



Public Citizen's Plan to Win Medicare for All

BY RHODA FENG

On April 29, Public Citizen supporters and hundreds of nurses, patients, doctors and workers plastered the front of Big Pharma's lobbying headquarters in Washington, D.C., with GoFundMe pages and Band-Aids to call out our fragmented, for-profit system that keeps affordable health care out of reach for too many Americans.

The next day, Congress held its first-ever hearing on Medicare for All – evidence that U.S. House of Representatives leadership is tak-

ing it seriously for the first time.

The following week, Public Citizen led a coalition webinar with U.S. Rep. Pramila Jayapal (D-Wash.), the mayor pro tem of Durham, N.C., physician experts and movement leaders who updated more than 350 activists about what's happening behind the scenes in Congress to move Medicare for All forward. They also provided tools for people to take the fight for Medicare for All to the next level in their communities.

see [Medicare](#), page 4 ▶



On April 29, activists plastered printouts of GoFundMe pages on the front of PhRMA's headquarters in Washington, D.C., to convey how Americans are forced to raise money to cover their health care. Photo courtesy of Griet Van Acker.

Public Citizen Makes the Case for H.R.1

BY RHODA FENG

Defrauded students, ripped-off consumers and people with diabetes who are forced to ration their medication because they cannot afford insulin.

Those are the faces of the people victimized by a corrupt political system that responds to – and is dominated by – corporations and the superrich.

In light of systematic disenfranchisement, too much corporate money in politics and ethics abuses in government, Americans nationwide have demanded the proposed reforms captured in the For the People Act (H.R. 1), the most sweeping pro-democracy and anti-corruption legislation of the past 50 years.

The measures in H.R.1 – which passed the U.S. House of Representatives in February – would enable the U.S. government to work for and protect the people – not the superrich donor

class.

In March, Public Citizen, as a leader of the Declaration for American Democracy coalition – a group of organizations representing democracy, environmental, good government, civil rights and other issues – joined U.S. Sen. Tom Udall (D-N.M.) in a show of broad local, state and national support for the introduction of the For the People Act and outlined the plan for moving forward this groundbreaking democracy reform package critical for America's future. The bill was co-sponsored by every Democratic senator.

To effectively address the real challenges America faces, we must fix our broken political system and curb the culture of corruption, Public Citizen maintains.

The For the People Act does just that by ensuring that every eligible voter can cast a vote, free from barriers, and our officials

are working in the public interest, and by ending the influence of big money in politics. The Senate push for passage of the For the People Act and democracy reform is critical to America's future.

The For the People Act reforms and bolsters key aspects of our democratic process:

- **Voting Rights and Election Security:** H.R. 1 implements automatic voter registration across the country, ensures that individuals who have completed felony sentences have their full rights restored, expands early voting and simplifies absentee voting, modernizes the U.S. voting system, prohibits voter roll purges and ends partisan gerrymandering to prevent politicians from picking their voters.
- **Campaign Finance Reform:** H.R. 1 upgrades online political ad disclosure, creates a

see [H.R. 1](#), page 8 ▶

COMMENTARY

Revised NAFTA Deal Threatens Patients

BY HANNAH LYON

My name is Hannah Lyon, and I need your help stopping President Donald Trump's revised North American Free Trade Agreement (NAFTA) from locking in outrageously high medicine prices.

It is unconscionable to allow a trade agreement to keep cutting-edge cancer treatments out of the hands of those who need them most. Conventional cancer treatments can have terrible side effects, leave the patient weaker than ever and often fail to provide a cure.

I should know. At age 27, after undergoing intense chemotherapy

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GET TO KNOW PUBLIC CITIZEN

FIONA LYNN

An ongoing series profiling Public Citizen leaders and staffers



As the managing editor for Public Citizen's Health Research Group, Fiona Lynn is a master of deadlines. She copyedits two monthly newsletters, "Health Letter" and "Worst Pills, Best Pills News," which bring critical information about health issues and dangerous drugs to the American public. She also fine tunes petitions, letters and other documents authored by the Health Research Group staff.

Lynn received her bachelor's degree in English from St. Mary's College of Maryland and her master's degree in professional studies and publishing from George Washington University. During her undergraduate studies, she worked abroad at the Centre for Medieval and Renaissance Studies in Oxford as assistant to the junior dean.

She also interned at the University of Pennsylvania Press in the editing and production and marketing departments. While finishing her master's degree, Lynn started her professional career as an English Language Arts test development assistant at the American Institutes for Research in Washington, D.C. She has remained in the nation's capital ever since, moving on to work as an editor in the field of health coverage at the American College of Obstetricians and Gynecologists before joining Public Citizen in 2017.

Why did you pursue a degree in English?

Lynn: I always loved reading and writing, and I decided I wanted to turn that into a career.

What led you to health policy work?

Lynn: While pursuing my master's degree I decided I wanted to shift to scholarly publishing and started at the American College of Obstetricians and Gynecologists. It was a big transition; I had never studied or worked in the medical field before, so there was a lot to learn. I started with patient education materials that used more simplified language, which paved the way for me to become familiar with health

policy. It also taught me about using medical terminology and how to keep track of multiple projects that are in varying stages of production.

How did you come to work at Public Citizen?

Lynn: I was job hunting in 2016, just after the election, and I was looking to work for an organization that would fight the Trump administration's policies. When I came across the job listing at Public Citizen, it seemed like the perfect opportunity.

How does your job impact health policies?

Lynn: We warn consumers about dangerous drugs and medical devices and often call for these products to be withdrawn from the market or to have warnings added to their labels. In many cases, we have been successful in our efforts. I'm happy to be part of a team that works to provide important – sometimes lifesaving – information about the medications our subscribers take. It's incredibly rewarding when those subscribers reach out because our publications helped them to take charge of their health.

What activities did you partake in while you were in college?

Lynn: I was part of the Jane Austen Society, a club for people who like Austen's novels. A lot of the meetings just involved having tea and watching the movies based on her novels. We did host a ballroom dancing class once, which was fun.

What do you like to do outside of work?

Lynn: I enjoy reading, writing, playing with my dog, Beans, and hosting game nights with my friends. I enjoy traveling whenever I get the chance as well.

Are there any books you recommend?

Lynn: I'm rereading Philip Pullman's "His Dark Materials" series to prepare for the TV show, which is supposed to be released this year. ■
– Compiled by Griet Van Acker

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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.

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CONNECT ONLINE
WITH PUBLIC CITIZEN



Progressive Policies Are Popular Policies

At Public Citizen, we pride ourselves on doing what we think is right, not what others say is “reasonable.” We definitely don’t base our policy positions on polling!

But that’s not to say we don’t care what people think. We know that to win policies that take on corporate interests, we need overwhelming public support. And as ardent pro-democracy campaigners, we believe in majoritarian decision-making (with appropriate safeguards for minority interests).



PRESIDENT'S VIEW
ROBERT WEISSMAN

Against that backdrop, it’s worth reflecting on a new trend among the pundit class to warn that Democrats in Congress and in the presidential race are trending too progressive and losing touch with Middle America.

“The Democratic Party is radicalizing,” warns an author in *The Atlantic*. “Centrist Democrats Squirm as ’20 Rivals Tilt Left,” reports *The New York Times*. There’s a lot of air time for centrist organizations like Third Way, which cautioned, “Democrats, don’t try to win the Twitter primary. Going viral could be lethal at the polls.”

These expressed concerns at least purportedly are not about the merits of progressive policies, but their political viability. There’s one huge problem with this analysis: Americans – not just Democratic voters, all Americans – support progressive policies by overwhelming margins.

Indeed, there’s a strong argument to be

made that the policies labeled “progressive” should instead just be labeled “popular.”

Consider not the conventional wisdom of insiders who spend too much time talking to and at each other, but the actual data:

- The policy most associated with the “progressive” agenda, Medicare for All, earns 70% support among Americans, despite relentless trash talking by “serious” people.
- Americans are united in demanding aggressive action to slash prescription drug prices. Ninety percent of all Americans – and 91% of Republican voters – want to empower Medicare to negotiate drug prices (a policy that could easily reduce prices by 40% or more). Nonetheless, Democrats in the U.S. House of Representatives are split over an aggressive plan to empower Medicare to negotiate and authorize generic competition if drug companies refuse to agree to reasonable prices. Democratic opponents of the bolder measure want to appear “reasonable” – yet nine out of 10 Republicans support a more audacious approach!
- Two-thirds of all Americans favor expanding Social Security – not just maintaining it, but expanding it. Republicans favor the concept by a 2-1 margin.
- A strong majority of Americans favor doubling the minimum wage to a living wage of \$15 an hour. Seven out of 10 Republican voters favor raising the minimum wage.
- Three-quarters of voters favor breaking up the Big Banks by reinstating the Glass-Steagall law that separated commercial banking from more speculative activity like investment banking. Two-thirds of Republican voters favor that approach.
- Three-quarters of Americans say the tax system favors the rich and has too many loopholes. Three-quarters say that

the wealthiest and large corporations should pay more in taxes. More than six in 10 Republicans agree. Sixty percent of Americans favor a wealth tax on those with more than \$50 million in assets.

There are exceptions, but much of the progressive agenda involves restraining corporate power, making health care a right and reducing the severe inequality plaguing the nation. Those measures have shockingly high levels of support. (Consider: Only three-quarters of Americans correctly state that the earth revolves around the sun.)

When you get down to actual policies, Americans are not concerned with abstract notions of what constitutes “moderate” or “centrist” – and the policies that self-described moderates support are far less popular than what is labeled progressive. This is perhaps because regular people react to policy proposals based primarily on what they think is right and wrong, not on the political class’s obsession with defining a make-believe middle ground that brings everyone together.

Actually, it turns out that everyone can come together – around an agenda built on American values of fairness and justice and a healthy distrust of concentrated power. There is in America no popular constituency to speak of for the drug companies and health insurers, no advocates for Wall Street or extreme inequality. By contrast, there is very broad and strong support for the kinds of policies for which we at Public Citizen – all of us – advocate.

Policy analysts should spend a lot less time arguing about what’s popular and more about what’s right. But if the pundits are going to obsess about the polls, they should at least read them. Americans favor by overwhelming numbers the core of the progressive agenda. ■



Hundreds of health care leaders, nurses, people with disabilities and activists participated in a rally on April 29 outside of PhRMA’s headquarters in Washington, D.C., to expose the outsized influence of the pharmaceutical industry on the nation’s health care system. Photo courtesy of Griet Van Acker.

► **Medicare**, from page 1

Public Citizen has called for legislation that would guarantee health care coverage for all Americans since its founding. Public Citizen endorsed the Medicare for All Act of 2019 (H.R. 1384) that was introduced on Feb. 27 by Jayapal and U.S. Rep Debbie Dingell (D-Mich.) and supported by more than 100 Democratic co-sponsors. The organization also supported similar legislation in the U.S. Senate (S. 1129) that was reintroduced on April 10 by U.S. Sen. Bernie Sanders (I-Vt.) and is supported by 14 co-sponsors.

“Lawmakers are acting on nationwide disgust with a health care system that literally kills people just because they can’t pay,” said Robert Weissman, president of Public Citizen. “It’s not a matter of whether we’ll have Medicare for All. It’s a matter of when.”

The case for Medicare for All

On Feb. 4, ahead of the introduction of H.R. 1384, Public Citizen issued “The Case for Medicare for All,” a comprehensive report that drew upon a wealth of social scientific evidence supporting Medicare for All reform. The report debunked common myths and answered key questions about how Medicare for All would achieve health care coverage for everyone in the U.S. while reducing health care costs and making health care coverage more equitable and accessible.

The sentiments and facts from Public Citizen’s report were powerfully echoed by testimonies from researchers, health care leaders and consumers who testified before an April 30 hearing on Medicare for All held by the House Committee on Rules.

One such emotional testi-

mony came from Ady Barkan, a lawyer and activist who has terminal Lou Gehrig’s disease. Speaking to the committee with the aid of a computerized system, Barkan described how his family “cobbl[ed] together the money, from friends and family and supporters all over the country” each month to cover the cost of his astronomical monthly medical bills, despite having “good” insurance.

“[My family and I] have so little time left together, and yet our system forces us to waste it dealing with bills and bureaucracy,” Barkan said, before laying out the reasons he thinks Medicare for All is the right solution for our health care system.

Public Citizen’s report emphasized that “Medicare has successfully achieved universal coverage for Americans 65 and older since its passage more than 50 years ago.” The House Committee on Rules tweeted a similar comment just hours after the Medicare for All hearing, attesting to the massive public support for improving Medicare and finally expanding it to everyone in America.

Expanding the Medicare for All coalition

In the past few years, single-payer health care has moved from the fringes of the health care policy debate in this country to its very center. Public Citizen is now gearing up to take the next leap forward and win Medicare for All – and end, once and for all, the national tragedy of 100 Americans dying every day due to a lack of health care coverage.

Insurance and pharmaceutical companies that benefit from the current expensive and fragmented health care system also are gearing up to fight change. They continue to spend more than \$600 million

a year lobbying politicians to prevent the passage of single-payer reforms.

A key to winning Medicare for All is to mobilize support at the grassroots level. On April 4, Public Citizen and a broad coalition of allies, including Our Revolution, National Nurses United, American Medical Student Association, Physicians for a National Health Plan, Center for Popular Democracy, Local Progress, Healthcare NOW, People’s Action, Daily Kos, Democracy for America, Ultraviolet Action and others, launched a grassroots campaign to build the people power at the local level to overcome corporate opposition and win Medicare for All.

Through activist webinar trainings and grassroots activities around the country, the coalition is working to mobilize people to encourage their local elected officials in cities, counties and towns from coast to coast to pass hundreds of resolutions supporting Medicare for All legislation.

To reach its goal of passing at least 100 city and county resolutions calling for Medicare for All by the end of 2019, Public Citizen is:

- Disseminating a toolkit that explains, step-by-step, what individuals or local organizations need to do to win resolutions. The toolkit can be found on a newly launched website: medicare4allresolutions.org, which also serves to facilitate grassroots organizing.
- Building a powerful coalition of allied groups to coordinate resolution work and connect activists with affiliates in other organizations.
- Identifying activists who are interested in running local resolution campaigns, focusing on those who have taken prior action on Medicare for

All.

- Reaching out to local leaders and helping them map out their plans to win a resolution.
- Engaging directly with local elected officials in strategic areas to encourage them to introduce resolutions.
- Hosting nationwide webinar trainings and coordinating organizing parties across the country to build excitement and provide training to local groups.

In addition to passing local Medicare for All resolutions, activists in communities across the country will hold town halls and education events; organize demonstrations and protests; email, write and call their representatives and senators; raise Medicare for All as an issue in public meetings with their members of Congress; and lobby their members of Congress directly in their home districts and home states.

“Public Citizen’s campaign is about building the people power we will need to overcome the immense monied interests that are profiting from our current, broken health care system,” said Melinda St. Louis, director of Public Citizen’s Medicare for All campaign. “Activists will educate and build power locally in order to work with and pressure their representatives and senators – constantly – to support and fight for Medicare for All. And we will work with our allies to keep up the drumbeat through 2020 and beyond.”

Public Citizen will continue its long fight for guaranteed health care through Medicare for All until health care becomes a realized right for everyone in America, just as it is in every other rich country around the world. ■



At a Feb. 27 press conference for Medicare for All outside the U.S. Capitol, Public Citizen President Robert Weissman speaks about the necessity of guaranteed health care for all. U.S. Rep. Pramila Jayapal (D-Wash.), who co-introduced the Medicare for All Act of 2019, looks on. They were joined by National Nurses United, Center for Popular Democracy, Business Initiative for Health Policy, the American Federation of Teachers and Physicians for a National Health Program. Photo courtesy of Griet Van Acker.

FDA Finally Bans Devices That Hurt Women

BY MIKE STANKIEWICZ

WIN! Surgical mesh products for pelvic repair that cause irreparable harm to women are finally off the market – but it took the U.S. Food and Drug Administration (FDA) eight years to act.

In April, the FDA ordered manufacturers of surgical mesh used to treat pelvic organ prolapse to immediately stop producing and selling the products. Pelvic organ prolapse afflicts many women and occurs when the muscles supporting the pelvic organs become weak, allowing the organs to drop or press into the vagina.

The FDA noted that it determined that the remaining makers of these devices, Boston Scientific and Coloplast, “have not demonstrated a reasonable assurance of safety and effectiveness for these devices.”

Public Citizen had urged the FDA for years to ban these devices because they are unsafe. The organization first petitioned for a ban in 2011, citing studies that found the use of surgical mesh for pelvic repair provided no clinically significant benefits compared to repair without mesh.

Surgical mesh also was found to cause serious complications

that resulted in permanent life-altering harm to women. That same year, the FDA itself reported that from 2008 to 2010, the agency had received about 1,500 reports of serious complications that were associated with surgical mesh devices used for pelvic organ prolapse repair. Complications included urinary problems, injuries to organs and vaginal scarring.

However, the agency denied Public Citizen’s petition in 2014 and instead reclassified the products in 2016 as high-risk devices, putting them under the FDA’s most stringent regulatory oversight. The agency also required manufacturers to submit documentation that provided evidence of the devices’ effectiveness and safety. During the three-year document submission period, the devices remained on the market.

In February, Public Citizen testified before an FDA advisory committee and once again urged the agency to ban the products. Additionally, tens of thousands of women had sued device makers, claiming injuries from the devices, which led to many manufacturers withdrawing these devices from the market.

At the time of the FDA’s ban, only Boston Scientific and

Coloplast still sold the products.

Accounts from numerous women who experienced permanent injuries, and overwhelming scientific evidence, appeared to finally move the agency to take the toughest action possible.

“Although we welcome this long-overdue action, this ban comes

had not demonstrated a reasonable assurance of safety,” said Dr. Michael Carome, director of Public Citizen’s Health Research Group. “The agency’s reckless delay in removing these mesh products from the market belies the agency’s assertion that ‘patient safety is our highest priority.’ Had the

The FDA itself reported that from 2008 to 2010, the agency had received about 1,500 reports of serious complications that were associated with surgical mesh devices used for pelvic organ prolapse repair.

too late for the thousands of women who have been irreparably harmed by these devices, long after the FDA knew the devices

agency granted our 2011 petition promptly, thousands of women would have been spared serious, preventable life-altering harm.” ■

Public Citizen Renews Call for Suspension of Reckless Sepsis Trial

BY RHODA FENG

In April, Public Citizen renewed its call for termination of a deeply flawed clinical trial involving seriously ill sepsis patients. This time, the call was made after a news report revealed that the National Institutes of Health (NIH) obstructed its own employees from helping with a federal ethics probe into the major ongoing NIH-funded trial.

According to *The Wall Street Journal*, senior NIH officials, including Principal Deputy Director Lawrence A. Tabak, explicitly forbade two senior scientists at the agency’s Clinical Center from communicating with the U.S. Department of Health and Human Services’ (HHS) Office for Human Research Protections (OHRP) about the Crystalloid Liberal or Vasopressors Early Resuscitation in Sepsis (CLOVERS) trial, despite a direct request from the OHRP to speak to these scientists about the trial.

Public Citizen filed a complaint

with the OHRP in August 2018, with publicly disclosed input from the two scientists, who are internationally recognized sepsis and critical care medicine experts. Public Citizen demanded that federal regulators halt the unethical sepsis trial. After news broke that the NIH had muzzled two of its own scientists, Public Citizen called for an investigation by the HHS Inspector General into the conduct of the senior NIH officials involved in kneecapping the federal ethics probe of the trial.

A major public health challenge

Sepsis is a life-threatening condition caused by the body’s response to an infection, causing shock and organ failure. Certain people with infections have a high risk of developing sepsis, including older adults, infants, individuals who have compromised immune systems and individuals with chronic medical conditions (such as diabetes).

Sepsis is the second most common reason for hospitalization in the United States and the most expensive condition treated in hospitals, accounting for nearly \$24 billion in annual hospital spending. Sepsis also kills more than 250,000 Americans every year, which is more than the number of American deaths due to breast cancer, prostate cancer and acquired immune deficiency syndrome combined.

The CLOVERS trial

In the CLOVERS trial, which began in 2018, patients are given one of two risky experimental treatments for sepsis, neither of which is considered standard treatment. Because no other group of patients in the trial is receiving the usual treatment for sepsis, researchers are unable to ensure that the experiment isn’t causing increased deaths and organ failure.

“The reported actions by senior NIH officials to muzzle its own

scientific experts constitute gross misconduct and corruption at the highest levels of the NIH, tantamount to an obstruction of ethical justice for the subjects of the trial,” said Dr. Michael Carome, director of Public Citizen’s Health Research Group. “To avoid blatant conflicts of interest as the funder of the trial, NIH must have no role in determining with whom OHRP staff speak when investigating the research.”

As of press time, 45 institutions are running the trials, and CLOVERS researchers plan to enroll up to 2,320 subjects by the trial’s projected completion in March 2021. In addition to advocating a halt to the CLOVERS trial, Public Citizen has called for a moratorium on any other National Heart, Lung, and Blood Institute-funded clinical trials that test interventions in critically ill subjects until the multiple systemic breakdowns that permitted CLOVERS to be approved are fully understood and corrected. ■

Houston Chemical Fires Show Need for Stronger Protections

BY MICHAEL COLEMAN

When a fire erupted at the Intercontinental Terminals Company (ITC) plant in Deer Park, Texas, near Houston on the morning of March 17, it sent a menacing plume of dark smoke into the air and marked another entry in a long list of environmental disasters plaguing Texas' petrochemical corridor.

Days later, on April 2, yet another chemical fire broke out near Houston – this one at the KMCO plant in Crosby. Tragically, the KMCO blaze killed one worker and injured 10 others.

These fires aren't isolated incidents. A 2016 *Houston Chronicle* investigation found that chemical incidents occur once every six weeks in the Houston area. Public Citizen's Texas office is committed to tracking these damaging environmental events and demanding that state officials hold the companies accountable.

"These fires demonstrate that chemical disasters happen far too often in our region, often due to lax regulatory oversight and enforcement," said Stephanie Thomas, a Houston-based researcher for Public Citizen's Texas office. "While these fires raged, the Trump administration was trying to slash the budgets of the U.S. Environmental Protection Agency (EPA) and the Chemical Safety Board. We need more protections for our communities and a serious investment in our health and safety."

In addition to demonstrating a dire need for tougher regulation and enforcement, the fires underscore the need for more public information from the Texas Commission on Environmental Quality (TCEQ) and the EPA about chemical risks and disaster response.

At least three toxic chemicals involved in the ITC blaze – naphtha, xylene and toluene – posed a danger to public safety. Short-term exposure can cause headaches, dizziness, confusion, breathing irritation, weakness and memory loss; longer-term exposure can be fatal. In Crosby, the site of the KMCO blaze, a tank containing isobutylene caught fire and spread to a warehouse. This colorless gas or liquid can cause headaches, dizziness, lightheadedness and fatigue. Higher levels of exposure can cause coma and death.

Public Citizen has called for

Texas Gov. Greg Abbott to restore chemical right-to-know standards, so that first responders and residents who live near industrial facilities can fully understand the potential hazards of plants' chemical inventories. The TCEQ needs additional staff and tools – such as a mobile monitoring unit for full-time use in Houston – to adequately respond to pollution disasters. The agency also should be more forthcoming with information about serious health-related incidents, Public Citizen maintains.

Public Citizen's Texas staffers are strong advocates at the Texas Legislature for stricter controls on the petrochemical industry and more access to information for the public. This year, for example, Public Citizen has testified in support of bills to boost the TCEQ's air monitoring budget while also publicly calling on the agency to

"These fires demonstrate that chemical disasters happen far too often in our region, often due to lax regulatory oversight and enforcement. We need more protections for our communities and a serious investment in our health and safety."

—Stephanie Thomas, researcher for Public Citizen's Texas office

be more transparent in its communications with the public. Adrian Shelley, director of Public Citizen's Texas office, and other staffers routinely meet with state lawmakers to persuade them to support clean air initiatives to improve the quality of life for Houstonians and all Texans.

"Industrial disasters are the natural and inevitable outcome of policy to let corporate wrongdoers off the hook, slash regulatory and enforcement budgets and not update regulations to

deal with serious health, safety and environmental risks," said Robert Weissman, president of Public Citizen.

"As the American public becomes more aware of the health hazards and environmental risks of unchecked industry, we're hopeful that elected officials in Texas will get the message Public Citizen and others are sending: That they should do more to crack down on reckless industrial operators and promote clean energy alternatives." ■



Graphic courtesy of Steve Brodner.

DeVos Blocks Citizen.org on Education Department's Networks and Wi-Fi



BY DAVID ROSEN

The U.S. Department of Education and Secretary Betsy DeVos got caught blocking visitors and employees from accessing Public Citizen's website through the department's guest Wi-Fi and internal networks. Now Public Citizen is suing to end the practice.

Users attempting to access citizen.org through the department's wireless networks receive a message saying access is "in violation of your Internet usage policy" and noting "Category: Advocacy Organization."

So on April 9, Public Citizen, joined by Public Citizen Foundation board member David Halperin, who regularly attends meetings at the department and uses its guest Wi-Fi network, filed a lawsuit in the U.S. District Court for the District of Columbia. The lawsuit alleges that blocking the website violates both the First Amendment and the Administrative Procedure Act.

Although it is surprising that a federal agency would block access in this way, it is not surprising that DeVos and the department are unhappy with the content of Public Citizen's website. The site includes details about the organization's successful representation

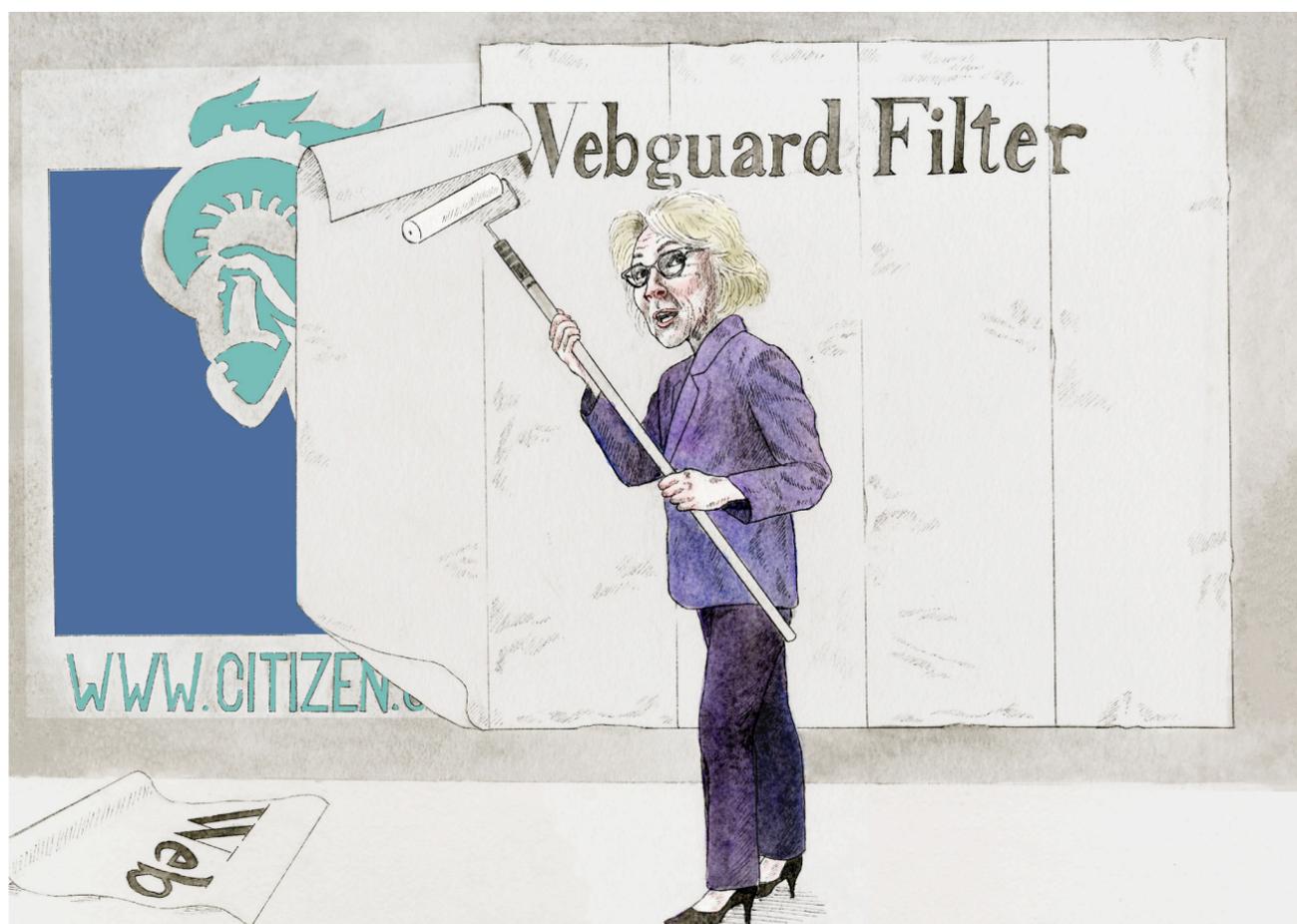
of student borrowers who sued the department to challenge its delay of the Borrower Defense Rule – a regulation aimed at protecting students from predatory for-profit colleges.

The organization's website also makes available Public Citizen's friend-of-the-court brief supporting implementation of a 2014 rule known as the Gainful Employment Rule. That rule is designed to protect students from exploitation by

unethical for-profit colleges, but under DeVos, the department suspended important provisions of the rule.

In addition, Public Citizen's website includes a December 2018 report titled "Rewriting the TEACH Grant Rules: Lessons from a History of Mismanagement." That report provides a critical analysis of grant-to-loan conversions under the department's TEACH Grant program.

The report documents decisions and errors by the department that contributed to the staggering number of teachers whose educational grants have been erroneously converted to student debt. Public Citizen is seeking a court order declaring the department's and DeVos' website blocking unlawful and enjoining them from blocking access to citizen.org on the department's Wi-Fi and internal networks. ■



Graphic courtesy of Laura David.

Public Citizen Urges FDA to Require More Testing of Breast Implants Before Approval

BY GRIET VAN ACKER

A decades-long debate about the safety of breast implants culminated in an emotionally charged call for better regulation.

During a two-day public forum before an advisory committee of the U.S. Food and Drug Administration (FDA) held in March, Public Citizen urged the FDA to stop treating women like guinea pigs.

Breast implants have caused many serious medical conditions in women, including scarring, pain and hardening of the breasts when the implants rupture and leak silicone gel.

These implants also have caused hundreds of cases of an unusual type of cancer known as anaplastic large cell lymphoma and have been linked to autoimmune diseases. Hundreds of thousands of women in the United States get breast implants every year for cosmetic and reconstructive reasons.

Public Citizen first sounded the alarm more than 20 years ago about serious health problems linked to breast implants.

In 1991, Public Citizen petitioned the FDA to ban silicone gel breast implants because of concerns about implant rupture,

other local reactions, carcinogenicity and implants' link to autoimmune diseases.

The FDA removed silicone gel-filled breast implants used for cosmetic reasons from the market in 1992 but in 2006 allowed newly approved implants to be sold under the condition that manufacturers conduct post-approval studies to assess their long-term safety.

But that process was backwards, Public Citizen maintains.

"Trials to obtain information about the risks of breast implants should have been conducted before, not after approval. The

long list of dangerous side effects from breast implants shows why much more extensive mandatory pre-approval testing on such permanently implanted devices is necessary," said Dr. Sidney Wolfe, founder and senior adviser of Public Citizen's Health Research Group, who testified before the FDA panel.

The panel urged the agency to take steps – including a standardized and easy-to-understand consent form – to ensure that patients have a better understanding of the risks associated with breast implants, but it stopped short at calling for a ban. ■

► **H.R. 1**, from page 1

publicly funded matching system for small-dollar donations, tightens rules on super PACs and restructures the Federal Election Commission to break the agency's gridlock.

- **Congressional and Executive Ethics:** H.R. 1 breaks the influence economy in Washington, D.C., by expanding conflict of interest law and divestment requirements, slowing the revolving door between government service and private industry and requiring presidents to disclose their tax returns.

“The For the People Act responds

to the public's overwhelming demand for fundamental and far-reaching reforms to our corrupt political system,” said Robert Weissman, president of Public Citizen. “Its enactment would remove the political barriers to the policy agenda favored by the public – slashing medicine prices, providing Medicare for All, preventing climate catastrophe, providing a living wage, holding Wall Street accountable and more – an agenda currently thwarted by the political power of corporations and the superrich.”

“U.S. senators have an important opportunity to prove to the

American people that they value pro-democracy reforms and reject government corruption, disenfranchisement and too much money in our politics,” added Lisa Gilbert, Public Citizen's vice president of legislative affairs. “The For the People Act personifies values like ensuring access to the ballot, restoring voting rights and reforming ethics laws. Americans have spoken. They want a Congress that ensures that our public officials work for the people and not for profits.”

The main deterrent to the For the People Act receiving a Senate vote is Senate Majority Leader

Mitch McConnell (R-Ky.), who has said he won't allow the bill to come to the floor for debate. Public Citizen and the Declaration for American Democracy coalition are mobilizing people across the country to press the Senate for a vote despite McConnell's obstinacy.

“The historic House passage of H.R. 1 responded to the public's overwhelming demand for fundamental and far-reaching reforms to our corrupt political system,” Weissman said. “Now the bill must be taken up in the Senate. If McConnell wants to bring up the Green New Deal, why is he scared of a vote on H.R. 1?” ■

Victims of Corporate Power

Americans continue to be defrauded, killed or saddled with massive debts because of corporate power in America. A new report from Public Citizen, “Caught in the Crosshairs of Corporate Power,” tells the stories of five people whose experiences show how corporate interests have hijacked our democracy. Three of those stories are below (all photos are courtesy of the individuals profiled.) Public Citizen's report – which was distributed to lawmakers and the media, and was featured on social media – highlights the need for the For the People Act (H.R. 1), which contains important ethics, campaign finance and voting rights reforms, including ending dark money contributions and slowing the revolving door between public service and business, as well as electoral reforms.

Corporate Power Spotlight: Higher Education

In 2003, Sanders Fabares was seeking to break into the film industry and wanted to be trained on digital video production equipment. While looking at job ads, he saw an advertisement for an open house at the Art Institute of California in San Diego. A school's recruiter boasted a 95% job-placement rate and pushed him aggressively to enroll. After enrolling, Fabares found the program to be almost worthless.

Fabares, now 39, and his wife, Jay, 36, met in a drawing class at the Art Institute. They graduated with a combined debt of about \$96,000. They have made regular payments over the past 13 years but have been able to cut down their debt only to about \$73,000.

Fabares has filed a request for debt relief under the U.S. Department of Education's “borrower defense” program, which cancels debt for defrauded students. But four years after applying, he has yet to receive a response.

Fabares has become involved with efforts to hold the school and the Department of Education accountable for their actions.

Having attended rulemaking sessions held by the department, he has seen in person how lobbyists and for-profit colleges have fought to undermine rules meant to help people like him and his wife.



Jay and Sanders Fabares.

Corporate Power Spotlight: Payday Lending

About a decade ago, Wayne Wright, 59, of Jacksonville, Fla., began taking out payday loans. He already had drained his savings and destroyed his credit score after being laid off from a computer programming job. Wright was raising two teenage boys on a single income and had switched careers, but sometimes money didn't last from one month to the next.

Wright, who was living in Nashville, Tenn., at the time, took out loans from storefront and internet lenders to make ends meet from one month to the next, but quickly found himself stuck in a debt trap, repeatedly borrowing money to pay back the last loan, plus fees.

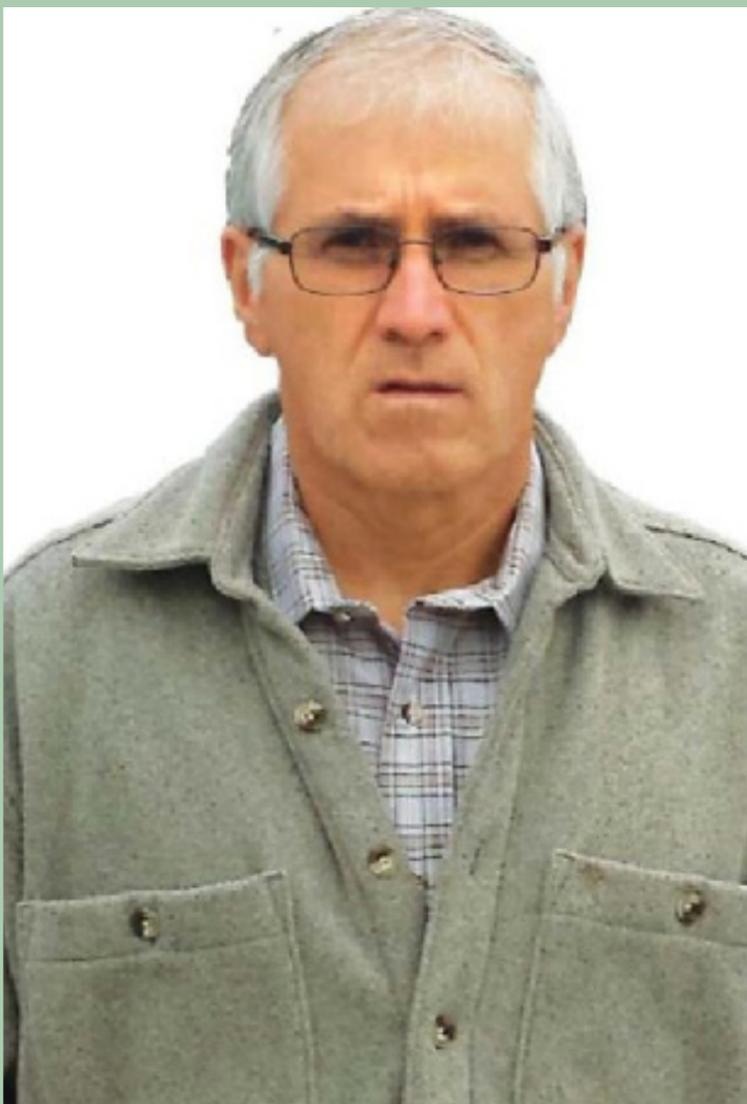
These days, Wright works as a home health care nurse in Florida and is on far more solid ground financially. Though he hasn't taken out a payday loan since 2015, Wright said he's still getting calls from online lenders aggressively pushing loans with lines like "your first one can be free" and "you have a good record with us." Wright believes there should be limits on the number of times borrowers can renew payday loans, which typically last two weeks. Under this proposal, once that limit is reached, the loan can be converted into a loan that can be paid off in a fixed number of installments rather than renewed in perpetuity.

Under Trump, high-rate payday lenders – part of the powerful financial industry – have been pushing to roll back safeguards for consumers, undoing protections established during the Obama administration and curtailing investigations of the industry. The U.S. Consumer Financial Protection Bureau has proposed to eliminate safeguards for consumers seeking payday or auto title loans that require lenders to assess whether borrowers have the ability to repay their loans.



Wayne Wright.

Corporate Power Spotlight: Fracking Pollution



Ron Gulla.

In 2002, Ron Gulla signed a lease with Range Resources, a Texas-based fracking corporation, to drill on his farm. But when drilling began in 2006, Gulla found himself mired in a toxic mess. Four well pads, each with a fracking rig, were built on Gulla's farm in Washington County in western Pennsylvania. The nearest rig to the house was 600 feet away. When it rained, water would run off the drillers' road, through the slag and into his family's water well. Gulla's family immediately stopped drinking the well water. Gulla also saw fracking wastewater from well pads flowing directly onto soil and into a stream. He saw the vegetation in the fish pond downhill from the well pads turn yellow and die. Then the fish died. So did deer and neighboring cattle. A water test in 2009 showed high levels of volatile organic compounds known as BTEXes – benzene, toluene, ethylbenzene and xylene.

"All that was going into the pond," said Gulla. "That's what was killing everything. They're all carcinogens. They're deadly. You don't want to be exposed to this stuff. And they were exposing us. There is no way on God's green earth I would have signed the lease if I had known they were going to be exempt from the Clean Air and Clean Water Acts. And the Safe Drinking Water Act. And the Right to Know, and the Superfund Act."

In 2005, Congress passed, and President George W. Bush signed into law, the Energy Policy Act, which contained provisions, infamously dubbed the "Halliburton loophole," exempting the industry from essential antipollution regulations. The oil and gas industry uses its clout to secure policies to block environmental and public protections and suppress development of the renewable energy sources that are essential for averting catastrophic climate change. Commenting on difficulties holding the industry accountable and closing the loophole, Gulla said, "Everything comes back to *Citizens United*," referring to the 2010 ruling by the U.S. Supreme Court allowing corporations to spend as much money as they want to influence elections.

Executive Branch Legal Defense Funds Will Be Disclosed

BY RHODA FENG

WIN! Beginning in the first year that President Donald Trump stepped into the White House, a tidal wave of ethics and legal scandals began engulfing the administration.

Public Citizen warned the U.S. Office of Government Ethics (OGE) that legal defense funds would be created in nearly every executive branch agency and that the OGE needed to promulgate rules governing these funds: who may contribute to legal defense funds, how much and how these funds should be disclosed to the public.

Currently there are no rules governing how these funds operate, other than nonbinding and often contradictory advice from the OGE. There are not even clear disclosure requirements.

But that's going to change,

thanks to Public Citizen.

"A dozen such funds may be established and in full swing, but without adequate disclosure, no one really knows how many legal defense funds have been created, who is donating to the funds and how the money is being spent," said Craig Holman, government affairs lobbyist with Public Citizen's Congress Watch division. "The potential for donors buying favors with officials is enormous in this stealth arena."

Until 2017, nearly all legal defense funds have been set up by members of the U.S. Congress who get in trouble with the law or face allegations of ethics violations.

Both the U.S. House of Representatives and Senate have established clear rules governing the operations and disclosure of legal defense funds of their members. Congressional legal defense

funds have contribution limits. Lobbyists and foreign principals may not donate to these funds; even corporations are prohibited from donating to Senate legal defense funds. And the sources and expenditures of these funds are fully disclosed to the public.

Not so for the executive branch.

That's why, on Sept. 15, 2017, Public Citizen petitioned the OGE to promulgate similar rules and procedures for executive branch officials. Rules for executive branch legal defense funds should include: (1) contribution limits, so that no donor may attempt to buy undue influence with the official; (2) prohibitions on accepting money from certain sources, like lobbyists, corporations and foreign nationals; and (3) full transparency of the sources and expenditures of legal defense funds to assure the public that

the funds are not being abused to curry political favor.

After a year and a half, the OGE finally heeded Public Citizen's call. In April, the agency announced that it will draft rules for executive branch legal defense funds addressing disclosure requirements, contribution limits and prohibitions on certain sources of funding. While there is not much of a precedent for the use of legal defense funds by executive branch personnel in the past 10 years, Trump's presidency has inadvertently focused attention on the lack of clear rules about executive branch legal defense funds.

"The OGE should have drafted rules about legal defense funds for executive branch personnel a long time ago," said Holman. "Its announcement, however, is better late than never." ■

Migrant Workers Get Their Proper Wages

BY MIKE STANKIEWICZ

WIN! Thanks in part to Public Citizen's legal intervention, migrant farmworkers will receive their government-mandated minimum wage, after fighting off a legal challenge by employer growers. The outcome marks a win for both domestic and foreign workers.

The U.S. District Court for the District of Columbia on March 18 dismissed a lawsuit filed by growers seeking to throw out wage rates set by the U.S. Department of Labor (DOL) for farmworkers employed by growers that use the H-2A agricultural guestworker program.

The growers' lawsuit against the DOL was an effort to invalidate the longstanding methodology for setting the Adverse Effect Wage Rate (AEWR), which is the minimum hourly rate that employers using the H-2A program to bring foreign workers to the U.S. to fill temporary agricultural jobs must offer to both foreign and U.S. workers. Three South Texas farmworkers, represented by Public Citizen and Texas RioGrande Legal Aid, intervened on the side of the government to defend the methodology for setting the AEWR.

"Public Citizen has been vigilant in making sure that the Department of Labor follows the law," said Michael Kirkpatrick, a Public Citizen attorney. "We inter-

vened to make sure the agency defended the wage rates and protected farmworker wages."

Under the 2019 rates, H-2A workers will earn a combined total of at least \$123 million more than they would have without the new rates. These rates protect both foreign and domestic workers; with them in place, growers cannot undercut the wages of U.S. work-

ers by hiring H-2A workers for lower wages.

The growers' suit to stop implementation of the 2019 rates was filed on Jan. 7. Because the DOL sets the rates annually for each state based on a formula that has been in place since 2010, the court found that the growers were in reality challenging the regulation that established the method-

ology for determining the AEWR. Therefore, the court held, the growers' challenge was barred by the statute of limitations.

"We are pleased that the court accepted our arguments and ruled in our favor on the timing issue. We are also confident that we would have prevailed on our merits arguments, had the court reached them," Kirkpatrick said. ■



Migrant workers harvest lettuce at Lakeside Organic Gardens in Watsonville, Calif. Photo courtesy of Bob Nichols.

Public Citizen Honors Desmond Meade for Restoring Voting Rights to 1.4 Million

BY RHODA FENG

Desmond Meade, a formerly homeless returning citizen, overcame many life challenges that led him to where he is today: president of the Florida Rights Restoration Coalition (FRRRC) in Orlando, Fla.

When Meade returned to society, he not only graduated summa cum laude from Miami-Dade College in 2010, but he put himself through law school at the Florida International University College of Law. His education and experience led him to what would become his life's work: ending the disenfranchisement of and discrimination against people convicted of felonies.

Meade will receive Public Citizen's Golden Boot Award at our 2019 Gala being held on June 19 in Washington, D.C. Meade's work is one facet of what progressives nationwide are doing today to win tomorrow's battles and become a decisive political force: integrating our causes, organizing social justice movements and strengthening our electoral voices.

Meade rose from being the unpaid head of the FRRRC in 2011 to president of the organization as well as chair of Floridians for a Fair Democracy, anchoring one leg of a broader push in Florida for criminal justice reform, aimed at giving more former felons the vote.

At the FRRRC, Meade orchestrated the reorganization and incorporation of a coalition composed of more than 70 state and national organizations and individuals, including the NAACP, ACLU, the PICO National Network, Florida League of Women Voters, A. Philip Randolph Institute, PICO Florida and Florida Immigrant Coalition.

In 2014, he was a part of a delegation to the United Nations, where he gave testimony regarding disenfranchisement in Florida. That same year, he arranged a meeting at the White House between returning citizens and White House officials.

In 2018, Meade led the FRRRC to a historic victory with the successful passage of Amendment 4, a grassroots citizen's initiative that restored voting rights to more than 1.4 million Floridians with past felony con-



Desmond Meade.

victions. Amendment 4 represented the single largest expansion of voting rights in the United States in half a century and brought an end to 150 years of a Jim Crow-era law in Florida. Meade is leading efforts to empower and re-engage local communities across the state, and to reshape local, state and national criminal justice policies.

Along with other progressives, the FRRRC has laid the groundwork for political renewal. For his heroic organizing efforts, Meade was named one of this year's TIME Magazine's "100 Most Influential People."

In a time of stark inequities of race and place, Meade demonstrates that democracy can make a difference. Public Citizen is pleased to honor at our gala all that Meade has accomplished.

Public Citizen's Gala will be held on June 19 at 6:30 p.m. at the National Press Club. Tickets are \$150 for individual attendees and \$100 for students, nonprofit or public-sector attendees. For more information or to RSVP, please visit <https://www.citizen.org/gala>. Please contact Kristen Caruana at (202) 588-7759 or kcaruana@citizen.org with questions. ■

Network News Diminishes Urgency of Climate Change

BY RHODA FENG

When U.S. television news networks discuss climate change and its impacts, few news reports call the phenomena a "crisis" or "emergency," a designation clearly merited by the science, a Public Citizen report shows.

According to "Call It a Crisis: The Role of U.S. Network News in Communicating the Urgency of Climate Change," in 2018, only 50 of 1,429 national television news segments that mentioned climate change referred to it by either of these terms.

CNN had the most mentions with 26, but it trailed MSNBC and NBC in the rate of mentions. MSNBC used the terms crisis or emergency in 7% of its segments; NBC in 6%; and CNN in 3%. In 2018, Fox News mentioned the words "crisis" or "emergency" in relation to climate change on five occasions. All five were attempts to minimize the issue with false logic, mockery or misinformation.

"Words matter – and the words we use to characterize an issue make a difference in how it

is perceived and prioritized politically," said David Arkush, managing director of Public Citizen's Climate Program. "When media outlets consistently fail to use language that conveys that climate change is a crisis or emergency, they unwittingly put a heavy thumb on the scale in favor of

complacency and inaction."

The report coincided with the launch of a Public Citizen and Climate Reality Project-led campaign to pressure national television news outlets to call climate change a crisis – and cover it like one. The campaign includes a petition drive, a letter to network

CEOs and a Tweetstorm aimed at the networks.

As of press time, the petition had garnered more than 19,000 signatures. To add your name to the petition before it closes on May 31, visit: <https://bit.ly/2J9Fk7T>.

The first quarter of 2019 saw see **Climate Change**, page 13 ▶



Graphic courtesy of Doug Chayka.

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.

Public Citizen Backs Bill to Notify Renters of Flood Risks in Texas

Renters should have the same information about flood damage to housing that homeowners have, Public Citizen told the Texas Legislature in March.

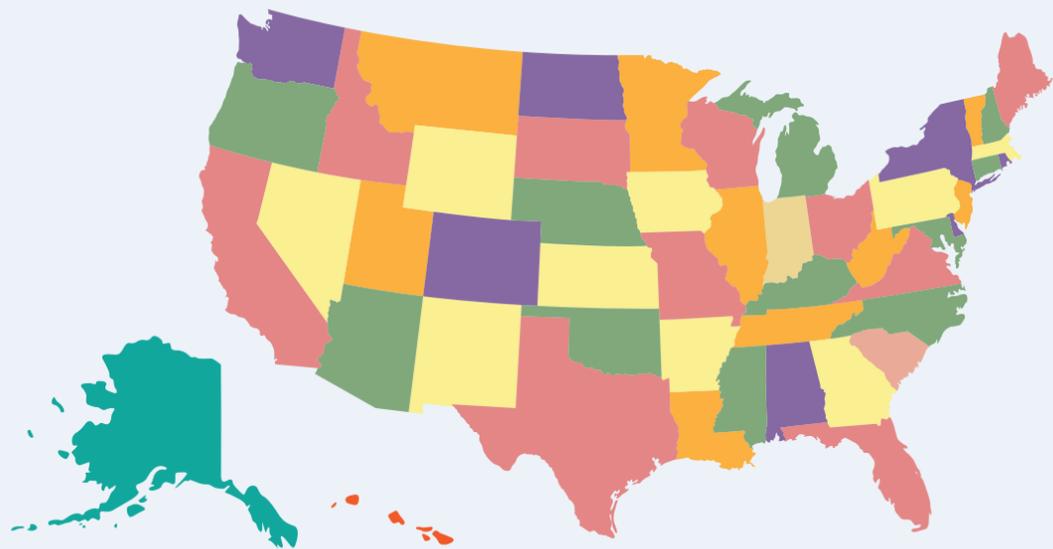
Public Citizen filed testimony in the Legislature supporting a bill (HB 993) that would require landlords to notify renters if the dwelling they're renting is in a flood plain or has been damaged by flooding in the past 20 years. Homebuyers already receive such notice. In a letter to members of the House Committee on Business and Industry, Adrian Shelley, director of Public Citizen's Texas office, told lawmakers that giving notice to renters of flood risks would help vulnerable populations make the best housing decisions for themselves and their families. Even if they aren't responsible for paying to fix the damage caused by a flood, they can be displaced and their possessions destroyed by flooding.

The issue is critical given that climate change is contributing to more catastrophic weather events and that so many people in the state rent. Houston, for example, has a population of 2.2 million and 933,672 housing units. Fifty-five percent of Houstonians are renters with a median income of \$30,587, and 74% of those renters are minorities, according to data from the 2012-2016 American Community Survey. It can be difficult for people to assess the risks to themselves and their families and their property when choosing where to live. Financial constraints often limit the choice of whether to rent or own, and in what part of town to live. — Rhoda Feng

Ford's Outsized Pollution Is Green Hypocrisy, Groups Say at D.C. Auto Show

As policymakers, the auto industry and the public converged on the Washington Auto Show in April, public interest groups turned on the heat and called out Ford Motor Company's green hypocrisy.

Despite publicly portraying itself as committed to acting on climate change, Ford has been pushing the Trump administration to weaken the clean car standards and has been asking for "flexibilities" (loopholes) to the current fuel emission and greenhouse gas standards.



"As Ford spins an image of innovation and sustainability, its lobbyists are dismantling our country's most effective program to combat climate change," said Madeline Page, campaign coordinator for Public Citizen's Clean Cars campaign, at a press conference outside the convention center where the auto show was held.

Public Citizen was joined by the Sierra Club, the Safe Climate Campaign and Interfaith Power & Light. A 10-foot-tall inflatable Tyrannosaurus rex and activists in dinosaur costumes, symbolizing Ford's outsized pollution, accompanied the groups. The climate pollution emitted annually from the automaker's Expedition SUV (nine tons) is the equivalent of the weight of a Tyrannosaurus rex. In January, at the Detroit Auto Show, the dinosaurs made an appearance in Ford's hometown with the same message.

Last August, the Trump administration proposed to freeze the clean car standards at 2020 levels and revoke California's waiver under the Clean Air Act, which allows the state and 12 others to protect their residents from harmful tailpipe pollution. The standards, which were finalized in 2012 and set mile-per-gallon goals for automakers to meet by 2025, have curbed climate-causing pollution, improved health, saved consumers money at the pump and prompted automakers to innovate and invest.

Automakers helped craft the rules and pledged their commitment to meet them. Yet their behind-the-scenes attempts to get the Trump administration to roll back the standards show their real intentions. "Time and time again, Ford makes clear its environmental ethics are all talk and no walk," said Page. — Griet Van Acker ■



Madeline Page, Public Citizen's Clean Cars campaign coordinator, denounces Ford Motor Company's greenwashing at an April 4 press conference held outside the Washington Auto Show at the Walter E. Washington Convention Center. Photo courtesy of Griet Van Acker.

► **Climate Change**, from page 11

spike in mentions of climate as a “crisis” or “emergency.” Through April 24, 141 segments referred to climate change by those terms, almost triple the number for all of 2018.

However, a major reason for the increase was President Donald Trump's declaration of a national emergency at the border. Sixty-three percent of the uses of crisis or emergency language in 2019 discussed whether a future Democratic president could use the same power as Trump to designate climate change as a national

emergency.

The number still improved significantly if one excludes segments discussing Trump's emergency declaration. The adjusted figure is 52 uses of “crisis” or “emergency” in the first quarter of 2019, which is more than the total for 2018 (50).

This is a positive trend, but the percentage of mentions is still far too low, with only 7% of all segments in 2019 referring to climate change as a “crisis” or “emergency,” the report stated.

“Climate coverage on broadcast and cable television news is still at best spotty and at worst riddled with misinformation,” said Allison

“When media outlets consistently fail to use language that conveys that climate change is a crisis or emergency, they unwittingly put a heavy thumb on the scale in favor of complacency and inaction.”

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

Fisher, outreach director for Public Citizen's Energy Program. “Calling it a crisis indicates that the stakes are high and that the issue is urgent. Most of all, it signals to viewers that the time to act on climate is now.”

For the analysis, Public Citizen evaluated television news tran-

scripts that included the word “crisis” or “emergency” within 75 words of “climate change” or “global warming.”

Public Citizen used Nexis to search transcripts from six national television news networks: ABC, CBS, CNN, Fox, MSNBC and NBC. ■

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IN THE SPOTLIGHT

The following are highlights from our recent media coverage.

Robert Weissman, Public Citizen president

On Secretary of the Interior David Bernhardt’s eagerness to do the bidding of his former industry clients: *The New York Times*. **On ethics concerns about President Donald Trump’s use of his Florida club Mar-a-Lago for government functions:** *The Guardian*. **On the cost of deregulation by industry lobbyists under Trump:** *Democracy Now!*, *Free Speech TV*. **On Trump’s veto of legislation blocking the national emergency he declared at the Mexican border:** *The Associated Press*, *Fort Worth Star-Telegram*. **On consumer protections waning under Trump:** *Yahoo Finance*, *Daily Kos*, *USA Today*, *Des Moines Register*. **On the Federal Election Commission fining American Pacific International Capital and Right to Rise USA, a super PAC, a total of \$940,000:** *The Intercept*. **On Trump’s attacks on U.S. Rep. Ilhan Omar (D-Minn.):** *Common Dreams*. **On the rampant corruption in Trump’s administration:** *Inside Sources*, *Waco Tribune-Herald*, *Times & Democrat Online*.

Lisa Gilbert, vice president of legislative affairs

On the Trump administration’s power grab for independent agencies’ regulating authority: *The New York Times*, *Daily Kos*. **On the U.S.’s biggest Christian charity channeling millions to hate groups:** *Newsweek*. **On removing corrupt legacy riders from the national budget:** *The Hill*. **On redacting sensitive documents:** *CNN*, *Albany Herald*. **On the release of Special Counsel Robert Mueller’s report:** *The Christian Science Monitor*, *New York Daily News*. **On foreign agents coming under greater scrutiny as a result of Mueller’s probe:** *Roll Call*.

Lori Wallach, director of Public Citizen’s Global Trade Watch

On drug company protections in the revised North American Free Trade Agreement (NAFTA): *The New York Times*, *Fierce Pharma*, *McClatchy*, *Sacramento Bee*, *Kansas City Star*, *News Tribune*, *Miami Herald*. **On the revised NAFTA’s minimal projected gains:** *Yahoo Finance*, *CNBC*. **On Joe Biden’s trade record:** *The Washington Examiner*. **On Trump being out of step with his appointees to the Federal Trade Commission:** *The New York Times*.

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

On cancer patients getting robotic surgery: *The New York Times*. **On the U.S. Food and Drug Administration (FDA) banning the sale of pelvic mesh product:** *CNN*. **On the FDA’s plans to release hundreds of thousands of previously unpublished injury and malfunction**

reports tied to medical devices: *Kaiser Health News*, *Sacramento Bee*. **On the FDA’s approval of a potent new opioid:** *Inside Health Policy*. **On Scott Gottlieb resigning from his post as the FDA Commissioner:** *Drugwatch*. **On specious “Top Doctor” awards:** *Modern Healthcare*.

Public Citizen Litigation Group

On the Trump administration moving to dismiss border wall lawsuits: *Bloomberg*, *The Washington Post*, *The Hill*, *MSN News*. **On anti-SLAPP statutes in California and Virginia:** *The Daily Progress*. **On thousands of students who were scammed by their schools seeking debt relief:** *MarketWatch*. **On Public Citizen suing Education Secretary Betsy DeVos for blocking access to the organization’s website:** *Government Executive*. **On ICE detention center abuses:** *Law 360*.

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

On the cosmetics industry downplaying cancer risks: *The Daily Beast*. **On the For the People Act:** *Salon*. **On Boeing’s influence in Washington, D.C.:** *Bloomberg*. **On an ethics scandal around Washington, D.C., Councilmember Jack Evans (D-Ward 2):** *The Washington Post*, *WAMU-FM*. **On Senate Democrats grilling Interior Secretary nominee David Bernhardt on past lobbying work:** *The Associated Press*, *Seattle Times*, *St. Louis Post-Dispatch*. **On court packing providing constitutional checks and balances:** *The Hill*.

Tyson Slocum, director of Public Citizen’s Energy Program

On major Trump backer Andrew Beal’s financial agenda: *The New York Times*. **On Southern California Edison’s request for a rate of return of more than 17%:** *Los Angeles Times*.

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

On mobilizing the public to go after the pharmaceutical lobby: *The Intercept*.

Adrian Shelley, director of Public Citizen’s Texas office

On a Houston petrochemical fire: *Mother Jones*, *Bloomberg*, *SFGate*, *Grist*, *Salon*, *Reuters*, *U.S. News & World Report*, *Business Insider*, *Yahoo News*. **On a lawsuit against the Texas Railroad Commission and a company seeking to bring a natural gas pipeline through four central Texas counties:** *CBS Austin*. **On three chemical fires in the Houston area:** *Houston Chronicle*. **On Texas cracking down on rogue industrial polluters:** *The Texas Tribune*, *The Eagle*.

Unnecessary Emergencies BY JIM QUINLAN

Across

1. Bedtime wear, quaintly
4. Biting remarks
9. State of India
14. Fish that, when spelled backwards, is a man's name
15. Old Navy menace
16. This and that
17. ___ Speedwagon (1970s-'80s band)
18. Snares a gambling mecca?
20. "Sex and the City" character with a suggestive name
22. App used to rant about a restaurant
23. Drains, as one's energy
24. "I've seen better"
26. Show the ropes
28. Extremely blue organizations?
33. Gently persuade
34. Common restroom label
35. Where to expect a twist in "The Twilight Zone"
38. Weapon in many an action film
39. Back of a boat
40. Have debt
41. "Ttyl" alternative
42. National park in Alaska
44. "Homeland" org.
45. Soap brand introduced in 1955
46. Chinese general's stadium events?
49. ___ One (vodka brand)
50. Keystone character
51. Family in a virtual reality game
54. Give off

56. Sesame Street character who was canned
60. Drunks who are fond of pungent, edible bulbs?
63. "Carte" or "mode" preceder
64. End-of-year reward in the paycheck
65. "Spunk" author Zora ___ Hurston
66. Singer recognized as the "King of YouTube" in 2012
67. Hill who was interviewed by John Oliver
68. Made a boo-boo
69. Letters that indicate emergency, which have been unnecessarily added to 18-, 28-, 46-, and 60-Across

Down

1. Long-lasting hairdo
2. Word that sounds like "cheer," but means the opposite
3. Untidy type
4. Protruded
5. Atty.'s organization
6. Pink, as cheeks
7. Like the Arabic numeral system
8. Taken the wrong way?
9. Off-road wheels, briefly
10. Man cave alternative
11. Genesis creator?
12. Right away, in a memo
13. It's often made by a 3-Down
19. Astronauts' feat
21. Big-screen film format
25. All thumbs

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		

27. Film, in France
28. Desert Storm missile
29. Seep slowly
30. Miracle worker?
31. Obtain
32. "Attack, Fido!"
36. AMEX alternative
37. Guns, to gangsters
39. Hand lotion additive
40. Tin Man's need
43. Invites to the movies, say
44. Part of a disc-brake
45. Pops in the microwave

47. Message on a candy heart
48. Poked a bum
51. Japanese noodles
52. Hip to, as a joke
53. Skirt style
55. Bygone Russian leader
57. Sno-___ (candies commonly sold in movie theaters)
58. In addition
59. Tampa Bay team
61. Grp. that Snowden snowed
62. "Hooray!" to Jose

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

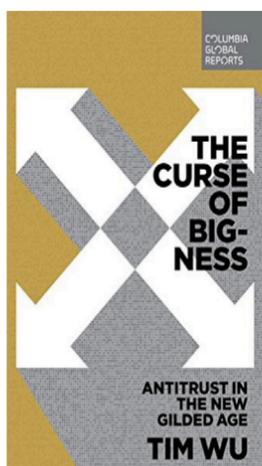
Public Citizen Recommends ...

'The Curse of Bigness: Antitrust in the New Gilded Age'

By Tim Wu; \$14.99; Columbia Global Reports

A new generation of corporate behemoths is getting bigger every day. As their size increases, so does their power to distort democracy, markets and the rule of law. More and more, lawmakers and activists are seeking ways to curb their power and protect the public interest.

In "The Curse of Bigness," Columbia law professor Tim Wu, a former policy adviser to the Federal Trade Commission and the Obama administration,



explores the history of megacorporations metastasizing into monopolies and the antitrust remedies that can rein them in.

A concise and easy-to-read antitrust primer, the book begins with an examination of the openly monopolist movement of the Gilded Age that fostered the boom of the financial trust. Wu describes boosters of this movement, which gave rise to 19th century titans like Standard Oil under John D. Rockefeller, as engaging in an "industrial eugenics campaign."

A populist backlash against trusts led Congress in 1890 to pass the first antitrust law: the

Sherman Antitrust Act. From this milieu emerged the two most influential proponents of using the law to fight megamergers and monopolists: Theodore Roosevelt and Louis Brandeis.

As president, Roosevelt secured his reputation as a trustbuster through his Justice Department's aggressive Sherman Antitrust Act case against a massive J.P. Morgan-backed railway merger. Reflecting on the successful case, which blocked the merger, Roosevelt later noted, "it was imperative to teach the masters of the biggest corporations in the land that they were not, and would not be permitted to regard themselves as, above the law."

Before Brandeis became a U.S. Supreme Court Justice, he was a lawyer who fought railroad consolidation and monopolization. The railroad battle pit Brandeis against J.P. Morgan, whose bank financed the effort to combine 336 railroad firms into one and

control all rail and ferry travel in and around Massachusetts.

Facing the threat of an antitrust lawsuit from the U.S. Department of Justice, Morgan's railroad trust opted to break up.

Wu's history of beneficial corporate breakups usefully demonstrates how the law was effectively applied – and later weakened by lawyers and judges who sympathized with big corporations' claims about the benefits of bigness.

Wu calls for a return to aggressive antitrust enforcement to rein in today's most powerful multinationals – especially tech titans like Facebook and Google.

The prospect Wu proposes – of our government asserting that the biggest corporations are not above the law – is exciting. I might say I am in favor of it bigly. ■

– Rick Claypool

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

Revised NAFTA Deal Threatens Patients

► **NAFTA**, from page 1

apy and daily radiation treatments for stage 3B cervical cancer, I was skinny, pale and desperate to start the road to recovery.

But three months later, I received terrible news: My cancer was back and had spread to lymph nodes in my neck.

As you may know, stage 4 cervical cancer is usually a death sentence. After the second diagnosis, I found a clinical trial at the National Institutes of Health.

My white blood cells were extracted, genetically modified and reinserted into my bloodstream. They proceeded to attack and destroy the cancer cells. Thanks to this new biologic treatment, my immune system recovered rapidly, my hair grew back and I am now a happy and productive resident of California. Biologic drugs – which are medical products derived from living organisms – can include cancer treatments like mine, as well as vaccines and heart disease and diabetes treatments.

These biologic treatments offer hope to millions. But they are

often out of reach because pharmaceutical corporations hold long monopolies on the patents and so can jack up the prices to make the drugs unaffordable.

In 2016, then-presidential candidate Donald Trump won key swing states and the election in no small part because of his unrelenting populist trade pledge to stop American job outsourcing and bring jobs back through a fast NAFTA renegotiation. After more than a year of secret negotiations, a revised “NAFTA 2.0” text was signed in late 2018, but it can become law only if Congress approves it.

Trump’s revised NAFTA would lock in high prices for biologic treatments like the one that helped me. Because of Big Pharma’s privileged access during the secret renegotiations, NAFTA 2.0 includes lengthy monopoly protections for innovative treatments like biologics, keeping them far too costly for most Americans, Mexicans and Canadians. Among other dangerous terms, NAFTA

“Members of Congress have drafted legislation to cut the U.S. biologic marketing exclusivity period from its current 12 years to seven. This would save patients and taxpayers billions.”

—Hannah Lyon

2.0 requires each country to provide drugmakers at least 10 years of “marketing exclusivity” for new biologic medicines. This monopoly for brand-name drugs would keep cheaper “biosimilars” (i.e., generic biologics) off the market.

Members of Congress have drafted legislation to cut the U.S. biologic marketing exclusivity period from its current 12 years to seven. This would save patients and taxpayers billions. But this pro-health, cost-cutting reform would violate NAFTA 2.0 and thus expose the United States to tariff sanctions.

In short, NAFTA 2.0 would tie Congress’ hands, limiting our ability to make biologic drugs more affordable. And the pact would export our high drug price policies to Mexico, which now has no special exclusivity period for biologic drugs, and to Canada, which now has an eight-year period.

My wish is that all people affected by cancer have access to treatments like mine and can move beyond cancer to healthy and fulfilling lives. That’s why in 2016, I co-founded Cancer Families for Affordable Medicines (CancerFAM) to fight similar medicines provisions in the Trans-Pacific Partnership (TPP). Those controversial provisions – which are even more extreme in the

revised NAFTA – were a leading reason Congress didn’t pass the TPP. Those provisions have since been eliminated in the version that the other 11 TPP countries signed.

Now, Public Citizen and CancerFAM are working together to educate people about the harmful provisions that Big Pharma won in the revised NAFTA. We are urging Congress to demand the removal of these provisions before a vote is held. A coalition petition drive with this demand already has more than 175,000 signatures. Please look for an email from Public Citizen about the petition, or visit ReplaceNAFTA.org to take action and help stop this outrageous attack on cancer patients. ■



The author, Hannah Lyon, pictured in her California home.

Crossword Answers



IN THE NEXT ISSUE...

We release a report on lost regulatory safeguards. ■

Charitable Gift Annuity

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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.

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80	7.3%	\$730
85	8.3%	\$830
90 and over	9.5%	\$950

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