

# Congress of the United States

Washington, DC 20515

March 3, 2022

Dr. Alondra Nelson  
Deputy Director of Science and Society  
Performing the Duties of Director  
Office of Science and Technology Policy  
Executive Office of the President  
1650 Pennsylvania Avenue NW  
Washington, D.C. 20504

Dear Dr. Nelson:

We are continuing oversight of serious allegations raised against the leadership of the White House Office of Science and Technology Policy (OSTP). On February 9, 2022, we wrote Dana Remus, the Counsel to the President,<sup>1</sup> regarding actions taken by your predecessor, Dr. Eric Lander, who resigned after reporting by *Politico* revealed a toxic work environment at OSTP.<sup>2</sup> On February 16, 2022, you were given the designation of “[p]erforming the duties of director.”<sup>3</sup> Your elevation at OSTP is troubling because of the alleged complicity you and other members of senior leadership played in Lander’s behavior. Additional concerning information reviewed by Committee Republicans shows that you use the messaging application Signal to communicate with OSTP employees about work—potentially violating federal records laws.<sup>4</sup>

According to information reviewed by Committee Republicans, several members of OSTP leadership were firsthand witnesses to Lander’s rude, hostile, and abusive interactions with OSTP employees. Not only was there no apparent effort to stop this behavior, but members of senior leadership also engaged in similar behavior themselves. Various members of OSTP leadership yelled at staff, mocked career employees’ political affiliations, and retaliated against staff when they raised these issues to OSTP ethics attorneys. This behavior is unacceptable at any organization, much less a federal agency tasked with advising the President of the United States.

In September 2021, a member of OSTP’s leadership submitted at least one performance review with derogatory language so inappropriate that the Performance Review Board requested

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<sup>1</sup> Letter from Hon. James Comer, Ranking Member, H. Comm. on Oversight & Reform, and Hon. Ralph Norman, Ranking Member, Subcomm. on Env., to Ms. Dana Remus, Counsel to the President (Feb. 9, 2022).

<sup>2</sup> Alex Thompson, *Biden’s top science adviser bullied and demeaned subordinates, according to White House investigation*, POLITICO (Feb. 7, 2022).

<sup>3</sup> *President Biden Announces OSTP Leadership*, The White House, Statements and Releases, Feb. 16, 2022.

<sup>4</sup> See, e.g., 44 U.S.C. § 2911.

the language be removed. The subject of the performance review had previously spoken up when Lander and OSTP leadership attempted to take actions that were “inappropriate, illegal, or unethical.”<sup>5</sup> By October 2021, career ethics attorneys at OSTP were derisively characterized as “rule followers.”<sup>6</sup> These actions by senior leadership raise serious questions about the current leadership’s ability to continue leading the agency.

Committee Republicans also reviewed information indicating you are using—and have encouraged other OSTP employees to use—technology that is often intended to skirt federal records laws and prevent oversight by Congress. You have used the Signal Private Messenger application to conduct official business and discuss agency matters. The use of Signal and other cross-platform encrypted instant messaging software is not approved for communicating about official matters and is often meant as a “flagrant effort to avoid public disclosure.”<sup>7</sup> As one expert has opined, “The backbone of open government and of good government is public records. And when officials move these activities into these spaces that weren't designed for them, record-keeping might be inherently disabled.”<sup>8</sup> Committee Republicans are concerned this software and other methods are being used by OSTP leadership to prevent public records from being created of these communications. This is particularly troubling given the toxic work environment at OSTP.

The serious issues Committee Republicans are uncovering at OSTP have not been remedied by Lander’s resignation. The decision by the White House to elevate you to lead OSTP when you allegedly participated in the same behavior that led to your predecessor’s resignation raises questions about your ability to lead the agency, particularly given your efforts to thwart federal records laws. We remind you that retaliation against whistleblowers may constitute violations of law that carry penalties.<sup>9</sup>

Please provide the following documents to Committee Republicans no later than March 17, 2022:

1. Any reports describing violations of the White House or OSTP Safe and Respectful Workplace Policy by any member(s) of OSTP’s staff;
2. All communications, from January 20, 2021 to present, by OSTP senior leadership made through Signal Messenger, text message, iMessage, or other similar software or platforms relating to any OSTP matters; and
3. All communications, from January 20, 2021 to present, between and among OSTP senior leadership, referring or relating to allegations of a hostile work environment at OSTP.

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<sup>5</sup> Information provided by whistleblower.

<sup>6</sup> Information provided by whistleblower.

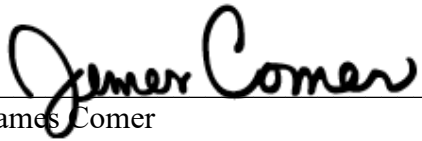
<sup>7</sup> Martin Austermuhle, *D.C. Officials Using WhatsApp for City Business May Skirt Open Records Laws*, NPR (Oct. 9, 2019), available at <https://www.npr.org/local/305/2019/10/09/768529012/d-c-officials-using-whats-app-for-city-business-may-skirt-open-records-laws?t=1570705980449>.

<sup>8</sup> *Id.*

<sup>9</sup> *See, e.g.*, Whistleblower Protection Act of 1989, 5 U.S.C. 2302(b)(8)-(9), Pub. L. 101-12.

To ask any follow-up questions, please contact Committee on Oversight and Reform Republican staff at (202) 225-5074. The Committee on Oversight and Reform 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. Thank you for your attention to this matter.

Sincerely,



James Comer  
Ranking Member  
Committee on Oversight and Reform



Frank Lucas  
Ranking Member  
Committee on Science, Space and  
Technology



Ralph Norman  
Ranking Member  
Subcommittee on Environment

cc: The Honorable Carolyn Maloney, Chairwoman  
Committee on Oversight and Reform

The Honorable Eddie Bernice Johnson, Chairwoman  
Committee on Science, Space and Technology

The Honorable Ro Khanna, Chairman  
Subcommittee on Environment