

**FISH AND WILDLIFE SERVICE
GENERAL ADMINISTRATION**

7.1 What is the purpose of this chapter? This chapter:

A. Supplements the Department of the Interior’s (Department) uniform code of professional conduct (see 305 DM 3) for employees in the U.S. Fish and Wildlife Service (Service) who engage in, supervise, manage, or apply the information resulting from scientific and scholarly activities; and

B. Establishes scientific and scholarly ethical standards, including a code of conduct and a process for handling alleged violations.

7.2 What is the policy? Scientific and scholarly information that we consider in our decisionmaking must be robust, of the highest quality, and the result of the most rigorous scientific and scholarly processes as can be achieved. Most importantly, it must be trustworthy. We must establish and maintain integrity in our scientific and scholarly activities because this information is a critical factor for making public policies. Other factors that contribute to sound decisionmaking may include economic, budget, institutional, social, cultural, legal, and environmental considerations.

7.3 What is the scope of this chapter? This chapter:

A. Applies to:

(1) All Service employees, including political appointees,

(2) Volunteers who assist with developing or applying the results of scientific and scholarly activities, and

(3) Contractors, cooperators, partners, permittees, lessees, and grantees when the requirements are included in their contracts, agreements, permits, grants, etc.

B. Focuses on the roles and functions of the Service. For more detailed information, read 305 DM 3. We provide cross-references to that DM chapter when appropriate.

7.4 What are the authorities for this chapter?

A. 305 DM 3, Integrity of Scientific and Scholarly Activities.

B. Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR 2635).

C. Federal Policy on Research Misconduct (65 FR 76260-76264, December 6, 2000).

D. Whistleblower Protection Act (5 U.S.C. 2302(b)(8)).

7.5 What terms do you need to know to understand this chapter? See 305 DM 3 if you need a definition for a term we use in this chapter (e.g., fabrication, falsification, plagiarism).

7.6 What are the responsibilities of employees for scientific integrity and scholarly conduct? See Table 7-1.

Table 7-1: Responsibilities for scientific integrity and scholarly conduct	
Citation	Title
A. The Director	(1) Providing leadership for the Service on scientific and scholarly integrity, (2) Designating a Service Scientific Integrity Officer (SSIO), (3) Approving or declining to approve policy and guidance on scientific integrity, and

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Table 7-1: Responsibilities for scientific integrity and scholarly conduct	
Citation	Title
	<p>(4) Ensuring employees and volunteers are aware of their responsibilities and comply with the policy and any Service-specific guidance.</p>
B. Service Scientific Integrity Officer (SSIO)	<p>(1) Implementing the policy in this chapter;</p> <p>(2) Keeping the Science Advisor to the Director informed on the status of the implementation of this chapter;</p> <p>(3) Conducting reviews of allegations of scientific misconduct to determine whether an inquiry is warranted and handling the incidents using the procedures in this chapter (see section 7.9);</p> <p>(4) Coordinating with the Division of Human Capital and the responsible manager of the subject of the allegation when necessary to determine appropriate disciplinary procedures or corrective actions; and</p> <p>(5) Coordinating with the Department's Scientific Integrity Officer (DSIO) on allegations and subsequent actions to ensure integrity and consistency of the process across the Department.</p>
C. Managers and supervisors	<p>(1) Implementing this chapter for their area of management or supervision;</p> <p>(2) Taking appropriate administrative and disciplinary action;</p> <p>(3) Consulting, as appropriate, with the following officials and offices:</p> <p style="margin-left: 20px;">(a) DSIO,</p> <p style="margin-left: 20px;">(b) SSIO,</p> <p style="margin-left: 20px;">(c) Servicing Human Resources Officer,</p> <p style="margin-left: 20px;">(d) Ethics Counselor,</p> <p style="margin-left: 20px;">(e) Contracting and General Services or Contracting and Facilities Management office,</p> <p style="margin-left: 20px;">(f) Office of Inspector General,</p> <p style="margin-left: 20px;">(g) Office of the Solicitor, and</p> <p style="margin-left: 20px;">(h) Office of Collaborative Action and Dispute Resolution.</p> <p>(4) Complying with this chapter, 305 DM 3, 370 DM 752 on Discipline and Adverse Actions, and established collective bargaining agreements; and</p> <p>(5) Ensuring that all contracts, written agreements, cooperative agreements, grants, permits, and leases, covered under the scope of this chapter and for which they are responsible include the requirements of this policy in the performance work statement (see section 7.8).</p>
D. Employees and volunteers	<p>(1) Upholding the principles in the Code of Scientific and Scholarly Conduct in this chapter, as well as principles of ethical conduct in the Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR 2635);</p> <p>(2) Complying with this policy and any additional Service- or office-specific</p>

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Citation	Title
	<p>guidance;</p> <p>(3) Reporting to the appropriate officials (see section 7.9) knowledge of scientific misconduct that is planned, is imminent, or has occurred;</p> <p>(4) Ensuring that any contractors, cooperators, partners, permittees, lessees, and grantees covered under the scope of this chapter with whom they are executing contracts, agreements, grants, leases, or permits are aware of their responsibilities for complying with this policy and Service- or office-specific guidance (see section 7.8); and</p> <p>(5) Upholding the employee responsibilities and conduct in Part 370 of the DM.</p>
F. Scientific Integrity Review Panel members (the SSIO selects Federal employees to serve on the panel)	<p>(1) Impartially examining allegations of scientific and scholarly misconduct, as requested;</p> <p>(2) Preparing and submitting a report of findings to the SSIO, and the responsible manager/supervisor; and</p> <p>(3) Complying with personnel requirements, including established collective bargaining agreements and representational rights.</p>

7.7 What is the Code of Scientific and Scholarly Conduct?

A. Service employees and volunteers must abide by the following code of scientific and scholarly conduct to the best of their ability:

- (1)** I will act in the interest of the advancement of science and scholarship for sound decisionmaking by using the most appropriate, best available, high quality scientific and scholarly data and information to support the mission of the Service.
- (2)** I will communicate the results of scientific and scholarly 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 protection of natural and cultural resources and to research animals and human subjects while conducting science and scholarship activities.
- (5)** I will not engage in activities that put others or myself in an actual or apparent conflict of interest.
- (6)** I will not intentionally hinder the scientific and scholarly activities of others or engage in scientific and scholarly misconduct.
- (7)** I will clearly differentiate among facts, personal opinions, assumptions, hypotheses, and professional judgment in reporting the results of scientific and scholarly activities and characterizing associated uncertainties in using those results for decisionmaking, and in representing those results to other scientists, decisionmakers, and the public.
- (8)** I will protect, to the fullest extent allowed by law, the confidential and proprietary information provided by individuals, communities, and entities whose interests and resources are studied or affected by scientific and scholarly activities.

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

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

(11) I will adhere to accepted standards (e.g., those of the National Science Foundation) for treatment of animals and plants used in science and scientific management of fish and wildlife and their habitats.

B. In addition, **scientists and scholars** must abide by the following to the best of their ability:

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

(2) I will maintain scientific and scholarly integrity and will not engage in fabrication, falsification, or plagiarism in proposing, performing, reviewing, or reporting scientific and scholarly activities and their products.

(3) I will fully disclose methodologies used, all relevant data, and the procedures for identifying and excluding faulty data.

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

(5) I will welcome constructive criticism of my scientific and scholarly activities and will be responsive to their peer review.

(6) I will provide constructive, objective, and professionally valid peer review of the work of others, free of any personal or professional jealousy, competition, non-scientific disagreement, or conflict of interest. I will substantiate comments that I make with the same care with which I report my own work.

C. In addition, **decisionmakers** must abide by the following to the best of their ability:

(1) I will do my best to support the scientific and scholarly activities of others and will not engage in dishonesty, fraud, misrepresentation, coercive manipulation, censorship, or other misconduct that alters the content, veracity, or meaning or that may affect the planning, conduct, reporting, or application of scientific and scholarly activities.

(2) I will offer respectful, constructive, and objective review of my employees' scientific and scholarly activities and will encourage them to obtain appropriate peer reviews of their work. I will respect the intellectual property rights of others and will substantiate comments that I make about their work with the same care with which I carry out and report the results of my own activities.

(3) I will adhere to appropriate standards for reporting, documenting, and applying results of scientific and scholarly activities used in decisionmaking and ensure public access to those results in accordance with Departmental and Service policy and established laws.

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7.8 What must employees do to ensure contractors, partners, permittees, and others comply with our requirements for scientific integrity? When appropriate, our employees must include in the statement of work for contractors, cooperators, partners, permittees, lessees, and grantees the following condition:

“The contractor *[or other entity]* must ensure quality services. Service must consist of unbiased assessments through proper management and enforcement of scientific integrity standards, which includes avoiding conflicts of interest.”

7.9 What must employees do to report an allegation of scientific misconduct? This section briefly describes the steps necessary to report an allegation of scientific misconduct, including intentional fabrication, falsification, or plagiarism that is not the result of honest error or difference of opinion, such as with a scientific and scholarly process or a management decision. (See 305 DM 3, [Appendices A-1](#) and [A-2](#) for more information).

A. When to report allegations of scientific and scholarly misconduct: You must report allegations of scientific and scholarly misconduct with respect to employees, volunteers, contractors, cooperators, partners, permittees, lessees, and grantees within 60 days of discovery.

B. What to report:

(1) Submit a written allegation to the Office of the Executive Secretariat (OES) that includes the following information:

- (a)** The name, affiliation, and signature of the person(s) submitting the allegation;
- (b)** The name and organization of the person(s) alleged to have committed the misconduct; and
- (c)** A description of the allegation that includes the date, circumstances, and location of the alleged misconduct.

(2) Following is contact information for OES:

Office of the Executive Secretariat and Regulatory Affairs
Department of the Interior
1849 C Street NW
Room 7225, Main Interior Building
Washington, DC 20240
Telephone: (202) 208-5041

C. What OES does: OES will open a file to track the allegation. They may ask you for the following information, and they may return the allegation if you can't provide it:

- (1)** Documents or other relevant items (such as data, scientific papers, memos, etc.) with annotations showing specifically how the item relates to the allegation;
- (2)** An explanation of how the allegation relates to scientific and scholarly misconduct and demonstrating the impact of the alleged misconduct; and

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(3) A statement explaining any conflict(s) of interest the person making the allegation has with the subject(s), entity(ies), or situation(s), named in the allegation.

D. Fraud, waste, and abuse: Report cases of fraud, waste, and abuse directly to the Office of Inspector General.

7.10 What happens after OES gets an allegation? OES refers the allegation to the SSIO, who follows Departmental procedures (see 305 DM 3) to review or investigate the allegation. Throughout the inquiry and fact finding, everyone involved must maintain confidentiality and protect the identities of the subject of the allegation, their organization, and the person submitting the allegation.

7.11 What are the potential outcomes for people found to be noncompliant with our policy?

A. Employees and volunteers:

(1) If the SSIO (working with the employee's manager) determines that no misconduct has occurred, he/she will dismiss and close the case (see 305 DM 3, Appendix C).

(2) If the SSIO (working with the manager) determines that an incident occurred but it was not intentional or reckless, or that misconduct occurred and there is no need for further fact finding, the SSIO must work with the manager and the servicing Human Resources Officer to determine appropriate corrective action.

(3) If the SSIO (working with the manager) determines that there appears to be merit to the allegation, and that a formal review and further fact finding by a panel of experts is required to determine the validity of the allegation and the extent and nature of the alleged misconduct, then he/she must notify the manager and the subject(s). The SSIO selects appropriate Federal employees to serve on a Scientific Integrity Review Panel to further investigate the allegation and provide advice to the SSIO on the specific allegation (see 305 DM 3, Appendix D). The panel is disbanded after the investigation.

B. Contractors, cooperators, partners, permittees, lessees, and grantees: The SSIO must work with the appropriate contracting or other office to determine the merit of the allegation and to investigate the matter appropriately. Penalties may include termination of a contract or agreement, suspension, and debarment from future Federal awards.

C. Appeal Rights (Employees and Volunteers Only): If we take disciplinary action against an employee, they may have appeal rights under 370 DM 752, Discipline and Adverse Actions, and any union contracts, as applicable. Employees should contact their servicing Human Resources office for additional information.

D. Resources for Federal Employees and Volunteers:

(1) The Department's CONflict RESolution PLUS (CORE PLUS) system for managing conflict in the workplace provides managers and employees with tools and assistance to address science and scholarship integrity issues and concerns. This assistance may include, but is not limited to:

- (a)** Helping to define issues or specific concerns,
- (b)** Providing training on effective communication and conflict management,
- (c)** Coaching people on resolving conflicts on their own,
- (d)** Facilitating meetings,

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(e) Mediating, and

(f) Securing the services of other alternative dispute resolution practitioners, such as ombudsman assistance.

(2) CORE PLUS does not take the place of any other avenue of redress available to managers and employees. See 370 DM 770.

/sgd/ Rowan W. Gould
DEPUTY DIRECTOR

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