

Department of Homeland Security
DHS Directives System
Directive Number: 026-07
Revision Number: 01
Issue Date: 9/25/2024
Certified Current Date: 9/25/2024
SCIENTIFIC INTEGRITY

I. Purpose

This Directive establishes Department of Homeland Security (DHS) policies and procedures to promote Scientific Integrity. It implements the January 27, 2021, “*Presidential Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking*” and the White House Office of Science and Technology Policy (OSTP)’s “*A Framework for Federal Scientific Integrity Policy and Practice*”, issued on January 12, 2023 (the “OSTP Framework”), which provides additional guidance to strengthen scientific integrity policies and practices across the Federal government.

II. Scope

This Directive applies to Scientific Activity conducted, funded, or otherwise supported by any DHS Component (“DHS-sponsored”) and to the DHS workforce. This includes all career and political employees, political appointees, trainees, interns, volunteers, and members of Federal advisory committees who conduct, manage, design, evaluate, communicate, or use science to support DHS policy and decision making.

Important aspects of this policy, detailed in Section VII.B., also apply to DHS contractors, grantees, cooperators, collaborators, and partners who engage or assist in a DHS-sponsored Scientific Activity, as required in their contract, grant, Cooperative Research and Development Agreement (CRADA), memoranda of understanding, or other agreement.

III. Authorities

- A. Title 6, United States Code, Section 182 (10)-(14), “Responsibilities and Authorities of the Under Secretary for Science and Technology”
- B. Presidential Memorandum of March 9, 2009, “Scientific Integrity,” 74 FR 10671 (March 11, 2009)
- C. Presidential Memorandum of January 27, 2021, “Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking,” 86 FR 8845 (February 10, 2021)

- D. Office of Science and Technology Policy Memorandum of December 17, 2010, “Scientific Integrity”
- E. Office of Science and Technology Guidance of January 12, 2023, “A Framework for Federal Scientific Integrity Policy and Practice”
- F. “Federal Policy on Research Misconduct,” 65 FR 76260 (December 6, 2000)
- G. The Whistleblower Protection Act (WPA) of 1989, as amended (5 U.S.C. 2302(b)(8))
- H. DHS Directive 069-01, “Research Misconduct” and DHS Instruction 069-01-001, “Research Misconduct”
- I. DHS Directive 11056.1, “Sensitive Security Information (SSI)”
- J. Delegation 10001, “Delegation to the Under Secretary for Science and Technology”
- K. Designation 00-10006, “Designation of the Scientific Integrity Official”

IV. Definitions

- A. **Loss of Scientific Integrity** refers to the failure to comply with the Scientific Integrity Policy or to adhere to the principles of honesty, objectivity, and transparency; professional practices; and ethical behavior when conducting, managing, using the results of, and communicating about science and scientific activities.
- B. **Inappropriate Influence** refers to the attempt to shape or interfere in scientific activities or the communication about or use of scientific activities or findings against well-accepted scientific methods and theories or without scientific justification. It is not just a difference in opinion.
- C. **Interference** refers to inappropriate, scientifically unjustified intervention in the conduct, management, communication, or use of science. It includes censorship, suppression, or distortion of scientific or technological findings, data, information, or conclusions; inhibiting scientific independence during clearance and review; scientifically unjustified intervention in research and data collection; and inappropriate engagement or participation in peer review processes or on Federal advisory committees.
- D. **Political Interference** refers to interference conducted by political officials and/or motivated by political considerations.

E. **Research Misconduct** refers to fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results or ordering, advising, or suggesting that subordinates engage in Research Misconduct. Research Misconduct does not include honest error or differences of opinion. DHS's Research Misconduct policies and procedures, including those applicable to research misconduct allegations, are set forth in DHS Directive 069-01 and DHS Instruction 069-01-001.

F. **Science** refers to the full spectrum of scientific endeavors, including basic science, applied science, evaluation, engineering, technology, economics, social sciences, and statistics, as well as the scientific and technical information derived from these endeavors.

G. **Scientific Activity** refers to an activity that involves the application of well-accepted scientific methods and theories in a systematic manner, and includes, but is not limited to, data collection, inventorying, monitoring, statistical analysis, surveying, observations, experimentation, study, research, integration, economic analysis, forecasting, predictive analytics, modeling, technology development, and scientific assessment.

H. **Scientific Integrity** refers to 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.

V. Responsibilities

A. The **Under Secretary for Science and Technology (USST)** provides leadership to the Department for promoting a culture of Scientific Integrity and ensures that the Department's Scientific Activities are conducted in accordance with this Directive, including by requiring training, coordination, awareness of Scientific Integrity, accountability, and evaluation and reporting Department-wide.

B. The **Scientific Integrity Officer (SIO)**, designated by the USST, is a non-political, senior-level career employee responsible for coordinating, overseeing, implementing, and ensuring compliance with Scientific Integrity policies and the procedures established in this Directive and related DHS policies and guidance. The SIO serves as the primary Department contact for questions and complaints from Federal personnel regarding Scientific Integrity. The SIO will convene and chair the Scientific Integrity Subcommittee of DHS's Innovation, Research, and Development Coordination (IRDC) Steering Committee.

C. The **Chief Scientist/Chief Science Officer (CSO)** is the principal advisor

to DHS leadership on scientific issues and ensures that DHS research programs are scientifically and technologically well-founded and conducted with integrity. The CSO supports the SIO's oversight, implementation, and improvement of Scientific Integrity policies and processes affecting the integrity of DHS-sponsored research and the DHS scientists who support that research.

D. The **Scientific Integrity Subcommittee** is a subcommittee of DHS's IRDC Steering Committee convened and chaired by the SIO to coordinate and otherwise support implementation and improvement of the Department's Scientific Integrity policies, processes, and related assessments and training.

E. **DHS Components** ensure Component compliance with the policies and procedures established in this Directive, including by designating a representative to serve on the Scientific Integrity Committee at the request of the SIO and ensuring Component cooperation, as needed.

F. The **DHS Office of Public Affairs (OPA)** coordinates and responds to media interview requests about the Department's work. OPA Directives require DHS personnel to coordinate with OPA regarding press briefings, interviews with the news media, and publication of documents for the media. OPA will facilitate the free flow of scientific and technological information by ensuring that, after appropriate coordination with their direct supervisors and when consistent with privacy, security, ethics, and intellectual property considerations, DHS Federal scientists may speak freely to the media and the public about their official work. Non-Federal scientists participating in a DHS-sponsored Scientific Activity must follow any applicable terms and procedures in the applicable contract, grant, or other agreement, including those governing release of information about DHS-sponsored Scientific Activity.

VI. Policy and Requirements

DHS is committed to implementing the OSTP Framework. The Department's mission includes conducting scientific and technical activities to accomplish the goals and objectives of DHS. In addition, scientific and technological information may contribute to the development of DHS programs and policies. Policymakers should involve science and technology experts to ensure that the information and processes used to support policymaking are of the highest integrity. DHS will:

A. Promote a culture of Scientific Integrity, including by prominently publishing this Directive and related DHS policies and guidance on the DHS public website and mandating periodic Department-wide Scientific Integrity training.

B. Protect scientific processes by prohibiting Research Misconduct (addressed by DHS Directive 069-01 and DHS Instruction 069-01-001), political interference, and inappropriate influence with agency science and Scientific Activities, and by representing scientists' contributions fairly and accurately.

C. Prohibit inappropriate influence on scientist communication with the media and public, including by unreasonably delaying approval for release of communications containing scientific information or suppressing, delaying, or altering scientific products and findings for political purpose. To this end, public affairs officers may not ask or direct DHS Federal scientists to alter scientific findings and must accurately represent the work and conclusions of DHS Federal scientists in the Department's communications – and should not communicate directly with contractors, grantees, or their employees at all. Inappropriate influence does not include the Department's preclearance of a scientific product for purposes of providing advance notification or opportunity to review for technical merit.

D. Ensure that Scientific Activity is accurately represented in published DHS documents for external release and for external responses to congressional inquiries, testimony, and other third-party requests. If documents significantly rely on a scientist's research, identify them as an author or represent their scientific opinion, the scientist shall be given the option to review the scientific content of proposed documents, if possible. Communications with non-Federal scientists for this purpose must be through the DHS Contracting Officer (CO), grant official, or other identified DHS point of contact, in accordance with the terms of the applicable contract, grant, CRADA, or agreement.

E. Regularly report publicly on DHS Scientific Integrity activities, including the number of investigations and appeals involving alleged deviations from DHS's Scientific Integrity policies and guidance.

F. Ensure protections for whistleblowers and individuals reporting allegations of a Loss of Scientific Integrity. No action, administrative or disciplinary, will be taken against a person for reporting or providing information through appropriate channels related to an alleged Loss of Scientific Integrity. Under this Scientific Integrity Directive, DHS shall also continue to comply with the WPA and all applicable Office of Special Counsel and DHS regulations, rules, and policies, and its contractors, grantees, cooperators, collaborators, and partners will continue to be bound by whistleblower protection clauses in contracts, grants, CRADAs, and other agreements.

G. Promote diversity, equity, inclusion, and accessibility in the scientific workforce to create safe workspaces that are free from harassment and discrimination and advance the equitable delivery of Federal programs.

H. Select and retain candidates for scientific and technical positions based on the candidate's scientific and technical knowledge, credentials, experience, and integrity, and hold them and their supervisors to the highest standards of professional and scientific ethics.

I. Expand and promote access to scientific and technological information by making it available online in open formats, consistent with the Open Government Initiative.

J. Appoint Federal Advisory Committee members who possess the requisite scientific and technical expertise to serve on their respective committee and provide them with Scientific Integrity guidance.

K. Promote professional development for the Department's scientists, engineers, and researchers, by, for example, encouraging them to publish research findings in peer-reviewed, professional, or scholarly journals, and to present research findings at professional meetings and conferences, consistent with ethics rules for Federal employees and in coordination with OPA and the DHS Office of the General Counsel (OGC).

L. Support Decision Making Processes by use of appropriate peer review and ensure scientists have the freedom to express differing scientific opinions.

M. Consider, as appropriate, the intersection of scientific integrity with related policies, including policies addressing research security, dual-use research of concern, accessibility, public access, human and animal subject protections, evidence-based policymaking, antidiscrimination and retaliation, and diversity, equity, and inclusion.

VII. Procedures

A. Federal employees:

Federal employees should direct allegations of a Loss of Scientific Integrity in DHS-sponsored Scientific Activities to the SIO or the DHS Office of Inspector General (OIG). For allegations submitted to OIG, OIG may either choose to investigate or provide them to the SIO.

For allegations received by the SIO, the SIO will coordinate with the CSO and OGC to conduct an initial evaluation of whether the allegations, if true, would constitute a Loss of Scientific Integrity under this Directive. If they would, the SIO will ensure DHS responds to the allegations consistent with the following procedures and safeguards:

1. DHS responds to allegations of a Loss of Scientific Integrity in three stages: Inquiry, Investigation, and Adjudication.
2. A finding of Loss of Scientific Integrity occurs when:
 - a. There is a failure to comply with this Scientific Integrity

Directive or to adhere to the principles of honesty, objectivity, transparency, professional practices, or ethical behavior when conducting, managing, using results of, or communicating about science and Scientific Activities; and

b. The policy violation has been committed intentionally, knowingly, or recklessly, *and* has been proven by a preponderance of evidence.

3. In determining what administrative actions are appropriate, DHS considers the seriousness of the violation, including whether the Loss of Scientific Integrity violation was intentional, knowing, or reckless; whether it was an isolated event or part of a pattern; the impact to DHS's reputation and those of scientists supporting DHS-sponsored scientific activities; the employee's position; public perception; if the violation had significant impact on the research record, research subjects, other researchers, institutions, or public welfare; and any other factors as may be appropriate.

4. DHS administrative actions may include appropriate steps to correct the research record and discipline for DHS personnel up to and including removal from Federal service, in accordance with relevant Federal personnel policies and laws.

B. DHS contractors, grantees, cooperators, collaborators, and partners who engage or assist in DHS-sponsored Scientific Activities:

1. Must comply with any scientific integrity requirements in their contracts, grants, CRADAs, memoranda of understanding, and/or other agreements, identified as applicable by relevant DHS policies. For grants, see the DHS Financial Management Policy Manual, Chapter 6.

2. Should direct allegations of a Loss of Scientific Integrity in a DHS-sponsored Scientific Activity to the DHS CO for the contract, the grant official for the grant or cooperative agreement or, in the case of agreements other than contracts and grants/cooperative agreements, the identified DHS point of contract, or to the DHS OIG.

3. A substantiated Loss of Scientific Integrity by a contractor, grantee, cooperator, collaborator, or partner in a DHS-sponsored Scientific Activity may lead to: imposition (by DHS procurement or other appropriate officials) of specific certification or assurance requirements to ensure compliance with applicable regulations and policies or terms of an award for extramural research; or suspension or termination of an active award, consistent with the terms and conditions of the award.

C. DHS ensures the implementation of proper safeguards for DHS informants and subjects of allegations of a Loss of Scientific Integrity including protection from

retaliation; due diligence in protecting the positions and reputations of informants; and written notification to the subjects being investigated before there has been an adjudication of alleged research misconduct, violation of policy or Loss of Scientific Integrity.

D. If an alleged Loss of Scientific Integrity involves sensitive information, all applicable laws, regulations, and DHS policies regarding such information shall be followed.

E. To the extent practicable, consistent with a fair and thorough Investigation, and as allowed by law, knowledge about the identity of subjects and informants is limited to those who need to know. Records generated, acquired, or maintained by DHS while responding to an allegation of Loss of Scientific Integrity are exempt from disclosure under the Freedom of Information Act to the extent permitted by law and regulation.

VIII. Questions

Any questions or concerns about this Directive should be addressed to the SIO.

**RANDOLPH D
ALLES**

Digitally signed by
RANDOLPH D ALLES
Date: 2024.09.25 13:58:09
-04'00'

R.D. Alles

Deputy Under Secretary for Management

9/25/24

Date