PUBLIC CITIZEN NEWS
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Organizations Urge Biden to Cancel Student Debt

BY NOAH HENRIKSEN

Public Citizen organized a coalition of 105 organizations in October that sent a letter to President Joe Biden urging him to cancel student debt under authority granted by the Higher Education Act of 1965. Almost 45 million people hold more than $1.8 trillion of student debt, which is expected to reach $2 trillion by 2022. The letter argued that canceling student debt would grow the economy and begin closing the racial wealth gap that continues to keep many Black and Brown borrowers from entering the middle class.

"There is no single action that this president can take that would have more transformational implications for millions of people in this country," said Remington A. Gregg, counsel for civil justice and consumer rights at Public Citizen.

The letter writes note that "Canceling student debt isn't just an opportunity to realize the full promise that higher education can provide by allowing each person to build wealth for themselves and their families but will also be a down payment towards fixing the broken higher education system."

Borrowers are saving $5 billion per month during the student loan payment pause started by former President Donald Trump and continued by President Biden. The letter argues that canceling student debt will allow an entire generation to begin generating wealth, saving for retirement, and starting a family. Experts

see Debt, page 8

Graphic courtesy of John Tomac.

Billions in Pandemic Relief Funds Enriched Investors, Private Equity

BY DAVID ROSEN

The bill was supposed to address the twin public health and economic crises, but instead it funneled billions of dollars to the private equity industry.

The Coronavirus Aid, Relief, and Economic Security (CARES) Act, which passed in March 2020 near the start of the pandemic, imposed few conditions on relief recipients and failed to prohibit them from using public money to enrich investors.

That's the finding of a report from Public Citizen, which tracked how CARES Act relief money was spent. The report estimates that at least $5.3 billion in CARES Act funding went to 611 portfolio companies owned or backed by private equity firms that collectively already held almost a trillion dollars in cash reserves.

Public Citizen, along with dozens of other good government, public interest, labor, consumer, community, and civil society organizations, repeatedly urged federal lawmakers to include accountability and transparency measures and other funding conditions in the CARES Act when it was being drafted and negotiated in the early months of 2020.

But close to 20 large private equity firms and the industry's primary trade association spent a total of $32 million on lobbying during 2020, including on pandemic related issues. As a result, they were able to finance a buyout spree during the pandemic-driven economic downturn and extract significant dividends and fees from their portfolio companies.

"The $5.3 billion in public funds should have gone to small, independent businesses, especially those owned by women and people of color," said Mike Tanglis, research director for Public Citizen and author of the

see Relief, page 4

Pfizer Bullies Governments Across the World

BY LIZA BARRIE

The Pfizer COVID-19 vaccine has been astonishingly successful. Developed with BioNTech, the Pfizer shot was the first to be authorized for use in the U.S. and is the most popular worldwide. More than 3.5 billion doses have been purchased. Pfizer's COVID-19 vaccine is on track this year to generate the biggest single-year sales ever for a medical product. The company expects 2021 revenue from the vaccine will reach $36 billion and that 2022 vaccine revenue will beat this record or

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CONNECT ONLINE WITH PUBLIC CITIZEN

GET TO KNOW PUBLIC CITIZEN
SHAUNA BURTON

An ongoing series profiling Public Citizen leaders and staffers

Those who know Shauna Burton best describe her as warm-hearted and ambitious. Something that many might not know, however, is that Burton loves to cook in her free time. She often finds her inspiration for recipes while watching cooking videos on Instagram and TikTok.

Burton is a social media associate with Public Citizen, who works on all digital platforms. Her main responsibilities include drafting posts for social media platforms, creating graphics, and filming video content.

Burton originally got interested in the public relations field while working as a communications intern on Capitol Hill. She didn't solidify her interest in digital work until she landed a job as a social media manager working for a Senate campaign in 2020. She particularly enjoys this work because it gives her a lot of creative freedom and the opportunity to turn her ideas into reality.

When did you first become interested in communications work? When did you first become interested in progressive politics?

Burton: I did theatre growing up and double-majored in musical theater and public relations initially at American University – a super political campus. Being in an environment where people's favorite things to do on the weekend are volunteering for campaigns and attending protests definitely shaped my feelings towards politics. I made the switch at the end of freshman year to double major in political science and public relations.

You have been a Social Media Manager for a Senate campaign. How does that work compare to your work at Public Citizen?

Burton: The biggest difference would be how I write content. Being on the campaign, everything I created or wrote was in the voice of the candidate. I had to think like them. And given that I was creating content for Rev. Raphael Warnock, I also spent time thinking and researching on how that applies to different political issue areas.

With Public Citizen, you're writing more as an entity than as one person. This allows more leeway on strategizing Public Citizen's voice and tone. I'm focused more on creative ways we can elevate the organization's work to reach more people versus what are creative ways to reach the most people on why you should vote for the candidate.

What is the most rewarding part of working at Public Citizen?

Burton: The best part of working at Public Citizen is getting to work on issues that I'm passionate about and seeing the results of our work firsthand. It's one thing to create content around Pentagon spending, taxing the rich, or student debt. It's rewarding to see your content gain traction and spark conversations among people, and in some cases, help influence Congress.

Any advice for young people looking to work in PR or politics?

Burton: The most important thing you can do is network, whether that's with a professor who has experience in the field you want to work in people at your internship. I think it's critical to network. This helps with finding jobs, seeking advice, and just mentorship in general. I find interning to also be a great way to gain field experience and figure out what you want to do in the future. If you can, try interning at different types of places like a PR firm, business, nonprofit, government, etc. The type of work and the pace of the environment vary depending on where you choose to work. ■

– Compiled by Noah Henriksen

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PUBLIC CITIZEN

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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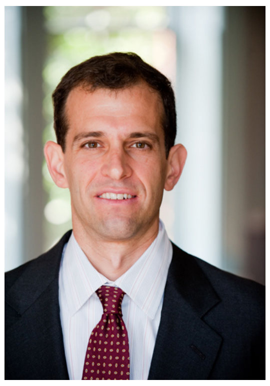
EDITORIAL

To Save Lives, Cut Pentagon Spending

At Public Citizen, we do big things. Fight for Medicare for All. Defend our democracy. Combat the framework of corporate globalization. Force financial regulators to prioritize climate change. And on and on. We don't shy away from tough fights and over our five-decade history, we've shown that we can win on the big issues – and win far-reaching reforms even when we fall short of our ultimate goals.



PRESIDENT'S VIEW
ROBERT WEISSMAN

But we also know the possibility of game-changing, technical work. And the value of narrower measures in focusing attention on big problems and making important changes in specific policies. Often, this kind of work is quintessential Public Citizen, because it showcases our technical expertise, our strategic savvy and our broad portfolio.

Case in point: As this issue of *Public Citizen News* goes to press, we are championing an amendment to the annual Pentagon spending bill that would redirect money away from a nuclear bomb toward building out global COVID vaccine manufacturing capacity. The U.S. Senate amendment to the National Defense Authorization Act, introduced by U.S. Sens. Jeff Merkley (D-Ore.), and Elizabeth Warren (D-Mass.), would reallocate $98 million in funding – just a small fraction of the $750 BILLION Pentagon budget – away from the B-83 gravity bomb program and into global COVID vaccine production efforts.

This work marries our campaigning for global COVID vaccination with our program to reallocate Pentagon spending to priority human needs. In these areas, we are campaigning for big things: a $25 billion manufacturing plan for COVID vaccine production and reallocating tens or hundreds of billions of dollars away from Pentagon spending.

But this targeted amendment enables us to tell a very digestible story: Take money away from a program of mass annihilation and devote it to one that could help save millions of lives.

The B-83 gravity bomb is an outdated Cold War weapon. President Barack Obama made the decision to retire the system, but the Trump administration undid this decision. The program is becoming increasingly expensive and has been rendered unnecessary even in Pentagon terms by the development of a replacement bomb with the same functionality. The B-83 is a particularly atrocious weapon. The weapon is indiscriminate and would cause immense collateral damage if ever utilized. For context, just one of these weapons yields nearly half of all the explosives used in World War II, including both atomic bombs.

Meanwhile, repurposing the $98 million allocated to the B-83 to addressing COVID could have dramatic, lifesaving effects. Right now, global vaccine apartheid persists, with rich country vaccination rates about 33 times the levels in the poorest nations. If reallocated, $98 million could help fully fund the World Health Organization vaccine hub and other efforts to boost vaccine production capacity in Africa and low- and middle-income countries globally.

To state what should be obvious: Not only is supporting global vaccination the right thing to do; not only is it cost-effective in comparison to rampant Pentagon spending, even if you believe that more Pentagon spending helps protect the nation; but vaccinating the global population ranks among the top, short-term security interests of U.S. national security. So long as the pandemic continues to rage around the world, new variants will emerge and make their way to the U.S., with potentially devastating effects.

The U.S. House of Representatives moved to eliminate funding for the B-83, so it's very possible that we can get it out of the final defense spending bill. However, there are major obstacles: Senate procedures that make it hard for amendments to gain proper consideration and the raw power of the military-industrial complex, which opposes any Pentagon cuts no matter how wasteful the targeted spending.

It's hard to imagine a more perfect juxtaposition of competing priorities than a dangerous, outdated nuclear weapon, on one hand, and new investments in vaccine production to end the global pandemic, on the other. These are the kinds of choices embedded in so many policy decisions in Washington – not just budgetary matters – but too often masked to the public. A big part of our job is ripping off those masks and demonstrating the choices before us – and the powerful corporate interests distorting democratic decision-making. But that's only the first step – our primary objective is to win real changes that make a difference in people's lives. In this case and so many others, that's exactly what we're doing. ■

Graphic courtesy of James Yang.

▶ **Relief**, from page 1

report. "But in the absence of clear conditions on recipients – such as requirements to support workers and maintain business operations – private equity firms were able to use it to enrich investors."

Private equity firms take over companies as investment vehicles, and then often use aggressive tactics and financial tricks that destroy the financial viability of those companies. They frequently extract substantial value from their takeover targets through debt-financed buyouts, excessive management fees, dividends, and stripping out valuable assets such as real estate. Workers, consumers, and patients pay the price for these aggressive strategies.

Some private equity-backed companies that received public funds shed workers during the pandemic. For example, Apollo-owned LifePoint Health received nearly $1.4 billion in public funds, yet furloughed workers at its hospitals around the country. And Blackstone Group's TeamHealth reduced hours for emergency room workers at some of its facilities, and even went as far as firing one ER doctor in Seattle after he warned about the lack of personal protective equipment and un-safe working conditions.

Several private equity firms received more in pandemic aid to their portfolio companies than they pay in taxes. The Apollo portfolio companies, for example, received nearly 50 times more in pandemic relief ($1.4 billion) than the firm's average annual tax payments in recent years of just $30 million.

Private equity-backed companies received $1.2 billion in pandemic relief that was intended for small businesses. Of that, $224 million went to fast-food and other restaurant chains that prospered during the pandemic, while thousands of independently owned restaurants closed forever.

The report also found that more than 140 private equity-backed hospitals, physician groups, and other health companies received nearly $4 billion in pandemic support. This included many troubled hospital chains and health care companies responsible for surprise medical billing and charging patients out-of-network fees for services like ambulance rides, emergency room visits, or x-rays at in-network hospitals or clinics.

Any future economic stimulus needs strong guardrails that direct the money to workers, their safety, and keeping companies afloat, and must prevent public funds from being diverted to enrich private equity firms, Public Citizen maintains.

All companies that receive public support during an emergency must keep workers on payroll, halt the offshoring or outsourcing of jobs, maintain benefits (especially health care and paid sick leave), refrain from undermining collective bargaining agreements, and endorse neutrality in union organizing efforts.

Firms receiving public money should be prohibited from paying out dividends to investors, making stock buybacks, and paying lavish executive salaries. Private equity firms should be prohibited from taking dividend recapitalizations, shifting real estate or other assets from their portfolio companies, and charging management fees to their portfolio companies during public assistance periods.

Companies that receive public support should be prohibited from acquiring rival or complementary companies for two years to prevent public funds from subsidizing a consolidation wave during an economic downturn. Large companies or investment firms should be prohibited from accessing programs intended for small and independent businesses. And there needs to be far greater disclosure of who receives public money and how it is spent. ■

Quantifying Big Pharma Price-Gouging

BY RICK CLAYPOOL

Big Pharma makes almost twice as much money selling the top 20 prescription drugs in the United States as it does selling the same drugs to every country in the rest of the world combined.

That's the main takeaway from a new Public Citizen report that uses corporate financial disclosures to quantify the revenue disparity between U.S. drug sales and drug sales abroad.

The report found that U.S. sales of the 20 top-selling drugs in 2020 totaled $101.1 billion, while sales of these drugs to the rest of the world totaled only $57 billion. For 17 of these 20 top-selling drugs, revenue to pharmaceutical companies from U.S. sales exceeded revenue from sales to all other countries combined.

Some drugs saw greater disparities than others. Gilead Sciences reported U.S. sales revenue five times greater than the rest of the world for the HIV medication Biktarvy (bictegravir, emtricitabine, and tenofovir alafenamide) and AbbVie reported U.S. sales revenue four times greater than the rest of the world for the autoimmune disease drug Humira (adalimumab). For 11 of the top 20 drugs worldwide, companies reported U.S. sales revenue that was twice as much as sales of the rest of the world or more.

After reviewing the Public Citizen study, political news outlet Axios declared in the headline of its news story about the report, "The U.S. is the drug industry's gold mine."

Another way of thinking about the medicine revenue imbalance between the U.S. and the rest of the world is to consider that for 11 of the 13 companies selling these top drugs, most of the revenue came from U.S. sales. AbbVie benefited the most from this disparity, bringing in more than $20 billion in revenue in U.S. sales from its top-selling drugs Humira and Imbruvica – five times more than international sales of the same two drugs.

One caveat to the study's findings is that differences in revenue may reflect differences in volume of drugs sold. Drug companies do not disclose sales volume or net prices to the public. However, prior research has found that Americans consume comparable amounts of drugs as people in other high-income countries.

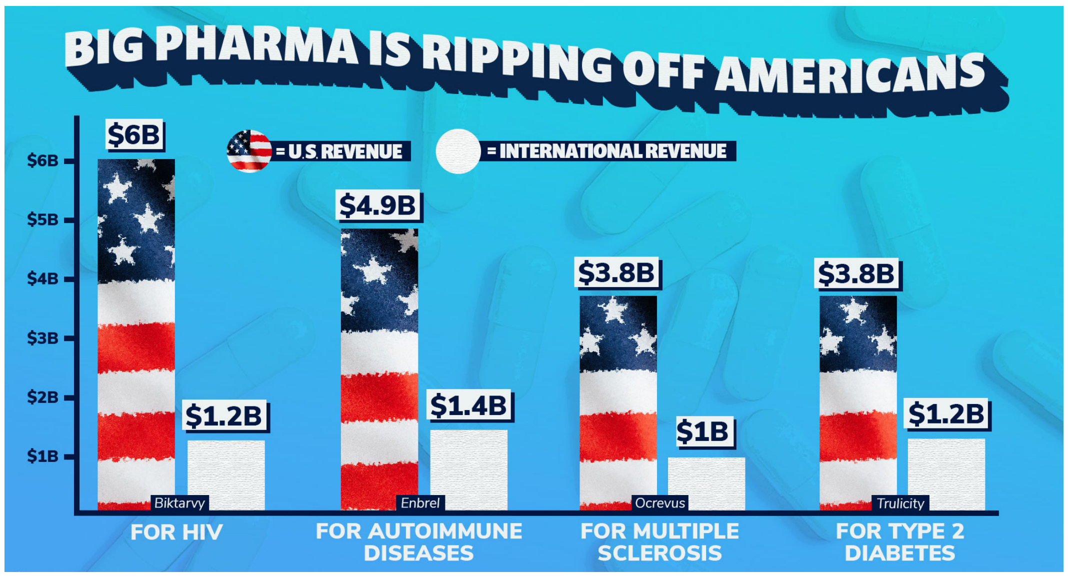
This analysis offers a glimpse of how much these businesses profit from exploiting the American health care system.

But now Big Pharma is using every trick in the corporate influence book to fight policies that would reduce U.S. drug spending. The industry has spent over $177 million lobbying Congress and made over $1.6 million in campaign contributions this year. Deceptive TV ads paid for by the industry are trying to frighten and mislead the public about legislative efforts that would empower Medicare to negotiate drug prices.

Granting Medicare the authority to push back against pharmaceutical company profiteering would mean an end to decades of overpaying for medicines – and the beginning of billions in cost-savings that could be used to improve and expand health care for millions of Americans.

"Millions of American families ration medicine to help pay the bills. Until now, the U.S. government has not even asserted power to help by negotiating more reasonable prices," said Peter Maybarduk, director of Public Citizen's Access to Medicines program. "Drug corporations clearly are taking advantage of that weakness, and abusing their monopoly privileges – and everyone in the U.S. is paying for it."

While Big Pharma spends millions trying to preserve the broken status quo that keeps the U.S. overpaying for drugs, the public has had enough. An overwhelming majority of Americans supports reforms to rein in the industry's greed. ■



Graphic courtesy of Zach Stone.

Public Citizen Sues FDA Over Hair Loss Medication

BY AVA FITZSIMONS

> **"The FDA needs to act in a timely way to protect the public from the risks associated with use of 1mg finasteride. The FDA's failure to act exposes consumers to potentially life-threatening harm."**
>
> —Michael Kirkpatrick, Public Citizen attorney

Every day, thousands of men use the drug 1-mg finasteride, marketed under the brand-name Propecia, to treat hair loss. Some of those men will experience persistent and serious side effects that continue long after the drug has been discontinued, including loss of libido, erectile dysfunction, depression, suicidal ideation, anxiety, panic attacks, penile shrinkage, chronic testicular pain, gynecomastia, muscle atrophy, cognitive impairment, and insomnia. These reactions are known as Post-Finasteride Syndrome (PFS) – a condition with no known cure and few, if any, effective treatments.

In September of 2017, the Post-Finasteride Syndrome Foundation (PFSF) submitted a petition to the U.S. Food and Drug Administration (FDA) asking the agency to remove the drug from the market due to evidence of serious risk of patient injury, including depression and suicidal ideation.

Alternatively, if the agency declined to withdraw the drug from the market, the petition requested that the agency require drug manufacturers to revise the safety information on the label, including adding a boxed warning to disclose the drug's harmful adverse effects.

PFSF is a non-profit advocacy organization based in New Jersey. Since its founding in 2012, PFSF has supported scientific and clinical research into the exact mechanisms of PFS and into potential treatments and cures.

The organization also works to raise awareness among scientists, clinicians, and the public about the long-term and life-altering impacts that PFS can have on the sexual, physical, and psychological health of men who develop this condition.

The VigiBase global database, which tracks adverse effects from global pharmacovigilance agencies, lists 378 cases of suicidal ideation, 39 cases of suicide attempt, and 88 cases of suicide associated with use of this drug.

Additionally, a 2020 study concluded that patients under age 45 who used the drug for hair loss were vulnerable to depression, anxiety and suicidal ideation.

More than four years have passed since PFSF submitted its petition to the FDA, and the FDA has failed to issue a decision on the petition. Prescriptions for the drug have significantly increased in recent years, as the drug is now sold in generic form and is heavily marketed on television and online.

In 2020, 1-mg finasteride was prescribed for hair loss more than 1.6 million times in the United States, according to health care data company IQVIA.

On Sept. 8, Public Citizen filed a lawsuit on behalf of the PFSF against the FDA for the agency's inaction on the 2017 petition. PFSF is seeking a declaration that the FDA has violated the Administrative Procedure Act by unlawfully withholding action on PFSF's petition and an order requiring the FDA to act on it.

"False information from the FDA leads physicians to dismiss patients, while some even tell them their symptoms are not real," said John Santmann, M.D., the head of PFSF.

"Without effective treatments for PFS, use of this cosmetic drug can lead to a lifetime of adverse effects. The drug ruins more lives every day and has no business being on the market."

1-mg Finasteride has been linked to erectile dysfunction that persists months after treatment ends. It inhibits multiple steroid hormone pathways necessary to the formation of brain neurosteroids that regulate many critical functions in the central nervous system, like sexual function, mood, sleep, cognitive function, the stress response, and motivation.

In 2017, Northwestern University researchers published a study that one-third of the men who developed new erectile dysfunction while taking the drug continued to have erectile dysfunction more than 90 days after drug discontinuation.

A 2006 Propecia Periodic Safety Update Report found that some men did not have resolution of the sexual side effects at the end of clinical trials.

"The FDA needs to act in a timely way to protect the public from the risks associated with use of 1mg finasteride," said Michael Kirkpatrick, the Public Citizen attorney serving as lead counsel for PFSF. "The FDA's failure to act exposes consumers to potentially life-threatening harm." ■

PUBLIC CITIZEN ATTORNEY WINS ADVOCACY AWARD

Public Citizen attorney Adam Pulver won the 2021 Appellate Advocacy Award of the Officers and Trustees of the Pound Civil Justice Institute in recognition of his victory in an important consumer protection appeal. The award recognizes attorneys who have shown excellence and made significant impact in appellate advocacy in America.

The Institute chose Pulver for his work on *McAdory v. M.N.S. & Associates*. Pulver was the lead appellate counsel for the plaintiff and argued the case before the U.S. Court of Appeals for the Ninth Circuit, which encompasses the West Coast region.

The case involved the Fair Debt Collection Practices Act (FDCPA), a federal law that provides remedies for consumers who are abused or harassed by debt collectors. The plaintiff sued both a debt buyer and the company it hired to collect the debt for FDCPA violations, including harassing telephone calls and unauthorized withdrawal of money from her bank account when no payment was due.

The issue on appeal was whether a debt buyer whose contractors violate the FDCPA are "debt collectors" as defined in the statute. The answer would determine whether the debt buyer can be held liable under the statute. In a strong decision largely tracking Pulver's arguments, the court of appeals held that debt buyers fall under the statutory definition of debt collector.

"Adam's work on this case was thorough and skillful," said Allison Zieve, director of Public Citizen Litigation Group. "His success will make a real difference. It both provides an incentive for industry to comply with the FDCPA and confirms consumers' ability to use the civil justice system to hold debt buyers accountable for wrongful conduct by their contractors." ■

FDA Hearing Panel to Evaluate Makena Must Be Fairly Balanced

BY RHODA FENG

A drug intended to reduce the risk of preterm birth in certain pregnant women is not effective. This was the stance of Public Citizen two years ago when it petitioned the U.S. Food and Drug Administration (FDA) to remove the drug hydroxyprogesterone (Makena) and related generic products from the market because a large FDA-mandated post-approval clinical trial showed the drug is not effective in reducing the rate of preterm birth.

One year later, the FDA proposed to withdraw approval of Makena and generic versions of the drug. AMAG Pharmaceuticals, the manufacturer of Makena at the time, subsequently requested a hearing on the FDA's proposal, and the agency agreed to do so. The hearing will take place before the agency's Bone, Reproductive and Urologic Drugs Advisory Committee (BRUDAC), which will provide advice and recommendations on the FDA's proposal.

Public Citizen recently called on the agency, in an October letter to the FDA, to ensure that the BRUDAC roster for the hearing to decide Makena's fate is fairly balanced, in order to maintain the integrity of the hearing process and public trust in the committee's advice.

"It is imperative that the FDA reject the proposal from Covis Pharma GmbH, the current manufacturer of Makena, to essentially stack the jury in its favor by significantly expanding the advisory committee roster for the hearing with individuals whom the company believes will be sympathetic to its view that Makena should remain on the market," said Dr. Michael Carome, director of Public Citizen's Health Research Group.

Hydroxyprogesterone is a synthetic progesterone hormone initially approved by the FDA in 1956 under the brand name Delalutin to treat several gynecological and obstetrical conditions, including habitual and threatened miscarriages.

However, by 1973, the FDA concluded that hydroxyprogesterone had not been shown to be effective for this latter use and was unsuitable to treat any pregnancy-related conditions because of evidence linking it to congenital heart defects in infants of mothers given the drug during pregnancy.

In 2000, at the request of the manufacturer Bristol-Myers Squibb, the FDA withdrew approval of Delalutin because the drug had not been marketed for several years. However, hydroxyprogesterone subsequently remained available exclusively through pharmacy compounding with limited regulatory oversight.

The FDA approved hydroxyprogesterone again in 2011 as the brand-name product Makena solely to reduce the risk of preterm birth in certain high-risk women, under the accelerated approval pathway. This process allows the FDA to fast-track the approval of a new drug that has been studied for safety and effectiveness in treating a serious or life-threatening disease or condition and that provides meaningful therapeutic benefits to patients over existing treatments.

However, Makena's approval was based largely on evidence from a single clinical trial that an FDA advisory committee found did not adequately prove that the medication reduced the rate of fetal and neonatal health problems and death — the key meaningful clinical outcomes related to preterm birth. And an FDA statistical expert opposed approval of the medication because data from that trial failed to provide convincing evidence that Makena was effective.

Graphic courtesy of Shutterstock.

"The FDA never should have approved Makena under the accelerated approval process because the data that were relied on to establish the medication's effectiveness were seriously flawed," said Carome.

Per the requirements of the accelerated approval pathway, the FDA in 2011 told Makena's then-manufacturer, Hologic, Inc., to complete a larger trial to determine the medication's effectiveness.

On March 8, 2019, AMAG Pharmaceuticals announced that the trial — called the PROLONG trial — showed that hydroxyprogesterone was not effective in reducing the rate of preterm birth prior to 35 weeks of pregnancy or the rate of fetal and neonatal health problems and death.

Two years on from Public Citizen's original petition, the FDA's BRUDAC will be convened as part of a to-be-scheduled hearing to consider the FDA's proposal to withdraw approval of Makena. In its letter of Oct. 27, 2021, Public Citizen emphasized that the panel must be fairly balanced in terms of points of view represented; constituted in a manner to ensure independent judgment; and that members must have both relevant expertise and diverse professional education, training, and experience.

Public Citizen endorsed the position of the FDA's Center for Drug Evaluation and Research that the composition of the committee for the upcoming hearing should include multiple members with expertise in biostatistics — including at least one member with expertise in meta-analysis — as well as members with expertise in epidemiology, neonatology, understanding real-world evidence and the regulation of pharmaceuticals. Public Citizen further recommended that no more than one-third of the voting committee members be practicing obstetricians.

Public Citizen further urged that if any of the practicing obstetricians on the committee currently prescribe hydroxyprogesterone to reduce the risk of preterm birth and of physicians, there should be an equal number of obstetricians on the committee who do not prescribe the drug for this purpose. ■

House, Senate Remove Harmful Legacy Riders from Appropriations After Push by Public Citizen and Allies

BY DAVID ROSEN

Amid intense negotiations over the Build Back Better plan, Public Citizen has not forgotten the other big looming budgetary need: the need to pass the annual appropriations packages and avoid a government shutdown.

In October, U.S. Senate Appropriations Chair Pat Leahy (D-Vt.) released a set of nine funding bills that showed real commitment to spending our resources on the pressing needs of the nation and keeping the focus of these bills where they belong: funding our government.

The Senate bills removed a set of longstanding, poison pill policy riders that were added over the years at the behest of Republican lawmakers and have remained part of the annual spending packages year after year. Most of the same "legacy riders" were removed from the U.S. House versions of these bills that Democrats passed over the summer.

The so-called "legacy riders" that were removed attacked women's health, our environment, the integrity of our campaign finance system, and more. They have nothing to do with funding our government, so they never belonged in the annual spending packages in the first place.

As poison pills, these measures are unpopular and highly controversial, which is why they could not become law through regular order. Instead, they were quietly added into obscure provisions of lengthy, difficult-to-read appropriations bills to conceal their presence with no public debate.

"It is a welcome change to see lawmakers in both chambers of Congress removing legacy riders," said Lisa Gilbert, executive vice president for Public Citizen, who led the fight against these measures and founded the Clean Budget Coalition, a big tent alliance dedicated to removing poison pills from appropriations bills.

The Clean Budget Coalition was founded in 2015 to fight off hundreds of poison pill appropriations riders that Republicans tried to add late in the Obama administration. Nevertheless, a few snuck through, and these are among the legacy riders the coalition has been fighting to remove ever since.

Public Citizen is especially pleased by the removal of three secret money riders that fuel corruption and block important campaign finance rules that we and our allies strongly support.

One secret money rider stops the U.S. Securities and Exchange Commission from finishing a rule that would require publicly traded companies to disclose their political spending to shareholders. Secret political spending is a huge problem that the public wants to see fixed, and shareholders deserve to understand how the companies they invest in are spending in politics.

Another rider stops the executive branch from requiring government contractors to disclose their political spending. The public has the right to know whether companies are being awarded federal government contracts because of campaign donations or on their own merits.

And a third rider blocks the U.S. Treasury Department and the IRS from setting standards for 501(c)(4) political activity that clearly define what nonprofits can and cannot do in elections. Without clear guidance, nonprofits willing to flout the rules – especially dark money groups – get a free pass. Meanwhile, the vast majority of nonprofits that want to follow our nation's laws on nonpartisan civic engagement remain in the dark as to what is and isn't permissible, leaving them at the mercy of potentially subjective and arbitrary enforcement.

These three secret money riders were not the only ones that lawmakers removed.

Senate appropriators also took out the infamous Hyde Amendment – a discriminatory ban on coverage of abortion care for those who receive health insurance through Medicaid – and a variety of Hyde-like riders targeting the District of Columbia, the Peace Corps, and global health assistance programs.

They also removed the Weldon Amendment, which allows hospitals, insurance companies, and individual health care professionals to deny care, coverage, and referrals for abortion.

Appropriators also took out an array of anti-environmental riders, including one blocking the addition of the Sage Grouse to the list of endangered species. Several of the anti-environmental riders created clean air exemptions for factory farms and overruled scientific judgments about various sources of pollution.

Lawmakers in both chambers of Congress deserve enormous thanks for removing these noxious measures, and as a result, they will be in a stronger position to insist on keeping these harmful riders out during final negotiations.

The ranking member on the Senate Appropriations Committee, U.S. Sen. Richard Shelby (R-Ala.), has already said he wants to put these harmful measures back in – a clear indication that they will be a flashpoint in the year-end fight to fund our government.

Unfortunately, the annual spending bills are not exempt from the Senate's counterproductive 60-vote filibuster requirement. So it is crucial that lawmakers remain firm in their commitment to keeping these harmful measures out of the final spending package.

"The integrity of our campaign finance system, women's health, and our environment should not be bargaining chips," Gilbert said. "We deserve a budget that not only addresses the needs of the present but fully funds important public services and invests in a better future. To do that, Congress and the White House must finish out the appropriations process with a clean budget, instead of passing a year-long continuing resolution."

You can help by contacting your representative and two senators and urging them to remove all legacy riders from the annual appropriations packages – and by using the hashtag #cleanbudget when you tweet about this. ■

Graphic courtesy of Zach Stone.

▶ **Debt**, from page 1

believe that canceling student debt would create up to 1.5 million jobs per year. Canceling student debt also would begin the hard work of closing the racial wealth gap. The Biden administration has said that "equity" would be a centerpiece of its administration.

As a result of historic and ongoing systemic racism, discrimination in the job market, lower wages, and other factors, Black borrowers experience more negative financial events, including loan default, higher interest payments, and higher graduate school debt. The letter states a shocking statistic: that "twenty years after starting college, the median white borrower has paid off 94% of their debt while the median Black borrower still owes 95% of their debt." A majority of voters, including 80% of Black borrowers, support student debt cancellation.

The letter also notes that continuing operational challenges that have plagued the U.S. Department of Education's implementation of the student debt program will continue to hinder the Department from ensuring a smooth transition for borrowers if the Department resumes collection of payments on Feb. 1, 2022. Broad debt cancellation will ease many of those operational challenges for those who would still hold student debt.

Canceling student debt would benefit those in the most need because families on the higher end of the wealth scale often do not take out student loans to pay for college and when they do, they are often private loans, which the President does not have the legal authority to cancel.

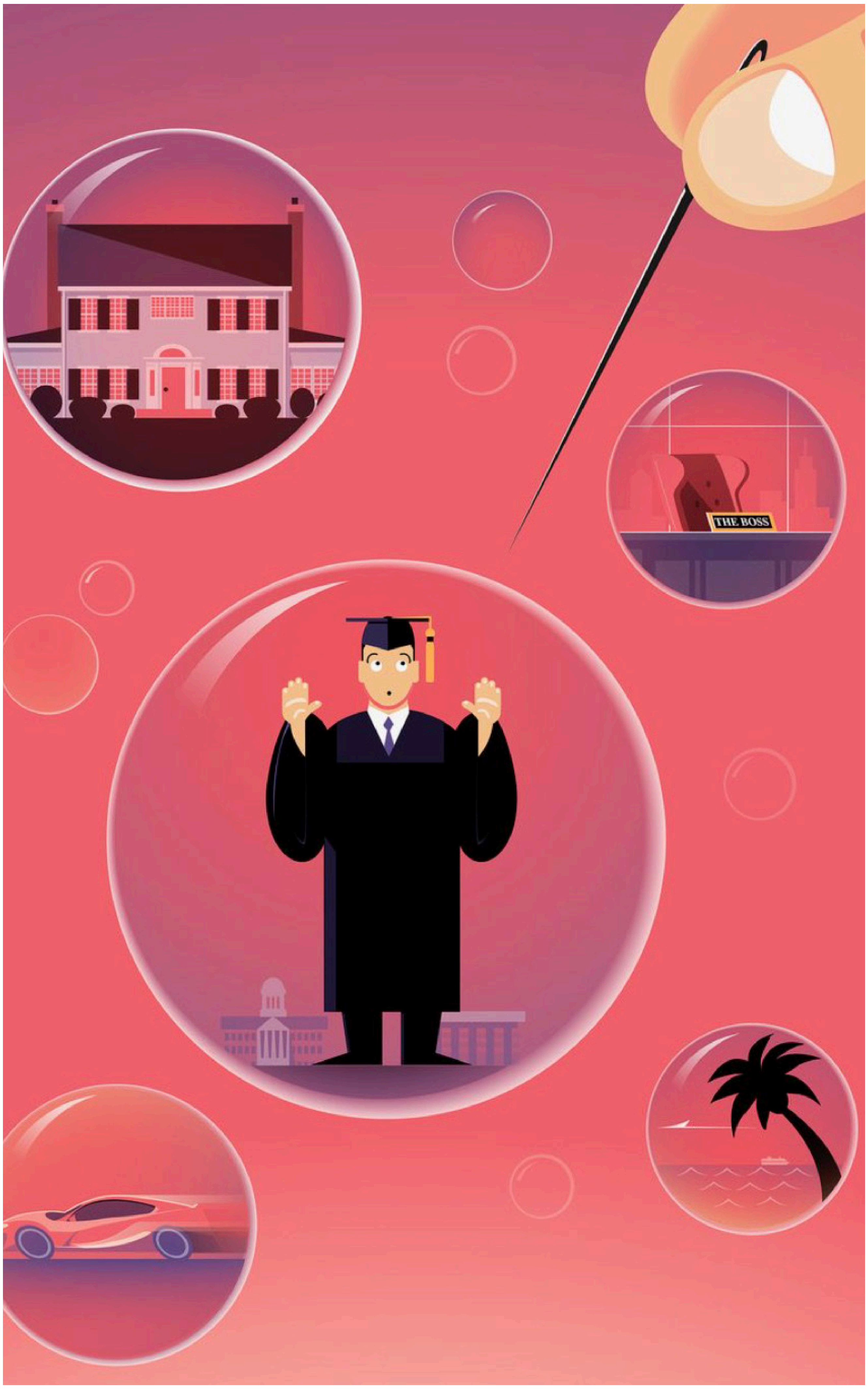
Additionally, as the White House indicates, only three out of five students complete their degree in six years. Canceling student debt would mean that 40% of the people who don't graduate on time or don't graduate at all aren't burdened with years of financial burden and personal shame.

Public Citizen maintains that Biden's Build Back Better (BBB) agenda, which congressional Democrats are currently debating, would be enhanced by student debt cancellation because cancellation would not only allow everyday people who have been crushed under the weight of student debt to begin moving into the middle class, but also ensure relief funds are not seized from these same borrowers.

"Families across America have (or will) receive thousands of dollars in cash relief, paid out through their tax refunds, that will lift millions of children out of poverty due to the groundbreaking expansion of the Child Tax Credit (CTC) and Earned Income Tax Credit (EITC) in the American Rescue Plan," the letter reads. "However, unless the administration takes swift and decisive action, these cash payments will be denied to struggling student loan borrowers and instead intercepted by ED."

More than 415 organizations and over 300 faith leaders have already urged Biden to use his executive authority to cancel student debt. The student debt crisis is only getting worse and will continue to burden generations to come. According to the AARP, student loan debt has become a "threat to retirement security" and the percentage of people who are 50 or older and have student loan debt has tripled over the past thirty years. This trend will continue unless the president acts now.

Public Citizen will continue to urge President Biden to take bold action that will transform the lives of millions of borrowers. ■



Graphic courtesy of John Tomac.

Apple and Google Want U.S. Trade Officials to Attack Anti-Monopoly Law

BY KAROLINA MACKIEWICZ

Tech giants Google and Apple are urging U.S. government officials to attack a pro-consumer policy by South Korea as an "illegal trade barrier," even as the U.S. Congress is poised to pass similar legislation to break up app store monopolies.

The new Korean law would require app stores to allow consumers to use diverse payment systems, not only those controlled by the app store's home platform. And it forbids the platforms from the current practice of banning app developers from listing on multiple platforms' app stores.

Google and Apple claim that this law, instead of an anti-monopoly initiative that the U.S. Congress is also considering, is somehow an illegal trade barrier and perhaps even a violation of a free trade agreement between the U.S. and Korea. As flimsy as this claim is, it is a preview of coming attractions of the newest and latest corporate sneak attack via trade agreement.

From the translation of the amendments obtained by Public Citizen, it is clear the requirements apply to all app stores, regardless of the "nationality" of the company. In a letter to U.S. Trade Representative Katherine Tai, Public Citizen experts conclude that the amendments are not discriminatory. Such measures are typical of antitrust laws and competition policies around the world. The fact that the Korean policy could particularly affect American businesses is due exclusively to those businesses' dominant market position, not because Korea is discriminating against U.S. firms, much less violating trade obligations.

"If the U.S. starts this fight on a nondiscriminatory policy because some U.S. companies don't like it, then when we have a regulation here that impacts some other country's platform that is neutral, but it happens to impact them because they're a big player in the U.S., then that country will come after us," said GTW Director Lori Wallach in the latest episode of the Rethinking Trade podcast. "It creates a circular firing squad attacking consumer policies so the only winners are a handful of mega big tech platforms."

Public Citizen urged U.S. trade officials to refrain from criticizing the Korean law and to beware of Big Tech's larger strategy to avert digital governance.

Big Tech interests' latest ploy is to hijack trade negotiating venues to lock in binding international rules that limit governments from regulating online platforms in the public interest and from fighting corporate concentration and monopoly power. These interests seek to quickly establish international agreements that quietly undermine regulatory efforts in Congress and U.S. agencies. To obscure this, they have misbranded their attack against the very notion of digital governance as "e-commerce" or "digital trade" policy initiatives.

This is a multi-front effort that includes what is formally called the World Trade Organization (WTO) "Joint Statement Initiative on E-Commerce" negotiations now underway in Geneva among 80-plus countries, a plurilateral Pacific Rim "Digital Economic Partnership Agreement" (DEPA), and various bilateral negotiations.

The Big Tech strategy replicates pharmaceutical firms' 1990s maneuver of hijacking "free trade" agreements and inserting provisions that require signatory countries to provide the corporations extended monopoly protections and limit policies that lower drug prices.

"These corporate-rigged international agreements end up becoming Trojan horse platforms, where non-trade agendas that are not able to get through the sunshine of public debate and voting in legislative bodies end up getting implemented through the backdoor of a so-called trade deal," said Wallach. ■

Photo of the Google campus in Mountain View, Calif., courtesy of Shawn Collins / Flickr.

CVS Backs Down from Supreme Court Showdown on Disability Rights

BY SCOTT NELSON

Public Citizen Litigation Group played a leading role this fall in defending the rights of individuals with disabilities in a case before the U.S. Supreme Court, where pharmacy giant CVS sought to roll back longstanding protections against disability discrimination. In an unusual development, less than a month before the case was to be argued (and as Public Citizen News was going to press), CVS backed down.

In a press release, CVS announced that it would withdraw its appeal to the Su-preme Court in the face of outcry from disability rights groups and legal briefs spearheaded by Public Citizen. Withdrawal of the appeal will leave in place legal protections against corporate and government policies that have the effect of excluding for individuals with disabilities from access to publicly funded programs.

The case, *CVS v. Doe*, involves the scope of protection against discrimination on the ground of disability under two federal statutes, the Rehabilitation Act of 1973 and the Affordable Care Act (ACA). Both laws have for many years been understood to prohibit both intentional discrimination and practices that have adverse effects on individuals with disabilities — such as architectural barriers like steps and curbs.

In the *Doe* case, however, pharmacy giant CVS asked the Supreme Court to limit the laws to intentional discrimination. Because most disability discrimination involves more subtle practices, such as the failure to accommodate the needs of individuals with disabilities, CVS's position would have gutted the protections offered by these laws.

The case began as a challenge to the way that CVS, in its role as pharmacy benefits manager for employer health plans, requires individuals with HIV to obtain the antiviral medications that they need. CVS makes those individuals, unlike most plan participants, obtain their drugs through mail-order delivery either to their homes or to drop boxes in certain CVS pharmacies. The result is that HIV-positive individuals are denied access to the assistance of professionally trained pharmacists, which is critical to the management of their treatment.

Because HIV infection is a disability under federal antidiscrimination laws, a group of HIV-positive individuals — identified as "John Does" to protect their privacy — sued CVS in federal court in California claiming that CVS's policy discriminates against them on grounds of disability. They invoked a provision of the ACA that provides that no one may be excluded, denied benefits, or otherwise subjected to discrimination on grounds of disability under any health care program that receives federal financial benefits, including subsidies or credits under that law. That ACA provision, in turn, incorporates the protections of an earlier law, the Rehabilitation Act, which similarly protects individuals with disabilities against being excluded from, denied benefits of, or otherwise discriminated against under any federally funded program.

Although other pharmacy benefits companies that faced similar lawsuits entered into settle-ments allowing HIV-positive individuals to opt out of mail-order-only delivery of HIV medications, CVS fought the lawsuits. It argued that it did not intend to discriminate against HIV-positive individuals on grounds of disability and that the ACA and Rehabilitation Act do not protect people with disabilities from the unintended adverse effects of "neutral" policies.

CVS's argument was contrary to how courts and federal agencies have interpreted the law for decades. In 1985, the U.S. Supreme Court recognized that the Rehabilitation Act, to achieve its purposes of eliminating the barriers that prevent individuals with disabilities from fully participating in society, must cover practices that have the effect of denying individuals with disabilities meaningful access to benefits available to others, even in the absence of intentional discrimination. Lower courts as well as federal agencies responsible for enforcing protections against disability discrimination adopted that standard.

Based on those precedents, the U.S. Court of Appeals for the Ninth Circuit ruled in 2020 that the Does' case against CVS could proceed. In 2019, however, a different federal court had broken with precedent and ruled that the ACA and Rehabilitation Act cover only intentional discrimination. To resolve that disagreement among the courts, the Supreme Court granted CVS's petition asking it to review the case.

After the Supreme Court granted review, Public Citizen Litigation Group joined the team of attorneys representing the Does, which includes the Los Angeles-based organization Consumer Watchdog and the law firm Whatley Kallas. Public Citizen served as the principal drafter of the brief on behalf of the Does.

Filed in mid-October, the brief explains that the laws' broad language covers exclusionary effects as well as intentional disparate treatment. That protection, it explains, is particularly important in the area of disability rights, because overt discrimination (such as policies expressly denying benefits to people using wheelchairs) is less common than obstacles (such as stairs) that unintentionally deny access to individuals with disabilities.

As the brief points out, CVS's position, by its own admission, would provide that universities could enforce no-beard policies against African American men with medical conditions that prevent shaving, that preschools could refuse to accommodate dietary needs of kindergartners, and that the federal government could drop its court-ordered efforts to redesign U.S. currency to make it accessible to individuals with visual impairments.

The federal government, in a brief filed by the Solicitor General of the United States, weighed in strongly supporting the arguments made in the Does' brief. Meanwhile, CVS, seeming-ly oblivious to the radical implications of the positions taken by its attorneys, initially responded to criticisms and calls for a boycott by disability rights groups by claiming it "ha[s] always and will continue to strongly support essential and foundational legal protections for people with disabilities."

Then, in a press release issued in November, CVS announced that it would withdraw its petition before the Supreme Court because of pressure from disability rights groups. The release, issued jointly with disability rights organizations the American Association of People with Disabilities, the Bazelon Center for Mental Health Law, the Disability Rights Education and Defense Fund, and the National Council on Independent Living, states that CVS will pursue "policy solutions in collaboration with the disability community [that] will help protect access to affordable health plan programs that apply equally to all members," and that CVIS "will not pursue the matter further before the Supreme Court." ■

CVS photo courtesy of Mike Mozart / Flickr.

Pfizer, from page 1

come close.

With global deaths from COVID-19 surpassing 5 million and no end to the pandemic in sight, a new Public Citizen report has revealed how Pfizer uses its massive power to bully governments in COVID-19 vaccine negotiations.

The report outlines how the world's second-largest pharmaceutical company prohibits governments from discussing the agreements without their approval, retains unilateral control to make critical decisions, and has secured an intellectual property waiver for itself.

Public Citizen's Access to Medicines program began researching Pfizer's COVID-19 business practices in February when a story published by the Bureau of Investigative Journalism revealed governments were uncomfortable with the terms demanded by Pfizer in vaccine negotiations.

Public Citizen identified several Pfizer contracts — including with Brazil, Colombia, the European Commission, and the U.S. — that offer a glimpse into how Pfizer has gained the power to throttle supply, shift risk, and maximize profits during the worst public health crisis in a century.

"The COVID pandemic is a tough reminder that medicines need to be a human right. Our mission now is to help save lives in the months ahead, augment production of vaccines for next year, and ensure that medical technology is shared with all humanity, for the future."

—Zain Rizvi, research director with Public Citizen's Access to Medicines Group

The report outlines how Pfizer consistently uses six tactics to leverage power against governments:

- Pfizer silences governments using nondisclosure provisions in many of its contracts. Brazil, for example, is prohibited from making "any public announcement concerning the existence ... or terms" of the contract or commenting on its relationship with Pfizer without Pfizer's prior written consent.
- Pfizer can disallow governments from accepting additional donations of the Pfizer vaccine.
- Pfizer exempts itself from liability for intellectual property infringements, shifting the financial risk of Pfizer's actions to government purchasers — despite Pfizer's opposition to similar exemptions for manufacturers proposed at the World Trade Organization.
- Pfizer gives the power to secret private arbitrators, not public courts, to decide contract disputes.
- Pfizer requires some countries to waive sovereign immunity to go after state assets in case of a dispute.
- Pfizer gives itself sole power to make key decisions, including how vaccine deliveries will be prioritized if there is a supply shortage.

"Pfizer has wielded its monopoly power to extract a series of concerning concessions from desperate governments," said Zain Rizvi, research director with Public Citizen's Access to Medicines Group and author of the report.

The report makes clear that Pfizer's dominance over sovereign countries poses fundamental challenges to the global pandemic response. It urges the U.S. government to use its authority to force Pfizer to renegotiate its existing contracts and pursue fairer practices.

While the Biden administration has yet to challenge Pfizer to take a different approach, the company faces increasing pressure from critics who accuse it of putting profits over people's lives and preventing a global pandemic recovery.

In June, hundreds of protestors stopped traffic outside Pfizer's global headquarters in New York City for more than an hour as they demanded the company stop blocking billions of people from accessing life-saving COVID-19 vaccines by limiting global vaccine production.

"The COVID pandemic is a tough reminder that medicines need to be a human right," said Rizvi.

"Our mission now is to help save lives in the months ahead, augment production of vaccines for next year, and ensure that medical technology is shared with all humanity, for the future. Countries can teach one another to make vaccines, share knowledge, and urgently equip facilities on every continent." ■

Graphic courtesy of Zach Stone.

Texas Cities Set Goals to Fight Climate Change

BY MICHAEL COLEMAN

Progressive climate change policies don't come easy in a major oil and gas-producing state like Texas, but after years of advocacy, Public Citizen's Texas office celebrated two significant mile-stones in September.

On Sept. 22, the Dallas City Council voted 13-2 to spend nearly $4 million to help meet goals established in the Dallas Comprehensive Environmental and Climate Action Plan it adopted last year.

A week later, on Sept. 30, the Austin City Council voted 10-1 to adopt the Austin Climate Equity Plan, which puts the city on an ambitious path to curbing climate warming emissions. The plan further establishes Texas' capital city as a national leader in battling the climate crisis.

In public meetings and behind the scenes, Public Citizen and other environmental advocates worked to establish both cities' climate action blueprints.

"We're very pleased that Austin and Dallas are showing commitment to the climate goals city leaders set out over the past few years," said Adrian Shelley, director of Public Citizen's Texas office. "We will continue to monitor progress and press for even more ambitious action to mitigate the climate crisis."

The Austin Climate Equity Plan is the second iteration of a community-wide climate plan first established by the city in 2015. The Austin plan sets a new goal of reducing local climate pollution to net-zero by 2040, with a strong emphasis on cutting emissions by 2030. The plan also puts equity at the center of climate action in Austin to ensure that all residents – especially those most likely to be harmed by the climate crisis – have a role in implementing the plan.

In Dallas, the city council showed significant intent to implement its climate plan, adopting a budget that invests almost $4 million in air monitors, rooftop solar, bike lanes, urban agriculture, and weatherization programs.

The initiatives by Dallas and Austin, the third and fourth largest cities in Texas, respectively, demonstrate that local policy makers recognize the risks of climate inaction. Houston and San Antonio, the first and second largest cities in the state, have also adopted plans to address the climate crisis at the municipal level. Cities around the globe are major contributors to climate change because of the massive greenhouse gas emissions produced by vehicles, buildings, and utilities. The United Nations has estimated that cities are responsible for 75% of global CO2 emissions.

In Dallas, the new 2022 budget includes:

- $1 million for new air quality monitors;
- $200,000 for an urban agriculture plan;
- $1.5 million for rooftop solar for city facilities;
- $400,000 for a new weatherization program;
- $72,000 to plant new trees program; and
- $700,000 for new bike lanes.

Shelley said now that Dallas has appropriated money to help meet the goal of net-zero emissions by 2050, the city can – and should – do more. "The city should follow the lead of other major cities and invest in additional clean electric vehicles," Shelley said.

"Every department within the City of Dallas should prioritize reducing harmful global warming emissions in purchasing decisions. This will be essential to achieve the climate plan's 2050 goal."

Austin has long been a national leader on climate action. The Austin City Council adopted the Austin Climate Protection Plan in 2007 and the Austin Community Climate Plan in 2015. The Community Climate Plan was considered bold when it was first adopted. It encompasses not just emissions that the city controls, but also all emissions from the Austin community.

The plan contains more than 100 actions to slash emissions with a net-zero goal of 2050, or sooner if possible. Austin city leaders are pushing the city's utility, Austin Energy, to transition to renewable energy. With the adoption of the Climate Equity Plan, Austin is emphasizing fairness in its implementation, as well as inclusion and participation in planning.

"This new plan was crafted with the understanding that all Austin residents should be able to participate in climate action," said Kaiba White, Public Citizen's energy and outreach specialist in Austin. "This is essential to the plan's success."

"But the plan's vision will only become reality if city leaders, businesses, and individuals work together to implement it," she said. "City budgets, policies, programs, practices, and habits must change to reflect the dire state of the climate crisis. We must be willing to listen to those who have been ignored or discriminated against in the past." ■

Public Citizen and Allies Protest Sleepwalking on Climate Chaos

BY RHODA FENG

On Oct. 29, Public Citizen and allies rallied in front of the Federal Reserve Board of Governors in Washington, D.C., to tell Chairman Jerome Powell to take seriously the threat that climate change poses to our financial system.

The event was one of a series of days of action around the world that was planned just ahead of the U.N. global climate summit, or COP26. At the event in Washington, D.C., activists said that Powell has been a zombie "sleepwalking on climate chaos" and wore costumes to illustrate their point.

"The Federal Reserve is the most important regulator when it comes to preventing financial crises," said Yevgeny Shrago, policy counsel with Public Citizen's climate program. "Its job is to protect the economy from excessive, unsafe risk-taking."

Public Citizen called on the Fed to mitigate both the damage climate change does to the financial system and the damage the financial system is doing to the planet. Dozens of community members attended the rally in support of stronger regulatory action by the Fed.

Two weeks earlier, Public Citizen, Sierra Club, 350.org, Americans for Financial Reform, Evergreen Action, and Action Center on Race and the Economy delivered more than 40,000 petition signatures to U.S. Treasury Secretary Janet Yellen demanding that her agency highlight in a report the gravity of climate threats to our financial system and identify concrete steps that financial regulators should take to address them.

The call came on the heels of President Joe Biden's Executive Order on Climate-Related Financial Risk in May and the release, in October, of a strategic roadmap from the White House that set the stage for the Treasury report.

"Yellen and Powell must embrace acting immediately, not just studying the issue and requiring disclosures," said David Arkush, director of Public Citizen's climate program. "That means steps like integrating climate risk into bank oversight and starting to curb Wall Street's risky fossil finance." ■

In October, Public Citizen and other groups delivered more than 40,000 petition signatures to U.S. Treasury Secretary Janet Yellen demanding climate action. Photo courtesy of Elise Peterson-Trujillo.

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IN THE SPOTLIGHT

The following are highlights from our recent media coverage.

Robert Weissman, Public Citizen president

On the importance of antitrust reform: *The Washington Post*. **On U.S. Rep. Alexandria Ocasio-Cortez (D-N.Y.) casting the winning vote for drug reform:** *The Nation*. **On how Congress should curtail oil and gas companies:** *Waco Tribune*. **On President Joe Biden's plan to resume oil and gas leasing:** *The American Prospect, Common Dreams*. **On abolishing the filibuster:** *Common Dreams*.

Lisa Gilbert, vice president of legislative affairs

On the U.S. Senate voting to confirm Rohit Chopra as the new director of the Consumer Financial Protection Bureau: *Reuters, Yahoo Finance, American Banker, U.S. Financial News*. **On the filibuster as an arcane rule of procedure:** *CQ Roll Call*. **On the importance of repairing our democracy:** *New York Daily News*.

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

On the U.S. Food and Drug Administration's (FDA) approval of a new Alzheimer's drug treatment: *CNN*. **On the J&J covid boosters:** *Politico*. **On former FDA Commissioner Robert Califf:** *Politico*. **On Biden not choosing a new FDA Chief:** *Kaiser Health News, Government Executive, Medscape, Healthcare Now*. **On the FDA's approval of covid boosters:** *Complex, The Epoch Times, the New American, Common Dreams*. **On Francis Collins' model for science-faith integration:** *Evolution News*.

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

On global vaccine response: *The New York Times, The Boston Globe, FiercePharma, Common Dreams*. **On Biden calling for 70% of the world to be vaccinated:** *The New York Times, Common Dreams*. **On Biden's vaccine plan falling short:** *The New York Times, The Washington Post, BBC Radio, Common Dreams*. **On Moderna's plan for a vaccine manufacturing plant in Africa:** *Stat News, BioPharma Dive, Common Dreams*.

Adrian Shelley, director of Public Citizen's Texas office

On nuclear waste dumping in Texas: *Politico*. **On the Texas Legislature voting against nuclear waste dumping:** *KTSM, NJToday*. **On fixing electric grid failures:** *The Sacramento Bee*. **On the Texas abortion ban:** *News4SanAntonio*.

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

On the climate crisis as an emerging threat to financial stability: *CNN Business*. **On Jerome Powell as an enemy of financial regulation:** *The Atlantic, Business Insider*. **On U.S. corporations helping to derail the Democrats' reconciliation package:** *Grist, MarketWatch*.

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

On House Minority Leader Kevin McCarthy threatening companies that cooperate with the Jan. 6 probe: *ABC News*. **On GOP congressmen reaping millions in federal loans for personal car dealerships:** *Salon*. **On a Trump 2024 presidential run:** *Rolling Stone*. **On Sen. Joe Manchin's (D-W.Va.) 'blind trust':** *The Philadelphia Inquirer*. **On Vice President Kamala Harris' church ad endorsing Terry McAuliffe for governor of Virginia:** *The Washington Examiner*.

Bartlett Naylor, financial policy advocate of Public Citizen's Congress Watch Division

On Crypto investing winning U.S. Securities and Exchange Commission approval: Politico.

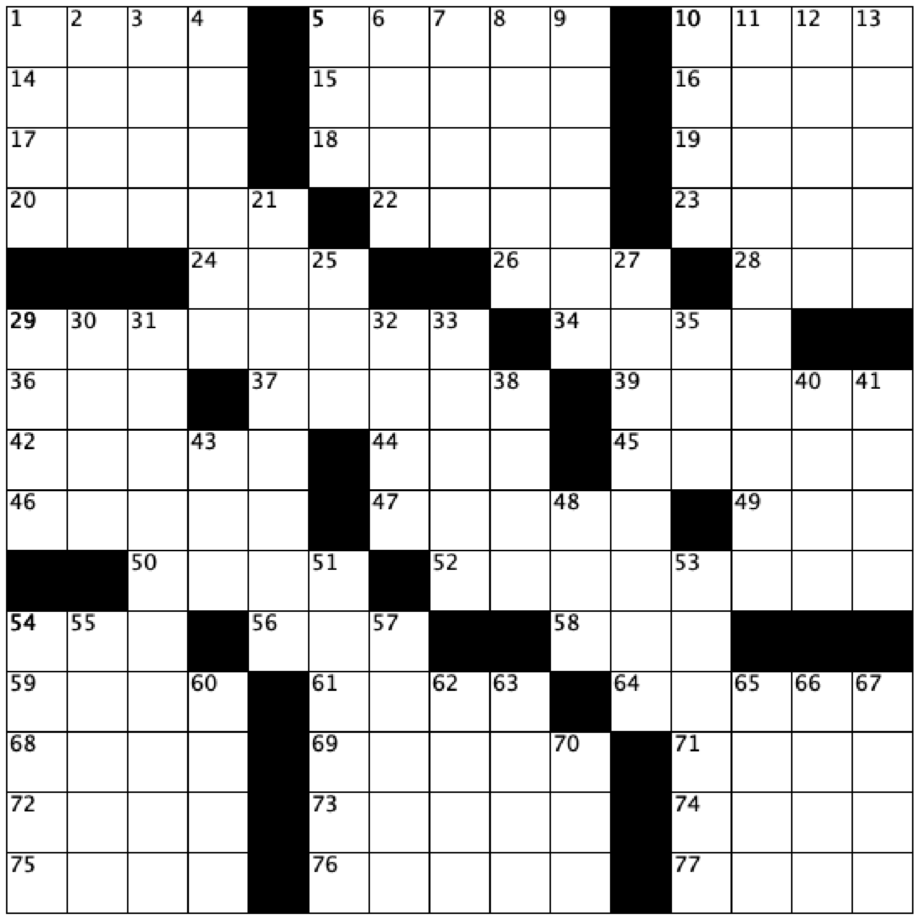
Public Citizen Litigation Group

On Public Citizen's Amtrak lawsuit: *The Washington Post*. **On Public Citizen's COVID-19 nursing homes lawsuit:** *Reuters*. **On Rohit Chopra as Biden's pick to lead the CFPB:** *Los Angeles Times, E&E News*. **On a Trader Joe's lawsuit:** *USSA News*.

FOR YOUR ENTERTAINMENT: Public Citizen Crossword

Answers, page 16 ▶

Our True Color



Across

1. *The epitomy of rarity
5. *Violet Beauregarde turns into one in Willy Wonka's factory
10. *Kind of stock
14. "Veep" actress Chlumsky
15. Nebraska district that went for Biden in November
16. Like some juicy steaks
17. Gumshoes, in old crime fiction
18. "That's fantastic!"
19. Famous __ (cookie brand)
20. Lock of hair
22. Mix, as paint
23. Show signs of exhaustion
24. Some remote batteries
26. Sanfrancisco's __ Hill
28. Cuomo's charge (abbr.)
29. Norm, Cliff, Frasier, and Lilith at "Cheers" e.g.
34. What a definition defines
36. Flat tire's need
37. Praise highly
39. Abounds (with)
42. *Twangy style of music featuring the banjo
44. *Team player from Toronto
45. *Navy pilot putting on a show
46. Mister in Mexico
47. Colorado resort
49. Fresh sounding animal?
50. Went platinum?
52. The coronavirus, or Black Lives Matter, e.g.
54. Kit __ bar
56. Champ, to Joe Biden
58. Request
59. Quite a bit
61. Obnoxious kid
64. Like an aggressive personality
68. Emulate a bedbug
69. Grammatical no-no
71. Sound like Winthrop in "The Music Man"
72. Racetrack shape
73. Start of many a college course
74. "Oh woe is me!"
75. *Showy wildflower
76. *Irving Berlin song of 1926 covered by Wille Nelson in 1978
77. Like Arizona, Nevada, Georgia, Wisconsin, Michigan, and Pennsylania in 2020, or a word that is missing from the answers to the starred clues

Down

1. Groening of "The Simpsons"
2. Unique individual, slangily
3. "__ Upon a Time in Hollywood"
4. Capital of The Bahamas
5. Winner of four World Series in this century, on scoreboards
6. Australian avians
7. Attentive, and then some
8. River through Deutschland
9. Peter of Peter, Paul and Mary
10. "Oh fudge!"
11. Breakfast staple at a diner
12. O. Henry specialty
13. Annoyances
21. Professional pitcher?
25. Lisa Simpson plays it
27. Plant manager?
29. __ to riches
30. Dublin's land
31. The whole amount, including ax
32. Indian chief
33. /
35. Stimpy's animated pal
38. Theres one in this clue
40. What scanning a QR code at a restaurant might bring up these days
41. Pivot around an axis
43. What makes the Impossible Burger possible
48. "What's your __?" ("When are you gonna get here?")
51. Waste
53. Bygone space station
54. Meat on a skewer
55. Not dead
57. Feature of an elephant
60. Show's partner
62. Pro's counterpart
63. Ripped up
65. Jagged Little __ (Broadway musical last performed 3/12/20)
66. Jacob's biblical twin
67. Recessed area in a church
70. Thumbs-down responses

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

Public Citizen Recommends ...

'Democracy Rules'

By Jan-Werner Muller; $27; Farrar, Straus and Giroux

Democracy is stable. That is the main takeaway from "Democracy Rules," a nonfiction book by Jan-Werner Müller, a German political theorist, and philosopher who studies populism and democracy at Princeton University. This book is a hopeful, but realistic view of the current state of democracy and the rise of fascism.

Democracy is a complicated and controversial topic; however, Müller maintains a level of consistency and simplicity that is easy for anyone to understand. He identifies throughout the book what democracy is and isn't through sections that explore different topic areas such as disobedience, representation, governments, and more.

Müller's central argument is that despite there being a rise in authoritarian regimes that threaten democratic institutions in recent decades in countries such as the United States, Poland, Hungary, India, and Brazil there is still overwhelming hope for democracy because the vast majority of people across the globe still find the system deeply desirable.

Another central argument is that democracy is so strong across the globe because it is rooted in constitutions and institutions that will be able to fight the surge of authoritarianism. That is to say, a newly elected authoritarian leader has limits and checks on their power.

One of the more interesting points that Müller makes is that "we are all in favor of learning from history, but we implicitly assume that only good people learn from it." What he means by this is that authoritarians learn from history as well. Authoritarians learn what democracies look like, so they are able to hide their authoritarian tendencies by adopting a façade of democratic practices in order to make their regimes appear to be more legitimate than they are.

Müller believes that along with more familiar ideas of democracy such as equality, justice, and liberty, uncertainty also plays a key part. While this can be scary for many individuals, it may be the most important point that he makes in his book. Individuals have accepted this uncertainty because it means that they believe in the institutions themselves and not in one individual.

Another compelling aspect of Müller's writing is his ability to be unapologetically hopeful about the state of democracy, despite the rise of fascism. He makes the point consistently that we shouldn't be just "optimistic" about the future of democracy, but instead we should have supreme hope that Democracy will prevail over fascism.

Müller's arguments are equally compelling and timely. He is less worried about persuading the reader, and far more worried about making the reader think for themselves. He wants us to consider the state of our democracy because to him democracy is only as strong as the individuals that are a part of it. He doesn't claim to be writing a political manifesto, but instead a political roadmap for the future of democracy. "Democracy Rules" is a short but enjoyable and hopeful read for anyone who is worried about the current state of the world. ■

– Noah Henriksen

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

Supporting the Freedom to Vote Act

BY AVA FITZSIMONS

Public Citizen and the Declaration for American Democracy Coalition, along with other key partner groups, led a series of civil disobedience events at the White House in October in support of the Freedom to Vote Act, the John Lewis Voting Rights Advancement Act, and D.C. statehood.

Politicians in state legislatures across the country are passing undemocratic bills designed to make it harder for people to vote, specifically targeting black and brown communities and people with disabilities. These same lawmakers are now drawing hyper-partisan congressional maps to hand-pick their voters for the next decade. But despite overwhelming public support for the Freedom to Vote Act, the U.S. Senate is at a standstill. That's because the filibuster is preventing legislation like the Freedom to Vote Act from passing.

The Freedom to Vote Act is a historic piece of legislation supported by a wide majority of voters across party lines. It tackles the biggest problems currently facing our democracy by setting national standards to protect access to the vote, end partisan gerrymandering of congressional districts, improve our broken campaign finance system, and create new safeguards against the subversion of the electoral process.

As part of its efforts to make this legislation a reality, Public Citizen is supporting an ongoing series of civil disobedience events at the White House. The purpose of these events is to put pressure on President Joe Biden to do everything in his power to protect our vote and our democracy and ensure that the Senate pass the Freedom to Vote Act and Voting Rights Advancement Act.

On Oct. 19, 25 civil rights movement and religious leaders were arrested in front of the White House for our freedom to vote. As the event unfolded, press inside the White House briefing room grilled Press Secretary Jen Psaki asking her why civil rights leaders were being arrested outside for their freedom to vote. This received enormous press coverage.

As *Public Citizen News* goes to print, Public Citizen is planning three more actions in early November. On Nov. 3, Public Citizen plans to return to the White House with young people leading the way.

Each protest has had an increasing number of people risking arrest. Martin Luther King III and Andrea King along with their 13-year-old daughter Yolanda King are participating alongside the youth activists. To find out more about these actions, please visit: www.mobilize.us/dfadcoalition.

Protestors mass in Washington, D.C., on Nov. 3 to support the Freedom to Vote Act. Photo courtesy of League of Women Voters / Flickr.

Crossword Answers

IN THE NEXT ISSUE...

Public Citizen releases a report on heat-related workplace injuries.

Charitable Gift Annuity

A gift that gives back to you!

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

AGE WHEN ESTABLISHED	SINGLE LIFE ANNUITY RATE	SINGLE LIFE ANNUAL PAYMENT	TWO LIVES ANNUITY RATE	TWO LIVES ANNUAL PAYMENT
65 years	4.2%	$420	3.8%	$380
70	4.7%	$470	4.2%	$420
75	5.4%	$540	4.6%	$460
80	6.5%	$650	5.4%	$540
85	7.6%	$760	6.5%	$650
90 and over	8.6%	$860	8.2%	$820

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