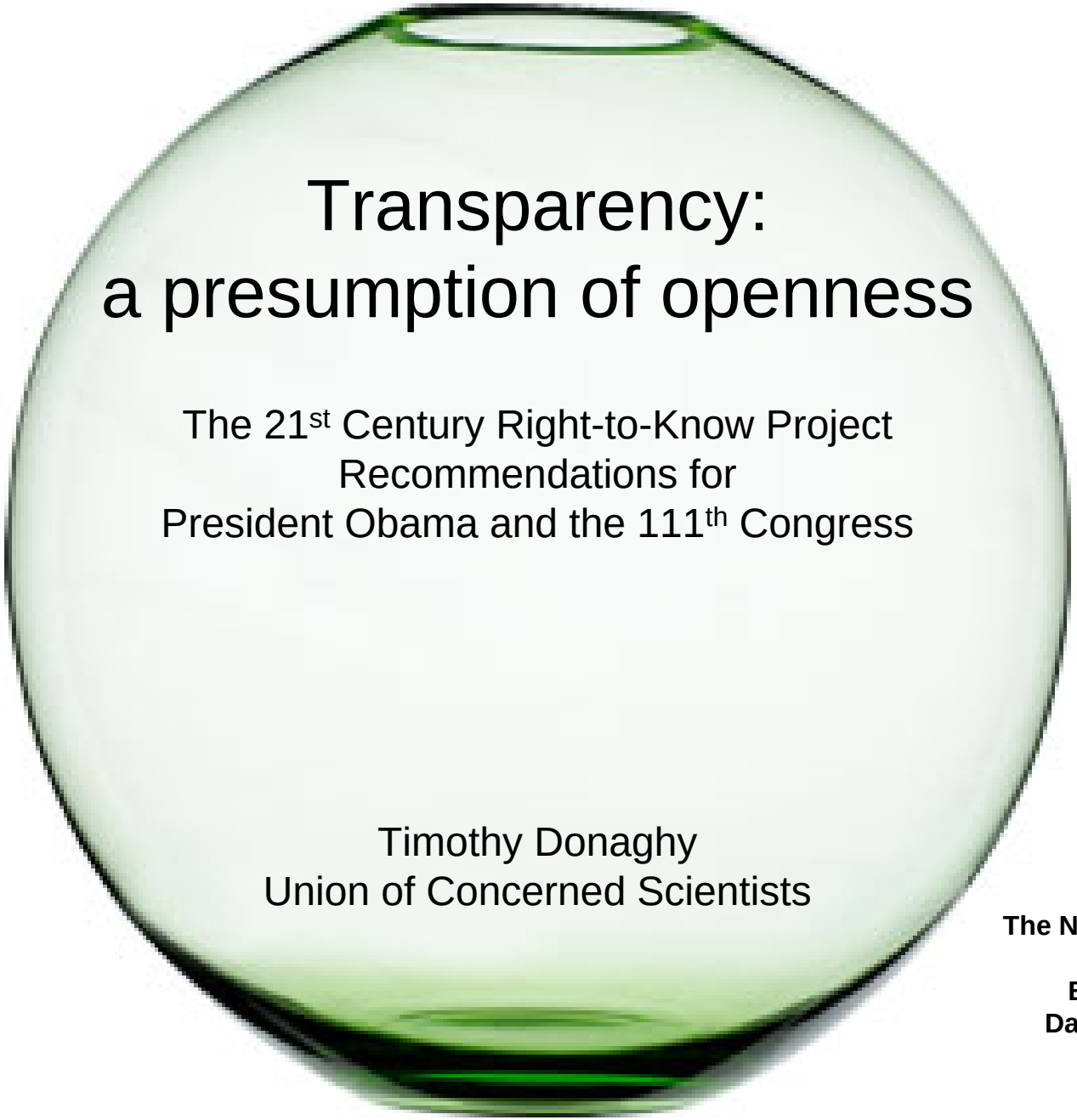


Transparency: a presumption of openness

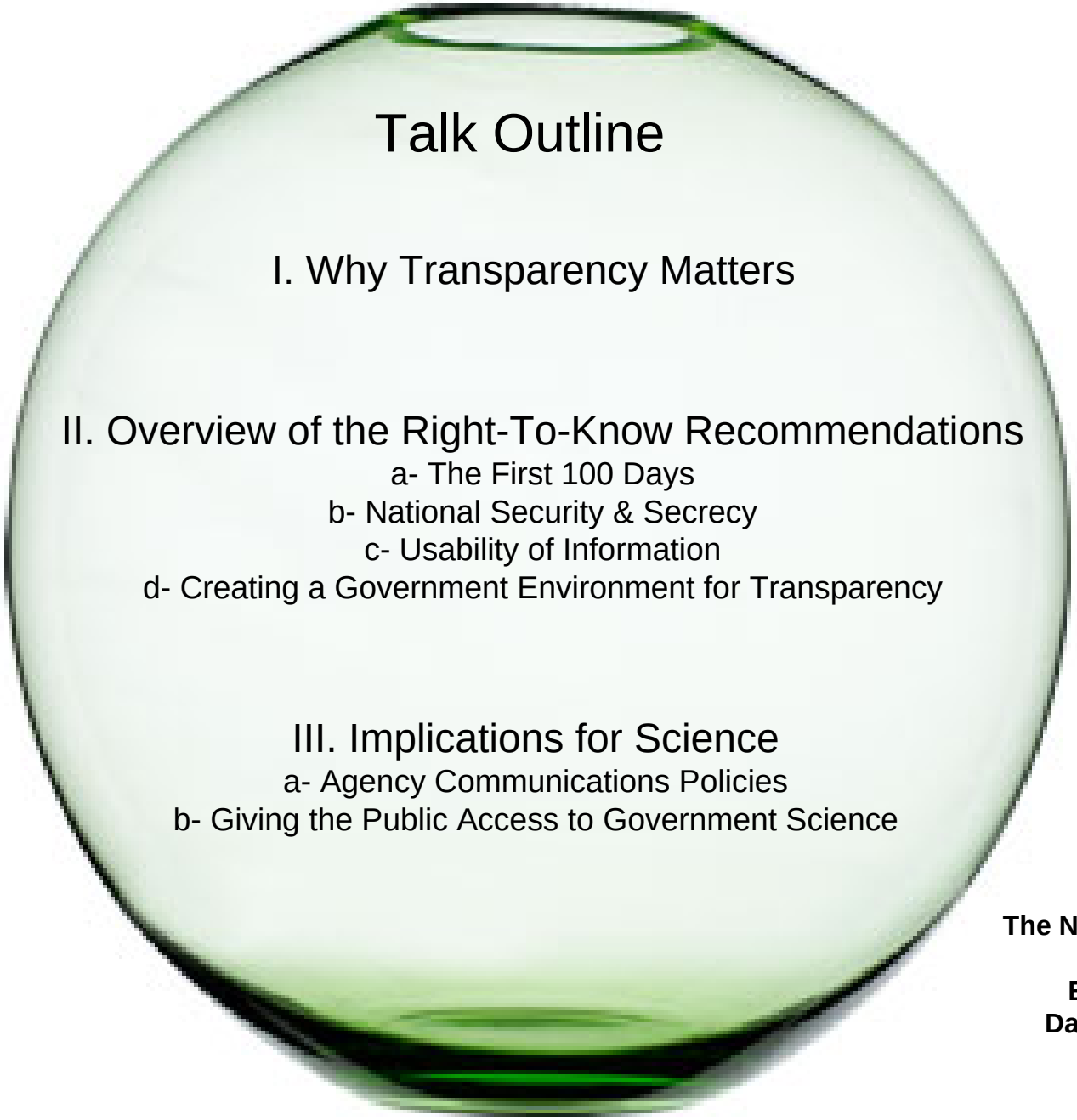
The 21st Century Right-to-Know Project
Recommendations for
President Obama and the 111th Congress

Timothy Donaghy
Union of Concerned Scientists

The National Academies

Board on Research Data and Information

January 30, 2009



Talk Outline

I. Why Transparency Matters

II. Overview of the Right-To-Know Recommendations
- a- The First 100 Days
- b- National Security & Secrecy
- c- Usability of Information
- d- Creating a Government Environment for Transparency

III. Implications for Science
- a- Agency Communications Policies
- b- Giving the Public Access to Government Science

The National Academies

Board on Research Data and Information

January 30, 2009

Union of Concerned Scientists

Citizens and Scientists for Environmental Solutions

Political Interference in Science

The UCS Scientific Integrity Program investigates, documents and exposes

- suppression or manipulation of scientific findings for political or ideological reasons
- censorship of government researchers

We organize scientists and citizens to advocate for reforms to protect the integrity of science in federal decision making

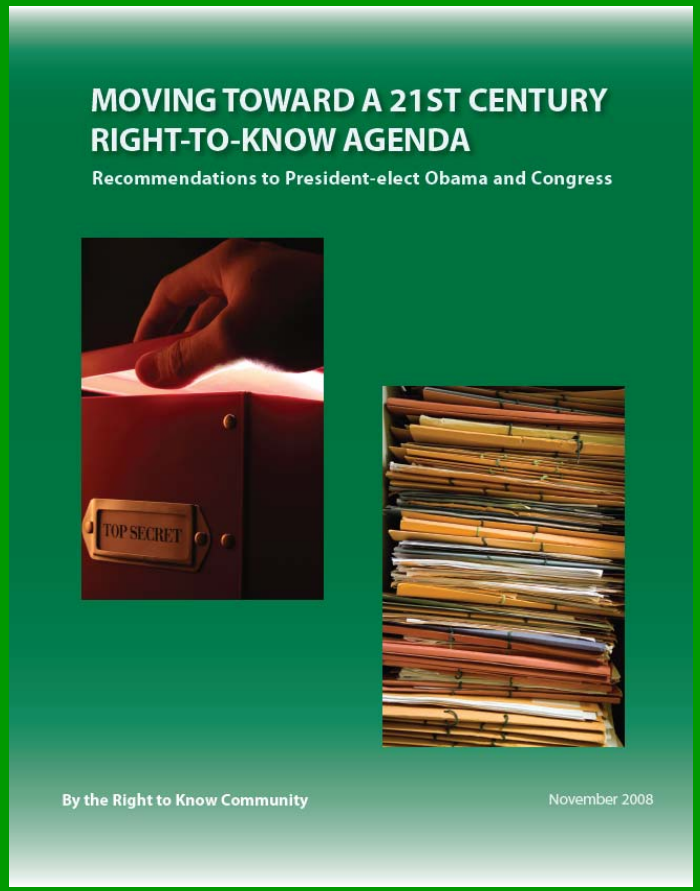
Why Transparency Matters

- Democracy depends on well-informed citizens having access to reliable information about their government's activities
- Science also thrives in an open environment where researchers are free to exchange information and ideas
- Sunlight is the best safeguard against abuse of science
- Technology provides many opportunities to expand transparency

A presumption of openness, rather than secrecy

The 21st Century Right-To-Know Community

http://flickr.com/photos/jim_babbage/133053522/



- Transparency recommendations
- Released November 2008
- Broad, bipartisan collaborative project
- Convened by OMB Watch
- Surveys and listening sessions
- 3 expert panels
- 117 conference participants
- 73 groups and over 180 individuals endorsed the final report

Full report:
http://www.ombwatch.org/21strtkrecs.pdf

MOVING TOWARD A 21ST CENTURY RIGHT-TO-KNOW AGENDA

Recommendations to President-elect Obama and Congress

The First 100 Days

1. Statement in Inaugural Address
2. Instructions to agencies on openness
3. Invite public to identify top documents for release
4. EO to provide access to historical presidential records
5. Instruct Attorney General to increase openness under FOIA

http://flickr.com/photos/carpevia/3214965078/

MOVING TOWARD A 21ST CENTURY RIGHT-TO-KNOW AGENDA

Recommendations to President-elect Obama and Congress

National Security and Secrecy

- Overclassification
- Pseudo-Secrecy (CUI)
- State Secrets Privilege
- State and Local Secrecy
- Failed Checks and Balances

MOVING TOWARD A 21ST CENTURY RIGHT-TO-KNOW AGENDA

Recommendations to President-elect Obama and Congress

Usability of Information

- Interactive Technology and Government Information
  (i.e. FOIA, budget, regulations…)
  (role of CTO, E-Govt Admin…)
- "Searchable, Sharable, Usable"
  (open-source, syndication, metadata…)
- Electronic Records Management
- Scientific Openness and the Media
  (more below)

MOVING TOWARD A 21ST CENTURY RIGHT-TO-KNOW AGENDA

Recommendations to President-elect Obama and Congress

Creating a Government Environment for Transparency

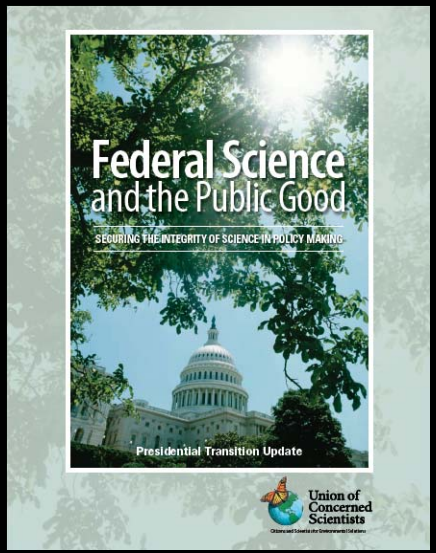
What can the President do to "change the culture" of federal agencies towards one of disclosure?

- Job Incentives to Promote Disclosure
- Whistleblower Protections
- Leadership and Policy Statements
- Resource Requirements
- Improved Oversight/Enforcement
- Long-Term Vision of Government Transparency

Implications for Science

Working scientists are affected by all of the above issues, for example:

- Classification and CUI
- Use of government databases in research
- Scientific information in regulatory context
- Scientists who are federal employees



Highlight two issues:

- Censorship and agency communications policies
- Making government science available to the public

Photo: National Geographic

Censorship of Federal Scientists

Federal scientists have been :

- Prevented from speaking to the media
- Replaced in requested media interviews with other scientists or political appointees
- Prevented from presenting research results at scientific conferences

In UCS surveys of federal scientists:

1,413 scientists reported fearing retaliation for speaking out about the work of their agency

Photo: National Geographic

Freedom to Speak?

A Report Card on Federal Agency Media Policies

Agency	Policy	Practice
Bureau of Land Management (BLM)	D	Needs Improvement
Census Bureau	B	Needs Improvement
Centers for Disease Control and Prevention (CDC)	A	Needs Improvement
Consumer Product Safety Commission (CPSC)	D	Unsatisfactory
Environmental Protection Agency (EPA)	D	Unsatisfactory
Fish and Wildlife Service (FWS)	D	Unsatisfactory
Food and Drug Administration (FDA)	Inc	Needs Improvement
National Aeronautics and Space Administration (NASA)	B	Satisfactory
National Institutes of Health (NIH)	C	Needs Improvement
National Institute of Standards and Technology (NIST)	B	Satisfactory
National Oceanic and Atmospheric Administration (NOAA)	B	Satisfactory
National Science Foundation (NSF)	Inc	Outstanding
Nuclear Regulatory Commission (NRC)	B+	Satisfactory
Occupational Safety and Health Administration (OSHA)	F	Unsatisfactory
U.S. Geological Survey (USGS)	C	Satisfactory

Inc = Incomplete

POLICY: The quality of an agency's written policy (if obtainable).
PRACTICE: The agency's science communications performance. Agencies are graded on a curve based on scores calculated out of a total of 100 points.

To learn more, visit http://www.ucsusa.org/rsi

UCS investigation found that policies and practices vary widely across federal agencies :

- CDC has an excellent media policies
- Policies at OSHA and CPSC focus on “message control”
- Scientists at USGS and NSF report they are free to speak about their research
- Scientists at EPA fear retaliation for speaking out

Scientific Openness and the Media

Federal agency media policies should :

- Emphasize that the role of the public affairs office is to communicate agency science to the public, NOT to serve as a gatekeeper

- Inform agency scientists of their ability to state their personal views (i.e. not official policy) without fear of retaliation

- Inform agency scientists that they have a right to review, amend and comment on any agency document that identifies them as an author or makes use of their research.

www.ucsusa.org/mediapolicies

Photo: National Geographic

Making Government Science Available to the Public

- Science in the Regulatory Process
  - Confidential Business Information (CBI)
  - Re-vamping regulations.gov
  - Ensuring all relevant information is in the docket
  - Addressing data-gaps

- One-stop shopping for Government data
  - Re-vamping science.gov
  - Supporting innovative ideas for sharing data
  - Supporting federal monitoring programs

Photo: National Geographic

Further Information

Moving Towards a 21st Century
Right-To-Know Agenda
http://www.ombwatch.org/21strtkrecs.pdf

Advancing the Public Interest Through
Regulatory Reform
http://www.ombwatch.org/regulatoryreformrecs.pdf

Union of Concerned Scientists
Scientific Integrity Program
www.ucsusa.org/scientific_integrity

Federal Science and the Public Good
www.ucsusa.org/federalscience