



Written by [William F. Jasper](#) on September 11, 2017

Democrats Set to Use Tribes to Bloat Their Vote With Proposed Voting Rights Advancement Act

It is astonishing to learn that at least 46 U.S. senators and 188 congressional representatives (all Democrats) are either unaware of or completely indifferent to the reality that tribal governments have no legal duty whatsoever to the American voter. That's how many senators and representatives have signed on as co-sponsors to twin versions of the Voting Rights Advancement Act of 2017, designated in the Senate as S. 1419 and the House as H.R. 2978. The stated purpose of these identical bills is as follows:



“A representative official of an Indian tribe, with authorization from the governing body of the tribe, may request one or more polling places to be located on the Indian lands of the Indian tribe. Such request shall be delivered in writing to the State or political subdivision with responsibility for assigning polling places at least 6 months prior to the next election for which the request is made, and shall specify the location of each requested polling place.”

Here are just a few problems with these bills, S. 1419 and H.R. 2978:

1. Precincts are supposed to be for local voters of all ethnicities.
2. County and municipal polling precincts are supposed to be subject to the strict election regulations, oversight and enforcement of their respective secretaries of state across the country.
3. Yet, secretaries of state have no regulatory or enforcement authority over polling sites located on federal Indian trust lands.
4. A majority of Indian reservations are located in very urbanized areas that include multiple counties, cities and towns, all fully equipped to handle federal, state, county and local elections.
5. Tribal governments that fail or refuse to follow federal and state election laws are protected by “sovereign immunity” and cannot be sued; there’s no legal remedy for misconduct at private tribal polling places on federal trust land.

But here’s the deal that is so attractive to the “coin-operated” congressmen sponsoring these bills: Tribal governments are the only American governments that can freely and directly make campaign contributions to incumbents or candidates willing to do their bidding. (See FEC Advisory Opinion 2000-05.) No other American governments may do so. Tribal governments are not held to the same reporting accountability for election contributions as other entities and individuals. These bills set up a spurious system available to 567 tribal governments on over 340 reservations across the country.

So 46 senators and 188 congressman see the sweet deal. They reap the tribal money and now plan to conflate the tribal vote across the country. The model for this atrocious bill occurred in 2006 in Montana. The Crow Tribe and ACLU sued the State of Montana for the lack of polling precincts convenient to their members, and won. Then the Crow Tribe published full-page ads in area newspapers announcing a full slate of tribal candidates, announcing that the Crow Tribe would take over Big Horn County government. And they did. Today all elected offices of Big Horn County government, and 95



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percent of county employees are enrolled Crow Tribal members making county land use and taxation decisions, from which they are exempt. Tribal members elected to county positions are making land use and taxation decisions that affect the non-tribal Big Horn county residents; such decisions are likely in the best interest of the tribal government and not the county government they serve.

How did they do that? Easy. Polling precincts were placed on federal trust land; multiple new tribal enrollment cards were issued to members; feasts were held, transportation provided, voting lists provided to each tribal voter, and members voted at one or more of the polling precincts on the Crow Reservation. This is exactly how Senator Jon Tester (D-Mont.; shown) was able to start serving in the U.S. Senate in 2007, and to give the other 48 Democratic Senators and the two independents who caucused with them just enough representation to exercise majority control of the Senate.

A national organization and local Big Horn County residents saw this travesty coming, contacted the Montana U.S. attorney, secretary of state and anyone else who would listen, before the election, during the election, and after the election, but to no avail. Ballot boxes were not locked at tribal polling precincts; non-tribal poll watchers were not allowed; the ballot boxes carried by the sheriff (a Crow tribal member) were transported to the Big Horn County Recorder (a Crow tribal member) late at night — and behold, Democratic candidate for the U.S. Senate Jon Tester squeaked by incumbent Senator Conrad Burns for a very specious and questionable “win.”

A Complaint was filed in federal district court in Billings, Montana (Case CV07-74-BLG-RFC Amended). Legal counsel defending the Crow Tribe, Big Horn County, and the State of Montana was Stephen Bullock; recognize the name? Steve Bullock got the case dismissed with condescending tone and innuendos that the plaintiffs were discriminating racists, so the case was never heard on its merits. Unfortunately, plaintiffs could not fund an appeal to seek a hearing on the merits of the case. With polling precincts on federal trust property getting a judicial pass from a federal court, the game was set. Bullock was rewarded by this same process with his election as attorney general for Montana in 2009, and now enjoys his second term as governor of Montana. Montana’s Executive Branch and State Legislature are overwhelmingly influenced by tribal money and votes.

With the success of so many coin-operated elected officials in Montana, supplemental polling precincts on Indian land that are unaccountable to State or Federal election codes are now being promoted en masse across the country by Democrats in the Senate and the House.

It is imperative that S. 1419 and H.R. 2978 be soundly defeated. Election fraud is rampant across the country as it is. Imagine, just for example, what happens to a State like Washington with 31 tribes having abundant private tribal polling places that are unaffected by America’s election laws.

Washington, California, Idaho, Oregon, Montana, Wisconsin, Minnesota, Michigan, New York, and many other states would be deeply impacted by this legislation. All states hosting Indian reservations would experience a significant and unconstitutional shift in election practices and election outcomes, should these monster bills, S. 1419 and H.R. 2978 see daylight.

Photo of Sen. Jon Tester receiving war bonnet from Northern Cheyenne Tribe: AP Images

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