



United States
Department of
Agriculture

Research
Education
Economics

Office
of the Chief
Scientist

Room 338A
Jamie L. Whitten Building
Washington, DC 20250-0110

CONFIDENTIAL

DATE: January 20, 2016

TO: Catherine E. Woteki, USDA Chief Scientist and Under Secretary for Research, Education and Economics
Chavonda Jacobs-Young, Administrator, Agricultural Research Service (ARS)

FROM: Doug Bannerman, Departmental Scientific Integrity Officer (DSIO), Office of the Chief Scientist
William Hoffman, Former Acting DSIO, National Institute of Food and Agriculture
Mary Coffey Alonzo, SIRP Member, Grain Inspection, Packers and Stockyards Administration
Greg Pompelli, SIRP Member, Economic Research Service
Carlos Rodriguez-Franco, SIRP Member, Forest Service

SUBJECT: USDA Scientific Integrity Case "USDA-ARS-SI-09.12.2014"

1. Executive Summary

The Scientific Integrity Review Panel (SIRP), which was appointed to review an Agricultural Research Service (ARS) scientist's allegation that the USDA Scientific Integrity Policy (SIP) was violated, has completed its inquiry into the matter. Based on a review of the scientist's written complaint and accompanying documentary evidence, as well as documentary evidence provided by ARS, the SIRP unanimously concluded that the allegation was unsubstantiated and that there was *not* a preponderance of evidence to establish that the USDA SIP was violated. Specifically, the SIRP concluded that the scientist's written complaint did not provide credible and verifiable evidence to support his contention that his research was impeded and that he was restrained from communicating with the media and interacting with the broader scientific community, in violation of the USDA SIP. Correspondingly, the SIRP concurs with a similar determination reached by the ARS Agency Scientific Integrity Officer with regard to the scientist's written complaint. The SIRP also engaged in fact finding to inform its conclusion as to whether the scientist's allegation had substance and whether the panel believed that there was a preponderance of the evidence to conclude that the USDA SIP was violated. The SIRP identified credible and verifiable evidence that the scientist has been allowed to engage in media interviews and interactions with the broader scientific community in accordance with the USDA SIP and ARS' policies and procedures. Therefore, the SIRP believes that no further action is warranted with regard to the scientist's allegation that the USDA SIP was violated, and recommends the matter be closed.

The scientist's complaint reviewed by the SIRP also raised some issues that did not fall within the scope of the USDA SIP (e.g., alleged "reprisal" activities and violations of policies and procedures pertaining to an agency investigation into alleged employee misconduct). Correspondingly, those issues were outside the scope of the SIRP's review, and are not addressed in this report.

2. Preliminary Statement/Background Information

- a. On September 12, 2014, Jonathan Lundgren, Ph.D. (hereafter, "Complainant"), an ARS scientist, submitted a written complaint (Exhibit #1) to the acting USDA Departmental

Scientific Integrity Officer (DSIO) alleging that the USDA SIP (Departmental Regulation (DR) 1074-001, "Scientific Integrity") (Exhibit #2) was violated. The complaint indicated that:

"[The Complainant has] been subjected to a sudden but escalating pattern of impediments and disruption of [his] scientific work, restraints on [his] ability to communicate with scientific colleagues, as well as the media . . . [and that the] onset of [these] actions undoubtedly appears to have been prompted by the scientific activities that are supposed to be specifically safeguarded and encouraged under the USDA Scientific Integrity Policy."

In accordance with the USDA SIP Handbook, dated July 10, 2013 (Exhibit #3), the complaint was referred to the ARS Agency Scientific Integrity Officer (ASIO), who conducted a review of the complaint. In a letter (Exhibit #4), dated October 15, 2014, sent to the Complainant, the ARS ASIO indicated that she "failed to identify evidence in [the Complainant's] allegations of violations of scientific integrity policy and research misconduct."

In response to the ARS ASIO's letter, the Complainant sent an email (Exhibit #5), dated October 18, 2014, to the acting DSIO and the acting Director of the Office of the Chief Scientist expressing dissatisfaction with the response to his complaint. Specifically, the Complainant stated that the ARS ASIO's October 15, 2014, letter:

"Completely ignored the basis of [the] complaint (suppression of honest communication of scientific findings, and participation in peer review); [f]ailed to address the myriad instances of retaliation as a result of the agency's violation (restraint on further media contact, damaging "misconduct" investigation, research disruption); and [d]id not even mention the several instances of professional interference by line management, and threats to [the Complainant's] personnel record. Nor did the ASIO even acknowledge that the suspension decision which is part of these violations is being upheld by key people identified in [the] complaint."

In the absence of a satisfactory agency-level resolution of an allegation that a violation of the USDA SIP occurred, the USDA SIP Handbook and the USDA Scientific Integrity Review Panel (SIRP) Guidelines (Exhibit #6) allow for a SIRP to be convened to review the allegation. Correspondingly, in a letter, dated June 15, 2015 (Exhibit #7), the USDA Chief Scientist issued a request for three ASIOs, who were affiliated with USDA agencies other than ARS, to serve on a SIRP to review the matter. A permanent USDA DSIO was appointed on August 9, 2015, and subsequently undertook a review of the case. On October 14, 2015, the DSIO issued a charge letter for the SIRP (Exhibit #8). Because the Complainant's written complaint raised some issues that did not fall within the scope of the USDA SIP (e.g., alleged "reprisal" activities and violations of policies and procedures pertaining to an agency investigation into alleged employee misconduct), the charge letter directed the SIRP to address only those issues pertaining to alleged violations of the USDA SIP.

- b. The SIRP's review of the matter was conducted in accordance with the USDA SIRP Guidelines. In fulfilling its charge, the SIRP reviewed the written complaint and accompanying documentary evidence submitted by the Complainant, as well as documentary evidence that was requested and received from ARS. The SIRP met, in person

or via teleconference, on November 9, 2015, November 16, 2015, December 14, 2015, and January 12, 2016.

3. Findings of Fact (FoF)

Based on a review of the evidence, the SIRP made the following findings of facts:

- #1 The Complainant alleged that starting in late March/early April 2014 “improper reprisal, interference, and hindrance of [his] research and career began in earnest.” The Complainant contended that these actions were triggered by media interviews that he participated in regarding research he published in the *Journal of Pest Science* and *Bioscience* journal, and his service as an external reviewer for a report prepared by the Center for Food Safety.

(Exhibit #1, Complainant’s written complaint.)

- #2 ARS approved the Complainant’s submission of a manuscript titled “Effects of neonicotinoid seed treatments on soybean aphid and its natural enemies,” which was published in 2012 in the *Journal of Pest Science* (vol. 85, pp. 125-132), and a manuscript titled “RNAi-Based Insecticidal Crops: Potential Effects on Nontarget Species,” which was published in 2013 in *BioScience* (vol. 63, no. 8, pp. 657-665). With regard to the Complainant’s service as an external reviewer for a report prepared by the Center for Food Safety, ARS informed the SIRP that it did not have any record of the Complainant having sought approval to engage in this outside activity.

(Exhibit #9, ARS response, dated November 18, 2015, to the SIRP request for information; Exhibit #10, Agricultural Research Information System (ARIS) 115 entry for log number 268542; Exhibit #11, *Journal of Pest Science* article; Exhibit #12, ARIS 115 entry for log number 280631; and Exhibit #13, *Bioscience* article.)

- #3 From March 2014 through November 2015, ARS approved multiple manuscripts for submission for publication by the Complainant, including manuscripts pertaining to neonicotinoids.

(Exhibit #9, ARS response, dated November 18, 2015, to the SIRP request for information; Exhibit #14, ARIS 115 entry for log number 309301; Exhibit #15, *Crop Protection* article; Exhibit #16, ARIS 115 entry for log number 319893; Exhibit #17, *Journal of Economic Entomology* article; and Exhibit #18, ARIS 115 entries for log numbers 309304, 309300, 309299, 312421, 312434, 315716, 315717, 315714, 315713, 315718, 318252, 318250, and 318258.)

- #4 From March 2014 through November 2015, ARS granted permission for the Complainant to participate in several interviews with news media/popular press organizations, including interviews pertaining to neonicotinoids.

(Exhibit #9, ARS response, dated November 18, 2015, to the SIRP request for information; and Exhibit #19, *Star Tribune* article.)

- #5 From March 2014 through November 2015, ARS granted permission for the Complainant to engage in professional interactions, including: (1) approval to submit an abstract for, and participate in, a European Food Safety Authority international workshop on “Risk assessment considerations for RNAi-based GM plants,” which was held in June 2014; and (2) approval to attend annual meetings of the Entomological Society of America (ESA) held in November 2014 and November 2015. With regard to the ESA annual meetings, the

Complainant was listed as a co-author on several abstracts submitted for presentation at the meetings, including abstracts pertaining to neonicotinoids.

(Exhibit #1, Complainant's written complaint; Exhibit #9, ARS response, dated November 18, 2015, to the SIRP request for information; Exhibit #20, ARS response, dated December 4, 2015, to the SIRP request for information; Exhibit #21, ARIS 115 entry for log number 305541; Exhibit #22, Excerpts from ESA 2015 annual meeting program book; Exhibit #28, ARS response, dated January 4, 2016, to the SIRP request for information; and Exhibit #29, Excerpts from ESA 2014 annual meeting program book.)

- #6 A manuscript co-authored by the Complainant, titled "Non-target effects of clothianidin on monarch butterflies," was submitted for publication without ARS approval. ARS approval to submit the manuscript was withheld pending the Complainant's addressing of scientific/technical concerns raised by the Complainant's Research Leader. The Complainant was notified of the concerns and offered the opportunity to revise the manuscript. The manuscript was published in 2015 in the *Science of Nature* journal (vol. 102, no. 3-4, article 19) without having received ARS approval.

(Exhibit #9, ARS response, dated November 18, 2015, to the SIRP request for information; Exhibit #23, *Science of Nature* article; Exhibit #24, Email correspondence from Complainant's Research Leader; and Exhibit #25, Research Leader's comments on a manuscript titled "Non-target effects of clothianidin on monarch butterflies.")

- #7 A manuscript co-authored by the Complainant, titled "In silico identification of off-target pesticidal dsRNA binding in honey bees," was not approved by ARS for publication. Approval of the manuscript was withheld pending the Complainant's addressing of scientific/technical concerns raised by a reviewer. The ARIS entry for this manuscript specifically stated that the Complainant was "free to use the suggestions and recommendations [of the reviewer] . . . to revise the paper and submit a new approval request."

(Exhibit #9, ARS response, dated November 18, 2015, to the SIRP request for information; Exhibit #26, ARIS 115 entry for log number 319077; Exhibit #27, Reviewer comments on the manuscript.)

- #8 With regard to communicating research findings, the USDA Scientific Integrity Policy §5e(2) states that it is the policy of USDA to "[e]nsure that scientists may communicate their findings without political interference or inappropriate influence, *while at the same time complying with USDA policies and procedures* for planning and conducting scientific activities, reporting scientific findings, and reviewing and releasing scientific products." (Emphasis added.) In §7k of the policy, inappropriate influence is defined, in part, as the "suppression, alteration, or delay of the release of a statistical or scientific product for any reason *other than technical merit* as determined through standard agency procedures." (Emphasis added.)

ARS Policies and Procedures (P&P) document number 152.1-ARS v.2 ("Procedures for Publishing in Non-USDA Media (Outside Publishing)") establishes ARS policies and procedures for reporting the scientific findings of ARS scientists in journals and other venues. ARS P&P 152.1 stipulates that it is the responsibility of Research Leaders to review every manuscript authored by unit scientists and to determine the level of peer review required to ensure the scientific and technical soundness of manuscripts prior to submission to a journal. For manuscripts designated as pertaining to prominent issues, ARS P&P 152.1

allows for additional review and approvals “to assure sound peer review and policy interpretation, advance alert to the [ARS] Administrator’s and [USDA] Secretary’s offices, and/or timely identification of scientific breakthroughs having special public news value.”

(Exhibit #2, USDA Scientific Integrity Policy; Exhibit #30, ARS P&P 152.1-ARSV.2.)

- #9 A manuscript, titled “The causes of unintended consequences of a paradigm shift in corn production practices,” was originally co-authored by the Complainant and one other author. The manuscript was published in 2015 in the *Environmental Science & Policy* journal (vol. 52, pp. 41-50); however, the published article did not list the Complainant as a co-author. ARS informed the SIRP that the Complainant was requested to remove his name from the manuscript “because it related to Farm Bill policy.”

The article discussed, in part, the influences and impacts of federal agriculture and energy policy, and put forth potential solutions for ameliorating potential disruptions in agricultural markets that may occur as a result of shifts in crop production patterns. The article stated that “the current status of corn-dominated agriculture was created largely by U.S. policy, and thus the solution to the problem will likely have to be at this level.” One specific solution put forth in the article was to restructure the ethanol mandate so as “to link the ethanol mandate to crop production levels by mandating that a maximum percentage of the corn crop (rather than a mandated fixed ethanol production level) be devoted to ethanol production.”

(Exhibit #9, ARS response, dated November 18, 2015, to the SIRP request for information; and Exhibit #31, *Environmental Science & Policy* journal article.)

- #10 The USDA Scientific Integrity Policy §5e(2) states that “[USDA] scientists should refrain from making statements that could be construed as being judgements of or recommendations on USDA or any other federal government policy, either intentionally or inadvertently.”

(Exhibit #2, USDA Scientific Integrity Policy.)

4. Conclusions

- a. The Complainant’s written complaint, dated September 12, 2014, alleged that the USDA SIP was violated by ARS personnel. The Complainant alleged that his participation in media interviews, which pertained to RNA interference and neonicotinoid research the Complainant published in the *Journal of Pest Science* and *Bioscience* journal, and the Complainant’s service as an external reviewer for a report prepared by the Center for Food Safety, triggered subsequent hindrance of the Complainant’s research, restraint from further media contact, and professional interference. (FoF #1.) Thus, the Complainant contended that his engagement in actions encouraged by and protected under the USDA SIP (i.e., being able to communicate with the media and engage in professional interactions) purportedly triggered ARS personnel to take actions that constituted a violation of the USDA SIP. The complaint also indicated that the Complainant was the subject of a personnel misconduct investigation, and raised concerns with the basis for, the conduct of, and the outcome of the investigation. The DSIO, former acting DSIO, and SIRP concurred that the concerns with the personnel misconduct investigation fell outside the purview of the USDA SIP and, consequently, the SIRP’s review.

The SIRP reviewed the written complaint and the documentary evidence that accompanied the complaint. The documentary evidence included several witness statements, all of which

pertained to the personnel misconduct investigation into the alleged inappropriate behavior engaged in by the Complainant. None of the statements addressed or materially supported the Complainant's allegation that the USDA SIP was violated. With regard to the complaint itself, the SIRP found the complaint to be absent of credible and verifiable evidence to support the Complainant's allegation. For example:

- (1) The Complainant cited in §IV.A of his complaint that he was told by ARS personnel that he should "get approval from line management and information staff before any more press conversations." The USDA SIP §5e(1) states that "[USDA] [s]cientists are expected to coordinate [communications with the media] with their immediate supervisors and public affairs office in accordance with the policies of their specific agencies." ARS P&P 150.1 ("Dissemination of Public Information by ARS") (Exhibit #32) §4 states:

"When employees accept an invitation to participate in a radio or television broadcast, they should inform the RL and the Director, IS, or Chief, Current Information Branch. IS should be alerted to all media inquiries from major national newspapers, magazines, and broadcast outlets, particularly when the topic is related to sensitive issues or the policies of other government agencies."

Consequently, the SIRP believes that a request for a scientist to provide notification of media interviews and to coordinate said interviews with ARS personnel is consistent with the USDA SIP. The SIRP did not find the complaint to contain credible and verifiable evidence that the Complainant was actually restrained from media contact in violation of the USDA SIP. The SIRP also noted that the Complainant indicated in his complaint that he "was not strictly forbidden from further media contact...."

- (2) The Complainant cited in §IV.D of his complaint that ARS personnel told him that the Complainant's planned presentation for a European Food Safety Authority workshop pertained to "a very sensitive research topic and that [the Complainant] was not allowed to express any opinions on the matter – just data." The USDA SIP states in §5e(2) that "[c]ommunications [of scientific findings] should remain within the bounds of [a USDA scientist's] scientific findings." Thus, the SIRP did not believe that this purported instruction by ARS personnel violated the USDA SIP.
- (3) The Complainant raised other issues that he contended in his complaint interfered with his ability to interact with the broader scientific community. In one instance, the Complainant cited concerns raised by his Research Leader about a grant application prepared by the Complainant; however, the complaint indicated that the Research Leader "allowed the proposal to be submitted." Regarding the same grant application, the Complainant indicated that a co-Principal Investigator on the application failed to complete necessary paperwork for submission of the application and that ARS personnel would not allow submission of the application without the appropriate paperwork being completed. Ultimately, the Complainant was able to resolve the issue with the co-Principal Investigator and *the proposal was submitted*. To further support his allegation of professional interference, the Complainant cited a request by ARS personnel for the Complainant to use his assigned USDA email account rather than a personal email account for conducting government business. The Complainant also cited issues that arose related to obtaining approval to travel to the Columbian

Entomological Society annual meeting and a European Food Safety Authority workshop. In both cases, the Complainant acknowledged that he was granted approval to travel to the meetings.

The Complainant also indicated that in conjunction with the development of research objectives for an ARS research project starting a new 5-year cycle, ARS National Program Staff removed a research objective from the Complainant's proposed research plan that pertained to the risk assessment of pesticides. The SIRP noted that the ARS ASIO specifically addressed this aspect of the complaint in a letter to the Complainant, dated October 15, 2014. (Exhibit #4). As indicated in the ASIO's letter, ARS National Program Leaders have a role in developing research project objectives for projects starting a new 5-year cycle. The letter also indicated that the ASIO consulted with the National Program Leader responsible for the project and that he informed the ASIO that the "new objective is broader than just assessing risk from pesticides." Consistent with the information provided in the ASIO's letter, the Complainant acknowledged in his complaint that "[i]t was explained that [the Complainant] would still be able to work on [risk assessment of pesticides]."

Based on its review of the written complaint, the SIRP does not believe that the complaint provides credible and verifiable evidence to support the Complainant's allegation that his ability to interact with the broader scientific community was interfered with in violation of the USDA SIP. The SIRP noted that with regard to the requests to submit the grant application and to travel to the two meetings, the Complainant acknowledged that *ARS approved the requests*. The SIRP did not find it to be unreasonable or a violation of the USDA SIP for ARS to request that the Complainant use his USDA email account to conduct official government business. The SIRP also did not find that the National Program Leader's involvement in the development of research project objectives, which is a responsibility of ARS National Program Leaders, constituted a violation of the USDA SIP. With regard to the latter issue, the SIRP noted that the USDA SIP states in §5e(3) that "[t]he scientific integrity policy is *not meant to limit the obligations of political appointees and agency leadership in setting research priorities that may change* due to budget constraints or other challenges that may arise, such as the need to address urgent public health crises." (Emphasis added.)

- b. In addition to reviewing and evaluating the written complaint and accompanying documentary evidence submitted by the Complainant, the SIRP also engaged in fact finding to inform its conclusions as to whether the Complainant's allegation had substance and whether the panel believed that there was a preponderance of the evidence to conclude that the USDA SIP was violated.

The Complainant alleged that his participation in media interviews, which pertained to RNA interference and neonicotinoid research that the Complainant published in the *Journal of Pest Science* and *Bioscience* journal, and the Complainant's service as an external reviewer for a report prepared by the Center for Food Safety, triggered the alleged subsequent violations of the USDA SIP. (FoF #1.) The SIRP established that the media interviews referenced by the Complainant were based on research that was *approved* by ARS for publication. (FoF #2.) Further, the research was *published*, and thus, publically available at the time that the media interviews were conducted. Because ARS approved dissemination of the research results (by approving submission of the manuscripts) and the research had

been disseminated prior to the media interviews, the SIRP found the Complainant's contention (i.e., that his discussion of research findings triggered ARS to allegedly take retaliatory actions) to be counterintuitive.

The Complainant specifically alleged that starting in late March/early April 2014 he was restrained from further media contact and subjected to professional interference in violation of the USDA SIP. The SIRP established that from March 2014 to November 2015, ARS approved multiple requests by the Complainant to: (1) submit manuscripts for publication; (2) conduct interviews with the media; and (3) attend and present research at scientific meetings. (FoF #3, #4, and #5.) Of note, the SIRP established that ARS granted approval during this period for the Complainant to: submit manuscripts pertaining to the Complainant's research on neonicotinoids; submit an abstract for, and attend a meeting pertaining to RNAi-based genetically modified plants; attend meetings where abstracts that were co-authored by the Complainant and that pertained to the Complainant's neonicotinoid research, were presented; and participate in media interviews, including interviews pertaining to neonicotinoids.

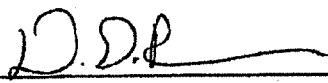
The SIRP identified two manuscripts that ARS withheld approval for the Complainant to submit for publication. (FoF #6 and #7.) For one of the manuscripts, the Complainant's Research Leader provided the Complainant with concerns that the Research Leader had with the manuscript. For the second manuscript, an independent review of the manuscript was solicited by ARS, and a reviewer raised several concerns with the manuscript. The Complainant was afforded the opportunity to revise both manuscripts to address the concerns raised. Approval to submit both manuscripts was withheld by ARS pending the Complainant's addressing of the concerns. The SIRP reviewed the comments submitted in conjunction with the reviews of these manuscripts and found the comments to pertain to either scientific/technical merit or to enhancing clarity. The SIRP noted that the USDA SIP indicates that it is the policy of USDA to ensure scientists may communicate their findings without political interference or inappropriate influence while complying with applicable procedures for communicating and publishing their findings. ARS has established policies and procedures pertaining to the review and approval of manuscripts intended for publication in scientific journals. (FoF #8.) The SIRP does *not* believe that adherence to these ARS policies and procedures, which include provisions for ARS scientists to address scientific/technical concerns to secure approval to submit manuscripts for publication, constitutes a violation of the USDA SIP.

The SIRP also identified a manuscript that was initially co-authored by the Complainant and subsequently published without the Complainant being listed as a co-author. (FoF #9.) ARS indicated that the Complainant was requested to remove his name from the manuscript because it pertained to federal policy. The article discussed, in part, the influences and impacts of federal agriculture and energy policy, as well as "[a]lternative policy solutions to mitigate negative [economic and environmental] consequences and enhance the resiliency of U.S. agriculture." Among the solutions put forward in the article was one to restructure the ethanol mandate. The SIRP noted that with regard to communicating scientific findings, the USDA SIP states that "[USDA] scientists should refrain from making statements that could be construed as being judgements of or recommendations on USDA or any other federal government policy, either intentionally or inadvertently." (FoF #10.) The SIRP found it reasonable that the article could be construed as containing judgements and/or recommendations on federal government policy. Consequently, the SIRP does not believe


that ARS' request for the Complainant to remove his name from the manuscript constituted a violation of the USDA SIP.

5. In summary, the SIRP reached a consensus that the Complainant's allegation was unsubstantiated and that there was *not* a preponderance of evidence to establish that the USDA SIP was violated. The SIRP concurs with the ARS ASIO's October 15, 2014, determination that the Complainant's written allegation did not provide any credible and verifiable evidence to support the Complainant's contention that his research was impeded, and that the Complainant was restrained from communicating with the media and interacting with the broader scientific community, in violation of the USDA SIP. The SIRP identified evidence that ARS has approved the Complainant's engagement in media interviews, as well as requests to participate in scientific meetings and to publish his research in accordance with the USDA SIP and applicable ARS' policies and procedures. The SIRP believes that no further action is warranted with regard to the Complainant's allegation that the USDA SIP was violated, and recommends the matter be closed.
6. If you have any questions about this report, please contact the USDA DSIO at your earliest convenience.

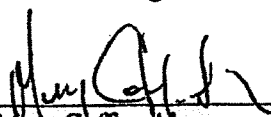
cc: Pamela Starke-Reed, Agency Scientific Integrity Officer, Agricultural Research Service
Kim Green, Director, Office of the Chief Scientist


Doug Bannerman
Departmental Scientific Integrity Officer

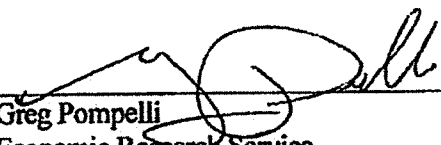
1/14/2016
Date


William Hoffman
National Institute of Food and Agriculture
Former Acting DSIO


1/14/2016
Date


Mary Coffey Alonzo
Grain Inspection, Packers and Stockyards
Administration
SIRP Member

1/19/2016
Date


Greg Pompelli
Economic Research Service
SIRP Member

1-14-2016
Date


Carlos Rodriguez-Franco
Forest Service
SIRP Member

1/14/16
Date

INDEX OF EXHIBITS

Exhibit Number	Description	Source
1	Complainant's written complaint (Subject: "Complaint of Violations of USDA Scientific Integrity Policy"), dated September 12, 2014.	Complainant
2	USDA Scientific Integrity Policy (Departmental Regulation 1074-001 "Scientific Integrity), dated May 10, 2013.	USDA Office of the Chief Information Officer website
3	USDA Scientific Integrity Policy Handbook, dated July 10, 2013.	USDA Office of the Chief Scientist website
4	ARS ASIO's letter (Subject: "Complaint of Violations of USDA Scientific Policy"), dated October 15, 2014, sent to the Complainant.	ARS ASIO
5	Email (Subject: "Scientific Integrity Complaint"), dated October 18, 2014, sent from the Complainant to the acting DSIO and the acting Director of the Office of the Chief Scientist.	Complainant
6	USDA Scientific Integrity Review Panel (SIRP) Guidelines, dated May 2015.	USDA Office of the Chief Scientist website
7	SIRP appointment letter, dated June 15, 2015.	USDA Chief Scientist
8	SIRP charge letter, dated October 14, 2015.	USDA DSIO
9	ARS response, dated November 18, 2015, to the SIRP request for information.	ARS
10	ARIS 115 entry for log number 268542 for a manuscript titled "Effects of neonicotinoid seed treatments on soybean aphid and its natural enemies."	ARS
11	<i>Journal of Pest Science</i> article, titled "Effects of neonicotinoid seed treatments on soybean aphid and its natural enemies," published in 2012 (vol. 85, pp. 125-132).	<i>Journal of Pest Science</i> website
12	ARIS 115 entry for log number 280631 for a manuscript titled "RNAi-Based Insecticidal Crops: Potential Effects on Nontarget Species."	ARS
13	<i>Bioscience</i> journal article titled "RNAi-Based Insecticidal Crops: Potential Effects on Nontarget Species," published in 2013 (vol. 63, no. 8, pp.657-665).	<i>Bioscience</i> journal website
14	ARIS 115 entry for log number 309301 for a manuscript titled "The effects of insecticide dose and herbivore density on tri-trophic density on tri-trophic effects of thiamethoxam in a system involving wheat, aphids, and ladybeetles."	ARS

15	<i>Crop Protection</i> journal article titled “The effects of insecticide dose and herbivore density on tri-trophic density on tri-trophic effects of thiamethoxam in a system involving wheat, aphids, and ladybeetles,” published in 2015 (vol. 69, pp. 70-76).	<i>Crop Protection</i> journal website
16	ARIS 115 entry for log number 319893 for a manuscript titled “The effect of a thiamethoxam seed treatment on pests and yield in cultivated sunflowers.”	ARS
17	<i>Journal of Economic Entomology</i> article titled “Thiamethoxam Seed Treatments Have No Impact on Pest Numbers or Yield in Cultivated Sunflowers,” published in 2015 (vol. 108, no. 6, pp. 2665-2671).	<i>Journal of Economic Entomology</i> website
18	ARIS 115 entries for log numbers 309304, 309300, 309299, 312421, 312434, 315716, 315717, 315714, 315713, 315718, 318252, 318250, and 318258.	ARS
19	<i>Star Tribune</i> article titled “Bees at the Brink: Fields of green are a desert for bees,” published September 27, 2014.	ARS and <i>Star Tribune</i> website
20	ARS response, dated December 4, 2015, to the SIRP request for information.	ARS
21	ARIS 115 entry for log number 305541 for an abstract titled “Considerations for risk assessment procedures of RNAi-based crops.”	ARS
22	Excerpts from the Entomological Society of America (ESA) 2015 annual meeting program book.	ESA website
23	<i>Science of Nature</i> article titled “Non-target effects of clothianidin on monarch butterflies,” published in 2015 (vol. 102, no. 3-4, article 19)	<i>Science of Nature</i> journal website
24	Email correspondence, dated January 6, 2015, from the Complainant’s Research Leader to the Complainant.	ARS
25	Complainant’s Research Leader’s comments on a manuscript titled “Non-target effects of clothianidin on monarch butterflies.”	ARS
26	ARIS 115 entry for log number 319077 for a manuscript titled “In silico identification of off-target pesticidal dsRNA binding in honey bees.”	ARS
27	Reviewer comments on a manuscript titled “In silico identification of off-target pesticidal dsRNA binding in honey bees.”	ARS
28	ARS response, dated January 4, 2016, to the SIRP request for information.	ARS
29	Excerpts from the Entomological Society of America (ESA) 2014 annual meeting program book.	ESA website
30	ARS Policies and Procedures (P&P) document number 152.1-ARS v.2 (“Procedures for Publishing in Non-USDA Media (Outside Publishing)”), dated April 22, 2013.	ARS website

31	<i>Environmental Science & Policy</i> journal article titled “The causes of unintended consequences of a paradigm shift in corn production practices,” published in 2015 (vol. 52, pp. 41-50).	<i>Environmental Science & Policy</i> journal website
32	ARS Policies and Procedures (P&P) document number 150.1 (“Dissemination of Public Information by ARS”), dated May 9, 2012.	ARS website



United States
Department of
Agriculture

Research
Education
Economics

Office
of the Under
Secretary

Room 216W
Jamie L. Whitten Building
Washington, DC 20250-0110

CONFIDENTIAL MEMORANDUM

JAN 29 2016

TO: Chavonda Jacobs-Young, Ph.D.
Administrator, ARS

FROM: Catherine Woteki, Ph.D. *CWoteki*
Under Secretary
Chief Scientist, USDA

SUBJECT: USDA Scientific Integrity Case "USDA-ARS-SI-09.12.2014"

I am in receipt of a report, dated January 20, 2016, that was issued by a Departmental Scientific Integrity Review Panel (SIRP) convened to review a complaint submitted by Dr. Jonathan Lundgren (hereafter, "Complainant"), an Agricultural Research Service (ARS) scientist. The SIRP, which was composed of three Agency Scientific Integrity Officers who were affiliated with USDA agencies other than ARS, was specifically charged with reviewing those aspects of the complaint that pertained to alleged violations of the USDA Scientific Integrity Policy (SIP).

As indicated in the report, the SIRP reviewed the complaint and accompanying documentary evidence provided by the Complainant, as well as documentary evidence provided by ARS. Based on its review, the SIRP unanimously concluded that the allegation was unsubstantiated and there was *not* a preponderance of evidence to establish that the USDA SIP was violated. The report further indicated that the SIRP recommended the matter be closed.

Based on my review of the report and the exhibits referenced in the report, *I concur with the conclusions and recommendations of the SIRP*. It is my understanding that you have received a copy of the report and the referenced exhibits. Once you have reviewed these documents, please provide me and the Departmental Scientific Integrity Officer with written notification as to whether ARS concurs with the conclusions and recommendations of the SIRP, and whether ARS plans to take any additional actions, if and as warranted, with regard to the matter.

cc: Sharon Drum, Chief of Staff, Agricultural Research Service
Pamela Starke-Reed, Agency Scientific Integrity Officer, Agricultural Research Service
Kim Green, Director, Office of the Chief Scientist
Doug Bannerman, Departmental Scientific Integrity Officer, Office of the Chief Scientist



United States Department of Agriculture

Research, Education, and Economics
Agricultural Research Service

February 3, 2016

SUBJECT: USDA Scientific Integrity Case "USDA-ARS-SI-09.12.2014"

TO: Catherine W. Woteki, REE Under Secretary and USDA Chief Scientist
Doug Bannerman, Departmental Scientific Integrity Officer, OCS

FROM: Chavonda Jacobs-Young
Administrator

A handwritten signature in black ink, reading "Chavonda Jacobs-Young", is placed over the printed name in the "FROM:" line.

This is in response to your memorandum dated January 29, 2016, same subject. I have read all materials and concur with the conclusions and recommendations of the Scientific Integrity Review Panel. ARS does not plan to take any additional action with regard to this matter.

cc:

Sharon Drumm, ARS
Pamela Starke-Reed, ARS
Kim Green, OCS