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Letter from Dale E. Doty Regarding Response from Members of the Three Affiliated Tribes to Burdick's Letter Attempting to Resolve Current Tribal Conflict, January 24, 1952

Dale E. Doty

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

JAN 24 1952

My dear Mr. Burdick:

Since receipt of your letter of January 14, Messrs. Burr, Rush, Stevenson, and Blackdog, of the Fort Berthold Reservation, to whom you directed a letter on the same date, have conferred with members of the Commissioner of Indian Affairs' staff. This conference took place on January 17.

It is believed that, as a result of that meeting, the delegates understand how they may proceed under the tribal constitution and bylaws to obtain an expression of the wishes of the members of the Three Affiliated Tribes of the Fort Berthold Reservation. The constitution, in other words, provides machinery by which a referendum may be held on actions taken or proposed by the tribal governing body. These members had not understood that they had such recourse and I believe they are satisfied to avail themselves of this procedure.

I note that in your letter to the delegates you indicate that possibly the Secretary of the Interior will allow reasonable compensation to such attorney as they might choose. As you have indicated, the Three Affiliated Tribes have employed an attorney as General Counsel, and under his contract this attorney is required to represent the tribe in all matters, except items pertaining to claims arising under the Indian Claims Commission Act. Individual members of the tribe may engage an attorney, of course, privately. Tribal funds could not be used to pay such private attorney without the consent of the tribe. This Department has no funds to compensate attorneys hired by individual Indians.

I understand that two attorneys, Claude L. Dawson and C. T. Busha, accompanied the delegates to the Commissioner's office. The question of entering into contract relations with attorneys by the individual Indians was not submitted for discussion.

Sincerely yours,

Assistant

Walter E. Doty
Secretary of the Interior

Hon. Usher L. Burdick

House of Representatives