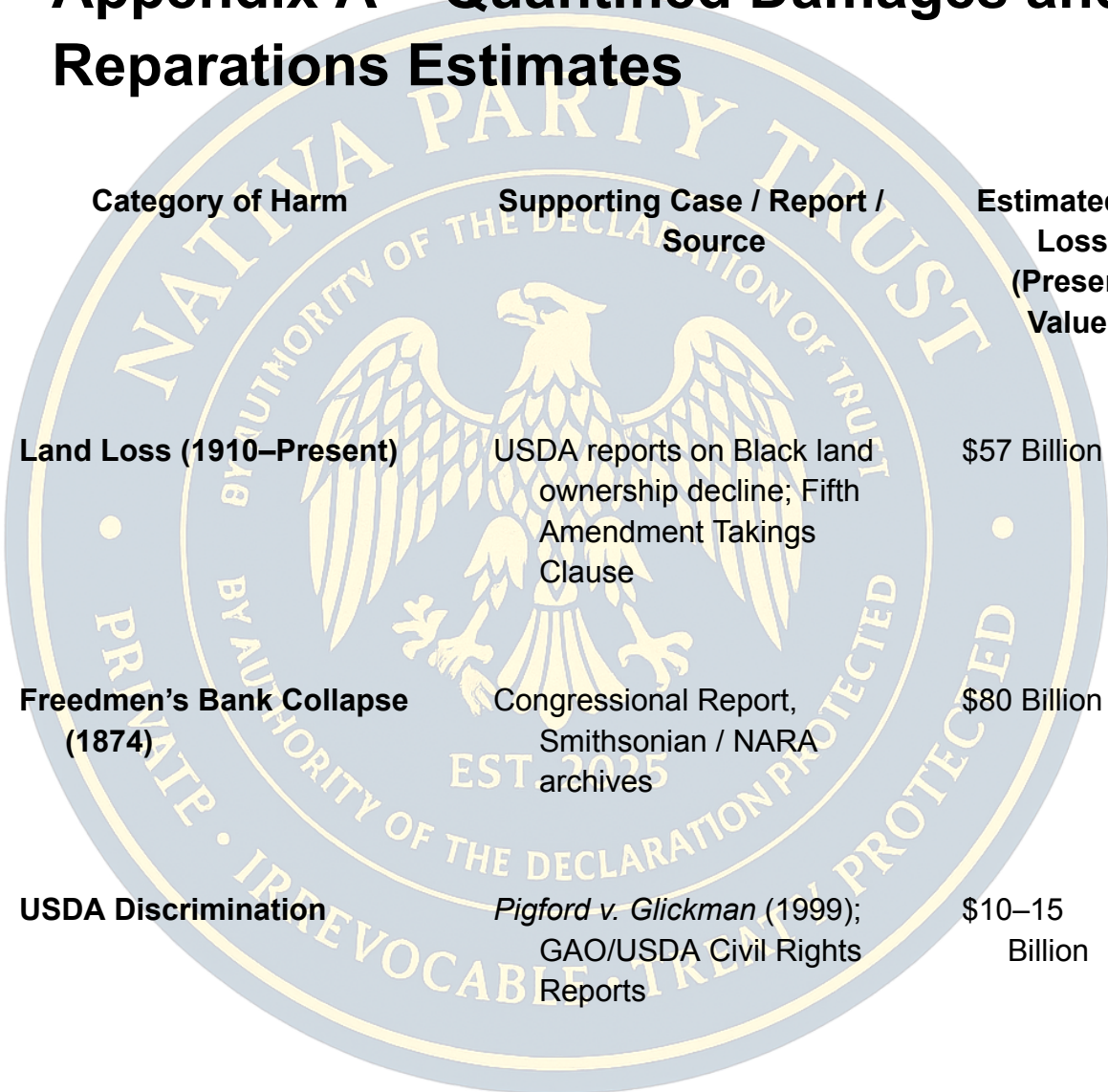
at \$3,800 per acre, the loss equals **\$57 billion**, excluding mineral rights, timber, and development value.

7. Award damages for the collapse of the **Freedmen's Bank (1874)**. Over 70,000 depositors lost approximately \$3 million at the time, equal to roughly **\$80 billion in present value** adjusted for compounding interest over 150 years.
8. Award damages for **USDA discrimination**, as documented in *Pigford v. Glickman* (1999), where \$1 billion was already settled. The true scope of harm, including denied loans and forced land loss, is estimated at **\$10–15 billion**.
9. Award damages for destruction of Black communities in massacres (Tulsa, Rosewood, Wilmington, Elaine, etc.). Independent economic studies (e.g., Tulsa Race Massacre Commission) estimate over **\$200 million in 1921 dollars**, equal to **\$3 billion today**. Rosewood survivors were compensated in 1994, setting precedent, but the broader harm remains unpaid.
10. Award damages for **housing and redlining discrimination** from 1934–2008. Federal Reserve data shows Black households lost more than **\$212 billion** in wealth during the housing crash alone. Redlining from the FHA era through the 1970s adds another **\$100 billion** minimum.
11. Award damages for **predatory lending** settlements (*U.S. v. Wells Fargo* 2012, *U.S. v. Countrywide* 2011). The settlements covered only partial losses; total damages exceed **\$50 billion** in lost wealth, foreclosures, and equity stripping.
12. Award damages for **unlawful taxation, fines, and fees** extracted from Black communities through discriminatory policing and municipal court exploitation (documented in the **DOJ Ferguson Report 2015**). Conservative estimates place this at **\$5 billion nationally per year**, totaling **\$250 billion since 1970**.
13. Establish a **Reparations Trust Fund** of no less than **\$14 trillion**, reflecting:
 - Generational unpaid labor (slavery and post-slavery convict leasing).
 - Stolen land, wealth, and resources.
 - Systemic denial of education, healthcare, and housing.

- Diversion of federal funds to non-heirs.

14. Order a full **historical accounting** of all federal, state, and tribal funds diverted from Freedmen heirs since 1866, to be added to the Reparations Trust Fund.

Appendix A – Quantified Damages and Reparations Estimates



Category of Harm	Supporting Case / Report / Source	Estimated Loss (Present Value)
Land Loss (1910–Present)	USDA reports on Black land ownership decline; Fifth Amendment Takings Clause	\$57 Billion
Freedmen's Bank Collapse (1874)	Congressional Report, Smithsonian / NARA archives	\$80 Billion
USDA Discrimination	<i>Pigford v. Glickman</i> (1999); GAO/USDA Civil Rights Reports	\$10–15 Billion
Massacres (Tulsa 1921, Rosewood 1923, Wilmington 1898, Elaine 1919, etc.)	Tulsa Race Massacre Commission Report (2001); Florida Rosewood Act (1994)	\$3+ Billion

Housing & Redlining (1934–1970s)	HOLC “redlining” maps; FHA policies; Federal Reserve wealth gap data	\$100+ Billion
Predatory Lending (2000s)	<i>U.S. v. Wells Fargo</i> (2012); <i>U.S. v. Countrywide</i> (2011)	\$50+ Billion
Housing Crash Losses (2008)	Federal Reserve Survey of Consumer Finances	\$212 Billion
Municipal Exploitation (Fines, Fees, Policing)	DOJ Ferguson Report (2015); nationwide extrapolations	\$250 Billion (since 1970)
Generational Forced Labor (Slavery + Convict Leasing)	Economic studies of slavery’s present-day value (Darity, Brookings)	\$12–14 Trillion
Diversion of Federal Funds to Non-Heirs	OMB Directive No. 15 (1977); DHS migrant funding reports	TBD – requires full accounting

15. **TOTAL ESTIMATED DAMAGES: \$14 Trillion+**

VIII. VERIFICATION

I, _____ [Plaintiff’s Full Name], being duly sworn, depose and say:

1. I am the Plaintiff in the foregoing Complaint.
2. I have read the foregoing Complaint and know the contents thereof.
3. The factual allegations contained in the Complaint are true to the best of my knowledge, information, and belief.
4. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this ____ day of _____, **20**, at _____ [City _____, State].

[Plaintiff's Printed Name & Signature]
Plaintiff, Pro Se

NOTARY ACKNOWLEDGMENT

State of _____)
County of _____)

On this ____ day of _____, **20**, before me, the undersigned Notary Public, personally appeared _____ [Plaintiff's Name], known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

My Commission Expires: _____