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Letter from Wesley D'Ewart to Clair Engle Regarding US House Resolution 9324, March 12, 1956

Wesley D'Ewart

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UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
WASHINGTON 25, D. C.

March 12, 1956

My dear Mr. Engle:

Your Committee has requested a report on H. R. 9324, a bill "Granting certain grazing, fishing, and hunting rights to the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota."

We recommend that the bill be enacted if amended as suggested below.

The bill is intended to grant to the Three Affiliated Tribes of the Fort Berthold Reservation and the members thereof the same rights and privileges in the use of the lands between the line of the taking area, as provided for in the Act of October 29, 1949 (63 Stat. 1026), and the actual water line of the Garrison Reservoir, that were granted to the Cheyenne River Sioux Tribe and the members thereof by section X of the Act of September 3, 1954 (68 Stat. 1191) with respect to the Oahe Reservoir.

The land between the reservoir level and the "taking line" consists of an irregularly shaped but continuous strip surrounding the reservoir on all sides. This strip adjoins Indian lands of the Fort Berthold Reservation. As these adjacent Indian lands are primarily used for the grazing of livestock, access to the nearby water is important to the continued conservative use and proper management of these lands. A lack of access to the water would probably have an adverse effect upon the Indian livestock operators.

The provisions of the bill are ambiguous in that they do not indicate whether both the right to graze livestock and the right to hunt and fish are subject to regulation, or whether only the latter right is subject to regulation. The following amendment is recommended for purposes of clarity: on page 2, line 2, change the comma to a period, delete "together with", and insert in lieu thereof "Said Tribes and the members thereof shall also have, without cost,".

The Bureau of the Budget has advised us that there is no objection to the submission of this report.

Sincerely yours,

Wesley A. Howard
Secretary of the Interior

Hon. Clair Engle
Chairman, Committee on
Interior and Insular Affairs
House of Representatives
Washington 25, D. C.