

The Seattle Times



# The Favor Factory

A SEATTLE TIMES SPECIAL REPORT

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*The project online: [seattletimes.com/favorfactory](http://seattletimes.com/favorfactory)*

# The Seattle Times

**The Favor Factory** | SEATTLE TIMES SPECIAL REPORT

# Earmarks reform is a “sham”

CONGRESS STILL HIDING BILLIONS OF DOLLARS IN PET PROJECTS

**Congressional ethics reform last year included rules requiring lawmakers to disclose their earmarks.**

## WHAT HAPPENED

**Congress** disclosed earmarks worth \$5 billion in the 2008 defense bill.

## WHAT DIDN'T HAPPEN

**Lawmakers** didn't reveal \$3.5 billion in earmarks they'd placed in the defense bill.

**House** members failed at least 110 times to name recipients of defense earmarks.

**Senators** failed to list themselves as earmark sponsors at least 175 times.

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BY DAVID HEATH AND CHRISTINE WILLMSSEN  
*Seattle Times staff reporters*

No matter who wins, the next president promises to take back Washington from powerful interests and lobbyists. It is the same stirring promise Congress made last year when — rocked by scandal and under new leadership — lawmakers passed what they trumpeted as some of the most significant ethics reforms in years.

Key among those reforms: rules requiring lawmakers, for the first time, to disclose their earmarks — federal dollars they were quietly doling out as favors.

But time after time, Congress exploited loopholes or violated those rules, a Seattle Times investigation has found. An in-depth examination of the 2008 defense bill found \$8.5 billion in earmarks. Of those, 40 percent — \$3.5 billion — were hidden.

And Congress broke its pledge — and President Bush's challenge — to cut earmarks in half. Lawmakers cut the dollar amount of defense earmarks by about a fourth and the number by 19 percent.

The hidden earmarks range from \$8 million for lighting sold by a financially troubled company in North Carolina to \$588 million for a submarine the administration doesn't want.

After months of investigating the \$459 billion 2008 defense bill, The Times found:

- The hidden \$3.5 billion included 155 earmarks, among them the most



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**Find out who's giving and getting**

- Search our database for earmarks, campaign giving and lobbying.
  - See the list of mystery earmarks and help us reveal more.
  - Find out which lawmakers didn't give out earmarks.
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costly in the bill. Congress disclosed 2,043 earmarks worth \$5 billion.

- The House broke the new rules at least 110 times by failing to disclose who was getting earmarks, making it difficult for the public to judge whether the money is being spent wisely.

- In at least 175 cases, senators did not list themselves in Senate records as earmark sponsors, appearing more fiscally responsible. But they told a different story to constituents back home in news releases, claiming credit for the earmarks and any new jobs.

Lawmakers do not face penalties for failing to follow these ethics rules.

“The whole ethics bill was a sham,” said Sen. Jim DeMint, a Republican from South Carolina, after being told of *The Times’* findings.

“It was written to create loopholes, to get around any transparency and our ability to cut out those earmarks. Neither leadership is committed to significantly changing the earmarking process.”

Complicating matters, lawmakers routinely accept campaign donations from the people asking for earmarks, raising the specter of corruption.

The *Times* found that people at companies that benefited from defense earmarks this year gave more than \$60 million in campaign donations to incumbents in Congress over the past six years. In addition, companies getting earmarks in the 2008 defense bill spent \$141 million lobbying Congress last year alone.

“The people who want the earmarks are the same people who we count on to raise us money for the campaigns,” DeMint said. “It’s just a little too cozy.”

Last year, Congress promised to shed light on the secretive process. But the lists of earmarks are still buried in obscure documents that are difficult to find and search. Until Congress put them online a couple of weeks ago, the House disclosure letters, linking lawmakers to companies, were thick volumes of paper kept in a cabinet in the offices of the House Appropriations Committee.

When a reporter for the Congressional Quarterly pointed out how difficult it remains to pull all the information together, Rep. John Murtha, D-Pa., chairman of the committee that drafts the defense bill, had a quick answer: “Tough shit.”

The *Times* spent months compiling this information — including campaign

## Who gave the most?

Of all companies with 2008 defense earmarks, the employees and political-action committees of these companies have given the most to Congress members:

### TO ALL CONGRESS MEMBERS

Rank	Beneficiary	Contributions, 2003-'08
1	Lockheed Martin	\$4,430,601
2	General Electric	\$3,832,662
3	Northrop Grumman	\$3,234,820
4	General Dynamics	\$3,145,167
5	Boeing	\$3,051,851

### TO WASHINGTON LAWMAKERS

Rank	Beneficiary	Contributions, 2003-'08
1	Boeing	\$259,825
2	General Dynamics	\$94,500
3	Honeywell International	\$94,000
4	Northrop Grumman	\$87,400
5	Lockheed Martin	\$76,850

Sources: *Seattle Times* analysis; Federal Election Commission

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## Who got the most?

Members of Congress who got the most campaign money from donors at companies with 2008 defense earmarks:

Rank	Lawmaker	Affiliation	Contributions (2003-08)
1	Murtha, John P.	House, D-PA	\$1,641,350
2	Moran, James P. Jr.	House, D-VA	\$892,499
3	Visclosky, Peter J.	House, D-IN	\$805,548
4	Lewis, Jerry	House, R-CA	\$659,875
5	Specter, Arlen	Senate, R-PA	\$645,663
6	Young, C. W. Bill	House, R-FL	\$628,650
7	Hobson, David Lee	House, R-OH	\$574,390
8	<b>Dicks, Norman D.</b>	House, D-WA	\$510,200
9	Cramer, Robert E 'Bud' Jr.	House, D-AL	\$487,307
10	Skelton, Ike	House, D-MO	\$463,260
34	Murray, Patty	Senate, D-WA	\$286,630
80	Cantwell, Maria	Senate, D-WA	\$193,552
182	Larsen, Rick	House, D-WA	\$108,550
199	Smith, Adam	House, D-WA	\$97,240
260	Baird, Brian N.	House, D-WA	\$68,800
266	Reichert, Dave	House, R-WA	\$67,600
269	Hastings, Doc	House, R-WA	\$66,900
274	Rodgers, Cathy McMorris	House, R-WA	\$64,975
349	Inslee, Jay R.	House, D-WA	\$44,300
445	McDermott, Jim	House, D-WA	\$22,225

Sources: *Seattle Times* analysis; Federal Election Commission

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**“The people who want the earmarks are the same people who we count on to raise us money for the campaigns,” said Sen. Jim DeMint, R-S.C.  
“It’s just a little too cozy.”**

donations and companies’ lobbying efforts — and put it in a searchable database. It can be found on our Web site at [seattletimes.com/favorfactory](http://seattletimes.com/favorfactory).

**Big bucks for little-known product**

One case in which Congress clearly broke its disclosure rule involves an \$8 million earmark to buy a “portable illumination system.” It turned out to be for Cyberlux, a tiny lighting company in Durham, N.C., that is struggling to survive.

Cyberlux competes against corporate giants such as General Electric but advertises that its lights save energy and cost less than common household bulbs. Despite its efforts, the company barely sells any products to consumers.

Cyberlux lost \$9 million on sales of only \$332,000 for the first six months of this year. Since its founding in 2000, Cyberlux has lost more than \$50 million and the company has sunk deeply in the red. Its stock sells publicly for about a penny. Earlier this year, its independent auditor said in the company’s financial statement that Cyberlux was in danger of failing.

To stave off failure, Cyberlux has turned its attention to the military and to earmarks.

In a December letter to shareholders, Cyberlux said: “After product demonstrations to aides in the Capitol building, they enthusiastically recommended budgetary provisions for the BrightEye to their respective Representatives and Senators who responded with a line item inclusion of \$8 million.”

Thanks to the undisclosed earmark, the company announced in February that the Air Force had made a commitment to order \$3.3 million of portable lighting products from Cyberlux, including one product on collapsible legs that looked much like its name, “Watchdog.”

Cyberlux’s chief executive officer declined requests for an interview. The Times was not able to get confirmation of the order from the Air Force.

Cyberlux hosted separate fundraisers in the spring for Rep. David Price, D-N.C., and Sen. Elizabeth Dole, R-

N.C., and even posted solicitations on its company Web site, asking people to donate \$500 to the lawmakers. The events raised \$10,600 for the two.

(Lawyers with expertise in campaign-finance laws say it’s illegal for a company to assist in raising campaign donations from the public.)

Through a spokesman, Dole said that her staff met with the company but that she did not ask for an earmark.

Price serves on the powerful House Appropriations Committee. His staffers met with Cyberlux and contacted the defense subcommittee “to see if they are favorably inclined to the technology, to putting funding in the bill,” said Price’s chief of staff, Jean-Louise Beard.

Even so, she said, they didn’t consider those actions an earmark request.

Cyberlux announced it was seeking \$25 million in defense earmarks for 2009 and that it had “submitted this forecast to its sponsorship in the House of Representatives and Senate.”

**Military didn’t want \$588 million submarine**

The biggest single earmark in the defense bill was \$588 million to “accelerate” buying a new submarine made by General Dynamics, which builds submarines in Groton, Conn.

The military never asked for the project, and the Bush administration asked that it be stripped from the bill.

After the earmark was added, the Office of Management and Budget complained in a statement: “This funding is unnecessary and takes resources away from more urgent defense needs.”

It stayed in.

Although they don’t list themselves as sponsors of the submarine earmark, independent Sen. Joe Lieberman and Democratic Sens. Chris Dodd of Connecticut and Jack Reed of Rhode Island did take credit for the new submarine program in news releases back home, highlighting their work to bring jobs to the region.

“The funding for a second submarine has been an extended battle for Connecticut, and today we declare victory,” Lieberman said.

According to Congress, this spending was not an earmark. Its reform bill is full of loopholes that allow lawmakers to insert favors and not have to disclose them as earmarks.

For example, a Senate report describes situations in which no individual senator championed a request but instead it somehow arose through group consensus. In those cases, the add-on was not considered an earmark but a “committee initiative.”

Under the reforms, Congress uses a semantic maneuver to conceal earmarks.

The common definition of an earmark is money that somebody gets from Congress because they cannot get it from a federal agency. Congress uses a far narrower definition: an earmark has to be “primarily at the request of a member,” targeted to a specific company or location, with no competitive bidding.

This past spring during budget season, staffers at the House Appropriations Committee toiled round the clock not vetting the earmarks on their merits but trying to decide whether to actually call them earmarks, according to a congressional aide involved in the process. If they believed the project might enjoy broad support and pass a vote of the House on its own, then they decided not to list it as an earmark.

**No real competition**

A pet project in Pennsylvania reveals how Congress tries to hide earmarks using the semantic loopholes.

Latrobe Specialty Steel of Latrobe, 40 miles east of Pittsburgh, makes specialty steel for aircraft parts.

In 2006, its parent company, Timken, spent \$2.9 million lobbying Congress on various issues and persuaded lawmakers to ban the Defense Department from buying any products using foreign-made specialty steel. As the sole U.S. producer of certain kinds of specialty steel, Latrobe saw its orders climb. Timken then sold Latrobe to a group of investors in a \$250 million deal.

But the buy-American restrictions for specialty steel caused serious problems for the Air Force, creating a 17-

## Lobbyists who fail to detail their activities face civil and criminal penalties, but there are no consequences for members of Congress who break the rules on earmarks.

month lag in getting spare parts for aircraft used in the wars in Iraq and Afghanistan.

In May 2007, Latrobe said it needed to expand but complained of high electric bills and publicly threatened to build a new plant in Virginia or West Virginia instead. Pennsylvania offered grants and tax credits to the company worth \$1.2 million.

In Congress, lawmakers were quietly lining up a much sweeter package.

In the defense bill passed in December, someone had inserted language that ultimately directed \$18.4 million for "domestic expansion of essential vacuum induction melting furnace capacity and vacuum arc remelting furnace capacity."

"Latrobe Specialty Steel is the only domestic producer of that steel," Army Lt. Gen. William Mortensen said at a hearing.

A month after the bill passed, Latrobe began a \$62 million expansion in its home state.

No one in Congress has admitted sponsoring the Latrobe earmark.

One congressman's fingerprints, however, weren't so easy to conceal. Latrobe sits in the congressional district of Rep. John Murtha, a Democrat who chairs the subcommittee that drafts the defense bill and wields the most power over defense earmarks.

Latrobe's officials have given \$5,000 to Murtha's re-election fund in the past two years.

Also, Murtha had talked about giving taxpayer dollars to Latrobe. "We're trying to get together to see how we can work out an increased capacity for that particular company," Murtha said at a subcommittee hearing in April 2007. "I've talked to that producer. And what I'd like to see is them put some money in, us put some money in, and reduce the time it takes to get those spare parts out."

This spring, the Air Force carried out the earmark by asking companies to submit proposals for a \$16.6 million research grant that would expand production of specialty steel made through "vacuum induction melting and vacuum arc remelting."

The money was aimed at alleviating the shortage of specialty steel.



TIM SLOAN / AFP/GETTY IMAGES



THE LATROBE BULLETIN

### \$18M earmark for steelmaker

*Rep. John Murtha, D-Pa., chairs the subcommittee that drafts the defense bill and wields the most power over defense earmarks. A company in his congressional district, Latrobe Specialty Steel, left, received an \$18.4 million earmark, but no one in Congress has admitted sponsoring it.*

But the foreign-steel ban proved so restrictive that the military and major defense contractors, such as Boeing, complained that they couldn't get parts. In December, Congress loosened the ban.

Latrobe has tentatively won the research grant, a Pentagon spokeswoman confirmed, although details are still being worked out.

The company would not comment on any discussions it had with Murtha. A spokeswoman defended getting the grant, saying it had been competitively bid. Even so, she acknowledged that Latrobe is the sole U.S. producer of certain specialty steels, a requirement for getting the money.

She said Latrobe was a few months away from completing the \$62 million expansion while it waits for the

government handout.

Through a spokesman, Murtha said the project was not an earmark because the contract was competitively bid. Last year at a hearing, however, Murtha talked of giving Latrobe funding because it was the only U.S. company that could make that steel.

#### Lobbyists get pork

At first, the Senate seemed gung-ho about eliminating the secrecy surrounding earmarks. Last year, senators voted 96-2 to force themselves to reveal the names of those getting earmarks. But leadership stripped that rule out before the bill's final passage.

So this year, for example, Sen. Maria Cantwell, D-Wash., listed 28 earmarks. A typical entry reads:

“Mobile Objects for Net-Centric Operations, \$2.4 million.” No company or names are listed.

She disclosed far more before the widely publicized reforms, through news releases that identified who received the favors.

Cantwell’s office would not explain why the senator no longer identifies companies that benefit from her earmarks.

The House has stricter rules, requiring members to sign letters naming the intended recipient of their earmark. But in 110 cases, lawmakers didn’t follow the rules.

Some House members merely said their favors went to the Department of Defense or a military branch or unit.

For example, Rep. Mike Conaway, R-Texas, said a \$1.6 million earmark he co-sponsored would go to the “Office of Naval Research.” Yet other co-sponsors tagged the money for Global Delta, a young company created by two longtime lobbyists.

John Albertine and his brother James, past president of the American League of Lobbyists, have knocked on lawmakers’ doors seeking earmarks on behalf of clients. In 2003, they formed Global Delta and decided to get an earmark for themselves. Several months later, they succeeded. With no background in engineering, the two lobbyists landed a \$4.1 million contract with the Office of Naval Research to study and develop advanced, cost-effective radars.

Soon after getting the contract in June 2004, John Albertine hired a couple of engineers to do research. Meanwhile, he and his brother continued to operate Albertine Enterprises, their lobbying firm.

Over the past five years, Global Delta officials have donated \$35,000 to Conaway and others who sponsored its earmarks.

Conaway’s office said he was unavailable for comment.

The company snagged a defense earmark in 2006 for \$3 million and another in 2007 for \$1 million.

John Albertine said he asked for \$4 million in 2008 but landed only \$1.6 million.

Global Delta turned down the earmark because it wasn’t enough funding, he said. They opted to search for private funding so they could own the intellectual property rights to some of the research, he said.

Their concept was to build a low-

cost radar system to track ships. A prototype was never built, Albertine said.

### **“Whatever they can get away with”**

Other than a little embarrassment, there’s no cost to lawmakers for failing to disclose earmarks.

In past reforms, Congress imposed criminal penalties for filing false disclosure forms on personal finances or gifts. Republican Sen. Ted Stevens of Alaska, for example, is standing trial on charges he failed to disclose at least \$250,000 in gifts from a wealthy supporter who got earmarks.

Last year, as public cries for reform grew louder, Congress enacted civil and criminal penalties for lobbyists who failed to detail their activities on federal disclosure forms. Yet lawmakers included no penalties for themselves if they failed to disclose earmarks.

If Congress were serious about reform, it would close the loopholes, said Steve Ellis of Taxpayers for Common Sense.

“An awful lot of members of Congress would much prefer to have business as usual and they are going to do whatever they can get away with,” said Norm Ornstein, a political scientist at American Enterprise Institute.

“Clearly what this suggests,” he said of The Times’ findings, “is that we need another wave of reform.”

A new administration could bring that. Sen. John McCain, R-Ariz., vows to veto any bills with earmarks, arguing that pork-barrel spending is not only wasteful but leads to corruption.

“We Republicans came to power to change government, and government changed us,” McCain said during the first presidential debate.

Sen. Barack Obama, D-Ill., pledges he’d scrutinize earmarks more closely as president, eliminating those that are wasteful.

But Congress shows no inclination to give up on earmarking and has shot down recent reform efforts. In March, both McCain and Obama voted for a one-year moratorium on earmarks, but the measure failed in the Senate, 71-29.

After first avoiding the issue, President Bush in the past two years has talked tough about curbing earmarks. This year he ordered federal agencies to ignore any earmarks buried in “conference reports” — obscure, fine-print attachments — rather than writ-

ten into the clear language of a bill.

In response, Congress wrote language into the bills that in essence told federal agencies they had to honor the earmarks buried in the conference reports.

Bush also threatened to veto any spending bill that didn’t cut earmarks in half this year. But Congress ignored it and Bush did not follow through on his threat.

Perhaps nothing shows more how entrenched earmarks are than the recent \$700 billion financial bailout.

At first, the bill failed because lawmakers were deluged with calls from angry constituents who didn’t trust Congress to put the interests of the country ahead of the special interests of Wall Street. The bill to ease the credit crunch and avoid a severe recession passed only after the Senate included favors for the makers of wooden arrows, NASCAR racetrack owners, the rum industry and makers of wool — in all, more than \$100 billion in targeted tax cuts and earmarks.

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# Searchable online database

seattletimes.com/favorfactory

A powerful online database created for this project allows readers to find out who received earmarks and who gave them in the 2008 defense bill. It also shows how much companies and their employees gave to lobbyists and lawmakers. It allows searching by lawmaker name, or by the name of a company or nonprofit that received an earmark. Use the URL above and click on "How to use this database" for more.



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### Earmarks reform "a sham"; Congress hides billions in pet projects

Seattle Times special report | A Times investigation of the 2008 defense bill has found 155 hidden earmarks worth \$3.5 billion. House members broke the new rules 110 times by not disclosing who was getting the favors. (Sun, 10/12)

- Help shed light on 155 hidden earmarks worth \$ 3.5 billion
- 58 lawmakers with no earmarks in the defense bill
- Who gave the most?
- Who got the most?
- How favors end up as law



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### Earmark helps businesses, not troops

Seattle Times special report | After being lobbied by companies making a decontamination powder, powerful U.S. senators Charles Schumer, Hillary Rodham Clinton and Arlen Specter forced the military to keep buying what it considers inferior chemical-warfare protection for the troops.

[Election 2008 | Where the candidates stand on earmarks](#)

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**Related**

### Earmarks: Who gives and who gets

Members of Congress give billions of dollars to contractors through earmarks tacked on to spending bills. The Seattle Times investigated the little-known process and examined the relationships between those who benefit from earmarks and those who make campaign donations to lawmakers.

### \$4.5 million for a boat that nobody wanted

**Washington state focus**

Lawmakers play favorites; local Washington merchant loses Congressional ties bankroll Washington company

**Multimedia**



**A demonstration of dangerous T-shirts**



**McCain denounces the Guardian Marine boat**

- Video | U.S. Navy's promo for the "fast patrol boat"
- Video | Congressman pushes Mobilisa's product
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**Readers respond**

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**"The Favor Factory" in the news**

- PBS: "Mr. Heath goes to Washington"
- KUOW | Interview on Weekday
- The Oregonian
- Willamette Week

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**Reaction**



**"The whole ethics bill was a sham...It was written to create loopholes, to get around any transparency and our ability to cut out those earmarks."**  
— Sen. Jim DeMint, R-S.C.



**"We need another wave of reform."**  
— Norm Ornstein, American Enterprise Institute

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### Lawmaker

 Murtha, John P.  
(House, D-PA)

Totals	
2008 Defense earmarks:	\$126,400,000
2003-08 Campaign contributions from earmark recipients:	\$1,641,350

#### Earmarks by this lawmaker

Recipient	Amount	Earmark
• National Drug Intelligence Center (PA)	\$23,000,000	National Drug Intelligence Center (NDIC)
• Windber Research Institute (PA)	\$12,000,000	Military Molecular Medicine Initiative
• Walter Reed Army Medical Center (DC) • Conemaugh Health System, Inc. (PA)	\$5,600,000	Pain and Neuroscience Center Research Center
• Kuchera Defense Systems, Inc. (PA)	\$4,800,000	Roll-On, Roll-Off Reconnaissance Pallet Improvement
• Argon St, Inc. (PA)	\$4,000,000	C4ISR Operations & Training
• D R S Laurel Technologies (PA)	\$4,000,000	Radar Distribution Open Architecture (OA) Refresh
• Northrop Grumman Systems Corp. (PA) • Conemaugh Health System, Inc. (PA)	\$4,000,000	Military Interoperable Digital Hospital Testbed
• Advanced Acoustic		

→ This is a continuation of database findings for lawmaker John P. Murtha

<ul style="list-style-type: none"> <li>• Pennsylvania (PA)</li> <li>• Carnegie Mellon University (HQ) (PA)</li> <li>• Polyplus Battery Co. (CA)</li> </ul>	\$800,000	Robotics Workforce and Military Curriculum
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Campaign contributions from earmark recipients	
Recipient	Amount
	\$1,000
Kaman Corp. (HQ)	\$10,500
ITT Corp. (HQ)	\$29,000
Textron, Inc. (HQ)	\$30,000
Raytheon Co. (HQ)	\$30,750
United Technologies Corp. (HQ)	\$11,650
PPG Industries, Inc. (HQ)	\$28,500
General Electric Co. (HQ)	\$69,950
General Dynamics Corp. (HQ)	\$13,500
United Industrial Corp. (HQ)	\$31,500
Edo Corp. (HQ)	\$0
Curtiss-Wright Corp. (HQ)	\$12,700
Piasecki Aircraft Corp.	\$3,000
Rohm and Haas Company (inc) (HQ)	\$15,500
Drexel University	\$25,500
Air Products and Chemicals, Inc. (HQ)	\$3,500
Ibis Tek, LLC	\$11,500
Kennametal, Inc. (HQ)	\$8,500
Goodrich Corp. (HQ)	

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**Recipient**  
Global Delta, LLC (HQ) (Herndon, VA)  
Industry: Services - Non Professional; Security Systems Services

**Totals**  
2008 defense earmarks: \$1,600,000  
Total spent on lobbying: \$0  
2003-08 Campaign contributions: \$146,416

**Lawmakers**

Lawmaker	Party	Chamber	State
Lobiondo, Frank A.	R	House	NJ
Conaway, K. Michael	R	House	TX
Davis, Jo Ann S.	R	House	VA
Moran, James P. Jr.	D	House	VA

**Earmarks**

Title	Category	Heading	Description	Amount
Maritime Identification Surveillance Technology (MIST)	RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY	COMMON PICTURE ADVANCED TECHNOLOGY	Explanation of Projects	\$1,600,000

This is a detail for recipient Global Delta's earmark shown above.

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**Earmark**  
The funding would be used to develop a radar to identify and track all surface traffic around naval platforms. [According to CONAWAY, K. MICHAEL HON.] The funding will be used to complete development and demonstrations around borders, harbors, and critical infrastructure. [According to DAVIS, JO ANN S.] The funding will be used to address development and demonstration of affordable high resolution, imaging phased array radar technologies and systems for continuous surveillance, identification and tracking of all surface traffic around naval platforms at sea, coastal waters and in harbors. [According to LOBIONDO, FRANK A.] The funding will continue the development of the MIST radar project that provides performance gains of simultaneous multiple beam surveillance and multi-target tracking for full maritime awareness. The technology will also offer new avenues for modularity and open systems architecture for commercial off the shelf (COTS) technology. [According to MORAN, JAMES P JR]  
[Show partial description](#)

**Details**

Category	RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY
Heading	COMMON PICTURE ADVANCED TECHNOLOGY
Description	Maritime Identification Surveillance Technology (MIST)
Service	Navy
Military requested	\$0
Congress gave	\$1,600,000

**Lawmakers who sponsored the earmark**

Name	Party	Chamber	State
Davis, Jo Ann S.	R	House	VA
Moran, James P. Jr.	D	House	VA
Lobiondo, Frank A.	R	House	NJ

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Find a recipient  
Name: go  
State: Any go  
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**Recipient**  
Cyberlux Corp. (HQ) (Durham, NC)  
Industry: Manufacturing; Mfg Light Emitting Diodes  
Website: http://www.cyberlux.com  
Stock symbol: CYBL  
Market: BB

**Totals**  
2008 defense earmarks: \$8,000,000  
Total spent on lobbying: \$0  
2003-08 Campaign contributions: \$10,500

**Lobbyists**

Lobbyist name	Amount	Lobbied organization	Purpose
PEDUZZI ASSOCIATES, LTD.	\$0		FY08 Defense Appropriations Bill, request for Procurement funding for Portable Illumination Syst... more

All contributions [Download complete contribution spreadsheet](#)

Contributor (up to 500 records)	Amount	Date	Lawmaker
SCHMIDT, MARK D MR , CYBERLUX CORPORATION/PRESIDENT	\$500	04/29/2008	Dole, Elizabeth
RYAN, PATRICIA A MRS , CYBERLUX CORPORATION/ADMINISTRATIVE	\$500	04/29/2008	Dole, Elizabeth
NINNEMAN, ALAN H MR , CYBERLUX CORPORATION/SENIOR VICE PR	\$500	04/29/2008	Dole, Elizabeth
EVANS, DONALD F MR . CYBERLUX CORPORATION/CEO	\$500	04/29/2008	Dole, Elizabeth

Originally published Sunday, October 12, 2008 at 12:00 AM

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## 58 lawmakers have no earmarks in the 2008 defense spending bill

Fifty-eight lawmakers, including five senators, have no earmarks in the 2008 defense spending bill.

Who are they?

State	Name	Party	Chamber
AL	Davis, Artur G.	D	House
AS	Faleomavaega, Eni	D	House
AZ	Flake, Jeff	R	House
AZ	Shadegg, John B.	R	House
CA	Becerra, Xavier	D	House
CA	Bilbray, Brian P.	R	House
CA	Campbell, John B. T. III	R	House
CA	Filner, Bob	D	House
CA	Herger, Wally	R	House
CA	Nunes, Devin G.	R	House
CA	Rohrabacher, Dana	R	House
CA	Solis, Hilda	D	House
CA	Stark, Pete	D	House
CA	Woolsey, Lynn C.	D	House
DC	Norton, Eleanor Holmes	D	House
FL	Klein, Ron	D	House
FL	Mack, Connie	R	House
FL	Weldon, David J. Jr.	R	House
GA	Deal, Nathan	R	House
GA	Linder, John	R	House
GA	Price, Thomas Edmunds	R	House
GU	Bordallo, Madeleine Z.	D	House
IL	Gutierrez, Luis V.	D	House
IL	Roskam, Peter	R	House
IL	Shimkus, John M.	R	House
MD	Gilchrest, Wayne T.	R	House
MI	McCotter, Thaddeus G.	R	House
MN	Bachmann, Michele M.	R	House
MN	Kline, John P.	R	House
MO	Carnahan, Russ	D	House
MS	Thompson, Bennie G.	D	House
NE	Terry, Lee	R	House
NV	Heller, Dean	R	House
NY	Clarke, Yvette	D	House
NY	Crowley, Joseph	D	House
NY	Fossella, Vito	R	House

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NY	Meeks, Gregory W.	D	House
NY	Velazquez, Nydia M.	D	House
OH	Boehner, John A.	R	House
OH	Schmidt, Jeannette H.	R	House
OH	Tiberi, Patrick J.	R	House
PA	Pitts, Joseph R.	R	House
PR	Fortuno, Luis	R	House
TN	Blackburn, Marsha	R	House
TX	Hensarling, Jeb	R	House
TX	Hinojosa, Ruben E.	D	House
TX	Johnson, Eddie Bernice	D	House
TX	Thornberry, Mac	R	House
VA	Cantor, Eric	R	House
VA	Goodlatte, Robert W.	R	House
VA	Wolf, Frank R.	R	House
VI	Christensen, Donna M.	D	House
WI	Sensenbrenner, F. James Jr.	R	House
AZ	McCain, John S.	R	Senate
MO	McCaskill, Claire	D	Senate
OK	Coburn, Thomas A.	R	Senate
SC	DeMint, James W.	R	Senate
WI	Feingold, Russell D.	D	Senate

Originally published Sunday, October 12, 2008 at 12:00 AM

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## \$ 3.5 billion in mystery earmarks

In 2008, Congress members were required to tell the public which earmarks they sponsored. But no one took credit for these 155 earmarks. Please contact us with any helpful information you may have about these programs. We'd appreciate contact information so we can reply to you. Thanks.

David Heath and Christine Willmsen

Contact David Heath at [dheath@seattletimes.com](mailto:dheath@seattletimes.com). Contact Christine Willmsen at [cwillmsen@seattletimes.com](mailto:cwillmsen@seattletimes.com)

Or, submit information [here](#).

Millions	Service	Project
\$588.0	Navy	Accelerate second submarine procurement
\$240.0	Navy	Alternate Engine Development
\$240.0	Air Force	Alternate engine development
\$166.3	Defense Wide	SBX
\$147.2	Army	Junior Reserve Officers' Training Corps
\$138.0	Defense Wide	Peer-Reviewed Breast Cancer Research Program
\$125.0	Air Force	ADVANCED EHF (AP-CY)
\$100.0	Air Force	Production Affordability Initiatives and Information Assurance
\$100.0	Navy	Production Affordability Initiatives and Information Assurance
\$80.0	Defense Wide	Peer-Reviewed Prostate Cancer Research Program
\$70.0	Defense Wide	Wounded Warrior Assistance
\$50.0	Marine Corps	Intermediate and organizational maintenance
\$50.0	Defense Wide	Peer Reviewed Medical Research Program
\$49.0	Defense Wide	AEGIS Upgrades for SM-3 and Ship Installs/Upgrades
\$40.0	Defense Wide	GMD upgrades
\$40.0	Defense Wide	Test Range Support and Upgrades
\$39.6	Air Force	LITENING Targeting Pods for F-16s and A-10s
\$32.0	Air Force	Training Range Enhancements
\$32.0	Army	Training Range Enhancements
\$32.0	Navy	Training range enhancements
\$31.5	Navy	C. W. Bill Young Bone Marrow Donor Recruitment and Research Program
\$30.0	Defense Wide	Study of Upper-tier Missile Program/Arrow ASIP

\$30.0	Defense Wide	Impact Aid
\$25.0	Defense Wide	Arrow Co-production
\$25.0	Defense Wide	GBUKEI Multiple Kill Vehicle Variant
\$25.0	Air Force	Small Business Technology Insertion Program
\$25.0	Air Force	Self Aware — Space Situational Awareness
\$24.0	Defense Wide	Industrial Base Innovation Fund
\$23.2	Air Force	ANG Block 42 Engine Upgrade
\$21.2	Defense Wide	Fissile Material Detection Research
\$20.0	Defense Wide	Joint Short Range Ballistic Missile Program
\$20.0	Navy	Small Business Technology Insertion
\$20.0	Navy	Small Business Technology Insertion
\$20.0	Army	Neurotoxin Exposure Treatment Research Program
\$20.0	Army	Small Business Technology Insertion
\$20.0	Army	I-MILES and I-HITS for home station training
\$20.0	Defense Wide	Educational system enhancements
\$20.0	NULL	United Service Organizations
\$20.0	NULL	Red Cross
\$20.0	Defense Wide	National Diabetes Model Program
\$18.4	NULL	Vacuum Induction Melting and Vacuum Arc Re-melting Furnace Capacity
\$16.0	Defense Wide	Regional Centers for Security Studies
\$16.0	Army	Alternative Energy Research
\$16.0	Navy	Alternative Energy Research
\$16.0	Air Force	National Aerospace Leadership Initiative
\$16.0	Air Force	SYERS Demonstration
\$16.0	Defense Wide	Ballistic Signal Processor/Open Architecture
\$15.0	Air Force	Space Situational Awareness research
\$14.9	Defense Wide	Juniper Cobra
\$12.0	Navy	National Shipbuilding Research Program
\$12.0	Defense Wide	National Guard Youth Challenge Program
\$12.0	Navy	Asia Pacific Regional Initiative
\$11.9	Defense Wide	Defense Occupational and Environmental Health Readiness System (DOEHR)
\$11.2	Defense Wide	DEPSCoR program adjustment
\$10.5	Air Force	ICBM Remote Visual Assessment
\$10.5	Navy	Remote Multi Mission Vehicle
\$10.0	Defense Wide	Asymmetric Defense Initiative

\$10.0	Defense Wide	Peer-Reviewed Ovarian Cancer Research Program
\$10.0	Army	Gulf War Illness Peer Reviewed Research
\$10.0	Air Force	Alternative Energy Research
\$9.8	Air Force	Space Fence
\$9.6	Army	Advanced Communications ECM Demonstration (Augments current program)
\$9.5	Defense Wide	NIMBLE ELDER and International Counterproliferation
\$8.0	Army National Guard	Strategic Biodefense Initiative
\$8.0	Army	HMMWV and Tactical Truck Convoy Trainer
\$8.0	Army	University Research Initiatives
\$8.0	Navy	Naval Postgraduate School Laboratory modernization
\$8.0	Defense Wide	National Security Education Program
\$8.0	Air Force	Portable Illumination System
\$8.0	Army	Proton Beam Therapy
\$8.0	Navy	University Research Initiatives
\$8.0	Air Force	University Research Initiatives
\$8.0	Army	Neurofibromatosis (NF) Research
\$8.0	Navy	Anti-Submarine Warfare (ASW) Enhancements
\$8.0	Defense Wide	Focus Center Government-Industry Consortia for University Research
\$8.0	Defense Wide	Global HIV/AIDS Prevention
\$8.0	Defense Wide	Chem Bio Defense Initiative
\$8.0	Defense Wide	Chem Bio Defense Initiative
\$8.0	Defense Wide	Disruptive Manufacturing Technology Initiative
\$8.0	Defense Wide	High Performance Manufacturing Technology Initiative
\$7.2	Air Force	Global Air Traffic Management for KC-135
\$7.0	Defense Wide	Procurement technical assistance centers
\$7.0	Marine Corps	Barracks initiative
\$7.0	Air Force	RAIDRS Block 20 (Air Force unfunded requirement)
\$6.4	Army	Non-communications ECM Technology Demonstration (Augments current program)
\$6.4	Defense Wide	Autism Research
\$6.4	Defense Wide	Tri-Service Nursing Program
\$6.4	Navy	Anti-Submarine Warfare (ASW) Enhancements
\$6.1	Air Force	Operationally Responsive Space
\$6.0	Air Force	AESA Development and Demonstration
\$6.0	Defense Wide	LAW/ASM Heat Rocket Confined Spaces

\$6.0	Air Force	GBU-49
\$5.8	Air Force	Small Diameter Bomb
\$5.6	Navy	Anti-Submarine Warfare (ASW) Enhancements
\$5.3	Army	GUARDRAIL
\$5.0	Defense Wide	IMPACT AID FOR CHILDREN WITH DISABILITIES
\$5.0	Defense Wide	Impact Aid for Children with Disabilities
\$5.0	Air Force	Metals Affordability Initiative
\$5.0	Air Force	Nanotechnology research
\$5.0	Defense Wide	Trident Reach
\$4.4	Navy	Anti-Submarine Warfare (ASW) Enhancements
\$4.3	Army	USARPAC Core Warfighting C4 Network Infrastructure
\$4.0	Defense Wide	STARBASE program
\$4.0	NULL	Power and Energy Systems Production Initiative
\$4.0	Army	Nanotechnologies Initiative
\$4.0	Defense Wide	Military child education coalition
\$4.0	Army	Additional Howitzers
\$4.0	Defense Wide	Joint Robotics Initiative
\$4.0	Defense Wide	Gynecological Cancer Center @ WRAMC
\$4.0	Defense Wide	Integrative Cardiac Health Care @ WRAMC
\$4.0	Defense Wide	Duchenne Muscular Dystrophy
\$4.0	Defense Wide	Joint Robotics Initiative
\$4.0	Defense Wide	Joint Robotics Initiative
\$4.0	Defense Wide	Chem Bio Defense Initiative
\$4.0	Navy	Naval Observatory Joint Milli-Arcsecond Pathfinder Survey (J-MAPS) Program
\$4.0	Navy	Nanotechnology Research
\$4.0	Defense Wide	US Military Cancer Institute
\$4.0	Defense Wide	Tuberous Sclerosis Complex (TSC)
\$3.5	Army	Transfer to procure additional M-9s
\$3.2	Army National Guard	2nd Generation Extended Cold Weather Clothing System
\$3.2	Army	USARPAC Deployable C4 System
\$3.2	Defense Wide	Universal Immunization Tracking System
\$2.8	Air Force	Childcare center operations
\$2.6	Defense Wide	Instrumentation Program for Tribal Colleges and Universities
\$2.4	Army	USARPAC C4 Modularity
\$2.4	Defense Wide	Undistributed: Study on National Security Interagency System

\$2.4	Army	Assistive Technology Research Center at the National Rehabilitation Hospital
\$2.1	Army	USARPAC GCCS & CENTRIX Operations
\$2.0	NULL	Traveling Wave Tube Amplifiers for Space
\$2.0	Air Force	JROTC programs
\$2.0	NULL	Blue Force Tracking Production Initiative
\$2.0	Army National Guard	BIODEGRADE SOIL PENETRANT DUST PALLIATIVE/LAND SURFACE
\$2.0	NULL	Rare Earth Magnets Production Initiative
\$1.6	Army National Guard	ACQUISITION OF 17 M916A3
\$1.6	Air Force Reserve	MCCONNELL RESERVE MAINTENANCE PERSONNEL
\$1.6	Air National Guard	CRYPTO-LINGUIST / INTELLIGENCE OFFICER INITIATIVE
\$1.6	Air Force Reserve	McConnell Reserve Maintenance Personnel
\$1.6	Defense Wide	Simulation Research
\$1.5	Defense Wide	Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism
\$1.5	Army	Security Programs Adjustment
\$1.3	Air Force	Security Programs Adjustment -
\$1.3	Army	WMD-Civil Support Team for Florida
\$1.3	Army National Guard	Great Plains Joint Regional Training Center
\$1.2	Army National Guard	WMD — Civil Support Team for Florida
\$1.2	Navy	Continuing Education through Distance Learning — St. Leo University
\$1.2	Defense Wide	DOD Mortality Registry
\$1.1	Army	Memorial Day concert
\$1.0	Army	COMPUTER BALLISTICS: LIGHTWEIGHT HANDHELD MORTAR BALLISTIC COMPUTER XM32
\$1.0	Army National Guard	BALLISTIC HELMET LINER KITS
\$1.0	Army	Warrior Transition Unit Support for the 4725th Brigade Combat Team (Airborne)
\$0.6	Air National Guard	166TH NETWORK WARFARE SQUADRON
\$0.6	Defense Wide	Defense Occupational Health Readiness System (DOEHRS)
\$0.6	Defense Wide	Embedded Metal Fragment Registry (EMFR)
\$0.5	Army	TCAS/TAWS Collision Avoidance
\$0.3	Navy	Naval Sea Cadet Corps
\$3,533.6		

## About this project

Until now, you couldn't find out easily which members of Congress had given earmarks to campaign donors.

Or how much companies favored with defense earmarks spent on lobbying lawmakers.

The Seattle Times spent months compiling data to shine a light on those financial connections.

First, we culled all 2,203 earmarks from the 2008 defense spending bill. We counted only congressionally funded items for which the military hadn't sought a penny.

Then we combined them with a list that Congress created, the product of a new rule that required lawmakers to name each earmark they sponsored. For the House, we entered information from letters from members that identified who benefitted from the earmarks. For the Senate, we relied on press releases, when available, for this information.

We scrutinized each claim, identifying the full name of the entity getting an earmark. We tried — mostly unsuccessfully — to have the military identify the entities we couldn't figure out.

We then searched campaign-finance records from the Federal Election Commission for donations from employees or political action committees from those companies. The search covered almost six years of donations, the election cycle of a senator. We included certain nonprofits in our search, but we did not include military units, business consortiums or most schools and hospitals.

We ultimately found nearly 55,000 matches, which were individually checked to ensure accuracy.

Our research was limited to incumbents and does not reflect contributions to challengers or to presidential campaigns. But we did include contributions to those members who no longer serve in Congress.

Finally, we obtained congressional data on the names of those who lobbied for defense spending and what they were paid, and then linked that information to the recipients of earmarks.

## How to use this database

This database shows who received earmarks and who gave them in the 2008 defense bill.

It also shows how much money companies and their employees gave to lobbyists and lawmakers who helped deliver the earmarks.

You can search by lawmaker name or by the name of a company that got an earmark in the 2008 defense bill. You can also browse lawmakers or earmark recipients by state.

### Lawmaker search

A lawmaker search shows every earmark that a member of Congress claims credit for in the bill or, in some cases, in a news release, including the dollar amount, all the recipients we were able to identify and the description of the earmark that appears in the bill.

More information on that earmark is available if you click on the "Earmark" column, including a longer description from a congressional news release.

You'll also see a list of 2008 earmark recipients whose employees or political action committees gave campaign contributions to a lawmaker since the start of 2003. The lawmaker did not necessarily help all of those who contributed.

### Recipient search

A search of recipients shows the name of a company or other entity that was given an earmark. It shows the amount of all earmarks to that entity, how much was spent on lobbying last year and how much those affiliated with the recipient gave to the campaigns of sitting members of Congress since 2003.

House members are required to disclose the names of entities that benefit from the earmarks. Senators didn't pass such a rule, so they don't have to reveal who benefits. When a senator named an earmark recipient in a news release, that information is included in the Favor Factory database. Also, The Times collected campaign contribution and lobbying data only for companies and select nonprofits. Lobbying and contribution data for most colleges, hospitals, business consortiums and military units were not compiled.

Whenever possible, businesses receiving earmarks are listed by the unit getting the contract. Lawmakers generally give earmarks to businesses in their home states, even though company headquarters may be elsewhere. In these cases, use the symbol (HQ) at the top of the results page to link to the parent company.

### Contributions

All contributions are listed under the name of the recipient or its parent company. If you don't see a list of contributions, click on the link next to "Parent" near the top of the page.

### Lobbying

All lobbying data are listed under the name of the recipient or its parent company. If you don't see a list of lobbyists, click on the link next to "Parent" near the top of the page.

You can click on the name of the lobbyist to see more detail, including the purpose of the lobbying.

Dollar amounts spent on lobbying are generally rounded to the closest \$20,000 when lobbyists report to the Federal Election Commission. If a report said that less than \$10,000 was spent, The Times rounded that number to \$10,000.

Earmark amounts in the database may not always reflect final costs. Also, a company and a federal agency sometimes might agree to modify an earmark.

# The Seattle Times

## ***The Favor Factory*** | SEATTLE TIMES SPECIAL REPORT

After being lobbied by companies making a decontamination powder, powerful U.S. senators forced the military to keep buying what it considers inferior chemical-warfare protection for the troops.

# EARMARK HELPS FIRMS, NOT TROOPS



DEFENSELINK.MIL

Since 1990, U.S. troops have used a skin-decontamination kit containing a dark powder that absorbs dangerous chemicals. The Defense Department has approved a more effective lotion, but earmarks ensured the old kits were still stocked.

BY CHRISTINE WILLMSEN  
AND DAVID HEATH  
*Seattle Times staff reporters*

Scientists have discovered a lotion that can save the lives of U.S. soldiers exposed to chemical weapons — a product vastly superior to the standard-issue decontamination powder.

Naturally, the Defense Department wants to scrap the powder and switch to the more-effective lotion.

But there's a problem: After being lobbied by the companies making the powder, several members of Congress pushed through two earmarks worth \$7.6 million that forced the military for the past two years to keep buying the inferior product.

The product, known as M291, is made from a resin sold exclusively by a Pennsylvania chemical company, which is then processed into powder by a New York company, then assembled into individual kits at a facility in Arkansas.

Among the lawmakers who championed the earmarks are Sens. Hillary Rodham Clinton, D-N.Y.; Arlen Specter, R-Pa.; and Charles Schumer, D-N.Y.

Clinton, who is poised to become secretary of state, received nearly \$7,000 in campaign donations from the beneficiaries of these earmarks in recent years. Specter got more than \$47,000.

Lawmakers put earmarks into bills to make federal agencies buy things the agencies didn't request, often circumventing the normal process of evaluation and competitive bidding.

The secretive practice has become mired in controversy and scandal, so Congress promised to reveal details about each earmark and drastically cut back on them.

But Congress continues to churn out earmarks, inserting more than 2,100 worth \$8.5 billion in this year's defense bill — often without any disclosure, a Seattle Times investigation found.

The M291 earmarks reveal how lawmakers can micromanage military purchases to suit the needs of companies, constituents or campaign donors — instead of the needs of the soldiers.

Chemical warfare is a serious threat should U.S. troops ever clash with forces in Iran, Syria or North Korea, experts say. Most soldiers — including those at Fort Lewis — are still equipped with M291.

The decision of whether to give soldiers the powder or the lotion is ultimately up to commanders in the



ALEX WONG / GETTY IMAGES

*Sens. Charles Schumer, left, Hillary Rodham Clinton and Arlen Specter, far right, pushed for earmarks to force the military to keep buying an inferior product to protect troops.*



#### ▶ **WEB EXTRA**

##### **Read the whole series**

*and search a special Times database that reveals the lawmakers who gave out 2,100 defense earmarks and the contributions they received:*

[seattletimes.com/favorfactory](http://seattletimes.com/favorfactory)

field, so the M291 earmarks don't necessarily mean troops will end up with inferior protection.

But by forcing the military to buy the older product, lawmakers are taking that chance, says Winslow Wheeler, a director at the nonpartisan Center for Defense Information. The M291 earmarks show that Congress still hasn't reformed, he said. "The pork process pays little attention to merit, reason and analysis."

#### **Powder vs. lotion**

On the chance that troops may be exposed to a chemical attack, they are issued protective gear, including gas

masks, injectable antidotes and decontamination kits. Just a few droplets of nerve agents such as Sarin, Soman or VX can be lethal, so a decontaminant can save a soldier's life.

The Pentagon has relied on M291 kits since 1990. The wallet-sized pouch contains pads with charcoal-like powder that when rubbed on the skin absorbs the chemical agents.

Soldiers in Canada used a similar powder, but in the late 1980s government researchers there were worried about it. The powder was messy, difficult to apply and fouled gas masks. Worst of all, researchers feared that any deadly agents absorbed by the powder would release toxic gases inside a soldier's mask, said Garfield Purdon, a lead scientist on the research.

So Purdon's team at Canada's defense department developed a new product called Reactive Skin Decontamination Lotion, or RSDL. The lotion, wiped on the skin with pads, not only absorbs the chemical agents but neutralizes them as well, offering soldiers greater protection.

Canada issued the new lotion to soldiers fighting in the 1991 Gulf War. Its military later licensed the lotion to E-Z-EM, a New York company, on the condition that it make the product in Canada.

Shortly after the Sept. 11 terrorist attacks, the U.S. Defense Department said it was evaluating RSDL for use. At the urging of the Army Surgeon General, the Food and Drug Administration in 2003 approved the lotion.

"If used in time, this lotion can help prevent the serious burns and deaths that result from exposure to chemical-warfare agents," FDA Commissioner Dr. Mark McClellan announced. "FDA worked with the U.S. Army to expedite review of this product to make it available to our men and women in uniform as quickly as possible."

Scientists conducted more tests, comparing the effectiveness of the lotion with the M291 kit. They found the lotion to be as much as seven times more effective at protecting soldiers, depending on the chemical agent, the Defense Department told The Seattle Times.

#### **Earmarks for the powder**

The Pentagon told Congress in 2005 that it expected to replace the M291 kit with the RSDL. At the same time, Rohm and Haas, the Philadelphia company making the M291 resin, turned to Congress to keep its product



DEFENSELINK.MIL

Shown is a M291 powder skin-decontamination kit, which is no longer recommended as the best chemical-warfare protection for troops. However, lawmakers put a \$5.6 million earmark favoring M291 in the 2008 defense bill.

## HELPS COMPANIES, NOT TROOPS

### It shows Congress hasn't reformed

alive through an earmark. The company spent \$830,000 lobbying Congress and the military on the decontamination kits and other issues in 2005, public records show. Since then, the company has spent another \$2.3 million lobbying Congress.

The Defense Department bought huge stockpiles of Rohm and Haas' resin in 2005 and 2006, enough to last through 2012, said Douglas Bryce, second in command of the DOD's joint chemical- and biological-defense office.

After the large purchases of resin, the military didn't include funding for M291 kits in its budget because the product was being phased out, Bryce said.

But members of Congress had different plans. Staffers for Sens. Clinton and Schumer met with Daniel Kohn,

president of Trueteck, a Riverhead, N.Y., company that mixed the powder from the resin and produced the kits.

"In self-defense, we've gone to our representatives in Congress and we've said: 'You know, let's lay our cards on the table — we're in business to provide a living and jobs in your district,'" Kohn said in a recent interview.

Clinton, Schumer and others added a \$2 million earmark to the 2007 defense bill, instructing the military to buy M291 kits.

In March 2007, the Defense Department gave all branches of the service the go-ahead to buy RSDL.

Although it hadn't intended to buy any more M291 kits, the military honored the earmark and bought more kits from Trueteck and Pine Bluff Arsenal, a federal facility in Arkansas that assembles them. With its huge stockpile of resin, the military bought nothing from Rohm and Haas.

Rohm and Haas went back to Congress and got another \$5.6 million earmark in the 2008 defense bill.

This time the list of 10 sponsors included Sen. Specter of Pennsylvania, who has received \$38,000 in campaign donations from Rohm and Haas'

employees and its political-action committee since 2004. Clinton has received \$5,600 in campaign donations in the past two years from Rohm and Haas' chief executive officer, Rajiv Gupta, and his wife.

The lawmakers scolded the Defense Department for not buying any resin the year before.

"This decision may jeopardize the U.S. industrial base for chemical skin decontamination technology," lawmakers wrote in a report attached to the bill. The new earmark "shall be used both for the purchase of raw materials and the packaging of the kits."

The lawmakers had been "expecting somebody in Pennsylvania to get some money to do something, and we ended up giving it to Arkansas and New York," said Bryce of the Defense Department.

As a result of the second earmark, Bryce said, the military bought \$1 million of resin from Rohm and Haas and spent \$4.4 million for decontamination kits. The military now has 2.2 million powder kits in stock.

Clinton and Schumer did not respond to requests for comment.

### Trail of earmarks

**1990:** U.S. military issues troops a kit with powder to absorb chemical-warfare agents from the skin. The product is known as M291.

**1991:** Canadian soldiers are issued a new lotion, RSDL, that removes chemical agents.

**2003:** The Pentagon discovers the lotion used in Canada is up to seven times more effective than the powder used by U.S. soldiers.

**2005:** The Pentagon tells Congress it plans to replace the powder with the lotion within two years.

**2005:** Rohm and Haas, which makes a key ingredient in the powder, begins lobbying Congress for earmarks for its exclusive product. The Defense Department buys a large

stockpile.

**2006:** Sens. Clinton, Schumer and others put a \$2 million earmark in the 2007 defense bill, requiring the military to buy additional M291 kits.

**March 2007:** After years of scientific testing, the Pentagon switches to the lotion, with no plans to buy more M291. But Sens. Clinton, Specter and others put a \$5.6 million earmark for M291 powder in the 2008 defense bill, forcing the military to buy the inferior product.

**November 2007:** Senators add explicit language to the defense bill to force the military to buy the key ingredient from Rohm and Haas, even though the military has switched to the lotion.

*Source: Seattle Times reporting*

### The Favor Factory earns national recognition

- The National Press Foundation has named The Favor Factory as the best multimedia coverage of Congress in the nation.
- Reporters David Heath and Hal Bernton will receive the 2008 Everett McKinley Dirksen Award for the series on Congressional earmarks at a National Press Club dinner in Washington, D.C., in February.
- The series also was recently named the national runner-up for the Barlett & Steele Awards for investigative business journalism from Arizona State University's journalism program.
- The series won the Clark Mollenhoff Award for investigative reporting from the Fund for American Studies at Georgetown University.
- And it received the Ted M. Natt First Amendment Award from the Pacific Northwest Newspaper Association.

*The Seattle Times*

Specter and a spokeswoman for Rohm and Haas defended the second earmark, saying the company asked for it before the military made its final decision to switch to RSDL.

However, lawmakers added language scolding the military and approved the earmark in November 2007 — eight months after the military's switch.

Another Pennsylvania sponsor of the second earmark, Rep. Allyson Schwartz, D-Pa., offered a different rationale for the favor. The earmark "was never intended to pick a winner" but to support both products, Schwartz said.

She is "disappointed" that the military isn't going to buy the powder anymore.

Schwartz received \$8,000 in donations from executives and the political action committee at Rohm and Haas, a leading employer in her district.

### Earmark for the lotion, too

E-Z-EM, the New York maker of the lotion with the military's blessing, decided to get its own earmark, and lobbied Congress. Result: a \$3.2 million earmark for the lotion in the 2009 defense bill.

Its sponsor, Sen. Thad Cochran of Mississippi, ranking Republican on the Senate Appropriations Committee, said the company deserved the favor.

Without the earmark, Cochran said in a statement, "this lifesaving product would not get to our troops as expeditiously as it should."

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# The Seattle Times



**The Favor Factory** | SEATTLE TIMES SPECIAL REPORT

## Where the candidates stand on earmarks

### 3 FRONT-RUNNERS

**Different attitudes on billions spent on political pork**

BY DAVID HEATH  
*Seattle Times staff reporter*

John McCain abhors them. Hillary Rodham Clinton embraces them. Barack Obama does a little of both.

The leading contenders for president cover the spectrum in their attitudes toward political pork known as earmarks.

In recent years, earmarks have become mired in controversy and scandal — from a \$220 million earmark for a “Bridge to Nowhere” in Alaska to the corruption convictions of lobbyist Jack Abramoff and Rep. Duke Cunningham. Still, members of Congress continue to parcel them out, arguing that part of their job is to bring federal dollars back to their states.

Legions of lobbyists coax lawmakers each year to drop thousands of earmarks for their clients into spending bills with little to no scrutiny or debate. The 2008 defense bill bulged with more than 2,100 earmarks, costing \$8 billion, according to the watchdog group Taxpayers for Common Sense.

The use of earmarks and the powerful influence of lobbyists on Congress have been hotly debated in the presidential race. As that debate has continued, the top presidential candi-

dates dealt with earmarks as senators in starkly different fashion from each other.

In the defense bill, for example, The Seattle Times found that Clinton sponsored 66 earmarks totaling \$150 million. Obama sponsored six earmarks totaling \$34 million; all were for non-profit organizations. McCain didn’t ask for any earmarks this year.

McCain has never sought an earmark in his 26 years in Congress, said his spokeswoman Melissa Sheffield.

“I believe that earmarking has led to corruption,” McCain says on his campaign Web site. “It’s like any other evil: You either eliminate it or it grows.”

McCain built his reputation as a maverick in part because of his constant criticism of earmarks sponsored by his Republican colleagues.

He thwarted a \$26 billion earmark for Boeing that Sen. Ted Stevens, R-Alaska, quietly slipped into the defense bill shortly after Sept. 11, 2001. McCain argued the earmark to lease 100 refueling tankers from Boeing broke the rules for major defense purchases. He embarked on a three-year quest to kill it.

E-mails dug up by a congressional inquiry offered evidence that the earmark was sought to shield Boeing from an airline-industry recession. Other details uncovered by the probe eventually led to corruption convictions against Boeing executive Michael Sears and Air Force official Darlene Druyun.

McCain frequently boasts of his crusade against the Boeing earmark, using it as an example of how he’s not

afraid to wrestle with powerful interests.

In contrast to McCain, Clinton boasts about scores of earmarks she delivers each year throughout her home state of New York. In the defense-bill earmarks Clinton sponsored, she mostly handed out business to defense contractors with operations in New York.

The Seattle Times counted more than 220 earmarks for Clinton in six other recent spending bills.

Those who get earmarks usually donate to election campaigns. Clinton’s campaign has received \$60,000 from those to whom she gave earmarks — a pittance of the \$116 million she’s raised. She received a like amount from those same donors for her Senate race.

Clinton rarely sponsors earmarks by herself. Usually, she’s joined by fellow New Yorker Sen. Charles Schumer or others. But critics have asked how Clinton and her staff could vet so many earmarks to make sure they’re worthwhile.

For example, Clinton this year sponsored a \$2.4 million earmark for the New York-based parent company of InSport to sell a “base-layer” shirt to the Marine Corps. Yet the Marine Corps won’t buy the T-shirt because, when exposed to heat, it can melt and badly burn the wearer. The Marines will buy a fleece pullover from InSport instead.

A Clinton aide who vets earmarks said in December he understood the InSport earmark was for a fleece pullover, adding that Clinton carefully vets earmarks. After Seattle Times

## 2008 defense earmarks by presidential candidates

The top candidates for President have sharply different attitudes about earmarks. This database shows you each earmark the candidate sponsored in the 2008 defense bill and who gets the money. Sen. Hillary Clinton had the most while Sen. John McCain had none.

Candidate	Amount	Recipient	Earmark	Purpose
Barack Obama	\$11,500,000	Rock Island Arsenal	Rock Island Arsenal - Arsenal Support Program	The Arsenal will upgrade equipment to support the production of lightweight add on vehicle and body armor that is directly used to improve and increase manufacturing efforts in support of the Global War on Terror. Additionally, the equipment will also have significant safety and efficiency benefits for the Arsenal. Senator Obama secured these funds along with Senators Grassley (IA) and Harkin (IA).
Hillary Clinton	\$9,600,000	Watervliet Arsenal	Watervliet - Arsenal Support Program	The purpose of the Arsenal Support Program Initiative (ASPI) is to help maintain the viability of Army manufacturing arsenals and the unique capabilities of these arsenals in supporting national security interests. These funds will be used to help Watervliet Arsenal to secure new companies on site, bringing significant investment to the Capital Region and reducing the Army's cost of ownership
Hillary Clinton	\$7,200,000	Rockwell Collins Inc.	Global Air Traffic Management System	
Barack Obama	\$6,000,000	Rock Island Arsenal	Rock Island Arsenal, Building 299 Roof Replacement Phase II	Building 299 is a 775,000 square foot warehouse constructed in 1942. The building is generally in good condition with the exception of the original roof, which is severely deteriorated. This project will completely remove, and properly dispose, all asbestos containing roofing components. Currently, a significant portion of the building is being used to support the Global War on Terror in the form of manufacturing, and shipping and receiving armor kits. Senator Obama secured these funds along with Senators Grassley (IA) and Harkin (IA).
Hillary Clinton	\$5,600,000	Truetech Inc./Rohm & Haas	M291/M295 Skin Decontamination	The M291 Skin Decontamination Kit (SDK) is a chemical skin decontamination device for the U.S. warfighter. This kit decontaminates skin from known nerve and blister agent threats. Funding will be used to sustain current operations for the M291 SDK and to conduct a pilot to renew the M295 equipment decontamination kit as it was originally developed using M291 SDK technology.
Hillary Clinton	\$4,800,000	Northrop Grumman Corp.	AN/SPQ-9B Radar for DDG 51 Modernization Program	The AN/SPQ-9B radar provides early and reliable horizon surveillance including: detection of sea-skimmer missiles at an ultra low false alarm rate; gunfire control against surface targets; and an aid to navigation. The DDG Modernization program is scheduled to deliver the first modernized ship (DDG 51) in FY10. Funding is needed to initiate AN/SPQ-9B radar procurement now in order to make an AN/SPQ-9B radar available for the program's in-year need date in the first quarter of FY2010.
Hillary Clinton	\$4,000,000	Dresser-Rand Group Inc.	Advanced Steam Turbine	Funding will be used to develop a steam turbine that can be used on the existing Virginia Class and future submarines, which will meet or exceed the capability of the existing steam turbine. This advanced turbine is estimated to reduce the cost the Navy is paying today by as much as 40

stories about the T-shirt earmark were published, Clinton deleted references to the earmark in her news releases.

As for local companies, Clinton succeeded in getting two earmarks totaling \$6 million this year for Bellevue-based eMagin, even though the company lost millions of dollars in each of the last 10 years.

eMagin researches and makes miniature computer displays worn on soldiers' helmets at a plant in Hopewell Junction, N.Y. In the company's latest financial statements, an independent auditor said there was substantial doubt that eMagin could survive. Last year, the American Stock Exchange delisted eMagin for not meeting financial standards.

Clinton's earmarks have boosted the revenues of a company that had been averaging sales of \$4 million a year. The chief executive and chief financial officer recently quit. But Bruce Ridley, vice president of sales, said while the earmarks help sales, the company doesn't really make a profit on them.

Like Clinton, Obama doles out earmarks, directing \$34 million to universities and to a government-owned weapons maker, Rock Island Arsenal. The Times counted more than 80 more earmarks from Obama in six other spending bills.

However, Obama says he doesn't give earmarks to companies, just nonprofits. Last year, he gave \$1.3 million to the Gas Technology Institute to research fuel cells. GTI is a nonprofit whose members include major energy companies.

Those who got defense earmarks have given \$16,000 to Obama's campaign funds.

While McCain has made earmarks a campaign issue, Steve Ellis of Taxpayers for Common Sense said that neither Clinton nor Obama have said much on the topic.

McCain and Obama have sponsored or co-sponsored legislation to provide the public with more details about earmarks. All three candidates sponsored a bill to create a new Web site to show more details of government contracts. That bill became law, and the site is [www.usaspending.gov](http://www.usaspending.gov).

*David Heath: 206-464-2136 or dhealth@seattletimes.com.  
Seattle Times reporter Hal Bernton contributed to this report.*

# Changing earmarks will challenge Obama

BY DAVID HEATH  
*Seattle Times staff reporter*

Barack Obama promises to change the way business is done in Washington.

But the economic crisis and a stack of unfinished legislation awaiting the president-elect's arrival will test his commitment to his core pledge.

Priority legislation to bail out the auto industry and stimulate the economy — as well as nine overdue spending bills — are likely to come to his desk larded with earmarks.

Obama faces a dilemma: Senate Majority Leader Harry Reid, D-Nev., and such powerful lawmakers as Sen. Patty Murray, D-Wash., and Rep. Norm Dicks, D-Bremerton, staunchly defend earmarks. And powerful lobbyists, who raise campaign cash for lawmakers, still clamor for these pet projects.

Obama made this ambitious pledge during the campaign: "I am in this race to tell the corporate lobbyists that their days of setting the agenda in Washington are over." But he hasn't been specific about how he intends to accomplish this.

With so many pressing economic tasks on his plate and so many entrenched interests on Capitol Hill, earmark critics are in suspense on whether Obama will deliver on his pledge to change Washington.

"If he's going to do anything, he's going to have to expend some political capital," said Steve Ellis, of Taxpayers for Common Sense.

Earmarks — favors that lawmakers hand out to bypass the normal selection process — are controversial and unpopular. A CBS News poll last year found that two-thirds of Americans consider them unacceptable.

Two critics, Sens. John McCain, R-Ariz., and Russell Feingold, D-Wis., are crafting a new earmark-reform bill.

Obama proposes databases that tie together campaign contributions and ethics disclosures by lawmakers and another linking lobbying and federal contracts. The Times has created a database for the 2007 and 2008 defense bills that links earmarks to lawmakers, campaign giving and lobbyists.

Obama also proposes to slash earmarks to their 1994 level, \$7.8 billion.

But what definition of an earmark will he use in trying to cut them?

Congress this past year said it had cut earmarks dramatically. But The Seattle Times examined the defense bill and found that Congress failed to disclose \$3.5 billion of them — 40 percent of the total — because it used a new, more narrow definition of earmark.

## An evolution

Obama has straddled the issue. As a freshman senator, he began requesting earmarks, though he tried to limit his requests to public projects, schools and nonprofits.

Still, Obama asked for \$740 million in earmarks in his first three years in the Senate and got \$220 million of them approved.

One request he failed to push through was \$1 million in 2006 for an expansion at the University of Chicago Medical Center, where his wife, Michelle, was a vice president.

The public perception that lawmakers can get something in return for their earmarks fuels the controversy over the earmark process. McCain calls the practice "corrupt."

Lobbyists and their clients who seek earmarks are often eager to give campaign donations to friendly lawmakers, which can be enticing for those weary of constant fundraising. Obama candidly wrote about it in his book "The Audacity of Hope":

"The path of least resistance — of fundraisers, organized by the special interests, the corporate PACs, and the top lobbying shops — starts to look awfully tempting, and if the opinion of these insiders don't quite jibe with those you once held, you learn to rationalize the change as a matter of realism, of compromise, of learning the ropes."

During his presidential campaign, Obama began distancing himself from earmarks. He stopped asking for them in the Senate and, after some hesitation, released a detailed list of all of his earmark requests, even his unsuccessful ones.

A revealing example of his evolution on earmarks came in a fight over a major ethics bill last year.

Democrats regained control of Congress two years ago in the wake of ear-

marking scandals, including the convictions of lobbyist Jack Abramoff and Republican Rep. Duke Cunningham. House Speaker Nancy Pelosi pledged to have the "most open and honest Congress in history."

At Pelosi's direction, the House required members to disclose for each earmark the name and address of the company or group expected to receive it. Leaders in the Senate, however, offered no such rule.

## Disclosure rule

Sen. Jim DeMint, R-S.C., tried in January 2007 to add Pelosi's language to the Senate ethics bill.

"The whole theory behind this is it would shame people into not doing the totally ridiculous earmarks," DeMint recently told The Seattle Times.

But Majority Leader Reid said during debate on the Senate floor that the rules were not well thought out.

DeMint didn't think he had the votes. But after the debate, he said, Obama walked up to him and said he supported DeMint's proposal. Obama and five other Democrats, including Sen. Maria Cantwell, D-Wash., bucked their leadership and — by a single vote — kept DeMint's disclosure rule alive.

Once this measure caught the attention of the national media, the Senate approved it 98-0. Away from the cameras, Reid used parliamentary maneuvers to gut it. When the bill came up for a final vote, it no longer required senators to release the names of earmark recipients to the public. This time, Obama voted with Reid.

Obama did buck leadership this year when he supported DeMint's unsuccessful call for a one-year moratorium on earmarks. Obama was one of only 29 senators to vote for it.

All of which leaves DeMint unsure whether Obama's conversion on earmarks was a campaign ploy or a deep conviction. But if the president-elect is serious, DeMint is convinced Obama can change the way business is done, at least when it comes to earmarks.

"Right now Barack's popularity is so high and Congress' is so low, he could win that battle," DeMint said. "He'd look like a real change agent."

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## How Congress Hides Earmarks

**Earmarks** are a staple of business conducted by lawmakers and is the reason that appropriations lobbying remains a lucrative business on K street. The Seattle Times takes a look at \$3.5 billion in earmarks that were slipped into the 2008 defense bill. Many weren't disclosed by the members who sponsored them. It's stories like these that leave people frustrated with Washington. Why

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### Favor Factory 2008

POSTED BY  Nisha Thompson

Thanks to faithful reader [Ann Minks](#) for bringing my attention to [Seattle Times' Favor Factory](#). The Favor Factory offers a database of all Congressional earmarks for 2008. You can search by lawmaker, state, or name and state of the recipient. The site also has sections for multimedia, citizen responses, and news regarding earmarks and projects. The Favor Factory has a great feature that links campaign donations and recipients of earmarks. For example, this is [Rep. Abercrombie's page](#) you can see in the right hand corner how much those recipients have donated to Mr. Abercrombie in the last five years.

This is an excellent resource kudos Seattle Times for making this information public so citizens can research it and keep their own representatives

Robert F. Kennedy Jr., and Brendan DeMelle, *Huffington Post*, Oct. 17, 2008  
**Despite Ethics Rule, Congress Hid \$3.5 Billion in Earmarks in Defense Spending Bill**

An extensive investigation by the Seattle Times found that Congress inserted \$3.5 billion in hidden earmarks in the 2008 Defense spending bill. Despite new ethics rules requiring members of Congress to disclose their earmarks publicly, the Times found that 40 percent of the \$8.5 billion in earmarks inserted into the \$459 billion defense spending bill were in fact hidden by lawmakers who exploited loopholes or disregarded the ethics rules entirely. The hidden \$3.5 billion was traced to 155 earmarks which included some of the most costly expenditures in the defense spending bill. Since there are no penalties for disregarding the ethics rule, the practice is likely to continue.

The Seattle Times sifted through earmarks buried in difficult to find documents and compiled the information - including campaign donations and companies' lobbying efforts - into a searchable database located at [seattletimes.com/favorfactory](http://seattletimes.com/favorfactory).

The investigation found that companies that benefited from the earmarks spent \$141 million lobbying Congress last year alone, and that employees of the companies that benefited from the earmarks gave more than \$60 million in campaign contributions to members of Congress over the past six years.

*The National Journal, Oct. 16, 2008*

### **How Congress Hides Earmarks**

Earmarks are a staple of business conducted by lawmakers and is the reason that appropriations lobbying remains a lucrative business on K street. The Seattle Times takes a look at \$3.5 billion in earmarks that were slipped into the 2008 defense bill. Many weren't disclosed by the members who sponsored them. It's stories like these that leave people frustrated with Washington. Why were lawmakers able to sponsor earmarks that weren't disclosed?

*The Sunlight Foundation, Oct. 16, 2008*

The Favor Factory offers a database of all Congressional earmarks for 2008. You can search by lawmaker, state, or name and state of the recipient. The site also has sections for multimedia, citizen responses, and news regarding earmarks and projects. The Favor Factory has a great feature that links campaign donations and recipients of earmarks. For example, this is Rep. Abercrombie's page you can see in the right hand corner how much those recipients have donated to Mr. Abercrombie in the last five years.

This is an excellent resource kudos Seattle Times for making this information public so citizens can research it and keep their own representatives accountable.

*The Roanoke Times in Roanoke, Va., editorial published Dec. 15, 2008*

The Seattle Times has a Web site you can search for earmark information. Our Rep. Bob Goodlatte accepted \$4,000 from a company called Innovative Wireless Technologies Inc. of Forest, Va. This company's president (and a couple of employees, apparently) doled out some \$15,000 to Virginia politicians, including Rep. Virgil Goode. They also, apparently wisely, spent \$30,000 on the lobbying firm of Wexler and Walker. So, for a mere \$45,000 -- slightly more than the salary of a rookie cop or schoolteacher -- what did Innovative Wireless get? A million dollars. All this was legal; all apparently aboveboard.

But how does it look?

*The News & Observer in Raleigh, NC., editorial published Oct. 23, 2008*

Oh, come on. If members of Congress are mystified by the fact that their approval rating as a group runs close to the dismal numbers of an unpopular president...let us try to explain.

When the leadership of the House and Senate fell into the hands of Democrats, a new invigorating call for being the voices of the people instead of those of special interests and lobbyists echoed off all the granite up there in Dee Cee...

But a report by The Seattle Times finds that various loopholes in reform, or just outright ignorance of the rules, have left billions of dollars worth of "earmarks" in the federal budget. The Times found that in the 2008 defense bill, there were \$8.5 billion of those provisions for specific projects favored by powerful lawmakers and that \$3.5 billion of it was just plain hidden.

If there was a doozy in the bunch, it was the \$588 million for buying a new submarine made by the General Dynamics Corp., which builds subs in Groton, Conn. The military had not asked for it. The Bush administration didn't want it. But there it was. And two men who claim to be among the more progressive thinkers on Capitol Hill, Connecticut Sens. Joseph Lieberman, an independent, and Christopher Dodd, a Democrat, bragged about it to the folks back home.

The Seattle paper, whose article was carried in The N&O, notes that loopholes still make it possible for lawmakers to put expenditures in the budget and not disclose them as earmarks. Some of the descriptions of earmarks that are identified are rather sketchy, anyway -- names for projects that no one could decipher, with no listing of the companies involved.

Lawmakers are not supposed to be able to hide or disguise earmarks -- and in fact, certain expenditures for specific worthy projects are perfectly OK as long as they are disclosed in advance and undergo review. But rules about disclosure are often ignored, and when those rules were passed, they included no penalties for breaking them.