

## Joint Tribal Advisory Committee (JTAC)

On May 10, 1985, the Garrison Unit Joint Tribal Advisory Committee (JTAC) was established by the Secretary of the Interior. This committee's role was threefold:

A) to examine and make recommendations with respect to the effects of the impoundment of waters under the Pick-Sloan Missouri Basin Program (Oahe and Garrison Reservoirs)

B) to study their impact on the Fort Berthold and Standing Rock Reservations

C) to replace what was destroyed by the creation of the two dams. The committee was authorized and directed to examine and make recommendations to the following issues:

- Full potential for irrigation
- Financial assistance for on-farm development costs
- Development of shoreline recreation potential
- Return of excess lands
- Protection of reserved water rights
- Funding of all items from the Garrison Diversion Unit funds, if authorized
- Replacement of infrastructures lost by the creation of the Garrison Dam, Lake Sakakawea, the Oahe Dam and Lake Oahe
- Preferential rights to Pick-Sloan Missouri River Basin Power
- Additional financial compensation, and Other items the committee deemed important (JTAC -Executive Summary, 1985)

The substance of the JTAC Report provided the initiative for the Three Tribes to seek legislation for additional economic and financial recovery funds. The tribe's efforts continued until 1992, with the assistance of the state's Congressional delegation. As a result, Congress, in 1992, passed Public Law 102-575 providing \$142.9 million in economic recovery funds to the Three Affiliated Tribes. The fund, known as the Economic Recovery Fund, was to be used for education, economic development social welfare and other needs. Only the interest could be expended. After the Garrison Dam settlement funds were distributed, there was a steady economic decline until about 1961. The three affiliated tribes faced the reality that their settlement funds were gone, the economic base of the reservation

was not producing enough wealth to enable them to recoup their losses, the plans for educational and health services were not working, and their relations with federal, state, and local governments were aggravating their problems. The thirty-first legislative assembly authorized the creation of the North Dakota Indian Affairs Commission in 1949, along with an appropriation of \$20,000 and a membership of thirteen.

The first biennial report stated, the Commission believes that the Indians in the state of North Dakota are now and should remain, the responsibility of the Federal Government until such time as the individual Indian and his family have become assimilated into the social and economic structure of the community in which he lives. The Commission was instrumental in the formation of the Fort Berthold Inter-agency Committee on October 19, 1951. This group held at least six meetings in the following fourteen months, at Stanley, Garrison, Elbowoods, Killdeer, and elsewhere, on such topics as health, education, roads, welfare, law and order, and legislation. The subject concerning the precise boundaries between state and federal jurisdiction (not to mention tribal) were obscure and in a state of flux. (Meyer, p.239).

Two changes in federal Indian policy in 1953 precipitated state action. The old ban on the sale of liquor to Indians was lifted that year by act of Congress, but North Dakota still had a law of its own on the books. After it was repealed in 1955, the tribal council voted to permit liquor on the reservation. The responsibility of law and order on the reservation was operated on their own codes of law and order, locally administered by tribal courts and police. North Dakota Indians were protected by a provision in the state constitution, but in 1955 the legislature voted to place on the primary ballot for the next year a proposed amendment that would permit the state to assume responsibility for law and order on Indian reservations. Defeated that year because it might increase the tax burden, the amendment reappeared in 1958 and was passed. Because of serious financial problems of the Tribes in 1959, a committee recommended that the state assume civil jurisdiction over the reservation. No action was taken. The Bureau began changing its policies during this time so as to place greater emphasis on decision making by the Tribes and on development of reservation resources. This did not become reality until the Indian Self-Determination Act was passed in the mid 1960's.

The growing economic crisis in the later 1950s and aggravated by drought became a more serious problem than that of termination. Efforts to meet the crisis took three forms: attempts to retain and utilize the remaining reservation

resources, mainly land, attempts to obtain credit through loan programs, and attempts to attract industry to the reservation and the surrounding areas. Not much success was achieved in any of these directions up to 1962. The use of reservation land was complicated by the fact that the Indians were continuing to lose their lands. The Indian Reorganization Act had tried to stop of issuance of fee patents. Despite protests from the council, patents were issued and the land in many cases was promptly sold. By the end of 1959 the reservation had dwindled to 426,413 acres, of which only 21,308 was tribally owned. Sixty percent of the reservation land was being used by non-Indians and of 184 potential agricultural units, only 40 percent were being used by Indians. (Meyer p. 241).

A more important mineral resource was oil. Only a few individuals benefited from oil leases, and most of these benefits were negligible and temporary. This oil boom did not seem to have any effect on the general economic condition of the reservation. Three pieces of legislation passed by the Eighty-seventh Congress had important long range effects on Fort Berthold: the Area Redevelopment Act of May 1, 1961, the Manpower Development and Training Act of March 15, 1962.

The first of these proposed to establish a program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically distressed areas and specifically mentioned Indian reservations as eligible for assistance. Retraining schools were established and started in the summer of 1962 in arts and crafts, farm training, and stenographic and clerical work. The Manpower Development and Training Act provided funds for a construction carpentry program to begin with at least twelve persons. When a housing program got under way, men trained in these classes did much of the work. Under the terms of the Public Works Acceleration Act, \$50,000 was provided for timber stand improvement, forest access and fire protection roads, and forest visitor use facilities. (Meyer, p. 245).

Construction projects, such as the new high schools being built at White Shield, Mandaree, and Parshall, provided only temporary employment for the people, who were looking for permanent jobs. Efforts were stepped up to attract industry to the reservation. One such endeavor was from the Precision Time Corporation to build a watch company to employ 200, but this ran into snags and fell through. Another attempt made by the Venride Corporation, a manufacturer of coin-operated kiddy rides, employed only six people for several months. Predictions of better things to come never happened. It was forced to shut down in October 1965. Intermittent employment was also provided by the construction of

recreational facilities and a museum at Four Bears Park. Besides assisting in providing employment, mainly through public works projects, the federal government invested heavily in programs of greater long -range importance to the Fort Berthold people.

Early in 1965 the Office of Economic Opportunity began making available funds for such purposes as a kindergarten, a remedial education program, a family counseling service, a livestock operator's training course, and credit union assistance. Of all the federally supported programs designed to aid the people was a massive housing project for the reservation and the neighboring towns of New Town and Parshall inaugurated in 1963, the plan proposed two types of housing: low-rent units and "mutual self-help" housing. (Meyer, p.246).

Another permanent employer was the development of Four Bears Park into a major recreation center. In 1968 the Economic Development Administration approved a tribal application for grant-and-loan financing of a project, estimated to cost about \$1,200,000, calling for a forty-unit motel, a seventy-eight place cafe, a meeting room, a lounge, a twenty- four unit trailer pad, a marina building, and a service station. This project was completed in June of 1972 and employed twenty-three members of the Tribes. (Meyer, p. 251).

A pottery-making enterprise started in 1966 employed only four tribal members. Northrop Dakota, a manufacturer of electronic assemblies for aircraft, including the Boeing 747, began their operations in October 1970, employing thirty people, of whom twenty were Indians. The number increased to forty-five by mid-1973. Another industrial development from Consolidation Coal Company of Pittsburgh to exploit part of the estimated fifteen billion tons of lignite reserves at Fort Berthold didn't materialize because the Coal Company didn't file an environmental impact statement Public Law 91-229 passed in 1970, enabled the Tribes to receive a \$300,000 Farmers Home Administration loan to buy up fractionated holdings and consolidate them into more efficient units. As a result of this, the amount of tribal land has been increasing. The reservation community is changing rapidly, and much of the change is in the direction of acculturation to the larger American society. As observers recognized at the time the Garrison Dam trauma was occurring, the resultant social dislocation accelerated a process already under way but strongly resisted. Shortly before that disruptive experience began, Edward M. Bruner studied the Fort Berthold society intensively and offered some considered judgments. Conceding that the observer's biases had much to do with what he saw, Bruner concluded that "the assimilation which goes on within the communities is extremely slow, tends to be relatively superficial,

and does not seem to change the prevailing Indian value system. "The picture he got was one of "a native core surrounded by peripheral white borrowings."

A contemporary judgment, perhaps even more subjective, would see a basically mixed culture, with the non-Indian elements dominant but Indian elements tenaciously and consciously preserved by a people, as adaptable as their ancestors, determined to have the best of both worlds. (Meyers, p. 265)