Trump transition team announces continued support for Dakota Access Pipeline

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The Obama administration's decision to block construction of the Dakota Access Pipeline has left the fate of the project up to the incoming Trump White House. On Monday, Trump spokesman Jason Miller said the pipeline remains "something we support construction of, and will review the full situation in the White House and make an appropriate determination at that time."

There can be little doubt that a Trump administration would reverse the Army Corps of Engineers' decision to stop construction of the pipeline underneath the Missouri River. While many have hailed Monday's decision from the Army as a "historic" victory for the anti-pipeline activists who have gathered at the Oceti Sakowin camp near Cannon Ball, North Dakota, in reality nothing has been resolved and the energy companies are banking on a more favorable political climate in six weeks to resume construction.

The pipeline has cost $3.8 billion so far and travels some 1,200 miles to transport crude oil from North Dakota to Illinois, threatening cultural and environmental sites along the way. The pipeline as a whole is 92 percent complete, and in North Dakota, 99 percent complete. The only remaining obstacle to its completion is the segment under Lake Oahe, which is part of the Standing Rock Sioux Indian Reservation.

Energy conglomerates are hopeful that construction will be approved again under a Trump presidency. American Petroleum Institute President and CEO Jack Gerard said in a statement Sunday, "I am hopeful President-elect Trump will reject the Obama administration's shameful actions to deny this vital energy project."

The company constructing the pipeline, Dallas-based Energy Transfer Partners also criticized the Army decision, saying, "The White House's directive today to the Corps for further delay is just the latest in a series of overt and transparent political actions by an administration which has abandoned the rule of law in favor of currying favor with a narrow and extreme political constituency."

While many cheered the Army's decision at Oceti Sakowin, the protest encampment where thousands have assembled since August, the demonstrators are determined to stay and fight until the pipeline is abandoned. Significantly, the Army announcement does not end the pipeline, but simply asks for more time to look into alternate routes for its completion.

Assistant Secretary of Civil Works Jo-Ellen Darcy did not rule out an alternate pipeline that could cross under the reservoir or north of Bismarck. "Although we have had continuing discussion and exchanges of new information with the Standing Rock Sioux and Dakota Access, it's clear that there's more work to do," she added, "The best way to complete that work responsibly and expeditiously is to explore alternate routes for the pipeline crossing."

Donald Trump has personal investments in Energy Transfers Partners as well as Phillips 66, which owns a share of the pipeline. The CEO of Energy Transfer Partners, Kelcy Warren, gave $169,000 to the Trump campaign and the Republican National Committee.

Trump's business ties prompted a statement from his transition team to campaign and congressional staff, which said that Trump's position on the DAPL "has nothing to do with his personal investments and everything to do with promoting policies that benefit all Americans," adding, "Those making such a claim are only attempting to distract from the fact that President-elect Trump has put forth serious policy proposals he plans to set in motion on Day One."

As recently as last week, the Trump team released a

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memo saying they would “cut the bureaucratic red tape put in place by the Obama administration that has prevented our country from diversifying our energy portfolio.”

Energy Transfer Partners and Sunoco Logistics Partners, the main backers of the DAPL, were unfazed by the Army’s decision and in a statement late Sunday said, “As stated all along, [we] are fully committed to ensuring that this vital project is brought to completion and fully expect to complete construction of the pipeline without any additional rerouting in and around Lake Oahe.” They added, “Nothing this administration has done today changes that in any way.”

North Dakota Petroleum Council President Ron Ness said his group was looking “forward to the enforcement of the rule of law and the approval of an easement by the incoming Trump Administration.”

Not wanting to confront mass opposition by Native Americans and their supporters in the waning days of his presidency, Obama has essentially left it to Trump to be the villain of the pipeline saga and deal with the protesters. The stock of Energy Transfer Partners fell only 2 percent on Monday morning, as Wall Street investors know perfectly well they have nothing to fear from either government.

The incoming administration will also seek to privatize oil-rich Indian reservations, which may contain about a fifth of the nation’s oil, gas, and coal reserves. Trump’s team proposed to put tribal lands into private ownership, a move that could reap in $1.5 trillion in energy resources, according to a 2009 study by The Council of Energy Resource Tribes, a private energy group. In 2008, the Bureau of Indian Affairs testified to Congress that Indian reservations contained about 20 percent of the nation’s untapped energy deposits.

Trump’s transition team has commissioned a 27-member Native American Affairs Coalition to guide his administration over Indian policy, especially in regard to privatizing tribal lands for drilling. At least three of the four chair-level members have ties to the energy industry.

While the mining and drilling deals are presented as much-needed sources of income for the impoverished reservations, they only benefit a small tribal elite. In 2015 the Government Accountability Office revealed that the Bureau of Indian Affairs actually hindered the development of energy infrastructure and as a result tribes lost money.

Activists at Oceti Sakowin have made clear that Sunday’s Army announcement has not deterred them from remaining at their encampment. Charlotte Bad Cob of the Pine Ridge Reservation in South Dakota told media on Sunday, “This is a temporary celebration. I think this is just a rest,” adding, “With a new government it could turn and we could be at it again.”

Veteran Matthew Crane of New York also told news media, “That drill is still on the drill pad. Until that’s gone, this is not over.”

Frank Archambault of the Standing Rock Sioux Indian Reservation moved his entire family to the encampment last August. He told media that the energy companies will appeal the Army’s decision saying, “It’s a trick. It’s a lie. Until that drill is shut down it’s not over yet,” adding, “Everybody needs to stay in place.”

“We’ve been lied to and deceived this whole time,” he said. “Why should this time be any different?”

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