

# COMMUNICATIONS POLICY LANGUAGE

## Samples from a Variety of Agencies and Departments

The following pages contain excerpts from the communications and media policies of some USG agencies and departments. Some of this language may change as agencies and departments update their policies in response to the Memorandum to the Heads of Departments and Agencies released by OSTP Director John Holdren on December 17, 2010. Nonetheless, the samples are provided here to suggest a range of possible policy approaches.

### **Also, with regard to the December 17 Memo’s requirement to adopt appropriate whistleblower protections:**

To the extent your agency or department has already explicitly adopted specific whistleblower protections, you may simply make reference to them in your scientific integrity policy.

Alternatively, OSTP recommends including—at a minimum and in consultation with your general counsel—language akin to the following:

Under these scientific integrity guidelines, [Agency or Department name] shall continue to comply with the requirements of the Whistleblower Protection Act of 1989 (WPA), Public Law 101-12, and its expanded protections enacted by Public Law 103-424. The [Agency/Department name] shall also continue to comply with all Department- and Agency-specific WPA regulations, rules, and policies.

## **DEPARTMENT OF COMMERCE PUBLIC COMMUNICATIONS POLICY**

**[http://www.osec.doc.gov/omo/dmp/daos/dao219\\_1.html](http://www.osec.doc.gov/omo/dmp/daos/dao219_1.html)**

### **SECTION 4(d): PRINCIPLES**

In support of a culture of openness, and consistent with this Order and their official duties, Department employees may speak to the media and the public about their official work and freely and openly discuss scientific and technical ideas, approaches, findings, and conclusions based on their official work.

### **SECTION 7. FUNDAMENTAL RESEARCH COMMUNICATION.**

.01 Approval of Materials. Based on the operating unit's internal procedures, all written and audiovisual materials that are, or are prepared in connection with, a Fundamental Research Communication, must be submitted by the researcher, before the communication occurs, to the head of the operating unit, or his or her designee(s), for approval in a timely manner. These procedures may not permit approval or non-approval to be based on the policy, budget, or management implications of the research. The head of the operating unit, or his or her designee(s), is responsible for ensuring that, if appropriate, advance notice is provided to that unit's public affairs office.

.02 Media. Subject to Section 7.01, researchers are free to participate in Fundamental Research Communications with the media regarding their research, but they are not required to do so. If the media contacts an operating unit's public affairs office to request a Fundamental Research Communication interview with a particular researcher, then that office will facilitate the communication (assuming the researcher agrees to the interview). Researchers are encouraged (but not required) to take advantage of the media expertise of their operating unit's public affairs office and/or to provide that office with advance notice. The role of the public affairs office is to assist with presentation, style, and logistics of the communication, not to alter its substance. Fundamental Research Communications with the media must be on-the-record (i.e., attributable to the person making the remarks or providing information or materials) unless the operating unit's public affairs office decides otherwise.

.03 Scientific Conclusions. Given the nature of the scientific process, the role of the scientific community is to draw scientific conclusions based on available data. Department researchers may draw scientific conclusions based on research related to their jobs, and may, subject to Section 7.01 with respect to any written or audiovisual materials, communicate those conclusions to the public and the media in a Fundamental Research Communication. However, if such a conclusion could reasonably be construed as representing the view of the Department or an operating unit when it does not, then the researcher must make clear that he or she is presenting his or her individual conclusion and not the views of the Department or an operating unit.

## CENTERS FOR DISEASE CONTROL AND PREVENTION GUIDELINES

<http://aspe.hhs.gov/infoquality/Guidelines/cdcinfo2.shtml>

### II. Scope and Applicability of Guidelines for CDC

CDC will ensure that disseminated information meets the standards of quality set forth in the OMB, HHS and CDC guidelines. It is CDC's policy to ensure and maximize the quality, objectivity, utility, and integrity of information that it disseminates to the public. We strive to provide information that is accurate, reliable, clear, complete, unbiased, and useful. We are committed to integrating the principle of information quality into every phase of information development, including creation, collection, maintenance, and dissemination. CDC guidelines do not apply to the National Center for Health Statistics (NCHS). While NCHS is a component of CDC, NCHS is the nation's principal health statistics agency and as such has separate guidelines.

The pre-dissemination review described in the guidelines only applies to information disseminated on or after October 1, 2002. The administrative mechanism for correction applies to information that the agency disseminates on or after October 1, 2002, regardless of when the agency first disseminated the information.

The guidelines apply to information in all media — print, electronic, audiovisual, and oral. They apply to substantive information, such as studies and reports, rather than to information pertaining to basic agency operations. Information that is disseminated at the request of CDC or with specific CDC approval through a contract, a grant, or a cooperative agreement is subject to these guidelines.

Examples are provided below of the types of information that the CDC considers within and outside the scope of the guidelines.

#### A. Covered Information

- Scientific research papers, books, journal articles, reports, and similar materials, unless they have disclaimers to distinguish the research from CDC views and positions;
- Other official reports, brochures, documents, newsletters, and audiovisual products;
- Oral information, including speeches, interviews, expert opinions only if representing CDC's views, official positions, or policies;
- Statistical information - statistical analyses, aggregated information by programs.

#### B. Information Not Covered

- Documents not authored by CDC (either directly or by contract) and not representing official views, including research and science supported by CDC funding;
- Opinions where the presentation makes it clear that what is being offered is personal opinion rather than fact or CDC's views;

- Archival information disseminated by CDC (for example, Internet distribution of published articles);
- Information dissemination limited to government employees or agency contractors or grantees;
- Information intended solely for intra- or inter-agency use or sharing of government information, such as evaluation of a specific public health program to assess the success in achieving its objectives, technical assistance reports, training materials, manuals;
- Information intended to be limited to public filings, subpoenas, or adjudicative processes;
- Press releases that support the announcement or give public notice of information that CDC has disseminated elsewhere.

## **V CDC Information Review and Approval Policies and Procedures by Type of Information**

### **a. Health and Public Health Information**

#### **1. Scientific research studies**

CDC encourages professional dissemination of scientific research and other information by its employees. Publications or presentations by CDC employees are expected to meet high standards of quality, make a substantial contribution to the field, and contain sufficient information for the informed audience to assess its validity. Publication of scientific information by individual employees must undergo a formal review and clearance process by the CIO ADS or designee before dissemination. This review includes the evaluation of data collection measures for completeness, accuracy and timeliness, data management and analysis, clarity and accuracy of presentation, and validity of interpretation of findings.

Oral presentations undergo appropriate supervisory review. Laboratory data are reviewed to assure that good laboratory data practice was followed for sampling, methodology, instrumentation and analysis.

Intramural research programs will be subject to review and monitoring by external, objective peer review through an advisory committee or board of scientific counselors. Scientific research studies submitted to journals are subject to peer review of methods and findings by the journal prior to publication. ATSDR has a mandated policy for external peer review of all intramural and extramural research study protocols and findings prior to public dissemination.

## **NASA POLICY ON THE RELEASE OF INFORMATION TO NEWS AND INFORMATION MEDIA**

[http://www.nasa.gov/audience/formedia/features/communication\\_policy.html](http://www.nasa.gov/audience/formedia/features/communication_policy.html)

### **Principles.**

(a) NASA, a scientific and technical agency, is committed to a culture of openness with the media and public that values the free exchange of ideas, data, and information as part of scientific and technical inquiry. Scientific and technical information from or about Agency programs and projects will be accurate and unfiltered.

### **Interviews.**

(a) Only spokespersons designated by the Assistant Administrator for Public Affairs, or his/her designee, are authorized to speak for the Agency in an official capacity regarding NASA policy, programmatic, and budget issues.

(b) In response to media interview requests, NASA will offer articulate and knowledgeable spokespersons who can best serve the needs of the media and the American public. However, journalists may have access to the NASA officials they seek to interview, provided those NASA officials agree to be interviewed.

(c) NASA employees may speak to the media and the public about their work. When doing so, employees shall notify their immediate supervisor and coordinate with their public affairs office in advance of interviews whenever possible, or immediately thereafter, and are encouraged, to the maximum extent practicable, 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.

(d) NASA, as an Agency, does not take a position on any scientific conclusions. That is the role of the broad scientific community and the nature of the scientific process. 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.

(e) Appropriated funds may only be used to support Agency missions and objectives consistent with legislative or presidential direction. Government funds shall not be used for media interviews or other communication activities that go beyond the scope of Agency responsibilities

and/or an employee's official area of expertise or responsibility.

(f) Media interviews will be "on-the-record" and attributable to the person making the remarks, unless authorized to do otherwise by the Assistant Administrator for Public Affairs or Center Public Affairs Director, or their designees. Any NASA employee providing material to the press will identify himself/herself as the source.

(g) Audio recordings may be made by NASA with consent of the interviewee.

(h) NASA employees are not required to speak to the media.

(i) Public information volunteered by a NASA official will not be considered exclusive to any one media source and will be made available to other sources, if requested.

**DEPARTMENT OF THE INTERIOR (LATEST GUIDELINES)**

<http://www.whitehouse.gov/sites/default/files/microsites/ostp/DOI-DM-sci-integ.pdf>

3.4 **Policy.** The Department supports a culture of scientific and scholarly integrity. Science and scholarship play a vital role in the Department's mission, providing one of several critical inputs to decision making on conservation and responsible development of natural resources, preservation of cultural resources, and responsibilities to tribal communities. The Department recognizes the importance of scientific and scholarly information and science and scholarship as methods for maintaining and enhancing our effectiveness and establishing credibility and value with all sectors of the public, both nationally and internationally. The Department is dedicated to preserving the integrity of the scientific and scholarly activities it conducts, and activities that are conducted on its behalf. It will not tolerate loss of integrity in the performance of scientific and scholarly activities or in the application of science and scholarship in decision making. The Department will:

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E. Ensure that public communications policies provide procedures by which scientists and scholars may speak to the media and the public about scientific and scholarly matters based on their official work and areas of expertise. In no circumstance may public affairs officers ask or direct Federal scientists to alter scientific findings.

## NATIONAL INSTITUTES OF HEALTH

<http://oma.od.nih.gov/manualchapters/management/1184/>

**Policy:** NIH encourages public dissemination of scientific research and other information on public health matters by its employees. Scholarly writing, lecturing, editing, and publishing are an essential part of research. These activities are in the public interest and bring credit and distinction to both the NIH and to the employees themselves. In assisting employees to share information about their official and professional activities, NIH seeks to advance scientific knowledge and contribute to professional education. Ordinarily first report of any scientific research results or other professional findings is made by:

- publication in a scientific or professional journal; or
- presentation at a meeting of a professional organization.

The choice of the journal or meeting to which reports are offered is generally the prerogative of the author(s).

### **F. Clearance Not Required:**

**1. Routine Oral Presentations.** Oral scientific presentations that do not discuss Federal policies and do not have policy implications (e.g., usual intramural scientific oral presentations), and routine presentations on existing NIH or IC procedures for information purposes (e.g., to describe NIH grant application or management procedures or to publicize priority areas for the purpose of soliciting grant applications), do not typically require official clearance. Individual IC's may implement their own procedures for requiring IC clearance of these materials prior to presentation.

**2. Answers to Inquiries and Informal Presentations.** Except when disallowed by Institute, Center, or Department policy, an NIH employee may respond orally to questions and requests for information from any source, including the news media. Similarly, an employee may appear as a member of a discussion panel or seminar and on radio and television broadcasts without prior approval if the appearance does not require a manuscript or written text or statement and is in keeping with NIH policies for responsible presentation of information as described above. Speakers should limit their statements and responses to subjects within their field of expertise and should present only official DHHS and NIH positions in discussion of policy matters. For news media interviews, responses or appearances, employees are encouraged to seek advice from the relevant IC communications office or, for OD employees--from the NIH Office of Communications and Public Liaison.

**3. Unofficial Activities.** Employees writing, presenting or otherwise distributing materials, as defined in section 2.B. of this manual chapter, in their personal capacities are instructed to consult their ethics officials for applicable rules and restrictions, including those requiring prior approval and limiting the use of title or NIH affiliation.