

One mans opinion of Federally Imposed Tribalism and its effects upon local and state governments

The 1996 Inter- "Governmental" Memorandum of Agreement (MOA) and the status of a county's rural water plan addressed below describes the effects of allowing a non republican form of government in among governments authorized by the U.S. Constitution, which are all republican in form.

Our domestic tranquility in Skagit County, Washington, is and has been under attack from at least one of the three federally recognized tribes located in our county for years. These tribes and their "governments" are not republican in form and have no right to demand and get seats representing the tribe on any board, commission, or activity that advises or directs any of our governmental functions. Indeed an American citizen of American Indian dissent has the same right of such participation as any other American citizen if they are offered such an opportunity. Our state, local and county governments are republican in form as the Constitution requires. By allowing non republican forms of governments in our county and then welcoming them to participate in our governmental forums, we violate both our Constitutional obligations to live under a republican form of government and our forefathers written directions to avoid allowing dissimilar forms of government within our republic because such a mix only provides a breeding ground for obstreperous and uncongenial relations. Our current problem is with the MOA signed by eight parties, that addresses the Skagit River uses and this groups inability to agree on the actions need to take place. The tribal government representatives, with special attention given to the Swinomish tribal chairman, are interested in their own tribal needs ... NOT the needs of the counties public. Tribes do not have a track record of being interested in anything except what they want relative to their tribe. Tribes have an unlimited source of legal help and aid from various federal agencies (with budgets for same) and the tribes have their own federal funds available. Brian Cladoosby made this quite clearly in his recent statement to our local press. He also made statements about a senior water right his tribe had that would trump all other water rights. I find his behavior both outrageous and obstreperous. No persons challenged him to provide evidence of such a water right for his tribe. There are none. If you would take the time to research this area of concern, talk to specialist in the field, you would find out we all have been hoodwinked by the Point Elliot tribes.

I urge our elected officials to consider finding the tribal representatives of this MOA not eligible because tribes are not republican in form and have them removed. The citizens of our county have no control over tribal representatives such as being able to recall them or vote them out of office. Also, neither the President nor our Governor has meaningful control over these tribal governments. See *Printz v. U.S.*, 521 U. S. 898,922-923 (1997). Federally recognized Tribes constitute an intestine conspiracy to ignore our Constitution, culture, historical fact, and rule of law.

Our problems stem from federal and state legislators who pass or acquiesce to laws (federal Indian program with unconstitutional end results) forcing these tribal governments down our collective gullets. Our rights to live under a republican form of government stem from Article IV, Sec 4 of our Constitution. Federal and state governments can not take these rights away. One additional problem is the lack of available funds to fight the tribes over these Constitutional issues. The tribes use our tax dollars and monies from tax free activities and assets (tax free due to federal and some state regulations).

John A. Fleming
Consultant, Federal Indian Program Oversight 2/27/07
fipoversight@wavecable.com