



# 2025 South Dakota Legislature

## Senate Resolution 702

### ENROLLED

#### AN ACT

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

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Senate of the One Hundredth Legislature of the State of South Dakota, that the United States Congress amend the Act of Mar. 3, 1863, Vol. 12 Stat. at Large, Ch. 119, pp. 819-820 (1863), more commonly known as the Sioux-Dakota Removal Act, to remove the banishment of the applicable tribes from their ancestral homelands without affecting any property rights originally established through the law or impacting any of the land that was given to any of the tribes during the passage of these removal acts; and

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

Adopted by the Senate,

February 25, 2025

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Chris Karr  
President Pro Tempore  
of the Senate

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Peggy Laurenz  
Secretary of the Senate