



2017: Shining a Light on Trump's Corruption and Corporate Takeover

Since Donald Trump assumed office, our work has taken on a new, unified focus: In 2017, we mobilized to resist the antidemocratic, corporate agenda of the Trump administration and the GOP Congress. To address the multipronged attack from Trump's administration, we quickly adopted a multipronged advocacy agenda. We began suing the administration over its illegal and dangerous actions in the regulatory sphere, filing *Public Citizen v. Trump* less than a month after Trump took office and other suits after that. We established a Corporate Cabinet website to highlight corporate influence in the administration and a Corporate Presidency project to call out the administration's corporate ties and hypocrisy regarding Trump's “drain the swamp” mantra.

We seized the opportunity to hold Trump accountable for the massive disconnect between his campaign rhetoric and the fast-evolving reality of his administration. We gathered and rushed out information profiling Trump's transition team – a rogues' gallery of lobbyists, corporate lawyers, investment fund chiefs and corporate hacks.

Some of our work got quick results. A day after we called for an investigation into whether Trump's former campaign manager Corey Lewandowski violated the Foreign Agents Registration Act or the Lobbying and Disclosure Act, Lewandowski quit the lobbying firm he co-founded. And shortly after we filed an ethics complaint against White House counselor Kellyanne Conway for touting Ivanka Trump's product line on a news show, the U.S. Office of Government Ethics agreed that she had misused her position and should be disciplined.

Another prong of our work was in the digital sphere: Immediately after the election, we ramped up our social media presence, creating more explainer videos to amplify our message, push back against Trump and highlight the staggering conflicts of interest that continue to flow from Trump's refusal to cut ties with his family business. Plus, we hit the streets, organizing protests outside the Trump International Hotel in Washington, D.C., in front of the Capitol, outside the U.S. Department of Commerce and even outside the Tax Foundation's “tax prom” on the same evening that the U.S. House of Representatives voted to pass its cruel and morally backward tax giveaway plan.

The broadside by Trump and the GOP Congress against the Affordable Care Act gave us an opportunity to expand the push for a single-payer, Medicare-for-All health care system that works for patients, not one that makes insurance and pharmaceutical corporations rich at our expense. The Medicare-for-All model finally made it into the national conversation about health care coverage solutions. And our increased focus on lowering drug prices took on new urgency when we obtained a leaked executive order detailing the Trump administration's plans to increase medicine prices and put patient safety at risk. It provided the first public glimpse into Trump's hypocrisy around drug prices, which as a candidate he had pledged to reduce.

On the trade front, we spent 2017 holding Trump accountable for his trade-related promises and setting the bar high for NAFTA renegotiation to realize a longtime demand of consumer and environmental groups, unions and progressive leaders: the replacement of NAFTA with a new deal that stops jobs outsourcing and puts people and the planet before corporations.

And we helped shine a much-needed spotlight on climate change, serving as a corrective to the mainstream media's narra-

tive around Hurricane Harvey.

Thanks to your support, we also ran cutting-edge advocacy campaigns on a diverse range of issues, from worker safety to access to the courts to clean government. In the following pages we chronicle some major milestones achieved – from pressuring New York City's Metropolitan Transportation Authority to eliminate alcohol ads from its public transportation system (a victory four years in the making) to successfully defending the anonymity rights of inauguration protestors who visited a protest planning website.

Even as we mobilized against the forces of corporate hegemony, we asserted the central importance of solidarity, kindness and decency to who we are as a country and a people, and demanded a policy agenda that matches our values. And even when we lose, we keep moving forward and pushing the bounds of debate – so that we frequently have a positive impact even when we don't score a decisive victory.

In these perilous times, our work is more urgent than ever. Over the course of the next year and beyond, Public Citizen will continue to respond to new challenges emanating from the Trump administration while driving forward a real progressive populist movement. ♦



Public Citizen and dozens of other groups joined forces to hold a “People's Climate March” in Washington, D.C., on April 29. The march was one of many held around the country to coincide with President Donald Trump's 100th day in office and to protest his environmental policies. Public Citizen file photo.

DEMOCRACY

Defending Our Democratic Norms

After Donald Trump took office in January, our democracy faced a new and profound threat. The president, it seemed, cared more about enriching himself and his family than managing the government. He regularly attacked the independent judiciary and other governmental institutions, and he pushed an extreme corporate agenda. Public Citizen quickly addressed the new threat.

Successful ethics complaints

Just hours after presidential counselor Kellyanne Conway touted Ivanka Trump's products on Fox & Friends in February, Public Citizen filed an ethics complaint against her (federal employees may not use their public office to endorse products). A week later, the U.S. Office of Government Ethics said Conway had misused her position and should be disciplined.

In March, we took aim at another presidential adviser: the infamous 1980s corporate raider Carl Icahn, tapped by Trump to focus on regulations. Icahn urged Trump to make regulatory changes that would greatly benefit the oil refiner CVR Energy, Inc., of which he is majority owner. Icahn Enterprises owns 82 percent of CVR. When it appeared Icahn would win his desired change in ethanol rules, the value of his CVR stock surged by hundreds of millions.

Public Citizen filed a complaint with Congress, saying that Icahn appeared to be violating the law because neither he nor his companies had registered as lobbyists. An enraged Icahn wrote an op-ed attacking Public Citizen, which only helped bring more attention to the complaint. In August, after failing to get the regulatory change he sought, Icahn left the administration.

We also called out Trump campaign manager Corey Lewandowski, who established two new political consulting firms shortly after the election but did not register as a lobbyist. We called for authorities to investigate whether Lewandowski was violating laws by undertaking activities to influence domestic and foreign policy though he was not a regis-

tered lobbyist or foreign agent.

A day after we filed our complaint, Lewandowski quit one of the lobbying firms, and his partner announced the second firm would dissolve. Public Citizen later learned that the complaint prompted the changes.

Exposing conflicts of interest

One of the many unprecedented aspects of this presidency is Trump's global family business empire and his unprecedented refusal to cut ties to it. From the day Trump was elected, Public Citizen has led the call for him to divest his business interests. Trump grudgingly handed off control of the businesses to his son, but he retains his stake in them. Now, virtually every decision Trump makes could affect him financially, which means that his business holdings could influence policy-making from tax to bankruptcy, consumer protection to labor rights, worker health and safety to access to the courts.

Throughout 2017, we did not let up in hammering Trump for his conflicts. Our researchers showed how the Trump tax plan would save Trump hundreds of millions or billions of dollars. We calculated how much the estate tax repeal would save his heirs (\$593 million). We outlined how Trump's deregulatory push would directly benefit his businesses.

Our communications team created videos and barraged social media channels with content highlighting Trump's conflicts. And we organized protests – including in front of the Trump International Hotel in Washington, D.C. – that we broadcast live on social media to educate and mobilize people nationwide.

Stopping Citizens United 2.0

Trump and congressional Republicans conspired to turn churches into the new dark money super PACs. Their scheme was to do away with the longstanding rule that prohibits tax-deductible churches and charities from engaging in electoral politics.

Repealing the 1954 rule, proposed by then-Senator Lyndon B. Johnson and subsequently known as the Johnson Amendment,



Jonah Minkoff-Zern, campaign co-director for Public Citizen's Democracy Is For People campaign, joins protesters chanting outside the AXA Towers and holding a sign reading "NOT ONE PENNY in tax cuts for the rich." Minkoff-Zern helped coordinate the protest against the Republican tax plan. Photo courtesy of Julio Urrutia.

would unleash a torrent of new, secret spending into election – the equivalent of *Citizens United 2.0*. Churches would become the new super PACs, taking unlimited contributions from anonymous donors and turning them into political attack ads.

Public Citizen reached out to the religious sector, unions and groups on both sides of the aisle to get them involved in saving the Johnson Amendment. Lawmakers attempted to use the end-of-year tax overhaul to repeal the rule, but eventually dropped the effort. ♦

- In May, Nevada pushed the movement to overturn *Citizens United* to the halfway point. With Nevada becoming the 19th state to support a constitutional amendment to overturn the U.S. Supreme Court's disastrous 2010 *Citizens United* ruling, the effort to rid politics of the corrupting influence of money has reached a milestone. Public Citizen's fight to repeal *Citizens United* – which helped spur unlimited corporate spending in elections – now has support from half of the 38 states needed to enact such an amendment after it is approved by two-thirds of both chambers of Congress.

- In October, the U.S. Supreme Court heard oral argument in *Gill v. Whitford*, a case that has the potential to determine what U.S. congressional and legislative districts look like for decades to come. Public Citizen joined an amicus brief arguing that partisan gerrymandering, or the drawing of district lines to ensure a particular political party will control a legislature, violates fundamental American democratic principles of representativeness and accountability in government.

- We continued to expand the campaign to push the mutual fund company Vanguard to amend its proxy voting guidelines to support political spending

disclosure resolutions. We conducted a video interview with Vanguard founder John C. "Jack" Bogle, who spoke about why he submitted a public comment to the U.S. Securities and Exchange Commission supporting political spending disclosure. We also monitored Vanguard's proxy voting guidelines and released a report showing that 64 percent of political spending disclosure shareholder resolutions at companies where mutual fund companies own more than five percent of common stock would have received majority support in 2016 had those mutual funds voted their shares in support of the resolutions.

- In the wake of a contentious presidential election, Public Citizen is taking part in a coalition of organizations and citizens pushing for stronger cybersecurity at the ballot box. The campaign, Secure Our Vote, aims to make elections safer by working for voter-verifiable voting systems with paper backup, audit laws and technological protections that can catch hacking and computer errors. It invites concerned citizens to become "election security leaders" to help educate their communities about ways to make voting safe. It provides step-by-step guidelines on building relationships with local election officials and working with them to effectively call for more funding, better equipment and security legislation.

GOVERNMENT AND FINANCIAL REFORM

Exposing the Corporate Takeover

With the ascendency of Donald Trump to the White House, the country saw a breathtaking takeover of every branch of government by corporate titans, billionaires and extremist public officials who aim to dismantle the agencies they are charged with running.

In response, Public Citizen has dogged the administration, unmasking corporate connections of Cabinet and agency appointees, conducting deep investigative research dives into industry influence at specific agencies and revealing the revolving door between regulators and regulated industry.

Every step of the way, we have highlighted the contradictions between candidate Trump's promise to aid the middle class and his deliverance as president on the extremist, corporate anti-regulatory agenda that hurts the very people who put him in office. We have:

- Established the Corporate Presidency project (CorporatePresidency.org) to expose how Trump has filled his Cabinet with corporate cronies and to call out corporate-influenced policymaking.
- Revealed that as of late August, Trump had met with more than 300 CEOs – more than triple the number President Barack Obama met with during his entire presidency.
- Scrutinized the second- and third-tier administration appointments and found that 70 percent have corporate ties.
- Identified more than 100 lobbyists working in the Trump administration, and more than three dozen working on issues directly related to their previous lobbying work – a direct violation of Trump's much-touted ethics executive order.
- Uncovered that 44 allies of the Koch brothers are staffing the White House and other federal agencies.

Unriggering the tax system

As congressional lawmakers unveiled a tax scheme that called for tax cuts for corporations and a massive transfer of wealth from the middle class to millionaires and billionaires, we

hosted and participated in events around the country where everyday citizens demanded that their elected officials not cede a single cent in tax cuts to the superrich.

We also calculated that 57 percent of all the lobbyists in Washington, D.C., had worked on tax issues this year. That's 6,243 lobbyists, or 11 lobbyists for every member of Congress. Our numbers were cited on "Face the Nation" and in *The Hill*, *The Week*, *Reuters* and other media outlets. Although the tax bill ultimately passed, our efforts helped shape the national conversation about the tax legislation and ensure that people understood the measure was designed to help the wealthy and corporations.



At a June 7 press conference on Capitol Hill, Lisa Gilbert, vice president of legislative affairs at Public Citizen, urges members of Congress to push for an independent commission to investigate President Donald Trump's campaign ties to Russia. Public Citizen file photo.

Protecting regulations from attack

One of the first items on the corporate agenda of Trump and the Republican Congress was to go after the regulatory system and major safeguards enacted under the Obama administration.

As co-chair of the Coalition for Sensible Safeguards, we flagged Congress' bid to use the Congressional Review Act (CRA), a rarely used procedure that allows Congress – by majority vote in both chambers, with limited debate, no possibility of a filibuster and the president's signature – to repeal recently issued public protections. We organized a coalition of hundreds of organizations to push back against the CRA and built RulesAtRisk.org – a website dedicated to the CRA fight.

At the start of 2017, hundreds of rules were at risk of repeal, and Republicans in both chambers of Congress introduced dozens of resolutions targeting them. In the end, Trump and GOP lawmakers repealed 15 public protections using the CRA process. These ranged from women's health care protections and Alaskan wildlife protections to broadband privacy protections and clean water protections.

We also received considerable media coverage for creatively personifying corporate greed as part of a campaign to save a key rule that was on the chopping block. After the Equifax data breach and Wells Fargo scandals ignited consumer outrage, Public Citizen's arbitration campaign manager Amanda Werner appeared at a U.S. Senate Banking Committee hearing on Equifax dressed as the Monopoly Man. Video clips of Werner went viral.

At risk was a Consumer Financial Protection Bureau rule designed to restore customers' ability to join together in court to hold banks and lenders accountable when they break the law. Congress deadlocked on a vote to repeal the rule, and Vice President Mike Pence broke the tie despite the flood of popular support for the rule. Werner was recognized by *Time* magazine as one of five ordinary people who captured the internet's heart in 2017. ♦

- We fought the Trump tax legislation, tooth and nail, and mobilized activists around the country. We submitted testimony throughout the year to the U.S. Senate Finance and U.S. House of Representatives Ways & Means tax writing committees as well as to both full chambers – urging Congress to close loopholes, remove incentives for offshoring, and make the wealthy and financial institutions pay their fair share. In April, we helped organize the national Tax March, calling on President Donald Trump to release his income tax returns. In July, we protested outside the Newseum in Washington, D.C., where the Koch brothers touted their investment in promoting a corporate tax cut plan. And in December, Susan Harley, deputy director of Public Citizen's Congress Watch division, and other members of our staff spoke at a "people's filibuster" outside the U.S. Capitol to protest the tax bill and the fast-track partisan process being used to rush it into law.

- As part of "Defend Your Rights Week" in March, we hosted Facebook live events, created shareable social media content and hosted other online events such as Twitter chats to mobilize activists. We revealed how big business is behind a push to block people from holding corporations accountable in court for wrongdoing.

- We petitioned the U.S. Office of Government Ethics to develop rules for executive branch personnel on how to establish and finance legal defense funds.

- Our U.S. Chamber Watch team launched a campaign urging Disney, Pepsi and Gap to drop their memberships in the U.S. Chamber of Commerce because of the Chamber's anti-climate, pro-tobacco agenda. We have gathered 200,000 signatures.

- In October, New York City's Metropolitan Transportation Authority Board of Directors voted to eliminate alcohol advertisements from the public transportation system. The vote was the culmination of a four-year campaign led by the Building Alcohol Ad-Free Transit coalition, endorsed by Public Citizen.

- We worked with U.S. Sen. Cory Booker (D-N.J.) and U.S. Rep. David Cicilline (D-R.I.) to promote a bill that would repeal the Congressional Review Act (CRA), titled the SCRAP (Sunset the CRA and Restore American Protections) Act. The goal is to eliminate the ability of Congress to repeal vital protections with only limited debate.

- In response to our efforts and those of two partner organizations, the Federal Trade Commission (FTC) began cracking down on celebrities who violated FTC rules about advertising on Instagram. It marked the first time that the FTC targeted individual social media influencers for failing to disclose their paid relationships to companies when promoting their products.

JUSTICE



The Trump International Hotel in Washington, D.C. Photo courtesy of Catherine Downey.

An aggressive litigation strategy is a centerpiece of our efforts to stop President Donald Trump from damaging our country and advancing an extremist corporate agenda. We have added attorneys and capacity in the past year to block Trump's anti-regulatory, corporate agenda.

Public Citizen v. Trump remains the lead case on our Trump-related docket. Public Citizen filed the lawsuit in the U.S. District Court for the District of Columbia in February – just days after Trump issued his “one-in, two-out” presidential executive order barring federal agencies from issuing one new federal regulation until they repeal two existing ones. Along with co-plaintiffs Communications Workers of America and the Natural Resources Defense Council, we seek to invalidate the executive order, which impedes the government's ability to save lives, protect our environment, police Wall Street, keep consumers safe, fight discrimination and more.

On Aug. 10, we went head-to-head against the federal government in court. In two hours of arguments in *Public Citizen v. Trump*, Allison Zieve, director of Public Citizen Litigation Group and lead counsel in the case, forcefully explained why the extraordinary executive order is unlawful. A decision is pending.

Using FOIA to see what the government is up to

In an administration that shows little regard for ethical standards and procedural requirements, and complete alignment with the

corporate agenda, we have increased use of Freedom of Information Act (FOIA) requests to uncover what the Trump administration is doing behind closed doors.

As the administration ignored FOIA's statutory deadlines and offered frivolous responses to requests for information, our attorneys have sued over several records requests denied by federal agencies.

One such case began on Aug. 17, when we sued the U.S. Secret Service to force the White House to release visitor logs from the U.S. Office of Management and Budget, the U.S. Office of Science and Technology Policy, the U.S. Office of National Drug Control Policy and the U.S. Council on Environmental Quality. A federal appellate court in 2013 ruled that the visitor logs for these agencies are subject to FOIA, but the Trump administration refused to disclose the records.

Moreover, the Secret Service told the court that it transfers its logs regularly to the White House (from which they are not obtainable under FOIA), without maintaining a copy. Our suit asks for preservation and disclosure of the records. *The Washington Post* editorialized in favor of our litigation, and the Secret Service agreed to maintain copies of the visitor logs while the lawsuit is pending.

In other FOIA cases, we are representing a professor suing to challenge the IRS' denial of her request for records concerning other FOIA requests, a research librarian seeking emails from the U.S. Environmental Protection Agency, a nonprofit seeking information about complaints against immigration judges

and an individual seeking records about the U.S. Department of Education's loan forgiveness program.

We also have a lengthy list of pending FOIA requests that seek documents related to the rebuilding of downed power lines in Puerto Rico, documents submitted to the U.S. Occupational Safety and Health Administration concerning workplace injuries, records concerning implementation of the 1-in, 2-out executive order and records related to numerous potential conflicts of interest buffeting the administration, among other things.

Standing up for student borrowers

When the U.S. Department of Education took steps in 2017 to undo critical Obama-era protections, Public Citizen fought back.

Our focus has been on the Borrower Defense Rule, which was designed to protect students defrauded by predatory for-profit colleges and career training programs. The rule prohibits schools that receive federal funds from relying on forced arbitration clauses with their students, and provides students with new protections and transparency. The rule was finalized in November 2016 and scheduled to take effect on July 1, 2017.

In late June 2016, the department announced that it was delaying the effective date of the rule. Public Citizen, working with the Harvard Law School Project on Predatory Student Lending, promptly filed suit to challenge the delay.

We represent Meaghan Bauer and Stephano Del Rose, former students of the for-profit

"Strong and effective advocacy by Public Citizen improves the lives of many and is an essential part of pursuing any vision of a more just and kind society. In philanthropy there is the constant tension between investing in services (immediate needs) and advocacy (shifting policy that will positively affect services over time). The choice is like providing a person with a fish or teaching him to fish. Public Citizen strategically keeps an eye on the big picture and makes systemic change that improves lives for generations to come." – Robert Spiegelman, Public Citizen member, Concord, N.H.

Taking Trump to Court



The White House. Photo courtesy of A.C. Moraes flickr.

New England Institute of Art in Massachusetts, who allege that the institute deceived them and left them with a useless education, few job prospects and tens of thousands of dollars in debt.

Once in effect, the Borrower Defense Rule would ensure that our clients, and students like them, could bring their cases in court, potentially as class actions. The case is pending.

Securing affordable housing for low-income families

Working with several civil rights groups, we sued the U.S. Department of Housing and Urban Development (HUD) and HUD Secretary Ben Carson in October over HUD's suspension of a rule that will assist low-income families in securing affordable housing. Representing a fair housing organization and two individu-

als, we asked for a court order requiring HUD to implement the rule on schedule.

On Dec. 23, the chief judge for the U.S. District Court for the District of Columbia granted our motion for a preliminary injunction and held that HUD's suspension of the rule was unlawful.

The rule is therefore currently in effect while litigation is continuing. ♦

- We successfully represented visitors to DisruptJ20.org in a criminal proceeding in which the U.S. Department of Justice was seeking identifying information about hundreds of thousands of visitors to the website. DisruptJ20.org was used to coordinate Inauguration Day protests last January, during which some protestors engaged in acts of vandalism. Only a couple of hundred people at most participated in the vandalism, but hundreds of thousands visited the website. The Trump Justice Department sought identifying information on all of the visitors – a move that looked a lot less like law enforcement than creation of an Official Enemies list. The web hosting company resisted the Justice Department's request. Representing several people who visited the site, we moved to intervene to defend the visitors' First Amendment right to remain anonymous. The government subsequently rescinded its broad request to obtain identifying information about the website visitors.

- Given that President Donald Trump's businesses have operations in at least 18 countries, the potential for conflicts in the conduct of foreign policy is staggering. Foreign diplomats, for instance, told *The Washington Post* that they would stay at the Trump International Hotel in Washington, D.C., as a way to curry favor with the new president. As part of their oversight over the General Services Administration's (GSA) handling of potential conflicts of interest created by Trump being both president and a hotel owner, 17 members of the U.S. House of Representatives Committee on Oversight and Government Reform requested documents from the GSA relating to the agency's 2013 lease agreement with Trump Old Post Office LLC, a company owned by the Trump family and from which the president has refused to divest ownership. After the GSA refused to provide documents in response to the request, the members sued to compel the agency to turn over information, which could shed light on Trump's conflicts of interest. Public Citizen attorneys are co-counsel for the lawmakers in the case, which alleges that the head of the GSA is illegally withholding documents from members of Congress.

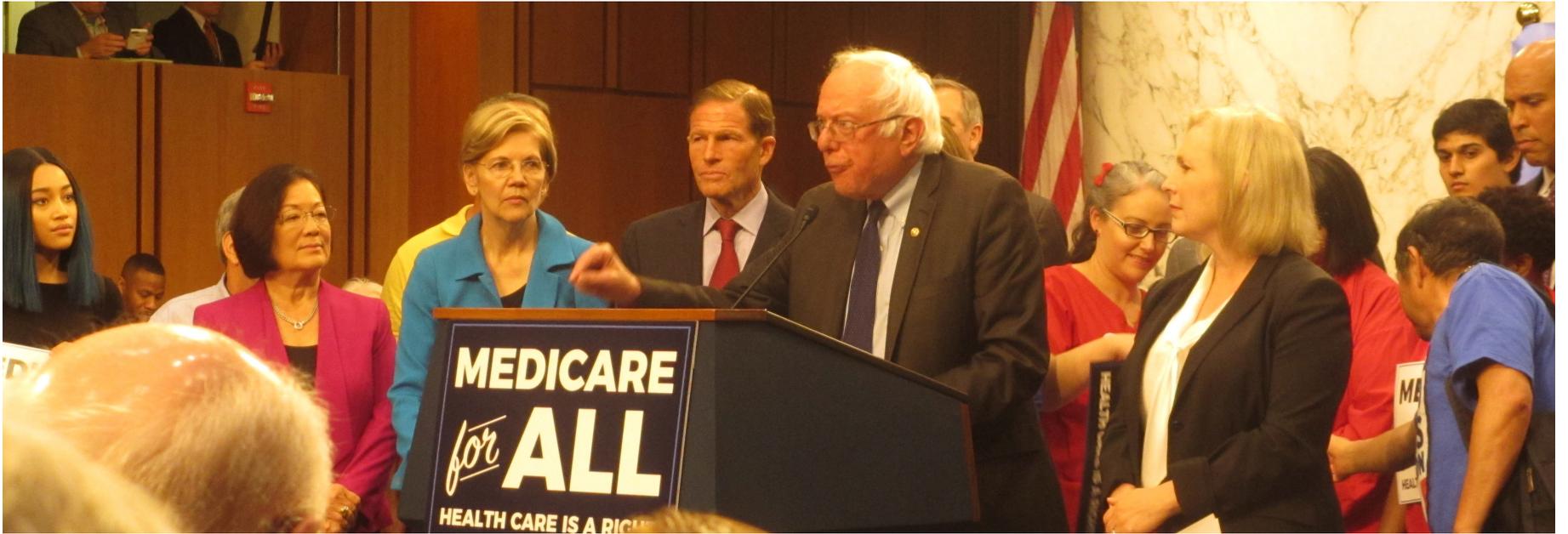
- Since Trump took office, citizens have channeled their public outrage into activism as a check on the president's out-of-control behavior. We

are helping to harness that energy by organizing activists across the country to support Special Counsel Robert Mueller and to push back – via media work, actions in states and questions at town halls – against any effort to remove Mueller or interfere with his investigation into the Trump campaign's contacts with Russia. By the end of the year, more than 150,000 Americans had signed up at TrumpIsNotAboveTheLaw.org to participate in hundreds of protests in all 50 states should Trump fire Mueller or seek to undermine the investigation in any way.

- We represent plaintiffs in a lawsuit, filed in December, against the U.S. Department of Homeland Security (DHS) for failing to produce records about a notorious detention facility. The lawsuit stemmed from a September 2016 Freedom of Information Act (FOIA) request seeking a "super-recommendations memo" issued by the DHS Office of Civil Rights and Civil Liberties that described "long-standing and continuing concerns" regarding an immigrant detention center in Alabama. The memo also called for DHS to "cease use of the facility" unless it could implement systemic reforms and ensure that the facility met basic quality and safety standards. After DHS refused to release the memo, the requesters retained Public Citizen to represent them in a FOIA lawsuit challenging DHS' refusal.

- In August, after the Trump administration proposed to roll back protections for nursing home residents who may be neglected or abused, we submitted comments to the Centers for Medicare and Medicaid Services (CMS) opposing the proposal. The proposal would rescind a CMS rule finalized less than a year earlier that prohibits forced arbitration "rip-off clauses" in nursing home contracts. Forced arbitration denies nursing home residents access to the courts when seeking compensation for fraud, abuse, neglect, medical malpractice and other forms of wrongdoing – forcing them instead to seek redress before corporate-friendly arbitrators, in secret hearings where appeal rights are sharply limited. As part of our effort to urge CMS to maintain the existing rule, we gathered signatures from more than 12,000 people urging CMS to keep the rule and teamed up with 31 U.S. senators to publicly oppose the agency's about-face.

CONSUMER HEALTH AND



U.S. Sen. Bernie Sanders (I-Vt.) introduces the Medicare-for-All Act of 2017 at the U.S. Capitol on Sep. 13. Photo courtesy of Nadia Prupis.

Donald Trump has used lofty rhetoric to claim he will lower drug prices – even saying that “pharmaceutical corporations are getting away with murder” – but his administration’s actions prove him to be disingenuous. We’ve been there every step of the way to chronicle and galvanize action around the contrast between Trump’s populist pledges and his affinity for fulfilling corporate wish lists.

Trump’s picks for the U.S. Food and Drug Administration (FDA) and the U.S. Department of Health and Human Services (HHS) are two egregious examples of his efforts to put corporations in charge of our government. In a report we published about Trump’s “Swamp Nominees,” we highlighted how FDA commissioner nominee Scott Gottlieb was enmeshed in a web of pharmaceutical industry ties (Gottlieb is a physician and venture capitalist, has been a venture partner at New Enterprise Associates and has served on numerous corporate boards, including the GlaxoSmithKline product investment board). The U.S. Senate confirmed Gottlieb by 57-42.

When Alex Azar, former president of Big Pharma corporation Lilly USA, was nominated by Trump to replace the morally bankrupt Tom Price as secretary of HHS, we organized a petition that got the word out about Big Pharma’s takeover and urged the Senate not to install another corporate executive in Trump’s Cabinet (as of this printing, the petition has more than 20,000 signatures, and Azar has not yet been confirmed).

And we led the opposition by organizing a letter from more than 60 civil society organizations, representing patients, health care providers, public health experts, workers, consumers and people of faith, to every senator, calling for them to vote “no” on his confirmation. We publicly argued that his history of making lifesaving medicines like insulin – Lil-

ly’s insulin prices doubled on his watch – unaffordable renders him unqualified for the job.

Tackling high drug prices

Public Citizen also responded quickly when the Trump administration drafted drug pricing goals that resembled a pharmaceutical industry wish list. In June, leaked proposals showed that Trump’s administration was eager to shift blame for pharma’s price gouging to federal programs, hospitals, Medicaid and developing countries, among others – to anything except the pharma corporations.

When we obtained the documents, we prepared and published analyses showing how the proposals would jeopardize patient safety and potentially increase – rather than lower – medicine prices. Public Citizen and allied groups also met with HHS staffers on June 23 and presented evidence that the order was not acceptable for patients worldwide.

Meanwhile, we defended against pharma’s push for even longer monopolies and pressed for solutions on Capitol Hill, helping develop several major pieces of legislation.

One, the Improving Access to Affordable Prescription Drugs Act (S. 771, H.R. 1776), aims to curb pharmaceutical monopoly abuses, create transparency for the development and pricing of prescription drugs and end government subsidies for Big Pharma’s television advertisements that drive up spending. This would bring down prices by enhancing generic competition and reining in greed and monopoly abuses.

Another bill, the Stop Price Gouging Act (S. 1369, H.R. 2974), would limit prescription drug price spikes. The legislation would penalize corporations that engage in price gouging by sharply raising prices. And we provided support for the Medicare Drug Price Negotiation Act (S. 2011, H.R. 4138) to allow our govern-

ment to leverage its bargaining power to negotiate with drug companies to get lower prices for seniors in Medicare Part D.

We also took the affordable medicine fight to the states, promoting a ballot initiative in Ohio that would have given a little more negotiating power to state-funded health programs.

Moving Medicare-for-all into the mainstream

The U.S. spends more on health care, per person, than any other country in the world, even though nearly 30 million Americans remain uninsured. Tens of thousands of Americans die each year because of a lack of adequate access to health care.

With that backdrop, the push by President Donald Trump and congressional Republicans to eliminate Affordable Care Act (ACA) coverage for 21 million Americans provided a key opportunity for us to present Medicare-for-All as a solution to the current system’s flaws. Leading a coalition of nearly 50 groups pressing for a single-payer system, we ratcheted up pressure on Congress to recognize health care as a right, not a privilege.

The movement for Medicare-for-All health care hit a milestone in early September when U.S. Sen. Bernie Sanders (I-Vt.) introduced legislation in the Senate to create a single-payer system that would expand health care coverage to every American.

The legislation came after a summer of marches, rallies and other actions combining the push to protect Obamacare with support for a single-payer system. On July 24, thousands gathered in Washington, D.C., and across the nation to support single-payer legislation introduced in the U.S. House of Representatives, the Expanded and Improved Medicare For All Act (H.R. 676).

"I have followed Public Citizen's work for many years and it is always at the top of my 'admiration' list. I think it started with Lori Wallach's work on trade quite some time ago. She's amazing. But also the efforts to watchdog our health care system, which seems to be done in very few places besides Public Citizen." – Mary Anne Mercer, Public Citizen member, Seattle, Wash.

SAFETY

Momentum for Medicare-for-All



Pictured at the Medicare-for-All rally in Washington, D.C., on July 24 (from left to right): Lisa Gilbert, vice president of legislative affairs at Public Citizen; Eagan Kemp, Public Citizen's health care policy advocate; and Susan Harley, deputy director for Public Citizen's Congress Watch division. Photo courtesy of Nadia Prupis.

Supporters held more than 50 rallies and marches across 20 states.

Public Citizen supporters participated in the Washington, D.C., July 30 march, which was timed around Medicare's 52nd anniversary.

Fighting to preserve FDA standards

We also derailed, for now, an effort by Big Pharma to lower FDA safety standards (if such an effort succeeds, it would be possible to get a drug approved based on very partial and inadequate evidence, and then effectively to market it for any purpose at all). While drug companies have maneuvered to aggressively roll back FDA marketing rules, our advocacy has taken several forms:

- Monitoring and commenting on proposals at the FDA to roll back marketing restrictions;
- Mobilizing doctors and medical professionals against diminished marketing standards;
- Filing complaints with the FDA about improper drug advertisements to push for more aggressive enforcement and ensure that First Amendment arguments do not result in de facto rollbacks of marketing

rules;

- Educating the public about the hazards of unfettered drug marketing and mobilizing public opposition to proposals to roll back current standards. We have over the past year built up an email list of 40,000 people dedicated to confronting drug company abuses; and
- Educating the public about and advocating for affirmative proposals to further restrict drug advertising and marketing, including by eliminating the tax deductibility of drug ads.

Beryllium as canary in the health care coal mine

More than 15 years after we petitioned the U.S. Occupational Safety and Health Administration (OSHA) for a stronger beryllium exposure standard, the agency in early 2017 issued a more protective final rule only to have Trump's OSHA delay its implementation and then propose eliminating virtually all the protections slated for construction and shipyard workers.

Beryllium is a metal present in many materials used in the aerospace, defense, telecommunications, automotive, electronics and

medical specialty industries. When workers inhale beryllium dust, they risk contracting lung cancer, chronic beryllium disease of the lungs and other fatal diseases. Approximately 62,000 people are exposed to beryllium in workplaces across the country.

We played an instrumental role in the effort to secure a final rule that would save 90 lives and prevent 46 new cases of chronic beryllium disease each year. At the regulatory proposal stage, we submitted comments urging OSHA to finalize an even more stringent permissible exposure limit for beryllium that was more in line with current scientific evidence on the dangers of beryllium. We also urged OSHA to extend the protections of the new rule to 11,500 construction and shipyard workers, who were excluded from OSHA's proposed rule.

The new standard that was poised to go into effect in March 2017 contained key protections we championed, such as extending the rule's protections to construction and shipyard workers, and OSHA even cited our comments and analyses in its discussion of the rule. We will continue to advocate for a strong standard on beryllium exposure so that workers are better protected from this dangerous substance. ♦

• In September, we sued the U.S. Food and Drug Administration (FDA) over its failure to address the potentially fatal health risks associated with an ingredient found in over-the-counter teething products. The ingredient in question is an anesthetic known as benzocaine that has been linked to methemoglobinemia – a rare but life-threatening blood disorder that impairs the body's ability to use oxygen.

• In a petition to the FDA in February, we called for the removal from the market of hydroxyethyl starch (HES) intravenous (IV) solutions because they can cause life-threatening side effects, and because safer, equally effective IV solutions are readily available. As we pointed out, among the safer and cheaper alternatives to HES are so-called "crystalloid" IV solutions, such as salt water, that have been the mainstay of fluid treatment for decades and, contrary to industry claims, are just as effective as the more dangerous and expensive "colloids" (of which HES is one type), in replenishing the body of necessary fluids and minerals.

• In 2017, we uncovered disturbing new information about a highly unethical federally funded trial that endangered premature infants (We first brought media attention to this U.S. SUPPORT trial in 2013.) We obtained records showing that lead researchers for the clinical trial, which began in 2005 and involved 1,316 premature infants, were alerted to serious problems with oxygen monitors used in the trial while it was ongoing but decided to continue enrolling infants without correcting the

problems and without notifying proper authorities or the infants' parents. In light of the new information, we called on the Office for Human Research Protections to expand its ongoing investigation of the trial, sanction the responsible parties and inform the parents of babies enrolled in the trial.

• We provided testimony to the U.S. Environmental Protection Agency (EPA) to urge the agency not to delay implementation of new Risk Management Program rules designed to increase chemical plant safety.

• As Republicans in Congress geared up to introduce legislation to reduce patients' legal rights in March, we issued a report, "The Medical Malpractice Scapegoat," that effectively debunks a myth promoted by the GOP about medical malpractice. We showed that costs relating to medical liability are tiny in the scope of national health care costs and are declining. Assumptions that limiting liability would reduce costs are without merit. Our report also documents that accountability from the civil justice system has spurred quality improvements that have reduced litigation and saved lives.

• We published "Take the High Road," a report showing that nearly half of construction firms hired by the Maryland Department of General Services received U.S. Occupational Safety and Health Administration citations in the past 10 years.

TEXAS, ENERGY AND ENVIRONMENT

Tracking Hurricane Harvey

One of the most dangerous aspects of Donald Trump's presidency is his skepticism about climate change and determination to roll back Obama-era standards to make the air cleaner, maintain offshore oil drilling safety protections, keep rivers free of coal mining waste, improve vehicle fuel efficiency and more. To head the U.S. Environmental Protection Agency, Trump appointed Scott Pruitt, who opposes the agency's mission. For the Interior Department, he chose fossil fuel booster Ryan Zinke. References to climate change have disappeared from government websites. Meanwhile, the planet has been wracked by record-breaking heat waves, supercharged storms and crippling droughts.

Public Citizen stepped up in 2017 to alert the public and lawmakers to the dangers of Trump's anti-climate, anti-science agenda. In addition, our Texas office continued making progress in boosting that state's use of renewable energy.

Hurricane Harvey as a teachable moment

In the aftermath of Harvey, news networks focused on Harvey's economic impact. Public Citizen helped shape the narrative in Texas, engaging with reporters to emphasize that six million pounds of air pollution were released during the storm – in many instances because of the petrochemical industry's carelessness or negligence.

References to climate change were noticeably absent from the initial coverage of Harvey. Our new "Cover Climate" campaign – which calls out media outlets that give short shrift to climate change – issued an analysis of 18 media outlets, highlighting those that failed to mention climate change in the context of Harvey in the week after the storm dissipated. After we released our report, both NBC and *USA Today* improved their coverage.

Our Texas office also launched WhoPaysForHarvey.com with the Center for Climate

Integrity to pressure the state to make climate polluters pay their fair share of the Hurricane Harvey recovery effort. As part of the effort to call out polluters, Adrian Shelley, our Texas office director, testified at a Texas Senate Natural Resources Committee hearing on flood-related issues. Stephanie Thomas, our Houston organizer, testified on the same subject before the Houston City Council.

All eyes on Texas

Timing is everything.

To further raise awareness about climate change, our Texas office planned a statewide tour for the fall to talk to policymakers and people about climate change. Luis Castilla, then-Texas press officer, began planning the trip well before Harvey hit.

But as Texas was still cleaning up from the superstorm, Castilla traveled to 18 cities across the state, spreading the message about the role of the fossil fuel industry in climate change, how climate change affects the vulnerable and what can be done to curb it. He met with local officials to underscore that climate change is a local issue and that our lives and those of our children depend on immediate action. The tour was featured in dozens of media stories.

Our Texas office in 2017 also encouraged cities to buy electricity generated only from renewable energy sources and boosted programs to help homeowners install solar panels in



In September, Public Citizen embarked on a Climate Change Tour across Texas to talk about the impacts and solutions around manmade global warming. Luis Castilla, press officer in Public Citizen's Texas office, is pictured with Mayor Dale Ross of Georgetown, Texas. Public Citizen file photo.

Austin and San Antonio. Public Citizen's Texas office is a leader in the effort to get coal-fired power plants in Texas to shut down, so the announcements in October that Texas-based energy company Vistra Energy would close three Texas coal plants were good news. In Austin, we are still pressing for Austin Energy to transition to 100 percent carbon-free energy and to accelerate the closure of the Fayette power plant. We're also working to expand energy efficiency and solar programs so they will benefit all Austinites in an equitable way. Our targets may be daunting, but we are looking to do nothing less than transform energy generation across the United States. ♦

- After leading the Texas office of Public Citizen for over 30 years, Tom "Smitty" Smith retired. Under his leadership, the Texas office made significant gains in the quest to shift the state to renewables; Texas is now a leading wind and solar power state. Smith's many other accomplishments range from helping form the Texas Emissions Reduction Program to successfully pushing for a better state lemon law. As we bid a fond farewell to Smith, we welcomed Adrian Shelley – former executive director of Air Alliance Houston – as our new Texas director.

- On Oct. 5, Tyson Slocum, director of Public Citizen's Energy Program, testified before the U.S. House Energy and Commerce Committee about improving the nation's electricity markets from a consumer's perspective. He criticized U.S. Energy Secretary Rick Perry's proposal to subsidize uneconomic nuclear and coal power plants as without merit. Public Citizen has led a national coalition and petitioned the Federal Energy Regulatory Commission to create and fund an Office of Public Participation, whose primary purpose would be to coordinate assistance to the public, and provide compensation for reasonable attorney's fees, expert witness fees and other costs of intervening or participating in any proceeding before the commission.

- Our Texas office, with Houston coalition partners Coalition of Community Organizations, t.e.j.a.s. and Air Alliance Houston, hosted informational meetings regarding the Volkswagen (VW) emissions cheating settlement in Houston, Fort Worth, Dallas and the Woodlands in May and June. The \$14.7 billion dollar settlement requires Volkswagen to compensate owners of vehicles impacted by the defeat devices, mitigate some of the harm done, and reduce future harm by using zero emissions technology. The effort gathered valuable feedback from community members about ways to reduce nitrogen oxide emissions through engine upgrades or replacements and brought more stakeholders into the VW settlement process. On Dec. 4, Texas Gov. Greg Abbott designated the Texas Commission on Environmental Quality as the lead agency to administer \$209 million of funding from the VW settlement.

- Determined to prevent Texas and New Mexico from becoming the nation's dumping ground for deadly radioactive waste, our Texas office worked to oppose H.R. 3053, or the Nuclear Waste Policy Amendments Act of 2017, which would eliminate a major hurdle for companies proposing to store deadly, cancer-causing, high-level nuclear reactor waste at consolidated interim storage sites.

"I love Public Citizen, because I can only yell about the insanity, they actually do something about it." – Lewis Black, comedian and Public Citizen member, Los Angeles, Calif.

GLOBALIZATION AND TRADE

A Year of NAFTA Advocacy



At a press conference held outside the U.S. Capitol on Oct. 11, Public Citizen's Global Trade Watch team and members of dozens of civil society organizations from the United States, Mexico and Canada delivered more than 400,000 petition signatures to Congress, demanding elimination of NAFTA's corporate investor privileges. Photo courtesy of JaRel Clay.

Donald Trump was elected, in part, due to his promises to fix our broken trade policy. He called the North American Free Trade Agreement (NAFTA) “the worst trade deal maybe ever signed anywhere” and promised to inform Mexico and Canada “immediately” that either it must be renegotiated to make it “a lot better” for working people or he will withdraw from NAFTA.

Public Citizen was a leader in the fight against NAFTA ratification more than 20 years ago and has been monitoring and exposing the deal's damage ever since. Public Citizen's Global Trade Watch spent 2017 holding Trump accountable to his trade-related promises and setting the bar high for NAFTA renegotiation to realize a longtime demand of consumer and environmental groups, unions and progressive leaders: the replacement of NAFTA with a new deal that stops jobs outsourcing and puts people and the planet before corporations.

The capstone of the year of #ReplaceNAFTA was a nationwide day of action on Dec. 13. Public Citizen's trade team led a coalition of 70

labor, environmental, faith, consumer, family farm and other progressive groups urging their combined 10 million members to call, Tweet and email members of Congress during the final 2017 round of NAFTA renegotiation talks.

The coalition urged the administration to eliminate NAFTA's outsourcing incentives and add strong labor and environmental provisions that meet fundamental international standards, include swift and certain enforcement, and raise wages for all workers. Members of Congress from all 50 states received calls demanding that a vote on a renegotiated NAFTA not be held until these essential standards are met.

U.S. Sen. Bernie Sanders (I-Vt.) and U.S. Rep. Rosa DeLauro (D-Conn.) kicked off the Day of Action with a press conference on Capitol Hill. “We are here today to send a very loud and clear message to Donald Trump: for once in your life keep your promises,” said Sanders. “We need to fundamentally rewrite NAFTA.”

DeLauro explained that, “The biggest economic challenge of our time is that people are in jobs that do not pay them enough to live on – and NAFTA has only exacerbated that problem by allowing companies to outsource American jobs and pay workers even less ... That is why NAFTA must be rewritten to raise wages and level the playing field for workers.”

Video of the two fair trade leaders received more than 200,000 views online, and #ReplaceNAFTA was the top trending hashtag on Twitter that day and was viewed by more than 3,600,000 people. More than 900 people participated in a “Thunderclap” action ahead of the Day of Action by signing up to have an automated message sent on their social media accounts. These messages, sent over Facebook, Twitter and Tumblr, reached nearly 2 million people on the Day of Action, urging them to call their members of Congress.

What does 2018 hold for NAFTA?

Negotiations have reached a pivot point. Almost one million U.S. jobs have been certified as lost to NAFTA, with more outsourced every week to Mexico, where wages are 9 percent lower than before NAFTA and a tenth of what they are in the United States and Canada. The top administration trade official has been a longtime opponent of NAFTA and has tabled proposals to remove NAFTA job outsourcing incentives, including its special investor protections and its Buy American waiver, to limit Chinese content in NAFTA goods and to add a mandatory five-year review.

But business lobby groups are urging Mexico and Canada simply to ignore these proposals, which Public Citizen and other progressive groups support. The corporate strategy increases the chances that talks deadlock and Trump withdraws from NAFTA. But Americans across the political spectrum reject the NAFTA status quo. As the Day of Action shows, this coalition will keep fighting for a new deal that cuts NAFTA's job-outsourcing incentives and corporate tribunals, and adds strong labor and environmental terms to level the playing field. ♦

- We spearheaded a NAFTA petition drive that obtained 100,000 signatures, and delivered the petitions at a press event on the opening day of NAFTA hearings.
- We created a comment submission tool and organized Public Citizen activists to submit more than 11,000 comment submissions to the U.S. Trade Representative's docket on NAFTA replacement. Working with allied organizations, the coalition submitted so many comments with demands for a NAFTA replacement – 50,000 – that the government website crashed.
- We organized unions, environmental and other advocacy groups to fight for a central demand on NAFTA renegotiation: the removal of Investor-State Dispute Settlement (ISDS) from NAFTA. We delivered more than 400,000 petition signatures with this demand at a press conference in front of the U.S. Capitol with several members of Congress in attendance. (ISDS makes it less risky and cheaper for corporations to outsource jobs. ISDS also enables corporations to attack domestic policies that protect public health and the environment by going before tribunals of three corporate lawyers who can order unlimited compensation to be paid to the corporations by taxpayers.)
- We organized 230 economics and law professors to sign a letter to President Donald Trump opposing ISDS in NAFTA and other trade deals.
- We worked with the American Sustainable Business Council and GreenAmerica's Business Network to get 100 small businesses – and Ben Cohen and Jerry Greenfield from Ben & Jerry's ice cream – to sign a letter to Trump opposing ISDS in NAFTA and other trade deals.
- We collaborated with the Citizens Trade Campaign to organize 15 town halls and independent field hearings on NAFTA's renegotiation across the country.
- We released a report along with Good Jobs Nation on Trump's 100th day in office documenting the Trump administration's track record of rewarding job-outsourcing companies with federal contracts – despite his promises to “bring back” jobs.
- We produced five fact sheets on NAFTA's legacy for jobs and wages, farmers, Mexico, immigration and expanded corporate power to attack public interest laws. We also created a new web feature that provides state-specific information about NAFTA job loss and other damage.

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Cheryl L. Sweeney
Patricia Swatek-Ficht
Robert Swiatek
Sara Syer
Deborah Szekely
Taubert Memorial
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Marilyn E. Urquidí
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Theo and Pia Van De
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Barbara Virzi
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Bill Wagner
Barbara Walden
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Elizabeth Warriner
Walter Watson III
Sanford Waxer
J. Dix and Barbara
Wayman
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Nancy Maizels
Christine Weir
Michael A. Weissman
Mildred Weissman
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Jack C. Westman
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Beverly B. Wickstrom and
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Helen Williams
Lois Williams
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Michael Yessik and
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monthly)

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Caroline Beverstock
Justin Billings
Alexandra and Stephanie
Borns-Weil
Allen B. Chazin
Leo Cu
Michael Donahue
Aaron Dorfman
Benjamin Elga
Roberta Eveslage
Susan Farrell
Eugene Forsyth
Peter Frisbee
John Gibson
Bruce Gillam
Rhoda Gilman
Noreen Greeno
Pat Greenup
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Herzen
David Homsy
Helen Hopkins
Susan Hughes
Daniel Jernerson
Kathleen Jones
Oscar R. Jones
Susan Knape
Marie Kovalevsky
Kelly Matthews
Jean Mansfield
J. Hilda Navarez
Russell and Suzi Posch
Nancy Rader
Rita H. Rausch
Martha Reddout
Mary Ellen Reed
Zeke Reich
Edward Seldin
Mary Ellen Sheehy-Reed
Gary Stewart
Kathi Thonet
Maxine Triff
Tara Wakefield
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Barbara Wayne
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