

Testimony for HB 1536
March 22, 2023

Alysia LaCounte
General Counsel
Turtle Mountain Band of Chippewa Indians

On behalf of the Turtle Mountain Band of Chippewa Indians we respectfully request passage of the HB 1536.

The Turtle Mountain Band of Chippewa Indians is the largest Tribe by population in the State with a whooping membership of about 32,700. Only about half our membership live on or near the reservation in North Central North Dakota. In our governmental capacity we support the various government entities of the state in sharing resources. We have constructed a state-of-the-art firehall in the City of Dunseith, financially contributed to the construction of a new water tower in the City of St. John, and supported the school districts on and surrounding the reservation with the purchase of chrome books to support distance learning and snow days, along with many other projects.

We ask for passage for three reasons: 1.) To acknowledge our children are our most important resource for our Tribe; 2.) To honor the government-to-government relationship we share with the State of North Dakota; and 3.) To protect the Turtle Mountain Band of Chippewa Indians sovereignty and cultural autonomy.

To begin, with many of our members having been dispersed due to relocation policy, allotment policy, and generally looking for gainful employment from the Turtle Mountain Band of Chippewa's reservation, we have about half of our Tribe living in the general population of the U.S. When our members fall into tough times or experience addiction living outside the reservation, our children suffer. We ask for passage so that the placement preferences of Tribal members foster or extended for our children will preserve our culture, ties to the Tribe, and sovereignty, when they enter the court system.

Moreover, the Tribe and the State of North Dakota continue to enjoy government-to-government relationships in numerous ways. We coordinate with the Tribal State Relations committee, gaming compacting, tax compacting, administration of various health initiatives, and more. This government-to-government relationship is the cornerstone upon which we ask for this legislation.

Finally, Turtle Mountain Band of Chippewa Indians continued existence depends upon our children. If our children lack access to our community, culture, values, food, and language our autonomy will diminish. With placement with Tribal families and extended relatives we can preserve our government and ways of life.

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United Tribes of North Dakota
Resolution # 22-12-01

TITLE: Advancing Legislation for an Expanded North Dakota Indian Child Welfare Act

WHEREAS, United Tribes of North Dakota (“United Tribes”) is the inter-tribal association of the five federally recognized Tribes co-located in North Dakota, each of which has a government-to-government relationship with the United States government established by Treaty, including the Sisseton Wahpeton Sioux Tribe, the Spirit Lake Tribe, the Standing Rock Sioux Tribe, the Three Affiliated Tribes, and the Turtle Mountain Band of Chippewa Indians, with a Board of Directors composed of the Chairman and one council member from each member Tribe; and

WHEREAS, United Tribes exists to assist in furthering the common goals of the North Dakota Indian Tribes and Nations; and

WHEREAS, The United States of America adopted 25 U.S.C. Section 1901 et seq, the Indian Child Welfare Act (ICWA), in 1978 which preserves Tribes’ rights to maintain cultural identity with their children in removal, placement and termination of parental rights proceedings pending before state courts; and

WHEREAS, ICWA;’s constitutionality has been challenged by private parties and review by the United States Supreme Court is presently pending. Overturning ICWA would undermine tribal sovereignty and the government to government relationships of Tribes with the United States and the various states; and

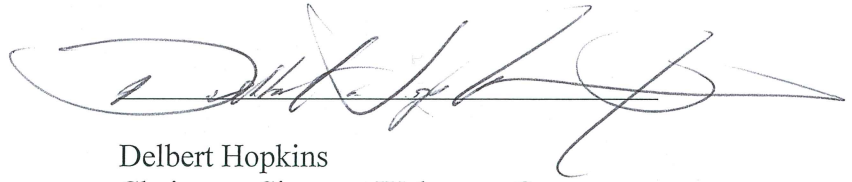
WHEREAS, United Tribes is in support of advancing a North Dakota State law which maintains the intent, purpose and goals of ICWA; and;

WHEREAS, In furtherance of this goal the United Tribes does support the attached legislation or legislation supporting the intent of the attached law;

NOW THEREFORE BE IT RESOLVED, That the Board hereby conveys its support for advancing and adopting North Dakota State law which maintains the intent, purpose and goals of ICWA.

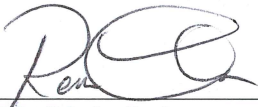
CERTIFICATION

The foregoing resolution was duly passed at a meeting of the United Tribes of North Dakota Board of Directors at which quorum was present, held on the 2 day of December , 2022, at the campus of United Tribes Technical College, with a vote of 8 in favor, 0 opposed, 0 abstaining, and 2 not present.



Delbert Hopkins
Chairman, Sisseton-Wahpeton Oyate
Chairman, Board of Directors
United Tribes of North Dakota

ATTEST:



ReNa Little-Lohnes
Councilwoman, Spirit Lake Tribe
Secretary, Board of Directors
United Tribes of North Dakota