

## LEAVE NO TRIBE BEHIND

Tex G. Hall, Chairman  
Three Affiliated Tribes  
Fort Berthold Reservation

### State of the Tribal-State Relationship Address

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Lieutenant Governor, Honorable Speakers of the House and Senate, Majority and Minority Leaders of the House and Senate, to all the members of the 58th Legislative Assembly and the public, I'm honored to appear before you today.

Let me give you a brief history of my background. I graduated from the University of Mary here in Bismarck and have attained my Master's Degree in Education Administration from the University of South Dakota at Vermillion. Before I entered politics, I managed my family's ranch and served as the superintendent of the Mandaree School District. Today, I continue to manage my family's ranch in Mandaree while serving as chairman of the Mandan, Hidatsa and Arikara Nation. I am honored to say, I am the first chairman of my tribe to be reelected to a second consecutive term of office. One year ago, I was elected to serve as President of the National Congress of American Indians, the largest and oldest political advocacy organization that represents over 200 tribal nations across the United States.

What you call the Fort Berthold Reservation is now the homelands of my people, the people of the Mandan, Hidatsa and Arikara Nation. The reservation was established by the Fort Laramie Treaty of 1851. But long before this, for hundreds of years, my ancestors lived here along the river. They told us the earth is our mother and the river is our father and that we are keepers of the earth. We still believe this, and our commitment to care for our lands is lifelong. Our homelands stretched far down into what is now South Dakota and over into Montana and Wyoming. The Fort Laramie Treaty recognized that. But little by little, through executive orders and other proclamations the reservation has dwindled down to one million acres that you know today as Fort Berthold. The Fort Laramie Treaty of 1851 established boundaries for us and recognized those tribes who signed the Treaty as sovereign nations, long before North Dakota was a state. We are recognized by the Constitution of the United States as sovereign governments. This background is crucial to the issues I will speak about today and it directly affects the tribal-state relationships here in North Dakota.

I have been president of NCAI for just over one year; in that time, I have traveled extensively throughout Indian Country. Everywhere I go, there is one overriding issue that tribal leaders everywhere bring up over and over again--that is, economic development. Nearly every tribal leader realizes how important it is to create jobs through economic development and to provide meaningful employment for their tribal members. They know and I know that along with employment come good health care, housing and educational opportunities and as a result less drugs, alcoholism and lower crime rates. Through meaningful employment, people regain self-confidence and become contributing members of society, and our tribes, region, state and nation benefit. That's why my speech today will focus on Leave No Tribe Behind. We must provide meaningful jobs for our people and to do that requires economic development.

**Economic Development Summit:** This past September, NCAI co-hosted along with the Bureau of Indian Affairs an Economic Development Summit. We brought together industry, federal agencies and tribal enterprises to discuss ways to achieve two goals:

1. To provide 100,000 new jobs in Indian Country by 2008.
2. To provide economic self-sufficiency for Indian tribes by 2020.

**Economic Development Centers:** Tribal and state leaders must work together to develop rural economic development centers on reservations to improve the lives of all the people who live in our rural communities, both Indian and non-Indian.

**United States Census- Population:** We have to provide jobs for those tribal members who are returning home. According to the United States Census, tribal populations are growing. Between 1990 and 2000, North Dakota just barely gained population. If we take away the gains in the population of Native Americans, particularly on the reservations, North Dakota would have lost population.

**Statistics:**

1. Right now, over 55 percent of the welfare recipients in the state are Native Americans.
2. The real unemployment rate on the reservations, that is, the number of adults who are capable of working but who don't have jobs, is still on average more than 50 percent.
3. Over one-third of the prison population in our state is Native American; that includes those juveniles who are placed in various juvenile detention programs.
4. The life expectancy of Native Americans is more than 10 years less than the national average.
5. Our diabetes rate is approximately 14 times the national average and 7 times North Dakota's average.
6. At Fort Berthold, we have more than 1,000 families who want and need adequate housing; that number is probably 5 times as high for all reservations here combined.

**Housing- Dreamcatcher Project:** We are about to close a bond issue that will generate more than \$10 million toward 250 new homes on the reservation in the next three years. These are homes that will be owned not rented by the families. These homes will be built by Twin Buttes Custom Homes, our manufactured housing facility that was built with tribal funds. Once this project gets going, it will provide more than 50 steady, good paying jobs for tribal members.

**Health Care:** Because of the Indian health care bill, the IHS now says they are the payer of last resort. That means although we have treaties with the United States government that say our health care should be provided for; we've now been placed last in line to receive health care. So, we are continuing to supplement our health care with tribal funds, more than \$400,000 per year. We provide the funds for a physician and physician's assistant so that we can have physicians provide services to the segment clinics that are at some distance from the main clinic in New Town. We provide funding to assist with local ambulance services, but still do not have a 24-hour care facility anywhere near the reservation. We continue to work with our congressional delegation to improve this situation and welcome any efforts the state can make to alleviate this situation.

**Transportation:** We supplement the transportation efforts provided by the Bureau of Indian Affairs by more than \$400,000 per year by supplying additional equipment and funds for snow removal and for maintaining the hundreds of miles of gravel and paved roads that are not part of any county or state system on our reservation and we also help to maintain the many private, mostly gravel, roads that go to tribal members' homes. **Education:** We are continuing to provide scholarship and educational assistance to our members at a rate of more than \$500,000 per year. Last June, more than 200 tribal members received postsecondary degrees from higher education institutions, mostly from schools in North Dakota.

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**Economic Development:** Our biggest efforts have been here. Our tribe is part of a National Information Technology Tribal Economic Alliance, and we are working to obtain IT (Information Technology) contracts for tribal corporations, such as Mandaree Enterprise Corporation and our newly formed MHA Systems, Inc.

**Four Bears Bridge:** Construction has already started on the eastern approach of the new Four Bears Bridge. By early next summer the bridge will begin to take shape. In cooperation with the North Dakota State Department of Transportation, we are gearing up and training our people in steel work and other bridge trades and occupations to provide workers for the new bridge.

**Native American Bancorporation:** We have invested in the Native American Bancorporation, a national bank that is seeking to be a part of our economic development future and that will provide investment opportunities for tribes. We are hopeful that NAB will establish branches in North Dakota in the near future.

**Refinery:** We've obtained a grant for a front-end engineering study to build a refinery on our reservation, possibly to be powered with wind energy. This will employ more than 600 people in its construction with a permanent workforce of more than 65 tribal members. When completed this will be the first new refinery constructed within the United States in the past 20 years.

**Tourism:** Next week, a contingent of tribal members led by myself will attend the leadoff Signature Event for the Lewis and Clark Bicentennial Commemoration at Monticello, Virginia, and the home of Thomas Jefferson. The Mandan, Hidatsa and Arikara Nation will host the last Signature Event here in North Dakota in 2006. We have a wonderful opportunity here to create economic development opportunities for Indian tribes and for the state as well. We want to share our history and culture with national and international visitors, while at the same time preserving our sacred sites and artifacts. It's a fine balance. Right now, we're working on an Interpretive Center to be located at Four Bears that will cost millions of dollars and that we hope to have completed within the next couple of years. And we continue to work with the National and State Bicentennial Committees to get ready to welcome the thousands of tourists we expect will come through North Dakota during this bicentennial commemoration.

**Tribal/State Economic Development Partnerships:** Because of the population increases on reservations, the educational achievements of tribal members, and our tribes' efforts at economic development, we can become rural economic development centers. We need to build on our successes and assist rural regions to become self-sufficient so that we all benefit here in North Dakota. To accomplish this, we need to develop and work on the following issues:

1. Tax Agreements for Motor Fuels and Tobacco Taxes:

- Tribal members have been paying motor fuel taxes to the state for fuel consumed on the reservation for many years.
- As sovereign governments, tribes are exempt from paying taxes while on the reservation.
- We need to work with the state and legislature to achieve fair tax agreements that recognize our sovereignty. We ask the legislature to work with Governor Hoeven and tribes to achieve a fair and equitable agreement that will uphold and honor our sovereignty.

2. Tobacco Settlement Money:

- We need an agreement with the state to assure that tribes receive their fair share of the tobacco settlement. Many of our tribal members are suffering from the effects of tobacco with lung and other cancers, emphysema and related diseases.

3. Human Rights Commission:

- Many tribal members continue to suffer discrimination in employment, housing, credit, public services and other areas. A Human Rights Commission that will encourage all segments of our state population to work together and that will represent the diverse interests of all the people in North Dakota is needed. On the national level, we have had to file a federal class action lawsuit because of discrimination against Native American farmers and ranchers by the Department of Agriculture. This class action lawsuit is known as the Keepseagle case. A fully funded and staffed Human Rights Commission can help to avoid such lawsuits in our state. More importantly a Human Rights Commission can assist our economic development efforts by assuring that everyone has a fair and equal opportunity to share in the good life that is North Dakota.

4. Veterans and Elder Care Facility:

- We are concerned that in order to obtain care in nursing homes many of our elders are required to leave the reservation and many die far from home amongst strangers. We need reservation-based elder care facilities where our elders, particularly our elder veterans, can be cared for at

home and in culturally relevant circumstances. Under present state law, certification of nursing homes is virtually impossible to obtain.

5. Native American Day to replace Columbus Day:

- The arrival of Christopher Columbus here began a policy of genocide against indigenous people who lived here for thousands of years and to set aside a day to honor him is a disgrace and dishonors our ancestors who were killed. Several states with large Native American populations have already replaced Columbus Day with Native American Day and I encourage our North Dakota Legislature to consider doing the same to honor all Native Americans in our state.

6. Recognition and financial support from the state for tribal colleges:

- Our tribal colleges are educating both tribal members and nontribal members without state support; that means we are educating state citizens at our expense. We're the state. This is a longstanding issue that needs to be resolved. We need agreements with the state to rectify this.

7. Reinstate the Indian Desk at the Department of Public Instruction:

- We need government-to-government consultation to see the effects of the "Leave No Child Behind" legislation and reinstatement of the Indian Desk at the Department of Public Instruction.

8. Resolution of the UND school nickname:

- This issue generates racial tension and many Native Americans believe it belittles us. We need to work together and come up with a name that generates school pride in all students.

9. Tribal Game and Fish Licenses:

- The state does not honor our tribal game and fish licenses. This is a huge detriment to economic development on reservations. We need an agreement with the state that will honor our licenses so that we can develop our hunting and fishing tourism industry. We can bring in national and international tourists that will benefit all of North Dakota. Their tourism dollars will be spent all over the state.

10. Welfare Reform:

- Many of our TANF recipients are nearing their 5th year (60 months) and will be cut off. We need agreements with the state to obtain extensions for those who require it or we need to provide jobs for those individuals at the end of their training. We need to coordinate our efforts at welfare reform, to maximize job-training efforts, share resources and to secure accurate unemployment figures from the BIA Labor Force statistics.

11. Reestablishment of the "Indian Desk" at the newly created Department of Commerce:

- We need to build tribal/state partnerships for economic development that will benefit us both. We need to emphasize that both tribes and tribal members are eligible for the various state economic development funds that are available through the Department of Commerce.

12. Partnership Opportunities:

- We need to provide for partnership opportunities with the state and tribal 8A companies to get large government contracts.
- Economic enterprise zones- Establishment of zones on or near reservations with incentives built in.
- We need to develop strategic partnerships with the state for economic development opportunities in rural communities that will provide meaningful employment opportunities for people on or near reservations.
- Gaming - We have shown that we can work together on issues that impact us both. The state and tribes are working together to reduce gambling addictions here in North Dakota. That's a positive relationship that we need to build on and extend to other areas.

Finally, let me repeat what I said in the beginning--we must work together to develop ways that will improve the lives of all the people, both Indian and non-Indian, who live in our rural communities. I believe that rural economic development centers located on reservations will go a long way toward accomplishing this.

While there are many issues to be resolved, there are also many opportunities for tribal nations and the state of North Dakota to work together to build more prosperous communities for all our people. Let's Leave No Tribe Behind. I look forward to working with Governor Hoeven and the legislature on these important issues.

Mazagitdatts (thank you).

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