

Summary

Trump is out to destroy the National Academies, which are the pinnacle of American science. Their sin was accurately reporting on climate science, something Trump can't countenance.

The National Academies of Science, Engineering, and Medicine are at the pinnacle of American science. Only the most distinguished researchers qualify for membership. These constellations of talent and expertise are natural targets for the Trump Administration. Trump recently demanded a suspension and debarment investigation into the National Academies, which would cut off all federal support, for what is a supposedly "fraudulent, biased, and misleading" report on climate change. The Academies, he said, are "run by Radical Left Democrats," which is apparently more than enough reason to ban them from all federal grants and contracts.

It will not surprise you that the climate report's unforgivable sin was accurately reporting the state of scientific knowledge on the subject. Some House Republicans have [complained](#) that the report failed to get proper peer review because climate deniers were not invited to comment. Peer review only works if the reviewers are people who know what they're talking about. Climate deniers don't qualify.

Besides being off-base, the complaint is also hypocritical: None of these Republicans complained when the government proposed relying on a scientific report produced by climate deniers with no peer review whatsoever.

How serious is the threat of suspension and debarment? About 70% of the Academies's funding [comes](#) from federal grants and contracts. Cutting off federal support would be devastating. This couldn't happen, however, until the government completes some procedural steps.

The process is well-known in the world of government contracting but a mystery to the rest of us. You can find a detailed discussion of the topic [here](#). The purpose of debarment is supposed to be to protect the government from future harm rather than to punish past conduct. The courts have held that there is a constitutional right to due process in these situations given the draconian consequences.

None of the usual bases for debarment are present. Those causes include:

- Willful failure to perform a contract, or a history of failure to perform
- Violation of the Drug-Free Workplace Act
- Delinquent Federal taxes (more than \$3,000)
- Knowing failure to disclose “credible evidence” of a violation of criminal law or the Civil False Claims Act, or significant overpayments on a contract
- Any other cause of so serious or compelling a nature that it affects present responsibility (FAR 2019, §§ 9.406–2, 9.407–2)

The contractor is entitled to notice of the reasons for a proposed debarment, followed by an opportunity to introduce arguments and evidence. Debarments generally cannot exceed three years. Pending the conclusion of the proceeding, the government can suspend the contractor for up to eighteen months.

The Trump Administration is also pursuing debarment against [Harvard](#). That debarment effort is part of an Administration campaign to punish Harvard’s stalwart defense of academic freedom.

Trump’s Truth Social post makes it clear that the grievance against the Academies is also based on ideology rather than misconduct. The basic complaint is: “Our Taxpayers should not be funding Climate Fraud.” Of course, what Trump calls climate fraud is Orwellian doublespeak, used to refer to the overwhelming scientific evidence. And, of course, there’s the supposed alliance with radical Left Democrats, an accusation that further confirms the ideological nature of Trump’s attack.

It’s very hard to see how the Administration could expect to have its ideological vendetta against the National Academies upheld in court. The real question is whether the courts can intervene early enough and decisively enough to prevent irreparable damage to these important scientific institutions.