

Department of the Interior Departmental Manual

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Part 305: Departmental Science Efforts

Chapter 3: Integrity of Scientific and Scholarly Activities

Originating Office: Office of the Deputy Secretary

305 DM 3

3.1 Purpose. This chapter provides Department of the Interior (Department)-wide instruction and guidance to promote the integrity of all aspects of scientific and scholarly activities (hereafter “scientific activities”), including proposing, conducting, reviewing, approving, managing, communicating about, and using the results of science and scientific activities. This chapter includes expectations and procedures required to maintain a practice and culture of scientific integrity at the Department, including:

- A. Departmental policy on the integrity of scientific activities.
- B. A code of conduct applicable to those engaging in scientific activities.
- C. Requirements for the use and dissemination of scientific information.
- D. Identification and assignment of the responsibilities to carry out the policy.

3.2 Background.

Scientific information, data, and evidence are central to the development and iterative improvement of sound policies, and to the effective, efficient, and equitable delivery of services and programs, across every area of the Federal Government. In turn, strong scientific integrity policies and practices bolster the ability of Federal agencies to protect government science.

The requirements of this chapter are consistent with the framework and model policy stated in the 2023 National Science and Technology Council’s (NSTC) guidance prepared by the Scientific Integrity Framework Interagency Working Group *A Framework for Federal Scientific Integrity Policy and Practice* (Framework). The Framework is derived from foundational Executive branch actions, the collective experience of Federal agencies, and the informed engagement of stakeholders, both inside and outside of government, set forth in the 2022 NSTC report by the Scientific Integrity Fast-Track Action Committee *Protecting the Integrity of*

Government Science, the 2021 Presidential Memorandum*, the 2010 White House Office of Science and Technology Policy (OSTP) Memorandum†, and the 2009 Presidential Memorandum‡.

3.3 Policy Amendments. This policy should be reviewed by the Department Scientific Integrity Council every 2 years or as needed. Amendments to this policy shall be overseen by the Departmental Scientific Integrity Officer and communicated to the OSTP Director no later than 30 days after adoption.

3.4 Scope.

A. The policy and requirements in this chapter apply to all Department employees (including political appointees), outside parties (including contractors and other outside parties as defined in § 3.7H of this chapter), volunteers, trainees, and interns, when they:

- (1) Propose, conduct, review, approve, supervise, manage, or influence Department scientific activities,
- (2) Communicate about the Department's scientific activities, or
- (3) Utilize scientific information in making Department policy, management, or regulatory decisions.

B. These requirements are separate from and in addition to the Standards of Ethical Conduct for Employees of the Executive Branch (5 C.F.R. Part 2635), Department Supplemental Standards of Ethical Conduct for Employees of the Department of the Interior (5 C.F.R. Part 3501); the Standards for Employee Responsibilities and Conduct (43 C.F.R. Part 20) including, but not limited to, existing Departmental Manual Chapters on ethics, criminal conflict of interest statutes (18 U.S.C. §§ 201-209), and any other requirements applicable to law enforcement actions and/or investigations and inspections for regulatory compliance.

C. The policy and requirements in this chapter are not intended to, and do not create, any right or benefit, substantive or procedural, enforceable by law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees or agents, or any other person.

* 2021 Presidential Memorandum for Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking

† 2010 Office of Science and Technology Policy Memorandum for the Heads of Executive Departments and Agencies on Scientific Integrity (OSTP 2010)

‡ 2009 Presidential Memorandum for the Heads of Executive Departments and Agencies 3-9-09 on Scientific Integrity

D. If there is a conflict between this policy and a statutory, regulatory, or judicial requirement, the statutory, regulatory, or judicial requirement will take precedence. Compliance with such conflicting requirements is not a violation of the scientific integrity policy.

3.5 **Authorities.** This policy is established in accordance with:

- A. Departmental authority to prescribe regulations [5 U.S.C. § 301]
- B. The America COMPETES Act, as amended
- C. Employee Responsibilities and Conduct [5 C.F.R. pt. 735]
- D. 48 CFR pt. 1.301
- E. Office of Science and Technology Policy, *Federal Policy on Research Misconduct*, 65 Fed. Reg. 76260 (December 6, 2000).
- F. 2009 Presidential Memorandum for the Heads of Executive Departments and Agencies on Scientific Integrity
- G. 2010 Office of Science and Technology Policy Memorandum for the Heads of Executive Departments and Agencies on Scientific Integrity (OSTP 2010)
- H. 2021 Presidential Memorandum for Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking (2021 PM)

3.6 **Policy.** Science and scholarship play a vital role in the Department's mission, providing one of several critical inputs to decision making on conservation and sustainable use of natural resources, and preservation of cultural resources. Scientific information considered in Departmental decision-making must be robust, of the highest quality, and the result of as rigorous a set of scientific processes as can be achieved. Most importantly, the information must be trustworthy.

- A. Promoting a Culture of Scientific Integrity.
 - (1) Departmental leadership at all levels shall recognize, support, and promote this chapter and its underlying principles, as well as model behavior that exemplifies a strong culture of scientific integrity.
 - (2) The Department shall promote a culture of scientific integrity.
 - (3) Scientific findings and products must not be suppressed, delayed, or altered due to inappropriate influence, including inappropriate political influence (as defined in Section 3.7).

(4) The Department will not tolerate a loss of integrity in the performance of scientific activities or in the use of scientific products in decision making.

(5) Employees and other covered parties shall comply with the code of conduct established in this chapter.

(6) As “it is the policy of the Department to recognize and fulfill its legal obligations to identify, protect, and conserve Tribal trust resources; carry out its trust relationship with Federally recognized Tribes and Tribal members; and invite Tribes to consult on a government-to-government basis whenever there is a Departmental Action with Tribal Implications” (Department of the Interior Policy on Consultation with Indian Tribes (512 DM 4)), scientific integrity practices will adhere to these policies and principles where applicable.

(7) The Department shall post this policy prominently on its public-facing website and take other measures such as townhalls, written and oral communications, as possible and appropriate to keep scientific integrity visible at the Department.

(8) The Department scientific integrity program will ensure all covered parties will receive scientific integrity information or training to make them aware of their responsibilities under this scientific integrity policy. New hires or appointees will receive scientific integrity information or training within 6 months of their date of hire or appointment. The Department will also provide biennial training for employees who propose, review, approve, conduct, manage, and use the results of and communicate about science.

(9) The Department shall provide a professional environment that is equitable, inclusive, safe, and free from harassment and discrimination.

B. Protecting Scientific Processes. Scientific integrity fosters “honest scientific investigation, open discussion, refined understanding, and a firm commitment to evidence” (OSTP 2010). It also enables appropriate scientific dissent and includes peer review. Science, and public trust in science, thrives in an environment that shields scientific data and analyses and their use in policymaking from inappropriate influence. It is the policy of the Department to:

(1) Prohibit inappropriate influence in the design, proposal, conduct, management, review, approval, evaluation, reporting and use of scientific data, research, and activities.

(2) Require that leadership and management ensure that covered parties engaged in scientific activities are able to conduct their work free from reprisal or concern for reprisal.

(3) Require reasonable efforts by covered parties to ensure the accuracy of the scientific record and to correct identified inaccuracies that pertain to their contribution to any scientific records.

(4) Require that covered parties represent their contributions to scientific work fairly and accurately.

(5) Ensure independent review of scientific facilities, methodologies, and other scientific activities as appropriate to ensure scientific integrity.

(6) Require that covered parties comply with Departmental policies and procedures for planning and conducting scientific activities and show appropriate diligence toward protecting and conserving Federal research resources, such as equipment and other property, and records of data and results that are entrusted to them.

(7) Prohibit scientific misconduct and the use of improper or inappropriate methods or processes in conducting research and lack of adherence to practices that ensure the quality of research and other scientific activities such as quality assurance systems.

(8) Require that covered parties design, conduct, manage, review, approve, evaluate, and report scientific research and other scientific activities honestly and thoroughly.

(9) Require that research involving the participation of human subjects and the use of non-human animals is conducted in accordance with applicable, established laws, and regulations.

(10) Ensure recognition of and prompt action to address and prevent scientific integrity policy violations, particularly those that have a disproportional impact on underrepresented groups or weaken the equitable delivery of Federal Government programs.

C. Ensuring the Free Flow of Scientific Information. Open communication of Departmental science plays a valuable role in building public trust and understanding of Departmental work. The Department shall support scientific integrity in the communication of scientific activities, findings, and products. It is the policy of the Department to:

(1) Facilitate the free flow and dissemination of scientific information, consistent with privacy and security classification standards and with Open Government requirements, and to the extent allowed by law.

(2) Ensure that scientific findings and products are not suppressed, delayed, or altered due to inappropriate influence.

(3) Give employees the option to review the scientific content of proposed Department communications that substantially relies on their research, identifies them as an author, or represents their scientific opinion.

(4) Encourage, but not require, employees to participate in communications with the media regarding their scientific activities and areas of scientific expertise. In accordance with Department and Bureau policies, coordination with public affairs and

communication staff is expected when approached by media. Such coordination must not influence or alter research or results.

(5) Provide communications support to employees to help clearly communicate their findings, both to policy makers within their agencies and more broadly to the public and stakeholders.

(6) Ensure that mechanisms are in place to timely resolve disputes that arise from decisions to proceed or not to proceed with proposed media interviews with employees, releases of public information concerning Department scientific activities, or other related activities.

(7) Ensure that the work and conclusions of employees and the work and conclusions of work funded/supported by the Federal Government are accurately represented in Department communications.

(8) Ensure that employees may communicate their scientific activities objectively without inappropriate influence, while at the same time complying with Department policies and procedures for planning and conducting scientific activities, reporting scientific findings, and reviewing and releasing scientific products. Scientific products (e.g., manuscripts for scientific journals, presentations for workshops, conferences, and symposia) shall adhere to Department technical review procedures.

(9) Consistent with Department policies and procedures for planning and conducting scientific activities, reporting scientific findings, and reviewing and releasing scientific products, allow covered parties to report their scientific findings and communicate with the media or the public, for example, through social media, in their official capacities at the Department.

(10) Allow employees to communicate with the media or the public in their personal capacities subject to limitations of applicable law, including but not limited to all U.S. Government ethics laws and regulations and authorities governing the dissemination and use of official information. Employees may express their personal views and opinions; however, they are prohibited from making claims in their personal capacities to officially represent the Department or its policies or to use the Department or other U.S. Government seals or logos. Employees should consult with the Departmental Ethics Office for guidance on appropriate written or oral disclaimers for their personal activities and should consult with the Office of the Solicitor (SOL) Division of General Law on the use of Departmental or other U.S. Government seals or logos.

(11) Require that Departmental officials, including public affairs officers, shall neither alter, nor direct employees to alter, scientific research findings or presentations of scientific research findings in a manner that would knowingly compromise the objectivity or accurate representation of those findings.

(12) Require that technical review approval, and clearance processes include provisions for timely clearance and expressly forbid censorship, delay, and suppression of objective communication of data and results due to inappropriate influence.

(13) Ensure that responses to Congressional inquiries, testimony, and other requests include scientific information that accurately represents the science.

D. Supporting Decision Making Processes. It is the policy of the Department to:

(1) Ensure the quality, accuracy, and transparency of scientific information used to support policy and decision making including:

(a) Use scientific information that is subject to well-established scientific processes.

(b) Ensure that scientific data and research used to support policy decisions undergo review by qualified experts, where feasible and appropriate, and consistent with law.

(c) Adhere to the Office of Management and Budget Final Information Quality Bulletin for Peer Review and relevant Departmental peer-review guidelines.

(d) Reflect and communicate scientific information appropriately and accurately and ensure that it is free of misinformation; and make scientific findings or conclusions considered or relied on in policy decisions publicly available online consistent with privacy and classification standards.

(2) Encourage employees to express differing scientific opinions.

(a) When an employee, who is substantively engaged in the science informing a Departmental policy decision, disagrees with the scientific data, interpretations or conclusions that are to be relied upon for that decision, the employee is encouraged to express that opinion complete with rationale and in writing.

(b) The Departmental Scientific Integrity Officer, with input from Bureau Scientific Integrity Officers and Departmental Scientific Integrity Coordinators will develop and implement in a timely fashion a transparent mechanism for covered parties to express and timely resolve differing scientific opinions.

(3) After first communicating Federal abilities and limitations to protect Indigenous Knowledge from disclosure or re-use, obtain free, prior, and informed consent from Tribal Nations and Indigenous Peoples prior to including Indigenous Knowledge in Federal policy, research, or decision making. It may be considered a violation of the scientific integrity policy if one fails to protect Indigenous Knowledge consistent with Department Indigenous Knowledge policy (301 DM 7), including obtaining Free, Prior, and Informed Consent, and/or

failing to communicate the Department's abilities and limitations with protecting Indigenous Knowledge when such knowledge is appropriately provided.

E. Ensuring Accountability. It is the policy of the Department to:

(1) Ensure correction of the scientific record and appropriate administrative actions when allegations of violations of the scientific integrity policy are substantiated, subject to applicable law.

(2) Facilitate the sharing of best administrative and management practices that promote the integrity of the Department's scientific activities.

(3) Encourage and facilitate consultation with Scientific Integrity Officials to seek advice on preventing a situation of concern, to determine if it is a potential violation of the scientific integrity policy, and to ascertain if it should be referred elsewhere in the Department for resolution.

(4) Provide clear guidance on how to formally and confidentially report concerns and allegations of scientific integrity policy violations.

(5) Require that Scientific Integrity Officials draft and implement procedures to respond to allegations of scientific integrity policy violations in a timely, objective, and thorough manner.

(6) Ensure the Department and its constituent Bureaus have scientific integrity policies that are consistent and in alignment. Bureaus are free to enact stronger policies than the Department, and the Department should not inappropriately influence Bureau scientific integrity matters.

(7) Recognize Federal Advisory Committees (FACs) as an important tool within the Department for ensuring the credibility, quality, and transparency of Departmental science. The Department shall adhere to the Federal Advisory Committee Act (FACA), as amended, including the FACA-related clarifications set forth in the 2010 Presidential Memorandum on Scientific Integrity. Products, reports, and recommendations to the Department from FACs are the findings of the FAC and are not subject to Department revision.

F. Protections. To ensure the protection of employees and, as appropriate, other covered parties from retribution, retaliation, or reprisal, it is the policy of Department to:

(1) Select and retain candidates for scientific and technical positions based on the candidate's scientific and technical knowledge, credentials, experience, and integrity.

(2) Promote diversity, equity, inclusion, and accessibility in the workforce and create safe workspaces that are free from harassment and discrimination.

(3) Prevent supervisors, managers, and other Department leadership from intimidating or coercing employees to alter scientific data, findings, or professional opinions or inappropriately influencing scientific advisory boards.

(4) Pursuant to the No FEAR Act, provide annual notice to employees, former employees, and applicants for Federal employment concerning the rights and remedies applicable to them under the employment discrimination and whistleblower protection laws. Employees who believe that they have suffered a prohibited personnel practice have the right to seek corrective action by contacting the Office of Special Counsel, whose contact information can be found at <https://osc.gov/Pages/Contact.aspx>. Individuals may seek additional information from the Office of Inspector General (OIG) concerning whistleblower protections. Specifically, employees may contact the Whistleblower Protection Coordinator at whistleblowerprotection@doioig.gov with questions regarding protected disclosures and the rights and remedies available to whistleblowers.

(5) Comply with whistleblower protections, specifically:

(a) By protecting employees from prohibited personnel practices (as defined in 5 U.S.C. § 2302(b)), including those employees who uncover and report allegations of violations of the scientific integrity policy in good faith, those who serve as witnesses or subject matter experts (SMEs), and those alleged to have violated the scientific integrity policy in the absence of a finding that the individual violated the scientific integrity policy. Employees who are found to have engaged in reprisal may be subject to discipline.

(b) The requirements of the Whistleblower Protection Act of 1989, as amended;

(c) Presidential Policy Directive 19, which prohibits supervisors from taking, failing to take, or threatening to take or fail to take any action affecting an employee's eligibility for access to classified information in reprisal for making a protected disclosure.

(6) Comply with Departmental Personnel Bulletin No. 18-01, Prevention and Elimination of Harassing Conduct, which requires reporting and addressing harassing conduct.

G. Professional Development for Department Employees. It is the policy of the Department to encourage covered parties involved in Department scientific activities to interact with the broader scientific community, in a manner that is consistent with applicable law, including but not limited to Federal Government ethics laws and regulations and employee job responsibilities. This includes:

(1) Encouraging timely sharing of scientific activities, findings, and materials, including publication of research in peer-reviewed, professional, scholarly journals, Department technical reports and publications or other appropriate outlets;

(2) Encouraging attendance and presentation in employee's official capacities of Departmental scientific activities and research at professional meetings including workshops, conferences, and symposia;

(3) Encouraging service on editorial boards, as peer reviewers, or as editors of professional or scholarly journals in personal or official capacity, as appropriate;

(4) Encouraging participation, when permissible, in professional scientific organizations as part of their official duties and in their official capacities. This includes:

(a) Permitting employees to serve as officers and members of boards of directors (or similar positions) of, or as official liaisons to, nonprofit professional scientific organizations (tax-exempt under Section 501(c)(3) of Internal Revenue Code) in furtherance of the Department's statutory authorities and mission.

(b) Permitting employees to receive unsolicited honors and awards for contributions to scientific activities and discoveries, and to accrue the professional recognition of such honors or awards; and

(c) Permitting employees to perform outreach and engagement activities in furtherance of the Department's statutory authorities and mission, such as speaking to community and student groups, as part of their official duties.

3.7 Definitions.

A. Scientific Integrity. "The adherence to professional practices, ethical behavior, and the principles of honesty and objectivity when conducting, managing, using the results of, and communicating about science and scientific activities. Inclusivity, transparency, and protection from inappropriate influence are hallmarks of scientific integrity" (Framework). Scientific Integrity includes adherence to the accepted standards, professional values, and practices of the relevant scientific community, including the Department Code of Scientific and Scholarly Conduct, Departmental standards for the performance of scientific activities for covered parties, and the standards set forth in Section 3.6 of this chapter. Adherence to these standards, professional values, and practices ensures objectivity, clarity, reproducibility, and utility of scientific and scholarly activities and assessments and helps prevent bias, fabrication, falsification, plagiarism, inappropriate influence, censorship, and inadequate procedural and information security. Conducting and managing science and scientific activities includes review and approval processes.

B. Violation of Scientific Integrity Policy. Occurs when: (1) there is a significant departure from the adherence to professional practices, ethical behavior, and the principles of honesty and objectivity when conducting, managing, using the results of, and communicating about science and scientific activities; (2) this departure is intentional, knowing, or reckless; or the result of inappropriate political interference; and (3) the actions be proven by a preponderance of evidence. Improperly using scientific information (including fabrication, falsification, or plagiarism of science) for decision making, policy formulation, or preparation of

materials for public information activities, can constitute a violation of scientific integrity policy. Violating the scientific integrity policy negatively affects the quality or reliability of scientific information.

C. Scientific Misconduct. Fabrication, falsification, or plagiarism in proposing, performing, or reviewing scientific activities, or in the products or reporting of the results of these activities. This includes Research Misconduct, defined as fabrication, falsification, or plagiarism in proposing performing or reviewing research, or in reporting research results (Federal Policy on Research Misconduct 65 FR 76260-76264). Scientific misconduct does not include honest error or differences of opinion.

D. Scientific Activities. Activities that involve the application of well-documented protocols and procedures in a systematic manner, and includes, but are not limited to, data collection, inventorying, monitoring, statistical analysis, surveying, observations, experimentation, study, research, economic analysis, forecasting, predictive analytics, modeling, technology development, and scientific assessment. These activities include matters covered by any of the physical, biological, cultural, or social sciences, and may include matters such as landscape architecture, engineering, mathematics, statistics, literature review, and synthesis. These activities also include scholarly activities, which are intellectual endeavors conducted in a manner specified by standard protocols and procedures in culturally focused disciplines such as history, archeology, ethnography, architecture, and landscape architecture. Scientific activities do not include educational programs or exhibits.

E. Conflict of Interest. Any personal, professional, financial, or other interests established by the criminal conflict of interest statute at 18 U.S.C. § 208, that would prohibit Federal Government employees from participating in certain matters affecting the financial interests of the Government employees or the interests of other persons or organizations attributed to them, to include their spouse, minor child, general partner, and any non-Federal employer.

F. Other Prohibited Actions or Influence. Any personal, professional, financial activity, or other interests of those covered by this policy and/or their immediate family members separate from the conflict of interest statute at 18 U.S.C. § 208 that is prohibited by an applicable law or policy, which may include federal acquisition requirements or the prevailing practices of the National Academies of Sciences, Engineering, and Medicine, as adopted by the Office of Management and Budget.

G. Covered Parties. Persons or entities that fall within the scope of the scientific integrity policy, as designated by Section 3.4A of this chapter.

H. Outside Party. Any contractor, cooperator, partner, permittee, lessee, grantee, group, organization, or individual who provides goods or services to, or otherwise interacts with, the Department under terms specified in a written agreement (such as a cooperative agreement, grant, or memorandum of understanding), contract, lease, or permit.

I. Decision Makers. Individuals who develop policies that involve, or rely on, scientific activities; implement or manage activities that involve, or rely on, scientific activities; or supervise employees who engage in scientific activities.

J. Fabrication. Making up data or results and recording or reporting them (Federal Policy on Research Misconduct, 65 FR 76260-76264). Fabrication does not include documented use of modeling or statistical techniques.

K. Falsification. Manipulating research materials, equipment, or processes; or changing or omitting data or results such that the research is not accurately represented in the research record (Federal Policy on Research Misconduct, 65 FR 76260-76264).

L. Plagiarism. The appropriation of another person's ideas, processes, results, or words without giving appropriate credit (Federal Policy on Research Misconduct, 65 FR 76260-76264). Included in the concept of plagiarism is self-plagiarism, the re-use word for word of large portions of previously published text without citation to the previously published work.

M. Reporting. Dissemination of scientific activities and results.

N. Scientific Product. The results of scientific activities including the analysis, synthesis, compilation, or translation of scientific information and data into formats used in the Department's decision-making processes or publications. Scientific products may be Federal records under the Federal Records Act and/or agency records under the Freedom of Information Act and, as such, subject to statutory and regulatory preservation and/or disclosure requirements.

O. Professional Judgment. An authoritative evaluation that is characterized by or conforms to the technical and ethical standards of a discipline and requires specialized knowledge or applicable academic preparation.

P. Volunteer. A person who provides, under the terms of a Volunteer Services Agreement, uncompensated hours of service to the Department. A volunteer is not subject to the wage, hour, and compensation provisions of the Fair Labor Standards Act and cannot perform inherently Federal functions.

Q. Managers and Supervisors. Employees who manage people, funds, and resources of the Department.

R. Scientific Integrity Officials. The Departmental Scientific Integrity Officer (DSIO), the Bureau Scientific Integrity Officers (BSIOs), and the Departmental Scientific Integrity Coordinators (DSICs).

S. Inappropriate Influence. The attempt to shape or interfere in scientific activities or the communication about or use of scientific activities or findings in a way that significantly departs from well-accepted standards and practices. This includes Inappropriate Political Influence, the attempt to gain significant partisan or political advantage or outcomes by shaping the production, results, or communication of scientific activities.

T. Ethical Behavior. As referenced in this DM chapter, the term “ethical behavior” refers to compliance with all applicable Federal ethics law and authorities. As noted above, scientific integrity includes, but is not limited to, actions that conform to the Federal ethics requirements.

U. Misinformation. Incorrect, misleading, or misattributed information.

3.8 Responsibilities.

A. Deputy Secretary.

(1) Provides leadership for the Department on scientific integrity, such as leading through example, upholding scientific integrity principles, and regularly communicating the importance of scientific integrity.

(2) Ensures Departmental compliance with this policy and ensures coordination and compliance with corrective scientific actions when violations of this policy are substantiated.

(3) Designates the duties of “Departmental Scientific Integrity Officer (DSIO)” to a full-time equivalent career staff person with substantial and recognized scientific knowledge, expertise, and experience, and is appointed at a senior level. DSIO duties shall not be removed or reassigned without a written notification to the Department Scientific Integrity Council.

(4) Ensures provision of resources for the DSIO to carry out the DSIO’s responsibilities under this chapter.

(5) Facilitates the independence of scientific integrity officials from chain of command, especially as it relates to investigative procedure.

(6) Designates a senior Department employee with Department-appropriate qualifications and scientific credentials for the role of science advisor to advise on scientific issues.

(7) Supports Department plans for forming evidence-based policies, including the evidence-building plans required by 5 U.S.C. § 312(a) and the annual evaluation plans required by 5 U.S.C. § 312(b).

(8) Ensures that covered parties will receive scientific integrity information or training consistent with Section 3.6A(7) of this chapter.

B. Office of the Executive Secretariat and Regulatory Affairs (OES).

(1) Receives complaints alleging scientific integrity policy violations committed by Departmental employees and other Covered Parties as defined by this Chapter.

(2) Refers complaints to the appropriate scientific integrity official, subject to the DSIO's authority to determine where a complaint should be referred.

(3) Maintains the official repository for records of complaints.

C. Science Advisor.

(1) Serves as the principal advisor to the Secretary of the Interior (Secretary) on scientific issues and ensures that the Department's research programs are scientifically well-founded and conducted with integrity.

(2) In cooperation with the DSIO, supports the implementation and iterative improvement of policies and processes affecting the integrity of research funded, conducted, or overseen by the Department, and those affecting covered parties who support the research activities of the Department.

(3) Ensures the Department establishes as necessary clear administrative actions for substantiated scientific integrity policy violations.

(4) Facilitates the scientific integrity officials' independence from chain of command as it relates to carrying out their scientific integrity-related duties.

D. Departmental Scientific Integrity Officer (DSIO).

(1) Is a designated, full-time equivalent, senior level career staff person with substantial and recognized scientific knowledge, expertise, and experience.

(2) Provides Department-wide leadership for implementation and iterative improvement of this chapter.

(3) Serves as Scientific Integrity Officer for the Office of the Secretary, Department offices outside of the Bureaus, and Bureaus where the scientific integrity officer position is vacant and an acting scientific integrity officer has not been appointed.

(4) Implements this chapter as it pertains to Bureaus and Offices of the Department.

(5) Provides to the Departmental Scientific Integrity Coordinators records of scientific integrity complaints, responses to findings, and corrective action plans processed by the DSIO and the DSIO's predecessor. Upon leaving the DSIO position, provides the succeeding DSIO with all relevant records.

(6) Proactively promotes a culture of scientific integrity, including through informing or training covered parties as required by this chapter and briefing senior leadership and other groups whose adherence to and support of scientific integrity principles are critical to success of the Department's mission.

(7) Ensures the integrity and consistency of the policy implementation across the Department.

(8) Serves as Chairperson of the Department's Scientific Integrity Council and participates in government-wide and professional scientific integrity organizations.

(9) Processes Complaints and conducts Consultations consistent with this chapter. Assigns incoming Complaints to the appropriate scientific integrity official(s). Works with a designated responsible official to ensure corrective actions are taken after violations of the scientific integrity policy.

(10) Assists scientific integrity officials with obtaining all relevant records and materials, as appropriate.

(11) Informs the Deputy Secretary of the status of the implementation of this chapter. Department leadership shall neither compel the DSIO to divulge information related to investigative activities nor inappropriately interfere with them.

(12) Coordinates with the SOL, OIG, and other offices, as necessary, on cross-cutting issues.

(13) Reports any behavior related to waste, fraud or abuse to the OIG that is uncovered while responding to a scientific integrity complaint.

(14) Delegates responsibilities to DSICs and BSIOs, and chairs their regular meetings as described in Section D(J)(2) of this chapter.

(15) Serves as the Department liaison on matters of scientific integrity, which includes:

(a) fostering effective communication and acting as an intermediary and source of information,

(b) providing advice and guidance on the scientific integrity policy, and

(c) serving as scientific integrity SME for internal and external matters involving the Department.

(16) Provides appropriate information, to the extent permissible under law, and in a manner that protects identities of subjects, complainants, witnesses, and SMEs, including:

(a) Information related to the outcomes of scientific integrity complaints, for instance, through the disclosure of closed case summaries on the Department's Scientific Integrity website, as set forth in Sections 3.10C(5) and 3.10F(5) of this Chapter.

(b) An annual report summarizing key Departmental scientific integrity activities as described below.

(17) Leads efforts to revise and update this policy and any accompanying guidance, as appropriate.

(18) As appropriate and to the extent allowed by law, safeguards controlled unclassified information, especially where this applies to investigative activities.

(19) To the extent possible, be involved in high level discussions and strategic planning on the recruitment, retention, development, and advancement of employees who conduct scientific activities—especially those from underrepresented communities—to help ensure that scientific integrity is appropriately and carefully considered.

E. Assistant Secretaries.

(1) Provide leadership for their Bureaus and Offices on scientific integrity, such as leading through example, upholding scientific integrity principles, and regularly communicating the importance of scientific integrity.

(2) Ensure their Bureaus and Offices comply with this policy and ensure accountability for non-compliance.

F. Heads of Bureaus/Offices.

(1) Provide leadership for their Bureau or Office on scientific integrity, such as leading through example, upholding scientific integrity principles, and regularly communicating the importance of scientific integrity.

(2) Ensure their Bureau or Office complies with this chapter and ensures corrective actions after a violation of the scientific integrity policy.

(3) Ensure and develop Bureau- or Office-specific guidance, as appropriate.

(4) Ensure provision of resources for the BSIO to carry out the BSIO's responsibilities under this chapter.

(5) Facilitate the scientific integrity officials' independence from chain of command, particularly with respect to investigative procedures.

G. Non-Political Deputy Bureau Directors or Equivalents.

(1) Provide leadership for their Bureaus on scientific integrity, such as leading through example, upholding scientific integrity principles, and regularly communicating the importance of scientific integrity.

(2) Designate a BSIO, a career staff person with extensive scientific knowledge, expertise, and experience, who will report to the non-political Deputy Bureau Director or equivalent and will coordinate with the DSIO regarding the review of Bureau-level allegations of scientific integrity policy violations. BSIO duties shall not be removed or reassigned without a written notification sent to the DSIO. If a Bureau has a scientific integrity office, the BSIO may instead be appointed by, and report to, a career scientist heading that office.

(3) Support and respect the scientific integrity officials' independence, recommendations, and designation of and agency compliance with corrective scientific actions when violations of this policy are substantiated.

H. Departmental Scientific Integrity Coordinators (DSICs)

(1) Are designated, full-time equivalent, career staff persons with substantial and recognized scientific knowledge, expertise, and experience.

(2) Provide advice and support to the DSIO and BSIOs on implementation of this chapter and related scientific integrity policies and procedures, including:

(a) promoting consistent implementation of this chapter across the Department.

(b) providing review of Reports of Inquiry and other important Complaint-related documents.

(c) providing counsel and assistance on investigative procedures.

(d) receiving from DSIO and BSIOs and maintaining records related to scientific integrity complaints, responses to findings, and corrective action plans.

(e) developing and maintaining training materials, providing training support, and otherwise proactively promoting a culture of scientific activity.

(f) keeping current the Departmental scientific integrity website.

(g) providing policy revision and program evaluation support.

(h) planning and executing Scientific Integrity Council meetings.

(3) At the request of the DSIO, assume the role of scientific integrity officer for processing complaints and conducting consultations in the rare circumstance when the DSIO or BSIO is unable to process a complaint or consultation that would normally fall within their purview.

(4) Brief the DSIO routinely on the status of the implementation of this chapter.

(5) Coordinate with the SOL, OIG, and other offices, as necessary, on cross-cutting issues.

(6) Report any potentially criminal behavior related to waste, fraud or abuse to the OIG that is uncovered while responding to a scientific integrity complaint.

(7) Serve on the Department's Scientific Integrity Council and participate in government-wide and professional scientific integrity organizations.

(8) At the request of the DSIO or BSIO, serve as a Department or Bureau liaisons on matters of scientific integrity, which includes:

(a) fostering effective communication and acting as an intermediary and source of information,

(b) providing advice and guidance on the scientific integrity policy, and

(c) serving as scientific integrity SME for internal and external matters involving the Department or Bureau.

(9) As appropriate and to the extent allowed by law, safeguard controlled unclassified information, especially where this applies to protecting identities and deliberative processes.

I. Bureau Scientific Integrity Officers (BSIOs).

(1) Are designated, career staff persons with scientific knowledge, expertise, and experience.

(2) Provide Bureau-wide guidance for implementation of this chapter.

(3) Maintain the record of scientific integrity complaints, responses to findings, and corrective action plans processed by the BSIO and the BSIO's predecessors. Provide copies of all official records to the DSICs. Upon leaving the BSIO position, provide the succeeding BSIO with all relevant records.

(4) Proactively promote a culture of scientific integrity, including through training covered parties as required by this chapter and briefing senior leadership and other groups whose adherence to and support of scientific integrity principles are critical to success of the Bureau mission.

(5) Keep the non-political Deputy Bureau Director, scientific integrity office director, or equivalent informed on the status of the implementation of this chapter. Bureau leadership shall neither compel the BSIO to divulge information related to investigative activities nor inappropriately interfere with them.

(6) Process complaints and consultations consistent with this chapter.

(7) Inform the DSIO of the status of scientific integrity complaints.

(8) Coordinate with the SOL, OIG, relevant Bureau offices, and other offices, as necessary, on cross-cutting issues.

(9) Report any behavior related to waste, fraud or abuse to the OIG that is uncovered while responding to a scientific integrity complaint.

(10) Serve on the Department's Scientific Integrity Council and participate in government-wide and professional scientific integrity organizations.

(11) Recommend appropriate changes in scientific policy or practice to the DSIO. Lead drafting and revision of the Bureau-level scientific integrity policy, as appropriate.

(12) Serve as the Bureau liaison on matters of scientific integrity, which includes:

(a) fostering effective communication and acting as an intermediary and source of information,

(b) providing advice and guidance on the scientific integrity policy, and

(c) serving as scientific integrity SME for internal and external matters involving the Bureau.

(13) As appropriate and to the extent allowed by law, safeguard controlled unclassified information for prescribed BSIO responsibilities, especially where this applies to protecting identities and deliberative processes.

(14) To the extent possible, be involved in Bureau-level discussions and strategic planning on the recruitment, retention, development, and advancement of employees who conduct scientific activities—especially those from underrepresented communities—to help ensure that scientific integrity is appropriately and carefully considered.

J. Scientific Integrity Council.

- (1) Is comprised of the scientific integrity officials (DSIO, BSIOs, and DSICs), and is chaired by the DSIO, who may select a BSIO or DSIC to serve as vice-chair.
- (2) Meets routinely to give updates, share best practices, and discuss possible policy and program improvements.
- (3) As delegated by the DSIO, oversees implementation, evaluation, and iterative improvement of scientific integrity policies and processes.
- (4) Coordinates with the DSIO in implementing Departmental scientific-integrity policies, processes, and their evaluation.
- (5) Provides oversight for the implementation of this chapter.
- (6) Members act as liaisons for their respective organizations (e.g., BSIOs represent their respective Bureaus).
- (7) Assists with training and policy assessment, updates, and amendments.
- (8) Is available to address any questions or concerns regarding this policy.
- (9) Provides other scientific integrity services as delegated by the DSIO.

K. Managers and Supervisors.

- (1) Comply with and implement this chapter as it pertains to their area of management or supervision, ensuring that persons covered under this policy are aware of who the BSIO is and of their responsibilities to comply with this policy and any Bureau-specific guidance.
- (2) Be aware of and uphold the principles contained in this policy and the Scientific and Scholarly Code of Conduct. Lead through example by upholding scientific integrity principles and communicating the importance of doing so.
- (3) Report any knowledge of potential violations of the scientific integrity policy to the BSIO or other scientific integrity official.
- (4) Comply with requests from the DSIO/BSIO to secure all records and materials relevant to complaints; and obtain access to all original records and materials relevant to complaints.
- (5) Mitigate and prevent future violations of the scientific integrity policy using lessons learned and/or recommendations from a scientific integrity official.

(6) Will not commit prohibited personnel practices (as defined in 5 U.S.C. 2302(b)) against covered parties, including those who uncover and report good faith allegations of scientific integrity policy, those alleged to have violated the scientific integrity policy, and those who serve as witnesses or SMEs in scientific integrity investigations.

(7) Ensure that all contracts, written agreements, cooperative agreements, grants, permits, and leases, covered under the scope of this chapter and under their purview include the requirements of this policy as set forth in Section 3.13 of this chapter.

L. Covered Parties.

(1) Comply with this policy, abide by the Code of Scientific and Scholarly Conduct, and adhere to accepted professional values and practices of the relevant scientific community.

(2) Report to the appropriate officials, as described in Section 3.8 of this chapter, knowledge of scientific integrity policy violation that is planned, is imminent, or has occurred.

(3) Ensure that any outside parties have been informed of their responsibilities for complying with this policy.

M. Outside Parties (as defined in 3.7H). Abide by the principles contained in this policy regarding the integrity of the Department's scientific activities, as specified in Section 3.9 of this chapter.

N. Departmental Ethics Office (DEO), Office of the Solicitor (SOL).

(1) Perform the responsibilities set forth in 5 C.F.R. § 2638.104 in a consistent manner across the Department, including providing advice and counsel to employees, directing an effective ethics education and training program, and administering an effective financial disclosure program.

(2) Serve as the lead office at the Department on all ethics matters, including but not limited to criminal conflict of interest laws, the Standards of Ethical Conduct for Executive Branch Employees, and the Department's supplemental ethics regulations.

(3) Provide guidance and training on Federal ethics authorities in compliance with 5 C.F.R. § 2638. However, outside of the DEO's express delegated authority as discussed in (1) and (2) above, the DEO is not authorized to provide guidance and training on compliance with requirements of this policy, to include complying with scientific integrity practices generally or the Code of Scientific and Scholarly Conduct.

(4) Provide training, guidance, and technical support to Scientific Integrity Officials on criminal conflict of interest laws, the Standards of Ethical Conduct for Executive

Branch Employees, and the Department's supplemental ethics regulations to support their roles as set forth in this policy.

3.9 Code of Scientific and Scholarly Conduct.

A. Department Employees, Volunteers, and Outside Parties.

(1) I will act in the interest of the advancement of science and scholarship for sound decision making, by contributing or using the most appropriate, best available, high quality scientific data and information to inform the mission of the Department.

(2) I will communicate the results of scientific activities clearly, honestly, objectively, thoroughly, accurately, and in a timely manner.

(3) I will be responsible for the resources entrusted to me; including equipment, funds, my time, and the employees I supervise.

(4) I will adhere to the laws and policies related to:

(a) the protection of natural and cultural resources, and

(b) the conduct of research on animals and human subjects.

(5) I will clearly differentiate among facts, personal opinions, assumptions, hypotheses, and professional judgment when reporting or using the results of scientific activities and characterizing associated definable uncertainties, such as using those results for decision making, and in carrying out public information activities.

(6) I will protect, to the fullest extent allowed by law and policy, the confidential and proprietary information provided to the Department by individuals, communities, and entities whose interests and resources are studied or affected by scientific activities.

(7) I will be diligent in creating, using, preserving, documenting, and maintaining scientific collections, records, methodologies, information, and data in accordance with Federal and Departmental law, regulation, policy, and procedures.

(8) I will adhere to requirements that the scientific data and information I create and manage be made freely available and publicly accessible according to public access policies.

(9) I will be responsible for the quality of the data I use or create and the objectivity, utility, and integrity of the conclusions, interpretations, applications, and recommendations I make. I will adhere to appropriate quality assurance and quality control standards, and not withhold information because it might not support preferred outcomes.

(10) I will not knowingly participate in a particular matter that causes a conflict of interest, otherwise violates Federal ethics laws and authorities, or engage in other prohibited actions or influences.

(11) I will not intentionally hinder the scientific activities of others or engage in misconduct that violates the scientific integrity policy.

B. Individuals Engaged in Scientific Activities. In addition to paragraph 3.9A above, for all employees, volunteers, and outside parties:

(1) I will place quality and objectivity of scientific activities and reporting of results ahead of personal gain or allegiance to individuals or organizations.

(2) I will fully disclose the scientific methodologies used, all relevant data and information, and the procedures for identifying and excluding faulty data to the extent allowed by law.

(3) I will adhere to appropriate professional and organizational standards for authoring and responsibly publishing the results of scientific activities and will respect the intellectual property rights of others.

(4) I will welcome constructive criticism of my scientific activities and will be responsive to peer review and appropriate administrative review.

(5) I will provide constructive, objective, and professionally valid peer review of the work of others, free of any personal or professional jealousy, disputes, competition, non-scientific disagreement, or conflict of interest resulting from financial interests or personal or business relationships. I will substantiate comments that I make with clear rationale.

(6) I will maintain scientific integrity and will not engage in fabrication, falsification, or plagiarism in proposing, performing, reviewing, or reporting scientific activities and products of these activities.

C. Decision Makers. In addition to paragraph 3.9A above, for all decision makers:

(1) I will support the scientific activities of others and will not engage in dishonesty, fraud, misrepresentation, coercive manipulation, censorship, or other misconduct that violates the scientific integrity policy.

(2) I will provide objective review of scientific activities of employees I supervise and will encourage them to obtain appropriate peer review of their work.

(3) I will ensure my employees and I adhere to scientific integrity training requirements of the Department.

(4) I will respect the intellectual property rights of others and will substantiate comments that I make about their work.

(5) I will adhere to appropriate standards for reviewing, reporting, documenting, and applying results of scientific activities used in decision making and ensure public access to those results in accordance with Departmental policy and established laws.

3.10 Processing Consultations or Complaints of Scientific Integrity Policy Violations.

A. Consultation

(1) A potential complainant or otherwise concerned party may consult with a scientific integrity official to, for example:

(a) better conform the complaint to scientific integrity complaint submission requirements,

(b) seek advice on whether the complaint or components of the complaint would be better submitted under another procedure,

(c) ask for information on the complaint processing procedure.

(2) While consulting with a potential complainant or otherwise concerned party, the scientific integrity official:

(a) shall provide up-front information concerning the confidentiality of their interaction: that confidentiality will be provided to the extent allowed by law, and with the exception of matters that must be reported to law enforcement or OIG and/or clear violations of the scientific integrity policy,

(b) may conduct preliminary investigative activities (e.g., interviews, evidence review) as part of the Consultation,

(c) should assess and discuss if this is a matter that can be resolved without filing a complaint,

(d) may file a complaint (with or without the support of the potential complainant) if the burden(s) of proof for substantiating the potential allegation(s) will likely be satisfied.

(3) At any time during the Consultation, the potential complainant or otherwise concerned party may file a complaint consistent with this chapter, at which time the Consultation stops.

(4) Nothing in this section shall be interpreted to interfere with the rights of employees to seek consultations or report allegations, complaints, or concerns relevant to any of the legal protections described under Section 3.6(F) of this policy, including, but not limited to, any disclosure of any violation of any law, rule, or regulation to the OIG, allegations of prohibited personnel practices to the OSC or the OIG, reports of harassing conduct under PB 18-01, or complaints of discrimination to the EEOC. The scientific integrity official shall provide notice to the complainant that the procedures under this policy neither preclude filing with any other entity nor replace, supplant, or satisfy any filing requirements of any other process described under Section 3.6(F) and inform the complainant of the right to seek corrective action from the OSC or contact the OIG, as described under Section 3.6(F)(4).

B. Filing a Complaint.

(1) Any person (Complainant) may file a Complaint claiming scientific integrity policy violations (Complaint).

(2) The Complainant must submit the Complaint to the OES by email to: doixecsec@ios.doi.gov. Nothing in this section shall be interpreted to interfere with the rights of employees to submit reports, complaints, or concerns to any other entity, such as the OIG.

(3) The Complaint must be in writing and include all of the following information:

(a) The name and signature of the person(s) submitting the complaint (i.e., Complainant(s)), including any organizational affiliation.

(b) The name of the person(s) or organization alleged to have violated the scientific integrity policy (i.e., Subject(s)), if known.

(c) A statement of facts (including dates, locations, and actions) that support the complaint, including when and how the complainant first learned of such facts.

(d) An explanation of how the criteria for a scientific integrity policy violation (as described in paragraph 3.7B) are met, including, 1) citations or other information

identifying the accepted practices of the relevant scientific community, and 2) an explanation of how the alleged actions constitute a significant departure from those practices.

(e) An explanation of any conflict(s) of interest (as defined in paragraph 3.7E) that the Complainant has with the Subject(s), entity(ies), or situation(s) named in the Complaint.

(f) A statement indicating whether the Complainant(s) also submitted some or all the facts of their complaint elsewhere, such as a Human Resources Office, Office of Special Counsel, OIG, etc.

C. Initial Processing of a Complaint.

(1) Referral of a Complaint. Upon receipt of a complaint, the OES will open a file to track the Complaint and will send the Complaint to the DSIO, who will refer processing of the Complaint to an appropriate scientific integrity official.

(a) Throughout the referral process, all employees involved must maintain confidentiality and protect involved parties, including complainant(s), witnesses, subjects, and SMEs, to the extent permissible under law.

(b) When a single Bureau is involved, the DSIO will refer the Complaint to the BSIO for that Bureau. If the BSIO is not able to process the complaint, the DSIO may consider the options in subsection (d), below.

(c) The DSIO will determine processing of the complaint when multiple Bureaus, a Bureau head, the Office of the Secretary, another Department office or Bureau without a BSIO, or more than one Federal entity is involved. If the BSIO is not able to process the complaint, the DSIO may consider the options in subsection (d), below.

(d) In extenuating situations, such as where the actionable scientific integrity official cannot process a complaint, the DSIO may consider assigning the Complaint to another scientific integrity official. If warranted, the DSIO may also enlist the assistance of the NSTC Subcommittee on Scientific Integrity or a scientific integrity official at another agency.

(e) The DSIO retains the authority to determine where a complaint should be referred, provided the DSIO remains consistent with this chapter and Code of Scientific and Scholarly Conduct.

(2) Preliminary Review of a Complaint.

(a) Throughout the Preliminary Review, all employees involved must maintain confidentiality and protect involved parties, including complainants, witnesses, subjects, and SMEs, to the extent permissible under law.

(b) Completeness Review. The scientific integrity official will conduct a timely initial review of the complaint and determine whether the complaint contains the information required by paragraph 3.10B(3). The scientific integrity official will close the Complaint and inform the Complainant in writing of the reason for closure, if any additional required information requested by the scientific integrity official is not provided by the Complainant in a timely manner or cannot be readily acquired.

(c) Substance Review. Provided the Complaint has met the Completeness Review criteria set forth in 3.10C(2)(b), the scientific integrity official will conduct a timely review of the Complaint's substance, and may supplement the review with interviews, document reviews and SME assistance (as described in Section 3.10(D)(3)(d)), as necessary. The scientific integrity official will close the complaint and inform the Complainant of the reason for closure in writing, if:

(i) The scientific integrity official determines that the Complaint was previously the subject of a scientific integrity complaint and provides no substantial new information,

(ii) The scientific integrity official determines that the Complaint fails to allege a viable claim of scientific integrity policy violation on its face, or

(iii) The scientific integrity official determines that a reasonable person would conclude that there was no violation of scientific integrity policy.

(d) If the Complaint alleges a violation of scientific integrity policy but also involves matters that may be within the purview of another complaint process, such as an OIG, human or employee relations, or Information Quality Act complaint, then the scientific integrity official must coordinate with the responsible office(s) with respect to investigative responsibilities. If the Complaint involves matters that are the subject of an active complaint against the Federal Government, then the scientific integrity officer will work with the SOL to coordinate the scientific integrity investigation with other legal processes, as appropriate.

(3) If the Complaint is against a contractor, cooperator, partner, permittee, lessee, or grantee, or any employee, subcontractor, or sub-awardee of such entity, the scientific integrity official will follow the procedures under paragraph 3.10I below.

(4) If the decision is made to close the Complaint consistent with (2)(b), (2)(c), (2)(d), or (3) of this subsection, and the Subject is aware of the Complaint, the scientific integrity official will also inform the Subject taking care not to divulge the identity of the Complainant or other parties.

(5) If the scientific integrity official closes the Complaint at Preliminary Review, the scientific integrity official will post a brief summary on the Department scientific integrity public-facing website. The summary shall not divulge identities of subject(s), complainant(s), or other witnesses and SMEs involved in the Complaint. The summary should at

a minimum identify the responsive Bureau, the fiscal year the Complaint was filed, the anonymized allegation, and the determination.

(6) The scientific integrity official should notify the DSIO and DSICs when Preliminary Review is complete.

(7) Preliminary Review of a Complaint should be completed by the scientific integrity official 120 days from referral; should the scientific integrity official require additional time to process the Complaint, the scientific integrity official should notify the DSIO and DSICs in writing of the extension of Preliminary Review with a revised timeframe and explanation for the delay.

D. Conducting an Inquiry.

(1) If the Preliminary Review indicates that the Complaint is timely, complete, and has merit, the scientific integrity official will conduct an Inquiry into the complaint. The scientific integrity official may inform the Complainant that the Complaint is proceeding to Inquiry.

(2) Throughout the Inquiry and fact finding, all employees involved in the Inquiry must maintain confidentiality and protect involved parties, including complainants, witnesses, subjects, and SMEs, to the extent permissible under law. The scientific integrity official may grant an exemption in special circumstances, such as when an employee requests to inform a supervisor that regular duty time might need to be dedicated to participating in an investigation.

(3) When conducting an Inquiry, the scientific integrity official must:

(a) Request appropriate management assistance, as needed, to secure all original records and materials relevant to the Complaint; and obtain access to all original records and materials relevant to the Complaint.

(b) Provide written notice to the Subject(s) that a complaint has been filed, describing the claim(s) of scientific integrity policy violation lodged against them. The Subject should also be provided an acknowledgement form to be signed by the Subject, informing the Subject of the Subject's duties and rights.

(c) Gather documents and other evidence, conduct interviews, and perform other investigative tasks relevant to the Complaint, as appropriate.

(d) Retain the assistance of a SME or SMEs, as needed. If SME assistance is needed, the scientific integrity official must:

(i) Advise the SME(s) of the importance of confidentiality of involved parties, materials, and discussions relating to the alleged scientific misconduct. No

release of information by SMEs pertaining to any allegation is allowed. The SME(s) must safeguard all discussions and not share information unless required by law.

(iii) Clearly describe the charge, defined as the scope of the SME(s) activities and the questions to be answered.

(iii) Require the SME(s) to disclose conflicts of interest or appearances of a conflict of interest. Conflicted SME(s) should not participate in the activity.

(iv) Document that the SME(s) accepted the terms of the charge and volunteered conflict of interest or appearance of conflict of interest.

(v) Provide the SME(s) with the relevant portion(s) of the Complaint and all information necessary for the SME(s) to respond to the charge.

(e) Provide the Subject(s) the opportunity to:

(i) During the Inquiry, within a defined period of time, provide a statement and other material the Subject(s) believes is relevant to the Complaint.

(ii) Prior to finalizing a potential policy violation, review an anonymized description of the draft findings and supporting evidence and provide (if desired) a written exception and supporting materials to the draft findings within a timeframe specified by the scientific integrity official. To ensure policy and legal sufficiency in crafting the anonymized draft, the scientific integrity official may enlist the assistance of the DSIO and SOL. At the discretion of the scientific integrity official, the written exception(s), if provided, can become part of the Report of Inquiry.

(4) Investigation of a Complaint should be completed by the scientific integrity official 200 days from the start of Inquiry (after completion of Preliminary Review); should the scientific integrity official require additional time to process the Complaint, the scientific integrity official should notify the DSIO and DSICs in writing of the extension of Preliminary Review with a revised timeframe and explanation for the delay.

E. Report of Inquiry.

(1) For Complaints that proceed to Inquiry, the scientific integrity official must issue a Report of Inquiry (ROI) at the conclusion of the investigation.

(2) The ROI must contain:

(a) A description of all the evidence (documents, interviews, etc.) relied upon.

(b) Findings of fact that reference the evidence of record; and

(c) A determination as to whether the scientific integrity policy has been violated and an explanation of the reasons for the determination. A determination the scientific integrity policy has been violated requires that:

(i) there be a significant departure from accepted practices or standards of the relevant scientific community;

(ii) the actions be committed intentionally, knowingly, or recklessly; or comprise inappropriate political influence; and

(iii) the actions be proven by a preponderance of evidence.

(d) Recommendations to protect or restore scientific integrity, as necessary. The scientific integrity official shall not recommend personnel actions.

(3) The scientific integrity official must provide the DSIO (or designee) and the SOL an opportunity to provide review and comment (for consistency with the Departmental policy and legal sufficiency, respectively) on the ROI prior to finalizing.

F. Inquiry Close Out. Upon completion of the ROI, the scientific integrity official must:

(1) inform OES that the finding and record are complete;

(2) inform the Complainant(s) and Subject(s) of the findings,

(3) close the case;

(4) provide a copy of the ROI to the Bureau head, the non-political deputy Bureau director or equivalent, the DSIO, OES, SOL, and, at the discretion of the scientific integrity official, relevant parties whose receipt of the ROI will help ensure appropriate resolution or corrective action; and

(5) post a brief summary on the Department scientific integrity public-facing website. The summary shall not divulge identities of complainant(s), witnesses, subjects, and SMEs involved in the Complaint. The summary should at a minimum identify the responsive Bureau, the fiscal year the Complaint was filed, the anonymized allegation, and the determination. In the case of a policy violation, the scientific integrity official may provide additional information, such as how the policy was violated, a Department or Bureau response, or corrective actions.

G. Follow-up after ROI distribution.

(1) When a scientific integrity official makes a recommendation(s) the Bureau Head (for Bureau-level complaints) or the Deputy Secretary (for complaints against the Office of the Secretary or other Department offices) will respond in writing within 90 days of receipt to the

scientific integrity official with an official Bureau disposition to the recommendation(s), and, as necessary, a corrective action plan and a point of contact for implementation of the corrective action plan.

(2) The point of contact will provide routine status updates to the scientific integrity official.

(3) The corrective action plan and record of its resolution will be recorded in the Complaint file.

H. Reconsideration of a Finding of Scientific Integrity Policy Violation.

(1) The Subject(s) may file a request for reconsideration in order to present new relevant and material information about the findings of fact or determination.

(2) The Subject(s) must submit the request to OES no later than 60 calendar days after receiving the notice of the finding. The OES will log the request and send it to the DSIO. If the request for reconsideration involves a matter previously decided by the DSIO, the Vice Chair of the Council must designate a different scientific integrity official to consider this request.

(a) If the request presents new relevant and material information, the DSIO or designee may conduct additional investigation, as necessary, and amend the ROI as necessary to reflect any modified finding or additional factual information.

(b) If the request does not present new relevant and material information, the DSIO shall deny the request and notify the requester in writing of the denial.

(3) The DSIO or person assigned should make a final decision on the request for reconsideration and related materials within 60 calendar days of receipt or assignment, whichever is later.

I. Complaints Involving Contractors, Cooperators, Partners, Permittees, Lessees, or Grantees.

(1) If a contractor, cooperator, partner, permittee, lessee, or grantee, or their employee, subcontractor or awardee is the Subject of the Complaint, the scientific integrity official must: Conduct a Preliminary Review of the complaint, and, if warranted under paragraph 3.10B, contact the appropriate Federal official responsible for the activities of the contractor, cooperator, partner, permittee, lessee, or grantee to inform the official that a scientific integrity complaint has been filed. The appropriate official could be the Contracting Officer, Financial Assistance official or permit/lease manager.

(2) If the scientific integrity official decides there is sufficient merit to warrant conducting an Inquiry regarding a complaint against a cooperator, partner, permittee, lessee, or grantee, the scientific integrity official and the appropriate Federal official must consult with the

SOL on applicable laws and regulations relevant to oversight of outside parties, such as the appropriate procedure, to whom, if anyone, the investigation should be referred (e.g., an external organization's research integrity officer), and what activities may be investigated under applicable laws and regulations. For additional perspective, the scientific integrity official and the appropriate Federal official may also consult with the NSTC Subcommittee on Scientific Integrity. No Department Inquiry will be conducted without prior assent from the SOL.

J. Scientific Integrity Complaints Involving Tribal Nations, Tribal Data, or Indigenous Knowledge. If a scientific integrity complaint involves a Tribal Nation, Tribal Data, or Indigenous Knowledge, upon assignment to a Scientific Integrity Official, the Scientific Integrity Official will work with the SOL to determine which laws and regulations are relevant, appropriate procedures, and how to include the Tribal Nation in the complaint process, including recommendations to restore scientific integrity, which may be addressed through formal Tribal consultation.

3.11 Monitoring and Evaluating Scientific Integrity Activities and Outcomes. The Department Scientific Integrity Council will develop and implement an evaluation plan, including a Department-wide scientific integrity survey, to regularly measure, monitor, and evaluate ongoing scientific integrity activities and outcomes.

3.12 Annual Scientific Integrity Report. The DSIO with input from the Scientific Integrity Council is responsible for generating and making prominently available on the Department's public facing website an annual report on the status of scientific integrity within the Department, per the January 27, 2021, Presidential Memorandum. For the fiscal year, the report shall highlight scientific integrity successes, accomplishments, or progress across Departmental (e.g., new scientific integrity hires, training, enhancements to scientific integrity policies, etc.), identify areas for improvement, and develop a plan for addressing critical weaknesses, if any. It will also include the number of scientific integrity Complaints, and Requests for Reconsideration.

3.13 Scientific Activity Requirements for Contractors, Cooperators, Partners, Permittees, Lessees, Grantees, and Other Outside Parties. Bureaus and Offices responsible for Departmental acquisitions, financial assistance agreements, permits, leases, or other agreements must, in consultation with the Office of Acquisition and Property Management, insert the following standardized language (or equivalent) into any contract, grant, permit lease, agreement, or other award that includes activities covered under this policy:

A. Scientific integrity is vital to Departmental activities under which scientific research, data, summaries, syntheses, interpretations, presentations, and/or publications are developed and used. Failure to uphold the highest degree of scientific integrity will result not only in potentially flawed scientific results, interpretations, and applications but will damage the Department's reputation and ability to uphold the public's trust. All work performed must comply with the Department Scientific Integrity Policy posted to <http://www.doi.gov>, or its equivalent as provided by their organization or State law.

3.14 Intersections of this Chapter with Related and Supporting Policies.

A. Scientific integrity officials should have an awareness of policies and programs that intersect with the development of the culture of scientific integrity within the Department. Scientific integrity officials, where possible, shall be involved in the development or revision of the broader set of policies and practices that affect the culture and applicability of scientific integrity within the Department.

B. Related policies that can intersect scientific integrity include, but are not limited to:

- (1) Diversity, Equity, Inclusion, and Accessibility.
- (2) Public Access
- (3) Human and Animal Subject Protections
- (4) Research Security
- (5) Foundations for Evidence Based Policymaking Act
- (6) Notification and Federal Employee Antidiscrimination and Retaliation Act
- (7) Dual Use Research of Concern
- (8) Communications of Department Science
- (9) Departmental Responsibilities for Consideration and Inclusion of Indigenous Knowledge in Departmental Actions and Scientific Research