

Please consider my comments as an official part of the Public Comment Hearing July 6, 2015, in the matter of the application of TransCanada for a new permit through South Dakota for the Keystone XL Pipeline.

As children we are taught that honoring our agreements is important. We are taught that if we keep our promises, we can expect others to keep their promises to us. This is foundational learning, and the bedrock of the social, legal, political, ethical and moral compacts we have been led to believe are critical ingredients in a just society.

Something has gone wrong, however, when certain groups who have made agreements they believed to be dependable find themselves potentially on the receiving end of abrogation of those agreements—sovereign Indian Nations, for instance.

The signatories of the Fort Laramie Treaties of 1851 and 1868 believed that they had agreements with the United States; concessions were offered, rights declared and retained, negotiations conducted in service of these legal and binding treaties, sovereign to sovereign, which still carry the force of law.

Now, however, a foreign corporation is attempting to ignore provisions and treaties protected by the Constitution of the United States, and the apparatus of an artful legal strategy threatens to silence the voices of the four Tribal Nations, other Tribal entities, organizations and individual intervenors who oppose the award of another permit to TransCanada for the Keystone Pipeline.

As the saying goes, history will judge our actions and inactions. In the end, the rule of law must prevail, and it is my hope that the Public Utilities Commission will set aside a bias that appears to me to privilege TransCanada, study the legal and historic facts of the binding Fort Laramie treaties and deny the permit application of TransCanada.

All any one of us ever has is our honor, and we back up that honor with our word. Our children will be studying what we have done, looking to our behaviors and reading or recalling our words, as they search for answers to questions we never imagined we might have to ask.

Please send TransCanada back to Alberta, and act in the best interests of the citizens and Tribal Nations of South Dakota; indeed the best interests of our nation. There is a right side of history waiting for the PUC, and a wrong one, and a greater Judge awaiting us all.

Respectfully submitted,

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