

COVID-19 and the Constitution
Podcast Series



This quarter, The Constitution Project (TCP) at POGO launched a five-part podcast series that brought together the press and experts on public health, constitutional rights, and emergency powers to examine the risks COVID-19 has created for travel, surveillance, the criminal justice system, immigration, and the First Amendment, as well as what safeguards the government should put in place to protect your rights.

The series highlighted many problems that existed before the pandemic and have been exacerbated by it, such as those relating to immigrant detention and the courts. These problems include cramped and unsafe living conditions that increase the risk of spreading the virus and threats to constitutional rights like access to a speedy trial and attorneys.

It also examined newer challenges for First Amendment rights—freedom of speech and religion in particular—given social distancing needs and lockdown orders. With unprecedented restrictions on travel, experts broke down what powers the government has and discussed policies that should be designed to both protect the public health and our constitutional rights.

In July, Representative Jackie Speier (D-CA) introduced legislation to protect privacy in contact tracing based on TCP’s recommendations.

Asking Hard Questions During Difficult Times

Times of crisis require extraordinary actions. But in these moments, the risk that our constitutional rights and civil liberties are eroded increases as well. The Constitution Project at POGO released a limited-run podcast series examining the risks COVID-19 has created for our civil liberties.

Listen now: pogo.org/covid-constitution-podcast

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The Project On Government Oversight (POGO) is a nonpartisan independent watchdog that investigates and exposes waste, corruption, abuse of power, and when the government fails to serve the public or silences those who report wrongdoing.

We champion reforms to achieve a more effective, ethical, and accountable federal government that safeguards constitutional principles.



REPORTING BACK
TO YOU

Impact Update

Spring/Summer 2020

Dear <<FIRST NAME>>,

The past six months of 2020 have brought new and enduring challenges for the nation. From a pandemic that completely upended American life, to the most recent brutal murder of a Black man at the hands of police, ongoing protests against systemic racism and political battles over managing COVID-19 continue to roil our country. **And I want to reassure you that, through it all, POGO is still here.** We’re continuing to investigate, expose, and root out corruption and abuse of power—albeit doing those things from our living rooms instead of from our offices.

Recently, POGO worked around the clock to make sure that the coronavirus relief bill included oversight provisions to ensure the relief funds were going to those who most urgently need it. **POGO has also developed new resources such as our COVID-19 Tip Line.** This page allows anyone to disclose wrongdoing related to the government’s handling of COVID-19. Thanks to information from the tip line, POGO published an investigation into the unsafe, disorganized practices governing merchant mariners and successfully forced the Navy to retract their claim that there were no COVID-19 cases on a particular Navy ship.

We exposed how the American Dental Association pressured the Centers for Disease Control and Prevention to lower its public health standards to allow dentists to start opening their offices prematurely for routine dental appointments. And we also read the fine print on the eviction moratorium passed by Congress and found it is nearly impossible for a renter to know whether they qualify for the protection.

Thank you for your continued support and I hope you find as much hope for continued progress when reading this newsletter as we did in putting it together for you.

Sincerely,

Danielle Brian

Danielle Brian
Executive Director



PROTECTING THOSE WHO COME FORWARD



POGO Reveals Thousands of Civilian Mariners Stuck on Navy Ships

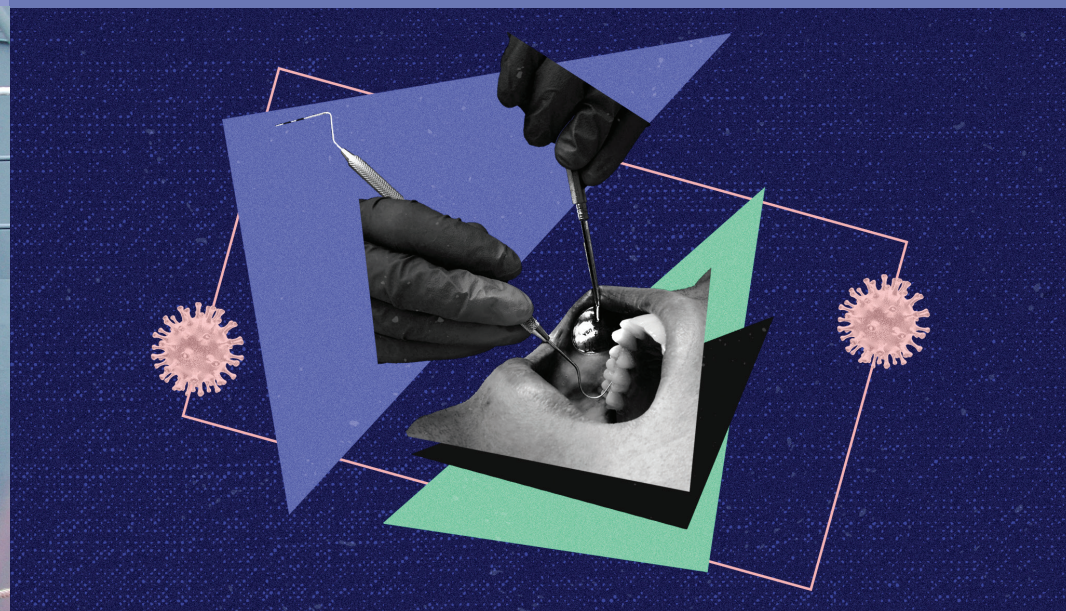
At the outset of the COVID-19 pandemic, POGO established a tip line where anyone could report concerns about the federal government's response. **One of the anonymous tips we received prompted an investigation into the merchant mariners**, civilian workers who sometimes work aboard Navy ships. We found that the commander of the Military Sealift Command (which commands the civilian crew) ordered merchant mariners to stay aboard ships, but military personnel and contractors were permitted to enter and leave the ship, leaving the mariners at risk of contracting the virus. **Ultimately, POGO's investigation forced the Navy to retract their claim that there were no COVID-19 cases on a particular Navy ship.**

POGO Pushes Government to Advise Healthcare Workers of Their Rights

After POGO pointed out that the Department of Labor's Occupational Safety and Health Administration (OSHA) remained silent following reports that healthcare workers were fired for reporting health and safety risks, **OSHA sent out a press release reminding "employers that they cannot retaliate against workers reporting unsafe conditions during the coronavirus pandemic."**

We originally flagged OSHA's silence in a report and followed up with a letter to the agency, calling on OSHA to issue guidance about health care workers' whistleblower protections. **OSHA's press release came one day after POGO contacted the agency.**

PROTECTING COMMUNITIES



Dentists Open Wide After Lobbyist Pressure

POGO recently uncovered that the American Dental Association (ADA) lobbied the Centers for Disease Control and Prevention (CDC) to lift restrictions on non-emergency dental appointments, **despite the risks of working in an industry where the equipment "blows virus like a spray gun out of any mouth of anyone coming in,"** according to one dentist.

We also found that the ADA used its power—"equivalent to the NRA," according to one Republican lawmaker—to move dentists up the line of priority for personal protective equipment, **even as hospitals around the country continued to suffer shortages.**

NPR Features POGO Report on *All Things Considered*

Based on internal documents POGO obtained as part of our lawsuit against the Department of Homeland Security (DHS), **we published an investigation into deficiencies in medical care** at two Immigration and Customs Enforcement (ICE) detention centers that led to preventable deaths in 2017 and 2018. Those same detention centers saw coronavirus cases this year.

In order to prevent massive outbreaks among detainees, staff, and surrounding communities, we recommended that ICE reduce the detained population, increase testing, and require prompt and accurate reporting from its facilities. **Following our investigation, NPR featured our report on its show *All Things Considered*.**

PROTECTING THE TAXPAYER



No, We Shouldn't Bail Out Boeing

When Congress drafted the COVID-19 relief legislation in an attempt to mitigate the economic fallout of the pandemic, major Pentagon contractors like Boeing went to the front of the line to ask for billions in taxpayer dollars. POGO emphasized why Boeing and its competitors did not deserve a bailout: **after the 2008 economic crash, Boeing spent nearly \$43 billion in stock buybacks upon receiving government bailout funds**—instead of investing in its workforce. Fortunately, after public pressure, Boeing announced that it would withdraw its application for relief funding.

POGO Helps Create Oversight Mechanism for Coronavirus Relief Bill

In order to avoid crony capitalists from profiting on the emerging economic disaster by robbing taxpayers, POGO pushed for the creation of the Pandemic Response Accountability Committee to **oversee all spending, lending, and other outflows appropriated for coronavirus relief.**

SIGN UP

Help Enact Change

If you want to be part of our ongoing work beyond financial support and want to feel more directly connected to the change that POGO is working toward, subscribe to our General Updates emails or any one of our other topical newsletters at: pogo.org/subscribe