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## Letter from D. S. Myer to Senator Langer Regarding Demands by James Black Dog et al. for an Audit of All Tribal Moneys Collected and Expended since 1910, March 5, 1952

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UNITED STATES  
DEPARTMENT OF THE INTERIOR  
Bureau of Indian Affairs  
Washington 25, D. C.

March 5, 1952.

Hon. William Langer  
United States Senate

My dear Senator Langer:

This has reference to your letter of February 14, addressed to the Secretary of the Interior, advising that Mr. James Black Dog of Elbowoods, North Dakota, recently showed you a copy of a Resolution purported to have been adopted by the people of the Fort Berthold Reservation, demanding an audit of all tribal moneys collected and expended since 1910, and an audit on the operation of various tribal enterprises and other activities financed with tribal funds.

Prior to the approval of the Constitution and Bylaws for the Three Affiliated Tribes of the Fort Berthold Reservation on June 29, 1936, authority to administer tribal funds was vested in the Department of the Interior. Receipts and expenditures were made under the regulations of the Interior Department then in force. It was the policy and practice of the Department to furnish periodic reports of tribal moneys collected and disbursed to the tribe upon request of a Tribal Council or tribal officers.

Section 3 of Article 1 of the bylaws of the Three Affiliated Tribes of the Fort Berthold Reservation sets forth the method by which tribal funds are handled by the tribe since approval of the Constitution and Bylaws of the Three Affiliated Tribes of the Fort Berthold Reservation on June 29, 1936. It is provided therein that the books and records of the Treasurer shall be audited at least once each year by a competent auditor employed by the Council, and at such other times as the Council or the Commissioner of Indian Affairs may direct. Further, the corporate charter of the Three Affiliated Tribes, ratified April 24, 1937, provides that the officers of the tribe shall maintain accurate and complete public accounts of the financial affairs of the tribe, which shall clearly show all credits, debts, pledges, and assignments, and shall furnish an annual balance sheet and report of the financial affairs of the tribe to the Commissioner of Indian Affairs.

In view of the foregoing, it is believed that there has been ample opportunity for members of the tribe to acquaint themselves with the handling of the tribal fund and the management of tribal enterprises. In the absence of any specific factual charges of mismanagement of tribal funds or tribal enterprises, it is not

believed this Office would be justified in undertaking the comprehensive audit requested by Mr. Black Dog.

Mr. Black Dog also requests information concerning the disposition made of the interest on the money received from tribal lands sold to the Government in connection with the Garrison Dam and Reservoir project. Section 12 of the Act of October 29, 1949 (63 Stat. 1026), provided that the fund of \$5,105,625 theretofore appropriated and the \$7,500,000 appropriated by the said Act shall bear interest at four per centum per annum from the date of acceptance of this Act until disbursed. In advancing tribal funds for expenditure, it is the practice to make such advances from accrued interest to the credit of the tribes in order to keep as much of the principal as possible in an interest-bearing account. This prior use of interest is for the same purposes as those authorized for the use of the principal.

Efforts are made by the Tribal Council and the Agency staff to acquaint the Indians with all particulars relating to their tribal funds and particularly to the use of the moneys being derived because of the taking of lands and other damages in connection with the Garrison Dam and Reservoir project. This information is being disseminated in local community meetings and through the issuance of a weekly news bulletin, copies of which are made available to all adult Indians on the reservation. You are assured that every effort will be made to keep the tribal membership informed on all matters affecting tribal property.

Should there be any further information desired by Mr. Black Dog, I am sure that he can obtain it from either the Tribal Council or from the Agency Superintendent.

Sincerely yours,

(D. S. Myer)  
Commissioner.