

Congress of the United States

Washington, DC 20515

December 5, 2024

The Honorable Deb Haaland
Secretary
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Secretary Haaland:

The Committee on Oversight and Accountability and the Committee on Natural Resources (Committees) are investigating the Biden-Harris administration's establishment of government-wide scientific integrity committees with possible intent to interfere with the executive authority of future presidential administrations.¹ Policymaking by the administrative state should be informed by scientific evidence—including views that challenge the existing consensus—and accountable to the American people and their elected leadership, not beholden to career bureaucrats implementing their own agendas. Yet the regime implemented by the Biden-Harris administration is likely to entrench the status quo without regard to scientific advances while enhancing the power of unelected federal officials to influence or stymie policy decisions. The Committees seek documents and information from the U.S. Department of the Interior (DOI) to assist in our investigation and ensure continued accountability within the Executive Branch.

At the outset of its time in office, the Biden-Harris administration issued a Presidential Memorandum directing the White House Office of Science and Technology Policy (OSTP) to establish a Task Force on Scientific Integrity and publish a report on federal agencies' scientific-integrity policies, ostensibly to “restore trust in government.”² In this memorandum, each “agency head” was directed to establish agency-specific scientific integrity policies, designate chief science officers and scientific integrity officials, and form scientific advisory committees.³ The Biden-Harris administration's top-down approach risks further politicizing science by

¹ Erin Schumaker, *Biden's Got a Plan to Protect Science from Trump*, POLITICO (May 27, 2024); Dave Jamieson, *Preparing for A Trump Return, EPA Workers Secure 'Scientific Integrity' Protections*, HUFFINGTON POST (May 29, 2024); Maxine Joselow & Scott Dance, *Why Scientists Fear a Second Trump Term, and What They Are Doing About It*, WASH. POST (Jun. 12, 2024).

² The White House, Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking (Jan. 27, 2021), available at <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/memorandum-on-restoring-trust-in-government-through-scientific-integrity-and-evidence-based-policymaking/>; Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking, 86 Fed. Reg. 8845 (Feb. 10, 2021).

³ *Id.* Note: the memorandum used the term “agency” and “agency head” when referring to Cabinet level departments, such as the Department of the Interior.

increasing political involvement in these processes and improperly empowering federal career bureaucrats to dictate ultimate agency policy.⁴

The OSTP Scientific Integrity Task Force defines scientific integrity government-wide as “the adherence to professional practices, ethical behavior, and the principles of honesty and objectivity when conducting, managing, using the results of, and communicating about science and scientific activities. Inclusivity, transparency, and protection from inappropriate influence are hallmarks of scientific integrity.”⁵ Defining scientific integrity amid constantly evolving information environments is a challenge, and concerning, OSTP’s definition leaves terms such as “inclusivity,” “transparency,” and “influence” open to agency interpretation.⁶ In practice, the discretion granted to agency scientific integrity officials by this policy could be used to usurp leadership accountable to elected officials and legal requirements, tying agency leadership’s hands from implementing policy directives if deemed “too political” by federal bureaucrats.

It is likely that the goal of these scientific integrity efforts is less to ensure the best science is considered when making policy decisions and more to buttress support for and entrench far-left progressive policies in the administrative state.⁷ Indeed, recent reporting indicates that the Biden-Harris administration is using “scientific integrity” to proactively respond to and hamstring the incoming Trump administration’s ability to implement its own executive agendas and discredit scientific information and views that are not in keeping with the mainstream consensus or are based on emerging research challenging the status quo.⁸ This would be a subversion of the idea that agency leaders appointed by a President accountable to the electorate should execute the will of the people consistent with the law, and not implement the individual policy agendas of career bureaucrats.⁹

The Committees are deeply concerned by recent reports of violations of DOI’s own scientific integrity policy, whistleblower retaliation, and fraud. For example, DOI’s Office of the Inspector General recently released a report finding that the U. S. Geological Survey (USGS) “lacks sufficient internal controls in laboratories to identify vulnerabilities and prevent losses

⁴ Curtis Schube, *Scientific Integrity: The Latest Front in the Effort to Protect the Administrative State from Representative Democracy*, THE COUNCIL TO MODERNIZE GOVERNANCE (Apr. 2024), available at <https://modernizegovernance.org/wp-content/uploads/2024/05/Scientific-Integrity.pdf>.

⁵ NATIONAL SCIENCE AND TECHNOLOGY COUNCIL, SCIENTIFIC INTEGRITY FRAMEWORK INTERAGENCY WORKING GROUP, A FRAMEWORK FOR FEDERAL SCIENTIFIC INTEGRITY POLICY AND PRACTICE, 8 (Jan. 2023), available at <https://www.whitehouse.gov/wp-content/uploads/2023/01/01-2023-Framework-for-Federal-Scientific-Integrity-Policy-and-Practice.pdf>.

⁶ *Id.* at 29.

⁷ E.g. James Broughel, *The Quiet Threat to Science Posed by ‘Indigenous Knowledge’*, FORBES (Feb. 29, 2024); Alex Norcia, *Memos Show FDA Overruled Science-Office Call to OK Menthol Vapes*, FILTER MAG. (Dec. 14, 2022).

⁸ Erin Schumaker, *Biden’s Got a Plan to Protect Science from Trump*, POLITICO (May 27, 2024); Dave Jamieson, *Preparing for A Trump Return, EPA Workers Secure ‘Scientific Integrity’ Protections*, HUFFINGTON POST (May 29, 2024); Maxine Joselow & Scott Dance, *Why Scientists Fear a Second Trump Term, and What They Are Doing About It*, WASH. POST (Jun. 12, 2024).

⁹ Curtis Schube, *Scientific Integrity: The Latest Front in the Effort to Protect the Administrative State from Representative Democracy*, THE COUNCIL TO MODERNIZE GOVERNANCE (Apr. 2024), available at <https://modernizegovernance.org/wp-content/uploads/2024/05/Scientific-Integrity.pdf>.

associated with breaches of scientific integrity and misconduct.”¹⁰ Worse yet, the agency had years to respond to these issues and failed miserably, according to the same report.¹¹ In addition to failing to maintain sufficient controls over scientific integrity policies, DOI is currently dealing with an onslaught of investigations regarding retaliation and fraud across its various bureaus.¹² Over the last two years, a number of senior-level officials at the DOI have been found in violation of the department’s own ethics policies, including the former DOI Deputy Secretary Tommy P. Beaudreau¹³ and Principal Deputy Director of the Bureau of Land Management (BLM) Nada Culver.¹⁴

The Committees are concerned that the DOI, under the Biden-Harris administration, failed to follow standard scientific and ethical guidelines and was clearly unable to get its own house in order. Rather, it spent countless hours developing the recently released “305 DM 3” Departmental Wide Policy Manual relating to the Integrity of Scientific and Scholarly Activities, which went into effect in August of 2024.¹⁵ The updated policy places a large focus on Indigenous Knowledge (IK). IK on its own is not problematic. However, much debate remains in the scientific community regarding the scope and role of IK, particularly how it relates to scientific decision-making processes and evidentiary standards and, ultimately, the impact on policy decisions.¹⁶ Moreover, the Biden administration has previously opined on the “lack of expertise to appropriately consider and apply IK” within an agency.¹⁷ As agencies, such as DOI, work to incorporate IK into their scope of work, mandating IK into a scientific integrity policy may prove problematic without efforts to fully understand and mitigate the unintended consequences. For example, IK may not always lend itself to formats that easily integrate into conventional scientific forums, such as peer-reviewed journals, thus creating the potential for conflicting guidance within the scientific integrity policy itself. The Committees have concerns that current policies are creating conflicting standards, which ultimately provides opportunity for

¹⁰ Office of Inspector General, U.S. Department of the Interior, *USGS Laboratories Remain Vulnerable to Breaches of Scientific Integrity*, Report No.: 2022-CR-035 (July 2024), https://www.doi.gov/sites/default/files/2021-migration/Final%20Audit%20Report_USGS%20Scientific%20Integrity.pdf

¹¹ *Id.*

¹² Office of the Inspector General, U.S. Department of the Interior, *Inspector General’s Statement Summarizing the Major Management and Performance Challenges Facing the U.S. Department of the Interior, Fiscal Year 2024*, Report No. 2024-ER-013, October 2024, https://www.doi.gov/sites/default/files/2021-migration/Inspector%20General%27s%20Statement_Major%20Management%20Challenges_FY%202024.pdf

¹³ Office of the Inspector General, U.S. Department of the Interior, *Investigation, Former Deputy Secretary Violated Ethics Laws*, Report No. : 23-0713 (October 1, 2024), <https://www.doi.gov/reports/investigation/former-doi-deputy-secretary-violated-ethics-laws>

¹⁴ Office of the Inspector General, U.S. Department of the Interior, *Investigation, Alleged Ethics Violations, BLM, DC*, Report No. :23-0282 (September 24, 2024), https://www.doi.gov/sites/default/files/2021-migration/Investigation_AllegedEthicsViolationsBLMDC.pdf

¹⁵ U.S. Department of the Interior, *Departmental Manual 305 DM 3*, Effective Date August 20, 2024 (last accessed November 22, 2024), <https://www.fws.gov/sites/default/files/documents/2024-08/2024-doi-scientific-integrity-policy.pdf>

¹⁶ Broughel, James, Forbes, *The Quiet Threat To Science Posed By ‘Indigenous Knowledge’*, February 29, 2024, (last accessed November 22, 2024), <https://www.forbes.com/sites/jamesbroughel/2024/02/29/the-quiet-threat-to-science-posed-by-indigenous-knowledge/>

¹⁷ Executive Office of the President, *Memorandum for Heads of Federal Departments and Agencies Regarding Guidance for Federal Departments and Agencies on Indigenous Knowledge*, November 20, 2022, <https://www.whitehouse.gov/wp-content/uploads/2022/12/OSTP-CEQ-IK-Guidance.pdf>

these unaccountable boards to interpret in the manner that best advances their own particular agendas.

The updated policy manual, which replaces a version that has been in place since December 2014, across multiple administrations, vastly expands its scope, nearly doubling the size of the document.¹⁸ For example, the updated policy now specifically precludes DOI leadership from meaningfully managing and guiding the work of scientific advisory boards and includes specific requirements regarding responses to Congressional inquiries.¹⁹ The Committees have particular concerns with these provisions. Simply put, agency leadership, which has been installed by the elected leadership of the United States have a duty to lead work across their respective agencies and implement the will of the American people. Further, employees of the DOI must not be made to feel that there are constraints to communicate freely with Congress as part of a “scientific integrity policy,” and any guidance that hinders agency accountability to Congress, and by extension the American people, will be taken seriously by the Committees.

Additionally, the timing of this updated manual, which was made effective in August of 2024, appears specifically designed to obstruct the incoming Trump administration and its ability to implement a new agenda. The Committees are concerned that the revisions put forward by the Biden-Harris administration in the updated policy manual are enabling career bureaucrats who favor one set of scientific viewpoints to undermine agency leaders who seek to drive agency actions and who are accountable to the elected leadership of the United States Government.²⁰

To assist the Committees’ investigation of this matter, please provide the following documents, information, and communications, covering the period January 27, 2021, to present, as soon as possible, but not later than December 19, 2024:

1. All records pertaining to the development of DOI’s revised DOI Policy on the Integrity of Scientific and Scholarly Activities (305 DM 3), effective August 20, 2024, including:
 - a. all draft versions of the policy;
 - b. all communications with outside stakeholders, including scientific advocates, nonprofit organizations, and tribal organizations, regarding the revised policy;
 - c. all communications between the Council on Environmental Quality (CEQ), OSTP, the Office of Management and Budget (OMB), and White House officials regarding the revised policy.

¹⁸ U.S. Department of the Interior, *Departmental Manual 305 DM 3*, Effective Date December 16, 2014, (last accessed November 22, 2024), <https://d9-wret.s3.us-west-2.amazonaws.com/assets/palladium/production/s3fs-public/atoms/files/305%20DM%203%20INTEGRIY%20OF%20SCIENTIFIC%20AND%20SCHOLARLY%20ACTIVITIES.pdf>

¹⁹ U.S. Department of the Interior, *Departmental Manual 305 DM 3*, Effective Date August 20, 2024 (last accessed November 22, 2024), <https://www.fws.gov/sites/default/files/documents/2024-08/2024-doi-scientific-integrity-policy.pdf>

²⁰ Id.

2. The status of investigations into scientific integrity complaints filed with DOI; and
3. All communications between DOI, OSTP, and White House officials regarding the Biden-Harris administration's priorities for using scientific integrity to impair future supervision by presidential appointees.

To make arrangements to deliver documents or ask any related follow-up questions, please contact Committee on Oversight and Accountability Majority Staff at (202) 225-5074, as well as the Committee on Natural Resources at (202) 226-4137 or HNRR.Oversight@mail.house.gov. The Committee on Oversight and Accountability is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. In addition, the Committee on Natural Resources has broad authority to investigate any matter under the jurisdiction of the Department of the Interior, including, but not limited to, management and operations of the Department. Thank you in advance for your cooperation with this inquiry.

Sincerely,



James Comer
Chairman
Committee on Oversight and Accountability



Bruce Westerman
Chairman
Committee on Natural Resources

cc: The Honorable Jamie B. Raskin, Ranking Member
Committee on Oversight and Accountability

The Honorable Raul Grijalva, Ranking Member
Committee on Natural Resources