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January 25th, 2017

President Donald J. Trump  
1600 Pennsylvania Ave NW  
Washington, D.C. 20500

Dear President Trump:

Congratulations on your inauguration. As the Chairman of the Standing Rock Sioux Tribe, I last wrote to you on December 21<sup>st</sup> to request an opportunity to meet with you regarding the Dakota Access pipeline. Unfortunately, this did not happen. Then this past Tuesday, January 23<sup>rd</sup>, you issued an executive memorandum that will have direct impacts on the lives of my tribal citizens, without any consultation whatsoever.

During your transition period, officials from your team met with tribal leaders from around the country, including some of my own tribal council. We were assured that the Trump administration was looking forward to working with Indian Country. Unfortunately, I think we may have gotten off on the wrong foot. In order to work together, we must be at the same table and hear both sides of the story.

Let me reiterate: dozens of communities around the globe have acted to support Standing Rock. Several hundred tribal nations have stood by us. There has been a tremendous outpouring of people, farmers and ranchers, people in small towns and big cities, all supporting our efforts. This is not only a Native American movement, it is a movement of the working class and rural whose voices are often quieted at the expense of more powerful neighbors. Millions stand by us, and will continue to do so as we receive executive indication that infrastructure projects will be driven by corporate desire rather than American values.

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Your Memorandum of January 24<sup>th</sup> instructs the Secretary of the Army to direct the Assistant Secretary for Civil Works and the US Army Corps of Engineers to review and expedite “requests for approvals to construct and operate the DAPL,” including easements. It also directs them to consider rescinding or modifying the Memo of December 4<sup>th</sup>, which calls for an Environmental Impact Statement and consideration of a reroute. There is more, but perhaps most astonishingly it calls for consideration of withdrawal of the Notice of Intent to prepare an EIS.

President Trump, the EIS is already underway. The comment period does not close until February 20<sup>th</sup> and the Department of the Army has already received tens of thousands of comments. This change in course is arbitrary and without justification; the law requires that changes in agency positions be backed by new circumstances or new evidence, not simply by the President’s whim. It makes it even more difficult when one considers the close personal ties you and your associates have had with Energy Transfer Partners and Sunoco.

Your memorandum issues these directives with the condition that these actions are carried out “to the extent permitted by law.” I would like to point out that the law now requires an Environmental Impact Statement. The USACE now lacks statutory authority to issue the easement because it has committed to the EIS process. Federal law, including the requirement of reasonable agency decision making, prevents that.

As we have stated previously, we are not opposed to energy independence, national security, job creation, or economic development. The problem with the Dakota Access pipeline is not that it involves development, but rather that it was deliberately and precariously placed without proper consultation with tribal governments. This memo takes further action to disregard tribal interests, and the impacts of yesterday’s memorandums are not limited to the Standing Rock Sioux Tribe. This disregard for tribal diplomatic relations and the potential for national repercussions is utterly alarming.

I ask again that you take the time to meet with the Standing Rock Sioux Tribe. I have previously met with those who have worked in opposition to our interests and know from experience that there is much to be shared that would likely affect your decision making. But we must have the opportunity to speak, leader to leader.

Sincerely,



David Archambault, II