

RESOLUTION NO. 406-15

WHEREAS, the Standing Rock Sioux Tribe is an unincorporated Tribe of Indians, having accepted the Indian Reorganization Act of June 18, 1934, with the exception of Section 16; and the recognized governing body of the Tribe is known as the Standing Rock Sioux Tribal Council; and

WHEREAS, the Standing Rock Sioux Tribal Council, pursuant to the amended Constitution of the Standing Rock Sioux Tribe, Article IV, Section 1[a], 1[b], 1[c], 1[h], and 1[i], is empowered to negotiate with Federal, State and local governments and others on behalf of the Tribe, and is further empowered to promote and protect the health, education and general welfare of the members of the Tribe and to administer such services that may contribute to the social and economic advancement of the Tribe and its members; and is further empowered to authorize and direct subordinate boards, committees or Tribal Officials to administer the affairs of the Tribe and to carry out the directives of the Tribal Council; and is empowered to manage, protect and preserve the property of the Tribe and natural resources of the Standing Rock Sioux Reservation; and

WHEREAS, the Standing Rock Sioux Tribe is a signator to the Treaty of Fort Laramie of 1851 [11 Stat. 749], and the Fort Laramie Treaty of 1868 [15 Stat. 635]; and

WHEREAS, Article 2 of the Treaty of Fort Laramie of 1868 provides for the "undisturbed use and occupation" of the Great Sioux Reservation by the Oceti Sakowin Oyate; and

WHEREAS, the Standing Rock Indian Reservation was established as a permanent homeland for the Hunkpapa, Yanktonai, Cuthead and Blackfoot bands of the Great Sioux Nation; and

WHEREAS, the Dakota Access Pipeline LLC has proposed to construct a 1,100 mile pipeline with a capacity of 570,000 barrels of crude oil per day, to cross the Missouri River immediately above the mouth of the Cannonball River on the Standing Rock Indian Reservation; and

WHEREAS, recent oil spills upstream from the Standing Rock Reservation, including the release of 840,000 gallons of oil near Tioga, ND in October, 2013; 51,000 gallons of oil released into the Yellowstone River upstream from Glendive, Montana, resulting in the shutdown of the community water system for 6,000 residents in January, 2015; and well as the release of 100,000,000 gallons of tar sand crude in Michigan's Kalamazoo River in July, 2010, demonstrate the danger to downstream communities and fish and wildlife from oil and gas pipelines such as Dakota Access; and

WHEREAS, the Dakota Access Pipeline threatens public health and welfare on the Standing Rock Indian Reservation; and

WHEREAS, the Standing Rock Sioux Tribe relies on the waters of the life-giving Missouri River for our continued existence, and the Dakota Access Pipeline poses a serious risk to Mni Sose and to the very survival of our Tribe; and

WHEREAS, the horizontal direction drilling in the construction of the pipeline would destroy valuable cultural resources of the Standing Rock Sioux Tribe; and

WHEREAS, the Dakota Access Pipeline violates Article 2 of the 1868 Fort Laramie Treaty which guarantees that the Standing Rock Sioux Tribe shall enjoy the "undisturbed use and occupation" of our permanent homeland, the Standing Rock Indian Reservation; and

WHEREAS, representatives of the Dakota Access Pipeline attended a meeting of the Standing Rock Sioux Tribal Council and expressed an obliviousness to the jeopardy their quest for oil and gas profits imposes on the Treaty lands and permanent homeland of the Standing Rock Sioux Tribe;

NOW THEREFORE BE IT RESOLVED, that the Standing Rock Sioux Tribal Council hereby strongly opposes the Dakota Access Pipeline; and

BE IT FURTHER RESOLVED, that the Standing Rock Sioux Tribal Council call upon the Army Corps of Engineers to reject the river crossing permit for the Dakota Access Pipeline under Section 10 of the Rivers and Harbors Act; and

BE IT FURTHER RESOLVED, that the Standing Rock Sioux Tribal Council hereby calls upon the Secretary of the Interior, as the institutional officer primarily responsible for the implementation of the Federal Trust responsibility to the Standing Rock Sioux Tribe to fully exercise the trust responsibility and ensure that the Federal Government rejects the Dakota Access Pipeline; and

BE IT FURTHER RESOLVED, that the Chairman and Secretary of the Tribal Council are hereby authorized and instructed to sign this resolution for and on behalf of the Standing Rock Sioux Tribe.

CERTIFICATION

We, the undersigned, Chairman and Secretary of the Standing Rock Sioux Tribe, hereby certify that the Tribal Council is composed of 17 members, of whom 12 constituting a quorum, were present at a meeting duly and regularly called, noticed, convened and held on the 02nd day of **SEPTEMBER, 2015**, and that the foregoing resolution was duly adopted by the affirmative vote of 10 members, with 0 opposing, and with 2 not voting. **THE CHAIRMAN'S VOTE IS NOT REQUIRED EXCEPT IN CASE OF A TIE.**

DATED THIS 02nd DAY OF SEPTEMBER, 2015.

ATTEST:



Dave Archambault II, Chairman
Standing Rock Sioux Tribe


Adele M. White, Secretary
Standing Rock Sioux Tribe

[OFFICIAL TRIBAL SEAL]

Meeting Date: 09/02/2015
Motion No. 70

REGULAR TRIBAL COUNCIL MEETING
INTER-OFFICE FOLLOW-UP

MEETING DATE: September 2, 2015

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MOTION #67 IS CONTINUED.

VOTE: YES – 10 NO – 0 NOT VOTING – 2

MOTION CARRIED 5 – EXCUSED

#68. MOTION WAS MADE BY AVIS LITTLE EAGLE, SECONDED BY JAMES “JOE” DUNN, TO APPROVE TO SOLICIT FUNDING FROM PRIVATE FOUNDATIONS TO GENERATE DONATIONS IN INSTITUTE OF NATURAL HISTORY REVENUE-FUNDRAISING ACCOUNT 1106-36140.

ROLL CALL VOTE: ARCHAMBAULT, II, DAVE – NOT VOTING

BROWN OTTER, Milton	EX.	ARCHAMBAULT, Paul	YES
CLAYMORE, Duane	YES	BROWN OTTER, Ron	EX.
DUNN, “Joe” James	YES	LITTLE EAGLE, Avis	YES
HARRISON, “Ben” Samuel	YES	MCLAUGHLIN, Jesse	EX.
TAKEN ALIVE, Robert	YES	TAKEN ALIVE, Jesse	N.V.
TWO BEARS, Cody	YES	WHITE, Adele	YES
WHITE BULL, Frank	YES	WHITE, Sr., Randal	YES
WHITE MOUNTAIN, Jr., Joseph	EX.	YOUNG, Phyllis	EX.

VOTE: YES – 10 NO – 0 NOT VOTING – 2

MOTION CARRIED 5 – EXCUSED

#69. MOTION WAS MADE BY JAMES “JOE” DUNN, SECONDED BY ROBERT TAKEN ALIVE, TO APPROVE THAT THE STANDING ROCK SIOUX TRIBAL COUNCIL HEREBY STRONGLY OPPOSES THE **DAKOTA ACCESS PIPELINE, BY RESOLUTION.**

ROLL CALL VOTE: ARCHAMBAULT, II, DAVE – NOT VOTING

BROWN OTTER, Milton	EX.	ARCHAMBAULT, Paul	YES
CLAYMORE, Duane	YES	BROWN OTTER, Ron	EX.
DUNN, “Joe” James	YES	LITTLE EAGLE, Avis	YES
HARRISON, “Ben” Samuel	YES	MCLAUGHLIN, Jesse	EX.
TAKEN ALIVE, Robert	YES	TAKEN ALIVE, Jesse	N.V.
TWO BEARS, Cody	YES	WHITE, Adele	YES
WHITE BULL, Frank	YES	WHITE, Sr., Randal	YES
WHITE MOUNTAIN, Jr., Joseph	EX.	YOUNG, Phyllis	EX.

REGULAR TRIBAL COUNCIL MEETING
INTER-OFFICE FOLLOW-UP

MEETING DATE: September 2, 2015

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MOTION #69 IS CONTINUED.

VOTE: YES – 10 NO – 0 NOT VOTING – 2

MOTION CARRIED 5 – EXCUSED

#70. MOTION WAS MADE BY AVIS LITTLE EAGLE, SECONDED BY ROBERT TAKEN ALIVE, TO APPROVE TO AMEND MOTION #22 OF TRIBAL COUNCIL MEETING AUGUST 5, 2015 GRANTING A HOME SITE TO VENITA PONGA, [CANNONBALL DISTRICT] TO STATE, **BY RESOLUTION.**

ROLL CALL VOTE: ARCHAMBAULT, II, DAVE – NOT VOTING

BROWN OTTER, Milton	EX.	ARCHAMBAULT, Paul	YES
CLAYMORE, Duane	YES	BROWN OTTER, Ron	EX.
DUNN, “Joe” James	YES	LITTLE EAGLE, Avis	YES
HARRISON, “Ben” Samuel	YES	MCLAUGHLIN, Jesse	EX.
TAKEN ALIVE, Robert	YES	TAKEN ALIVE, Jesse	N.V.
TWO BEARS, Cody	YES	WHITE, Adele	YES
WHITE BULL, Frank	YES	WHITE, Sr., Randal	YES
WHITE MOUNTAIN, Jr., Joseph	EX.	YOUNG, Phyllis	EX.

VOTE: YES – 10 NO – 0 NOT VOTING – 2

MOTION CARRIED 5 – EXCUSED

#71. MOTION WAS MADE BY DUANE CLAYMORE, SECONDED BY ADELE WHITE, TO APPROVE OF ECONOMICS COMMITTEE MINUTES FOR AUGUST 24, & 25, 2015.

ROLL CALL VOTE: ARCHAMBAULT, II, DAVE – NOT VOTING

BROWN OTTER, Milton	EX.	ARCHAMBAULT, Paul	YES
CLAYMORE, Duane	YES	BROWN OTTER, Ron	EX.
DUNN, “Joe” James	YES	LITTLE EAGLE, Avis	YES
HARRISON, “Ben” Samuel	YES	MCLAUGHLIN, Jesse	EX.
TAKEN ALIVE, Robert	YES	TAKEN ALIVE, Jesse	EX.
TWO BEARS, Cody	YES	WHITE, Adele	YES
WHITE BULL, Frank	YES	WHITE, Sr., Randal	YES
WHITE MOUNTAIN, Jr., Joseph	EX.	YOUNG, Phyllis	EX.

VOTE: YES – 10 NO – 0 NOT VOTING – 1