



PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY

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January 27, 2021

Senator Debbie Stabenow
Chairwoman
Committee on Agriculture, Nutrition, and Forestry
328A Russell Senate Office Building
Washington, DC, 20510

Re: Nomination of Tom Vilsack to Serve as Secretary of Agriculture

Dear Chairwoman Stabenow and Committee Members:

I am writing on behalf of Public Employees for Environmental Responsibility (PEER) to express our concern about the nomination of Tom Vilsack to again serve as Secretary of Agriculture. The basis of our concern is that while serving as Secretary of Agriculture under Obama, Tom Vilsack routinely interfered with scientific work by U.S. Department of Agriculture (USDA) researchers. This interference appeared to further the interests of major agri-business lobbies.

Under Secretary Vilsack, research on topics such as the environmental effects of genetically-modified (GMO) crops, powerful neonicotinoid insecticides (“neonics”), and other industrialized agriculture practices were routinely deemed “sensitive” due to industry objections. Those sensitive research efforts were then often altered, truncated, or suppressed at the behest of his office. Under Secretary Vilsack, USDA scientists reported to PEER numerous examples of –

- Directives not to publish data on certain topics of particular sensitivity to industry;
- Orders to rewrite scientific articles already accepted for publication in a peer-reviewed journal to remove sections which could provoke industry objections;
- Inordinate, sometimes indefinite, delays in approving submission for publication of scientific papers that may be controversial;
- Restrictions on topics that USDA scientists may address in conference presentations; and
- Targeting USDA scientists who industry identified as troublesome for harassment.

One prominent and emblematic Vilsack victim was Dr. Jonathan Lundgren, a Senior Research USDA Entomologist and Lab Supervisor, who was punished for publishing research about adverse effects on monarch butterflies from widely-used “neonics” and for a supposedly unauthorized appearance before a panel of the National Academy of Sciences.¹

¹ Details on Dr. Lundgren’s experiences under Secretary Vilsack can be seen here:
<https://www.peer.org/jonathan-lundgren-former-usda-entomologist-a-bee-expert-with-his->

Nor was Dr. Lundgren’s case isolated. A late 2016 Office of Inspector General survey (IG) of nearly 1,000 USDA scientists was undertaken precisely to determine who widespread were instances similar to those of Dr. Lundgren. Overall, those survey results indicated that USDA scientists did not believe that Secretary Vilsack promoted a culture of scientific integrity with the agency, but just the opposite – with more than 120 scientists reporting their findings have “been altered or suppressed for reasons other than technical merit.”²

The IG “Survey of USDA Scientists Regarding Scientific Integrity” polled scientists from four branches of the agency: Agricultural Research Service, Forest Service, Economic Research Service and Natural Resources Conservation Service. Notably, a significant percentage (41%, totaling 900 scientists) contacted by the IG refused to fill out the survey. Those who did fill it out had little good to say:

- Nearly a tenth of respondents (more than 120 scientists) report their research findings have “been altered or suppressed for reasons other than technical merit.” However, not one filed a Scientific Integrity complaint. Most (60%) confessed they did not know how to file a complaint;
- The vast majority felt the USDA Scientific Integrity Policy made no difference in their work. Of those who see a difference more say it made matters worse rather than better. More than one-sixth (18%) were not even aware there was a policy; and
- A majority of respondents (51%) did not think that USDA strongly promoted scientific integrity or refused to venture an opinion.

One noteworthy survey result was that nearly three-quarters (74%) of the responding scientists said agency management flags certain research areas as “sensitive/controversial,” with climate change, pollinator health, and anti-microbial resistance as the leading hot button topics. As one surveyed scientist commented –

“subtle tampering is common: with interpretations on politically sensitive topics, whether and how we address a certain research question, how we interpret our findings for the public are all interfered with on occasion.”

PEER believes that this Committee should be alarmed that scientists working in fields such as entomology, plant pathology, and genetics reported experiencing political interference under Secretary Vilsack.

Adding insult to injury, the Scientific Integrity Policy adopted in 2013³ under Secretary Vilsack has served as a tool for scientific suppression. The stated purpose of USDA’s scientific integrity policy is to ensure “the highest level of integrity in all aspects of the executive branch’s

[integrity-intact/](#)

²Full survey results may be viewed at https://www.peer.org/wp-content/uploads/attachments/4_20_17_USDA_IG_scientist_survey.pdf

³ OCS Directive 1074-001, Departmental Regulation: Scientific Integrity (U.S.D.A. 2013)

involvement with scientific and technological processes and analyses.” But in reality, the Policy fails to clearly prohibit political suppression and interference. While the Policy defines political suppression and interference, it does not include these acts in its definition of misconduct.

To compound the problem, an overly broad provision within the Policy actively encourages USDA to suppress scientific work for political reasons. The provision states that scientists **“should refrain from making statements that could be construed as being judgments of or recommendations on USDA or any other federal government policy, either intentionally or inadvertently.”** (emphasis added)

USDA management has relied upon this vague but expansively worded provision a pretext for suppressing technical work solely because the scientific conclusions expressed draw the ire of USDA corporate stakeholders.

Moreover, there are no cogent safeguards for whistleblowers in the Policy, which contains no clear process for protecting scientists raising integrity concerns or filing complaints. Instead, the agency punishes scientists for research that the agency deems controversial, and the Policy lacks procedures for these scientists to seek or receive redress.

During Secretary Vilsack’s tenure, PEER filed a rule-making petition asking that USDA strengthen its Scientific Integrity Policy by adopting the best practices contained within the scientific integrity policies of USDA’s sister federal agencies,⁴ so as to –

- ✓ Explicitly prohibit political suppression and alteration of scientific and technical work;
- ✓ Broadly protect scientific information from management suppression and alteration except for reasons of technical merit;
- ✓ Employ clear and enforceable procedures for conducting scientific misconduct investigations and following through when such investigations uncover misconduct, including procedures for taking disciplinary action against managers and political appointees guilty of scientific misconduct; and
- ✓ Adopt strong protection for scientists who file misconduct complaints or participate in misconduct investigations, or whose scientific work faces politically motivated interference.

In June 2015, USDA summarily denied the PEER petition in its entirety.⁵

President Biden has articulated a commitment of his administration to science and truth through protecting “scientific integrity within government.”⁶ We fail to see how Secretary Vilsack’s past record at USDA squares with this commitment.

⁴ https://www.peer.org/wp-content/uploads/attachments/3_26_15_USDA_%20Rule-Making_Petition.pdf

⁵ https://www.peer.org/wp-content/uploads/attachments/11_19_15_USDA_petition_denial.pdf

⁶ <https://buildbackbetter.gov/wp-content/uploads/2021/01/OSTP-Appointment.pdf>

We urge your Committee to secure commitments that as a future USDA Secretary Tom Vilsack will implement significant safeguards for scientists, otherwise should not be confirmed.

We further understand that Mr. Vilsack has not changed his public embrace of genetically-modified crops, ultra-potent pesticides, and other industrialized agricultural practices. However, it is vital that he should not impose those views on USDA scientists or act, as he has in the past, to tailor reported research results to only support this agenda. PEER hopes that your Committee takes steps to ensure that USDA scientists can publish or present their research findings without the constraints of a politically-enforced corporate filter.

Sincerely,

Tim Whitehouse
Executive Director

Cc. Members, Senate Committee on Agriculture, Nutrition, and Forestry
White House