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**Letter from Representative Burdick to J. Reuel Armstrong,  
Solicitor, Regarding Conflict within the Three Affiliated Tribes  
Tribal Council, May 3, 1956**

Usher Burdick

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May 3, 1956

Mr. J. Ruel Armstrong  
Solicitor  
Bureau of Indian Affairs  
Department of Interior  
Washington 25, D. C.

Subject: Three Affiliated Tribes

Dear Mr. Armstrong:

My office has tried to contact you on several occasions during the last two weeks, but you were always out, and the request to call back was ignored.

It appears that there is considerable friction between the so-called opposition group and the present Tribal Council members on the Fort Berthold Reservation. Several conferences were held in my office by both groups recently, and I made what efforts I could to reconcile their differences, but without success.

The chief complaints of the minority group are that the members of the Council are perpetuating themselves in office in direct opposition to the provisions of the Tribal Constitution and bylaws, by failing to call an election as therein provided; and that the payment of \$200 per capita out of the tribal funds is necessary immediately to enable ~~the~~ farmers and ranchers up on the hills where they have been re-located to get their crops in and repair their machinery before the seeding season is past. I believe this payment should be made, ,and at once.

It is my understanding that the Commissioner, under his broad administrative powers, has the authority to call an election for the tribal council members. This election should have been held in September, 1954, according to my understanding. Martin Cross contends that a legal election cannot be held because the tribal constitution provides that 30 per cent of the enrolled members must vote. Under present conditions this cannot be done for the reason that many of the enrollees have been relocated in

distant places and are unable to come to the polls, and absentee voting ballots are not permitted. It is also my understanding that the approval by the Bureau of the postponement of the election was in violation of the provisions of the Tribal constitution and bylaws.

Martin Cross contends that redistricting is necessary before the members can be qualified as voters but the other group tells me this is not true, because there are no districts in the area which have been completely inundated and that there are Indians still living in all of them. Redistricting cannot be accomplished, I am told, until the constitution is amended to permit it, and this cannot be done unless there is a recorded vote of the previously required 30 per cent of the membership of the tribe. This is manifestly unfair, since many of them, through no fault or desire of their own, have been relocated in places from which they cannot come to cast their votes. So the whole thing is just a "go-round", which permits the present members of the Tribal Council to carry on in opposition to many members of the tribe.

If the Commissioner has power to call an election, it looks to me that by so doing he could put a stop to the present friction, and give the people who feel that their rights are being disregarded a chance to express themselves and cast their votes for what they want.

My only desire in this is to see that all members have fair and just representation, and that the present members of the Council should not be allowed to ride roughshod over the wishes of the 'opposition', if that is what they are doing.

In this morning's mail I received the copy of the Resolution of the Governing Body of the Three Affiliated Tribes of the Fort Berthold Reservation which was forwarded to me by the Acting Commissioner, Mr. Greenwood. I did approve the Petition of the "unauthorized group" mentioned in the resolution, because I can see no reason why the wishes of this group should not receive consideration.

I am enclosing excerpts from the copy of a letter written to Senator Neuberger which was sent to me this morning in an effort to further clarify the position of the "unauthorized group".

I'll appreciate it if you will give me your opinion on the various matters discussed and should like to hear from you as soon as possible.

I want to do everything I can to help get this problem solved, and am asking your earnest consideration of the questions involved.

Sincerely yours,

Usher L. Burdick, M. C.

P.S. One further question has arisen. It has been stated that Martin Cross has no authority to pay himself \$200 a month in salary, as the tribal constitution does <sup>not</sup> provide for such salaries, and that per diem payments are the only pay the councilmen are allowed. What can be done about this? Is this unauthorized dissipation of tribal funds? ULB