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## Letter from Martin Cross to Representative Burdick Enclosing Two Resolutions Passed by the Three Affiliated Tribes, August 27, 1954

Martin Cross

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**MARTIN T. CROSS, SR.**

Chairman, Tribal Council

**THREE AFFILIATED TRIBES**

Fort Berthold Reservation

ELBOWOODS, NORTH DAKOTA

New Town,

August 27, 1954

Hon. Usher L. Burdick  
House of Representatives  
Washington, D. C.

Dear Usher:

I have the honor to transmit to you herewith copies of resolution adopted by the Tribal Business Council at Aberdeen, Area Office, Aberdeen, South Dakota on August 18, 1954 pertaining to full per capita payment with outline for method of distribution and one pertaining to redistricting the reservation for representation in the Tribal Council.

Both of these resolutions have the blessing of Area Director W. O. Roberts in his letter of transmittal to the Commissioner of Indian Affairs, Glen L. Emmons.

Any assistance that you can render to further this effort will be greatly appreciated.

Sincerely I am,



Martin Cross  
Chairman Tribal Council

Encl: 1 copy resolution  
1 " method of distribution

RESOLUTION OF THE GOVERNING BODY OF THE THREE AFFILIATED TRIBES  
OF THE FORT BERTHOLD RESERVATION

Resolution Providing for Amending the Constitution and By Laws of the  
Three Affiliated Tribes of the Fort Berthold Reservation.

- WHEREAS; Construction of the Garrison Dam Project took 152,000 acres of land within the Fort Berthold Indian Reservation causing the Reservation to be divided into five different segments by the Reservoir Waters, and
- WHEREAS; Because of the above taking of the lands the members of the Three Affiliated Tribes were forced to move to new locations in the residual areas of the segments, and
- WHEREAS; The moving of the different members to new areas of the reservation has caused the districts as described in the constitution to become impractical, and
- WHEREAS; Article IV, Nomination and Election, Section 6, should be amended to clearly state that candidates for the Tribal Business Council shall be residents of the district they seek to represent, and
- WHEREAS; Tribal Business Council by unanimous vote has approved a proposed amendment to the Constitution and By Laws to meet the new conditions and changes.

NOW THEREFORE BE IT RESOLVED, that Article 3 of the Constitution as it now exists be stricken and that a new Article 3 be enacted as follows:

Article III - Governing Body

Section 1. The governing body of the Three Affiliated Tribes of the Fort Berthold Reservation shall be known as the Tribal Business Council.

Section 2. The Tribal Business Council shall consist of 10 members elected from Segments of the Reservation as follows;

Western Segment	3 Representatives
Northern Segment	1 Representative
Northeastern Segment	1 Representative
Eastern Segment	3 Representatives
Southern Segment	2 Representatives



Section 3. The boundaries of the segments shall be described as follows:

Western - That part of the reservation bounded on the east by the Garrison Reservoir and on the south by the Little Missouri River arm of the Garrison Reservoir.

Northern - That part of the reservation bounded on the west and south by the Garrison Reservoir and on the east by the Shell Creek arm of the Garrison Reservoir.

Northeastern - That part of the reservation bounded on the west by the Shell Creek arm of the Garrison Reservoir and on the south by the Lucky Mound Creek arm of the Garrison Reservoir.

Eastern - That part of the reservation bounded on the south and west by the Garrison Reservoir and on the west and north by the Lucky Mound Creek arm of the Garrison Reservoir.

Southern - That part of the reservation bounded on the north by the Garrison Reservoir and on the north and west by the Little Missouri River arm of the Garrison Reservoir.

Section 4. The Tribal Business Council shall have authority to change the community boundaries, subject to the approval of the voters of the Reservation at any regular or special election.

Section 5. Not less than 20 days nor more than 30 days after the date on which this amendment becomes effective an election shall be held. At said election representatives to the Tribal Business Council from the segments as described herein shall be elected. Thereafter, an election shall be held on all even numbered years on the first Tuesday in September. All representatives to the Tribal Business Council shall hold office until the next regular election and until their successors are elected or appointed and qualified.

BE IT FURTHER RESOLVED, that Article IV, Section 6, be amended to read as follows:

Section 6. Any qualified voter of the Three Affiliated Tribes of the Fort Berthold Reservation who is 21 years of age or over and who has been a bonafide resident of one of the segments described herein for at least six months may become a candidate to represent said segment on the Tribal Business Council by filing a notice of his candidacy with the Secretary of the Tribal Business Council at least 15 days before the election in which he is to be a candidate. At least 10 days before the election, the Secretary of the Tribal Business Council shall post the names of

all candidates in each voting community. In the event that any community has no qualified candidate, as provided herein, such community may nominate one or more candidates by petition, signed by at least 10 qualified voters of such community.

NOW BE IT FURTHER RESOLVED, by the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation in State of North Dakota, that the Secretary of the Interior is hereby requested to call a Special election, pursuant to Article X of the Constitution of the Three Affiliated Tribes, for the purpose of referring the proposed amendment to the people for their determination, as being recommended and approved by the Tribal Business Council.

BE IT FURTHER RESOLVED, that the Secretary is urged to approve this resolution and set down election date at the earliest moment for the above described election, in order to facilitate regular election for the Tribal Council this fall.

FURTHER RESOLVED, that the Secretary is also urged to set up rules and regulations to conduct said election.

#### CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 10 members, of whom 8, constituting a 2/3 majority were present at a Special meeting thereof, duly called, noticed, convened and held on the 18th day of August, 1954, that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 2/3 of the members, and that said resolution has not been rescinded or amended in any way.

Dated this 18th day of August, 1954.

S/ Samuel B. Matthews  
Secretary, of the Three Affiliated  
Tribes of the Fort Berthold Reservation;  
an Indian Chartered Corporation

Attest:

S/ Martin Cross  
Martin Cross, Chairman  
Tribal Business Council

Approved:

S/ Ralph M. Shane  
Ralph M. Shane, Superintendent



THE PROPOSED USE OF ALL FUNDS IN THE UNITED STATES TREASURY GROWING OUT  
OF GARRISON DAM SETTLEMENT NOT OBLIGATED BY LAW

It is estimated that the 2800 members of the tribes are distributed approximately as follows;

- A. 540 living away from the Reservation;
- B. 220 living on the Reservation and self-supporting (non-agricultural);
- C. 540 in agriculture;
- D. 860 with an employable in the family and a chance of being relocated in jobs away from the Reservation;
- E. 640 likely to return to some form of welfare assistance when individual per capita funds are depleted.

The Secretary is directed to set aside from the tribal fund created pursuant to the Act of July 31, 1947 (61 Stat. 680), and Joint Resolution approved October 29, 1949 (63 Stat. 1026), an amount which he deems necessary to complete the purposes provided for in sections 2 and 5 of the said Joint Resolution, and an amount equal to any uncanceled indebtedness payable to the United States by the tribe. The Secretary shall appropriate per capita among the members of the tribe the balance of such tribal fund and pay each per capita share. The approximately \$4,800,000 distributed per capita wise would result in individual payments approximating \$1,700. The method of distribution and supervision will be as follows:

- (1) Pay out entire amounts to adults permanently established off the reservation;
- (2) Pay out amounts to minor children of families permanently established off the reservation according to IIM regulations.
- (3) Pay out amounts to adults living on the reservation that are determined to be competent on the basis of a decision made on their written application for the per capita funds.
- (4) In families determined as requiring assistance and supervision in handling their funds, the minors are to have half of their per capita distribution invested in Government bonds and not made available to the family until the minor reaches 18 years of age or completes the 12th grade. The balance may be made available for use of the minor only under conditions considered to be of an emergency nature.
- (5) Families considered to be permanent welfare clients shall have their funds paid to them monthly on a budget approved by the Superintendent.
- (6) Families which have employables, but who have a record of welfare assistance, are to be budgeted and paid monthly. They shall be encouraged, however, to get jobs that will make them self-supporting and when for twelve continuous months they prove themselves to be self-supporting, any

balances that remain to the accounts of the adults will be paid out.

- (7) Any member who is in a delinquent status on any loans from the tribes or the Federal Government shall have his funds transferred from his account and properly applied in order to bring his indebtedness current from the per capita funds before any distribution is made from his account for his further use. This is to apply to both cattle and cash loans which also includes those made for educational purposes. The balance of the funds after application has been made to reduce existing delinquency will be used if he is still indebted to the tribe or Government, in accordance with a plan approved by the Central Credit Committee which is in line with their individual enterprises.
- (8) The determination of the competency of a family is to be made by the Superintendent or the Officer in Charge of the Fort Berthold Agency.
- (9) The tribal membership roll on which the per capita payment is to be made will be brought completely up to date and the payments to individuals will be made on the basis of this roll which will be approved prior to distribution of funds by the Secretary of the Interior or his authorized representative.



RESOLUTION OF THE GOVERNING BODY OF THE THREE AFFILIATED TRIBES  
OF THE FORT BERTHOLD RESERVATION

WHEREAS; The Garrison Dam Land Taking and all its attendant problems has resulted in disruption and changes in the social, political and economic life of the Three Affiliated Tribes of the Fort Berthold Reservation in such a manner that the progress of the people of the reservation has been retarded by twenty-five years, and

WHEREAS; It has been made a part of the Congressional Record by one means or another that the Fort Berthold Group should be placed in the third or last group for termination purposes.

NOW THEREFORE BE IT RESOLVED, that the Three Affiliated Tribes are not ready or in a position to have federal supervision terminated.

BE IT FURTHER RESOLVED, that the plan for distribution of all funds in the United States Treasury growing out of the Garrison Dam settlement, not obligated by law, be distributed according to the above plan which was outlined by the Tribal Council at the Aberdeen Area Office, August 18, be hereby approved.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 10 members, of whom 8, constituting a quorum were present at a Special Meeting thereof, duly called, noticed, convened and held on the 18th day of August, 1954; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 7 members, 0 members passed and 0 members opposed, and that said resolution has not been rescinded or amended in any way.

Dated this 18th day of August, 1954.

S/ Samuel B. Matthews  
Secretary, of the Three Affiliated Tribes of the Fort Berthold Reservation; an Indian Chartered Corporation

Attest:

S/ Martin Cross  
Martin Cross, Chairman  
Tribal Business Council

Approved: S/ Ralph M. Shane  
Ralph M. Shane, Superintendent