



Society of Environmental Journalists

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Michael S. Regan, Administrator
Mail Code 1101A
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Regan:

We at the Society of Environmental Journalists were hopeful when we saw your April email to agency employees reaffirming the pledge of EPA's first administrator to operate in a "fishbowl." We were further encouraged by your statement recognizing that transparency is essential to restoring and maintaining the public's trust in EPA.

We also took your message – that the agency "should be accessible to the press, which performs a vital role in informing the public about EPA's actions" – as a sign that you would ensure that accessibility.

Your administration has made progress in reversing the agency's toxic relationship with the press that existed under the Trump administration. Lindsay Hamilton, associate administrator for public affairs, and Nick Conger, press secretary, have reached out to news outlets and to members of SEJ to pledge that the EPA's press office will work earnestly to help rather than hinder reporters. Two-thirds of those who responded to a recent SEJ survey said EPA's responsiveness to press inquiries is better than it was under Trump, with 22% rating it unchanged or worse.

Yet the EPA continues to fall short of achieving fishbowl-like transparency. In practice, the EPA's accessibility to the press is still tightly restricted, with the agency's press officers playing the role of gatekeepers in interactions with journalists.

Recently, Alison Pierce, chief of staff in EPA's Office of Pollution Prevention and Toxics, [emailed](#) her office's staff reminding them that "we are not authorized to answer press questions directly." The email went on to say that all press inquiries "**must** be handled through our press office." That this email came on the heels of [press reports](#) about EPA scientists filing a whistleblower complaint is especially troubling.

Requiring press inquiries to be funneled through the agency's press office is not transparency; it is a prescription for information control and message management. It reflects a lack of trust – not only in the "vital role" of the press, but in the professionalism and integrity of agency staff. And it undermines the agency's scientific integrity, another bedrock principle you have vowed to uphold.

We are also concerned that EPA's existing Scientific Integrity Policy directs press officers to "coordinate" presentations of agency research and monitor all interviews. (See attachment.) The requirements

ostensibly ensure the accuracy of information released to the public. Press officers can be and often are helpful, especially when journalists are unfamiliar with an issue or do not know who can answer their queries.

But when the press office acts as gatekeeper, our members report that interview requests are denied more often than not. And when information from subject matter experts must be relayed through press officers, it can be incomplete or unclear. That slows and hinders the news gathering process. Worst case, it denies journalists and the public the full story, undermining confidence in the agency's credibility and integrity.

We understand there are certain things that EPA staff should not divulge without authorization, such as the details of an unresolved enforcement investigation or information that is covered by laws protecting privacy or confidential business matters.

But for transparency and scientific integrity to be meaningful, the EPA must otherwise be an open book. Journalists – and by extension, the public – deserve to know the full range of information, stakeholder consultation and even internal debates that go into formulating a regulation or any other agency decision to act – or not to act. Only by having unfettered access to the players can we know the score.

We urge you to make clear to EPA staff that with certain limited exceptions, they have both a First Amendment right as citizens and a duty as public servants to share their knowledge and work with the public, including journalists. And we urge you to clarify all EPA policies that direct agency scientists and staff to “coordinate” any interactions with journalists through program managers and/or the press office.

These actions would keep faith with the “fishbowl” principle espoused by William Ruckelshaus. And they would uphold the scientific integrity so essential to the agency's mission.

SEJ welcomes the opportunity to take part in further dialogue about EPA policies that relate to news media access. If you or staff have any questions, please feel free to contact Tim Wheeler, the chairman of SEJ's Freedom of Information Task Force, at twheeler@bayjournal.com or 410-409-3469.

Sincerely,



Sadie Babits, President
Society of Environmental Journalists

CC:

Lindsay Hamilton, Associate Administrator for Public Affairs, Hamilton.Lindsay@epa.gov
Nick Conger, Press Secretary, Conger.Nick@epa.gov
Francesca Grifo, Ph.D., EPA Scientific Integrity Official, Grifo.Francesca@epa.gov

ATTACHMENT to SEJ letter re EPA Scientific Integrity Policy

The current EPA Scientific Integrity Policy contains two paragraphs of special concern to journalists. Both need revising.

The first is paragraph IV. B. 3. a., which states:

“Agency public affairs staff, with input from program managers, will designate knowledgeable and articulate spokespersons from Regional, Program, or HQ offices to coordinate with EPA scientists and managers for the purpose of ensuring that Agency research is clearly, accurately, and accessibly presented, in a timely manner, thereby best serving the needs of the media and the public.”

This essentially authorizes press officers to choose whether a journalist gets to interview a scientist or has to settle for a manager or press officer with limited or no expertise in the subject matter. It's the job of journalists to present information clearly, accurately and accessibly. Let them be the main judge of their needs and when to ask for assistance if further clarification or other sources would be helpful.

The second paragraph is IV. B. 3. c., which states:

“The public affairs staff from Regional, Program or HQ offices should attend interviews with members of the media, when possible, to ensure that the Agency is being fully responsive to media questions in a timely manner and to ensure responsiveness, consistency, and accuracy both on the part of the interviewer [\[2\]](#) and when responding to future information requests.”

The problem here is the virtual requirement that press officers attend interviews. “When possible” implies that only a practical impossibility should prevent a press officer from attending interviews. We suggest striking this paragraph. Press officer attendance should occur only when all parties (interviewer, interviewee, and press officer) desire it.

(Incidentally, it's unclear who the policy is referring to when mentioning “interviewer” in that passage. Is it the journalist or the scientist who is the subject of the interview?)

In both of the above-referenced paragraphs, the requirements of the Scientific Integrity Policy are justified by statements that they are necessary “to ensure that the Agency is being fully responsive to media questions in a timely manner and to ensure responsiveness, consistency, and accuracy.” Those paragraphs actually work against that goal.