

United States Senate

WASHINGTON, DC 20510

June 25, 2019

Ms. Phyllis K. Fong
Inspector General
U.S. Department of Agriculture
Room 117-W Jamie Whitten Bldg
1400 Independence Avenue SW
Washington, DC 20250

Dear Ms. Fong,

In light of recent reporting, we are writing to request that you investigate potential instances of suppression and alteration of scientific reports, documents, or communications produced by the Department of Agriculture (USDA). We also request that you investigate instances of retaliation and political decision-making impacting USDA's ability to fulfill its mission to produce scientific products used to inform a wide range of practical and policy decisions. Finally, we ask that you investigate the loss of capacity generally, including through reduction in resources, staff, and experience levels of staff, to complete research and science at USDA.

Multiple reports have shown concerning situations taking place at USDA's Economic Research Service (ERS) and within other USDA research agencies. Despite Secretary of Agriculture Sonny Perdue's assertions in a comment to Politico in May 2019 that USDA wants "good scientific discovery...that relies on sound, replicatable science rather than opinion," USDA has seen scientists and researchers leave at alarming rates under this administration. Coupled with what has already been an unusually high number of vacancies, this creates a situation that should be concerning to the Secretary and all who support and rely upon our nation's research services and the critical information they produce.

On May 7, 2019, Politico published an article¹ that outlines a mass exodus of science professionals from ERS amid a culture of retaliation. The article says ERS scientists have "run afoul of Agriculture Secretary Sonny Perdue with [their] findings on how farmers have been harmed by President Donald Trump's trade feuds, the Republican tax code rewrite and other sensitive issues." Secretary Perdue subsequently issued an internal memo "directing ERS and other research branches to include disclaimers in their peer-reviewed publications stating that the findings were 'preliminary' and 'should not be construed to represent any agency determination or policy.'" This runs directly counter to wanting "good scientific discovery."

On May 10, the Washington Post reported² that USDA would no longer require its scientists to label research as "preliminary." However, contained in this article was a link to a new USDA

¹ <https://www.politico.com/story/2019/05/07/agriculture-economists-leave-trump-1307146>

² <https://www.washingtonpost.com/science/2019/05/10/after-outcry-usda-will-no-longer-require-scientists-label-research-preliminary/>

Research, Education and Economics (REE) memo on the process for publishing outside scientific research and the use of disclaimers by department employees (referred to as Departmental Memo Appendix A). Page 5 of Appendix A details a process by which USDA and other government stakeholders could potentially suppress USDA researchers' outside scientific research. The Appendix describes additional reviews by these stakeholders when outside research pertains to prominent issues such as: "attracting significant media attention," "representing significant scientific advancement," "significantly affecting existing or future USDA policy," "potential trade implications," or "Other." We are also concerned, according to anecdotal, confidential, reports from USDA employees, that this new guidance is not being communicated or followed consistently across REE agencies.

On May 22, 2019, The Washington Post published an article³ that detailed the same issues and put some numbers to USDA's current vacancies: "Each office employs between 200 and 250 people, based on employee estimates. During the Obama administration, NIFA [National Institute of Food and Agriculture] had about 400 workers and ERS had 300." If these numbers are accurate, that means these offices are operating at approximately 50 percent of their previous capacity. Further, the Fence Post reported⁴ on June 11, 2019 that NIFA "has run out of its budget for overtime, and employees who usually have other duties have had to process grant applications from land-grant universities and other applicants." Other agencies within the USDA's REE mission area also appear to be experiencing high vacancy rates, including the National Agricultural Statistical Service and the Agricultural Research Service.

On June 13, 2019, Secretary Perdue announced that USDA would move ERS and NIFA out of Washington, DC to the Kansas City Region. Moving these offices away from the nation's capital has raised alarms and the questions left unanswered throughout this process give the appearance that the moving of ERS and NIFA outside of Washington, DC to the Kansas City region is being utilized to decrease the size and efficacy of the department.

Finally, on June 23, 2019 Politico reported⁵ that USDA was burying studies about the impacts of climate change. Despite these studies having undergone rigorous peer review and clearance by the Agricultural Research Service (ARS), only three press releases on climate-related studies have been issued since January 2017 while at least 45 studies have been completed. These studies have serious implications for the future health and nutrition of our global population. The article notes that in one study, more than 600 million people could be impacted by the changing nutrition levels in rice due to vitamin losses caused by elevated CO₂. USDA not only backtracked on submitting their own release, but "...actively sought to prevent dissemination of the findings by the agency's research partners." Politico investigators also said they found a "persistent pattern" of instances where scientific research on climate change has not been publicized. This is particularly concerning given that these political decisions not only interfere with USDA science, but also signal to universities that climate-related research is not to be promoted, even if that research impacts hundreds of millions of people around the world.

³ <https://www.washingtonpost.com/science/2019/05/22/usda-researchers-quit-droves-trump-administration-plans-relocation/>

⁴ <https://www.thefencepost.com/news/nifa-votes-overwhelmingly-to-form-union-to-oppose-move>

⁵ <https://www.politico.com/story/2019/06/23/agriculture-department-climate-change-1376413>

While recent reporting has brought these troubling accusations to light, prior surveys have illustrated ongoing concerns among USDA staff. In August 2018, the Union of Concerned Scientists published survey data that indicated that 90 percent of those surveyed had seen a workforce reduction within the department, and 92 percent said that reduction has "made it more difficult for the USDA to fulfill its science-based mission." Thirty-six percent of respondents saw resources being shifted away from politically contentious work, and only 50 percent of respondents said they can publish in peer-reviewed scientific journals regardless of the topic's level of controversy. These and other issues were also cited in NIFA and ERS employees' recent decision to unionize.

Without an investigation, these actions could be perceived as a part of this administration's broader pattern of not only discounting the value of federal employees, but suppressing, undermining, discounting, and wholesale ignoring scientific data produced by their own qualified scientists. ERS provides critical information we use to inform everything from the way our safety net programs work to the planting decisions made by our nation's farmers to the analysis that underlies the President's major trade initiatives. These concerning activities within USDA could result in far-reaching consequences and should not be ignored. As such, we request that you investigate the following issues:

- Potential instances of suppression and alteration of scientific reports, documents, or communications produced by USDA;
- Potential instances of retaliation and political decision-making impacting USDA's ability to fulfill its mission to produce scientific products used to inform a wide range of practical and policy decisions; and
- The loss of capacity generally, including through reduction resources, staff, and experience levels of staff, to complete research and science at USDA.

Thank you for your attention to this request.

Sincerely,



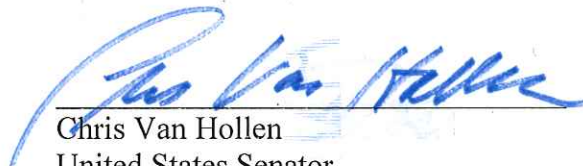
Mazie K. Hirono
United States Senator



Debbie Stabenow
United States Senator



Tom Udall
United States Senator



Chris Van Hollen
United States Senator



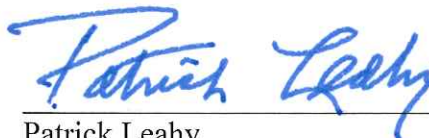
Kirsten Gillibrand
United States Senator



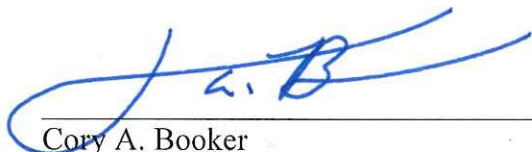
Thomas R. Carper
United States Senator



Jeanne Shaheen
United States Senator



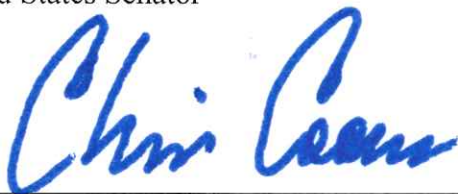
Patrick Leahy
United States Senator



Cory A. Booker
United States Senator



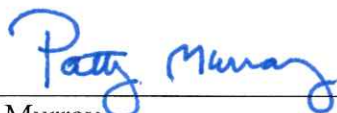
Richard Blumenthal
United States Senator



Christopher A. Coons
United States Senator



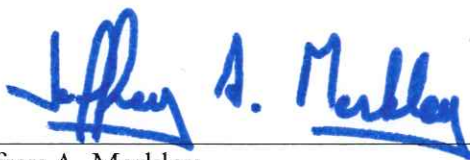
Benjamin L. Cardin
United States Senator



Patty Murray
United States Senator



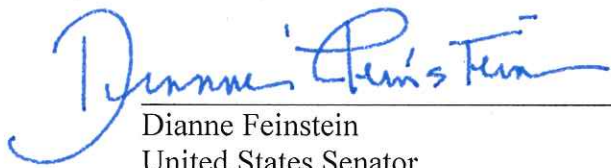
Robert Menendez
United States Senator

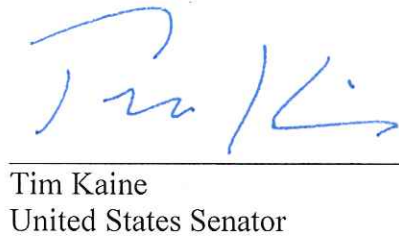


Jeffrey A. Merkley
United States Senator



Kamala D. Harris
United States Senator


Dianne Feinstein
United States Senator


Tim Kaine
United States Senator


Sherrod Brown
United States Senator