



CORONAVIRUS PANDEMIC

CORONAVIRUS CASES TOP 4.1 MILLION IN THE UNITED STATES

LIVE

MSNBC

9:03 PM ET

U.S. PIRG



PATRICIA KELMAR
HEALTH CARE PROGRAM DIRECTOR, PUBLIC INTEREST RESEARCH GROUP

2020 PROGRAM REPORT

Finding common ground and making real progress

Dear U.S. PIRG member,

Thank you for opening this report on our action, progress and results in 2020—a year that many Americans wish they could forget.

As the nation grappled with COVID-19, many of our national network's advocates and organizers turned their focus to strategies designed to save as many lives as possible.

Our staff and many of our supporters joined public health and medical groups in urging federal leaders to centralize the medical supply chain to ensure critical supplies reached areas most in need. As cases surged in the summer and fall, we joined health care workers in calling on states and federal leaders to put public health first by scaling back reopening until the virus could be suppressed. And, with the announcement of promising vaccine trial results as the year came to a close, U.S. PIRG organized online forums with expert panelists to identify strategies for vaccinating as many people as possible as quickly as possible.

Meanwhile, PIRG's consumer watchdogs continued to monitor the marketplace and give consumers resources to protect themselves. After a report by U.S. PIRG Education Fund revealed rampant price surges for hand sanitizer and masks on Amazon in March 2020, for example, we started a call for the world's largest online marketplace to adopt controls to protect Americans from price surges for essential items.

As COVID-19 cases climbed in the spring of 2020, it became vitally important for hospitals to keep ventilators in service as much as possible. Our Right to Repair campaign mobilized quickly to call on manufacturers to lower barriers to ventilator repair, and, in April, several major manufacturers did exactly that.

All of these efforts—in addition to our ongoing work to cut down on plastic waste, reduce our exposure to toxic chemicals, and more—were made possible by your support. Our country will always face challenges. As the American people decide how to meet them, it's our job to offer a voice for the public interest. We're grateful to you and so many others for granting us this privilege.

Thank you.



Douglas Phelps
Chairman, U.S. PIRG



Faye Park
President, U.S. PIRG



February 2020: U.S. PIRG Beyond Plastic Campaign Director Alex Truelove (right) and U.S. Rep. Alan Lowenthal (left) applauded the introduction of sweeping legislation to curb plastic waste.



U.S. PIRG launched a campaign urging Whole Foods to eliminate unnecessary plastic packaging from its stores in November 2020.

Working toward zero waste

With your support, we continued to build momentum for bans on the worst single-use plastics in 2020. And, to address our plastic pollution problem at the corporate level, we launched a nationwide campaign urging Whole Foods to eliminate unnecessary single-use plastic packaging from its stores.

New Jersey takes strongest action in the nation on single-use plastics

NOV. 4, 2020: New Jersey became a national leader on tackling plastic pollution last fall.

In November 2020, Gov. Phil Murphy signed a statewide ban on plastic retail bags and polystyrene foam containers—some of the most pervasive and harmful forms of single-use plastic.

The law makes New Jersey the latest state to enact sweeping plastic waste legislation a year after Maryland and Maine became the first to ban foam takeout containers. New Jersey additionally joins eight others that have adopted bans on plastic shopping bags since 2019.

“We can’t stop the flow of plastic pollution unless we turn off the tap by making less disposable plastic in the first place,” said Alex Truelove, U.S. PIRG’s Zero Waste campaign director.

“We know that plastic shopping bags and foam containers are among the most common,

harmful and non-recyclable forms of plastic out there. Study after study agrees: We’re better off without them.”

U.S. PIRG and our state partners are continuing to build support for bans on the worst single-use plastics both at the federal level and in states across the country.

U.S. PIRG urges Whole Foods to do its part to cut plastic pollution

NOV. 30, 2020: Whole Foods isn’t living up to its planet-before-profit reputation—but lightening its plastic footprint could change that and help address our plastic waste problem.

U.S. PIRG launched a campaign calling on Whole Foods to phase out single-use plastic packaging at its stores in November 2020.

Earlier in the year, environmental group As You Sow gave the grocery chain an “F” for its policies on plastic packaging, material that contributes to the massive amounts of plastic waste overrunning our landfills, littering our communities and polluting our planet.

“Whole Foods Market once led the industry as the first U.S. grocer to eliminate plastic grocery bags at checkout in 2008,” said Alex.

“It’s time they lead again.” ■



Responding to COVID-19

The coronavirus pandemic poses the greatest threat to Americans' health and safety in a century. But through the course of 2020, the United States lacked a coordinated federal response to the crisis.

As COVID-19 cases started to climb, U.S. PIRG assembled a team of advocates and policy experts to research and elevate strategies for protecting public health and turning the tide on the pandemic. Working with health care professionals, and with the support of people like you, we advocated for measures to suppress the virus, increase testing, keep health care workers safe, protect consumers and more. Here's some of the work that you helped make possible in this unprecedented year.

A call to shut down, start over and do it right

JULY 2020: Hundreds of thousands of Americans have died from COVID-19. With a more effective response, we could have saved many of those lives.

But we failed to shut down properly, failed to stamp out the virus, and rushed to reopen the economy before we were prepared to contain future outbreaks with testing and tracing.

Between mid-July and the end of August—as COVID cases rose—nearly 1,400 medical professionals signed an open letter calling on then-President Donald Trump and the nation's governors to again shut down non-essential activity and to this time stamp out the virus and scale up containment before reopening in measured increments.

The letter, organized by U.S. PIRG, earned widespread coverage by news outlets including CNN, Forbes and USA Today.

“Mr. Trump, federal administration, honorable governors: We remind you that history has its eyes on you,” wrote Matt Wellington, director of U.S. PIRG’s public health campaigns, in the letter.

U.S. PIRG to federal lawmakers: Ramp up COVID testing, PPE production

NOV. 24, 2020: As COVID-19 cases and deaths reached new highs in November 2020, Americans desperately needed stronger action to suppress the coronavirus and protect the health care workers who protect all of us.

U.S. PIRG urged federal lawmakers to provide at least \$75 billion to help states ramp up their testing efforts and to boost production of personal protective equipment (PPE) by requiring the Trump administration to fully utilize the Defense Production Act.

Scaled-up testing helps states catch isolated cases before they become full-scale outbreaks. Meanwhile, increased PPE production helps ensure that frontline workers have the supplies they need to protect themselves and their patients from the virus.

“Americans have sacrificed so much since March, but our leaders haven’t stepped up to meet that sacrifice,” said Matt. “Our best defenses against COVID-19 are widespread test-

ing and sufficient PPE, yet we still have nowhere near enough of either.”

Panel experts discuss COVID-19 vaccination with U.S. PIRG’s Matt Wellington

NOV. 16, 2020: In November 2020, pharmaceutical companies Moderna and Pfizer announced promising results for their COVID-19 vaccines, prompting questions about what the public should expect and when.

To answer these and other questions, U.S. PIRG Public Health Campaigns Director Matt Wellington was joined by public health experts Drs. Syra Madad, Saad B. Omer, Krutika Kuppalli and Trudy Larson on Nov. 16 for the first in an ongoing series of panel discussions.

The experts discussed trial results for the emerging vaccines, obstacles to distributing the vaccines across the country, and what to expect once vaccines are rolled out to the public.

“Our biggest vulnerability is not the vaccine anymore. Increasingly, it’s vaccination,” said Dr. Omer, director of the Yale Institute for Global Health. “We should demand the same level of rigor in vaccine acceptance science as we demand in terms of vaccine development science.”

Video of the full panel discussions is available on U.S. PIRG’s Facebook page. ■



In the fall of 2020, U.S. PIRG called on Congress to send states resources needed to ramp up their COVID-19 testing efforts.



To discuss COVID-19 vaccination, Matt Wellington was joined by Dr. Syra Madad, infectious disease epidemiologist and fellow at Harvard’s Belfer Center for Science and International Affairs.



6 ON YOUR SIDE

12:19 | 60°

> FIGHTING BACK AGAINST PRICE GOUGING



U.S. PIRG Consumer Watchdog Associate Grace Brombach joined WSYX to advocate on behalf of consumers facing online price gouging on critical supplies in April 2020. Our research partners at U.S. PIRG Education Fund first exposed massive price surges for hand sanitizer and masks on Amazon in March 2020.

PIRG Consumer Watchdog on the alert

For more than 40 years, PIRG’s consumer watchdogs have identified threats in the marketplace and advocated for stronger consumer protections. In 2020, as Americans faced new dangers brought on by the COVID-19 pandemic, our national network and our research partners at U.S. PIRG Education Fund responded.

2020 was a year of price surges on the world’s largest online marketplace

JAN. 7, 2021: In the midst of the COVID-19 crisis, Amazon shoppers have grappled with price spikes for items they need. Analysis by our research partners at U.S. PIRG Education Fund found that the problem persisted over the course of 2020. The research revealed that hundreds of listings for essential items saw price increases of more than 20 percent between January 2020 and January 2021. Of those items, approximately 1 in 7 was sold directly by Amazon.

U.S. PIRG Education Fund first exposed massive price surges for hand sanitizer and masks on Amazon in March 2020. Since then, more than 380,000 supporters have joined our network in calling on Amazon to install controls on its platform to prevent sellers from price gouging.

In March 2020, 33 attorneys general issued letters to Amazon, Craigslist, eBay, Facebook and Walmart, urging the marketplaces to adopt more proactive measures to combat price gouging, citing U.S. PIRG Education Fund’s report. Shortly after, hundreds of state lawmakers signed onto a letter penned by U.S. PIRG Education Fund reinforcing that call.

Report finds PPE shortages at 1 in 5 nursing homes last summer

OCT. 27, 2020: Protecting our most vulnerable citizens and preventing further COVID-19 outbreaks means making sure our nursing homes have the masks, gowns and hand sanitizer they need to limit the spread of the coronavirus.

But the nation's nursing homes experienced massive shortages of personal protective equipment (PPE) over the summer of 2020, a U.S. PIRG Education Fund and Frontier Group analysis of data collected by the Centers for Medicare & Medicaid Services found.

The Oct. 27 report, covered by the New York Times, the Los Angeles Times and CBS News, found that, in August, a fifth of reporting facilities possessed less than a one-week supply of one or more types of PPE—a critical shortage by industry standards.

“It’s appalling that this is how we treat our most vulnerable—our senior citizens and people recovering from a major surgery or illness,” said U.S. PIRG Education Fund Consumer Watchdog Teresa Murray.

U.S. PIRG Education Fund recommended in its report that Congress address PPE shortages by passing the Medical Supply Transparency and Delivery Act.

Auto lending complaints spiked with pandemic, finds analysis of CFPB data

OCT. 14, 2020: Americans already struggling in a pandemic shouldn’t also be the targets of abusive auto lending tactics.

But from March to July 2020, Americans filed more than 2,800 complaints with the Consumer Financial Protection Bureau (CFPB) regarding vehicle loans and leases, according to an October report from our research partners at U.S. PIRG Education Fund and Frontier Group.

The spike represents the largest influx of auto lending complaints in a five month period in the history of the CFPB’s complaint database. Nearly half cite harassment from debt collectors.

“While so many Americans have endured life-changing events in the past months and have a lot less money, auto loan market abuses that have been growing since the 2008 financial collapse have dramatically worsened,” said Ed Mierzwinski, senior director of U.S. PIRG Education Fund’s federal consumer programs.

The report makes recommendations to the CFPB, the Federal Trade Commission and state decision-makers for protecting consumers in the auto lending market. ■



During the summer of 2020, nursing homes nationwide experienced severe shortages of PPE, found a U.S. PIRG Education Fund report.



U.S. PIRG Consumer Program Associate Lucy Baker discussed the sharp increase in auto loan complaints during an October 2020 interview with Scripps National News.



RIGHT TO REPAIR

GROUP'S PUSH TO FIX BROKEN MEDICAL DEVICES WITHOUT MA

Nathan Proctor, U.S. PIRG's Right to Repair campaign director, called on manufacturers to release ventilator repair documentation and service keys on Pittsburgh's Action News 4 in April 2020.



Nathan testified in support of Right to Repair legislation at the Massachusetts state house in October 2019.

Right to Repair: not taking 'broken' for an answer

Our Right to Repair campaign took on new dimensions in response to the coronavirus pandemic, as medical repair professionals faced repair restrictions in the midst of a public health crisis.

With your support, U.S. PIRG spearheaded a call for manufacturers to release ventilator service information necessary for fixing these lifesaving machines. After major manufacturers agreed to loosen repair restrictions, we expanded our campaign, building support for federal legislation to make it easier for medical repair professionals to access the parts and service information they need to fix critical equipment.

In addition, U.S. PIRG's work to empower consumers and third-party repair professionals with the right to repair was recognized by business magazine Fast Company.

U.S. PIRG helps win release of vital service information for ventilators

APRIL 22, 2020: In March 2020, as cases of COVID-19 mounted, it became vitally important that hospitals be able to keep ventilators in service as much as possible. But some manufacturers had restricted access to the repair documentation and service keys that biomedical repair technicians need to fix and maintain these lifesaving devices, prompting action from U.S. PIRG and our state partners.

More than 43,000 petition signers and state treasurers and auditors from nine states joined our network's call for manufacturers to help hospitals confront the pandemic by releasing ventilator service informa-

tion. And in April, manufacturers including GE, Medtronic and Fisher & Paykel started to make that requested service information available.

“I want to thank ventilator manufacturers for providing access to service documents,” said U.S. PIRG Right to Repair Campaign Director Nathan Proctor. “We hope this also serves as an example of how restricting repair is harmful. When technicians can’t access service manuals, it creates unnecessary barriers to fixing lifesaving equipment.”

U.S. PIRG backs bill in Congress to loosen medical repair restrictions

AUG, 2020: Not being able to fix a critical medical device creates a risk for patients, especially during a pandemic. Too often, though, manufacturer restrictions impede repairs.

That’s why U.S. PIRG called on Congress to pass a bill introduced by U.S. Sen. Ron Wyden (Ore.) and U.S. Rep. Yvette Clarke (N.Y.), which seeks to lower restrictions on components and service information that biomedical repair technicians (biomeds) need to fix essential medical devices during the COVID-19 crisis.

“I’ve talked to more than a hundred biomeds since the start of the crisis,” said Kevin O’Reilly, Right to Repair associate with our national net-

work. “All they want is to be able to fix broken equipment and protect patients.”

In a survey of 222 repair professionals released by our research partners at U.S. PIRG Education Fund in July, 30 percent reported having critical equipment—such as defibrillators, ventilators and anesthesia machines—that they could not put to use because they lacked access to parts and service information.

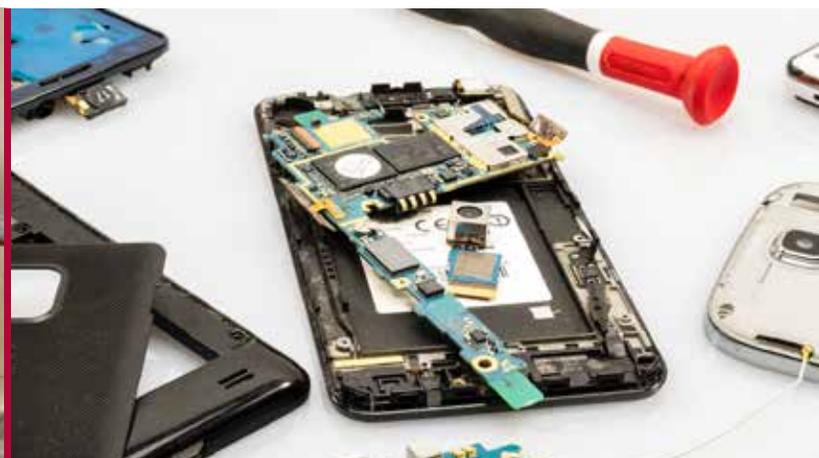
Right to Repair named a finalist for Fast Company’s ‘World Changing ideas’

APRIL 28, 2020: Right to Repair is a simple concept: If you own something, you should be allowed to fix it. Too often, though, we are blocked from repairing our devices for proprietary reasons, leading to unnecessary costs and electronic waste

In April, business magazine Fast Company selected U.S. PIRG’s Right to Repair campaign as a finalist for its World Changing Ideas awards in the Politics & Policy category.

“We appreciate Fast Company’s recognition of the importance of the right to repair,” said Nathan Proctor. “It seems like such a simple premise, but it’s clear that we need to fight for it.”

In 2020, Right to Repair legislation was introduced or carried over in 20 state legislatures. ■



Clockwise from top left: Medical repair professionals Maggie Berkey, Travis Reilly, James Helton and Jonathan Lee urged passage of the Critical Medical Infrastructure Right-to-Repair Act in August.

Too often, consumers and third-party repair shops are unable to access the parts and service information needed to fix devices such as cell phones due to manufacturer restrictions.



Laura Deehan, then-public health advocate with CALPIRG, spoke in support of the Toxic-Free Cosmetics Act alongside Assemblymembers Buffy Wicks and Al Muratsuchi in January 2020.

Standing up for a future that's toxic-free

We shouldn't have to worry about coming into contact with toxic chemicals in our daily lives. In 2020, consumers saw wins for a healthier marketplace as McDonald's agreed to phase out PFAS chemicals from its food packaging and Johnson & Johnson ended North American sales of its talc-based baby powder. But we still have more work to do to make sure our future is toxic-free.

California becomes first state to ban toxic chemicals in cosmetics

SEPT. 30, 2020: In a win for consumers' health, California passed a first-in-the-nation law banning toxic chemicals in cosmetics last year.

Gov. Gavin Newsom signed the Toxic-Free Cosmetics Act, sponsored by our partner group CALPIRG, in September 2020. The new law bans 24 toxic ingredients, including mercury and formaldehyde, from beauty and personal care products sold in the state.

"We applaud Gov. Newsom and the Legislature for taking decisive action to protect public health, and we are grateful to Assemblymembers Al Muratsuchi, Buffy Wicks and Bill Quirk for introducing this crucial legislation," said CALPIRG Public Health Associate Claudia Deeg.

The banned chemicals are linked to severe health issues including cancer, birth defects, organ system damage and endocrine disruption. California's decision to get them out of cosmetics sets an example for other states to follow.

Testing suggests PFAS in food packaging at McDonald's

AUG. 6, 2020: Some food packaging at popular restaurant chains, including McDonald's Big Mac containers, may contain toxic PFAS chemicals, found a report co-released by Illinois PIRG Education Fund—located in the home state of McDonald's headquarters—the Mind the Store campaign, Toxic-Free Future and other coalition partners.

Nicknamed “forever chemicals” for their persistence in the human body and environment, PFAS (or per- and polyfluoroalkyl substances) have been linked to health problems including cancer, liver damage and decreased fertility.

Paper bags used for greasy foods and molded fiber bowls and trays were among the items that most frequently tested above the fluorine screening level suggesting they were treated with PFAS.

“We shouldn't have to worry that our lunch is exposing us to toxic chemicals,” said Danielle Melgar, toxics advocate for Illinois PIRG Education Fund.

U.S. PIRG and our state partners called on McDonald's to use only PFAS-free packaging. And,

in January 2021, the fast food giant committed to eliminating PFAS from food packaging used in its restaurants by 2025.

Bayer to pay \$10 billion to settle Roundup lawsuits with cancer victims

JUNE 24, 2020: A weed killer whose main ingredient may be linked to cancer has no business being sprayed on our lawns, parks and playgrounds unless and until it's proven safe.

In a landmark settlement in June 2020, Bayer, the new owner of Monsanto and its popular weed killer Roundup, agreed to pay more than \$10 billion to nearly 100,000 plaintiffs who alleged the pesticide causes cancer. Glyphosate, the main chemical ingredient in Roundup, was classified as a probable carcinogen by the World Health Organization's cancer research arm in 2015.

“The story that Bayer and Monsanto have pushed for years—that Roundup doesn't cause cancer—doesn't mesh with the experiences of thousands of people whose contact with the herbicide has irrevocably changed their lives,” said U.S. PIRG President Faye Park.

U.S. PIRG is continuing to advocate for bans on Roundup and other glyphosate-based pesticides unless and until they are proven safe. ■



Is it really worth risking our health so our hands don't get greasy?" asks Danielle Melgar outside of a McDonald's in Illinois, where the fast food giant is headquartered.



Roundup maker Bayer agreed to pay more than \$10 billion to nearly 100,000 plaintiffs in June 2020.



U.S. PIRG Health Care Campaigns Director Patricia Kelmar advocated for the passage of an Ohio bill to stop surprise medical billing during an interview with *In Focus*, aired on *Spectrum News 1* in November 2020.

Landmark win will protect patients from surprise bills

Insured Americans across the country can cheer for one of the most far-reaching consumer health laws in years. On Dec. 27, 2020, then-President Donald Trump signed the bipartisan No Surprises Act—a law that will protect millions of consumers from unfair surprise medical bills sent by out-of-network providers. Federal action came after 32 states had already banned “balance billing”—a practice where out-of-network medical professionals charge you the difference between their fees and the maximum amount allowed by your insurance company.

The surprise billing problem

One of the first things a consumer learns when they get private health insurance is that it’s in their best financial interest to choose an in-network provider to limit their out-of-pocket costs. “Provider networks” are tools used by health insurance plans to keep down their costs—and premiums—by guaranteeing a volume of patients to certain providers in exchange for discounted contract rates. The networks allow insurance plans to be more competitive while consumers get the benefit of lower co-pays and deductibles if they use their plan’s network of providers, labs and hospitals.

The problem arises when certain “ancillary” providers—notably anesthesiologists, radiologists and emergency room physicians—don’t participate in an insurer’s network. After visiting an out-of-network provider, even one that practices at an in-network facility, a patient’s health plan only pays part of the cost. The remaining amount—the balance bill—is sent to the patient. And when that happens, invoices for hundreds or even thousands of dollars land in patients’ mailboxes as unwelcome surpris-

es—and that’s how the practice got its name: surprise billing.

The practice is so common that there’s a one in five chance a patient is hit with a surprise bill after visiting a hospital or emergency room.

State battles for consumer protection

The states have always been an important testing grounds for innovative legislative solutions to consumer problems. With Americans facing medical bills that often put them into debt, the state PIRGs and other advocates focused on two policy solutions: banning surprise billing and installing a system for settling payment disputes between out-of-network providers and insurers in a way that prevents cost shifting and keeps overall health care costs down.

With so much money at stake, and with the heavily-financed private-equity physician lobby and the health insurance lobby each fighting for their own interests, the task was not a simple one. Nevertheless, our state partners in California, Oregon and Texas helped win key surprise billing protections in their states.

A complete solution required federal action

Despite hard-won victories, 18 states still offered no protections against surprise billing. Meanwhile, existing state protections only extended to residents with state-regulated health plans, leaving out Americans enrolled in federally-regulated plans, including many employer-sponsored plans.

U.S. PIRG joined with coalition partners to lead the No Surprises: People Against Unfair Medical Bills campaign. Thousands of members from across our national network urged Congress to pass a federal law. In addition, our advocates argued the urgency of protecting Americans amid the coronavirus pandemic in letters directly to congressional leadership and worked with members on both sides of the aisle to champion a bipartisan solution.

The need for a solution was embraced by both Democrats and Republicans in the House and Senate. And, in the final days of the 116th Congress, then-President Trump signed a compromise bill, the No Surprises Act, into law.

Consumer protections go into effect in 2022

The implications of the No Surprises Act are significant. The law prohibits providers, health care facilities and air ambulances from sending surprise medical bills to patients and establishes an arbitration process for insurers and providers to settle payment disputes in a fair way to keep overall costs down. Passage of the law expands protections to millions of people in states without laws prohibiting surprise billing and to an estimated additional 135 million people who are covered by employer self-funded plans.

It will take a year to write the regulations clarifying exactly how the more than 300 pages of law will be implemented. U.S. PIRG will be working to make sure those regulations are written in a way that prevents loopholes and ensures the intent of the law is retained. ■



Patricia Kelmar started developing her advocacy chops with MASSPIRG Students and NJPIRG before dialing in on health care issues at New Jersey Health Care Quality Institute and AARP New Jersey.



After returning as director of U.S. PIRG’s health care campaigns in 2020, Patricia (pictured here during her days as NJPIRG’s consumer advocate) led our efforts to end surprise medical billing.

U.S. PIRG

United States Public Interest Research Group
Membership Services Office
1543 Wazee St., Ste. 430
Denver, CO 80202
(202) 546-9707

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2020 PROGRAM REPORT

Member Spotlight

Our work is made possible by the support of you, our members. This year we wanted to highlight the story of one of those members, in her own words.

Clare Feinson

As a child, I was often involved in causes I cared about. I collected money for UNICEF at Halloween and I was always up for service projects through the Girl Scouts. My parents were active in political and volunteer organizations and involved me in mailing newsletters, organizing events, leafleting and getting petitions signed.

My involvement with PIRG started when I was a graduate student at George Washington University, where I served as the chair of D.C. PIRG for a year. I think your organization has done a great job selecting issues where the public interest needs an advocate. Though I have not been involved in the day-to-day workings of PIRG for a long time, I continue to support the work that you do.

Our Staff (partial list)

Faye Park

President, U.S. PIRG

Doug Phelps

President, The Public Interest Network. Chairman, Board of Directors U.S. PIRG

Katie Murtha

Vice President, Federal Government Affairs

Allison Cairo

Vice President and National Field Director

Ed Mierzwinski

Senior Director, Federal Consumer Program

Teresa Murray

Consumer Watchdog

Alex Truelove

Director, Zero Waste Campaign

Matt Wellington

Director, Public Health Campaigns

Patricia Kelmar

Director, Health Care Campaigns

Nathan Proctor

Director, Campaign for the Right to Repair

Danielle Melgar

Make It Toxic Free Campaign, Advocate

Matt Casale

Director, Environment Campaigns

Mike Landis

Attorney and Director, U.S. PIRG Litigation Project

Susan Rakov

Director, Research & Reports

Jenny Douglass

Member Retention Coordinator

Marcia Eldridge

Deputy Director, Digital

Matt Curtis

Senior Communications Manager and Creative Director

Pam Clough

Director, Donor Development Program

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