



## Journal of Promotional Communications

Publication details, including instructions for authors and subscription information: <http://promotionalcommunications.org/index.php/pc/index>

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To cite this article: Piper, B. and McQueen, D. 2018. How Successful Have Lobbyists Been at Influencing State and National Policy to Further the Completion of the Dakota Access Pipeline, Since the 2008 US Election?, *Journal of Promotional Communications*, 6 (1), 46-71

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# Benjamin Piper and David McQueen

## How Successful Have Lobbyists Been at Influencing State and National Policy to Further the Completion of the Dakota Access Pipeline, Since the 2008 US Election?

This study sets out to investigate a contemporary example of lobbying, by enquiring as to whether lobbyists have successfully influenced state and national policy which furthered the completion of the Dakota Access Pipeline since 2008. This involves an analysis of campaign contributions made to key federal candidates by organisations related to the pipeline. The results of this analysis, suggests that lobbyists have been highly successful in influencing policy which led to the completion of the pipeline. The data collected in this study, highlights lobbyists use of "natural allies" with "proximate objectives" (Hall and Deardoff 2006, p.69), creating a network of allies, to enable the completion of the pipeline. The study raises concerns over the nature of President Trump's relationship with the 'Energy Transfer Partners' CEO, Kelcy Warren. Campaign funding and apparent conflicts of interest at state and national level and their impact on the democratic process are explored, including whether President Trump's personal investments may have played a significant role in influencing his policy decisions concerning the pipeline. This study helps provide an insight into modern lobbying, revealing the power and influence money, through campaign finance, has in the democratic system.

**Keywords:** Dakota Access Pipeline, Lobbying, USA, Donald Trump, Allies, Campaign Finance.

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Corresponding author: David McQueen, email: dmcqueen@bournemouth.ac.uk

### INTRODUCTION

In 2012, oil production reached new highs in North Dakota, because of the rapidly growing level of oil extraction from the Bakken formation. The oil boom led to the conception of a new pipeline, better known as the Dakota Access Pipeline (DAPL), from the Bakken formation to Patoka, Illinois. DAPL caused widespread protests, inspiring a large-scale social media movement known as #NoDAPL (NoDAPL 2017), which received worldwide news coverage.. Following DAPL from its conception in 2014 (Business Wire,

2014) through to President Trump's signing of Executive Order (E.O.) 13766 in 2017, this study questions to what extent pro-DAPL lobbyists were successful in influencing policies which furthered the completion of the pipeline? The study highlights who these lobbyists were, what they achieved, and how. While also providing a contemporary example of lobbyists ability to influence policy to benefit the organisations they represent. Beginning with the 2008 US Presidential election cycle this study takes an in-depth look at the campaign contributions of each election cycle up to and including the 2016 Presidential election. The purpose of this is to evaluate whether contributions made by DAPL-related organisations influenced policies and legislation furthering DAPL's construction.

This study begins by identifying who the pro-DAPL lobbyists are, which requires looking at the companies with a stake in the construction of DAPL. The research then turns to the campaign contributions made by these companies, banks and organisations. Before discussing how such contributions furthered the construction. Beyond these companies, banks and organisations, this study will look at President Trump's financial connections to DAPL. Including any contributions, he received during his Presidential campaign in 2016, as collated by the Center for Responsive Politics (CRP) (2017), any investments Donald Trump made in companies associated with DAPL since 2008. The study also examines contributions by lobbyists or organisations representing DAPL to any federal candidate running for official office. This includes the contributions made by CEO Kelcy Warren of the Energy Transfer Partners (ETP) and Energy Transfer Equity (ETE), as disclosed to the FEC (2017). The study finishes with an analysis of the policies which benefitted pro-DAPL lobbyists and furthered construction of DAPL, including the battle for an Environmental Impact Statement (EIS) and potential violations of other federal laws (Cohn 2016).

## LITERATURE REVIEW

### Dakota Access Pipeline

In June 2014, ETP announced the building of "an approximate 1,100-mile crude oil pipeline" (Business Wire, 2014), sparking the "largest native American protests in modern times" (Penn-Roco 2016, p.176). In September 2016, the Obama administration stopped the construction of DAPL (Meyer 2016), in a joint statement the Department of Justice, Department of Army and the Department of Interior declared that "Construction of the pipeline on Army Corps land bordering or under Lake Oahe will not go forward" (DoJ 2016). The Army declared that they would not authorise the final permits required, until they could determine whether they needed to "reconsider any of its previous decisions regarding the Lake Oahe site under the National Environmental Policy Act (NEPA) or other federal laws" (DoJ 2016). ETP ignored this request and continued with construction, releasing a joint statement with Sunoco Logistics calling the actions of the Obama administration "a series of overt and transparent political actions by an administration which has abandoned the rule of law" (2016). In January 2017, newly inaugurated President Trump signed an E.O. "ordering the Secretary of the Army to expedite approval of the Dakota Access Pipeline" (Meyer 2017). A month later, the United States Army Corps of Engineers (USACE) provided Enbridge, a co-equity holder of DAPL, with the final permits required for the construction of DAPL.

## Lobbying

As a commonly known and used term in politics and legislation, there are a range of definitions for lobbying. According to, Kabir Hassan et al. "political lobbying is a strategic action" (2016, p.126) to "shift market opportunities in favour of the firm and/or the operating industry" (Kabir Hassan et al. 2016, p.126). Chen et al. expand this definition to specify "the political activities [...] engaged in to influence legislators at various levels of the government" (2015, p.444). Similar to the US federal level definition for lobbying as "any communication made on behalf of a client to" (Chen et al. 2015, p.444) any legislator at any federal level "regarding the formation, modification, or adoption of legislation" (Chen et al. 2015, p.444). Despite this focus on definitions around influencing legislators to affect and/or shift legislation, Hall and Deardoff (2006) suggest that lobbying has a "proximate objective" (p.69). Unlike the definitions of Chen et al. (2015) and Kabir Hassan et al. (2016), this objective is "not to change legislators' minds, but to assist natural allies in achieving their own, coincident objectives" (Hall and Deardoff 2006, p.69). Cave and Rowell (2014) also suggest a similar use of 'allies' in the political system, and argue that lobbying "often it is not about changing politicians' minds" (p.234). This is a theory Spithoven uses to support his theory that lobbying is defined as "the provision of information with the intention to subsidize strategically chosen legislators" (2016, p.631). 'Subsidising' legislators is core to the theory of Hall and Deardoff (2006) who theorised that instead of changing legislators' minds and making them vote against former beliefs, lobbying, "is an attempt to subsidize the legislative resources of members who already support the cause of the group" (p.72). However, Mayer (2008) believes lobbying has numerous definitions depending on the actors within the process, and "no single existing legal definition of lobbying encompasses the entire range" (p.488) encompassed by the blanket term of lobbying. Instead a wide number of potential definitions "each covers a different, although often overlapping, subset" (Mayer 2008, p.488) of lobbying activities.

Many corporations and interest groups see lobbying as simply "a corporate expense" (Chen et al. 2015, p.446) of persuasion, which is core to lobbying (Graziano 2001, p.3). However, many lobbying tactics have led to many negative connotations being associated with the term. DeKieffer claims that many "outside of Washington" (2007, p.1) equated the business of lobbying "with all sorts of skulduggery" (2007, p.1). Mayer (2008) goes as far as to connect lobbying with "images of back-room meetings, illicit campaign contributions, and other shadowy dealings that undermine democracy" (p.486). Despite these connotations of lobbying, the practice itself is legally well-founded and the First Amendment is the "constitutional foundation of lobbying" (Graziano 2001, p.11). Spithoven also argues that that further legal founding was "empowered by the Supreme Court's decision in *Citizens United v. Federal Election Commission*" (2016, p.630). This Supreme Court ruling in 2010 not only provided a more concrete legal base for lobbying, but also "relaxed constraints on corporate spending on elections" (Chen et al. 2015, p.445) through Political Action Committees (PACs). However, despite the constitutional foundation of lobbying and the Supreme Court ruling in 2010, the U.S. public "decry [the] power of lobbyists" (Saad 2011). These negative connotations remain despite various attempts to limit the power of lobbying, such as the 1995 Lobbying Disclosure Act (LDA).

For this study to determine those lobbying for DAPL, it is important to establish what

defines a lobbyist. Benoit (2007) defines a lobbyist as anybody who communicates by "any oral, written, or electronic" (p.27) means to an "official that is made on behalf of a client with regard to the enumerated subjects" (p.27). Similarly, Graziano (2001) defines lobbyists as any "individual, internal or external to the organisation, through whom representation is actuated" (p.1). DeKieffer (2007) takes a broader view proposing a lobbyist is "anyone who writes a letter to a member of Congress or questions a candidate at a political meeting" (p.1). Similarly, Mayer (2008) views anybody who makes "any attempt to influence the actions of government" (p.486) as a lobbyist, meaning organisations themselves could be lobbyists.

The job of a lobbyists is to "translate narrow economic powers into industry-wide and class-wide powers [...] on the economic front (Beder 2006, p.14). However, in doing so lobbyists can "exert undue influence on public policy" (Mayer 2008, p.487), which leads to the "concern that interest groups will unduly influence government" (Meyer 2008, p.489). However, the core goal of a lobbyist "is to persuade politicians [...] to support political acts" that benefit the interests the lobbyist represents (Kabir Hassan et al. 2016, p.127). The benefits of successful lobbying can vary from "reductions in regulatory compliance costs [to] favorable investing and taxation policies" (Kabir Hassan et al. 2016, p.126). Benoit also highlights how "lobbyists [...] help companies save billions of dollars each year by influencing policy decisions" (2007, p.41), supported by Faccio (2006) who discovered "an average excess return of 2.29 percent whenever a businessperson enters politics" (p.383). Therefore, lobbying may contribute to an organisation gaining new assets through, for example, legislative or regulatory changes that benefit an industry or sector.

Lord (2000) found that for congressional staff, lobbying is the best method an organisation or corporation could use to influence the legislative process (p.303) and achieve the benefits, eluded to by Kabir Hassan et al. (2016), Benoit (2007), and Faccio (2006). Such are the beneficial effects of lobbying to corporations and special interest groups alike in the U.S. that "lobbying expenditures grew from \$1.47 billion in 1999 to \$2.61 billion in 2006" (Mayer 2008, p.519), reaching \$3,15 billion in 2016 (Statista 2017). Kroszner and Stratmann (1998) argued that "PACs are willing to spend more on committee members because there is less uncertainty about what they are purchasing on the committee" (p.1168). It is because of decreased uncertainty about the benefits PAC's will achieve through this form of lobbying that means "committee members receive greater contributions" (Kroszner and Stratmann 1998, p.1168). Such PAC donations often lead to the firm behind the donation to having "well established access to politicians" (Kabir Hassan et al. 2016, p.128), and as Chen et al. tell us "political connections lead to better access" (2015, p.446) and greater influence over legislation. However, not all PAC and lobby money is used to the benefit of the legislator in power. While large amounts of money are provided for "campaign financing and re-election support" (Mayer 2008, p.524), PAC and lobby money can be used as a threat. This threat largely consists of "electoral opposition" (Mayer 2008, p.524), this threat can be used against any elected official.

Academic literature on the topic of lobbying varies from an elaborate discussion on its definition, as is the case with Mayer (2008), to precise empirical studies, such as Faccio's (2006) on the effect lobbying has on firm performance. Researching the nature and success of lobbying, especially on a specific contemporary example, is not without its

difficulties. These difficulties stem from the very nature of lobbying and lobbyists who sometimes "strive to keep the public in the dark" (Rampton and Stauber 2002, p.248). Previous academic literature can provide a basic blueprint for researching lobbying. Mathur et al.'s research involves collecting "annual corporate lobbying data from the database compiled by the Center for Responsive politics (CRP)" (2013, p.549), providing a tested method to gather accurate lobbying data. Similarly, the LDA used by Mayer (2008), provides a clear base from where it is possible to gather lobbying data, as the act "requires 'lobbyists' that lobby certain federal government officials to register and report on their lobbying activities" (Mayer 2008, p.501). However, much of previous academic literature does not provide a research blueprint for the less finance-based side of lobbying. There is little to no reliable source for data concerning lobbying through the likes of "lavish gifts, lucrative honoraria, [or] comfortable post-government service positions" (Mayer 2008, p.524). Given that "much about how interest groups influence government remains unclear" (Mayer 2008, p.489), especially the non-financial side to lobbying, this study will focus more on the financial side of lobbying using the CRP and the LDA to provide secure reliable data on lobbying between 2009 and 2017.

### Policy

The NEPA established a "broad national framework for protecting our environment" (EPA 2017), and requires all federal agencies "to consider the environmental impacts of their actions [and] inform the public of those potential impacts" (Parfomack et al. 2013 p.7). NEPA is essential as it "establishes a national policy of promoting harmony between man and his environment" (Fang 2012, p.294). It applies to all "major federal actions" (Fang 2012, p.295), including any actions "with effects that may be major and which are potentially subject to federal control and responsibility" (Code of Federal Regulations, title 40, sec. 1508.18). The Clean Water Act of 1972 (CWA) regulates "discharges of pollutants into the waters of the United States" (EPA 2017), setting "water quality standards for all contaminants in surface waters" (EPA 2017). The CWA "makes it unlawful to discharge any pollutant from a single identifiable source - such as a pipe" (Brodwin 2016) into such surface waters. However, the CWA does sporadically allow some discharge of pollutant but requires "industrial, municipal, and other facilities" (EPA 2017). Under the CWA, it is the Office of Water's objective to ensure that "drinking water is safe" (EPA 2017), and that the "aquatic ecosystems [...] protect human health, support economic and recreational activities" (EPA 2017).

The National Historic Preservation Act of 1966 (NHPA) acknowledges the "importance of protecting our nation's [America] heritage" (NCSHPO 2017), and "requires Federal agencies to take into account the effects of their undertakings on historic properties" (NPS 2012). The NHPA emphasises the importance of the preservation of "historic properties to which a Tribe [...] attaches religious or cultural significance" (NPS 2012). The agency, through the consultation process, must make "an assessment of adverse effects" (ACHP 2013) any undertaking may have on a historic property.



Focusing on the use of campaign finance as a lobbying tactic, this study uses data collated by the CRP, as used by Mathur et al. (2013), to pinpoint crucial contributions. These contributions are made to key federal candidates in Iowa, Illinois, North and South Dakota, where DAPL travels through. These key federal candidates are the Senators and certain Representatives from the 2008 election through to the most recent 2016 cycle. This study will look at North and South Dakota's Representatives at-large, Iowa's Representatives from the 2nd, 3rd, 4th or 5th Congressional Districts before 2013, and the 2nd, 3rd, 4th Congressional Districts after 2013. The key Representatives in Illinois are from the 17th, 18th and 19th Districts before 2013, and then the 13th, 15th and 18th Congressional Districts post-2013. Focusing on campaign contributions, organisations with a stake in DAPL are the lobbyists in the study, as they "attempt to influence the actions of government" (Mayer 2008, p.486). These organisations include the companies involved in the ownership, construction and funding of the pipeline. LittleSis (2016) reports that Bakken Holdings LLC are controlled by ETP and Sunoco Logistics and controls a 75% stake in the fortunes of DAPL. Meanwhile, a joint venture between Marathon Petroleum (MP) and Enbridge Energy Partners bought a 36.75% interest for "\$2 billion" (Energy Transfer and Sunoco Logistics 2016) in DAPL, with the remaining 25% stake of DAPL belonging to Phillips 66 (P66) (Energy Transfer Partners 2016). ETP and Sunoco Logistics received funding of an estimated \$6.25 billion by thirty banks, (LittleSis 2016), who also made significant campaign contributions. ETP received \$3.75 billion from twenty-six banks, with the largest donors providing \$185 million in political donations (United States Securities and Exchange Commission 2015). Meanwhile, Sunoco Logistics received \$2.5 Billion from twenty-four banks, with many pledging campaign funding of up to \$130 million (Sunoco Logistics 2016). These banks are all stakeholders in DAPL, justifying the analysis of the campaign contributions they have made included here.

Figure 1 shows that since 2008 the corporations involved in the construction of DAPL have made \$295,800 worth of contributions (CRP 2017) to eighteen key federal candidates. Through the Energy Transfer Employee Management Company PAC, ETP made \$52,000 (CRP 2017) in contributions to eleven key candidates. Similarly, ETE, the effective owner of Sunoco Logistics and ETP (Energy Transfer 2017), began extensively contributing to key candidates across the Dakotas, Iowa and Illinois in 2014, the same year as the DAPL announcement. By the end of 2016, ETE made a total of \$78,188 in contributions to fourteen candidates (CRP 2017). This suggests that the ETP PAC and ETE may have begun making campaign finance contributions to get what Democratic Presidential hopeful Bernie Sanders described as "their pound of flesh" (Sanders 2016) in favours from federal candidates.

**Figure 1: All Contributions to Key Federal Candidates and Parties from Corporations and**

**PACs**

Recipient	Year					Total (\$)
	2008 (\$)	2010 (\$)	2012 (\$)	2014 (\$)	2016 (\$)	
Pres. Barack Obama	-	-	15,948.00	-	-	15,948.00
Pres. Donald Trump	-	-	-	-	24,602.00	24,602.00
Rep. Aaron Schock (R-IL)	-	-	10,000.00	5,000.00	-	15,000.00
Rep. Bill 'Bobby' Schilling (R-IL)	-	-	2,500.00	-	-	2,500.00
Rep. Darin LaHood (R-IL)	-	-	-	-	7,500.00	7,500.00
Rep. David Loebsack (D-IA)	-	-	-	6,000.00	5,000.00	11,000.00
Rep. David Young (R-IA)	-	-	-	5,000.00	7,000.00	12,000.00
Rep. John Shimkus (R-IL)	2,000.00	-	12,000.00	15,000.00	18,000.00	47,000.00
Rep. Kevin Cramer (R-ND)	-	-	-	3,000.00	16,000.00	19,000.00
Rep. Kristi Noem (R-SD)	-	-	-	6,000.00	5,000.00	11,000.00
Rep. Peter Roskam (R-IL)	1,000.00	-	4,000.00	14,500.00	6,000.00	25,500.00
Rep. Rick Berg (R-ND)	-	-	5,000.00	-	-	5,000.00
Rep. Rodney Davis (R-IL)	-	-	6,000.00	7,000.00	3,000.00	16,000.00
Rep. Steven King (R-IA)	-	-	-	7,000.00	-	7,000.00
Sen. Chuck Grassley (R-IA)	-	-	-	10,000.00	8,500.00	18,500.00
Sen. Heidi Heitkamp (D-ND)	-	-	2,500.00	5,500.00	-	8,000.00
Sen. John Hoeven (R-ND)	-	-	-	-	16,500.00	16,500.00
Sen. John Thune (R-SD)	1,000.00	-	-	-	15,000.00	16,000.00
Sen. Joni Ernst (R-IA)	-	-	-	15,000.00	-	15,000.00
Sen. Mike Rounds (R-SD)	-	-	-	2,750.00	-	2,750.00
<b>Total Contributions to Key Candidates (\$)</b>	<b>4,000.00</b>	<b>-</b>	<b>57,948.00</b>	<b>101,750.00</b>	<b>132,102.00</b>	<b>295,800.00</b>

Figure 2 shows, since 2008 thirty-one key federal candidates, including Presidents Obama and Trump and Vice President Mike Pence, received a total \$10,261,925 in contributions from the banks involved in funding the pipeline (CRP 2017). Ten of the recipients had gathered over \$50,000 in contributions, including five who received over \$98,000 (CRP 2017). The main recipient of bank contributions was President Obama. However, many of the contributions made to President Obama, by the banks were likely meant to elicit political support for the broader banking sector, rather than specifically for DAPL. This lobbying needs to be seen in the context of the financial crisis of 2008, in which eleven of the banks funding DAPL also received U.S. government bailouts from President Obama (ProPublica 2017). When President Obama's contributions are taken away, these key candidates received \$3,275,192 since 2008 (CRP 2017).

**Figure 2: All Contributions to Key Federal Candidates and Parties from all Banks**



Recipient	Year					Total (\$)
	2008 (\$)	2010 (\$)	2012 (\$)	2014 (\$)	2016 (\$)	
Pres. Barack Obama	5,114,805.00	-	1,856,016.00	1,157.00	14,755.00	6,986,733.00
Pres. Donald Trump	-	-	-	-	277,436.00	277,436.00
Rep. & Sen. Mark Kirk (R-IL)	112,300.00	204,135.00	8,000.00	51,150.00	111,400.00	486,985.00
Rep. Aaron Schock (R-IL)	9,250.00	14,200.00	47,000.00	72,000.00	7,600.00	150,050.00
Rep. Bill 'Bobby' Schilling (R-IL)	-	2,050.00	17,400.00	1,250.00	-	20,700.00
Rep. Darin LaHood (R-IL)	-	-	-	-	10,850.00	10,850.00
Rep. David Loebsack (D-IA)	1,250.00	1,000.00	6,250.00	5,550.00	6,703.00	20,753.00
Rep. David Young (R-IA)	-	-	-	33,500.00	32,540.00	66,040.00
Rep. Earl Pomeroy (D-ND)	45,725.00	21,500.00	-	-	-	67,225.00
Rep. John Shimkus (R-IL)	12,500.00	7,400.00	7,240.00	1,000.00	8,000.00	36,140.00
Rep. Kevin Cramer (R-ND)	-	-	3,000.00	2,000.00	-	5,000.00
Rep. Kristi Noem (R-SD)	-	15,900.00	24,583.00	34,400.00	43,000.00	117,883.00
Rep. Leonard Boswell (D-IA)	11,000.00	2,500.00	500.00	-	-	14,000.00
Rep. Peter Roskam (R-IL)	55,471.00	54,600.00	112,650.00	91,001.00	87,900.00	401,622.00
Rep. Rick Berg (R-ND)	-	5,750.00	116,138.00	-	-	121,888.00
Rep. Rodney Davis (R-IL)	-	-	7,000.00	27,840.00	20,500.00	55,340.00
Rep. Stephanie Herseth Sandlin (D-SD)	21,500.00	33,000.00	-	-	-	54,500.00
Rep. Steven King (R-IA)	2,750.00	-	2,000.00	450.00	1,100.00	6,300.00
Rep. Tom Latham (R-IA)	17,750.00	16,300.00	29,500.00	12,500.00	-	76,050.00
Sen. Byron Dorgan (D-ND)	4,000.00	7,550.00	-	-	-	11,550.00
Sen. Chuck Grassley (R-IA)	5,500.00	40,500.00	-	1,000.00	53,450.00	100,450.00
Sen. Heidi Heitkamp (D-ND)	-	-	30,200.00	36,500.00	34,500.00	101,200.00
Sen. John Hoeven (R-ND)	-	31,700.00	1,000.00	2,000.00	28,000.00	62,700.00
Sen. John Thune (R-SD)	16,050.00	111,900.00	27,500.00	47,150.00	60,470.00	263,070.00
Sen. Joni Ernst (R-IA)	-	-	-	49,050.00	250.00	49,300.00
Sen. Kent Conrad (D-ND)	1,500.00	9,000.00	-	-	-	10,500.00
Sen. Mike Rounds (R-SD)	-	-	2,500.00	109,400.00	10,000.00	121,900.00
Sen. Richard 'Dick' Durbin (D-IL)	141,925.00	2,200.00	8,000.00	12,250.00	6,150.00	170,525.00
Sen. Tim Johnson (D-SD)	138,295.00	13,500.00	131,500.00	-	-	283,295.00
Sen. Tom Harkin (D-IA)	91,040.00	500.00	1,900.00	-	-	93,440.00
VPres. Mike Pence	5,000.00	13,500.00	-	-	-	18,500.00
Total Contributions to Key Candidates (\$)	5,807,611.00	608,685.00	2,439,877.00	591,148.00	814,604.00	10,261,925.00

Figure 3 shows, Rep. Shimkus benefitted highly from both the companies and banks. Shimkus has also been a long supporter of oil pipelines going through Illinois. In 2013, Shimkus voiced his support for DAPL's sister pipeline, 'Keystone XL'. With his support for pipelines clear, the objective of lobbying Shimkus would have been to help secure his place in the political system as an ally with a "proximate objective" (Hall and Deardoff 2006, p.69). Shimkus, showed his worth to the oil and gas industry when he declared his intention to create "practical reforms to promote the expansion of domestic infrastructure and manufacturing" (Siciliano 2017) when speaking as Chairman of the Environment Subcommittee. Shimkus' subcommittee later spoke of how they wished to "make pipeline approvals easier" (Cama 2017). Highlighting Shimkus' ability to "support political acts that benefit the lobbying firm" (Kabir Hassan et al. 2016, p.127). Such actions highlight the fears that "Washington is wired to work for the big guys" (Warren 2016), and how issues of concern to the public may be given a lower priority than those of powerful corporations.

Rep. Roskam (R-IL) was another significant recipient of contributions from both the

banks and companies (CRP 2017), as is shown in Figure 3. In 2015, Roskam released a statement in which he praised the approval of DAPL's sister pipeline, 'Keystone XL', highlighting how the pipeline will reduce "dependency on foreign oil" (Peter Roskam 2015). In the same statement, Roskam targeted President Obama for "six years of obstruction" (Peter Roskam 2015) against the pipeline. Roskam is also a key player amongst House Republicans as the Chief Deputy Whip. This allows Roskam to provide significant support to "political acts that benefit" (Kabir Hassan et al. 2016, p.127) those who have funded his re-election campaigns, a tactic Mayer (2008) suggests is widely used by lobbyists (p.524). During the 2014 election campaign, Roskam was challenged by Democrat Michael Mason. Mason took a firm stand against the use of fossil fuels, and made it clear throughout his campaign that "Tar sands from Canada [similar to the Bakken formation in North Dakota] are not the long-term answer" (Library of Congress 2014). Therefore, Mason's election would have been a significant obstacle in the permitting of pipelines, including DAPL. In 2014, as is allowed by the 2010 Citizens United decision, Roskam received \$14,500 from DAPL companies.

Similar patterns can be seen in the 2012 and 2014 election campaigns of Rep. Davis (R-IL). Davis against Democratic candidate David Gill, in 2012, who advocated for "sustainable energy policy" (Library of Congress 2012). In 2014, Ann Callis called for "harnessing wind, solar and other resources to grow a local alternative energy economy" (Library of Congress 2014). Meanwhile, Davis received \$ 55,340 (CRP 2017) from DAPL companies in these elections. Then in 2013, Davis spoke in favour of DAPL's sister pipeline (U.S. Rep. Rodney Davis 2013), before showing his support for E.O. 13766 in 2017 (Rodney Davis 2017). Campaign donations of this kind alongside election advertising in support of candidates or attacking the record of their opponents happen because of the Supreme Court's ruling on the Citizens United case in 2010 which "loosened restrictions on political expenditures" (Holman 2016).

Rep. Kevin Cramer (R-ND) has been a major recipient of contributions from the companies behind DAPL who has shown consistent support for the pipelines in North Dakota (Kevin Cramer 2015). These contributions helped secure his position in the political system as a crucial ally, as discussed by Cave and Rowell (2014, p.234). Cramer serves on the House Energy and Commerce Committee, with subcommittee assignments on the Energy, and Environment subcommittees. President Trump has also used Cramer as a prominent energy policy advisor in the knowledge Cramer is "one of the country's most ardent oil and gas drilling advocates" (Volcovici and Flitter 2016). Following the signing of E.O. 13766, Cramer took to YouTube to praise President Trump's decision, declaring he was "so, so grateful" (Kevin Cramer 2017). Beyond the "proximate objectives" (Hall and Deardoff 2006, p.69) Cramer and DAPL align together, Cramer used his political power to ensure support for the completion of DAPL. Sen. John Hoeven (R-ND) received \$16,500 from DAPL companies, while showing strong political support by promising that security would be "bulked up" (Kormann 2017) as protesters would be moved on and any "upswell in protest would be quashed" (Kormann 2017).

Cramer and Hoeven found support in expelling pipeline protesters through North Dakota Governor Jack Dalrymple. The Governor declared "a state of emergency to deal with peaceful oil pipeline protesters" (Cook 2016), as he "activated the National Guard" (Democracy Now 2016) to support the police in moving the protesters out of their camp. The move followed reports that DA had "unleashed dogs and pepper spray" (Democracy

Now 2017). Governor Dalrymple was a large recipient of the Energy and Natural Resources sector contributions (Vote Smart 2017). In doing so Cramer, Hoeven, and Dalrymple moved beyond being passive allies of the DAPL projects, to allies actively aiding the passage of the pipeline and helping move it towards completion. These actions feed into the debate that elected officials are more beholden to campaign finance contributors than those who voted them in. In this case of evicting protesters, this debate was dragged to extremes as public services, like the National Guard, were used against peaceful members of the public raising the question of whether Citizens United (2010) has allowed corporations to not only 'buy' politicians, but also the public services meant to protect the electorate.

Sen. Thune (R-SD), who received \$279,070 (CRP 2017) of campaign contributions as is seen in Figure 3, has served on the Senate Committee on Commerce, Science and Transportation since 2013 and currently serves as chairman of the Committee. Under Thune's leadership, this committee has jurisdiction, and therefore high levels of influence, over legislation relating to "inland waterways [and] pipelines" (John Thune 2017), such as the Mississippi River which is a key water supply to the local Tribe. Thune is also a strong advocate for "advancements in oil extraction [and] expansive oil production from the Bakken formation in neighbouring North Dakota" (John Thune 2017), making him a valuable ally in the completion of DAPL. An ally, whose policy record since 2001 shows that he is willing to consistently vote against environmental protections or any action on climate change and in favour of oil and gas exploration (On the Issues 2016).

**Figure 3: All Contributions to Key Federal Candidates from all Banks, Corporations**

**and PAC's**

Recipient	Year					Total (\$)
	2008 (\$)	2010 (\$)	2012 (\$)	2014 (\$)	2016 (\$)	
Pres. Barack Obama	5,114,805.00	-	1,871,964.00	1,157.00	14,755.00	7,002,681.00
Pres. Donald Trump	-	-	-	-	302,038.00	302,038.00
Rep. & Sen. Mark Kirk (R-IL)	112,300.00	204,135.00	8,000.00	51,150.00	111,400.00	486,985.00
Rep. Aaron Schock (R-IL)	9,250.00	14,200.00	57,000.00	77,000.00	7,600.00	165,050.00
Rep. Bill 'Bobby' Schilling (R-IL)	-	2,050.00	19,900.00	1,250.00	-	23,200.00
Rep. Darin LaHood (R-IL)	-	-	-	-	18,350.00	18,350.00
Rep. David Loebsack (D-IA)	1,250.00	1,000.00	6,250.00	11,550.00	11,703.00	31,753.00
Rep. David Young (R-IA)	-	-	-	38,500.00	39,540.00	78,040.00
Rep. Earl Pomeroy (D-ND)	45,725.00	21,500.00	-	-	-	67,225.00
Rep. John Shimkus (R-IL)	14,500.00	7,400.00	19,240.00	16,000.00	26,000.00	83,140.00
Rep. Kevin Cramer (R-ND)	-	-	3,000.00	5,000.00	16,000.00	24,000.00
Rep. Kristi Noem (R-SD)	-	15,900.00	24,583.00	40,400.00	48,000.00	128,883.00
Rep. Leonard Boswell (D-IA)	11,000.00	2,500.00	500.00	-	-	14,000.00
Rep. Peter Roskam (R-IL)	56,471.00	54,600.00	116,650.00	105,501.00	93,900.00	427,122.00
Rep. Rick Berg (R-ND)	-	5,750.00	121,138.00	-	-	126,888.00
Rep. Rodney Davis (R-IL)	-	-	13,000.00	34,840.00	23,500.00	71,340.00
Rep. Stephanie Herseth Sandlin (D-SD)	21,500.00	33,000.00	-	-	-	54,500.00
Rep. Steven King (R-IA)	2,750.00	-	2,000.00	7,450.00	1,100.00	13,300.00
Rep. Tom Latham (R-IA)	17,750.00	16,300.00	29,500.00	12,500.00	-	76,050.00
Sen. Byron Dorgan (D-ND)	4,000.00	7,550.00	-	-	-	11,550.00
Sen. Chuck Grassley (R-IA)	5,500.00	40,500.00	-	11,000.00	61,950.00	118,950.00
Sen. Heidi Heitkamp (D-ND)	-	-	32,700.00	42,000.00	34,500.00	109,200.00
Sen. John Hoeven (R-ND)	-	31,700.00	1,000.00	2,000.00	44,500.00	79,200.00
Sen. John Thune (R-SD)	17,050.00	111,900.00	27,500.00	47,150.00	75,470.00	279,070.00
Sen. Joni Ernst (R-IA)	-	-	-	64,050.00	250.00	64,300.00
Sen. Kent Conrad (D-ND)	1,500.00	9,000.00	-	-	-	10,500.00
Sen. Mike Rounds (R-SD)	-	-	2,500.00	112,150.00	10,000.00	124,650.00
Sen. Richard 'Dick' Durbin (D-IL)	141,925.00	2,200.00	8,000.00	12,250.00	6,150.00	170,525.00
Sen. Tim Johnson (D-SD)	138,295.00	13,500.00	131,500.00	-	-	283,295.00
Sen. Tom Harkin (D-IA)	91,040.00	500.00	1,900.00	-	-	93,440.00
VPres. Mike Pence	5,000.00	13,500.00	-	-	-	18,500.00
<b>Total Contributions to Key Candidates (\$)</b>	<b>5,811,611.00</b>	<b>608,685.00</b>	<b>2,497,825.00</b>	<b>692,898.00</b>	<b>946,706.00</b>	<b>10,557,725.00</b>

The data uncovered in the analysis of the contributions made by the banks and companies behind DAPL helps build upon many of the debates in the US political arena. Most notably whether the Supreme Court ruling in 2010, on the Citizens United case, has irreversibly blurred the line between bribery and lobbying. This data suggests, as Wertheimer and Manes (1994) argue, that "elected representatives are so indebted to the special-interest donors [...] they are losing their ability to provide their best judgement" (p.1127) for those who elected them.

**DONALD TRUMP**

On 16th June 2015, New York businessman Donald Trump officially announced that he would be running for the Presidency of the United States. Donald Trump would go on to become the "only US President ever with no political or military experience" (Crockett, 2017). However, through his business career, Donald Trump made numerous political actions, including posts on social media, campaign finance contributions, and investments in government-backed projects. In 2016 during his presidential campaign, Trump received \$22,087 (CRP 2017) in contributions from ETE and MP, as is shown in figure 4, both making above company-average contributions to his campaign (CRP

2017). These contributions hold high levels of significance because, unlike the banks, ETE and MP have a far more limited range of lobbying interests. ETE and MP both have the primary objective of securing the completion of DAPL. Therefore, the contributions made to Trump by ETE and MP are more likely to be deliberate attempts to "influence legislators" (Chen et al. 2015, p.444) - in this case President Trump in the hope he would further the completion of DAPL.

After receiving the contributions, broken down in figure 4, Donald Trump was inaugurated as President, on 20th January 2017. Trump then signed E.O. 13766 on the 24th January 2017, four days after being sworn in. This E.O. was designed to push through the construction of the Keystone XL pipeline and DAPL (Garcia 2017). Given the speed at which Trump signed this E.O. it is likely that the construction of DAPL was a high priority to Trump. This E.O. clearly shifted the "market opportunities in favor" (Kabir Hassan et al. 2016, p.126) of those supporting DAPL. The day following Trump signing E.O. 13766, the Shares of ETP rose by "more than 7.5%, hitting its highest level since mid-November" (Bukhari 2017). ETP's stock also took a similar jump on November 9th (Market Watch 2017), when Trump was elected U.S. President (Flegenheimer and Barbaro 2016). MP's stock also jumped up upon the signing of E.O. 13766 and P66 also saw similar stock values jump on these occasions (Market Watch 2017). Such cause and effects of campaign contributions are a prime example of what Former President Jimmy Carter warned of when he declared that America had become a "an oligarchy with unlimited political bribery" that had witnessed:

"a complete subversion [of the] political system as a payoff to major contributors, who want and expect, and sometimes get favors for themselves after the election's over" (Thon Hartmann Program 2015).

These fears are founded in the evolution of the American political system where the ideal of 'one vote, one person' and 'an equal voice for all', are being diminished by corporations dumping "billions of dollars into the political process to buy elections for politicians who will be beholden to them" (Sanders 2016, p.189).

**Figure 4: Contributions made to Presidential Candidate Donald Trump in 2016**

Contributing Bank, Corporation or PAC	Contribution made (\$)
Bank of America	67,825.00
Barclays	2,585.00
BBVA Compass (Compass Bank)	1,000.00
BBVA Securities (Compass Bank)	342.00
Citizens Bank	1,250.00
Comerica	858.00
Enbridge Energy Partners	184.00
Energy Transfer Equity	14,038.00
Goldman Sachs	4,391.00
HSBC Holdings	2,748.00
JPMorgan Chase & Co	19,385.00
Marathon Petroleum	8,049.00
PNC Financial Services	3,290.00
Royal Bank of Canada	5,890.00
Royal Bank of Scotland	610.00
Societe General	680.00
UBS AG	28,262.00
Total	161,387.00

On the 19th September 2016, the Wisconsin Democratic Party called upon Trump to release his tax returns (2016). Senator Tammy Baldwin was quoted saying, it "is way past due for Donald Trump to release his tax returns" (Democratic Party of Wisconsin 2016). At the time of this study, Trump is yet to release any tax returns, but on 15th March 2017, Trump's 2005 tax return was leaked over Twitter (Stein 2017). While it is felt, this leak fell out of the appropriate scope of this study the CRP (2017) has released Trump's financial disclosure forms for 2014 and 2015, filed in 2015 and 2016 respectively. They reveal the reported value of Trump's investments in various organisations including numerous DAPL stakeholders. The value of Trump's investments in these banks and corporations may have reached a top value of \$20,761,000 (CRP 2017), including investments in ten banks involved in funding DAPL. Additionally, President Trump had sizable investments in two companies directly involved in the construction of DAPL, ETP and P66. Overall Trump stood to gain approximately \$1.3 million out of the success of ETP and P66 (CRP 2017). Trump supported these investments, with additional investments in various key DAPL candidates' campaigns. Trump has been making political contributions throughout the focus period of this study. However, Trump was most generous to key candidates in the 2014 and 2016 election cycles, contributing \$23,800 (CRP 2017), including to the Iowa Republican Party.

It remains unclear how much Trump had invested in these companies when signing E.O. 13766. Further release of Trump's taxes or financial disclosure would be required to determine an exact value. However, during the Presidential transition period over 2016 and 2017, any claims that Trump's investments were a source of conflict of interest were

curtly dismissed (Revesz 2016); as was any discussion of how much President had invested in other companies which may be a source of conflict. Despite the claims of the Trump transition team, that his former business investments would have no effect on his Presidential decision making. The fact that one of his first actions as President, E.O. 13766, directly affected investments he may have, calls into question the democratic nature of a President with split interests. Should the President act in a manner which deliberately effects positive personal fiscal outcomes through legislation signed by themselves, or does this fall under the definition of a corrupt action?

Although we are unable to determine the exact level President Trump has invested in ETP or P66, at the time of passing E.O. 13766, we can pinpoint how much Kelcy Warren, the Chief Executive Officer and Chairman of the Board of Directors at ETP, who also "serves as Chairman of the Board of Director" (Energy Transfer 2017) at ETE, invested in the success of Trump. Over the course of three separate contributions, Warren contributed a total of \$103,000 to Donald Trump's official campaign and the Trump Victory fund (FEC 2016). The Federal Election Commission (FEC) reports that Warren made a maximum contribution to the Trump campaign of \$2,700 (FEC 2016), however, another \$300 contribution was also made separately by Warren. These two contributions may have broken FEC rules, as it exceeds the maximum contribution allowance to an individual campaign (FEC 2016). In addition to the \$103,000 Warren contributed to Trump, he also contributed \$66,800 to the Republican National Committee (FEC 2016). These payments were made a month after Trump sealed enough delegates to win the Republican nomination (BBC 2016). The positions held by Warren in ETP and ETE, provide a clear incentive for him to attempt to "persuade [Trump's] support [for] political acts that benefit" (Kabir Hassan et al. 2016, p.127) Warren's corporations. Given that DAPL is a multi-billion-dollar project, it is highly likely that Warren, as CEO and Chairman of ETP and ETE, would see a significant monetary benefit from the success of the project: a benefit which is reflected in the stock value jumps of ETP. Therefore, this gives Warren a high incentive, both personally and corporately, that he should do all within his power to ensure its success. The potential monetary gains from the project's success are very likely to outweigh the cost of \$169,800 worth of contributions (FEC 2016) and were, in all likelihood, made to help influence the legislative process (Lord 2000, p.303). It is possible that Warren hoped any influence these payments had on the legislative process would benefit his company through "reductions in regulatory compliance costs, increases in government procurement contracts, increases in protective trade or industrial entry barriers" (Kabir Hassan et al. 2016, p.126). Without access to any logs made during meetings between Warren and Trump, it is not possible to determine whether an E.O. was discussed.

## TARGETED POLICY

To build DAPL, the USACE are required to "comply with several environmental laws" (Brodwin 2016), including the NEPA and the CWA. These were passed for the protection of the environment which supports both human activity and wildlife, many argue that pipelines, like DAPL, violate these laws. These arguments include studies such as the Pipeline and Hazardous Materials Safety Administration (PHMSA) report in 2017 which, since 1997, found a total of 11,462 significant pipeline incidents in the US, leading to 324 fatalities (2017). The PHMSA also reports 1,331 injuries and more than \$7 Billion worth



of reported costs (2017). Additionally, studies have shown that those exposed to oil-contaminated water are more likely to contract various forms of cancer (Gay et al. 2010, p.67), amongst other adverse health effects.

On the 23rd September 2016 UN Special Rapporteur on the rights of Indigenous peoples, Victoria Tauli-Corpuz called on the United States to halt the construction of the pipeline, which posed "a significant risk to the drinking water of the Standing Rock Sioux Tribe" (Cohn 2016). The Tribe also believed that the pipeline "would damage and destroy sites of great historic, religious, and cultural significance to the Tribe" (Standing Rock Sioux Tribe 2016). Despite such fears, the USACE issued multiple federal authorizations needed to construct the pipeline leading to Tribal accusations of multiple violations "including the Clean Water Act, National Historic Preservation Act and National Environmental Policy Act" (Cohn 2016).

According to Cohn (2016) NEPA's basic policy is to ensure that the government considers the potential environmental impacts of any federal project, but the EA for DAPL concluded in a FONSI (USACE 2016) leading the Tribe to claim the "review process [...] was not done properly" (Brodwin 2016). In response, the Obama administration announced that "the Army will not authorize constructing DAPL on Corps land" (DOJ 2016), with the need "to explore alternate routes" (Gajanan 2016), making an EIS essential for the pipeline construction to move forward. However, before the EIS could be carried out President Trump was sworn in. Trump, who months earlier received donations over \$100,000 from ETP CEO Kelcy Warren, "canceled the EIS process, waived other regulatory requirements and allowed for immediate construction" (Brodwin 2016) of the pipeline. It was believed that the EIS process would have revealed "possible harms [of the original pipeline route] and alternative routes [would] have taken years to complete" (Brodwin 2016). This would have left the pipeline unused with a massive cost to the companies involved with it. Per Kabir Hassan et al. (2016, p.127), Trump's decision highlights a clear benefit of successful lobbying by the stakeholders of DAPL who risked a loss of profit.

E.O. 13766 allowed the pipeline to avoid further questions concerning the CWA and the risks posed to "the Missouri River is [...] the tribe's only source of water" (Meyer 2016). The purpose of the CWA was to prevent the many health concerns, which are raised by Gay et al. (2010), and address fears that an incident could "send oil deep into the Missouri River" (Brodwin 2016). Similar fears meant a provisional route for DAPL (ETP 2014, p.22), was rejected after the residents of Bismarck expressed fears it would have jeopardised their water supply (Cohn 2016). However, ETP were more willing to risk the water supply of the Native American Tribe, than the water supply of the prominently white citizens of Bismarck, an act described as a "violation of the non-discrimination principle" (Cohn 2016) and "environmental racism" (Thorbecke 2016). However, the lack of an EIS meant that such concerns went unresolved in the construction of the pipeline.. Chairman Archambault II claims that "permits for the project were approved and construction began without meaningful consultation" (Cohn 2016), meant to be guaranteed by state government officials. Instead, the cultural resource surveys, conducted for permit approval of the pipeline, "were conducted by out-of-state, non-tribal consultants of the company seeking to build the pipeline" (Cohn 2016), which meant the Tribe had little to no opportunity to express their fears. This scenario, claims Penn-Roco, highlights "the difference between consultation and meaningful

consultation" (2016, p.178). By using non-Standing Rock Sioux tribal consultants, ETP potentially violated article 18 of the United Nations Declaration of the Rights of Indigenous Peoples (2007).

The use of Eminent domain, which gives the government the power to "compulsorily purchase land" (Free Dictionary 2017) from a private owner, became a crucial tool in constructing DAPL. In 2016, the Iowa Utilities Board (IUB) granted Dakota Access (DA) the power of eminent domain to construct DAPL (IUB 2016). This move was greatly supported by Iowa Governor Terry Branstad (R), who in 2015 voiced his support of the use of eminent domain in cases related to pipeline projects (Petroski 2015). Branstad has received \$228,811 in contributions from the Oil and Gas industry, and a further \$158,581 from the Miscellaneous Energy industry (Vote Smart 2017). Branstad also received \$25,000 from Donald Trump and \$16,000 from WF (Vote Smart 2017). DA's use of eminent domain led to complaints from Iowan farmers unhappy with the damage the construction of the pipeline will have had on their farm soil (Fallon 2016). The elected officials' disregard of these complaints highlights the potential for them to be beholden under special interests' group's campaign contributions, which "undermines the determination of the representatives to deliver the public what is most wanted and needed" (Gottlieb 1989, p.282)

## CONCLUSION

The most damning outcome of this study is the campaign contributions made, by ETP CEO Kelcy Warren, to Trump's Presidential campaign (FEC 2017). Most worryingly about these contributions is that they, along with other financial incentives accruing from Donald Trump's personal investments, may have contributed to the hasty signing of E.O. 13766 and the prompt completion of DAPL (Garcia 2017). Similarly, the contributions from ETE and MP who contributed significant sums to Trump (CRP 2017) for the safe passage of pro-DAPL legislation which gave little regard to the environmental, cultural, or legal fears of the Standing Rock Tribe (Cohn 2016). Equally worrying are the possible business ties between Trump and companies (CRP 2017) involved in the construction of DAPL, and the arising conflict of interest between Trump's investments and his Presidency. Although we cannot determine precisely what Trump currently has invested in ETP and P66, or other DAPL related companies; his consistent reluctance to release up to date tax returns (Rosza 2017) allows for continuing suspicions of conflicts of interest between his investments and the Presidency.

Away from the Presidency, the signs that lobbyists are overwhelmingly powerful, within the legislative process persist. This power comes in the form of campaign finance, which creates "natural allies" (Hall and Deardoff 2006, p.69) within the political system. Campaign contributions (Mayer 2008) keep these allies in the political system where they can work to the benefit of lobbyists with "coincident plans" (Cave and Rowell 2014, p.234). For DAPL these "natural allies" (Hall and Deardoff 2006, p.69) were the likes of Rep. Cramer (R-ND) and Sen. Hoeven (R-ND) who helped clear protesters away from the pipeline; and Rep. Shimkus (R-IL) who helped create a legislative environment highly beneficial to pipelines. Such allies were secured with campaign finance which helped them gain victory over anti-pipeline candidates, such as Rep. Roskam (R-IL) in 2014 against anti-pipeline Democratic candidate Mason.

This study cannot say for certain the intentions of the contributions made by the organisations discussed in the research. Nor is it possible for this study to determine whether policy decision makers were swayed by the contributions, or that the policy issues were ever discussed with them in relation to DAPL. This study cannot take "lavish gifts, lucrative honoraria, [and] even pleasant companionship" (Mayer 2008, p.524) into account. This is not the fault of this study alone; such fault is systemic throughout lobbying research with no reliable source for such lobbying tactics. Further research would be required to determine the true effectiveness of campaign contributions on policy decisions. This research might include interviews with government officials about the impact of campaign contributions over policy decisions. Were officials forthcoming and able to offer evidence of the impact of campaign finance, such research could help determine just how much power of influence lobbyists have of policy makers. Despite the absence of detailed research of this kind, this study is confident in suggesting that lobbyists have been highly successful in influencing state and national policy to further the completion of DAPL, since 2008.

The conclusions drawn from this study help to create a contemporary example of the extent to which lobbying can influence legislation and policy, to their benefit. The case of DAPL shows how through a network of "natural allies" (Hall and Deardoff 2006, p.69) and campaign financing, lobbying can lead to the direct reversing of a policy decision taken by a former administration. Along with Mayer (2008), this study associates the practice of lobbying with images of "campaign contributions and other shadowy dealings that undermine democracy (p.486). This study also suggests that lobbyists do exert a high level of "undue influence" (Gottlieb 1989, p.282) on policy makers. This study further raises the issue of uncapped money in politics, leading to representatives no longer getting "their just powers from the consent of the governed" (Library of Congress 2017). Instead, the power to govern is coming from special interest groups, corporations and "extraordinary wealthy people [who] dump billions of dollars into the political process" (Sanders 2016, p.189). This effectively creates a political system "tainted with corruption" (Lowenstein 1989, p.335), in which the tag of crisis "is neither startling nor controversial" (Jezer and Miller 1994, p.467). Focusing on the idea that "people who are willing and able to spend more money [...] should not have more influence over who is elected to office" (Strauss 1994, p.1369); this study raises concerns about the effect of the Citizens United (2010) judgement on the US political system. The decision which allowed for the "unlimited corporate campaign spending" (Nichols and McChesney 2013, p.3), based "on the absurd notion that money is speech [and] corporations are people" (Sanders 2016, p.203). Although it still debated whether Citizens United (2010) is the cause of the amount of money in US politics "it has the feel of a final straw" (Levitt 2010, p.217). It is the Citizens United (2010) ruling which meant campaign contributions, like those discussed in this study, are not illegal acts of corruption. Despite the apparent deviation "from the formal duties of a public role because of private-regarding" (Nye 1967, p.419) the campaign finance data (CRP 2017) suggests this has been happening since 2008 in relation to DAPL. Therefore, the tactics used by lobbyists to get DAPL complete were highly influential, but not corrupt. Instead they can be viewed as "tainted with corruption" (Lowenstein 1989, p.335).

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