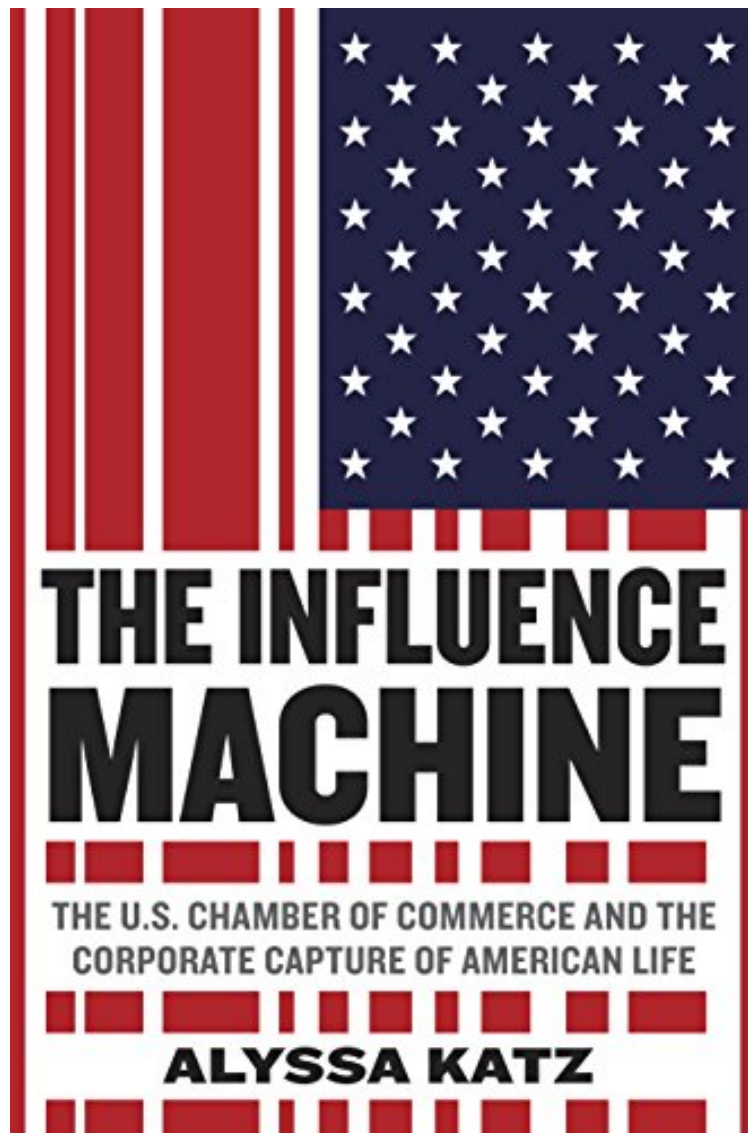


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The Influence Machine: The U.S. Chamber of Commerce and the Corporate Capture of American Life

Alyssa Katz

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An illuminating history and groundbreaking investigation tracing how a single trade organization turned itself into the most dangerous political weapon in America nbsp; When Americans hear the words ldquo;Chamber of Commerce,rdquo; many still think of the local business associations that spruce up Main Streets and sponsor Little League teams around the country. But the United States Chamber of Commerce is a different animal altogether. The Chamber was originally founded to give big business a voice during the longmdash;and now almost inconceivablemdash;period in American history that saw the rise of workersrsquo; rights, consumer protections, and environmental awareness as national priorities. But over time, driven by an antigovernment ideology and its desire for financial and political power, the Chamber metastasized into a fighting force designed to protect the worst excesses of American industry. nbsp; The Chamber, through its veiled corporate sponsors, can take credit for some of the most disturbing trends in American life: the reversal of environmental protections, the destruction of unions and worker protections, the rise of virulent antigovernment ideology, the enlarged role of money in campaigns, and the creation of ldquo;astroturfrdquo; movements as cover for a corporate agenda. Through its propaganda, lobbying, and campaign cash, the Chamber has created a right-wing monster that even it struggles to control, a conservative movement that is destabilizing American democracy as never before. nbsp; The Influence Machine tells this history as a series of gripping narratives that take us into the backrooms of Washington, where the battles over how our country is run and regulated are fought, and then out into the world, where we see how the Chambersquo;s campaigns play out in real lives. In the end, Alyssa Katz reveals the hidden weaknesses of this seeming juggernaut and shows how its antidemocratic agenda can be reversed.Praise for The Influence Machine nbsp; ldquo;Important and probing . . . a valuable and a sobering contribution to the study of power in American society . . . Katz has assembled a work of synthesis and insight. . . The chamber has, she argues, effectively countered the influence of labor unions and contributed to the widening economic divide in American society. Those points are made forcefully and backed up impressively.rdquo;mdash;Los Angeles Times nbsp; ldquo;An urgent look at the lquo;political assault weaponsquo; that is transforming the country . . . [Katz] does invaluable work in tracing how the U.S. Chamber of Commerce has been a relentless engine for pressing a lquo;business of enterprise unfettered by government.rsquo; . . . An eye-opening, maddening read.rdquo;mdash;Kirkus Reviews nbsp; ldquo;With clarity and verve, but without polemic, investigative journalist Katz describes the U.S. Chamber of Commercersquo;s evolution into a many-armed behemoth. . . [She] illustrates with several examples of how the organization has managed to influence courts, strong-arm Congress, cripple federal agencies, and sway the public with lquo;voter educationrsquo; adsmdash;and, more recently, it has exported cutthroat American business practices abroad.rdquo;mdash;Publishers WeeklyFrom the Hardcover edition.

ldquo;Important and probing . . . a valuable and a sobering contribution to the study of power in American society . . . [Alyssa] Katz has assembled a work of synthesis and insight. . . The chamber has, she argues, effectively countered the influence of labor unions and contributed to the widening economic divide in American society. Those points are made forcefully and backed up impressively.rdquo;mdash;Los Angeles Times nbsp; ldquo;An urgent look at the lquo;political assault weaponsquo; that is transforming the country . . . [Katz] does invaluable work in tracing how the U.S. Chamber of Commerce has been a relentless engine for pressing a lquo;business of enterprise unfettered by government.rsquo; . . . An eye-opening, maddening read.rdquo;mdash;Kirkus s nbsp; ldquo;With clarity and verve, but without polemic, investigative journalist Katz describes the U.S. Chamber of Commercersquo;s evolution into a many-armed behemoth. . . [She] illustrates with several examples of how the organization has managed to influence courts, strong-arm Congress, cripple federal agencies, and sway the public with lquo;voter educationrsquo; adsmdash;and, more recently, it has exported cutthroat American business practices abroad.rdquo;mdash;Publishers WeeklyAbout the AuthorAlyssa Katz is the author of Our Lot: How Real Estate Came to Own Us and is a member of the editorial board of the New York Daily News. She is the former editor of The New York World, an accountability journalism project at Columbia Journalism School, and has written for The American Prospect, Salon, Mother Jones, The Next American City, and other publications. She lives in Brooklyn, New York.Excerpt. copy; Reprinted by

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CHAPTER 1 One Hour

On a clear Monday morning in August 2010, Susan Slattery was driving along the Ohio Turnpike in her Ford Focus, heading home to Maryland from an annual family reunion in Rocky River, outside Cleveland, with one of her two adolescent sons in the backseat and the other at her side. Susan's husband, Ed, had stayed behind because he was recovering from shoulder surgery. Traffic ahead of her slowed as she approached a work zone, and Slattery slowed with it. But behind her, an enormous truck—an eighteen-wheeler traveling at fifty-five miles per hour—didn't slow at all. It approached the Ford's bumper and violently slammed into the car. The truck's driver, Douglas Bouch of the Virginia company Estes Express, never braked. The force of the collision rocketed the Slattery's car into the back door of the trailer in front of them. Susan was crushed to death in the driver's seat. Her twelve-year-old son Matthew was in the front passenger seat, bleeding profusely from deep gashes in his head. Behind him was his older brother Peter, the bones in his pelvis now broken and the socket under his left eye crushed. Bouch's truck hit five other cars before coming to a stop at a concrete barrier. Uninjured, Bouch fled the cab just before it burst into flames that consumed its engine and roof—along with the logs containing the details of the truck's journey. Behind the burning cab were linked three trailers, each emblazoned with the bright yellow "E" of his employer set against a field of red. As they waited for emergency vehicles, Bouch told another truck driver at the scene that he had fallen asleep at the wheel. When a state trooper arrived, Bouch told him the same thing. He could not remember what time exactly he had set out in the predawn hours that morning, only that it was sometime before three a.m., which meant he had been driving for at least nine hours, and possibly more, without a break when he fell asleep. Thousands of people die every year on the nation's highways in collisions between trucks and cars—more than 3,500 in 2012 alone—a death toll that would be unimaginable if we were talking about the collateral damage from air travel or collapsing buildings. Hundreds of thousands more are injured in truck crashes. This is a price of commerce—of circulating furniture and electronics and food and aircraft components and all the other stuff we consume from the ports and factories where the goods arrive or are manufactured to distributors and stores and, eventually, to us, the consumers. Trucking is the circulatory system of the American economy, hauling some \$8.3 trillion in merchandise a year. But do we have to pay such a high cost in death and injury? In 1993, when President Bill Clinton was in the White House, Congress asked federal regulators to take action to deal with truck driver fatigue, one of the primary causes of lethal highway accidents. A mounting death toll heightened the urgency of action. From 1992 to 1999, the annual number of truck crash fatalities, which had been stable for years, leaped 21 percent, from 4,462 to 5,380. While the rate of crashes per mile had remained steady, a surge of trucks on the road, driving more miles, had increased the bloodshed. So in 2000 the federal Department of Transportation proposed the first changes to the nation's truck safety rules since 1937. By the Clinton administration's calculations, the proposed rules would prevent 2,600 crashes, saving 115 lives, and many more serious injuries, every year. It wouldn't take a great feat of engineering to reach these results. The key was to give drivers more rest. Data on truck crashes show that drivers careening into their eleventh hour are nearly twice as likely as those who quit at hour ten to end up in a crash, and they are even more likely to have that crash caused by fatigue. Clinton administration regulators estimated that fatigue was a leading factor in at least 15 percent of crashes. And government studies found fatigue to be a likely factor in more than 30 percent of crashes that were fatal to the driver. The proposed rules would mandate that drivers stay behind the wheel no more than twelve hours in every twenty-four-hour cycle, instead of the sixteen allowed under the law at the time, and no more than ten hours at a stretch, affirming a limit that had been in place since the 1930s. "Even with this change, drivers could be behind the wheel 50 percent longer than the average citizen's normal work day," noted an administration official. Drivers frequently hit the road exhausted—a study in the *New England Journal of Medicine* found that they were getting about five hours of sleep in every twenty-four-hour cycle—so the Department of Transportation also proposed granting drivers the right to refuse to start their engines if they were too tired to drive safely. And with the new rules in place, drivers would no longer be able to lie in their paper logbooks about their hours, as many did, since miles and hours would now be tracked electronically. White House officials seemed to have little reason to fear they wouldn't prevail. Making sure companies operated safely was simply what government regulators had done, under Republican and Democratic presidents alike, since the 1970s for many industries, and in some cases for much longer. Even Ronald Reagan, who came into the White House in 1980 with promises to unshackle business from "paternalistic" government rules, backed off such efforts as his bid for reelection in 1984 approached. Cutting back on public safety and health was just far too unpopular to campaign on. But things were different now. The Clinton administration found itself facing a hostile audience. Congress had turned from longtime Democratic control to Republican in 1994; and the trucking industry, under the new rules, would be forced to put more vehicles on the road and hire more workers to maintain their pace of deliveries. It opposed the new rules determinedly. Coordinating the attacks was the U.S. Chamber of Commerce. Tom Donohue had been a leader in the trucking industry for many years, as the head of the American Trucking Associations. Now at the helm of the U.S. Chamber, he was determined not to let the driving hours limits move ahead. The Chamber's board of directors had unanimously voted to oppose the Clinton administration's proposed safety rules restricting drivers';

time on the road, and the organization had successfully lobbied for a clause in the federal budget—passed by a newly sympathetic Republican Congress—that blocked any funding even to research the question of how to craft an improved safety rule for truckers. Donohue, in congressional testimony, went to elaborate lengths to discredit the proposed limits on driving hours. A one-hour reduction in truckers' allowable time on the road each day, he testified, would add to pollution, the cost of food and products, and morning commute traffic, and would even force altered school schedules. The number of trucks on the road, the Chamber warned, could rise as much as 50 percent. The new rules would put a flood of inexperienced behind the wheel. Limiting truck drivers' hours in the cause of reducing accidents would actually have the opposite effect: it would lead to a bloodbath on the roadways. Our members, as well as the entire American business community, are unwilling to accept the deaths, injuries and damage which the proposed regulation will cause, Donohue declared. The rules, at long last finalized in the waning days of the Clinton administration, never made it into legal effect, thanks to a few hanging chads in Florida and the U.S. Supreme Court. Once President George W. Bush arrived in Washington, his election backed by the Chamber, the White House push to improve truck safety—itsself the result of a congressional mandate—vanished. The trucking rules are just one obscure chunk of the millions of lines of code that run the federal government. But this story powerfully illustrates the way the Chamber has burrowed into the political process, with serious consequences in everyday life. Its vision of business enterprise unfettered by government has upended decades of painstaking work to turn the public sector into an effective steward of the public interest. If the effects of the Chamber's actions don't reach you on the highway, perhaps they will in the emergency room, when you get a bill for treatment and have no coverage because your state's governor opted out of expanding Medicaid. Or at the state courthouse, where filing a class action suit against the manufacturer of a harmful product is now an uphill battle. The soot in the air you breathe, the chemicals in the water you drink, the fees on the financial products you buy, working conditions that ravage your body—all these and more are at the center of a battle over business' freedom to gamble with your well-being. And in each of these arenas, the Chamber has played a pivotal role in shifting the balance of power to business. It wasn't always so. During the 1970s and 1980s and into the 1990s, the power of consumer, labor, and environmental advocates was considered unshakable. An overwhelmingly pro-regulation Congress, and voting public, stood in the way of greater influence for business lobbyists. And the Chamber was nowhere close to changing that balance. In that not-so-distant era, it was business, and the Chamber itself, that were divided and feeble in Washington. The trucking industry, which touches nearly every corner of the economy, neatly symbolized its weakness. Up until the 1970s, many trucking companies secured scarce government licenses to carry freight, doled out during the Great Depression; they had come to find this to be a surprisingly comfortable, and profitable, arrangement. Not so happy were manufacturers and other businesses, which had to pay the truckers to ship goods and which shouldered the high costs that resulted from the trucking monopolies. With the business community divided between comfortable truckers and dissatisfied manufacturers and retailers, the Chamber was paralyzed. The 1970s push to deregulate the trucking industry didn't stem from the Chamber or from conservative ideologues in Congress, who were a rare breed back then, but from leading Washington liberals, including Senator Edward Kennedy (D-MA). In the face of a political consensus that supported regulation and distrusted business, the Chamber was divided and powerless. But dramatic change would come to the Chamber with new leadership, drawn from the trucking industry itself. Even before he officially started at the Chamber in 1997, Tom Donohue showed his true colors when he talked to a New York Times reporter. Sweeney, Donohue said of the head of the AFL-CIO, the nation's biggest labor group, somebody's got to go hit him in the mouth. Joan Claybrook, a Nader colleague who headed the National Highway Traffic Safety Administration under President Jimmy Carter and went on to run Public Citizen for twenty-seven years, remembers first confronting that pugilist in the ring in 1991. That's when she and Donohue, then head of the American Trucking Associations, sat next to each other on a panel testifying on a proposal in Congress to halt the rollout of triple-trailer trucks to the nation's highways. That's the kind of monster rig that careened into the Slattery's car. The two were set for a collision course. Claybrook had just helped found Citizens for Reliable and Safe Highways (CRASH)—a national group of public safety advocates and survivors pressing for truck safety—largely to counter the trucking lobby's might under Donohue. CRASH's advocacy had helped energize the sponsors of a bill that would put the brakes on triple-trailers. The measure, which Senators Frank Lautenberg (D-NJ) and Lincoln Chafee (R-RI) sought to insert into a federal highway funding bill, would keep three-trailer trucks out of the thirty-one states that had not already legalized the behemoths on their stretches of interstate. Claybrook's group wanted them banned from interstates entirely. Donohue's strategy on the witness panel was to destroy the credibility of CRASH. Because some of its funding came from a railway boxcar company that would stand to gain business at the expense of truckers, he accused CRASH of being a front group for the railroad industry. Never mind that its diverse, volunteer board included the head of trauma services at Stanford University Hospital, the president of the trade association for property insurance companies, and the Republican former governor of Massachusetts John Volpe, whom President Richard Nixon had appointed secretary of transportation. Donohue insisted they were all doing the bidding of an unseen hand. The

railroads are trying to do through public policy and government intervention what they have not been able to do in the marketplace: compete effectively for market share," he told the House environment subcommittee. Meanwhile Donohue expected the representatives to take at face value the safety claims of the American Trucking Association—whose budget was orders of magnitude greater than that of CRASH and which was funded by the trucking industry. Claybrook brought with her a brochure warning of the dangers of triple-shy;trailers. Like a rig pulling cars behind it, the brochure unfolded, panel after panel, into a wide panorama many feet long. As she unfurled it, Donohue grew visibly flushed. "I don't ever put me at the same table as that lady," he fumed to a congressional aide after the panel concluded. The bout didn't end there. The American Trucking Association filed a complaint with the IRS asserting that CRASH had not filed proper paperwork. For good measure, it sent threatening letters to the board members of an insurance group that supported CRASH to pressure it out of the coalition. The moratorium on triple-shy;trailers ultimately went ahead, dealing a defeat to the trucking industry. Still, Donohue had the last word: crushed by debt, the boxcar company soon went out of business. In 1992 Donohue wasn't deterred by the arrival of a Democrat in the White House. The Clinton administration's man in charge of trucking regulation, George Reagle, was a career federal highway safety regulator who had started in Washington during the Johnson administration. He made for a wide-shy;open target. The trucking lobbyists set the tone from the beginning. In 1995 Donohue secured an invitation from the Federal Highway Administration to be its keynote speaker at a national truck and bus safety summit—but not before he threatened to pull out, objecting to the press release set out by Transportation Secretary Federico Peña highlighting a recent increase in fatalities. At the meeting, safety experts and trucking leaders identified driver fatigue as the number-shy;one safety problem faced by their industry. Amid the carnage, public safety groups pleaded for reductions in the number of hours truckers could stay on the road. Reagle commissioned a study—unusually for a government research project, partly paid for by Donohue's organization and other trucking industry trade groups. "The most dangerous thing in the world is to let these people out at night doing their own study, writing press releases about what they think they found," said Donohue in 1995 of public interest activists like Claybrook. "Quite frankly, I want to beat them to the punch. I don't want them to define the agenda."