

Garrison Diversion Unit Commission

In the early 1980s, the Three Affiliated Tribes initiated a move for "just compensation" for lands that were lost to construction of the Garrison Dam. A committee was established to gather testimony and evidence in hearings held on the Standing Rock and Fort Berthold Reservations, as well as other sites. The Final Report of the Garrison Diversion Unit Commission pointed out that the Tribes of the Standing Rock and Fort Berthold Indian Reservations shouldered an inordinate share of the cost of implementing the Pick-Sloan Missouri Basin Programs" mainstream reservoirs. (Final GDUC Report, Appendix F., p. 57).

This report highlighted the inequities borne by the tribes: The tribes were not only unwilling to sell their land, but strongly opposed the taking of their land. They felt intimidated by the fact that construction on the dams began before Indian lands were acquired. They then felt that the taking of their lands was inevitable. During the negotiation phases, assurances were given expressly or by implication by various Federal officials that problems anticipated by the Indians would be remedied. The assurances raised expectations which, in many cases, were never fulfilled. The quality of replacement homes was inadequate in many respects, but most notably with regard to insulation and construction necessary to meet severe climatic conditions.

The deficiencies, in many cases, resulted in inordinately high heating bills. Indian lands taken were "prime river bottomland" and the most productive parts of the reservation. The quality of life enjoyed by the tribes on the river bottomlands had not been replicated in the removal areas. The rise in the incidence of trauma and stress-related maladies and illnesses following removal suggested a causal relationship. They were not justly compensated by the United States for the taking of their lands and related expenses resulting from the land taken. United States land acquisition practice resulted in the taking of a substantially larger area of Indian land.