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New York State Senate | 28th District



August 2015

Message from Liz...

This fall, it looks like the national Republicans are going to combine two of their favorite pastimes – government shutdowns and assaults on women’s healthcare. In the wake of recent attacks on Planned Parenthood, Republicans in Congress are threatening to refuse approval for federal spending bills unless funding for health programs run by Planned Parenthood is completely cut out. Such threats are the height of irresponsibility, both because of the devastating impact a potential government shutdown would have and because of the vital services Planned Parenthood provides.

Defunding Planned Parenthood would leave millions of women without access to birth control, cancer screenings, and other lifesaving healthcare. Ninety percent of the care Planned Parenthood provides is preventive, and one in five American women will rely on Planned Parenthood for care in her lifetime. More than ninety percent of federal funding received by Planned Parenthood’s non-profit health centers is reimbursement from Medicaid for annual well-woman visits, cancer screenings, birth control and STD testing and treatment. And while I don’t support a ban on Medicaid coverage of abortion, in fact federal law already withholds funding for abortion — except in circumstances of rape, incest, or when the life of the woman is in jeopardy. The rest of the funding goes to things like teen pregnancy prevention and evidence-based sex education.

Congressional Republicans have been coordinating with anti-choice extremists who recently launched an attack against Planned Parenthood. To date, four undercover videos have been released, showing Planned Parenthood medical staff discussing fetal tissue donation with anti-choice activists posing as representatives from a bio-medical company. These heavily edited videos are part of a smear-campaign aimed at de-funding Planned Parenthood and ending access to abortion by falsely alleging that Planned Parenthood is selling human tissue. As was made clear in their response to these attacks, Planned Parenthood has offered to help some patients who want to donate fetal tissue for vital medical research, which is entirely legal. Planned Parenthood does not receive any financial benefit for this service, but is sometimes reimbursed for costs. As the full, unedited videos show, it is false and despicable to suggest that Planned Parenthood profits from their patients’ decisions to donate fetal tissue.

The New York Times reported that, “the Center for Medical Progress video campaign is a dishonest attempt to make legal, voluntary and potentially lifesaving tissue donations appear nefarious and illegal. Lawmakers responding by promoting their own anti-choice agenda are rewarding deception and putting women’s health and their constitutionally protected rights at risk.” These misleading videos are the latest attack in a coordinated effort to change the course of the debate around reproductive health and advance a radical agenda to ban abortion and defund Planned Parenthood.

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Anti-choice groups have long pushed to defund Planned Parenthood, even though no federal money is used to provide abortions.

Planned Parenthood is the most trusted women's health care provider in this country, having delivered high-quality care for nearly 100 years, and it is the nation's leading provider of reproductive health care and sex education to women, men, and young people. It is also an important safety net provider for millions of low to middle-income Americans. Giving in to extremists by shutting down Planned Parenthood clinics would cut off 2.7 million people from access to birth control, lifesaving cancer screenings, STD testing and treatment, and other preventive healthcare services.

I hope that Republicans in Congress will come to their senses and stop threatening to shut down the government in this unjustified attack on a vital healthcare provider. I have joined with my colleagues in the NYS Bipartisan Pro-Choice Legislative Caucus in writing to the New York State Congressional Delegation urging them to support Planned Parenthood, and will continue to stand with Planned Parenthood as they face these dishonest attacks.

POLICY SPOTLIGHT

Fossil Fuel Divestment

Last month I introduced the Fossil Fuel Divestment Act (S.5873/A.8011), which would require the State Comptroller to divest the Common Retirement Fund (CRF) from fossil fuel holdings by 2020. Assemblymember Felix Ortiz introduced companion legislation in the Assembly. It is critical that we send the message that we are no longer going to invest our public funds in activities that do enormous damage to our environment, not just in New York, not just in the United States, but throughout the world. Divestment is not a silver bullet, but it is one important step among many that can put New York State at the cutting edge of the fight to stop catastrophic climate change.

The Fossil Fuel Divestment Act would direct the State Comptroller to divest the CRF from holdings in the top 200 largest publicly traded fossil fuel companies, as defined by carbon content in the companies' proven oil, gas and coal reserves. Divestment from coal companies must be completed within one year, with divestment from all other fossil fuel companies completed by January 1, 2020.

To address concerns about fiduciary responsibility, the bill also contains a "safety valve," similar to successful divestment bills passed in other states, which would permit the Comptroller to cease divestment if he or she can convincingly demonstrate that the fund has lost significant value as a direct result of fossil fuel divestment. Such a loss of value is highly unlikely, however, as several studies have shown that fossil-free funds can easily perform as well or better than funds invested in fossil fuels.

Finally, the bill includes a requirement that the Comptroller identify all companies subject to divestment in which the CRF has holdings, and report annually on the progress of divestment from those companies.

Bill McKibben, author, environmentalist, and co-founder of 350.org, said:

“I’m so hopeful that New York State is going to seize the chance to really push this energy agenda in a good way. Divestment’s not going to stop climate change, but it’s one important step along the way. That’s because we are in a big hole, and when you’re in a hole the first order of business is to stop digging - in this case to stop digging up the 80% of coal, oil and gas reserves that simply have to stay underground if we have any hope of meeting our targets. Engagement with the fossil fuel producers isn’t working – they’re determined to stick to their business model. So, as with South Africa a generation ago, we need this deeper step of divestment, and we need New York in the lead.”

Climate change is a real and serious threat to the health, welfare and prosperity of all New Yorkers. The consensus of the international scientific community is that climate change will lead to rising sea levels, increasingly intense storm events and droughts, as well as threats to global water and food supplies and loss of critical biodiversity, threatening lives, livelihoods and social integrity. Divesting the New York State Common Retirement Fund from all investments in fossil fuels, as mandated by the Fossil Fuel Divestment Act, is one important step among many necessary to mitigate climate change.

The 2009 Copenhagen Accords stated that an increase in global average temperature of more than 2° C would lead to an unsafe risk of irreversible climate change. In order to stay below 2° C, there is a limit to the amount of carbon emissions that can be released globally through the burning of fossil fuels - 886 Gigatons between the years 2000 and 2050. 321 Gt were burned from 2000 to 2010, leaving a remaining carbon budget of approximately 565 Gt. Currently proven fossil fuel reserves belonging to private and public companies total an overwhelming 2,795 Gt of potential emissions, not including as-yet undiscovered reserves that fossil fuel companies spend billions of dollars each year to find. This means that in order to avoid causing catastrophic climate change, at least 80% of all current proven coal reserves, half of gas reserves and one third of oil reserves must stay in the ground.

The State Common Retirement Fund, with an estimated value of over \$180 billion, invests at least \$5.12 billion of public pension money in companies that mine, drill and produce fossil fuels. The CRF is one of the largest and most visible institutional investors in the world. By divesting from fossil fuels, the CRF will send a message that it is unacceptable for any institution to profit from activities that threaten the future of society, and will begin the process of delegitimizing a business model that, while financially profitable in the short run, is socially and morally bankrupt. It is difficult for New York State to commit to the steps necessary to prevent climate change while maintaining a financial interest in companies whose profits depend on the continuation of practices that cause climate change.

The Office of the State Comptroller has made a significant effort to use stockholder engagement to influence the actions of climate-damaging fossil fuel companies. However, these companies have largely ignored entreaties from OSC and other institutional investors, played down the threat posed by climate change, and scoffed at the possibility of changing their way of doing business. In the end, the profitability of fossil fuel companies is based solely on their ability to supply far more carbon than the atmosphere can safely absorb, a business plan that is at odds with physical reality, making stockholder engagement a futile endeavor and demonstrating the necessity of divestment.

Divestment is wholly in accord with the state’s fiduciary responsibility to protect the value of the pension fund. Numerous business, financial and government leaders worldwide have warned that investing in fossil fuel companies undermines the soundness of investment portfolios, including the governor of the Bank of England, Mark Carney; the President of the World Bank, Jim Yong Kim; and

former Treasury Secretary Henry Paulson. The growing understanding of climate change and the increasing likelihood of national and international action to reduce fossil fuel use means that companies whose value is based on unburnable carbon reserves risk rapid devaluation as a result of these stranded assets. A prudent fiduciary must also take into account the broader risk of economic and market disruption posed by climate change, the evidence of which has already been seen in the aftermath of Superstorm Sandy and other extreme weather events. As the recently released Mercer report titled "Investing in a Time of Climate Change" demonstrates, divestment reduces portfolio risk, allows capital to flow to the low-carbon economy, and offers exposure to investments that will benefit from climate change action.

The Fossil Fuel Divestment Act provides a five-year horizon for completion of divestment from all fossil fuels (including coal, oil, and natural gas) in order to maximize flexibility and minimize financial risk. However, divestment from the coal industry in particular is an urgent financial and environmental necessity, and it is therefore specially mandated to occur within one year. The CRF has already lost over \$100 million through coal investments in the past three years at a time of generally strong market growth, and those investments are not likely to recover. Coal is one of the dirtiest, most carbon intensive sources of energy, emitting more carbon dioxide per unit of energy produced than oil or gas. Recent analyses have found that over 80% of worldwide coal reserves, including 90% of US reserves, must stay in the ground in order to stay below the 2° C limit.

In divesting from fossil fuels, New York would take a leading role in a global movement that includes more than 160 institutions and local governments, including The New School, and Stanford and Syracuse Universities; the cities of Seattle, San Francisco, Portland, Minneapolis, and Ithaca; the World Council of Churches, and the United Methodist Church USA; Guardian Media Group and the Rockefeller Brothers Fund; and the sovereign wealth fund of Norway.

COMMUNITY SPOTLIGHT

Update on Efforts to Fight the Proposed Marine Transfer Station (MTS):

I continue to work in opposition to the construction of the Marine Transfer Station (MTS) at E 91st Street; it poses a host of environmental, safety and quality of life concerns to our entire community. You'll remember in last month's Community Bulletin, I shared the news that the New York State Department of Environmental Conservation had, at long last, agreed to take public comments on the renewal of the operating and construction permits for the E 91st Street Marine Transfer Station. I've been pressuring the DEC to open this comment period since the permits expired in 2014.

I'd like to thank so many of you for taking the time to send in your own testimony to DEC. I wanted to share with you my written testimony, which I submitted at the end of July. It is available on my website at <http://www.nysenate.gov/testimony/testimony-nysdec-regarding-permit-renewal-e91st-st-mts>. It outlines my continued opposition to the construction of this facility, and highlights the many environmental and demographic changes in our community that were not taken into consideration when these permits were first issued.

While I am hopeful that DEC will act to address the concerns expressed in my testimony and the testimony of so many others, I also recognize the need to mitigate the impact of the MTS should

these arguments not prevail. *I am therefore pleased that late last month, the Department of Sanitation agreed to mitigate the impact of the truck traffic on Asphalt Green by moving the entrance ramp to the facility from 91st to 92nd Street. This would reduce the dangers to the thousands of children who use Asphalt Green, as the 91st Street ramp bisects this recreation facility.* However, moving the ramp does nothing to address the myriad of other health and safety issues that will be caused by the MTS, which is why I will continue to push DEC to deny further permits for the facility.

Department of Sanitation SAFE Disposal Event:

On Sunday, August 23rd, the Department of Sanitation is hosting a SAFE (Solvents, Automotive, Flammables, and Electronics) Disposal event to provide City residents with a one-stop drop-off to safely dispose of potentially harmful household products. The event will take place from 10:00 a.m. to 4:00 p.m. at Union Square, North Plaza - South of 17th St between Park Ave South & Broadway.

Household products such as pesticides, strong cleaners, mercury-containing devices, paints, automotive fluids, and medications may be brought to the drop-off events. Residents may also bring electronics, which can no longer be thrown away because of a New York state law.

To identify harmful products, look for items marked DANGER, WARNING, POISON, or CAUTION. Please also bring other materials stored in your home that you know may be harmful. Only NYC residential waste will be accepted.

For more information or for those unable to participate in this event, visit www.nyc.gov/safedisposal or contact 311 for other year round options to handle auto products, batteries, cell phones, electronics, fluorescent lamps, latex paint, mercury devices, and syringes.

Nail Salon Consumer Information:

The legislature passed new nail salon safety legislation this year, but there are also things consumers can do to ensure that salons they patronize are safe and abide by labor laws. Here is a list of the Top 5 Things To Ask When Entering Nail Salons:

- Are workers paid at least the minimum wage and overtime?
- Is appropriate protective equipment (respirator mask, gloves, eye protection) provided to workers and used?
- Is there adequate ventilation (no strong chemical odors)?
- Is the salon business license posted in plain view?
- Is the Nail Salon Workers' Bill of Rights posted in plain view?

Feel free to ask the owner any of these questions and make clear you will be choosing a nail salon that follows these rules. If you have any concerns, please call the Nail Salon Industry Task Force Hotline: (888) 469-7365 or visit www.ny.gov/NailSalonSafety.

Summer Meals for NYC Children:

The 2015 Summer Meals program, which provides free, healthy breakfast and lunch to children across New York City, began June 27 and runs through September 4. The Summer Meals program will serve children 18 and younger — regardless of New York City residency — at roughly 1,100 locations, including pools, schools, libraries, parks, public housing sites, and community-based organization sites. Summer Meals sites will serve breakfast weekdays from 8:00 a.m. to 9:15 a.m. and lunch from 11:00 a.m. to 1:15 p.m.

This year, the DOE's Office of School Food unveiled a brand new mobile app, which shows all Summer Meal sites and maps those closest to the user, and also provides daily menus. The free app, SchoolFood, can be downloaded on Apple and Android platforms. In addition to the new app, parents and children have many other ways to find nearby Summer Meals locations. Families can call 311, visit 311 online at www.nyc.gov/311, or visit the SchoolFood (www.schoolfoodnyc.org) or Share Our Strength (<http://www.nokidhungry.org/>) websites. Parents also may text "nycmeals" to 877-877, or visit the Parks Department website (<http://www.nycgovparks.org/>) for locations of parks and pools.

Legal Advocacy Clinics At Lenox Hill Neighborhood House:

The Lenox Hill Neighborhood House Legal Advocacy Center offers assistance on a number of different issues. Here is a list of their ongoing programs and clinics:

- **SNAP (formerly Food Stamps) Clinics:** Wednesdays August 12th and 19th from 10am to 1pm at Lenox Hill Neighborhood House, 331 East 70th Street. First come, first served. Bring proof of identity, income information, utility bill, proof of housing costs, information on any dependents and if you are 60 or over or on SSI/SSD, information on medical costs. For more information, call 212-218-0503 x 3.
- **SCRIE Clinics:** call 212-218-0503 ext. 6 for assistance in applying or recertifying for the Senior Citizens Rent Increase Exemption (SCRIE) program. The SCRIE clinic is open to tenants city-wide. *Please note that due to the volume of calls, it sometimes takes up to two weeks for staff to respond to messages.*
- **Eviction Prevention:** Walk-in clinic, every third Monday of the month, from 10am to 1pm at 331 East 70th Street, for tenants who live, work, or go to school on Manhattan's East Side above 59th Street and on Roosevelt Island.
- **Advance Directives:** volunteer attorneys may be able to assist you with one-on-one counseling and individualized drafting of Advance Directives including Health Care Proxies, Living Wills, Powers of Attorney, and simple, low-asset Wills. If you are interested in being screened for a possible appointment, call the intake hotline at 212-218-0503 ext 4.
- **Health Care Access/Medicare/Medicaid:** call 212-218-0503 ext 3. Find out about Medicare Savings Programs, Medicaid home care, Medicare Part D, Medicaid Spend-down, EPIC and if you are eligible for Medicaid.

Affordable Housing Opportunities in Manhattan:

Heights 150 Street is now accepting applications for 20 affordable 1-, 2-, 3- and 4-bedroom apartments newly renovated at 801 St. Nicholas Avenue and 1772 Amsterdam Avenue, in the Sugar Hill neighborhood in Manhattan. Rents for these apartments range from \$861 to \$1341 depending on unit size. To be eligible, applicants must have incomes between \$30,926 and \$68,400, depending on unit and family size. Preference will be given to Community Board 9 residents for 50% of units, mobility-impaired persons for 5% of units, visual- and/or hearing-impaired persons for 2% of units, and City of New York municipal employees for 5% of units. A full description of the building and application process is available at <https://a806-housingconnect.nyc.gov/nyclottery/AdvertisementPdf/179.pdf>.

Households may elect to submit an application by one of two methods: EITHER online OR by mail. To submit your application online now, please visit NYC Housing Connect at www.nyc.gov/housingconnect and select "Apply for Housing." To request an application by mail, mail a self-addressed envelope to: Heights 150th Street, c/o CLOTH, 500 W 159th Street, NY, NY 10032.

Completed applications must be submitted online or returned by regular mail only to the post office box that will be listed on the application. Applications must be submitted online or postmarked by August 12, 2015. *Applicants who submit more than one application will be disqualified.*

Metrocard Bus and Van Schedule:

The MTA offers MetroCard-related services throughout New York City through mobile buses and vans. Buses provide a full range of services, including applying for or refilling a Reduced-Fare MetroCard, buying or refilling a regular MetroCard, or getting answers to a MetroCard-related question. Vans sell Unlimited Ride MetroCards and Pay-Per-Ride MetroCards, and they refill MetroCards and Reduced-Fare MetroCards. Buses and vans will be in my district on the following dates and locations:

August 11, 10:30 am, 92 Street & Lexington Avenue – Bus
August 11, 11:00 am - 12:30 pm, 86 Street & Lexington Avenue – Bus
August 11, 1:30 - 2:30 pm, 68 Street & Lexington Avenue – Bus
August 12, 9 - 10:30 am, 79 Street & 3 Avenue – Bus
August 12, 11 am - 1 pm, 79 Street & York Avenue – Bus
August 12, 1:30 - 2:30 pm, 72 Street & York Avenue – Bus
August 13, 8:30 - 10:30 am, 47 Street & 2 Avenue – Van
August 13, 1:30 - 3:30 pm, 28 Street & 2 Avenue – Van
August 25, 10:30 am, 92 Street & Lexington Avenue – Bus
August 25, 11:00 am - 12:30 pm., 86 Street & Lexington Avenue – Bus
August 25, 1:30 - 2:30 pm, 68 Street & Lexington Avenue – Bus
September 2, 9 - 10:30 am, 79 Street & 3 Avenue – Bus
September 2, 11 am - 1 pm, 79 Street & York Avenue – Bus
September 2, 1:30 - 2:30 pm, 72 Street & York Avenue – Bus
September 3, 7 – 9 am, 90 Street and York Avenue - Van
September 3, 8:30 - 10:30 am, 47 Street & 2 Avenue – Van
September 3, 1:30 - 3:30 pm, 28 Street & 2 Avenue – Van
September 4, 9 - 10 am, 57 Street and 1 Avenue – Van
September 4, 10:30 - 11:30 am, 57 Street and 3 Avenue – Van
September 4, 12:30 - 2:30 pm, 68 Street and 1 Avenue – Van

The full mobile MetroCard schedule is available at <http://mta.info/metrocard/mms.htm>. Please note that MetroCard buses and vans do not take credit cards.