



American Bridge

Trump Policy Brief: Standing Rock Executive Action

2.27.16

TRUMP'S EXECUTIVE ACTION ON STANDING ROCK

Donald Trump signed a presidential memorandum reversing the Army Corps of Engineers' December 2016 decision to deny the extension of the Dakota Access pipeline under Lake Oahe and speeding up the approval process for the pipeline.

Trump's federal disclosure forms revealed he owned stock in the constructor, Energy Transfers Partner, and ETP's CEO contributed six figures to Trump's election efforts. Trump's pick to run the Energy Department, Rick Perry, sat on the board of ETP and company employees provided over \$1 million to his 2016 election efforts.

Construction of the pipeline would trample tribal sovereignty, putting the Standing Rock Sioux's single water source at risk in favor of plans that would endanger the water supply of Bismarck, North Dakota. The designated construction area is also a sacred burial site, marking the massacre of hundreds of tribespeople by the U.S. Army. Energy Transfer Partners has already destroyed places of worship as a part of the construction process.

Protesters were sprayed with water in sub-freezing temperatures and assaulted with rubber bullets, teargas and unleashed dogs. In all, at least a thousand protesters were treated for chemical poisoning, hypothermia, rubber-bullet, nonlethal beanbag wounds and other serious injuries.

Trump Signed A Presidential Memorandum Approving Extension And Expedited Review Of The Dakota Access Pipeline

TRUMP'S MEMO ALLOWED ENERGY TRANSFER PARTNERS TO EXTEND THE DAKOTA ACCESS PIPELINE UNDER LAKE OAHE, WHICH PROVIDED DRINKING WATER TO THE REGION

Trump's Memo Called For Expedited Review And Approval Of The Pipeline

Trump Reversed An Army Corps Of Engineers Decision To Deny Energy Transfer Partners' Request To Extend The Dakota Access Pipeline Under A Section Of The Missouri River That Included A Reservoir Providing Drinking Water To The Region. According to the L.A. Times, "Trump also reversed an Army Corps of Engineers decision last month to deny Energy Transfer Partners' request to extend the Dakota Access pipeline under a section of the Missouri River that included a reservoir providing drinking water to the region." [L.A. Times, [1/24/17](#)]

Trump Directed The Army Corps Of Engineers To Expedite Review Of Requests For Approval Of The Pipeline. According to CNN, "The assistant secretary for the Army Civil Works will make a decision on the easement once a full review and analysis is completed in accordance with the directive," Frost said in a statement. That directive refers to President Donald Trump's January 24 order, 'which directs the acting secretary of the Army to expeditiously review requests for approvals to construct and operate the Dakota Access Pipeline in compliance with the law,' Frost said." [CNN, [2/2/17](#)]

Final Permits Required For The Dakota Access Pipeline Project Were Denied The Month Before Trump Took Office, With The Army Corps Instead Ordering A Comprehensive Environmental Review

December 2016: The Army Announced That It Would Not Approve An Easement Necessary To Permit The Dakota Access Pipeline To Cross Under Lake Oahe In North Dakota. According to The Washington Post, “The Army said Sunday that it will not approve an easement necessary to permit the controversial Dakota Access Pipeline to cross under Lake Oahe in North Dakota, marking a monumental victory for the Native American tribes and thousands of others who have flocked in recent months to protest the oil pipeline.” [Washington Post, [12/5/16](#)]

The Army Corps Instead Ordered A Comprehensive Environmental Review Of The Planned Pipeline Crossing Under The Lake. According to The Hill, “The Army Corps on Sunday announced that it would not grant the easement at this time, instead ordering a comprehensive environmental review of the planned pipeline crossing under the lake. It was a major victory for the Standing Rock Sioux tribe, its allies and the thousands of protesters who had camped out near the lake for months to get the easement rejected.” [The Hill, [12/9/16](#)]

- **Army Assistant Secretary For Civil Works Jo-Ellen Darcy: “The Best Way To Complete That Work Responsibly And Expeditiously Is To Explore Alternate Routes For The Pipeline Crossing.”** According to The Hill, “Federal officials have denied the final permits required for the Dakota Access Pipeline project in North Dakota. The Army Corps of Engineers on Sunday announced it would instead conduct an environmental impact review of the 1,170-mile pipeline project and determine if there are other ways to route it to avoid a crossing on the Missouri River. ‘Although we have had continuing discussion and exchanges of new information with the Standing Rock Sioux and Dakota Access, it’s clear that there’s more work to do,’ Army Assistant Secretary for Civil Works Jo-Ellen Darcy said in a statement. ‘The best way to complete that work responsibly and expeditiously is to explore alternate routes for the pipeline crossing.’” [The Hill, [12/4/16](#)]

Trump’s Order Called For Consideration Of Rescinding The Need For An Environmental Review, Which The Army Had Begun A Week Earlier

January 18: The Department Of The Army Announced It Was Beginning The Process Necessary To Prepare An Environmental Assessment For The Dakota Access Project. According to a notice by the Army Department in the Federal Register, “This notice advises the public that the Department of the Army (Army), as lead agency, is gathering information necessary to prepare an environmental impact statement (EIS) in connection with Dakota Access, LLC’s request to grant an easement to cross Lake Oahe, which is on the Missouri River and owned by the US Army Corps of Engineers (Corps). This notice opens the public scoping phase and invites interested parties to identify potential issues, concerns, and reasonable alternatives that should be considered in an EIS.” [Army Department – Federal Register, [1/18/17](#)]

January 24: Trump Ordered That The Environmental Assessment Issued In July 2016 Be Considered “As Satisfying All Applicable Requirements Of The National Environmental Policy Act.” According to a presidential memorandum signed by Donald Trump, “[C]onsider, to the extent permitted by law and as warranted, prior reviews and determinations, including the Environmental Assessment issued in July of 2016 for the DAPL, as satisfying all applicable requirements of the National Environmental Policy Act, as amended, 42 U.S.C. 4321 et seq., and any other provision of law that requires executive agency consultation or review (including the consultation or review required under section 7(a) of the Endangered Species Act of 1973, 16 U.S.C. 1536(a)).” [White House, [1/24/17](#)]

Trump Ordered The Consideration Of Whether To Rescind Or Modify The December 2016 Memorandum By The Assistant Secretary Of The Army For Civil Works. According to a presidential memorandum signed by Donald Trump, “[C]onsider, to the extent permitted by law and as warranted, whether to rescind or modify the memorandum by the Assistant Secretary of the Army for Civil Works dated December 4, 2016 (Proposed Dakota Access Pipeline Crossing at Lake Oahe, North Dakota), and whether to withdraw the Notice of Intent to Prepare an Environmental Impact Statement in Connection with Dakota

Access, LLC's Request for an Easement to Cross Lake Oahe, North Dakota, dated January 18, 2017, and published at 82 Fed. Reg. 5543[.]” [White House, [1/24/17](#)]

- **The December 2016 Memorandum Granted A New Environmental-Impact Statement For Lake Oahe.** According to The Atlantic, “In the second, he asked the U.S. Army Corps of Engineers to ‘review and approve in an expedited manner’ the Dakota Access pipeline. He also asked the Corps’s director to ‘consider, to the extent permitted by law and as warranted, whether to rescind or modify the memorandum’ from December that granted a new environmental-impact statement for Lake Oahe.” [The Atlantic, [1/25/17](#)]

About Two Weeks After Trump’s Memo, The Final Easement Needed For Completion Of The Dakota Access Pipeline Was Granted And Construction Resumed Almost Immediately

February 2016: The Army Corps of Engineers Granted The Final Easement Needed For Completion Of The Dakota Access Pipeline, Clearing The Way For Construction To Resume After The Army Corps Announced It No Longer Saw The Need For An Expanded Environmental Review. According to The Los Angeles Times, “The U.S. Army Corps of Engineers on Wednesday granted the final easement needed for completion of the Dakota Access pipeline, clearing the way for construction to resume and stirring uncertainty about the historic protest that has tried to stop it. ‘With this action, Dakota Access now has received all federal authorizations necessary to proceed expeditiously to complete construction of the pipeline,’ Energy Transfer Partners, the company building the pipeline, said late Wednesday. [...] On Tuesday, the Army Corps announced that it no longer saw the need for an expanded environmental review and expected to issue the easement on Wednesday.” [Los Angeles Times, [2/8/17](#)]

Construction Crews Resumed Work Almost Immediately After The Army Corps Of Engineers Announced Final Approval. According to The Daily Beast, “On Feb. 7, the Army Corps of Engineers, on the orders of President Trump, announced its final approval of the project. Construction crews resumed work almost immediately, despite vows by the Standing Rock and Cheyenne River Sioux tribes to stop the pipeline in court. Native opponents and their supporters have pledged to block the pipeline to prevent contamination of the Missouri River, a source of water for the Sioux people and at least 10 million others downstream.” [Daily Beast, [2/22/17](#)]

CONFLICT OF INTEREST: TRUMP AND ENERGY SECRETARY NOMINEE RICK PERRY WERE CLOSELY LINKED WITH THE PIPELINE OWNER

Trump Owned Stock In The Pipeline Company, Whose CEO Gave Six-Figures To His Election In Turn

Trump Owned Stock In The Pipeline Builder, Energy Transfer Partners, And Phillips 66, An Energy Company That Owned One-Quarter Of The Pipeline. According to the Associated Press, “President-elect Donald Trump supports completion of the disputed Dakota Access oil pipeline in the Midwest, based on policy and not the billionaire businessman's investments in a partnership building the \$3.8 billion pipeline, according to an aide's memo. [...] Trump's most recent federal disclosure forms, filed in May, show he owned a small amount of stock in Texas-based Energy Transfer Partners, the pipeline builder, and at least \$100,000 in Phillips 66, an energy company that owns one-quarter of the pipeline.” [Associated Press, [12/2/16](#)]

- **Trump Claimed To Have Sold His Stock But Was Not Required To Submit Another Financial Disclosure To The Office Of Government Ethics Until May 2018.** According to CNN, “He sold ‘all’ of his holdings then, according to Jason Miller, the transition team's spokesman.

He had warned of a stock market bubble for months. 'We're in a bubble right now,' Trump told The Hill in October 2015. We're 'in a big, fat, ugly bubble,' Trump said again in the first presidential debate in September. It's unclear why Trump sold when he did. He himself said he 'got out' of the market in an August interview with Fox Business. But since July 1, U.S. stocks are up 5%. Verifying that Trump really did sell all his stocks is difficult. His last financial disclosure came in May 2016 -- a month before Miller says Trump exited all of his stocks. Legally, Trump isn't required to submit another disclosure to the Office of Government Ethics until May 2018." [CNN, [12/6/16](#)]

Energy Transfer Partners CEO Kelcy Warren Donated \$100,000 To A Committee Supporting Trump's Election. According to the Huffington Post, "In May 2015, according to campaign disclosure reports, Trump owned between \$500,000 and \$1 million worth of shares of Energy Transfer Partners, the pipeline's lead developer, but had less than \$50,000 invested when he sold off the remainder of his shares this summer, according to The Washington Post. As of last May, Trump had at least \$100,000 invested in Phillips 66, which owns a quarter of the oil line, according to the AP. There was mutual support, as Energy Transfer Partners CEO Kelcy Warren had donated \$100,000 to a committee supporting Trump's election." [Huffington Post, [12/2/16](#)]

Energy Secretary Pick Rick Perry Sat On The Board Of Energy Transfer Partners, Which Also Donated Millions To Perry's Presidential Campaign

Rick Perry Sat On The Board Of Energy Transfer Partners That "Has A Subsidiary Known As Dakota Access LLC, Which Is Attempting To Build The Dakota Access Pipeline." According to CBS, "The former Texas governor sits on two corporate boards - one of them is Energy Transfer Partners - and that may present a confirmation issue. Energy Transfer Partners has a subsidiary known as Dakota Access LLC, which is attempting to build the Dakota Access Pipeline. That Dakota Access Pipeline has been the subject of public protests over its potential environmental impact and damage to Native American lands." [CBS, [12/12/16](#)]

Energy Transfer Partners Employees Donated A Total Of \$1,518,500 To Perry's Campaign And Outside Groups Supporting Him. According to CNBC, "For the 2016 election, Energy Transfer Partners employees donated a total of \$1,518,500 to Perry's campaign and outside groups supporting him, according to a list compiled by Open Secrets." [CNBC, [12/13/16](#)]

The Construction Of The Pipeline Threatened The Land Rights, Health And Religious Liberty Of The Standing Rock Sioux

THE MEMO DISREGARDED TRIBAL SOVEREIGNTY

The Ownership Of The Land Designated For The Pipeline Was Disputed Based On The Fort Laramie Treaty Of 1851. According to CNN, "Native American protesters on Monday occupied privately owned land in North Dakota in the path of the proposed Dakota Access Pipeline, claiming they were the land's rightful owners under an 1851 treaty with the U.S. government. The move is significant because the company building the 1,100-mile (1,886-km) oil pipeline, Dallas-based Energy Transfer Partners LP, has bought tracts of land and relied on eminent domain to clear a route for the line across four states from North Dakota to Illinois. [...] Protesters on Monday said the land in question was theirs under the Fort Laramie Treaty of 1851, which was signed by eight tribes and the U.S. government. Over the last century, tribes have challenged this treaty and others like it in court for not being honored or for taking their land." [CNN, [11/24/16](#)]

Michigan State University Associate Professor Kyle Powys Whyte: “In 1877, U.S. Congress, Without Tribal Consent, Passed An Act Removing The Black Hills From Standing Rock's Jurisdiction, Curtailing Tribal Members' Capacity To Honor The Sacred Places Of The Black Hills.” According to an opinion by Michigan State University associate professor of philosophy and community sustainability Kyle Powys Whyte in U.S. News, “The Standing Rock Sioux Tribe at the center of this current protest has already suffered from this practice. Until U.S. mining interests were at stake, it retained sovereignty over the sacred Black Hills and parts of the Missouri River and certain off reservation hunting rights in the Treaty of Ft. Laramie of 1868. But then in 1877, U.S. Congress, without tribal consent, passed an act removing the Black Hills from Standing Rock's jurisdiction, curtailing tribal members' capacity to honor the sacred places of the Black Hills.” [Kyle Powys Whyte – U.S. News, [9/19/16](#)]

Morning Star Institute President Suzan Harjo Argued That Standing Rock Still Had Claims To The Lands In The 1851 Territories: “They Didn’t Give Up Their Ancestors’ Graves. They Didn’t Give Up Their Worship And Other Sacred Places.” According to the Bismarck Tribune, “The result was the Treaty of Fort Laramie of 1851 — a historic agreement that has found new resonance in the disagreement over the path of the Dakota Access Pipeline. ‘It really is an important thing,’ said Suzan Harjo, president of the Morning Star Institute and a longtime Native American historian and advocate. ‘These agreements — they all started out with peace and friendship.’ [...] Harjo said she believes Standing Rock still has claims to the lands in the 1851 territories. The Treaty of Fort Laramie of 1851 didn’t make the tribes change who they were, she said. ‘They didn’t give up their right to speak their language or exercise their religion. They didn’t give up their ancestors’ graves. They didn’t give up their worship and other sacred places. They didn’t give up their right to have a clear blue stream to jump in to conclude the Sun Dance,’ Harjo said.” [Bismarck Tribune, [11/10/16](#)]

Indigenous Environmental Network Spokesperson: “If Dakota Access Pipeline Can Go Through And Claim Eminent Domain On Landowners And Native Peoples On Their Own Land, Then We As Sovereign Nations Can Then Declare Eminent Domain On Our Own Aboriginal Homeland.” According to CNN, “Protesters on Monday said the land in question was theirs under the Fort Laramie Treaty of 1851, which was signed by eight tribes and the U.S. government. Over the last century, tribes have challenged this treaty and others like it in court for not being honored or for taking their land. “We have never ceded this land. If Dakota Access Pipeline can go through and claim eminent domain on landowners and Native peoples on their own land, then we as sovereign nations can then declare eminent domain on our own aboriginal homeland,” Joye Braun of the Indigenous Environmental Network said in a prepared statement.” [CNN, [11/24/16](#)]

THE PIPELINE COULD POLLUTE THE STANDING ROCK SIOUX’S SINGLE SOURCE OF WATER

The Pipeline Was Moved After Being Deemed A Threat To The Water Supply Of Bismarck

The Dakota Access Pipeline Was Proposed To Cross The Missouri River North Of Bismarck But That Route, A Potential Threat To Bismarck’s Water Supply, Was Rejected. According to the Bismarck Tribune, “An early proposal for the Dakota Access Pipeline called for the project to cross the Missouri River north of Bismarck, but one reason that route was rejected was its potential threat to Bismarck’s water supply, documents show. Now a growing number of protesters are objecting to the oil pipeline’s Missouri River crossing a half-mile north of the Standing Rock Sioux Reservation, which they argue could threaten the water supply for the tribe and other communities downstream.” [Bismarck Tribune, [8/18/16](#)]

The U.S. Army Corps Of Engineers: The Bismarck Route Was Too Close To Wellhead Source Water Protection Areas That Are Avoided To Protect Municipal Water Supply Wells. According to the Bismarck Tribune, “The U.S. Army Corps of Engineers evaluated the Bismarck route and concluded it was

not a viable option for many reasons. One reason mentioned in the agency's environmental assessment is the proximity to wellhead source water protection areas that are avoided to protect municipal water supply wells." [Bismarck Tribune, [8/18/16](#)]

Hundreds Of Pipeline-Related Leaks Happen Every Year, Which Contaminate Bathing And Drinking Water And Contribute To Cancer, Respiratory Problems, And Psychological Problems

Business Insider: "If The Pipeline Were To Leak Or Burst, It Would Send Oil Deep Into The Missouri River, The Standing Rock Sioux's Single Source Of Water – Water The Group Relies On For Everything From Bathing To Drinking." According to Business Insider, "If the pipeline were to leak or burst, it would send oil deep into the Missouri River, the Standing Rock Sioux's single source of water — water the group relies on for everything from bathing to drinking. For that reason, the Standing Rock Sioux say the Army Corps of Engineers could violate not just one but two laws: NEPA as well as the Clean Water Act. The 1972 Clean Water Act makes it unlawful to discharge any pollutant from single identifiable source — such as a pipe — into certain bodies of water without a permit." [Business Insider, [11/1/16](#)]

- **Water Protector Aries Yumul: "If It Were To Get Contaminated, It Would Affect All Of The Tribal Nations. The Idea Of That [...] It Would Be A Death Sentence At This Point."** According to Business Insider, "But now, instead of risking Bismarck, the new route could threaten the Standing Rock Sioux. 'Our aquifers and rivers are fed by this river,' [self-identified water protector Aries] Yumul, the assistant principal [at North Dakota's Todd County School District], said. 'If it were to get contaminated, it would affect all of the tribal nations. The idea of that ... it would be a death sentence at this point.'" [Business Insider, [11/1/16](#)]

From 2013 To 2015, An Average Of 121 Accidents Involving Oil And Petroleum Pipelines Happened Every Year. According to Business Insider, "Since 1995, more than 2,000 significant accidents involving oil and petroleum pipelines have occurred, adding up to roughly \$3 billion in property damage, according to data obtained by the Associated Press from the Pipeline and Hazardous Materials Safety Administration. From 2013 to 2015, an average of 121 accidents happened every year." [Business Insider, [11/1/16](#)]

- **Worcester Polytechnic Institute: Oil Spills Resulted In Increased Incidences Of Cancer And Digestive Problems As Well As Skin Problems Ranging From Mild Rashes To Severe And Lasting Eczema And Malignant Skin Cancers.** According to Business Insider, "An in-depth 2010 report from Worcester Polytechnic Institute, which looked at the effects of three major oil spills, found increased incidences of cancer and digestive problems in people who had ingested the oil directly (in drinking water) or indirectly (through eating the meat of livestock exposed to the oil). In addition, people who had used contaminated water for bathing or laundry appeared to experience a higher incidence of skin problems, ranging from mild rashes to severe and lasting eczema and malignant skin cancers." [Business Insider, [11/1/16](#)]
- **University Of Southern California's Lawrence Palinkas: People In Communities Impacted By The Exxon Valdez Spill Had Higher Incidence Of PTSD, Depression, And Anxiety, Which Translated Into Physiological Problems.** According to NPR, "[USC's Lawrence] Palinkas says the Exxon Valdez aftermath showed that oil spills do affect the rate of physical illness — although not in the directly toxic way that many people imagine. People in communities where the oil fouled the beaches had much higher incidence of post-traumatic stress disorder, depression and anxiety. And that mental stress, Palinkas says, translated into higher rates of heart attacks, high blood pressure, diabetes, respiratory disorders and other physical illnesses." [NPR, [6/23/10](#)]

- **Deepwater Horizon Clean-Up Crews Reported Symptoms Including Chest Pain, Dizziness, Headaches, And Respiratory Distress.** According to Scientific American, “Scientists are still assessing the ecological damage wrought by the Deepwater Horizon oil spill in the Gulf of Mexico earlier this year. Other researchers, however, are looking at subtler signs of the disaster's potential impacts on human health. More than 300 people had come forward with spill-related symptoms in the few months after the rig exploded. Of those, some three quarters were people directly involved in the clean-up effort, noted the authors of a new commentary piece set for publication September 8 in JAMA, Journal of the American Medical Association. Some of the common complaints have included chest pain, coughing, dizziness, headaches, respiratory distress and vomiting.” [Scientific American, [8/16/10](#)]
- **Researchers Found That Of Those Who Assisted In Clean-Up After The Exxon Valdez Spill, People Who Worked Closely With The Oil Had “A Greater Prevalence Of Symptoms Of Chronic Airway Disease.”** According to Scientific American, “Although few previous oil spills have reached the proportions of the Deepwater Horizon disaster, scientists have been combing the literature for clues about long- and short-term health impacts. Some 270 people who worked on clean-up of the Exxon Valdez spill filed claims for respiratory problems, and follow-up surveys have found that those who had worked most closely with the spilled oil had ‘a greater prevalence of symptoms of chronic airway disease,’ Solomon and Janssen noted.” [Scientific American, [8/16/10](#)]

THE CONSTRUCTION WOULD INFRINGE UPON RELIGIOUS LIBERTY

Water Held A Sacred Significance To The Standing Rock Sioux

The Standing Rock Sioux Tribe Viewed Water As Sacred, Using It In Healing Ceremonies And Celebrating It As A Purifier And Spirit Cleanser. According to CNN, “It's not just sacred land at stake now -- it's the water as well. The Missouri River and all the tributaries that flow into it, including the Cannonball River that runs by the camps, are sacred. Water is the ‘first medicine;’ it sustains us in our mother's womb, Spotted Eagle says. It's used in ceremonies to heal people. The steam it gives off in a sweat lodge, for example, purifies. Water can clean a spirit when it's bleeding. It can calm a person and restore balance. Its power goes even deeper, though. Water, she says, also has memory. When people speak or sing to it during a ceremony, it is believed that the water holds on to what it hears and can later share what it learns.” [CNN, [11/24/16](#)]

Construction Had Already Destroyed Ancient Burial Sites, Places Of Prayer And Other Significant Cultural Artifacts

Tribal Chairman David Archambault II: Energy Transfer Partners Destroyed Ancient Burial Sites, Places Of Prayer And Other Significant Cultural Artifacts Of The Standing Rock Sioux Tribe In September 2016. According to a release by the Standing Rock Sioux Tribe via Indian Country Media Network, “Sacred places containing ancient burial sites, places of prayer and other significant cultural artifacts of the Standing Rock Sioux Tribe were destroyed on Saturday September 3 by Energy Transfer Partners, Tribal Chairman David Archambault II said. On Friday, the Tribe filed court documents identifying the area as home to significant Native artifacts and sacred sites. ‘This demolition is devastating,’ Archambault said. ‘These grounds are the resting places of our ancestors. The ancient cairns and stone prayer rings there cannot be replaced. In one day, our sacred land has been turned into hollow ground.’” [Standing Rock Sioux Tribe, [9/4/16](#)]

- **Standing Rock Sioux Former Tribal Historic Preservation Officer Tim Mentz: “Portions, And Possibly Complete Sites, Have Been Taken Out Entirely.”** According to a release by the

Standing Rock Sioux Tribe via Indian Country Media Network, “Construction crews removed topsoil across an area about 150 feet wide stretching for two miles, northwest of the confluence of the Cannon Ball and Missouri Rivers. ‘I surveyed this land, and we confirmed multiple graves and specific prayer sites,’ said Tim Mentz, the Standing Rock Sioux’s former tribal historic preservation officer. ‘Portions, and possibly complete sites, have been taken out entirely.’” [Standing Rock Sioux Tribe, [9/4/16](#)]

The Pipeline Would Disturb A Burial Site Honoring 300+ Tribespeople Massacred By The U.S. Army

The Proposed Pipeline Would Pass Through North Dakota's Lake Oahe, A Burial Site Sacred To The Standing Rock Sioux. According to Business Insider, “They are there because the proposed pipeline would pass through North Dakota's Lake Oahe, a burial site sacred to the Standing Rock Sioux and a major source of drinking water for the community. ‘The main reason it's such a big deal here is that it's going to affect our water supply,’ Aries Yumul, an assistant principal at North Dakota's Todd County School District and a self-identified water protector with the Oceti Sakowin, the proper name for the people commonly known as the Sioux, told Business Insider.” [Business Insider, [11/1/16](#)]

- **Ladonna Brave Bull Allard: “We Are Very Concerned Because Any Type Of Motion Can Bring Up Our Remains.”** According to Democracy Now, “LADONNA BRAVE BULL ALLARD: Yes. Right where the Dakota Access pipeline is the area where our people made it across the river. It is our major river crossing there. And I will say that where this pipeline is going underneath the Missouri River is also a burial site, and so they'll be going underneath this burial site. We are very concerned because any type of motion can bring up our remains.” [Democracy Now, [11/24/16](#)]

The Burial Site Marked The Whitestone Massacre, When The U.S. Army Massacred More Than 300 Members Of The Standing Rock Sioux Tribe. According to Democracy Now, “AMY GOODMAN: That day, September 3rd, we also sat down with Standing Rock Sioux tribal historian LaDonna Brave Bull Allard to speak about another attack against her tribe, this one on the same day 153 years before. It was on September 3rd, 1863, that the U.S. Army massacred more than 300 members of the Standing Rock Sioux Tribe in what's become known as the Whitestone massacre. [...] That river crossing that you've described, the people fleeing from the soldiers, that's where the Dakota Access pipeline will be built? LADONNA BRAVE BULL ALLARD: Yes.” [Democracy Now, [11/24/16](#)]

Tribal Leader Spotted Eagle Compared The Desecration Of Sacred Land To The Great Sioux Nation Building A Project Through Arlington Cemetery. According to CNN, “Spotted Eagle gives an example: What if the Great Sioux Nation decided to build a project through Arlington Cemetery? ‘The point would be taken that you don't disturb people that have been put to rest,’ she says. That's easy enough to get. But it turns out, leaving burial sites alone is about more than simple respect. Protection prayers -- those that ensure the deceased will not be disturbed on their ‘walk to the spirit world’ -- are recited over relatives who are buried. If spirits linger, like they might in the case of violent deaths, and are then interrupted, ‘They're not going to be able to find their way. They'll still roam on this land,’ Spotted Eagle says.” [CNN, [11/24/16](#)]

HUNDREDS OF PROTESTORS SUFFERED INJURY WORKING TO PREVENT CONSTRUCTION OF THE PIPELINE

Protesters Were Sprayed With Water In Below-Freezing Temperatures & Endured Rubber Bullets, Teargas And Dog Attacks

At Least 1,000 Standing Rock Protesters Were Treated For Chemical Poisoning, Hypothermia, Rubber-Bullet, Nonlethal Beanbag Wounds And Other Serious Injuries As A Result Of Violence From Militarized Police. According to The Daily Beast, “Throughout the fall and early winter, the 10-month showdown over the Dakota Access Pipeline (DAPL) has been bitter and violent. At least 1,000 Standing Rock protesters, according to camp medics, have been treated for chemical poisoning, hypothermia, rubber-bullet and ‘nonlethal’ beanbag wounds, and many more serious injuries, all as a direct result of violence from militarized police, who sometimes arrive by the hundreds. On Nov. 20 at the Backwater Bridge, 21-year-old Sophia Wilansky nearly had her arm blown off. Vanessa Dundon, a 32-year-old Navajo, was shot in the eye with a tear-gas canister. In all, some 750 people have been arrested in dozens of confrontations with police. Many have been held in dog kennel-like metal cages, numbers scrawled on their arms.” [Daily Beast, [2/22/17](#)]

September 2016: Unlicensed Dakota Access Pipeline Security Guards Used Pepper Spray And Unleashed Dogs To Attack Native American Protestors. According to Democracy Now, “The Morton County Sheriff’s Department has concluded its investigation into the use of dogs to attack Native American-led water protectors opposing the Dakota Access pipeline on September 3, finding the guards lacked proper licensing. Morton County Sheriff’s Captain Jay Gruebele writes: ‘Through this investigation it has been proven that the dog handlers were not properly licensed to do security work in the State of North Dakota.’ On Saturday, September 3, Democracy Now! filmed security guards working for the pipeline company attacking Native Americans. The report showed guards unleashing dogs and using pepper spray and featured people with bite injuries and a dog with blood dripping from its mouth and nose.” [Democracy Now, [10/26/16](#)]

- **Tribe Spokesman Steve Sitting Bear: At Least 30 People Were Pepper-Sprayed And Six People, Including A Young Child, Were Bitten By Security Dogs.** According to CBS News, “Tribe spokesman Steve Sitting Bear said protesters reported that six people had been bitten by security dogs, including a young child. At least 30 people were pepper-sprayed, he said. Preskey said law enforcement authorities had no reports of protesters being injured.” [CBS News, [9/5/16](#)]

November 2016: In Sub-Freezing Temperatures, Law Enforcement Officials Deployed Water Hoses, Tear Gas And Rubber Bullets On Around 400 Protesters Against The Construction Of The Dakota Access Oil Pipeline. According to The Washington Post, “Authorities on Monday defended their decision to douse protesters with water during a skirmish in subfreezing weather near the Dakota Access oil pipeline, and organizers said at least 17 protesters were taken to the hospital — including some who were treated for hypothermia. Protesters trying to push past a long-blocked bridge on a state highway late Sunday and early Monday were turned back by authorities using tear gas, rubber bullets and water hoses. Tensions over the Dakota Access oil pipeline flared again Sunday when North Dakota law enforcement used water cannons to disperse a group of about 400 protesters trying to move past a barricaded bridge toward construction sites for the project. As temperatures in Cannon Ball, N.D., dropped into the 20s, police in riot gear sprayed activists with a hose mounted atop an armored vehicle and formed a line to prevent them from advancing up the road, according to the Bismarck Tribune.” [Washington Post, [11/21/16](#)]

- **Indigenous Environmental Network Spokeswoman Jade Begay: More Than 160 People Were Injured.** According to PBS, “Jade Begay, a spokeswoman for the Indigenous Environmental Network, told The Guardian that two bonfires were lit by activists for warmth and cooking, but that any others were started by weapons from law enforcement. Begay told The Guardian that more than 160 people were injured and another seven activists were transported to a local hospital.” [PBS, [11/21/16](#)]
 - **At Least 17 Protesters Were Taken To The Hospital, Including Some Who Were Treated For Hypothermia.** According to The Washington Post, “Authorities on Monday defended their decision to douse protesters with water during a skirmish in subfreezing

weather near the Dakota Access oil pipeline, and organizers said at least 17 protesters were taken to the hospital — including some who were treated for hypothermia.” [Washington Post, [11/21/16](#)]

- **Standing Rock Medic And Healer Council: “We Are Concerned For The Real Risk Of Loss Of Life Due To Severe Hypothermia Under These Conditions.”** According to a Facebook Post by the Standing Rock Medic And Healer Council, “The physicians and tribal healers with the Standing Rock Medic and Healer Council call for the immediate cessation of use of water cannons on people who are outdoors in 28F ambient weather with no means of active rewarming in these conditions. As medical professionals, we are concerned for the real risk of loss of life due to severe hypothermia under these conditions. We call on the Morton County Sheriff’s office to immediately stop the potentially lethal use of these confrontational methods against people peacefully assembled.” [Standing Rock Medic And Healer Council – Facebook, [11/20/16](#)]
- **The Indigenous Environmental Network’s Dallas Goldtooth: Because Of The Police Enforced Road Block, It Took Ambulances An Extra Half An Hour To Get To The Hospital.** According to PBS, “The Indigenous Environmental Network’s Dallas Goldtooth said the water cannons were an ‘excessive and potentially deadly use of force.’ ‘Because of the police enforced road block, ambulances now have an extra 30 minutes to get to the hospital,’ he wrote in a statement.” [PBS, [11/21/16](#)]

After Being Hit By A Tear Gas Canister, Standing Rock International Indigenous Youth Council Member Efrain Montalvo Was Temporarily Blinded, Began Shaking Uncontrollably And Could Not Remember Who He Was For Ten Minutes. According to The Daily Beast, “It was a bitter cold night on the Backwater Bridge when Efrain Montalvo got the desperate call from the front line. ‘The medics were screaming for help, because they were overwhelmed,’ remembered Montalvo, 25, a member of the International Indigenous Youth Council at Standing Rock. [...] Riot-clad police, ensconced behind concrete barriers and the looping wire, began firing rubber bullets. Montalvo watched an elder fall at his feet, his staff clattering to the pavement of the shut-down state highway. Then police launched a barrage of smoking tear-gas canisters from grenade launchers. ‘That’s when people started panicking,’ Montalvo recalled. A tear-gas canister hit Montalvo squarely in the chest. He inhaled its smoke deeply, then wandered aimlessly, hands over his eyes. Two minutes later, he could see again. Another canister exploded at his feet. He saw a brilliant white light. Then everything went black and silent. Montalvo began shaking uncontrollably. For 10 minutes, ‘I couldn’t remember who I was, where I was.’ Medics whisked him off the bridge. Days later, he could still taste the tear gas in his mouth.” [Daily Beast, [2/22/17](#)]