

ROSEBUD SIOUX TRIBE
RESOLUTION NO. 2011-308

Whereas, the Rosebud Sioux Tribe is a federally recognized Indian Tribe organized pursuant to the Indian Reorganization Act of 1934 and all pertinent amendments thereof; and

Whereas, the Rosebud Sioux Tribe is governed by a Tribal Council made up of elected representatives who act in accordance with the powers granted to it by its Constitution and By-laws; and

Whereas, the Rosebud Sioux Tribe is authorized to promulgate and enforce ordinances for the maintenance of the law and order, and to safeguard the peace and morals, and general welfare of the Tribe as authorized by law, pursuant to Rosebud Sioux Tribal Constitution and By-laws Article IV, Sections (k), and (m); and

Whereas, the United States Department of State has recently notified the Tribes of the Great Plains Region through Section 106 of the National Historic Preservation Act that TransCanada Keystone Pipeline, L.P., is proposing to build an oil pipeline, TransCanada XL from Canada traversing North Dakota, South Dakota, Nebraska; and

Whereas, the proposed TransCanada Keystone Pipeline Project has a potential impact on areas containing human remains as defined by the Native American Grave Protection and Repatriation Act and cultural and historic sites protected by the National Historic Preservation Act; and

Whereas, The United States has obligated itself through Treaties entered into with the sovereign Tribes, to protect the legal rights of tribal Nations; and

Whereas, the areas of construction of the TransCanada Keystone XL Pipeline Project does not cross tribal lands, but the proposed route is within the treaty boundaries of member tribes of the Great Sioux Nation, and the Rosebud Sioux Tribe is a signatory band to the 1868 Treaty of Fort Laramie, a Treaty between the Great Sioux Nation and the United States; and

Whereas, the proposed route of the TransCanada XL Pipeline and the risk of oil spills will endanger the Oglala Aquifer, the source of drinking water for the Midwest, and reserved water rights of all Midwestern Tribal Nations; and

Whereas, the Rosebud Sioux Tribe joins the Great Plains Tribal Chairman's Association, the Dene Assembly of First Nations, and all other Tribal Nations, in opposing the construction of the TransCanada pipeline; and

Whereas, The Rosebud Sioux Tribe adopts the Mother Earth Accord, September 15-16, 2011, developed by the Tribal Government Chairs and Presidents, Traditional Treaty Councils, and United States property owners, and demands that the Administration of President Barack Obama in finding the TransCanada pipeline is not in the "national interest," and refuse to grant a permit for the construction of the TransCanada XL pipeline;

Therefore be it resolved, that the Rosebud Sioux Tribe has treaty rights and aboriginal rights to cultural, historical and burial sites that may be located in the proposed construction area of the TransCanada Keystone Pipeline; and

Be it also resolved, the Rosebud Sioux Tribe joins the Great Plains Tribal Chairman's Association, the Dene Assembly of First Nations, and all other Tribal Nations, in opposing the construction of the TransCanada pipeline; and

Be it finally resolved, the Rosebud Sioux Tribe adopts the Mother Earth Accord, September 15-16, 2011, developed by the Tribal Government Chairs and Presidents, Traditional Treaty Councils, and United States property owners, and demands that the Administration of President Barack Obama find the TransCanada XL Pipeline is not in the "national interest," and refuse to grant a permit for the construction of the TransCanada XL pipeline.

CERTIFICATION

This is to certify that the above Resolution No. 2011-308 was duly passed by the Rosebud Sioux Tribal Council in session on September 29, 2011, by a vote of Fourteen (14) in favor, Zero (0) opposed and One (1) not voting. The said resolution was adopted pursuant to authority vested in the Council. A quorum was present.

ATTEST:

Linda L. Marshall, Secretary
Rosebud Sioux Tribe

Rodney M. Bordeaux, President
Rosebud Sioux Tribe