

Office of the Science Advisor Webinar Conference Series



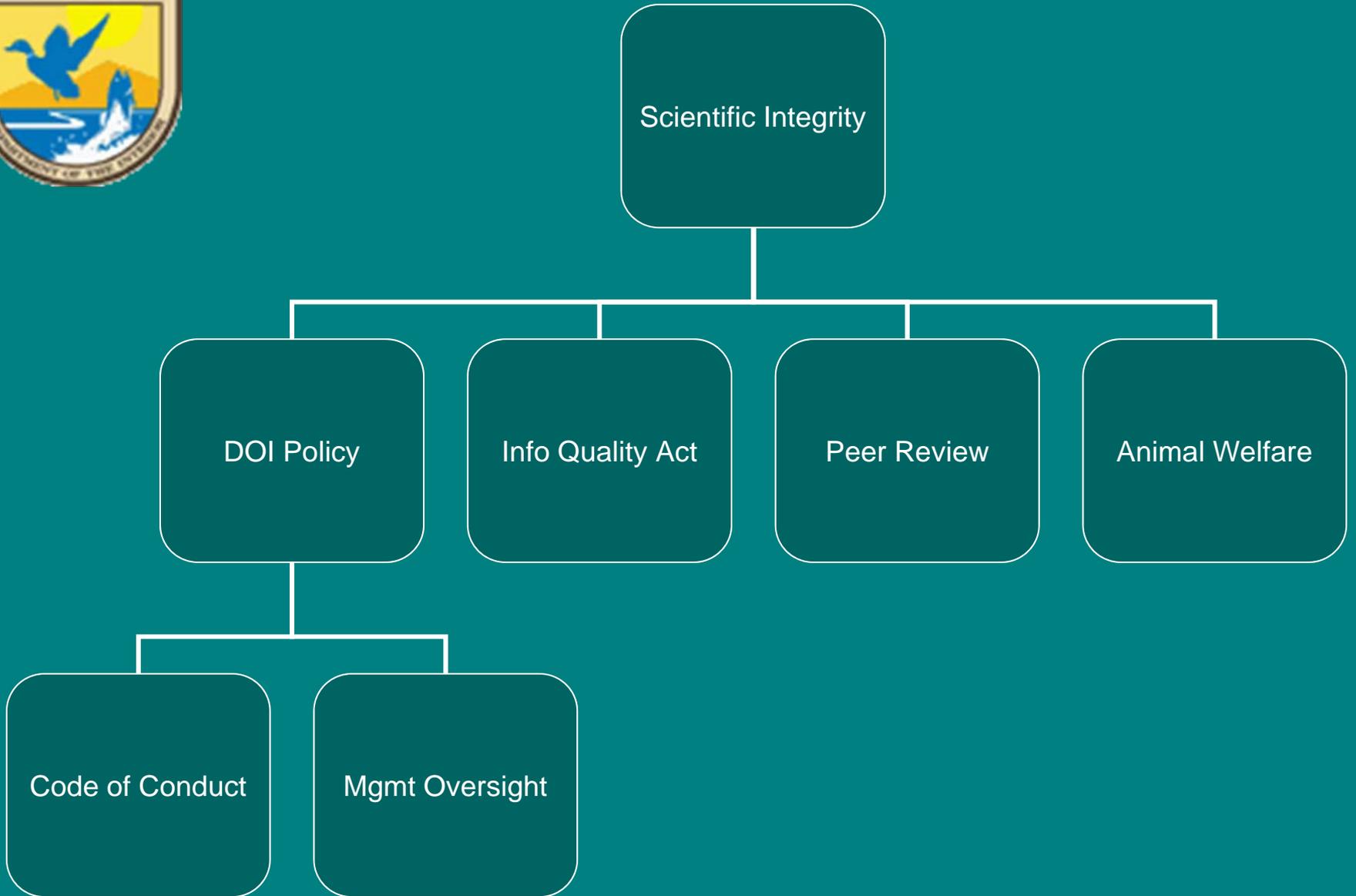
Hosted by the National Conservation Training Center

Speaker: Dr. Ralph Morgenweck, Senior Science Advisor,
Office of the Science Advisor,

Topic: Scientific Integrity

To join dial 1 (866) 748-3908 Code: 7434641

Audio Etiquette: Your phone will be placed on mute until the end of the presentation which at that time you may ask a question or provide a comment. Thank-you.



Integrity

“possession of firm principles: the quality of possessing and steadfastly adhering to high moral principles or professional standards”—Encarta World Dictionary

What will we cover today?

- DOI Scientific Integrity Policy
- Information Quality Act
- Peer Review
- Case Examples
- Questions



Scientific and Scholarly Integrity Policy at Department of Interior





Goals of the policy

- DOI decisions based on science and scholarship are respected as credible.
- DOI science is conducted with integrity and excellence.
- DOI has a culture of scientific and scholarly integrity that is enduring.
- DOI scientists and scholars are widely recognized for excellence.
- DOI employees are proud to uphold the high standards and lead by example.



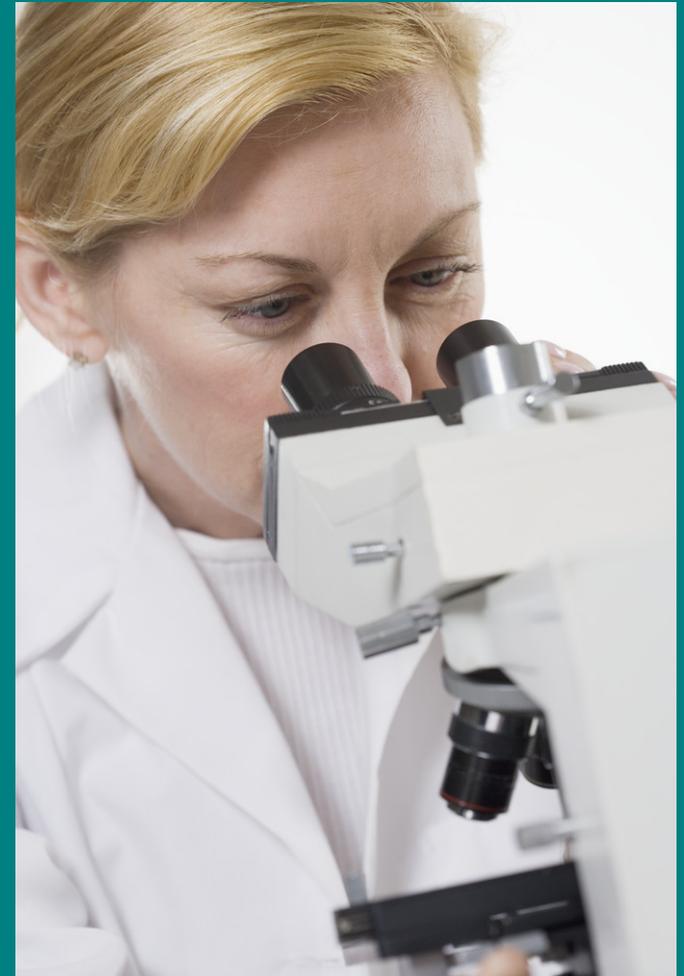
Purpose and Scope

Scientific and scholarly information considered in Departmental decision making must be robust, of the highest quality, and the result of as rigorous scientific and scholarly processes as can be achieved. Most importantly, it must be trustworthy.

Applies to all DOI employees, including political appointees, as well as:

- contractors
- cooperators
- partners
- permittees
- leasees
- grantees
- and volunteers

when they engage in, supervise, manage, or influence scientific and scholarly activities, or communicate information about the Department's scientific and scholarly activities, or utilize scientific and scholarly information in making agency policy, management or regulatory decisions.





Background



- Presidential Memorandum on Scientific Integrity (March 9, 2009)
- Secretarial Order 3305: Ensuring Scientific Integrity within the Department of the Interior (September 29, 2010)
- Office of Science and Technology Policy Memorandum on Scientific Integrity (December 17, 2010)



Principles

1. Define expectations of behavior for all
2. Encourage the free-flow of information
3. Establish transparency expectations
4. Make scientific credentials part of hiring criteria
5. Encourage scientists to communicate openly
6. Reinforce principles of whistleblower protection
7. Ensure training makes expectations clear to all
8. Encourage scientists to engage with communities of practice
9. Examine issues and correct any problems that arise
10. Best practices throughout the Department



Definitions and Responsibilities

- Explanations of terms
- Sets expectations for all levels of leadership
- Creates Scientific Integrity Officers (SIO)
 - Departmental and bureau-level
 - **SIOs** are the primary point of contact
 - Leads initial review of allegations
 - May determine that Scientific Integrity Review Panel (SIRP) is needed. SIO oversees the SIRP.



Reporting and Resolving Allegations

- Allegations must be submitted in writing
- Allegations may be submitted by entities internal or external to the Department
- Office of the Executive Secretariat will track status of allegations
- Fact finding regarding the allegation will be conducted by the appropriate SIO
- Appropriate HR office and supervisor will be involved if employee or volunteer; contracting officer or financial assistance officer for others



Professional Societies

- Encourages Enhancement of Scientific and Scholarly Integrity Through Involvement with Professional Societies
- Provides Process Whereby Employees can Avoid Perception of Conflict of Interest





Authorities

Provides Relevant Laws and Policies
Supporting this Policy





Appendices

- Flow Charts for Processing Allegations
- Sample Memoranda for Processing Allegations
- Description of Scientific and Scholarly Integrity Review Panels
- Employee and Volunteer Forms
- Conflict of Interest Forms and Memoranda



Information for Employees

- Policy Applies to Employees Who Engage in Scientific and Scholarly Activities
 - Individuals who conduct or directly supervise scientific and scholarly activities including, but not limited to, proposing, performing, or reviewing inventory, monitoring, research and assessment or in reporting results thereof
 - Individuals who directly supervise or personally perform work involving the compilation and translation of scientific and scholarly data or information into formats used by the Department's decision makers and other non-scientists



Scientific and Scholarly Misconduct

- Fabrication, falsification or plagiarism in proposing, performing, or reviewing scientific and scholarly activities, or in the products, reporting or application of results
- Intentionally circumventing policy that ensures integrity of science and scholarship
- Actions that compromise scientific and scholarly integrity—does not include honest error or differences of opinion



Finding of Scientific and Scholarly Misconduct Requires:

- That there be a significant departure from accepted practices of the relevant scientific and scholarly community
- The misconduct be committed intentionally, knowingly, and recklessly
- The allegation be proven by a preponderance of evidence



Example

A refuge biologist met with the refuge manager and a university researcher and her graduate student. During the meeting the refuge manager made it clear to the university researcher and her graduate student that he wanted to be named as a junior author on any publications resulting from their work on the refuge. The refuge biologist is uncomfortable with this demand.



Example-con't

Is the refuge biologist just overly sensitive or is the refuge manager violating scientific integrity policy?



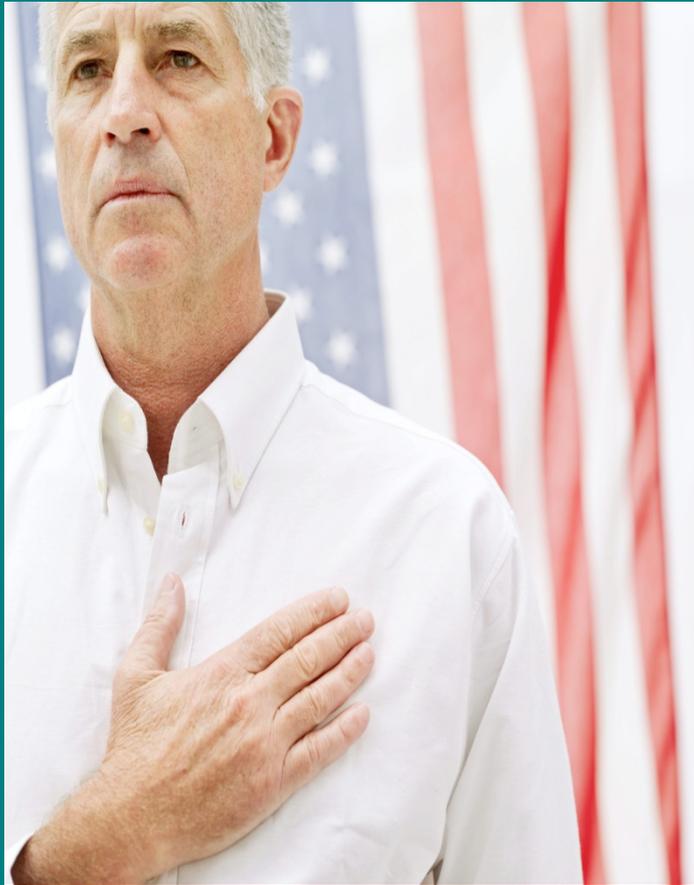
Employee Responsibilities

- Be aware of and upholding the principles in the Code of Scientific and Scholarly Conduct
- Comply with the policy and any bureau-specific guidance
- Reporting, as described in Section 3.8 of this policy, knowledge of scientific misconduct
- Ensure that any contractors, partners, permittees, leasees, and grantees covered by this policy with whom they are executing contracts, written agreements, grants, leases, or permits are aware of their responsibilities
- Uphold employee responsibilities and conduct contained in Part 370 DM





Code of Scientific and Scholarly Conduct

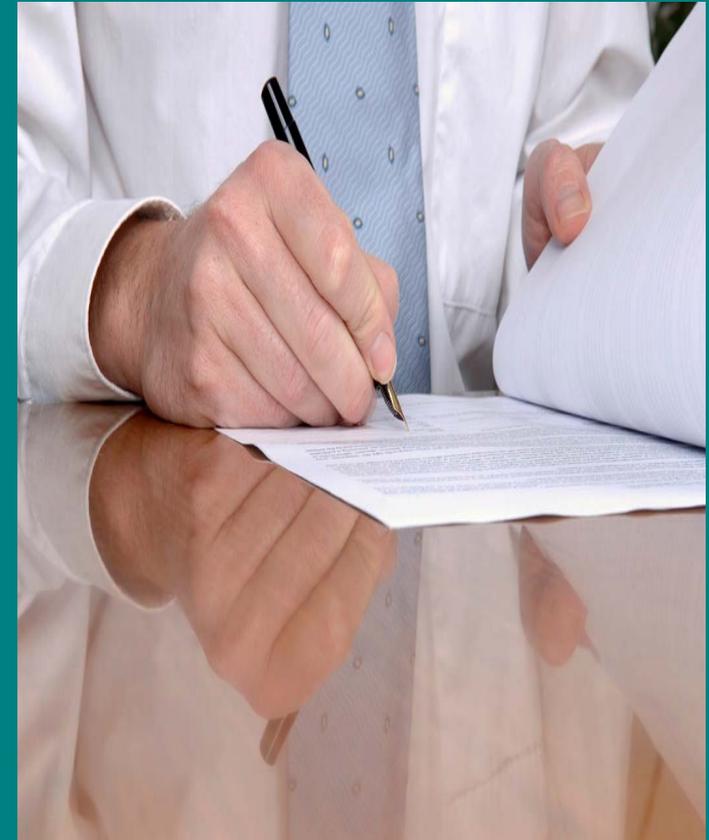


- Ten “I will” statements that apply to all Departmental employees and volunteers, contractors, cooperators, partners, permittees, leasees, and grantees to whom this policy applies
- Six additional “I will” statements that apply to scientists and scholars
- Three “I will” statements that apply to decision makers in addition to the ten that apply to all employees subject to this policy



Reporting and Resolving Allegations of Loss of Integrity

- Allegations must be submitted in writing within 60 days of discovery of alleged misconduct
- Allegations may be submitted by individuals or entities internal or external to DOI
- Cases of waste, fraud and abuse should be reported to the Inspector General
- Appropriate Bureau Scientific Integrity Officer (BSIO) will review the allegations





Reporting and Resolving Allegations of Loss of Scientific Integrity

- Departmental Science Integrity Officer (DSIO) will review allegations against Bureau heads and the Office of the Secretary
- BSIO and DSIO may convene a Scientific and Scholarly Integrity Review Panel to conduct fact finding
- Corrective action may be taken in consultation with Human Resources and the appropriate manager/supervisor



Example II

A high-ranking political appointee contacts a FWS biologist and demands that a decision document be revised. The biologist disagrees with the changes being demanded because she feels that the changes are not scientifically based.

What should the biologist do???



Professional Societies

- DOI encourages employee participation in outside professional organizations within the guidelines listed below
- When employee serves as an officer or member on the board of directors that creates a fiduciary duty, any actual or apparent conflict of interest must be avoided
- Employee must secure a Conflict of Interest Waiver
- Employee must execute a written MOU acknowledging their primary loyalty to the U.S. Govt
- Employee must execute a Recusal Memorandum



Changes Coming

- Office of Government Ethics proposed rule would declare that federal employees' service on the boards of directors of professional and scientific societies is not, in general, a conflict of interest with their duties as federal employees
- Comment period closed July 5, 2011
- Unknown date for final rule

Questions on Scientific Integrity Policy?

Information Quality Act (Data Quality Act)

- The IQA directs the Office of Management and Budget (OMB) to issue government-wide guidelines that “provide policy and procedural guidance to Federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information (including statistical information) disseminated by Federal agencies”.
- Section 515 Consolidated Appropriations Act, 2001
 - P.L. 106-554

Important Definition

Information—“in this context, is an encompassing term, meaning any communication or representation of knowledge such as facts or data, in a textual, numerical, graphic, cartographic, narrative, or audiovisual form including digital or electronic formats.”

(FWS Information Quality Guidelines)

www.fws.gov/informationquality/

Information is what?

- Data, reports, graphs, tables, maps, figures, summaries, plans, rulemakings, etc.
- In electronic or hard copy formats

Important Definition

Influential, when used in the phrase “influential scientific, financial, or statistical information,” means that we can reasonably determine that dissemination of the information will have or does have a clear and substantial impact on important public policy or private sector decisions... (FWS IQA Guidelines)

Influential means what?

- The information is a principal basis for an important FWS decision
- Information is influential if the same decision would be difficult to arrive at if that information was absent

Important Definition

Important public policy or private sector decision--a decision or action to be taken by the Director, FWS (Some delegated decisions may be important also)

“Important decisions” mean what?

- Decisions made by the Director (such as ESA listings, delistings, critical habitat designations, opening new refuge hunts, migratory bird hunting regulations, approval of new refuges, injurious species listings, etc.)
- Delegated decisions such as ESA biological opinions, comprehensive conservation plans, certain recovery plans and status reviews.
- Some judgment involved

Important Definition

Disseminated to the public means publication (electronic or written) of information to a community or audience.

Dissemination means what?

- Information released to non-federal entities i.e. states, tribes, private individuals, non-governmental organizations
- Released via any means i.e. web, hardcopy, email, report, letter etc.
- List of 20 bulleted exceptions in FWS IQA Guidelines i.e. Congressional testimony, law enforcement proceedings, permit applications, internal personnel communications, press releases etc.

What does that mean for FWS?

- Each Program determines what information is “influential” and with Director’s approval provides guidance to Regions
- Prepare peer review plan for influential information
- Conduct independent, external peer review
- Respond to peer review comments

Peer Review Plan Contents

- Title of Information being reviewed
- Estimated date of dissemination
- Type of information (influential, highly influential scientific assessment)
- Description of peer review process
- Estimated dates of the peer review
- Deadline for and location where comments on peer review plan may be sent
- Contact person (name, email address, phone #)

What does that mean for FWS?

- Post plan, peer reviewers' names, peer review comments, and responses on Regional/Program information quality websites
- Support Senior Science Advisor in responding to correction requests/appeals
- Report annually on the peer reviews of “influential” information conducted

Questions on the Information Quality Act?

Pondering Peer Review

- Our work reflects on the reputation of the FWS and its employees
- Our responsibility to protect and enhance the scientific reputation of FWS/DOI
- Scientific information used in decision making must be robust, of the highest quality, and trustworthy
- Logic and common sense may be applied

Pondering Peer Review II

- Peer reviewers comments are an evaluation to be used by the authors of the draft to improve the product
- Peer review is not the same as a public comment period
- You can choose to conduct a peer review at different stages of product development

Pondering Peer Review III

- Peer review design should reflect a cost-benefit thought process
- For credibility's sake FWS peer reviews should not be conducted anonymously
- For credibility's sake keep a record of the peer review
- Incorporate time for peer review in your project plan

Pondering Peer Review IV

- Consider “expert panel” reviews for complex and controversial information
- Peer reviewers may be found through personal contacts, scientific societies, or by using a third party to manage the review
- Reviewers should be “independent”, “external” (to FWS), and have no conflict of interest

Pondering Peer Review V

- If the information produced is destined to be published in a scientific journal prior to its use to inform a decision, then only the journal's peer review is needed
- If the information is controversial and/or informing an important decision, use more reviewers (suggest at least 5)
- Use FWS reviewers for internal drafts but not formal peer reviews unless that FWS employee has unique expertise

Pondering Peer Review VI

- Consider contracting with a third party to manage the peer review of controversial information crucial to an important decision
- When sending information to peer reviewers that has not yet been disseminated, add the peer review disclaimer from the FWS IQA Guidelines

Questions on Peer Review?

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