

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

20005

2001 SENATE APPROPRIATIONS

SB 2005

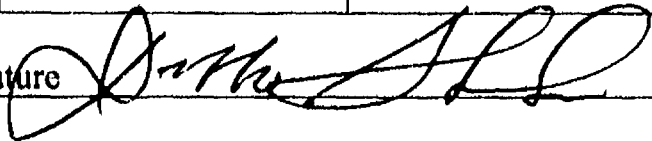
2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2005

Senate Appropriations Committee

☐ Conference Committee

Hearing Date January 12, 2001

Tape Number	Side A	Side B	Meter #
1	Indian Affairs		17.0-46.9
1		Indian Affairs	0.0-12.0
Committee Clerk Signature 			

Minutes:

Senator Solberg opening hearing for the Indian Affairs Commission.

Cynthia Mala, Executive Director, Indian Affairs Commission, testified (testimony attached), that Governor is Chairperson of their 9 member commission. The tribal chairpersons are elected from the four reservations, and four at large members who are appointed by the Governor. Three of the appointed members must be Indian. The Commission meets on a quarterly basis with the work coordinated and administered by the three member office staff. The Commission functions as a liaison in bringing the agencies and individuals together to address numerous social and economic issues that the Indian communities face. We need cooperation from both the federal and state level. The critical roll of the Commission staff is to represent and participate on various committees and boards to assure Indian input. We release this information to the appropriate tribal office and general their direct participation with the state agency or program. New biennium reflects a 7% increase which reflects reclassifying two positions for a budget of

\$3336,059, which is a reasonable and modest budget for the work of the Commission. The equipment budget is important to keep our technology upgraded and efficient as well as our web site which was developed which is a good tool for communication and inquires for the tribal programs. Tape Side A, meter 26.3

Senator Robinson: How much active dialog does your agency have with state agencies? Is it active or proactive or passive; can we do more for correctional facilities with incarceration or probation?

Cynthia Mala: That is an excellent question; incarceration is difficult; the non Indian staff and board need diversified training to prevent situations. You offenders from reservations cannot relate because of their upbringing. We need to create a tribal liaison.

Senator Robinson: Gave his point and previous experiences with Indians. We need to put this on the front burner for a good relationship and for everybody to understand.

Cynthia Mala: Al Lick is trying to reach out on this point with model projects.

Senator Bowman: In our education system, would a curriculum to teach teachers the Indian culture to better understand the Indian students in both relationships help?

Cynthia Mala: Yes; public instruction to develop a curriculum through the certification process; and to require credit hours for teachers on this subject.

Senator Heitkamp: There are success stories out there mainly what I have seen in the Wahpeton area; would this be a good example for others?

Cynthia Mala: There are some good examples out there and those designed for specific models; with resources there would be a long term affect. BIA Boarding School in Wahpeton is a good example.

Senator Solberg: With IHS there was a problem with health care; where is that now? As Belcourt has an excellent staff and need for faculty; can you explain?

Cynthia Mala: It depends on the process and how it is paid; most assume that if you are an Indian your health care is paid, and this is not true. On certain reservations there needs to be referrals and contracts with the health service. Priorities with health care are very complex and not understood. We need to educate the people on this issue.

Senator Lindaas: I am aware that reservations were developed in specific areas around the state; can you explain the ownership on these lands by non-Indians and the affect of economics because of their ownership?

Cynthia Mala: This is all tied to the history; the homestead act formed the reservations, their boundaries of 160 acre tracts; this opened up non-Indian buyers like a land grab. She discussed with the committee the Indian history then and now with white people.

Senator Bowman: Would more education with Indians encourage this correlation?

Cynthia Mala: Most Indians today are mistreated, angry and just try to deal with it and we need to figure out how to deal with this.

Side B, meter 0.0

Senator Solberg: Commented profitability of casinos on the reservations and the fact that Indians are buying a lot of farm land off the reservation and how this way of business will confront their futures.

Cynthia Mala: The profits from casinos is not there right now; will know in future.

Senator Kringstad: Spoke on Indian ancestry; also is the population increase of Indians due to teen pregnancies?

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Senate Appropriations Committee

Bill/Resolution Number 2005

Hearing Date January 12, 2001

Cynthia Mala: Yes this is true across the country on the increased population on reservations; 18 years old is the average age for teenage pregnancies.

Cynthia Mala handed in testimony from United Tribes of North Dakota for their support on this budget.

Carol Two Eagles, testified in support of this bill. I am a sun dancer with a tradition in keeping pipe with prayers. She stated her past experiences as an Indian mainly the anger Indians have today. Also summarized her business experiences and the trouble getting financing because of her nationality.

Hearing was closed with no opposition.

January 23, 2001

Appropriations Committee was convened by Senator Nething.

SB 2005-Indian Affairs Commission:

Do Pass motion by Senator Solberg, seconded by Senator Heitkamp. No discussion; roll call vote: 12 yes; 0 no; 2 absent. Senator Solberg accepted the floor assignment.

Tape #1, Side A, meter 0.0-23.4

Date: 1-23-01

Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. SB2005

Senate Appropriations Committee

☐ Subcommittee on _____

or

☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken On Pass

Motion Made By Sen Solberg Seconded By Sen Heitkamp

Senators	Yes	No	Senators	Yes	No
Dave Nething, Chairman	✓				
Ken Solberg, Vice-Chairman	✓				
Randy A. Schobinger	✓				
Elroy N. Lindaas	✓				
Harvey Tallackson	✓				
Larry J. Robinson	✓				
Steven W. Tomac	✓				
Joel C. Heitkamp	✓				
Tony Grindberg					
Russell T. Thane	✓				
Ed Kringstad	✓				
Ray Holmberg					
Bill Bowman	✓				
John M. Andrist	✓				

Total Yes 12 No 0

Absent 2

Floor Assignment Sen Solberg

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 23, 2001 3:04 p.m.

Module No: SR-11-1461
Carrier: Solberg
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2005: Appropriations Committee (Sen. Nething, Chairman) recommends DO PASS
(12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2005 was placed on the
Eleventh order on the calendar.

2001 HOUSE APPROPRIATIONS

SB 2005

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2005

House Appropriations Committee
Education and Environment Division

☐ Conference Committee

Hearing Date March 09, 2001

Tape Number	Side A	Side B	Meter #
1 of 2	Starting at 5970	x	2,840
Committee Clerk Signature <i>Judy Schrock</i>			

Minutes:

Representatives Aarsvold, Boehm, Gulleeson, Martinson, Monson, Wald, Wentz.

Representative Wentz: We will now open the hearing on SB2005.

Cynthia Mala: Executive Director of ND Indian Affairs Commission, which is a Governor appointed position. I have held this job since 1998. I will be leaving my position as soon as Governor Hoeven has the time to announce my replacement. See attached. Also a directory, a profile of each of the tribal communities along with phone numbers.

Representative Wald: (720) In your hand out attachment one. It is a disturbing statistic, you say, of the young Indian women ages 14-24, 78 percent are high risk for contracting HIV/AIDS virus. What are we doing to combat that. That is very disturbing.

Cynthia Mala: The data is information I have collected in health service, the US Census Bureau, and the Bureau of Indian Affairs. That statistic comes directly from a White House initiative on

education and prevention of HIV/AIDS, and an Indian member of that national body. When I heard the numbers, I too was startled. I put that number in there because it is a very important issue that we need to address, and in a collaborate fashion, because there are not resources in Indian country for prevention and education. I do work very closely with the health department here in ND regarding these things. I have also signed a letter with the State School of Science of Whapeton, who is trying to get a Federal Grant to do some of this also for out reach and target prevention. In different ways I try to bring these to people's attention to the right agencies, services and programs to help them connect in Indian country. Getting the statistics for just ND is quite difficult to compile.

Representative Wald: Are you satisfied, or are your expectations met with the money going to the Indian people from gaming? Do you think it is all that it was cracked up to be. Are we really helping Indian people? Is the money really going to the people that need it?

Cynthia Mala: (1120) I am a member of the Spirit Lake Tribe. One of the most enlightening aspects of the tribal communities today, especially in ND in fact is the gaming. I know it is very controversial, but when you off set that with people going to work, being very proud of going to work, and you can see the hope in their eyes about providing for themselves and their families. We are training our people, yes, specifically to gaming, to being a clerk, or a floor walker or what ever, service industry type of profession. Many of them are also looking at future. They can become managers, CPSA's, take over the accounting systems. From that aspect I see it as a positive. We have put over 2500 people to work at the ND casinos. My tribe has funded with casino profits, an ambulance service and a fire department. We also have just established an education fund for Tribal education programs. I can say I have seen the success of that. We are

making a modest profit. It is no where the many millions like some in other states. The most of the money is reinvested in the operations and expansions. .

Representative Monson: (1514) What would it take to keep you here. You have a beautiful brochure. You are running on a shoe string budget. What ever you do I hope you don't leave this state.

Representative Wald: You are pursuing you masters or Ph.D., at UND. Is the environment there towards the Indians good?

Cynthia Mala: It has been a tough week, and it is unfortunate you ask me that today. I was at a conference last week with public health officials. I had a group of Indian dancers from the Bismarck area join me. We did an exhibition and an honoring of all the winners. One of our dances is a round dance, of which we had others join in. We were having a great time laughing and having fun when the gentleman beside me says, "oh this is how a bunch of drunken Indians act." I was so taken back. I told the conference the next morning they would be getting a letter recommending at the next years conference, they have diversity training for health professionals, and that it be a general session. I have gotten several e-mail's with attachments of posters, one from an Indian woman from Texas. The two posters that were attached with the e-mail's were those that were recently hung in Marfield Hall at UND. 17x22 foot posters, they were not nice. Some were on the Sioux issue, with many nasty remarks. I sent a memo to the Governor yesterday with copies, and several other agencies. The role I play is a very challenging role when these things happen and I get confronted with these kinds of issues. From my perspective it is a deep rooted ignorance about Indian people. People do think we have a free ride with huge pots of money.

Representative Wald: That surely was not condoned by the President up there.

Cynthia Mala: No. There is a human rights group up there that I understand are starting to document, because the student Indian or non are being targeted. We have to promote diversity. It will need to be done in educational form and to understand the history. I feel it is not an Indian issue, it is a human rights issue. It is an issue of the ND Universities. The UND is the states most prestigious learning and teaching institution. It should not be perpetuating stereo types. It is a very emotional issue. It is time to change this. It is not honoring to us.

Representative Wentz: Hasn't the issue gone beyond a happy resolution? Seems to me no matter how the issue is dealt with it will be very explosive. There are also Indians who do oppose the change.

Cynthia Mala: Yes, I agree. But we as Indians feel it is time we are heard and listened to. We have to do more to radiate the ignorance. We need to dispel that. It does hurt greatly. We all need to be educated, and I believe we can come to common grounds.

Representative Wentz: Does anyone else wish to appear in opposition of SB2005? Any other questions?

Representative Martinson: (2745) I make a motion for a due pass. Seconded by Representative Wald.

Representative Wentz: Any discussion? Call the roll on a due pass. Motion has carried with six yes, zero no, and one absent. Representative Martinson will carry the bill to the floor.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2005

House Appropriations Committee

☐ Conference Committee

Hearing Date March 28, 2001

Tape Number	Side A	Side B	Meter #
03-28-01 tape #2	1110 - 1475		
Committee Clerk Signature <i>Kathleen Hall</i>			

Minutes:

The committee was called to order, and opened committee work on SB 2005.

Rep. Martinson: This bill is exactly as it was introduced, and passed by the Senate.

Moves DO PASS. Seconded by Rep. Wald.

Vote on Do Pass : 17 yes, 2 no, 2 absent and not voting.

Rep. Martinson is assigned to carry this bill to the floor.

Date: March 9, 01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. Appropriations Education and Environment Division

House _____ Committee _____

☒ Subcommittee on _____

or

☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken Do pass S.B. 2005

Motion Made By Rep. Martinson Seconded By Rep. Wald

Representatives	Yes	No	Representatives	Yes	No
Rep. Janet Wentz -Chairman	✓				
Rep. James Boehm - Vice Chairman	✓				
Rep. Ole Aarsvold	✓				
Rep. Pam Gulleon	✓				
Rep. Bob Martinson	✓				
Rep. David Monson	✓				
Rep. Francis J. Wald	✓				

Total (Yes) 6 No 0

Absent 1

Floor Assignment Rep. Martinson

If the vote is on an amendment, briefly indicate intent:

Date: 3-28-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB2005

House APPROPRIATIONS

Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken

DO PASS

Motion Made By

Rep. Martinson

Seconded

By

Rep. Wald

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman	✓				
Wald - Vice Chairman	✓				
Rep - Aarsvold	✓		Rep - Koppelman	✓	
Rep - Boehm	✓		Rep - Martinson	✓	
Rep - Byerly	✓		Rep - Monson	✓	
Rep - Carlisle	✓		Rep - Skarphol		✓
Rep - Delzer		✓	Rep - Svedjan		
Rep - Glassheim	✓		Rep - Thoreson	✓	
Rep - Gulleon			Rep - Warner	✓	
Rep - Huether	✓		Rep - Wentz	✓	
Rep - Kempenich	✓				
Rep - Kerzman	✓				
Rep - Kliniske	✓				

Total (Yes)

17

No

2

Absent

2

Floor Assignment

Rep. Martinson

If the vote is on an amendment, briefly indicate intent:

2001 TESTIMONY

SB 2005

Department 316 - Indian Affairs
Senate Bill No. 2005

	FTE Positions	General Fund	Other Funds	Total
2001-03 Executive Budget	3.00	\$336,059	\$0	\$336,059
1999-2001 Legislative Appropriations	3.00	312,782	16,300	329,082
Increase (Decrease)	0.00	\$23,277	(\$16,300)	\$6,977

Major Items Affecting Indian Affairs 2001-03 Budget

	General Fund	Other Funds	Total
1. Restores funding to the operating line item (\$7,000) and equipment line item (\$1,000) that were reduced in the hold-even budget request.	\$8,000		\$8,000
2. Decreases funds to reflect elimination of revenue from special program directory fees.		(\$16,300)	(\$16,300)

Major Legislation Affecting the Indian Affairs Commission

House Bill No. 1157 creates a Quality Schools Commission and appoints the director of the Indian Affairs Commission or the director's designee as a member.

Department 316 - Indian Affairs Commission
Senate Bill No. 2005

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1999-2001 Legislative Appropriations	3.00	312,782	16,300	329,082
Increase (Decrease)	0.00	\$23,277	(\$16,300)	\$6,977

2001-03 Hoeven Executive Budget	3.00	\$336,059	\$0	\$336,059
Hoeven Increase (Decrease) to Schafer	0.00	\$0	\$0	\$0

Major Schafer Recommendations Affecting Indian Affairs Commission 2001-03 Budget

	General Fund	Other Funds	Total
1. Restores funding to the operating line item (\$7,000) and equipment line item (\$1,000) that were reduced in the hold-even budget request	\$8,000		\$8,000
2. Decreases funds to reflect elimination of revenue from special program directory fees.		(\$16,300)	(\$16,300)

Major Hoeven Recommendations Affecting Indian Affairs Commission 2001-03 Budget
Compared to the Bill as Introduced (Schafer Budget)

The Hoeven recommendation does not change the Schafer recommendation.

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Increase (Decrease)	0.00	\$23,277	(\$16,300)	\$6,977

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Hoeven Increase (Decrease) to Schafer	0.00	\$0	\$0	\$0

Major Schafer Recommendations Affecting Indian Affairs Commission 2001-03 Budget

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**Major Hoeven Recommendations Affecting Indian Affairs Commission 2001-03 Budget
Compared to the Bill as Introduced (Schafer Budget)**

The Hoeven recommendation does not change the Schafer recommendation.

Major Legislation Affecting the Indian Affairs Commission

No major legislation has been introduced affecting this agency.

Summary of Legislative Changes Resulting From First House Action

See Statement of Purpose of Amendment (attached).

STATEMENT OF PURPOSE OF AMENDMENT:**Senate Bill No. 2005 - Funding Summary**

	Executive Budget	Senate Changes	Senate Version
Indian Affairs Commission			
Salaries and wages	\$300,037		\$300,037
Operating expenses	35,022		35,022
Equipment	1,000		1,000
Total all funds	\$336,059	\$0	\$336,059
Less estimated income	0	0	0
General fund	\$336,059	\$0	\$336,059
FTE	3.00	0.00	3.00
Bill total			
Total all funds	\$336,059	\$0	\$336,059
Less estimated income	0	0	0
General fund	\$336,059	\$0	\$336,059
FTE	3.00	0.00	3.00

Senate Bill No. 2005 - Indian Affairs Commission - Senate Action

The Senate did not change the Schafer executive budget recommendation for the Indian Affairs Commission. Senator Froeven did not propose any changes to the Schafer recommendation for this agency.

SB 2005

**North Dakota Indian Affairs Commission
Senate Appropriations Budget Hearing
January 12, 2001**

Testimony by: Cynthia Mala, Executive Director

The nine-member North Dakota Indian Affairs Commission is comprised of the Governor serving as Chairperson, the Tribal Chairpersons elected from the four reservations, and four at-large members who are appointed by the Governor. Three of the appointed members must be Indian. The Commission meets on a quarterly basis with the work coordinated and administered by the 3-member office staff.

The State's Indian Affairs Commission has evolved to be an important part of State government in the facilitation of working relationships between the State and Tribal governments as well as between the services and programs for the people. The Commission functions as a liaison in bringing agencies and individuals together to find common ground in addressing the numerous social and economic issues facing Indian communities.

Per State Statute (Century code 54-36) some of the responsibilities of the Commission are to mobilize the support of the state and federal agencies in assisting Tribal governments and Indian people; to assist in developing programs whereby Indian citizens may achieve a more adequate standard of living; to assist Tribes in developing effective institutions of self-government; and to work for greater understanding.

The State's Indian population is approximately 5 percent of the population according to the 1998 U.S. Census Update, which are about 32,000 Indian people. Indian country in North Dakota includes 15 counties and 13 legislative districts. Attachment #1 is a fact sheet produced by our office that outlines the disparities and demographic information about North Dakota Indians.

A critical role for the Commission staff is representation and participation on various committees and boards (see attachment #2) to assure Indian input. In turn, we disseminate this information to the appropriate Tribal office and generate their direct participation with the State agency or program. Toward this end, the Commission has developed a 'protocol' (see attachment #3) for working with Tribes and Indian people that we share with State agencies, private organizations and individuals.

For the current, 1999-2001, biennium we would like highlight some of the accomplishments of the Indian Affairs Commission that will be detailed in the biennium report later this year:

1. Completion of the *North Dakota American Indians* tourism brochure
2. Move into new office space (from 350 square feet to nearly 800 square feet)
3. Upgrade of technology, e-mail program, internet access and homepage established
4. Developed data/information on North Dakota's Indian people/tribe
5. Reclassified the two staff positions
6. Co-hosted training sessions with the U.S. Census Bureau
7. Distributed the 50th Anniversary report
8. Assisted Governor's office with gaming compact negotiations/renewals
9. Coordinated three Commission meetings

10. Coordinated and co-hosted Indian elderly meetings regarding long-term care

11. Assisted with an Indian inmate educational retreat

12. Hosted training sessions on Indian health access/billing issues

Our daily or routine work involves preparation and participation in the various meetings, maintaining the office, and responding to inquiries for assistance or information. The requests come from both Indian and non-Indian organizations or individuals and generally run the gamut of subject areas – from taxation questions, to child care assistance, to snowmobile routes on the reservations, to discrimination complaints, to requests for presentations about Indians or diversity. We respond by listening, directing the caller/request to another agency, if appropriate, or research and investigate the question and respond back. It depends on the inquiry as to what action is taken.

The budget history for the North Dakota Indian Affairs Commission is attachment #4. The history reflects the funding trends for the 50-year history of the Commission. Note the various program funding that has been terminated or transferred during the Commission's history.

The Governor's budget request for the 2001-2003 biennium for the Commission reflects an approximate 7 percent increase for a total of \$336,059. This is a reasonable and modest budget for work of the Indian Affairs Commission.

The request maintains the three FTEs within the current authorization along with operating funds and an equipment line item. The positions are the Executive Director, a Research Analyst, and Administrative Assistant. In re-classifying the two staff positions of the Commission office has

become a more professional 'team' who are cross-functional. This is vital given we are a 3-person office with varied responsibilities and demands. Operating funds are used to maintain the office and also to pay for travel for Commission members to participate in the quarterly meetings. The equipment line item is important to keep the technology upgraded and efficient given the limited staff.

There is still much work to be accomplished in addressing problems and issues of North Dakota's Indian citizens. We have wonderful examples of the positive outcomes when the two governments/cultures work together -- Children's Services Coordinating Committee for example. The role of the North Dakota Indian Affairs Commission is vital and critical to continued partnerships toward positive outcomes. Legislative leaders have demonstrated support and understanding by funding the Commission, the State's Indian scholarship program and the programming under Children's Services Coordinating Committee.

I urge your continued support of State/Tribal relationships by appropriating the requested funding for the North Dakota Indian Affairs Commission for the new biennium. Thank you for your consideration.

NORTH DAKOTA INDIANS*

There are four federally recognized Tribes and one Indian community in North Dakota:

Spirit Lake Nation, Fort Totten, ND (Enrolled members 4,300)
Standing Rock Nation, Fort Yates, ND (Enrolled members 13,000)
Mandan, Hidatsa and Arikara Nation, New Town, ND (Enrolled Members 8,700)
Turtle Mountain Band of Chippewa Nation, Belcourt, ND (Enrolled members 28,000)
Trenton Indian Service Area, Trenton, ND (IHS User Population 1,800)

- ◆ In September 1998, the U. S. Census Bureau estimated the North Dakota Indian population to be 30,000 - about 5 percent of the State's population. Only Kidder County reports no Indian population in the Census update.
- ◆ The 1990 U.S. Census data estimated 41 percent of the Indian populations live off-reservation in communities near-by or in urban centers.
- ◆ Indian country in North Dakota includes 15 counties and 13 legislative districts.
- ◆ Poverty rate for Indians in North Dakota is more than three times the rate for North Dakota All races population - 38 percent compared to 11 percent.
- ◆ In the Northern Plains the Median Household Income for Indians is \$12,310 as compared to the U.S. All races of \$30,056.
- ◆ Indians are nearly 7.5 times as likely to live in households without adequate sanitation facilities as the general North Dakota population.
- ◆ Approximately 57 percent of the T.A.N.F. caseload in North Dakota are American Indian families.
- ◆ 78% of young Indian women, ages 14-24, are at high risk for contracting the HIV/AIDS virus.
- ◆ American Indian suicide rate is 257 percent higher than the white suicide rate during 1989-1998. The age group 15-24 for American Indians has a suicide rate that is 429 percent higher than the white rate for the same age group (73.8/100,000 to 17.2/100,000).
- ◆ Unemployment varies from reservation to reservation but averages 55 percent for North Dakota Indians as compared to the U.S. rate of 4.3 percent.
- ◆ The average age for Northern Plains Indians is 18 years old as compared to the North Dakota average age of 35 years.

- ◆ 43 percent of American Indian population is under the age of 20 years - about 13,000 Indian children in North Dakota.
- ◆ There are approximately 10,700 American Indian students in Grades K-12 in North Dakota.
- ◆ The national Indian student drop out rate exceeds 30 percent in comparison to 8 percent white student drop out rate.
- ◆ In North Dakota the high school graduation rate for American Indian students is less than 60 percent compared to greater than 90 percent for white students.
- ◆ Approximately 2,400 American Indian students attend full-time at North Dakota State, Tribal, or Private institutions (Based in ND Indian Scholarship Program data).
- ◆ The North Dakota Indian Scholarship Program supports approximately 6 percent of the 2,400 Indian students at North Dakota institutions annually – for the 2000-01 school year, 147 Indian Scholarships were awarded.
- ◆ The North Dakota Indian Scholarship Program *averages 150 Indian students per year on a waiting list* for financial assistance. Scholarships are awarded based on financial need and merit. The average cumulative grade point for awardees is 3.43.
- ◆ There are five Tribal Community Colleges in North Dakota with a total enrollment of approximately 1,600. *About 8 percent of the students are non-Indian.*

* Information from U.S. Census-1990/1998; Indian Health Service Regional Differences in Indian Health 1998-99; North Dakota Department of Public Instruction-Indian Education Biennial Report 1995-97; North Dakota Indian Scholarship Program Fact Sheet for 2000-01; North Dakota Tribal College Association; National Center for Education Statistics-1998 Enrollment Data for Tribal Colleges in North Dakota.

North Dakota Indian Affairs Commission
Board/Committee Membership
By Executive Director

December 2000

Name of group - meeting schedule:

1. Children's Services Coordinating Committee - quarterly
2. Healthy Steps Advisory Board (ND RWJ grant for children's health insurance program) - quarterly
3. ND Indian Scholarships Board - quarterly
4. School-to-Work Management Team - quarterly
5. STOP Advisory Committee - semi-annual
6. Suicide Prevention Task Force - quarterly
7. Fetal Alcohol Syndrome Committee - quarterly
8. Governor's Policy Advisory Board on Drugs & Alcohol - quarterly
9. Interagency Substance Abuse Team - monthly
10. Native American Children & Families Services Training Institute Advisory Committee - quarterly
11. DEM Hazard Mitigation Grant Program Review Team - annual/depends
12. State Historic Society Indian Advisory Committee - quarterly

The North Dakota Indian Affairs Commission meets quarterly as determined by the Governor's schedule. Our office coordinates these meetings in concert with the Governor's staff.

PROTOCOL FOR WORKING WITH TRIBES


1. Understand the unique relationship between American Indians and the United States government. It is a political relationship – not race based.
2. The history of this unique relationship is relevant and important to working with a Tribe.
3. There are over 500 federally recognized Tribes – each with its own history, culture, and language.
4. Remember that American Indians may be suspicious of outsiders and outside ideas.
5. Do not assume one Tribe or one leader speaks for all. Take the time to find the key players.
6. Those you consult with might not be able to answer questions immediately. They may need to think about it and consult with others.
7. American Indians object to being 'consulted' or 'studied' by people who have little intention of doing anything in response to their concerns. Be prepared to negotiate, to find ways to accommodate the Tribe's concerns. Be prepared to respond with reasons why the advice may or may not be followed.
8. Meetings with Tribal council officials and Tribal program staff should, if possible, be conducted between the same levels of officials.
9. Most Tribal governments are not wealthy and it may be difficult for Tribal officials to attend meetings or to exchange correspondence. Also, Tribal governments in general do not have large support staff to assign to meetings, follow-up, etc.
10. Formal notices or invitations should be addressed to the Tribal Chairperson and/or the appropriate Council Representative or Committee, with the respective Tribal program Director copied in on the letter.

11. Do not rely solely on written communications. Follow-up written correspondence with telephone calls, faxes, or in-person contacts.
12. Traditional authorities often do not relate well to written communication and may find face-to-face consultation more appropriate.
13. Understand that there are different ways of communication. Seemingly extraneous data may be reviewed and re-reviewed. During negotiations, prepare to discuss all aspects of an issue at hand simultaneously rather than sequentially.
14. Respect Tribal Council representatives as elected officials of a government.
15. Like all business relationships, honesty and integrity are highly valued. A sense of humor is appreciated but generally, serious, business-like behavior is appropriate.
16. Always shake hands when introduced, meeting with someone or departing. It is customary to shake hands with everyone in the room.
17. If possible, arrange meetings with refreshments and/or a meal. This is a cultural characteristic that is still strong in Indian country.

NORTH DAKOTA INDIAN AFFAIRS COMMISSION BUDGET HISTORY

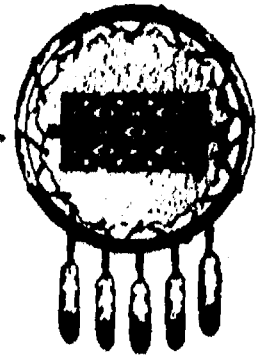
BIENNIUM	F.T.E.'s & Salaries	Operating Expenses & Equipment	Indian Scholarship Program	NAADAP Grant	Indian Development Fund	TOTAL
(27) 2001-03 [Executive Recommendation]	(3) 300,037	36,022				336,059
(26) 99-2001	(3) 273,507	39,275		Transferred		312,782
(25) 97-99	(3) 230,410	33,888		200,000		464,298
(24) 95-97	(2,5) 185,089	32,884		150,000		377,963
(23) 93-95	(2,5) 184,754	44,632		385,000		614,386
(22) 91-93	(2) 112,720	28,150	Transferred	385,000		526,997
(21) 89-91	(3) 169,089	39,350	168,000	316,974		693,423
(20) 87-89	(3) 169,727	39,350	168,000	303,405	Terminated	680,482
(19) 85-87	(3) 169,540	35,345	175,000	335,000	25,000	739,895
(18) 83-85	(3) 152,294	40,000	175,000	300,000	25,000	688,448
(17) 81-83	(3) 150,314	38,170	145,000	(383,836)	50,000	383,484
(16) 79-81	107,333	20,901	85,000		10,000	223,880
(15) 77-79	83,894	15,781	85,000		25,000	208,675
(14) 75-77	51,711	11,318	75,000		20,000	158,029
(13) 73-75	40,398	10,897	45,000		10,000	106,295
(12) 71-73	35,905	7,320	(12,600 - DP1)		(10,000 - IDO)	43,225
(11) 69-71	32,716	6,684	(12,600 - DP1)			39,400
(10) 67-69	26,225	3,775	(12,600 - DP1)			30,000
(9) 65-67	11,400	3,600	(12,600 - DP1)			15,000
(8) 63-65	15,000		(12,600 - DP1)			15,000
(7) 61-63	20,000					20,000
(6) 59-61	20,000					20,000
(5) 57-59	20,000	5,000 (study)				25,000
(4) 55-57	25,000					25,000
(3) 53-55	20,000					20,000
(2) 51-53	20,000					20,000
(1) 49-51	20,000					20,000

SB 2005



UNITED TRIBES TECHNICAL COLLEGE
3315 UNIVERSITY DRIVE
BISMARCK, NORTH DAKOTA 58504 • PHONE 701-255-3285 • FAX 701-530-0805

UNITED TRIBES OF NORTH DAKOTA



January 12, 2001

**Senate Appropriations Committee
57th North Dakota Legislative Assembly
State Capitol
Bismarck, North Dakota**

Appropriations to The North Dakota Indian Affairs Commission

Chairman Nething and Members of the Committee:

Thank you for the opportunity to submit a statement of **support** for the continued **appropriations** for the operation and services provided to the Citizens of North Dakota by the **North Dakota Indian Affairs Commission**.

My name is **Charles W. Murphy**, Chairman of the Board, and our president is **David M. Glipp**. United Tribes is the oldest intertribal organization and forum for our North Dakota Tribes (since the mid-1960's) and is the longest standing intertribally controlled college in the region (since 1969), as well. Our elected tribal chairs of the five Tribes of North Dakota sit on the board and periodically meet jointly to discuss intertribal policy matters along with the business of training and education provided by the College.

It is most important that the North Dakota Indian Affairs Commission is provided adequate funds to continue its important mission in service to all three branches of state government, the Indian Tribes, and the citizens of our Good State. There is **no other entity** which can do this for the State.

We understand the request to be at some ^{336,055}~~3329,000~~ for the biennium. This is a crucial amount to provide very **basic and minimum** services, but will allow for assuring there are professional and qualitative services in line with the mission.

The North Dakota Indian Affairs Commission serves as a critical **coordinator of information, research, representation of views, and a conduit for exchange and dialogue**—chaired by Governor Hoeven—between tribal and state leaders. Oftentimes, the commission has and will continue to serve as a means for some representation of tribal or American Indian perspectives. As important, it has served as a means in arriving at **understanding and joint solutions** between tribal government and the branches of state government, as well.

There is no question that the Commission shall continue as an important **link to the future**, especially as Indian Tribes and North Dakota Indian Citizens continue to make increased contributions to the economic, cultural, social and political well being of North Dakota .

This will be especially relevant as we look at the 21st century **economic opportunities and growth** by tribal populations and North Indian Tribes.

We would only **add this for your information and review**: You know of course, that four of our **North Dakota Tribal governments** are **represented** on the North Dakota Indian Affairs Commission, **and one is not**. The Commission has an Urban Indian (or non-reservation) representative and the state agency slots. The four North Dakota Tribes represented are: The Standing Rock Sioux Tribe located in North Dakota and South Dakota, The Three Affiliated Tribes of Fort Berthold, The Spirit Lake Dakota Sioux Tribe, and the Turtle Mountain Band of Chippewa.

The one not represented is the **Sisseton Wahpeton Sioux Tribe of Lake Traverse**, whose headquarters are in Sisseton, South Dakota. It should be noted this Tribe has trust land in North Dakota and South Dakota, and has a tribal casino located in southeast North Dakota, south of Hankinson. As a tribal government its lands and some of its business functions extend into North Dakota. It has a compact regarding Gaming with the State of North Dakota.

Page Three - January 12, 2001
NDIAC/Senate Committee on Appropriations

Unfortunately, some years ago, because of **politics and misunderstanding**, the Sisseton Wahpeton was **struck** from consideration of being added as a fifth tribal member to the North Dakota Indian Affairs Commission.

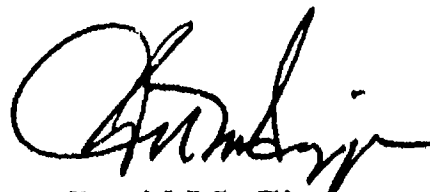
This would be a good time to **correct an unfortunate wrong** and **add representation** of the Sisseton Wahpeton Sioux Tribe of Lake Traverse to the North Dakota Indian Affairs Commission. While the appropriations committee may not be the correct entity to consider such authorization, we **request** that this matter be **referred** to the **appropriate committee**.

We thank you for reviewing this testimony and your diligent review.

Respectfully,



Charles W. Murphy
Chairman, United Tribes of
North Dakota and The College,
and the Standing Rock Sioux Tribe



David M. Gipp
President,
United Tribes Technical
College



TRIBAL BUSINESS COUNCIL
(701) 627-4761
Fax (701) 627-3885

MANDAN, HIDATSA, & ARIKARA NATION

Three Affiliated Tribes • Fort Berthold Indian Reservation
HC3 Box 2 • New Town, North Dakota 58763-9402

Testimony of Tex Hall
Chairman, Three Affiliated Tribes

57th Legislative Assembly
State of North Dakota
Appropriations for Indian Affairs Commission
Before the Education Subcommittee of the
House Appropriations Committee
March 8, 2001

Mr. Chairman and distinguished members of the Committee. Thank you for the opportunity to provide testimony today on the need for continued and adequate funding for the North Dakota Indian Affairs Commission, serving the state of North Dakota and its Indian citizens for more than 52 years.

I apologize for being unable to be present at the hearing today, but urgent matters on behalf of the Tribe prevents me from being here. However, the need for the continuation of the work of the North Dakota Indian Affairs Commission has never been greater. As you may be aware, the Indian population of the state is the fastest growing segment of our state. At the same time, we continue to lag far behind the rest of the state in employment, health care and housing, and Indian citizens represent more than 55% of the state's welfare case load.

This is not acceptable. The Indian tribes and the state, working together, can continue to make progress in these areas. The welfare reform laws demand that we work together. In addition, as we near the bicentennial of the Lewis and Clark expedition to North Dakota, we have already begun working closely with state agencies as partners to allow the Three Affiliated Tribes to fully participate in and benefit from the expected increase in tourism the bicentennial will bring to our state. A properly funded Indian Affairs Commission is vital in this cooperative effort.

A strong, well-funded Indian Affairs Commission can help provide the bridge between the state and the Indian tribes in North Dakota that will allow us, working together, to accomplish many things for all of North Dakota's citizens, Indian and non-Indian alike, in such areas as rebuilding of the 4 Bears Bridge to economic development for many areas of the State that are still suffering from rates of unemployment that are too high. It can be the catalyst to provide a true government-to-government relationship between the Tribal Nations and the State of North Dakota.

I also want to take this opportunity to thank Cynthia Mala for her leadership as Executive Director of the Indian Affairs Commission these past years.

I urge this Committee to recommend a DO PASS on SB 2005 and full funding for the North Dakota Indian Affairs Commission.

THOMAS M. DISSELHORST
ATTORNEY AT LAW

311 E. TRAYER AVE., SUITE 129
P.O. BOX 2463
BISMARCK, NORTH DAKOTA 58502
TELEPHONE: 701-258-2700
TELEFAX: 701-258-0502

**57th Legislative Assembly
State of North Dakota**

**Testimony of Thomas M. Disselhorst, Esq.
in Support of SB 2005
Appropriations for Indian Affairs Commission
Before the Education Subcommittee of the
House Appropriations Committee
March 9, 2001**

Mr. Chairman and members of the Committee: This testimony is in support of the Governor's requested budget for the Indian Affairs Commission, in this, its 52nd year of service to the State of North Dakota and its Indian citizens. By way of introduction, I am presently serving as counsel for United Tribes Technical College, located in Bismarck, North Dakota and as a staff attorney for the Three Affiliated Tribes. My testimony here today is not on behalf of these organizations, but as an individual attorney who has worked with the Indian Affairs Commission for more than 25 years.

The Indian Affairs Commission serves many roles, and, in the past 17 years or so, has done so on an extremely limited budget. As an attorney, I have represented many individual Tribal members in North Dakota, and the Indian Affairs Commission has been an invaluable resource for myself and Indian citizens. It has served, and continues to serve, as a source of information for Indian people about services available in the state, both private and public. Most important, it acts to assist the government-to-government relationship between Indian tribal governments and the State of North Dakota, by bringing the State, through the Governor and Tribes together allowing them to discuss issues of common concern.

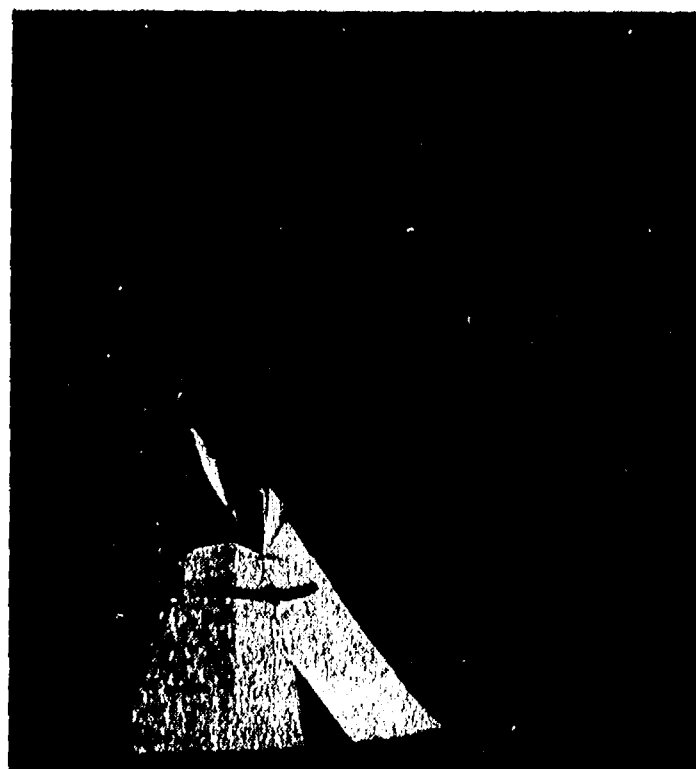
In this era of emphasis on economic development, with the many points of intersection between the Indian tribes of this state, state and local government, and the private sector, the Indian Affairs Commission is even more vital for the success of these common endeavors. The 1996 welfare reform legislation passed by Congress, as highlighted at a recent Indian Affairs Commission meeting, underscores the importance of cooperation and understanding between the state and the Indian tribes of North Dakota, as presently 55% of all welfare recipients receiving state dollars are Tribal members.

I believe that the Indian Affairs Commission has a vital role to play in bringing people together to discuss how to meet the challenges of welfare reform and the need for real economic development on and near the Indian reservations, as well as how to promote a true government-to-government relationship between the Tribal Nations of this state and the State government itself. I look forward to continuing to work with the Indian Affairs Commission.

The Indian Affairs Commission needs all of the funds it has requested for its many important functions. I urge a DO PASS recommendation on SB 2005 for the budget of the Indian Affairs Commission from the Education Subcommittee of the House Appropriations Committee.

**STATEWIDE
DIRECTORY
Of
AMERICAN INDIAN
RESOURCES**

January 2001



*North Dakota Indian Affairs Commission
~1949-2001~*

CONTACT INDIAN AFFAIRS COMMISSION FOR A COPY OR SEE LEGISLATIVE COUNCIL
LIBRARY COPY

Spirit Lake Nation

Standing Rock Nation

Mandan, Hidatsa &
Arikara Nation

Turtle Mt. Band of
Chippewa

Trenton Indian Service

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