

Oneida Nation

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Oneida, WI 54155

BC Resolution # 08-17-16-A

Oneida Nation Objecting to the Construction of the Dakota Access Pipeline and Support of Standing Rock Sioux Tribe

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** it is the culture and essential nature of the Oneida Nation to protect Mother Earth made up of the waters, air, earth and all of the fish, birds, animals and plants on it; and
- WHEREAS,** the Oneida Nation recognizes the conflict this responsibility to Mother Earth and the world we live in today causes in providing resources in this modern world; and
- WHEREAS,** the Oneida Nation recognizes that transportation of resources across the United States poses difficulties in regards to safely obtaining the resources and the dangers that occur moving the resources; and
- WHEREAS,** the Oneida Nation believes that the reports of the safety of pipeline transportation over rail or truck transportation is greatly exaggerated as it is not possible to replace sacred sites or lost medicines when oils spills occur and that there is no dollar value that can be placed on these losses when they occur, *see Furchtgott-Roth, D. (June 2013) Pipelines are Safest for Transportation of Oil and Gas, Manhattan Institute, Issue Brief No. 23.*; and
- WHEREAS,** the Oneida Nation believes that streams, rivers, and lakes not only serve the local environment it also provides drinking water for the surrounding and downstream communities that must be kept in mind in all decisions affecting those waters; and
- WHEREAS,** the Oneida Nation, having reviewed the materials related to the Dakota Access Pipeline, also known as the Bakkan Pipeline, believes that the federal government, particularly the U.S. Army Corps of Engineers, has failed in its responsibilities to the Standing Rock Sioux Tribe and community by failing to clearly identify the impact of the proposed pipeline, to clearly and publicly engage in government-to-government consultations with the Tribe, and by failing to address the concerns raised by the Standing Rock Sioux Tribe, *see Native Communities Stand Up to Proposed Oil Pipeline: 'This is Keystone 3'; at thinkprogress.org, Sioux Tribe Fights \$3.8B Pipeline Through Ancestral Lands at law360.com, and Dakota Access Pipeline Standoff: Mni Wiconi, Water is Life at indiancountrytodaymedianetwork.com*; and
- WHEREAS,** the needs of Tribes and tribal communities are equally as important as surrounding communities and have been disregarded when identifying the pipeline route when the route was changed to avoid potential environmental concerns regarding water resources to the

city of Bismark while not giving the same thought and concerns to the Standing Rock Sioux Tribe and community; and

WHEREAS, the Oneida Nation believes that the government-to-government relations and consultations are meant to be meaningful and result in protections of the self-governance of Tribes and the trust responsibilities the United States holds today to governments in which it has treaty relations with, *see U.S. Army Corps of Engineers Tribal Consultation Policy and Related Documents (2013)*; and

WHEREAS, based on the review of the Oneida Nation of the proposed pipeline and the activities surrounding approvals of permits and applications, the Oneida Nation believes that neither the requirements of government-to-government consultation nor the spirit of governments working together inherent in those consultation processes has been met; and


NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee does hereby support the Standing Rock Sioux Tribe in opposing the issuance of permits, construction and the location of the Dakota Access Pipeline.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Oneida Business Committee does hereby urge the Secretary of the Interior, Sally Jewell and the Assistant Secretary, Indian Affairs, Lawrence Roberts, to take any and all steps necessary to protect the environment and water resources of the Standing Rock Sioux Tribe and community.

NOW THEREFORE BE IT FINALLY RESOLVED, that the Oneida Business Committee does hereby request Commanding General and Chief of Engineers, Lieutenant General Todd T. Semonite to review this series of actions and direct that issuance of permits and any construction be halted until such time as the government-to-government consultation process can be fully implemented not only as to the processes but the inherent spirit of recognizing the sovereignty of the Standing Rock Sioux Tribe.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 8 members voted in an electronic poll held on the 17th day of August, 2016; that the forgoing resolution was duly adopted at such meeting by a vote of 8 members for, 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way. This e-poll will be presented for ratification at the next Oneida Business Committee scheduled on September 14, 2016.



Lisa Summers, Tribal Secretary
Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."