



M U L T I S T A T E

## 'Big Fight' Breaks Out Over Which Interest Groups Get Vaccine First

The chief executive of Uber, the ride-hailing company whose six New York lobbying firms include Albany's best connected, wrote last week to Gov. Andrew M. Cuomo with an ask: priority for its drivers in the next round of coronavirus vaccinations.

Days later, the president of New York's largest transit union spoke about the same topic with the chairman of the state transit authority, a Cuomo appointee. Not to be outdone, the Hotel Trades Council, a hospitality labor group with an aggressive political arm, urged the state's health commissioner in a letter on Tuesday to give priority to its members.

Even a presidential elector had hoped to chat with the governor about who was getting vaccine priority — after they both took part in New York's Electoral College vote.

Political horse-trading is routine in state capitals, but Albany has a particularly long tradition of behind-the-scenes deals. Now, as the coronavirus rages and vaccines remain in short supply, the pandemic has been thrust squarely into the maw of New York politics.

A state official described the next stage of vaccine prioritization as “the big fight.”

“Everyone is chasing the same thing now, and it really is remarkable,” said James E. McMahon, a veteran Albany lobbyist who represents a school bus company and other firms interested in early vaccination. “The need was there and then there's the vaccine and all of a sudden, people are saying, ‘Oh, Jesus, we've got to get in line now.’”

On Sunday, an advisory panel at the Centers for Disease Control and Prevention [made new recommendations](#) for who should come next in line: roughly 30 million “frontline essential workers” like emergency responders, teachers and grocery store employees, and people 75 and older.

The next priority group would include other essential workers, such as those with jobs in restaurants, construction and law. The recommendations could be approved by the C.D.C. as soon as Monday and then would be sent to the states.

But even then, the states would still have the power to make final decisions on vaccine distribution — leaving room for interested parties to lobby state officials.

Apparently attuned to the atmosphere, Mr. Cuomo made several pronouncements this past week that his administration would not be swayed by interest groups.

“There will be no political favoritism,” the governor said in a news conference on Wednesday, a message he repeated on Friday.

The question of where groups of workers stand in the line for vaccines has yet to be resolved in New York or in a majority of other states, [according to a review by the nonprofit Kaiser Family Foundation](#).

Some states, [like Illinois](#), are awaiting further [federal guidance](#) for allocation beyond the initial vaccine supplies.

Others have provided some details. Colorado officials have said [ski industry employees living in congregate settings](#) would be part of the early vaccine rounds. Health officials in Georgia and Arkansas are [including workers in meatpacking](#) or [food processing plants](#).

In New York, emergency responders like police officers, transit workers and those who maintain power grids and other critical infrastructure will almost certainly be part of the next wave, according to [a state plan](#).

But the remaining uncertainty has led to clamoring for consideration in state capitols and in Washington from a wide array of businesses and workers. Tens of millions of Americans, designated as essential, continue to toil amid the pandemic’s dangers while others work from home.

The list of those who qualified as essential in New York, in order to continue working through virus-related shutdowns, stretched from chiropractors to landscapers to bicycle mechanics. That long list has allowed all sorts of industries to claim they should also be among the first for the vaccine.

Rich Maroko, president of the Hotel Trades Council, wrote a letter to state health officials in which he made the case for the 35,000 hotel employees the union represents in the city.

“These workers have continued to put themselves at risk and have worked throughout this pandemic performing services that are critical to the State of New York,” he wrote.

Stuart Appelbaum, the president of the Retail, Wholesale and Department Store Union, which represents 40,000 workers in New York, including grocery store workers, said he had reached out to state officials, but had yet to hear back.

State officials said they would be making their determinations based on a combination of factors, including the nature of the industry and the health risks of individual people. That would include creating a hierarchy of essential workers and at-risk individuals in the general population for the purpose of getting a vaccine.

And it would also hinge on a simpler matter of supply. New York’s initial allotment of the Pfizer vaccine, the first to get approval from the Food and Drug Administration, was 170,000 doses, barely enough to start covering the projected 1.8 million people categorized in Phase 1. The state expects to soon get a shipment of 346,000 doses from the drug maker Moderna, [whose vaccine received emergency approval on Friday](#).

“It’s all going to be related to the number of doses that we get,” said Robert Mujica, the state budget director. “But we will do an assessment that’s based on the risk and the number of contacts of the individual’s activity, and also the risk profile of the individual.”

For example, Mr. Mujica said, an older person living at home might be vaccinated before a young cable repairman. “If you’re focused on preventing death, then the 30-year-old cable guy is probably less at risk than the 90-year-old person at home,” he said.

The governor’s office has referred inquiries it receives to the Health Department, and Mr. Cuomo has tried to distance himself from the fray.

A birthday fund-raiser held over Zoom on Thursday allowed the governor to collect campaign cash without having to engage in small talk with the assembled lobbyists and donors. At the in-person Electoral College vote on Monday, he departed without mingling with any of the attendees, including those who might have pressed him about vaccine priority, according to two people who were there.

Even so, businesses have begun reaching out to their lobbyists about the vaccine: banks interested in their tellers; cable companies asking about their repair people; a television news channel concerned about its journalists.

In fact, some business executives are worried about pushback from their employees if they are not seen as aggressively pursuing vaccine priority for them, or backlash from the public if a company is perceived to be jumping the line.

Eric Soufer, a New York-based political strategist, said he had been contacted by numerous firms, from app-based companies to retail stores, seeking advice.

“If your workers go first and you win that argument based on a political appeal, who are you bumping behind you?” he said. “You may push further back people who many public health experts say should go before you. It may be a cohort that the public feels should be treated more urgently than you.”

That hasn’t stopped industries that believe they have a credible claim from going public with their pleas, using a combination of data and emotional appeals to make their case.

Uber’s letter to Mr. Cuomo said that its tens of thousands of drivers and food delivery workers should receive priority because of their role transporting health care workers to hospitals and helping local restaurants stay afloat. They joined teachers’ unions in [seeking to move up in the line](#).

A trade group representing landlords of rent-stabilized buildings in New York City issued a release asking that superintendents and building maintenance staff members receive vaccines immediately.

The union for building maintenance workers, 32BJ SEIU, which has 175,000 members nationally, has also been in contact with the state, a spokeswoman said.

Con Edison has already received reassurance from state officials that its approximately 4,000 to 5,000 critical workers will be prioritized.

“There have been conversations and we understand that we’re on that next group after health care workers,” said Jamie McShane, director of media relations at the energy company.

Tony Utano, the president of Transport Workers Union Local 100, which represents 40,000 city bus and subway workers, said he had talked with Patrick J. Foye, the Metropolitan

Transportation Authority chairman who is appointed by Mr. Cuomo, about including his members, and expected that they would be part of the next round.

As the C.D.C. considers vaccine priority, companies and groups nationwide have been telling the federal agency why they should be part of the next wave of vaccinations.

Agricultural workers, from [rice farmers](#) to [hog farmers](#), have jockeyed for priority, as have trade associations representing school nurses, [truck drivers](#), [morticians](#) and even [zookeepers](#).

The [Navajo Nation](#) has reached out on behalf of its 170,000 residents in Arizona, New Mexico and Utah. The [American Parkinson Disease Association](#) is looking to secure priority for people with Parkinson's, citing acute complications from Covid-19, like hallucinations.

But it is states, not the federal government, that will have the final say on who gets priority. And it is there where the most intense lobbying is expected to take place over the next few months.

For Suzanne Rajezi, the chief executive of Ginsberg's Foods, a family-owned company in Hudson, N.Y., that means convincing officials that her more than 250 workers are critical in the distribution of food to restaurants, hospitals, schools and nursing homes in the Northeast.

But her needs are bound to clash with those of others, like Neil Strahl, the president of Pioneer Transportation Corp., a school bus company with New York City school contracts, who wrote to Mr. Cuomo this month.

"We haven't heard anything, but that's understandable," he said. "I'm sure trying to figure out priority is a very tall task."

### **[South Carolina Lawmakers Livid Over Latest Santee Cooper Lobbying Fiasco](#)**

South Carolina lawmakers are livid over the involvement of a prominent contract lobbyist in the latest round of discussions over what's to be done with government-run power provider [Santee Cooper](#).

Not only that, they believe the lobbyist's involvement was part of a preemptive effort aimed at mitigating the damage caused when the debt-addled utility's chief executive officer failed to show for a recent legislative hearing.

We [reported yesterday](#) that prominent S.C. State House lobbyist [Fred Allen](#) – who is not registered to lobby for Santee Cooper, per the latest S.C. State Ethics Commission ([SCSEC](#)) disclosures – emailed lawmakers on December 15, 2020 attempting to schedule a phone meeting with Mark Bonsall, the scandal-scarred CEO of the utility.

Bonsall – who makes more than \$1.1 million a year – missed a recent meeting of a S.C. House ways and means panel because he was on a family vacation in Arizona.

According to several sources we spoke with, lawmakers who received the email from Allen were operating under the assumption that Bonsall would still be attending the ways and means hearing – which was held last Wednesday at 10:00 a.m. EDT.

The email confused them, we are told, because it was not clear why Bonsall would need to reach them by phone when he was scheduled to testify before them the same week.

“It was initially inferred that any phone conversations would be supplemental to the testimony (Bonsall) provided at the hearing,” a source familiar with the discussions told us. “Now it is apparent what was intended.”

And what was that?

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“Santee Cooper knew lawmakers would be infuriated when an executive making \$1 million a year did not appear,” the source added.

Which ... they were.

State representative [Leon Stavrinakis](#) of Charleston, S.C., referred to Bonsall blowing off the hearing as “a sad example of a deficient sense of fiduciary responsibility to the people of South Carolina, their ratepayers and their employees.”

Which ... it is.

Lobbyists tracking the industry told us the saga involving Allen was “catching on with legislative leaders,” who are pushing to resolve the Santee Cooper question at some point during the 2021 session of the S.C. General Assembly.

Just this week, S.C. Senate president [Hugh Leatherman](#) – who has become a more [vocal opponent](#) of the utility in recent months – announced the formation of a new Santee Cooper Review and Policy (SCRAP) subcommittee.

“Deciding the future path of Santee Cooper is one of the most important and challenging issues I have dealt with in my over-40-year Senate career,” Leatherman wrote. “The decision made by this body will have an impact for generations to come.”

Leatherman added that it was “paramount” lawmakers resolve the Santee Cooper issue “during the upcoming session.”

He also threw a gauntlet down as to what sort of “reform” he envisioned as being necessary in order to avoid offloading the utility to the private sector – something we argued should have been done over a dozen years ago.

“Absent meaningful reform that includes a new board and increased oversight, I see no choice but to divest the state of what is increasingly not an asset but an albatross,” Leatherman wrote.

Indeed ... although we fail to see how a new round of political appointees or additional legislative oversight gets Santee Cooper out of the box in which it currently finds itself.

To recap: Santee Cooper amassed billions of dollars in debt in connection with [NukeGate](#) – the botched construction of a pair of since-abandoned nuclear reactors in Jenkinsville, S.C.

Enabled by [lawmakers](#), the government-run utility and its crony capitalist partner [SCANA](#) were supposed to have produced a pair of next-generation pressurized water reactors at the V.C. Summer nuclear power generating station in Fairfield county in 2016 and 2017, respectively.

Despite a massive cash outlay, this project was abandoned on July 31, 2017 with the reactors only half-completed – leaving ratepayers holding the bag to the tune of \$10 billion.

In addition to lying to the public, Santee Cooper [misled its investors](#) related to this project – the collapse of which has caused the state-owned utility’s debt to soar to nearly \$7.5 billion.

Santee Cooper leaders have argued they can address this debt through a “reform” plan – however, as we have documented over the course of the past year, nearly all of the assumptions associated with this plan have [crumbled](#).

Are lawmakers finally seeing the writing on the wall?

We shall see ... but Santee Cooper’s ongoing [tone deafness](#), its smoke and mirrors [financial moves](#) and its perpetual [inability to shoot straight](#) or take accountability for its failures seems to be pushing more lawmakers into the “sell” camp.

