

Scientific Advocacy and Congressional Powers



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Unilateral Congressional Subpoena Power...

Science
AAAS



Representative Lamar Smith (R-TX) in 2014 NASA/AUBREY GEMIGNANI/FLICKR (CC BY-NC-ND 2.0)

Lamar Smith, the departing head of the House science panel, will leave a controversial and complicated legacy

By Jeffrey Mervis, Warren Cornwall | Nov. 5, 2017, 5:58 PM



...can be a double-edged sword

POLITICO

The powerful weapon House Republicans handed Democrats

A GOP rule change handed unilateral subpoena authority to many House committee chairmen. Democrats cried foul, but now they hope to use it against Trump.

By ANTHONY ADRAGNA | 10/28/2018 06:59 AM EDT | Updated 10/28/2018 02:25 PM EDT



Targeting of individual scientists...



...has also happened on both sides of the aisle



POLITICO

Dems' climate probe brings 'witch hunt' accusations

Arizona Rep. Raúl Grijalva is on a mission to expose climate skeptics. Some say he's going too far.

By **ALEX GUILLÉN** | 02/27/2015 05:51 AM EST | Updated 02/28/2015 06:28 AM EST



Hearings: often more show than substance



<https://republicans-science.house.gov/legislation/hearings/full-committee-hearing-using-technology-address-climate-change>



Scientists are engaging in politics in new ways

Scientific American Endorses Joe Biden

We've never backed a presidential candidate in our 175-year history—until now

By THE EDITORS | Scientific American October 2020 Issue



Anti-Lobbying Restrictions

➤ What is lobbying?

- » Attempting to influence a politician or public official regarding particular legislation or a particular activity—usually in a way that benefits a particular organization



The Anti-Lobbying Act

- Seeks to prevent individuals or organizations from using government funds to lobby for their own political aims or to seek *more* government funds
- Byrd Amendment
 - » Applied some of these restrictions to recipients of federal grants, loans, and contracts
 - » Prohibits them from seeking to influence a member of Congress in relation to such grants, loans or contracts



What Does This All Mean?

- A scientist CAN generally:
 - » Meet with a legislator to discuss general policy issues or to present a non-partisan analysis—particularly if the legislator requests the meeting
 - The further you are from the area of your federally-funded work, the safer you are
 - » Meet with a legislator and engage in activities that might in fact constitute lobbying, **as long as NO FEDERAL FUNDS OR RESOURCES are used** to carry out the activities
 - Must be done on your own time and using your own resources



Tips and Best Practices

- Use your own funds and resources to engage in political activity, and do so on your own time
- Understand whether open records laws may apply to you
- Maintain a clear separation between personal and professional
 - Keep good records of working hours
 - Keep personal vs. professional email and social media accounts separate
 - Don't use government equipment for personal political activities
 - Avoid wearing agency logo or other insignia when engaging in political activity
- Consider speaking in your personal capacity
- Consider using disclaimers
- Understand your institution's policies around political speech



How to Respond if Targeted

- Remember: institutional counsel only represents the institution
- If facing internal retaliation, understand internal channels available for complaints and implications of using them
- If facing external targeting:
 - » May be best to ignore certain hostile messages
 - » Congressional inquiries, subpoenas, records requests, and threatening messages should never be ignored—contact CSLDF or another lawyer



Resources



A POCKET GUIDE FOR SCIENTISTS

Handling Political Harassment and Intimidation

The cover features a dark blue vertical bar on the left. The main image shows two silhouetted figures standing on a white surface, facing each other. Between them is a large white circle with a jagged, gear-like edge. One figure is pointing towards the circle, and the other is pointing away from it.



A POCKET GUIDE FOR SCIENTISTS

Participating in Political Activities: Guidelines for Federally Employed and Federally Funded Scientists

The cover features a dark blue vertical bar on the left. The main image shows several hands of different skin tones reaching up and overlapping in the center, symbolizing collaboration or support.



A POCKET GUIDE FOR SCIENTISTS

Advocating for Science in a Politicized Environment

The cover features a dark blue vertical bar on the left. The main image shows a stylized cityscape with a prominent white dome building, likely the U.S. Capitol, in the center. The buildings are rendered in shades of orange and white.



KNOW YOUR RIGHTS

Scientific Activism and Protests


The cover features a dark blue vertical bar on the left. The main image shows a crowd of people with their arms raised, holding up various signs and placards, representing a protest or public demonstration.







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