

2021 South Dakota Legislature  
**House Concurrent Resolution  
6001**

**AMENDMENT HCR6001B FOR THE INTRODUCED BILL**

1 **A CONCURRENT RESOLUTION, supporting the amendment of the Sioux - Dakota**  
2 **Removal Act.**

3 WHEREAS, the land located in and around present-day Minnesota was ~~inhabited by the~~  
4 ~~Dakota, Anishinaabe, and Ho-Chunk (Winnebago) Native Americans for thousands of years~~  
5 ~~before European discovery of North America, making these lands, lakes, and rivers the~~  
6 ~~indigenous homes to these tribes~~ aboriginal homeland to the Dakota and other indigenous  
7 nations; and

8 WHEREAS, on May 11, 1858, the State of Minnesota was established, ~~and with it, came a~~  
9 ~~myriad of settlers encroaching upon the lands of the Dakota people beginning a tenuous~~  
10 ~~following years of land cessions and treaty process between the United States and making~~  
11 ~~that eventually reduced the lands of the Dakota and Minnesota to a ten mile strip along the~~  
12 ~~tribes~~Minnesota River; and

13 WHEREAS, by ~~August of 1862 the treaties, relations~~ had become strained to the point of  
14 ~~conflict due to continued settler encroachment on Dakota lands, the delay of United States~~  
15 ~~treaty payments and obligations to the Dakota, and the refusal of traders to sell to the tribes,~~  
16 ~~resulting in starvation on the reservations and loss of life; and~~

17 WHEREAS, ~~faced with starvation and sensing a conflict, tribal leaders led an attack on the~~  
18 ~~New Ulm Settlement, and on other local areas, loss of the homelands that had previously~~  
19 ~~sustained the Dakota and their families for hundreds of years led to a conflict known as the~~  
20 ~~Minnesota Massacre or the Dakota War, claiming the lives of over five hundred settlers,~~  
21 ~~thereby prompting President Abraham Lincoln to deploy the United States military and much~~  
22 ~~loss of Dakota lives; and~~

1        WHEREAS, the United States military intervention ended in ~~an eventual capture of the~~  
2 ~~tribes and their people, and prompted~~ the largest mass execution in United States history, in  
3 which thirty-eight Dakota ~~warriors~~ were executed by hanging ~~in December of 1862 in Mankato~~  
4 by executive order of the President of the United States; and

5        WHEREAS, following the aftermath, in 1863, ~~Congress passed a series of acts to deprive~~  
6 ~~the tribes of their lands, legislation to overturn all treaties with the Dakota and Winnebago~~  
7 and to force them out of Minnesota; and

8        WHEREAS, the first act being the Act of Feb. 16, 1863, ch. 37, 12 Stat. 652, that annulled  
9 all of the treaties with the tribes ~~and directed the moneys originally due to these tribes to~~  
10 ~~Minnesota settlers harmed during the conflict; and~~

11        WHEREAS, the second congressional act was the Act of Mar. 3, 1863, ch. 119, 12 Stat.  
12 819, entitled "An Act for the Removal of the Sisseton, Wahpaton, Medawakanton, and  
13 Wahpakoota Bands of Sioux or Dakota Indians, and for the disposition of their Lands in  
14 Minnesota and Dakota" ~~that forced the rebellious Dakota Tribes out of Minnesota and deprived~~  
15 ~~them of their treaty lands; and~~

16 ~~—~~ WHEREAS, the descendants of these displaced people are currently members of federally  
17 recognized tribes headquartered in North Dakota, South Dakota, and Nebraska; and

18        WHEREAS, these Acts remain federal law to this day, despite the fact that their terms are  
19 obsolete, and ~~to some Dakota people,~~ their existence is a continuing offense:

20        NOW, THEREFORE, BE IT RESOLVED, by the ~~Senate~~ House of Representatives of the  
21 Ninety-Sixth Legislature of the State of South Dakota, the ~~House of Representatives~~ Senate  
22 concurring therein, that:

23 (1) ~~The the~~ Legislature requests that the President and the United States Congress amend  
24 the Act of Mar. 3, 1863, Vol. 12 Stat. at Large, Ch. 119, pp. 819-820 (1863), more commonly  
25 known as the "Sioux - Dakota Removal Act", to ~~remove the banishment of the applicable~~  
26 ~~tribes from their ancestral homelands, and that such amendment not affect any property~~  
27 ~~rights originally established through the law nor impact any of the land that was given to any~~  
28 ~~of the tribes during the passage of these removal acts; and~~

29 (2) ~~The~~ Legislature further requests that the United States of America issue a formal  
30 statement of reconciliation to the Dakota Tribes affected by the Sioux ~~—~~ Dakota Removal

1 to acknowledge the ancestral homelands of the Dakota people and to acknowledge their  
2 continued presence in what is now known as the state of Minnesota; and

3 BE IT FURTHER RESOLVED, that the clerk of the ~~Senate~~ House transmit copies of this  
4 resolution to the President of the United States of America, the speaker and clerk of the United  
5 States House of Representatives, ~~to the president pro tempore and secretary of the United~~  
6 ~~States Senate, and to the members of the South Dakota, North Dakota, Nebraska, and~~  
7 ~~Minnesota Congressional delegations.~~