

## RALPH NADER RADIO HOUR EP 266 TRANSCRIPT

**Steve Skrovan:** Welcome to the Ralph Nader Radio Hour. My name is Steve Skrovan, along with my co-host David Feldman. How are you today David?

**David Feldman:** Just getting my taxes ready.

**Steve Skrovan:** So, it's a happy time.

**David Feldman:** Oh yeah, yeah.

**Steve Skrovan:** We have the man of hour Ralph Nader. Hello Ralph.

**Ralph Nader:** Hey. This is gonna be an interesting show, one on GMOs and one on flyer's safety.

**Steve Skrovan:** That is correct. On the program today we're gonna talk to Dr. Sheldon Krimsky, author of many books on the subject of science and ethics. Regular listeners know that we have spoken a lot about GMOs on the show. Most recently with Andrew Kimbrell of the Center for Food Safety. Mr. Kimbrell argues that GMOs essentially offer nothing to the consumer and are just a way for chemical companies to sell more pesticides. Professor Krimsky has written a book entitled *GMOs Decoded: [A Skeptic's View of Genetically Modified Foods]*, where he examines the controversy around this topic from both sides. I'm looking forward to finding out on which side of the debate he lands although I think I've got a hint. The other book we're gonna touch on is entitled *Conflicts of Interest In Science: [How Corporate-Funded Academic Research Can Threaten Public Health]*, where Professor Krimsky compiles 21 peer-reviewed academic articles that examine the complex relationship between the individual scientists conducting research and the groups who fund them. I know personally, in my other life as a professional writer and storyteller that it's important to know who is telling you the story. That makes all the difference. That's the first part of the show. In the second part of the show we're going to welcome back old friend Paul Hudson, director of Flyers Rights. He is gonna update us on the latest news coming out of the Boeing Max 8 controversy. According to Flyers Rights, Boeing executives' reportedly pressured engineers and stifled technical decent, in order to get this plane airborne quickly to compete with Airbus. In the New York Times Article this week, described how Boeing was trying to save money by attaching all sorts of bells and whistles on the old 737 model, which is about 50 years old, instead of investing in a new model with more integrated technology. Between these two important stories we will also check in with Russell Mokhiber, who is always keeping tabs on the dark world of corporate maleficence with his Corporate Crime Report. If we have time, we'll try to get at some listener questions. But first, let's go to the intersection of science and ethics with our first guest, David.

**David Feldman:** Professor Krimsky is the author of 16 books including *GMOs Decoded* and *Conflicts of Interest in Science*. Welcome to the Ralph Nader Radio Hour, Professor Sheldon Krimsky.

**Sheldon Krimsky:** Thank you.

**Ralph Nader:** Welcome indeed Shelly. Listeners should know that I've known Shelly for years, and read a lot of his materials. This book, which is just out, *GMOs Decoded*. The subtitle is *A Sceptic's View of Genetically Modified Foods*. It's very, very rigorous, and it was published by the Massachusetts Institute of Technology Press, The MIT Press. One of the comments on the back of the book is by Nassim Taleb who's the author of the world best seller, *Black Swan*, and is a probability specialist in risk. He says, "Sheldon Krimsky is a hero; he is one of the few scholars with classical courage. He—and this book—are making the world a safer place." I mentioned that because this is a taboo subject for many of the mass-media outlets in this country. The critics of GMO, the people who want to say who the burden of proof should be on, get shut out of places like the *New York Times*, *Wall Street Journal*, and *The Washington Post*. It reminds me of when the subject of auto safety design and construction was taboo before 1965, and shut out or when the issue of pesticides, before Rachel Carson [author of *Silent Spring*], was shut out of the mass-media, or when the subject of the risks of nuclear power was shut out from any kind of discussion. So, we're not gonna engage in these shut-out today. I want our listeners to listen carefully at the sequence of the questions so that you can be more informed. The first question is the obvious one, the minute you raise any questions about GMO food, Monsanto and their coterie of well-paid scientists say, there's really no significant difference for you consumer, between the old plant in-breeding of the old days that farmers engaged in and the genetically engineered food product. Can you answer that, Professor Krimsky?

**Sheldon Krimsky:** Yes, that was one of the first questions that was raised in the book. There are seven primary questions. The first one was, what's the difference between traditional breeding, and what I call molecular breeding? That is breeding that takes place on the laboratory bench, so-to-speak. After reviewing it in great depth, I realized that there was a difference because in traditional breeding you can only go so far in terms of mixing the genes from different species and from different higher-life forms. There's a chart in the book which has about eight or nine levels of life. Between species and the next level genus, that's about all you can go in terms of traditional breeding, of mixing the genetic information. So, in molecular breeding, you can go way up in kingdoms, domains and phyla, and you can take the genes from an arctic fish and transfer it to a lettuce plant. So there really is a difference because the capabilities of molecular breeding are far, far more advanced in terms of the manipulation of life, than traditional breeding.

**Ralph Nader:** Second question, the claim by the GMO promoters is it's absolutely necessary to alleviate world hunger. What's your answer to that?

**Sheldon Krimsky:** I looked at the literature on GMOs and world hunger. I looked at it very deeply. What I found out was that the productivity of GMOs depends so much on the land area and the way the crops are grown, and so many other factors, and not so much on the GMO itself. The only thing you can say about the GMOs is that perhaps in certain areas the productivity is higher because they use more herbicides, or that it has its own internal insecticide so there might be some gain in productivity. But then you look at another region, and you find out that when the pest become resistant, there is no gain in productivity. Even in the most definitive report that has come out on GMOs by the National Academy of Sciences, they say there is no overall productivity benefit across-the-board for GMOs.

**Ralph Nader:** I've been speaking recently Professor Krimsky, with Lester Brown who started a Worldwatch. Few people know more about agriculture globally than he does. I put it to him. He said, there's no evidence at all that GMO crops are alleviating world hunger. By the way, the more traditional response to that question, is modern agronomy keeps increasing productivity per acre without GMO. Second, about half of all food produced is wasted by fungus, or eaten by rodents or ruined in warehouses. That's an area of potential in order to preserve food for people in these various countries. Let me just turn to this one; this is what has always amazed me: you have farmers who don't want to use GMO. Their farms are next to farms that want to use GMO, like GMO corn, GMO soybean. About 90% of all GMO corn and soybeans that people or animals eat is GMO now.

**Sheldon Krimsky:** In the United States.

**Ralph Nader:** Yes, you're right, in the United States. We'll get to Europe whose governments are much more skeptical. The issue is that these GMO seeds pollinate and migrate unto the land of the farmers who don't want it, and then Monsanto has been known to sue the farmers for intellectual property seizure. Can you answer the intellectual property question and also the question of how do farmers protect themselves from the wind wafting these seeds and compromising their natural seeds?

**Sheldon Krimsky:** Well in the United States there are no laws of sequestration. There are such laws in Europe where they require any GMO farms to be a certain distance away from other farms that don't use GMOs. In the United States, people who grow organic food have to worry that they won't get accredited because some of their farms could be contaminated by GMO seeds. It's a real problem in the United States and in Canada.

**Ralph Nader:** Monsanto has sued the innocent, adjacent farm owners?

**Sheldon Krimsky:** Well, they did in Canada, and the particular person in Canada lost the [law] suit in the higher courts, although he didn't have to pay much of a fine, but he did lose the suit. I can't understand the logic behind that, unless they just didn't believe that the pollen came through the winds and that they thought he consciously planted the GMO seeds on his crops, on his land.

**Ralph Nader:** And there's no evidence, no evidence of that. That farmer has gone all over North America speaking about his concerns and how he was treated.

**Sheldon Krimsky:** Yup. Schmeiser. So, you know, this is happening in other places. The only confidence that consumers can have today, that they are not eating GMOs is to buy organic. But that is based upon the notion that these organic farms will continue to be accredited and they're far enough away from any GMO agriculture that will allow them to maintain their accreditation.

**Ralph Nader:** Yes, and avoid contamination.

**Sheldon Krimsky:** That's correct.

**Ralph Nader:** Let's talk about Monsanto. By the way, Bayer, the big German chemical company has bought Monsanto. Since it has bought Monsanto, which is involved in all kinds of litigation, all kinds of problems which we'll talk about one or two of them now, Bayer's stock has dropped 60%! What about this issue of super weeds backlash to the herbicide that Monsanto sells? Can you explain to our listeners all about that?

**Sheldon Krimsky:** Sure. It's like antibiotics, if you take too many antibiotics, then eventually you're gonna get some bugs in your gut that will be resistant to the antibiotics. It will be useless to you. The same is true with herbicides and pesticides. We predicted 20 years ago, in a book that I did, that there was going to be herbicide resistance given the mass use of herbicides particularly the glyphosate; it's not a surprise. Now, what is Monsanto doing when they get herbicide resistance? So, they do something called "stacking." Instead of one herbicide-resistant gene in the plant, they put several in it. They might put herbicide tolerance to glyphosate and then 2,4-D. Now 2,4-D was sighted in Rachel Carson's book as a troublesome chemical back in 1962. It's still troubling and it still has health effects. What they're doing is to try to use more herbicide tolerance in the crop to react to the fact that there's herbicide resistance in the weeds. In other words, they keep adding more and more herbicide-resistant genes in the plants, complicating the whole structure of the plant.

**Ralph Nader:** It's like a vicious circle for them. They have to engage in more forceful attacks on these weeds in order to head off mutations that make the weeds more resistant. I don't think I ever told you Shelly, but over a decade ago, we had a meeting with the CEO of Monsanto. He used to be a public-interest type of lawyer in his younger days in Washington. He came to Washington, and we had about 15 people around the big table and I remember two things came out of that. When we challenged him about the right to know, that people should be able to go to the grocery store and easily find out whether the products are GMO or non-GMO. He said, I have no objection to that. I just want to make sure it's done right. Well, you know, Monsanto has never dropped its opposition against state initiatives like in California and other places, and Washington, against the kind of disclosure that you and others think are needed. And the

second thing--you'll be amused by this--there was a farmer there that Monsanto brought. He had several thousand acres, I think soy and corn from Iowa and Nebraska. He participated in the discussion. I asked him, I said, why are you using GMO seeds when there's really no evidence of greater productivity per acre. He gave me a one-line answer. He says, because it gives me more time to spend with my wife. In other words, convenience. You don't have to spend time knocking out the weeds. This convenience thing may be on the epitaph of modern civilization because people are paying huge prices for convenience like processed food, et cetera. How do you react to that farmer saying that?

**Sheldon Krimsky:** Well, I mean the whole question is what's the balance between convenience and all of the other effects? Glyphosate, when it was first introduced was passed through the EPA rather easily, without much rigorous evaluation. Now in the past few years since there have been lawsuits and people have raised questions about it, and since the international agency for research on cancer claimed it was a probable human carcinogen, well now there's a lot of research going on with glyphosate. My own experience with pesticides and with other chemicals is it usually takes 25 to 50 years to ban a chemical that is known to be dangerous. Just think of PCBs, just think of lead, just think of asbestos. These things were known to be dangerous 50 years before they were eliminated. Then when we take them to court and show them the evidence, industry will fight it tooth and nail and drag it on and drag it on and say, we need more and more evidence; more and more evidence to prove that it's dangerous. My view is before we let something on the market, we should take the 25 years to prove it's safe.

**Ralph Nader:** That's the burden of proof. You can really get a long way, listeners when they try to place these chemical and other toxics on you. Just say, look company, the burden of proof is on you, it's not on the people. It's not on the regulatory agency. It's on you to prove that it's safe before you push it into the marketplace. I think some listeners are probably wondering, what's the status of BT milk now? Can people buy milk without Monsanto's ingredient?

**Sheldon Krimsky:** Yeah, they certainly can, and this milk was really designed, you know, we fed cows certain chemicals to speed up the production of milk, and maybe increase the production of milk. But it also caused a lot of mastitis in the cows. If you start giving cows chemicals, there's gonna be some side effects of course. But now a lot of milk producers are putting down that they don't have any genetically modified milk. You can get it. The labelling was not banned as long as you don't say anything like the genetically modified form of milk is different, or is dangerous, you can still label it.

**Ralph Nader:** Yeah, because Monsanto sued several farmers mercilessly with a New York lawyer who specialized in it, tried to intimidate them, and simply telling the customers that this milk is not BT milk [Bovine Somatotropin]. Because they claim, well, that implies that somehow it's different from regular milk, and it's deceptive. The corporate lawyers have got a lot to answer for in the coming years in our country.

**Sheldon Krimsky:** I think you had somebody on the show that said that the products that they're producing really don't have much to offer the consumer. I'll give you the latest example of that. The latest example is the genetically engineered salmon. The only value of that salmon is that it grows faster and bigger than the regular salmon that is in the oceans, or that is in the salmon farms. It doesn't offer any nutritional value to the consumer at all. The one product that would offer some nutritional value is so-called Golden Rice that is rice with bio-fortified vitamin in it that's still not on the market after 16 years! All the products that are out right now in the US are really designed for productivity, so-called productivity, and have nothing to do with whether it's nutritionally beneficial. The other thing that your listeners have to understand is that in the United States, there's no mandatory requirement of testing of any genetically engineered crops. There is a requirement to test the GE salmon. It was tested pretty rigorously as a matter of fact. I've gone through a lot of the testing requirements and it took about 15 years before it was approved. But in terms of the food products, they're approved by virtue of the manufacturer. And the argument is if the manufacturer finds something wrong, they wouldn't put it on the market. That's very different than Europe, which requires testing of every product.

**Ralph Nader:** Let's talk about Europe. Europe is much more sceptical, and it's very hard to sell GMO products in Europe. There's some exceptions, but why don't you tell our listeners how European governments and European scientists look on GMO crops?

**Sheldon Krimsky:** Well first of all, they require labelling of any GMO food or food product. That's number one. Number two, the European Union passed regulations that require that every product that is put out on the market has to be evaluated for toxicity and for compositional analysis. The latest report that I mentioned of the National Academy's, the 600-page report did say that the only real way of understanding whether you're gonna get differences in the GMO product versus the non-GMO parental strain from which it was obtained, is to do a complete analysis of all the molecules and metabolites that are in the product. They don't even believe that the animal studies, feeding the animals the product, is gonna be sufficient or satisfactory. Yet, no regulation requires that. So, here's the National Academy saying, there's only one way to really know whether or not these products are different in nutrition. And, it is true, no one is keeling over when eating GE corn, or GE soybeans--no one. We'd probably know that. But no one was keeling over when they introduced fast food into the United States. It took 30 or 40 years before the rise in diabetes and obesity. Sometimes, the nutritional value of food can be a much more subtle impact that simply, oh, it's gonna kill people.

**Ralph Nader:** That's the difference listeners, between acute harm and chronic harm. He's saying no one keels over when they eat GMO food; there's no acute harm. But chronic harm over the years, that's where they need to be more testing. That's why the GMO industry doesn't like government support of testing over the years. Professor Krimsky edited a book called *The GMO Deception in 2014* [The GMO Deception: What you Need to Know about the Food, Corporations, and Government Agencies Putting Our Families and Our Environment at Risk]. I wrote a lengthy introduction to that book. It was almost completely blacked out. You don't see Professor Krimsky in the op ed pages of the New York Times. When he writes a letter to The

Wall Street Journal to counteract Mr. Miller who gets in The Wall Street Journal all the time out of the Hoover Institution at Stanford, a corporate-dominated and funded so-called think tank, the letters don't get printed. Let's talk very candidly about why is NPR and PBS and the big paper--what are they afraid of here? Corporate science is dominating academic science. Corporate science is not peer-reviewed. It is secret; it is attached to political power of Monsanto in Washington. It is profit-driven. And academic science is peer-reviewed; it's not supposed to be profit-driven; it's supposed to be available for the public interest. It's on the defensive, and we're gonna be talking just in very short minutes on the book, *Conflicts of Interest In Science*, to show how corporate science is dominating in universities and elsewhere, increasingly academic science. But let's get back to the media, why is there a media blackout here?

**Sheldon Krimsky:** Well, I think as in any controversy, if the National Academy puts out a position that says don't you worry, GM food is just as safe as traditional crops, if some leading scientists for the field of molecular genetics or food, make the claims, the media look to these people as the gatekeepers. Unless somebody comes up with a concrete study which shows a severe hazard, I don't think the media is going to change its position. The media is not subtle. It wants to see a dramatic effect. Unfortunately, some of the elite groups have been bought off by industry, so they're not gonna say too much about what could happen. Until the media sees a dramatic effect, they're not gonna respond because the elites in society are not responding; the National Academy is not responding, et cetera. I'm not sure I can see a way out of it, unless you get the media that's more open, to understanding the nuances of all of these events.

**Ralph Nader:** Well, this book, *GMOs Decoded: A Skeptic's View of Genetically Modified Foods* by Sheldon Krimsky, is gonna help break that taboo. In case you listeners want to know what foods have already been approved, on page 153 of his book he has this phrase, "Other approved genetically engineered crops include sugar beets, alfalfa, canola, papaya, summer squash, potato and apples. This suggests that the U.S. approval process is far from uncertain, notwithstanding the more cautious approval in Europe even while many scientific questions are still unanswered. GMOs remain one of the most persistent and resilient technological controversies in modern history." That's in the book *GMOs Decoded*, published by The MIT Press in Cambridge, Massachusetts. Now we're going to the *Conflicts of Interest In Science*. I'm sure listeners have read articles about medical doctors and medical schools engaging in research. They don't disclose they have stock in companies. They don't disclose when they write in medical journals that they're consultants to these companies. It's rampant. What struck me in the book, Professor Krimsky is, listen to this, on page 71, "At Harvard, the biotechnology faculty has ties to 43 different commercial firms. At Stanford, 25 and at MIT, 27. For MIT, at least 31% of the faculty in its Department of Biology had commercial affiliations while for Stanford and Harvard, the figure for biotech faculty across several departments was 19%." Then you say, in that quote, "In 1974, Monsanto and Harvard University signed the contract after a year and a half of negotiation. Under the agreement, Monsanto gave Harvard \$23 million in research support, laboratory space, construction and endowment money. In return, Harvard gave Monsanto the patent rights to a substance called tumor angiogenesis factor, TAF, which was involved in the growth of cancerous tumors." Then the book is full of these

documented situations where corporate-funded academic research can threaten public health. That's the subtitle of your book, *How Corporate-Funded Academic Research Can Threaten Public Health*. Tell our listeners how.

**Sheldon Krinsky:** Well I began looking at this about 35 years ago. In the mid 80's, you couldn't even raise the question of conflict of interest in science and medicine. Nobody would even listen to you. Finally, in 1985, the *New England Journal of Medicine* said, you know something, we're gonna ask our contributors to disclose their interests with the pharmaceutical industry. They were the first ones. Then the *Journal of the American Medical Association* came through. That's when I started investigating this in great depth. It occurred to me that you can't have a reliable democratic system if you don't have a free and open and honest scientific community because how else will people know what the truth is or what the best effort at the truth is at any one time. I began looking at all of the kinds of conflicts that existed and we exposed a bunch of them and we began to put pressure on certain organizations, at least to have disclosure. At least if you have disclosure, you can decide whether you believe the stuff or not based upon who funded it. We also found a phenomenon called the funding effect. We found, and other people have validated this, that when private corporations fund academic research, the general effect is that the results of the research are in conformity with the financial interests of the funder compared to similar research on similar items by non-profit organizations or government. And that's a serious problem because that suggests that corporate funding of research results in bias in the outcome. We just have to look at current newspapers. The *Washington Post* did an in-depth study of Coca-Cola and how the soda industry tries to influence health officials, tries to influence the science. There's other articles that talk about 3M and how a lawsuit paid experts to support the safety of some of 3M's chemicals. The most valuable information we have gotten about what corporations try to do to influence science is because of lawsuits. Here I have to give you some accommodations for emphasizing torts and how important they are in democracy. Without these tort cases, we wouldn't have learned what the devious methods of the tobacco industry were, to prevent people from understanding the effects of tobacco.

**Ralph Nader:** Wait, the Coca-Cola-funded research, not surprisingly, came out saying, exercise to reduce weight. And they minimized the role of sugar, isn't that right?

**Sheldon Krinsky:** That's exactly right. It's that and lack of exercise. They supported exercise programs in schools, but they never addressed the question of sugar. The eminent nutritionist Marian Nestle, just came out with a book on this issue. [*Unsavoury Truth: How Food Companies Skew the Science of What We Eat*] She talks about how the sugar industry tried to influence science. So, I think that disclosure is very important. But it's not the only thing. We have federal advisory committees. There is a rule in the legislation that says that no one with a substantial conflict of interest should be allowed to serve on a federal advisory committee. That's rule number one. Rule number two is that this rule number one can be waved; it often is. We have to get the government to prevent conflicts of interest on its federal advisory committees. We did a study of professional societies who issue clinical practice guidelines, for

example. These are very important because clinicians don't have the time to do research, so they read these guidelines. But if these guidelines are influenced by corporations, then how can we trust them? We've made recommendations that you not allow conflicts of interest on committees that produce clinical practice guidelines. When we investigated Monsanto with its litigation documents, we looked at 10,000 pages of litigation documents. We found out that they admitted to ghostwriting articles for scientific journals. And we published the results. We have to be very vigilant about what gets published and what kind of ghost writing there still exists. Even though it's unethical and most journals would be against it, it's still happening.

**Ralph Nader:** Well, we've been talking with Professor Sheldon Krimsky, who has taught for years at Tufts University. His work is massively documented, massively footnoted. He often has to be the voice of superb scientists who are not able to speak out and are vulnerable to intimidation. Here we go again Shelly, have you been on NPR, PBS? Have these books been reviewed by the New York Times or The Washington Post?

**Sheldon Krimsky:** No, not yet. Not yet, no.

**Ralph Nader:** Well listeners should call their newspaper or book magazine section of The Washington Post or New York Times and say why not? You've published books on who've taken the other commercial side. Heading off one question is, is there any requirement at the state and federal level about to be passed, requiring labelling of GMO products?

**Sheldon Krimsky:** Well, yes, there was a law passed and it was supported by Monsanto. It was really used to stop state legislation on labelling, which would have been very open and clear. The federal law, which has not yet been implemented, is going to be very difficult. It might require that you have a cell phone, or it might require that you call a number rather than just having an explicit label that says, this is a GMO product. That was passed, I think just at the end of the Obama administration. It was heavily lobbied by the food industry and Monsanto because they didn't want to have states take on the role of labelling.

**Ralph Nader:** As California and Vermont we're trying to do.

**Sheldon Krimsky:** Yeah, Massachusetts, they all passed some labelling laws. And in Vermont, it was ready to go right on until it was derailed by the federal legislation. Right now we don't know what's GMO on the marketplace. But it's very interesting how a number of corporations are trying to brand themselves as having no GMOs.

**Ralph Nader:** I see that a lot in stores, that's right.

**Sheldon Krimsky:** Yeah.

**Ralph Nader:** Well we're out of time unfortunately. The books are Conflicts of Interest in Science: How Corporate-Funded Academic Research Can Threaten Public Health by Sheldon

Krimsky and GMOs Decoded: A Skeptic's View of Genetically Modified Foods by Sheldon Krimsky, published by The MIT Press. There you have it listeners. Go to work on these information sources and make our food safer, and our environment safer, and our science more solidly based. Thank you very much Professor Krimsky.

**Sheldon Krimsky:** So long Ralph. Thanks for the opportunity and for the support, and I'll pass around the website and send it to a hundred people. Hopefully they'll start listening to you.

**Ralph Nader:** Very good. Thank you.

**Steve Skrovan:** We have been speaking with Professor Sheldon Krimsky. We will link to his work at [ralphnaderradiohour.com](http://ralphnaderradiohour.com). When we come back, we're gonna talk to old friend Paul Hudson of Flyers Rights, who is gonna update us on the Boeing Max 8 situation, an airplane that has claimed over 350 lives in the past few months. But before we talk to Paul, we're gonna send you over to the National Press Building in Washington, D.C. where our Corporate Crime Reporter, Russell Mokhiber has filed his latest report on the scourge of white-collar crime.

**Russell Mokhiber:** From the National Press Building in Washington, D.C., this is your Corporate Crime Reporter "Morning Minute" for Friday, April 12, 2019. I'm Russell Mokhiber. The Securities and Exchange Commission awarded 50 million dollars to two whistleblowers whose high-quality information assisted the agency in bringing a successful enforcement action. One whistleblower received an award of 37 million dollars, and the other received an award of 13 million dollars. Whistleblowers, like those being awarded, may be the source of smoking gun evidence and indispensable assistance that strengthens the SEC's ability to protect investors in the capital markets, said Jane Norberg, chief of the SEC's [Security & Exchange Commission] whistleblower office. These awards show how critically important whistleblowers can be to the SEC's investigation and ability to bring a case to successful and efficient resolution. For the Corporate Crime Reporter, I'm Russell Mokhiber.

**Steve Skrovan:** Thank you Russell. Now to fill us in on the latest on the Boeing Max 8 controversy is our next guest, David?

**David Feldman:** Paul Hudson has been a groundbreaking public-interest advocate for over 30 years--in the 1970's in energy and utility policy, in the 1980's for crime victim rights, in the 1990's to 2012, for air travellers and terrorist victims. He led the Pan Am 103/Lockerbie Bombing Victim Family Organization and the Aviation Consumer Action Project. Today he's the president of Flyers Rights which is keeping on top of the Boeing Max 8 story. Welcome back to the Ralph Nader Radio Hour, Paul Hudson.

**Paul Hudson:** Glad to be here.

**Ralph Nader:** Welcome indeed, Paul. I think most people know that these 737 Max planes have been grounded by governments all over the world. The US government was the last one.

There are about 370 of them. There are orders for about 5000 of them from airlines, domestic and around the world. Boeing keeps having to postpone its so-called software upgrade. Remarkably, a few days ago, the head of Boeing, Mr. Muilenberg, came as close any CEO has come admitting that their software caused the crashes in Indonesia and Ethiopia. So, let me ask you this, what do you think the prospects are for this plane to be prohibited by our government from ever flying again? Everyday more and more incriminating evidence comes. The New York Times had a devastating article recently. Among others, it quotes Richard Luedke, a former Boeing Engineer who helped design the Max' cockpit. He said, "It was fated at the time, but that was 50 years ago. It's not a good airplane for the current environment." We're seeing these kinds of authoritative comments and media from the Seattle Times to The Washington Post and Wall Street Journal. If listeners want to ask, you head Flyers Rights and people should go to [flyersrights.org](http://flyersrights.org) and join it. We'll have more on that later. If they ask you, Paul Hudson, is this plane ever gonna fly again, what would your response be?

**Paul Hudson:** That's a 64-dollar question Ralph, but it's not looking good for the 737 Max. In fact, there's so many moving parts here. We have a slew of government investigations. We have civil lawsuits, and we have Boeing struggling to be able to get their plane off the ground again with some kind of fix. We don't know how it's gonna all turn out, but we have seen extension after extension asked for by Boeing. Now, whereas they thought they were gonna have the result at the end of April, now they're looking at May or later. Personally, I don't know the whole story, but I would take a guess that we will not see this plane back in the air any time soon.

**Ralph Nader:** Well let's ask a more specific question. If someone says, well, we've been reading about all these Boeing software fixes, patches; they just had another glitch. They keep postponing. These software systems are not needed on the Boeing 737-700, or the Boeing's 737-800, what does that tell you about the design defect of the larger-engine-equipped 737 Max, which altered the center of gravity in the aerodynamic design of the plane, and made it prone to stall, rather than stall-proof? Can you comment on that?

**Paul Hudson:** I'm not an aviation expert, but the experts that we do rely on all pretty much say the same thing--that the plane should have been redesigned from scratch, and it wasn't. Whether this is a fatal defect or not, we don't know. But we also have now exposed in a major way, the dysfunction of the FAA's certification process. The rest of the world, flyers and airlines perhaps, are not gonna be confident, even if Boeing says it's okay, even if the FAA says it's okay. What we're suggesting is that people who are uncomfortable with this, that they make sure that their reservations are not gonna be on the 737 Max. The two airlines in the US--American and Southwest--that have these planes or the most of them anyway; the little bit they have with United. They have cancelled all their flights into the first week of June that would involve a Max airplane. But people, if they have reservations going further than that, they may want to change to an alternate flight.

**Ralph Nader:** You've been on the FAA advisory committee for a long time, there's a 1980 House of Representative Transportation Committee report that criticized severely how close the FAA was to Boeing and other craft manufacturers like McDonnell-Douglas. That was 1980. In 2011, the CEO of Boeing, the predecessor to Mr. Muilenberg, wanted to start a clean-sheet aircraft to replace the 737. But then when American Airlines announced that it was gonna buy the Airbus 320neo, Boeing freaked out and said to its engineers, quick, we got to get this 737 Max to market. And that's when they forced the Boeing engineers to compromise their engineering integrity under pressure from the executives. What I think most people don't know is Boeing has underinvested in its new plane projects especially the 737. Between 2009 and 2017, Boeing brought back 30 billion dollars of their stock, which doesn't produce one job. It should have been used to invest in new and safer narrow-bodied passenger planes. That's 30 billion dollars that basically is used to improve the metrics of the compensation packages of these top Boeing executives. To make matters worse, four weeks before the Indonesia crash, Congress passed, as you know, an authorization bill for the FAA, where they pushed the FAA to give more delegation power to Boeing, to inspect and certify its own planes. Then in December, the board of directors of Boeing announced another 20-billion-dollar stock buyback. They are never gonna be able to convince the American people that they don't have the money to provide for the creation of a safer, narrow- passenger jet and to replace the 737 Max. You know we lost our wonderful grand niece, as you lost your daughter 30 years ago in the Pan Am explosion over Scotland. We're never going to stop trying to make airline travel safer as you have done over the years. But I want you just to give the listeners a little sense of this coziness between the FAA and Boeing. It starts with Congress and the White House over the years, cutting budgets, and keeping the FAA from having adequate stuff and pushing the FAA to become a delegator to Boeing instead of a regulator.

**Paul Hudson:** That's really, I think on a policy basis, the harder issue. This is not even the first time that this has backfired. In 2013, there was a grounding for six weeks of the 787 Dreamliner, a newly designed plane, because of battery fires. We got involved in it, and filed petitions with the NTSB [National Transportation Safety Board] for the grounding because the major battery exports in the United States were publicly freaking out and saying, these batteries never should have been allowed in these planes. Had the FAA not delegated everything to Boeing to certify the safety of that airplane, had it vetted those batteries, which was a major part of their electrical system, without tried experts, they never would have gotten off the drawing board. But instead, by delegating, not just the design and testing to Boeing, but the regulatory authority to Boeing as well they have really shot themselves in the foot, hopefully, maybe in the heart. Now, with the 737 Max, they have gone several steps further. Not only does the Boeing Company design it, and in many cases, they subcontract the designs to others, like apparently they did for this MCAS [Maneuvering Characteristics Augmentation System], but they then do their own testing with the employees that they select. Then they have another set of employees including the chief certifier that certifies the whole thing as a delegate of the FAA. The FAA is simply a bystander at this point. You're right, they've been hallowed out in many ways with not enough money and staff. But also, the FAA does have quite a bit of money. They could easily have many of these things tested and vetted by outside experts. But they don't do that.

**Ralph Nader:** You know, Congress has opened up hearings in the Senate and in the House. The National Transportation Safety Board is conducting an investigation. The Inspector General of the Department of Transportation is really doing a good job. He accused the FAA of having too cozy a relationship. And there is a Justice Department FBI criminal probe that's opened up with the grand jury in Virginia. All these investigations are susceptible to being pulled back by political restraints. But the civil lawsuits under the tort system are not. And, so there's gonna be a parallel track here to get at the truth and bring Boeing to justice. Are you going to be testifying at any of the hearings in Congress, Paul? And my concern with Congress is they take a lot of freebies from these airlines, you know, free upgrades to first class, or waving reservation-fee charges. We sent a survey twice to every member of Congress, asking them to check off which freebie they have been taking. Not one member, not even our friends answered. Senator Blumenthal said he doesn't do that, and I hope he'll answer the survey. But Boeing gives money to 330 members of Congress, campaign contributions. You think Congress is gonna punt again or do you think these two crashes and horrific disclosures by the media, which is doing a good job, will get them to their senses, and even do what you've been urging--pass a really comprehensive passenger bill of rights? what's your prediction here? Are you gonna testify?

**Paul Hudson:** We've offered that, but so far, we haven't been asked to testify. The first round of hearings just involved calling in the FAA. The next round is going to involve, I believe, calling in Boeing. We believe there should be another panel with passenger reps, outside experts also, but I haven't heard back from those committees and subcommittees yet. There's also another thing, even if you leave aside a compromised position that the Congress is in, to do a very detailed, comprehensive investigation is not something that the congressional committees are up for. They need a commission, a national commission like they had after 9/11, like they had after Pan Am 103, to really get to the bottom of it. It can certainly have members of Congress on the commission as they were on the Pan Am 103 Lockerbie Commission. But it has to be separate and apart. This will take months. Congress has many things on their plate and they won't focus on something like this for more than a month or two.

**Ralph Nader:** Well that's very unfortunate. Of course we're all gonna try to make sure that doesn't happen, and that they'd finally do their job. After the hijacks to Cuba as you know, in the late 60's and early 70's, people would have urged the FAA to require the airlines to invest 3,000 dollars per plane and toughen the cockpit doors and the locks. That would have prevented 9/11. It wouldn't have prevented the hijack, but they couldn't have taken control of the plane. And look what 9/11 led to in terms of the Afghanistan, Iraq Wars, tragedies and calamities that could have all been prevented if the FAA did its job. Let's end on this note, before I ask Steve and David what questions they have, you've been working on this a long time, Paul. And it's really amazing how difficult it is to get airline passengers to band together, to join a wonderful consumer group like Flyers Rights. It's been said it's like herding cats. I think it's more difficult than herding cats. I could never understand why the business travellers who number in millions

who fly planes for their business, to get from A to B, they haven't organized a powerful consumer group to put the wood to Congress and the FAA. Can you just give a brief for Flyers Rights and why people should join it and what kind of information they get.

**Paul Hudson:** Well Flyers Rights has now been around for over ten years. We are by far the largest, and the only really mass-based consumer group that is solely focused on aviation issues. We have roughly 60,000 members. These are people that have donated, and these are people that have volunteered. These are people who sign our petitions. You have to start by going to flyersrights.org and then you have to follow the prompts to join the organization. We have reached out to other consumer groups and to business traveller groups and we're hoping that they will also step up to the plate. But you're right, without a strong organization, Boeing alone has something like a hundred lobbyists now running around Capitol Hill. We have less than one thousandth or less than one ten-thousandth of the budget that the airline lobby has. Without serious, not only serious individuals, but serious contributions, it's going to make it very hard for us to prevail.

**Steve Skrovan:** I have a question, and I wonder if Paul, you would agree with this, because I heard Ralph say something that I very rarely hear him say. And on this issue, he said, "The media is doing a good job." First of all, Ralph, did you really mean that? And Paul, would you agree with that?

**Ralph Nader:** Oh, I do mean that. Since the Ethiopian crash, they've done a really excellent job. They sort of were lulled into complacency after the previous Indonesian crash in late October. But I think the Seattle Times, New York Times, The Washington Post, and the Wall Street Journal are really doing a good job.

**Steve Skrovan:** It seems like, when we were speaking with Sheldon Krinsky earlier and asking him about the media coverage of the GMO issue, he pointed out, unless it's something dramatic, the media doesn't cover it; and I guess an airline crash is dramatic enough for them to cover, which may account for the media doing a good job.

**Ralph Nader:** What do you think Paul?

**Paul Hudson:** Yes, I would agree. After Pan Am 103 went down in December of '88, I organized a press conference in New York City to allow family members to, you know, essentially speak their mind. We reserved a small conference room at the Grand Hyatt next to Grand Central Station. We expected there would be a few reporters there. Well there were at least 30, and they were from all over the world. And there were so many cameras that we had to actually expand to a larger space. What this story gives the media, besides the sensationalism that comes from a mass disaster and all these deaths, it also has an international impact where 35 countries are represented on this plane in Ethiopia. There were many countries represented, victims from all over the world on the Pan Am 103 Lockerbie crash.

So, that is another thing. The fact that Boeing is involved with what appeared to be more than negligent, gross negligence, or even somehow criminal conduct that adds another dimension to it. Then finally you have the scandalous way that the FAA has been regulating. That has another totally different, but related compliment. When you put all these things together, it makes the story a much bigger deal than a typical air crash.

**Ralph Nader:** Let's hope the media stays with it, and doesn't peter out and get distracted.

**Steve Skrovan:** You have whistleblowers coming out of the woodwork on this?

**Paul Hudson:** We are getting calls from engineers that work for Boeing and I can't say more than that right now, but we hope that that will help expose what needs to be revealed.

**Ralph Nader:** The call for whistleblowers, Steve, has come not only from Paul and other consumer advocates, it's actually coming from the House Transportation Committee. They put out a call for whistleblowers. I think other groups are putting out a call. They don't have to be just from Boeing. They could be from suppliers; they could be ex-aerospace engineers, retired experts They're already being quoted in many newspapers authoritatively. All this is gonna come out. Boeing better know that and not fight it in its own commercial interest. It's flyersrights.org. Go to it and join and get the sense that you're gonna band together if you're gonna fly safely in the future. The voice of the passenger has to be heard in organized daily fashion. We're asking all members of Congress who have taken Boeing contributions to return the contributions to Boeing; even better to send the contributions that they shouldn't have taken to flyersright.org. They returned the contributions from Harvey Weinstein. Boeing caused the death of 346 people in Indonesia and Ethiopia. That's the least these members of Congress can do in terms of paying their due respects. Thank you very much Paul Hudson, director of flyersrights.org--your airline passenger fighter. Become part of it.

**Paul Hudson:** Thank you, Ralph.

**Steve Skrovan:** We have been speaking with Paul Hudson of Flyers Rights. We will link to Flyers Rights at [ralphnaderradiohour.com](http://ralphnaderradiohour.com). I want to thank our guests again today, Professor Sheldon Krinsky, and Paul Hudson for Flyers Rights. 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. We've got some great more stuff with Paul Hudson. A transcript of this show will appear on the Ralph Nader Radio Hour website soon after this episode is posted.

**David Feldman:** For Ralph's weekly column, it's free, go to [nader.org](http://nader.org). For more from Russell Mokhiber, go to [corporatecrimereporter.com](http://corporatecrimereporter.com). Join us next week on the Ralph Nader Radio Hour. Thank you Ralph.

**Ralph Nader:** Thank you everyone. Because people like you over the past ten years made Flyers Rights a functioning group, that means you can make it an even more powerful group on your members of Congress and the FAA. You all fly, don't you? Go to [flyersrights.org](http://flyersrights.org).