



## U.S. COVID-19 Death Toll Surpasses One Million People

BY LIZA BARRIE

The nation has reached a gruesome milestone: COVID-19 has now killed over a million people in the U.S. We will never know the precise toll or the name of the pandemic's actual millionth victim. The loss is too immense to fully comprehend, let alone the magnitude of the global death toll, estimated to be more than 15 million.

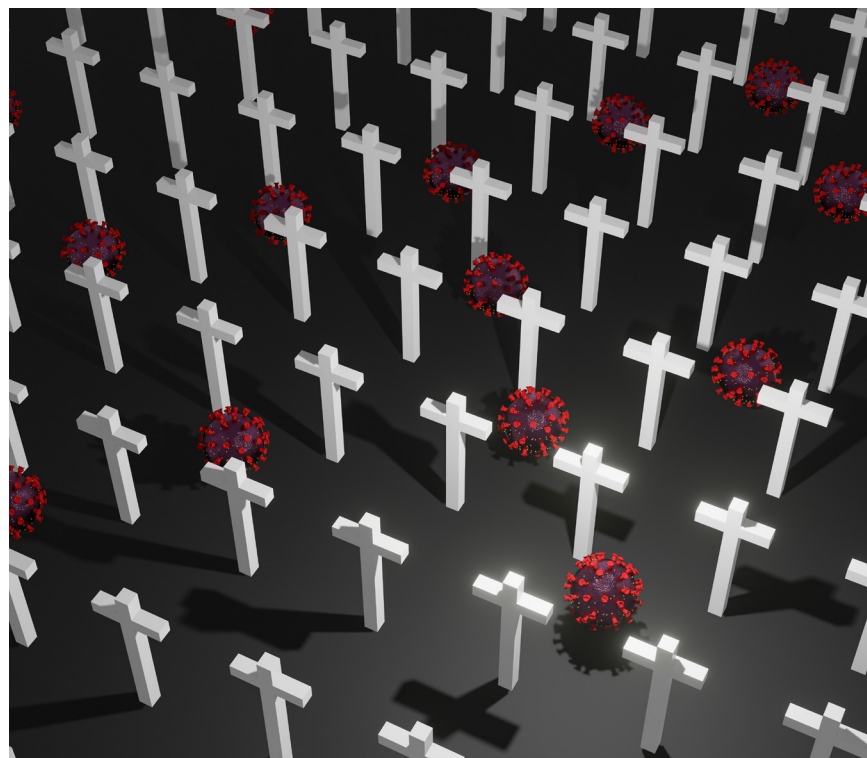
As health experts update recommendations for vaccinations and booster doses and politicians adjust mask mandates, the pandemic is settling into new patterns of harm, bringing inequities to the forefront. The brunt of our increased risk tolerance will fall on the elderly, people with pre-existing health complications, and those already facing

economic and social vulnerability. Regardless of whether we are done with the virus, it is clear the virus is doing its best to stay with us.

### COVID-19 Variants in the U.S.

Since it first emerged in late 2019, the coronavirus has mutated and spread rapidly across the world, spawning new variants, spreading faster, and finding ways to evade the body's immune response. Uncontrolled virus spread as well as inequities in global COVID-19 treatment and vaccine access all contribute to viral evolution.

In a new study, Public Citizen and the Yale School of Public Health estimated the number of U.S. COVID deaths caused by see **Death Toll**, page 8 ►



Graphic courtesy of Shutterstock.

## How the Jan. 6 Hearings Became a Summer Hit

BY JONAH MINKOFF-ZERN

In union halls, living rooms, and on picnic blankets, Americans gathered around the country on June 9 to train their gaze on the House Select Committee to Investigate the January 6 Attack on the United States Capitol's opening hearing. Public Citizen, in collaboration with the Not Above the Law coalition, worked with activists across the country to

plan more than 100 watch events for the first prime time hearing.

The blockbuster hearings of the Select Committee uncovered the truth about how former president Donald Trump and his MAGA Republican allies planned, promoted, and paid for a criminal conspiracy to overturn an election they lost – and how they have continued working to be able to put themselves in power regardless of the outcome of an election.

Before the hearings launched with their endless series of jaw-dropping revelations, the conventional wisdom in Washington, D.C., was that the

American people didn't care about the insurrection. Public Citizen and our allies organized the June 9 watch events to provide visible evidence to dispel that misimpression.

Ahead of the first hearing on June 9, Public Citizen ran weekly Zoom calls for activists hosting watch events. After each host call, new requests to host watch events came flooding in. Our staff and interns worked every day leading up to the hearings to support and coordinate our activists on the ground. We provided essential funding to secure local spaces for watch events and help activists get outfitted with equipment to stream the hearings on a see **Jan. 6**, page 4 ►

## Amid Worsening Heat Waves, OSHA Must Protect Workers

BY LACEY JOHNSON

Exposure to heat is among the greatest causes of injuries and fatalities to workers, and the threat is rapidly worsening as climate change produces hotter and hotter summers. A new report from Public Citizen urges the U.S. Occupational Safety and Health Administration (OSHA) to create protections for workers facing these conditions.

Public Citizen has been see **Heat Stress**, page 11 ►

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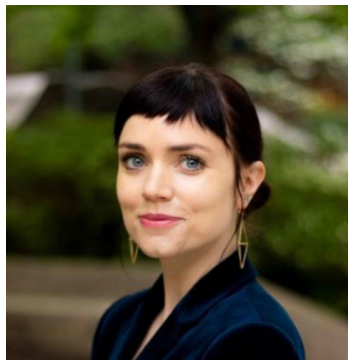
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## GET TO KNOW PUBLIC CITIZEN DEANNA NOËL

An ongoing series profiling Public Citizen leaders and staffers



Deanna Noël wants to see a better world. Her work before and since joining Public Citizen in Fall 2021 demonstrates as much. Noël brings to her role of Climate Campaign

Director 15 years of experience in advocacy and grassroots organizing. After graduating from St. Olaf College, where she studied human rights and environmental justice, Noël worked in a number of roles centered on social justice and environmental advocacy. She brings to Public Citizen a unique perspective informed by her dedication to climate justice.

**You have built a long career around climate-related advocacy. What drew you to that area of work?**

**Noël:** I grew up in the Midwest. My friends and I had nothing to do but sit around listening to punk, reading Adbusters, and questioning authority! We also lived on the banks of the Cedar River. I recall a yearly activity of watching my dad spray-paint neon orange stripes on trees to note how high the river would get, but it stopped being a game when we experienced multiple 100-year floods in a 15-year span and the water was so high there were no visible trunks left to paint. Our house was condemned after the last big flood in 2008 and is now a city park.

**How did you start your work with Public Citizen?**

**Noël:** I'd been looking to transfer my environmental advocacy background to an organization that works on social justice and democracy issues, so working on climate issues at Public Citizen was a natural fit. I had worked with East Peterson-Trujillo (Public Citizen's clean vehicles campaigner) on a project at my former job and

knew they landed here, so that helped in my decision to pursue the climate campaigns director role. I was really excited to work on corporate campaigns, but had no idea how much I'd also enjoy the world of climate financial regulation. Wonk town!

**Are there overlooked aspects of climate activism that you hope to bring more attention to?**

**Noël:** The joy that comes from activism! We're organizing people to take down the biggest corporate villains in the world and decision makers who don't believe in science. That's a wild way to spend your time. The fearless, witty, and strategic advocacy of others in the climate space is something I draw energy from, and the camaraderie in climate activism keeps me in the work even on the hardest days. Also, I try to not lose sight of wins happening around the world, even though that can be hard amidst setbacks.

**What is one achievement in your career at Public Citizen that you're most proud of?**

**Noël:** I'm proud of the campaign team's work on AIG, in particular Insurance Campaigner Hannah Saggau's relentless advocacy that resulted in a major victory this spring. I joined Hannah at AIG's headquarters in New York City during my third week on the job for a ridiculously fun holiday-themed stunt. Soon after we got intel that the public pressure was getting to AIG's CEO, and a few months later AIG rolled out its first-ever climate policy. It was one of many tactics used to apply pressure on C-suite execs — and it paid off!

**How does climate advocacy intersect with other forms of activism?**

**Noël:** No struggle exists in a vacuum. Fighting for a livable planet and dismantling racism, classism, homophobia, transphobia, sexism, ableism, and all the other "isms" are interconnected. I'm interested in living in a world where everyone is afforded the same respect and rights. ■

— Compiled by Lacey Johnson

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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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# Cultivating a Sense of Hope

**W**e have to fight against despair. It goes without saying that there are plenty of reasons – good reasons – to feel down right now, to feel scared, to doubt the path that our country and the world are on. And I know from talking, emailing, and communicating with so many of you how widespread and deep is the current sense of gloom.

But here's the thing: despair's cousin is hopelessness. And hopelessness is a dangerous self-fulfilling prophecy that we can't afford. Hopelessness leaves us helpless in struggles against oppressive forces.



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

The antidote to despair is hope. And so we, collectively, need to work on cultivating hope – not blind faith, but hope.

How do we do that? Well, let's start by acknowledging that, in hard and scary times, it's not easy. Building hope is a process. And different people will find different ways to strengthen their hope muscle.

I'd like to share some of thoughts on how to find and strengthen hope. This is work we must do together – there's no single right answer – and I look forward to hearing from you about what gives you hope.

**We are the majority:** It can often feel like the country has lost its mind, that a majority are locked into anti-science, conspiratorial, hateful thinking. In fact, overwhelming numbers of Americans favor a progressive agenda. They want to cut drug prices and end Big Money dominance of elections. They want to tax the rich and restrain CEO pay. They want to address climate change. By large majorities, they favor common-sense gun safety rules and access to abortion.

Yes, this fact cuts both ways: It's not uplifting that a minority is able to impose its will on the nation. But we can't lose sight of the fact that we are the majority.

**Losing is often the prelude to winning:** As disturbing as it is to fall short of winning far-reaching reforms, we should recognize the power we've built in getting close to victory – and recognize that falling just shy of passing legislation often foreshadows victories to come.

**We are winning more than we realize:** We've pushed AIG to restrict support for coal, tar sands oil, and Arctic energy. The U.S. government is sharing vaccine technology with the World Health Organization. The Occupational Safety and Health Administration has started its process to adopt a rule to protect workers – especially farm workers – from excessive heat. We stopped a Facebook scheme to create a global currency. We sued the Post

Office and forced the postal service to deliver ballots on time – and won commitments to make sure they keep doing so.

And these are just wins that Public Citizen helped score in recent months. Think about the Amazon workers in New York voting to unionize. Take an international perspective and appreciate progressive candidates winning the presidencies throughout Latin America.

**The opposition is not all-powerful:** We often imagine that “the other side” is super strategic, well organized, united, and far sighted. It's not so. They are fractious and make missteps all the time. Believe me, I'm not one to underestimate the power of Big Business; and I take very seriously the rise of neo-fascism in our country. But we shouldn't imagine these forces to be stronger than they are.

**Things aren't permanent:** When things feel like they are going badly, it can feel like that will be the state of affairs for all time. In fact, political tides shift frequently and often dramatically. We had national elections in 2002, 2006, 2008, 2010, and 2016 that some proclaimed to constitute permanent national realignments. None of them were. Of course, some things – including bad things – do

persist; but, in general, political change is a lot less durable than it may seem.

**There is power – and hope – in coming together:** If an overwhelming majority of Americans support a progressive agenda – and they do – then how do we win it? The number one answer is, by coming together. In our organizing and mobilizing, there is the power to overcome powerful reactionary forces.

In joining together, we find not just power, but hope. Yes, hope that together we can do great things; but also the hope that comes from standing side-by-side with others (whether in person or virtually), in overcoming our isolation, in feeling the warmth of solidarity, and participating in collective action.

My hope is that participating in the shared project called Public Citizen infuses you with that kind of hope. Yes, we can – we must – acknowledge the enormous and often frightening challenges we face. But for 50 years, we've faced great challenges and made great change. I have no doubt that if we stick together and take care of each other, our greatest achievements are yet to come. ■

*Robert Weissman*



Graphic courtesy of James Yang.



large scale. We supported activists with their outreach, through writing and sending media advisories, finding speakers, ensuring their events were ADA accessible, and more. We even mailed more than 1,000 free Ben & Jerry's coupons to hosts around the country to make their events a little sweeter.

Public Citizen also led the organizing of movement briefings, drawing thousands of viewers, policy experts, and lawmakers like J6 Select Committee member U.S. Reps. Jamie Raskin (D-Md.) and U.S. Rep. Pramila Jayapal (D-Wash.) as well as celebrities like David Crosby of the band Crosby, Stills & Nash, and Jason Alexander of "Seinfeld" fame.

Constitutional scholars provided in-depth analyses, and movement leaders like Dolores Huerta, co-founder of the United Farm Workers union, and voting rights activist Helen Butler dis-

**"The criminal conspiracy by former President Donald Trump and his allies extends far beyond January 6, with new details emerging about how they pressured state officials to overturn an election they knew they'd lost."**

—Lisa Gilbert, executive vice president of Public Citizen

cussed their work and galvanized attendees to act. Whether that meant signing up to host a watch event, spreading the word about the hearings in their communities and on social media, writing letters to the editor, signing up to be poll workers, or encouraging their family to tune into the hearings, Americans answered the call.

At the end of June, Public Citizen's organizers hosted a letter-to-the-editor writing party. The initiative helped focus media attention on the Jan. 6 hearings, which continued to be full of shocking bombshells.

Later in the month, at the conclusion of the fourth Jan. 6 Select Committee hearing, Lisa Gilbert, executive vice president of Public

Citizen and co-chair of the Not Above the Law Coalition, commented, "The criminal conspiracy by former President Donald Trump and his allies extends far beyond January 6, with new details emerging about how they pressured state officials to overturn an election they knew they'd lost."

Public Citizen continues to link activists around the country with ways to address election security and equity. Many of our hosts continued to lead watch events for subsequent hearings, but the communities created by this summer's activism go far beyond a one-time gathering.

At a celebration call for hosts and activists, Public Citizen connected them with resources and programs

critical to protect our democracy. These range from region-specific efforts like Michigan ballot and Arizona ballot initiatives to expand voting access to national efforts like the Poor People's Campaign and March for Our Lives.

In the upcoming months, Public Citizen will also encourage people to sign up to be poll workers or poll monitors and take Stop Election Sabotage training through Scrutineers.org.

Thanks to the skills of the activists across the country and Public Citizen's organizers, the moment of political and emotional intensity spurred by the Jan. 6 hearings can translate to long-term action and solidifies both the foundations and future of our democracy. ■



Norman Eisen, a senior fellow at the Brookings Institution, speaks at the Not Above the Law watch event on June 9 in Washington, D.C. Photo courtesy of Lisa Gilbert.



# Military-Industrial Complex Clinches Nearly 450,000% Return on Investment

BY RICK CLAYPOOL

The military-industrial complex contributed a combined \$10.2 million in the 2022 election cycle to lawmakers who voted to lavish the military with tens of billions more than either the Pentagon or the White House requested, according to a new Public Citizen report.

The report, which is based on campaign finance data collected by OpenSecrets.org, helps explain lawmakers' eagerness to waste tens of billions more in taxpayer funds on the already bloated military budget.

Each year, the defense industry donates millions of dollars to the campaigns of members of Congress, creating pressure on the legislative branch to fund specific weapons systems, maintain an extremely high Pentagon budget, and add ever more military spending.

This upwards pressure is a constant, no matter what figure is requested by the president for the Pentagon, even though nearly 50% of the current Pentagon budget already goes to private contractors each year.

Members of the House and Senate Armed Services Committees are especially tar-

geted by defense contractors, the report found. These committee members determine the amount of money authorized for the Pentagon when the committee marks up the annual Pentagon policy bill, the National Defense Authorization Act. (Because of this critical position, the defense contractors pour money into the reelection campaigns of these members, creating a self-fulfilling feedback loop that many call the "military-industrial-Congressional complex.")

In June, the U.S. House Armed Services Committee voted to increase the Pentagon budget by \$37.5 billion over the \$813 billion the White House requested, and the U.S. Senate Armed Services Committee voted to increase the Pentagon budget by \$45 billion.

"The military-industrial complex maintains a potent political influence machine that extends far beyond campaign spending, and there's no reason to doubt that the supporters of more Pentagon spending believe in what they are doing," the report said. "But nor should anyone doubt that military-industrial complex campaign contributions both reward and encourage Congress to shovel money at the Pentagon – even as

so many human needs and non-military security interests (like addressing pandemics or climate chaos) remain desperately underfunded."

If the final FY 2023 budget ultimately reaches the amount approved by the Senate Armed Services Committee – an outcome that is likely given the trajectory of the budget in previous years – defense contractors will have clinched a nearly 450,000% return on their \$10 million investment in 2022 campaign and PAC contributions.

Senate committee members who voted to increase the defense budget and received the most from the defense sector over the past six years are:

- Sen. Jim Inhofe (R-Okla.), ranking member and recipient of \$874,876,
- Sen. Jack Reed (D-R.I.), committee chair and recipient of \$822,757, and
- Sen. Tim Kaine (D-Va.) and recipient of \$616,152.

House committee members who voted to increase the defense budget and received the most from the defense sector over the past two years include:

- Rep. Mike Rogers (R-Ala.), ranking member and recipi-

ent of \$404,525,

- Rob Wittman (R-Va.), vice ranking member and recipient of \$237,799, and
- Rep. Mike Turner (R-Ohio), recipient of \$150,950.

Notably, the average campaign contribution from the military-industrial complex to a member of the House or Senate Armed Services Committee who voted "yes" to increase military spending for FY23 is more than triple the average campaign contribution from the military-industrial complex to those who voted "no." Those who voted "yes" received average contributions of \$151,722. Those who voted "no" received average contributions of \$42,967.

"The military-industrial complex's campaign spending spree gives war profiteers an outsized influence over Pentagon funding votes," said Savannah Wooten, People Over Pentagon campaign coordinator for Public Citizen and one of the authors of the report. "It creates a self-fulfilling annual cycle where money from the industry begets money for the industry. Instead of working overtime to secure defense contractor profits, Congress should prioritize the true, urgent human needs of everyday people." ■



Aerial view of the Pentagon courtesy of David B. Gleason / Flickr.



# A Bittersweet End to the TRIPS Waiver Campaign

BY MELANIE FOLEY

## COMMENTARY

In October 2020, India and South Africa, recognizing the unprecedented urgency of the fight against COVID-19, made a proposal at the World Trade Organization (WTO) to temporarily waive the patents and other WTO-enforced intellectual property monopolies on COVID vaccines, tests, and treatments.

The Trump administration opposed this “TRIPS Waiver,” named in reference to the WTO Agreement on Trade-Related Aspects of Intellectual Property. After President Joe Biden took office, an impressive coalition worked tirelessly to push the United States to support the commonsense proposal.

After a months-long campaign – sustained by dozens of health, faith, labor, and consumer advocacy organizations, over 100 members of the U.S. Congress and millions of people around the world who took action – the Biden administration announced support for the waiver on May 5, 2021. This was a historic departure from decades of U.S. trade officials relentlessly attacking other countries’ access-to-affordable-medicines initiatives on behalf of Big Pharma.

But that announcement was not enough. Rich countries at the WTO, especially the European Union, United Kingdom, Switzerland, and even the U.S., spent more than a year delaying negotiations and watering down the scope of the waiver.

Finally, a decision was made at the June 2022 WTO Ministerial in Geneva, the biggest WTO meeting in years.

## What Happened in Geneva

As Public Citizen’s representative at the WTO in Geneva, I witnessed the shocking process that resulted in “agreement” on a sham counterproposal to the waiver, a cynical, face-saving ploy for the rich countries that had dragged their feet on and obstructed the original health-based proposal from developing countries.

As we have at past WTO Ministerials, Public Citizen worked in collaboration with partners in the Our World Is Not For Sale network, a group of organizations and activists committed to a

socially just multilateral trading system. Various members from around the world represent fisherfolk, subsistence farmers, or global union confederations. We focus on different issues, but work together so our collective voices can be amplified.

These civil society representatives, who had already jumped through hoops to be accredited to attend the WTO Ministerial, were informed with three days’ notice that they would not be permitted within WTO premises on the first day of the meeting.

So on Day One, we quickly pulled together a press conference near the WTO, followed by a boisterous rally despite the 95-degree heat.

The WTO is uncommonly hostile to non-governmental organizations (NGOs). Where various United Nations bodies and other international government organizations permit NGOs to actively participate and comment

on the record, the WTO makes any participation extremely difficult.

On Day Two, we could barely get into the building, and were certainly not allowed in negotiating rooms. WTO security initially told us that banners and signs were not permitted, or even t-shirts with printed slogans. (Geneva police at one point suggested the same, and very nearly arrested some of the coalition.)

So in between meetings with delegations, we made our voices heard the only way we could. We held protests every day in the main atrium where negotiators mingled between meetings. Using the voice amplification tactic known as a “mic check,” we shared the concerns of the millions of people our organizations represent.

Going into the Ministerial, it was clear that, barring a miracle, there were only two possible outcomes for the waiver: no deal or a bad deal. Nonetheless, we worked to bolster the

developing-country delegations that supported a real waiver and keep pressure on the rich-country delegations that opposed.

On Day Three of the Ministerial, we organized the first-ever “die-in” protest inside the WTO. We shouted in unison to onlooking negotiators the story of the rich countries watering down the waiver, as one by one activists coughed and collapsed to the floor. In between the flashing cameras of reporters, it was clear that several delegates were emotional watching the powerful demonstration.

That night, negotiators stayed through the night to try to hammer out a deal on the waiver. They convened in exclusive “Green Rooms,” where certain countries, often the majority of developing countries, are not permitted. Negotiations ended at 6:00 am and resumed at 9:00 am on the final day of the Ministerial, which had been extended. On that final see **TRIPS**, page 7 ▶



Activists in the Our World Is Not for Sale network performed a die-in protest in Geneva to condemn delay and destruction of the TRIPS Waiver in June. Photo courtesy of Sarah Grace Spurgin.



# Long-standing Racial Gaps in Health Care are Widening

BY RHODA FENG

Black Americans receive much less care than white people, whether measured by doctor visits or by spending for care, and the gap has grown in recent years according to a recent study conducted by researchers at Public Citizen, the University of Texas, Harvard University, and The City University of New York. The study, which appeared in *JAMA Network Open*, assessed health care use going back to 1963. It found that since 2014, white Americans have been receiving, on average, 3.2 more doctor visits per year than Black Americans, the largest gap on record. Per-person expenditures for care each year (by insurers, public agencies, and patients) are \$1,880 lower for Black people compared to white people.

The finding tracks with a growing body of evidence that reveals systemic racial discrimination in health care. According to a study in *Health Affairs*, Black patients were more than twice as likely as white patients to have negative or stigmatizing descriptors in their health records. And as reported by *Axios*, a recent study from the Commonwealth Fund shows that one in four Black and Latino seniors reported experiencing discrimination at the hands of health care professionals. Last summer, the American Medical Association urged physicians and medical students to "acknowledge

**"Black patients get the least care and the worst care. Medicare for All reform is the essential first step to health care equity."**

—Dr. Steffie Woolhandler, research associate for Public Citizen's Health Research Group

the realities of structural racism in medicine" and follow new guidelines to address the effects of racism, including discrimination, bias, and abuse.

The Public Citizen study showed that Black-white health care gaps narrowed after the passage of Medicare, Medicaid, and civil rights protections (including the desegregation of U.S. hospitals) in the mid-1960s. However, the trend toward equality in health care use reversed in the early 1980s, with Reagan-led cuts in the social safety net, and disparities have remained stubbornly high.

In 1963, Black people averaged 1.2 fewer doctor visits than their white counterparts, a gap that narrowed to 0.8 fewer visits per year in the 1970s before climbing to the current gap of 3.2 visits. Black persons with hypertension, for instance, are less likely to have their blood pressure controlled than whites with similar conditions. They are also less likely to receive knee replacements, optimal surgery for lung cancer and laryngeal cancer, mental health and substance use treatment, neurologist care for complex conditions, and prenatal and postpartum care.

The authors found lower use of care by Black persons in all age, gender, and insurance subgroups, although gaps were smallest among people of Medicare age (65 or older). The disparities persisted when they controlled for age, sex, and health status. Even among those with private insurance, Black enrollees average 2.6 fewer doctor visits annually; the racial gap was 4.9 annual visits among Medicaid enrollees. The study also found that Black people use slightly more emergency department visits and hospital days, but these differences were too small to offset Black Americans' deficits in other kinds of care.

The researchers harmonized and analyzed data collected in 29 federal health surveys of 601,803 people conducted between 1963 and 2019. Although the surveys evolved over time, all included information on doctor visits and total costs of the care received, as well as each respondent's age, gender, and race.

The authors concluded that insurance and income differences explain part, but not all, of the Black-white gap in care. Issues like historical mistreatment of Black people by the health care system,

racially biased referral patterns by physicians' offices, and a shortage of Black physicians likely also play a role.

Senior author Dr. Steffie Woolhandler, a distinguished professor at CUNY's Hunter College, Lecturer in Medicine at Harvard Medical School, and research associate for Public Citizen's Health Research Group said, "Black patients get the least care and the worst care. Medicare for All reform is the essential first step to health care equity."

Study co-author Alecia McGregor, an Assistant Professor at the Harvard TH Chan School of Public Health noted, "It's outrageous that Black people get the least care despite facing some of the greatest risks for adverse health outcomes across the board. But the trends we found tell us how to create a fairer health care system. Civil Rights-era reforms reduced poverty, narrowed health disparities, and enhanced equity, but policies and court decisions since 1980 have undermined social programs, racial justice and voting rights, and exacerbated health inequities. Health care equity – or inequity – is a policy choice." ■

## ► TRIPS, from page 6

day, negotiations continued all day and into the night.

It is obvious that two days of no sleep is not the best way to make decisions that will impact quite literally the entire world. But this is even more problematic because rich governments are able to employ large negotiating teams, who can take turns to rest and recharge.

Developing country governments may not have that luxury, and may not be able to pay to move a flight or stay an extra night in an expensive Geneva hotel for an extended Ministerial. But at the WTO, if you are absent from the final agreement on a package, you are considered to have consented.

## A Terrible Deal Is Agreed

In the end, WTO members agreed to a text that fails to address meaningfully intellectual property

monopolies on COVID-19 vaccines. It excludes dozens of countries and delays for six months any discussion of a waiver for COVID-19 tests and treatments. This deal sets a negative precedent for future pandemics and helps no one but Big Pharma.

Even worse, this deal was only secured by trading away other proposals demanded by people in the Global South, for example the right to build food reserves in case of emergency. The final agreement at the end of the Ministerial was total capitulation to rich countries' corporate interests at the expense of development, access to medicines, agriculture, and fair, sustainable fish harvest.

WTO leadership and many governments (including the U.S.) have chosen to ignore reality and celebrate this terrible deal as if it proves the failing WTO to be relevant.

But public health and civil

society experts were not fooled. They are united in condemnation of this counterproposal to a real TRIPS waiver.

Three hundred groups are now calling on governments to take unilateral action to address intellectual property barriers, since the WTO has proven itself incapable of getting its own rules out of the way.

## So Now What?

I won't sugarcoat it. It's a hard loss. And it's hard to accept that this is how the world works, or at least the World Trade Organization.

We went up against one of the most powerful interests in the world: Big Pharma. But the campaign produced important results that we must build upon to keep the pressure on the U.S. government to prioritize access to COVID medicines over Pharma profits.

• Biden's May 5 announcement

in support of a waiver was truly historic, something many advocates who work in this area thought was impossible.

- As limited as the non-waiver agreement is, it does cement within the WTO the idea that intellectual property can be a barrier to access.
- This is the most attention on the WTO and its failings since the infamous Seattle protests in 1999. Now that millions of people have been made aware of the WTO's unacceptable medicines rules, it will be that much easier to address other WTO concerns, like the ongoing negotiations for Big Tech-friendly digital trade terms.

It has been an honor to work with Public Citizen activists, our domestic colleagues, and our tireless international allies who led the waiver campaign from the start. The fight continues. ■

► **Death Toll**, from page 1

variants occurring after the original strain. It provides a basic estimate of each variant's death toll. Of the more than one million Americans who died of COVID-19 by mid-May, variants killed about 460,000 people. Over 40% of deaths – approximately 430,000 – were caused by three variants first detected outside the U.S.: Alpha, detected in the U.K. (40,000 deaths); Delta, detected in India (274,000 deaths); and Omicron, detected in Botswana and South Africa (118,000 deaths). Other lesser-known variants, including those first detected in the U.S., accounted for approximately 30,000 deaths.

Two findings stand out. First is the Omicron death toll. It is presently the dominant strain and widely believed to be mild, but the data suggests otherwise. Omicron killed 110,000 people in a matter of months after first appearing in the U.S. in early December 2021, despite vaccines being widely available. Second is the shifting geography of the U.S. epidemic and the differential impact of variants. The study shows that the Southern U.S. recorded the most variant deaths per capita (158 per 100,000) and overall (205,729). At the same time, the Northeast reported the fewest per capita variant deaths (111 per 100,000) despite recording the most casualties overall (328 per 100,000).

A focus on variants alone does not explain why a million Americans have died, but it does demonstrate the continued toll of failing to control the pandemic globally. Zain Rizvi, research director at Public Citizen and a co-author of the study, said focusing on variants “gets us to the connection between the global and local. It establishes that what happens in Lahore really matters for what happens in Louisiana.” Scientists have consistently emphasized this point. It is no less urgent as funding for the pandemic response has evaporated, and Congress has turned its attention to other priorities – responding to the growing threats to democracy, gun violence, the war in Ukraine, spiraling inflation, and more.

“We see the staggering cost imposed on the U.S. population, yet we are still waiting for governmental action to help reduce the risk of new variants emerging globally,” said Rizvi.

The researchers used data from the Centers for Disease Control and Prevention on COVID-19 deaths by state and circulating variants.

They demonstrate the significant impact of coronavirus variants on U.S. public health and emphasize the potential risk new variants pose to Americans. This risk is only exacerbated by the limited global availability of COVID-19 diagnostics, treatments, and vaccines. The study notes that in addition to national public health strategies, serious efforts are needed to lower the risk of new variants emerging, including through global COVID-19 vaccination, treatment, and outbreak mitigation.

To better safeguard Americans from the threat of new variants, the study argues, Congress must fully fund the COVID-19 response, combating the virus spread at home and overseas, proving President Biden's point that “to beat the pandemic here, we need to beat it everywhere.”

### White House Covid Funding Crisis

The funding situation is alarming. For months, the Biden administration has warned that unless Congress appropriates the necessary funds, it will be forced to scale back or eliminate crucial components of both the domestic and

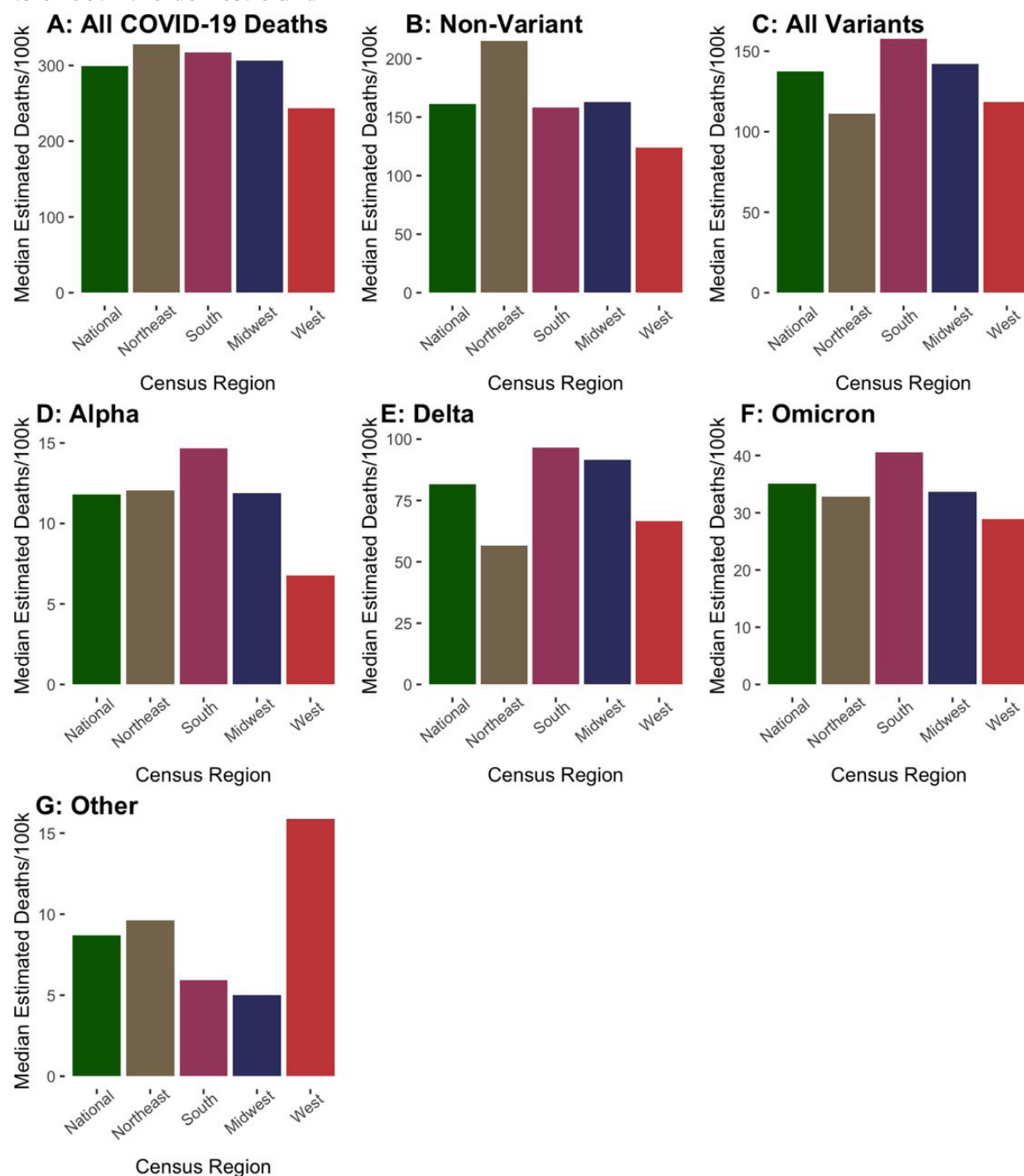
international pandemic response. Global vaccination efforts are badly off track, with only 18% of people in low-income nations having received at least one dose of a vaccine. According to USAID Administrator Samantha Power, the U.S. has spent 95% of its global response funding for COVID-19 vaccination and treatment campaigns. Without more assistance for last-mile delivery, millions of vaccine doses the U.S. has already donated to developing countries will expire on refrigerator shelves before they get into people's arms.

On the domestic side, the funding crisis has prompted the White House to make dangerous choices in hopes of protecting Americans from a possible fall and winter surge that health experts fear might result in 100 million coronavirus infections. In June the administration announced that it had redirected \$10 billion in federal COVID-19 funds intended for virus testing and protective gear to antiviral drugs and vaccines. It's not that frontline health workers don't need COVID-19 diagnostics, gloves, gowns, and masks, but that the Democratic leadership has been unable to persuade enough

Senate Republicans to pass legislation to pay for it. The same holds for essential investments in next-generation vaccines, which could provide better protection against the mutating virus.

On June 30, the U.S. Food and Drug Administration recommended that vaccine manufacturers redesign their COVID-19 boosters to better protect against the currently dominant Omicron BA.4 and BA.5 subvariants of the coronavirus. Moderna and Pfizer say this will slow their rollout and that the modified vaccines will not be ready until late October or early November.

“Congress must step up and enact a COVID-19 appropriations bill to address the ongoing costs of a pandemic that is far from over,” said Public Citizen's Access to Medicines Director Peter Maybarduk. “New funding must include significant support for the global fight against COVID-19. This is both a humanitarian imperative and a practical one. It will save taxpayers from the much higher costs of a persistent pandemic and will prevent even more needless suffering and death,” he added. ■





# Outdated Regulations Leave Texas Vulnerable to Severe Storms

BY JOSÉ MEDINA

This summer's Atlantic hurricane season marks five years since one of the most destructive weather events in the nation's history: Hurricane Harvey.

Harvey struck the Texas Gulf Coast in August 2017. The defining and most destructive feature of the Category 4 storm wasn't so much its powerful winds; as can often be the case with hurricanes, it was its water. After making landfall near Corpus Christi, Harvey moved to Houston, where it suddenly stalled.

For days, Harvey sat over the Bayou City dumping record amounts of rain.

It wasn't until after the storm that we learned that this historic and devastating natural disaster had also become an environmental disaster. Equipment and other infrastructure in the Houston area's many petrochemical facilities failed under the enormous amounts of rainfall. The result was an estimated 8.3 million pounds of pollution released into the air and 150 million gallons of wastewater

spilled.

Destructive rain events like Harvey should raise the alarm with state officials and petrochemical corporations, says Adrian Shelley, director of the Texas office of Public Citizen.

In a new Public Citizen report, Shelley wrote that old assumptions, which fail to account for the frequency and severity of destructive rain events, are still used to build equipment at petrochemical and other industrial facilities. That has caused a vulnerability that could release harmful pollutants into the environment during future rain events, including those far less severe than Harvey.

"Climate change has made what we thought were once-in-a-lifetime rain events more frequent," Shelley said. "Harvey showed the petrochemical industry isn't ready for extreme weather. Texas has ignored climate change for long enough. We either act now or wait for the next major climate disaster. People's lives are on the line."

One danger the report points to is floating roof storage tanks.

Petrochemical corporations commonly use these cylindrical tanks, which are covered by a floating lid that rises or falls depending on the amount of oil or other petrochemical product it contains. During Harvey, some of these tanks failed to work properly.

At least nine floating roof tanks in the Houston area released into the environment when they failed due to Harvey's rainfall. Because petrochemical corporations build critical infrastructure to meet the state's outdated standards for worst-case scenario rainfall events, storage tanks and other equipment at industrial facilities remain vulnerable.

But it is not just the tanks. Severe storms can also lead to power failures and emergency shutdowns at petrochemical facilities, resulting in significant pollution being released into the air.

The report makes several findings and recommendations, including that climate change has made the state of Texas' definitions of a 100- and a 25-year storm inaccurate. Those

definitions should no longer be applied, and new standards should be adopted.

The standards used now are more than 60 years old and are based on data collected during a 20-year period that began in 1938. There has since been new data collected by the National Oceanographic and Atmospheric Administration in a document known as Atlas 14 that provides better guidance on the size and frequency of extreme rain events.

The Atlas 14 data more accurately reflects the reality of our changing climate. Using this newer data will help make equipment and containers at petrochemical facilities more secure and prevent environmental damage like what was seen during and after Harvey.

"Addressing climate change should be an urgent priority," Shelley adds. "But the reality is that the climate crisis will be with us for some time even if we take swift action. For the time being, we need to adapt. And so should the standards that guide how corporations build and operate their industrial equipment." ■



Texas National Guard soldiers arrived in Houston, Texas, to aid citizens in heavily flooded areas from the storms of Hurricane Harvey. Photo courtesy of Lt. Zachary West / Flickr.



# Federal Contractors Should Be Required to Disclose Secret Political Contributions

BY DARCEY RAKESTRAW AND DAVID ROSEN

An executive order requiring contractors to disclose their political contributions after awarded a contract would strike a blow against the dark money that infests our elections and offer a tangible step toward addressing the perception and reality of corruption in our system, according to a Public Citizen report released in May.

In theory, a disclosure requirement shouldn't be necessary since federal contractors are prohibited by law from making political expenditures. But in practice, the U.S. Supreme Court's 2010 *Citizens United* decision made it possible for contractors to contribute money to electioneering groups and keep their gifts secret.

"The public has a right to know who is spending money to influence our elections," said Lisa Gilbert, executive vice president of Public Citizen. "But the public has an even greater right to know the details of federal contractors' political spending because contractors are seeking the public's money."

A disclosure requirement would plug holes in disclosure created by *Citizens United* while imposing only minimal administrative burdens on contractors, according to the report "The Case for Requiring

Disclosure of Contractors' Political Expenditures." The report found that more than half of Fortune 100 companies received at least \$1 million in federal contracting revenue in fiscal year 2020 and, therefore, likely would be covered by an executive order.

Twelve of the 15 largest federal contractors that are members of the S&P 500 already voluntarily disclose some information regarding their contributions to dark money groups, although only five fully disclose these activities. Providing more specific reporting would not be onerous.

Public Citizen's review also found that contracting malfeasance has factored into many of the most famous public corruption scandals of the past half century, including Watergate and those involving former U.S. Rep. Duke Cunningham, former Illinois Gov. Rod Blagojevich, and disgraced former lobbyist Jack Abramoff.

Furthermore, case studies support the commonsense conclusion that businesses with questionable intentions are drawn to dark money groups. For example:

The Ohio utility FirstEnergy spent about \$60 million in dark money last decade in pursuit of a \$1.3 billion bailout from the Ohio legislature. Details of the firm's spending only emerged because

the FBI was listening in on phone calls involving FirstEnergy, state legislators, and lobbyists.

A U.S. attorney later called FirstEnergy's dark money campaign, for which it agreed to pay a \$230 million penalty, "likely the largest bribery, money-laundering scheme ever perpetrated against the people of the state of Ohio."

A political operative running a dark money group in New Jersey collected contributions from law firms in 2016, then spent the money to influence elections involving a school board for which the law firms worked as contractors. The school board approved more than \$100,000 in payments to the law firms shortly after the contributions were made.

These details only emerged this year, after the political operative admitted to hiring assailants to murder an associate who worked for his consulting firm.

Although contractors remain prohibited from making direct contributions to federal candidates, isolated disclosures suggest that gifts to dark money groups could be functionally about the same as giving to a candidate or party.

In 2020, Southern Company gave \$1 million to a nonprofit group operated by the former

chief of staff to U.S. Senate Minority Leader Mitch McConnell (R-Ky.). The nonprofit group transferred \$85 million to a super PAC with a stated mission of electing Republicans to the U.S. Senate, which is McConnell's primary job.

"It would be nice if we could learn about contributions to dark money groups without having to rely on FBI wiretaps, murder investigations, or occasional voluntary disclosure reports," said Taylor Lincoln, a research director at Public Citizen and author of the report. "The question is, if all contributions were disclosed, how many more suspicious cases would be discovered?"

A longstanding poison pill policy rider hidden in the Financial Services and General Government appropriations bill blocks the executive branch from requiring government contractors to disclose their political spending as a prerequisite for a contract, but this new iteration of the EO works around that restriction, requiring the disclosure post-contract award.

Nevertheless, Public Citizen and its allies in the Clean Budget Coalition are leading the fight to remove this legacy rider and dozens of other harmful poison pills from the appropriations process as such measures do not belong in spending bills.

"It is emblematic of the shortcomings of the United States' campaign finance system that it prohibits federal contractors from spending money to influence elections, but does not include a corresponding requirement that contractors disclose payments to organizations that make electioneering expenditures," the report reads.

"This state of affairs provides contractors with a pathway to violate the law (or at least the spirit of the law) with impunity and, at the same time, encourages increased dark money spending, while simultaneously creating public doubt in the contracting process. Instituting a disclosure requirement would offer the public a lens into cases where federal contractors are potentially spending money to influence elections while imposing minimal burdens on contractors, themselves." ■



Graphic courtesy of James Yang.



advocating around the issue of extreme heat on the job since 2011, when we sent a petition to OSHA, urging the organization to create protections for workers exposed to dangerous heat conditions. The National Institute for Occupational Safety and Health first called for regulations to protect workers from extreme heat 50 years ago.

Dangerous heat is faced both by individuals working outdoors as well as in non-ventilated or otherwise unsafe indoor conditions. Environmental heat is likely responsible for at least 170,000 work-related injuries in the U.S. every year, Public Citizen's new report found, which would rank it third among all causes of worker injuries. Heat exposure contributes to between 600 and 2,000 worker fatalities annually, making it one of the top three causes of occupational fatalities and, possibly, the top cause.

Heat conditions are becoming more severe as the climate crisis worsens. The nine years from 2013-2021 were the among the ten hottest years since records were kept in 1888. Extreme heat waves, like the one in the Pacific Northwest in June 2021, occur five times more frequently than they did in 1900.

These high temperatures have created a crisis for workers. The high temperatures create conditions that are conducive to the development of heat exhaustion, heat stroke, rhabdomyolysis, acute kidney injury, and heat syncope. These injuries and others are often fatal.

These harms also often fall along racial lines: casualties from heat are disproportionately borne by agriculture and construction workers, and those who work in high-temperature indoor jobs. These workers are far more likely than average to be poor, Black, or Brown, and to lack safety-net protections such as health insurance or access to workers' compensation. (In 16 states, workers' compensation is not a required provision for employers. Even in states that do require workers compensation, undocumented workers are often an exception.)

While representing only 18% of the U.S. workforce, Hispanics/Latinos represent one third of heat-related fatalities. The lowest-paid 20% of workers suffer five times as many on-the-job injuries as the highest paid 20%.

"The poor working and living conditions for farmworkers reflect both social injustice and racial/eth-

**"The myriad issues facing these workers is inextricably entangled with inhumane and irrational immigration policies. Poor workers should not have to risk their lives while doing their jobs."**

— Juley Fulcher, Public Citizen's worker health and safety advocate

nic injustice," said Juley Fulcher, Public Citizen's worker health and safety advocate and author of the report. "The myriad issues facing these workers is inextricably entangled with inhumane and irrational immigration policies. Poor workers should not have to risk their lives while doing their jobs."

Workers in certain industries are at a higher risk of harm from unsafe heat. Agricultural workers, construction workers, first responders, infrastructure and

utility workers, warehouse workers, and other workers exposed to high-temperature ovens are at heightened risk for harm related to heat. During the June 2021 Pacific Northwest heatwave, Oregon OSHA reported 116 heat-related complaints from June 24 to June 30. Ninety of these reports came from indoor workplaces.

It is OSHA's responsibility to prioritize the safety of all workers. In response to Public Citizen's petition, OSHA began the laborious process of issuing a heat protec-

tion standard in 2021. Given that it takes an average of eight years to establish a permanent standard, however, Public Citizen is calling on OSHA to adopt an Emergency Temporary Standard (ETS).

"Protecting workers couldn't be simpler," said Robert Weissman, president of Public Citizen. "They need water, shade, and rest. But it won't happen unless the government requires it. OSHA needs to act immediately to require employers to take these common-sense steps." ■



Graphic courtesy of Lucas Pastorfield-Li.







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## IN THE SPOTLIGHT

The following are highlights from our recent media coverage.

**Robert Weissman, Public Citizen president**

**On Donald Trump's settlements over 2017 inauguration fund misuse:** *The New York Times*. **On how Congress can provide relief from high oil and drug prices:** *Newsweek*. **On a pair of lawsuits seeking to block the Biden administration from restarting lease sales for oil and gas wells on public land:** *Democracy Now!* **On President Joe Biden's call for increased U.S. aid to Ukraine:** *The New York Times*. **On the fossil fuel industry paying artificially low royalty rates for the use of public lands:** *Politico*. **On Elon Musk blocking Public Citizen on Twitter:** *NBC News*. **On abortion access and *Roe v. Wade*:** *The Dallas Express*, *Law 360*, *Georgia Public Broadcasting Network*. **On rising gas prices:** *Common Dreams*, *The Berkeley Daily Planet*. **On Medicare:** *Common Dreams*, *Detroit Free Press*. **On defense spending:** *Politico*, *Hartford Courant*.

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

**On financial disclosures for judges:** *National Journal Daily*. **On the January 6 Select Committee hearings:** *The New York Times*, *Time*, *USA Today*, *Common Dreams*, *Salon*, *The Real News Network*, *Fulcrum*. **On abortion access and *Roe v. Wade*:** *Newsbreak*.

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

**On the U.S. summit to re-invigorate COVID policy:** *The New York Times*, *News Break*. **On options for reforming medical intellectual property:** *The Financial Times*. **On President Biden's silence on intellectual property at a COVID summit:** *In These Times*. **On drug pricing reform:** *The American Prospect*.

**Melinda St. Louis, Director of Public Citizen's Global Trade Watch**

**On Big Tobacco funding opposition to global COVID vaccine access:** *In These Times*. **On vaccine access:** *Common Dreams*, *Z Magazine*. **On investor-state dispute settlement systems:** *Sierra Magazine*.

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

**On the U.S. Food and Drug Administration's accelerated drug approvals:** *BioPharma Dive*. **On controversial ketamine studies:** *Medscape*.

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

**On a Dallas council ruling requiring public hearings before concrete batch plants are built:** *Green Source DFW*. **On the Texas Commission on Environmental Quality:** *Texas Observer*.

**David Arkush, Managing Director of Public Citizen's Climate Program**

**On banks and the climate crisis:** *American Banker*.

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

**On U.S. Rep. Tony Cardenas' (D-Calif.) payments to his wife's business:** *The Daily Beast*. **On D.C. Mayor Muriel Bowser using tax dollars to send campaign mailers:** *WTOP-FM*. **On Congress members and their families trading stock:** *Yahoo Finance*. **On New Jersey politician LeRoy Jones Jr.:** *New Jersey Herald*. **On cryptocurrency:** *MSN*, *Yahoo News*, *Lawyers, Guns and Money*. **On a Pennsylvania representative's push for more influence over federal election spending:** *Philadelphia Inquirer*. **On U.S. Rep. Madison Cawthorne's (R-N.C.) insider trading scandal with LGBCoin:** *Washington Examiner*.

**Bartlett Naylor, Financial Policy Advocate of Public Citizen's Congress Watch Division**

**On bank regulators crafting rules to increase climate resilience in impoverished areas:** *InsideEPA/Climate Magazine*. **On cryptocurrency:** *American Banker*. **On TikTok ads pushing high-interest loans:** *The New York Post*.

**Public Citizen Litigation Group**

**On the Taco Bell franchise forced arbitration decision:** *Bloomberg Law*. **On a hair loss drug:** *Law 360*. **On the U.S. Securities and Exchange Commission's climate rule:** *E&E News*. **On free trade:** *Common Dreams*.



Heat Wave BY JIM QUINLAN

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. San Francisco'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 Willie Nelson in 1978
- 77. Like Arizona, Nevada, Georgia, Wisconsin, Michigan, and Pennsylvania 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. /

1	2	3	4		5	6	7	8	9		10	11	12	13
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68					69			70		71				
72					73					74				
75					76					77				

- 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 ...

'Desperate: An Epic Battle for Clean Water and Justice in Appalachia'

By Kris Maher; \$28; Scribner

In 2010, an explosion in Massey Energy's Upper Big Branch mine in West Virginia killed 29 miners, leading to a federal criminal and civil enforcement actions against the corporation and the prosecution and conviction of its CEO, Don Blankenship.

"Desperate" by Kris Maher tells the story of a different battle against the West Virginia coal giant and its infamous chief executive, one that begins six years prior to the explosion. Maher, a Wall Street Journal reporter, tells the story of environmental lawyer Kevin Thompson's class-action lawsuit against Massey in documentary detail. The case alleges Massey illegally polluted Rawl, West Virginia's drinking water by

injecting over a billion gallons of toxic sludge leftover from coal processing into abandoned mines – and that the polluted drinking water created a public health crisis for the people of Rawl.

Maher's compelling corporate crime procedural details how Thompson and his ragtag associates, in the process of litigating the seven-year case, faced down one challenge after another, from a judge with conflicts of interest and business dealings that undermined his impartiality to the corporate defense firm's relentless lack of cooperation and withholding of evidence to credible threats of physical violence and sabotage. Along the way, readers come to appreciate the grit and tenacity that are essential for winning any degree of accountability from even the most egregious of corporate polluters. Thompson's

stubborn tenacity and refusal to back down in the face of enormous setbacks can make a reader think maybe even Sisyphus can win sometimes.

Of course, in facing such odds, the notion of winning takes on a bittersweet note. I won't spoil the end, but I don't think it should come as a surprise to anyone that even when things work out relatively well, they don't necessarily work out in a way that's entirely satisfactory for everyone – certainly not Thompson himself, nor for many of his more than 500 clients from West Virginia's "Forgotten Communities."

Many who were poisoned by toxic water died before they saw a cent of settlement money. Blankenship, who pleaded not guilty to charges related to the Upper Big Branch explosion and maintained his innocence, served a year in prison – and emerged still a very rich man with serious

political clout in the early Trump years.

Maher's insightful historic research shows these communities have been struggling against corrupt and powerful interests for as long as they've existed, and that subsequent events, in particular the opioid epidemic, have made things worse. Nevertheless, there is hope in this unflinching and meticulous examination of this case. It shows that corporations and executives can be held accountable even against long odds and a system that too often allows powerful interests to operate above the law. And it shows that working to fix this system – to strengthen the power of communities to hold the powerful accountable – can have lasting material benefits, even for those who believe themselves forgotten. ■ – Rick Claypool

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



# San Antonio's Energy Policy

BY JOSÉ MEDINA

San Antonio is the fastest-growing city in the country. With that rapid growth comes increasing energy demand. The advocates who call this growing city home are pushing for energy policies that will protect public health and address the climate crisis.

Much of Public Citizen's work in San Antonio is connected to the city's electric utility, CPS Energy. In recent months, CPS Energy has approved a vital energy efficiency program and taken an initial step in securing large-scale solar electricity generating capacity. The utility still must decide what it will do with one of the newest coal-burning power plants operating in the country.

San Antonians received some good news in mid-June

when the city council voted to extend the Save for Tomorrow Energy Plan (STEP). Due to expire in July, the program has provided essential incentives for residents to weatherize their homes, purchase energy-efficient appliances, and more. While the city council should have adopted a more ambitious version of STEP with more funding, the news was welcomed by Public Citizen and its partners.

It was not lost on advocates that the STEP extension vote occurred during a brutal and dangerous climate-fueled heat wave that set new records for electricity demand in the Lone Star State.

"This heat wave is exactly why energy efficiency programs like STEP are critical to addressing our increasing need for electricity,"

said DeeDee Belmares, Public Citizen's climate justice organizer in San Antonio. "While the city council should have approved a more ambitious version of STEP with increased funding to reach even more San Antonians, this program will help secure our city's energy future."

A few weeks earlier, CPS Energy also made an important announcement that would provide more renewable energy to San Antonians.

In late May, CPS Energy officials announced that the utility would add 300 megawatts of utility-scale solar generating capacity as part of its FlexPOWER Bundle initiative. The announcement partially fulfills CPS Energy's pledge to add 900 megawatts of solar power.

The utility still must follow through on its pledge to add 50 megawatts of battery storage capacity. Still, this announcement, combined with the renewal of STEP, helps put San Antonio on a path toward a cleaner and more sustainable future.

"This first step in the utility meeting its commitment to replace some fossil fuel-generated electricity with a clean and renewable energy source like solar is good for the air we breathe, and it also helps address the urgent climate crisis," Belmares added.

But CPS Energy has yet to make significant progress or specific commitments on the future of what remains a blight on San Antonio and a threat to public health: the Spruce coal plant.

The plant was the subject of a town hall held in April that was

attended by the interim CEO of CPS Energy, Ruddy Garza, marking the first time the utility's chief executive joined advocates at a community meeting.

Though Garza did not make any specific commitments about the future of Spruce, he expressed a willingness to listen to advocates and the community.

"The job that we do for the community is important ... We're trying to listen," Garza told the town hall. "We're trying to engage differently; I'm here. We may not always agree on a solution or an outcome, but I certainly want to listen and present our board with unsolicited feedback we get from the community so they can make informed decisions."

Public Citizen will continue to call on CPS Energy and San Antonio city leaders to shut down Spruce. Decommissioning this harmful polluting plant is necessary to secure a healthy environment and a sustainable energy future for this booming city. ■



Photo of Spruce coal plant courtesy of San Antonio Climate Action Coalition.

## Crossword Answers



## IN THE NEXT ISSUE...

Public Citizen releases a report on private equity.

# Charitable Gift Annuity

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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

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