

BREAKING THROUGH POWER

Media Blacks Out the Super Bowl of Citizen Action

by Ralph Nader

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AN UNPRECEDENTED CIVIC MOBILIZATION

On the occasion of the fiftieth anniversary of my book, *Unsafe at Any Speed*, my colleagues suggested that there should be a celebratory dinner, since the movement the book ignited for safer, more fuel-efficient and less polluting motor vehicles led to the creation of numerous successful consumer, environmental, and other citizen-advocacy organizations. However, instead of looking at past achievements, I thought a more galvanizing proposal would be to organize the “Super Bowl of Citizen Action” at the historic Constitution Hall in Washington, DC. We set about planning what we hoped would be an unprecedented civic mobilization.

The eight-day program was called Breaking Through Power. All sixty-four hours of presentations were livestreamed by The Real News Network (see www.breakingthroughpower.org). The enthusiastic responses by invited speakers from around the country resulted in over 180 speakers participating in 140 presentations. These eight days featured the greatest number of civic advocates, thinkers, innovators, and whistleblowers ever brought together for civic mobilization in American history.

Many of the groups and their leaders had been driven into defensive positions by the ever-worsening corporate state to which both political parties had contributed in varying degrees. We believed that the Breaking Through Power conference, sponsored by the Center for Study of Responsive Law, would result in a major show of civic presence in the nation’s capital and demonstrate that the interconnected

whole of grassroots action in the United States is greater than the sum of its parts.

At the same time, the 2016 presidential election period—so dominated by the mass media’s fascination with Donald J. Trump and his outrages—was producing higher ratings in a circular dance of free publicity for him and big profits for the media corporations. CBS CEO Leslie Moonves told an audience at a Morgan Stanley investors’ conference, “It may not be good for America, but it’s damn good for CBS.” One reason the obsession with candidate Trump was not good for America is that it led to producers, editors, and reporters shutting out the policy criticisms of the candidates as well as widely supported reforms by the civil society—the roots and branches of our democracy.

The voices of civic leaders were largely silenced in the presidential election season. The two political parties and their entourages, together with the mass commercial media, diluted civil discourse in pursuit of their own goals—namely, to forge a political subculture beholden to campaign professionals and corporate interests rather than one responsive to average Americans. The range of debate narrowed to a handful of issues, which were often deceptively or superficially presented. The price for such misguided priorities is a starved, often rancid, public dialogue, which prioritizes spectacle over substance and causes many voters to feel cynical or indifferent to the political process. This in turn makes it easier for corporate super PACs to shape the political debate. Letting in citizen groups for interviews, presentations, op-eds, and civically-organized debates can broaden and enrich the content of electioneering, elevate expectations, diminish unchecked false statements, and attract the interest and participation of otherwise disenfranchised voters.

Most of the major concerns that a democratic election process should embrace are regularly taken off the table by the Republican and Democratic parties and their candidates. These concerns include prosecuting corporate crime, protecting pensions, fighting to prevent occupational disease and injuries, reducing fatalities associated with medical malpractice, cutting the bloated military budget, closing corporate tax loopholes, advocating for a living wage, defending union organizing laws, championing full Medicare for all, removing big-money from politics and strengthening democratic institutions,

securing ballot access and other reforms for a competitive process that gives more voices and choices to voters, controlling the vast commons of public lands, public airwaves, and other public assets we already own, addressing the insane allocation of public budgets which often ignore the needs of everyday Americans, and confronting the boomeranging behavior of America's destructive, empire-building foreign policy, to name just a few.

The civic leaders who presented at and attended Breaking Through Power were accomplished experts and activists on these and other critical subjects. Unfortunately, their reports and actions have been increasingly ignored by the national news media. In the run-up to last year's presidential, congressional, and state elections, they were rarely interviewed or even quoted on the candidates' positions, and they were kept off the Sunday morning network shows, marginalized from the op-ed pages, and largely absent from the endless hours that the cable shows devoted to repetitive political gossip and speculation.

National Public Radio (NPR) and the Public Broadcasting Service (PBS) spent time interviewing other members of the media for comment and speculation rather than the experienced leaders of citizen groups, who in past years have changed our country for the better. Their information base for proposals that can be described as fair, prudent, and achievable were not solicited. For example, on tax proposals by the major candidates, Judy Woodruff of the *PBS News Hour* went to her usual reporter list rather than interview Robert McIntyre of Citizens for Tax Justice as her predecessors used to do. This selective censorship is troubling in any case, but is especially disheartening when perpetrated by public media institutions, as they do a disservice to their mission of informing the public by ignoring the civic community.

A REMARKABLE MASS-MEDIA BLACKOUT

We thought the critical mass of the citizen organizations at Constitution Hall might break through both the exclusion by the mass media and the indifference shown by the political candidates. After all, many of these civic leaders had been around long enough, with myriad breakthrough books, reports, legislative testimony, and lawsuits, to

have received some coverage in past decades on network shows, such as the nightly news and the *Phil Donahue Show*, and in print media. They were not anonymous persons. But that was then and we had to deal with now.

We developed an elaborate media outreach plan, meeting reporters and editors in person, using social media, email, postal mailings, and news releases. I met with the bureau chief of the *New York Times* and the national news editor and managing editor of the *Washington Post*, called top editors and news directors, reporters, and columnists of other major newspapers and magazines, and even consulted with the supervising editor of NPR's DC station and the national NPR and PBS ombudsmen. These efforts were followed by news releases pertaining to each day's program, with additional focus on specialized media for the various subjects, speakers, and panelists. Thanks to the generous support of one donor, we were even able to take out a full-page ad in the *New York Times* to promote the conference. Similar full-page ads were placed in Washington's leading neighborhood newspaper, *The Current*.

Since the same media consistently cover "conservative" conventions such as the Conservative Political Action Conference (CPAC), the American Israel Public Affairs Committee (AIPAC), and other right-wing gatherings, we hoped that the media would also cover this first across-the-board mobilization to take existing civic groups to higher levels of effectiveness and to secure long-overdue democratic solutions, many appealing to liberals and conservatives alike. We strove to create a new muscular civic nexus between local communities and their counterparts in Washington, DC. Without the major media's reach and impact, this is undoubtedly a more difficult task.

It turned out to be the most remarkable blackout we've ever experienced in over fifty years of working the justice beat in Washington, DC. As the conference programs show, there was ample material for the mass media to select from on each day of the conference. They could have reported major themes of the presentations or chosen one civic innovator for a human-interest profile. I directed their attention, for example, to Ralf Hotchkiss, founder of the nonprofit Whirlwind Wheelchair, who designs wheelchairs for lower cost and greater durability, having earlier laid the groundwork in the 1980s for breaking

the grip of the Everest & Jennings Corporation's domination of the market with their high-priced, low-quality wheelchairs. As a paraplegic (from a bicycle crash while in high school) he proceeded to travel by himself to many less-developed countries, showing locals, mostly women, how to build sturdy wheelchairs made from local materials. The feedback he received led to more refinements for ever more adaptable chairs crucial to the very lives of immobile, impoverished residents. Years ago, *Parade* profiled Ralf, and he received a MacArthur "Genius" Award in 1989. In more recent years he has been ignored while the media continues their infatuation with utterly trivial pursuits.

On the Constitution Hall stage Ralf tried in vain to break his wheelchair by going over a ramp and coming down hard, demonstrating the remarkable strength of his Whirlwind Wheelchair design. This was a story with contemporary relevance and appeal—some sixty million people living in less-developed countries need wheelchairs, not drones, missiles, and grenades from the American Empire. However, for the *Times*, *Post*, *Time*, and television stations, Hotchkiss was not newsworthy enough, not scatological, militaristic, or Kardashian enough.

The Breaking Through Power conference featured nine major themes germane to reporting, feature-writing, and editorializing. The speakers were among the most accomplished in their fields. The theme for the first day of the May program was "Breaking Through Power: How It's Done"; day two's featured theme was "Breaking Through Media"; day three covered "Breaking Through War"; and day four dealt with "Breaking Through Congress and Advancing a New Citizen Agenda."

Before the commencement of the May events, the *Washington Times* and the *Washington Monthly* ran small pieces and three local television stations allowed me brief interviews. During the proceedings, all the speakers were available for interviews before and after their presentations. Although Scott Wilson, the national news editor of the *Washington Post*, and several other prominent editors and reporters expressed interest in covering Breaking Through Power, they were conspicuously absent from Constitution Hall. Our sign-in list for the press did not include any of the expected journalists. *The*

New York Times, the *Wall Street Journal*, and the Associated Press were not there either. Their collective absence, and what it demonstrated about their lack of commitment to providing serious content from the civil society for their readers, was a story in itself.

Remarkably, the indie or progressive press also failed to cover this event, except for the *Washington Spectator*. When you realize how rarely the engrossing topics from *Breaking Through Power* are given any attention by media so consistently preoccupied by fluff and empty punditry, it is permissible to shout, “Censored!” After all, many of the *Breaking Through Power* participants would qualify for induction into a Citizen Hall of Fame—were there one in our country. Most of their positions would also garner majority support from the American people.

The absence of beat reporters and the specialized media, whose job it is specifically to cover many of the topics presented in-depth by the speakers, did not go unnoticed. Print and electronic media critics did not show up to hear what former commissioners of the FCC, Phil Donahue, Patti Smith, Mark Green, progressive media reporters and commentators, a prize-winning filmmaker, Eugene Jarecki, a Pulitzer Prize-winning editorial cartoonist, Matt Wuerker, Jim Hightower, Jeff Chester, or NSA-officials-turned-whistleblowers William Binney and Kirk Wiebe had to say. Nor did Mickey Huff, director of Project Censored, talking about decades of censorship, invite their curiosity.

One of my appeals was a historical one, made directly to the *New York Times*’s Washington bureau chief and two of her colleagues, and to the *Washington Post*’s managing editor. When I came to Washington in the early 1960s to pursue regulation of the auto industry, I had neither campaign money nor access to the decision-makers. What I did have was some knowledge, determination, and a sense of what it would take to break through—namely, the attention of key committee chairs and their staff in Congress, a White House chief assistant to the president, and a group of reporters committed to following the unfolding story in congressional hearings. Reporters for the major media, led by the *Washington Post*, United Press International (UPI), and the *New York Times*, started covering the auto safety regulatory story—not just doing one feature and leaving it there, as they so often do today.

For a number of years, reporters regularly covered the unfolding stories of the consumer, environmental, and occupational health and safety movements, freedom of information news, events involving whistleblowers and their protections, and related litigation conferences and marches. This coverage galvanized Congress and the White House to enact important legislation regarding motor vehicles, food, household products, gas pipelines, air and water pollution, drinking water and toxic chemicals, and the historic amendments to the Freedom of Information Act of 1974—among others. Our country became safer as a result, and the example set by such legislation prodded other countries to follow America’s leadership.

“Isn’t that what the free media should be about?” I asked them. “Wasn’t that a shining period in the history of the mass media?” Why then, in subsequent decades, haven’t the media continued to advance these noble causes and give people what they need to know, in spite of advertising revenue, company stock prices, and the rest of the more commercialized media’s concerns? They weren’t ready to concede my point. They alluded to so many other media outlets these days, so many of their own self-generated features, the changing economics of their business, a diminishing pool of reporters, and the pervasive implication that I was pushing my agenda. On hearing the latter observation, my reply was simply that these issues and revelations and their advocates ought to be judged for their newsworthiness and accuracy in that they offer compelling human stories and clearly serve the public interest. I usually offered some examples of important stories in that regard that were not covered at all, year after year.

Unfortunately, they remained unpersuaded. The mass media are experiencing pressure on their bottom line that convinces them, wrongly I believe, to cut back on coverage of regulatory issues that affect their readers’ safety and access to necessities. The media have also come to cover much more extensively those efforts tied to existing power centers and to ignore endeavors seeking to reform or overcome the abuses of power. So, for example, if instead of publicly proposing and picketing for a higher minimum wage, I had held a joint press conference with Nancy Pelosi when she was Speaker of the House, the mass media would have covered me with her. That choice creates a vicious circle for those seeking to break through power with infor-

mation, values, and presence, and it would have forced civic leaders to take a backseat in their own movements and instead attempt to persuade a reluctant Speaker Pelosi to lead. Only covering initiatives when they are endorsed by contemporary power actors is a formula for only covering the status quo power centers. This attitude toward what is “news” has stalled the upgrading of the federal minimum wage for the past decade.

Why can't the mass media have a higher estimate of its own significance and provide the kind of informed coverage that is so central to a healthy democracy? It's almost as if citizens who want to draw attention to such important issues as advocating arms control or cyber warfare control treaties, waging peace over war, auditing the Pentagon budget, or taxing Wall Street trading, require endorsements by high government officials or a very unlikely press conference by a half dozen big company CEOs to make the evening news. Those are rare occurrences. Reforms in our country usually come from the bottom up. It gets done because civic efforts persist, are given media coverage to reach more people, and eventually reach the decision-makers for enactment. That we cannot even use our own property, the public airwaves, to reach one another through our own radio, TV, and audience networks day after day, illustrates still more structural obstacles to having a people's media.

With all these experiences from the four days in May, we resolved to forge ahead, hoping for adequate media coverage for the second portion of the conference in September. Because these themes were appealing to different constituencies with different reporters covering them, we thought maybe our luck would change. The first day of the September portion of the conference devoted eight hours to “Building Civic Skills and Breaking Through Apathy.” Day two examined the little-covered but vast commons in the United States under the title of “Controlling What We Own, Shifting Power.” The speakers on those days focused on what they were doing to correct the huge imbalances of power between the few and the many, including empowering shareholders and savers, placing control of the commons back in the hands of the people (by definition, the rightful owners of the commons), and creating public banking institutions like the state bank that has long operated so successfully in North Dakota.

The third day in September detailed existing and proposed models for sustained citizen action, how to finance them, and new proposals to facilitate people banding together. In the afternoon, we applied these models by holding a rally for DC statehood, with former DC mayors, the chair of the DC City Council, and the nonvoting DC representative to Congress, along with leading grassroots advocates and legal experts.

The final day of Breaking Through Power was a first-ever national civic event recognizing the law of torts and the civil justice system. The law of wrongful injury and trial by jury in open courts of law was one of the great liberation movements coming out of medieval England and was refined in our country for over 250 years to keep up with changing values and technologies. Historian Eric Foner has rightly called tort law the “weapon of the weak.” We hoped that a program dedicated to the many dimensions of tort law, including the relentless attack to weaken its remedies by the insurance and tortfeasors’ lobby, would be worthy of attention from the media and the legal community.

The program featured national experts on many aspects of this important pillar of civil law—invoked by wrongfully injured plaintiffs without having to ask permission from any authority—which is a form of initiatory democracy. The agenda featured numerous stories for the press—especially on the declining state of the civil jury, the use of tort law to break through the Catholic Church’s cover-up of sexual abuse, the importance of class actions as a tool for consumer protection, the relevance of contemporary issues such as climate change and cybertorts, the increasing use of fine-print contracts to take away people’s day in court, human interest stories by successful plaintiffs, and proposals for advancing this form of justice.

Neither the general media nor the specialized legal media bothered to show up. As with the other days, the fact that the proceedings were livestreamed and could be viewed by those reporters who could not attend in person made absolutely no difference.

What of C-SPAN? It came for one day in May and one day in September. As the only unedited, national media outlet for serious events, C-SPAN was heavily committed to covering and replaying, over and over, the often redundant speeches and utterances of candidates running in the presidential primaries. Since the Republican primary had

far more candidates, they received far more C-SPAN time than the Democratic presidential candidates, whose field was quickly reduced to Hillary Clinton and Bernie Sanders. It would seem that C-SPAN, for balance, would cover progressive gatherings with many proposals and redirections pertinent to any electoral campaign. If anything, C-SPAN, a creation of the cable industry responding to Brian Lamb's bold public service idea, offers right-wing events the type of extensive coverage that most progressive groups can only envy.

The afternoon devoted to DC statehood was most revealing of the local DC media. Supported by 71 percent of DC residents in a recent poll, "New Columbia" becoming our fifty-first state should have been a natural for coverage by local public radio stations, the *Washington Post*, the *Washington Times*, and other media in the Maryland and Virginia suburbs. Hitherto there had been no comparable convocation with so many notable advocates and officials present. Nonetheless, the event received no coverage, not even from the popular *Kojo Nnamdi Show* on WAMU public radio. For a cause so important to the residents of the District of Columbia, the local media did a gross disservice to their audience by ignoring it.

The same disinterest came from the business media—print and electronic—regarding movements and unique proposals to have the people, who own the commons, and shareholders and pensioners, who own the greatest accumulation of wealth in the US, acquire more control from the iron grip of corporations and their managers. Eminent presenters included the legendary mutual fund innovator, John Bogle, as well as victorious lawyers, corporate campaigners, and strategists, such as Ray Rogers, Jeffrey Clements, Dennis Kelleher, James Henry, and David Bollier. The leading advocate of state public banking, Ellen Brown, surveyed rising activities in several states, including California. The business press, with their expansive cable time, was not there. Neither was anyone from Bloomberg News—TV or radio—there to cover any one of the newsworthy presenters.

ORGANIZING FULL-TIME CIVIC GROUPS

Throughout the eight days of the conference there were proposals to organize full-time civic groups. On the media day, an authors' orga-

nization was proposed to monitor systemic lack of coverage across all media of books challenging power, alerting society to what's going on beyond entertainment and advertising. Similarly, Lloyd Constantine outlined a proposal to form a "Penny Brigade," whereby a tiny number of shareholders—individual and institutional—could contribute one cent per share owned each year to fund five hundred full-time watchdogs of five hundred leading corporations. The mere publicizing by me a few years ago of this mechanism of accountability on cable TV prompted cash-rich Cisco Systems to announce for the first time a solid annual dividend (nearly 3 percent) to its investors.

The most consequential proposal, made on May 25, 2016, was our plan to establish a nonprofit anti-war, pro-peace Secretariat staffed mostly by high ranking veterans to enable fast responses and actions whenever the warfare state and its warmongering ideologues drive the country toward wars of aggression. The fabricated drumbeat toward the criminal war of aggression against Iraq in 2003 and beyond by George W. Bush and Dick Cheney served as our Exhibit A.

The staff of the Secretariat would enable retired officials from the military, national security, and diplomatic services, backed by a mass media campaign, to meet with and testify before members of Congress, organize around the country, hold news conferences, and publish op-eds in the press. They would constitute an aggregating formidable public opposition to unconstitutional, illegal, unwise wars and military adventures that are boomeranging against the security, economic well-being, and liberties of the American people, along with the millions of civilian victims abroad.

In the months before the March 2003 invasion of Iraq, at least three hundred retired, high-level establishment, military, national security, and diplomatic officials spoke out against the looming invasion. Among the most outspoken was retired General Anthony Zinni, as well as retired General William Odom, who also was head of the NSA, and Brent Scowcroft and James Baker, two of former President George H.W. Bush's closest military security advisors.

They and others expressed their opinions publicly, but no one was aggregating, coordinating, and facilitating such retirees to constitute a daily broad-based momentum against the lies, deceptions, and cover-ups of the Bush/Cheney regime and their intimidation, post-

9/11, of both the mass media and the opposition party day after day. The results and spread of the war on Iraq have been catastrophic for the region, for our soldiers, and for the next generation of Americans, all of whom will continue to pay the terrible price for this immense war crime.

I was not the only one who believed that such a Secretariat, with a hundred-million-dollar annual budget—which could have easily been provided by an equally outspoken anti-Iraq War megabillionaire, George Soros—could have stopped the deadly rush to Iraq. Later the Secretariat could have more easily turned the tide against the reckless 2011 undeclared war on Libya, opposed by Secretary of Defense Robert Gates. Spearheaded by the hawkish secretary of state, Hillary Clinton, the chaotic, violent attacks in Libya have destabilized other countries in Africa ever since.

It is not surprising that, without previews or coverage by the mass media, getting those ideas to the vast audience beyond the podium has been difficult indeed. For those modernists who think that email lists, Facebook, and Twitter accounts are a substitute, think again. Serious engagement requires serious media well beyond the frenzied, cluttered overload of hyper-micro messaging. While social media platforms can play an important role in generating attention and turnout for serious causes, coverage by the mass media and established institutions is essential for taking these efforts to the next level.

Despite the media blackout, all sixty-four hours of the Breaking Through Power gatherings are available to citizens, scholars, and students at www.breakingthroughpower.org. It is my hope that the recorded presentations will come to serve as a valuable brain trust for future advocates and students of policy and action.

However, in light of our experiences in the Breaking Through Power conference, it's important to note that even reaching reporters and editors to give them timely notices of events, scoops, leads, and alerts is much harder than in the pre-Internet era. Contemporary newsrooms, once noisy with human interchanges, have grown eerily quiet. The telephone is rarely answered for the kind of two-way personal exchanges that were so crucial to citizen groups in past decades. Reporters now look at their screens, post newsy bits online, and check their smartphones for emails and text messages. While the sheer

variety and scope of the Breaking Through Power mobilizations illuminated just how completely in absentia the mass media can be, progressive citizen groups in Washington, speaking truth and facts to power and myths, have mostly resigned themselves to appearing rarely in the national print media, apart from a quote now and then, and almost never on the national television news or weekday afternoon TV shows. The latter have become little more than caricatures, with confessions, comedic exhibitions, personal masochisms, and self-indulgences introverting a mass audience largely made up of the unemployed and millions of other marginalized people seeking a little excitement in their lives.

Their predecessor shows were mildly mindful of the 1934 Communications Act, which allowed broadcasters free use of our public airwaves only if they performed in the “public interest, convenience and necessity.” That background awareness allowed occasional invitations for the major justice movements in America—civil rights, women’s rights, environment, civil liberties, consumer and labor rights, along with more local oppressed groups that were given a voice. I can look back and call Phil Donahue the greatest practitioner and enabler of the First Amendment in the twentieth century, and I’d challenge anyone to provide a rebuttal. He so believed in the First Amendment that he had Rev. Jerry Falwell, as well as others with whom he disagreed, on his show numerous times.

Apart from independent media, which offer few opportunities to reach mass audiences, there are hardly any venues today that highlight honest representation of national civic action. Public radio and public TV, while better in most cases than their pathetic commercial counterparts on the public’s right to know, are also heavily reliant on business advertisements and their own fear of right-wingers in Congress and elsewhere. Consequently, they don’t come close to providing programming that helps a democracy to function, deepen, and renew itself.

CONCLUSION: RECLAIMING THE PUBLIC AIRWAVES

In 1979, we proposed an audience network using regular prime-time hours daily, by returning time to the radio and television audience

from the free 24/7 license of the broadcast industry. We later proposed that cable time should be given to channels for workers, students, patients, consumers, civil servants, and other groups deprived of coverage, to facilitate organizing, publicizing, and collaborating with one another. There are over six hundred cable channels devoted to infomercials and frivolity, including low-grade, canned entertainment. Since *we the people* provide both network and cable businesses their licenses and franchises (that keep *we the people* off their stations), we can, through legislation and ordinances, change the terms of this surrender into partial acquisitions of our public airwaves—locally, regionally, and nationally. Funding for studios, reporters, editors, producers, and equipment would come from starting to charge these media companies rent for the lucrative use of our public property that they have been getting free since their origins.

Otherwise, the “vast [media] wasteland,” to recall Federal Communications Commission (FCC) Commissioner Newton Minow’s famous address in 1961 to the National Association of Broadcasters, will continue to distance itself from the urgent civic needs of the citizenry. In the process, they will cover elections as very profitable entertainment, closing out the civic arenas that have been the wellsprings and reservoirs of our justice and freedoms. Meanwhile, reporters, editors, and television and radio producers can be forced to produce at least a modest expansion in coverage. Complaining formally to the FCC, especially around station license renewal time, gets the attention of the broadcasters, even if the FCC does little or nothing.

Always remember the public airwaves and cable licenses are our property. In the early deliberations over licensing the public airwaves during the 1920s, conservatives like Herbert Hoover thought radio should be a public trust without any advertisements. Today, over 90 percent of the time on radio and TV is devoted to entertainment, music, and advertisements. We need to raise our expectations, at least to the level of the 1934 Communications Act, and exercise our First Amendment rights to demand serious attention for grassroots civic action.

NOTE: For a complete list of noted civic leaders brought together for the May and September 2016 Breaking Through Power sessions, see <https://www.breakingthroughpower.org/speakers/>.

RALPH NADER has spent his lifetime challenging corporations and government agencies to be more accountable to the public. His 1965 book *Unsafe at Any Speed* permanently altered the safety standards of the US automobile industry. He successfully lobbied in 1974 for amendments to the Freedom of Information Act, which gave increased public access to government documents. Over the years he has founded many public interest groups, including Public Citizen, Critical Mass Energy Project, Public Interest Research Groups, and the Center for Study of Responsive Law. He continues to be a relentless advocate for grassroots activism and democratic change.