

Protecting Science at Federal Agencies: How Congress Can Help

Executive Summary

In recent years, politically appointed leaders at federal agencies have politicized, mischaracterized, and suppressed science in ways that threaten agency missions to ensure clean air and water, safe workplaces, and healthier families. Respect for science and scientists at federal agencies has eroded, and this has serious consequences for public trust, our government agencies' ability to respond to critical problems, and Congress's ability to perform its duty of effective oversight.

A wide range of science, public health, civil rights, environmental, reproductive health, government oversight, and whistleblower protection organizations¹ collaborated to document and recommend solutions to problems that cut across issue areas. Below are primary areas of concern, with examples:

- **Politicizing Science within Agencies:** Prioritizing political values over scientific integrity interferes with people's abilities to make informed decisions about their health and lives. In recent rules, the Department of Health and Human Services (HHS) misrepresented research on contraceptive effectiveness; the Department of Labor omitted a quantitative analysis from a proposal to shift ownership of workers' tips; the Department of Commerce moved to add an untested citizenship question to the Census; and the Environmental Protection Agency (EPA) proposed major restrictions on the kinds of evidence that can be used in regulating environmental hazards. Recent incidents suggest the federal grant process is also being used to advance a political agenda; for instance, political review of EPA grants as well as early termination of studies on teen pregnancy prevention at HHS have cut off important research.
- **Excluding Science Expertise and Limiting Advisory Committees:** Advisory committees provide independent expert advice that is crucial for the government's ability to make informed decisions on policies that affect public health and safety, but agencies are sidelining this resource. The Department of the Interior (DOI) froze its committees' work for several months and disbanded its Advisory Committee on Climate Change and Natural Resource Science. Four out of five of the Occupational Safety and Health Administration (OSHA) advisory committees did not meet at all in 2017. At EPA, then-Administrator Scott Pruitt issued a directive that banned academic scientists who receive grants from EPA from serving on the agency's advisory committees—cutting EPA off from some of the top environmental expertise.
- **Installing Unqualified and Conflicted Leaders:** To fulfill their Congressionally mandated missions, agencies must have well-qualified leaders who respect the laws they are tasked with implementing. Under the current administration, many political appointees lack basic relevant credentials or exhibit outright hostility to the missions of their agencies. Several officials have resigned over conflicts of interest or improper use of agency resources, and other appointees with conflicts of interest remain at agencies.
- **Slashing Communications from Scientific Agencies:** Political appointees and administration officials are increasingly censoring and suppressing scientific information. Members of the current administration sought to block release of a report on the health harms linked to low levels of per- and polyfluoroalkyl substances (PFAS) and to remove references to human-caused climate change from a National Park Service (NPS) report.

¹ Report contributors: Climate Science Legal Defense Fund, Democracy Forward, Environmental Integrity Project, Environmental Protection Network, Government Accountability Project, Greenpeace, Jacobs Institute of Women's Health, National Federation of Federal Employees, National Partnership for Women & Families, Power to Decide, Project on Government Oversight, Union of Concerned Scientists

Scientific information on climate change has disappeared from the strategic plan of the Federal Emergency Management Agency and from some NPS and EPA websites. EPA and DOI scientists were prevented from participating in scheduled scientific meetings and conferences, while employees at the U.S. Geological Survey experienced new restrictions on their ability to communicate with reporters. Such removals and limitations, some of which unlawfully chill employee speech, leave policymakers and the public without important information to guide decisions.

- **Failing Whistleblowers:** With their expert knowledge, whistleblowers' disclosures are essential for identifying compliance failures; revealing serious fraud, waste, abuse, and threats to public health and safety; and supporting Congress's oversight mandate. In recent years, however, employees from EPA, DOI, and the Nuclear Regulatory Commission have suffered after alerting their agencies to science-related problems with drinking water quality, impacts of climate change, aging nuclear power plants at risk of cascading failures, and grossly wasteful spending and unethical abuses of power. Retaliation against those who blow the whistle is illegal but alarmingly common, and weak legal protections for federal employee whistleblowers further undermine the willingness of employees to disclose serious wrongdoing.
- **Reducing Enforcement:** To enforce laws fairly, regulatory agencies must have accurate, up-to-date information and levy appropriate penalties when evidence shows a company has violated federal law. Yet EPA and OSHA are weakening measures that would allow them to collect appropriate information about compliance and ignoring information they have, adopting a stance of seemingly willful blindness to violations.

If such problems persist, federal agencies will struggle to fulfill their missions, and their reputations as respected sources of information will suffer long-term damage. We will see the reversal of decades of progress that has improved air and water quality, restored and safeguarded biodiversity, reduced unintended pregnancy, made workplaces safer, and otherwise advanced public health and environmental protection. Congress can take several actions to halt and repair damage from federal agencies' current disregard for scientific evidence:

1. **Reveal abuses of scientific integrity** by holding hearings, writing letters to agency heads, and requesting investigations by the Office of the Inspector General and Government Accountability Office in order to reveal when agencies have suppressed, ignored, or failed to appropriately use scientific evidence.
2. **Hold appointees accountable** through hearings, letters, and the confirmation process. When nominees are subject to confirmation, Senators should carefully vet them and vote against any who are unqualified, conflicted, or exhibit disrespect for scientific integrity and/or agency missions.
3. **Pass protective laws** like the Scientific Integrity Act and the Executive Branch Comprehensive Ethics Enforcement Act, which help ensure that all agencies have strong scientific integrity and accountability policies.
4. **Strengthen protections for federal whistleblowers**—our best sources of information about censorship, abuses of public trust, and threats to public health, safety, and the environment—to encourage them to speak up rather than stay silent.

With such actions, Congress can help ensure that agencies base decisions on the best available science, and secure a healthier and more prosperous future for the United States.

Read the full report at <http://bit.ly/ProtectingScienceReport>