

Scientific Integrity Report Card **Department of Homeland Security**

| Scientific Integrity Grading Rubric | Total Possible: 100 Points | Total Awarded: 22 Points |
|---|---------------------------------------|-------------------------------------|
| Scientific Misconduct | Subsection Total: 40 | Subsection Total: 15 |
| A. Political Manipulation of Science | 6 | 6 |
| B. Breadth of Coverage | 5 | 3 |
| C. Whistleblower Protection | 12 | 4 |
| D. Investigations of Complaints | 5 | 1 |
| E. Investigation Independent of Chain of Command | 6 | 2 |
| F. Sanctions for Misconduct | 6 | 0 |
| Public Communications of Science | Subsection Total: 40 | Subsection Total: 2 |
| A. Process for scientist to publish or lecture regarding their official work with the general public, in external peer-reviewed journals or at scientific conferences | 10 | 2 |
| B. Absence of policy review or agency screening for the above | 10 | 0 |
| C. Ability of scientists to review press releases regarding their work prior to final publication | 10 | 0 |
| D. Explicit provision for agency scientists to be on governing and editorial boards of scientific societies | 10 | 0 |
| Transparency of Policy Decision-Making | Subsection Total: 20 | Subsection Total: 5 |
| A. Requirement that all agency policy decisions must be based on science subjected to external peer review | 10 | 5 |
| B. Original research documents are part of administrative record | 10 | 0 |

I. Scientific Misconduct – (15/40 pts)

A. Political Manipulation of Science (6/6 pts)

1. *Prohibits alteration of technical/scientific documents for non-technical reasons (3 pts)*

Yes.

“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.”

2. *Prohibits intimidation or coercion to alter scientific data/analysis/conclusions for non-technical reasons (3/3 pts)*

Yes.

“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.”

“In no circumstance may public affairs officers ask or direct Federal scientists to alter scientific findings.”

B. Breadth of Coverage (2/5 pts)

1. *Applies to political appointees and senior managers (1/3 pts)*

The SIP states that it grants protection to all DHS employees who have been improperly influenced, but does not directly specify that it applies to political appointees and managers.

“If 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.”

2. *Applies to contractors, states, and other partners (1/2 pts)*

This SIP protects contractors, but does not protect states or other partners.

“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.”

C. Whistleblower Protection (4/12 pts)

1. *Explicitly protects those filing misconduct complaints from retaliation (4/4 pts)*

Yes.

“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.”

2. *Protects scientists for retaliation based on content of work (0/4 pts)*

The Department of Homeland Security's Scientific Integrity Policy does not address this.

3. *Provides that agency officials who engage in retaliation will be subject to discipline (0/4 pts)*

The Department of Homeland Security's Scientific Integrity Policy does not address this.

"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. Investigations of Complaints (1/5 pts)

1. *Defined process (1/1 pt)*

Yes.

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.

2. *Timelines (0/1 pt)*

The Department of Homeland Security's Scientific Integrity Policy does not address this.

3. *Ability of complainant to respond (0/1 pt)*

The Department of Homeland Security's Scientific Integrity Policy does not address this.

4. *Transparency of findings and rationale (0/1 pt)*

The Department of Homeland Security's Scientific Integrity Policy does not address this.

5. *Relationship with the IG is clearly defined (0/1 pt)*

The Department of Homeland Security's Scientific Integrity Policy does not address this.

E. Investigation Independent of Chain of Command (2/6 pts)

A complainant can report a suspected violation to DHS's Scientific Integrity Officer (SIO). The SIO is a non-political, senior-level DHS employee designated by the Under Secretary for Science and Technology. The SIO will appoint a Scientific Integrity Committee to investigate the allegation. This committee includes 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 Department of Homeland Security's Scientific Integrity Policy does not mention anything about avoiding the chain of the command or conflicts of interest. The likelihood of the chain of command being on the committee is greatest as a Component subject matter expert. Furthermore, the Scientific Integrity Policy does not specify what should be done if the SIO is in the chain of command.

F. Sanctions for Misconduct (0/6 pts)

1. *States that misconduct is grounds for disciplinary action or dismissal (0/2 pts)*

The Department of Homeland Security's Scientific Integrity Policy does not address this.

"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."

2. *Explicit procedure for discipline of sustained misconduct complaints (0/2 pts)*

The Department of Homeland Security's Scientific Integrity Policy does not address this.

3. *Automatic review of court rulings based upon arbitrary and capricious application of scientific information or scientific findings (0/2 pts)*

The Department of Homeland Security's Scientific Integrity Policy does not address this.

II. Public Communications of Science – (2/40 pts)

- A. Process for scientist to publish or lecture regarding their official work with the general public, in external peer-reviewed journals or at scientific conferences (2/10 pts)

“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.”

“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.”

- B. Absence of policy review or agency screening for the above (0/10 pts)

Any time that a DHS employee wants to communicate his official work, he must do so in coordination with the Office of Public Affairs and his supervisor or the Office of General Counsel. The Department of Homeland Security’s Scientific Integrity Policy does not provide any guidance on what this coordination is and does prohibit attempting to alter or suppress the employee’s work based on agency policy.

- C. Ability of scientists to review press releases regarding their work prior to final publication (0/10 pts)

The Department of Homeland Security’s Scientific Integrity Policy does not address this.

- D. Explicit provision for agency scientists to be on governing and editorial boards of scientific societies (0/10 pts)

The Department of Homeland Security’s Scientific Integrity Policy does not address this.

III. Transparency of Agency Decision-Making – (5/20 pts)

- A. Requirement that all agency policy decisions must be based on science subjected to external peer review (5/10 pts)

Points deducted because independent peer review by qualified experts is only required when “feasible and appropriate, and consistent with law.”

- B. Original research documents are part of administrative record (0/10 pts)

The Department of Homeland Security’s Scientific Integrity Policy does not address this.