

SCIENTIFIC INTEGRITY

I. Purpose

This Directive establishes Department of Homeland Security (DHS) policies and procedures to promote Scientific Integrity. It implements President Obama's March 9, 2009 Memorandum for the Heads of Executive Departments and Agencies articulating six principles central to the preservation and promotion of Scientific Integrity, and the White House Office of Science and Technology Policy (OSTP) December 17, 2010, Memorandum, which provides additional guidance.

II. Scope

This Directive applies to all Research (*i.e.*, intramural Research and extramural Research) sponsored or funded by any Component of DHS.

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. Office of Science and Technology Policy Memorandum of December 17, 2010, "Scientific Integrity". Available at <http://www.whitehouse.gov/sites/default/files/microsites/ostp/scientific-integrity-memo-12172010.pdf>

IV. Definitions

- A. **Breach of Scientific Integrity**: Any inappropriate political influence of DHS scientists, engineers, researchers, or contractors to alter or suppress their scientific or technological data, findings, or conclusions.
- B. **Research**: All basic and applied research in all fields of science, engineering, and mathematics.

- C. **Scientific Integrity**: Within the scope of scientific and technological Research conducted by or for the Federal Government, Scientific Integrity is characterized by principles and guidance for preserving and promoting scientific ethics and transparency.

V. Responsibilities

- A. The **Under Secretary for Science and Technology (USST)** has the responsibility to provide leadership to the Department for promoting a culture of Scientific Integrity. The USST will designate a Scientific Integrity Officer within the Science and Technology Directorate.
- B. The **Scientific Integrity Officer (SIO)** is a non-political, senior-level DHS employee responsible for coordinating, implementing, and ensuring compliance with the policies and procedures established in this Directive. In exercising this responsibility, the SIO will:
1. Review all DHS reports of Breaches of Scientific Integrity.
 2. Convene and chair the Scientific Integrity Committee.
 3. Coordinate with the Committee Management Office to provide guidance for Federal advisory committees tasked with giving scientific advice.
 4. Coordinate with the Office of Public Affairs to develop public communications guidance to promote transparency and free flow of scientific and technological information, consistent with privacy, security, ethics, and proprietary considerations.
- C. The **Scientific Integrity Committee** is an *ad hoc* committee convened by the SIO to conduct fact finding in response to a reported Breach of Scientific Integrity. It will include representatives from the Office of the General Counsel and the Chief Human Capital Office, Component subject matter experts, and outside subject matter experts as deemed necessary by the SIO. The Scientific Integrity Committee will:
1. Conduct fact finding, which may include reviewing relevant documents and conducting interviews.
 2. Determine whether there has been inappropriate political influence to alter or suppress scientific facts, findings, or conclusions.
 3. Direct the relevant DHS office to correct the scientific record in accordance with the Scientific Integrity Committee's findings if required.

4. Upon determining that a Breach of Scientific Integrity has occurred, refer the matter to the supervisor of the individual who engaged in the Breach of Scientific Integrity for appropriate action.
- D. ***DHS Components*** ensure Component compliance with the policies and procedures established in this Directive. DHS Components:
1. Designate a representative to serve on the Scientific Integrity Committee at the request of the SIO and ensure Component cooperation with the fact-finding process.
 2. In selecting candidates for scientific positions, ensure that the selection is based upon their scientific and technological knowledge, credentials, experience, and integrity.
 3. Promote and facilitate the professional development of DHS scientists, researchers, and engineers by: establishing rewards and promotions for their Research, discoveries, and new patents, with the goal of minimizing, to the extent practicable, disparities in the ability for private-sector and public-sector employees to accrue the professional benefits of such honors and awards; consistent with ethics rules allowing their full participation in professional or scholarly societies, committees, task forces and other specialized bodies of professional societies, including removing barriers for serving as officers or on governing boards of such societies; and consistent with ethics rules allowing them to become editors or editorial board members of professional or scholarly journals.
- E. ***DHS Program Managers*** facilitate and promote publication and dissemination of scientific and technological findings for DHS projects, consistent with privacy, security, ethics, and proprietary considerations.
- F. The ***DHS Committee Management Officer (CMO)*** has responsibilities as set forth in DHS Management Directive 2300, *Committee Management*¹.
- G. The ***Office of Public Affairs (OPA)*** is responsible for coordinating and responding to media interview requests about the scientific and technological dimensions of the Department's work. OPA has issued Directives requiring DHS personnel to coordinate with OPA regarding press briefings, interviews with the news media, and publication of documents for the media.

¹DHS Management Directive 2300, *Committee Management*, May 23, 2003. Section V, E 1-9.
http://www.dhs.gov/xlibrary/assets/foia/mgmt_directive_2300_committee_management.pdf

OPA:

1. Ensures that DHS scientists and engineers are permitted to speak to the media and the public, consistent with ethics rules and DHS policy, about scientific and technology matters based upon their official work when there is appropriate coordination with their immediate supervisor and OPA.
2. Issues guidance and implements a process to resolve disputes that may arise regarding whether the Department should participate in interviews and other public information-related activities.
3. Facilitates the free flow of scientific and technological information, consistent with privacy, security, ethics, and proprietary considerations.
4. In response to media interview requests about the scientific and technological dimensions of the Department's work, offers articulate and knowledgeable spokespersons who can, in an objective and nonpartisan fashion, describe and explain these dimensions to the American people.
5. Consistent with privacy, security, ethics, and proprietary considerations, ensures that public affairs officers do not ask or direct DHS scientists, researchers, or engineers to alter or suppress their scientific findings or reports.
6. In coordination with the Office of the General Counsel Ethics Division, sets clear standards covering conflicts of interest to strengthen the actual and perceived credibility of Government Research.

VI. Policy and Requirements

DHS is committed to upholding the six core principles of Scientific Integrity in the President's March 9, 2009, Memorandum and OSTP's implementation guidance issued December 17, 2010. The Department's mission includes conducting scientific and technical Research to secure the homeland and respond to natural disasters. In addition, scientific and technological information may contribute to the development of DHS programs and policies. Policy makers should involve science and technology experts to ensure that the information and processes used to support policy making are of the highest integrity. To promote a culture of Scientific Integrity, DHS will:

- A. Protect the Department's scientists, engineers, and researchers from inappropriate political influence, outside influence, and censorship when reporting their scientific or technological data, findings, and conclusions. In no circumstance may public affairs officers ask or direct Federal scientists to alter scientific findings.
- B. No action, administrative or disciplinary, will be taken against a person for reporting or providing information through appropriate channels related to an alleged Breach of Scientific Integrity. Under this Scientific Integrity Directive, DHS shall continue to comply with the requirements of the Whistleblower Protection Act of 1989 (WPA), Public Law 101-12, and its expanded protections enacted by Public Law 103-424. DHS shall also continue to comply with all applicable WPA regulations, rules, and policies. DHS will expand and promote access to scientific and technological information by making it available online in open formats, consistent with the Open Government Initiative. Where appropriate and when available this will include data and models underlying regulatory proposals and policy decisions.
- C. Promote openness and transparency with the media and the American people, and facilitate the free flow of scientific and technological information, consistent with privacy, security, ethics, and proprietary considerations. This will be accomplished by including accurate contextualization of uncertainties and clear explanations of underlying assumptions and describing probabilities associated with both optimistic and pessimistic projections, including best-case and worst-case scenarios, where appropriate.
- D. Appoint Federal advisory committee members who possess the requisite scientific and technical expertise.
- E. Select individuals for scientific and technological positions based upon their knowledge, credentials, experience, and integrity.
- F. 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 OGC.
- G. Ensure data and Research used to support policy decisions undergoes independent peer review by qualified experts, where feasible and appropriate, and consistent with law.

VII. Procedures

If a DHS employee or contractor believes that a DHS employee or contractor has been inappropriately politically influenced to alter or suppress scientific or technological data, findings, or conclusions, they have the right to file a complaint of Breach of Scientific Integrity with the SIO.

- A. The SIO will receive the complaint and expeditiously convene a Scientific Integrity Committee to investigate the alleged Breach of Scientific Integrity.
- B. The Scientific Integrity Committee will designate a lead fact finder to investigate the allegation and prepare a report of findings. The Scientific Integrity Committee will then review the report and determine whether a Breach of Scientific Integrity has occurred.
- C. If the Scientific Integrity Committee finds that a Breach of Scientific Integrity has occurred, it will notify the USST, provide its findings to the appropriate personnel for correction of the data, findings, or conclusions, and refer the matter to the supervisor of the individual who engaged in the Breach of Scientific Integrity for appropriate action.
- D. Retaliation against DHS employees or contractors for reporting information on potential Breaches of Scientific Integrity is prohibited.
- E. Disputes that may arise regarding whether DHS should participate in interviews and other public information-related activities pertaining to Scientific Integrity will be resolved in accordance with OPA dispute resolution procedures developed in accordance with this Directive.

VIII. Questions

Any questions or concerns about this Directive should be addressed to the SIO or the Associate General Counsel for Technology Programs.



Rafael Borrás

Under Secretary for Management

4/12/12

Date