

Tribal Concerns and Discussion Points
North Dakota Legislative Management
Tribal and State Relations Committee
January 18, 2012
Tex “Red Tipped Arrow” Hall, Chairman
Mandan, Hidatsa, and Arickara Nation
Fort Berthold Indian Reservation

Chairman O’Connell and Members of the Tribal State Relations Committee, my name is Tex Hall, or Ihbudah Hishi, which means “Red Tipped Arrow”. I am honored to provide the following information and concerns on behalf of our tribal Nation.

Tribal-State Oil and Gas Agreement. The impact to our tribal nation by the Gas Development in western North Dakota has severely affected the health and welfare of our land and the residents of the Fort Berthold Reservation. We find ourselves forced to apply limited resources to deal with the negative impacts of this Oil and Gas “Boom”. No one misunderstands or is unaware of what that negativity is and continues to be. On behalf of our Mandan, Hidatsa, and Arickara Nation, I am deeply concerned with the continuous inequity of tax revenue provided to our government within the Agreement. In November of this past year, our Tribal Business Council passed a Resolution (Resolution #11-116-VJB) that strongly states our position that the Agreement must be amended so as to provide better resources and revenue to contend with the ill-effects of Oil and Gas development on the Fort Berthold Reservation. It is my intent as Chairman that the North Dakota Legislature understands our concerns fully.

The Lack of State Assistance. It must also be understood that we are deeply concerned with the State’s refusal to provide State assistance directly to the Mandan, Hidatsa, and Arickara Nation to help us address the negative effects of the Oil and Gas “Boom”. Despite a remaining balance of more than \$800 Million of \$1.2 Billion appropriated by the Legislature last year towards the impacted areas of Oil and Gas development, our Tribes’ request for assistance have been ignored or denied, leaving us without adequate resources to protect the health and welfare of the Fort Berthold Reservation. The State has received more than \$100 Million in tax revenue under the Tribal-State Tax Agreement for

development activity within the boundaries of the Reservation, yet continuously assert at the State or County levels, that these funds are restricted from usage as we request and need them. It is our hope and expectation that the State will appropriately return some of the revenue benefitted by the State for Oil and Gas development on the Fort Berthold Reservation, repair to roads (other than State Highways #22 and #23) being one of the most important areas of need.

Educational Needs. I would like to express my Tribes' concerns with educational deficiencies our students face in the State's public education system. I currently Co-Chair the Task Committee for Secretary Arnie Duncan, and I am requesting that State policy and initiatives in this area continue to address prevalent concerns with native student deficiencies. I look forward to coordinating with both State and Federal agencies to improve the educational system that is leaving many of our native children behind, and without proper education.

Healthcare Concerns. The Mandan, Hidatsa, and Arickara Nation has a number of concerns related to the development of proper and adequate healthcare for our enrolled members on the Fort Berthold Reservation. I request that the State provide assistance in this difficult endeavor so as to address the inadequacies of healthcare found on our Reservation. One particular area of concern, is the **Consultation Requirements** required under SAMSA and the Affordable Care Act, which are not being addressed properly by the State. I want to emphasize the need to improve in this area, so that together, we can find ways and resources to implement better healthcare for our people.