



MANDAN, HIDATSA & ARIKARA NATION

Three Affiliated Tribes * Fort Berthold Indian Reservation
404 Frontage Road New Town, ND 58763
Tribal Business Council

Office of the Chairman
Mark N. Fox

HOUSE BILL 1385 SENATE ENERGY AND NATURAL RESOURCES COMMITTEE MARCH 9, 2023

TESTIMONY OF MARK N. FOX, CHAIRMAN MANDAN, HIDATSA AND ARIKARA NATION

Chairman Patten and members of the Committee, My Name is Mark Fox, Chairman of the Mandan Hidatsa and Arikara (MHA) Nation. The MHA Nation supports House Bill 1385, which will allow North Dakota Indian Tribes to be eligible for Water appropriation funds through the ND Department of Water Resources (DWR). Together, we have established a number of agreements, legislation and policy that benefits both North Dakota and the MHA Nation. This Bill paves the way toward continued cooperation and success.

As we know, the natural resources enjoyed by the State of North Dakota and the MHA Nation are intrinsically interwoven. Water does not recognize jurisdictional boundaries. The state has long sought to encourage and even incentivize cooperation among its many political subdivisions, to create efficiency while putting resources to beneficial use. At times the state has even taken active roles in the construction, and operation of systems that serve multiple jurisdictions. These collaborations have resulted in improved services and a better quality of life for many people.

Federally recognized Indian Tribes are not political subdivisions of the State. The current law provides for the DWR to cooperate with other states and even Canada. This demonstrates the understanding that government to government relationships are necessary

when addressing this vital resource, WATER. Current law does not allow for enjoyment of that benefit for Tribes. This bill corrects the omission and provides the opportunity for the MHA Nation to participate in meaningful way with the State of North Dakota regarding water projects on our Reservation.

Mr. Chairman and members of the Committee, I urge you to support HB 1385.

Thank you.