

Entergy Corporation's Campaign Contributions and Lobbying Spending on the Local, State and Federal Levels

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Entergy Generates Influence: Will Cash and Connections Overpower Serious Debate?

Summary of Findings

1. Entergy Corporation owns and operates the Indian Point nuclear power facility located in the Village of Buchanan, New York through its subsidiary, Entergy Nuclear Northeast. The company has spent a grand total of **\$3,498,315** on campaign contributions and lobbying on the New York local, New York state and federal levels from 1999 to the present. This sum includes:

Lobbying: \$2,213,132

- \$159,000 lobbying New York City government
- \$674,132 lobbying New York State government
- \$1,380,000 lobbying the federal government

Campaign Contributions: \$1,285,183

- \$7,250 in campaign contributions in New York City
- \$5,550 in campaign contributions in New York State localities
- \$66,400 in campaign contributions in New York State
- \$1,205,983 in campaign contributions on the federal level

These contributions add up to influence for Entergy at all levels of government. From local townships, to New York City, to the state and federal governments, debate has been raging about whether or not the Indian Point facility should be closed. Each of these levels of government could influence that outcome, and Entergy's campaign contributions parallel this pattern of debate.

2. Entergy has hired lobbyists with significant insider connections to push their case in New York City and State. These lobbyists include:

State Lobbyists:

- James D. Featherstonhaugh: A powerful Albany lobbyist who worked on Mario Cuomo's gubernatorial campaign and later served as his lawyer
- David N. Weinraub: Former aide to Mario Cuomo
- Plunkett and Jaffe, P.C.: The firm where both Governor George Pataki and his chief of staff, John Cahill, were formerly employed

NYC Lobbyists:

- Norman Adler: Former assistant to the Speaker of the Assembly
- Mel Miller: Former Speaker of the Assembly
- Armand D'Amato: Brother of Senator Al D'Amato

3. In addition to these campaign contributions, Entergy Nuclear recently presented nearby Putnam County with another gift. In a speech given in September 2003, County Executive Robert Bondi revealed that Entergy had donated \$500,000 to the county to defray the cost of its \$11.8 million Emergency Operations and Training Facility. (Reported in *The Journal News*, 09/11/2003)

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Introduction

Entergy, a Louisiana-based utility corporation, owns and operates the Indian Point nuclear power facility through its subsidiary, Entergy Nuclear Northeast. Already well-connected in Washington, Entergy began hiring lobbyists and donating generously to political campaigns in New York leading up to and following their purchase of the Indian Point 2 and 3 nuclear reactor units from Consolidated Edison and the state's power authority in September 2001 and November 2000, respectively.

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New York City

Entergy has been spending heavily on lobbying in New York City over the last two years. In their reports, they cite lobbying on Resolution 64, proposed by New York City Council Member Gennaro (Queens), which would call for the closing of the Indian Point facility.

After extensive delays, Resolution 64 is expected to come up for a vote in the coming weeks. Forty five other municipalities in New York, New Jersey and Connecticut have already passed shut down resolutions similar to the one New York is considering (See Attachment A). It remains to be seen if Entergy's lobbying and campaign contributions will influence debate in the City Council. Although two hearings have been held on the resolution since it was first introduced in May, 2002, a vote has yet to be taken.

Campaign Contributions—City Total \$7,250

Entergy's political action committee, ENPAC, has made donations to candidates on the city level since 2002:

\$1,750 to Speaker Gifford A. Miller for an undisclosed race in 2005
\$1,000 to Bronx Borough President Adolfo Carrion, Jr. for an undisclosed race in 2005
\$2,000 to City Comptroller Bill Thompson
\$500 to the New York County Democratic Committee
\$2,000 to the Bronx County Democratic Committee

Lobbying—City Total \$159,000

In 2002, Entergy hired two lobbying firms, Bolton St. Johns and Parkside Public Affairs, specifically to lobby New York City officials. According to lobbying reports filed with the city, these lobbyists have been paid a total of **\$159,000** to lobby the City Council and the Mayor to date. These firms have reported specifically lobbying Speaker Miller and Council Member Gennaro on Resolution 64, proposed by Gennaro, which would call for the closing of Indian Point.

Other Counties/Localities

Orange, Putnam, Rockland and Westchester County officials are located within Indian Point's ten-mile radius emergency evacuation zone. These localities are the first responders in the event of an emergency at Indian Point. Furthermore, they are required to submit annual certification letters to the state to demonstrate that they have fulfilled all of the emergency planning requirements, and their failure to do so hampers Indian Point's evacuation plan certification process. Counties also wield the power to pass shut down resolutions similar to the one New York City is considering. (Please see Attachment A for a list of counties and municipalities that have passed shut down resolutions.)

Campaign Contributions—Total \$5,550

Entergy's political action committee, ENPAC, has made donations to candidates on the local level since 2002:

\$2,500 to the Westchester Republican County Committee
\$350 to Yonkers City Council candidate Pat McDow
\$500 to the Town of Highlands Republican Committee (Orange County)
\$150 to the Town of Wallkill Republican Committee (Ulster County)
\$900 to Citizens for Diana, Orange County Executive
\$250 to Friends of Mayor Joseph Delfino of White Plains
\$400 to Rob Astorino, Westchester County Candidate and Mount Pleasant Councilman
\$500 to the Town of Cortland Republican Committee (Westchester County)

In addition to these campaign contributions, Entergy Nuclear recently presented nearby Putnam County with another gift. In a speech given in September 2003, County Executive Robert Bondi revealed that Entergy had donated \$500,000 to the county to defray the cost of its \$11.8 million Emergency Operations and Training Facility. (Reported in *The Journal News*, 09/11/2003)

New York State

The State Emergency Management Office (SEMO), under the direction of Governor Pataki, is responsible for collecting the aforementioned certification letters from county officials and transmitting these and other state documents to the Federal Emergency Planning Agency (FEMA) as a part of the emergency evacuation plan approval process.

Campaign Contributions—State Total \$66,400

Entergy's executives and its political action committee, ENPAC, have donated **\$66,400** on the state level since 2000. These donations include:

- \$17,000 to Governor George Pataki (\$1,000 of this total was donated by Entergy Chairman Bob Luft)
- \$15,850 in donations to Democratic committees, including the Democratic Assembly Campaign Committee, the NYS Democratic Committee and the NYS Democratic Senate Campaign Committee*
- \$7,500 in donations to Republican committees, including the NY Republican State Committee and the NYS Senate Republican Campaign Committee*
- Other campaign contributions were targeted to legislators in districts located near the Indian Point facility (see chart below), to **Senate Majority Leader Joseph Bruno** who received **\$1,000** in 2002, to **Assembly Speaker Sheldon Silver** who received **\$6,500** from 2000 to 2002*, to **Alan Hevesi** who received **\$5,000** in 2002, to **Attorney General Eliot Spitzer** who received **\$500** in 2003, to **Assemblyman Paul Tonko (D) the head of the Assembly Energy Committee** who received **\$1,000** in 2002 and to **the head of the Senate Energy and Telecommunications Committee, Sen. James Wright (R)**, who received **\$3,600** between 2001 and 2003.*

Member	District	Enpac Contribution Amount	Date Received
Assemblyman Howard D. Mills III (R)	Orange and Ulster Counties	\$300	29-Apr-03
Assemblyman Steven Sanders (D)	New York County	\$300	28-May-02
Assemblyman Jeffrey Klein (D)	Bronx County	\$300	28-May-02
Assemblyman Keith Wright (D)	New York County	\$500	10-July-02
Assemblyman Tom DiNapoli (D)	Nassau County	\$350	9-May-02
“ “	“ “	\$500	9-October-03
Assemblyman Adam Clayton Powell, IV (D)	New York County	\$250	20-Aug-02
Sen. Efrain Gonzalez, Jr. (D)	Bronx County	\$300	20-June-02
Sen. Nicholas A. Spano (R)	Westchester County	\$1,000	20-March-02
“ “	“ “	\$500	28-October-02
Sen. Carl L. Marcellino (R)	Nassau and Suffolk Counties	\$300	15-March-02
Sen. Dean Skelos (R)	Nassau County	\$500	28-May-02
Assemblyman J. Gary Pretlow (D)	Westchester County	\$250	27-February-02
“ “	“ “	\$250	8-August-03
Assemblywoman Nancy Calhoun (R)	Orange and Rockland Counties	\$250	8-August-03
Assemblyman Brian McLaughlin (D)	Queens County	\$1,000	26-September-03
Assemblyman Joseph Morelle (D)	Monroe County	\$600	24-May-02
Assemblyman Barry	Queens County	\$250	9-October-02

Grodenschik (D)			
Sen. Eric Schneiderman (D)	New York and Bronx Counties	\$250	8-August-2003
Sen. Carl Andrews (D)	Kings County	\$250	9-October-03
Assemblyman Peter Rivera (D)*	Bronx County	\$250	24-March-2002
	Total	\$8,450	

* See Methodology and Notes on Data

Lobbying—State Total \$674,132

From 2000 to August 2003, Entergy has spent \$674,132 lobbying in New York state.

The Revolving Door:

Many of Entergy’s state and city lobbyists have come through the “revolving door,” making connections to elected officials and gaining significant insider access:

STATE Lobbyists:

- **James D. Featherstonhaugh:** Played a key role in Mario Cuomo’s successful 1982 gubernatorial campaign and later worked as his lawyer; Involved in a scandal in 1996 wherein he was accused of hiring former Senate Majority Leader Ralph Marino for \$200,000 over two years as a favor to the new Senate leadership; Recently has served as a lawyer for clients like Andrew Cuomo and Correctional Services Corporation (CSC was fined a record \$300,000 in 2003 for failing to report free transportation and other gifts to state lawmakers). Featherstonhaugh, Conway, Wiley and Clyne ranked third among Albany firms in terms of revenue receipts in 2002 (Multiple sources, including *New York Times*, 10/15/94 and nylawyer.com)
- **David N. Weinraub:** Former aide to Mario Cuomo; Lobbyist with Brown, Vidal and Weinraub.
- **Plunkett and Jaffe, P.C.:** The firm where both Governor Pataki and his chief of staff, John Cahill, were formerly employed. (Corporate Counsel website, www.law.com)

CITY Lobbyists:

- **Mel Miller:** Former Speaker of the New York State Assembly; Founded Bolton St. John’s, the Albany firm that was ranked second in terms of revenue receipts in 2002. (From nylawyer.com)
- **Norman Adler:** A partner at Bolton St. John’s; in 1982 served as deputy campaign manager and field director for Mario Cuomo’s gubernatorial campaign; served as a speechwriter to then Mayor of New York City, Robert F. Wagner; former Assistant to the Speaker of the Assembly (New York University biography)
- **Armand D’Amato:** Brother of former Senator Alfonse D’Amato (R-NY); In 1991, Sen. D’Amato was the target of a Senate Ethics Commission investigation concerning, among other things, whether he used his office to further the career and lobbying efforts of Armand. The Ethics Commission determined that Sen. D’Amato had “conducted the business of his office in an improper and inappropriate manner” after Armand used the Senator’s office stationery to help his client gain contracts. Armand was later indicted on mail fraud. (*New York Times*, 05/08/93)

Federal

Entergy has long been well-connected in Washington, and has spent heavily on both federal-level campaign contributions and lobbying. A final decision to close the Indian Point facility would have to come from the federal government.

Campaign Contributions—Federal Total \$1,205,983

PAC \$:

Entergy contributed a total of **\$772,423** through its political action committee (PAC) to members of the 108th Congress from January 1st, 1999 to June 30th, 2003. These donations include:

- **\$184,624** to members of the House Energy and Commerce Committee
- **\$60,000** to members of the Senate Energy and Natural Resources Committee
- **\$21,500** to New York State congressmen, including:

Congressman	total contributions	Relevant committee membership
Senator Hillary Clinton (D)	\$3,000	Senate Environment and Public Works Committee – Subcommittee on Clean Air, Wetlands and Nuclear Safety
Senator Chuck Schumer (D)	\$1,000	Sen. Energy and Nat. Resources Committee
Rep. Eliot Engel (D)	\$2,500	House Energy and Commerce Committee
Rep. Vito Fossella (R)	\$2,000	House Energy and Commerce Committee
Rep. Edolphus Towns (D)	\$9,500	House Energy and Commerce Committee
Rep. John Sweeney (R)	\$1,500	
Rep. Charles Rangel (D)	\$1,000	
Rep. Sue Kelly (R)	(\$5,000 was returned)	
Rep. Amo Houghton (R)	\$1,000	
Total	\$21,500	

INDIVIDUAL HARD \$:

Entergy's Chairman, Bob Luft, its CEO, J. Wayne Leonard, and its President, Donald Hintz gave an additional **\$11,000** in individual hard money donations to federal candidates, the Republican Party and the Texas Freedom Fund, a PAC dedicated to electing more Republicans to Congress. These contributions include:

Luft: \$4,500

Leonard: \$3,000

Hintz: \$3,500

Major recipients were George W. Bush (\$2,000), the Republican National Committee (\$2,000), Trent Lott (\$1,000) and the Texas Freedom Fund (\$1,000).

SOFT \$:

Additionally, Entergy and its employees and affiliates contributed a total of **\$422,560** in soft money to national party committees from January 1999 until December 2002 (after which date the federal soft money ban prohibited this sort of contribution). This sum includes:

- **\$188,750** to the Democrats
 - **\$233,810** to the Republicans
- Please see Attachment B for more information.

Lobbying—Federal Total \$1,380,000

Entergy Corporation spent **\$1,380,000** lobbying the federal government between 2000 and 2003, including:

\$360,000 in 2000
\$320,000 in 2001
\$450,000 in 2002
\$250,000 thus far in 2003

Shutting Down Debate?

The arguments for and against the Indian Point facility are many and complex. Entergy has argued that the plant is “safe, secure and vital.” The company points out that the facility has passed Nuclear Regulatory Commission (NRC) review of safety and security. Michael Slobodien of Entergy Nuclear Northeast testified before the New York City Council in May that, “an accident of the type that occurred at Chernobyl can not occur at Indian Point. First, unlike the Chernobyl plants, the Indian Point reactors have a hardened and extremely strong containment building designed to prevent the release of radioactivity and prevent intrusion of external flying objects.”

Furthermore, Entergy asserts that it would be difficult to replace the 2,000 megawatts of electricity that Indian Point produces for the region. In the FAQ available on the “Safe, Secure, Vital” website, Entergy claims that, “without Indian Point’s 2,000 megawatts, energy costs would rise over an estimated \$1 billion a year in the New York area...Replacing [the facility] would require building a fleet of new generating facilities that burn fossil fuel, adding new high voltage transmission lines and laying new gas pipelines.”

Entergy officials also state that it is only within the ten mile radius of the facility that a release of radioactivity from the plant might exceed Environmental Protection Agency protective guidelines.

Environmentalists argue that Indian Point’s emergency plan is unworkable and that safety and security at the facility are inadequate. They point to a recent General Accounting Office report that questions the effectiveness of NRC oversight of commercial nuclear power plants. In one event that was cited frequently in the press, NRC officials found a security guard asleep at his post at the Indian Point 2 reactor last year, but decided not to issue a violation because there was no terrorist attack on the plant during the time the guard was asleep.

Environmentalists also dispute the assertion that it would be difficult to replace the 2,000 megawatts of electricity that Indian Point produces. They point to a study authored by Synapse Energy Economics, Inc. which argues that existing supply, new generation under construction, proposed transmission improvements and energy efficiency measures could maintain power system reliability now and into the future even if the facility were closed.

Entergy and its opponents have produced evidence to support their positions. What New Yorkers need now is not back room influence peddling, but serious and open debate about the issues at hand.

Methodology

Data on New York City and other local contributions was derived from ENPAC's schedule 'F' filings with the New York State Board of Elections (www.elections.state.ny.us). In New York City, this data was cross checked with information filed by the candidates with the New York City Campaign Finance Board. Contributions reported by ENPAC on its 2003 11 Day Pre Primary Report and later have not yet been reported by the candidates. These contributions were included in our total.

Common Cause/NY has not visited local boards of elections to view paper campaign finance filings. It is possible that doing so would reveal more campaign contributions from Entergy than are presented in this report.

Data on New York City lobbying was found by viewing public paper records on file with the City Clerk's office.

Data on New York State campaign contributions was derived from ENPAC's schedule 'F' filings and candidates schedule 'C' filings for 2000 to 2003 available on the New York State Board of Elections website (www.elections.state.ny.us). Contributions cited as returned to the PAC on its schedule 'L' report were not included in our total.

The validity of the data is dependent on the accuracy of committee treasurers and reporters. In some cases, there were discrepancies between ENPAC's schedule 'F' reports and the candidates' schedule 'C' reports that our researchers cannot explain. Firstly, while ENPAC reported no contributions to Friends of [Speaker] Silver or SpeakerPAC on its schedule 'F,' reports from Speaker Silver show him receiving \$6,500 from Entergy Corporation, of which amount \$6,000 was donated by ENPAC and \$500 was donated by Employees of Entergy, Inc. located in Jackson, Mississippi. Furthermore, while ENPAC does not report this among its contributions, Schedule 'C' reports show that ENPAC donated \$500 to the Democratic Assembly Campaign Committee on December 6, 2001. Similarly, while ENPAC does not report this among its contributions, Schedule 'C' reports show that ENPAC donated \$2,000 to the New York Republican State Committee on October 28, 2002. Secondly, while ENPAC reports donating \$250 to Peter Rivera on March 24, 2002 (check # 1027) and \$1,000 to James Wright on July 16, 2001 (check # 1006), our researchers were unable to find these contributions reported by the candidates. **The total amount of contributions for which there were discrepancies is therefore \$10,250.** Finally, contributions reported by ENPAC on its 2003 11 Day Pre Primary Report and later have not yet been reported by the candidates. *All contributions reported either by ENPAC or the candidates were included in our total.*

Data on New York State lobbying was found on the New York Temporary State Commission on Lobbying website (www.nylobby.state.ny.us).

Federal individual hard money contributions were found on the Center of Responsive Politics website (www.opensecrets.org).

Federal soft and PAC money data are from Common Cause analysis of disclosure records submitted to the Federal Elections Commission.

Data on federal lobbying was found on the website of the United States Senate Office of Public Records (<http://sopr.senate.gov>).

Municipalities that have passed shutdown resolutions

COUNTIES

Putnam County, New York
Rockland County, New York
Westchester County, New York
Bergen County, New Jersey

MUNICIPALITIES IN WESTCHESTER COUNTY, NEW YORK

Bedford
Croton-on-Hudson
Greenburgh
Hastings-On-Hudson
Irvington
Lewisboro
Mamaroneck
New Castle
New Rochelle
North Castle
North Salem
Pleasantville
Somers
Tarrytown
Yorktown

MUNICIPALITIES IN ROCKLAND COUNTY, NEW YORK

Nyack
Town of Ramapo
South Nyack
Town of Stony Point
Town of Clarkstown
Town of Haverstraw
Town of Orangetown

MUNICIPALITIES IN PUTNAM COUNTY, NEW YORK

Town of Garrison

MUNICIPALITIES IN ORANGE COUNTY, NEW YORK

Town of Highlands

MUNICIPALITIES IN DUTCHESS COUNTY, NEW YORK

MUNICIPALITIES IN ULSTER COUNTY, NEW YORK

Town of New Paltz
Town of Rochester
Town of Rosendale
Village of New Paltz
Town of Saugerties
Town of Woodstock

MUNICIPALITIES IN HUDSON COUNTY, NEW JERSEY

Hoboken

MUNICIPALITIES IN BERGEN COUNTY, NEW JERSEY

Edgewater
Englewood
Hackensack
Ho-Ho-Kus

Montvale
Moonachie
Oradell
Paramus
Park Ridge
Teaneck

MUNICIPALITIES IN FAIRFIELD COUNTY, CONNECTICUT
Town of New Caanan

From www.riverkeeper.org

Soft Money Donations To From Entergy To National Party Committees			
<i>January 1, 1999 Through December 31, 2002</i>			
Soft Money To Democrats		Soft Money to Republicans	
Total for all 3 Donors	\$188,750.00	Total for all 7 Donors	\$233,810.00
<u>Donor</u>	<u>Total</u>	<u>Donor</u>	<u>Total</u>
Entergy Corp	\$188,750.00	Entergy Corp	\$233,810.00
Entergy Corp (DC)	\$122,750.00	Entergy Corp (DC)	\$105,850.00
Entergy Services Inc	\$65,000.00	Entergy Services Inc (MS)	\$126,000.00
Maulden, Jerry	\$1,000.00	Entergy Services Inc (DC)	(\$29,500.00)
		Entergy Services Inc	\$25,000.00
		Carroll, Kenneth	\$460.00
		Entergy Arkansas Inc	\$5,000.00
		Luft, Robert V D	\$1,000.00