



FOR IMMEDIATE RELEASE

August 22, 2016

Statement by the CRST Chairman regarding intervention in the Dakota Access Pipeline lawsuit

Standing Rock Sioux Tribe v. Army Corps of Engineers, et al., 1:16-cv-01534 (D.D.C.)

The purpose of this Statement is to inform you of the Cheyenne River Sioux Tribe's ("Tribe") successful intervention as a party in the lawsuit against the Corps and the Dakota Access Pipeline ("DAPL") now pending in the United States District Court for the District of Columbia, despite the opposition of the oil pipeline company. The Cheyenne River Sioux Tribe is now officially a party to this fight against the United States Army Corps of Engineers ("Corps") and DAPL.

This suit in the United States District Court for the District Columbia was initially brought by the Standing Rock Sioux Tribe ("SRST") on July 27, 2016 suit seeking declaratory and injunctive relief on the grounds that the Corps' illegally granted the permits needed by Dakota Access LLC ("Dakota Access") to construct its pipeline on the site of the sacred stones near the confluence of the Cannonball and Missouri Rivers in North Dakota.

On August 4, 2016, with preparatory construction actions brewing near the Cannonball site, the SRST filed its Motion for Preliminary Injunction, requesting that the Court withdraw the authorizations issued to Dakota Access and halt the construction.

Almost immediately, the oil company Dakota Access moved to intervene in the lawsuit to protect its pipeline. The oil company did so without any opposition from the other parties.

However, only five days later when the Cheyenne River Sioux Tribe filed its motion to intervene in the lawsuit to protect its sacred sites and its sacred water, the oil company stated that it would oppose its motion, even though both the Corps and SRST gave their consent to the intervention of the Cheyenne River Sioux Tribe.

In response to Dakota Access's opposition, the Court required the oil company to file its brief in opposition to intervention on a severely shortened schedule because a briefing schedule and a hearing had already been set for SRST's Motion for Preliminary Injunction. The hearing was scheduled for August 24, 2016.

Dakota Access filed its opposition brief on August 15, 2016. The oil company argued that SRST and the Cheyenne River Sioux Tribe are “sister tribes,” have the same interests in the litigation, and therefore there was no need for Cheyenne River to be independently involved the litigation.

The Cheyenne River Sioux Tribe responded to these offensive claims on August 16, 2016 by reminding the Court that Cheyenne River and Standing Rock are separate sovereign tribal nations with wholly separate governments and who had different contacts with the Army Corps of Engineers.

On August 19, 2016, the Court granted the Cheyenne River Sioux Tribe’s motion to intervene. This means that the Cheyenne River Sioux Tribe is now a full party to the suit. Specifically, it is an Intervenor-Plaintiff and has all of the rights and duties of the Plaintiff in this suit against the Corp and Intervenor-Defendant

Because the Court did not grant the motion until briefing on preliminary injunction was nearly complete, the Court will not be able to hear Cheyenne River’s briefing or argument on the pending motion prior to the hearing. Nevertheless, Tribal leadership and the Tribal legal team will be present on August 24, 2016 to stand in solidarity with SRST at the hearing and to observe this proceeding that will affect the Tribe and its people.

Importantly, the Court decision means that the Cheyenne River Sioux Tribe will be permitted to participate as a full party in the larger fight in the United States District Court for the District of Columbia after Wednesday August 24, 2016.

I encourage people to investigate and join the peoples affected by this decision regardless of affiliation.

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Released under the authority of

Chairman of the Cheyenne River Sioux Tribe
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