

## **For Immediate Release**

February 7, 2017

### **Senate, House Natural Resource Leaders Blast Dakota Access Pipeline Decision, Stand up for Tribal Sovereignty and Treaty Rights**

Members of Congress: “We strongly oppose this decision and any efforts to undermine tribal rights”

**WASHINGTON, DC** – In a letter to President Donald Trump, members of the Senate Energy and Natural Resources Committee and the House Committee on Natural Resources blasted the Trump Administration’s approval of a final easement to build the Dakota Access Pipeline (DAPL) and their failure to undertake meaningful consultation with Native American tribes.

**“This blatant disregard for federal law and our country’s treaty and trust responsibilities to Native American tribes is unacceptable. We strongly oppose this decision and any efforts to undermine tribal rights,”** the Members of Congress said in the letter. **“We urge you to immediately reverse this decision and follow the appropriate procedures required for tribal consultation, environmental law, and due process.”**

Earlier today, the Army Corps of Engineers announced they had completed the review of the pipeline and had granted a final easement to Dakota Access LLC, allowing the final segment of the DAPL to be completed. The decision circumvents appropriate consultation with Native American Tribes and the Army Corps’ environmental review process.

The pipeline is projected to carry 500,000 barrels of oil underneath the Missouri River per day. The oil crosses the river at Lake Oahe, just a half mile from the Standing Rock Sioux Reservation. Lake Oahe and the Missouri provide drinking water for the tribe and the surrounding regions, as well as providing habitat for fish and wildlife. Significantly, the lake is also a sacred site for the Standing Rock Sioux, playing an important role in sacred ceremonies.

Signing the letter are Ranking Member of the Senate Energy and Natural Resources Committee Sen. Maria Cantwell (D-WA), Sen. Bernard Sanders (I-VT), Sen. Ron Wyden (D-OR), Sen. Catherine Cortez Masto (D-NV), Sen. Martin Heinrich (D-NM), Ranking Member of the House Committee on Natural Resources Rep. Raúl M. Grijalva (AZ-3), Rep. Donald S. Beyer Jr. (VA-08), Rep. A. Donald McEachin (VA-4) and Rep. Jared Huffman (CA-2).

The full letter is below.

President Donald Trump  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Dear President Trump:

As members of the United States Senate and House Natural Resources Committees, we write to express our deep concern regarding the announcement made today by the U.S. Army Corps of Engineers (Corps) that it intends to issue the final easement under Lake Oahe for the Dakota Access Pipeline. This decision was made without appropriate tribal consultation, a full environmental review, or sufficient due process. This blatant disregard for federal law and our country's treaty and trust responsibilities to Native American tribes is unacceptable. We strongly oppose this decision and any efforts to undermine tribal rights.

A number of us have repeatedly expressed our concerns with the tribal consultation and permitting process and have called for meaningful consultation with tribes and a substantive review of the environmental and social impacts as well as potential alternatives. The arbitrary and capricious decision to grant the easement now ignores the rights of tribal governments, circumvents legal requirements, and stifles the voices of millions of people who have expressed concerns over the process to date. Granting this easement without meaningful tribal consultation, nor proper review of environmental impacts, is unlawful and morally unacceptable.

In addition, it has been the policy of the Corps to wait at least 14 days between notifying Congress of its intent to grant an easement of this nature, and actually doing so. This decision violates that policy and circumvents appropriate congressional review.

The United States has both a legal and moral responsibility to uphold its tribal treaty and trust responsibilities. This announcement demonstrates a total disregard for tribal rights, the rule of law, separation of powers, and transparency.

We urge you to immediately reverse this decision and follow the appropriate procedures required for tribal consultation, environmental law, and due process.

Thank you for your consideration,