



Consultation, IA <consultation@bia.gov>

[EXTERNAL] fee to trust regulation changes

1 message

marlenewildblue3@aol.com <marlenewildblue3@aol.com>

Sat, Jul 7, 2018 at 1:15 PM

To: consultation@bia.gov

Dear Personnel:

I noticed on line that there has been some consultation with the tribes as it concerns changes fee to the fee to trust regulations. I reside within the historic boundary of a reservation where the federally recognized tribe (Lummi) in my opinion are not qualified to put lands into trust. All the public domain reservations, established under the Point Elliott Treaty, assigned lands out to natives as restricted fee. No lands were reserved for any "tribes". Where the natives did not stay on the lands, it appears some were assigned to white settlers. The records show there were three Donation Claims and a Homestead patent. In so far as these reservations had remained "public lands", never trust, Congress did not have to open the lands up to non-Indians. In fact, it was Congress who gave the President the authority to assign the lands out per terms of the treaty.

All that said, for what ever reason, the 22 Indian signers, who were assigned to the five reservations were given an opportunity to vote on the Indian Reorganization Act. Most of the members of these various reservations supported the Act but the Lummi voted against it. It is illogical to "restore" to trust what was never trust, which is why I say these Point Elliott tribes are not qualified. Neither tribes or individuals held title to trust lands in 1934. Yet, the Lummi and the other Point Elliott Reservation groups and some members that left the reservations have been granted authority to "create" their own trust reservation in Washington State.

The fee to trust regulations makes NO mention of recording "purported" trust deeds, signed by Area Directors as accepting lands into trust "before" final formal approval has occurred. When the final formal acceptance fails to go through, none are the wiser and the trust applicant or tribes have created a situation at the County where the lands are tax exempt and they hold powers created out of thin air. **Please, address in the regulation the exact time where the trust applicant is to take the trust deed to the County for recording of their final acceptance or have the Area Director's signed deeds state the deed supports only "preliminary" approval.**

As a former Whatcom County council member, who resides within the historic boundary of the Lummi reservation, please take these comments under serious consideration.

Regards,
Marlene Dawson
[4029 Salt Spring Dr.](#)
[Ferndale, Wa. 98248](#)