



December 23, 2019

VIA EMAIL

Chelsea Beaupre, Esq.  
Office of Special Counsel  
1730 M Street, NW; Suite 218  
Washington, DC 20036

**Re: Complaint of George Luber, MA-19-004950**

Dear Ms. Beaupre,

The Climate Science Legal Defense Fund (“CSLDF”) respectfully offers this letter in support of the complaint of Dr. George Luber against the Centers for Disease Control (“CDC”). CSLDF is a 501(c)(3) nonprofit organization, founded in 2011 in response to the rising threats to climate and other scientists. CSLDF’s mission is to protect the scientific endeavor in general, and climate science and climate scientists in particular, and to preserve scientists’ rights to pursue and share their research. In furtherance of that mission, CSLDF provides legal knowledge, support, and representation to scientists who would otherwise lack the means to protect themselves.

As a result, while we have not worked specifically with Dr. Luber, we have had occasion to work directly with other scientists at federal agencies who have, unfortunately, experienced similar kinds of censorship when they have wished to speak about or publish scientific work relating to climate change, and who have been retaliated against as a result. We are deeply troubled that, according to his complaint, Dr. Luber has experienced something similar, and we wish to support him in his effort to speak out. Importantly, the narrative described in Dr. Luber’s complaint makes it clear that he was not the only scientist impacted by the CDC’s actions in this case – the entire Climate and Health Program at the agency was dissolved. The context in which this has taken place is also noteworthy: in the three years following President Trump’s election, the Silencing Science Tracker that CSLDF maintains with the Sabin Center for Climate Change Law at Columbia Law School has documented 111 instances of federal government censorship of scientists, including similar instances of agencies preventing scientists from discussing their findings with the media or from attending or participating in professional conferences.<sup>1</sup>

Based on the complaint filed on his behalf by Public Employees for Environmental Responsibility (“PEER”), the CDC has prevented Dr. Luber, a long-standing and well-regarded

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<sup>1</sup> Silencing Science Tracker, <https://climate.law.columbia.edu/Silencing-Science-Tracker>

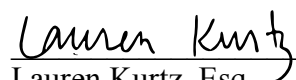
scientist, from communicating with the media and with the public about the impacts of climate change on public health. The agency has also prevented him from participating in a professional conference about climate change and health. CDC considers itself the nation’s health protection agency, charged with “providing health information that protects our nation against expensive and dangerous health threats.”<sup>2</sup> Preventing an agency epidemiologist with deep expertise in the ways in which climate change threatens human health from sharing that expertise with the press and with the public runs directly counter to that mission. We echo the concerns expressed by the Government Accountability Project (“GAP”) in its December 17, 2019 letter regarding CDC’s censorship of Dr. Luber: that Dr. Luber experienced prohibited personnel practices, in violation of the Whistleblower Protection Act and other federal laws; that the actions taken against Dr. Luber represent censorship of important scientific research; and that silencing him – and other climate researchers – inherently constitutes a threat to public health and safety.<sup>3</sup>

We wish to additionally point out that the treatment he received directly contravenes CDC’s own Guidance on Scientific Integrity.<sup>4</sup> That Guidance repeatedly stresses the importance of the free flow of scientific information from the agency (*see, e.g.*, Guidance at 8, 10). It also gives CDC employees the right to speak to members of the press about their work (Guidance at 15), and to participate in professional conferences (Guidance at 20-21). CDC’s treatment of Dr. Luber, as described in his complaint, is therefore in clear violation of its own policies regarding scientific integrity.

CSLDF believes strongly that suppression and censorship of this kind fundamentally harms the scientific endeavor and the standing and effectiveness of America’s scientific agencies. It is also extremely damaging to the well-being of the American public – as a result of the CDC’s treatment of Dr. Luber and the larger Climate and Health Program, the public has not received crucial information about the health impacts of climate change, preventing us from preparing and protecting ourselves as well as we might have. Providing this sort of information is a core part of the agency’s mission, and its censorship of climate science is a serious breach of the public trust.

We call on the Office of Special Counsel to take Dr. Luber’s complaint seriously, and to exercise its authority to conduct a thorough, rigorous, and fair investigation.

Respectfully,



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Lauren Kurtz, Esq.  
Executive Director  
Climate Science Legal Defense Fund

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<sup>2</sup> CDC Mission, Role and Pledge, <https://www.cdc.gov/about/organization/mission.htm>

<sup>3</sup> December 17, 2019 letter from Government Accountability Project, [https://whistleblower.org/wp-content/uploads/2019/12/Luber-OSC-letter\\_12-17-19.pdf](https://whistleblower.org/wp-content/uploads/2019/12/Luber-OSC-letter_12-17-19.pdf)

<sup>4</sup> CDC Guidance on Scientific Integrity, [https://www.cdc.gov/od/science/docs/CDCSIGuide\\_042516.pdf](https://www.cdc.gov/od/science/docs/CDCSIGuide_042516.pdf)