

Senate Bill 2376

Testimony in support

I am Alysia LaCounte, I serve as the General Counsel to the Turtle Mountain Band of Chippewa. I have served in this capacity since September of 2016 and prior to that I have served as outside counsel on and off since 1997. I propose a technical amendment to the bill. The BIA is referenced, and it should say with the approval of the Secretary of Interior. The Indian Gaming Regulatory Act, 25 U.S.C. Sec. 2719, references the Secretary of Interior as the approving official.

As Chairman Azure references we seek permission to explore an off-reservation casino in Grand Forks.

As a 30 plus year practicing attorney I have had the opportunity to be involved in negotiating such off-reservation facilities. My firm worked on the casino project in Milwaukee, WI. With this experience comes an understanding of the complexities of the project.

The Tribe has strong, historical ties to the Grand Forks area. The Turtle Mountain Tribe is the only Tribe that has solid, well-documented historical ties to this area. In fact, the Red River Valley is the aboriginal territory of the Tribe, then known as the Pembina bands of Chippewa, where the 1863 Treaty of Old Crossing on the Red River was signed. The Tribe still has lands held in trust by the United States for its use and occupancy in nearby Pembina. This historical evidence is consistent with the Indian Gaming Regulatory Act's requirements for off-reservation gaming envisioned here. No other Tribe in North Dakota has this historical tie to this area.

Pursuant to the 1863 Treaty the Pembina Band ceded the Red River Valley (approximately) eleven million acres to the United States but retained the land north and west of Devils Lake to the Souris in present day North Dakota (approximately 10 million acres) which included Turtle Mountain. In 1882, the Turtle Mountain Reservation was finally established by a presidential order

from Chester Arthur, containing nearly 500,000 acres, or twenty-two townships. However, in 1884, under another presidential order from Chester Arthur, the Reservation was cut down by approximately 476,000 acres, or twenty townships because there were deposits of coal underneath us. The Coal was not in a condition that could be mined profitably.

The reduction in the Tribe's land base was executed by the Secretary of the Interior without the knowledge of the Tribe, declaring that the remaining Chippewa lands be restored to the mass of public domain. The Secretary's actions were taken to protect large-scale wheat farming in the Red River Valley and the proposed construction of the Great Northern railroad. The Tribe's total land holdings in 1884 were ten million acres or approximately 1/10 of North Dakota. But by 1892, the total land holdings were down to thirty-four thousand acres, or two townships. The Reservation as it is today.

If SB 2376 is approved, we will have to provide significant evidence and information in support of the application for fee to trust to the Secretary of Interior.

As part of this project, we will be entering into numerous agreements with the local governments. We of course will need to contract for police, fire, ambulance, city services, including access to water and sewer. Well crafted agreements will provide clear expectations and monetary consideration. We will need infrastructure which we intend to pay our fair share.

As Chairman Azure's testimony referenced we seek the dollar passing Grand Forks. There has been raised some concern that we may affect charitable gaming in the City. In review of the Attorney General's records indicates that there are 12 charitable permits. We as tribes are annually audited and can clearly see our annual revenues. The charitable gaming permittees are also so regulated, such that if they suffer losses we can monetize it and look to compensate them by other agreements. We wish to compliment the city.

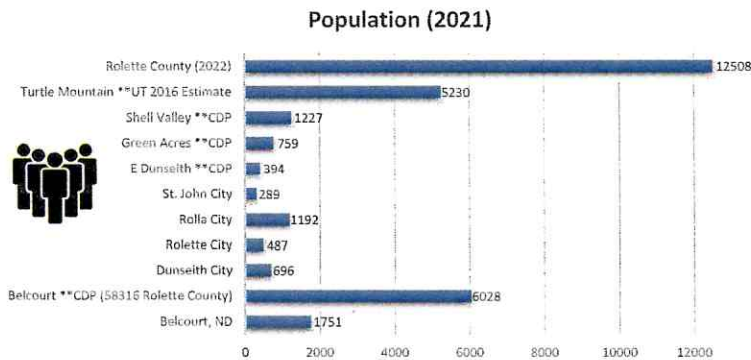
An argument I anticipate is that other Tribes will request for casinos in other large cities in North Dakota. First, those cities would have to agree to such casinos. The other metropolitan areas are not looking for casinos and have difficulty filling their existing positions. Second, those requests are fact-based and the requesting Tribe must be able to show documented historical ties to that area. Here, the 1863 Treaty and the treaty negotiation records provide ample proof that Pembina Band owned the present day Grand Forks.

We have presently scheduled a meeting with Spirit Lake Tribe to discuss their fears that we may affect their present gaming revenues. Gamblers generally have player's club cards which include address information. We can cross reference total revenues with player's club information and the prior years' annual audits, to address any potential shortfalls.

As the Chairman's testimony there is a need for services and infrastructure. We look to fund ourselves with the revenues for the proposed venture. We need to support our community and the area surrounding. We look forward to partnering with the City of Grand Forks to bring this project to fruition.

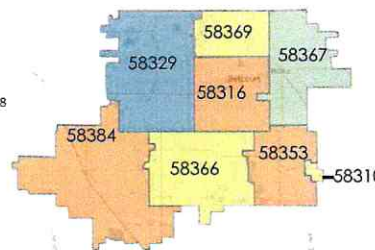
**TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS
COMMUNITY DEMOGRAPHIC DATA IMPACT REPORT**

POPULATION STATISTICS



**CDP is the abbreviation for Census Designated Place. CDPs are delineated to provide data for settled concentrations of populations.

Native American Population by Zip Code



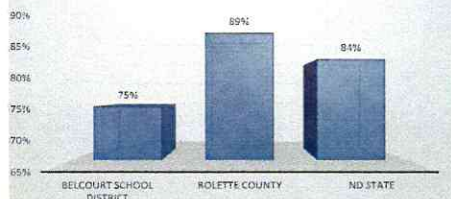
Belcourt 58316	8091
St. John 58369	594
Dunseith 58329	3248
Willow City 58384	12
Rolette 58366	240
Rolla 58367	1206
Mylo 58353	4
Agate 58310	0

79.7%
of Rolette County's
population is
Native American

33,211 Tribal
Enrolled Members
13,395 live in or
around TMBCI
reservation

40%
of Rolette County's
population are
married

Graduation Rate



EDUCATION STATISTICS

86.5%

Rolette County persons age
25+ with a high school diploma



17.3%

Rolette County persons age
25+ with a Bachelor's Degree

EMPLOYMENT STATISTICS

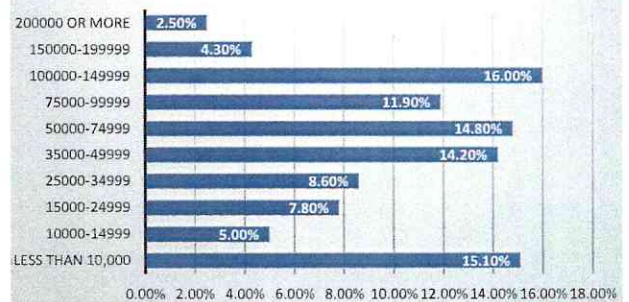
Poverty Levels

Location	Category	2017-2021
TM Reservation and Off-Reservation Trust Land (ND only)	Under 50% of Poverty	24.5%
	Under 100% of Poverty	36%
	Under 150% of Poverty	53%
	Under 200% of Poverty	63.9%

50.3%
of Rolette County's
16 and over population
is employed in the
labor force

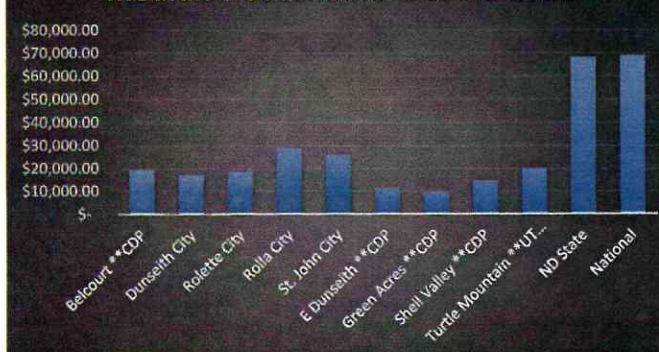
54.5%
of 16 and over are in
the labor force

Household Income



HOUSING STATISTICS

Median Household Income 2022



Median Gross Rent 2017-2021



Median Value of Owner Occupied Housing Units 2017-2021

