

# Grading Government Transparency

Scientists' Freedom to Speak (and Tweet) at Federal Agencies

## Research Methods Appendix

Gretchen Goldman\*, Deborah Bailin, Alexander Renaud, Paul Rogerson, and Francesca Grifo  
Center for Science and Democracy, Union of Concerned Scientists

[www.ucsusa.org/GradingGovernmentTransparency](http://www.ucsusa.org/GradingGovernmentTransparency)

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\*For additional questions, please contact Gretchen Goldman at [ggoldman@ucsusa.org](mailto:ggoldman@ucsusa.org).

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## Appendix A: Introduction and Overview

To assess the degree of freedom with which federal government science is communicated to the media, the Union of Concerned Scientists (UCS) conducted an investigation of 17 federal regulatory and science agencies and departments. We analyzed existing policies governing communication with the media and the public, as well as policies governing the use of social media tools. To provide additional information on how these policies are put into practice, we surveyed and interviewed a cross-section of federal scientists and journalists.

We assign each federal agency two grades: the first based on the strength of its official media policy and the second based on the strength of its official *social* media policy. The media policy score is calculated based on six measures of open communication. Similarly, the social media policy score is based on five measures of open communication as they are relevant to scientists' communication on social media outlets. Letter grades in each area were assigned on curves based on the following grade key (Table 1).

**Table 1. Policy Grade Key**

Grade	Quality of Policy
A	Excellent
B	Good
C	Average
D	Poor
Inc	Incomplete

We summarize the media policy and social media policy scores and grades in Tables 2 and 3 below.

**Table 2. Media Policy Scores and Grades**

Agency/Dept.	Score	Grade
NOAA	97	A
CDC	90	A
NSF	91	A
EPA	89	A-
Census Bureau	83	B+
DOC	83	B+
NIST	83	B+
NRC	82	B+
USGS	81	B
NASA	81	B
BLM	79	B
DOI	78	B
FWS	76	B
NIH	74	C
FDA	66	C
CPSC	66	C
HHS	64	C-
USDA	62	C-
DOL	47	D
OSHA	47	D
DOE	25	Inc

**Table 3. Social Media Policy Scores and Grades**

Agency/Dept	Score	Grade
NIH	90	A
BLM	80	B+
FWS	80	B+
NASA	80	B+
USGS	80	B+
Census Bureau	70	B
EPA	70	B
NIST	70	B
NOAA	70	B
DOE	60	C
USDA	55	D
OSHA	50	D
CDC	25	Inc
FDA	25	Inc
CPSC	0	Inc
NRC	0	Inc
NSF	0	Inc

## Appendix B: Methodology

We obtained and graded media policies and social media policies at 17 federal agencies and departments. Media policies were scored based on six broad categories of scientific openness and social media policy grades were scored using a similar rubric that applies these categories to the social media context.

### Obtaining agency media policies

To obtain copies of existing media or communications policies, we first searched the website of the individual agency and the website of its parent department (if applicable). We conducted internet searches using the search terms “media policy,” “communications policy,” “public dissemination policy” and “public information policy,” “social media policy,” and “new media policy.” We also directly searched likely sections of the agency website.

If the search was unresponsive, we called the agency public affairs office for guidance on obtaining the policy, either online or directly from them. Finally, we submitted Freedom of Information Act (FOIA) requests to each agency to check for any non-public policies and other documents, such as memorandums and emails, that inform how media policies are implemented at agencies. We remained in contact with each agency’s FOIA officer by telephone or email during the FOIA process to follow up on our request and provide any needed clarification. In some cases, more than one document provided guidance on media relations for agency employees. A sample FOIA request letter can be found in Appendix H.

Several of the agencies are located in larger departments that have overarching media and social media policies. In the event that an agency had a more comprehensive policy than that of its parent department, we graded the agency policy, and the agency received a higher grade. In the event that an agency had a less comprehensive policy compared to that of its parent department, the grade reflects the department policy score with a deduction under the scoring category “clear and consistent” due to the discrepancy between department and agency policies. The latter situation only occurred with social media policies, and in each case, 10 points were deducted. Some agencies did not have their own policies separate from parent departments, and in those cases, we simply graded the department policies. Specifically, below are the policies on which each grade is based.

#### Media Policy Grades

- The Census Bureau, NIST, and NOAA are located in the Department of Commerce (DOC) and are subject to the DOC scientific integrity and media policies. NOAA has an agency-specific policy that gave it a higher grade, while the Census Bureau and NIST scores are based on DOC policies.
- CDC, NIH, and FDA are located in the Department of Health and Human Services (HHS). HHS has department-wide scientific integrity and media policies in place; however, all three of the agencies we assessed had their own policies in place that gave them a higher score than HHS policies would have; thus, grades were based on these agency-specific policies.
- BLM, FWS, and USGS are located in the Department of the Interior (DOI), which has

department-wide scientific integrity and public communications policies. For the FWS and the USGS, we found agency-specific policies that were used to grade these agencies, while the grade for the BLM was based on DOI policies.

- OSHA is a part of the Department of Labor (DOL) and its grade is based on the DOL scientific integrity policy and media guidelines.
- CPSC, EPA, NASA, NSF, and NRC are independent agencies. We obtained policies governing communications for all five of these agencies.

### Social Media Policy Grades

- The Census Bureau, NIST, and NOAA are subject to the DOC social media policy. Each agency received the same policy grade based on the DOC policy.
- The Department of the Interior (DOI) has a social media policy in place. The USGS has an agency-specific social media policy that was used for its grade, as it improved the agency's score. For the BLM and FWS, we found only minimal guidance on social media, thus grades reflect the DOI social media policy with a point deduction for the lack of consistency between agency and department policies.
- The Department of Health and Human Services (HHS) has a very minimal social media policy. For NIH, we found an NIH-specific policy on which we based its grade. For FDA and CDC, we were unable to find agency-specific policies, thus the grades for these agencies are based on the HHS policy.
- OSHA's grade is based on the DOL social media policy that we received as part of a FOIA request.
- NASA has no official social media policy; however, the agency has social media guidelines in place that were used for its grading.
- For the CPSC, NSF, and NRC, we were unable to obtain a comprehensive social media policy either online or through a FOIA request; thus they received zero points and were given a grade of "Incomplete."

## Freedom of Information Act Request Outcomes

To check for any nonpublic policies and other documents that inform how media policies are implemented at agencies, we sent Freedom of Information Act (FOIA) requests to agencies in August of 2012 (Table 4). A sample FOIA request letter can be found in Appendix H.

**Table 4. FOIA Request Response Outcomes for the 17 Agencies and Departments Analyzed**

Agency	FOIA Request Outcome
Bureau of Land Management	Responded With Documents
Census Bureau	Responded With Documents
Centers for Disease Control	No Response Within 5 Months of Request
Consumer Product Safety Commission	No Response Within 5 Months of Request
Department of Commerce	No Response Within 5 Months of Request
Department of Energy	Responded With Documents
Environmental Protection Agency	No Response Within 5 Months of Request
Food and Drug Administration	Responded With Documents
Fish and Wildlife Service	Responded With Documents
National Aeronautics and Space Administration	Agency Did Not Search*
National Institutes of Health	Responded With Documents
National Institute of Standards and Technology	Responded With Documents
National Oceanic and Atmospheric Administration	Responded With Documents
Nuclear Regulatory Commission	Responded With Documents
National Science Foundation	Responded With Documents
Occupational Safety and Health Administration	Responded With No Responsive Documents
US Department of Agriculture	Responded With Documents
US Geological Survey	Responded With Documents

\*The NASA FOIA Officer did not consider the descriptions of the documents we sought sufficiently specific to conduct a search.

## Media Policy Scoring Criteria

We graded each agency's media or communications policy based on six broad categories: "protects fundamental scientific free speech" (30 points); "safeguards against abuse" (25 points); "promotes openness and timeliness" (20 points); "accessible, current, clear and consistent" (15 points); "handling of misconduct and disputes" (5 points) and "consistent with legal requirements" (5 points). Agency scores may range from 0 to 100 points total. We awarded partial points for incomplete satisfaction of the grading criteria. The grading rubric was developed for the 2008 UCS report, *Freedom to Speak: A Report Card on Federal Agency Media Policies*, and is used in this report to directly compare media policy scores to those in the 2008 analysis.

Each of the six categories is comprised of several sub-criteria. Here we describe these criteria and explain our guidelines for assigning point values for each. Definitions for specific terms can be found in Appendix C of this document.

1. Accessible, Current, Clear and Consistent (15 points)
  - a. Media policy is publicly available on the agency or department website (5 points).
  - b. Media policy is clear and consistent (5 points).
  - c. Media policy has been updated in the past 10 years (5 points).
2. Protects fundamental scientific free speech (30 points)
  - a. Media policy explicitly permits employees to speak freely about their personal views (15 points). A policy that does not mention this right but does not explicitly deny it receives 5 points. Additional points may be added for language that implies such a right, but does not make it explicit.
  - b. Media policy explicitly permits employees to review the final version of press releases or other agency documents that make use of their expertise, to ensure the accuracy has been maintained (15 points). A policy that does not mention this right but does not explicitly deny it receives 5 points. Additional points may be added for language that implies such a right, but does not make it explicit.
3. Safeguards Against Abuse (25 points)
  - a. Media policy does not require pre-approval by public affairs of contacts with the media (5 points)
  - b. Media policy does not direct that all media requests be routed by public affairs to approved agency spokespeople (5 points)
  - c. Media policy does not require prior clearance of the questions or topics to addressed in interviews (5 points)
  - d. Media policy does not require public affairs officials to sit in on interviews with agency scientists (5 points)
  - e. Media policy specifies that only scientists, or those with the need technical expertise, may edit the scientific content of agency communications (3 points)
  - f. Media policy specifies that scientists have access to drafts and revisions or press releases or agency documents (2 points)
4. Consistent with Legal Requirements (5 points)
  - a. Media policy complies with the Anti-Gag Statute (3 points)
  - b. Media policy does not contain restrictions on Sensitive But Unclassified (SBU)

information, Controlled Unclassified Information (CUI) or other “hybrid secrecy designations” (2 points)

5. Promotes Openness and Timeliness (20 points)
  - a. Media policy contains significant and explicit language calling for open communications between agency employees and the public (15 points)
  - b. Media policy contains provisions to ensure timely responses to interview requests and quick turnaround on release of press releases or agency communications (5 points)
  
6. Disclosure of Misconduct & Resolution of Disputes (5 points)
  - a. Media policy *itself* contains protections for whistle-blowers or alerts agency employees to their rights under federal whistle-blower law (3 points).
  - b. Media policy contains a process for resolving disputes about media contacts or relations (2 points)

Based on the total score out of 100 points, we assigned each agency a letter grade (A-D or an ‘Inc’ for ‘Incomplete’) on a curve. Table 5 summarizes agency scores in the six categories and 17 sub-categories. In Appendix D, we provide scoring details for each agency complete with a written explanation for each deduction in points.

**Table 5: Detailed Media Policy Scores for All Agencies and Departments Analyzed**

Media Policy Criteria	Census Bureau																
	BLM	CDC	CPSC	DOE	EPA	FWS	FDA	NASA	NIST	NIH	NOAA	NSF	NRC	OSHA	USDA	USGS	
<b>Accessible, Current, Clear and Consistent (15)</b>	15	15	15	10	10	15	15	12	12	15	15	15	11	13	15	15	
Publicly available on agency website (5)	5	5	5	5	5	5	5	5	5	5	5	5	5	3	5	5	
Clear and consistent (5)	5	5	5	5	0	5	5	2	2	5	5	5	5	3	5	5	
Updated in past 10 years (5)	5	5	5	0	5	5	5	5	5	5	5	5	5	3	5	5	
<b>Protection of Scientific Free Speech (30)</b>	25	22	24	20	0	30	27	25	20	22	20	30	30	24	10	10	
Explicit personal-view s exception (15)	15	12	12	15	0	15	15	15	15	12	15	15	15	12	5	5	
Explicit right of last review (15)	10	10	12	5	0	15	12	10	5	10	5	15	15	12	5	5	
<b>Safeguards Against Abuse (25)</b>	16	21	24	16	3	17	16	9	24	21	20	25	23	22	6	21	
No required pre-approval of media contacts (5)	0	3	5	0	0	2	0	0	5	3	5	5	5	5	0	5	
No selective routing of media contacts (5)	5	5	5	5	0	5	3	0	5	5	5	5	5	5	0	5	
No required clearance of questions and answers (5)	5	5	5	5	0	5	5	2	5	5	5	5	5	5	5	5	
No required monitoring by public affairs officers (5)	5	5	5	5	0	0	5	2	5	5	5	5	5	5	0	5	
Only scientists edit scientific content (3)	1	1	3	1	3	3	3	3	2	1	0	3	1	0	1	1	
Scientists have access to drafts and revisions (2)	0	2	1	0	0	2	0	2	2	2	0	2	2	2	0	0	
<b>Consistent With Legal Requirements (5)</b>	0	2	2	2	0	2	2	0	0	2	2	2	2	0	2	0	
Complies with Anti-Gag statute (3)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
No Sensitive But Unclassified (SBU) or Controlled Unclassified Information (CUI) restrictions (2)	0	2	2	2	0	2	2	0	0	2	2	2	2	0	2	0	
<b>Promotes Openness and Timeliness (20)</b>	20	20	20	18	10	20	15	15	20	20	15	20	20	20	15	15	
Rhetoric promoting openness (15)	15	15	15	15	10	15	15	15	15	15	15	15	15	15	10	15	
Timeliness Provision (5)	5	5	5	3	0	5	5	0	5	5	0	5	5	5	5	0	
<b>Disclosure of Misconduct &amp; Resolution of Disputes (5)</b>	3	3	5	3	2	5	1	5	5	3	2	5	1	5	1	1	
Whistle-blow er provisions (3)	1	1	3	1	1	3	0	3	3	1	0	3	1	3	0	0	
Dispute resolution process (2)	2	2	2	2	1	2	1	2	2	2	2	2	0	2	1	1	
<b>Media Policy Total (100)</b>	<b>79</b>	<b>83</b>	<b>90</b>	<b>69</b>	<b>25</b>	<b>89</b>	<b>76</b>	<b>66</b>	<b>81</b>	<b>83</b>	<b>74</b>	<b>97</b>	<b>91</b>	<b>82</b>	<b>47</b>	<b>62</b>	

## Social Media Policy Scoring Criteria

We graded each agency's social media policies using a grading rubric that adopts the media policy scoring rubric to the social media context. Scoring was based on five categories: "protects fundamental scientific free speech" (40 points); "accessible, current, clear and consistent" (30 points); "promotes openness" (10 points); "correction of errors in technical information" (10 points) and "considers risks" (10 points). Agency scores may range from 0 to 100 points total. We awarded partial points for incomplete satisfaction of the grading criteria.

Each of the five categories is comprised of several sub-criteria. Here we describe these criteria and explain our guidelines for assigning point values for each. Definitions for specific terms can be found in Appendix C of this document.

1. Accessible, Current, Clear, and Consistent (30 points)
  - a. Social media policy is publicly available on the agency or department website (10 points)
  - b. Social media policy is clear and consistent (10 points)
  - c. Social media policy specifies to whom the policy applies (e.g. all employees, contractors, grantees, etc.) (5 points)
  - d. Social media policy specifies to which social media platforms the policy applies (5 points). Because of the growing and ever-changing nature of social media, full credit for this criterion was not a policy with an exhaustive list of included platforms. Rather, full credit was awarded to policies that included a definition of social media and provided examples of platforms. This criterion is intended to ensure that agencies provide some clarity to employees on what types of social media are covered under the policy.
2. Protection of Scientific Free Speech (40 points)
  - a. Social media policy includes explicit distinction between official and personal use (20 points). Full credit was awarded to policies that clearly defined official agency use of social media and personal use by its employees and made clear what policies applied to each setting.
  - b. Social media policy specifies the freedom to identify one's employer if expressing personal views (20 points). Agency employees should have the right to identify their employer on social media platforms, provided they make clear they are not speaking for the agency. Full credit was awarded to agency policies that acknowledged this right and did not place restrictions on it.
3. Promotion of Openness (10 points)
  - a. Social media policy contains significant and explicit language calling for open communications between agency employees and the public on social media platforms (10 points)
4. Correction of Errors in Technical Information (10 points)
  - a. Social media policy explicitly states that the original author of technical content has the right to have errors corrected, in the event that incorrect scientific information is released by the agency through social media (5 points).
  - b. Social media policy outlines how such corrections would be made including responsible parties (5 points)

5. Consideration of Risks (10 points)

- a. Social media policy includes cautionary language about the potential risks associated with releasing information through social media platforms (10 points).

Based on the total score out of 100 points, we assigned each agency a letter grade (A-D or an ‘Inc’ for ‘Incomplete’) on a curve. Table 6 summarizes agency scores in the five categories and 10 sub-categories. In Appendix E, we provide scoring details for each agency complete with a written explanation for each deduction in points.

**Table 6: Detailed Social Media Policy Scores for All Agencies and Departments Analyzed**

Social Media Policy Criteria	BLM	Census Bureau	CDC	DOE	EPA	FWS	FDA	NASA	NIST	NIH	NOAA	OSHA	USDA	USGS
<b>Accessible, Current, Clear and Consistent (30)</b>	<b>20</b>	<b>30</b>	<b>15</b>	<b>25</b>	<b>30</b>	<b>20</b>	<b>15</b>	<b>20</b>	<b>30</b>	<b>30</b>	<b>30</b>	<b>20</b>	<b>20</b>	<b>30</b>
Publicly available on agency website (10)	10	10	10	10	10	10	10	0	10	10	10	0	10	10
Clear and consistent (10)	0	10	0	5	10	0	0	10	10	10	10	10	0	10
Specifies to whom the policy applies (5)	5	5	5	5	5	5	5	5	5	5	5	5	5	5
Specifies to which media platforms the policy applies (5)	5	5	0	5	5	5	0	5	5	5	5	5	5	5
<b>Protection of Scientific Free Speech (40)</b>	<b>40</b>	<b>20</b>	<b>0</b>	<b>20</b>	<b>30</b>	<b>40</b>	<b>0</b>	<b>40</b>	<b>20</b>	<b>40</b>	<b>20</b>	<b>20</b>	<b>20</b>	<b>40</b>
Explicit distinction between official and personal use (20)	20	20	0	10	20	20	0	20	20	20	20	10	10	20
Specifies freedom to identify one's employer if expressing personal views (20)	20	0	0	10	10	20	0	20	0	20	0	10	10	20
<b>Promotion of Openness (10)</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>5</b>	<b>10</b>								
Rhetoric Promoting Openness (10)	10	10	10	10	5	10	10	10	10	10	10	10	10	10
<b>Correction of Errors in Technical Information (10)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Original author of technical content has the right to correction of errors (5)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
States mechanism of correction (5)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Consideration of Risks (10)</b>	<b>10</b>	<b>10</b>	<b>0</b>	<b>5</b>	<b>5</b>	<b>10</b>	<b>0</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>0</b>
Includes cautions about the consequences of releasing information through social media platforms (10)	10	10	0	5	5	10	0	10	10	10	10	0	0	0
<b>Social Media Policy Total (100)</b>	<b>80</b>	<b>70</b>	<b>25</b>	<b>60</b>	<b>70</b>	<b>80</b>	<b>25</b>	<b>80</b>	<b>70</b>	<b>90</b>	<b>70</b>	<b>50</b>	<b>50</b>	<b>80</b>

## Survey of Federal Scientists

To provide additional information on how each agency's media policy is applied in practice, we sent an anonymous online questionnaire to the Union of Concerned Scientists' Science Network, a collection of approximately 20,000 scientists and other technical experts from diverse fields and employers across the country. In response, 72 self-reported federal scientists from 17 different agencies and departmental units voluntarily and anonymously completed the survey.

The survey was intended to lend a voice to scientists who are subject to agency policies. Because this sample of survey respondents is not representative of all scientists at federal agencies, the survey results were not used to infer overall agency practice performance. Rather, the survey results supplement our analysis by providing a snapshot of the human dimension of federal media policies and their implementation. Quotes from federal scientists obtained through the survey are featured throughout the report; however, the survey responses did not contribute to the agency grades. Survey comments not used as report quotes have not been published in order to protect survey respondents from any potential identifying factors.

The questionnaire had 20 questions, including multiple-choice and open-ended questions. The questions asked about official policies and practices for dealing with both media and social media communications at the agency. The full text of the online questionnaire and the email soliciting responses can be found in Appendix F.

## Report Scope and Timing

Policies were obtained from agency websites and through FOIA requests in August through December of 2012. Any subsequent agency policy changes are not accounted for in this analysis. In December of 2012 the Whistle-blower Protection Enhancement Act (WPEA) was signed into law. The Anti-Gag Statute, which was routinely attached as a rider to congressional appropriations laws to shield the provisions of the Whistle-blower Protection Act (protecting public disclosures) and the Lloyd Lafollete Act (protecting congressional communications) against agency restrictions on those rights, is now part of this newly enacted law. Thus, agencies were graded on the presence of the Anti-Gag Statute in their media policies since these policies were developed prior to the passage of WPEA. Moving forward, we recommend that rather than include the Anti-Gag Statute in their media policies, agencies incorporate the acknowledgement that WPEA recognizes that scientists who expose the censorship of federal information are afforded whistle-blower protections from retaliation.

## Appendix C: Key Terms and Definitions

- Right of Last Review – the right of scientists to review, prior to publication, the final drafts of any communications that are being released under the scientists' name or that substantially relies on their research. Along with the personal-views exception this is one of the fundamental tenets of scientific free speech.
- Personal-views exception – the right of scientists to express any personal views not authorized by the agency provided they make clear that they are not speaking for the agency and so long as they do not unreasonably take from government time and resources. Along with the right of last review, this is one of the fundamental tenets of scientific free speech.
- Monitoring – having a public affairs officer or manager be present at or listen in on communications between a scientist and the media. Although monitoring can facilitate good communication with the media, it also creates a chilling effect and leaves communications vulnerable to inappropriate interference if made mandatory.
- Selective Routing – forwarding media requests to the public affairs office where they are routed to an individual other than the scientist requested. Although public affairs coordination of media contacts can facilitate good communication with the media, it also creates a chilling effect and leaves communications vulnerable to inappropriate interference if the scientists have no input into the process.
- Anticipated Questions and Answers – requiring scientists, prior to media communications, to prepare questions that they anticipate the media to ask and answers that they expect to give. Although preparing anticipated questions and answers can facilitate good communication with the media, it also creates a chilling effect and leaves communications vulnerable to inappropriate interference if made mandatory.
- Pre-approval – requiring scientists to obtain clearance from the public affairs office or management prior to any contacts with the media or the public. This sweeping restriction creates a chilling effect and leaves communications vulnerable to inappropriate interference.
- Notification and Recap – requesting scientists to give notice of a pending media communication and to provide a recap thereafter. This is a less restrictive alternative to requiring pre-approval.
- Public Affairs Office (PAO) – the office or department within a federal agency charged with coordinating relations with the news media and the general public.
- Media Communications – communications with the media, including interviews (in-person or by telephone), press releases, and press conferences.
- Non-Media Communications – communications with the public or the scientific community, including scientific publications, public presentations, reports for the general public and policymakers, congressional meetings and hearings, and website posting.
- Anti-Gag Statute – The Anti-Gag Statute was routinely attached as a rider to congressional appropriations laws to shield the provisions of the Whistle-blower Protection Act (protecting

public disclosures) and the Lloyd Lafollete Act (protecting congressional communications) against agency restrictions on those rights. It now is part of the newly enacted Whistle-blower Protection Enhancement Act.

- “Sensitive But Unclassified” (SBU) and “Controlled Unclassified Information” (CUI) – These are discretionary labels for information that is not technically classified, but is considered sensitive for other reasons. These labels are typically created by presidential-level directives and agency guidance to withhold information in the absence of a statutory basis.
- Whistle-blower provisions – references to the statutory protections from retaliation that are afforded to federal employees for disclosure of information that he or she reasonably believes evidences a violation of a law, rule or regulation; gross mismanagement; gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety.

## Appendix D: Agency Media Policy Grade Details

In this appendix, we provide full details on how we calculated each agency's media policy score.

For each agency we list the primary media policy documents that we analyzed for this investigation. For some agencies, multiple documents included provisions that governed communication with the media and the public. For documents that are publicly available, we link to the relevant agency websites. For non-public documents received via Freedom of Information Act (FOIA) requests, we cite those documents below and make them available on the UCS website at [www.ucsusa.org/GradingGovernmentTransparency](http://www.ucsusa.org/GradingGovernmentTransparency).

Each agency's score is made up of 17 sub-scores, grouped into six categories. For each agency we summarize these sub-scores in a table and provide justification and reasoning for any point deductions.

## United States Department of Agriculture (USDA)

### Primary Media Policy Documents

- USDA Scientific Integrity Policy (2011)  
<http://www.ocio.usda.gov/directives/doc/SM1074-001.htm>

USDA Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (15)</b>	<b>15</b>	
Publicly available on agency website (5)	5	
Clear and consistent (5)	5	
Updated in past 10 years (5)	5	
<b>Protection of Scientific Free Speech (30)</b>	<b>10</b>	
Explicit personal-views exception (15)	5	[1]
Explicit right of last review (15)	5	[2]
<b>Safeguards Against Abuse (25)</b>	<b>21</b>	
No required pre-approval of media contacts (5)	5	
No selective routing of media contacts (5)	5	
No required clearance of questions and answers (5)	5	
No required monitoring by public affairs officers (5)	5	
Only scientists edit scientific content (3)	1	[3]
Scientists have access to drafts and revisions (2)	0	[4]
<b>Consistent With Legal Requirements (5)</b>	<b>0</b>	
Complies with Anti-Gag statute (3)	0	[5]
No Sensitive But Unclassified (SBU) or Controlled Unclassified Information (CUI) restrictions (2)	0	[6]
<b>Promotes Openness and Timeliness (20)</b>	<b>15</b>	
Rhetoric promoting openness (15)	15	
Timeliness Provision (5)	0	[7]
<b>Disclosure of Misconduct &amp; Resolution of Disputes (5)</b>	<b>1</b>	
Whistle-blower provisions (3)	0	[8]
Dispute resolution process (2)	1	[9]
<b>USDA Media Policy Total (100)</b>	<b>62</b>	

### Reasoning and Citations for Deductions

1. Partial credit: A personal-views exception is absent from the USDA Scientific Integrity Policy, but is not explicitly denied.
2. Partial credit: A provision guaranteeing final review is absent from USDA Scientific Integrity Policy but not explicitly denied.
3. Partial credit: It is not guaranteed that only scientists can edit scientific content, but the USDA Scientific Integrity Policy states, "The role of the public affairs office is to assist with presentation, style, and logistics of the communication, not to alter its substance."
4. No mention in the USDA Scientific Integrity Policy.
5. No mention in the USDA Scientific Integrity Policy.
6. No mention in the USDA Scientific Integrity Policy.
7. No mention in the USDA Scientific Integrity Policy.
8. The USDA Scientific Integrity Policy does not include clear provisions to protect whistle-blowers.

9. Partial credit: The USDA Scientific Integrity Policy commits to developing mechanisms to resolve disputes, but does not explain procedures.

## Department of Commerce (DOC)

Media policy applies to the following agencies:

Census Bureau

National Institute of Standards and Technology (NIST)

National Oceanic and Atmospheric Administration (NOAA)\*

\*Though NOAA employees are subject to DOC policies, the agency has its own policies that improve over the DOC policy. Thus, this agency-specific policy was used to grade NOAA.

### Primary Media Policy Documents

- DOC Media Policy (2008)  
[http://www.osec.doc.gov/opog/dmp/daos/dao219\\_1.html](http://www.osec.doc.gov/opog/dmp/daos/dao219_1.html)
- DOC Scientific Integrity Policy (2011)  
[http://www.commerce.gov/sites/default/files/documents/2011/december/scientific\\_integrity\\_memorandum\\_dtd\\_2011-12-16.pdf](http://www.commerce.gov/sites/default/files/documents/2011/december/scientific_integrity_memorandum_dtd_2011-12-16.pdf)

DOC Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (15)</b>	<b>15</b>	
Publicly available on agency website (5)	5	
Clear and consistent (5)	5	
Updated in past 10 years (5)	5	
<b>Protection of Scientific Free Speech (30)</b>	<b>22</b>	
Explicit personal-views exception (15)	12	[1]
Explicit right of last review (15)	10	[2]
<b>Safeguards Against Abuse (25)</b>	<b>21</b>	
No required pre-approval of media contacts (5)	3	[3]
No selective routing of media contacts (5)	5	
No required clearance of questions and answers (5)	5	
No required monitoring by public affairs officers (5)	5	
Only scientists edit scientific content (3)	1	[4]
Scientists have access to drafts and revisions (2)	2	
<b>Consistent With Legal Requirements (5)</b>	<b>2</b>	
Complies with Anti-Gag statute (3)	0	[5]
No Sensitive But Unclassified (SBU) or Controlled Unclassified Information (CUI) restrictions (2)	2	
<b>Promotes Openness and Timeliness (20)</b>	<b>20</b>	
Rhetoric promoting openness (15)	15	
Timeliness Provision (5)	5	
<b>Disclosure of Misconduct &amp; Resolution of Disputes (5)</b>	<b>3</b>	
Whistle-blower provisions (3)	1	[6]
Dispute resolution process (2)	2	
<b>DOC Media Policy Total (100)</b>	<b>83</b>	

### Reasoning and Citations for Deductions

1. Partial credit: Personal views exceptions granted for Fundamental Research Communications (DOC Policy, section 7.03) and Non-Official Communications (section 11.01.c), but prior approval is required for written or audiovisual materials (section 11.01.b).
2. Partial credit: Right is not explicit. The DOC Media Policy states, “The researcher has the right to review edits to public affairs materials and will be consulted before the communication is delivered,” but being “consulted” is not the same as having the right of last review.
3. Partial credit: The DOC Scientific Integrity policy, page 2, section I: “Public Communications only applies to oral communication (or their electronic equivalent).” The policy explicitly states that scientists can communicate with the media without going through PAOs but written material must get approval.
4. Partial credit: There are no assurances that only scientists will edit scientific content. The DOC Scientific Integrity policy states “in no circumstances may a public affairs officer ask or direct a scientist to alter scientific findings,” which does not make clear that the PAO itself will not alter language representing those findings.
5. No mention in either the DOC Media or Scientific Integrity Policies.
6. Partial credit: The DOC Scientific Integrity Policy states "adopting and abiding by whistle-blower provisions" without specifying what these provisions are.

## Department of Energy (DOE)

### Primary Media Policy Documents

- DOE Policy Statement on Scientific Integrity  
[https://www.directives.doe.gov/references/secretarial\\_policy\\_statement\\_on\\_scientific\\_integrity/view](https://www.directives.doe.gov/references/secretarial_policy_statement_on_scientific_integrity/view)

DOE Media Policy	Score	Notes [1]
<b>Accessible, Current, Clear and Consistent (15)</b>	<b>10</b>	
Publicly available on agency website (5)	5	
Clear and consistent (5)	0	
Updated in past 10 years (5)	5	
<b>Protection of Scientific Free Speech (30)</b>	<b>0</b>	
Explicit personal-views exception (15)	0	
Explicit right of last review (15)	0	
<b>Safeguards Against Abuse (25)</b>	<b>3</b>	
No required pre-approval of media contacts (5)	0	
No selective routing of media contacts (5)	0	
No required clearance of questions and answers (5)	0	
No required monitoring by public affairs officers (5)	0	
Only scientists edit scientific content (3)	3	
Scientists have access to drafts and revisions (2)	0	
<b>Consistent With Legal Requirements (5)</b>	<b>0</b>	
Complies with Anti-Gag statute (3)	0	
No Sensitive But Unclassified (SBU) or Controlled Unclassified Information (CUI) restrictions (2)	0	
<b>Promotes Openness and Timeliness (20)</b>	<b>10</b>	
Rhetoric promoting openness (15)	10	
Timeliness Provision (5)	0	
<b>Disclosure of Misconduct &amp; Resolution of Disputes (5)</b>	<b>2</b>	
Whistle-blower provisions (3)	1	
Dispute resolution process (2)	1	
<b>DOE Media Policy Total (100)</b>	<b>25</b>	

### Reasoning and Citations for Deductions

1. This policy is incomplete. While the DOE Scientific Integrity Policy includes a short section on communications, there is not enough information in this policy to complete the scoring.

## Department of Health and Human Services (HHS)

Media policy applies to the following agencies:

- Centers for Disease Control (CDC)\*
- Food and Drug Administration (FDA)\*
- National Institutes of Health (NIH)\*

\*Though CDC, FDA, and NIH employees are subject to HHS policies, all three agencies have their own policies that improve over the HHS policy. These agency-specific policies were used for grading.

### Primary Media Policy Documents

- HHS Media Policy (2011)  
[http://www.hhs.gov/news/media\\_policy.html](http://www.hhs.gov/news/media_policy.html)
- HHS Scientific Integrity Policy (2012)  
[http://www.cdc.gov/od/science/docs/Scientific\\_integrity\\_principles\\_12-19-11.pdf](http://www.cdc.gov/od/science/docs/Scientific_integrity_principles_12-19-11.pdf)

HHS Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (15)</b>	<b>15</b>	
Publicly available on agency website (5)	5	
Clear and consistent (5)	5	
Updated in past 10 years (5)	5	
<b>Protection of Scientific Free Speech (30)</b>	<b>20</b>	
Explicit personal-views exception (15)	15	
Explicit right of last review (15)	5	[1]
<b>Safeguards Against Abuse (25)</b>	<b>8</b>	
No required pre-approval of media contacts (5)	0	[2]
No selective routing of media contacts (5)	0	[3]
No required clearance of questions and answers (5)	2	[4]
No required monitoring by public affairs officers (5)	2	[4]
Only scientists edit scientific content (3)	3	
Scientists have access to drafts and revisions (2)	1	[5]
<b>Consistent With Legal Requirements (5)</b>	<b>0</b>	
Complies with Anti-Gag statute (3)	0	[6]
No Sensitive But Unclassified (SBU) or Controlled Unclassified Information (CUI) restrictions (2)	0	[7]
<b>Promotes Openness and Timeliness (20)</b>	<b>20</b>	
Rhetoric promoting openness (15)	15	
Timeliness Provision (5)	5	
<b>Disclosure of Misconduct &amp; Resolution of Disputes (5)</b>	<b>1</b>	
Whistle-blower provisions (3)	0	[6]
Dispute resolution process (2)	1	[8]
<b>HHS Media Policy Total (100)</b>	<b>64</b>	

### Reasoning and Citations for Deductions

1. Partial credit: Provision guaranteeing final review is absent from the HHS Media and Scientific Integrity Policies but not explicitly denied.

2. Under General Guidelines, the HHS media policy states, “it is important that the relevant agency public affairs office be notified of all media calls/contacts that employees receive about their HHS work. Reporters should be informed that the agency’s public affairs office coordinates media requests to ensure they receive requested information within their deadline.”
3. Under General Guidelines, the HHS media policy states, “the relevant agency public affairs office be notified of all media calls/contacts that employees receive about their HHS work. Reporters should be informed that the agency’s public affairs office coordinates media requests.” This policy states that the reason for “routing” and control is timeliness but no provisions made to ensure this, and thus easily creates a loophole for abuse.
4. Partial credit: There is no mention in policy but the degree of control exercised over approval and routing is suggestive. Given this degree of control, full credit cannot be given without additional information.
5. A provision guaranteeing access is absent from the HHS Media and Scientific Integrity Policies but not explicitly denied.
6. No mention in HHS Media or Scientific Integrity Policies.
7. The HHS Media Policy states that, “information not releasable under this policy include, without limitation, information that is, or is marked as [classified etc....] and other Controlled Unclassified Information.”
8. Partial credit: In the HHS Scientific Integrity Policy, “Within HHS, mechanisms are in place to resolve disputes that arise from decisions to proceed or not to proceed with proposed interviews or other public information-related activities” but it is unclear what these mechanisms are.

## Department of the Interior (DOI)

Media policy applies to the following agencies:

- Bureau of Land Management (BLM)
- Fish and Wildlife Service (FWS)\*
- U.S. Geological Survey (USGS)\*

\*Though FWS and USGS employees are subject to DOI policies, these agencies have their own policies that improve over the DOI policy. Thus these agency-specific policies were used for grading the FWS and USGS.

### Primary Media Policy Documents

- DOI Scientific Integrity Policy (2011)  
[https://www.directives.doe.gov/references/secretarial\\_policy\\_statement\\_on\\_scientific\\_integrity/view](https://www.directives.doe.gov/references/secretarial_policy_statement_on_scientific_integrity/view)
- DOI Manual 470: Public Communications (2012)  
<http://elips.doi.gov/elips/DocView.aspx?id=3037&searchid=1bfe3037-f260-4550-8f31-ed8a8f99db74&dbid=0>

DOI Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (15)</b>	<b>15</b>	
Publicly available on agency website (5)	5	
Clear and consistent (5)	5	
Updated in past 10 years (5)	5	
<b>Protection of Scientific Free Speech (30)</b>	<b>25</b>	
Explicit personal-views exception (15)	15	
Explicit right of last review (15)	10	[1]
<b>Safeguards Against Abuse (25)</b>	<b>16</b>	
No required pre-approval of media contacts (5)	0	[2]
No selective routing of media contacts (5)	5	
No required clearance of questions and answers (5)	5	
No required monitoring by public affairs officers (5)	5	
Only scientists edit scientific content (3)	1	[3]
Scientists have access to drafts and revisions (2)	0	[4]
<b>Consistent With Legal Requirements (5)</b>	<b>0</b>	
Complies with Anti-Gag statute (3)	0	[4]
No Sensitive But Unclassified (SBU) or Controlled Unclassified Information (CUI) restrictions (2)	0	[5]
<b>Promotes Openness and Timeliness (20)</b>	<b>20</b>	
Rhetoric promoting openness (15)	15	
Timeliness Provision (5)	5	
<b>Disclosure of Misconduct &amp; Resolution of Disputes (5)</b>	<b>3</b>	
Whistle-blower provisions (3)	1	[6]
Dispute resolution process (2)	2	
<b>DOI Media Policy Total (100)</b>	<b>79</b>	

### Reasoning and Citations for Deductions

1. Partial credit: DOI 470 DM 1, section 1.6A(4): “Scientists, scholars, engineers and other subject matter experts will be provided the opportunity to conduct a factual review of news releases concerning their work prior to publication to the extent practical.” Provision should include format and nonfactual review.
2. The DOI 470 DM 1, section 1.6B states that the “Office of Communications must be notified in advance” of any media contacts that may generate public interest.
3. Partial credit: No guarantee that only scientists can edit scientific content; however, DOI Manual and DOI Scientific Integrity policy (PDF page 4 of 40) state, “In no circumstance may public affairs officers ask or direct federal scientists to alter scientific findings”
4. No mention in DOI Manual.
5. DOI 470 DM 1, Section 1.7A includes CUI restrictions.
6. Partial credit: DOI Scientific Integrity Policy references Whistle-blower Protection Act but does not spell out explicit provisions assuring protections within the department. This is in contrast to a lengthy description of misconduct allegation procedures.

## Department of Labor (DOL)

Media policy applies to the following agencies:

Occupational Safety and Health Administration (OSHA)

Primary Media Policy Documents

- DOL Media Guidelines (2006)\*  
<http://www.ucsus.org/GradingGovernmentTransparency>
- DOL Scientific Integrity Policy (2012)  
<http://www.dol.gov/asp/ideascale/si-policy-for-comment.pdf>

\*Policy was rescinded without replacement in October 2012 but is available on the UCS website.

DOL Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (15)</b>	<b>13</b>	
Publicly available on agency website (5)	3	[1]
Clear and consistent (5)	5	
Updated in past 10 years (5)	5	
<b>Protection of Scientific Free Speech (30)</b>	<b>10</b>	
Explicit personal-views exception (15)	5	[2]
Explicit right of last review (15)	5	[3]
<b>Safeguards Against Abuse (25)</b>	<b>6</b>	
No required pre-approval of media contacts (5)	0	[4]
No selective routing of media contacts (5)	0	[5]
No required clearance of questions and answers (5)	5	
No required monitoring by public affairs officers (5)	0	[6]
Only scientists edit scientific content (3)	1	[7]
Scientists have access to drafts and revisions (2)	0	[8]
<b>Consistent With Legal Requirements (5)</b>	<b>2</b>	
Complies with Anti-Gag statute (3)	0	[9]
No Sensitive But Unclassified (SBU) or Controlled Unclassified Information (CUI) restrictions (2)	2	
<b>Promotes Openness and Timeliness (20)</b>	<b>15</b>	
Rhetoric promoting openness (15)	10	[10]
Timeliness Provision (5)	5	
<b>Disclosure of Misconduct &amp; Resolution of Disputes (5)</b>	<b>1</b>	
Whistle-blower provisions (3)	0	[11]
Dispute resolution process (2)	1	
<b>DOL Media Policy Total (100)</b>	<b>47</b>	

Reasoning and Citations for Deductions

1. Partial credit: The DOL Media Guidelines document was available on the DOL website during our research period but was subsequently rescinded in October 2012 without replacement.
2. Partial credit: A personal view exception is absent from the DOL Manual and DOL Scientific Integrity Policy, but is not explicitly denied.
3. Partial credit: Provision guaranteeing final review is absent from DOL Media Guidelines and DOL Scientific Integrity Policy but not explicitly denied.

4. The DOL Manual, section 524, states that the “OPA [Office of Public Affairs] must be informed in advance through the Agency public affairs director when a DOL Agency representative has been scheduled to appear on network radio, television, national print, or electronic media. Such appearances are subject to OPA clearance.”
5. The DOL Manual, section 524 states that routing of contacts, “will provide an opportunity for [the] OPA to coordinate the appearance with those of other Department officials and to supply the Agency official with the latest information concerning Agency activities.”
6. The DOL Scientific Integrity Policy #4, Page 8, states, “Scientific personnel may speak to the media and the public about scientific and technological matters based on their official work, if assigned by their immediate supervisor and in coordination with their public affairs office.”
7. Partial credit: There are no assurances that only scientists will edit scientific content. The DOL Scientific Integrity policy #4, page 8, states that the public affairs role is specified: "Under no circumstance may public affairs officers ask or direct scientific personnel to alter or suppress scientific information or products," but this does not guarantee that the PAOs will not alter the content themselves.
8. No mention in the DOL Scientific Integrity Policy or Media Guidelines, but not explicitly denied.
9. No mention in the DOL Scientific Integrity Policy or Media Guidelines.
10. There is limited rhetoric to promote openness in the DOL Scientific Integrity Policy, e.g. The policy states that the OPA will “promote and maximize, to the extent practicable” openness, transparency, and accuracy with the media and the general public” but, as 2008 scoring noted, outside of the DOL Scientific Integrity Policy, this rhetoric is absent and emphasis is on tight control in other DOL policies and guidelines.
11. The DOL Scientific Integrity policy was rated high in a past UCS review due to its directive to agencies on whistle-blower provisions. However, we have no indication of the extent to which OSHA has followed this directive. The point deduction here is because we were scoring OSHA’s policy and we found nothing in OSHA policies that addresses this directive.

## Centers for Disease Control and Prevention (CDC)

### Primary Media Policy Documents

- Clearance of Information Products Disseminated Outside CDC for Public Use (2005)  
<http://www.cdc.gov/od/science/policies/Clearance-CDC-GA-2005-06.pdf>
- Guidelines for Ensuring the Quality of Information Disseminated to the Public (2006)  
<http://aspe.hhs.gov/infoquality/Guidelines/cdcinfo2.shtml>
- CDC Guidance on Scientific Integrity (2012)  
[http://www.cdc.gov/od/science/docs/CDCSIGuideE02\\_16\\_12.pdf](http://www.cdc.gov/od/science/docs/CDCSIGuideE02_16_12.pdf)

CDC Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (15)</b>	<b>15</b>	
Publicly available on agency website (5)	5	
Clear and consistent (5)	5	
Updated in past 10 years (5)	5	
<b>Protection of Scientific Free Speech (30)</b>	<b>24</b>	
Explicit personal-views exception (15)	12	[1]
Explicit right of last review (15)	12	[2]
<b>Safeguards Against Abuse (25)</b>	<b>24</b>	
No required pre-approval of media contacts (5)	5	
No selective routing of media contacts (5)	5	
No required clearance of questions and answers (5)	5	
No required monitoring by public affairs officers (5)	5	
Only scientists edit scientific content (3)	3	
Scientists have access to drafts and revisions (2)	1	[3]
<b>Consistent With Legal Requirements (5)</b>	<b>2</b>	
Complies with Anti-Gag statute (3)	0	[4]
No Sensitive But Unclassified (SBU) or Controlled Unclassified Information (CUI) restrictions (2)	2	
<b>Promotes Openness and Timeliness (20)</b>	<b>20</b>	
Rhetoric promoting openness (15)	15	
Timeliness Provision (5)	5	
<b>Disclosure of Misconduct &amp; Resolution of Disputes (5)</b>	<b>5</b>	
Whistle-blower provisions (3)	3	
Dispute resolution process (2)	2	
<b>CDC Media Policy Total (100)</b>	<b>90</b>	

### Reasoning and Citations for Deductions

1. Partial credit: Personal-views exception is granted with the use of a disclaimer, but employees must get clearance to use their agency title when engaging in non-agency but professional activities, including writing, editing, publishing, or serving on boards or committees (Clearance Policy, VII.C).
2. Partial credit: Final review not explicitly guaranteed, but staff members “should ensure that the information products they review are ... are scientifically sound” and the last clearance official should “ensure that any differences among preceding clearance officials are documented and resolved” (Clearance Policy, VI.C).

3. Partial credit: Access to drafts and revisions is not explicitly guaranteed, but “Centers should establish procedures for routing the return of comments either through previous clearing officials or to the first author” (Clearance Policy, VI.C)).
4. No mention in CDC policies.

## Consumer Product Safety Commission (CPSC)

### Primary Media Policy Documents

- CPSC Policy #1450.2 Clearance Procedures for Providing Information to the Public (2003)  
<http://www.cpsc.gov/PageFiles/106782/1450.2.pdf>
- No Fear Act Notice (2002)  
<http://www.cpsc.gov/about/eo/notice1.html>

CPSC Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (15)</b>	<b>10</b>	
Publicly available on agency website (5)	5	
Clear and consistent (5)	5	
Updated in past 10 years (5)	0	[1]
<b>Protection of Scientific Free Speech (30)</b>	<b>20</b>	
Explicit personal-views exception (15)	15	
Explicit right of last review (15)	5	[2]
<b>Safeguards Against Abuse (25)</b>	<b>16</b>	
No required pre-approval of media contacts (5)	0	[3]
No selective routing of media contacts (5)	5	
No required clearance of questions and answers (5)	5	
No required monitoring by public affairs officers (5)	5	
Only scientists edit scientific content (3)	1	[4]
Scientists have access to drafts and revisions (2)	0	[5]
<b>Consistent With Legal Requirements (5)</b>	<b>2</b>	
Complies with Anti-Gag statute (3)	0	[6]
No Sensitive But Unclassified (SBU) or Controlled Unclassified Information (CUI) restrictions (2)	2	
<b>Promotes Openness and Timeliness (20)</b>	<b>18</b>	
Rhetoric promoting openness (15)	15	
Timeliness Provision (5)	3	[7]
<b>Disclosure of Misconduct &amp; Resolution of Disputes (5)</b>	<b>3</b>	
Whistle-blower provisions (3)	1	[8]
Dispute resolution process (2)	2	
<b>CPSC Media Policy Total (100)</b>	<b>69</b>	

### Reasoning and Citations for Deductions

1. No update to CPSC Clearance Procedures Policy since 2003.
2. Partial credit: Provision guaranteeing final review is absent from policy but not explicitly denied. Information must be “cleared” by scientific and technical experts but it must also receive policy decision clearance.
3. CPSC Clearance Procedures Policy states, “Inquiries from the news media received by headquarters' staff (other than Commissioners' offices), must be referred to [the Office of Information and Public Affairs]” (Clearance Procedures, section 7.d.(2)).
4. Partial credit: There are no assurances that only scientists will edit scientific content; however, the policy does state the role of public affairs is not to change technical meanings (Clearance Procedures, section 7.a.(3)).
5. No mention in CPSC Clearance Procedures.

6. No mention in CPSC Clearance Procedures.
7. Partial credit: Timeliness language for press contacts (section 7.d.(b)) but not for clearance of other information.
8. Partial credit: The 2008 Consumer Product Safety Improvement Act provides partial whistle-blower policy but could be strengthened with language that more explicitly protects scientists who raise whistle-blower concerns.

## Environmental Protection Agency (EPA)

### Primary Media Policy Documents

- EPA Scientific Integrity Policy (2011)  
[http://www.epa.gov/osa/pdfs/epa\\_scientific\\_integrity\\_policy\\_20120115.pdf](http://www.epa.gov/osa/pdfs/epa_scientific_integrity_policy_20120115.pdf)

EPA Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (15)</b>	<b>15</b>	
Publicly available on agency website (5)	5	
Clear and consistent (5)	5	
Updated in past 10 years (5)	5	
<b>Protection of Scientific Free Speech (30)</b>	<b>30</b>	
Explicit personal-views exception (15)	15	
Explicit right of last review (15)	15	
<b>Safeguards Against Abuse (25)</b>	<b>17</b>	
No required pre-approval of media contacts (5)	2	[1]
No selective routing of media contacts (5)	5	
No required clearance of questions and answers (5)	5	
No required monitoring by public affairs officers (5)	0	[2]
Only scientists edit scientific content (3)	3	
Scientists have access to drafts and revisions (2)	2	
<b>Consistent With Legal Requirements (5)</b>	<b>2</b>	
Complies with Anti-Gag statute (3)	0	[3]
No Sensitive But Unclassified (SBU) or Controlled Unclassified Information (CUI) restrictions (2)	2	
<b>Promotes Openness and Timeliness (20)</b>	<b>20</b>	
Rhetoric promoting openness (15)	15	
Timeliness Provision (5)	5	
<b>Disclosure of Misconduct &amp; Resolution of Disputes (5)</b>	<b>5</b>	
Whistle-blower provisions (3)	3	
Dispute resolution process (2)	2	
<b>EPA Media Policy Total (100)</b>	<b>89</b>	

### Reasoning and Citations for Deductions

- Partial credit: It is unclear whether it is necessary to merely notify supervisors or obtain permission: The EPA Scientific Integrity Policy states, “Agency’s scientists are expected to notify their managers when communicating in an official capacity.”
- Policy suggests that a PAO presence is expected, if not formally required: “Public affairs staff ... should attend interviews with members of the media, when possible ...” The use of the word “should” is ambiguous here.
- No mention in EPA Scientific Integrity Policy.

## Fish and Wildlife Service (FWS)

### Primary Media Policy Documents

- 115 FW: FWS Public Communications Policy (2012)  
<http://www.fws.gov/policy/115fw1.html>
- DOI Manual 470: Public Communications (2012)  
<http://elips.doi.gov/elips/DocView.aspx?id=3037&searchid=1bfe3037-f260-4550-8f31-ed8a8f99db74&dbid=0>
- 117 FW: FWS Policy Review Guidance for Scientific Communication  
<http://www.fws.gov/policy/117fw1.html>

FWS Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (15)</b>	<b>15</b>	
Publicly available on agency website (5)	5	
Clear and consistent (5)	5	
Updated in past 10 years (5)	5	
<b>Protection of Scientific Free Speech (30)</b>	<b>27</b>	
Explicit personal-views exception (15)	15	
Explicit right of last review (15)	12	[1]
<b>Safeguards Against Abuse (25)</b>	<b>16</b>	
No required pre-approval of media contacts (5)	0	[2]
No selective routing of media contacts (5)	3	[3]
No required clearance of questions and answers (5)	5	
No required monitoring by public affairs officers (5)	5	
Only scientists edit scientific content (3)	3	
Scientists have access to drafts and revisions (2)	0	[4]
<b>Consistent With Legal Requirements (5)</b>	<b>2</b>	
Complies with Anti-Gag statute (3)	0	[5]
No Sensitive But Unclassified (SBU) or Controlled Unclassified Information (CUI) restrictions (2)	2	
<b>Promotes Openness and Timeliness (20)</b>	<b>15</b>	
Rhetoric promoting openness (15)	15	
Timeliness Provision (5)	5	
<b>Disclosure of Misconduct &amp; Resolution of Disputes (5)</b>	<b>1</b>	
Whistle-blower provisions (3)	0	[6]
Dispute resolution process (2)	1	[7]
<b>FWS Media Policy Total (100)</b>	<b>76</b>	

### Reasoning and Citations for Deductions

1. Partial credit: Emphasis is on PAOs to ensure accuracy but should be on the rights of the scientists to review. The FWS policy 115 FW 1 Section 1.15H states, “All designated spokespeople, as well as External Affairs staff, should ensure as much as possible that talking points, statements, and other communications materials they will use in an interview or otherwise release to the public are reviewed for accuracy by the appropriate Service biologists or other technical experts before dissemination.”
2. Pre-approval is required for official communications except in emergency situations and for “routine matters,” though it is not required for unofficial scientific publication.

3. Partial credit: The media “may” talk with specific scientists; however, this language could be stronger. The FWS policy 115 FW 1 Section 1.8A states that directors “may designate an agency spokesperson as necessary,” however, Public Affairs “may also give journalists access to other employees they want to interview if the employees agree to be interviewed, and the journalist clearly understands whether the employees may speak on behalf of the Service.”
4. No mention in FWS Public Communications Policy.
5. No mention in FWS Public Communications Policy.
6. No mention in FWS Public Communications Policy.
7. Partial credit: The FWS policy 115 FW 1 Section 1.7E(12) states that assistant regional directors are to “provide a mechanism to resolve disputes;” however, this mechanism is not specified.

## Food and Drug Administration (FDA)

### Primary Media Policy Documents

- FDA Scientific Integrity Policy  
<http://www.fda.gov/AboutFDA/ReportsManualsForms/StaffManualGuides/ucm289975.htm>
- FDA Staff Manual Guide 2126.3 on Publications and Speeches  
<http://www.fda.gov/downloads/AboutFDA/ReportsManualsForms/StaffManualGuides/UCM241191.pdf>
- FDA Staff Manual Guide on Dispute Resolution  
<http://www.fda.gov/AboutFDA/ReportsManualsForms/StaffManualGuides/ucm215422.htm>
- HHS Media Policy  
[http://www.hhs.gov/news/media\\_policy.html](http://www.hhs.gov/news/media_policy.html)

FDA Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (15)</b>	<b>12</b>	
Publicly available on agency website (5)	5	
Clear and consistent (5)	2	[1]
Updated in past 10 years (5)	5	
<b>Protection of Scientific Free Speech (30)</b>	<b>27</b>	
Explicit personal-views exception (15)	15	
Explicit right of last review (15)	10	[2]
<b>Safeguards Against Abuse (25)</b>	<b>9</b>	
No required pre-approval of media contacts (5)	0	[3]
No selective routing of media contacts (5)	0	[4]
No required clearance of questions and answers (5)	2	[5]
No required monitoring by public affairs officers (5)	2	[5]
Only scientists edit scientific content (3)	3	
Scientists have access to drafts and revisions (2)	2	
<b>Consistent With Legal Requirements (5)</b>	<b>0</b>	
Complies with Anti-Gag statute (3)	0	[6]
No Sensitive But Unclassified (SBU) or Controlled Unclassified Information (CUI) restrictions (2)	0	[7]
<b>Promotes Openness and Timeliness (20)</b>	<b>15</b>	
Rhetoric promoting openness (15)	15	
Timeliness Provision (5)	0	[8]
<b>Disclosure of Misconduct &amp; Resolution of Disputes (5)</b>	<b>5</b>	
Whistle-blower provisions (3)	3	
Dispute resolution process (2)	2	
<b>FDA Media Policy Total (100)</b>	<b>66</b>	

### Reasoning and Citations for Deductions

1. Partial credit: Considerable lapses in clarity and missing information in FDA Scientific Integrity Policy and other documents.
2. Partial credit: Provision guaranteeing final review is absent but not explicitly denied. FDA Scientific Integrity Policy provides an overview of the FDA media relations policy under development, noting that it will include, “an explicit provision prohibiting press officers from

asking or directing federal scientists to alter scientific findings.” The FDA Staff Manual Guide 2126.3 indicates it is the employee's “responsibility” to ensure accuracy on materials for which they are an author; however, there is no mention of this responsibility for materials that rely on technical information but are not authored by the technical expert himself. The right of last review for scientists and other technical experts should be stated explicitly in these policies.

3. In FDA Staff Manual Guide 2126.3, speeches and publications “must” be submitted to supervisor for review and approval if they contain FDA-related material and despite personal-views disclaimer. Personal-views exception without approval if employee communicates non-FDA or non-work-assigned material. No mention of oral communications in policy.
4. The FDA Scientific Integrity Policy states that FDA scientists are subject to HHS policies until the FDA has finished its own media relations policy. The HHS policy states, “it is important that the relevant agency public affairs office be notified of all media calls/contacts that employees receive about their HHS work. Reporters should be informed that the agency’s public affairs office coordinates media requests.” The policy states that the reason for “routing” and control is timeliness but no provisions are made to ensure this and thus this language easily creates a loophole for abuse.
5. Partial credit: No mention in any of the documents examined, but not explicitly denied.
6. No mention in the FDA Scientific Integrity Policy.
7. From the FDA Staff Manual Guide 2126.3, “An employee should ensure that the article or speech does not contain any nonpublic information before providing it to the supervisor for review.”
8. The FDA media relations policy under development will describe the “FDA’s commitment to responding quickly, thoroughly, and openly to news organizations.” However, current policies do not include this provision.

## National Aeronautics and Space Administration (NASA)

### Primary Media Policy Documents

- NASA Media Policy (2006)  
<http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&sid=55557aff2e6b89169ea5490b68889dfd&rgn=div5&view=text&node=14:5.0.1.1.14&idno=14>
- NASA Scientific Integrity Policy (2011)  
[http://www.nasa.gov/pdf/611201main\\_NASA\\_SI\\_Policy\\_12\\_15\\_11.pdf](http://www.nasa.gov/pdf/611201main_NASA_SI_Policy_12_15_11.pdf)
- NASA Whistle-blower Protection Plan (2007)  
[http://www.nasa.gov/pdf/611174main\\_Whistle-blowerProtectionPlan.pdf](http://www.nasa.gov/pdf/611174main_Whistle-blowerProtectionPlan.pdf)
- NASA Procedures for Review and Dissemination of Scientific and Technical Information (2011)  
[http://nodis3.gsfc.nasa.gov/displayDir.cfm?Internal\\_ID=N\\_PR\\_2200\\_002C\\_&page\\_name=Chapter4](http://nodis3.gsfc.nasa.gov/displayDir.cfm?Internal_ID=N_PR_2200_002C_&page_name=Chapter4)

NASA Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (15)</b>	<b>12</b>	[1]
Publicly available on agency website (5)	5	
Clear and consistent (5)	2	
Updated in past 10 years (5)	5	
<b>Protection of Scientific Free Speech (30)</b>	<b>20</b>	[2]
Explicit personal-views exception (15)	15	
Explicit right of last review (15)	5	
<b>Safeguards Against Abuse (25)</b>	<b>24</b>	[3]
No required pre-approval of media contacts (5)	5	
No selective routing of media contacts (5)	5	
No required clearance of questions and answers (5)	5	
No required monitoring by public affairs officers (5)	5	
Only scientists edit scientific content (3)	2	
Scientists have access to drafts and revisions (2)	2	
<b>Consistent With Legal Requirements (5)</b>	<b>0</b>	[4]
Complies with Anti-Gag statute (3)	0	
No Sensitive But Unclassified (SBU) or Controlled Unclassified Information (CUI) restrictions (2)	0	[5]
<b>Promotes Openness and Timeliness (20)</b>	<b>20</b>	
Rhetoric promoting openness (15)	15	
Timeliness Provision (5)	5	
<b>Disclosure of Misconduct &amp; Resolution of Disputes (5)</b>	<b>5</b>	
Whistle-blower provisions (3)	3	
Dispute resolution process (2)	2	
<b>NASA Media Policy Total (100)</b>	<b>81</b>	

### Reasoning and Citations for Deductions

1. Partial credit: Inconsistency between the NASA Scientific Integrity and Media Policies on whether monitoring by PAOs is suggested or required. Language is ambiguous enough that, while we cannot say pre-approval or monitoring are required, there is room for PAOs to exercise pressure over scientists.

2. Partial credit: Provision is absent from policy but not explicitly denied.
3. Partial credit: There are no assurances that only scientists will edit scientific content' however, the policy does state public affairs editing shall not "change scientific or technical data or the meaning of programmatic content" (NASA Policy, Responsibilities (c)). Also, procedures for review and dissemination (procedures 4.3.1) of scientific and technical information grant "technical review" but no explicit guarantee that "professional review" won't alter scientific content.
4. No mention in the NASA Scientific Integrity or media policies.
5. The NASA Media Policy 1213.107 (page 6) includes a section on "Preventing unauthorized release of Sensitive But Unclassified (SBU) information/material to the news media."

## National Institutes of Health (NIH)

### Primary Media Policy Documents

- NIH Information Release Guidelines (2008)  
<http://oma.od.nih.gov/manualchapters/management/1184/>

NIH Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (15)</b>	<b>15</b>	
Publicly available on agency website (5)	5	
Clear and consistent (5)	5	
Updated in past 10 years (5)	5	
<b>Protection of Scientific Free Speech (30)</b>	<b>20</b>	
Explicit personal-views exception (15)	15	
Explicit right of last review (15)	5	[1]
<b>Safeguards Against Abuse (25)</b>	<b>20</b>	
No required pre-approval of media contacts (5)	5	
No selective routing of media contacts (5)	5	
No required clearance of questions and answers (5)	5	
No required monitoring by public affairs officers (5)	5	
Only scientists edit scientific content (3)	0	[2]
Scientists have access to drafts and revisions (2)	0	[3]
<b>Consistent With Legal Requirements (5)</b>	<b>2</b>	
Complies with Anti-Gag statute (3)	0	[4]
No Sensitive But Unclassified (SBU) or Controlled Unclassified Information (CUI) restrictions (2)	2	
<b>Promotes Openness and Timeliness (20)</b>	<b>15</b>	
Rhetoric promoting openness (15)	15	
Timeliness Provision (5)	0	[5]
<b>Disclosure of Misconduct &amp; Resolution of Disputes (5)</b>	<b>2</b>	
Whistle-blower provisions (3)	0	[6]
Dispute resolution process (2)	2	
<b>NIH Media Policy Total (100)</b>	<b>74</b>	

### Reasoning and Citations for Deductions

1. Partial credit: Provision guaranteeing final review is absent from the NIH Policy but not explicitly denied.
2. This is unclear in the NIH policy. The NIH approval process doesn't specify that approving authority must be a scientist.
3. No mention in the NIH policy.
4. Timeliness provision is present but only applies for breaking news: "Sometimes the NIH provides 'breaking news' to the public on research findings prior to publication in scientific journals and prior to peer review by journals...In such cases, there are applicable internal review processes devised to ensure that information disseminated to the public summarizes the facts as [the] NIH currently knows them, and that appropriate disclaimers are attached, if necessary."
5. No mention in the NIH policy.

## National Oceanic and Atmospheric Administration (NOAA)

Primary media policies used:

- NOAA Scientific Integrity Policy  
[http://www.ucsusa.org/assets/documents/scientific\\_integrity/NOAA-SI-draft-policy-analysis.pdf](http://www.ucsusa.org/assets/documents/scientific_integrity/NOAA-SI-draft-policy-analysis.pdf)
- NOAA Guidelines for Misconduct Allegations  
[http://www.corporateservices.noaa.gov/ames/administrative\\_orders/chapter\\_202/Procedural\\_Handbook\\_NAO\\_202-735D\\_31Jan\\_2012.pdf](http://www.corporateservices.noaa.gov/ames/administrative_orders/chapter_202/Procedural_Handbook_NAO_202-735D_31Jan_2012.pdf)

NOAA Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (15)</b>	<b>15</b>	[1]
Publicly available on agency website (5)	5	
Clear and consistent (5)	5	
Updated in past 10 years (5)	5	
<b>Protection of Scientific Free Speech (30)</b>	<b>30</b>	
Explicit personal-views exception (15)	15	
Explicit right of last review (15)	15	
<b>Safeguards Against Abuse (25)</b>	<b>25</b>	
No required pre-approval of media contacts (5)	5	
No selective routing of media contacts (5)	5	
No required clearance of questions and answers (5)	5	
No required monitoring by public affairs officers (5)	5	
Only scientists edit scientific content (3)	3	
Scientists have access to drafts and revisions (2)	2	
<b>Consistent With Legal Requirements (5)</b>	<b>2</b>	
Complies with Anti-Gag statute (3)	0	
No Sensitive But Unclassified (SBU) or Controlled Unclassified Information (CUI) restrictions (2)	2	
<b>Promotes Openness and Timeliness (20)</b>	<b>20</b>	
Rhetoric promoting openness (15)	15	
Timeliness Provision (5)	5	
<b>Disclosure of Misconduct &amp; Resolution of Disputes (5)</b>	<b>5</b>	
Whistle-blower provisions (3)	3	
Dispute resolution process (2)	2	
<b>NOAA Media Policy Total (100)</b>	<b>97</b>	

Reasons for deductions;

1. No mention in NOAA Media or NOAA Scientific Integrity policies.

## National Science Foundation (NSF)

### Primary Media Policy Documents

- NSF Media Policy  
[http://www.nsf.gov/news/policies\\_for\\_media.jsp#media7](http://www.nsf.gov/news/policies_for_media.jsp#media7)
- NSF Scientific Integrity Policy with UCS annotations (2011)  
[http://www.ucusa.org/assets/documents/scientific\\_integrity/UCS-annotated-NSF-SI-policy.pdf](http://www.ucusa.org/assets/documents/scientific_integrity/UCS-annotated-NSF-SI-policy.pdf)

NSF Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (15)</b>	<b>15</b>	
Publicly available on agency website (5)	5	
Clear and consistent (5)	5	
Updated in past 10 years (5)	5	
<b>Protection of Scientific Free Speech (30)</b>	<b>30</b>	
Explicit personal-views exception (15)	15	
Explicit right of last review (15)	15	
<b>Safeguards Against Abuse (25)</b>	<b>23</b>	
No required pre-approval of media contacts (5)	5	
No selective routing of media contacts (5)	5	
No required clearance of questions and answers (5)	5	
No required monitoring by public affairs officers (5)	5	
Only scientists edit scientific content (3)	1	[1]
Scientists have access to drafts and revisions (2)	2	
<b>Consistent With Legal Requirements (5)</b>	<b>2</b>	
Complies with Anti-Gag statute (3)	0	[2]
No Sensitive But Unclassified (SBU) or Controlled Unclassified Information (CUI) restrictions (2)	2	
<b>Promotes Openness and Timeliness (20)</b>	<b>20</b>	
Rhetoric promoting openness (15)	15	
Timeliness Provision (5)	5	
<b>Disclosure of Misconduct &amp; Resolution of Disputes (5)</b>	<b>1</b>	
Whistle-blower provisions (3)	1	[3]
Dispute resolution process (2)	0	[4]
<b>NSF Media Policy Total (100)</b>	<b>91</b>	

### Reasoning and Citations for Deductions

1. Partial credit: There are no assurances that only scientists will edit scientific content; however, in the NSF Media Policy under “Rights,” the policy states, “Under no circumstance may public affairs officers ask or direct NSF-funded scientists/engineers and staff to alter their scientific/technical findings.”
2. No mention in either the NSF Scientific Integrity or NSF media policies.
3. Partial credit: The NSF Scientific Integrity Policy has only minimal whistle-blower provisions. Whistle-blower protections need to be clearly stated and expanded upon so that whistle-blowers do not face intimidation nor fear retaliation for exposing misconduct.
4. No mention in either the NSF Scientific Integrity or NSF Media Policy.

## Nuclear Regulatory Commission (NRC)

### Primary Media Policy Documents

- NRC Legal and Ethical Guidelines "Reporting Suspected Wrongdoing" (2006)  
<http://pbadupws.nrc.gov/docs/ML0613/ML061360005.pdf>
- NRC Management Directive 2.7 Personal Use of Information Technology (2006)  
<http://pbadupws.nrc.gov/docs/ML0622/ML062290079.pdf>
- NRC Management Directive 3.4: Public Information Release Policy (1999)  
<http://pbadupws.nrc.gov/docs/ML0802/ML080250350.pdf>
- NRC Management Directive 5.5: Public Affairs Program (1999)  
<http://adamswebsearch.nrc.gov/idmws/ViewDocByAccession.asp?AccessionNumber=ML041410577>
- NRC Management Directive 7.3: Participation in Professional Organizations (1996)  
[http://adamswebsearch2.nrc.gov/idmws/doccontent.dll?library=PU\\_ADAMS%5ePBNTAD01&ID=041530093](http://adamswebsearch2.nrc.gov/idmws/doccontent.dll?library=PU_ADAMS%5ePBNTAD01&ID=041530093)

NRC Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (15)</b>	<b>11</b>	
Publicly available on agency website (5)	5	
Clear and consistent (5)	3	[1]
Updated in past 10 years (5)	3	[2]
<b>Protection of Scientific Free Speech (30)</b>	<b>24</b>	
Explicit personal-views exception (15)	12	[3]
Explicit right of last review (15)	12	[4]
<b>Safeguards Against Abuse (25)</b>	<b>22</b>	
No required pre-approval of media contacts (5)	5	
No selective routing of media contacts (5)	5	
No required clearance of questions and answers (5)	5	
No required monitoring by public affairs officers (5)	5	
Only scientists edit scientific content (3)	0	[5]
Scientists have access to drafts and revisions (2)	2	
<b>Consistent With Legal Requirements (5)</b>	<b>0</b>	
Complies with Anti-Gag statute (3)	0	[6]
No Sensitive But Unclassified (SBU) or Controlled Unclassified Information (CUI) restrictions (2)	0	[7]
<b>Promotes Openness and Timeliness (20)</b>	<b>20</b>	
Rhetoric promoting openness (15)	15	
Timeliness Provision (5)	5	
<b>Disclosure of Misconduct &amp; Resolution of Disputes (5)</b>	<b>5</b>	
Whistle-blower provisions (3)	3	
Dispute resolution process (2)	2	
<b>NRC Media Policy Total (100)</b>	<b>82</b>	

### Reasoning and Citations for Deductions

1. Partial credit for lack of clarity: Information on related topics is spread across multiple policy documents.
2. Partial credit: Directive 5.5 was not updated by Directive 2.7, which was updated in 2006.

3. Partial credit: The NRC Handbook provides for a personal-views exception when participating in a professional organization in a private capacity (NRC Handbook 7.3 (B)(3)) and has explicit language for a disclaimer in the “Personal Use of Information Technology” section. However, it is unclear if these extend to routine media contact. The policy states, “It is the responsibility of employees to ensure that they are not giving the false impression that they are acting in an official capacity when they are using agency information technology for non-Government purposes. If there is an expectation that such a personal use could be interpreted to represent the NRC, then an adequate disclaimer must be used... Employees should also avoid using other forms of agency identification, such as letterhead stationery, in situations in which they represent themselves as private citizens rather than NRC employees (e.g., submitting a Freedom of Information Act request)”
4. Partial credit: No general guarantee of last review is present, but in terms of the drafting of news releases the NRC Handbook states, “Technical offices review news releases for accuracy.” (NRC Handbook 5.5 (B)(2)) and for news releases involving some policy-relevant papers, it states “If OPA [the Office of Public Affairs] drafts the news release, the originator should review it for accuracy and completeness...” (NRC Handbook 5.5 (C)(1)). Use of the word “should” needs to be replaced with the explicit right of last review.
5. No mention in NRC policies.
6. No mention in NRC policies.
7. See NRC Management Directive 12.6: NRC Sensitive Unclassified Information Security Program.

## United States Geological Survey (USGS)

### Primary Media Policy Documents

- USGS Manual, section 500.25: Scientific Integrity (2007)  
<http://www.usgs.gov/usgs-manual/500/500-25.html>
- USGS Manual, section 500.5: News Release and Media Relations Policy (2002)  
<http://www.usgs.gov/usgs-manual/500/500-5.html>
- USGS Information Quality Guidelines (2012)  
[http://www.usgs.gov/info\\_qual/](http://www.usgs.gov/info_qual/)
- USGS Manual, section 502.4: Fundamental Science Practices: Review, Approval, and Release of Information Products (2011)  
<http://www.usgs.gov/usgs-manual/500/502-4.html>
- USGS Fundamental Science Practices: Peer Review (2011)  
<http://www.usgs.gov/usgs-manual/500/502-3.html>

USGS Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (15)</b>	<b>15</b>	
Publicly available on agency website (5)	5	
Clear and consistent (5)	5	
Updated in past 10 years (5)	5	
<b>Protection of Scientific Free Speech (30)</b>	<b>17</b>	
Explicit personal-views exception (15)	12	[1]
Explicit right of last review (15)	5	[2]
<b>Safeguards Against Abuse (25)</b>	<b>22</b>	
No required pre-approval of media contacts (5)	5	
No selective routing of media contacts (5)	5	
No required clearance of questions and answers (5)	5	
No required monitoring by public affairs officers (5)	5	
Only scientists edit scientific content (3)	1	[3]
Scientists have access to drafts and revisions (2)	1	[4]
<b>Consistent With Legal Requirements (5)</b>	<b>2</b>	
Complies with Anti-Gag statute (3)	0	[5]
No Sensitive But Unclassified (SBU) or Controlled Unclassified Information (CUI) restrictions (2)	2	
<b>Promotes Openness and Timeliness (20)</b>	<b>20</b>	
Rhetoric promoting openness (15)	15	
Timeliness Provision (5)	5	
<b>Disclosure of Misconduct &amp; Resolution of Disputes (5)</b>	<b>5</b>	
Whistle-blower provisions (3)	3	
Dispute resolution process (2)	2	
<b>USGS Media Policy Total (100)</b>	<b>81</b>	

### Reasoning and Citations for Deductions

1. Partial credit: Explicit right is not granted but the USGS Scientific Integrity Policy 7.H USGS Code of Scientific Conduct states that scientists will “to the extent possible and practical, differentiate among facts, opinions, hypotheses, and professional judgment in reporting the results of scientific activities to others, including scientists, decision makers, and the public.”

2. Partial credit: Provision guaranteeing final review is absent from policies but not explicitly denied.
3. Partial credit: There are no assurances that only scientists will edit technical material, but scientific peer review is required.
4. See right of last review citation above. Scientists have some access to drafts and revisions but not full. It should be clearer in what manner and at what time in the review process scientists have access.
5. No mention in the USGS policies.

## Appendix E: Agency Social Media Policy Grade Details

In this appendix, we provide full details on how we calculated each agency's social media policy score. No social media policy was found for the CPSC, NSF, and NRC. Scoring details for the remaining agencies are described below.

For each of these agencies, we list the social media policy document that we analyzed for this investigation, along with the link to where the policy can be found, if publicly available. For nonpublic documents received via Freedom of Information Act (FOIA) requests, we cite those documents below and we make them available on the UCS website at [www.ucsusa.org/GradingGovernmentTransparency](http://www.ucsusa.org/GradingGovernmentTransparency).

Each agency's score is made up of 10 sub-scores, grouped into five categories of open communication for social media tools. For each agency, we summarize these sub-scores in a table and provide justification and reasoning for any point deductions.

## United States Department of Agriculture (USDA)

### Primary Social Media Policy Documents

- USDA New Media Policy (2011)  
<http://www.ocio.usda.gov/directives/doc/DR1495-001.pdf>

Social Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (30)</b>	<b>20</b>	
Publicly available on agency website (10)	10	
Clear and consistent (10)	0	[1]
Specifies to whom the policy applies (5)	5	
Specifies to which media platforms the policy applies (5)	5	
<b>Protection of Scientific Free Speech (40)</b>	<b>20</b>	
Explicit distinction between official and personal use (20)	10	[2]
Specifies freedom to identify one's employer if expressing personal views (20)	10	[3]
<b>Promotion of Openness (10)</b>	<b>10</b>	
Rhetoric Promoting Openness (10)	10	
<b>Correction of Errors in Technical Information (10)</b>	<b>0</b>	[4]
Original author of technical content has the right to correction of errors (5)	0	
States mechanism of correction (5)	0	
<b>Consideration of Risks (10)</b>	<b>0</b>	
Includes cautions about the consequences of releasing information through social media platforms (10)	0	[5]
<b>Social Media Policy Total (100)</b>	<b>50</b>	

### Reasoning and Citations for Deductions

1. Partial credit: Insufficient discussion of personal use and confusing language in Privacy Policy section
2. Partial credit: Personal use is distinguished but with little clarity on definitions of official/unofficial use
3. Partial credit: Right is absent from policy but not explicitly denied
4. No mention in policy
5. No mention in policy

## Department of Commerce (DOC)

Media policy applies to the following agencies:

Census Bureau

National Institute of Standards and Technology (NIST)

National Oceanic and Atmospheric Administration (NOAA)

Primary Social Media Policy Documents

- DOC Social Media Policy

[http://ocio.os.doc.gov/ITPolicyandPrograms/Policy\\_Standards/PROD01\\_009476](http://ocio.os.doc.gov/ITPolicyandPrograms/Policy_Standards/PROD01_009476)

Social Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (30)</b>	<b>30</b>	
Publicly available on agency website (10)	10	
Clear and consistent (10)	10	
Specifies to whom the policy applies (5)	5	
Specifies to which media platforms the policy applies (5)	5	
<b>Protection of Scientific Free Speech (40)</b>	<b>20</b>	
Explicit distinction between official and personal use (20)	20	
Specifies freedom to identify one's employer if expressing personal views (20)	0	[1]
<b>Promotion of Openness (10)</b>	<b>10</b>	
Rhetoric Promoting Openness (10)	10	
<b>Correction of Errors in Technical Information (10)</b>	<b>0</b>	[2]
Original author of technical content has the right to correction of errors (5)	0	
States mechanism of correction (5)	0	
<b>Consideration of Risks (10)</b>	<b>10</b>	
Includes cautions about the consequences of releasing information through social media platforms (10)	10	
<b>Social Media Policy Total (100)</b>	<b>70</b>	

Reasoning and Citations for Deductions

1. Personal use is restricted. Employees cannot identify their employer in personal communications and need supervisor approval to post work-related materials. Respectively, the policy directs employees, "Do not use your Federal job title when you are using social media in a personal unofficial capacity ..." and states that "employees ... who wish to post or upload material ... that relates to the programs or operations of their operating unit and that is related to their official duties, must submit their communication for review to their supervisory or a public affairs officer at their operating unit."
2. No mention in policy

## Department of Energy (DOE)

### Primary Social Media Policy Documents

- DOE Social Media Policy  
<http://energy.gov/about-us/web-policies/social-media>

Social Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (30)</b>	<b>25</b>	
Publicly available on agency website (10)	10	[1]
Clear and consistent (10)	5	
Specifies to whom the policy applies (5)	5	
Specifies to which media platforms the policy applies (5)	5	
<b>Protection of Scientific Free Speech (40)</b>	<b>20</b>	
Explicit distinction between official and personal use (20)	10	[2]
Specifies freedom to identify one's employer if expressing personal views (20)	10	[3]
<b>Promotion of Openness (10)</b>	<b>10</b>	
Rhetoric Promoting Openness (10)	10	
<b>Correction of Errors in Technical Information (10)</b>	<b>0</b>	[4]
Original author of technical content has the right to correction of errors (5)	0	
States mechanism of correction (5)	0	
<b>Consideration of Risks (10)</b>	<b>5</b>	
Includes cautions about the consequences of releasing information through social media platforms (10)	5	[5]
<b>Social Media Policy Total (100)</b>	<b>60</b>	

### Reasoning and Citations for Deductions

1. Partial credit: Only official use is discussed
2. Partial credit: Only official use is defined
3. Partial credit: Right is absent from policy but not explicitly denied
4. No mention in policy
5. Partial credit: Policy guides DOE agencies to incorporate risk mitigation strategies, including "user awareness and training," but no further cautionary language present

## Department of Health and Human Services (HHS)

Media policy applies to the following agencies:

- Food and Drug Administration (FDA)
- National Institutes of Health (NIH)\*

\*Though NIH employees are subject to HHS policies, the agency has its own policies that improve on the HHS policy and thus were used for NIH scoring.

Primary Social Media Policy Documents

- HHS Social Media Policy  
[http://www.hhs.gov/ocio/policy/policy\\_2010-0003\\_-\\_ocio.html](http://www.hhs.gov/ocio/policy/policy_2010-0003_-_ocio.html)
- HHS New Media Guidance  
<http://www.newmedia.hhs.gov/standards/>

Social Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (30)</b>	<b>15</b>	
Publicly available on agency website (10)	10	
Clear and consistent (10)	0	[1]
Specifies to whom the policy applies (5)	5	
Specifies to which media platforms the policy applies (5)	0	[2]
<b>Protection of Scientific Free Speech (40)</b>	<b>0</b>	[3]
Explicit distinction between official and personal use (20)	0	
Specifies freedom to identify one's employer if expressing personal views (20)	0	
<b>Promotion of Openness (10)</b>	<b>10</b>	
Rhetoric Promoting Openness (10)	10	
<b>Correction of Errors in Technical Information (10)</b>	<b>0</b>	[4]
Original author of technical content has the right to correction of errors (5)	0	
States mechanism of correction (5)	0	
<b>Consideration of Risks (10)</b>	<b>0</b>	
Includes cautions about the consequences of releasing information through social media platforms (10)	0	[5]
<b>Social Media Policy Total (100)</b>	<b>25</b>	

Reasoning and Citations for Deductions

1. Policy has insufficient detail throughout.
2. No mention in policy
3. No mention in policy
4. No mention in policy
5. No mention in policy

## Department of the Interior (DOI)

Media policy applies to the following agencies:

- Bureau of Land Management (BLM)\*
- Fish and Wildlife Service (FWS)\*
- U.S. Geological Survey (USGS)\*\*

\*The BLM and FWS both have some policy statements governing social media. However, these policies are limited and do not improve over the DOI social media. Social media grades for these two agencies reflect the DOI score below with an additional ten point deduction for lack of consistency between agency and department-level policies.

\*\*Though USGS employees are subject to DOI policies, the agency has its own policies that improve over the DOI policy. Thus, the agency-specific policy was used to grade USGS.

### Primary Social Media Policy Documents

- DOI Social Media Policy  
<http://www.doi.gov/notices/upload/DOI-Social-Media-Policy-Final-Redacted.pdf>

Social Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (30)</b>	<b>30</b>	[1]
Publicly available on agency website (10)	10	
Clear and consistent (10)	10	
Specifies to whom the policy applies (5)	5	
Specifies to which media platforms the policy applies (5)	5	
<b>Protection of Scientific Free Speech (40)</b>	<b>40</b>	
Explicit distinction between official and personal use (20)	20	
Specifies freedom to identify one's employer if expressing personal views (20)	20	
<b>Promotion of Openness (10)</b>	<b>10</b>	
Rhetoric Promoting Openness (10)	10	
<b>Correction of Errors in Technical Information (10)</b>	<b>0</b>	
Original author of technical content has the right to correction of errors (5)	0	
States mechanism of correction (5)	0	
<b>Consideration of Risks (10)</b>	<b>10</b>	
Includes cautions about the consequences of releasing information through social media platforms (10)	10	
<b>Social Media Policy Total (100)</b>	<b>90</b>	

### Reasoning and Citations for Deductions

1. No mention in policy

## Department of Labor (DOL)

Media policy applies to the following agencies:

Occupational Safety and Health Administration (OSHA)

Primary Social Media Policy Documents

- DOL Social Media Policy  
Obtained through a FOIA Request. Scanned document is available at:  
[www.ucsusa.org/GradingGovernmentTransparency](http://www.ucsusa.org/GradingGovernmentTransparency)

Social Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (30)</b>	<b>20</b>	
Publicly available on agency website (10)	0	[1]
Clear and consistent (10)	10	
Specifies to whom the policy applies (5)	5	
Specifies to which media platforms the policy applies (5)	5	
<b>Protection of Scientific Free Speech (40)</b>	<b>20</b>	
Explicit distinction between official and personal use (20)	10	[2]
Specifies freedom to identify one's employer if expressing personal views (20)	10	[3]
<b>Promotion of Openness (10)</b>	<b>10</b>	
Rhetoric Promoting Openness (10)	10	
<b>Correction of Errors in Technical Information (10)</b>	<b>0</b>	[4]
Original author of technical content has the right to correction of errors (5)	0	
States mechanism of correction (5)	0	
<b>Consideration of Risks (10)</b>	<b>0</b>	
Includes cautions about the consequences of releasing information through social media platforms (10)	0	[5]
<b>Social Media Policy Total (100)</b>	<b>50</b>	

Reasoning and Citations for Deductions

1. Social media policy not publically available
2. Partial credit: official use defined only
3. Partial credit: right is absent from policy but not explicitly denied
4. No mention in policy
5. No mention in policy

## Environmental Protection Agency (EPA)

### Primary Social Media Policy Documents

- EPA Social Media Policy  
[http://www.epa.gov/irmpoli8/policies/social\\_media\\_policy.pdf](http://www.epa.gov/irmpoli8/policies/social_media_policy.pdf)

Social Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (30)</b>	<b>30</b>	
Publicly available on agency website (10)	10	
Clear and consistent (10)	10	
Specifies to whom the policy applies (5)	5	
Specifies to which media platforms the policy applies (5)	5	
<b>Protection of Scientific Free Speech (40)</b>	<b>30</b>	
Explicit distinction between official and personal use (20)	20	
Specifies freedom to identify one's employer if expressing personal views (20)	10	[1]
<b>Promotion of Openness (10)</b>	<b>5</b>	
Rhetoric Promoting Openness (10)	5	[2]
<b>Correction of Errors in Technical Information (10)</b>	<b>0</b>	[3]
Original author of technical content has the right to correction of errors (5)	0	
States mechanism of correction (5)	0	
<b>Consideration of Risks (10)</b>	<b>5</b>	
Includes cautions about the consequences of releasing information through social media platforms (10)	5	[4]
<b>Social Media Policy Total (100)</b>	<b>70</b>	

### Reasoning and Citations for Deductions

- Partial credit: Right is absent from policy but not explicitly denied
- Partial credit: Transparency mentioned but no language of encouragement: "EPA is using social media tools to create a more effective and transparent government"
- No mention in policy
- Partial credit: "Risks for security and privacy" mentioned but no further explanation included

## National Aeronautics and Space Administration (NASA)

### Primary Social Media Policy Documents

- NASA Social Media Guidelines  
Obtained via communication with agency. Document available at <http://www.ucsusa.org/GradingGovernmentTransparency>

Social Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (30)</b>	<b>20</b>	[1]
Publicly available on agency website (10)	0	
Clear and consistent (10)	10	
Specifies to whom the policy applies (5)	5	
Specifies to which media platforms the policy applies (5)	5	
<b>Protection of Scientific Free Speech (40)</b>	<b>40</b>	
Explicit distinction between official and personal use (20)	20	
Specifies freedom to identify one's employer if expressing personal views (20)	20	
<b>Promotion of Openness (10)</b>	<b>10</b>	[2]
Rhetoric Promoting Openness (10)	10	
<b>Correction of Errors in Technical Information (10)</b>	<b>0</b>	
Original author of technical content has the right to correction of errors (5)	0	
States mechanism of correction (5)	0	
<b>Consideration of Risks (10)</b>	<b>10</b>	
Includes cautions about the consequences of releasing information through social media platforms (10)	10	
<b>Social Media Policy Total (100)</b>	<b>80</b>	

### Reasoning and Citations for Deductions

1. Social media guidelines are not publically available.
2. No mention in policy.

## National Institutes of Health (NIH)

### Primary Social Media Policy Documents

- NIH Social Media Policy  
<http://oma.od.nih.gov/manualchapters/management/2809/>

Social Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (30)</b>	<b>30</b>	[1]
Publicly available on agency website (10)	10	
Clear and consistent (10)	10	
Specifies to whom the policy applies (5)	5	
Specifies to which media platforms the policy applies (5)	5	
<b>Protection of Scientific Free Speech (40)</b>	<b>40</b>	
Explicit distinction between official and personal use (20)	20	
Specifies freedom to identify one's employer if expressing personal views (20)	20	
<b>Promotion of Openness (10)</b>	<b>10</b>	
Rhetoric Promoting Openness (10)	10	
<b>Correction of Errors in Technical Information (10)</b>	<b>0</b>	
Original author of technical content has the right to correction of errors (5)	0	
States mechanism of correction (5)	0	
<b>Consideration of Risks (10)</b>	<b>10</b>	
Includes cautions about the consequences of releasing information through social media platforms (10)	10	
<b>Social Media Policy Total (100)</b>	<b>90</b>	

### Reasoning and Citations for Deductions

1. No mention in NIH policy.

## United States Geological Survey (USGS)

### Primary Social Media Policy Documents

- USGS Social Media Policy  
[http://www.usgs.gov/socialmedia/docs/usgs\\_socmed\\_employee\\_use.pdf](http://www.usgs.gov/socialmedia/docs/usgs_socmed_employee_use.pdf)

Social Media Policy	Score	Notes
<b>Accessible, Current, Clear and Consistent (30)</b>	<b>30</b>	[1]
Publicly available on agency website (10)	10	
Clear and consistent (10)	10	
Specifies to whom the policy applies (5)	5	
Specifies to which media platforms the policy applies (5)	5	
<b>Protection of Scientific Free Speech (40)</b>	<b>40</b>	
Explicit distinction between official and personal use (20)	20	
Specifies freedom to identify one's employer if expressing personal views (20)	20	
<b>Promotion of Openness (10)</b>	<b>10</b>	
Rhetoric Promoting Openness (10)	10	
<b>Correction of Errors in Technical Information (10)</b>	<b>0</b>	
Original author of technical content has the right to correction of errors (5)	0	
States mechanism of correction (5)	0	
<b>Consideration of Risks (10)</b>	<b>0</b>	
Includes cautions about the consequences of releasing information through social media platforms (10)	0	
<b>Social Media Policy Total (100)</b>	<b>80</b>	[2]

### Reasoning and Citations for Deductions

1. No mention in USGS policy

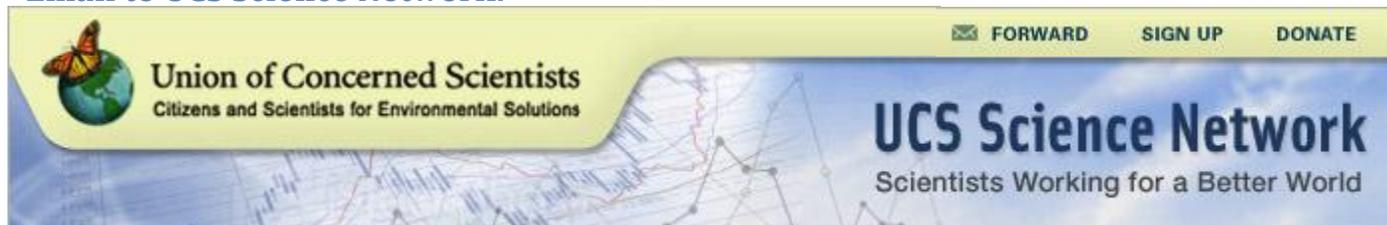
## Appendix F: Federal Scientist Survey Text

Below is the text of the introductory email sent to the Union of Concerned Scientists' Science Network, followed by the text of the online questionnaire. The UCS Science Network consists of approximately 20,000 scientists and other technical experts with or working towards advanced degrees. These experts include scientists in life, physical, mathematical, or social sciences, including economics; professionals in medicine or public health; and engineers. Our criteria are primarily based on a National Science Foundation listing of science-related occupations. The listing can be found at: <http://www.nsf.gov/statistics/nsf03310/appb.htm>.

In the survey question section bullet points are used to represent clickable response options on the actual web questionnaire. Bolded text represents the heading at the top of each survey page and horizontal lines represent breaks between pages of questions. Most questions gave the respondent the option of entering additional comments.

Quotes from federal scientists obtained through the survey are featured throughout the report; however, the survey responses did not contribute to the agency grades.

## Email to UCS Science Network:



### Are You a Federal Scientist?

#### Share Your Thoughts on Your Agency's Media Policies

Dear Alex,

Do you work for the federal government? The Union of Concerned Scientists wants you to **share your perspective** on your ability to speak with the media and communicate your research and scientific analysis to the public.

We need only a few minutes of your time. Your responses will help us investigate how openly federal agencies and their experts can communicate about scientific topics.

**If you work at a federal agency**, please complete the **brief survey** no later than Wednesday, January 2, 2013. Your responses will be kept completely confidential, and all identifying information will be destroyed before survey results are made public.

This survey is part of an effort to update our **2008 analysis of federal agency media policies**. If you have questions about the results or goals of this survey, please contact Gretchen Goldman, analyst for the UCS Center for Science and Democracy, at [ggoldman@ucsusa.org](mailto:ggoldman@ucsusa.org).

Thank you in advance for your important and highly valued contribution to this research. Your participation will help us continue the dialogue we started in September on improving citizen access to government scientific information.

Sincerely,

Michael Halpern  
Program Manager  
Center for Science and Democracy  
Union of Concerned Scientists

### Share Your Thoughts Today!

Help us improve traditional and social media policies at federal agencies. **Take our brief survey today.**

### Related Links

- [2008 Report Card on Federal Agency Media Policies](#)
- [Improving Citizen Access to Government Scientific Information](#)
- [Center for Science and Democracy](#)

### Tell A Colleague

Please encourage your colleagues to **sign up** and help increase our effectiveness in creating a healthy environment and a safer world. **CLICK HERE.**

The Union of Concerned Scientists puts rigorous, independent science to work to solve our planet's most pressing problems. Joining with citizens across the country, we combine technical analysis and effective advocacy to create innovative, practical solutions for a healthy, safe, and sustainable future.

## Survey Instructions and Questions:

### Federal Media Policy Survey

#### Federal scientists and experts only please

The Union of Concerned Scientists is assessing media, social media, and non-media communications policies and practices in and amongst federal agencies that conduct science.

**If you are a federal employee, answering the following brief survey will help us with our work.** This is your opportunity to help us better understand how openly federal government scientists are able to communicate with the media and the public and how this communication could be improved.

**UCS ensures the anonymity of survey respondents.** Any evident connection between you and your survey responses will be kept completely confidential by UCS and will be destroyed before survey results are made public.

Please answer each question to the best of your own personal knowledge and **only participate in this survey if you work at a federal agency.** If there are any questions that you wish to elaborate upon, feel free to write a narrative response in the text boxes provided.

Please complete this survey on your own time and resources unless your supervisor has otherwise specified that these kind of activities are permissible on your government computer.

**The survey will close on Wednesday, January 2, 2013.** If you have questions about the results or goals of this survey, please contact Gretchen Goldman at [ggoldman@ucsusa.org](mailto:ggoldman@ucsusa.org).

Thank you in advance for your important and highly valued contribution to this research.

*Note: The word "communication(s)" broadly denotes any transmission of information such as through conversation, interview, written or online publication, etc.*

\*1. For which primary federal agency or department do you work?

(Select one of the available choices or enter a different value.)

- BLM
- Census Bureau
- CDC
- CPSC
- DOD
- DOE
- DOT
- EPA
- FDA
- FWS
- NASA
- NIH
- NIST
- NOAA
- NRC
- NSF
- OSHA
- USDA
- USGS
- Other – Please Specify

2. Please describe in a few sentences the procedure that is generally followed when you receive a request for information or an interview from a member of the media.

---

3. Do you have the right to express any personal views to the media or the public that have not been authorized by the agency, provided that you make clear you are not speaking for the agency and so long as you do not unreasonably use government time or resources?

- Yes
  - No
  - I am not aware of whether or not I have this right
- 

4. Please list any additional comments regarding the previous question here.

---

5. If you answered yes to question 3, do you feel free to exercise this right without risk of agency retaliation?

- Yes
  - No
  - Not enough information to respond
- 

6. Please list any additional comments regarding the previous question here.

---

7. Do you have the right to review, prior to publication, the final drafts of agency communications that are being published under your name and/or that substantially rely on your research?

- Yes
  - No
  - I am not aware of whether or not I have this right
- 

8. Please list any additional comments regarding the previous question here.

---

9. Are you required to obtain agency pre-approval for media interviews?

- Yes
  - No
  - Not enough information to respond
- 

10. Please list any additional comments regarding the previous question here.

---

11. Have you experienced inappropriate agency interference with media communications?

- Yes
  - No
  - Not enough information to respond
- 

12. Please list any additional comments regarding the previous question here.

---

13. Do you feel you can speak freely to the media?

- Yes
  - No
  - Not enough information to respond
- 

14. Please list any additional comments regarding the previous question here.

---

15. Since 2008 (or the date you began working at the agency, if later than 2008), how has your ability to communicate your scientific work to the public and to the media changed?

- Significantly improved
  - Somewhat improved
  - No change
  - Somewhat deteriorated
  - Significantly deteriorated
  - Not enough information to respond
- 

16. Please list any additional comments regarding the previous question here.

---

17. Based on information provided to you by your agency, is it clear to you how you may use social media tools with respect to your scientific expertise in your official and personal capacity?

- Yes
  - No
  - Not enough information to respond
- 

18. Please list any additional comments regarding the previous question here.

---

19. Is there anything else you would like to share with us regarding your ability to speak with the media and the public in your official or personal capacity?

---

20. If you are willing to speak further with us about your survey responses, please provide an email address where we can reach you:

---

## Appendix G: Federal Scientists Survey Responses

Below are all substantive responses to the survey of federal scientists on the Union of Concerned Scientists' Science Network. Of the 20,000 scientists and other technical experts who were sent the survey, 72 self-reported federal scientists from 17 different agencies and departmental units responded voluntarily and anonymously. All identifying information has been redacted to protect the anonymity of the respondents, but responses are otherwise unedited.

### Question 2: Please describe in a few sentences the procedure that is generally followed when you receive a request for information or an interview from a member of the media.

#### Bureau of Land Management

- “Need to contact external affairs division. They would sit in on interview.”
- “I'm not allowed to answer other than to tell them to see our public affairs officer.”
- “I am typically directed to talk with the reporter about my project and then the field office manager takes credit for my work. I routinely send letters to the editor that usually get published, and although my management thinks that I am a loose canon, the worst punishment I receive is disdain.”

#### Center for Disease Control

- “We refer them to our media department. If ok'd, they join us on the interview.”
- “I am supposed to direct the request to our media office, and I do so. However, because of the usually very slow (and often inadequate) response by our media office, I often provide detailed background information to the reporter, off the record, so the reporter can move ahead with preparing her/his story/report.”
- “I haven't received such a request. But I believe the procedure is to refer requesters to the communications people.”

#### Department of Energy

- “I work at . . . a DOE owned federal lab. I send an email to our public affairs office notifying them. If it is for an interview it is before the fact. If it is for information I may notify them after the fact if the information is publically available. Most of my media contacts are referrals from . . . public affairs office where I am the designated subject matter expert on the topic in question.”
- “We must forward all media requests to the communication people for them to answer. We can request to be cced on their response to the media.”
- “From our internal website: “When you receive an information or interview request from the media, . . . policy requires that you contact a Public Affairs media expert to advise them of the contact. The media expert usually will advise you to respond, or not, after evaluating the inquiry. He or she will brief you about relevant sensitive issues to be aware of when responding. Public Affairs media experts can also join you on a conference call with the media for an interview, or even field the inquiry for you. Using your best judgment, you may respond to simple, straightforward information requests but you must inform Public Affairs about the contact via e-mail or phone as soon as possible.”
- “I usually contact our public information office. However at times I have conducted interviews myself.”
- “As a retiree . . . I will have no problem telling them what I worked on. The sensitivity comes from an application of the resulting scientific data. Most of the work at the lab is scientific and publisheable. Sensitivity of information exchange relates to engineering information that relates to nuclear weapons.”
- “Pass the request to communications lead in my subprogram. Believe she makes the link to public affairs (PA), so they're aware contact with media being made. Usually someone from PA on the media call with employee who received original request when they speak to media.”

- “We must send this request to senior management to obtain their approval prior to an interview. For information about our program, I have the freedom to discuss it, as it's also available to all on our public website.”
- “I must contact HR and legal at . . . to receive authorization to have any contact with media.”

#### Environmental Protection Agency

- “Nothing that defined that I know of.”
- “It is referred to the Lab directors office. If a response is to be made, the response is reviewed and cleared first”
- “In the normal course of business I would not receive such a request. In other words, it would be a mistake. If it did happen I would probably refer it to my supervisor or to the Office of Public Affairs in the agency.”
- “I notify the Office Director's Chief of Staff. She typically determines if I should work with our public affairs staff or if I should answer directly.”
- “Only public affairs staff are able to speak with the media, unless approved by management.”

#### Fish and Wildlife Service

- “In the future, if you receive a call from the media, you should notify your External Affairs office before granting an interview or providing information, in order to give the agency the opportunity to determine how best to respond in an official capacity. If we determine that an official response is not warranted or designate another employee to serve as a spokesperson, you still have the right to speak to the reporter and offer your opinion in an unofficial capacity.”
- “Completed work is released to all requesting parties.”
- “We usually work through our communications person or External Affairs and they set up a contact.”

#### National Aeronautics and Space Administration

- “Answer it straight away if it is relevant, suggest others if appropriate. Once a week all contacts are reported to public affairs.”
- “We have a point of contact for the media. Requests from the outside are distributed to the appropriate people within NASA/. . . Likewise, if . . . ers want to speak with the outside, it is done with staff that can assist.”
- “I accept the request and then inform my management.”

#### National Institutes of Health

- “Email our division communications director. She will then arrange for either an email, phone or in-person interview and will prep us on how to answer questions.”
- “We contact our communications office for advice, approval, and interview prep.”

#### National Institutes of Standards and Technology

- “I have not received such a request yet as a government employee.”
- “At my discretion, I can answer directly or put the person in contact with my public affairs office.”

#### National Oceanic and Atmospheric Administration

- “A media request sometimes comes directly to me or sometimes through our PR person. I've never been told I can't accede to a request.”
- “I have no idea. I pass it to our communications team.”
- “One of two things happen, about equally often: 1. Our PR officer refers a media member to me and I do the interview, and the PR officer makes a record of it. 2. The media contact me directly, and I report it to the PR officer, often after already doing the interview.”
- “If I receive a request, I inform my superior and await further response from him/her”
- “The inquiry is referred to the office of public affairs.”

- “I’m not aware that there is a procedure other than to coordinate with the member of the media”
- “We are encouraged to contact our public affairs officer but are free to respond without doing so. I almost always contact the public affairs office, because they provide useful services and information.”

#### United States Department of Agriculture

- “Need to contact our public affairs person and she asks Forest Service Washington Office Public Affairs if it is OK to conduct interview. Must wait for reply so can put off some people but the reporter usually waits and the approval comes back in hours or at most the next day. It has never been denied.”
- “We refer such requests to our Legislative and Public Affairs unit, who works with the requestor and us to get them the requested information, if possible.”
- “The request is referred to the media specialist in the supervisors office (usually through the field supervisor) for . . . Scientists are censured and warned if they speak to the media on their own. To do so is considered a reprimandable offense.”
- “If media is local and topic is completely non-controversial, I can give interview. If media is major or topic is even somewhat controversial, I need to contact information staff at . . . HQ in . . .”
- “Officially, ‘Information staff should be alerted to all media inquiries from major national newspapers, magazines, and broadcast outlets, particularly when the topic is related to sensitive issues of the policies of other government agencies.’ In reality, we have received several e-mails from headquarters that prohibit us from communicating our science and opinions to specific news inquiries. This is particularly true with regard to us communicating to the media about pesticides and genetically modified crops.”
- “Usually for more political subjects, such as recreation related, we have our public affairs person involved. However, for matters relative to my expertise, . . . matters, I simply deal with the interview without any questions.”
- “I must contact my Area Office superiors and alert them to the request. I am then told how to respond. I am not allowed to converse with the media without this protocol being followed.”
- “I have never received a direct request from the media. In our agency, these request typically go to higher level offices, which then request the information form division directors. If a person is asked to give an interview directly, they must contact the publications office and receive permission to give the interview as an USDA representative.”
- “I generally forward requests to our information staff for approval to give the interview (and have never been turned down). Approval is generally granted in less than one day. That’s all I have to do. On sensitive topics (such as genetically engineered crops, etc), there is probably more oversight by the information staff.”
- “I am not allowed to speak we have a communications director for that”
- “from the media, we are to judge if the topic is among the "controversial" topics the Agency periodically gives us. If not, OK to chat. otherwise, authorization needed, or it may be passed to another”
- “Ceratin Science areas are deemed sensitive (e.g., climate change); alternatively, we are now asked to note any publications that are likely to attract media interest. THis adds an additional layer of approval that must be obtained before publications. In general any media contacts are required to be reported, and a media advisor is asked o comment and approve all such interactions. This does not stop the science from being reported on, but it does add an additional "spin" on any science given out to the general public.”

#### U.S. Geological Survey

- “Must notify Supervisor and relay a scope of expected interview. He can then immediately approve or can bump it up the food chain.”
- “I’m actually a scientist who works in outreach, so I will speak from that angle. When the media calls me, I try to direct them to speak with the most knowledgeable scientist on the subject. Our policy is that we not only LET scientists talk to the media but PREFER them to be the point of contact. Sometimes, however, scientists ask me to relay information to the media or speak for them because they are unavailable or concerned about sensitivities and would prefer not to be put on the spot.”

- “I am free to talk to the media at any time. After the interview I am asked to inform my public affairs officer about the media contact, subject, and anticipated publication date and outlet.”
- “I have had no problem talking to the media after getting clearance from my Center Director. Of course I shy away from policy and stick to science. I am also asked to wear my agency identifier clothing.”
- “This is largely left to our discretion. However, most of us have PhDs and we are discrete and generally believe in integrity. If something contentious comes up we are encouraged and generally motivated to discuss it with our Center Directors.”
- “Depends on the nature of the request. In general, I let my local supervisor or center director know of the request and provide a heads-up to our communications staff. Sometimes the requests come first through the communications staff, who direct the media to me to answer questions. I have never been prohibited from talking with the media, have received some brief training on how to conduct media interviews, and generally have had a supportive and positive experience when dealing with the media...in terms of working with our communications staff, as well as with the media.”
- “For a routine media inquiry, I usually respond to the reporter myself and then inform our communications people that I was interviewed or provided comment...or that I steered them to a better source/expert on the topic of interest. If it's a high priority area for the Administration or a potentially controversial topic or have several points of potential media contact, we usually develop talking points and Q&As so that everyone answers questions similarly. If it's something we know the Administration cares a great deal about, we share the fact we were interviewed or an article is coming out with appropriate people up the chain.”
- “Notify our public relations person.”

#### Other

- “Unless I believe it is a hot-button topic I just do it, and depending on how high-profile the media is I may/may not inform my site's public affairs officer. For a hot-button topic I might consult the PAO here or at higher levels how to proceed . . .”
- “Send to front office/Public Affairs Officer”
- “A request for any type of information from a non-DOD source (even other government agencies) must be routed through every chain of command that has any interest in the request. then it need approval from the legal department, then it must be re-submitted through the freedom of information act process, then if it makes it that far, it must be approved by flag-level officer. this process is so time consuming, that I have never been able to release any information to a non DOD entity.”
- “We are required to refer all questions from the public to Public Affairs. Inquiries from foreign nationals are reported to Office of Special Investigations.”
- “Must direct it to the public affairs official.”
- “Forward the request to the public affairs office of my installation . . . and my supervisor, and request permission to answer the question.”
- “I never do, but if I did I'm supposed to refer them to our Security office I believe.”
- “Scientific information must be cleared before being made public.”
- “No clue. The rules regarding this have never been made explicitly clear as the situation has never come up aside from FOIA requests. We handle said FOIA requests with utmost urgency and respect though.”
- “Depends on the topic in question. The majority of the time, I supply the requested information and arrange to complete the interview. If the topic covers a sensitive matter or materials, I usually alert admin to the request, but in my career I have never been told to not do an interview.”
- “Request permission from office of public affairs.”
- “We clear the request and talking points with our public affairs staff.”

**Question 4 - Additional Comments to Question 3: Do you have the right to express any personal views to the media or the public that have not been authorized by the agency, provided that you make clear you are not speaking for the agency and so long as you do not unreasonably use government time or resources?**

Bureau of Land Management

- “No additional responses”

Center for Disease Control

- “We have the right but most people would not, even if they said it was their personal view.”
- “Before I can be interviewed, I must receive approval from our media office. The media office closely monitors the interview. I can express my views to the public at public meetings and when members of the public contact me, but I can suffer repercussions if my agency's hierarchy disagrees with what I say. Often the agency requires prior clearance for any statement I want to make at a public meeting.”

Department of Energy

- “This has been communicated to all staff multiple times. They have asked that we not identify our affiliation with . . . because saying that we are not speaking for the agency may be ignored by the media.”
- “I may have the legal right, but it would not be wise to do so. Besides, when you are speaking and it is known that you are with an agency it may be difficult for the media to differentiate between your personal opinions and not relate them to the agency. You would be giving the media too much credit for being careful and precise in their interviews. They are not, as a general rule.”
- “I may not agree with the necessity for the size of Soviet and American stockpiles. However that leads into the START treaties, which are highly political. The fears and hopes of the negotiators are not totally clear to me.”
- “Up until one year ago, I had a lot more freedom to talk with others in the public sector. We now have new directors who feel they must control all information dissemination prior to its public presentation.”

Environmental Protection Agency

- “My interactions on the . . . committees that I'm on are considered entirely personal.”
- “MY guess is that I can say pretty much what I choose provided I make clear that I am speaking as an individual.”

National Aeronautics and Space Administration

- “There is (and should be) a difference between scientists employed as scientists to do research and scientists employed to help formulate regulations or policy - for the latter to express opinions on policies that are still being developed (and will likely be litigated) is not the same thing as individual research scientists discussing policy that has nothing to do with them or their agency.”

National Institutes of Health

- “I would not use "unreasonably use government time or resources". I would state "do not use government time or resources". On my own time I can express personal views as long as I don't do so as a representative of our agency.”

National Oceanic and Atmospheric Administration

- “My views on scientific integrity probably hold me back from saying things, more than agency policies.”
- “It's a good question. I instinctively avoid media.”

### United States Department of Agriculture

- “But I dont think i would! It is too complicated and I would have a lot of explaining to do to my supervisors.”
- “I did once and all promotions were subsequently denied . . . I received letters of reprmand for it. These letters occurred even when I did not speak to the media, but expressed it to co-workers and friends and the supervisor heard of it.”
- “Industry . . . holds a lot of power over what science is ultimately transmitted, either to the peer-review literature or the mainstream media.”
- “I personnaly don't pay much attention to agency policies - I work for the people and I do what I believe is the right thing for future generations. I do not hesitate to voice my concerns. I will, however, indicate any differences that I may perceive between possible agency responce and my personal responce.”
- “We can brief on the hill and express views as long as you do not acknowledge that you work for the agency and take leave for the time used.”
- “No one is likely to ask me!”
- “But not from my office and without reference to my employment (so just as a citizen from home).”

### U.S. Geological Survey

- “The technical answer is "yes" but experience (ie scars on back) says it is best to . . . and check up the food chain.”
- “Scientists are also allowed to speak their expert opinions as part of the agency record insofar as they stick to their area of expertise and avoid stating policy preferences and positions. At USGS, we distinguish science findings & knowledge (including professional interpretation) from statements policy positions. Meaning, we ask scientists avoid expressing recommendations on management decisions but they are free to interpret the science, which does sometimes include predictions about management outcomes. It is somewhat of a delicate balance, but we view this as a means to remain objective.”
- “I certainly have this right but do not exercise it. To do so would confuse the federal science role as honest broker.”
- “I work for the agency and we like to let our science speak for itself. My personal views have no bearing on my scientific work, so I believe that it is totally appropriate to stick to the facts and not deal with any advocacy or personal views when I'm representing the agency as a scientist.”
- “I would not contradict 'Federal opinions' that have been developed regarding particular topics because of litigation. Rarely would I feel differently than what was in that opinion, though, because if it's something I'm being contacted about, I likely had input into the development of that opinion.”

### Other

- “I know we have the right to express our private views as long as we state the disclaimer first, which I have used on many occasions. However, the agency makes it clear that speaking to the media at all concerning the government's policies and politics is prohibited.”
- “The public airing of any personal opinions may be prosecuted. this can be something as trivial as "i like your shoes””
- “I talk with friends all the time. Discussions with media would have to be unrelated to work.”
- “Comments regarded as disparaging or embarrassing to the agency (. . .) are grounds for disciplinary action.”
- “I cannot speak as an . . . employee without getting permission to do so. I can understand the need for agency execs to know what is being attributed to their agency. In the few cases where I have requested permission, it has been granted.”
- “My contact with the "media" has been solely at scientific conferences. Again, any release of scientifice information must be cleared before being made public.”
- “None”

- “I feel the right is clear, but an employee needs to be very careful to ensure that the media or public is clear that you're not speaking on behalf of the Department or using your Department affiliation. One should also be sensitive that this distinction is often lost on the media.”

### **Question 6 - Additional comments on Question 5: If you answered yes to question 3, do you feel free to exercise this right without risk of agency retaliation?**

#### Bureau of Land Management

- “I work for the most innocuous field office in the entire BLM. I am a career permanent employee that has no potential for promotion without relocating to another office. So, they can't really do much to me.”

#### Department of Energy

- “This would be dependent on the situation.”
- “There may not be overt retaliation, but there are consequences to that action. Those consequences may be other agency peoples personal agenda's or even supervisors.”
- “It depends on the reporters questions.”
- “I have already been severely chastised in my annual performance review, based on my belief that activities currently being condoned by senir management are not moral and even legal.”

#### Environmental Protection Agency

- “I did NOT answer YES to Q3.”
- “I am fairly confident that I can answer questions outside of my work, but cannot be sure what would happen if a political-level official objected to what I would have to say (I seriously doubt that a career manager would disagree with a scientific statement I made.”

#### National Aeronautics and Space Administration

- “I would be sensitive to saying that a project at my agency is a waste of \$.”

#### United States Department of Agriculture

- “These are kind of leading questions. I am interested in maintaining professional relationships so can't always say what i really think. It is my choice since govt culture is slow to adopt new ideas, etc.”
- “Retaliation did occur, and constantly with harassment both physical and sexual, until finally I was protected by the Whistleblower Protection Act, but the harassment continued anonymously, got worse, and was not prevented nor violators sanctioned by my supervisor. When beat up . . . , no punishment was given to my attacker except possibly a verbal warning, the least allowable by union rules.”
- “Threats of termination and relocation to undesirable research sites . . . are very real and have been made to myself with regard to my desire to publish”
- “Of course, there mis always the possibility of retaliation; but one's comments would have to be very divergent from the agencie's position. This usually occurs when the subject is very political. I always offer my resignation to my superiors if they feel I have digressed too far and have yet to be taken up on the offer.”
- “Management does not provide info I only have "need to know" including future plans, extraction schedules, and personal attendance I do not need to know if mgmt is out of town for two or more weeks)”
- “I'd be circumspect about topics that impinge on my Agency's work, at least tricky issues”
- “There is an article on science communication that appeared in Nature magazine a couple of years ago that highlights USDA science communication. I urge you to read it as background.”

### U.S. Geological Survey

- “Truly this is situational dependent. Commenting to Science on USGS FSP procedures got me in hot water once. But I would never not comment for fear of retaliation.”
- “I do think most scientists (including myself) do exercise caution in public statements to avoid being perceived as biased more so than out of a fear of retaliation. We prefer the weight of our statements to come from excellence in the design of the study and expertise in the subject matter, not personal opinion.”
- “Yes, but I know there can be variations of feeling free based on which center one is in, the particular center director, and other drivers.”
- “I don't think there would be agency retaliation...but it wouldn't be smart, professionally, for me to do that, because, like I answered previously, I have agreed with Federal opinions I've been asked about because I helped in their development.”

### Other

- “Fortunately, my area of work almost always results in good PR for the VA, so the procedure described above where I have been -- de facto -- given great latitude works fine. I'm sure if there were to be some "flap" about an interview I give I would be "dinged" for not fully going through channels every time.”
- “I have already been fired for misrepresentation and conflict of interest with regard to an energy event which I tried to arrange . . . , which was reversed through arbitration, so I am very careful about what questions I will even answer to media reporters.”
- “I've published several papers which, although based on publically accessible info, the agency tries to ignore”
- “I'm not all that important; I'm a midlevel engineer rather than an actual scientist, but I have only once ever heard anything about this type of issue in my . . . years. It was with respect to an explosion . . . and they wanted to downplay it in the media. They were worried it would get sensationalized and get the community scared. . . . though, and the whole installation is designed to handle this kind of incident with minimal damage. Nobody was hurt.”
- “None”

## **Question 8 - Additional comments to Question 7: Do you have the right to review, prior to publication, the final drafts of agency communications that are being published under your name and/or that substantially rely on your research?**

### Bureau of Land Management

- “There hasn't been a case of this yet.”

### Center for Disease Control

- “If this were not the case, I would refuse to have my name associated or listed with the publication.”

### Department of Energy

- “Rarely is this done in a vacuum, but is done using a team approach including upper management.”
- “This does not seem to apply to my respon
- “As a . . . employee, i have none of my own publications. However, i Responded in context to my opportunity to review language written about projects I oversee from . . .”
- “I do not conduct research per se, but am a program manager for a user facility conducting basic science research.”

### Environmental Protection Agency

- “That doesn't mean that we can make changes in the revisions made by the lab directors office.”

- “Such publications do not exist, nor are they likely to exist.”
- “The only article that I've published under my own name was cleared at the early draft stage. I did all the editing in response to peer review without further management review.”

#### National Institutes of Health

- “Not applicable”
- “I have not been faced with this situation, yet.”

#### National Oceanic and Atmospheric Administration

- “I'm not sure this would be considered a "right", but this is standard practice.”

#### United States Department of Agriculture

- “In the past few years briefing papers on my field of research were developed and shared with legislators and not with me. The Director that did that was removed from her position since she did lots of bad practices. Our current leadership asks for comments and shares more (but still makes bad decisions!)”
- “My EAs, BAs, and BEs were changed without my knowledge, and were sometimes caught by my . . . supervisor, who wanted to know why our conversations about . . . were not reflected in the documents. He also wanted to know about certain . . . sale units that were added at the last minute after my input was submitted.”
- “At least as far as I am aware of.”
- “When I was conducting research, I directly submitted manuscript myself after agency review; therefore I had last editing rights to the paper. The agency had no involvement with the paper after it was submitted, making it the work of mine and the coauthors. In my new agency withing USDA, I have reviewed the final draft of every communication I have written.”
- “I only publish in peer-reviewed publications and have not participated in agency communications.”
- “I presume your mean research publications”

#### U.S. Geological Survey

- “This is an important part of USGS policy.”
- “With the rare exception.”
- “USGS is extraordinarily good at this, in my opinion. Even in complicated press releases and other communications that need approval from programs and regions, communications office, DOI, and Administration offices...the scientist has the final word on the way the science is presented. Sometimes DOI or the Administration wants a sentence or two put in that put the science into context (that maybe the scientist isn't particularly happy about including)..but verbage on the science itself is at the approval of the scientist.”

#### Other

- “This is not a frequent occurrence for me (yet at any rate)”
- “I thought only the White House has the final review privilege as Bush exercised indiscriminately throughout his presidency. Furthermore, the US DOE also insisted in 2002 that a report's negative assessment of federally-funded . . . research be withdrawn by . . . Corp.'s . . ., who was then also fired. The independent report, ". . . was then sterilized by . . .for DOE review (. . .). I then learned from . . . personally that it was the first job he was ever fired from, which was even more egregious considering he was the man who brought . . . research to America from overseas and directed the DOE . . . program for a term.”
- “Theoretically, i have the right for final review, but it is very difficult to pursue this right. There have been many times where my writing has been modified to say something different than what i originally said & then published with my name as author.”
- “Tech Reports. Anything 'derived from' would not be 'under my name”

- “I am not aware of any case where agency communications are published in this manner.”
- “. . . a friend . . . was told by his division head that "that's not what the Captain wants to hear" when his report implicated . . . His boss changed his report and released it when he was on travel, but I have no idea whether his boss was speaking from any knowledge of the Captain's desires, or from his own expectation of what the captain would want. Frankly, I believe the latter; I would be surprised if an officer of significant rank did not want to get to the bottom of an incident like that. . . . didn't do anything because he thought it might affect his professional growth.”
- “I believe this is standard procedure, but I'm not sure if I would call this a "right.”

## Question 10 - Additional comments to Question 9: Are you required to obtain agency pre-approval for media interviews?

### Bureau of Land Management Other

- “I make an effort to be a good engineer, natural scientist, and soldier. When I think that something I believe to be scientifically true may cause heartburn, I run it up the flagpole. They rarely have problems, other than the disdain mentioned above.”

### Center for Disease Control

- “And the agency requires the questions from the interviewer beforehand, and reviews and clears my responses prior to the interview.”

### Department of Energy

- “Not required by policy but by common sense.”
- “This does not apply to my responsibilities when I was an employee publishing my work.”
- “I believe so, but am not absolutely positive.”

### Environmental Protection Agency

- “The media would not interview me.”
- “I can answer some basic background information on my core expertise, but I get on-the-record statements cleared.”

### Fish and Wildlife Service

- “In the future, if you receive a call from the media, you should notify your External Affairs office before granting an interview or providing information, in order to give the agency the opportunity to determine how best to respond in an official capacity. If we determine that an official response is not warranted or designate another employee to serve as a spokesperson, you still have the right to speak to the reporter and offer your opinion in an unofficial capacity.”
- “If the topic was politically sensitive there may be some coordination with other agency officials to ensure all interviews are consistent and aligned with communication strategies. Coordination is not intended to hide or suppress information.”

### National Oceanic and Atmospheric Administration

- “I believe this is true although I have not had requests”
- “Not required, but I would surely do so.”

### United States Department of Agriculture

- “Not required for local media of non-controversial topics.”

- “Only necessary if I'm being interviewed in my titled position. If someone wanted to interview me as a general . . . ist, I could do that without permission, but can't claim to represent the agency.”
- “Media interviews were generally not permitted at the field level except with the head supervisor. I have kept proof of death threats and harassment in a binbder at my house.”
- “Sometimes. It depends on the topic.”
- “I do not ask unless it is a highly political issue. I do not like politics and, therefore, typically stay with the science.”
- “Rather glad that is not in job description”
- “This is required, however many administrators have been slow in cottoning on to the full range of media (e.g. "webinars", radio blogs) that are available and not always covered in official policy.”

#### U.S. Geological Survey

- “Again, I notify just to be sure.”
- “I would qualify this as "sometimes", or it depends.”
- “Sometimes, if it's a particularly controversial topic the person contacted by the media might run it up the chain just to let people know...talk about potential concerns, but as far as I know, this is not an agency mandate, it's because the scientist wants to let people know and to not catch higher ups by surprise.”

#### Other

- “Employees at our agency have been fired for certain statements made publicly even after obtaining permission to give a particular speech.”
- “Not allowed to do any media interviews- even about topics that have nothing to do with my job.”
- “I have not been approached for an interview.”
- “I'd say yes, if it concerns work I'm doing on the base. We do handle some classified and secret material from time to time, though I rarely am exposed to it.”
- “None”

### **Question 12 - Additional Comments to Question 11: Have you experienced inappropriate agency interference with media communications?**

#### Center for Disease Control

- “During one interview, our media representative tried to stop me from answering a question. The interviewer asked the media representative to refrain from interfering with the interview.”

#### Environmental Protection Agency

- “inappropriate no...they would like us to speak with one voice...not a collection of scientists with lots of opinions...”

#### National Aeronautics and Space Administration

- “This applies for recent times - back in the Bush administration it was a different story.”

#### United States Department of Agriculture

- “I have seen USDA . . . try to make . . . authors retract a paper since they didn't like the results - contact . . . It also happened to me in 2004. USDA . . . sent me a letter not to publish a paper and they did not state what was wrong with the paper. It was about . . . and at the time it was an inconvenient truth. I did not publish the paper.”
- “NEPA was usually tampered with. This is called "editing" by the supervisors. See above. Generally my activities interfered with "Productivity awards" which diminished if I found . . .or any . . . wildlife.”

- “I was specifically told not to communicate to a reporter . . . interested in writing a story on the use of legal restrictions imposed by . . . This prompted . . . to write a paper for . . . on federal scientists' inability to speak to the media.”
- “I will indicate that I have seen much inappropriate interference (or misleading information) from the environmental organizations presumably to get more memberships.”
- “Difficult to determine if the interference was organized, or simply due to the incompetence of the media relations person.”

#### U.S. Geological Survey

- “Not within USGS.”
- “Inappropriate' is a subjective term. I had one experience where . . . and then our Director wanted something in a press release that I (as an author) did not. The change was not just automatically made. A conference call was convened with . . ., our Director, head of our communications, my supervisor, and myself to discuss the issue. A compromise was made that was satisfactory to all. The issue involved the use (and potential implications) of specific word choices--not the actual scientific findings.”

#### Other

- “Every year a S . . . memo is circulated usually by hard copy only. On . . . 2008, the . . . memo stated certain areas of concern were objectionable because they "would have a strong impact on the patent community" "would potentially generate extensive publicity" and "application with pioneering scope" that "would generate unfavorable publicity" all of which seemed to me to be an abuse of authority so that a Whistleblower Act complaint could be filed.”
- “Individuals are not authorized to address the media without prior approval”
- “None”

### Question 14 - Additional comments to Question 13: Do you feel you can speak freely to the media?

#### Bureau of Land Management Other

- “Again I have to tell them to contact the public affairs officer”

#### Center for Disease Control

- “But I do anyway, off the record.”

#### Department of Energy

- “Yes as long as I do not mention the agency. If I do mention where I work then I am at risk if I say anything about . . . or DOE that is not appropriate.”
- “As an individual yes, as a lab representative, we need internal clearance prior to media interactions.”
- “Yes from my agency's perspective. No from a perspective of what the interviewer may actually publish. Media can get the facts and statements quite wrong at times.”
- “After contact, I don't feel constrained in what I can say by agency policy. Possibly would carefully choose words to not reflect poorly on projects in the portfolio I fund. There will naturally be winners and losers in high risk areas of research.”
- “All communication are supposed to be cleared with lab directorate prior to release.”

Environmental Protection Agency

- “Anything I might want to say would have to be cleared first. The clearance process stifles any spontaneous debate.”

National Aeronautics and Space Administration

- “Hey, I'm an . . . My science doesn't usually impact policy.”

National Oceanic and Atmospheric Administration

- “The office of public affairs vets all media exposure.”

United States Department of Agriculture

- “To the extent that my peers won't stop talking to me. I already have been labeled as trouble for some administrators (so they removed me from . . .).”
- “I speak freely to the media regarding agriculture and new developments in pest management, but I am always waiting to be slapped down by HQ.”
- “We must contact staff before interviewing with the media. Additionally, with the current lack of the farm bill, our policy office would like us to conduct them with certain questions pertaining to specific programs so that they are answered in the correct legal manner. I have not seen this as a problem, as it prevents me from saying things for which I do not have the legal authority to do so.”
- “There are shades of subtlety here; often the media are focused on a specific issue, and don't want other information as to the bigger picture. If there are more media, they also appear to be more fractured, i.e., going for a story that appeals to a specific demographic.”

U.S. Geological Survey

- “As long as I avoid policy.”

Other

- “Only if it is on topics unrelated to my work for the agency.”
- “Some defense matters are not suitable for public disclosure, and I respect that.”
- “Once I have been given clearance to speak about a topic, then I feel free to speak.”
- “See #10.”
- “None”

**Question 16 - Additional comments to Question 15: Since 2008 (or the date you began working at the agency, if later than 2008), how has your ability to communicate your scientific work to the public and to the media changed?**

Center for Disease Control

- “While there is more scrutiny, there is also a level of commitment to quality that you are representing the agency, not yourself.”
- “Somewhere between no change and somewhat deteriorated because of the intense media and Congressional interest in the projects I work on.”

#### Environmental Protection Agency

- “I am not a research scientist.”
- “This did not change across administrations.”

#### National Aeronautics and Space Administration

- “We have come a long way since the dark ages of the last few years of the Bush administration.”
- “Ask the NASA climate scientists this question!”

#### National Institutes of Health

- “We now have access to social media sites at work but our activities are more restricted because of it.”

#### National Oceanic and Atmospheric Administration

- “Began work at NOAA in 2010 . . . post Bush”
- “My experience relates only to publication in peer reviewed journals.”
- “I never had problems before, but now NOAA has explicit policies that should prevent problems. I helped develop the policies, so I'm very aware of them.”

#### United States Department of Agriculture

- “I retired in . . . I can say what i damn well please now, but thay generally ignored me or my NEPA input until I threatened a lawsuit for non-response.”
- “USDA Secretary Tom Vilsack seems to have been particularly harsh on scientist communications to peer review journals and the media. There is a very real fear of retaliation.”
- “There is more scrutiny in the past 4 years.”
- “training files removed, travel limited in last fiscal year”

#### U.S. Geological Survey

- “I have nothing but deepest contempt for USGS FSP procedures. I feel it intrudes on my ability to operate as a scientist.”
- “I think the freedom to share information is there, but there is sometimes a heavy burden of internal review that has a chilling effect and slows down the ability to crank out publications. Those policies have improved in the last 4 years, now allowing concurrent internal and external reviews for peer reviewed journal publications.”
- “Waaaay improved in that we can say 'climate change'!!! (In fairness, that change was made at the end of the last Bush administration..but that was a difficult situation to be in...) The O'Bama Administration, in my opinion, is more involved in what we do than the Bush Administration (or any other administrations during my Federal service). They ask for and read primary publicatoinis, they want to know what's going on, they have positive input, they want the information out, they demand greater accountability. They are more involved, in my experience, in media relations, as well, but the involvement to be aware of issues that may blow up in the media and to unify messages from Federal folks to improve our clarity and impact.”

#### Other

- “I can speak to the media only if it is on topics unrelated to my work for the agency.”
- “I haven't been doing defense-related scientific research in that time-frame”
- “None”
- “I haven't worked here very long.”

## Question 18 - Additional comments to Question 17: Based on information provided to you by your agency, is it clear to you how you may use social media tools with respect to your scientific expertise in your official and personal capacity?

### Bureau of Land Management Other

- “Social media post run through agency external affairs for official use. Its unclear about personal use.”

### Center for Disease Control

- “We have training in all aspects of what is appropriate use and what is not.”
- “All social media tools are controlled by the agency hierarchy and media office.”

### Department of Energy

- “It seems impossible to simultaneously describe my place of employment on a social media site and abide by my employer's requirements of speaking only as an individual.”
- “This is new and management has not really addressed this issue yet.”
- “The rules of what is sensitive nformation are clear, but do not relate to my work.”

### Environmental Protection Agency

- “I don't use social media...just too busy.”
- “I do not use (much) social media (aside from email). There was a policy statement which I skimmed, since it did not apply in my case, since I do not use social media.”
- “We have had meetings and training on how best to use or not such social media tools.”

### National Aeronautics and Space Administration

- “All such use is non-official.”

### National Institute of Standards and Technology

- “I don't recall any instructions regarding the use of social media.”

### National Oceanic and Atmospheric Administration

- “I use social media sparingly in relation to my professional duties.”
- “Have not had any training although government progress in social media is quite slow. For instance, CPC inside NOAA just created a facebook account within the last year . . . .”
- “I do not use social media.”
- “I'm not too interested in social media”

### United States Department of Agriculture

- “No information was genrally ever provided for . . . years, except for oral threats by supervisors or co-workers that I was preventing their productivity awards and bad things would happen to me because I was costing them money for finding . . . species.”
- “The policies are written so vaguely that the . . . can and does suppress papers that may be inconvenient for other government agencies and industry.”
- “There has not been very much progress in this.”
- “It is clear that I cannot use social media at all in in my official capacity and that I cannot talk about my professional work via my social media use in my personal capacity. Twitter and facebook accounts are agency specific and only

one person has the authority to access them. If we want to tweet something in an official capacity, we must send the tweet to them via email so that they can release it.”

- “I don't use social media”
- “‘loose lips sink ships’ appears to be management's motivation; we have access only to our own data and that limited amount trickled down for our ‘needs’”
- “we are barred from social media, basically, and are not to use Skype, uTube etc. for reasons stated to be “computer security””

#### U.S. Geological Survey

- “It's mostly clear how to use social media, it's just a new frontier and it's been a challenge to discover the “art” of using it to convey serious information. It's mostly used for “gee whiz” kind of science communication or to link back to our websites and more serious, substantial information.”
- “We have been encouraged to use social media -- judiciously -- to get our science message out. In my research relating to highly contentious river management issues we have found social media to be extremely useful to communicate to our diverse audience.”
- “I think that our use of social media is evolving and that policies are being put into place as we go along and new media continue to emerge. It's a developing policy, so there is understandably some uncertainty.”
- “But this is an evolving process. Controls are tight, in my opinion on social media, but I'm not sure how much policing is done to ensure compliance or how widely our policies are understood by those using these media.”

#### Other

- “I would do whatever I want, but probably through my university account/support for social media.”
- “I can speak to the media only if it is on topics unrelated to my work for the agency.”
- “If I engage in social media, everything I write will be reviewed by our security department. These answers will be reviewed by my security department.”
- “Not in my official capacity.”
- “None”

### **Question 19: Is there anything else you would like to share with us regarding your ability to speak with the media and the public in your official or personal capacity?**

#### Center for Disease Control

- “Not sure I should even be doing this survey.”

#### Department of Energy

- “Back in the . . . I worked for the . . . and the ability to speak freely was not as good as it is here in DOE. This may be due to my different position and an evolution in federal management policies. One must be careful of for several reasons including: -It may affect your office politics, jealousy, differing covert political agenda's, etc. -The media can really screw up the facts or statements you make and many times have an agenda of their own they do not tell you about. -There are usually facts and details that you are unaware of regarding the issue you are speaking about. Management may not be telling you things you should know, there may be a history with some publics you are unaware of, etc., etc.”
- “I haven't heard anything around the office of any others having experiences speaking to their science.”
- “I am also not allowed to communicate with members of congress without prior approval from . . . Laboratory.”

#### Environmental Protection Agency

- “My official capacity barely exists. And in my personal capacity I feel reasonably free to say whatever I like, although the audience would be quite small.”

#### National Institute of Standards and Technology

- “My work does not touch on any topics that could be regarded as controversial. I have never been asked a question for which my personal views differed from my agency's policies.”

#### National Oceanic and Atmospheric Administration

- “Only that I try to keep my use of my NOAA email address to a minimum when communicating with outside entities or media representatives. If possible I carry on email contacts through my personal address and I use my contract affiliation . . . rather than where I work (NOAA research lab). This is just a conservative policy of my own, not a requirement imposed by a higher authority.”
- “From my observations, there seems to be a free ability to speak with the media in an official capacity with little oversight from non scientists (public relations).”

#### United States Department of Agriculture

- “I actually went to the trouble of getting agency approval for Tweeting items of interest to the agency, but not in an official capacity. They were receptive to that and I have never received negative feedback.”
- “Is there any law against speaking my facts and mind in . . . ? Is there any recourse for what they did when I was employed? What about the physical assaults and beatings? Statute of limitations apply? Below, I'd prefer to speak by phone: . . . I don't type very fast anymore....”
- “There is a general vagueness in my agency . . . about media access. Agency wants to be informed, but how much this is to restrict access versus keeping track of public impact of research is unclear to me.”
- “Resources misappropriated”
- “Talking with Congress is another story, for which we must complete a contact form after the conversation (I suppose so no one gets blindsided, which I can appreciate).”

#### U.S. Geological Survey

- “Hope you'll publish the survey results so I can see how everyone responds!”
- “I read and enjoyed the 2008 report and felt like it was an accurate assessment of USGS because it said something about scientists being free to access the media but the policies were unclear. This has improved somewhat but policies are still a bit confusing and I'm afraid sometimes the ambivalence is by design or due to lack of willingness to commit resources to professional outreach, so scientists don't know who to ask about the policies.”

#### Other

- “To-date I have been free of much interference and the VA locally, regionally, and nationally has reaped some major PR benefits from my work. But it has to-date pretty much all been "positive messages". Who knows what it would be like if my work ended up finding or highlighting negatives in the system.”
- “I have gone on record here at the agency since . . . as being in favor of equal treatment of . . . applications instead of the continued discriminatory . . . listing. The Commissioner . . . stated in my arbitration hearing that this was one of the reasons that he felt that I could "not be trusted." Within a year of my reinstatement in . . . , I was subjected to entrapment which resulted in another proposed removal even when my supervisor knew my wife was undergoing . . .”
- “I am not allowed to have a personal opinion about anything”
- “The public, although some important info is available on . . . , is generally not technically well-informed”

## Appendix H: Sample Freedom of Information Act Request

Below is the language used in the Freedom of Information Act (FOIA) requests we sent to agencies. We submitted the FOIA requests to obtain official agency media and social media policies not publicly available, along with any additional information, guidance, or discussion about how these policies were interpreted and implemented in practice.

Text in [brackets] was modified to include requests or language specific to a given agency.

### Union of Concerned Scientists

1825 K St., NW • Suite 800  
Washington, DC 20006-1232  
202-223-6133 Fax: 202-223-6162

DELIVERED BY [METHOD]

[Date]

[Address]

Re: FOIA Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act, 5 U.S.C. 552, we request access to and copies of all records and information including, but not limited to, documents, internet materials, memoranda, notes, letters, e-mail, employee handbooks, employment contracts, workplace posters, annual reports, and other records relevant to, or contained in any file, official or otherwise, pertaining to:

1. Any policy, whether known by the terms media, social media, new media, communication, information, dissemination, publication, or public affairs policy, or any combination of these or other labels, governing communications including, but not limited to, telephone calls, interviews, press releases or media advisories, and press conferences, between agency employees and the media, whether by print, broadcast, internet, or otherwise (henceforth “media communication policies”), EXCLUDING [policies found through prior UCS research];
2. Any policy, whether known by the terms publication, communication, information, dissemination, congressional, or public policy, or any other combination of these or other labels, governing the review, approval, publication, and/or presentation of scientific information gathered and/or expressed by agency employees including, but not limited to, scientific reports, journals, articles, web postings, conference presentations, congressional testimony, directed at the scientific community, Congress, or the general public (henceforth “non-media communication policies”);
3. Any supporting materials including, but not limited to, guidelines, notes, frequently asked questions, memoranda, status sheets, templates, instructions, reports, explanatory or introductory letters, and training materials, developed to assist in the interpretation, clarification, implementation, and enforcement of said media and non-media communication policies;

4. Any agency employees' complaints and/or suggestions regarding said media and non-media communication policies;
5. Any mechanisms, protocols, or other systems developed for the evaluation, review, and/or updating of said media and non-media communication policies by agency officials, agency employees, media personnel, or other individuals;
6. Any mechanisms, protocols, or other systems developed for reporting and resolving disputes, conflicts of interest, or allegations of misconduct in media communications or in the implementation of said media and non-media communication policies;
7. Any records relating to said media and non-media communications policies that contain the statutorily-prescribed addendum of the anti-gag statute<sup>1</sup>;
8. Any references to the Whistle-blower Protection Act (WPA)<sup>2</sup> made in relation to said media and non-media communications policies; and
9. Any references to "Sensitive but Unclassified" (SBU) information made in relation to said media and non-media communications policies.

### **Additional Instructions**

When possible please identify what request(s), numbered one through nine above, each item that your agency discloses is responsive to. If any of the material covered by this request has been destroyed or removed, please provide all surrounding documentation including, but not limited to, a description of the action taken regarding the materials and justification for those actions taken. For any documents or portions you deny due to a specific FOIA exemption, please provide a *Vaughn* Index (*Vaughn v. Rosen*, 484 F.2d 820, 827 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974)), including a detailed justification of your grounds for claiming such exemption and explanation of why the exemption is relevant to the document or portion of the document withheld.

The Union of Concerned Scientists (UCS) requests that all fees incurred in connection with the attached request to your agency be waived, because "disclosure of the information is in the public interest and is not primarily in the commercial interest of the requester." 5 U.S.C. §552 (a)(4)(A)(iii). See below for further justification for our fee waiver request.

The Union of Concerned Scientists consents to the deletion of any material that would violate an individual's rights under the Privacy Act. We will work with your office to further refine the request if you find any terms too imprecise, conduct searches for unclassified responsive records, or engage in any other reasonable activities that would lessen the agency's burden and costs.

Since the request is extensive we are happy to work with your office to prioritize the various searches and we would prefer to receive the responsive documents in batches as they are collected.

<sup>1</sup> Currently at Sec. 715 of H.R. 2055, the "Consolidated Appropriations Act, 2012."

<sup>2</sup> 5 U.S.C. 2302(b)(8).



## **The Requesters' Public Interest Status and History**

The Union of Concerned Scientists (UCS) is a non-profit, non-partisan, public interest organization chartered under IRS Code §501 (c)(3) as a non-profit, educational and charitable organization. We seek to serve the public by working for a healthy environment and a safer world. We do this by combining independent scientific research and citizen action to develop innovative, practical solutions and to secure responsible changes in government policy, corporate practices, and consumer choices.

UCS is actively involved in working with government agencies, elected officials and the public toward solutions to ensure that the best possible science is available for policy-makers to use in crafting the policies that protect human health and the environment. One research aspect of this effort is focused on how freely and openly scientific information is communicated to the media.

## **Dissemination of the Requested Information**

In our efforts to promote respect for federal scientists and the work they do, UCS works closely with Members of Congress, the media, and the public to alert them to any abuses of science in the federal policy-making process. The documents and other materials provided to USC in response to this FOIA request will be used in connection with a campaign aimed at informing key decision-makers at the federal level, the general public, and self-selected subscribers.

The combined circulation and viewer-base of our national, regional, and self-subscribed outlets ensure that the information will, indeed, be widely distributed to diverse segments of the public who will benefit from the authorized disclosures concerning federal policy-making. As a consequence of this dissemination, public understanding and trust of government operations will certainly be enhanced.

## **Non-commercial Use of the Requested Information**

Disclosure of this information by UCS is in no way connected with any commercial interest since UCS is a non-profit, tax-exempt organization under §501 (c)(3) of the IRS Code. The information we are seeking is crucial to advance public knowledge and will not be put to any commercial use.

Please be reminded that under the Freedom of Information Act, we are entitled to a response to this request within twenty working days. Should this request be denied for any reason, we ask that a detailed explanation be provided along with the name of the person to whom administrative appeals should be addressed. If you have any questions regarding this request we would appreciate you contacting us directly by telephone or email, rather than by mail.

Thank you in advance for your assistance and cooperation.

Sincerely,



Gretchen Goldman  
Paul Rogerson  
Union of Concerned Scientists  
Telephone: 202-331-5664  
Fax: 202-223-6162  
ggoldman@ucsusa.org  
progerson@ucsusa.org