

JOHN HOEVEN  
NORTH DAKOTA

338 RUSSELL SENATE OFFICE BUILDING  
TELEPHONE: (202) 224-2551  
FAX: (202) 224-7999

hoeven.senate.gov

## United States Senate

WASHINGTON, DC 20510

July 11, 2017

COMMITTEES:  
AGRICULTURE  
APPROPRIATIONS  
ENERGY AND NATURAL RESOURCES  
HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS  
INDIAN AFFAIRS

The Honorable Jeff Sessions  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Attorney General Sessions:

I write in support of the State of North Dakota's application for a grant under the Emergency Federal Law Enforcement Assistance Program (EFLEA). North Dakota is seeking \$13.85 million for emergency law enforcement costs directly related to protests on federal lands over an easement withheld for months by the U.S Army Corps of Engineers. I strongly support North Dakota's request.

North Dakota and the local counties expended nearly \$40 million over 233 days because of the protests relating to the Dakota Access Pipeline. The pipeline crosses Corps land and required a permit and easement from the federal agency. As the State said in its application, "While North Dakota fully adheres to the principle that peaceful protest is a protected right, North Dakota could not tolerate violent and illegal conduct that placed the safety of our residents, first responders and protesters themselves at grave risk. Protesters were observed in possession of firearms, and in one case, a protester fired shots at law enforcement. This orchestrated and organized and frequently violent protest required a sustained, large-scale response to protect public safety and property for which North Dakota now seeks partial compensation." The protest camps, which were located primarily on federal lands, grew to an estimated 8,000 people.

We have worked hard to find sources of reimbursement for North Dakota's law enforcement expenses. The Department of Homeland Security (DHS) turned the State down for reimbursement because it said the situation did not fit under the Stafford Act. The Department of Justice under the Obama Administration rejected North Dakota's application for discretionary funding through the Attorney General's Office. That is why I, as a member of the Senate Appropriations Committee, worked to fund EFLEA, which the White House, DHS, and the Department of Justice all agree is a source of funds North Dakota is eligible to receive.

North Dakota is unique because EFLEA is the only source for federal reimbursement that has been identified for law enforcement. Other states are able to and have applied for and received federal assistance through agencies like DHS for emergencies requiring a state and local response. That option is not available to North Dakota, which is why it makes it all the more crucial that North Dakota is awarded the \$13.85 million it seeks in this application.

I again strongly support North Dakota's application for EFLEA funding and urge the agency to fully fund the State's request.

Sincerely,



John Hoeven  
United States Senator