

RALPH NADER RADIO HOUR EP 350 TRANSCRIPT

Steve Skrovan: It's the *Ralph Nader Radio Hour*.

[Music] Stand up, stand up, you've been sitting way too long.

Steve Skrovan: Welcome to the *Ralph Nader Radio Hour*. My name is Steve Skrovan along with my co-host David Feldman who, according to Pfizer, has been declared 90% ineffective. I'm sorry to hear that, David.

David Feldman: Yeah, well, I may get a job in the Biden administration though.

Steve Skrovan: Yes. [chuckles] And we have the man of the hour, Ralph Nader. Hello, Ralph.

Ralph Nader: Hello. This is really a useful show, listeners.

Steve Skrovan: Yeah, before we get to the body of that show, we're going to start off today with some commentary about the news about Pfizer and Moderna, how their highly successful COVID-19 vaccine tests came in. And this seems like very positive news. But let's pause for a moment and take a closer look. What do you think, Ralph?

Ralph Nader: Well, it was a press release by the two drug companies puffing up their vaccine without releasing any data. And it pushed up Pfizer's stock a little bit and then it fell back. But the physicians at the Health Research Group [HRG] of Public Citizen criticized it on their website. You can go see it; it's pretty brief [at] citizen.org. And they criticized it, not only because there wasn't any data behind a puffing 95% assertion, but they didn't distinguish between moderate cases, serious cases, and how much actually it prevented hospitalization and fatalities. So, take that 95% with a grain of salt as just advertising puffing by two drug companies.

It's unfortunate that most of the media, Steve and David, just swallowed it whole and kept repeating it and repeating it, repeating it uncritically even though Public Citizen sent their statement out [to] everybody in the media and it didn't make much difference except it was pointed out in *the Wall Street Journal* and a couple other publications.

Steve Skrovan: And I did notice that Sanjay Gupta, CNN did say, "Well, we haven't seen the data yet." He did mention that but it wasn't really something I don't think would land because we're in the land of wishful thinking now and we just all want it to be so true.

Ralph Nader: That's true. The other point I want to make to our listeners, we're now in the enrollment period for Medicare. So, people who want to join Medicare have until, I think the end of the first week in December to enroll. Watch out for Medicare Advantage. That is a corporate-dominated Trojan horse that now has lured one out of every three elderly Americans into the plan. And it's basically a corporate insurance plan boring and undermining traditional Medicare. As Dr. Dr. Fred Hyde, who knows what he's talking about, he's both a physician and a lawyer in Connecticut, said to me about Medicare Advantage, "It's not what you pay; it's what you get in the fine print. They lure you with all kinds of benefits, but people have found out the hard way that when they have a serious procedure in a hospital, they have to bicker a lot more with Medicare Advantage than with the traditional Medicare."

So even though Medicare has been forced to include Medicare Advantage in its big manual that it sends you every year, because of the health insurance company's influence in Congress, both Democrats and Republicans, be very aware of this. Go to groups like Consumer Reports where you can get more information about the kind of choice you want to make.

Steve Skrovan: And listen to our show from Fred Hyde. Put Fred Hyde or Medicare Advantage in our search engine and you'll get the real story. And don't listen to Joe Namath whose commercials blanket the cable airwaves hawking Medicare Advantage.

Ralph Nader: It's really Medicare "disadvantage."

Steve Skrovan: It's no advantage at all, right. Well, thank you for that, Ralph. Now we're going to get to the main part of our show, which I'm very excited about, because our first guess, Katie Fahey, has never considered herself a political person. But four years ago, in 2016, at the age of 26, mind you, she posted on Facebook her desire to end Michigan's gerrymandering after she noticed one of the districts was shaped like a weightlifter flexing his biceps. And this sparked a movement. With the help of 14,000 volunteers, she succeeded in creating an independent redistricting commission to draw fair boundaries for 2022. There are still so many states that are gerrymandered in bizarre ways that enable the politicians to pick the voters rather than the voters picking the politicians. For instance, the districts in Wisconsin are so distorted the Republicans can win 67% of House seats even when they only win 48% of the vote. That's why Ms. Fahey founded the organization, The People, which seeks to create a more representative democracy. And she's featured prominently in a documentary about gerrymandering called *Slay the Dragon*. Today we'll find out if Ms. Fahey thinks it's likely courts will decide in favor of nonpartisan commissions to draw the districts instead of legislatures.

Our second guest is old friend and Director of FlyersRights, Paul Hudson. This week the FAA lifted its ban on the infamous Boeing 737 Max after two crashes claimed the lives of 346 passengers including Ralph's grandniece Samya Stumo. We've been monitoring the story since the beginning and Ralph has been advocating to "Axe the Max." We'll tell you more about that later. The plane may be approved to start flying again but will the public be willing to board? We've invited Paul Hudson back to tell us how Boeing and the Federal Aviation Administration, even after they pledged to be fully transparent, continue to keep their documents and testing secret.

In between, we will as always, take some time to check in with our corporate crime reporter, Russell Mokhiber. But first, let's find out how to slay a dragon. David?

David Feldman: Katie Fahey served as founder and Executive Director of Voters Not Politicians, a grassroots nonpartisan campaign that ran a successful effort to end gerrymandering in Michigan. Now Ms. Fahey is Executive Director of The People, a nonprofit organization committed to sharing the lessons learned in her home state. The People gathers and empowers everyday Americans to find common ground and take action to create a more responsive government of, by, and for the people. Welcome to the *Ralph Nader Radio Hour*, the pride of Aquinas College, Katie Fahey.

Katie Fahey: Hello and thank you so much for having me.

Ralph Nader: Welcome indeed. Our listeners should know that you're going to hear about a real success story starting out just the way it should with a few people and grassroots power in Michigan. And it's very replicable to your state if your state is gerrymandered by the dominant political party in your area. It all started with a meeting of fed-up people in Washington from nine states and they were left/right. They included Frank Luntz, the linguistic genius behind the messaging of the Republican Party. And I think what brought them together was, you know, enough is enough, we got some common ground here and it doesn't matter what your political background is, you're pretty fed up with the way the politicians are behaving. Now we have gerrymandering in many states and it's quite clear that both parties engage in it, but in the last 10 years, the Republicans have far outpaced the Democrats in state after state which, in effect, secures them safe seats. That's the purpose of gerrymandering. It torpedoes a competitive democracy even a two-party competition. So, Katie started this effort in Michigan in a very, very small way and we're going to hear exactly how. But the important thing is that it begins the end of politicians picking the voters with these precision computer maps contracted out to political consultants whose names we seem never to be told in the press. And there are only a few states now that have nonprofit, nonpartisan commissions to do it. I think California is one of the more recent ones. Iowa has had it for years. But most states are still mired in this noncompetitive autocracy dominated by one party that happens to control the state government. So, we come now to Michigan, which is your home state, Katie. Tell us how you got it underway.

Katie Fahey: Well, it all started with a Facebook post actually. I was . . . after the 2016 election, I had seen a lot of my friends and family for the first time really getting excited about politics. And even though they were voting for different people, what I was hearing that people had in common was they were just frustrated with the political system. They wanted a political revolution; they wanted to drain the swamp; they wanted accountability from their elected officials. And I thought maybe there's a way we could try to start getting that accountability but by focusing on actually changing the way our politicians are elected so that they are forced to be more accountable to us, so that our votes are more threatening in a way. So, if we don't like what's happening, we can vote people out or if we do like what's happening, we can keep people voted in. So, I made a Facebook post not thinking it would lead to anything, especially not amending the state constitution. So, I said, hey, I want to end gerrymandering in Michigan, if you want to help, let me know, smiley face. And it worked. And once I checked my social media and saw that there were actually hundreds of other people who were really excited to get involved, many of which I had never met saying things like, "You know, I've cared about gerrymandering for a long time; it's made me mad. I didn't actually know there was anything that we could do about it. Let me know how I can help." And really it got started from there, from just a bunch of internet strangers meeting and figuring out, okay, how are we going to end gerrymandering here Michigan.

Ralph Nader: To whet our listeners appetite about how important a task you undertook and how it can replicate in other states. Tell us how, for example, when you have a gerrymandered state and you have one party dominating with safe elections, how does it affect the integrity of the election process and how does it lead to voter suppression laws?

Katie Fahey: So, gerrymandering allows politicians to basically draw these election maps and figure out what voters do they want for 10 years at a time. So, they pretty much can guarantee that even if they lose the popular argument, even if there's a wave election for, let's say, a Republicans gerrymandering, if there's a Democrat wave election, they're going to still stay in office anyway.

This is what you'd see in Michigan or vice versa. If Democrat gerrymandered then even if a Republican wave election happens, they're going to keep their seat. And what that means is, they're less afraid of making their voters mad, because they know that their voters are much more likely to vote for them and their party than the other party and that they've guaranteed at least, you know, 51% of all the people who are going to vote are going to vote that way. So, when in office, they start thinking about well, how are we going to make sure that we can guarantee the types of voters we like and continue to show up and the types of voters we don't like, the people who voted a different way, don't show up. So, in states like North Carolina, you saw egregious things happening, decreasing the days that you could register to vote. They actually used to have education for helping make sure that students know how to register to vote. They got rid of that as one of the laws; adding voter ID laws when there wasn't any evidence that there was a lot of voter fraud going on specifically targeting communities where they knew that you were probably going to have more Democrat voters and how can we make sure that less of them, even if they do show up to vote, won't be eligible anymore. And unfortunately, I know that sounds really cynical, but when politicians are getting into office and looking at politics just as a game and not as something to actually deliver results for the people, they stop thinking about the impact that those types of decisions will have on people. And it led to, not only hundreds, but actually thousands of people getting disenfranchised and making it harder for them to vote.

Ralph Nader: And the way it works is so undemocratic. You point out that gerrymandering was particularly successful in places like Florida, Ohio, North Carolina, Wisconsin. In Pennsylvania, I understand that gerrymandering was so effective for the dominant Republicans at the time in 2010 and on when they did the gerrymandering, that you had a majority of votes for members in Congress were Democrats but a majority of the members of Congress from Pennsylvania were Republicans. See how gerrymandering works? Very undemocratic. Okay, so you start the ball rolling in Michigan and you're going for a statewide referendum, I take it, so how many petitioners and how many signatures do you have to get?

Katie Fahey: Yeah, and Ralph, Pennsylvania is a great example. I'll just mention really quickly, too, in Michigan, our state legislature is so gerrymandered that really for the last 10 years, even though pretty consistently more Democrats, over 50% have voted for Democrats, we've had a super majority in our state house and our state senate with Republicans. And so at one point, we even had a Republican governor and he had to act as the moderate because he was just saying, you know, the bills you're trying to pass don't resonate with the people who live here when you had, like, the other side, the Republicans basically, didn't even have to talk to a single Democrat to pass anything that they wanted.

Ralph Nader: That can disillusion a lot of voters that say, "What's going on here? You know, we get a majority but it's not a supermajority; who says it has to be a supermajority?" Well that's how gerrymandering rigs the system. How do you get petitioners, how many signatures do you have to get, by the way, to get on the ballot as a referendum in Michigan?

Katie Fahey: Yes, so it changes every cycle based on how many people showed up in the previous election. But for us, for qualifying for the 2018 ballot, we needed to gather 315,654 registered Michigan voter signatures in a 180 days.

Ralph Nader: And how did you do it--on the ground, on street corners, at shopping malls or over the internet? How'd you get those number of voters?

Katie Fahey: Yes, unfortunately every single signature had to be gathered in person. And that was actually really confusing for folks, because there's a lot of online petitions that get sent around, but those do not have your official signature and at least in Michigan, they do not count at all for an official ballot proposal. But for us, when we first launched this idea, we started as a Facebook group and then you have to write constitutional language before you can start gathering signatures to say hey, we want people to vote on this language. When we did that, even though we had a lot of us online who were already really motivated, I really wanted to make sure that because this would be changing our [state] constitution, as many people in Michigan as possible got a say in what they wanted the system to look like. You know, did they like that politicians drew the lines? And if they didn't like that who, should draw the lines and what should their qualifications be? So, we actually held 33 town halls in 33 days. In Michigan we have 14 congressional districts. We went to each district at least twice. And what was really amazing is it was standing room only in almost every single one of these town hall meetings. And we asked people, you know, how do you want the lines to be drawn? What should the process be? What should the criteria be? How has gerrymandering impacted your own local community and what does that look like? And throughout that process we were able to gather attention from a lot of people, and so by the time we had written the constitutional language to gather the signatures, we had about 6,000 people volunteering every single day. So, when we did the math, we thought if we have a couple thousand who each gather, like 15 to 20 signatures a week, we should be able to meet that goal, even though it seemed really impossible.

Ralph Nader: And what year was this?

Katie Fahey: We would have been gathering signatures in 2018, maybe 2017.

Ralph Nader: And did the secretary of state oppose you, because in my experience, when petitioners try to get candidates on the ballot and the secretary of state doesn't want a competitive small party, they pick at the signatures. They say well, this person didn't have the right middle initial; this person didn't have junior after their signature. Did they do that to you or did they leave you alone?

Katie Fahey: Well, yeah. I mean, even before we got started, what you heard from all the political pundits who were doing media, what you heard from people commenting from the government was basically . . . in Michigan it's extremely rare to not pay for petitions and be successful in getting onto the ballot, because the timeframe is so tight and because there are so many signatures required. And as we started gathering, I mean, we just saw so much success whether in a really deep red or a really deep blue community, people are so frustrated with the current system, they couldn't wait to sign. So, we actually were able to turn in our signatures 70 days early and we needed 315,000; we ended up turning it over 428,000.

Ralph Nader: And you had good media coverage?

Katie Fahey: We did, actually. I think because of the personal interest story part of it. We were letting people know how many signatures we were gathering. And so, one of the questions you asked earlier, we were everywhere. It was right before Thanksgiving and we had actually talked

to workers, the sanitation workers, at the rest stops in Michigan. We have a pretty big highway system. We asked them which ones are the most popular during Thanksgiving, which is one of the days that's traveled most, and we had people set up booths basically at the little highway rest stops so that they could gather signatures there. We were outside of post offices and we were at street fairs, carnivals; there was a tractor pulling contest in Northern Michigan; we went to that, and a Cheeseburger Festival; we were there.

Ralph Nader: I take you had petitioners who were self-described Republicans, Democrats, Independents, Green Party, Libertarian, right?

Katie Fahey: Yes, 100%. What was really cool, one of my favorite stories is we had these sisters. One was a Democrat, one an Independent, and one a Republican, and they said they have never ever been able to work on a political campaign together, and this is the first one that they could, because they were all in agreement, and they were so thankful for an opportunity that was nonpartisan.

Ralph Nader: Okay, you get all the signatures, you file them with the secretary of state, and when did you get this referendum on the ballot before we talk about what the referendum says?

Katie Fahey: Well, there was a lawsuit brought against us actually by some of those consultants you were mentioning earlier, who had actually done the gerrymandering for the previous three decades in Michigan--one of whose wife had worked for four of the supreme court justices in Michigan. So, it wasn't looking very favorable that they would rule our way and thankfully they ended up not doing that. But it definitely threw things as a citizen trying to, you know, you think you did everything right, you gathered all the signatures, you have thousands of people who have shown up, and we're just so excited to go and talk to voters about what the heck will an Independent Citizens Commission mean for Michigan and then we have this huge lawsuit, and thankfully we won. There's a really great judge who, even though she got political pressure put against her to vote against us, voted to keep us on, because our state constitution guarantees citizens the right to petition their government, we were able to do that. And then, yeah, we were going into the 2018 election and we knew we needed to talk to probably at least 2.5 million people and get them to vote yes on this proposal.

Ralph Nader: What percent of the vote did you get?

Katie Fahey: We ended up getting over 61% of the vote.

Ralph Nader: Was there vigorous opposition?

Katie Fahey: There was. Again, kind of from the folks who had been gerrymandering for a long time. Betsy DeVos, is our Secretary of Education in the United States right now, and her family is from Grand Rapids where I live in Michigan. And they pretty much have controlled redistricting in Michigan. They were the ones paying for those maps to be drawn. And they came out two weeks before the election dropped \$6 million all with misinformation campaigns. We actually got some of the ads taken down, because they were so egregious in their lies, but it was so close to the end of the election it was difficult to get all of them taken down.

Ralph Nader: And how did you raise your money?

Katie Fahey: Well, for the first year and a half, it was all individual citizens. Even to print the petitions, it cost \$40,000. And so, we were just honest about that. We said, you know, with how many of us there are right now, if each of us find four people to give \$10, we can pay for our petitions and we can pay for a lawyer. And we struggled to do that. And then at the very end, I think we had finally proven... we got through the lawsuit; we got through gathering the petitions. And thankfully some millionaires, I guess, were able to give us some substantial dollars so that we could get the commercials up. Because with issue campaigns, the problem isn't necessarily that people don't want it, it's just a lot of people don't even know what it is. Like, they aren't sure what gerrymandering is and then to tell them well, here's what gerrymandering is, and there's a solution to end it; it just takes getting the information in front of people. And if you can do that, you can be successful, but it takes a lot of money to do that.

Ralph Nader: They spent \$6 million against you. How much did you have to spend to win the election with over 60% of vote?

Katie Fahey: We ended up raising over \$16 million, which was really exciting. But literally, we had raised I think two and a half million of that for the first year and a half of the campaign and then we got the rest at the very end.

Ralph Nader: And were the newspapers editorializing in your favor and radio, TV, or they just covered your activities?

Katie Fahey: Yeah, in the beginning I would say they actually greatly opposed us, I think because we were so different than most campaigns. Most issue campaigns come in with special interests, who are trying to pass a law and they want to use the ballot initiative process. And we were just regular citizens, so I think they just . . . they didn't believe it in a lot of ways. They were like what are you talking about a Facebook post and what are you talking about the Democrats and Republicans actually agree on stuff? And by the end though, especially the political reporters have seen just how much gerrymandering has impacted the state legislature and the types of laws that get written, we had a ton of editorial boards that all endorsed our proposal.

Ralph Nader: And what was the nature of the reform? I know our listeners have been saying what is this all about? How did you replace gerrymandering exactly, with some nonpartisan commission?

Katie Fahey: Yes, yeah. So, an Independent Citizens Redistricting Commission. And there's three big parts of changing redistricting. So, one is who is going to draw the lines. And we have an independent commission with basically random Michigan citizens. They can't be registered lobbyists; they can't have their paycheck directly tied to a political outcome in our state, but making sure there were at least four Democrats, four Republicans, and five Independent or third-party or Green Libertarian Party voters on that commission. They also have to vote. At least two of them have to agree on all the maps. One of the biggest things is the transparency around the process. All of the data that's used, every single map that's created, every single conversation this commission has, all is public record for the very first time. And one of the big problems with gerrymandering is you don't know why the lines were drawn the way they were, because the parties will work with those consultants who literally will hire lawyers so that they don't have to talk about what and why they're drawing these lines even though they impact us voters.

Ralph Nader: Did any of the elected representatives in the Lansing State Legislature and in Congress from Michigan support you?

Katie Fahey: For the most part, no. In the very beginning we had strong support from both Democrats and Republicans, but as the election got closer, we kind of heard silence there. There was one congressman who didn't end up saying anything as opposed to all the other Republican congressmen, which was Justin Amash. And he just stayed out of it. And when he did press you could see that he was even mentioning, you know. He votes on airline regulation. That's an example yet with the way that's gerrymandered; he technically only represents half of an airport, because they drew the line right in the middle of an airport. But that was actually helpful even though he didn't fully endorse the campaign. We did have some local state level Republicans and Democrats who did.

Ralph Nader: Okay, so the commission is established and has it had any effect so far? It's sort of early, but has it had any desired effect on who gets elected and who is able to run?

Katie Fahey: Yeah, they just started. So, the new lines have to be drawn by the end of 2021, so next year, I guess technically, so that they can be put into place for the 2022 election. We had just under 10,000 people apply to be those commissioners, which is really exciting since this is the first time ever that Michiganders can even attempt to apply. And you can actually follow their progress on the Michigan Secretary of State website, and I highly suggest to even just watch the first meeting, or the *Detroit News* has written a great article on some of the commissioners and we keep hearing why, whether they're Democrat, Republican, Independent, or third-party voter, they are there because they want the system to have integrity. And they're there because they want to do their civic duty and make sure that we can have a process we can trust. And even though many of them have never done anything even remotely political before, they felt compelled to serve in that way and that's exactly who we were hoping would apply for this--people who just want to serve with integrity and make sure voters' voices are heard.

Ralph Nader: We've been talking with Katie Fahey, Executive Director of an organization, properly called The People. Before I ask the next question, Katie, how can people reach you? What's your website?

Katie Fahey: thepeople.org. We're also on all the social media platforms as well so, if you just find thepeople.org we'll be able to connect there.

Ralph Nader: And after you won and it was publicized, did any citizens, like you, in other states and say "Hey, we want to do the same thing, come teach us?"

Katie Fahey: Yeah, that was one of the coolest parts. When we first started, a lot of people kind of laughed. They said, you know, regular citizens even if they seem excited right now, it's probably going to die out, or just because you have people online doesn't mean they're actually going to mobilize in person. And we got a lot of skepticism and that stuck with me. I was really disappointed that if you had several hundred people showing up to your organization saying, "Hey, we see you want to end gerrymandering, can we help?" just to have the doors slammed in our faces really, I wasn't expecting it to be honest. And so, as we were starting to get attention; people were reaching out from all over: from Nebraska, from North Dakota, from Oklahoma, from Oregon, all saying "I have a similar thing. I didn't know there was anything we could do about gerrymandering. I've

known about it and cared about it for a long time, can you help?" But in the middle of the campaign, I was like, well, I'd love to help, I just don't know if we're doing it right, because we haven't been successful yet, but give me a second. And so as soon as the election was done, me as well as a bunch of people who had helped in Michigan, wanted to pay it forward and be able to help people figure out what's the right solution in their state.

Ralph Nader: And one problem is a lot of states don't have the statewide referendum system. I mean, a lot of the western states have, but if you don't have it, you have to go to the state legislature and, you know, good luck to get a nonpartisan independent commission. So, this really doesn't take effect until next year, is that right?

Katie Fahey: Yes, yeah. And, yeah, about half the states have a citizen-led ballot-initiative process. And the other half though, the one thing I would just emphasize that I think is important to think about actually because this process is about to be done again--since the legislature has to draw the lines, in almost every state, they do have some type of required public hearing or at least a committee meeting where people could attend to give comments. And people showing up to those meetings, and one, advocating for a different way to draw the lines whether it's an independent commission or advocating for a certain criterion, like we want to have the guarantee that this won't disproportionately advantage one party over the other. Or the second thing that people can do is even just talk about your own community and talk about, you know, hey, I live in this city that's actually in three different congressional districts and my school district is actually in two different districts, which means if I have an issue, I have to go try and talk and get it before three different politicians working for me. Because that becomes public record, if a lawsuit is later brought saying that that state did gerrymander their maps, either racially or politically, that can be really critical evidence where the legislature has to actually account for why they ignored the will of the people. So, it's kind of a little more convoluted and takes a little bit longer, but it is actually really important that people have their voices heard during the process.

Ralph Nader: Where did you get your drive? You must have been at certain points discouraged or obstructed by the opposing forces and you persisted. Where did you get your drive?

Katie Fahey: Yeah, I think there was a couple of places; I mean, one was there are so many issues I care about that I feel like aren't being seriously addressed by our legislature both here in Michigan but also in the country. One in particular . . . my background is actually in environmental-sustainable business to environmental social-oriented business practices. And even when a majority of people in community really want something to happen, when you have a gerrymandered legislature, they can just ignore it, or they can listen to special interests who are paying them more money to not have them listen to their voters. And I'm just, kind of, thinking if we don't change this process, we're going to be faced with another 10 years of gerrymandering--another 10 years of a legislature that's going to ignore the will of people. So even if I failed, at worst, we'd just have the status quo. Even if maybe I look silly or whatever, so I think that was part of the motivation is just, like, it's really bad right now and I really want to be able to look forward.

Ralph Nader: In Michigan, the state legislature years ago obstructed people in Michigan who suffered from wrongful injuries due to defective products like defective automobiles or some defective home appliance or some flammable fabric. And they made Michigan, one of the worst states to try to get justice in courts under the product liability laws against the culpable

manufacturers, and the trial lawyers basically stopped filing a lot of these suits; they gave up. And even though they have an economic incentive, Katie, to get a statewide referendum, they never pulled it off. The trial lawyers never pulled it off. And you pulled it off! I hope you have some interest in opening the courtroom door to all the seriously, wrongfully injured people who need to have their day in court to get adequate compensation for their injuries and to deter unsafe manufacturing processes. Are you thinking of another statewide referendum?

Katie Fahey: Well, I really tried to help . . . and one of the things that I think also motivated me was around the Flint water crisis, which I think is really similar. There was just a huge lack of accountability from our government even though there was clearly wrongdoing and death associated with government decisions. Voters Not Politicians, the organization that championed and won our ballot initiative, still remains strong in Michigan. They're definitely looking at other issues to address, I think, especially around systemic democracy reform, i.e., what are the other ways that we can really try and make sure that our election laws and our governing laws actually reflect the will of the people or help make sure people have power. And I'm really focused, too, on how do we help people across the country do that; how do we help make it easier for people to fight because these fights are really hard. I mean, we were successful, which was amazing. But it took literally thousands of people, millions of dollars, and a ton of determination for us to do that. So, we want to share the tools that we built, the connections that we made, also the best practices that we used, and pay it forward to folks across the country.

Ralph Nader: Well, I would think some political science professors would be very interested in writing about how you pulled this off. They've been writing books like how democracies die, and democracy in chains, and we've had some of the authors on our program. But they often don't really get down to the grassroots to see how democracy can be revived and restored. Before we run out of time, I want to get Steve and David in on this.

Steve Skrovan: Yeah, Katie, this is such an inspiring story. And I noticed in your bio information that you have a background in improvisational comedy. You wouldn't notice from this show, but that's with David and I do, too. We're both comedy writers who have a background in stand up. So, I wanted to know what about that experience and training helped you as an activist; how did those skills translate? I mean, you do a town hall and so you're putting out a show, right?

Katie Fahey: It really is. One of the things I had to break right away was being able to react to the "audience" and the people listening because I often could make a quick joke but it would, kind of, have a partisan lean even though I was acting very nonpartisan, so I had to kind of cut that out. And I know not everybody has done improv but something with improv is that you are making up everything on the spot. You are in front of hundreds or thousands of people and you really have to trust the other people that you're on a stage with. And one of the things that you learn is a phrase called "yes, and. . ." that you're always, no matter what the other person next to you says, you're supposed to go with it and accept it and kind of say, like, okay, we're going to be astronauts on the moon or whatever it is. And there were so many reasons that we were supposed to fail; there were so many obstacles thrown against us. We had a board of state canvasser that has to approve your petition and they had delayed us 54 days when normally this was a process that took 48 hours [along with] the opposition money, the lies that were put out, again, having to raise enough money. And I think the attitude of, like, "okay, yes, and", like, we are going to at least try. Nothing ever felt like it was impossible or at least that we couldn't try, and I always figured if we try and try and

try and, again, if we fail at the end of the day, okay, we failed, but we've got to at least try. And what I realized pretty quickly is not everybody is built that way. There's a lot of people who let that fear of failure get in the way, and I think improv or comedy, you're not going to have a great set every single time. You're not going to get the audience to laugh even if you think they're hilarious every time. Being okay with that, I think was really instrumental to, kind of the threat that it poses to people.

Steve Skrovan: That's great. That makes so much sense.

Ralph Nader: You know Katie, I listened to you being interviewed by Michel Martin on NPR, and something was very, very compelling that you said, and I want to quote it. You said "We live in communities. Our neighbors could be Democrats, Republicans, Independents, people who vote [or] people who don't vote, but we all care about our local community--our water, our schools, our safety, our ability to make a livelihood, and that's the last thing politicians are thinking about when they're drawing these lines" meaning the gerrymandering lines. Any last things you want to tell our listeners who by now are exhibiting symptoms of enthusiasm?

Katie Fahey: [laughter] I do think that all of us probably have so many things that we care about and it can feel really overwhelming to figure out where is the best place that you can put probably the little energy you have on top of everything else going on in your life. But I just want to emphasize that in years ending in zero, 2020, redistricting is going to happen whether we like it or not. And it is going to impact - these election maps are going to be drawn this year and are going to be stuck in place until 2031. So, anything you can do to try and make that process more fair, more transparent, make sure that your voice is at least being heard, has such a higher chance of having an impact that will guarantee future generations of voters have more equitable elections, I would just say it is so worth the investment. And if you're looking for any way to do that, there are so many places that can help, but thepeople.org is one of those places. And you won't regret it, too. It seems a little wonky; it can sometimes be hard to happen to something you know about, yet you haven't been in the process. But it will be worth it and I do think your community deserves it.

Ralph Nader: And Katie, I assume that The People, the organization that you head, that people can go to thepeople.org [and] you're willing to help people from all over the country, so if some of our listeners and others contact you and say can you give us some advice, you'll be perfectly willing to do that I take it?

Katie Fahey: Yes, 100%. We focus on helping people figure out their path to action as well as connecting you to other people where you live who also care about it.

Ralph Nader: Well, Democrats in the November election certainly didn't help much. They didn't flip one Republican legislature. And the Republicans really are far ahead and more diabolical in the way they pressed gerrymandering shamelessly and with great precision. So, when a majority of voters are from other parties against the Republicans, voters end up with more state and congressional legislators going to their institutions. And it's really quite a remarkable difference in political energy in the last two years between the Republicans and Democrats. Well, we're out of time. Thank you very much, Katie Fahey. People go to thepeople.org for more information. Great story. I hope the national press covers you more and more.

Katie Fahey: Thank you so much.

Steve Skrovan: We have been speaking with founder of The People, Katie Fahey. We will link to The People's website at ralphnaderradiohour.com. Let's take a short break. When we return, we're going to talk to an old friend and Director of Flyer's Rights, Paul Hudson. But first, let's check in with our corporate crime reporter, Russell Mokhiber.

Russell Mokhiber: From the National Press Building in Washington, D.C., this is your Corporate Crime Reporter Morning Minute for Friday, November 20, 2020. I'm Russell Mokhiber.

Congressman Jamie Raskin is calling on the Department of Justice to publicly release its corporate crime settlements database. In an August 2020 letter to Attorney General William Barr, Raskin requested that the list of all corporate deferred non-prosecution agreements be made public. Now, almost three months later, Raskin has yet to get the list from the Department. "I have asked the Department for a full public accounting of all non-prosecution and deferred prosecution agreements entered into by the Department of Justice with corporate criminal defendants. I trust and believe that the Department is working in good faith to provide me that information, and I look forward to a prompt, full accounting." For the Corporate Crime Reporter, I'm Russell Mokhiber.

Steve Skrovan: Thank you, Russell. Welcome back to the *Ralph Nader Radio Hour*. I'm Steve Skrovan along with David Feldman and Ralph. The two Boeing 737 Max crashes in 2018 and 2019 killed 346 people and marked the end of the Federal Aviation Administration's "Gold Standard" for safety. This is according to our next guest Paul Hudson. Why do the FAA and Boeing continue to keep their documents and testing secret even after they pledged to be fully transparent? We'll dive into the latest about the Boeing 737 Max with Mr. Hudson. David?

David Feldman: Paul Hudson has been a groundbreaking public interest advocate for over 30 years: In the 1970s in energy and utility policy, in the 1980s for crime victim rights, in the 1990s to 2012 for air travelers and terrorist victims. He led the Pan Am 103/Lockerbite bombing victim family organization and the Aviation Consumer Action Project. Today he is the President of Flyers Rights, which is keeping on top of the Boeing 737 Max story. Welcome back to the *Ralph Nader Radio Hour*, Paul Hudson.

Paul Hudson: Thank you for having me.

Ralph Nader: Welcome, Paul. FlyersRights is the leading airline passenger consumer advocacy group. Paul is on the FAA Advisory Committee and he has filed litigation; he has testified before Congress. And you know, Paul, the families, the grieving families have called for a consumer boycott of this plane. The FAA has just announced its ungrounding. It may be in the air as early as late December according to American Airlines; Southwest, said maybe in the spring and the fall. And we have supported this consumer boycott. The families have been tremendously resilient and organized and stalwart to try to make sure this doesn't happen to anybody else in the future--the millions and millions of people who will find themselves flying this 737 Max around the world.

So, anybody who wants to help us in this respect, go to nader.org [where] you'll see how to obtain buttons with the message "Axe the Max." "Axe the Max" [buttons were] designed by Philadelphia Artist, Mr. Fish. And if you get those buttons, you can do two things. You can put them on your lapel or on your hat and it will start discussions. People say what is that and you'll start healthy civic discussions about aviation safety and supporting FlyersRights. And the second is you can

take a picture of it on your lapel, hence, put it up on your Facebook or other internet accounts to reach many more people. That's the one thing the patsy FAA and the arrogant Boeing Corporation cannot stop us from doing. They can influence Congress and they can influence the FAA and the Department of Transportation, [but] they can't stop a consumer boycott, which the airlines are very, very sensitive to. So, having said that, what's your view of what the FAA has just done, Paul Hudson, and what are you all doing with FlyersRights?

Paul Hudson: Well today, it's a very disappointing day, because the FAA, as you know, has formally now ungrounded the Max and they've done so based on secret data, [and] secret testing with anonymous people. And we think that that violates the law, the Freedom of Information law. We think that that is also something that courts could potentially reverse. We don't understand why if following in the FAA believe that their changes make the plane safe while they're trying to keep everything secret. It doesn't make any sense to us unless perhaps there are more smoking guns in these thousands of pages and many testings that have or have not been done that we don't know about.

Ralph Nader: Now the FAA has responded to one of your court cases. They gave you hundreds of pages. I wish we were on video right now, because when you opened the package/the pages, what did you see?

Paul Hudson: Well actually, we filed originally a Freedom of Information case back in December of last year. And they slow rolled it. The court did order them to reveal about a hundred documents consisting of about 9,000 pages; that got turned back a little bit to 8,000 pages. So, they released the 8,000 pages with 99% of them are all blacked out, so

Ralph Nader: That would make a nice visual, wouldn't it, on the television show? They're all blacked out. All that paid for by the taxpayer, ignoring the Freedom of Information Act [with] the patsy FAA regulated by Boeing instead of it regulating Boeing. Describe very briefly what the FAA just did on November 18th and what you're going to do about it.

Paul Hudson: Well this morning, I woke up to see that they have issued an order formally ungrounding the Max and they issued two other documents, the FAA. One is about 115 pages and that basically responds to comments, mostly all negative comments, and questions that were submitted back in August and early September objecting and questioning their proposed ungrounding of the Max. Dozens and dozens of top aviation experts chimed in. So, we're digesting that. The other document it released is about 67 pages and that is related to the untraining, or the retraining rather, of the pilots who are going to have to now fly the Max ungrounded.

There are about 14,000 pilots that fly the Max or [are] qualified to do so worldwide. And we have right now about 800 planes that are parked. There'll be another thousand or so issued in the next year or so. And the retraining requirements don't require that the pilots actually get retraining in flight simulators. They're talking about modifying some documentation and perhaps having an iPad tutorial, but there are more questions than there are answers whether any of this is going to be safe or could potentially ~~or could potentially~~ lead to more disasters.

Ralph Nader: Well the famous Captain Sullenberger, who landed that plane in the Hudson River safely after flocks of birds boarded the engines of his aircraft, has been objecting to what the FAA has been doing. He doesn't think they have done enough to ensure the safety to let this plane fly

again. And of course, the one area that the FAA and Boeing wanted and successfully got ignored was the basic problem. The basic problem is that there is an engine position mismatch with the fuselage, which goes back to a design in the 1960s for the 737, which leads to a proneness to stall. That's why they have this MCAS software, but there's no commercial aircraft in the world, other than the 737 that needed the MCAS software. Why? Because of the basic aerodynamic problems that I just described. So why do you think Boeing is risking its company again? It took a big hit by this financially, reputationally. It's got cancellations maybe up to a thousand of these 737s by airlines who are into depression due to COVID-19, but also don't want to have anything to do with this plane. Why do you think Boeing is not trying to generically recall these planes and fix them? Auto companies recall cars to fix them.

Paul Hudson: Well I think you really hit it on the head, Ralph, that the plane may be unfixable; that's the fundamental problem. You know, I met with the top safety official at the FAA back in October of last year. And one of the things that came up in the discussion was at that time it was not known exactly what the fix was going to be. But the assumption was that the pilots are going to have to operate the plane manually without the MCAS system in case of malfunctions. And I asked him, well, is it possible to safely operate the aircraft without the MCAS? And his answer was "Well, that's the 64-dollar question." In other words, they didn't know and we still don't really know because of all the secrecy. And what I'm afraid of is we'll get a situation, and some of our experts, we have a dozen more that are supporting our litigation, we'll get this situation where a malfunction occurs and perhaps it'll occur over water where these planes are allowed to fly up to five hours over oceans. And then the pilot won't have it in a quick way to land the plane. They'll have to operate it manually for potentially several hours. There's also the question what happens if one of the engines close out; this is a two-engine plane. It used to be that they didn't allow two-engine planes to fly across oceans. But the manufacturers have persuaded the FAA that that's safe enough. Now it can fly on one engine but with an MCAS, with a non-stable airplane, we really don't know if that's possible.

Ralph Nader: Well, with increasing automation, increasing software running these planes, the MCAS, by the way, listeners, was put in these planes without the pilots knowing about it and without being trained about it. Even for a while the FAA was in the dark and it was supposed to correct if there was a stall, but actually it took control of the plane in tremendous gyrations [with] the pilots trying to re-steady the plane, and this stealth software finally drove the plane at 550 miles an hour, into the Java Sea and off Indonesia and into a field in Ethiopia killing 346 people on board.

Why do you think the FAA is so unaccountable, Paul? You've been monitoring this all these years, Congress, White House, Department of Transportation [and] the Justice Department. It seems to be getting more and more of a toady relationship with Boeing letting Boeing certify itself in this infamous ODA [Organization Design Authorization], Delegation of Authority from the FAA to the Boeing factories. Why is this continuing to occur? Where would you put the primary blame?

Paul Hudson: Well, the primary blame, I think, has to be with the Boeing in urging Congress to essentially delegate safety to them and they persuaded that on both sides of the aisle. It also, of course, lies with the FAA itself. We have one administrator after another who either ignores the problems or kowtows to Boeing. And we have the lack of any oversight by the executive branch generally. This is not the first time that we've had major problems with new aircraft certification.

And the FAA has had a long-standing tradition of keeping everything secret for certification. They did that with the 787 Dreamliner, came out in 2013, and it had battery-fire problems that caused it to be grounded for at least six weeks. They presently have problems with the 777X which was supposed to be certified by now, but there are problems most of which are being kept secret. Boeing has problems with military aircraft that have been contracted for with the government. And its efforts to become part of the new space program has been a complete failure. The Boeing Corporation, I think, probably has to be restructured and I would say their entire board needs to be replaced and their top leadership if we're going to see a rectification of this.

Ralph Nader: To elaborate that point, Boeing started out as a Sterling Engineering Corporation and then it merged with McDonnell Douglas whose executives, in effect, took over Boeing, and it became a financial corporation. By that, I mean it allowed Boeing marketeers to override Boeing engineers in the case of some 737 Max. And it spent tens of billions of dollars in stock buybacks, which don't produce any job, don't produce any research and development, and disinvested the company in developing new planes. In fact, in 2011, they were going to develop a new plane, and then when American Airlines got a big order from Airbus, the executives of Boeing freaked then they did this hooked-up version that ended up being called the 737 Max based on a design that was developed in the 1960s. What kind of legal action are you going to take, Paul Hudson, against this FAA ungrounding decision?

Paul Hudson: Well, we're certainly looking at all the legal options. One of them is we can appeal this undergrounding order and we can ask the federal appeals court to reverse it, particularly since it's based on secret data. And there's longstanding legal precedent that says the FAA cannot make major safety decisions based on secret data. We can also and we will continue to pursue the case we now have in the FOIA area, which would require the court, if they agree with us within the next month, to require the disclosure of the secret data.

Ralph Nader: And listeners may be wondering why all the secrecy? How does the FAA justify all of the secrecy and blacking out 90% of all the pages that they gave you?

Paul Hudson: The two grounds that they allege are one, trade secrets. Boeing tries to label everything they give to the agency as a trade secret. The other ground they claim is what they call proprietary information, which is a broader thing. But they've also, the FAA that is, has come up with something new. They now are trying to shield from public view their internal communications, their communications with Boeing, their testing protocols, and the results of the tests. All they want to say to the public is that we've done everything right; everything is fine; trust us.

Ralph Nader: Paul, you've run FlyersRights for a long time, it's really amazing how hard it is to get airline passengers to group together and defend their interests. And why don't you tell our listeners what you have provided in terms of services for airline passengers?

Paul Hudson: Yes, well, FlyersRights maintains a website flyersrights.org. And as part of that, we have a section called Know Your Rights in a simple Q&A format, which indicates what you can do in many situations that come up when you're trying to fly. We also have the only toll-free hotline which is 877-flyer-6 and that allows you to call in to get personal advice on particular problems. We are, of course, are monitoring the airlines and monitoring the FAA, the DOT, on consumer issues generally. We file regularly both rulemaking petitions and we file comments on

things that are of more importance to air travelers. And we're really the only defense or offense that airline passengers have to have a say in what happens with regard to air travel.

Ralph Nader: That's how hard it is, listeners, to organize airline travelers, so go to flyersrights.org and consider joining this fine organization; it'll help you economically and it'll help build a safer airline industry. The important thing here is for you to immediately join the consumer boycott of the 737 Max [and] help the grieving but resilient, stalwart, organized families who are determined that this will not happen to any of you in the air. That's why they're grieving in the context of action. So, help them out and go to nader.org [to] get the buttons [and] put them up on Facebook or other accounts, talk it up, and above all, when you get reservations next year to fly and you learn that it's a 737 Max, just tell them you'd like another flight. Well on that note, we have to conclude. Thank you very much, Paul Hudson. Again, the website, listeners, is FlyersRights.org. Thank you, Paul.

Paul Hudson: Thank you.

Steve Skrovan: We have been speaking with the Director of FlyerRights, Paul Hudson. We will link to the FlyersRights website at Ralphnaderradiohour.com as well as the "Axe the Max" campaign. I want to thank our guests again, Katie Fahey and Paul Hudson. For those of you listening on the radio, that's our show. For you podcast listeners, stay tuned for some bonus material we call "The Wrap Up." A transcript of this show will appear on the *Ralph Nader Radio Hour* website soon after the episode is posted.

David Feldman: Subscribe to us on our *Ralph Nader Radio Hour* YouTube channel. And for Ralph's weekly column, it's free; go to nader.org. For more from Russell Mokhiber, go to corporatecrimereporter.com.

Steve Skrovan: For a copy of *The Day the Rats Vetoed Congress*, go to ratsreformcongress.org and also check out *Wrecking America: How Trump's Lawbreaking and Lies Betray All*, co-written with Mark Green. We will link to both of those.

The producers of the *Ralph Nader Radio Hour* are Jimmy Lee Wirt and Matthew Marran. Our executive producer is Alan Minsky.

David Feldman: Our theme music "Stand up, Rise Up" was written and performed by Kemp Harris. Our proofreader is Elisabeth Solomon. Our intern is Michaela Squier. Join us next week on the *Ralph Nader Radio Hour* when we welcome scientist and author, Mike Jacobson, to talk about how high sodium diets are killing us in his book *Salt Wars*. Thank you, Ralph, for the *Progressive Populist*, subscription. It's a great newspaper.

Ralph Nader: *Progressive Populist*, every two weeks in paper, old fashioned with dozens of progressive columnists that you probably never heard of for the obvious reasons.

David Feldman: I read it with a highlighter. Thank you for that gift.

Ralph Nader: You're welcome, David.

[Music]

Oh, you've been sitting way too long

Oh, stand up

You know what's right and you know what's wrong

Rise up

Don't let the system pull . . .