



HR1508

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HOUSE RESOLUTION

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WHEREAS, The proposed Dakota Access Pipeline (DAPL) is a 1,172-mile pipeline being developed by Energy Transfer Partners and its affiliates, which would carry approximately 450,000 barrels of crude per day from the Bakken oil fields through North Dakota, South Dakota, Iowa, and Illinois, where it would connect with a second pipeline being converted to carry much of the oil to refineries and export facilities on the Gulf Coast of Texas; and

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WHEREAS, The DAPL would cross under the Missouri River at Lake Oahe, which provides drinking water to the Standing Rock Sioux tribe, as well as under or through the Mississippi, Illinois, and Kaskaskia Rivers, multiple community water supply lake watersheds, and community water supply zone river intake one protection areas in Illinois; and

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WHEREAS, The Missouri, Illinois, and Mississippi Rivers irrigate agricultural land in communities across the Midwest, serving nearly 10 million people; and

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WHEREAS, The DAPL would also run through the ancestral lands and waters reserved for the traditional use of the Standing Rock Sioux Tribe by the Fort Laramie Treaty of 1851, including the Missouri River, burial grounds and gravesites,

1 and other sacred sites of cultural, religious, and historical
2 significance; and

3 WHEREAS, Treaties with American Indians, such as the Fort
4 Laramie Treaty are recognized by the United States Constitution
5 as "the supreme law of the land", and require consultation and
6 cooperation by the United States with its Indian treaty partner
7 before any federal action is taken that affects treaty lands,
8 territories, waters, or other resources; and

9 WHEREAS, The American Indian Religious Freedom Act of 1978
10 affirms the need to "protect and preserve for American Indians
11 their inherent right of freedom to believe, express, and
12 exercise the traditional religions", particularly in American
13 Indian sacred places; and

14 WHEREAS, The State of Illinois recognizes through 17 Ill.
15 Adm. Code 4170.100 "that all human burials and human skeletal
16 remains be accorded equal treatment and respect for human
17 dignity without reference to ethnic origins, cultural
18 background, or religious affiliation. These regulations apply
19 to all prehistoric and historic American Indian, historic
20 Illinoisan, pioneer, Civil War and other human skeletal remains
21 found in unregistered graves, and associated grave artifacts
22 and grave markers found upon or within any public or private
23 land in the State"; and

1 WHEREAS, Articles, 11, 12, and 25 of the United Nations
2 Declaration on the Rights of Indigenous People (UNDRIP), as
3 endorsed by the United States in 2010, affirms that indigenous
4 peoples like the Standing Rock Sioux Tribe possess the right to
5 maintain and protect their culture, religion, practices, and
6 relationship with their "traditionally owned or otherwise
7 occupied and used lands, territories [and] waters"; and

8 WHEREAS, Article 32 further provides that governments
9 shall consult with indigenous peoples "in order to obtain their
10 free and informed consent prior to the approval of any project
11 affecting their lands or territories and other resources,
12 particularly in connection with the development, utilization
13 or exploitation of mineral, water, or other resources"; and

14 WHEREAS, The Illinois Human Rights Act "prohibits
15 discrimination in Illinois with respect to employment,
16 financial credit, public accommodations, and real estate
17 transactions on the basis of race, color, religion, sex
18 (including sexual harassment), national origin, ancestry"; and

19 WHEREAS, The history of governmental actions in the United
20 States with respect to American Indians makes it imperative
21 that existing treaty and statutory obligations securing
22 American Indian rights be strictly observed; and

1 WHEREAS, The United States Army Corps of Engineers failed
2 to consult with or obtain the free, prior, and informed consent
3 of the Standing Rock Sioux Tribe as required by the Treaty of
4 Fort Laramie, Executive Order 13175, UNDRIP Article 10, and
5 other federal and international laws, before issuing a
6 "Mitigated Finding of No Significant Impact" that would result
7 in an easement for horizontal directional drilling for the
8 DAPL; and

9 WHEREAS, Any spill from the pipeline into the Missouri
10 River would irreparably harm the Standing Rock Sioux Tribe's
11 treaty reserved lands, territories, waters, and other
12 resources; burial grounds, gravesites, and other sacred sites
13 of cultural, religious, and historical significance; and
14 spiritual relationships and indigenous ways of life; and

15 WHEREAS, According to the Prairie Rivers Network, the DAPL
16 would put the water supply of 27,382 people at risk in Illinois
17 and it would cross at least 56 named rives in the State; and

18 WHEREAS, The Mayor and City Council of Urbana; the Mayor of
19 the City of Seattle; the City Councils of Portland, Oregon; St.
20 Paul and Minneapolis, Minnesota; Affiliated Tribes of
21 Northwest Indians, comprised of 59 Indian Nations in the
22 Northwest; and nearly 200 Indian Nations, are among the

1 governmental bodies that have taken formal action to support
2 the Standing Rock Sioux Tribe and oppose the DAPL; therefore,
3 be it

4 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
5 NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we
6 support the Standing Rock Sioux Tribe's opposition to
7 construction of the Dakota Access Pipeline (DAPL) across the
8 Tribe's ancestral lands, waters, and sacred sites; and be it
9 further

10 RESOLVED, That the State of Illinois calls upon the United
11 States and the Army Corps of Engineers to obtain the free,
12 prior, and informed consent of the Standing Rock Sioux Tribe,
13 prior to taking any federal action regarding the DAPL that
14 would harm or destroy the Tribe's ancestral lands, waters, and
15 sacred sites; and be it further

16 RESOLVED, That the State of Illinois is urged not to expend
17 any resources to support this pipeline or actions against the
18 protesters.