

**Congress of the United States**  
**Washington, DC 20515**

November 14, 2016

President Barack Obama  
The White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

Dear President Obama,

We were encouraged by your recent comments regarding the Dakota Access Pipeline, and we thank you for recognizing the importance of preserving and protecting the sacred lands of the Standing Rock Sioux Tribe and the importance of allowing for peaceful demonstrations.

Watching the historic, peaceful gathering in and around the Standing Rock Sioux reservation of hundreds of Americans from all corners of the United States, we are shocked to see increasingly hostile tactics deployed by state and local law enforcement officials. We believe that the federal government can take one important step today to immediately de-escalate growing tensions, by denying the easement for the Dakota Access Pipeline to cross Lake Oahe.

In addition, we urge you to take the necessary steps to protect the rights and civil liberties of the water protectors by directing the Department of Justice to send observers, as well as request that North Dakota Governor Jack Dalrymple to reduce tension in the area by withdrawing the National Guard and other law enforcement personnel that have been deployed around the camp.

Recent reports show an escalation in force with riot gear, batons, armed vehicles, sound cannons, and pepper spray being deployed against the demonstrators, resulting in over one hundred arrests. As part of this show of force, the Macon County Sheriff's Department called for additional resources from other states under the Emergency Management Assistance Compact (EMAC), with assistance being provided from state and local officials of Wisconsin, South Dakota, Minnesota, Wyoming, Indiana, and Nebraska.

This use of the EMAC raises questions when compared to the original legislative intent of Congress in 1996 to allow member states to provide emergency assistance after natural disasters overwhelm a state's capacity to respond. Passed following the devastation of Hurricane Andrew, EMAC has had a successful history in responding to natural disasters such as the recent Hurricane Matthew. Its use for additional law enforcement personnel and equipment to respond to this peaceful demonstration is part of a recent trend away from historical precedent; the EMAC was used following protests after the Freddie Gray murder in Baltimore, Maryland, and in advance of expected protests at this year's Republican National Convention in Cleveland, Ohio.

Under the EMAC, the requesting state is typically responsible for the reimbursement of other states for personnel and equipment, absent decisions by donating states to decline to request reimbursement. However, the state of North Dakota will reportedly be requesting federal reimbursement to cover the estimated \$10 million it has expended in protecting the construction of the Dakota Access pipeline. We would strongly oppose the use of federal funds to bail out North Dakota for its decision to expedite the construction of this controversial \$3.8 billion pipeline project by pushing aside and jailing demonstrators.

Morton County Sheriff Kyle Kirchmeier has called the protests “criminal behavior,” and blames the water protectors for these recent events. This rhetoric is consistent with efforts to undermine press freedoms at the site, including the three felony conspiracy charges, which could carry up to forty-five years in prison, that were brought against one journalist. This legal pursuit of reporters is worrying, and is why representatives from both Amnesty International the United Nations Permanent Forum on Indigenous Issues are on the ground to observe and investigate the treatment of demonstrators.

Our founding ideals include the right to peaceful assembly and the freedom of the press, and we as a nation deserve better than what is happening around the Dakota Access Pipeline. We respectfully ask that you continue to work to de-escalate the situation in North Dakota, protect the safety and rights of the water protectors, deploy observers from the Department of Justice, and urge the state of North Dakota to stand down from its escalation of the use of force.

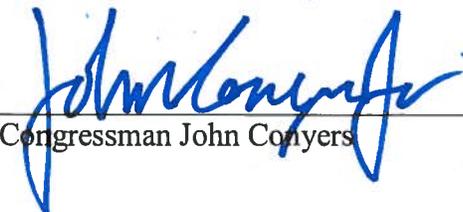
Sincerely,

  
Congressman Jared Huffman

  
Congressman Raul Grijalva

  
Congressman Steve Cohen

  
Congresswoman Bonnie Watson Coleman

  
Congressman John Conyers

  
Congressman Sam Farr

Michael Honda  
Congressman Mike Honda

Hank Johnson  
Congressman Henry C. "Hank" Johnson, Jr.

Brenda Lawrence  
Congresswoman Brenda Lawrence

Barbara Lee  
Congresswoman Barbara Lee

John Lewis  
Congressman John Lewis

Ted W. Lieu  
Congressman Ted W. Lieu

Alan Lowenthal  
Congressman Alan Lowenthal

James P. McGovern  
Congressman James P. McGovern

Jerrold Nadler  
Congressman Jerrold Nadler

Grace F. Napolitano  
Congresswoman Grace F. Napolitano

Eleanor H. Norton  
Congresswoman Eleanor Holmes Norton

Jan Schakowsky  
Congresswoman Jan Schakowsky

Gerald F. Connolly  
Congressman Gerald F. Connolly

Jackie Speier  
Congresswoman Jackie Speier

Lloyd Doggett  
Congressman Lloyd Doggett

Tulsi Gabbard  
Congresswoman Tulsi Gabbard

  
Congressman Luis V. Guierrez