Alondra Nelson Deputy Director Office of Science and Technology Policy The White House

Jane Lubchenco Deputy Director Office of Science and Technology Policy The White House

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Dr. Nelson and Dr. Lubchenco:

Our organizations represent thousands of journalists whose work includes seeking honest and timely answers from government agencies on matters that are important to the members of the public these agencies represent. We are hoping to meet with the White House Scientific Integrity Task Force to discuss crucial ways to protect against federal interference in this work.

Our job is intentionally hindered by the U.S. government in many ways, including barring government scientists, issue specialists and other government employees from communicating directly with reporters and even refusing to allow interviews of such scientists or specialists, even with oversight by a public information officer. These barriers to obtaining accurate and authoritative information <u>are now widespread</u>, prompting dozens of groups to call for change in <u>letters</u> to Congress and past presidential administrations.

A comprehensive <u>analysis</u> by First Amendment attorney Frank LoMonte found that existing controls are unconstitutional and that many courts agree.<sup>i</sup> And no less than seven surveys from 2012 to 2016 have shown controls have become common at federal, state and local levels, in health, education, environment and science, and — perhaps most chillingly — in police departments where information has become increasingly important to ensure all members of the public are treated equitably.

We would like to see the task force recommend that agencies:

- eliminate restrictions on employees speaking to reporters without notification of authorities, especially before but also after the contact;
- credential journalists to enter, without escort, any area of federal facilities where most employees are allowed to enter;
- and make it standard policy that when reporters voluntarily contact public information offices, they are allowed to speak to the people they request.

These changes would eliminate restrictions and policies that have become pervasive in federal agencies but that are relatively new. For much of President Joe Biden's Washington career they were either nonexistent or not nearly as stringent. Sadly, they have now become the norm.

In just one shameful example, with pandemic deaths mounting in 2020, <u>emails show</u> that Centers for Disease Control and Prevention officials told press office staff that one disfavored news outlet should probably not be granted interviews and that, "Just because there are outstanding [press] requests or folks keep getting asked to do a particular interview does not mean it has to be fulfilled."

This is a nuanced situation. We are advocates for the free flow of information but also realists. We emphasize to the task force that journalists understand that sometimes some information must remain confidential and that public information officers can be and often are helpful to journalists.

However, scientific integrity is threatened when rules pressure people not to speak without controls or notification of people in power. Agencies that control the public scrutiny of themselves can develop critical weaknesses and be subjected to political interference.

For more information or to schedule a meeting, please contact Jennifer Royer, SPJ communications director, at 317-361-4134 or jroyer@spj.org.

Again, we welcome the opportunity to discuss and improve this troubling situation.

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Cc:

Dr. Francesca Grifo Scientific Integrity Official Environmental Protection Agency

Dr. Anne Ricciuti Deputy Director for Science Institute of Education Sciences U.S. Department of Education

Dr. Craig Robinson Director Office of Science Quality and Integrity U.S. Geological Survey, Department of the Interior

Mr. Jerry Sheehan Deputy Director National Library of Medicine National Institutes of Health

<sup>&</sup>lt;sup>i</sup> LoMonte's longer discussion is in a <u>Kansas Law Review</u>.