



# **SPIRIT LAKE TRIBE**

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## **Testimony of Chairwoman Lonna Street Opposing Senate Bill No. 2304**

**Date:** January 28, 2025

**To:** Members of the North Dakota Legislative Assembly

**Subject:** Opposition to Senate Bill No. 2304

Esteemed Members of the North Dakota Legislative Assembly,

I am Lonna Street, Chairwoman of the Spirit Lake Tribe, a sovereign nation recognized under the treaties of the United States, federal law, and our own tribal law. I write to express our unequivocal opposition to Senate Bill No. 2304, which proposes withholding oil and gas tax revenue allocations to tribes pending new agreements and the submission of audit reports to the federal Bureau of Indian Affairs (BIA).

### **Assertion of Tribal Sovereignty**

Our tribe's sovereignty is inherent and predates the formation of the United States. This sovereignty is recognized in treaties between our tribal nation and the U.S. government, affirmed in the U.S. Constitution, and protected by laws such as the Indian Self-Determination and Education Assistance Act of 1975 (ISDEAA). These legal frameworks empower tribes to manage their own affairs and resources free from undue federal or state interference.

### **Financial and Administrative Implications**

The withholding of oil and gas tax revenues, as proposed in SB 2304, threatens to impose significant financial strain on our community. These funds are vital for providing essential services, including healthcare, education, and infrastructure development. Interrupting this revenue stream undermines our ability to self-govern and to fulfill the needs of our people.

Administratively, the bill's requirement for tribes to submit audit reports to the BIA disregards our sovereignty and creates unnecessary burdens. The Spirit Lake Tribe already enforces rigorous financial accountability through our own governance systems. Requiring federal oversight in this manner not only infringes on our autonomy but also delays critical funding that directly impacts our citizens.

## **Legal Considerations**

SB 2304 conflicts with multiple legal precedents that uphold tribal sovereignty. Treaties between tribal nations and the United States establish that our government-to-government relationship is one of mutual respect and partnership. Federal laws such as the ISDEAA affirm our right to manage our own resources. Additionally, Executive Order 13175 mandates that meaningful consultation with tribal governments is required when drafting legislation or policies that affect tribes. The absence of such consultation in this instance undermines the state's relationship with tribes and violates the trust responsibilities inherent in these legal frameworks.

## **Call for Meaningful Consultation**

The development and introduction of SB 2304 have proceeded without meaningful consultation with our tribal government. This violates the principles of Executive Order 13175 and undermines the government-to-government relationship between the State of North Dakota and sovereign tribal nations. It is imperative that tribes be included as partners in any discussions or legislation affecting our resources and our people.

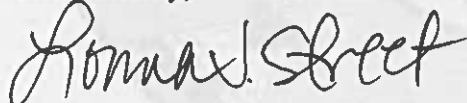
## **Potential for Legal Challenges**

Should SB 2304 move forward without proper consultation and in contravention of treaties, federal laws, and executive orders, the Spirit Lake Tribe is prepared to challenge this legislation through all available legal channels. We will not stand by while our sovereign rights and our financial stability are jeopardized.

## **Conclusion**

We urge the North Dakota Legislative Assembly to respect our sovereignty and reject SB 2304. We are committed to working collaboratively to address any concerns related to oil and gas tax revenues. However, we cannot support legislation that undermines our rights, disrupts our funding, and disregards the legal frameworks that define our government-to-government relationship.

Respectfully,



**Lonna J. Street**  
Chairwoman  
Spirit Lake Tribe