The American Chemistry Council and U.S. Chamber of Commerce Led 2008 Campaign to Kill Chemical Security Legislation

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"We cannot allow chemical industry lobbyists to dictate the terms of this debate. We cannot allow our security to be hijacked by corporate interests."
-Barack Obama (March 30, 2006)

I. INTRODUCTION

Since the attacks of September 11\textsuperscript{th}, chemical facilities have remained one of our nation’s most vulnerable sectors to terrorism. The Department of Homeland Security (DHS) has identified 6,300 chemical facilities as “high-risk”.\textsuperscript{1} The U.S. Army Surgeon General estimated that an attack on just one U.S. chemical plant could kill or injure 900,000 to 2.4 million people.\textsuperscript{2} Despite numerous warnings since 2001, little has been done to address these hazards beyond conventional fence-line security.

Since the introduction of the first comprehensive chemical security bill in 1999, the chemical industry, led by trade associations such as the American Chemistry Council (ACC), has launched an all-out assault against any similar regulations, running aggressive lobbying campaigns against chemical facility security legislation. In 2006 they succeeded in derailing comprehensive chemical security legislation (H.R. 5695 & S.2145) and worked closely with Republican leaders to draft the 2006 interim law, a rider on the FY 2007 DHS appropriations bill.

The interim law, which expires on October 4, 2009, prohibits DHS from requiring the use of any specific security measure including safer chemical processes or technologies, exempts approximately 2,600 water treatment facilities and hundreds of port facilities from regulations, and prohibits lawsuits to enforce the law. In 2008, the chemical industry lobby but their short-term interests ahead of public safety to derail chemical facility legislation that would have begun to safeguard communities against potential terrorist attacks.

This report identifies the key chemical industry trade associations that killed chemical security policy and legislation on Capitol Hill in 2008. There are intricate relationships between companies, trade associations, and the lobbying firms they hire to oppose comprehensive chemical security legislation. The revolving door of public servants becoming lobbyists for the industries they once regulated ensures that these special interests are better represented than the people who are endangered by their business practices. In compiling this report, Greenpeace has identified former members of Congress, legislative directors, chiefs of staff and other staff who advocated on behalf of the chemical industry and ultimately derailed comprehensive chemical security legislation in 2008.

It should be noted that this report was based on direct lobbying records reported through the Lobbying Disclosure Act of 1995 (LDA), and thus represents only a fraction

\footnotesize{\textsuperscript{1} 15 May 2009 “DHS Risk Tiers For Chemical Facilities” DHS Staff Briefing of Labor and Environmental Groups on Chemical Security
\textsuperscript{2} http://www.washingtonpost.com/ac2/wp-dyn/A10616-2002Mar11}
of the breadth and depth of the chemical industry’s influence on chemical security policy in the U.S.

II. MARCH 2009 INDUSTRY LETTER TO CONGRESS

In a letter to Congress dated March 2nd, 2009, 34 trade associations representing the chemical industry urged members of Congress to make permanent the flawed regulations currently in place (see Appendix A). They "strongly urge[d]" Congress to oppose any “provisions that would mandate government-favored substitutions" meaning industry requirements for safer and more secure chemicals and processes that would eliminate the possibility of deaths in the event of a catastrophic attack on a chemical plant. This report used the March 2nd letter as a road map to track the 2008 lobbying of the chemical industry trade associations.

In an attempt to distance themselves from the more dogmatic recommendations of the groups that signed the March 2nd letter, the ACC, the trade association representing the country’s largest chemical manufacturers did not sign the March 2nd letter. However, leading member companies of the ACC, such as Dow and DuPont are closely affiliated with trade groups that did sign the March 2nd letter. DuPont belongs to four of the trade associations on the March 2nd letter; and Dow belongs to nine trade associations on the letter (see flow chart in Appendix B). Of these nine trade associations, seven reported high levels of lobbying activity that accounted for an estimated forty percent of total chemical security spending by all registered lobbying entities surveyed in this report. Dow also contributes half a million dollars a year to the ACC and over $1 million to the U.S. Chamber of Commerce annually (see flow chart in Appendix B).3

In an E&ETV interview on March 21, 2007, ACC CEO Jack Gerard said that, “we [the ACC] believe the Department of Homeland Security should have the ability to put these regs in place. Let’s let the dust settle, and then a few years down the road let’s take a look at it.”4 Since then, the ACC has lobbied heavily to prevent stronger more secure requirements from being enacted.

In March 2009, Greenpeace wrote the largest member companies of the ACC, Dow and DuPont urging the companies to implement safer chemical processes and support chemical security legislation requiring its use (See Appendices C-1 and C-2). Greenpeace explained that the benefits to both companies would include billions of dollars in liability relief, fewer regulatory obligations and more sustainable long-term profits. Greenpeace noted that on December 17, 2008 Dow announced a new venture with K2 Pure Solutions in the San Francisco Bay Area that “will utilize Inherently Safer salt-to-bleach Technology (IST), an emerging, sustainable process…” (see Appendix C-3). When the plant is modified, Dow will no longer ship 90-ton rail cars of chlorine from their own Texas facility to their Pittsburgh, CA plant. DuPont has at least four plants that could eliminate these risks using similar technologies (see Appendix C-2 MAP).

Not only have Dow, DuPont, and the ACC continued to lobby against strong legislation, but Dow and DuPont are also members of the more publicly militant trade associations

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3 http://www.dow.com/corpgov/political/trade.htm
4 http://www.eenews.net/tv/video_guide/587
that signed the March 2nd letter to Congress. Based on analysis of lobbying reports, the ACC was a leading partner in industry efforts in 2008 to successfully kill legislation that would have protected more than 110 million Americans still at risk. Based on Dow and DuPont’s responses and publicly available statements, their efforts to delay, weaken, or derail this legislation continue to this day. The ACC, Dow and DuPont have all devoted significant portions of their lobbying teams to chemical facility security issues (see Appendix E). Forty-seven percent of Dow’s lobbyists, forty-four percent of DuPont’s lobbyists, and over eighty percent of ACC lobbyists (including hired lobby firms) registered to work on chemical facility security in 2008 (See Appendix E).5

In addition to examining ACC lobbying and other chemical industry trade organizations, this report looked at the ACC’s two largest member companies, Dow and DuPont, for an example of what individual companies are doing. Together these three entities ranked among the largest spenders on chemical security (see Appendix D). Dow and DuPont’s membership in the various trade associations that signed the March 2nd, 2009 letter, as well as their membership in the ACC, is evidence of the interconnections between these organizations. Out of the 34 trade organizations that signed the March 2009 letter, 22 reported lobbying activity. Additionally, Dow, DuPont and ACC reported significant lobbying on chemical security issues in 2008. At least four firms were hired by these three groups to lobby specifically on matters concerning chemical security legislation. Of the 31 entities surveyed in this report, a total of 353 lobbyists were registered; 169 of which lobbied specifically to weaken chemical security legislation. Many of the trade associations, corporations and hired lobby firms are not only related, but also appear to collaborate closely on delaying or derailing legislation (see Appendix F).

The industry effort to derail the chemical security legislation has been enormous. A total of 169 lobbyists were deployed on Capitol Hill on behalf of these trade associations, by the combined groups of the March 2nd 2009 letter, as well as the ACC and its two largest members. What the report confirms is that the trade groups’ lobbying is the tip of the iceberg, backed by scores of lobbyists hired by each member company. While lobby disclosure forms provide few details on spending by issue, Greenpeace estimated a range of spending on lobbying from nearly $13 million to nearly $44 million in 2008 based on such reports (see Appendix D).

III. THE REVOLVING DOOR

Among the 169 chemical security lobbyists identified in this report, many came from positions in government as members of Congress, legislative directors, and chiefs of staff. The industry also hired Democrats to better represent them to a Democratic Congress. Below is summary of some of these lobbyists and their past roles in government:

CAL DOOLEY
Former congressman of California (D-CA), Dooley was appointed as the CEO of the ACC in September 2008. While Dooley was not registered

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5 These percentages include lobbyists hired from outside lobbying firms
as a lobbyist during 2008, he has registered to lobby on issues including chemical security during the first two quarters of FY 2009 under the ACC.

OTHER ACC LOBBYISTS
In addition to its own lobbyists, the ACC hired three additional lobbying firms to strengthen their squadron - Bob Moss & Associates, Ogilvy Government Relations and Holland & Knight LLC. Bob Moss was hired to lobby on behalf of the ACC, allocating one hundred percent of its $120k budget towards chemical plant security legislation (see Appendix H). Ogilvy Relations lobbyists, Moses Mercado and Julie Dammann, both come from government backgrounds. Prior to Ogilvy in 2005, Dammann was Chief of Staff to then Senator Christopher Bond (R-MO), a firm opponent of inherently safer technologies (IST). Mercado, who was recently listed as one of the “top lobbyists: hired guns” on Capitol Hill, was an Obama “Super Delegate” from Texas and volunteered his time to the Obama presidential campaign and was listed by TheHill.com as having been hired to “[have] helped Ogilvy put its all-Republican past behind it”6. Mercado’s employment record includes positions as former aid to House Democratic Leader Dick Gephardt (D-MO) and Chief of Staff to Representative Gene Green (D-TX). Both lobbyists represented the ACC and lobbied on issues specifically relating to chemical security legislation in 2008.

GERRY SIKORSKI
Former Representative Gerry Sikorski (D-MN) represented the 6th congressional district in Minnesota for ten years (1983-1993) and served on the Energy and Commerce Committee. Sikorski is among two Holland & Knight lobbyists, hired to work on chemical security by the ACC. His prior experience writing the community-right-to-know section of the Superfund Act makes him an attractive advocate on behalf of the ACC. Also with Holland & Knight is lobbyist Kathryn Lehman, previously the Chief of Staff from 2003-2005 to former Representative Tom DeLay (R-TX) of Texas.

JOHN ENGLER
Former Governor of Michigan (R-MI) from 1991-2003, John Engler was named the president and CEO of NAM in 2004.7 The corporate headquarters of the Dow Chemical Company, also a member of the NAM, is located in Midland, Michigan.8 Engler was also chairman of the National Governors Association (NGA) from 2001-2002.9

OTHER NAM LOBBYISTS
Other NAM lobbyists who have made use of the revolving door are Lean Paradise, Keith Smith, and Jay Timmons who have all previously been

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7 http://www.michigan.gov/formergovernors/0,1607,7-212-31303-2273--,00.html
8 http://www.dow.com/facilities/namerica/michigan2.htm
9 http://www.subnet.nga.org/centennial/timeline/2000.htm
employed by then Senator George Allen (R-VA). Brent Perry, an ACC chemical lobbyist, also has previous experience working for then Senator Allen.

NPRA and BRENDAN WILLIAMS
Brendan Williams, who served as Legislative Director to Representative Vito Fossella (R-NY) from 2005-2007, now lobbies on behalf of the National Petrochemical & Refiners Association (NPRA), which ranks amongst the largest spenders on chemical security lobbying surveyed in this report (see Appendix D).

OTHER INDUSTRY GROUPS
Industry lobby groups and allies in the 2008 lobbying campaign against safer chemical security regulations include the Agricultural Retailers Association (ARA), whose board of directors includes leaders from Dow. The Environmental Technology Council (ETC) -- which is backed predominantly by the hazardous waste and incinerator industry, is another group. The ETC describes itself as a “trade association of commercial environmental firms that recycle, treat and dispose of industrial and hazardous wastes”.

IV. SUMMARY OF FINDINGS
To better understand the 2008 chemical trade associations' direct lobbying campaign against comprehensive permanent legislation and regulations, Greenpeace surveyed the quarterly 2008 congressional lobbying records submitted by signers of the March 2nd 2009 letter, as well as chemical industry giants Dow, DuPont and the ACC. Using a conservative methodology (see page 11) Greenpeace established a range from nearly $13 million to over $44 million spent on lobby specifically on chemical plant security legislation and regulations. A total of 31 separate industry entities registered to lobby on chemical security legislation. These included: 23 trade associations such as the ACC, Edison Electric Institute, and the U.S. Chamber of Commerce; a sampling of two companies served by these trade associations – Dow Chemical Company and DuPont; and 6 lobby firms, including Ogilvy Government Relations, Bob Moss & Associates and Holland & Knight LLC.

Due to the lax reporting requirements of the Lobbying Disclosure Act (LDA), any survey is likely to underestimate the total number of lobbyists and money spent to influence federal laws and regulations. Trade associations, individual companies, and lobbying firms that reported spending less than $10,000 were not included in this report. Of the entities that signed the March 2nd 2009 letter to Congress, 11 of them reported spending less than $10,000, reported no lobbying activity for FY 2008, or were not listed in the LDA database. Past surveys indicate that at least another hundred lobbyists working for industrial chemical companies are likely to have participated in this campaign.

10 www.legistorm.com
11 http://www.etc.org/whoistheetc/
The data compiled in this report reveals three layers of a multi-million dollar campaign by trade organizations, chemical companies, and lobby firms to prevent stronger regulations that could lead their customers to switch to safer, more secure chemical processes. The results indicate a clear pattern that the U.S Chamber of Commerce and the ACC dominated the 2008 lobbying campaign against safer chemical facility requirements. The NAM, National Propane Gas Association (NPGA), Croplife America and Edison Electric are other notable leaders of the 2008 campaign. (see Appendix D).

Amongst the 2008 lobbying reports, the ACC itself reported spending only $3.9 million on all lobbying out of an annual budget of $100 million (see Appendix D). The ACC also reported hiring three lobby firms that brought their total reported lobbying to $4.5 million for 2008. The LDA’s lack of transparency in disclosing the priority of issues lobbied on by trade associations, companies and lobby firms creates great uncertainty when attempting to accurately estimate expenditures on chemical security or any specific bill or issue. Furthermore, given the extensive resources available to the ACC, the priority given to chemical security in 2007, and the average industry lobbyist salary in Washington D.C. (approximately $100,000-$250,000), even the estimated high range of the ACC’s reported direct lobbying on chemical security may only capture a fraction of their influence.

To demonstrate the ambiguity of LDA reported, we made three estimates of total lobbying expenditures ranging from $145,000 to $1.7 million spent by the ACC on chemical security lobbying. Even our estimate of $1.7 million is likely to underestimate the ACC’s total spending to influence chemical security regulations and legislation in 2008 (see Appendices H and I).

Not all industry groups reported spending the same amount of money fighting comprehensive reform. The top twenty percent of surveyed lobbying entities account for the majority of total spending in 2008 (See Appendix D). These entities included the U.S. Chamber of Commerce, as the top spender, followed closely by the ACC. This activity is likely to dramatically increase in 2009. In a statement released on June 8, 2009 by Chemical Week, the ACC’s shift towards more intensive anti-regulatory advocacy is summarized: “ACC will scale back the broader public outreach…in favor of targeted support for ACC’s key priorities. These priorities include changes to federal chemical management policy, including an overhaul of the Toxic Substances Control Act; climate policy and the impact it could have on energy supply; rail reform; and chemical plant security.”

Of the 31 lobbyists hired in total by the ACC, 25 of them were listed as working on chemical security issues according to their LDA reports. Similarly Dow and DuPont directed almost half of their hired lobbyists towards lobbying on chemical security issues. While the ACC, Dow and DuPont did not sign the March 2009 letter to Congress, they were among the top 10 entities that led efforts to weaken current

14 Robert Westervelt, Chemical Week, June 8 2009, www.chemweek.com
CFATS standards and opposed more stringent chemical facility security legislation in 2008.

V. LDA DEFINITION OF LOBBYING

The lack of transparency in industry reporting on lobby disclosure forms makes it impossible to accurately determine exactly how much is spent on any specific bill or legislation. The LDA’s definition of lobbying activities is as follows:

“Lobbying Activities: Lobbying contacts and any efforts in support of such contacts, including preparation or planning activities, research and other background work that is intended, at the time of its preparation, for use in contacts and coordination with the lobbying activities of others.

Lobbying Contact: Any oral, written, or electronic communication to a covered official that is made on behalf of a client with regard to the enumerated subjects at 2 U.S.C. § 1602(8)(A). Note the exceptions to the definition at 2 U.S.C. § 1602(8)(B).”

This narrow definition of lobbying does not include disclosure of the full amount of money spent by a company or association to influence public opinion and ultimately public officials and the legislation they write. This report does not consider the many other ways these businesses influence Congress and the Executive Branch, for example, public relations, paid media, political-action-committees (PACs), honorariums and grassroots lobbying. Each of these can easily have large budgets. In addition, industry can legally spend millions on “grassroots” lobbying at the local level, all of which is tax deductible as a business expense and is not required to be registered through the LDA.

VI. LEGISLATIVE CONTEXT

Since the Bush administration first scuttled an EPA chemical plant security proposal in 2002, Congress has failed to enact comprehensive legislation on this issue. Instead, in the fall of 2006 Congress passed a 740 word interim law as a “rider” on the FY 2007 Department of Homeland Security (DHS) Appropriations bill. The bill was supported by the chemical industry but opposed by Democrats who favored the comprehensive legislation that had been reported out of the House and Senate Homeland Security committees. In 2006, when then Senator Obama introduced legislation, very similar to what is under consideration in Congress today, he said:

"It's a travesty that the 9/11 Commission, in looking at what has been done over the last five years gave us basically an "F" when it came to chemical plant security... So what I've done, working with Senator Frank Lautenberg from New Jersey, is to introduce legislation that would protect our communities from this potential threat but in a

15 http://www.senate.gov/legislative/common/briefing/lobby_disc_briefing.htm
balanced way. There are features in this bill that I think have to be part of any chemical security legislation passed by this Congress...What that means is that chemical facilities would have to take steps to improve security including improving barriers, containment, mitigation, safety training, and where possible, use safer technology. That is known as Inherent Safer Technology, or 'IST,' what that means is essentially, plants should use less toxic chemicals, and employ safer procedures where possible....

...unfortunately, the chemical lobby is one of the most powerful ones in Washington. It spends more money than just about any other lobby, including the pharmaceutical industry. They have dragged their feet, in terms of wanting to move this issue forward. I understand that there is no company out there that wants to be regulated, companies are generally allergic to any intrusion in their business decisions, but this is something of such great importance that we can't afford to rely solely on voluntary measures."

Even though the interim law was passed with the expectation that Congress would enact permanent legislation before it expires on October 4, 2009, in 2008 the chemical industry lobby convinced Congress to postpone action on permanent legislation for another year. In addition the industry successfully pressured the DHS to issue weakened regulations known as the Chemical Facility Anti-Terrorism Standards of 2008 (CFATS).

Since 9/11, the chemical industry lobby, led by the ACC, NAM, and the U.S. Chamber of Commerce, has succeeded in delaying the enactment of permanent, comprehensive chemical security legislation. In each Congress since 9/11, this coalition has derailed or crippled comprehensive legislation. However, after unsuccessful efforts to delay, weaken, and kill H.R. 5577, the House Homeland Security Committee adopted the bill on March 6, 2008. If it had been enacted, this bill would have conditionally required implementation of safer, cost-effective technologies at high-risk plants and for the first time established a comprehensive security program for one of the nation’s most vulnerable sectors.

Since CFATS was enacted, the chemical industry lobby has pushed to make this temporary “rider” a permanent law. A March 2, 2009 letter from 31 trade associations representing the chemical industry again formalized their demand on Congress to make permanent the fatally flawed CFATS regulations.

Among the lobby groups on the March 2nd letter was the National Association of Manufactures (NAM). In a break with its industry allies in the NAM, members of the Association of American Railroads (AAR), whose member companies are the largest shippers of bulk poison gases, issued a February 27th, 2008 statement which concluded:

“We can no longer continue to risk the lives of millions of Americans by using, transporting, and storing highly toxic chemicals when
there are safer alternatives commercially available. It is time for the nation’s big chemical companies to stop making the dangerous chemicals that can be replaced by safer substitutes or new technologies currently in the marketplace...And if they won’t do it, Congress should do it for them in the Chemical Facility Anti-Terrorism Act of 2008.”

In June 2009 the House Committee on Homeland Security held a legislative hearing on HR 2868, the Chemical Facilities Anti-Terrorism Act of 2009. Republicans, who ultimately voted against the entire bill, urged the committee to wait until next year to consider legislation and then offered numerous amendments to weaken the bill. After three days of voting, the Homeland Security Committee rejected the most crippling amendments offered on behalf of the chemical industry. These included proposals to delete entire sections of the bill that would require the use of safer chemical processes at the highest-risk plants. Industry lobbyists however, won four amendments designed to delay or undermine requirements to use safer chemicals or processes. Taken together, these four amendments will allow high-risk plants to delay, resist, or avoid using safer chemical processes that are already widely in use to eliminate risks to millions of Americans.

The four amendments are:

1. An amendment by Rep. Steve Austria (R-OH) that could exempt the highest risk plants in the country from implementing safer chemical processes if they meet the Small Business Administration definition of a “small business concern,” a designation which the DHS will decide after a one year review. Rep. Jackson-Lee (D-TX) warned that forty percent of U.S. chemical plants could qualify as a “small business concern” using the SBA definition.

2. An amendment by Rep. Charlie Dent (R-PA) to delay the implementation of safer chemicals processes at any plant until the DHS conducts a “detailed analysis” of the costs of using safer chemical processes. This study would not include the many benefits of safer chemicals such as jobs created, reduced liability, fewer regulatory obligations, longer-term profitability and extended plant life and profitability. This amendment was also opposed by organized labor groups.

3. A second amendment by Rep. Dent (R-PA) that could exempt the highest risk chemical facilities from implementing safer chemical processes if they can show that switching to safer chemical processes would reduce their operations or workforce. Again, this amendment fails to account for the economic benefits of safer chemical processes such as new jobs created for conversion and extended plan life and profitability.

4. An amendment by Rep. Dan Lungren (R-CA) that would add a second appeals process allowing chemical facilities to take DHS to court if they choose to resist using safer chemical processes. This amendment could potentially tie up the
DHS in court and distract the Department from safe guarding communities at risk.

As of this printing, the House Energy and Commerce Committee expects to take up the bill in September 2009.

During their time served in Senate both President Obama and Vice President Biden were champions of comprehensive chemical security legislation. Both advocated for safer chemical technologies and processes to safeguard against chemical facility security threats and the associated risks to the lives of thousands of Americans. President Obama also spoke out on the issue during his candidacy for President.

"There are other ways to reduce risk that need to be part of the equation. Specifically, by employing safer technologies, we can reduce the attractiveness of chemical plants as a target." --- Senator Barack Obama, March 30, 2006

“I believe that requiring chemical facilities to transition to safer technologies whenever it is practical should be a priority that we establish. Doing this would completely and permanently eliminate the threat to millions of Americans.” --- Senator Joe Biden, June 21, 2006

Additional statements as well as video of then senators Obama and Biden on chemical security can be found at: [http://www.greenpeace.org/usa/campaigns/toxics/toxic-chemical-threats](http://www.greenpeace.org/usa/campaigns/toxics/toxic-chemical-threats).

The new Administration and Congress have a limited amount of time to fulfill the promise of enacting legislation that protects the millions of Americans. The 2006 interim law expires October 4, 2009. If the 2010 FY DHS Appropriations bill is enacted with the inclusion of a one-year extension of CFATS (as proposed), the 111th Congress will have until October 4, 2010 to enact permanent comprehensive legislation.

VII. METHODOLOGY

This report reveals just three of the many layers of a successful multi-million dollar campaign to derail comprehensive chemical facility security legislation in 2008. The layers include trade association lobbyists, affiliated company lobbyists, and the lobby firms hired by both of these groups.

All lobby reports on the trade association letter signatories, etc. were gathered from the website [http://soprweb.senate.gov](http://soprweb.senate.gov), the official site of the Office of the Secretary of the Senate. While the Lobby Disclosure Act (LDA) of 1995 requires all lobbying entities to register and report publicly the amount spent on a quarterly basis, it fails to require any specific information on the amount of money spent on a single issue or piece of legislation. Instead the reports give an aggregate total of expenditures for a quarterly period for all lobbying. Specific legislation or topics are considered “specific issues” and are listed under “general issue” categories within the lobbying disclosure reports. While
the LDA reporting procedure requires entities to list the specific issues that were lobbied on, it does not reveal exactly which lobbyists worked on which issue(s), in particular. Each lobbyist may lobby on a variety of issues, but their reports do not disclose the priority of any issue within a given category. This survey only includes lobbyists who were listed under categories where chemical security issues were also listed. Entities that reported annual lobbying expenses equaling or more than $10,000 were included in this survey. Where entities reported spending "less than $10,000," Greenpeace recorded their expenditure as zero dollars.

Estimating Chemical Security Lobbying and Expenditures

Because the LDA does not require lobbyists to disclose how much of their time or expenses are devoted to any specific issue, nor the priority of certain issues over others, it is impossible to accurately estimate spending on chemical security. The lack of transparency in the LDA system creates great uncertainty. In order to combat such uncertainty, we analyzed LDA lobby reports from three different angles. This resulted in a range of three chemical security expenditure estimates. The high range value was based on estimated spending according to the total number of chemical security lobbyists registered. The mid and low range values were based on the number of categorical (general) and specific issues listed, and the amount which directly related to chemical security legislation in 2008.

To determine the amount of lobbyists working on chemical security, lobbyists were considered where they were listed under categories where specific issues relating to chemical security were reported. The total amount of all lobbyists listed (for every issue reported) was compiled, and from that aggregate, lobbyists who worked on chemical security issues were counted. A list of all chemical security lobbyists can be found in Appendix F. The total amount of lobbyists employed by the 31 lobbying entities surveyed in this report was 353, 169 of which were registered to work on chemical security issues in 2008.

Range of Three Estimates of Chemical Security Lobbying

To estimate a high range value of estimated chemical security spending based on the number of lobbyists the following steps were taken for each trade organization, company and lobby firm surveyed (see Figure 1, Appendix G):

1. Counted the total amount of lobbyists registered for each quarter; summed all four quarters to total the amount of lobbyists registered for 2008
2. Divided the annual amount of expenditures reported for 2008 by the total number of lobbyists registered, which yielded an “amount available per each lobbyist.”
3. Multiplied the amount available for each lobbyist by the total number of chemical security lobbyists, defined as lobbyists who were listed under categories where chemical security issues were also listed

To estimate a mid range amount of chemical security lobbying expenditures, the following steps were taken for each trade organization, company and lobby firm surveyed (see Figure 2, Appendix G):
1. Counted the total number of “general issues” listed under each general category for each quarter during the 2008 fiscal year.

2. Divided the quarterly expenditure reported by the total number of general issues listed for the respective quarter to yield the estimated amount spent per general issue.

3. Multiplied the estimated amount spent per general issue by the total amount of chemical security related general issues listed for the given quarter.

4. Steps 1-3 were repeated for each quarter to give a total of annual spending on lobbying, yielding a grand total of chemical security spending and a percentage amount to reflect how much of the budget went towards lobbying on chemical security legislation for 2008.

5. The final mid range amount was calculated by summing up the respective chemical security expenditure totals for each trade organization and lobby firm.

To estimate a low range amount of chemical security lobbying expenditures, the following steps were taken for each trade organization, company and lobby firm surveyed (see Figure 3, Appendix G):

1. Counted the total number of “specific issues” listed under each general category for each quarter during the 2008 fiscal year.

2. Divided the quarterly expenditure reported by the total number of specific issues listed for the respective quarter to yield the estimated amount spent per specific issue.

3. Multiplied the estimated amount spent per specific issue by the total amount of chemical security related specific issues listed for the given quarter.

4. Steps 1-3 were repeated for each quarter to give a total of annual spending on lobbying, a grand total of chemical security spending and a percentage amount to reflect how much of the budget went towards lobbying on chemical security legislation for 2008.

5. The final low range amount was calculated by summing up the respective chemical security expenditure totals for each trade organization and lobby firm.