

NASA Revises Policy on Employees' Speech

The National Aeronautics and Space Administration (NASA) unveiled a revised media relations policy for its employees on March 30, 2006, two months after allegations surfaced from several NASA employees that they had felt pressured by the Bush administration and its political appointees within NASA to suppress their views about potentially controversial scientific findings. In particular, *The New York Times* reported on Jan. 29, 2006 that after a senior climate scientist at NASA, Dr. James E. Hansen, suggested publicly in December 2005 that the United States was not doing all that it can or should do to combat the growth of greenhouse gas emissions, he received warnings from NASA officials of "dire consequences" should he continue to make such statements publicly. Additionally, some of Hansen's opportunities for media interviews were cancelled, and his upcoming lectures, papers, and Web postings were ordered to be reviewed by NASA's public affairs staff prior to publication.

That article created controversy in the scientific and media community, and precipitated similar allegations from other employees at NASA. One such incident involved a Jet Propulsion Laboratory scientist, Dr. Tong Lee, who alleged that he was pressured to give a quote for a press release linking his research on wind patterns and the Indian Ocean to space exploration, which he later disavowed, according to *The Times*. Other incidents reported by *The Times* and *The Washington Post* involved similar allegations — that some of NASA's political appointees purportedly sought to interfere with some NASA scientists' research presentations — though news reports are varied and the political appointees in question denied the allegations.

These incidents, according to a Feb. 5, 2006 editorial in the *Philadelphia Inquirer*, are part of a "worrisome pattern in the Bush administration of subjugating science to politics." That editorial quoted a letter from Representative Sherwood Boehlert (R.-N.Y.), the Chairman of the House Science Committee, to NASA after the news about Dr. Hansen's allegations broke: "Good science cannot long persist in an atmosphere of intimidation."

There was reaction within NASA as well. NASA Administrator Michael Griffin instigated a "pledge of 'scientific openness,'" *The Times* reported on Feb. 4, 2006. That pledge led to a revamping of NASA's communication policy, entitled NASA's "Policy on the Release of Information to News and Information Media"

and written by a group of NASA's scientists, lawyers, public affairs specialists and managers, according to *The Post*. The policy sets out five principles governing the release of public information. The first is that NASA is "committed to a culture of openness with the media and public," where "scientific and technical information . . . will be accurate and unfiltered." The second and third principles refer to the timeliness of the release of complete, factual information; the fourth principle states, "In keeping with the desire for a culture of openness, NASA employees may, consistent with this policy, speak to the press and the public about their work." The fifth principle qualifies the other four by exempting information from release that is protected by "statute, regulation, Executive Order, or other . . . policy," including any information covered by exemptions provided by the Freedom of Information Act (5 U.S.C. § 552).

The portions of the revised policy most relevant to the Hansen controversy stipulate that NASA employees "may speak to the media and the public about their work," but that they "shall notify their immediate supervisor and coordinate with their public affairs office" either in advance of interviews or immediately afterward, and are "encouraged," whenever possible, "to have a public affairs officer present during interviews. If public affairs officers are present, their role will be to attest to the content of the interview, support the interviewee, and provide post-interview follow up with the media as necessary." The policy also states that "NASA, as an Agency, does not take a position on any scientific conclusions. . . . NASA scientists may draw conclusions and may, consistent with this policy, communicate those conclusions to the media. However, NASA employees who present personal views outside their official area of expertise or responsibility must make clear that they are presenting their individual views — not the views of the Agency — and ask that they be sourced as such." Additionally, the policy provides for editing of material by public affairs staff "to ensure that public information products are well written and appropriate for the intended audience. However, such editing shall not change scientific or technical data, or the meaning of programmatic content." The revised policy, as well as Griffin's press release, is available online at <http://www.nasa.gov/commpolicy>.

Boehlert praised the policy, telling *The Post* that NASA's approach "puts a premium on open communication," and that it "should become a model for the entire federal government." *The Post* also reported that Griffin stressed in a broadcast to NASA employees that they should make distinctions between their personal views and scientific findings very clear while talking to the media. But

some scientists maintain that they have always made such clear distinctions. Dr. Ralph J. Cicerone, an atmospheric chemist and president of the National Academy of Sciences, told *The Times* that Hansen did so as well. “I’ve heard Hansen speak many times and I’ve read many of his papers, starting in the late 70’s. Every single time, in writing or when I’ve heard him speak, he’s always clear that he’s speaking for himself, not for NASA or the administration, whichever administration it’s been.”

NASA’s own Web site, however, emphasizes that this is not really a “new” policy. Instead, NASA claims, it is “a revision of the existing NASA policy that has been in the Code of Federal Regulations in one form or another since at least 1976.” NASA’s Web site also suggests that its media relations policy may continue to evolve.

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