

# Congress of the United States

Washington, DC 20510  
February 7, 2017

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,



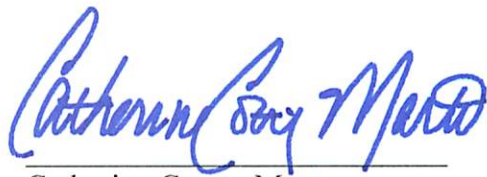
Maria Cantwell  
U.S. Senator



Bernard Sanders  
U.S. Senator



Ron Wyden  
U.S. Senator



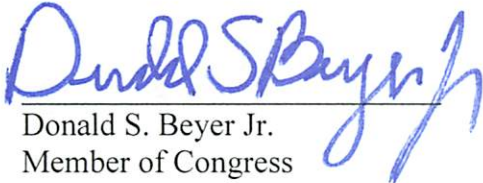
Catherine Cortez Masto  
U.S. Senator



Martin Heinrich  
U.S. Senator



Raúl M. Grijalva  
Member of Congress



Donald S. Beyer Jr.  
Member of Congress



A. Donald McEachin  
Member of Congress



Jared Huffman  
Member of Congress