

Agency Scientific Independence

Protecting government science from political manipulation

Effective policymaking in the public interest relies on independent scientific research and data. The same applies for the ability of individuals to protect themselves from public health and environmental threats. Science-based government decisionmaking has resulted in safer air and road travel, cleaner air and water, safer working conditions, medical advances, and much more. The use of objective science, coupled with respect for experts, not only makes policies more robust but also strengthens the government's legitimacy and builds public trust in agency decisions.

In recent years, government officials have suppressed, manipulated, and censored scientific findings that don't align with their political agendas. To combat this, the administration should ensure agencies' scientific independence. These recommendations have strong support from science, public health, human rights, environmental, and good-government groups.

Background

The federal government has long been a crucial source of scientific research and funding, with profound benefits for public health and the environment. Equally important, government experts' research and science advice have also served as the foundation for effective federal policymaking. In recent years, government scientists have faced retaliation for unpopular results and seen their findings suppressed or manipulated to align with political leaders' objectives, and funded projects have been abruptly canceled when their approaches or findings do not support the president's political agenda. This puts the American public at risk and reduces accountability for, and faith in, government decisions.

To ensure that researchers have the ability to conduct research free from the threat of political interference, the administration must recommit to policymaking that is fully informed by independent science, and giving the public access to that science. This requires establishing standards and procedures for preserving the independence of science in federal agencies, as well as preventing the suppression or manipulation

of government research and retaliation against government scientists.

The following recommendations for action during the presidential term beginning in 2021 will help ensure scientific independence in federal decisionmaking processes. Regardless of the outcome of the election, these actions will strengthen the role of science, improve the nation's capacity for science-based decisionmaking, and help protect and preserve our democracy.

Recommendations for the Next Presidential Term

- 1. Strengthen the role of federal scientific experts in policymaking. (first year)**
 - To ensure that independent science underpins federal policies designed to keep the public safe and healthy, the president should issue an executive order committing to filling open science positions in accordance with the limits set forth by the Federal Vacancies Reform Act and requiring all science agencies to have chief science officers. Analogous to evaluation officers required by the Foundations for Evidence-Based Policymaking Act, a chief science officer would oversee strategic coordination of agency science that informs decisions, as well as the implementation of policies affecting federal scientists. The executive order should note that existing offices of chief scientist satisfy this requirement.
 - The president should ensure that each agency's budget request includes funding for enough full-time-equivalent positions to effectively conduct its scientific work.
 - The president should roll back rules and guidance that inappropriately restrict the types of science that can be used in policymaking or agency scientific work, including current guidance and expected rules at the Department of the Interior and Environmental Protection Agency.

2. Direct agencies and the White House Office of Science and Technology Policy (OSTP) to strengthen scientific integrity policies and the infrastructure to enforce them. (first 30 days)

- The OSTP should create an assistant director for scientific integrity with sufficient authority to make scientific integrity a priority for the office.
- The OSTP should direct each agency head to appoint or assign an official to oversee scientific integrity; this official should be insulated from political appointees and report to the agency's highest-ranking civil servant. This official should develop an agreement with the agency's inspector general for addressing misconduct, and work with the OSTP on cross-government coordination of scientific integrity practices.
- The OSTP should direct the official overseeing scientific integrity within each agency to review and, as needed, improve existing scientific integrity policies to ensure they include provisions that:
 - Protect the right of scientists to share scientific data and analysis with the public and lawmakers free from political interference and filters, and to review content that will be released publicly in their name or that significantly relies on their work.
 - Explicitly prohibit retaliation against government employees who raise concerns about scientific integrity or offer scientific opinions that differ from those of the administration or the agency that employs them.

- Provide a clear, detailed policy and procedure for addressing allegations of scientific integrity violations (including appeal rights) and for publicly reporting their resolution.
- Encourage the agency to conduct training on scientific integrity for all federal employees who use science to a significant degree in their jobs.

3. Restore protections for government scientists, solidify safeguards for whistleblowers, and ensure that work environments across federal agencies support and celebrate scientists' critical efforts. (first year)

- The president should ensure the White House Office of Management and Budget (OMB) does not direct agencies to change scientific findings, and should support legislation to codify this.
- To safeguard against the political vetting of research grants, the president should issue a memorandum instructing agencies to allocate funding based on evaluations by experts with relevant qualifications, in response to criteria that are publicly available.

Additional Resources

- Forthcoming Brennan Center for Justice report on executive actions (Summer 2020 release expected)
- *Presidential Recommendations for 2020* (2020 report from the Union of Concerned Scientists)
- *Proposals for Reform Volume II: National Task Force on Rule of Law & Democracy* (2019 report from the Brennan Center for Justice)
- *Protecting Science at Federal Agencies* (2018 report from 12 organizations)

ENDORSED BY

Brennan Center for Justice / Californians for Pesticide Reform / Center for Biological Diversity / Center for Reproductive Rights / Citizens for Responsibility and Ethics in Washington (CREW) / Climate Science Legal Defense Fund / Defenders of Wildlife / Environmental Protection Network / Equity Forward / The Expanding Medication Abortion Care (EMAA) Project / FracTracker Alliance / Friends of the Earth / Government Accountability Project / Government Information Watch / Greenpeace USA / Inland Ocean Coalition / Jacobs Institute of Women's Health / Milwaukee Riverkeeper / National Center for Health Research / National Children's Campaign / National Federation of Federal Employees / National Freedom of Information Coalition / National Nurses United / National Parks Conservation Association / National Women's Health Network / Ocean Conservation Research / Oceana / Oceanic Preservation Society / Open the Government / Pesticide Action Network / Power to Decide / Public Employees for Environmental Responsibility / Revolving Door Project / Society of Professional Journalists / United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) / Union of Concerned Scientists / Virginia Association of Biological Farming