

# Scientific Integrity Recommendations for the Department of the Interior

**Problem:** Political interference in science has penetrated deeply into the culture and practices at the Department of the Interior. Endangered Species Act (ESA) decisions in particular have been a flash point for politics and science even though the statute clearly mandates the primacy of science in many ESA decisions. Political appointees have falsified, fabricated, hidden, suppressed, disregarded, and tampered with science and intimidated, coerced, censored and suppressed scientists all behind closed doors. The results of a survey of Fish and Wildlife Service scientists showed high numbers of scientists knew of cases of political interference, felt that agency decision making was not sufficiently protective of species and habitats, feared retaliation, and suffered from poor morale. (The full report is at [www.ucsusa.org/surveys](http://www.ucsusa.org/surveys).)

## Solutions:

### Restoring Regulatory Integrity

Through a series of regulatory changes, resource management decisions, and informal policies and guidance, science in conservation management has been manipulated, distorted, and suppressed.

- ✓ **Reverse policies that weaken scientific input.** Regulatory changes and formal and informal guidance limiting the role of scientific advice and protections for wildlife and habitat should be identified, suspended, reviewed, and replaced.
- ✓ **Review tainted decisions.** Wildlife agencies should initiate a stakeholder-inclusive process to compile a list of decisions where there is evidence of political interference. Where inappropriate misuse or manipulation of science has been identified, the decisions should be systematically reexamined and modified.
- ✓ **Limit inappropriate interagency review.** As a measure of protection against invasive interagency review, wildlife agencies should provide open and complete dockets for scientifically based decisions. This should include the release of scientific documents before they enter the interagency review process so that any changes to the scientific underpinnings can be identified.
- ✓ **Create an institutional firewall.** The science that enters the rulemaking process should be created, synthesized and peer reviewed by qualified, unbiased experts in the relevant field. As much as is possible, there should be an institutional firewall between those preparing the scientific information and those crafting the policy, to ensure that policy makers do not have the opportunity to edit, influence, manipulate or otherwise interfere with the scientific content.

*“Everyone is afraid to make any decisions or conduct any action that would be viewed as controversial. Biologists on the bottom just try to keep their heads down and stay out of trouble... The process really is broken.”*

—A scientist from the U.S. Fish and Wildlife Service



## Greater Transparency at the DOI

After facing years of attempts to censor, alter or suppress their work, Interior scientists must receive early and clear messages from the next Secretary of the Interior, agency heads and incoming political appointees that conditions will indeed be different.

- ✓ **Each agency head shall issue an openness memo to his or her staff and implement this commitment to open government.**<sup>1</sup> The memo shall commit the agency head to make available his or her appointment calendar to the public; set ambitious transparency standards for agency decision-making processes; set standards for disclosing conflicts of interest; and lay out a set of general openness principles for employees to follow. Agencies shall affirm the public's right to access many types of government information by posting statements in government offices and referring to this right in agency communications.
- ✓ **All federal agencies shall institute a transparency policy for official meetings with outside entities.** This policy will require that the agency post on its website a complete record of all meetings with outside entities, including for-profit and not-for-profit organizations, other government agencies, and individuals. Participants will enter the required information directly into an immediately public database before the start of any meeting. The database shall include the names and affiliations of meeting attendees as well as the date, time, location, and subject of the meeting, with an exception for cases of national security.
- ✓ **The incoming Secretary of the Interior will implement a department-wide policy that seeks to ensure free and open communication between scientists and researchers, and the media, policy makers, and the public.** This policy should explicitly state that (1) DOI scientists may freely express their personal views provided they make it clear they are not speaking on behalf of the agency or department, and (2) DOI scientists have the right to review, amend and comment publicly on the final version of any document that significantly relies on their research, identifies them as an author or contributor, or purports to represent their scientific opinion.
- ✓ **The agencies should increase their disclosure of activities through improved websites and timely responses to records requests.** Agency websites must be configured to be searchable, shareable and usable. Well designed, consistent meta-data standards, use of open formats, preservation of electronic records, increased digitization of information, and full, prompt responses to Freedom of Information Act requests would all go a long way towards increasing the transparency of all the Interior agencies.

## Protecting and Supporting DOI Scientists

By protecting scientists, encouraging their professional development, and increasing ethics and accountability in DOI, the agencies can once again recruit and retain the best and brightest scientists. Unlike several other environmental statutes, the ESA and NEPA do not have built-in whistleblower protections. While there are broader whistleblower protection laws on the books, court decisions over the years have eroded those laws and stifled Congressional intent to protect federal workers who expose waste, fraud and abuse of authority in the government. When a federal

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<sup>1</sup> For an example, see the "Fishbowl memo," Bill Ruckelshaus, available at [www.epa.gov/history/topics/policy/fishbowl.htm](http://www.epa.gov/history/topics/policy/fishbowl.htm)

employee steps forward to protect the public from harm or to expose the waste of billions in taxpayer dollars, that worker often is harassed, demoted or fired.

- ✓ **The incoming Secretary of the Interior must communicate that retaliation against whistle-blowers through reassignments, demotions or terminations or other acts of retribution will not be tolerated.** These whistleblower protections should cover not only waste, fraud and abuse, but also misuse of science. Federal employees should feel empowered to speak out when they feel that science has been manipulated, suppressed or distorted. Adverse personnel actions should be prohibited in retaliation for voicing a reasonable scientific or technical finding, disagreement, or distinction. Reporting of deviations from these policies should be explicitly encouraged.
- ✓ **Each agency head should issue a memo stating that the agency values staff input and staff is encouraged to speak out internally about concerns.** Measures should be taken to restore bottom-up communications with agency scientists on matters that affect them and their work or working conditions. The views of scientists and their findings should be part of the decision-making process.
- ✓ **Agencies should develop comprehensive ethics policies that explicitly define and forbid political interference in science.** Policies should include strong penalties and rigorous enforcement.
- ✓ **Agencies should allow scientists to publish in external peer-reviewed journals, promote opportunities for professional development through scientific conferences and training, and stimulate participation in scientific societies.** The Secretary should issue guidance that encourages federal scientists to publish in external refereed journals, promotes opportunities for professional development through scientific conferences, peer review activities, mentoring and training, and stimulates participation in professional scientific societies including services as officers.
- ✓ **Agencies should regularly and proactively educate government scientists and researchers regarding their rights and protections.** These efforts shall include mandatory briefings for new hires, requirements for posting educational information in workplaces, and in-service trainings.

**For more recommendations from the Scientific Integrity Program, please see our report, *Federal Science and the Public Good*, available at:**

**[www.ucsusa.org/federalscience](http://www.ucsusa.org/federalscience)**

