



## Public Citizen Joins the Fight to Break Up and Regulate Big Tech

BY DAVID ROSEN

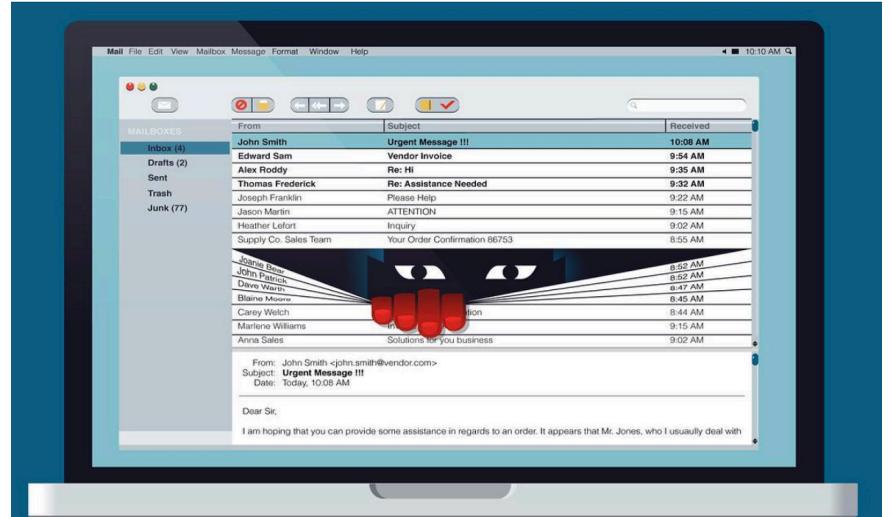
This year, Public Citizen has joined the fight to break up big tech companies and protect consumers' online privacy and civil rights – which increasingly are in danger due to intrusive commercial surveillance and algorithms that are setting back decades of civil rights progress.

Tech giants like Facebook, Amazon and Google are harvesting personal and intimate details of consumers' lives for profit. Privacy laws in the U.S. are decades out of date, leaving space

for tech companies to exploit the lack of digital rights and protections and (unintentionally) replicate or amplify racial, social and economic injustices. The battle for effective privacy protections also is a battle for civil rights protections online.

For example, in March, the U.S. Department of Housing and Urban Development alleged that Facebook's targeted advertising violates the Fair Housing Act by restricting who can see housing advertisements. Facial recogni-

see **Big Tech**, page 4 ▶



Graphic courtesy of John Tomac.

## Opioid Approvals Must Be Halted, Public Citizen Says

BY MIKE STANKIEWICZ

Not one more new opioid should enter the market until the U.S. Food and Drug Administration (FDA) creates a currently non-existent regulatory framework for reviewing and approving opioids.

That's the stance of Public Citizen and a U.S. Food and Drug Administration (FDA) advisory committee chair, who together petitioned the agency for a moratorium on approvals of all new opioids.

This petition was born "of a sense of urgency, after repeatedly attempting to provide insights concerning the opioid crisis to the principals of the FDA. Tragically, they have not listened," said Dr. Raeford Brown, chair of the FDA's Anesthetic and Analgesic Drug Products Advisory Committee.

"The mission of the FDA is to protect the public health. In the eyes of many experts, as it relates to opioids, they have failed."

The petition was filed by Brown, also a professor of anesthesiology and pediatrics at the University of Kentucky, and Dr. Sidney Wolfe, founder and senior adviser of Public Citizen's Health Research Group and previous member of the FDA's Drug Safety and Risk Management Advisory Committee. Together, they have eight years of experience on FDA advisory committees, most often focusing on prescription opioids.

The FDA approved 27 new or reformulated opioid analgesic medications between 2009 and 2015, even as the number of deaths by opioid abuse escalated. Every day, about 46 people in the U.S. die from prescription opi-

oid overdoses, according to the Centers for Disease Control and Prevention.

In 2011, the agency approved reformulated Opana ER, despite pre-approval evidence cited by Public Citizen at the time that it could easily be manipulated to facilitate intravenous abuse. (The FDA removed it from the market more than five years later because of its dangers.) And last year, the agency approved the controversial and powerful opioid Dsuvia, over the strong objection of Public Citizen and Dr. Brown.

Wolfe and Brown detailed in a telephone press conference the urgent need for the FDA to implement the National Academies of Sciences, Engineering, and Medicine's (National Academies) mid-2017 recommendations

see **Opioid**, page 4 ▶

## Investigating Revolving Door Conflicts in Washington

BY ALAN ZIBEL

When companies and trade groups want to influence the U.S. government, they turn to former lawmakers and ex-regulators who can provide the best connections to deliver the outcome they seek.

Public Citizen recently investigated Washington's ever-present revolving door between government and industry, looking at Congress and then at the Federal Trade Commission (FTC), which enforces consumer protection and antitrust laws.

In Congress, Public Citizen found that nearly two-thirds of recently retired or defeated members of Congress who now have

see **Revolving Door**, page 8 ▶



**PUBLICCITIZEN**

1600 20th St. NW, Washington, DC 20009

ADDRESS SERVICE REQUESTED

Nonprofit Org.  
US POSTAGE  
**PAID**  
Williamsport, PA  
Permit No. 4

### INSIDE

**MOVEMENT TO OVERTURN CITIZENS UNITED REACHES NEW MILESTONE, page 7**

**UNIVERSITY CENTER IS COG IN THE KOCH DEREGULATION MACHINE, page 11**

# IN THIS ISSUE

VOL. 39, NO. 4 • JULY/AUGUST 2019

## CORPORATE PRESIDENCY

- 1 Investigating revolving door conflicts in Washington

## HEALTH & SAFETY

- 1 Opioid approvals must be halted, Public Citizen says

## GOVERNMENT & FINANCIAL REFORM

- 1 Public Citizen joins the fight to break up and regulate Big Tech
- 6 Opposing Trump-era deregulation
- 10 Prioritizing education over tanks
- 11 University center is cog in the Koch deregulation machine
- 13 Public Citizen opposed millions in extra profits sought by utility
- 16 Stronger summertime safeguards are needed

## ENERGY & ENVIRONMENT

- 5 Public Citizen calls on media to cover the degradation of nature

## DEMOCRACY

- 6 Public Citizen and coalition partners launch Mueller Book Club
- 7 Movement to overturn *Citizens United* reaches new milestone

## LITIGATION

- 10 Public Citizen stands as bulwark to debt collectors

## PUBLIC CITIZEN RECOMMENDS

- 15 'The Uninhabitable Earth'

## OTHER

- 2 Get to Know Public Citizen
- 3 President's View
- 7 Public Citizen's Gala
- 12 Public Citizen in Your State
- 14 In the Spotlight
- 15 Public Citizen Crossword

## ABOUT THE CONTRIBUTORS

Angela Bradbery, *communications director*

Rhoda Feng, *editor*

Samantha Lai, *communications intern*

Adam Pulver, *attorney*

David Rosen, *communications officer on regulatory affairs*

Mike Stankiewicz, *press officer*

Ian Weiner, *communications intern*

Robert Weissman, *president*

Alan Zibel, *corporate presidency project research director*

## GET TO KNOW PUBLIC CITIZEN

# BRIAUNA BARRERA

An ongoing series profiling Public Citizen leaders and staffers



When an opportunity for employment came along that would incorporate two of her greatest passions – combating the climate crisis and organizing for social change – Briana Barrera felt that the stars had aligned. Barrera got the job and has worked as the climate justice organizer for Public Citizen's Texas office since May 2018.

A lifelong Texan, she received her bachelor's degree in urban studies and environmental studies from Trinity University in San Antonio, Texas. Her undergraduate career path included a study abroad program in Copenhagen, Denmark, that focused on sustainable development. While at Trinity, Barrera worked for an outdoor recreation program that allowed her to take her peers on camping and hiking trips. Through the program, she discovered her passion for protecting and restoring ecological systems.

Before coming to Public Citizen, Barrera served as the community engagement coordinator for Meals on Wheels and a data analyst for San Antonio for Growth on the Eastside, a nonprofit focused on efficient and sustainable growth.

### Why did you originally become involved with community outreach and engagement?

**Barrera:** Everyone sees that there are a lot of

problems. I know that the only way to meaningfully change our problems for the better and create a better world for everyone is to help build a mass movement for dealing with huge inequities within our society. That's why I'm invested in community outreach: because the only way we can solve those problems is if we come together and find solutions together.

### How did your study abroad program contribute to your passion for urban development?

**Barrera:** My study abroad experience in Copenhagen was life-changing. The way cities are built in Denmark is very different and they were very pedestrian-friendly. The entire time I lived there I took a train or bus or I walked or biked everywhere I went. I really developed a passion for public transit, especially trains, during my time abroad.

### How did you decide on urban studies and environmental studies as your undergraduate concentration?

**Barrera:** I grew up going to Montessori. A big component of a Montessori education is self-actualization. We had an environmental science class and a green classroom with garden beds, flowers and a pond. From a very young age, I was really exposed to the scientific nature of learning about ecosystems and the Earth. When I started attending Trinity, I knew I wanted to study that, and I took an introductory course to urban studies. At that time, it was like a collision of worlds. I learned about the relationships we form with the land. Through taking that intro course, I decided to be a dual major and incorporate both fields.

### What do you like to do for fun?

**Barrera:** I love going on bike rides with my friends, reading, hiking and doing other outdoors activities. I do a lot of organizing outside of my job and really savor being in the company of people who also enjoy being with a community of people. ■ – *Compiled by Ian Weiner*

1600 20TH ST. NW, WASHINGTON, D.C. 20009 • (202) 588-1000 • MEMBER@CITIZEN.ORG • WWW.CITIZEN.ORG



Public Citizen is a national non-profit membership organization based in Washington, D.C. Since its founding by Ralph Nader in 1971, Public Citizen has fought for corporate and government accountability to guarantee the individual's right to safe products, a healthy environment and workplace, fair trade, and clean and safe energy sources. Public Citizen is active in Congress, the courts and government agencies.

Public Citizen does not accept government or corporate grants. Our funding comes from our supporters throughout the country, who believe there should be full-time advocates of democratic principles working on their behalf; from foundations; and from the sale of our publications. Public Citizen is an equal opportunity employer. To become a member of Public Citizen and receive the award-winning *Public Citizen News*, please call (202) 588-1000 or send a check payable to Public Citizen for \$20 to Public Citizen Membership Services at the address above.

*Public Citizen News* (ISSN 0738-5927), entire contents copyrighted 2019. *Public Citizen News* is printed on 10 percent recycled paper. Postmaster: Send address changes to Public Citizen News at the address above.

### PRESIDENT

Robert Weissman

### EXECUTIVE VICE PRESIDENT

Margrete Strand Rangnes

### VICE PRESIDENT OF LEGISLATIVE AFFAIRS

Lisa Gilbert

### PUBLIC CITIZEN INC. BOARD OF DIRECTORS

Jason Adkins (chair), Joan Claybrook, Andrew S. Friedman, Danny Goldberg, Jim Hightower, Joy Howell, John Richard, Anthony So, Robert Weissman (ex officio)

### PUBLIC CITIZEN FOUNDATION BOARD OF DIRECTORS

Mark Chavez (chair), Jim Bildner, Robert C. Fellmeth, David Halperin, Annie Leonard, Cynthia Renfro, Steve Skrovan, Gerson H. Smoger, Robert Weissman (ex officio)

### DIRECTORS

David Arkush, Climate; Angela Bradbery, Communications; Michael Carome, M.D., Health Research; Peter Maybarduk, Access to Medicines; Tyson Slocum, Energy; Adrian Shelley, Texas; Joe Stoshak, Chief Financial Officer; Lori Wallach, Global Trade Watch; Allison Zieve, Litigation

### EDITOR

Rhoda Feng

CONNECT ONLINE  
WITH PUBLIC CITIZEN



# Dislike: Facebook's Monopolistic Position

Credit Facebook with this: The company sure is audacious. In June, Facebook announced plans to start a new global currency.

Think about that. If it sounds troubling to you, trust your instincts.

Maintaining a monopoly over establishing the currency and making new coins is a defining feature of national sovereignty. Facebook wants to abrogate that right to itself – and do so on a worldwide scale.



**PRESIDENT'S VIEW**  
**ROBERT WEISSMAN**

What could go wrong?

From our point of view, a lot. We believe the risks are so great that regulators around the world should shut down this new initiative before it gets off the ground. At minimum, they should impose a moratorium on the idea until they are able to obtain

answers to the very troubling questions the idea raises.

Upon learning of Facebook's plans, we leapt into action. We quickly analyzed all the (limited) information available on the subject and pulled together an organizational coalition letter calling for a moratorium. Dozens of consumer and other groups signed on.

Why do we think the project should be cancelled or at least put on hold?

- **Consumer privacy:** Facebook has an atrocious record of protecting consumer privacy. The Cambridge Analytica scandal made clear how little Facebook has done to protect privacy, but that's just one in a long list of examples. Why then would we trust Facebook with holding data on billions or even trillions of transactions around the

world? Facebook says it's creating a new subsidiary that will hold this data and not share it with other parts of Facebook. Why should we trust this pronouncement? Facebook right now is tearing down walls between Facebook, Instagram and WhatsApp that it had previously said it would protect. Whether or not Facebook maintains this wall of separation, the new currency will enable it to glean even more information about its users, enabling it to engage in even more troubling advertising targeting and manipulation of consumers.

- **Consumer protection:** With an international platform using an international currency, it will be exceedingly difficult for regulators to crack down on bad actors who do business in the new Facebook currency. What happens when a lender in, say, Ukraine – perhaps failing to disclose where it is from – illegally tricks people into borrowing from them and then imposes improper fees, charges and super-high interest rates? How is a U.S. regulator going to do anything about that? Even more, what chance does a regulator in, say, Kenya have of preventing such abuses? There are serious questions that don't involve traditional scams, too. For example, will Facebook and its corporate partners be able to gain information that enables them to price discriminate against users? How might that exacerbate racial inequalities?
- **Antitrust and competition:** The proposal also seems almost certain to exacerbate Facebook's excessive market power and undermine competition. The risks are too great that Facebook will pull consumers into a closed Facebook ecosystem that will disadvantage competitors and consumers. It's easy enough to imagine, for example, Facebook and its partners disfa-

voring competitors, including by excluding them, offering discounts to Libra partners or punishing those using alternative private currencies. If Facebook's plans get to scale, then exclusion of competitors would be utterly devastating.

- **National sovereignty and law enforcement:** For smaller countries, the Facebook currency could displace the national currency, undermining the ability of national governments to maintain control of their monetary policy. If countries' currencies come under attack, the Facebook currency could exacerbate the problem. Even bigger countries will face seemingly insurmountable problems: The Facebook currency seems designed to enable money laundering and to facilitate tax evasion and tax fraud. It also seems to provide a mechanism to facilitate evasion of economic sanctions.

Our new effort on the Facebook currency dovetails with two issue areas for which we have brought on new, full-time staff: ensuring online privacy and digital rights, and taking on monopolies and advancing competition.

Facebook's proposal implicates both of these issue areas and makes clear how they interconnect with core democracy matters. Facebook has no business taking over governmental functions like issuing currency, precisely because it is not accountable and because its mission is to make profits, not advance the public interest.

Facebook's plans may well fail on their own, but the corporation's global reach makes it possible that its new currency could gain widespread usage. Once that happens, it will be exceedingly difficult to prevent the very identifiable dangers inherent in the concept. We're going to work very hard to ensure regulators shut down this idea right now. ■

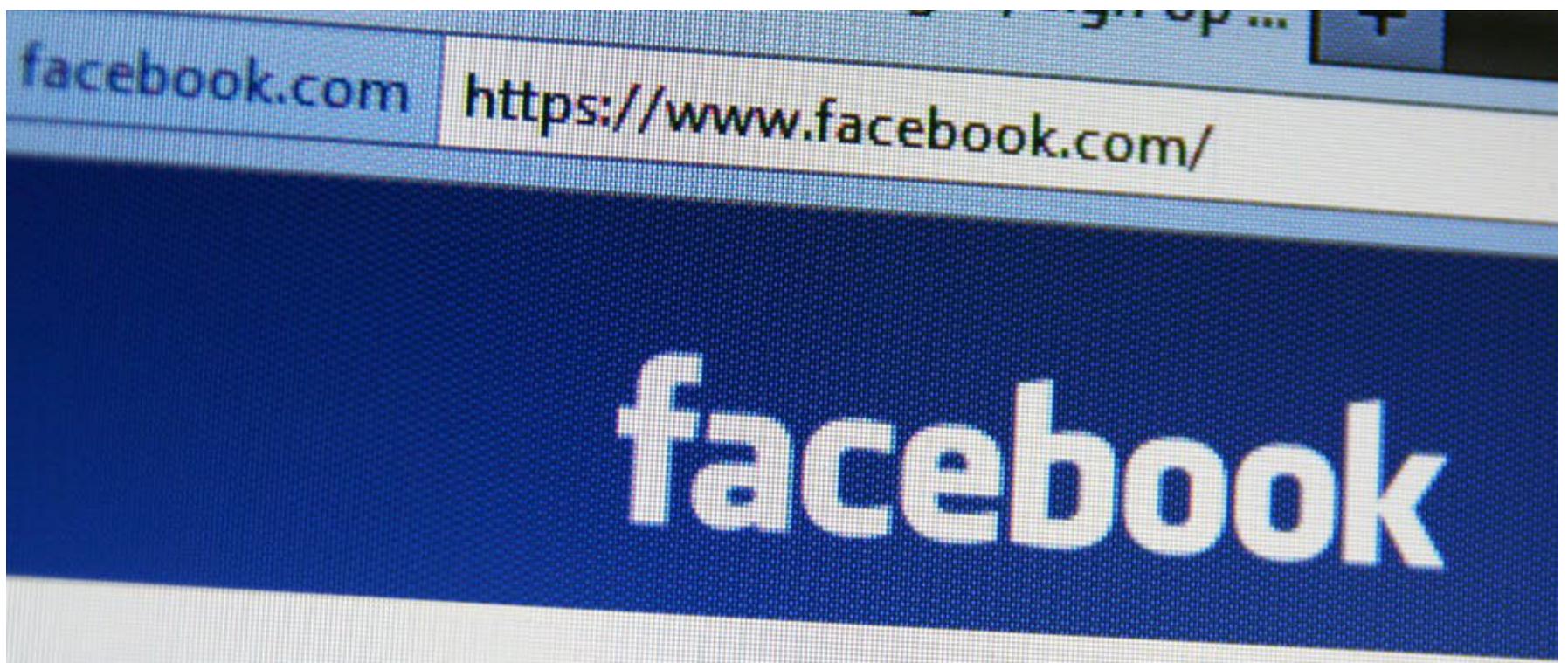


Photo courtesy of Wikimedia.

► **Big Tech**, from page 1

tion software is another piece of technology that is capable of actively discriminating against people of color, women, immigrants, LGBTQ folks and low-income communities.

Consistently among the biggest political spenders in Washington, D.C., big tech companies have hired an army of lobbyists to persuade Congress and the Trump administration to develop a federal privacy framework.

But their newfound enthusiasm for federal privacy legislation is a red herring, says Burcu Kilic, director of Public Citizen's Digital Rights Program. "Big Tech's sudden support for a federal law after aggressively lobbying against it for years is an attempt to stymie efforts to break them up, wipe out state privacy protections and rig the privacy rules on their own terms," she said. "If they get their way, it will create an illusion that the privacy and digital rights of American consumers are protected. However, in practice, the federal law the companies support would not require them to change their business model based on surveillance capitalism."

The big tech companies fund many of the nonprofits working on these issues, and many of those groups are pushing for ambiguous policies that do little more than put a fig leaf over abusive industry practices. Public Citizen, which does not take corporate money, is fighting for a more progressive approach: one that puts consumer and civil rights at the heart of all privacy and digital rights discussions and gives consumers a voice.

Here's what Public Citizen is fighting for:

- The break-up of tech giants like Facebook, Amazon and Google, which have become too big to manage, too dan-

gerous to consumers and too powerful to continue to exist. Antitrust enforcement against these companies is necessary but woefully insufficient to protect our privacy and civil rights online;

- A federal online privacy and civil rights law that functions as a floor, not a ceiling, for protections. Public Citizen and its allies will oppose any new law that preempts state protections, which would wipe out existing laws like the California Consumer Privacy Act and block future state laws. All 50 states plus the District of Columbia, Guam, Puerto Rico and the U.S. Virgin Islands have laws on the books that safeguard online privacy and security – such as data breach notification requirements, identity theft protections, electronic health record protections, data disposal rules and data protections for schoolchildren;
- Baseline privacy protections that include a private right of action allowing individual consumers to enforce their rights by taking tech companies to court; strict limits on corporate and government data collection, processing and sharing; and a prohibition on take-it-or-leave-it terms of service. People cannot have meaningful control over their personal data if terms of service require waiving privacy rights;
- Disclosure of algorithms and automated processes that affect people's lives. Algorithms are being used to determine eligibility for benefits, jobs, housing, credit, insurance and other life necessities. Transparency is essential to correcting for biases

and disparate, discriminatory impacts inherent in these systems; and

- A new federal data protection agency that can aggressively police abusive data practices and put a stop to them. Even with 10 times its current staff and funding, the Federal Trade Commission (FTC) still would lack the resources it needs to protect our data and take meaningful action. And as a recent Public Citizen report showed, more than 75% of top FTC officials have conflicts of interest tied to the tech industry.

In the months ahead, U.S. Rep. Jan Schakowsky (D-Ill.) – the leading congressional champion for online privacy and civil rights – will be working on legislation with the U.S. House Energy and Commerce Committee to address many of these issues, drafted in collaboration with likeminded congressional offices, Public Citizen's policy experts and close allies.

Schakowsky spoke at two events Public Citizen helped organize in June: a transatlantic forum on the need for digital privacy protections and a Capitol Hill briefing on the discriminatory impacts of abusive data practices and the importance of safeguarding digital civil rights. U.S. Rep. Yvette Clarke (D-N.Y.), a civil rights leader and chair of the Multicultural Media Caucus, which is dedicated to eliminating stereotypes in the media and expanding ownership to include communities of color, also spoke at the briefing.

Public Citizen and its allies will continue to educate members of Congress, the media and the public about the need for robust privacy and digital rights protections.

Our digital rights movement is just getting started, says Kilic. Right now it is important to capitalize on the opportunity and achieve much-needed reforms, but the movement must not stop there. Advancing and sustaining digital rights will require ongoing action and vigilance. And everyone must be ready to be part of this fight. ■



**Burcu Kilic, second from left and director of Public Citizen's Digital Rights Program, speaks at a panel on digital trade on June 4 in Washington, D.C. Photo courtesy of Samantha Lai.**

► **Opioid**, from page 1

regarding the review and approval of opioids – recommendations the FDA sought but has not implemented.

Those recommendations include creating a regulatory framework to prevent a continuation of dangerous past FDA errors that have contributed to the opioid crisis in the U.S. The National Academies found that the FDA had failed to adequately "incorporate public health considerations into opioid-related regulatory decisions."

"As an important contributor to the current prescription opioid

crisis because of its poor record, the FDA no longer can be trusted to approve new opioids," Wolfe said. "To continue approving opioids such as Opana ER and Dsuvia before developing this framework for safer opioid regulations is to guarantee further opioid disasters and FDA culpability."

Brown and Wolfe warned the agency not to approve Dsuvia, which is five to 10 times more potent than fentanyl and 1,000 times more potent than morphine. Dsuvia is so potent that physician abusers of the intravenous formulation of it, available since 1984

only in hospital settings for general anesthesia – have been known to die when they inject the first dose.

"It will be taken by medical personnel and others for whom it has not been prescribed. And many of those will overdose and die," Wolfe said.

Wolfe noted that the FDA changed the review process to suppress opposition to Dsuvia; the agency chose not to ask the full Drug Safety and Risk Management Advisory committee, whose members likely would have recommended against approval, to review the drug.

Similarly, when the agency approved Opana ER in 2011, despite evidence to the contrary, the FDA claimed the drug did not constitute a safety problem and that there was no need for a pre-approval safety advisory committee meeting, which would have highlighted the dangers of the medication.

The FDA removed the drug from the market more than five years later in the wake of rapidly mounting evidence that the predicted intravenous abuse of the drug was leading to a public health emergency. ■

# Public Citizen Calls on Media to Cover the Degradation of Nature

BY RHODA FENG

According to a recent report from the United Nations, the global ecosystem is declining at rates unprecedented in human history – and the rate of species extinctions is accelerating, with grave impacts on people around the world now likely.

Even as one million plant and animal species are at risk of extinction due to human activity, the climate crisis is causing a rise in pest populations and the diseases they carry.

Yet major media too seldom connect these phenomena to the climate crisis, and many newspapers passed up an opportunity to cover the sobering warning about species extinction in May, Public Citizen found.

A review of the first week of newspaper coverage of species extinction revealed that 31 of the top 50 newspapers in the United States did not report, editorialize about or otherwise mention the U.N.'s finding on species extinction in their print editions.

The search was limited to the top 50 newspapers by circulation, so it omitted many significant local dailies. The goal was to get a snapshot of how the largest papers, read by millions, were handling the announcement (or failing to do so).

“It’s astonishing that 31 U.S. papers didn’t see fit to print that humans are causing one of the fastest mass extinctions in planetary history, and one that will take 10 million years to recover from,” said David Arkush, managing director of Public Citizen’s Climate Program. “A paper that doesn’t print this or other major climate-related news is failing at its core function: reporting on critical issues of our time.”

The analysis is part of Public Citizen’s “Cover Climate” campaign designed to push the media to cover climate change and environmental destruction like the crisis that it is.

Public Citizen’s analysis also found that:

- Among pieces that covered

the report, 67% connected the possible extinction of 1 million species to the climate crisis;

- *The Washington Post* produced the most coverage, with nine pieces, including three columns and an editorial;
- Twenty-nine percent, or 14 of the articles, were reprints from other publications or wire services. Eight of the 14 reprints were of an Associated Press article;
- Eight major newspapers editorialized on the report; and
- Twenty percent of articles, columns and editorials about the U.N. report discussed barriers to saving threatened species such as efforts by the Trump administration to weaken the Endangered Species Act.

The full report from the U.N. will be released later this year, giving papers another chance to inform their readers about the devastation we are doing to the natural world and ultimately, ourselves.

## The climate crisis and rise in pests

Climate disruption in the form of warmer temperatures is extending the active seasons of disease-carrying mosquitoes and ticks. Increases in rainfall, humidity and flooding can widen breeding areas for these pests. In addition, offspring hatch faster in warmer temperatures.

In 2018, media outlets too rarely connected these problems to the climate crisis, leaving their audiences without critical information about the root causes of, and solutions to, the very problems being discussed. Public Citizen analyzed 2018 coverage of pests and pest-borne illnesses by national television news networks, top newspapers and top digital media, and found that although outlets generally showed improvement over 2017, they still too rarely connected climate-relevant topics to the climate crisis.

Only 25% of television transcripts, 22% of online news articles and 13% of print media pieces that discussed growing mosquito populations in 2018 also mentioned climate change. Among pieces on the spread of Lyme disease, 29% of television transcripts, 27% of print articles and 45% of online news articles also mentioned the climate crisis.

“When media outlets don’t mention the reasons behind pest and disease outbreaks, they’re omitting one of the most important parts of the story,” said Allison Fisher, outreach director for Public Citizen’s Climate Program. “Audiences need to know what’s causing the problem and how to fix it.”

Public Citizen urges reporters to better connect climate change to species extinction and increased pests and diseases this summer. To cover the climate crisis, media outlets can use multiple voices and reporting styles (such as with editorials, columns and news stories), use humor, connect the report to the climate crisis, localize the findings, discuss solutions, put the report in political context, reprint good coverage and listen to readers.

In addition, newsrooms that want to provide better climate reporting but lack the resources to do so can adapt or reprint stories from other publications or wire services, some of which are producing a good deal of excellent work. ■



Graphic courtesy of Isabelle Cardinal.

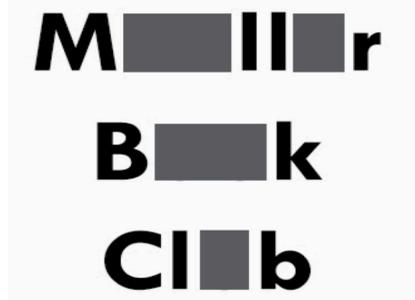
# Public Citizen and Coalition Partners Launch Mueller Book Club

BY SAMANTHA LAI

Have you read the Mueller report? If you're like a majority of Americans, you have not read the entire 400 pages of Special Counsel Robert Mueller's "Report on the Investigation Into Russian Interference in the 2016 Presidential Election."

In May, Public Citizen set out to rectify the situation. Along with its partners in the Trump Is Not Above the Law coalition, which includes Common Cause, March For Truth and People For the American Way, Public Citizen launched the Mueller Book Club to encourage more people to read the Mueller report and to help participants in the virtual reading group understand the nuances of the document.

Though written in language that can often be dense, the information in the report is of incredible importance to our country. It is the most in-depth summary that the United States government has produced about the Russian effort to interfere in the 2016 election on behalf of Donald Trump, and it chronicles a president and a White House intent on obstructing the investigation into that effort.



"The importance of the facts in the Mueller report cannot be overstated," said Lisa Gilbert, vice president of legislative affairs for Public Citizen. "We have convened the Mueller Book Club as a step toward the goal of every American understanding the deep interference of the Russian government in our elections."

Public Citizen also maintains that it is crucial for Americans to parse Mueller's findings firsthand, rather than through the filter of ratings-driven cable news or the misleading brief summary of Attorney General William Barr, who presented a cherry-picked summary of the report to the public before releasing the report, diminishing the findings that were damaging to Trump and making excuses for the president's behavior.

Beginning on May 13, the Mueller Book Club conducted

seven weekly broadcasts with legal experts and other noteworthy people to discuss Mueller's findings. Notable guests included Gloria Steinem, Neal Katyal, former Acting Solicitor General of the United States, and U.S. Rep. Jerry Nadler (D-N.Y.), chair of the U.S. House of Representatives' Judiciary Committee. The last broadcast included the livestreaming of a play based on the report, hosted by Law Works and written by Robert Schenkkan, an award-winning screenwriter and playwright. The star-studded cast included John Lithgow, Alyssa Milano, Annette Bening and more.

Public response to these broadcasts has been enthusiastic, and the videos have garnered almost 400,000 views. Many viewers also have been motivated by the broadcasts to send letters to local newspapers in New York, California, Vermont and other states to raise awareness of the report's findings. Mueller's findings regarding the president's repeated efforts to obstruct the investigation are so damning that more than 900 former federal prosecutors from across the ideological spectrum have signed on to an open letter

stating that they believe Trump would be indicted were it not for the Office of League Counsel's policy that a sitting president cannot be indicted. In other words, if any other individual in the country did what Mueller's report found the president did, they would be charged with multiple felonies for obstruction of justice.

"It's gratifying that so many people are eager to learn more about what the report says and what it means," said Jonah Minkoff-Zern, co-director of Public Citizen's Democracy Is For People Campaign and one of the brains behind the Mueller Book Club. "It is crucial that Americans understand what happened so they can make their own judgment as to whether Trump is fit to govern our nation. It's also critical that they understand the need to secure our elections so a foreign entity is not able to interfere in 2020 as it did in 2016."

Concerned citizens can visit [muellerbookclub.com](http://muellerbookclub.com) to access the report, see the archive of all Book Club broadcasts and get more information on upcoming events, such as the national day of Mueller report readings on July 24. ■

## Opposing Trump-Era Deregulation

BY DAVID ROSEN

In the opening months of Donald Trump's presidency, the National Association of Manufacturers (NAM)—a powerful corporate trade association—sent Trump's administration a wish list of public protections it wanted repealed or gutted. It was just one among many industry wish lists the administration received in 2017, but it stands out because of how much of it ended up becoming policy.

Public Citizen published a report in May—"Your Wish Is My Command"—showing that regulatory agencies granted, or are working on granting, 85% of NAM's wishes related to major rules during the first two years of Trump's presidency. NAM officials targeted more than 130 consumer, worker and environmental protections—including the U.S. Environmental Protection Agency's Clean Power Plan and Clean Water Rule, the Federal Communications Commission's net neutrality rule and the National Labor Relations Board's

joint employer standard.

"The Trump administration's responsiveness to industry is astounding. So-called 'public servants' are giving powerful corporations their most sought-after objectives at the expense of the public and allowing these companies to essentially write the rules themselves," said Matt Kent, regulatory policy associate for Public Citizen's Congress Watch division and author of the report.

More than half of the responses to NAM's wish list involved weakening existing agency actions. The rest either indefinitely delayed or repealed regulatory actions.

But these anti-regulatory moves were contrary to public opinion. A second Public Citizen report published in May—"Lost Safeguards"—showed that many of the protections wiped out in the Trump era were supported by huge bipartisan majorities. Compiled in the report were nearly 60 polls from the past few years showing overwhelming public support for the clean air

and water standards, pocketbook protections and online safeguards that the Trump administration, congressional Republicans and the courts repealed.

"Trump has taken away tangible policies that have a direct effect on everyone—namely the protections authorized by Congress and set forth by federal agencies to shield everyday Americans from financial ruin, health hazards, unsafe workplaces, unlawful discrimination and unchecked pollution of our air and water," said U.S. Rep. Hank Johnson (D-Ga.), a longtime public protections champion who wrote the introduction to the report. "It's important that we remember what we've lost, so that we have a place to start when we build back these valuable safeguards."

Together, the two reports show that the Trump administration's deregulatory policymaking has been anything but the populist agenda that then-candidate Trump campaigned on in 2016. In reality, Trump is pushing a corporatist agenda opposed by

the voters, where big business lobbying groups are demanding and benefiting from regulatory rollbacks that harm workers, consumers and families.

The industries pushing for deregulation include Wall Street banks and credit card companies; big telecom companies and internet service providers; the oil, gas, coal and mining industries; automakers; chemical companies and for-profit colleges. At every turn, the Trump administration and conservatives in Congress have defied voters in both parties to do their bidding.

"If you use the internet, have a bank account or credit card, drive a car, drink water or breathe air, you're being harmed by deregulation," said Amit Narang, regulatory policy advocate for Public Citizen's Congress Watch division.

"The loss of so many landmark protections at the hands of corporate greed is one of the central stories of the Trump era. We will work to regain them when Trump leaves office." ■

Public Citizen held its 2019 gala on June 19 in Washington, D.C. The event featured a keynote address from U.S. Sen. Sheldon Whitehouse (D-R.I.), pictured in the first photo, and remarks from Desmond Meade, this year's Golden Boot recipient, pictured in the last photo. Public Citizen file photos.



## Movement to Overturn *Citizens United* Reaches New Milestone

BY RHODA FENG

**WIN!** 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, allow Congress to regulate big money and help restore elections to the people. The Granite State's approval of HB 504 represents a major milestone, bringing the national movement to overturn *Citizens United* beyond the symbolic halfway point of the 38 states needed to ratify a constitutional amendment to overturn the 2010 Supreme Court ruling, which allowed unlimited money from wealthy and corporate donors to flood elections. The state Senate's vote to overturn *Citizens United* followed the March 19 approval of HB 504 by the state House of Representatives.

"New Hampshire's vote should signal to the U.S. Senate that it should vote on the For the People Act (H.R. 1), which contains a host of democracy reforms, including a call for overturning *Citizens United*," said Jonah Minkoff-Zern, co-director of Public Citizen's Democracy Is For People Campaign.

Over the past seven years,

Public Citizen has led an energized coalition in New Hampshire that included Coalition for Open Democracy, People For the American Way and American Promise to pass 82 local resolutions in support of an amendment, which would establish that corporations don't have a right to participate in elections and that campaign money does not equal speech. Public Citizen held countless rallies in Concord and marches at other locations across New Hampshire. Thousands



Graphic courtesy of Zach Stone.

of residents attended hearings, called state lawmakers, signed petitions and turned out for demonstrations.

The New Hampshire legislature was not always in sync with the state's residents. As recently as March 2014, the state Senate defeated proposed language calling for a constitutional amendment to overturn *Citizens United*. Instead lawmakers moved forward a hollow bill, SB 307, which created a committee to examine the impact of the *Citizens United* ruling.

New Hampshire residents, on the other hand, consistently made it crystal clear that they wanted to free elections from corporate influence and megadonors. For example, in 2014, the same year that the Senate voted down the resolution, Granite State residents overwhelmingly passed resolutions at 48 town meetings in 2014 calling for the state legislature to support a constitutional amendment to overturn the U.S. Supreme Court ruling. Thirty-six of the 48 towns that voted to pass a resolution were in Senate Republican districts, showing bipartisan support for an amendment.

Americans across the political spectrum agree that big donors have too much power over our government.

With New Hampshire joining the national movement to support overturning *Citizens United*, limiting corporate influence on federal lawmakers is within arm's reach. Nineteen other states (California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Montana, Nevada, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, Washington and West Virginia), Washington, D.C., and more than 800 municipalities have called for a constitutional amendment to overturn *Citizens United*. More than 5 million petition signatures have been gathered nationwide calling for an amendment.

"By overwhelming margins, the American people want to end big money domination of our elections and politics," said Robert Weissman, president of Public Citizen. "No state legislature lightly calls for a constitutional amendment. But New Hampshire joins those who recognize that we need a constitutional amendment to loosen the death grip by which giant corporations and the super-rich are strangling our democracy."

To build on that victory, Public Citizen is urging readers to tell their members of Congress to co-sponsor H.J.Res. 2, a constitutional amendment that would permit Congress and the states to set reasonable limits on campaign finance spending. ■

private-sector jobs are working to influence federal policy.

The findings sparked bipartisan outrage and an unexpected public Twitter exchange between U.S. Rep. Alexandria Ocasio-Cortez (D-N.Y.) – a progressive freshman – and ultra-conservative U.S. Sen. Ted Cruz (R-Texas). Both agreed that lawmakers should be permanently banned from lobbying and pledged to work together on legislation to address the problem.

“The unexpected agreement between lawmakers of the left and right exposes a fundamental truth about our politics: Americans of all political stripes have a healthy distrust for concentrated power and want fundamental and far-reaching reforms to our corrupt political system,” said Public Citizen President Robert Weissman.

The research highlights the need for reform of Washington’s

notoriously loose ethics and conflict of interest laws, Weissman said.

“It’s awfully hard for top government officials to be tough on wrongdoing if they previously worked in the sector they now regulate, or are likely to seek employment with companies they regulate,” Weissman said. “Likewise, lawmakers on Capitol Hill can’t possibly be aggressive in confronting corporate abuses if their ultimate game plan is to sell their contacts and expertise to the highest bidder.”

### **Weak regulations, loopholes**

Federal ethics laws provide minimal protections against influence-peddling by former members of Congress. Former members of the U.S. House of Representatives are barred from making lobbying con-

tacts with their ex-colleagues for one year. A two-year ban applies to former Senate lawmakers.

However, loopholes in the ethics laws diminish the impact of these modest “cooling off” periods. For example, former lawmakers can immediately turn around and lobby executive agencies such as the U.S. Environmental Protection Agency, the U.S. Interior Department, the FTC or the U.S. Food and Drug Administration as long as they do not lobby Congress. Former lawmakers also can label themselves as “strategic consultants” who advise registered lobbyists on strategies for approaching lawmakers but do not make lobbying contacts with lawmakers themselves.

Public Citizen found that nearly 60% (26 of 44) of former members of the 115th Congress (2017-2019) who have found employment out-

side politics have done so through the revolving door. For example:

- Former U.S. Rep. Joe Crowley (D-N.Y.), defeated by Ocasio-Cortez, now works for the law firm Squire Patton Boggs.
- Former U.S. Rep. Lamar Smith (R-Texas) now works for lobbying firm Akin Gump, where he is registered to lobby in favor of the same controversial copper and gold mine in Alaska that he pushed for while in Congress.
- Former U.S. Rep. Lynn Jenkins (R-Kan.) launched her own lobbying firm before she even left Congress.
- Former U.S. Sen. Jon Kyl (R-Ariz.) left his lobbying job at Covington & Burling to serve in the Senate for only four months after the death of Sen. John McCain. Kyl then returned to Covington with his

## **Former Lawmakers Cas**



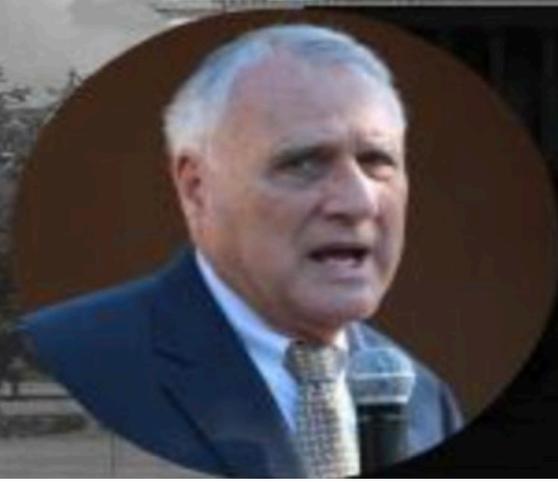
**Rep. Lynn Jenkins  
(R-KS)**

Launched a lobbying firm while in Congress



**Rep. Tim Murphy  
(R-PA)**

Industry consultant



**Sen. Jon Kyl  
(R-AZ)**

Industry lawyer

Senate contacts refreshed.

In 2013, after leaving the Senate to join Covington & Burling for the first time, Kyl told *The Washington Post* that there is “a huge amount of work that can be done” legally even while restricted by a two-year cooling off period. “I can provide my insights into the people and process on Capitol Hill for them to take advantage of in the lobbying they do,” Kyl said at the time.

At the FTC, Public Citizen found that 75% of top officials (31 out of 41) over the past two decades have corporate revolving door conflicts. The finding has sparked an important 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.

Former FTC Chair Jon

Leibowitz, who served under Presidents George W. Bush and Barack Obama is one of many examples. Leibowitz:

- Represented Herbalife, which paid \$200 million to settle an FTC investigation into whether it operated as a pyramid scheme;
- Represented Comcast in its successful push to repeal net neutrality protections; and
- Represented Syngenta, a Swiss agriculture firm whose merger with a Chinese company was approved by the FTC.

Leibowitz co-chairs the 21st Century Privacy Coalition, a telecom industry-backed lobbying effort focused on exempting the industry from data privacy requirements.

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, which are under the FTC’s jurisdiction.

Public Citizen’s findings are contained in two reports, available at <https://bit.ly/2WKao57> (on the revolving door at the FTC) and <https://bit.ly/2WlcoN1> (on the revolving door in Congress).

### Pressing for solutions

Ethics and revolving door issues are a key part of the For the People Act (H.R. 1), which Public Citizen endorsed and which passed the U.S. House of Representatives in March. The bill enacts sweeping reforms that would raise ethics standards at all levels of government.

Importantly, H.R. 1 would define “strategic consulting” as

lobbying for former members of Congress, subjecting this activity to the existing revolving door restrictions.

The legislation also would bar former executive branch officials from engaging in “strategic consulting” on behalf of a lobbying campaign as well as making direct lobbying contacts for two years after leaving government service.

“If Congress wants to impose a lifetime ban on lobbying, that would be great,” said Craig Holman, government affairs lobbyist for Public Citizen’s Congress Watch division. “At the very least, lawmakers can develop effective policies to rein in the most egregious revolving door abuses, such as much longer ‘cooling off’ periods for former members of Congress and the executive branch, and an end to loopholes that render lobbying regulations next to meaningless.” ■

**Push In On Public Service**

**Sen. Joe Donnelly (D-IN)**  
Industry adviser

**Rep. Joe Crowley (D-NY)**  
Advocates for Trump's NAFTA 2.0

**Rep. Charlie Dent (R-PA)**  
Corporate consultant

PUBLIC CITIZEN

Graphic courtesy of Omer Atas.

# Prioritizing Education Over Tanks

BY ANGELA BRADBERY

Tanks or education? Fighter jets or housing? Right now, as shown by our national spending, the U.S. puts military spending over human needs such as education and housing, indicating that our national priorities are severely skewed and must change, Public Citizen maintains.

So the organization in May launched a broad coalition of 22 progressive organizations to shift fundamentally the debate over Pentagon spending and infuse the issue into the presidential campaign. The coalition is calling on the next U.S. president to embrace dramatic cuts in Pentagon spending – at least \$200 billion annually from the current \$716 billion – and a reallocation of the money to human needs. President Donald Trump’s budget for the 2020 fiscal year calls for a 5% increase in military spending.

In contrast, Trump’s budget proposal requests a 10% decrease in funding for the U.S. Department of Education, bringing it down to \$64 billion. Trump also has proposed major cuts to the budgets for the U.S. Environmental Protection Agency, Department of Transportation, Department of Agriculture, Department of Energy and Department of Health and Human Services, among others.

Under the banner of “Put People Over the Pentagon,” the 22 groups sent a letter to all announced presidential candidates.

identical candidates.

“The military-industrial complex has driven Pentagon spending to insane levels – more than in the next seven countries combined,” said Robert Weissman, president of Public Citizen. “As a direct result, we are less secure, mired in endless war and told – untruthfully – that the nation does not have the money needed to address our most urgent priorities.”

The letter said that “[I]t is time to stop misdirecting hundreds of billions of dollars away from domestic and human needs to pad unnecessary budget lines for endless wars, failed weapons and the Pentagon’s corporate handouts.”

Doing so “will make our country stronger and more just.” The groups maintain that military spending should be reduced by at least \$200 billion annually, freeing up \$2 trillion or more over the next decade for domestic and human needs. With those spending cuts, the Pentagon’s budget would remain more than enough to keep America safe at a level well above our nation’s post-World War II historical average.

A newly created site, [PeopleOverPentagon.org](http://PeopleOverPentagon.org), serves as a hub of information on the initiative to end wasteful Pentagon spending and enumerates some opportunities for savings that could significantly reduce spending without undermining national



Graphic courtesy of John Tomac.

security or capabilities.

For example, replacing some military personnel with civilian employees could save \$200 million. Eliminating the Overseas Contingency Operations account could further save an estimated \$68.8 billion to \$174 billion in one year. And forgoing the creation of a new Space Force could save \$2.6 billion.

The website also makes available a social media toolkit to help activists amplify the message that 2020 presidential candidates should prioritize people-first programs like Medicare for All and the Green New Deal.

The groups’ agenda also calls for the United States never again to go to war without congressional authorization, and says that

Congress should not authorize military action without identifying revenue to pay for current and future costs, including taking care of injured veterans.

Organizational signers of the call to “Put People over the Pentagon” include: 350.org, Center for Popular Democracy, Code Pink, Credo Action, Daily Kos, Demand Progress, Democracy for America, Friends Committee on National Legislation, Friends of the Earth, Greenpeace, Indivisible, Just Foreign Policy, MoveOn.org, National Priorities Project, Peace Action, Public Citizen, RootsAction, Social Security Works, United We Dream, Win Without War, Women’s Action for New Directions and World Beyond War. ■

## Public Citizen Stands as Bulwark to Debt Collectors



BY ADAM PULVER

In 2017, Oregon resident Jillian McAdory was contacted by a company called M.N.S. & Associates concerning a debt she owed to Kay Jewelers. M.N.S. was working with DNF Associates, a debt buyer, to collect on the loan McAdory had taken out with Kay Jewelers in 2016.

In its first call, M.N.S. did not tell her that it was attempting to collect a debt, but left a message saying she needed to call back within 48 hours and suggesting that a lawsuit would be filed

against her if she did not. When she called back, McAdory was told that if she did not pay, she would be sued. Following a series of calls and emails about the debt, McAdory relented and arranged to borrow money from her mother to meet the nearly \$900 demand.

In its attempts to collect the debt, however, M.N.S. ran afoul of certain provisions of the Fair Debt Collection Practices Act (FDCPA) by failing, for instance, to disclose they were attempting to collect a debt and by withdrawing money from McAdory’s checking account the day before she had agreed.

Congress passed the act in 1977 to protect consumers from abusive practices by debt collectors, including harassing phone calls, misleading letters and outright

lies.

In May 2017, McAdory filed suit against M.N.S. and DNF, based on a long line of cases holding that a debt collector can be held liable under the FDCPA for the unlawful acts of its agents. M.N.S., a small upstate New York-based business, never responded to the lawsuit. DNF, also based in upstate New York, filed a motion to dismiss the case, claiming that it could not be held responsible as a “debt collector” because it is a “passive” debt purchaser that does not contact customers to collect debt, but instead hires other people to make the contacts and to obtain payment.

In November 2017, a federal court in Oregon agreed with DNF that it did not meet the definition

of a “debt collector” under the FDCPA. McAdory appealed, and Public Citizen lawyers then joined as co-counsel to take the lead in the U.S. Court of Appeals for the Ninth Circuit.

“Because the debt buyers make money only if they collect on a debt, they are motivated to use aggressive tactics,” said Adam Pulver, the Public Citizen attorney acting as lead counsel on appeal. “The FDCPA was enacted to protect consumers against such tactics.” The statute states that any business that has a “principal purpose” of debt collection is a “debt collector.” On appeal, McAdory argues that the fact that DNF’s business model is predicated on buying defaulted debts

see [Debt](#), page 11 ►

# University Center Is Cog in the Koch Deregulation Machine

BY DAVID ROSEN

George Washington University's Regulatory Studies Center (RSC) claims to be an unbiased and objective purveyor of analyses on regulatory policy issues.

In reality, it's a corporate-funded, anti-regulatory lobbying organization masquerading as a neutral center of academic inquiry, a Public Citizen report published in June shows.

The RSC almost universally pushes against regulation and relies primarily on researchers with ties to groups funded by the Koch family. The report unearthed numerous instances of RSC writers imparting deceptive or patently false information. For example, they have grossly misstated the scope of regulation, exaggerated the annual growth of regulation and cited discredited studies on the annual cost of regulation.

"The Regulatory Studies Center is the Fox News of the regulatory policy world, except it still clings to the fiction that it is fair and balanced," said Taylor Lincoln, research director for Public Citizen's Congress Watch division and author of the report. "The center is a microcosm of the strategy that Charles Koch has honed since the 1970s to finance deceptively named university centers to generate faux scholarship in support of Koch's anti-regulatory views."

The RSC's writings often focus on environmental issues – such as opposing proposals to reduce pollution and combat the climate crisis – that have material implications for Koch Industries, the petrochemical giant primarily owned by brothers Charles and David Koch. The Trump administration has acted on many of the center's polluter-friendly recommendations, such as reducing the costs that the government attributes to greenhouse gases and raising the bar for issuing new energy efficiency standards.

The report found that:

- Between 2013 and 2018, 96% of public comments submit-

ted to government agencies by RSC writers on specific regulatory proposals recommended less regulation than the status quo or the proposal;

- 75% of public comments submitted by the RSC in this period were authored or co-authored by people with past or present ties to Koch-funded entities;
- RSC researchers have been affiliated with at least 28 Koch-funded entities. Eight RSC researchers, including its director, Susan Dudley, have been affiliated with Koch-funded programs at George Mason University, the hub of the Koch university initiative;
- Funders of the RSC are not fully disclosed but records from other organizations and cryptic disclosures from the university indicate that its

**"The Regulatory Studies Center is the Fox News of the regulatory policy world, except it still clings to the fiction that it is fair and balanced."**

—Taylor Lincoln, research director for Public Citizen's Congress Watch division

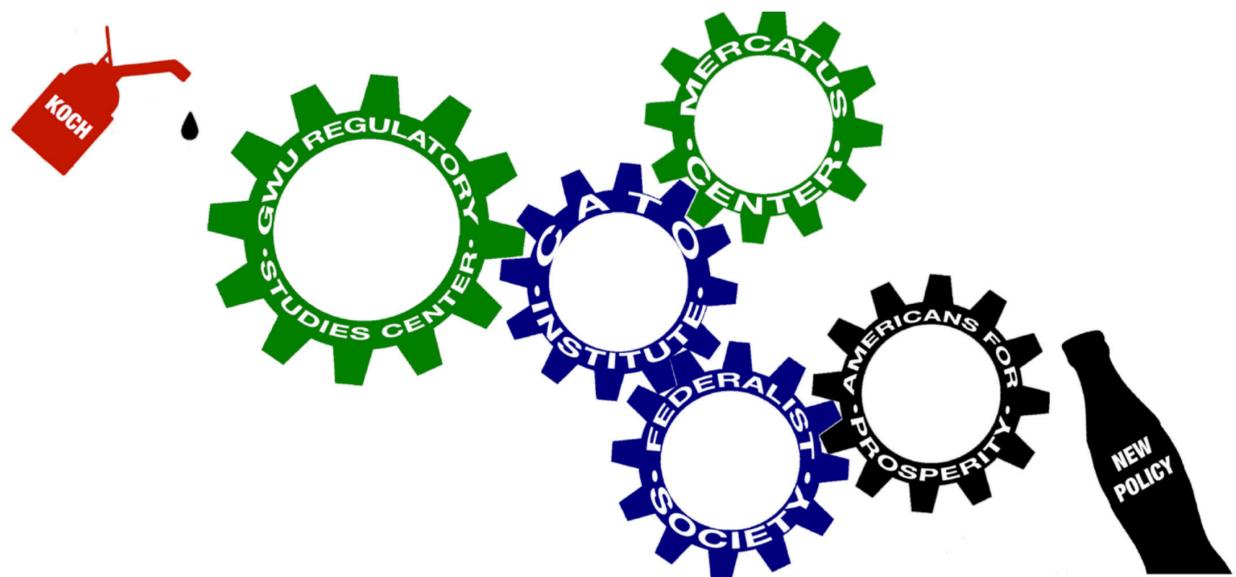
\$60 million annually, and the family now helps fund more than 50 university centers.

Public Citizen is calling on George Washington University to either close the RSC or take steps to ensure that it no longer serves merely as a cog in an industry-backed campaign to attack regulation. Necessary reforms would include disclosing the details of the RSC's funding arrangements and establishing a robust policy on institutional conflicts of interest to ensure that researchers' decisions are not influenced by their sources of funding.

and universities accountable by requiring them to disclose the terms and conditions attached to private sources of funding for research, courses and faculty."

The RSC is just one outgrowth of a university-centered advocacy effort that the Koch family has fostered for decades. In the mid-1970s, Charles Koch called for the "development of a well-financed cadre of sound proponents of the free enterprise philosophy."

One of his aides outlined a plan calling for the creation of centers that would be connected to universities, controlled by their funders and carry names and mis-



Graphic courtesy of Bret Thompson.

funders include the Charles Koch Foundation, the libertarian Searle Freedom Trust foundation, the far-right Sarah Scaife Foundation and ExxonMobil Foundation, along with anti-regulatory business trade associations, including the U.S. Chamber of Commerce, the Business Roundtable and the American Chemistry Council; and

- Koch funding of university programs has roughly quadrupled in the past decade, to

"The Koch network's dark money manipulation of our nation's colleges and universities has been proven to harm communities of color, dismantle protections for workers and obstruct environmental protections," said Samantha Parsons, campaigns director for UnKoch My Campus, an organization that fights to protect higher education from corporate influence, whose research features prominently in the report.

"We must hold our colleges

sion statements that obscured their true purposes.

"Charles Koch's approach to stopping action to address the climate crisis and the innumerable harms caused by the petrochemical industry has been to finance phony scholarship to turn the public against regulation," said Lisa Gilbert, vice president of legislative affairs for Public Citizen. "It is not remotely appropriate for George Washington, or any university, to be an accomplice in this scheme." ■

## ► Debt, from page 10

with an eye toward collecting them through its network of companies shows that debt collection is its "principal purpose."

"I hope my case helps make clear that debt buyers cannot rely on harassment and abusive tactics in trying to collect on debts,"

McAdory said. "I'm grateful that Public Citizen is fighting on behalf of me and other consumers in this case."

The past two decades have seen a massive growth in the debt buying industry. As recently as 2017, this practice accounted for one-third of consumer debt collection revenue, or about \$3.5 billion,

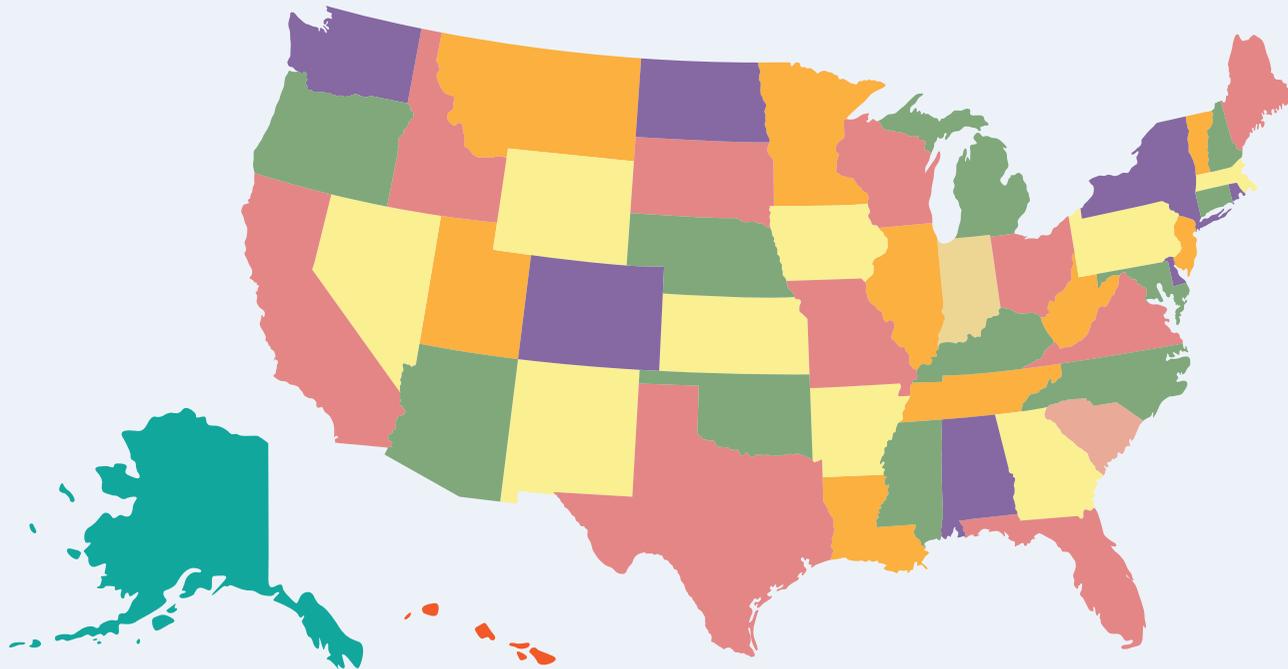
according to the U.S. Consumer Financial Protection Bureau. Typically, a company that has originated a loan – for example, a store or a bank that issues a credit card – will first try to collect any unpaid money. If it is unsuccessful, it may hire a third-party debt collector to take further actions. If those actions fail, the company

may sell the delinquent account to a debt buyer for pennies on the dollar. The debt buyer then becomes the owner of the account, and the company that initially made the loan no longer has anything to do with it.

Public Citizen will argue the case before the Ninth Circuit in the fall. ■

# PUBLIC CITIZEN IN YOUR STATE

Much of Public Citizen's work focuses on federal policies, but the organization also works in the public interest at the local and state levels. Here's what Public Citizen has been doing in your state lately.



## Corporations Must Stop Filing Bogus Lawsuits To Bleed Their Critics Dry

Can someone who files a bogus lawsuit avoid paying the attorneys fees of the person he has sued by dropping its lawsuit after bleeding the defendants dry?

The answer is yes, according to the New York State Appellate Court. Now, Public Citizen is appealing to a higher court to get a different answer.

In 2017, Richard Robbins called 311, a New York City hotline, complaining of noise coming from construction work on a building adjacent to his apartment. In retaliation, 315 West 103 Enterprises LLC and 315 W 103 St. Development LLC, owners of the buildings under construction, sued Robbins, claiming that he defamed them.

Robbins moved to dismiss the lawsuit, citing New York's anti-SLAPP (strategic lawsuits against public participation) law. That law protects people against lawsuits that are filed to intimidate or silence critics by burdening them with the cost of a legal defense until they give up. Robbins claimed that he had a sound basis for his complaints and that the suit against him was baseless, and he sought attorneys fees and damages.

The building owners decided that it would cost too much to litigate the case and dropped the suit, but not before putting Robbins through the cost, trouble and anxiety of a seven-count lawsuit.

"The case filed by the building owners is a textbook example of what the anti-SLAPP law is supposed to protect New Yorkers against," said Paul Alan Levy, the Public Citizen attorney representing Robbins. "The court should hold these building owners accountable for using the legal system to intimidate Mr. Robbins."

Levy argued before the New York State Appellate Court that the building owners should not have been permitted to avoid the consequences of having filed a baseless defamation complaint. Though Public Citizen lost the argument, Public Citizen is seeking review by the New York Court of Appeals. — Mike Stankiewicz

## **WIN!** Public Citizen Defeats Nuclear Waste Storage Bill in Texas

For the first time since 2003, Public Citizen and its allies defeated Texas legislation promoted by Waste Control Specialists (WCS), operators of a nuclear waste dump in West Texas near New Mexico. SB 1021 and HB 2269 – introduced in the Texas Legislature this year – were both defeated in May.

This rejection by state lawmakers will help set the stage for a renewed fight against WCS' permit application to the U.S. Nuclear Regulatory Commission to store high-level radioactive waste in Texas.

For the past several months, Public Citizen and a contingent of volunteer

organizers, including Tom "Smitty" Smith, former director of Public Citizen's Texas office; Karen Hadden, executive director of the Sustainable Energy and Economic Development (SEED) Coalition; and former Texas state Rep. Lon Burnam, have worked to oppose the interim high-level radioactive waste storage proposal in Andrews County, Texas. This follows several years of educating and organizing people in communities in West Texas and in major cities throughout the state that lie on probable transport routes for the radioactive waste.

After the bills were defeated in the Texas legislature, WCS convinced Eagle Pass Representative Poncho Nevárez to sneak a financial giveaway to the company into an unrelated domestic violence bill (SB 1804). This attempted amendment would have deprived Texas of two years of revenue from the waste dump's operation.

Texas Gov. Greg Abbott, however, vetoed the bill, explaining that it had been "dragged down by a bad idea about radioactive waste." Abbott's veto signals that Texas lawmakers have had enough with WCS and its attempts to undermine the health and safety of Texans. Public Citizen's advocacy on this issue now shifts to opposing the federal proposal for high-level interim storage. — Rhoda Feng

## Public Citizen Calls on D.C. Council to Fund Pay-to-Play Law

In May, Public Citizen kept up a steady drumbeat to urge the D.C. Council to put teeth on a critical good government measure that it passed in December. The D.C. Council approved pay-to-play reform legislation in 2018, which will limit political contributions from District contractors to elected officials who have sway over the contracting process. The law is supposed to fully take effect in 2022. But so far, no funding has been allocated in the FY 2020 budget to begin implementation.

It is estimated that it will take about \$1.4 million for the next fiscal year to implement the law. About one-third of that is to expand a public contractor database so candidates and voters can check to ensure that major city contractors aren't sending illegal contributions to D.C. Councilmembers and the mayor.

At the end of May, the D.C. Council had still not funded the measure. If nothing is allocated in the next budget cycle, the law must be repealed, according to statute.

In addition to restricting major government contractors from making campaign contributions to those responsible for issuing the contracts, the legislation would ensure the independence of the District's campaign finance enforcement agency, enhance the disclosure requirements for money in District elections and require that "independent" expenditures be truly independent of candidates and not become a route to subvert anti-corruption laws. — Rhoda Feng ■

# Public Citizen Opposed Millions in Extra Profits Sought by Utility

**WIN!** BY MIKE STANKIEWICZ

Public Citizen's intervention has saved utility customers in six New England states \$6.57 million. On March 15, Connecticut-based United Illuminating Company – a subsidiary of the Spain-based energy conglomerate Iberdrola – asked the Federal Energy Regulatory Commission (FERC) to allow it to assess an extra charge as part of a new energy substation project, with the extra charge designed only to increase the utility's profits by \$6.57 million.

The utility claimed that the money was needed due to the "increased risks and challenges" of the construction project. Public Citizen opposed the rate increase, challenging the utility's claim. The utility company then filed a motion to kick Public Citizen out of the proceedings.

In a May 14 order, FERC not only agreed that Public Citizen had the right to intervene in the proceedings but also rejected the utility's rate request. The increase would have raised rates for consumers in Connecticut, Maine,

**"Public Citizen serves as a watchdog at FERC and intervenes to promote renewable energy, fight unfair rate hikes and hold energy corporations accountable."**

—Tyson Slocum, director of Public Citizen's Energy Program

Massachusetts, New Hampshire, Rhode Island and Vermont.

"Public Citizen serves as a watchdog at FERC and intervenes to promote renewable energy, fight unfair rate hikes and hold energy corporations account-

able," said Tyson Slocum, director of Public Citizen's Energy Program. "This is a win for New Englanders, who shouldn't be asked to foot a multimillion-dollar bill purely to increase a corporation's profit margins." ■

## Public Citizen salutes...

the extraordinary generosity and commitment of our donors, who make our mission and goals their own. This list includes recent leadership donations.

### TRUSTEES (\$25,000+)

Anonymous  
Robert Bramson  
Mark Chavez  
Polly and Randy Cherner  
Abe and Ida Cooper Foundation  
Scott Denman  
John Eder  
Caragh Glenn Fay  
Thomas Fortune Fay  
In memory of Solomon Fingold  
Andrew Friedman  
Sheila, Dave and Sherry Gold Foundation  
Neil Holtzman M.D.  
Taras Kick  
Jean Lenhart  
Michael Rooney  
Jay Scheide  
Stephen Silberstein  
Steve Skrovan and Shelley Powsner  
Gerson Smoger  
Janet Varnell and Brian Warwick

Deborah Schumann M.D.

Karen Seriguchi  
Thomas Shapiro  
Mary Steele  
Gladys Stern  
Natalie Sticesen

### TORCHBEARERS DIRECTOR'S CIRCLE (\$5,000-\$9,999)

Elizabeth Abbe and Lewis Schneider  
American Association for Justice  
American Federation of State, County and Municipal Employees  
Greg Allen  
Sarah Anderson  
Richard and Joanne Barsanti  
Jere Beasley  
James George Beaudry  
Tim Becker  
Steven Berger and Paula Hughmanick  
Marcie Tyre Berkley and Forrest Berkley  
Jim and Nancy Bildner  
Steven Birnbaum  
Mrs. Walter Brissenden  
Mark Bronson  
Christopher Brown and Susan Urquhart-Brown  
Stephen Bruce  
Jeffrey Burns  
Charles Charrow  
Dana Chasin  
Robert Cordova  
Jonathan Cuneo  
Sandra Davidson  
David Deitch  
Laraine Del Belso  
Gilbert Dembo  
Tim Dollar  
Margaret Elizares  
George Farah  
Donald and Martha Farley  
Edith Fein  
Pamela Gilbert  
Danny Goldberg  
Bernard and Harriet Gross  
J. Gary Gwilliam  
Jon Hagler  
Donald Hall  
Ruth Harvey  
The Humanist Fund  
International Brotherhood of Teamsters  
Nobuko Kuhn M.D.  
Charles LaDuca  
Lefort-Martin Fund  
James Lichter  
Jacob and Lini Lipton  
Patrick and Vicki Malone  
Victor Martino  
Paula Merritt  
Thomas Methvin  
Alan and Anne Morrison

Donald Mullen  
Michael Murray  
Bette Kay Myerson  
Andrea Nace  
Barry Nace  
Christopher Nace  
Matthew Nace  
Peter Nicholl  
Scott Owens  
Hassel Perrel  
Kit Pierson  
Gary and Colleen Pomerantz  
Steve and Carolyn Purcell  
C.M. Pyle  
Patrick Regan  
Phil and Monica Rosenthal  
Michael Royce and Alexis Rappaport  
F. James Rutherford  
Morley Schloss  
Judith Shapiro  
Michael Shoop and Joyce Prudden  
Mary Ellen Stinski  
Faith Strong  
Stephen Tillery  
Stephen Vance  
Gibson Vance  
Carol Weale  
Welman Family Fund  
Elsa Wood  
James Worth  
John Zavez

### TORCHBEARERS LEADERSHIP CIRCLE (\$1,000-\$4,999)

Porter Anderson  
Susan Anstrand  
Artist's Endowment  
Diana Bingham  
Joyce and Alex Bloom  
Ann Bramwell  
Rena Bransten  
Jay Causey Jr.  
Prentiss and Leora Cole  
Joseph Cotchett  
J. Kent Emison  
Diane Faissler  
Barbara Featherstone  
Harvey Fernbach M.D. M.P.H.  
Donna Galvin and Sean McCloskey  
William Gebel  
Edwin and Elizabeth Goldwasser  
Peter and Harriet Hanauer  
Cynthia Hobart  
Wayne Hogan  
Joy Howell  
Eugene Howley  
Debra Katz  
Michael Kelly  
Albert Kramer  
William and Debbie Krieg  
Hans Lange  
Nadine Lauru

Arthur Levy  
Peggy Lichter  
Gabrielle Lurie  
Christine Marie  
Stanley Marks  
Stefanie Moritz and Vincel Jenkins  
Jeanne Nunes  
Gilbert Omenn M.D. Ph.D. and Martha Darling  
Malcolm Peabody  
Lorin Peters  
Frank Pitre  
Margaret Pringle  
John Richard  
Jose G. Rigau Perez  
Trude Roselle  
Paul Sack  
Michael Shannon  
Will Siegfried and Susan Powers  
Martha Smith  
Jewell Stindt  
Lois Thill  
United Steelworkers  
John Vail  
Duncan Van Arsdale  
Kay Van Wey  
Bill Wagner  
Mason Williams  
Dianne Powers Wright  
Michael Ziegler

### SUSTAINERS (\$100-\$250 monthly)

George Alvarez-Correa  
Donald Andrews  
Judith Aronson  
Justin Billings  
Anne Bloom  
Betty Butterbaugh  
Jay Causey Jr.  
Gregory Cermak  
Leo Coutu  
Michael Donahue  
Susan Farrell  
Jill Fisher  
Lynda Fox  
John Gibson  
Bruce Gillam  
James Golden  
Margaret Herzen  
Susan Hughes  
Kathleen Jones  
Oscar Jones  
Susan Knappe  
James Margolis  
Fred Matthews  
Andrea Nace  
Barry Nace  
Christopher Nace  
Matthew Nace  
Erik Nash and Allison Spielmann  
Israel Perla  
Gary and Colleen Pomerantz

Russell Posch  
Nancy Rader  
Wallace Ratliff  
Rita Rausch  
Martha Reddout  
Zeke Reich and Michelle Sternthal  
Brent Rosenthal  
Martha Rowlett  
Mary Ellen Sheehy-Reed  
Gary Stewart  
Jennifer Tomkins  
Willem Vanderbroek  
Thalia Venerable  
Tara Wakefield  
Betty Walters  
Barbara Wayne  
Barbara Whitney  
Ann Worthington  
Daniel Zanger

### FOUNDATIONS

1000 Days  
11th Hour Project of the Schmidt Family Foundation  
Arca Foundation  
The Bauman Foundation  
Bernard and Anne Spitzer Charitable Trust  
Center for Effective Government  
C.S. Fund  
Deer Creek Foundation  
Edna Wardlaw Charitable Trust  
Energy Foundation  
Environmental Defense Fund  
The Fair Share Fund at the Community Foundation Santa Cruz County  
Fine and Greenwald Foundation  
Ford Foundation  
Houston Endowment  
J.M. Kaplan Fund  
JMG Foundation  
Johnson Family Foundation  
Marisla Foundation  
Media Democracy Fund  
Mertz Gilmore Foundation  
Cynthia and George Mitchell Foundation  
Moriah Fund  
NEO Philanthropy  
New Venture Fund  
Open Society Foundations  
Park Foundation  
Perls Foundation  
Piper Fund  
Public Welfare Foundation  
Rachel and Ben Vaughan Foundation  
Rockefeller Brothers Fund  
Rockefeller Family Fund  
Ted and Rita Williams Foundation  
Tides Foundation  
Wallace Global Fund  
Western Conservation Foundation  
William H. Donner Foundation

### TORCHBEARERS PRESIDENT'S CIRCLE (\$10,000-\$24,999)

Jason Adkins  
Franz and Marcia Allina  
Bob and Jacquelin Apsler  
Attorneys Information Exchange Group  
The Benjamin Fund  
Monty Bennett  
Elizabeth Cabraser  
Daniel Castellaneta and Deborah Lacusta  
Steven Cohen  
Steven Fineman  
Bernadette Goggin  
Sidney Goldstein  
Margie Haley  
Kriss Hart  
Howard Heffron  
Travis Hodgkins  
Jeld Charitable Foundation  
Robert Jennings Jr. and Barbara Bott  
Morton and Merle Kane  
Ellen and Christopher Kauffman  
Martha Kirby  
Adam Koranyi  
Rabbi Emily Korzenik  
Kurt Lang  
Michael and Louise Malakoff  
Richard and Susan Master  
Dorothy Mauser  
Mary Maxwell  
Richard and Marilyn Mazess  
Barbara Moore  
Maria Ragucci  
Christopher Robinson and Bok Yon Mauras  
Abby Rockefeller and Lee Halprin  
Alan Rokaw, in memory of Elaine Rokaw

To become a leadership supporter, please contact Amanda Fleming at (202) 588-7734 or [afleming@citizen.org](mailto:afleming@citizen.org).

# Are your medicines SAFE?

Many drugs that come to market have risks that outweigh their benefits. Others, found to have risks only after they are approved, are left on the market for dangerously long periods of time. Find out which drugs are safe—and which you should avoid—with Public Citizen's WorstPills.org and *Worst Pills, Best Pills News*.

To subscribe to WorstPills.org, our website, for only \$10 a year, visit [www.WorstPills.org](http://www.WorstPills.org), and type in promotional code OP4G5PC when prompted.

To subscribe to the monthly print edition of *Worst Pills, Best Pills News* for a discount—\$10 a year—mail in the form below. (Phone orders without this coupon are \$20.)

**Yes! I will subscribe to the print edition of *Worst Pills, Best Pills News* for only \$10 for 12 monthly issues.**

All orders must be prepaid

Check (payable to Public Citizen)

Credit card:  Visa  Mastercard

Amex  Discover

\_\_\_\_\_  
CREDIT CARD NUMBER

\_\_\_\_\_  
EXP. DATE

\_\_\_\_\_  
SIGNATURE (AS IT APPEARS ON CARD)

\_\_\_\_\_  
NAME

\_\_\_\_\_  
8-DIGIT ID NUMBER (FROM MAILING LABEL)

\_\_\_\_\_  
STREET ADDRESS

\_\_\_\_\_  
CITY

\_\_\_\_\_  
STATE/ZIP

\_\_\_\_\_  
EMAIL ADDRESS

\_\_\_\_\_  
PHONE NUMBER

Send order to:

**Public Citizen  
P.O. Box 96978  
Washington, DC 20090-6978**

OP4G5PC

[www.WorstPills.org](http://www.WorstPills.org)

## IN THE SPOTLIGHT

The following are highlights from our recent media coverage.

**Robert Weissman, Public Citizen president**

**On the U.S. Transportation Secretary's ties to construction company Vulcan Materials:** *The New York Times*. **On New York legislation calling for Congress to have access to President Donald Trump's tax returns:** *Bloomberg*. **On 2020 presidential candidate Joe Biden not answering questions about his son's foreign work:** *Good Morning America, ABC News, CBS News*. **On taxpayers bearing Trump's golfing costs:** *The New Yorker, Vanity Fair, HuffPost*. **On 2020 Democratic presidential candidates backing Pentagon spending cuts:** *Associated Press, Politico*. **On Trump's pardon of ex-media mogul Conrad Black:** *Associated Press*. **On White House counselor Kellyanne Conway's violation of the Hatch Act:** *HuffPost*.

**Lisa Gilbert, vice president of legislative affairs**

**On tech companies escaping accountability:** *The New York Times*. **On former lawmakers who are hired as industry lobbyists:** *The Hill*. **On a Federal Election Commission law prohibiting the transfer of campaign funds from state to federal campaigns:** *ABC News*. **On how Biden's past relationships with lobbyists pose a dilemma for his presidential campaign:** *The Hill*. **On members of Congress using pending policy matters to solicit donations:** *Roll Call*.

**Lori Wallach, director of Public Citizen's Global Trade Watch**

**On the revised North American Free Trade Agreement:** *Politico, HuffPost, Democracy Now!*. **On Trump's perception of China affecting how Republicans and Democrats perceive free trade:** *Politico*.

**Dr. Michael Carome, director of Public Citizen's Health Research Group**

**On a controversial drug Trump is pushing on veterans:** *The Center for Public Integrity, The Guardian*. **On Public Citizen calling for the end of a clinical trial of sepsis treatment:** *Yahoo Finance*. **On New York health officials refusing to disclose facilities at which patients got infected with a superbug:** *ABC7NY*. **On the ban of vaginal mesh being used to treat pelvic organ prolapse:** *KVUE ABC*. **On states not taking full advantage of the National Practitioner Data Bank:** *The Kansas City Star*. **On the end of the Alternative Summary Reporting Program:** *MedTech Dive*. **On the U.S. Food and Drug Administration releasing records of incidents involving medical devices:** *Minneapolis Star Tribune, the Missoulian*.

**Public Citizen Litigation Group**

**On Janet Dhillon taking over as**

**chair of the U.S. Equal Employment Opportunity Commission:** *Bloomberg Law*. **On copyright liability for embedded images:** *Reuters*. **On the implications of iPhone users' antitrust lawsuit:** *Forbes*. **On how the U.S. Education Department should do more for teachers whose TEACH Grants were unfairly converted into loans:** *NPR, KANW.com, OPB.org*. **On Ford covering up transmission problems:** *Detroit Free Press, Michigan Radio NPR, USA Today*.

**Craig Holman, government affairs lobbyist with Public Citizen's Congress Watch division**

**On the For the People Act (H.R. 1):** *The Atlantic*. **On proposed revisions to the District of Columbia's Freedom of Information Act to shield D.C. officials who use government email accounts for personal business:** *The Washington Post*. **On U.S. Interior Secretary David Bernhardt's ties to the mining company Rocky Mountain Resources:** *Politico*. **On the Trump administration's use of ethics waivers for people in his administration:** *Roll Call*.

**Tyson Slocum, director of Public Citizen's Energy Program**

**On a new tax code that benefits the oil sector:** *Houston Chronicle, Chron, ChronHouston*. **On gas leaks and America's top natural gas exporter:** *Houston Chronicle*. **On opposition to incentives for United Illuminating to relocate a substation:** *New Haven Register, San Antonio Express-News, Connecticut Post*.

**Peter Maybarduk, director of Public Citizen's Access to Medicines Program**

**On U.S. House of Representatives Democrats' internal feud over prescription drug prices:** *Vox, NPR*. **On Big Pharma price-fixing drugs:** *Free Speech TV*.

**Adrian Shelley, director of Public Citizen's Texas office**

**On citizens' health being put at risk due to the lack of monitoring of the Permian Basin:** *Bloomberg Environment*. **On Texas mayoral hopeful Bill King's proposed ethics reforms:** *Houston Chronicle*. **On using carbon for oil:** *KUHF-FM, Houston Public Media*. **On the need for regulation of above-ground storage tanks:** *Houston Chronicle*. **On environmental progress in Texas:** *The Austin Chronicle*.

**David Arkush, managing director of Public Citizen's Climate Program**

**On the need for the media to call climate change a crisis:** *Common Dreams, Publishers Daily, The Energy Collective*. **On the U.S. Chamber of Commerce changing its stance on climate change:** *E&E News*.

## Safeguarding Summer BY JIM QUINLAN

### Across

1. Shares a border with
6. Like most Kentucky Derby entrants
10. Abode associated with Uncle Tom
15. "Forget I ever mentioned it!"
16. Baja California resort city, for short
17. Layer that Pruitt should be a tad more concerned about than it seems he is
18. Attorney General axed by #45 for insubordination
20. Feed the flames
21. One of four for "Hamilton" in 2015
22. They may be blonde or dark
23. Beehive State athlete
24. "Norma \_\_\_" (1979 film)
25. Deputy Director of FBI sacked by #45 two days before his planned retirement
30. Donald's more charismatic predecessor
32. Stock market debut, for short
33. Diego's head?
34. Morgan or Martin of the screen
38. "\_\_\_ is the word!" (incessantly repeated lyric in a song by The Trashmen)
39. U.S. Attorney for New York booted by #45 after refusing to submit a letter of resignation
42. Matador's adversary
44. Isn't in a hurry
45. Aladdin prince
46. Dessert often served on 3/14
48. Circumferences
52. Secretary of State pink-slipped by #45 for... well... probably for calling him a "moron"

57. Dem's counterpart
58. Vex
59. "That was a catty remark!"
60. Actress Ward of "CSI: NY"
61. 2014 film that misquoted its hero in order to avoid lawsuits from the King estate
64. FBI director ousted by #45 for "mishandling the Clinton e-mail investigation" (but let's be real... it's really because he wouldn't drop the Russian collusion investigation)
66. Beginning
67. "Like, yesterday!!!"
68. How #45 reportedly sleeps at the White House
69. With 71-Across, #45's catch phrase, which has been said in some form or another to five people in this puzzle
70. Headed out
71. See 69-Across

### Down

1. Act like a sponge
2. Sheepish remarks?
3. Cinderella's stepsisters, by comparison
4. Typical bathroom floor makeup
5. Slovenly college dorm, metaphorically
6. Get really steamed?
7. One to "shake off," per Taylor Swift
8. Like more than 1/3 of Americans, according to the CDC
9. Uno y uno
10. Sam's Club competitor
11. Montezuma's people
12. Thumbs down, verbally
13. Squid discharge
14. Once called, in wedding notices
19. Judge on a diamond
23. Judge on a diamond
25. Farmland unit
26. Be victorious in
27. "Risk"y territory
28. Place where 22-Across may be served
29. "It's the \_\_\_ of the World As We Know It"
31. Hair style maintained with a pick
35. Musical Merman
36. CFO deg., often
37. Sounds of comprehension
38. Title for Rabbit, Fox, and Bear in children's stories
39. \_\_\_ fixe (common option during Restaurant Week)
40. Challenges
41. Awful Idi
42. E-cig's lack
43. Cheer at a fútbol match
46. Captain Jack Sparrow, e.g.
47. Sort
49. Quake aftermath
50. Offenbach's "La Belle \_\_\_"
51. Unable to litter?
53. Hourglass, essentially
54. Use one end of a pencil
55. Caesar or Brutus
56. Won all games in a series
60. Divas' deliveries
61. Protein source
62. Modern composer Brian
63. Baton Rouge campus: Abbr.
64. Uppercut target
65. Half-\_\_\_ (coffee request)

1	2	3	4	5	6	7	8	9	10	11	12	13	14
15					16				17				
18					19				20				
21				22				23					
24			25					26			27	28	29
30			31					32			33		
			34			35	36	37			38		
			39						40	41			
42	43				44								
45			46	47				48			49	50	51
52			53				54	55	56			57	
			58				59				60		
61	62	63				64				65			
66						67				68			
69						70				71			

Jim Quinlan constructs the crossword gratis. Public Citizen appreciates his generous contribution.

## Public Citizen Recommends ...

### 'The Uninhabitable Earth: Life After Warming'

By David Wallace-Wells; \$27; Tim Duggan Books

David Wallace-Wells' "The Uninhabitable Earth" is a punch in the gut. Actually, it's more like a series of punches to the gut.

The book is a no-holds-barred look at what the best science tells us we should expect from the climate emergency, an honest look at what happens if we take aggressive action now (bad) or fail to do so (terrifying).

Separate chapters present our possible futures in terms of inten-

The  
Uninhabitable  
Earth  
*Life After Warming*  
David  
Wallace-Wells



sifying heat; food shortages and hunger; rising waters, coastal incursion and drowning; water shortages; worsening natural disasters; dying oceans; diminished air quality; economic pain; and war.

This is not like reading a report from the Intergovernmental Panel on Climate Change. Wallace-Wells is a brilliant writer who makes you keep reading despite the instinct to turn away.

The point of his taking us along the path of horrors is not to depress, but to force us to face reality – and do something about it. "The portrait of suffering," he explains, is "entirely elective."

Things would have been far easier if the world had taken

action decades ago, but we still have an opportunity to prevent catastrophe if we rise up, face the fossil fuel lobby and take action commensurate with the challenge we face.

As Wallace-Wells writes, "If we allow global warming to proceed, and to punish us with all the ferocity we have fed it, it will be because we have chosen that punishment – collectively walking down a path of suicide. If we avert it, it will be because we have chosen to walk a different path, and endure."

Read this book. ■  
– Robert Weissman

To order books, contact the publisher or visit your local bookstore or library.

# Stronger Summertime Safeguards Are Needed

BY IAN WEINER

At least 12 ingredients in sunscreens need more testing because their safety is suspect. Toxic algae blooms created by excess nutrients have brought widespread sickness. And exposure to heat is killing workers.

These are just a few reasons stronger safeguards are needed to keep summer – everyone’s favorite time of year – safe, healthy, affordable and fun. That’s the message of a recent report from the Coalition for Sensible Safeguards, an alliance of more than 160 public interest organizations co-chaired by Public Citizen that is committed to defending our system of public protections.

“Safeguarding Summer” explores 11 worker, health, safety and transportation safeguards needed to keep summertime safe for workers, consumers and families. The report examines airplane, car and duck boat safety, corporate consolidation in the

online travel agency industry, the effects of excess nutrients in runoff on water quality, the questionable safety of sunscreens, flaws in the inspection system of pork, the effect of net neutrality repeal on firefighters, the danger extreme heat poses to workers, the dangers of hot cars to children and animals and the effect of overtime pay cap on families.

“Summer is supposed to be when we take time off from work to spend time with family and friends, enjoy picnics, barbecues and cookouts, lay out by the pool, head to the beach, take road trips across the country or fly to far-flung places,” said Amit Narang, a regulatory policy advocate for Public Citizen’s Congress Watch division. “But what happens if you’ve been deprived of the wages needed to take time off or travel, if road trips, flights and tour boats are dangerous, if it’s way too hot to work or play outside, and if there’s a good chance the food and water may be hazardous to your health? Suddenly, summertime looks less

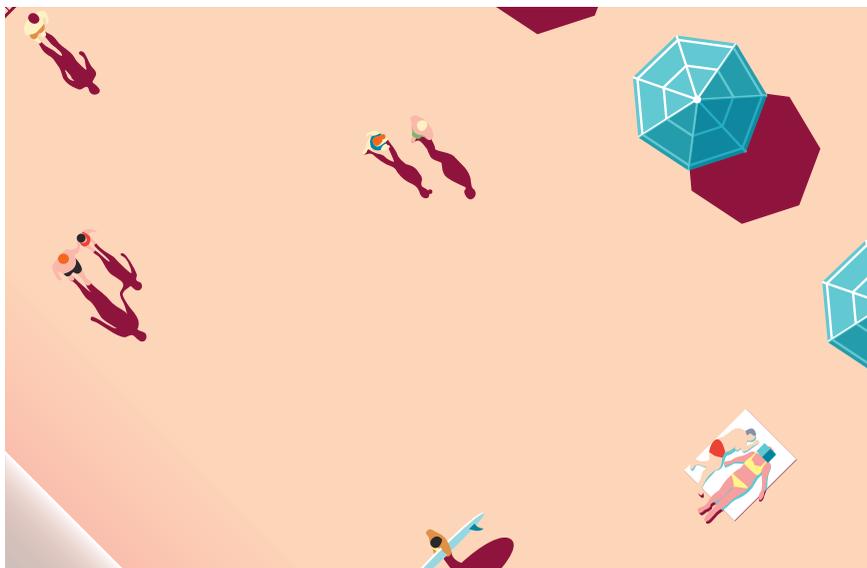
like a dreamy vacation and more like a scorching hot nightmare.” This report highlighted safeguards we need. Among them:

- **Stronger sunscreen safety standards.** Many sunscreens are labeled with a misleadingly high sunburn protection factor, pose inhalation risks, make misleading claims that they prevent skin cancer and contain a chemical that might speed the development of skin tumors. In addition to hazards to consumers, coral bleaching and coral death can be caused by chemicals inside the bottle marketed as protection from the ultraviolet rays. In 2019, the U.S. Food and Drug Administration proposed tighter regulations that include new labeling requirements, assessments of toxicity and absorbency and stronger requirements for UVA protections. But these are a long way from being finalized.
- **Stronger clean water rules.** Excessive nutrients from sewage treatment plants, coal plants, over-fertilized golf courses and lawns threaten drinking water and harm wildlife, resulting in algae blooms that can cause widespread sickness. In addition, the pollutants decompose and consume all the available surrounding oxygen, killing everything in the ecosystem. One notorious example was the toxic algae bloom that left 400,000 northwest Ohioans without clean drinking water in 2014.
- **Federal protections from**

**heat for workers.** Heat-related injuries illnesses and deaths, and the standards set by the U.S. Occupational Safety and Health Administration, show that excessive heat exposure can result in nausea, dehydration and heat exhaustion, which can in turn quickly result in heat stroke and death.

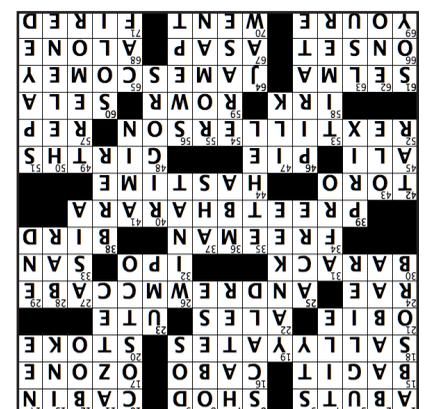
“I don’t want any more families to go through the pain that my family went through,” said Raudel Felix Garcia, a California resident who lost his brother to extreme heat, during last year’s launch of a national campaign launch for heat protections, an effort spearheaded by Public Citizen. “A decade after my brother’s death, workers continue losing their lives from heat illness. I am here to demand safe working conditions for the ones who lift up this country with all the hard work they do.”

The full report can be found at [SensibleSafeguards.org/summer](https://SensibleSafeguards.org/summer). ■



Graphic courtesy of Harry Haysom.

## Crossword Answers



## IN THE NEXT ISSUE...

We update readers on Education Secretary Betsy DeVos blocking Public Citizen’s website.

## Charitable Gift Annuity

A gift that gives back to you!

A charitable gift annuity is a simple contract between you and Public Citizen Foundation that supports us while providing you (and another individual) with a charitable deduction and payments on a quarterly basis for the rest of your life. The minimum gift to establish this annuity is \$10,000 using cash or securities, and the minimum age is 65. The following are some of the payments we offer for one individual. Payments for two people are available upon request.

AGE WHEN ESTABLISHED	ANNUITY RATE	ANNUAL PAYMENT BASED ON \$10,000
65 years	5.1%	\$510
70	5.6%	\$560
75	6.2%	\$620
80	7.3%	\$730
85	8.3%	\$830
90 and over	9.5%	\$950

For a confidential, free sample illustration, or more information, please contact Amanda Fleming at 800-999-1906 or [afleming@citizen.org](mailto:afleming@citizen.org).

