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**To cite this Publication:** Wild Willpower PAC, "*Summary Analysis of The Fiduciary ("Trust") Relationship Between Indigenous ("Indian") Tribes, The United States Federal Government, with particular focus on The Reserved Senior Water Rights of The Standing Rock Sioux Tribe in accordance with the 1851 & 1868 Fort Laramie Treaties*" by Distance Everheart:  
www.WildWillpower.org & www.StandingRockClassAction.org

### United States Constitution, Article I, § 8:

**"The Congress shall have Power... to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries."**

**Fair Use:** "A reasonable & limited use of a copyrighted work without the author's permission, such as quoting from a book in a book review or using parts of it in a parody. Fair use is defense to an infringement claim, depending on the following statutory factors:

1. the purpose & character of the use.
2. the nature of the copyrighted work.
3. the amount of the work used.
4. the economic impact of the use.<sup>2</sup>

**Copyright:** "1. The right to copy; specifically, a property right in an original work of authorship (*including literary, musical, dramatic, choreographic, pictorial, graphic, sculptural, & architectural works,; motion pictures & other audiovisual works, & sound recordings*) fixed in any tangible medium of expression, giving the holder the exclusive right to reproduce, adapt, distribute, perform, & display the work. 2. The body of law relating to such works – *see following two pages for related codes*. Copyright law is governed by the Copyright Act of 1976."

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1 Though this type of Claim has never been explicitly Demanded/Reserved, U.S. Law defines parameters whereby Expressly Assenting to the Preservation of such Claim of Right, *as described*.

2 Black's Law Dictionary *Deluxe Tenth Edition* by Henry Campbell Black, Editor in Chief Bryan A. Garner. ISBN: 978-0-314-61300-4, page 717

**Copyright Act of 1976:** “A major revision of U.S. Copyright law, extending the term of protection to the life of the author plus 50 years, measured from the date of creation; greatly expanding the types of works that qualify for protection, dropping the requirement that the work be published before it can be protected; making fair use a statutory defense to a claim in infringement; & preempting state common-laws copyright.”<sup>3</sup>

The following U.S. Codes were Enacted, by Congress, Pursuant to the Copyright Act of 1976:

**United States Code Title 17 - COPYRIGHTS**

**CHAPTER 1 - SUBJECT MATTER AND SCOPE OF COPYRIGHT**

**§107 · Limitations on exclusive rights: Fair use**

... [T]he fair use of a copyrighted work, including such use by reproduction in copies... for purposes such as criticism, comment, news reporting, teaching (*including multiple copies for classroom use*), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include—

- (1) the purpose & character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- (2) the nature of the copyrighted work;
- (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- (4) the effect of the use upon the potential market for or value of the copyrighted work. The fact that a work is unpublished shall not itself bar a finding of fair use if such finding is made upon consideration of all the above factors.

**§118 · Scope of exclusive rights:**

Use of certain works in connection with noncommercial broadcasting

- (a) The exclusive rights... shall... be subject to the conditions & limitations prescribed by this section.
- (b) ... any owners of copyright in published... works & any public broadcasting entities, respectively, may negotiate & agree upon the terms & rates of royalty payments & the proportionate division of fees paid among various copyright owners, & may designate common agents to negotiate, agree to, pay, or receive payments.
- (e) Nothing in this section shall be construed to permit, beyond the limits of fair use... the unauthorized... production... from a published compilation....
- (f) As used in this section, the term “public broadcasting entity” means a noncommercial educational broadcast station as defined in U.S. Code Title 47 § 397<sup>4</sup> – *shown on following page*.

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3 **Black's Law Dictionary *Deluxe Tenth Edition* by Henry Campbell Black, Editor in Chief Bryan A. Garner. ISBN: 978-0-314-61300-4, pages 411-412**

4 **U.S. Copyright Office, Circular 92, “*Copyright Law of the United States and Related Laws Contained in Title 17 of the United States Code*”, December 2016: <https://www.copyright.gov/title17/title17.pdf>**

Continued–

**U.S. Code Title 47 § 397:**

(11) The term “public broadcasting entity” means the Corporation, any licensee or permittee of a public broadcast station, or any nonprofit institution engaged primarily in the production, acquisition, distribution, or dissemination of educational & cultural television or radio programs.<sup>5</sup>

**§103 · Subject matter of copyright:**

Compilations & derivative works

- (a) The subject matter of copyright... includes compilations & derivative works, but protection for a work employing preexisting material in which copyright subsists does not extend to any part of the work in which such material has been used unlawfully.
- (b) The copyright in a compilation or derivative work extends only to the material contributed by the author of such work, as distinguished from the preexisting material employed in the work, & does not imply any exclusive right in the preexisting material. The copyright in such work is independent of, & does not affect or enlarge the scope, duration, ownership, or subsistence of, any copyright protection in the preexisting material.<sup>6</sup>

This Publication compiled by Alex “Distance Everheart” Wilson  
between September 2016 & June 2017.

Published on 6-15-2017.

Founder of Wild Willpower PAC

[www.WildWillpower.org](http://www.WildWillpower.org)

All Rights, **Under Protest**, Assumed (UCC 1-308)

**UCC § 1-308. Performance or Acceptance Under Reservation of Rights.**

- (a) “A party that with explicit reservation of rights performs or promises performance or assents to performance in a manner demanded or offered by the other party does not thereby prejudice the rights reserved. Such words as “without prejudice,” “under protest”, or the like are sufficient.”<sup>7</sup>

**Protest:** A formal statement or action expressing dissent or disapproval. Under some circumstances, a protest is lodged to preserve a claim or right.<sup>8</sup>

5 Cornell Law School, *Legal Information Institute*, U.S. Code – Title 47 – Chapter 5 – Subchapter III – Part IV – Subpart e – § 397: <https://www.law.cornell.edu/uscode/text/47/397>

6 U.S. Copyright Office, Circular 92, “*Copyright Law of the United States and Related Laws Contained in Title 17 of the United States Code*”, December 2016: <https://www.copyright.gov/title17/title17.pdf>

7 Cornell Law School, *Legal Information Institute*, Uniform Commercial Code – U.C.C. - ARTICLE 1 - GENERAL PROVISIONS (2001) – PART 3. TERRITORIAL APPLICABILITY AND GENERAL RULES – § 1-308. Performance or Acceptance Under Reservation of Rights: <https://www.law.cornell.edu/ucc/1/1-308>

8 *Black's Law Dictionary Deluxe Tenth Edition* by Henry Campbell Black, Editor in Chief Bryan A. Garner. ISBN: 978-0-314-61300-4, page 1419

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Campaign Contributions may be offered to Wild Willpower PAC to help cover costs with disseminating this Publication as well as additional materials found throughout WildWillpower.org & associated websites, & for the purposes of assisting Wild Willpower in covering expenses involved with compiling additional institution-quality Political Publications for Public, National, & International Benefit. *Buckley v. Valeo*, ruled that spending money to assist Political Campaigns may be done as a form of constitutionally protected free speech:

**“A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, & the size of the audience reached. This is because virtually every means of communicating ideas in today’s mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, & circulation costs. Speeches & rallies generally necessitate hiring a hall & publicizing the event. The electorate’s increasing dependence on television, radio, & other mass media for news & information has made these expensive modes of communication indispensable instruments of effective political speech.”**<sup>9 10</sup>

The Founding Fathers knew that if American citizens failed to share information & were unable to speak freely, they would be worse off than they had been as subjects under Britain's King George III.

The Founding Fathers were former colonists under a tyranny that controlled information & freedom of expression. King George III suppressed free speech, especially speech critical of the Crown or the government.

Without the First Amendment's guarantee of free speech, freedom of the press, religion & assembly—the rest of the Amendments are meaningless. The purpose of the first amendment is to permit free & open discussion about important public affairs.<sup>11</sup>

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9 **United States of America, Federal Election Commission, U.S. Supreme Court, *BUCKLEY v. VALEO*, 424 U.S. 1 (1976) 424, U.S. 1 *BUCKLEY ET AL. v. VALEO, SECRETARY OF THE UNITED STATES SENATE, ET AL. APPEAL FROM THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT. No. 75436. Argued November 10, 1975. Decided January 30, 1976, transcript:*** <https://transition.fec.gov/law/litigation/Buckley.pdf>

10 **The Amendment Gazette, “*How Spending Money Became a Form of Speech*” by Tom Huckin, 1-6-2014:** [www.amendmentgazette.com/how-spending-money-became-a-form-of-speech/](http://www.amendmentgazette.com/how-spending-money-became-a-form-of-speech/)

11 **U.S. Congressman Ted Poe's, 2nd District of Texas, Official website:** <http://poe.house.gov/2007/11/thefirst-amendment-right-to-speech>