

Federal Indian Policy is Destroying America: Open Letter to President Trump



By Elaine Willman | November 18, 2019

In this open letter to President Trump, federal Indian policy expert Elaine Willman explains how unconstitutional federal policies dealing with tribal governments are depriving countless U.S. citizens of their rights while destroying American communities.

Honorable Donald J. Trump
President of the United States
White House
1600 Pennsylvania Avenue
Washington, D.C. 2006
September 17, 2019

ASSERTION: Since its origins in the 1830's (judicial, legislative, administrative), all of federal Indian policy is: 1) entirely unconstitutional; 2) denies full American citizens enrolled in tribal governments their 14th Amendment protections and civil rights; 3) compels forced reparations in

perpetuity upon American taxpayers to annually subsidize all basic needs and services of 573 tribal governments; and 4) permits tax-exempt casinos and other tribal enterprises to determine the marketplace of the tax-paying economy in thousands of communities across the nation.

Dear President Trump:

I have attached a brief professional statement supportive of the contents of this letter. Below is a cursory chronology that describes the increasing spread of tribalism as a governing system replacing our Republic form of government in America, and supports the assertion noted above.

1830 Chief Justice James Marshall issued three Indian-related rulings known as the Marshall Trilogy in 1830. With no support found in the U.S. Constitution, Marshall instead drew from international law to declare that the federal government has a “trust” relationship with its Indians. The Judiciary, Congress and the Executive Branch forged the Bureau of Indian Affairs and began the incremental expansion of tribalism as a governing system in the United States increasingly expanding for two centuries.

1871 The first half of the 1800s brought the formation of the Bureau of Indian Affairs, congressional statutes and administrative laws, managing Indian treaties, tribes, annual subsidies, and peacekeeping needs.

1887 Congress implemented efforts from the 1870s through 1924 to bring American Indians to full and equal citizenship with all other citizens, by ending the reservation system, tribal governments, and allowing Indians to be individual landowners and full citizens of their respective states.

1924 Congress passed the Snyder Act of 1924 making all American Indians full citizens.

1934 An avowed and self-proclaimed Communist, John Collier, became Commission of the Bureau of Indian Affairs, and persuaded Congress to pass the Indian Reorganization Act (IRA) of 1934. This created separate communal tribal governments and created dual citizenship that denies enrolled tribal members their 14th Amendment and Civil Rights. IRA has been an intentional and incremental deterrent for individual tribal ownership of land.

1968 Congress passed the Indian Civil Rights Act (ICRA) to provide tribal members with civil rights but failed to provide any enforcement process for aggrieved tribal members. For over fifty years Congress has assumed that tribal members have civil rights under ICRA, but the reality is, lacking enforcement mechanism, tribal members have nothing.

1978 Congress passed the Indian Child Welfare Act (ICWA) transferring full parental authority from tribal parents to the tribal government. The benign intent was to preserve culture, but the reality for tribal families is that ICWA is often used as a weapon to punish or otherwise influence tribal families at risk of the tribal government taking their children – sometimes forever. ICWA, drug addiction and suicides have been completely devastating to family units within Indian reservations.

1988 Congress passed the Indian Gaming Regulatory Act (IGRA) to provide tribes with economic self-sufficiency and ultimately offset and reduce annual federal subsidies. These tax-exempt gaming profits are ‘free money’ to tribes, since federal subsidies continue to annual fund

all basic services of 573 tribal governments. Casino funds are used to acquire land, hire legal counsel, hire lobbyists and fund candidate campaigns.

2000 Federal Election Commission Advisory Opinion (FEC-AO 2000-05) authorized tribal governments to financially and directly participate in funding political parties, incumbents or candidates. No other American governments may do so. But 573 tribal governments monetize America's elections while being exempt from most federal and state decisions made by legislators that tribes elect.

2012 Congress passed the HEARTH Act under the Obama administration, allowing tribal governments to long-term lease federal Indian 'trust' lands to middle eastern countries for up to 75 years, without BIA oversight or approval. Note that in 1904, Secretary of Interior A.B. Fall required all major dams, water and energy systems in Western states to be located on or near Indian reservations. This act affords opportunity for adversaries of this country close proximity to the nation's energy systems and power grids on lands receiving little or no state or local observation or oversight.



2014 Accelerating tribal involvement in the nation's power grid, Congress passed the Indian Energy Act authorizing multi-billions of dollars for tribal governments to acquire major power infrastructure by a government that: 1) has no duty to the customer base, and 2) is protected by "sovereign immunity" from liability to the American people.

The original 1930 'trust' relationship was intended to be with individual Indians, but for perhaps expediency, Congress and federal agencies worked exclusively with tribal governments, unfortunately to the detriment of the tribal members they serve. Nationally, this massive issue impacting America is the best kept secret as most federal, state and local decisions are made in private communications with elected officials, administrators and tribal leaders. Minimal to no public hearing or input from tribal members and the general public occurs. Yet the enormity of the annual financial burden upon taxpayers and increasing loss of lands within states no longer served by a republic form of government quietly expands, year after year.

All of this can be viewed as forced reparations in perpetuity that saddles innocent American taxpayers annually with the sins of yesterday, long since and abundantly compensated for over two

centuries by such unconstitutional largess – going to governments never contemplated in our country’s Constitution.

I remain so deeply grateful for your election as our President in 2016, and eagerly look forward to your reelection in 2020. In your second term, my belief is that you alone can persuade your colleagues in the Executive Branch and members of Congress to restore the United States to One Nation Under God, and make the following requests:

1. To Make and Keep America Great, end the spread of tribalism as an unconstitutional governing system in the United States by restoring the United States of America to “One nation under God.”;
2. End federal Indian policy and the existence of 573 ‘quasi-sovereign’, separate nations within the United States;
3. Rescind FEC Advisory 2000-05, eliminating any tribal government funding of elections and candidates (this action should be taken immediately, prior to the 2020 election);
4. Restore full citizenship to enrolled tribal members, including their civil rights and the 14th Amendment;
5. And established a reasonable time certain by which all tribal governments and Indian reservations are terminated.

Very Sincerely Yours,

Elaine Willman,
Ronan, Montana



ABOUT THE AUTHOR

Having lived by choice for thirty years on three different Indian reservations (Yakima in Washington, Oneida in Wisconsin, and Flathead in Montana), I feel compelled to write my first letter to an American President who listens to its citizens and loves this country as much as you.

I am of strong Cherokee ancestry, my spouse is a descendant of Sacajawea's adopted son, Basil, and we very much respect our family ancestries, American Indian history and culture. Naturally, many of my closest friends over the years are enrolled tribal members. That said, I make a clear distinction between respect for culture – all cultures – and government decision-making.

I have been researching federal Indian policy (Congressional statutes, administrative regulations, judicial rulings) for over 25 years, and have published two books on the subject. In 2004, I made a journey across 17 Indian reservations from Washington State to New York, capturing the reality of life on these reservations from the voices of tribal members, farmers, teachers, sheriffs, etc. Mainstream media rarely conveys the dire living conditions of families on Indian reservations, so my first book, *Going to Pieces...the dismantling of the United States of America* (2005) captures this reality from the citizens that endure life under direct and indirect federal/tribal government conditions. By 2016, conditions had worsened so significantly that I published a second book, *Slumbering Thunder...a primer for confronting the spread of federal Indian policy and tribalism overwhelming America*.

Recent rhetoric of most Democrat candidates for President are pandering for forced slavery "reparations," so it seems timely for me to assert that the current tax burden upon American citizens annually funding all basic needs of 573 Indian tribes would now require those same taxpayers to shoulder yesterday's alleged burden of slavery reparations. Add to this the potential of taxpayers funding medical and other services for illegal aliens, resulting in the American taxpayer being utterly indentured in perpetuity to three ethnicities...and financially crushed.

I have a master's in Public Administration from California State University (1990), and 96 credits toward a doctoral in public policy (Walden University). In addition, there are numerous online YouTube videos of talks and workshops that I have presented over the years and numerous written articles posted online and in national publications.

ABOUT ELAINE WILLMAN



With a master's in public policy, Elaine is among America's leading experts on federal Indian policy and has authored two books on the subject. She is proud of her Cherokee ancestry and has lived much of her life on Indian reservations.

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