Analysis

The Scientific Integrity team, together with the Scientific Integrity Review Panel named above, focused its review on the following text included in the EPA Scientific Integrity Policy[1]:

> *When an Agency employee substantively engaged in the science informing an Agency policy decision disagrees with the scientific data, scientific interpretations, or scientific conclusions that will be relied upon for said Agency decision, the employee is encouraged to express that opinion…*

The Scientific Integrity Policy applies to all EPA employees, contractors, grantees, collaborators and student volunteers, including political appointees. The freedom to express one's opinion is fundamental to EPA's Scientific Integrity Policy even (and especially), when that point of view might be controversial.

The Scientific Integrity Policy explicitly protects differing ~~scientific~~ opinions. This protection is afforded to any employee "substantively engaged in the science," including the Administrator when he speaks on matters of science "informing an Agency policy decision." The protection is forward-looking and is designed to encourage the employee to express his or her opinion if he or she "disagrees with the scientific data, scientific interpretations, or scientific conclusions that will be relied upon for said Agency decision."

In this case, the Administrator was asked a science-related question during a television interview, "Do you believe that it's been proven that carbon dioxide is the primary control knob for climate?" The Administrator responded, "No. I think that measuring with precision human activity on the climate is something very challenging to do and there's tremendous disagreement about the degree of impact. So no, I would not agree that it's a primary contributor to the global warming that we see. But we don't know that yet . . . We need to continue the debate and continue the review and the analysis."

In his response, the Administrator expressed his opinion regarding contributors to global warming and called for more debate, review and analysis as a precursor to any future EPA policy decision on the matter. This ~~pre-decisional~~ expression of opinion, **which was not made in a decisional context,** is ~~**thus**~~ fully within the protections of EPA's Scientific Integrity Policy and does not violate that Policy. We also note that the Administrator, in his televised remarks, did not suppress or alter Agency scientific findings.

Expressing an opinion about science is not a violation of the EPA Scientific Integrity Policy. Indeed, the Scientific Integrity Policy – in the spirit of promoting vigorous debate and inquiry -- specifically encourages employees to express **their opinion should there be a** disagreement with scientific data, scientific interpretations, or scientific conclusions.

[1] https://www.epa.gov/sites/production/files/2014-02/documents/scientific_integrity_policy_2012.pdf (last visited April 4, 2017)