



## Public Citizen's Playbook for Fighting Trump

BY LISA GILBERT AND ROBERT WEISSMAN

### EDITORIAL

This is a dangerous and upsetting time – and it's also one that calls us to action. Even as all of us – Public Citizen staff and our wonderful supporters – are mourning the electoral outcome, we are simultaneously springing into action to organize for the work ahead.

The good news is that we have a clear playbook for dealing with Donald Trump.

Public Citizen was enormously effective in confronting Trump and his administration in his first term. By highlighting conflicts of interest and corrup-

tion and through vigorous use of the Freedom of Information Act (FOIA), for example, we helped drive three cabinet secretaries from office and generated major media focus on Trump's personal conflicts of interests and the corporate capture of his administration.

We also won multiple lawsuits against the administration – wins that forced disclosure of the White House visitor logs, preserved a teen pregnancy prevention program, and forced the U.S. Postal Service to deliver ballots in a timely way.

We led massive mobilizations to hold Trump accountable, supported both Trump

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Photo of Donald J. Trump courtesy of U.S. Department of State / Flickr.

## Elon Musk's Self-Serving Election Influence

BY RICK CLAYPOOL

Elon Musk didn't run for office in 2024. But Musk may still be the main beneficiary of his lavish political spending for Donald Trump in the 2024 election cycle.

Whatever outlandish conspiracies and sci-fi visions Musk espouses at any given moment, the man is, first and foremost, an executive with a net worth of nearly \$250 billion.

Priorities for enforcing regulations and the law can shift significantly when administrations change. It's hardly a stretch to posit that Musk's increased involvement in electoral politics - which includes campaign rally appear-

ances, the creation of a super PAC, and promising payments of \$1 million to select Pennsylvania citizens who sign a petition "in favor of free speech and the right to bear arms" and prove they voted in the 2024 election – may help thwart the numerous civil and criminal investigations into his businesses.

Meanwhile, at least three of Musk's businesses are currently under scrutiny for alleged misconduct by at least nine federal agencies.

"There needs [to be] comprehensive deregulation. Period," Musk posted on X (formerly

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Photo of Elon Musk courtesy of Net Worth Magazine / Flickr.

## U.S. Killer Robot Program Sparks Demands for Clarity

BY SAVANNAH WOOTEN

The United States may be pressing forward with the development of killer robots, according to a new Public Citizen report released in early November. "Deadly and Imminent: The Pentagon's Mad Dash for Silicon Valley's Autonomous Weapons" details the trajectory of the Replicator initiative, a program introduced by Deputy Secretary of Defense Kathleen Hicks in August 2023 to field hundreds of attritable, all-domain weapons systems.

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# GET TO KNOW PUBLIC CITIZEN HALEY SCHULZ

An ongoing series profiling Public Citizen leaders and staffers



A community organizer for the Texas office of Public Citizen who was born and raised in Houston, Haley Schulz is driven by insatiable curiosity. In her free time, she enjoys reading, playing the French horn, and spending time with her family. After studying music business at the University of Houston, Schulz worked with the Houston Symphony before shifting careers into accreditation, which allowed her to learn “a lot about process improvement and account management.” From there, she moved into the energy sector, where she spent a decade with Liquidity Services, managing liquidation of assets for energy clients. After becoming interested in climate justice, Schulz made it a personal mission to learn about Houston’s environmental justice landscape – and jumped into local advocacy efforts.

### How does your experience influence your approach to organizing?

**Schulz:** In my career and personal journey, I have met people from many different walks of life. Being empathic, I enjoy connecting with people but also want to do right by them. Coming from an industry that plays a critical role in both our economy and day-to-day lives, I understand who the major players are and what creative and effective solutions to the issues might look like.

### What have you observed about Houston as it relates to the issue areas in which the Texas office works?

**Schulz:** Houston is home to over 5,000 energy-related firms, accounting for more than 42% of the nation’s base petrochemical capacity. Our coastal location allows the city to play a large role in commerce and exports via the Houston Ship Channel. The industrial buildout in Houston and along the coast is immense, which means the fenceline communities bear the brunt of both immediate and long-term health consequences.

Public Citizen is a part of many coalitions tackling various advocacy issues across the state, and I’m eager to join these conversations and contribute to real change.

### What are some projects that you and your team are working on?

**Schulz:** Living on the Texas coast, there is a disturbing amount of industrial buildout, directly impacting many communities that are too often ignored. One project I spend considerable energy on is the Close Parish Coal coalition based in Fort Bend County. We educate and empower community members to learn about the W.A. Parish plant with the goal to close the exceedingly harmful coal stacks. The plant emitted over 12.4 million metric tons of greenhouse gases in 2022 alone and contributes to more than 178 premature deaths every year. We educate the public on ways to engage with regulatory entities and demand air monitoring in Fort Bend. Given that Fort Bend’s population is expected to double by 2050, it is imperative to continue advocating for clean energy in Texas and for a just transition from coal.

### What advice do you have for someone new to social justice or public interest advocacy?

**Schulz:** Start with compassion and ask questions. If we are open minded and take time to listen, we can do so much good in the world. My journey started with curiosity and empathy, and now I get to advocate for my community every day at work. I believe we, as people, are innovative and creative and have solutions for a brighter future. But barriers are hindering us from moving forward, and my job is to remove those. I hope to inspire empathy and action, as many others did for me, so we can work together and inspire the next generations. ■

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Public Citizen is a national nonprofit 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.

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► **Playbook**, from page 1

impeachments, and built the 100-organization-strong Not Above the Law coalition.

Together, we're going to replicate this work – and do much more



**CO-PRESIDENTS' VIEW**  
**ROBERT WEISSMAN AND LISA GILBERT**

– in the four years ahead. We will shine a spotlight on the corruption and corporate capture of the Trump administration. We will call attention to Trump and his family's conflicts of interests, including everything from a new Trump cryptocurrency to billions in Saudi investment capital managed by Jared Kushner. We'll also highlight ethical breaches, conflicts of interest, and abuses by cabinet nominees and key officials – running bold campaigns to defeat as many as possible, creating a public tracker of Trump administration

conflicts of interest, and fending off the corporate gifts and handouts soon to be showered on giant businesses.

On the legal front, we anticipate a deluge of unconstitutional and illegal actions from the administration, and we will sue whenever needed to block Trump illegality. We'll be closely monitoring existing and proposed rules that we expect Trump's stable of corporate-friendly regulators to try to roll back – from standards for banks to account for climate risk to Medicare drug price negotiation

to safeguards against consumer fraud, and much more – and we'll be ready to rush into court to stop them.

We are also prepared to file a tidal wave of Freedom of Information Act lawsuits to extract key documents from the administration. And, we'll train allies to do the same, conducting teach-ins for allied groups on how to use FOIA and offering our litigation services for appeals.

We plan to build out our Not Above the Law coalition infrastructure to defend the rule of law and

fight against all manner of Trump authoritarian actions. Trump and his allies have telegraphed their intent in a noxious campaign, Project 2025, and the actions of the first four years that Donald Trump was in office. We will likely see President Trump breaking the law and abusing power in areas like immigration roundups, climate-destroying energy extraction, summarily firing tens of thousands of civil servants, the prosecution of political opponents, and much more. Our coalition and our litigators are prepared to meet these challenges.

Meanwhile, in the waning days of the Biden administration, we are advocating for very specific,

lasting measures that cannot be undone by Trump, such as clemency for all prisoners on death row, and executive actions that will help create speedbumps for the incoming team.

Make no mistake, we know exactly how dangerous Trump will be in a second term. We're deeply concerned for our nation. But we are even more determined to mitigate the damage and confront his authoritarianism head on.

Public Citizen has the plan in place, the expertise to bring to bear, and the grassroots support needed to do so effectively. Together, we're going to face down the awful authoritarian threat we must now confront. ■



A projection that reads "Trump is Not Above the Law" is illuminated on the Manhattan Criminal Court in April 2024 in New York City. Photo courtesy of Roy Rochlin/Getty Images for Public Citizen and Not Above The Law Coalition.

► **Musk**, from page 1

Twitter) last October. Despite Musk's preference for light touch enforcement against businesses that break the law – especially laws protecting workers, consumers, and the environment – the world's richest man favors tough enforcement against low-level offenses associated with poverty.

A *Wall Street Journal* story reveals the billionaire secretly backed an unsuccessful Dark Money campaign to unseat a Democratic district attorney in Austin, Texas. The district attorney is a supporter of bipartisan criminal justice reforms intended to reduce mass incarceration. The federal actions against alleged corporate misconduct by Musk's businesses, which Musk's political efforts could disrupt include:

- Tesla:
- A Department of Justice (DOJ) investigation into Musk-owned electric vehicle corporation Tesla and, potentially, Musk himself over exaggerated claims about the "Full Self-Driving" capability of Tesla vehicles' "Autopilot" mode, which may constitute criminal fraud, among other

concerns.

- A Securities and Exchange Commission (SEC) investigation into whether exaggerated claims about the self-driving capabilities of Tesla vehicles deceived investors.
- Parallel investigations by the DOJ and SEC into Tesla's plans to construct a "glass house" in Texas, which would serve as a home for Musk.
- Two National Highway Traffic Safety Administration investigations into Tesla – one into reports of power steering losses in certain vehicle models, and one into alleged inadequacies to updates intended to address safety problems with Autopilot software.
- An Equal Employment Opportunity Commission (EEOC) case charging Tesla with racial discrimination and workplace retaliation at a California factory where Black workers allege being subjected to racial slurs and other severe or pervasive racial harassment.
- A SEC investigation into Musk's \$44 billion takeover of Twitter, now X. The agency is also seeking sanctions against

Musk for failing to testify for the investigation, in defiance of a subpoena.

- A Federal Trade Commission (FTC) consent decree, which Twitter entered in 2011 as part of a settlement for alleged consumer deception and privacy violations, remains in effect. Musk reportedly gave orders that would have breached the FTC order, were it not for the intervention of his employees.

Space Exploration Technologies Corp (SpaceX):

- The Environmental Protection Agency (EPA) in September accused SpaceX of repeated pollution discharges in Texas in violation of the Clean Water Act. They proposed a consent decree which would prohibit further violations and require payment of \$148,000 in penalties.
- The Federal Aviation Administration (FAA) in September accused SpaceX of multiple safety violations involving rocket launches in Florida, imposing \$633,000 in penalties. Musk has pledged to retaliate against the FAA with a lawsuit accusing the agency of "regulatory overreach."

- An ongoing complaint before the National Labor Relations Board (NLRB) alleges SpaceX illegally fired workers who signed onto a letter publicly criticizing Musk; the letter argued that Musk's behavior has harmed the company's reputation. Musk has retaliated against the worker's rights agency with a federal lawsuit challenging its constitutionality.

- A DOJ case accuses SpaceX of discriminating against asylees and refugees in hiring decisions. Musk retaliated with a federal lawsuit challenging the constitutionality of the DOJ case. A federal court in Texas issued a temporary stay, pausing the DOJ lawsuit. The DOJ has filed to lift the stay.

"No one is above the law" has become a rallying cry against elite impunity. It's a rallying cry that must include, in addition to top government officials, the biggest corporations and the wealthiest executives. If self-serving campaigns to the contrary succeed, however, the injustice of America's two-tiered justice system will only deepen. ■

# Pharma Lobbyists Outnumber Health Advocates 32-to-1 in Critical Global Health Negotiations

BY ANNA ROSENFELD

In October 2020, at the height of the COVID-19 pandemic, India and South Africa submitted a proposal to the World Trade Organization (WTO) to make COVID-19 medical tools and treatments accessible to less wealthy nations in times of crisis. Acting at the behest of the pharmaceutical industry, the United States stalled action on the proposal, which called for a temporary waiver on Trade-Related Aspects of Intellectual Property Rights (TRIPS), to ensure intellectual property (IP) rights would not bar access to necessary COVID-19 protections. Now that sad story may be on the verge of repeating at the World Health Organization (WHO), risking millions more lives.

After initially opposing the COVID waiver, in May of 2021 the Biden administration announced its support. In June 2022, the WTO adopted a limited waiver

for COVID-19 vaccines, but negotiations over whether to extend this waiver to therapeutics and diagnostics continued and never reached resolution.

Major pharmaceutical companies in the United States mounted an all-out campaign against the proposed TRIPS waiver, opposing any exceptions to strong industry monopoly rights. An October 2024 Public Citizen report shows how much the industry invested in this effort.

The report found that nearly 500 lobbyists were hired to lobby in the United States on the waiver, and nearly 90% were opposed to it. The entities with the most lobbyists working against the public health measure were the Chamber of Commerce (72), the industry trade association PhRMA (60), Pfizer (54), BIO, another industry trade association (36), and Novartis (30). In 2022, there were 32 times more lobbyists against the waiver than in favor.

The report found sustained opposition to the waiver through 2024, with pharmaceutical and biotech companies continuing to lobby on the issue.

Meanwhile, the World Health Organization is leading negotiations for a new Pandemic Agreement to strengthen global pandemic prevention and preparedness, and to coordinate international responses to a future global health crisis. The treaty aims to prevent a repeat of the extreme inequity in crisis response that the COVID-19 Pandemic evidenced.

Public Citizen's new report shows that Big Pharma and its allies are mobilizing a new contingent of lobbyists to subvert the Pandemic Agreement. In 2024, the Chamber of Commerce sent 49 lobbyists to Capitol Hill to oppose the Pandemic Agreement, and BIO sent 16. In a submission to the Office of the U.S. Trade Representative, BIO claimed that

the public health treaty is a threat to the global intellectual property system.

There are now growing concerns that the WHO Pandemic Agreement negotiations will be stalled in the same way the TRIPS waiver negotiations were – by corporate lobbyists putting greed above public health. Public Citizen is urging wealthy countries to work to ensure that productive negotiations are able to continue at the WHO, uninhibited by industry lobbyists. The Pandemic Agreement has the opportunity to prevent massive inequities in future crisis response situations, ensuring that all countries are able to respond to global health emergencies, and gain access to necessary medical help, without any unnecessary barriers. The WTO's failures, Public Citizen says, must not become WHO's. ■



Photo featuring Pauline Muchina, of the American Friends Service Committee, at a TRIPS waiver rally in Washington, D.C., courtesy of Ryan Harvey.

# The Deadly Cost of Cobalt Mining in the Congo

BY ISABELLA BUSTO AND PALAK SRIVASTAVA

This past summer was the hottest in human history, a stark reminder of the growing climate crisis and the urgent need to move away from fossil fuels. The increasing demand for clean energy technologies like electric vehicles (EV) has triggered a global race for “critical minerals” like cobalt, lithium, and nickel that are vital for battery production. This effort to address the climate crisis is, in turn, raising urgent questions about the extraction of these minerals, who benefits from them, and who gets harmed along the way.

A new report by Public Citizen’s Global Trade Watch reveals how multinational corporations exploit trade deals to repeat the colonial patterns of exploitation and abuse in the Global South, ostensibly in the name of the green transition.

The report, “Trade and Critical Minerals: The Deadly Cost of Cobalt Mining in the Congo,” draws attention to the urgent need to adopt fair and just trade policy to protect local and Indigenous communities from exploitation and environmental destruction.

Cobalt mining in the Democratic Republic of the Congo (DRC) is rife with child labor, hazardous work conditions, and economic exploitation. Toxic exposure threatens the health of workers, communities, and the ecosystems they depend on. The Congolese advocacy organization Friends of the Congo provided testimonials for the report, detailing the human rights violations that diggers and their families endure.

“The Kolwezi region supplies the world with the cobalt that powers technological advances while the locals are bearing the brunt of the exploitative mining industry,” said Iza Camarillo, lead author of the report and Global Trade Watch research director. “The transition to EVs and clean energy technologies must not come at the expense of human rights, Indigenous communities, environmental integrity, and equitable economic distribution.”

The demand for critical minerals in the United States has increased due to the Inflation Reduction Act’s (IRA) robust investment in clean energy, including incentives like tax credits for EVs. The IRA is projected to increase EV sales by 44% by 2032.

However, the boom in EV demand – without robust

human rights and environmental safeguards – could drastically harm communities that mine the materials required for their manufacturing.

In order to qualify for the IRA’s EV tax credits, a portion of the critical minerals used in an EV’s battery must be mined from or processed in a country with which the U.S. has a free trade agreement. Because “free trade agreement” was not defined in the law, the U.S. Treasury Department issued guidance defining the term and establishing a new type of pact, a Critical Minerals Agreement (CMA), which is considered a free-trade agreement for IRA tax purposes.

The U.S. signed the first (and so far only) CMA with Japan last year. The agreement was met with bipartisan opposition in Congress due to the manner in which the deal was rushed through.

CMAs that lack binding and enforceable labor, environmen-

tal, and human rights standards could allow U.S. taxpayer money to incentivize the abuse of vulnerable populations in the Global South, while also undermining the intent of the IRA to bolster job opportunities for U.S. workers. The report is the first in a series which illuminates the implications of potential CMAs with select resource-rich countries.

The report also emphasizes the dangers of increased mineral demand under the existing trade frameworks, particularly trade agreements that contain “Investor-State Dispute Settlement.” ISDS allows multinational corporations to sue governments and win taxpayer money as compensation for any law or regulation that the corporations claim unfairly affect their profits.

The U.S. has an ISDS pact in effect with the DRC, signed by Ronald Reagan in 1984. This means that efforts by the DRC to raise standards in the mining

industry could be met with expensive lawsuits from U.S. mining companies.

The report concludes with recommendations to U.S. policymakers drawing from the expertise of nearly 40 environmental, human rights, faith, and consumer organizations aiming to promote a more just and sustainable cobalt supply chain by improving labor conditions, advancing environmental protections, and fostering local economic development.

By supporting the voices of those affected and advocating for accountable and robust rights-focused trade policy, Global Trade Watch is fighting to ensure that critical mineral supply chains do not harm vulnerable communities. We must use every tool at our disposal to hold U.S. companies accountable and guarantee that EV production is ethical and fosters a sustainable and just future for all communities involved. ■



Photo of an Indigenous union of artisanal miners and activists from the Democratic Republic of Congo. Photo courtesy of Stella Ramazani, Basandja Coalition.

# A National Crisis in Accountability: State Medical Boards Failing to Adequately Discipline Misconduct

BY ROBERT E. OSHEL, PH.D. AND ROBERT STEINBROOK, M.D.

Who is protecting patients when the system meant to hold doctors accountable is broken? That's a key question raised by a new report by Public Citizen. The report, titled "Ranking of the Rate of State Medical Boards' Serious Disciplinary Actions 2021-2023," reveals that state medical boards, the entities responsible for overseeing doctors and ensuring patient safety, are failing to discipline dangerous physicians with the consistency and rigor the public assumes. The findings are startling: many doctors who commit serious offenses – ranging from gross negligence to unethical behavior – continue practicing with little more than a slap on the wrist. And in some states, they may face no consequences at all.

## A Disturbing Disparity

Public Citizen's investigation analyzed disciplinary actions taken by medical boards across all 50 states and found stark disparities in how misconduct is handled. Ohio, for instance, leads the country with the highest rate of serious disciplinary actions – revocations, suspensions, and major practice restrictions – with an average of 1.82 serious disciplinary actions per 1,000 physician licensees per year during the 2021-2023 period. The Indiana board had the lowest rate, with only 0.17 serious disciplinary actions per 1,000 physicians per year.

The implications of this inconsistency are profound. A physician disciplined in one state for negligence or even criminal activity might continue practicing in

another state without meaningful oversight. Dr. Robert Steinbrook, Director of Public Citizen's Health Research Group, is blunt: "Medical boards exist to protect patients. But in too many states, our findings suggest that medical boards are letting dangerous doctors off the hook."

## The Power and Responsibility of Medical Boards

State medical boards hold immense power. They are the gatekeepers of the medical profession, tasked with ensuring that doctors adhere to professional and ethical standards. When a physician behaves negligently or unethically – whether through malpractice, substance abuse, or inappropriate relationships with patients – medical boards have the authority to take disciplinary action. This can range from a non-public letter of concern to a complete revocation of their medical license.

But as Public Citizen's report reveals, many boards are not using this power effectively. Particularly in states with low rates of disciplinary action, doctors who commit serious offenses often face few repercussions. Even when complaints are filed and evidence of misconduct is clear, boards may hesitate to take meaningful action, either because of insufficient resources or a reluctance to tarnish a doctor's career. And even the best-performing states could do a better job of disciplining physicians. All boards should be proactive, taking swift and decisive action to protect patients. Doctors who repeatedly harm

patients can continue practicing if medical boards fail to take timely action. And according to Public Citizen's report, in many states, that's exactly what's happening.

## Reforming a Broken System

Public Citizen's report doesn't just diagnose the problem; it offers a roadmap for reform. One key recommendation is transparency. Many state medical boards operate with little public oversight, making it difficult for patients to know which doctors have been disciplined and for what reasons. Public Citizen advocates for more openness, suggesting that disciplinary records be made easily accessible so that patients can make informed decisions about their healthcare providers.

The report also calls for standardization across states. Right now, the criteria for disciplining a doctor can vary widely. In some states, even serious offenses may go unpunished. In some states, high evidentiary standards or lack of legal authority make it difficult for boards to take action even when they want to. Establishing national standards for disciplinary actions could help eliminate the patchwork system that currently leaves patients in certain states more vulnerable than others. Additionally, Public Citizen emphasizes the need for more resources. Underfunded medical boards may struggle to conduct thorough investigations, leaving dangerous doctors on the job for longer than they should be. Ensuring that medical boards have the financial support they need to function effectively is

crucial to protecting public safety.

## A Call to Action

The release of Public Citizen's report is a wake-up call. The data reveals that too many medical boards are failing in their duty to protect patients, and too many doctors who should be held accountable for their misconduct are escaping meaningful discipline.

As Robert Weissman, co-president of Public Citizen, explains, this is about more than just statistics. "When we talk about low rates of disciplinary actions, we're talking about real people – patients – who are being harmed by a broken system," he said.

Weissman believes that reform is possible but only if lawmakers, the medical community, and the public come together to demand change. "Every patient deserves to know that their doctor is held to the highest ethical and professional standards," he says. "Right now, that's not happening everywhere. And that needs to change."

## Moving Forward

The fight for accountability in the medical profession is just beginning. Public Citizen's report should spark conversations about how to reform medical boards and ensure that doctors who pose a threat to patients are swiftly and appropriately disciplined. Whether through legislative action, increased transparency, or more robust oversight, the goal is clear: to build a system that truly protects patients, no matter where they live. ■

# Trump's 2017 Tax Cuts Expire in 2025

BY DAVID ROSEN

An epic political battle over taxes is just around the corner. By the end of 2025, many of the budget-busting tax giveaways to the ultra-wealthy that passed as part of the 2017 Trump tax cuts will expire.

Because tax reforms can be passed through a legislative process known as budget reconciliation, which bypasses the Senate's filibuster rule, some sort of tax reform package is all but certain to become law during the next

session of Congress.

With Donald Trump back in the White House and both chambers of Congress likely under Republican control, the final package that passes is likely to look a lot like the 2017 law or worse.

But that doesn't mean Public Citizen will be sitting on the sidelines or that progressives lack ideas about how to make the tax code fairer, more just, and more equitable.

"The tax fight will be an

opportunity to draw a clear contrast between lawmakers who are on the side of big corporations and the ultra-wealthy and those who are looking out for working families and everyday Americans," said Susan Harley, managing director of Public Citizen's Congress Watch division and tax policy expert.

Public Citizen was one of more than 100 organizations that called on Congress to support progressive tax reforms. Here's what that sort of progressive vision of tax

reform should look like:

**Tax Wall Street Transactions.** Public Citizen has long been the leading voice calling for a Wall Street tax – known as a financial transaction tax – on stocks, bonds, and derivative trades. Think of it as a small sales tax for Wall Street trades, like the taxes the rest of us pay when we buy shampoo or shoes. Just a 0.1% tax – that's 10 cents on every \$100 of stocks, bonds, and derivatives trades – would generate an estimate **Tax Cuts**, page 7 ►

► **Robot**, from page 1

“Attritable” is a Pentagon term meaning that the weapons can be produced at low cost and replaced inexpensively if downed in combat. In short, Replicator aims to develop small, low-cost weapons (many of which are drone units) capable of swarming a shoreline or set of targets. The program was developed with the idea of defending Taiwan from an attack from China.

The Replicator program is now more than halfway through its mandate. The U.S. Department of Defense has awarded at least two tranches of funding to companies producing autonomous weapons systems and technologies. In “Deadly and Imminent,” Public Citizen urges skepticism of the limited information released about Replicator and specifically urges top Pentagon brass to clarify what safety protocols exist regarding AI weapons deployment.

The fundamental issue, according to the report, is whether Replicator will deploy weapons that can use lethal force based exclusively on computer-generated decisions and without human intervention. Such “killer robots” would pose an enormous risk of civilian death. They also might act in ways not foreseen by humans – in fact, the purpose of AI-led “drone swarms” – large numbers of AI-led drones that operate in concert – is that they will pursue strategies and take actions that humans could not have imagined.

This new report from Public Citizen spotlights the evolution

**“Under the radar, as it were, the United States is poised to launch a new arms race, with a technology that we know will endanger civilians and operate beyond human control.”**

— Public Citizen Co-president Robert Weissman

of the Replicator initiative and urges the U.S. military to clarify its goals and intentions for future AI-empowered warfare.

On the surface, it is easy to understand the Pentagon’s eagerness to experiment with AI technology applications in its operations. Nearly every sector is experiencing an AI “gold rush.” Many current and former high-level military officials have stated that they see artificial intelligence as the future of warfare, not only on the battlefield but also in intelligence and daily operations.

However, empowering the world’s largest and costliest warfighting machine with early, poorly-vetted versions of this technology may prove catastrophic for military strategy, battlefield targets, and humanity writ large, especially when these systems are designed for lethality.

In 2024, the Pentagon has awarded at least two tranches of Replicator funding to companies ranging from traditional defense contractors to new, smaller startup weapons companies like Anduril Industries, headed by CEO Palmer Luckey.

Luckey has stated that he does not see the United States as the world’s “policeman,” but rather its “gun store.” He often debuts Anduril’s newest technologies via

promo videos on social media, including autonomous missile systems created for military use. Although the Pentagon itself has stayed relatively close-lipped about the capacities being developed by Replicator, Anduril and its other awardees have not.

Perhaps most essentially, the Department of Defense has not yet clarified its commitments to civilian safety regarding autonomous weapons use, nor has it stated that it will not authorize autonomous weapons to kill on their own. Although an international coalition called Stop Killer Robots has been working for over a decade to secure treaty language to regulate the use of autonomous weapons worldwide, the United States does not participate in its proceedings. The country is highly unlikely to sign such a treaty, even if it did exist.

Without bright-line guidance specifying that the United States will not deploy these new technologies, the Pentagon risks escalating a global AI arms race with extreme, irrevocable consequences. AI safety experts have recommended that the United States make its protocols for using AI in war more overt, including but not limited to a) codifying the requirement for a human being to act as the final decision-maker regarding when

and what to attack and 2) publicly releasing its protocols for mitigating the harms that could come as possible side effects of utilizing AI systems, like hallucinations where an algorithm produces incorrect information.

Current Department of Defense policy states that an operator needs to be “in the loop” for all decisions that are made by AI, but the Public Citizen report argues that this directive is not sufficiently clear or prohibitive. It could be loosely interpreted in a way that could permit autonomous systems to select or attack strike targets independently.

“Under the radar, as it were, the United States is poised to launch a new arms race, with a technology that we know will endanger civilians and operate beyond human control,” said Public Citizen Co-president Robert Weissman. “We need to prevent this nightmare before it starts. That’s why it’s vital the United States explain what’s going on with Replicator and promise it will not deploy autonomous weapons with the power to deploy lethal force on their own.” ■

► **Tax Cuts**, from page 6

estimated \$752 billion over 10 years. That would be more than enough to fund free universal preschool, free community college, and national paid family and medical leave combined.

**Let the “Pass-Through” Deduction Expire.** One of the costliest provisions expiring at the end of 2025 is Section 199A, which lets non-corporate businesses exempt 20% of their profits from their taxes. The benefits of this deduction are highly skewed toward the richest business owners, such as hedge fund tycoons. Shockingly, this deduction allowed two billionaire families to cut their collective taxes by more than \$200 million in a single year.

**Restore the Top Marginal Rate.** The 2017 Trump tax law cut the top individual tax rate from 39.6% to 37%. The top 400 taxpayers, who reported a combined

annual income of \$107 billion, got an estimated \$800 million tax handout in the first year from this provision alone. Restoring the original rate would generate enough revenue over the next decade to provide paid family and medical leave for every employee.

**Strengthen the Estate Tax.** As of 2024, households worth up to \$27.2 million can pass fortunes down to their heirs without paying even a penny of the estate tax. That threshold will keep increasing with inflation. Extending this weak estate tax for another decade would sacrifice \$167 billion in revenue.

**Raise the Corporate Tax Rate.** The centerpiece of the 2017 Trump tax package was a massive cut in the corporate tax rate, which came down from 35% to 21%. This cost an eye-popping \$1.3 trillion in revenue over 10 years. Corporations have used this tax handout to enrich top execs and

wealthy shareholders, instead of passing it along to workers and consumers. While the lower corporate tax rate does not expire at the end of 2025, increasing the rate to just 28% would raise trillions in revenue. In addition, the existing stock buyback tax should increase.

**Stop Overseas Profit-Shifting.** The No Tax Breaks for Outsourcing Act would eliminate an array of harmful tax provisions that encourage multinational corporations to shift profits offshore, which not only harms U.S. tax revenues but it also worsens outsourcing of jobs and investments.

**Tax Investment Income Like Work.** Income from investments should be treated the same as income from wages, and that means equalizing the capital gains tax rate with regular income tax brackets. It also means ending the carried interest tax loophole that treats investment fund managers’

income as capital gains. Doing so would raise \$14 billion in revenue over 10 years.

**Tax the Super Wealthy.** Our current system is not set up to properly tax the ultra-rich. That’s unlikely to change in 2025, but Public Citizen supports a special surtax on the wealthiest households. Depending on the rate and thresholds at which these taxes on the ultra-wealthy are designed, they could generate up to several trillion dollars over a decade.

**Stop Subsidizing Executive Bonuses.** Corporations should not be able to weasel their way out of paying their fair share in taxes by lavishing executives with gigantic bonuses, which inevitably come at the expense of workers, shareholders, consumers, and taxpayers. Bankers bending and breaking the rules in pursuit of incentive-based compensation was one of

see **Tax Cuts**, page 15 ►

# On Botox-Related Illnesses: Public Citizen Urges Consideration of FDA-Approved Product Risks

BY AZZA ABUDAGGA, M.H.A., PH.D.

(A version of this article originally appeared in the November 2024 issue of Public Citizen's Worst Pills, Best Pills News.)

In April 2024, the Centers for Disease Control and Prevention (CDC) issued a health advisory investigating a troubling series of cases where people experienced adverse effects from what the agency described as “counterfeit or mishandled botulinum toxin injections.” This prompted a response from Public Citizen’s Health Research Group, which emphasized the need for regulatory agencies like the CDC and the U.S. Food and Drug Administration (FDA) to also consider a different concern: the potential for FDA-approved botulinum toxin products – such as Botox and Dysport – to cause botulism-like symptoms even when used correctly.

The term “iatrogenic botulism” describes botulism caused by botulinum toxin injections that spread beyond the injection site, resulting in a range of serious complications, including breathing difficulties, muscle paralysis, and other debilitating symptoms. Public Citizen had previously raised this issue in a petition to the FDA in 2023, urging the agency to update safety warnings for Botox and similar products. In response to the CDC’s advisory, Public Citizen sent a letter to both the CDC and FDA, reiterating the potential risks posed by these approved drugs, even at recommended doses.

## Understanding the Risks of Botulinum Toxins

Botulinum toxin products like Botox and Dysport are commonly used for both medical and cosmetic purposes. Medically, they can help treat conditions such as spasticity, while cosmetically, they are used to reduce the appearance of wrinkles. However, even at recommended doses, these injections can sometimes lead to unintended side effects, including a condition known as iatrogenic botulism. This happens when the toxin spreads from the injection site to other parts of the body, affecting muscles and nerves in ways that were not intended. The

**“Public Citizen’s letter criticized the CDC for downplaying these risks in its health advisory, which stated that “low doses of injected toxins are not likely to reach circulation or produce botulism with its life-threatening manifestations.”**

incidence of this serious adverse effect is unknown.

The systemic symptoms of iatrogenic botulism are similar to those of botulism caused by foodborne exposure or other sources. These symptoms include difficulty breathing, muscle weakness, drooping eyelids, and problems with swallowing or speaking. In severe cases, botulism can result in paralysis and even death if not treated promptly.

Public Citizen’s letter criticized the CDC for downplaying these risks in its health advisory, which stated that “low doses of injected toxins are not likely to reach circulation or produce botulism with its life-threatening manifestations.” According to Public Citizen, this statement ignores the reality that even low-dose botulinum toxin injections can lead to serious complications. Our petition to the FDA includes published post-marketing reports of patients developing various iatrogenic botulism symptoms, including muscle weakness and drooping eyelids after receiving approved injections.

## Public Citizen’s Concerns with the CDC Advisory

One of the key points Public Citizen raised in its letter to the CDC and FDA was the inconsistency between the CDC’s advisory and its own 2021 guidelines for diagnosing and treating botulism. Also, the CDC’s health advisory seemed to focus mainly on cases of counterfeit or mishandled injections, yet it also failed to address the possibility that legitimate, FDA-approved products could cause similar harm.

The CDC’s advisory emphasized that botulism symptoms typically involve symmetric nerve palsies and descending muscle weakness, but Public Citizen pointed out that this description does not account for the full range of botulism symptoms. In fact, up

to 15% of botulism cases can present with asymmetric or unilateral nerve issues, meaning that only one side of the body might be affected. This can make diagnosing iatrogenic botulism more challenging, as doctors might mistakenly attribute these symptoms to other conditions like strokes or psychiatric disorders. Public Citizen urged the CDC to revise its advisory to reflect this broader spectrum of potential symptoms.

Another issue raised in the letter was the sensitivity of botulism testing. The CDC advisory reported that six people suspected of having botulism had received botulism antitoxin, even though none of them had laboratory-confirmed diagnoses of the condition. Public Citizen highlighted a case where a patient had tested negative for botulinum toxin using a commonly used method, the mouse bioassay, but later tested positive through a more sensitive test called matrix-assisted laser desorption/ionization time-of-flight mass spectrometry. This delay in diagnosis underscores the need for better awareness and the need to administer botulinum antitoxin as quickly as possible to all people with signs or symptoms that are suggestive of botulism instead of waiting until they develop neurologic weaknesses.

## The CDC’s Investigation

Per its initial advisory, the CDC investigated 22 individuals in 11 states who had experienced adverse effects after receiving botulinum toxin injections. By June 2024, the CDC announced that 17 of these cases were linked to counterfeit or mishandled products. These cases spanned nine states, including California, New York, and Texas, with affected individuals reporting a range of symptoms, from blurred vision and difficulty swallowing to muscle weakness and speech problems.

However, the CDC has not disclosed details about the remaining five cases from its

original investigation. Public Citizen calls on the agency to provide more transparency, particularly about whether any of these cases involved FDA-approved botulinum toxins.

A July 2024 article published in the CDC’s *Morbidity and Mortality Weekly Report* offered some additional information, noting that seven of the affected individuals had received injections from unlicensed persons providers in non-medical settings. Still, it remains unclear whether counterfeit products were used or if these cases were linked to legitimate botulinum toxin drugs.

If you are considering Botox or similar products for FDA-approved medical purposes, it is essential to discuss the potential risks with your healthcare professional. Even FDA-approved botulinum toxins can have serious side effects, and it’s important to recognize the symptoms of iatrogenic botulism early. If you develop muscle weakness, breathing difficulties, drooping eyelids, or trouble speaking or swallowing within hours to weeks after receiving an injection, seek medical help immediately. These symptoms could indicate the distant spread of botulinum toxin, and timely treatment with botulinum antitoxin could be necessary.

Public Citizen strongly advises against receiving botulinum toxin injections for any cosmetic purposes. Clearly, you should never receive these drugs from unlicensed healthcare professionals or in non-medical settings. Finally, Public Citizen continues to press both the CDC and FDA to be more transparent in their investigations and to strengthen the iatrogenic botulism related safety warnings for all approved botulinum toxin products. Ensuring patients have the information they need to make informed decisions about their care is critical to minimizing the risks associated with these potent drugs. ■



# Letter Calls for Investigation Into Climate-Related Crimes

BY PATRICK DAVIS

**M**ore than 1,000 survivors of climate-fueled disasters demanded in a letter to the U.S. Department of Justice in August that the department hold oil and gas companies accountable for fueling climate-driven disasters such as floods, fires, hurricanes, and extreme heat that have destroyed property and taken innocent lives.

“Climate catastrophes are not natural disasters – they are crimes perpetrated by the fossil fuel industry,” said Clara Vondrich, senior policy counsel with Public Citizen’s Climate Program. “Climate survivors and their allies have had enough, and our message to the Justice Department is clear: investigate the fossil fuel industry and make polluters pay.”

The letter, signed by more than 10,000 members of Public Citizen and Chesapeake Climate Action Network from across the country, details the legal theories that the Justice Department can use to open investigations into Big Oil for knowingly fueling dangerous climate change and intentionally misleading the public about its role

“The delivery of this letter represents a growing push for justice for the survivors of fossil-fueled climate disasters,” said Vondrich. “Big Oil has been sacrificing our health and safety to line their pockets for over half

a century. Survivors of climate crimes deserve justice no less than the victims of homicide, arson, assault and battery, armed robbery, and other felonies.”

As the frequency and severity of disasters fueled by climate change have increased and intensified, survivors have begun to call on for fossil fuel companies to be held criminally accountable for their contribution to climate change, including inflicting massive damage on public health and the climate as well as lying to the public for decades about their culpability. At a press conference held by Public Citizen over this summer, survivors recounted their horrifying stories of surviving disasters and called for criminal charges against fossil fuel companies.

“I’m a single mom of three who used all my savings to realize my dream of opening my clothing store and flower shop. The floods took everything,” said Jenny Sebold, survivor of the Great Vermont Flood that hit Montpelier in 2023. “Meanwhile, the rich oil execs get to keep making piles of money. It’s wrong. They’ve got to be held accountable and help rebuild the communities that have been impacted.”

A paper published this year in the Harvard Environmental Law Review argues that when individuals are killed by severe weather events or disasters triggered by climate change,

prosecutors have authority to charge fossil fuel companies with homicide.

The authors, David Arkush, director of Public Citizen’s Climate Program, and Donald Braman, associate professor of law at George Washington University, put forward that Big Oil has long understood the “globally catastrophic” risks involved in the production, marketing, and sales of fossil fuels.

Yet, despite knowing the effects Big Oil’s actions would have on countless human lives, fossil fuel companies undertook disinformation campaigns intended to undermine climate science and block and delay policy and market responses to this existential threat.

“For decades, fossil fuel companies knew that burning their products would trigger globally catastrophic climate change,” said Arkush. “Instead of changing their business models or alerting the public to this civilizational danger, they funded multimillion-dollar disinformation campaigns to block responses that would curb their dangerous but highly profitable conduct.”

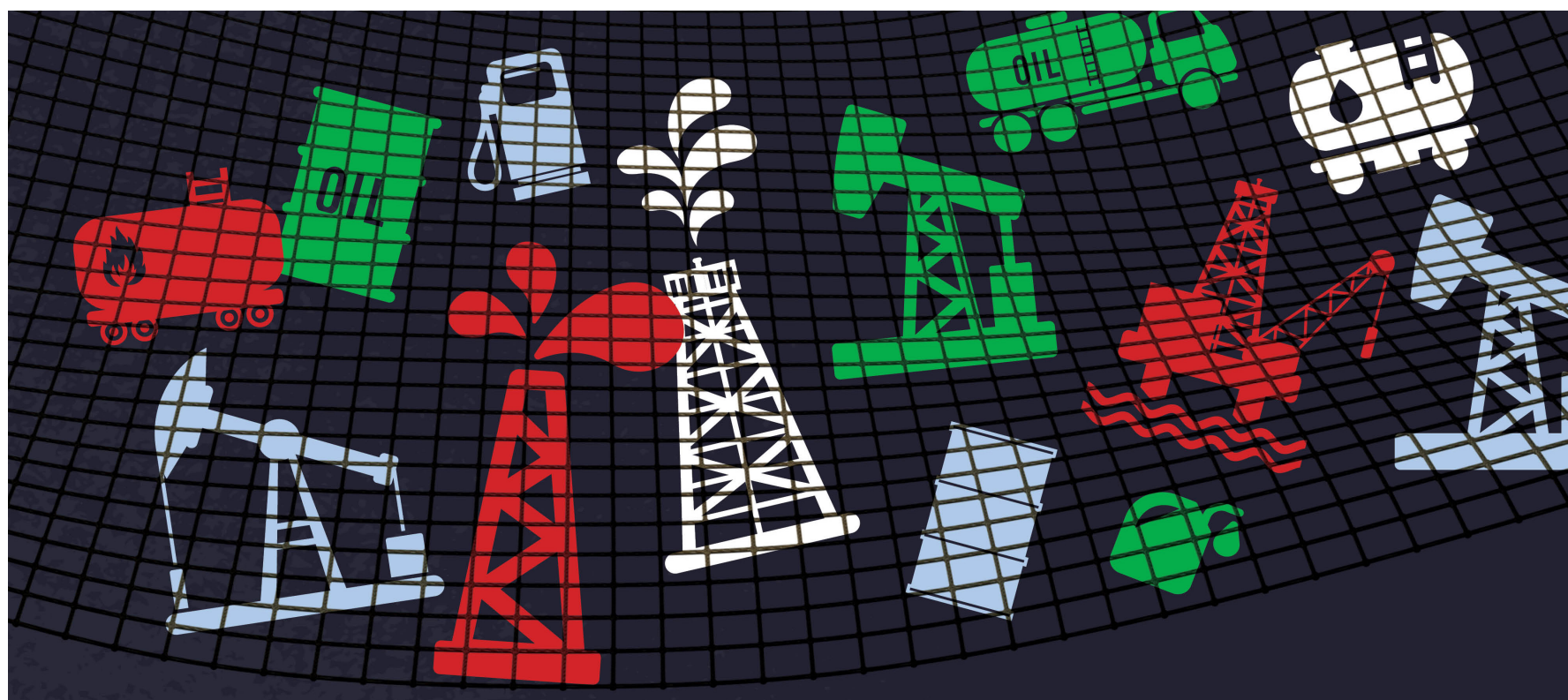
Since the publication of the paper in the Harvard Environmental Law Review, Public Citizen has released two prosecution memos detailing admissible evidence, possible charges, and legal issues pertaining to a prosecution against Big Oil

firms for their actions that have driven the climate to the brink.

The first of these prosecution memos takes a deep dive into case law that prosecutors in Arizona could use to pursue reckless manslaughter or second-degree murder prosecutions for deaths caused by the July 2023 wave, an extreme weather event that killed 403 residents of Maricopa County and that climate scientists concluded would have been “virtually impossible” but for human-caused climate change.

The second memo considers the potential for prosecuting fossil fuel firms and CEOs under New York’s reckless endangerment statute for their role in causing climate-related extreme weather events. (See story on page 10).

“It’s important to remember that these climate disasters didn’t come out of nowhere,” said Aaron Regunberg, senior policy counsel at Public Citizen, who has led the work on both memos. “They were knowingly caused by fossil fuel companies that chose to inflict this suffering to maintain their profits, while regular people pay the price. These victims deserve justice no less than the victims of street-level. As the world gets hotter and these disasters fueled by climate change get worse, those responsible for the carnage must be held responsible.” ■



Graphic courtesy of Alan Zibel.

# Charging Big Oil Companies and CEOs with Reckless Endangerment

BY ANNA ROSENFELD

Top leaders in the fossil fuel industry could face legal consequences for their role in accelerating climate change and weather-related disasters in New York, according to a recent jointly published memo by Public Citizen and Fair and Just Prosecution. The memo laid out a legal strategy for prosecutors to charge the major fossil fuel companies – Shell, BP, ExxonMobil, Chevron, Occidental, and ConocoPhillips – with reckless endangerment in the first and second degrees, a criminal offense in New York state.

The memo highlights recent discoveries that major oil companies and their CEOs have long been aware of the severe risks posed by burning fossil fuels but intentionally deceived the public about the deadliness of their conduct so as not to lower their profits or disrupt their business models. The report suggests that this willful neglect of the risk that their conduct would hurt people could amount to criminal reckless endangerment, laying the groundwork for potential legal actions.

Internal documents from Exxon, Shell, and other cited companies show that top leaders were made aware of the “catastrophic” dangers of fossil fuel emissions and ignored pleas from experts to make necessary changes to their business models.

In 1981, Exxon’s research manager wrote a memo stating, “it is distinctly possible that [Exxon’s projected emissions] scenario will later produce effects which will indeed be catastrophic (at least for a substantial fraction of the earth’s population).”

Instead of acting responsibly based on the warnings from their own scientists, the major fossil fuel companies spent time, money, and resources into discrediting climate science and lobbying against climate action. The memo demonstrates an active effort to deceive the general public about the deadliness of the fossil fuel industry, placing billions of people at risk.

The specific charge Public Citizen’s memo outlines is reckless endangerment: when a person or entity acts in a way that puts others at risk of serious injury or death, despite knowing the dangers. The central question asked in the memo is how to charge corporations criminally for this type of climate-related damage.

The memo also opens up the opportunity to reframe how prosecutors think about public safety. One New York official, State Assembly Member Emily Gallagher stated, “We rarely include corporate crimes in our ‘tough on crime’ rhetoric and public safety strategies, but that’s the crime truly threatening our communities. Because of Big

Oil, so-called ‘one-in-1,000 year’ storms are becoming regular occurrences, and these dangers are only getting worse. These companies are endangering my constituents, and I believe New York prosecutors should act accordingly.”

It is unusual for executives to be held responsible criminally for the illegal actions of the companies they head, making it notable that Public Citizen is calling for criminal investigations of Big Oil CEOs and executives. Especially as the climate crisis worsens and more and more New Yorkers feel its effects, this push to hold individuals accountable for their part is gaining momentum.

In the past few years, New York has been hit with deadly storms, hurricanes, floods, and heatwaves; thousands of lives have been lost and millions more impacted. There is an urgent need for legal action to hold fossil fuel companies accountable for the harm that they have directly caused.

There has been a positive response to this memo among New York elected officials, who have sought new and creative strategies for combating climate change. Brooklyn Borough President Antonio Reynoso responded to Public Citizen’s memo, stating, “The findings in this memo are clear – fossil fuel companies have knowingly put New Yorkers’ lives at risk .... This

is more than an environmental issue, it is a matter of public safety and equity across our borough, and those responsible for perpetuating the climate crisis in the pursuit of profit should be held accountable.” City Council Member Sandy Nurse said, “Big Oil’s endless pursuit of profits has come at the cost of our climate and communities .... It’s time to redefine public safety and hold the corporations responsible for these injustices accountable. Protecting the future sustainability of our city means that we can’t allow companies to put short-term gains over our long-term well-being.”

Though legal questions remain regarding how to approach New York’s reckless endangerment law in the context of climate-related conduct, the need for legal action is urgent. The memo outlines the analysis needed to get started.

“Big Oil’s conduct was not just immoral. It was criminal,” said Aaron Regunberg, senior policy counsel with Public Citizen’s Climate Program. “Reckless endangerment occurs when someone engages in reckless conduct that risks injuring or killing another person. That’s exactly what these companies and their CEOs have done by knowingly creating the climate crisis that is causing extreme – and extremely dangerous – weather events. They’ve violated New York law. Prosecutors should act accordingly.” ■



Graphic courtesy of Shutterstock.

# Misinformation Through Front Groups: The Weapon of Choice for the Gas Industry

BY ALAN ZIBEL

A group funded by fracking firms and pipeline companies has been ramping up its efforts to cozy up to key Democratic constituencies to push for a set of fossil fuel giveaways, misleading the public about the climate impact of methane gas.

The group, Natural Allies for a Clean Energy Future, has conducted a series of in-person events with policymakers and key Democratic-leaning groups to build support for its policy goals. Those agenda items include a set of dirty energy industry giveaways, promoted by Sen. Joe Manchin (I-W.V.) and Sen. John Barrasso (R-Wyo.), that would eviscerate public interest review requirements for liquified natural gas (LNG) exports and encourage the construction of massive export terminals in largely Black, Brown, and low-income communities.

A report released by Public Citizen and the Revolving Door Project exposes the influence campaign of Natural Allies. The group, which started in 2020, is led by three former Democratic members of Congress, Mary Landrieu of Louisiana, Tim Ryan of Ohio, and Kendrick Meek of Florida, as well as former Philadelphia Mayor Michael Nutter.

These former officials are a prime example of the revolving door phenomenon: former politicians lobbying their ex-colleagues or hobnobbing with insiders at high-profile events, with their past public service lending credibility to ideas they're being paid to peddle.

"From voicing support for harmful gas drilling to promoting gas exports as a false climate solution, the methane gas industry is laundering its dirty agenda by employing former Democratic politicians to advance a pro-industry agenda," said Tyson Slocum, director of Public Citizen's energy program.

The group's corporate funders include major gas industry players Williams Companies, EQT, Kinder Morgan, TC Energy, Enbridge, and Venture Global LNG.

"The natural gas industry is leveraging the pernicious power of the 'revolving door' phenomenon to turbocharge their efforts to confuse Democratic

politicians and voters alike about the impact of methane gas on the climate, their health, and their pocketbooks," said Hannah Story Brown, senior researcher at the Revolving Door Project and a coauthor of the report.

Throughout 2024, the group has stepped up its visibility in Democratic party circles, inaccurately promoting natural gas as a "clean" energy source in public meetings, including at the Democratic National Committee and the Congressional Black Caucus Foundation's annual conference.

The group also has criticized Biden administration policies that aim to consider the impacts of gas exports on communities, consumers, and the climate.

Key takeaways from the report include:

- Since it was launched in 2020, the group has spent \$10.4 million, with over \$8.9 million directed to the advertising and public relations giant Omnicom, the parent company of Mercury Public Affairs, the firm that initially launched Natural Allies.
- Since its inception, Natural Allies has seen substantial growth in revenue, skyrocketing from \$1.75 million in 2020 to \$9.1 million in 2022, totaling \$15.6 million over its first three years. The group has spent more than \$1 million on Facebook ads alone, generating tens of millions of impressions.
- While using former Democratic officials to peddle their interests in Democratic circles, Natural

Allies' corporate funders overwhelmingly back Republicans. Political action committees and super PACs tied to Natural Allies' corporate funders have spent \$3.5 million on federal political races since 2020, with 79% going to Republicans, including EQT Corp's \$250,000 contribution to a Super PAC backing Republican Senate candidates.

While the group deceptively pushes natural gas as a "partner" to renewables, its real goal is to promote continued use of methane, saying in an internal strategy document that "success for the natural gas industry will be rooted in whether we can message to the left and the Democratic base of black and Latino and age 18 to 34 voters as effectively as we have messaged to the right."

Thousands of ads purchased by Natural Allies on social media peddled claims that natural gas is more affordable and reliable than renewable energy and central to U.S. national security objectives. The ads appear designed to spread doubt about the viability of renewables, while also avoiding the more aggressive anti-renewable, climate-denying language favored by Republican politicians and some oil and gas drillers.

One especially egregious example of the group's tactics is a 30-second Natural Allies advertisement that ran in the summer of 2023 in D.C. and Pennsylvania on television as well as online. Titled "Match Made in Heaven," the ad is a children's cartoon depicting a wedding

ceremony between a methane gas flame and a windmill. With instrumental string music in the background, the ad says:

"We are gathered here today to celebrate the joining of two energy sources, natural gas and renewables.

"Working together, they will lower emissions faster, reliably and affordably for generations to come.

"Do you, renewables, take natural gas to be your reliable energy partner?"

"I do."

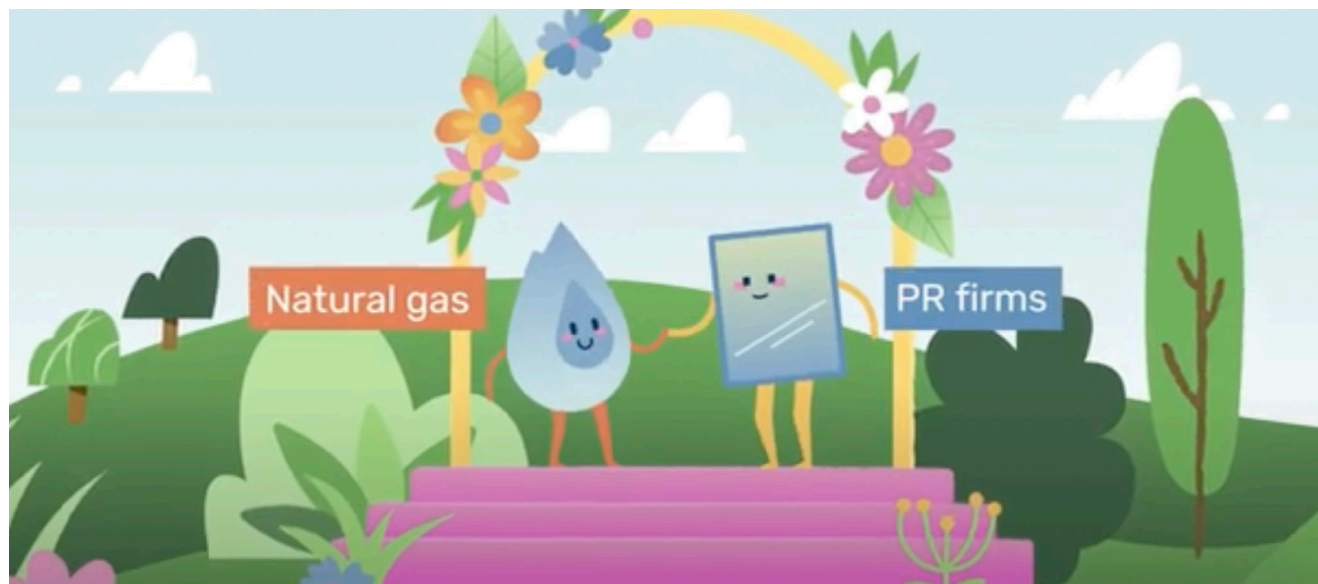
"Do you, natural gas, take renewables to be your carbon free energy partner?"

"I do."

"Natural gas and renewables, a match made in heaven to save planet Earth."

The group's deceptive tactics serve to mislead the public about how the ongoing boom in fossil gas production and exports is condemning frontline communities to deadly pollution, saddling consumers with higher energy prices, and locking in catastrophic warming.

"Rather than telling the truth about the destructive nature of fracked gas, some former Democratic officials on the payroll of Big Oil are downplaying the harms of methane emissions while sowing doubt about the reliability and affordability of genuinely clean power. Natural Allies' attempt to launder the reputation of gas – a fossil fuel that worsens environmental injustice – is shameful," said Revolving Door Project Senior Researcher Kenny Stancil. ■



A screenshot of a parody of a 30-second Natural Allies advertisement that ran in the summer of 2023 which used children's cartoon depicting a wedding ceremony between a methane gas flame and a windmill.

# Prescription Price Tag: U.S. Taxpayers Cover Nearly 60% of Drug Costs

BY RHODA FENG

When drug prices climb in the United States, it's taxpayers who are quietly footing most of the bill. Federal, state, and local governments directly or indirectly funded 59% of outpatient retail drug costs in 2019 – adding up to a staggering \$208 billion – according to a recent study co-authored by Public Citizen-affiliated researchers and published in the *Journal of General Internal Medicine* in October 2024. The \$208 billion figure includes both direct expenditures by government programs like Medicare and Medicaid as well as indirect subsidies such as tax breaks for private employer-sponsored insurance plans, subsidies to private Affordable Care Act (ACA) marketplace plans, and premiums paid for public employees. The findings of the study underscore that while patients pay directly at the pharmacy, every taxpayer in the country is financially affected by the high price of drugs.

The findings focus especially on the financial burden created by insulin costs, where taxpayer contributions covered nearly two-thirds of the total \$32 billion spent on the drug in 2019. This funding supports the estimated 7.6 million Americans who depend on insulin to manage diabetes, a disease that can lead to severe complications or death if left untreated. Insulin prices have been a central concern for patients and policymakers alike, with prices skyrocketing over recent decades and leaving many patients with diabetes to make difficult, often dangerous, decisions about rationing their medication.

The study's authors, who include Public Citizen-affiliated researchers David U. Himmelstein MD and Steffie Woolhandler MD, MPH, argue that the current state of drug spending reveals an urgent need for more comprehensive pricing reforms, extending beyond Medicare to private insurers. The recent Inflation Reduction Act (IRA) brought some relief by capping insulin out-of-pocket costs to \$35 per month for Medicare beneficiaries, and it imposed penalties on drug companies that hike prices beyond the rate of inflation for Medicare-covered drugs.

However, the Senate parliamentarian ruled that extending

these measures to private insurance plans would fall outside federal budget regulations, preventing a broader price cap from being added to the bill.

The report's lead author, Dr. Steffie Woolhandler, notes that this ruling may have failed to consider the full impact private insurer prices have on federal and state budgets. "What we're really seeing is that high drug prices across the board contribute to government expenses," Woolhandler explains. "Since taxpayers are essentially paying for a substantial portion of these costs, the government has a real incentive to negotiate lower prices that will benefit everyone."

The study bases its findings on data from the 2019 Medical Expenditure Panel Survey (MEPS), a widely used source for health care cost and usage data in the U.S. The MEPS data covers outpatient retail prescriptions only, which means that the estimated \$208 billion taxpayer expenditure does not even include the cost of drugs administered in hospitals, clinics, or doctors' offices. This exclusion suggests that the actual financial impact on taxpayers is even greater than the report indicates.

To gain a fuller picture, the researchers examined both direct and indirect government contributions to outpatient drug spending. Direct contributions include government health programs, like Medicare and Medicaid, that pay pharmacies for prescriptions filled by their beneficiaries. These programs contributed around \$155 billion, with Medicare alone covering nearly \$123 billion in prescription drug costs after accounting

for rebates. Medicaid also contributed significantly, paying about \$23 billion for outpatient drugs.

In addition to these direct contributions, the report highlights the substantial indirect spending that flows through private insurers. For example, federal and state governments subsidize employer-sponsored private insurance plans, meaning they cover a large share of premiums for government employees. The government also supports private insurance in the ACA marketplace through tax credits and premium subsidies, and it provides tax breaks for private employer-sponsored insurance that significantly reduce costs for employers and employees. All told, these indirect expenditures added another \$53.6 billion to taxpayer contributions, which means public money is woven into nearly every layer of the drug cost structure in the U.S.

In its analysis, the study points out how much U.S. taxpayers could potentially save if insulin prices aligned with those in other developed countries. For instance, insulin prices in Canada and the U.K. are roughly 88-92% lower than in the U.S. According to the report, if U.S. insulin prices matched those abroad, American taxpayers could have saved close to \$20 billion in 2019 alone. Such savings not only demonstrate the high cost of U.S. insulin but also highlight how much taxpayers could benefit from regulatory reform that puts downward pressure on prices.

The study's findings arrive at a pivotal moment in the national debate over drug prices, with, on the one hand, growing momen-

tum for broader legislative reforms that would address the high costs patients face and, on the other, a newly elected Trump administration whose allies have proposed rolling back the reforms of the Inflation Reduction Act. According to Dr. Woolhandler, these findings should motivate lawmakers to consider the financial impact of private drug prices on public funds.

The report's authors recommend that Congress revisit the limitations on price regulations that apply only to Medicare, arguing that broadening the scope of regulation could yield significant savings for government budgets and, by extension, for taxpayers. Such an approach could potentially align the U.S. drug market with global norms, where price controls help prevent such drastic out-of-pocket and indirect taxpayer costs.

As it stands, drug pricing remains one of the most contentious issues in U.S. health policy. For patients, especially those managing chronic conditions like diabetes, high drug prices are a burdensome part of daily life. For taxpayers, the issue may be less visible, but the financial burden is substantial and growing. The *Taxpayers' Share of US Prescription Drug and Insulin Costs* report reminds us that drug prices are not just a problem for those who need prescriptions – they're a collective burden, borne by all. With comprehensive reform, the researchers argue, there is a path to significant savings that would benefit patients, taxpayers, and the public health system as a whole. ■



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# IN THE SPOTLIGHT

The following are highlights from our recent media coverage.

**Robert Weissman, co-president of Public Citizen**

**On Donald Trump’s vow to “drain the swamp”:** *The Washington Post*. **On a judge blocking a California law that targeted deepfake campaign ads:** *The Los Angeles Times*. **On Congress proposing AI rules to protect elections:** *Politico*. **On the Federal Election Commission (FEC) forgoing new AI rulemaking ahead of the U.S. presidential election:** *The Hill*. **On OpenAI:** *Axios*. **On election betting in the U.S.:** *Politico*. **On an Elon Musk-backed political group posting fake Kamala Harris ads on Facebook:** *NPR*. **On the FEC’s refusal to act on election deepfakes:** *Common Dreams*.

**Lisa Gilbert, co-president of Public Citizen**

**On how Musk is deploying his fame and money to boost Trump’s chances of winning the election:** *Time*. **On how U.S. legislators can take action on AI:** *Bloomberg Law*. **On Harris’ proposal to have Medicare cover in-home care for seniors, give relief to family caregivers:** *Dogwood*. **On a U.S. Supreme Court Trump immunity ruling:** *Common Dreams*.

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

**On PhRMA’s drug-pricing pitch to Trump:** *Politico*. **On Sen. Bernie Sanders (I-Vt.) calling out Pharma Giant for charging \$900 for drug that could be sold for \$100:** *Common Dreams*, *Consumer Affairs*, *Nation of Change*. **On Gilead’s urge to expand voluntary licenses for a breakthrough HIV treatment:** *Health Policy Watch*.

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

**On President Joe Biden’s fears of Chinese cars spying on Americans, Tesla, and GM:** *The New Republic*. **On oil moguls emerging as a key cash source for Trump’s presidential run as race nears end:** *Bloomberg*. **On AI pushing gas demand to record highs:** *DeSmog*. **On oil and gas executives talking about fracking, liquefied natural gas pause and “realistic science”:** *E&E News*.

**Melinda St. Louis, director of Public Citizen’s Global Trade Watch**

**On how electric vehicles have become dependent on exploitation of miners in the Congo:** *Truthout*.

**Dr. Robert Steinbrook, director of Public Citizen’s Health Research Group**

**On Eisai and Eli Lilly’s failure to disclose heightened brain injury risk to Alzheimer’s trial patients:** *Fierce Biotech*.

**Adrian Shelley, director of Public Citizen’s Texas Office**

**On the launch of business courts in Texas as statewide caseload grows:** *Dallas Morning News*. **On the U.S. Senate’s consideration of changing rules for impeachment:** *Dallas Morning News*.

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

**On members of Congress who are convinced that AI legislation could break through:** *Associated Press*. **On lobbyists who exploited massive loopholes to wine and dine lawmakers:** *Politico*. **On crypto’s huge investment in the 2024 elections:** *Time*. **On Musk sweeping members of Congress into his social media sway:** *Roll Call*. **On the mind of Harris’ messaging maven:** *Politico*.

**Rick Claypool, research director**

**On a lawsuit from a mother who said an AI chatbot led her son to kill himself:** *The Guardian*, *The Washington Post*. **On why the cryptocurrency world is hoping for a Trump election win:** *BBC*. **On the corporate money infusing the 2024 election:** *Slate*. **On a murdered teenager’s name and image used to create an AI chatbot:** *The Washington Post*. **On who is benefitting from crypto cash flooding the 2024 election:** *The Washington Post*. **On the millions left in crypto’s political money cannon:** *Bloomberg*. **On why the cryptocurrency industry is spending more than any other to sway California congressional races:** *The Los Angeles Times*. **On how cryptocurrency hijacked the 2024 election:** *Philadelphia Inquirer*. **On Musk’s real reasons for going full MAGA for Trump:** *Common Dreams*.

**Public Citizen Litigation Group**

**On a 9th circuit private suit against e-commerce platform Shopify:** *Law.com*. **On “woke” investing and companies that want taxpayer-funded lobbyists:** *Lever*.

► **Tax Cuts**, from page 6

the most important causes of the financial crash of 2008 and the ensuing Great Recession. Fully ending the tax deduction for performance-based pay of more than \$1 million would raise \$272 billion over 10 years.

**Boost Funding for IRS Enforcement.** More funding for the IRS is key to ensuring that the agency can continue to hire and train skilled auditors, whose job is to make sure big corporations and the wealthy actually pay what

they owe.

### Direct File Goes Nationwide Following Public Citizen's Successful Campaign

The IRS in 2024 launched a pilot Direct File program, allowing eligible individuals and families in 12 states to file their taxes online for free directly through the agency itself. Public Citizen fought long and hard for the creation of the Direct File program, encouraged as many taxpayers

as possible to use the pilot program last spring, and called for its expansion nationwide.

Thanks to the program's overwhelming success, the IRS declared that Direct File would become a permanent possibility for filing taxes beginning in 2025. This is great news for Americans across the country who are hoping to use Direct File in the future as opposed to wasting millions each year paying private companies to assist with tax preparation. Importantly, it cements Direct File into our tax system.

Right now, filers with relatively simple tax situations in Alaska, Arizona, California, Connecticut, Florida, Idaho, Kansas, Maine, Maryland, Massachusetts, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Washington, Wisconsin, and Wyoming will be able to use the Direct File tool. Check [directfile.irs.gov](https://directfile.irs.gov) to see if you are eligible. ■

## Public Citizen Recommends ...

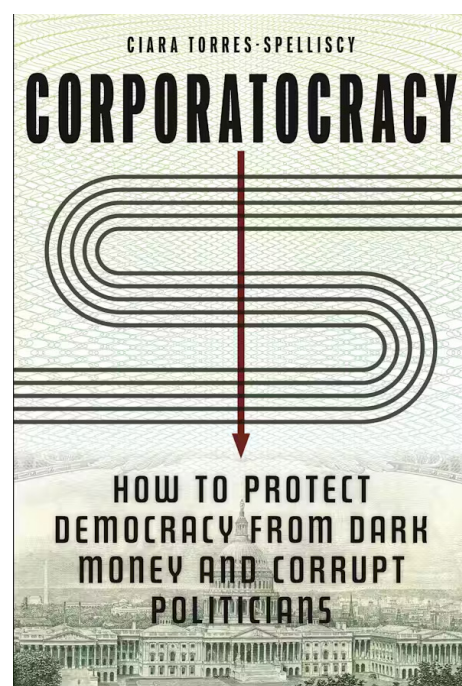
### "Corporatocracy: How to Protect Democracy From Dark Money and Corrupt Politicians"

By Ciara Torres-Spelliscy; \$32; NYU Press

Law Professor Ciara Torres-Spelliscy's new book, "Corporatocracy," begins and ends with a clarion call for voters, consumers, and investors to take patriotic action. It's based upon the same principle as my favorite bumper sticker: "When The People Lead, The Leaders Will Follow."

Torres-Spelliscy recommends that all corporations and politicians be put to what she calls "The Democracy Litmus Test." This four-part test is designed to see if they are worthy of being entrusted with our votes, spending power, and hard-earned savings. It asks: Are they acting in ways that support American democracy or not? Did they take any action to: 1) perpetuate election denialism; 2) try to overthrow the results of any election; 3) push legislation that makes voting more difficult; or 4) become a party to bribery or other corruption actions that undermine democratic values? If the answer to any one of these is "yes," Torres-Spelliscy writes, this existential failure should be enough to inspire individual choices that together can lead to collective action for change.

Much of "Corporatocracy" flows like a brisk read through a library of case studies that reveal the myriad ways corporations put politicians on their payrolls and fund fascism as a means of achieving their self-serving ends. For example, an early chapter details the disturbing ways that blue-chip American companies enabled the military and propa-



ganda rise of the Nazis nearly a century ago in exchange for more business. Another chapter, called "Corporate Bribery: Having Your Cake And Eating It, Too," is a greatest/worst hits list of American corporate bribery scandals known by the names of the corporations at their center: from the Credit Mobilier-Union Pacific Railroad scandal in 1872 to the 2020 FirstEnergy nuclear power plant shakedown that featured a \$60 million racketeering conspiracy and brought down the all-powerful Ohio Speaker of the House.

But Torres-Spelliscy does much more in "Corporatocracy" than crisply delineate corporate corruption scandals of the past. She brings the antidemocratic impacts of unscrupulous corporate political funding into our present moment, with several chapters devoted to tracking the fallout up to today from the U.S. Supreme Court's disastrous decision in *Citizens United v. FEC*, which opened the flood-

gates for corporations to spend unlimited amounts attacking and backing elected officials, with few restraints. As her book illustrates, this has not been a phenomenon benefitting only one party. The story of how a Malaysian businessman who was legally prohibited from giving a dollar to American elections funneled \$2 million into supporting President Obama's 2012 reelection is stomach-churning, as is the reminder of all the foreign money that flowed through straw donors and into super PACs that fueled Trump's election in 2016. The book tells the despicable story of many corporations that pledged in January 2021 to stop funding the "Sedition Caucus" – Congress members who voted against certifying the 2020 election and promoted Trump's "Big Lie" – but went ahead and funded them anyway.

A common thread the book reveals between corruption scandals past and present is that the cover up made the crime even worse by not just forestalling accountability for the crooks, but by effectively depriving voters of the ability to cast a truly informed vote. "[D]ark money thwarted transparency of money in politics during American elections when the information would have been useful to voters," writes Torres-Spelliscy. "Prosecutors took years to unravel these schemes. By the time the perpetrators were arrested, tried, and convicted, the elections they meddled in were long over." Delayed disclosure deferred justice and corroded democracy.

Torres-Spelliscy concludes with a recipe for reform that should give even the most pessimistic readers cause for hope. Some of these reforms are restor-

ative: constitutional amendments that put corporate spending on politics back in check, gift and ethics restrictions that would help rebuild the integrity of the Supreme Court, voting rights returned to citizens who have served their time. Others are simply common sense: the existing federal ban on direct corporate contributions to candidates should be replicated in every state and successful local public campaign funding programs that have worked everywhere from New York to Seattle should go national and help wean members of Congress off the corporate money spigot.

Perhaps most compelling of all, "Corporatocracy" calls for dramatically more disclosure of corporate contributions to election campaigns and spending on lobbyists. These disclosures should be made directly to corporate shareholders through annual reports required by the Securities Exchange Commission and corporate funding of campaign ads should be revealed on the face of the ads themselves, to give voters real-time information and help them evaluate the credibility of the ads' claims. In fact, the Supreme Court this fall issued an order that allowed a strong "Sunlight on Dark Money" disclosure law in California to stand and opened the door for more to proliferate nationwide.

"Corporatocracy" shines a light on the shady ways corporations have bent American democracy to their will through power, influence, and money. At the same time, it lights the way that we, the people – as voters, consumers, and shareholders – can take it back.

– Jon Golinger ■

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

# Combating Heat Through Mini-splits

BY JOSÉ MEDINA

The summer of 2023 in Texas was brutal, breaking the record as the hottest in recorded history. And 2024 was also unusually – and dangerously – hot. Fighting back against the forces making climate change worse in Texas is an uphill battle.

“Big statewide policy changes would be great, but real and meaningful change can also happen one household at a time,” said Debra Ponce, a Public Citizen organizer. “Yes, we’re still fighting for those big policy changes. But we’re also going small. You might even call it a ‘mini’ strategy.”

Ponce lives and works in San Antonio. In her city, she works to keep the most vulnerable people safe from the Texas heat by taking action on climate change. One way she does so is with mini-splits.

A mini-split is an energy-efficient combination of an air conditioner and heater. They are popular in other countries and catching on in the United States, where they’ve been installed in some small restaurants and shops. They’re usually rectangular boxes hanging from where a wall meets the ceiling. They emit a slight hum and can spit out cool or warm air.

Leaning on years of community organizing experience in her hometown, Ponce is using her professional connections to identify San Antonians who may be eligible for city grants from the Resiliency, Energy Efficiency, and Sustainability Fund managed by the City of San Antonio Office of Sustainability.

As of this writing, Ponce had assisted in identifying four neighborhood associations and one nonprofit organization that

**“The investment in people’s homes over difficult-to-access cooling centers operated by the city allows people to shelter in place.”**

– Debra Ponce, Public Citizen organizer

could benefit from the funding. She helped each group apply for one grant, and three of the five organizations were awarded funding for heating and cooling upgrades. The organizations plan to use the funding to install free mini-split systems in the initial phase.

“The investment in people’s homes over difficult-to-access cooling centers operated by the city allows people to shelter in place,” Ponce said. “During extreme temperature days, the homeowners have one space where they can be warm in the winter and cool in the summer. Some of the millions of tax dollars spent on cooling centers could instead be used for this.”

A mini-split uses less energy than a home air conditioner and it is easier to install, making it an ideal solution for certain families in a place like Texas. It reduces the energy needed to keep a home safe and comfortable from extreme temperatures. A mini-split can immediately help a vulnerable family while easing demand on Texas’ heavily fossil fuel-dependent grid. It’s not the sole answer to Texas’ climate change and energy demand problems, but one piece of a larger effort to reduce demand through energy efficiency and home weatherization.

San Antonio, which is already one of the largest cities in the country and one of the fastest-

growing, ranks high for energy insecurity, which is measured by the percentage of income a household spends on energy. According to the city government’s sustainability office, approximately 22% of San Antonians are considered energy insecure.

Ponce has been focusing her efforts on San Antonio’s southside, a historically disadvantaged part of the city where energy insecurity hits working families the hardest. Here, families are on the frontlines of air pollution from the area’s power plants, metal recyclers, and other industrial facilities.

“We have communities here that face multiple challenges,” Ponce said. “Texans may dread the heat, but most of them can thankfully go home to a cooled home, and the cost of keeping it that way doesn’t cause too much worry. That’s not the case for some vulnerable households in San Antonio that rely on inefficient window units to defend against heat waves. A resident in such a situation may make a potentially dangerous choice, like shutting off the air or heat to avoid a large electric bill. That can threaten people’s health in a state like Texas, known for temperature extremes. Having a reliable heating and cooling system that is affordable to operate can be life-changing. The fact that they could tackle the climate crisis simultaneously is a

welcome extra,” she said.

Texas needs to do more to address the energy demand, but state leaders are more likely to focus on creating a greater supply to benefit corporations and oil and gas interests. In the aftermath of Winter Storm Uri, which took down the state’s electric grid when methane gas infrastructure failed in February 2021, state leaders have focused on investing heavily to increase the grid’s dependence on gas. Lawmakers established the Texas Energy Fund to finance the construction of several new power plants that run on methane, which will cost taxpayers billions and take years to bring online.

Instead, the Texas office of Public Citizen has advocated for strategies that would reduce demand. Home weatherization programs, for example, are much cheaper for taxpayers and can be implemented quickly, as are investments in energy-efficient heating and cooling systems like mini-splits. “There is a lot of work left to do, but I’m mindful of two things: that this will help people who need it and that the people who want real solutions to Texas’ looming energy crisis are watching,” Ponce said. “I hope everyone notices how meaningful change doesn’t always mean swinging for the fences. Sometimes, playing small ball can get the job done, too.” ■

## 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. A new rule allows you to create a gift annuity with your retirement rollover.

AGE WHEN PAYMENTS BEGIN	SINGLE LIFE ANNUITY RATE	SINGLE LIFE ANNUAL PAYMENT	TWO LIVES ANNUITY RATE	TWO LIVES ANNUAL PAYMENT
65 years	5.7%	\$570	5.0%	\$500
70	6.3%	\$630	5.5%	\$550
75	7.0%	\$700	6.2%	\$620
80	8.1%	\$810	6.9%	\$690
85	9.1%	\$910	8.1%	\$810
90 and over	10.1+%	\$1,010	9.8+%	\$980

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