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## Per Capita Payment of \$150 to the Indians of the Fort Berthold Indian Reservation, N. Dak.

United States Congress

US Senate

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PER CAPITA PAYMENT OF \$150 TO THE INDIANS OF THE  
FORT BERTHOLD INDIAN RESERVATION, N. DAK.

JULY 24 (legislative day, JULY 16), 1947.—Ordered to be printed

Mr. WATKINS, from the Committee on Public Lands, submitted the following

REPORT

[To accompany S. 1113]

The Committee on Public Lands, to whom was referred the bill (S. 1113) providing for the per capita payment of certain moneys appropriated in settlement of certain claims of the Indians of the Fort Berthold Indian Reservation, N. Dak., having considered the same, report thereon with the recommendation that it do pass with the following amendment:

Page 1, line 7, strike out the words "per capita" and insert in lieu thereof the following: "\$150 per capita, out of".

The Indians of the Fort Berthold Reservation, N. Dak., by the act of June 28, 1946, were awarded the sum of \$400,000 as a full and final settlement of their claims against the United States, which claims were based upon stipulations of an unratified treaty, dated July 27, 1866.

By the act of July 1, 1946, the said amount (\$400,000) was appropriated and deposited in the Treasury of the United States, to the credit of said Indians, drawing interest at the rate of 4 percent per annum. This said principal sum, together with accrued interest, less not to exceed 5 percent for attorney fees and expense, is now on deposit with the Treasury, which sum now amounts to approximately \$400,000.

There are 2,000 Indians enrolled on the Fort Berthold Reservation.

It is the judgment of your committee that a per capita payment of \$150 should be made to these Indians now, this would leave a balance of approximately \$100,000 in the Treasury to their credit, which balance, in the opinion of your committee, is sufficient for tribal use for any emergency which may arise.

The distribution of \$300,000, of the \$400,000 bearing 4 percent annual interest, would also save the Government a considerable sum per year.

A copy of the Secretary of the Interior's report on this bill, dated July 18, 1947, is attached hereto and made a part of this report, as follows:

DEPARTMENT OF THE INTERIOR,  
Washington 25, D. C., July 18, 1947.

Hon. HUGH BUTLER,  
*Chairman, Committee on Public Lands,  
United States Senate, Washington, D. C.*

MY DEAR SENATOR BUTLER: This will refer to your request for a report on S. 1133, which would authorize a per capita payment of moneys appropriated in settlement of certain claims of the Indians of the Fort Berthold Reservation in North Dakota after fees and expenses of attorneys have been paid.

For the reasons hereinafter given I recommend that S. 1133 be not enacted. There are over 2,000 members of these tribes. Most of them reside on the reservation and depend on livestock and limited farming operations for a livelihood. In recent years their livestock enterprises have been greatly expanded, in large part because of the availability of loan funds to individual members. It is estimated that there are still 200 families which need loans for livestock, equipment, and working capital to attain a better income. The financing of these families would require at least \$200,000, or one-half of the sum of money appropriated in settlement of the claims. The use of this tribal money as a loan fund would result in far-reaching benefits to the Indians and would relieve the Federal Government of the burden of financing the necessary loans to individuals.

I am aware of the desire of many of the Indians for a per capita distribution. Nevertheless, it is important now to make provisions for a tribal program that will enlarge and stimulate individual enterprise. Only temporary benefits could be expected from a per capita payment of \$150. The dependent families would benefit least, for their State social security and relief grants would be diminished by the amount of the per capita payment. The cash distribution of the fund, therefore, is not the most equitable sharing of the award.

Most important is the need of the tribes and every one of the members to conserve this fund in the face of the threat to their security by the proposed construction of the Garrison Dam by the War Department. As the construction of the Garrison Dam would destroy the economy of these tribes, and would compel the removal of most of the members from their present homes to a new location outside of the present reservation, it seems to me clearly imprudent to distribute or dissipate the tribes' capital fund. The tribal council has requested that the Congress appropriate \$80,000 of the fund for the expenses of the council, of delegates to Washington, and of the tribal attorney, whose chief activity is to represent the tribes before the Congress, in the courts, and in negotiations with the War Department. The balance of the fund should be conserved until plans for the Indians' removal and rehabilitation are made and are ready to be put into effect. At that time it would be appropriate to consider again the need for a per capita distribution.

The Bureau of the Budget has informed me that there is no objection to the submission of this report to your committee.

Sincerely yours,

OSCAR L. CHAPMAN,  
*Under Secretary of the Interior.*

