



2025 South Dakota Legislature

Senate Resolution 702

SENATE STATE AFFAIRS ENGROSSED

Introduced by: **Senator** Grove

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

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