

Department of the Interior

Restoring Science into Decisionmaking

This memo outlines the key ways in which the Department of the Interior (DOI) can and should repair and rebuild its scientific capacity during the next presidential term. It identifies specific priorities and steps the agency can take to effectively act on these issues in 2021.

DOI is tasked with protecting the nation's natural resources and heritage, but recent changes have reduced the role of science and evidence-based decisionmaking within the agency. Improvements to the US Geological Survey (USGS), Bureau of Land Management (BLM), and US Fish and Wildlife Service (USFWS), among other agencies within DOI, can help ensure that science plays a leading role in the management and conservation of natural resources in the United States. This will be critical as DOI plays an important role in addressing two of today's biggest challenges: the climate and biodiversity crises, both clearly requiring science-based policies.

Through specific policy actions and an agency-wide commitment to using the best available science, DOI can recommit to and restore the expectation that the agency will use, produce, and consider the best available evidence in its research and decisionmaking.

Top Priorities for the Secretary of the Interior

- **Restore and advance the use of the best available science and improve transparency in all agency planning and decisionmaking.** Issue and implement DOI secretarial orders to ensure planning and management decisions are made with accepted science, good data, environmental analysis, and maximized public input.
- **Restore and elevate the role of science in addressing the climate and biodiversity crises across all agency and bureau missions.** Provide increased funding for DOI research and programming that focus on greenhouse gas emissions, building the resilience of communities and ecosystems, and land and wildlife conservation.

- **Restore Freedom of Information Act (FOIA) functions.** FOIA enables researchers, media, and the public access to government information. DOI must restore adequate funding to the DOI FOIA program and direct it to facilitate information sharing to the maximum degree allowed by law. It should revise the 2019 DOI FOIA regulations to reduce control over FOIA retention decisions by political appointees.
- **Rebuild scientific capacity throughout DOI.** Restore the commitment to science and incorporating science into agency decisionmaking.

Key Appointment Positions

- Director, Bureau of Land Management
- Director, US Geological Survey
- Director, US Fish and Wildlife Service
- Assistant Secretary for Fish and Wildlife and Parks
- Assistant Secretary for Water and Science
- Assistant Secretary for Land and Minerals

Day-One Actions

- Announce a plan to establish a Science Office and high-level Climate Action Team.
- Announce a moratorium on new fossil fuel leases.

Actions for the First 30 Days

- Revoke secretarial orders that undermine science-based decisionmaking processes, including Secretary's Orders 3355, 3360, and 3369. (*See Priority 1 below for more information.*)
- Draft a secretarial order calling to restore scientific integrity and transparency at DOI and enumerating steps the department will take toward those goals.

Actions for the First 100 Days

- Announce the establishment of a joint Climate Services Office with the Departments of Agriculture, Transportation, Defense, and Commerce.
- Appoint leadership for and implement a plan to fully staff the newly established Science Office and office of the Climate Science Advisor.
- Announce the formation of the Climate Crisis Advisory Committee.

Priority 1: Restore and Advance the Use of the Best Available Science and Improve Transparency in All Agency Planning and Decisionmaking

Anti-science actions have been frequent at DOI in recent years. Multiple reports have documented that scientists at agencies under DOI's purview have been prevented from publishing valid scientific work under their agency affiliation or pressured to alter their work for political reasons. A DOI official repeatedly inserted misleading language about climate change into scientific reports, and the department has interfered directly with the research process by directing scientists not to undertake computer modeling of certain long-term climate impacts, to cite only a few of many examples.

Incidents such as these prevent DOI from using the best available science to protect our natural resources and inform the public. They also contribute to a lack of transparency that damages DOI's credibility and undermines the public's trust that the department's policy decisions are based on sound science. To reverse this trend, DOI should begin by taking the steps outlined below.

Administrative Actions

- Revoke Secretary's Order 3369, "Promoting Open Science," which uses the guise of transparency to restrict which science can inform agency actions, and could allow the agency to ignore evidence of the need for habitat protections and other safeguards. Require agency actions and rulemaking to rely on the best available science, akin to the mandate to consider the best available scientific and commercial data already required for Endangered Species Act (ESA) listing decisions. Establish performance criteria for transparency in science. Criteria should apply to deliberations involving science, scientific communication, and staff surveys, as well as to scientific studies.

- Strengthen DOI's Scientific Integrity Policy to explicitly protect scientists against attempts to censor them or pressure them to alter their work, to safeguard scientists' ability to freely engage in professional development activities such as publishing and presenting at scientific conferences, and to include stronger procedural protections for scientists who file complaints about scientific integrity issues they encounter.
- Issue a new secretarial order establishing criteria for using the best available science in rulemaking.
- Issue a secretarial order to defer to more protective decisions in cases of scientific uncertainty. (When faced with uncertainty about whether an action will harm an ESA-listed species, for example, assume that it will.)
- Revoke Secretary's Order 3355, "Streamlining National Environmental Policy Act Reviews and Implementation of Executive Order 13807, 'Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects,'" that, among other things, established arbitrary page limits and time limits for completing environmental reviews even when scientific complexity demands further attention.
- Revoke Secretary's Order 3360, "Rescinding Authorities Inconsistent with Secretary's Order 3349, 'American Energy Independence,'" that rescinded multiple science-based policies on climate change including a departmental manual chapter on climate change, a departmental manual chapter on landscape-scale mitigation policy, a BLM manual section on mitigation, and a 2016 BLM handbook on mitigation.
- Repeal recent changes in ESA regulations that ignore or undermine the role of science, in particular the regulation limiting the scope of "foreseeable future" from its accepted meaning as a horizon as far out as scientists regularly predict natural and human-made processes.

Budgetary Actions

- Invest in a department-wide effort led by USFWS and USGS to identify imperiled species' strongholds and movement corridors on federal lands. Set priorities and track conservation and recovery work so that agencies can more effectively and transparently meet their statutory obligations under the ESA.
- Restore full funding and personnel for the Climate Science Centers and the climate change mission area

at USGS, as well as the Landscape Conservation Cooperatives and Science Applications program at USFWS.

- Dedicate funding to establish and staff a Science Office within the Office of the Secretary, develop and maintain a database to store scientific information used in decision-making, and measure progress in achieving science transparency goals by establishing transparency milestones for performance plan reporting to the Office of Management and Budget.

Priority 2: Restore and Elevate the Role of Science for Addressing the Climate and Biodiversity Crises across All Agency and Bureau Missions

DOI has a unique responsibility and opportunity to put the United States on the path to aggressive progress on climate change and to address the biodiversity crisis. According to USGS, one-quarter of all US carbon emissions come from fossil fuels extracted from public lands. Reducing future oil and gas production on public lands will protect the environment and the health of wildlife and ecosystems, as well as the communities surrounding these production sites. Furthermore, DOI has management authority for the majority of public lands in the United States and can make biodiversity protection a priority use on multiple-use areas (e.g., BLM lands). DOI can also enlarge the protected areas network (such as through the National Wildlife Refuge System) to lead the way in protecting biodiversity.

It is critical to keep climate change and biodiversity conservation science at the forefront of decisionmaking at DOI. That means taking steps as diverse as prioritizing a leadership focus on science, establishing climate- and biodiversity-specific federal advisory committees, and increasing funding for science programs. DOI should take the following steps.

Administrative Actions

- Assess the ability of DOI programs to address the climate and biodiversity crises, develop a strategy for reorganizing these programs as needed to address those crises, and suspend any current proposals to reorganize departments or relocate agency personnel pending review of their impact on the agencies' ability to effectively address climate issues. Consider options for reassigning idle permitting and leasing staff to restoration and remediation.

- Using the reinstated Climate Policy as a starting point, develop a science-based, DOI-wide climate strategy for optimizing carbon storage on public lands and building resilience across all mission areas.
- Establish a Climate Crisis Federal Advisory Committee and install a high-level climate crisis advisor in the Office of the Secretary. Take steps to restore an emphasis on the use of climate models to project likely future impacts to DOI mission areas.
- In coordination with other federal programs and departments, establish a Biodiversity Crisis Federal Advisory Committee to provide science synthesis and advice to the secretary to advance a national strategy for conserving biodiversity.
- Meet the obligations of the ESA by fully incorporating climate science into ESA species listing decisions, five-year species status reviews, critical habitat designations, and recovery actions. Re-establish the climate change policy revoked by Secretary's Order 3360 so that all decisions address or incorporate the latest climate change information.
- Issue a secretarial order to establish climate and biodiversity action performance measures to be incorporated into the new DOI strategic plan. Task the Office of Policy and Performance with immediately establishing metrics and collecting performance data from each bureau. Ensure that each bureau director prioritizes these performance measures by including them in their senior executive performance reviews.
- Work with Departments of Agriculture, Transportation, Defense, and Commerce to establish a joint Climate Services Office to assist land managers, farmers, infrastructure planners, and other climate-vulnerable sectors in planning for climate impacts.
- Assess and reduce the vulnerability of mission-critical infrastructure and facilities to climate change and biodiversity loss.

Budgetary Actions

- Ensure a real 4 percent budget increase, year over year, for all DOI programs, and ensure that DOI science program budgets are explicitly addressed.

- Reinstate scientific programs that have been eliminated or drastically reduced, such as the USGS Library and the USGS climate change mission area, the Climate Science Centers, and the USFWS Landscape Conservation Cooperatives.

Priority 3: Restore FOIA Functions

FOIA is essential for facilitating access to government information and maintaining transparency. The law is particularly important for ensuring that science is used to inform policy, that nongovernmental scientists have access to government data, and that the public can be made aware of science that can affect their lives. Restoring adequate funding to the DOI FOIA program and reversing the trend in recent years of increasing delays in responding to many FOIA requests are high priorities. DOI should direct staff to facilitate information sharing to the maximum degree allowed by law and, to avoid political interference in the FOIA process, revise its FOIA regulations to ensure that production decisions are made only by career staff.

Administrative Actions

- Revise DOI’s current FOIA guidance to ensure that production decisions are made by career scientists and experts rather than political appointees.
- Establish and empower a FOIA “ombudsman” in the Office of Collaborative Action and Dispute Resolution to resolve high-level concerns regarding FOIA productions.
- Devolve some FOIA operations out to bureaus at DOI to more effectively spread the workload. Eliminate all political review except as a courtesy.
- Expand FOIA office staffing to address the current backlog and to develop a strategy for addressing incoming FOIA requests within 60 days.
- Simplify FOIA production and accessibility by reducing duplication of records (such as long email strings repeated in their entirety with every entry, including attachments), and store records in legible, simplified format.

Budgetary Actions

- Increase funding to hire additional FOIA office full-time equivalents (FTEs) to process the current volume of FOIA requests, develop a strategy for adjusting staffing as

needed per workload, and ensure rapid turnaround of incoming requests.

- Increase funding for bureau FOIA offices to accelerate production.

Priority 4: Rebuild Scientific Capacity throughout DOI

Scientific capacity at DOI has been steadily declining over the past two decades through a combination of cuts, antagonism from Congress, and, at times, neglect and antagonism from the executive branch. Measures that limit scientists’ ability to produce research and access expertise undermine the work they do to serve the United States. For example, USGS Director James Reilly reportedly managed grants at the agency’s Climate Adaptation Science Centers so closely that they were regularly stalled for months, hindering critical research. Agency scientists have also reported that slowdowns in hiring have hampered scientific work.

Although scientific advisory committees, which typically provide crucial input, have been cut back across the federal government, DOI has been particularly hard hit. In 2017, a shocking 67 percent of DOI’s science advisory committees failed to meet as often as required by their charters.

Administrative Actions

- Restore scientific advisory committees (including the Advisory Committee on Climate Change and Natural Resource Science) eliminated after Executive Order 13875, “Evaluating and Improving the Utility of Federal Advisory Committees.” Codify their input into DOI-wide decisionmaking and prioritize the recruitment of independent committee members with scientific expertise.
- Expand and empower USGS Climate Adaptation Science Centers by increasing science FTEs for existing centers, developing strategic work plans with clear objectives for each center, and establishing two new regional centers at universities.
- Expand and empower USFWS Landscape Conservation Cooperatives and the agency’s Science Applications programs by increasing science FTEs and reconnecting scientists with the local and regional governments they are intended to support.

- Instruct bureau directors to prioritize rebuilding science capacity and add a relevant measure to the Senior Executive Service performance review.
- Establish goals and performance measures for ensuring a science enterprise that is diverse and inclusive, including expanding hiring practices to be more inclusive and public demographic reporting of hiring and retention rates of employees.
- Establish a Science Office within the Office of the Secretary, led by a high-level scientist. The office should include a rapid-response capacity for dealing with disaster and crisis management regarding DOI assets, responsibilities, and mission.

Budgetary Actions

- Dedicate funding for stabilizing and increasing the capacity of scientific advisory committees.
- Restore full funding to the science and conservation mission of BLM by re-allocating funds from the permitting side of the agency.
- Provide funding for rebuilding DOI scientific capacity by redirecting funds from the oil and gas permitting programs in coordination with a directive establishing this priority to DOI agencies.
- Reinstate the Landscape Conservation Cooperatives, which were dissolved or placed on hiatus in 2019 despite funding appropriated by Congress.

ENDORSED BY

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