



United States Department of Agriculture
Office of Inspector General
Washington, D.C. 20250



June 21, 2019

The Honorable Richard J. Durbin
United States Senate
711 Hart Senate Building
Washington, D.C. 20510

Dear Senator Durbin and Members of Congress:

This is in response to your letter dated March 26, 2019, regarding concerns related to the Department of Agriculture's (USDA) proposed Modernization of Swine Slaughter Inspection Rule. In your letter, you expressed concerns about reports that the Food Safety and Inspection Service (FSIS) used flawed worker safety data in developing this proposed rule, and that the agency's actions raise serious concerns about a lack of required transparency. We met with your staff on April 12, 2019, to discuss the requested areas of inquiry, including our approach to accomplish the work.

In response to your concerns, the Office of Inspector General's Office of Audit has initiated an inspection to address the specific questions raised in your request. Our objectives will be to determine whether FSIS (1) complied with public transparency requirements under Executive Order 13563, (2) made information about its preliminary analysis on worker safety clearly accessible to the public during the comment period, (3) adhered to USDA Data Quality Guidelines in developing the proposed rule, (4) came to a reasonable determination about the reliability of the Occupational Safety and Health Administration (OSHA) injury data it used for the proposed rule, and (5) consulted with OSHA and the National Institute for Occupational Safety and Health about the impact of the proposed regulation on workplace safety and health.

If your staff has any questions, please have them contact Amy Lowenthal, Assistant Counsel, at (202) 720-9110.

Sincerely,

A handwritten signature in blue ink, appearing to read "Phyllis K. Fong".

Phyllis K. Fong
Inspector General

Cc:

The Honorable Richard A. Blumenthal, U.S. Senator
The Honorable Sherrod Brown, U.S. Senator
The Honorable Benjamin L. Cardin, U.S. Senator
The Honorable Kirsten Gillibrand, U.S. Senator
The Honorable Patty Murray, U.S. Senator
The Honorable Alma S. Adams, PhD, U.S. Representative
The Honorable Rosa L. DeLauro, U.S. Representative
The Honorable Marcy Kaptur, U.S. Representative
The Honorable Ro Khanna, U.S. Representative
The Honorable Eleanor Holmes Norton, U.S. Representative
The Honorable Mark Pocan, U.S. Representative
The Honorable Tim Ryan, U.S. Representative
The Honorable Jan Schakowsky, U.S. Representative
The Honorable Bobby Scott, U.S. Representative
The Honorable Frederica S. Wilson, U.S. Representative