



Press Release

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TOP FEDERAL SCIENTISTS FIGHT TO WIN JOBS BACK Ninth Circuit Hears Oral Arguments on Charges of Discriminatory Dismissals

Washington, DC — The U.S. Court of Appeals for the Ninth Circuit will hear oral arguments on June 19 in an attempt by 14 scientists to be fully restored to positions they held at the Bay Area offices of the U.S. Geological Survey (USGS). The case examines whether USGS illegally purged its most senior scientists, in spite of the stated need for employees with their specific geological expertise, according to filings released today by Public Employees for Environmental Responsibility (PEER).

“These scientists were targeted for removal precisely because of their independence,” stated PEER Executive Director Jeff Ruch, whose organization helped start the litigation. “Federal scientists should not need to swear loyalty oaths to keep their jobs.”

The oral argument will be held on Tuesday, June 19, 2007, at 8:30 a.m. in Courtroom 1, 3rd floor, 7th and Mission St., San Francisco. San Francisco attorney Mary Dryovage is arguing the appeal.

The USGS scientists include some of the agency’s most distinguished specialists –

- Arthur Grantz was one of the principle investigators of the geology of ice-covered parts of the Arctic Ocean and its potentially oil-bearing sedimentary basins. His group developed and built the first seismic reflection profiling system used to study deep parts of the Arctic Ocean. He was given the Distinguished Service Award by the Department of the Interior shortly after the RIF.
- David Adam, the Project Chief of the Global Change and Climate History Program was RIF’d before a Pollen Extraction Laboratory needed for his research was completed. When it was completed, there was no one left in Menlo Park to use it. Meanwhile, the pollen cores were sent un-refrigerated to Denver, at which point they were worthless.
- Bela Chejtey was the Project Chief for the Denali National Park Mapping Project. The government claimed that the project was cancelled, but assigned a younger employee as Project Chief for the Project and replaced the Menlo Park employees with substantially younger employees.
- Allan Lindh obtained Congressional funding for the Parkfield earthquake prediction program. Despite Congress’s order to keep the scientists doing this important project, he was bumped from his GS-15 Geophysicist position to a GS-12 position and was restricted from doing the work.

“The RIF crippled the federal agency that studies climate change” said Dryovage, “Because the USGS fired the very people most needed to do the priority work, the government retarded significant advancements in our understanding of geology.”

The litigation arose out of a 1995 reduction-in-force or “RIF” that eliminated 550 slots, 37% of the entire USGS workforce. A number of scientists filed legal challenges contending that the RIF was a political purge directed at whistleblowers and older scientists whose research did not coincide with agency policies. These 14 cases are the last remaining challenges.

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Read the District Court's Findings of Fact and Conclusions of Law
http://www.peer.org/docs/doi/07_18_6_findings_of_fact.pdf

Read the plaintiffs opening brief
http://www.peer.org/docs/doi/07_18_6_adam_opening_brief.pdf

Read the government's response brief
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