



2015: Fighting Corporate Power Together

“We the People

*have not conceded the right to
decide our own future.”*

Those words from Public Citizen President Robert Weissman capture the spirit of our members. In 2015, you demonstrated remarkable commitment to the goal of Public Citizen: a democracy that works for and protects everyone.

You advanced the movement to overturn *Citizens United*. Calling for presidential action, in 30 states, you rallied to protest sneaky political spending by corporations, and you supported an executive order to stop businesses with government contracts from influencing elections.

You helped us keep the pressure on regulators to issue long-delayed Dodd-Frank Act rules to protect consumers and stop Wall Street predations.

In the long battle against bad trade deals that favor multinational corporations, you exercised persistence in calling on lawmakers to reject Fast Track legislation and the Trans-Pacific Partnership deal.

On the federal and state levels, you came together to demand bold climate action in the U.S. Environmental Protection Agency’s Clean Power Plan, fought a Chicago energy behemoth’s power grab, opposed bailouts for Ohio power plants and let Texas officials know that you support renewable energy.

Buoyed by your fervor for justice, we challenged Big Business in three cases before the U.S. Supreme Court and successfully advocated higher fines for automakers that withhold information about safety defects.

Your support gave us the resources to campaign for state single-payer programs, demonstrate the harms of unsafe new drugs and successfully drive down the high costs of lifesaving drugs in developing countries.

We thank you for your continued support, which keeps our work going — whether we’re on the ground or steeped in data.

A few short pages can’t encompass all you helped us accomplish this year, but they are a good reflection of our work together.



DEMOCRACY

State voices rise against Big Money

Washington, D.C., [16 states and nearly 700 cities and towns](#) support a constitutional amendment to overturn *Citizens United*. Public Citizen boosted the people power in other states working to join that list:

- We worked with pro-democracy groups in Arkansas, who began collecting the 67,000 signatures necessary to place a constitutional amendment initiative on the November ballot.
- We aided a volunteer-driven effort and a June “Resolutions Week” in Iowa, which resulted in nine cities and counties passing resolutions in support of an amendment.
- We bolstered bipartisan efforts to usher a letter supporting an amendment through the New York Assembly. The state Senate is one signature away from having a majority sign on to the letter.
- We asked our Seattle members to support the Honest Elections Initiative, which passed. This will curb Big Money contributions and implement small-donor matching funding in city elections. And we’re part of the WA-mend coalition that gathered signatures to put an amendment initiative on the November 2016 state ballot.

Pushing agencies on dark money

- We petitioned the Federal Election Commission (FEC) to enforce its regulations designed to keep dark money out of elections.
- After two years, the FEC released its general counsel’s report in the ongoing case *Public Citizen v. FEC*. The counsel concluded that we likely are correct that Karl Rove’s Crossroads GPS nonprofit has crossed the line into political activity and should disclose its donors.
- Our [Bright Lines Project](#) kept the pressure on the IRS to revise a rule that clearly defines nonprofit political activity, which, if crafted well, would help keep nonprofits like Crossroads GPS from funneling dark money into elections.
- In ads plastered throughout a major Washington, D.C., train station, we called on U.S. Securities and Exchange Commission Chair Mary Jo White to require publicly traded companies to disclose their political spending, as 1.2 million public comments have requested.



Public Citizen photo/Philip Anderson

“Across political ideologies, Americans are wise to the real threat of unchecked and secret election spending. State by state, the voice of We the People will win over Big Business and billionaires,” said Jonah Minkoff-Zern (far right), co-director of Public Citizen’s Democracy Is For People campaign. Above, on Dec. 16, activists delivered to the White House 1 million signatures supporting an executive order requiring political spending disclosure by government contractors.

1 Million in Favor of Presidential Action

In 2015, the Wild West era of campaign spending got wilder. Experts anticipate \$10 billion will be spent on the 2016 elections. Outside groups surely will shatter all previous spending records, ensuring months of TV attack ads that alienate the citizenry and degrade our democracy.

But while the problem is getting progressively worse, and while overwhelming numbers of Americans favor far-reaching reform, including a constitutional amendment to overturn *Citizens United*, the federal policy response to *Citizens United* has been to do exactly nothing.

In 2015, Public Citizen worked in Congress, various regulatory agencies and the courts to advance reform. We made important progress, generating a growing public outcry for the U.S. Securities and Exchange Commission to adopt a po-

litical spending disclosure rule, adding more cities calling for a constitutional amendment, and winning more sponsors of public financing of elections.

But while we’re well aware of the barriers blocking action, we’re acutely aware of the need to win concrete reform.

So we focused special attention on the White House, urging President Barack Obama to issue an executive order requiring government contractors to disclose their political spending.

Such an order — which doesn’t require the approval of Congress — would affect at least 70 percent of Fortune 100 companies, covering industries from defense to energy to entertainment. It would enable the public to know which companies are funneling money into elections through outfits like the U.S. Chamber of Commerce or Karl Rove’s Cross-

roads GPS, and it would ensure that these companies are not corrupting the government contracting process through their political spending.

Mobilizing activists who are fed up with the unchecked influence corporations and the wealthy have over elections, we helped organize dozens of April rallies in 30 states to support an executive order.

From California to Minnesota to Florida, the grassroots movement to restore the balance of power to voters was heard, with pro-democracy groups, including Public Citizen, delivering a half-million signatures — collected in one month — to the White House.

Two weeks later, 6,000 advocates flooded White House telephone lines with demands for the order. By December, 1 million signatures had been collected urging the president to take action.

“ I support Public Citizen and do local organizing to overturn *Citizens United* because I believe we all have an important role to play in standing up for democracy. ”



Annie Phillips
Public Citizen volunteer

GOVERNMENT AND FINANCIAL REFORM

Making Wall Street Play by the Rules

The reason our government doesn't control Wall Street is because Wall Street controls our government. Along with campaign spending and spending billions on lobbyists, the revolving door is one vital way the big banks exert undue influence: by sending executives to work as government regulators and by offering jobs to officials and regulators once they leave government service.

Employees swooshing back and forth between government and corporate jobs is known as the "revolving door." Amazingly, Wall Street firms sometimes even pay former executives multimillion-dollar packages to secure high-level government jobs, presenting a conflict of interest once the executive dons the hat of federal regulator.

Our research and advocacy informed the proposed Financial Services Conflict of Interest Act, which attempts to alter this paradigm by keeping government workers from the lure of corporate promises. Introduced July 15 by U.S. Sen. Tammy Baldwin (D-Wis.) and U.S. Rep. Elijah Cummings (D-Md.), the legislation would ban bonuses to senior executives when used as an incentive to take high-level federal jobs. It also would prohibit government employees — financial services regulators, specifically those who monitor banks' compliance with rules and oversee the awarding of contracts — from Wall Street employment for two years after they leave the federal government.

Meanwhile, Public Citizen is pressing regulators to follow the law and issue the important rules mandated by the Dodd-Frank Wall Street Reform and Consumer Protection Act. Our July report, "Dodd Frank Is Five — and Still Not Allowed Out of the House," highlights the legislation's not-yet-realized promises to end reckless banking and ensure that taxpayers never again have to bail out big banks. Despite the fact that Dodd-Frank became law in 2010, many Dodd-Frank

rules haven't been finalized or issued by regulatory agencies, and others have been watered down or rolled back through corporate lobbying efforts.

One important Dodd-Frank rule was issued on Aug. 5: The U.S. Securities and Exchange Commission now requires companies to disclose how much their CEOs take home compared to the median employee. The rule came after five years of corporate lobbying and improbable excuses

that the ratio was too difficult to calculate. During that time, Public Citizen pushed back, highlighting the importance of the rule and encouraging members to urge the agency to act. The increased transparency will empower shareholders to modify CEO pay that drains funds from investors and hard-working employees.

In 2016, we will press agencies to issue more Dodd-Frank rules, including one involving skyrocketing banker pay.



Public Citizen photo/Philip Anderson

"Simply put, the financial services sector reaps profits when the regulatory agencies that oversee it are stacked with former employees. It's time to seal off the revolving door and leave public service to those with honest incentives to do so," said Craig Holman, government affairs lobbyist with Public Citizen's Congress Watch division. Above, Holman speaks at a July 15 press conference to introduce the Financial Services Conflict of Interest Act. On his left is U.S. Rep. Elijah Cummings (D-Md.), and right is U.S. Sen. Tammy Baldwin (D-Wis.).



Photo courtesy of the U.S. Senate Judiciary Committee

"Public Citizen's work is more crucial than ever with the 114th Congress, which is giving Big Business the best chance in a generation to get its anti-regulatory wish list," said Amit Narang, regulatory policy advocate in Public Citizen's Congress Watch division (second from left). Narang testified before a U.S. Senate Judiciary subcommittee on Oct. 6, outlining how the negative consequences of pollution, lax lending rules and unsafe workplaces often fall hardest on low-income communities and people of color.

Congress, don't gut our regulatory protections!

If the 114th Congress did nothing else in 2015, it made introducing anti-regulatory legislation a high priority. Each week, it seemed, lawmakers spewed bills that would give a break to corporate criminals or big polluters. Representatives even crafted legislation requiring government agencies to consider the effect of regulations on businesses before thinking about the benefits to citizens.

As members of Congress introduced, and sometimes reintroduced, these anti-safeguards assaults, we trekked to Capitol Hill to testify before and educate lawmakers. At congressional hearings, we showed how regulations protect vulnerable populations and how a strong regulatory system benefits public health and safety, financial security and the environment.

We stressed the timely message that the regulatory process needs fixing to prevent further disasters — given the economic toll of lax Wall Street accountability and the significant human toll from tragedies such as the May Amtrak derailment in Philadelphia, multiple oil train explosions and the General Motors ignition switch scandal.

Real-time website tracks bottleneck

To further shine a light on regulatory delay, we launched SafeguardsDelayed.org, an interactive website that tracks the movement of regulations through one key choke point: The White House's Office of Information and Regulatory Affairs (OIRA). OIRA must sign off on all significant regulations, but the site shows rules that have been delayed more than 120 days — at a cost of no less than \$12 billion.

“ I support Public Citizen because I do not want a government of plutocrats. ”



Janice Gintzler
Public Citizen supporter

CONSUMER AND WORKER SAFETY

Protecting nurses from injury

Our five-part series, “[Nursing: A Profession in Peril](#),” demonstrated the need to protect nurses, whose injury rate is five times greater than other workers.

We recommended use of equipment to replace heavy manual lifting and a federal standard to protect those in the profession.

In addition, we added our support for the Nurse and Health Care Worker Protection Act, introduced by U.S. Sen. Al Franken (D-Minn.) and U.S. Rep. John Conyers Jr. (D-Mich.) to prevent musculoskeletal disorders by creating standards for safe patient-handling.

OSHA responds to petition

Fourteen years after [Public Citizen](#) called for improved protections for workers exposed to a dangerous metal, the U.S. Occupational Safety and Health Administration (OSHA) in 2015 finally proposed a rule on the issue.

Beryllium is a highly toxic metal that can cause cancer and a fatal lung disease. In 2001, Public Citizen petitioned the agency to limit workplace beryllium levels for the thousands of workers exposed to the metal.

OSHA denied the petition but initiated a rulemaking process to update its beryllium standard. After years of foot-dragging, the agency’s proposed rule was finally released in August. But as Public Citizen had warned more than a decade before, by the time the rule was drafted, emerging evidence indicated that an even lower limit than the one we initially recommended and OSHA now has proposed is required to adequately protect workers. In November, we called on the agency to make the proposed rule stronger.

Accountable doctors, safe patients

For years, we’ve championed the efforts of state medical boards to bring disciplinary action against bad doctors.

So when a bill introduced in the Louisiana Legislature in the spring threatened to undermine the authority of the state’s medical board, we alerted the media, worked with local partners and educated lawmakers to banish the harmful stipulations in it.

The final version — cut from 30 to three pages — contained none of the bad provisions, some of which would have delayed disciplinary action against doctors, restricted the availability of investigation information to the public and blocked action on anonymous complaints.

Safeguards Secured, Courtesy of Clean Budget Coalition

With each round of budget negotiations in Congress, corporate lobbyists think of creative ways to get goodies for the companies they represent. One of their favorite tools is the “policy rider,” a measure that affects policy but is hidden in must-pass legislation that funds the government.

Proposed spending bills pushed last summer (later combined into a massive omnibus proposal) contained hundreds of policy riders to pay back corporate donors. Some of the provisions would have endangered rules on air quality and clean water, prevented the White House from cracking down on contractors that violate workplace laws, blocked rules that limit the number of hours truckers can work without an adequate rest break, and delayed a rule that would reduce workers’ exposure to silica.

Public Citizen forged a coalition of almost 200 civil rights, consumer advocacy, environmental, labor and women’s organizations to press for a clean budget without these inappropriate riders. The partners — among them the AFL-CIO, Planned Parenthood and the American Lung Association — defended protections for workers and citizens, starting with a September letter to all 535 members of Congress and the president opposing all

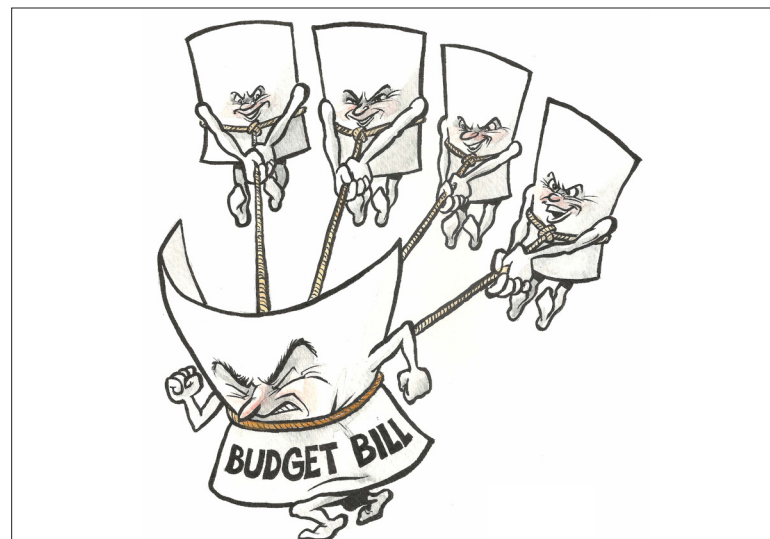


Illustration courtesy of Mike Jenkins

“This is Washington’s deep corruption at its worst. Adding policy riders to must-pass funding legislation would force through measures imposing enormous harm on the American public but benefiting corporate donors,” said Lisa Gilbert, director of Public Citizen’s Congress Watch division.

of the corporate wish-list riders in the budget.

As lawmakers’ negotiations over a final spending bill continued in October, the coalition hosted a teleconference with U.S. Sens. Charles Schumer (D-N.Y.) and Debbie Stabenow (D-Mich.) to discuss the dangers of riders and call on other senators to reject them. By November, 165 members of the U.S. House of Representatives — led by U.S. Reps. Jan Schakowsky (D-Ill.), Ruben Gallego (D-Ariz.) and G.K. Butterfield (D-N.C.) — had signed a letter urging House leadership to bring to the floor a clean spending bill, with no dangerous riders.

More than 200,000 citizens signed petitions calling on lawmakers to oppose policy riders. During a December Twitter town hall, representatives of the Public Citizen-spearheaded coalition answered questions about threats posed by the riders, and on Dec. 7, members of the coalition handed out “No Riders” packets — complete with what resembled a doctor’s prescription against “poison pills” — on Capitol Hill. They urged representatives to reject divisive special favors for corporations. (See photo at the bottom of page 1.)

The outreach worked. All but a few policy riders were jettisoned from the final spending bill.

Better roads for truckers, pedestrians, drivers

Considering that large truck crashes kill 4,000 Americans annually, you would think no member of Congress would introduce legislation to put heavier trucks on the road and extend hours for already over-worked truck drivers. When such measures were tacked on

to must-pass legislation, our analysis called out the outsized election spending and lobbying by a FedEx- and UPS-led coalition. The provisions extending truck driver hours were defeated.

With partners like Advocates for Highway and Auto

Safety, we also called for companies that sell defective vehicles or parts to be held criminally accountable. In the final highway bill, the fine for automakers that withhold information on safety defects was increased from \$35 million to \$105 million.

“Public Citizen is a true voice for the people and the truth.”

Dr. Jack Goldstein, Public Citizen supporter

HEALTH

Countering Big Pharma's Greed

As drug costs continue to skyrocket, so does public outrage over their unaffordability. The most notable example in 2015 involved assured multimillionaire Martin Shkreli — who bought the rights to the drug Daraprim and, overnight, increased the price from \$13.50 to \$750 per pill.

Working against such insatiable corporate greed, Public Citizen took its message — and the fact that these price increases have nothing to do with research and development or innovation — to Capitol Hill to ensure that affordable, life-saving drugs come before Big Pharma profits. Where corporate lobbyists attacked health protections, we untangled industry doublespeak to advocate on behalf of public health.

Blocking dangerous legislation: While most legislation in 2015 stood little chance of becoming law because of lack of support from either Democrats or Republicans, a bill pushed aggressively by Big Pharma and medical device companies gained the backing of both parties. The measure, the misnamed 21st Century Cures Act, is a wish list for industry, so Public Citizen is working hard to stop it and to win real cures for our faulty drug development and approval system.

The act would do nothing to spur innovation and overcome regulatory roadblocks to developing new cures, as it promises. Instead, the bill would weaken U.S. Food and Drug Administration (FDA) drug and medical device safety standards, allow companies to hide payments made to physicians and hospitals, and delay the availability of some generic drugs. Some otherwise consumer-focused legislators set aside these concerns, because the legislation calls for a significant boost in funding for the National Institutes of Health.

Public Citizen worked to persuade lawmakers to remove the act's most harmful provisions, educating legislators as the bill worked its way through the U.S. House of Representatives. House



Public Citizen photo/Philip Anderson

"It's critical that the FDA stand up to industry pressure and close the safety gap for generic drugs. Without this rule, the agency may not know of new risks, and patients and doctors may not be warned until many people have unnecessarily suffered," said Dr. Michael Carome, director of Public Citizen's Health Research Group. Carome (above) participated in a U.S. House of Representatives briefing on March 26 and rebutted pharmaceutical industry pushback to a proposal requiring generic drug labels to be updated with the latest research.

lawmakers approved it, although some bad provisions were removed. As the U.S. Senate worked on its version, we briefed staffers on the bill's dangers and hope to block it in the coming year.

Fight Pharma Ripoffs campaign: With overwhelming public support for reining in Big Pharma's bottomless appetite for profits, we launched our Fight Pharma Ripoffs campaign. Through policy reforms, the project aims to stop drug manufacturers from price gouging. We're working on initiatives that would empower Medicare to negotiate drug prices, prohibit Big Pharma mergers and unlawful marketing, and make overnight drug price spikes illegal.

Preventing pharma rep lies: Industry influence at the agency level manifested in an FDA proposal that would allow pharmaceutical representatives to tell doctors that their companies' drugs are not as dangerous as FDA-approved labels warn.

We harshly criticized the industry-backed proposal, urging the agency to withdraw it. In a March 11 letter to the secretary of the U.S. Department of Health and Human Services, we highlighted that 99 percent of public comments — from doctors and even individuals in the pharmaceutical industry — strongly disagreed with the

agency. At press time, the FDA had announced no further action on the proposal.

Demanding a better FDA commissioner: Following the September nomination of Dr. Robert Califf to be the next FDA commissioner, we were among the few voices demanding the Senate not approve him. As watchdog of the agency for 45 years, Public Citizen pointed out that Califf has more connections to drug and medical device companies than any previous FDA commissioner. At press time, the Senate had not yet voted on his confirmation.

Ensuring generic drug safety: After we successfully pressed the FDA to write a rule permitting generic drugmakers to update labels with the latest safety information — the same process available to brand-name drugmakers — lobbyists increased pressure on the agency. Trade groups sent the FDA a counterproposal, which prompted the agency to delay the rule and hold a hearing on the industry proposal.

At a public hearing, we challenged that counterproposal, stressing that it would make the problem worse by taking a safety gap that exists now for generic drugs and expanding it to brand-name products. The FDA says it will finalize the life-saving rule in July 2016.

Pushing for affordable drugs

While the outcry over too-expensive drugs echoed in congressional hearings and on cable news, Public Citizen countered Big Pharma's price gouging.

We partnered with Carleton University in [research](#) showing that because Congress restricts Medicare from negotiating drug prices, Medicare Part D drug prices are not only higher than those in 30 other countries — most of which purchased the drugs for less than half of what the U.S. pays under Medicare — but also higher than drugs purchased under Medicaid and Veterans Health Administration programs.

Armed with this data, we called for a reduction of brand-name drug prices, mandatory generic substitutions and lower co-payments and deductibles under all Medicare Part D plans.

Securing global access to medicines

In addition to sounding the alarm about expensive drugs, Public Citizen is countering Big Pharma strategies to lock in high prices [globally](#). This year, we fought trade deal provisions that would expand Big Pharma monopoly power in many countries and pushed the U.S. and governments abroad to encourage generic competition.

In the final text of the Trans-Pacific Partnership (TPP) — a trade pact negotiated among the U.S. and 11 nations (*see page 11 for more information*) — our technical expertise and partnerships inside and outside of the negotiations resulted in the rejection of 16 TPP rules that would have been bad for patients. If approved, the TPP still means serious harm for patients, but because of our work, many affordable medicines will be able to enter the market years earlier, saving many lives. For example, automatic monopoly periods for biotech drugs will be significantly shorter than Big Pharma wanted.

In the U.S. and internationally, we advocated use of a tool that would enable governments to license generic drugs despite Big Pharma patent monopolies. Domestically, this strategy could cut treatment costs for many diseases, such as hepatitis C — for which the Veterans Health Administration is rationing care to control \$1,000 per pill costs. Our advocacy for this approach already has reduced the price of HIV medicines in Colombia and Peru, and it could bring affordable cancer treatment to many countries.

Medicare-for-All movement

In a year marking the 50th anniversary of Medicare, a single-payer system we advocate expanding to cover all Americans, we went local with health care advocacy. Focused on bubbling momentum for a single-payer system from the state level to the federal level, we participated in a national coalition to educate lawmakers in Oregon, urged full funding of universal health care in Vermont and supported a ballot initiative for single-payer health care in Colorado.

ENERGY AND THE ENVIRONMENT

Action on energy market manipulation

The Federal Energy Regulatory Commission (FERC) is legally bound to review electricity rates and ensure that they are just and reasonable.

Public Citizen makes sure the agency does its job.

So when our energy experts saw evidence of companies manipulating energy supply auctions to boost prices in Illinois and New England — by \$110 for consumers in New England and by 800 percent for many Illinois residents — we took action.

In Illinois, we filed a formal complaint in May demanding FERC investigate the auctions. On Dec. 31, FERC issued a decision that parts of the auction rules violated federal law and have to be rewritten.

A future order on refunds for consumers will come in 2016.

We also joined the Connecticut attorney general to call for FERC to investigate there. After exhausting the appeals process, we [sued the agency](#) in September, noting FERC's duty to review rates and ensure that they are just and reasonable.

Consumers strike against power grab

In 2015, Chicago-based energy giant Exelon tried to take over the utility Pepco. Public Citizen jumped into the fray to block the deal because it would lead to electricity price hikes for customers in Washington, D.C., and parts of Maryland, Delaware and New Jersey, and because it would increase reliance on nuclear power at the expense of renewable energy and energy efficiency.

Exelon did everything from reportedly buying resident support to paying the chair of D.C. Mayor Muriel Bowser's political action committee to lobby her. We testified before regulators in Maryland and the District of Columbia, educated residents and policymakers about the deal's potential dangers and organized activists to call on regulators to pull the plug on the merger.

In August, the D.C. Public Service Commission (PSC) rejected the deal.

But after Pepco gave the District government \$25 million in exchange for the possibility of naming a street or park after the company, the mayor threw her support behind the deal, and the PSC waived its own rules and reopened the case.

We rallied residents to submit comments to the PSC and to protest near the mayor's office and outside a Nov. 10 PSC hearing. At press time, the PSC had not made a decision in the case.

Clean Power Leads to Savings

Texas

Texas is best known as an oil and gas state — a conservative one at that.

In 2015, with Public Citizen's prodding, the city of Austin proved to the nation that it's possible to cut carbon pollution and keep the lights on — all while reducing consumers' electric bills. In the fall, Austin signed contracts to buy enough solar energy to replace a gas-fired power plant — at the cheapest prices per kilowatt-hour ever reported. The prices will be fixed for between 15 and 25 years.

Georgetown, Texas, is buying 100 percent of its energy from renewable sources.

In fact, in 2015, Texas cities and big electricity-generating companies began buying large quantities of solar and wind energy because they are much cheaper than energy from coal, oil or natural gas. It makes good business sense.

U.S.

The ascendance of solar and

wind power is coming at just the right time. The U.S. Environmental Protection Agency (EPA) in 2015 finalized the Clean Power Plan, a rule that sets a 2030 target date to curb carbon pollution from power plants by 32 percent from 2005 levels. It allows each state to creatively meet their targets. For example, states can choose to use more renewable energy sources or improve existing coal power plant efficiency.

As expected, the fossil fuel industry and its political cronies pushed back, and Public Citizen took them on. Opponents contended that the plan would increase electricity rates, but as the deadline neared for the rule to be finalized, we issued a series of reports showing how the plan would save households between \$129 and \$147 annually in a sample of states: Maine, Missouri, New Hampshire, Ohio, Pennsylvania and Virginia.

And when King Coal-friendly members of Congress introduced bills that would kill the plan by allowing states to opt

out of it, we showed that those lawmakers — among them U.S. Senate Majority Leader Mitch McConnell (R-Ky.) and U.S. Rep. David McKinley (R-W.Va.) — were working to take money from the hands of their own constituents. The EPA's rule, we demonstrated, would save Kentucky and West Virginia consumers \$104 and \$160 each year, respectively.

As 26 states and several industry groups filed lawsuits to quash the rule, we published research showing that, in fact, the Clean Power Plan would benefit consumers in every state.

In addition, the EPA heeded calls from Public Citizen and 25,000 activists to make the rule stronger: The final rule calls for a 32 percent reduction in power plant pollution instead of 30 percent, increases the role of renewable energy and decreases incentives for new natural gas facilities. The rule no longer encourages the use of nuclear energy, which creates dangerous radioactive waste and cannot exist without large taxpayer subsidies.



Public Citizen photo/Philip Anderson



Public Citizen photo/Philip Anderson

Left: "If the takeover is approved, D.C. will be locked into a relationship with a corporation that opposes clean energy initiatives and wants to put residents on the hook for its failing fleet of nuclear reactors," said Allison Fisher (far right), outreach director for Public Citizen's Energy Program. Right: "Lifting the four-decade-old crude oil export ban means that consumers will see higher prices at the pump, while the oil industry will see increased profits in their pockets," said Tyson Slocum, director of Public Citizen's Energy Program. He testified before the U.S. Senate Committee on Small Business and Entrepreneurship on July 13, advocating keeping domestically produced crude oil in the U.S.

“Public Citizen's energy and climate program has provided indispensable leadership in alliance with Washington, D.C., activists in an ongoing campaign to stop a monopolistic merger that has been unfriendly to solar and wind power.”



Debby Hanrahan
Public Citizen volunteer

GLOBALIZATION AND TRADE

Fighting Corporate Trade Deal



"The intense national battle over Fast Track trade authority was just a preview of the massive opposition the TPP will face," said Lori Wallach, director of Public Citizen's Global Trade Watch. Here, U.S. Rep. Rosa DeLauro (D-Conn.) speaks at an Oct. 29 press conference demanding text of the Trans-Pacific Partnership be shared with Congress and the public. U.S. Rep. Peter DeFazio (D-Ore.) (second from left) is dressed as Sherlock Holmes and stands with Roxy, the "TPP Tracker" that will help sniff out the TPP. (Public Citizen photo/Mina Itabashi)

Seven years of negotiations. Five "final" Trans-Pacific Partnership (TPP) ministerial meetings since 2013. Zero deals.

By fall 2015, the TPP had reached the point that every trade negotiation facing broad public opposition reaches: Either a deal had to be completed quickly or the process would unravel.

So at an October Atlanta TPP meeting, top trade officials decided that they would not leave until either a deal was done or the TPP, an agreement among the U.S. and 11 other nations, was done in.

More than 500 official U.S. trade advisers representing corporate interests had special access during the seven years of closed-door TPP negotiations, while the public, Congress and the press were locked out.

Public Citizen focused our

efforts inside and outside the many negotiating sessions we attended.

Working with public interest allies from other TPP nations, we conducted analysis and helped to alert negotiators about what was at stake for access to medicines, financial stability, and environmental and consumer policies.

We also often organized protests outside negotiations.

As the pact grew increasingly controversial in several TPP countries, it became ever more difficult to make a final deal.

The agreement, designed as an expansion of the North American Free Trade Agreement, replicates and then expands on many of the most controversial terms of past deals that have promoted job offshoring, pushed down U.S. wages, flooded us with unsafe imported food and raised

medicine prices.

A U.S. proposal to extend Big Pharma's monopoly rights was one of the last issues holding up the deal.

In Atlanta, we rallied against the deal with anti-TPP activists, including cancer "thrivers" who rely on the medicines the TPP would make more expensive.

When the TPP text was finally released in November, Public Citizen was ready, having organized a team of experts to provide analysis of the chapters the day they were released. This allowed allied policymakers and civil society partners to communicate a unified message: The final deal was even worse than we had feared and had to be stopped.

The TPP can take effect only if Congress approves it, meaning that Public Citizen now will focus on ensuring the deal cannot pass Congress.

Fast Track legislation not so fast

Trade topped the issues that consumed Congress in 2015, with debate over Fast Track trade authority provoking one of the year's most tumultuous battles.

Fast Track is an anti-democratic procedure that enables the president to negotiate trade agreements and then push them through Congress with minimal debate and no amendments.

From 2012 to 2015, smart strategy and hard work enabled a broad civil society coalition to block the effort launched by a massive corporate coalition, the GOP congressional leadership and the White House to pass Fast Track trade authority.

Despite an unprecedented Obama-led seduction campaign — described by the press as the administration's most intense policy campaigning effort to date, surpassing even the push for Obamacare — the U.S. House of Representatives denied the president Fast Track authority when it held a vote in June.

However, the White House and GOP leadership worked together to force more votes on various elements — to which they added outrageous riders to "buy" more GOP votes.

On June 18, the final vote resulted in the narrow passage of Fast Track. Had just five additional House members voted "no," Fast Track would have been defeated again.

Before Fast Track legislation was introduced, Public Citizen helped organize hundreds of groups to educate lawmakers, talk to the media and rally activists.

The day the bill was unveiled, Public Citizen sprang into action, with analysis for the press and an action alert to members.

Throughout the year, Public Citizen organized protests in the districts of key lawmakers, held briefings for reporters and lawmakers, met with lawmakers and their staffs, and organized other groups to oppose Fast Track.

Fast Track had a silver lining: The high-profile debate it sparked enabled Public Citizen to educate policymakers and the public about the TPP's dangers and to build a progressive coalition of a size and scope rarely seen. This coalition is now engaged in stopping the TPP in Congress.

Using WTO ruling to show TPP dangers

The outcomes of two long-running [World Trade Organization \(WTO\)](#) attacks on U.S. laws enabled Public Citizen to highlight the dangers of trade pacts.

One case involved the popular country-of-origin meat labeling (COOL) law for beef and pork. The WTO approved \$1 billion in

annual trade sanctions against the U.S. unless the policy was terminated. In response, Congress in December tucked a provision to kill the popular labels into an omnibus funding package that President Barack Obama quickly signed into law.

The WTO also issued a final rul-

ing against U.S. dolphin-safe tuna labels, ordering the elimination of the popular environmental policy.

Both were glaring examples of how trade agreements can undermine U.S. public interest policies, and Public Citizen made that point to policymakers and the media.

Korea FTA dangers

Last year marked the third full year that the [U.S.-Korea Free Trade Agreement \(FTA\)](#) has been in effect. The deal was sold on the same "more exports, more jobs" claims now being used for the Trans-Pacific Partnership deal.

Our analysis of government data revealed that the job-displacing U.S. goods trade deficit with Korea nearly doubled. Exports declined 7 percent, and imports soared.

“Public Citizen supports working people, military veterans and consumers — all of which I consider family. Thank you.”

Claude Reeson, Public Citizen supporter

JUSTICE



Jen Palmer
Public Citizen plaintiff

“ I asked lawyers, ‘Do we have a case?’ and they would say, ‘Yes, you do, but we’re not touching that with a 10-foot pole.’ Public Citizen came forward and said, ‘We can help you. We want to help you. We have the means and resources to do so.’ ”

Victories for veterans and more!

In 2015, Public Citizen secured victories for veterans, workers, students, researchers and online reviewers of businesses in the following instances:

- A string of victories upholding the right of online consumers to anonymously critique businesses.
- A lawsuit leading to the U.S. Department of Veterans Affairs immediately releasing medical records of 13 veterans whose requests for their files had been delayed a year or more.
- An [appeal](#) establishing that a student loan servicing company can be held accountable for false credit reporting.
- Friend-of-the-court briefs supporting U.S. Department of Education efforts to address abuses by for-profit colleges.
- An [appeal](#) that allowed Applebee’s workers to pursue a class-action lawsuit alleging that the company violated state and federal labor laws.
- Success in a [Freedom of Information Act case](#) that resulted in disclosure of information about corporate wrongdoing.

‘Supreme’ Defense of Consumer, Worker Rights

When companies deceive or injure consumers or workers, class actions empower those wronged to seek redress collectively, which, for many, is more affordable than bringing individual cases.

Instead of curbing the anti-consumer misconduct that leads to such lawsuits, corporations are stepping up their fight against people who band together to hold them accountable.

In three cases now before the U.S. Supreme Court, Public Citizen is countering Big Business’ maneuvers to evade accountability and disempower consumers and workers.

[Campbell-Ewald Co. v. Gomez](#): We’re helping to shut down a corporate tactic we have successfully challenged many times: A defendant company offers an individual settlement to the plaintiff (in this case, Jose Gomez) in a lawsuit brought as a class action but not yet certified as a class action. If the offer is declined, the company moves to dismiss the entire lawsuit as moot because the company offered the named plaintiff all that he personally seeks. If the court grants the motion, no plaintiff receives relief, and the defendant walks away scot-free. In *Gomez*, the lower court rejected this tactic. In the Su-



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preme Court, we’re arguing for that ruling to stand.

[Tyson Foods Inc. v. Bouaphakeo](#): We took the lead in crafting arguments for Tyson Foods workers in this class-action case, in which the employees won at trial compensation for time they spent working but for which they were not paid. The corporation is trying to overturn the lower court’s award because of differences in the amounts of time employees worked. We’re defending use of “representative proof,” which allows juries to use information about the time workers spend on relevant tasks to set an appropriate award.

[Spokeo Inc. v. Robins](#): Spokeo, a company that posts information about consumers

online, is trying to shirk liability for reporting false credit information about a consumer. The company claims that the consumer cannot sue because his injury can’t be measured in monetary terms. Public Citizen filed an amicus brief explaining that, in making companies accountable for false credit reporting, Congress acted within its power to define legal injuries and provide remedies for them, and that the dangers of false credit reports are very real. A ruling favoring Spokeo would let corporations off the hook in numerous consumer cases.

We’re pushing for victory in each case to keep class actions available as an avenue of redress for misled consumers and wronged employees.

Reducing use of forced arbitration

Forced arbitration clauses are contract terms that require consumers — should they suffer harm from use of a company’s products or services — to give up their day in court. The clauses require them to use an arbitration provider who often is picked by the company itself and likely to be biased.

The U.S. Consumer Financial Protection Bureau (CFPB) in March released findings that at least 85 percent of mobile phone contracts, private student loans and prepaid cards come with a forced arbitration clause. Three of four credit card holders don’t

know if their contracts have the clauses, but the CFPB found that 53 percent of credit card contracts do.

The CFPB was congressionally mandated to conduct the study as a prerequisite to issuing a rule regarding the use of arbitration clauses. In great news, the agency is moving forward with the rulemaking based on the overwhelming evidence of consumer harm in the study, and we are pressing the agency to make the final rule as strong as possible.

We’re also urging another federal agency — the Centers for Medicare and Medicaid Ser-

vices, which regulates long-term care facilities — to strengthen its proposed rule on forced arbitration clauses in nursing home contracts. With a stronger rule, residents and their families can hold facilities accountable for substandard care.

Arbitration clauses are sometimes tucked into college enrollment forms, too. Our advocacy with the Fair Arbitration Now coalition led to a February agreement between the CFPB and Corinthian Colleges in which students — who may have been misled about future employment — will not be subject to the clauses.

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