

# 2025 South Dakota Legislature

## Senate Resolution 702

### AMENDMENT SR702A FOR THE INTRODUCED RESOLUTION

1 **A RESOLUTION, Supporting the repeal of the Sioux-Dakota Removal Act.**

2 WHEREAS, the land located in and around present-day Minnesota was inhabited by the  
3 Dakota, Anishinaabe, and Ho-Chunk Native Americans for thousands of years before European  
4 discovery of North America, making these lands, lakes, and rivers the indigenous home to  
5 these tribes; and

6 WHEREAS, on May 11, 1858, the State of Minnesota was established, resulting in a myriad  
7 of settlers encroaching upon the lands of the Dakota people and beginning a tenuous treaty  
8 relationship between the United States and the tribes; and

9 WHEREAS, by 1862, the treaties had become strained to the point of conflict due to  
10 continued settler encroachment, the delay of United States treaty payments and obligations  
11 to the Dakota peoples, and the refusal of traders to sell to the tribes, which resulted in  
12 starvation on the reservations; and

13 WHEREAS, faced with starvation and sensing conflict, tribal leaders led an attack on the  
14 New Ulm settlement and other local areas, claiming the lives of over five hundred settlers and  
15 prompting President Abraham Lincoln to deploy the United States military to the area; and

16 WHEREAS, the military intervention ended with the capture of the tribes and prompted  
17 the largest mass execution in United States history, in which thirty-eight Dakota warriors  
18 were executed by hanging on the order of the President of the United States; and

19 WHEREAS, in 1863, in the aftermath of the conflict, Congress passed a series of acts to  
20 deprive the tribes of land and force the tribes out of Minnesota; and

21 WHEREAS, Congress, in the Act of February 16, 1863, ch. 37, 12 Stat. 652, annulled all  
22 previous treaties made with the tribes and directed that the moneys originally due these tribes  
23 under the treaties be forwarded to Minnesota settlers harmed during the conflict; and

1        WHEREAS, Congress, in the Act of March 3, 1863, ch. 119, 12 Stat. 819-820, entitled an  
2 Act for the Removal of the Sisseton, Wahpaton, Medawakanton, and Wahpakoota Bands of  
3 Sioux or Dakota Indians, and for the disposition of their Lands in Minnesota and Dakota,  
4 forced the rebellious Dakota tribes out of Minnesota and deprived the tribes of their treaty  
5 land; and

6        WHEREAS, the descendants of these displaced peoples are currently members of federally  
7 recognized Indian tribes located in North Dakota, South Dakota, and Nebraska; and

8        WHEREAS, the Acts of Congress remain federal law to this day, despite the obsolescence  
9 of the terms of the Acts, and the offense caused by the continued presence of the Acts;

10       NOW, THEREFORE, BE IT RESOLVED, by the Senate of the One Hundredth Legislature of  
11 the State of South Dakota, that:

12       ~~(1)~~ The the United States Congress amend the Act of Mar. 3, 1863, Vol. 12 Stat. at  
13 Large, Ch. 119, pp. 819-820 (1863), more commonly known as the Sioux-Dakota  
14 Removal Act, to remove the banishment of the applicable tribes from their  
15 ancestral homelands without affecting any property rights originally established  
16 through the law or impacting any of the land that was given to any of the tribes  
17 during the passage of these removal acts; and

18       ~~(2)~~ The President of United States, on behalf of the United States, issue a formal  
19 statement of reconciliation to the Dakota tribes affected by the Sioux-Dakota  
20 Removal Act; and

21       BE IT FURTHER RESOLVED, that the secretary of the Senate transmit copies of this  
22 resolution to the President of the United States of America, to the speaker and clerk of the  
23 United States House of Representatives, to the president pro tempore and secretary of the  
24 United States Senate, and to the members of the South Dakota, North Dakota, Nebraska, and  
25 Minnesota Congressional delegations.