

Dear USET SPF Board of Directors and DC Tribal Reps,

This afternoon, a U.S. District Court of DC judge denied the Standing Rock Sioux Tribe's request for a preliminary injunction to stop construction on the Dakota Access Pipeline (DAPL) pending meaningful Tribal consultation. The Tribe intends to appeal the decision. Judge James Boasberg [ruled](#) [decision linked] that the Army Corps of Engineers has, "likely complied with [the National Historic Preservation Act (NHPA)] and that the Tribe has not shown it will suffer any injury that would be prevented by any injunction the Court could issue."

Very soon after the decision was handed down, however, the U.S. Department of Justice, Department of the Army, and Department of the Interior [announced](#) [release linked] that the federal government will put a halt to any DAPL construction on Army Corps land bordering or under Lake Oahe until it determines whether decisions regarding construction this site need to be reconsidered. Additionally, the agencies are initiating consultation with Tribal Nations on two questions: (1) within the existing statutory framework, what should the federal government do to better ensure meaningful Tribal input into infrastructure-related reviews and decisions and the protection of Tribal lands, resources, and treaty rights; and (2) should new legislation be proposed to Congress to alter that statutory framework and promote those goals? As the press release states, "this case has highlighted the need for a serious discussion on whether there should be nationwide reform with respect to considering Tribes' views on these types of infrastructure projects."

In response to these two developments, USET SPF President, Brian Patterson, would like to pass along the following statement:

"The USET family is disappointed that the federal judge erred in his determination denying the Standing Rock Sioux Nation's motion to grant an injunction. However, despite the errant decision by the Court, we are pleased with the joint statement issued by the Department of Justice, the Department of the Army and the Department of the Interior regarding the lands around Lake Oahe. We are confident that a reexamination of the decisions leading up to this point will result in the protection of these sacred lands and we welcome the opportunity to ensure that this never happens again. The USET family commends the Administration for its swift action to protect Lake Oahe, at least in the short term, and to initiate consultation with Tribal Nations. We will continue to stand in solidarity with our relations across Indian Country in the fight to protect all that is sacred and just. We send prayers for peace and safety to the Standing Rock Sioux Tribe and all who are protesting DAPL."

We will continue to monitor this situation and provide new information as it develops.

All the best,

Liz Malerba ~ Mohegan Tribe

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