

**Sioux Half-Breed Descendants to Hold Press Conference at Historic Fort Snelling to Announce Federal Circuit Appeal in Landmark \$5 Billion Trust and Land Rights Case**

ST. PAUL, MINN. – July 24, 2026 – Plaintiffs representing the Sioux half-breed lineal descendants will host a press conference on Friday, July 24, 2026, at 11:00 a.m. at Historic Fort Snelling to announce their appeal to the United States Court of Appeals for the Federal Circuit following the dismissal of their class action lawsuit in the U.S. Court of Federal Claims.

The lawsuit, originally filed by seven named representatives on behalf of all similarly situated lineal descendants, seeks at least \$5 billion in financial damages, a full historical accounting of trust funds, and an order compelling the federal government to grant the group federally recognized tribal status.

The class action centers on the descendants' historical, legal, and beneficial rights to the Lake Pepin Reservation Indian Title—a 500-square-mile tract of land in southeastern Minnesota established under the Treaty of July 15, 1830—as well as subsequent federal acts in 1854, 1858, 1888–1890, 1934 and 1980.

The class action centers on the descendants' historical, legal, and beneficial rights to the Lake Pepin Reservation—a 500-square-mile tract of land in southeastern Minnesota set apart under Article IX of the Treaty of July 15, 1830 (7 Stat. 328), which explicitly reserved the territory for their exclusive benefit:

*"The Sioux Band of Indians . . . assign and grant to the United States, to be allotted by the President, to the Half-breeds of the Sioux Nation, to occupy and hold the same, as other Indian lands are held, a tract of country beginning at Barn Bluff . . . containing a tract of country of about fifteen miles wide, by thirty-two miles long."*

**An Appeal Based on Plain Statutory Text of the 1946 Indian Claims Commission Act and the 1949 Recodification History**

The appeal directly challenges the trial court's mechanical reliance on the general six-year statute of limitations (28 U.S.C. § 2501). At the press conference, legal counsel for the descendants will outline key grounds for reversal, including there is no statute of limitations applying to historical Indian trust mismanagement claims:

- The Unbroken Text of Section 24 of the 1946 ICCA: When Congress passed Section 24 of the Indian Claims Commission Act of 1946 (codified as 28 U.S.C. § 1505), it created an independent, prospective waiver of sovereign

immunity for post-1946 Indian trust mismanagement claims. Congress intentionally omitted the restrictive 1863 occurrence phrase "first accrues" and included no internal time limit for filing historical Indian trust mismanagement claims.

- The 1949 Administrative Housekeeping Fallacy: The government's reliance on § 2501 stems from a routine 1949 administrative transfer of Section 24 which was in Title 25 on Indians into Title 28 on federal courts. But, under long-standing Supreme Court precedent, technical recodifications and reviser reorganization cannot silently alter Congressional waivers of sovereign. Nonetheless, the trial court has imposed a statute of limitations upon the Sioux Half-Breed lineal descendants which was not enacted by Congress as part of Section 24 of the Indian Claims Commission Act.
- Modern Supreme Court Precedent (*United States v. Wong* (2015)): Procedural time bars in sovereign immunity waivers cannot be created through judicial habit where Congress chose open statutory text. In [\*United States v. Wong\* \(2015\)](#), the U.S. Supreme Court ruled that the strict filing deadlines of the Federal Tort Claims Act (FTCA) are not "jurisdictional," meaning they are subject to [equitable tolling](#) under appropriate circumstances. The Federal Circuit should follow the *Wong* precedent and reach a similar legal result for Section 24 of the Indian Claims Commission Act of 1946 since Congress did not enact a statute of limitations regarding historical Indian trust mismanagement claims.
- Unbroken Canopy of Fiduciary Law: The federal government's fiduciary obligations are established under an overarching canopy of the 1830 Treaty (quoted above), statutes, Attorney General opinion, administrative decisions, and court decisions. Under foundational trust law, the statute of limitations cannot run against beneficiaries on an un-accounted trust corpus (Lake Pepin Reservation Indian title, Sioux scrip, \$265,709 land sales proceeds to federal government, statutory land rents and profits) where no formal accounting has ever been rendered.

## **PRESS CONFERENCE DETAILS**

- WHAT: Press Conference announcing Appeal to the U.S. Court of Appeals for the Federal Circuit
- WHEN: Friday, July 24, 2026, at 11:00 a.m. CDT
- WHERE: Historic Fort Snelling (Visitor Center Grounds / Exterior Plaza), 200 Tower Ave, St. Paul, MN 55111

- WHO: Erick G. Kaardal, legal counsel for the plaintiffs, along with named class representatives and lineal descendants.

"The trial court allowed a 1949 administrative reorganization in Title 28 to overrule what Congress explicitly enacted in Section 24 of the 1946 Act," stated Erick G. Kaardal, legal counsel for the plaintiffs. "Under settled Supreme Court jurisprudence, technical reviser shuffles do not strip away substantive civil rights or impose unstated time traps against trust beneficiaries. We are taking this issue of first impression to the Federal Circuit because a federal trustee cannot hide behind administrative assumptions to escape its historical treaty and statutory obligations to the Sioux Half-Breed lineal descendants. Historic Fort Snelling stands as an enduring symbol of broken and unbroken agreements to the Dakota people, making it the fitting location to announce this appeal."

A copy of the Notice of Appeal will be distributed to media attending the conference. Media are also directed to this documentary video titled "Last Winter Count" for background information: [https://www.youtube.com/watch?v=-vCbpbDH\\_nw](https://www.youtube.com/watch?v=-vCbpbDH_nw)