



2019 was tumultuous and challenging, dominated by an out-of-control president who by year's end was impeached, but also marked by hard-won victories and the continued growth of a nationwide progressive grassroots movement.

In the face of a lawless administration, Public Citizen worked with allies to organize actions nationwide at key moments. Our goals were to protect from political interference those investigators probing Russian meddling in the 2016 election, then to support lawmakers as they moved to impeach President Donald Trump for abuse of power and obstruction of justice. We turned out hundreds of thousands of people in hundreds of events around the country.

Highlighting the Trump administration's corruption, Public Citizen and allies pushed successfully for U.S. House of Representatives passage of the For the People Act (H.R. 1), a package of democracy reforms unprecedented in scope.

And we won critical improvements to the revised North American Free Trade Agreement deal that Trump signed in 2018. The final deal eliminated the Big Pharma giveaways and strengthened labor and environmental terms and their enforcement.

With tens of millions still lacking health insurance, we ramped up our Medicare for All campaign, waging an aggressive communications strategy to counter industry lies about the policy and a grassroots campaign to mobilize support. For the first time ever, House leadership took Medicare for All seriously enough to hold four hearings on it.

We also were instrumental in strengthening House-passed legislation that would curb drug prices.

We had other successes in the House: After months of prodding from us and other groups, Congress allocated \$425 million to secure elections. And we attained a milestone when the House passed a bill to prohibit forced arbitration clauses, which require people to give up their

right to go to court to hold corporations accountable for wrongdoing.

On the legal front, we continued to challenge the Trump administration's illegal policies and regulatory rollbacks. In a suit filed on behalf of three landowners in south Texas and a Texas environmental group, we were the first organization in the nation to sue over Trump's declaration of a national emergency at the southern border.

In another case, we intervened in an industry challenge to a minimum-wage law and helped to preserve \$123 million in additional wages for farmworkers.

Our litigation also brought to light government information describing the appalling conditions in an infamous Alabama detention center.

We sued the administration to protect Obama-era fuel economy standards; sued to protect workers at pork processing plants from a new rule eliminating speed limits on processing lines; and took the administration to court over the rollback of a rule requiring certain businesses to provide data on workplace injury and illness.

And of course we continued our work to protect consumers. We launched a campaign to bolster digital privacy and waged a fight against Facebook's proposed cryptocurrency, known as Libra. We successfully intervened in regulatory cases to promote transparency and fight unfair electric utility rate hikes. And we successfully pushed for a ban on certain dangerous surgical mesh products for the transvaginal repair of pelvic organ prolapse.

To combat climate change, we participated in the introduction of legislation to develop national protections for workers exposed to high heat – a way not only to protect workers but also to illustrate the real impacts of climate change. Throughout the year, we urged reporters to cover climate change as a crisis. And our Texas office made a big impact on climate and environmental policy in 2019.

And that's just a sampling. The following pages outline in detail this work and much more. ■



From calling for the impeachment of President Donald Trump to making the case for the sweeping legislative package known as H.R. 1 to organizing actions nationwide to demand secure elections, 2019 was a banner year for advancing bold solutions and holding accountable a president and a White House intent on obstructing justice.

STRENGTHENING DEMOCRACY

- ◇ In June, the country took a major step toward fixing our broken democracy as New Hampshire became the 20th state to support a constitutional amendment to overturn the U.S. Supreme Court's disastrous *Citizens United* decision. For seven years, Public Citizen has led an energized coalition to pass 82 local resolutions in New Hampshire in support of an amendment, which would prohibit corporations from spending money in elections. Nineteen other states, Washington, D.C., and more than 800 municipalities – bolstered by more than 5 million petition signatures – have called for a constitutional amendment to overturn *Citizens United*.
- ◇ Pushed by a broad coalition of organizations, including Public Citizen, the New York Legislature passed a raft of major election reforms in January – including early voting and pre-registration for 16- and 17-year-olds. Lawmakers also approved same-day registration and no-excuse absentee ballots, subject to voter approval.
- ◇ Activists with Public Citizen and more than 30 state and national groups in dozens of cities nationwide organized evening vigils on Aug. 6 to mark the 54th anniversary of the signing of the Voting Rights Act. Public Citizen spearheaded the effort and urged Congress to restore access to the ballot. The 1965 law improved voting rights and voter turnout for black, brown, Native and Asian Americans, but the Supreme Court gutted the law in its 2013 *Shelby* decision.
- ◇ Along with its partners in the “Trump Is Not Above the Law” coalition, Public Citizen amplified the findings of Special Counsel Robert Mueller’s report on the Russian efforts to interfere in the 2016 election. We mobilized 300 demonstrations nationwide to rally for the report’s release. Once it was public, we convened a virtual Mueller Book Club to encourage more people to read the report and help participants in the nationwide reading group understand the nuances of the document. Book club videos have garnered more than 600,000 views.
- ◇ When it comes to dealing with the “revolving door” – the corrupting practice by which government officials swing back and forth between public service and lucrative private-sector employment – states can offer the federal government lessons. Public Citizen in July issued a report showing how states, including Florida, Iowa, North Dakota and Maryland, prevent former state officials from conducting any lobbying activity for a period of time after leaving public office.

BUILDING IMPEACHMENT MOMENTUM

From the moment Trump set foot in office, it was obvious that he saw no duty to uphold our constitutional values. By putting his daily, flagrant corruption and abuses of power in the open for all to see, he has flaunted his disdain for the foundational principles of our democracy. The Constitution has a remedy for a president who betrays the country in this way: impeachment. Revelations in October of Trump’s efforts to interfere in the 2020 presidential election by extorting Ukraine into investigating a political opponent galvanized progressives to call for just that.

Public Citizen helped lead the mobilization of more than 200,000 people as part of more than 600 “Nobody Is Above the Law” pro-impeachment actions that took place in all 50 states and the District of Columbia on Dec. 17, the night before the U.S. House of Representatives made the historic decision to impeach Trump. Activists and others gathered in front of the district offices of House members and U.S. senators to call on lawmakers to uphold the Constitution and their oaths of office by supporting Trump’s impeachment. (See story on page 1.)

This mobilization was part of a larger grassroots effort that launched in October and included nationwide actions and town halls during the November congressional recess to amplify calls for an impeachment inquiry and Trump’s removal from office. Public Citizen played a key role throughout; we spearheaded a media campaign in support of impeachment, strategized with lawmakers and lobbied for impeachment.

Riding the crest of activist energy, on the morning of the House vote, representatives from Public Citizen and some of the nation’s largest grassroots groups, veterans groups, constitutional organizations, national security voices and other organizations rallied at the U.S. Capitol to support Trump’s impeachment and remind the nation that no one is above the law.

MAKING THE CASE FOR H.R. 1

In light of systematic disenfranchisement, too much corporate money in politics and ethics abuses in government, Americans nationwide demanded solutions. In 2019, Public Citizen and allies pushed lawmakers for big, bold change – and U.S. House of Representatives lawmakers delivered. On

March 8, they passed the For the People Act (H.R. 1), the most sweeping pro-democracy and anti-corruption legislation of the past 50 years.

The measure – which includes ethics and campaign finance reforms, policies to slow the revolving door between public service and business, and electoral reforms to ensure that every eligible voter can cast a vote free from barriers – would enable lawmakers and policymakers to work for and protect the people, not superrich donors.

Public Citizen spearheaded the coalition pushing for the policy – an unprecedented alliance, called the Declaration for American Democracy, of more than 130 democracy, environmental, good government, civil rights and other organizations.

Later in March, Public Citizen and other coalition representatives joined U.S. Sen. Tom Udall (D-N.M.) for the introduction of the For the People Act in the U.S. Senate. The bill was quickly co-sponsored by every Democratic senator.

Public Citizen and the coalition are mobilizing people across the country to move the bill in the Senate in 2021.

SECURING ELECTIONS

Voting systems in states remain vulnerable to internal and external hackers who might do everything from change names and addresses in voter registration databases to change votes cast, thereby manipulating outcomes. In 2019, Public Citizen pressed Congress to fund election security adequately and pass comprehensive election security reforms. To ensure the integrity of the 2020 elections, Public Citizen called on Congress to send states \$600 million in election security grants.

But Congress moved slowly, so on Sept. 17, we organized a national day of action at more than 40 locations across the country to urge senators to give states the money they need to secure the vote. Public Citizen also held a telephone press conference with U.S. Sens. Ron Wyden (D-Ore.) and Richard Blumenthal (D-Conn.), U.S. Rep. John Sarbanes (D-Md.), election security experts and activists to highlight the urgent need for security upgrades ahead of the 2020 election.

Following more calls and actions, Congress in December passed a funding bill for fiscal year 2020 that allocated \$425 million for election security. ■



Faced with a lawless and corrupt administration and tech behemoths scheming to gain greater control over our data and our lives, Public Citizen expanded the fight in 2019 for government and corporate accountability – bringing together new allies and launching bold initiatives to meet emerging challenges.

PROTECTING DIGITAL PRIVACY

Big Tech companies are siphoning more and more data from our electronic devices about everything from where we travel and who our friends are to what we eat, what medications we take and what purchases we make. So at the beginning of 2019, Public Citizen launched a new campaign to bolster digital privacy.

Together with our allies, we're pushing for a federal law that would create a new data protection agency, strengthen anti-discrimination safeguards online for women and people of color, create tougher measures to protect children, allow individual consumers to sue tech companies over privacy violations, and ensure that state and local governments can continue to enact stronger privacy laws.

Although tech lobbyists managed to get a number of legislative proposals on the table that are rigged in their favor, thanks to our efforts, several members of Congress introduced bills that included the crucial elements needed to protect our privacy.

In addition to our digital privacy campaign, we launched the fight against Facebook's proposed cryptocurrency, known as Libra – a form of digital cash that would be issued and controlled by the tech giant. Facebook's proposal raises profound questions about national sovereignty, corporate power, consumer protection, competition policy, monetary policy, privacy and more that federal, international and global regulators are not prepared to address.

In July, Public Citizen President Robert Weissman testified before the U.S. House Financial Services Committee, where he urged Congress and regulators to put a moratorium on Facebook's proposal. Libra threatens to facilitate massive consumer rip-offs, privatize currency and undermine countries' ability to pursue monetary policy, he said. It also would threaten global financial stability, enable criminal money laundering and entrench Facebook as an unparalleled global monopolist. More than

30 groups joined Public Citizen in calling for the cryptocurrency proposal to be quashed. Financial regulators throughout the world are threatening to block Libra, but Facebook has not yet abandoned the project.

TAX REFORM AND MORE

In March, we helped inject the idea of a Wall Street tax into the national debate over how to raise revenue and get the superrich to pay their fair share. A Public Citizen report showed that a small tax on financial transactions, such as a 0.1% levy on the purchase of stocks and bonds, would raise hundreds of billions of dollars almost entirely from the wealthy.

Our research definitively refuted bogus claims made by Wall Street-funded think tanks suggesting that the tax would hurt middle-class families. A key benefit of the tax is that it likely would put an end to high-frequency trading – the high-speed computerized stock trading that can cause wild swings and even crash financial markets.

In April, a Public Citizen petition prompted the U.S. Office of Government Ethics to initiate the process for regulating legal defense funds in the executive branch – a major potential source of corruption, especially in the Trump era. A comprehensive rulemaking is expected in 2020 that could put in place contribution limits, establish clear disclosure requirements and ban funding from sources that have business pending before the government official.

Finally, throughout the year, we fought to ensure that the federal budget works for the people. We spearheaded a new coalition of progressive groups that called on the next president to cut Pentagon spending and redirect the funding toward human needs. The coalition called for at least \$200 billion in immediate cuts to military spending, which would free up at least \$2 trillion over the next decade for domestic priorities such as jobs, renewable energy and health care. ■

DEFENDING SAFEGUARDS

Slashing public protections has been a top priority of the Trump administration, Republicans in Congress and the corporate CEOs who support them. Public Citizen has been watchdogging their efforts and fighting back. Here's what we found in 2019:

- ◇ Since President Donald Trump took office, dozens of regulatory protections have been sent to the chopping block. In our comprehensive report, "Lost Safeguards," we told the story of nearly 30 of these. We also highlighted that polls show substantial bipartisan majorities in favor of the rules that have been eliminated. The message: Trump is undermining public protections to please his corporate and industry friends – but at his peril.
- ◇ Trump's administration has enabled unprecedented corporate capture of federal regulatory agencies. Instead of protecting the public, agencies have rolled back a multitude of health, safety, environmental and consumer protections at the behest of corporate interests. Public Citizen's report "Your Wish Is My Command" showed that federal agencies granted or were working on granting 85% of the wishes on a list of deregulatory demands submitted early on in the Trump administration by the National Association of Manufacturers (NAM), a big business trade association. NAM and Trump administration officials targeted more than 130 public protections.
- ◇ The forcefield of Koch funding in conservative politics is well known, but less known is the family's influence in academia. Our report, "A Key Cog in Charles Koch's Master Plan," detailed how George Washington University's Regulatory Studies Center, which claims to be an unbiased and objective analyst of regulatory policy issues, works against regulation and relies primarily on researchers with ties to groups funded by the petrochemical billionaires Charles and David Koch. The report unearthed numerous instances of writers at the center imparting deceptive or patently false information, such as grossly misstating the scope of regulation, exaggerating the annual growth of regulation and citing discredited studies on the annual cost of regulation.



Throughout 2019, sky-high prescription drug prices remained a top issue as people nationwide continued to struggle to afford medications. In December, the U.S. House of Representatives finally passed legislation designed to lower drug prices. Not only was Public Citizen instrumental in that legislation, but in 2019 we also worked to improve consumer health by pushing the government to make an AIDS prevention treatment widely accessible, ban the sale of dangerous drugs and products – successfully, in the case of surgical mesh for the transvaginal repair of pelvic organ prolapse – and curb the opioid crisis.

PROTECTING PATIENTS FROM DANGEROUS DRUGS AND SUPPLEMENTS — AND MORE

- ◇ In September, Public Citizen sued the U.S. Food and Drug Administration (FDA) over the agency's failure to respond to our petition to ban the sale of all dietary supplements containing cesium chloride, which is touted as an alternative treatment for cancer. The FDA previously declared cesium chloride to be unsafe for human use because cesium compounds can cause serious, life-threatening adverse cardiovascular events.
- ◇ In February, partly through the petitioning of Public Citizen, the FDA required the addition of a black box warning, the strongest warning that the agency can require, on the labeling of the deadly gout medication febuxostat (sold under the brand name Uloric). The drug's label now warns consumers about the increased risk of death from cardiovascular causes compared to the older gout drug allopurinol (sold under brand names Lopurin and Zyloprim). The agency also narrowed the approved use of the drug: the black box warns that febuxostat should be used only by patients who had an inadequate response to maximal doses of allopurinol and who cannot tolerate that drug.
- ◇ In October, Public Citizen petitioned the FDA and then testified before an advisory committee to call for the drug Makena – marketed as a way to reduce the risk of preterm birth in certain high-risk women – to be taken off the market because it is not effective for preventing preterm birth or related complications. We argued that keeping the drug on the market would make a mockery of the more than 50-year FDA legal standard requiring substantial evidence of a drug's effectiveness.
- ◇ In 2019, Public Citizen shone a light on another important public health problem: physician sexual abuse of patients and offered 11 key recommendations – which were published in the *Journal of General Internal Medicine* – that state medical boards and health care institutions can take to guard against it.

LOWERING DRUG PRICES

Public Citizen began collaborating with U.S. Rep. Lloyd Doggett (D-Texas) in 2018 on a progressive drug pricing bill. Introduced in February 2019, it gave the federal government direct power to negotiate drug prices with manufacturers. More than 120 House Democrats supported it.

With that legislation setting the parameters for debate, House leadership drafted its version, H.R. 3. The initial proposal had limitations, so Public Citizen worked to inspire a stronger bill by providing a detailed analysis, doing media outreach and talking to lawmakers and their staffs.

On Dec. 12, the House passed H.R. 3, which would generate savings by enabling the government to negotiate prices for dozens of drugs per year and hold prescription drug corporations accountable for their rampant price abuse.

ENDING PATENT CONTROL, ENDING AIDS IN OUR LIFETIME

Throughout 2019, Public Citizen worked with activists to get AIDS treatment-as-prevention medications into the hands of all who need it. The message was simple: Gilead Sciences, the drug company making HIV treatment Truvada, didn't pay for the original research that led to Truvada being used for HIV prevention. The government – i.e., taxpayers – paid. So the government should have a say on the price.

In April, we joined other groups to call on the director of the U.S. Centers for Disease Control and Prevention (CDC) to use government patents – which allowed Gilead to charge outlandish prices for Truvada – for the benefit of the American people and make the medication more affordable in communities where HIV prevention medication is underused, such as communities of color.

When the U.S. House Oversight and Reform Committee held a hearing on Truvada's pricing in May, Public Citizen provided information highlighting the systemic failure of the government to exert control over drugs developed from taxpayer-funded research and pointing out that patent royalty payments from Gilead alone could dramatically reduce the number of new HIV infections in the country.

Our work helped prompt the U.S. government to sue Gilead in November for infringing its patents on Truvada for HIV prevention – a major step toward ending AIDS in our lifetime.

BANNING SALES OF SURGICAL MESH

Following years of urging from Public Citizen, the U.S. Food and Drug Administration (FDA) in 2019 finally ordered manufacturers of all surgical mesh products for the transvaginal repair of pelvic organ prolapse to stop producing and selling them in the U.S. immediately.

Public Citizen first petitioned the FDA to ban these mesh products in 2011, citing studies that found the use of surgical mesh for pelvic organ prolapse repair provided no clinically significant benefits compared to repair without mesh. The agency denied the petition but reclassified the products as high-risk devices in 2016.

In February 2019, Public Citizen testified before an FDA advisory committee and once again urged the agency to ban the products. In April, the FDA announced that the sale of surgical mesh products for the transvaginal repair of pelvic organ prolapse would no longer be allowed. It was a major victory in a year in which wins did not come easily.

REINING IN THE OPIOID CRISIS

Every day, about 46 people in the U.S. die from prescription opioid overdoses, according to the CDC. So in March, Public Citizen and an FDA advisory committee chair petitioned the agency for a moratorium on approvals of all new opioids until the agency has implemented recommendations of the National Academies of Sciences, Engineering, and Medicine for a stronger review and approval process.

The petition was noteworthy because a sitting FDA advisory committee chair joined it. Despite the effort, the FDA denied the petition in September. Later that month, we testified at a public hearing and reinforced the call for the FDA to adopt the improved regulatory framework recommended by the National Academies.

One of the most commonly prescribed opioids in the U.S., tramadol, was misused by more than 1.5 million people in 2018, according to the government. In November, Public Citizen petitioned the government to move the drug to a more restrictive classification of controlled substances because it is overprescribed, highly addictive and potentially deadly.

We also called out California-based BioCorRx, Inc. and the Louisiana Department of Public Safety and Corrections' testing of an unapproved drug on prison inmates to determine its effectiveness in managing opioid and alcohol addiction disorders. ■



Every day, more Americans are realizing how broken and unfair our health care system is. Politicians are starting to listen, and Medicare for All in 2019 emerged as the leading health care solution being debated at the national level in both Congress and among presidential candidates. As lawmakers continue to discuss how to lower drug prices, expand coverage and improve health outcomes, Public Citizen has pushed for this commonsense solution.

RESOLUTIONS

Although the Affordable Care Act expanded coverage, 30 million people remain uninsured, another 44 million are underinsured, families still go bankrupt from medical debt and about 250,000 people each year turn to crowdsourcing to pay for necessary procedures. Americans have had enough.

In April, Public Citizen and other advocacy groups launched a grassroots campaign to encourage cities, towns and counties across the country to pass resolutions in support of Medicare for All. These resolutions, presented to and then passed by local officials, are intended to send a message to Congress that the American people demand guaranteed access to health care.

By year's end, more than 25 resolutions had been passed in 11 states, including in major cities such as Tampa, Detroit and Los Angeles, with more than 270 local efforts underway to pass Medicare for All resolutions in 2020.

We also gathered petition signatures to show grassroots support for this commonsense policy. In October, Public Citizen and other groups delivered more than 2.2 million signatures in support of Medicare for All to the U.S. House of Representatives, signaling growing strength and momentum around the movement.

CONGRESSIONAL MOVEMENT

These grassroots movements have helped fuel support for Medicare for All nationally, drawing attention not just from leading presidential candidates, but also powerful congressional committees and leadership.

In January, House Speaker Nancy Pelosi (D-Calif.) announced her support for hearings on Medicare for All legislation, the first time the policy has been taken seriously by House leadership. Over the year, four hearings were held on the legislation. These showcased how Medicare for All would cover everyone while reducing overall health care costs.

At each of the hearings, Public Citizen advocates were present to show their support for the policy. By the end of the year, the Medicare for All Act of 2019 had reached 118 co-sponsors, representing more than half of the Democratic caucus.

PUBLIC OUTREACH

In 2019, Public Citizen also worked to better inform the public and politicians about Medicare for All's details and benefits, and to dispel industry lies.

Ahead of the September debate in Houston, Texas, Public Citizen erected two billboards over the city's freeways to make sure Medicare for All was on Texans' minds.

Public Citizen also created and released graphics and videos on social media to highlight how many people turn to crowdsourcing for their medical bills, how many other countries guarantee universal health care and how much money Big Pharma executives have raked in while denying affordable medicines to people who need them.

We also held regular webinars throughout the year that featured members of Congress, local officials and national leaders to educate and galvanize activists across the country. At a virtual town hall meeting moderated by Public Citizen in October, freshmen superstars U.S. Reps. Ayanna Pressley (D-Mass.) and Ilhan Omar (D-Minn.) emphasized to the more than 30,000 viewers who tuned in that Medicare for All legislation would guarantee comprehensive medical coverage for everyone in the U.S., eliminate out-of-pocket health care costs, vastly increase physician and hospital choice and save money on health care for families.

And to push back on lies and propaganda peddled by health care corporations and Big Pharma, Public Citizen held several press conferences and distributed weekly tipsheets to reporters to inform them of the facts about Medicare for All.

REPORTS AND ECONOMISTS

As Medicare for All surged in popularity and threatened the profits of insurers, for-profit hospitals and Big Pharma, corporate interests ramped up their lobbying to attack the policy.

A June report by Public Citizen found that from the first quarter of 2018 to the first quarter of 2019, lobbying on Medicare for All surged ninefold, with most of the lobbying being done by corporations and trade groups against the policy.

But they're up against a worthy opponent: the truth.

In February, Public Citizen released a comprehensive report that answered many of the questions people have about Medicare for All, based on a thorough review of research.

The report highlighted the cost savings under Medicare for All compared to our current health care spending. The system would save money by reducing administrative costs by \$500 billion per year and allowing the government to negotiate for more affordable medicines. We also found that the policy would improve financial stability for struggling rural hospitals and doctors without increasing patient wait times.

Additionally, an analysis released by Public Citizen in June explained how, under Medicare for All, the U.S. would save about \$5 trillion over 10 years and reduce overall health care spending for working families by 14%.

Economists agree with Public Citizen on the economic benefits of Medicare for All. In addition to more than 250 economists signing a public statement supporting Medicare for All, several prominent economists, including Jeffrey Sachs from Columbia University and Gabriel Zucman from the University of California, Berkeley, joined Public Citizen in November for a telephone press conference to detail the policy's cost savings.

As 2020 begins, Public Citizen will continue this important grassroots effort until health care is a human right in the United States of America. ■



Public Citizen was active in the courts in 2019, defending protections for consumers and workers, and seeking to hold the government accountable to the public.

GOING TO COURT

- ◇ In September, Public Citizen resolved a lawsuit that forced the U.S. Department of Education to unblock Public Citizen's website on the department's Wi-Fi and employee internet networks. The department's web filtering service had lumped our website in with pornography and gambling sites. In response to Public Citizen's lawsuit against the department for violating the First Amendment, the department restored access to the website.
- ◇ In January, the U.S. Occupational Safety and Health Administration (OSHA) rolled back a regulation that requires certain businesses in high-risk industries to electronically submit workplace injury and illness records to OSHA. Public Citizen promptly sued OSHA in federal district court, arguing that OSHA's rollback undermines worker health and safety.
- ◇ Public Citizen is serving as lead appellate counsel for an Oregon resident harassed by a debt-buying company that used abusive practices to collect a debt from her. A federal court in Oregon dismissed the case, holding that the company could not be held accountable under the Fair Debt Collection Practices Act because it did not meet the act's definition of a "debt collector." Public Citizen argued the case before the Ninth U.S. Circuit Court of Appeals in October.
- ◇ In July, Public Citizen resolved a Freedom of Information Act lawsuit filed on behalf of immigrant and civil rights groups against the U.S. Department of Homeland Security. As a result of the lawsuit, the department disclosed portions of a memo describing appalling conditions in the infamous Etowah County Detention Center in Alabama.
- ◇ Public Citizen lawyers, assisted by lawyers at the United Food and Commercial Workers union, filed a lawsuit in October in the U.S. District Court for the District of Minnesota, urging the court to set aside a rule by the U.S. Department of Agriculture that eliminates speed limits on slaughter and processing lines at pork plants and reduces the number of government safety inspectors on the lines by 40%. We represent the international union and three locals; their members, workers at the plants, are at greater risk of injury because of the new rule.
- ◇ Public Citizen served as U.S. Supreme Court co-counsel on behalf of four nonprofit organizations asking the court to affirm that the Clean Water Act prohibits discharging pollution into groundwater that connects directly to the ocean, without a permit. The Supreme Court heard oral argument in November and is expected to issue its decision by June 2020.

CHALLENGING TRUMP'S NATIONAL EMERGENCY

Public Citizen filed the first lawsuit challenging President Donald Trump's declaration of a national emergency and his attempt to fund construction of a wall along our southern border. On Feb. 15, just hours after Trump's declaration, Public Citizen filed suit in the U.S. District Court for the District of Columbia on behalf of three landowners in South Texas who were told by the government that it would seek to build a border wall on their properties, as well as the Frontera Audubon Society, whose members' ability to observe wildlife, free of harm, would be severely curtailed by the wall.

We argued that Trump had exceeded his authority under the National Emergencies Act, the Constitution and other statutes invoked by the president to fund the wall. Six more lawsuits subsequently were filed on behalf of various organizations and by 16 state attorneys general.

In April, the government submitted sworn declarations stating that it would not use funds transferred pursuant to the national emergency proclamation for any wall construction in the Rio Grande Valley, where our clients are located. Public Citizen then dismissed the case.

A VICTORY FOR WORKERS

In part because of Public Citizen's legal intervention, migrant farmworkers were able to receive their government-mandated minimum wage in 2019.

The U.S. District Court for the District of Columbia in March dismissed a lawsuit filed by growers seeking to throw out wage rates set by the U.S. Department of Labor for farmworkers employed by growers that use the H-2A agricultural guest worker program.

The growers' lawsuit against the department was an effort to invalidate the minimum hourly rate that employers using the H-2A program to bring foreign workers to the U.S. must offer to foreign and U.S. workers. Three South Texas farmworkers, represented by Public Citizen and Texas RioGrande Legal Aid, intervened in the lawsuit to defend the minimum rate. Thanks in part to our advocacy, H-2A workers will earn a combined total of at least \$123 million more than they would have without the new rates.

PROTECTING CLEAN CAR STANDARDS

In 2019, we continued to raise public awareness about the need to preserve Obama-era fuel economy standards, also known as clean car standards, and defend them from Trump administration efforts to roll them back. A longstanding Clean Air Act waiver allowed

California to regulate greenhouse gas emissions from automobiles and require that automakers include zero-emission vehicles in their fleets. But California's right to set its own standards stood in the way of Trump's rollback plans.

In September, the National Highway Traffic Safety Administration (NHTSA) issued a rule declaring that California has no right to regulate greenhouse gas emissions from motor vehicles, and the U.S. Environmental Protection Administration (EPA) simultaneously rescinded California's Clean Air Act waiver.

In a lawsuit filed that same month, Public Citizen and eight environmental groups told courts that the Trump administration had no authority to declare California's regulations preempted. We asked the U.S. District Court for the District of Columbia to throw out NHTSA's rule because it violates the Administrative Procedure Act, the Clean Air Act, the Energy Independence and Security Act, the Energy Policy and Conservation Act and the National Environmental Policy Act.

And in November, Public Citizen and other groups launched a legal challenge to the EPA's rescission of California's waiver in a petition filed in the U.S. Court of Appeals for the D.C. Circuit.

BANNING FORCED ARBITRATION

For years, Public Citizen and allies worked to pass legislation to prevent corporations from using forced arbitration clauses — the take-it-or-leave-it, fine print language they insert into consumer, employment, online and other contracts that we enter into every day. The clauses prohibit customers from holding corporations accountable for wrongdoing in court.

In 2019, we reached a milestone: The U.S. House of Representatives passed the Forced Arbitration Injustice Repeal Act, or FAIR Act (H.R. 1423). The measure will ensure that victims of wage theft, sexual harassment, discrimination and other wrongdoing are not forced into a system that is rigged to let corporate wrongdoers off the hook. The U.S. Senate has not yet acted on the bill.

In private arbitration, there is no judge or jury, and the right to appeal is severely limited. Because arbitration proceedings — unlike court proceedings — are not open to the public, regulators, civil society watchdogs, the media and the public seldom hear about the cases or their outcomes.

Throughout 2019, we called out corporations that impose forced arbitration on customers. In August, we compiled a "wall of shame" showing that more than 100 major companies, including Wells Fargo, Equifax and Uber, use forced arbitration clauses to deny justice to customers and workers. ■



CORPORATE PRESIDENCY PROJECT

Members of President Donald Trump’s administration have made abundantly clear that they perceive their function as serving and assisting corporations instead of holding them accountable for lawbreaking. Under Trump, federal agencies have slashed fines, declined to bring cases against corporate wrongdoers and gutted enforcement programs. Over the past year, Public Citizen’s Corporate Presidency Project worked to highlight the Trump administration’s sellout to big corporations, with thorough research aimed at exposing a government that is all too eager to throw consumers under the bus.

A Public Citizen report, “Consumer Carnage,” examined enforcement activity at the U.S. Consumer Financial Protection Bureau (CFPB), U.S. Consumer Product Safety Commission (CPSC) and Federal Trade Commission (FTC). We found that during Trump’s first two years in office, these three agencies completed a total of 84 enforcement cases, a 37% decline from President Barack Obama’s last two years in office.

Public Citizen also trained its eye on Trump’s close alliance with the corporate class and foreign governments that hold events or spend money at one of his resorts – a profoundly corrupt way to curry favor with the president.

A Public Citizen report, “Catering to Conflicts,” found that 370 political candidates, foreign governments, businesses, corporate groups, religious groups, charities and other entities have held events at Trump’s properties since the 2016 election. We also found that 192 political candidates or political groups have spent a combined \$8.3 million at Trump businesses since the election.

These groups didn’t choose Trump properties for the towels. Rather, they are literally buying influence – putting money into Trump’s pocket in violation of the Constitution’s anti-corruption provision.

Public Citizen researchers also examined several disturbing trends that were building before Trump took office and have only worsened

since then. Our analysis of “Plutocrat Politics” found that hedge fund managers, bankers and other financial bigwigs wielded massive influence on the 2018 midterms by supplying more than half of all donations to outside political groups set up to influence elections.

Our “Soft on Corporate Crime” report dug deep into the U.S. Justice Department’s disturbing pattern of going soft on corporate offenders by using corporate leniency arrangements – in which they decline to prosecute in exchange for a corporate promise not to break the law in the future – that consistently fail to prevent corporations from breaking the law again.

We found that since 1992, the Justice Department has brought federal criminal enforcement actions against 38 corporations after entering into corporate leniency agreements with the same companies.

Another report, “Detained for Profit,” examined how private federal contractors are reaping a windfall from the ramped-up immigration and corrections efforts enacted by both the Trump and Obama administrations over the past decade. Our analysis of 10 large contracting firms working for five federal agencies overseeing federal immigration, corrections and detention policies found that these companies received \$2.32 billion in federal contract revenue in 2018, more than double 2013 levels and up 17% from nearly \$2 billion at the start of Trump’s term. ■

EXPOSING WASHINGTON’S REVOLVING DOOR

In 2019, Public Citizen investigated Washington’s ever-present revolving door between government and industry, looking closely at lawmakers’ careers after leaving Congress and at the Federal Trade Commission (FTC), which enforces consumer protection and antitrust laws.

We found that nearly 60% of the 44 lawmakers who were in Congress between 2017 and 2019 and found employment outside politics landed jobs influencing federal policy. They included former U.S. Reps. Joe Crowley (D-N.Y.), who works for the law firm Squire Patton Boggs, and Lynn Jenkins (R-Kan.), who launched her own lobbying firm even before she left Congress.

At the FTC, Public Citizen found that 75% of 41 top officials over the past two decades have had corporate revolving door conflicts. The finding, cited during a U.S. Senate hearing on antitrust issues, has sparked a conversation about whether conflicts of interest help explain the FTC’s chronic reluctance to strictly enforce consumer protection and antitrust laws against Big Tech companies like Google, Amazon, Facebook and Apple.

Public Citizen found that most senior FTC officials have had revolving door conflicts involving work on behalf of the technology sector. For instance, former FTC Chair Jon Leibowitz represented Comcast in its successful push to repeal net neutrality protections. Former FTC Chair Edith Ramirez is now at law firm Hogan Lovells, where she reportedly helped represent Google and its YouTube subsidiary in a successful effort to block a class-action lawsuit alleging that the company had violated children’s privacy protections.

The findings sparked bipartisan outrage and an unexpected public Twitter exchange between U.S. Rep. Alexandria Ocasio-Cortez (D-N.Y.) and U.S. Sen. Ted Cruz (R-Texas). The unlikely pair agreed that former lawmakers should be permanently banned from lobbying.



GLOBALIZATION & TRADE

The battle over the North American Free Trade Agreement (NAFTA) renegotiation dominated the work of Public Citizen's Global Trade Watch during 2019. So much hung in the balance after 20 years of fighting against the corporate-rigged investor-state tribunals that empower corporations to attack domestic environmental and health policies, and undermine labor protections using trade pacts. How this fight played out would shape U.S. trade policy going forward.

OPPOSING THE WTO

November 2019 marked 20 years after the Battle in Seattle, in which 50,000 activists shut down a ministerial meeting of the World Trade Organization (WTO). The protests, which Public Citizen helped organize, raised awareness that the WTO was deeply undemocratic and inimical to workers, the environment, food safety, access to medicines and more.

Since then, Public Citizen's Global Trade Watch has worked with an international network of like-minded organizations to shine a light on the WTO, organizing activists, educating policymakers and the media, and doing groundbreaking research showing how the WTO eroded democracy by enabling corporations to undermine public protections by claiming them to be trade barriers. Over time, Public Citizen and its allies helped to derail a corporate-boosted expansion of WTO powers and scope.

In December 2019, the WTO's ability to issue final enforcement rulings effectively ended because its appellate tribunal no longer had a quorum. This happened after a series of WTO decisions in which tribunals cooked up new standards – never agreed to by member nations. The Obama administration initiated a protest, and last year, the Trump administration doubled down, blocking the appointment of new appellate adjudicators.

As Public Citizen predicted when opposing the WTO's establishment, its overreach could prove to be its undoing. Lori Wallach, director of Public Citizen's Global Trade Watch, penned a *New York Times* op-ed marking the 20-year anniversary of the Seattle protests, spotlighting the next corporate encroachment-via-WTO we will fight: The organization's efforts to limit regulation of the online monopolies like Amazon, Google and Facebook.

Public Citizen will work to ensure that the WTO's enforcement capacity is not restored unless and until major changes are made to WTO rules.

The revised NAFTA deal that President Donald Trump signed in 2018 betrayed his campaign promise to fix the original agreement: It included new Big Pharma giveaways that would lock in high drug prices, making it worse than the original, and its labor and environmental terms were too weak to counteract NAFTA's outsourcing of jobs and pollution.

Public Citizen spent 2019 rallying support for critical improvements. We organized congressional briefings, nationwide petition drives, rallies and press conferences, released pivotal reports, met with members of Congress and empowered people across the country to take action.

In June, a congressional letter to U.S. Trade Representative Robert Lighthizer that we helped organize to demand removal of the Big Pharma giveaways gained more than 100 signers. It included most House committee chairs, many in leadership, freshmen from border states and districts that Trump carried in 2016.

One month later, we organized our eighth national NAFTA petition drive – this one demanding that no vote be held on the pact until it was fixed, and we garnered more than 300,000 signatures in conjunction with more than 40 coalition partners. We delivered the signatures to Congress at a rally where members of Congress, union leaders and Lori Wallach, director of Public Citizen's Global Trade Watch, spoke.

In December, the U.S. House of Representatives passed the new NAFTA by 385-41. The final deal eliminated the Big Pharma giveaways and strengthened labor and environmental terms and their enforcement.

ELIMINATING ISDS

In a significant win, the final deal gutted the Investor-State Dispute Settlement (ISDS) system. ISDS – which was a prominent aspect of the original NAFTA – empowers multinational corporations to go before panels of three corporate lawyers

to demand unlimited compensation from taxpayers over claims that domestic laws, regulations and court rulings violate special investor privileges. Largely eliminating ISDS will foreclose numerous corporate attacks on environmental, health and other public interest policies and send a signal worldwide to the many countries also eager to exit the illegitimate ISDS regime.

The unusually large, bipartisan vote on the revised NAFTA shows that to be politically viable, U.S. trade pacts no longer can include extreme corporate investor privileges or broad monopoly protections for Big Pharma. They must have enforceable labor and environmental standards, in contrast to the 2016 Trans-Pacific Partnership, which never secured majority House support.

Although the efforts of our three-year-long Replace NAFTA campaign are reflected in the new NAFTA package, the deal still includes problematic terms. This new deal won't bring back hundreds of thousands of manufacturing jobs, as the Trump administration claims. However, the final deal is better than the original and might reduce some of NAFTA's ongoing damage.

Fixing an existing agreement to reduce its ongoing damage is not the same as creating a good trade agreement that creates jobs, raises wages and protects the environment and public health. That would additionally require climate provisions, stronger labor and environmental terms, and truly enforceable currency disciplines, and not limit consumer protections for food and product safety and labeling, the service sector, online platforms and more.

The new NAFTA is not a template for future agreements, but rather, it sets the floor from which we will continue the fight for good trade policies that put working people and the planet first.

Public Citizen will monitor the deal's implementation and outcomes to hold Trump accountable and be sure the labor and other improvements result in the promised outcomes. ■



ENERGY & CLIMATE

Throughout the year, we pushed for legislation that would protect workers from excessive heat, urged reporters to cover climate change as a crisis and watchdogged the Federal Energy Regulatory Commission (FERC), successfully intervening in cases to promote greater transparency, fight unfair electric utility rate hikes and hold energy corporations accountable.

PROTECTING WORKERS FROM HEAT

July 2019 was the hottest month recorded on Earth. As a vicious summer heat wave draped most of the nation, Public Citizen shepherded the introduction of the Asunción Valdivia Heat Illness and Fatality Prevention Act, or H.R. 3668, in the U.S. House of Representatives.

The legislation directs the U.S. Occupational Safety and Health Administration to develop national protections for workers exposed to high heat. It's a way not only to protect workers but also to illustrate the real impacts of climate change.

We coordinated all aspects of the bill's introduction in July, including a congressional press conference at which Public Citizen President Robert Weissman spoke about how the bill will protect workers from excessive heat, a support letter from more than 115 groups and an action alert to draw more bill co-sponsors. Our efforts garnered national media coverage.

CALLING CLIMATE CHANGE A CRISIS

We can't address the climate crisis if we don't talk about it. For that reason, Public Citizen continued its "Cover Climate" campaign in 2019, pressing reporters to connect climate-relevant topics, like hurricanes and swarms of disease-carrying pests, to the climate crisis.

In June, Public Citizen and 12 other groups sent a letter to the chief executive officers of ABC, CBS, Fox, NBC, MSNBC and CNN, calling on the media outlets to cover the climate crisis with the frequency and consistency it merits and to use language signaling that climate change is an emergency.

In the summer, we also issued an analysis of coverage of pests and pest-borne illnesses by national television news networks, top newspapers and top digital media, and found that they too rarely connect these climate-relevant topics to the climate crisis.

The frequent reminders to media may be working; in a period of five months, broadcast news networks improved in communicating the consequences and

severity of the climate crisis. In October, we released a report showing that network news' use of terms like "crisis" and "emergency" to describe climate change jumped 700% from 2018 — a significant step toward properly informing the public about the severity and urgency of the issue.

From May to September, 29% of television news segments across the six major networks that mentioned climate change or global warming described it as a "crisis" or "emergency." This is compared to only 50 out of 1,429 segments, or just 3.5%, during all of 2018. May was selected because it marked the launch of Public Citizen's "Call it a Crisis" campaign, which pushes the media to cover climate change and environmental destruction like the crisis it is.

As of press time, the campaign has gathered more than 67,000 signatures. *The Guardian* became the first news outlet to adopt urgent language in discussing climate change, and a month later, in June, Telemundo followed suit.

WINNING FERC TRANSPARENCY

In April, Public Citizen persuaded FERC to reject Connecticut-based United Illuminating Company's request for a rate increase to build a new substation project. Our intervention saved utility customers in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont \$6.57 million.

Over the past year and a half, we intervened in nearly a dozen proceedings challenging FERC's practice of shielding the names of utilities that commit major cybersecurity violations from the public. As a direct result of our advocacy, FERC in August proposed changing its policy and in 2020 will begin publicly naming utilities that have committed major cybersecurity violations — a big victory for corporate accountability.

After prompting from Public Citizen, FERC in January 2019 rejected a request by the New England Power Pool (NEPOOL) Participants Committee to ban members of the press from becoming NEPOOL members. NEPOOL is the official organization tasked by FERC to develop electric rate policy for all of New England. ■

CALLING OUT FORD'S GREEN HYPOCRISY

What does a 10-foot inflatable Tyrannosaurus rex have to do with climate change?

As long as President Donald Trump remains in office, environmental progress will be an uphill battle — one that Public Citizen refuses to shy away from. One of our tactics in 2019 to save the Obama-era fuel economy standards (also known as clean car standards) was to target Ford and pressure the company to uphold the standards.

Why Ford? It was one of the auto companies lobbying the Trump administration behind the scenes to undo the standards.

As the international auto industry descended on Detroit in January, Public Citizen, Sierra Club, Safe Climate Campaign, Breast Cancer Action and Center for Auto Safety gathered in Ford's hometown to highlight the company's complicity with the Trump administration in attempting to roll back the standards.

We brought with us a 10-foot-tall inflatable T. rex as well as activists dressed in dinosaur costumes. The prehistoric figure was stationed outside the convention center and meant to illustrate Ford's outsized pollution: The annual climate pollution emitted from the company's Expedition SUV (nine tons) is the equivalent of the weight of a T. rex.

Ford and the Alliance of Automobile Manufacturers have engaged in a costly multi-year lobbying effort to persuade Trump to roll back vehicle fuel economy and greenhouse gas emissions standards. In August, the Trump administration delivered, proposing to freeze the clean car standards at 2020 levels and revoke a waiver that allows California and 12 other states to protect their citizens from harmful tailpipe pollution.

In April, Public Citizen and other groups traveled with the T. rex to the Washington Auto Show, where they held a press conference and once again called out Ford's hypocrisy.

More than 350,000 Americans have submitted comments supporting the existing rules. The standards, which were finalized in 2012 and set mile-per-gallon goals for automakers to meet by 2025, have curbed climate-causing pollution, improved health, saved consumers money at the pump and prompted automakers to innovate.



Public Citizen's Texas office made a big impact on climate, environmental and elections policy in 2019.

During the 2019 Texas Legislature, our strategic lobbying persuaded lawmakers to invest \$154 million in a program that cleans the air by getting old and polluting vehicles and engines off the streets.

The Republican-led Texas Legislature – notorious for coddling polluters and flouting safety concerns – even agreed to new mandates requiring the replacement of aging and dangerous iron and steel pipelines.

For nearly two decades, a for-profit, nuclear waste dump operator in West Texas has received financial and other concessions from the state Legislature. Public Citizen and others convinced lawmakers that the operator, Waste Control Specialists, had gone too far with its requests. Bills offering financial handouts to the company were defeated in committee or vetoed by the governor.

Throughout 2019, accidents along Houston's petrochemical corridor triggered at least five explosions that caused dangerous air pollution, led to serious injuries and even killed a worker.

Public Citizen's participation in a relentless

public awareness campaign helped garner hundreds of stories in regional and national media and led to a rare admission by the state's top environmental regulator in late November that the violent mishaps represent "an unacceptable trend of significant incidents."

In December, Public Citizen and residents of Port Neches, where a petrochemical plant exploded the day before Thanksgiving, even persuaded state regulators to go beyond their typical slap-on-the-wrist penalty for the flagrant industrial polluter and refer the case to the state attorney general.

Our Texas office also celebrated the passage of a new city blueprint designed to reduce climate-warming emissions in San Antonio. The cities of Dallas and Houston are drafting similar plans.

Public Citizen and its members have been active in helping to craft these climate guidelines, which include strong targets for reducing fossil fuel-generated carbon emissions in all three cities.

We'll continue pushing for action to achieve

quantifiable reductions of climate pollution now. Our Texas office also participated in a national campaign to protect voter rights and ensure election integrity.

A San Antonio rally in September pressuring U.S. Sen. John Cornyn (R-Texas) to support election security legislation in Congress resulted in a meeting among Cornyn's staff, Public Citizen and San Antonio activists.

U.S. Senate Majority Leader Mitch McConnell (R-Ky.), who over the summer had blocked the appropriation of any new money for states to buy more secure election equipment, eventually agreed to a package that included \$250 million by fall. In December, Congress agreed to increase that amount to \$425 million as part of a budget measure that was signed into law.

Earlier in the year, a coalition of groups, including Public Citizen, defeated legislation that would have suppressed the Texas vote by restricting access to polls and criminalizing minor mistakes by voters in filling out paperwork or otherwise complying with election procedures. ■

PHOTO CREDITS

PAGE 5: Public Citizen President Robert Weissman speaks at a January press conference outside the U.S. Capitol in Washington, D.C. An unprecedented coalition of democracy, environmental, good government and other groups detailed the broad local, state and national support for H.R. 1, the For the People Act. Photo courtesy of Zach Stone.

PAGE 6: At a press conference held in June outside the U.S. Capitol, U.S. Rep. John Lewis (D-Ga.) calls for reforms to restore voting rights. Activists from Public Citizen and allied organizations held rallies throughout the country on June 25 as part of a national day of action to mark six years since the U.S. Supreme Court's disastrous *Shelby v. Holder* decision that eroded voting protections. Photo courtesy of Samantha Lai.

PAGE 7: Remington Gregg, counsel for civil justice and consumer rights at Public Citizen, testifies in June before the U.S. House Subcommittee on Investor Protection, Entrepreneurship and Capital Markets, telling lawmakers to protect everyday investors from forced arbitration. Photo courtesy of Bret Thompson.

PAGE 8: At a February press conference organized by U.S. Rep. Lloyd Doggett (D-Texas), lawmakers introduce the Medicare Negotiation and Competitive Licensing Act (H.R. 1046, S. 377), designed to make medications more affordable by allowing the government to negotiate drug prices for Medicare Part D directly with pharmaceutical corporations. Representatives from Public Citizen, who began working with Doggett to draft the legislation in 2018, and other organizations attended the event. Photo courtesy of Griet van Acker.

PAGE 9: Activists from Public Citizen and allied groups deliver more than 2.2 million petition signatures in support of Medicare for All to U.S. Rep. Pramila Jayapal (D-Wash.) in October. Photo courtesy of Bret Thompson.

PAGE 10: Graphic courtesy of Zach Stone.

PAGE 11: Graphic courtesy of John Tomac.

PAGE 12: Lori Wallach, director of Public Citizen's Global Trade Watch, speaks at a rally outside the U.S. Capitol in June demanding changes to President Donald Trump's revised North American Free Trade Agreement. Photo courtesy of Sally King.

PAGE 13: At a press conference in April at the Washington Auto Show, Madeline Page, Public Citizen's Clean Cars campaign coordinator, denounces Ford Motor Company's greenwashing. Public Citizen file photo.

PAGE 14: Illustration courtesy of Marcus Blackwell.

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