

Scientific Integrity Report Card Environmental Protection Agency

Scientific Integrity Grading Rubric	Total Possible: 100 Points	Total Awarded: 52 Points
Scientific Misconduct	Subsection Total: 40	Subsection Total: 23
A. Political Manipulation of Science	6	6
B. Breadth of Coverage	5	5
C. Whistleblower Protection	12	4
D. Investigations of Complaints	5	5
E. Investigation Independent from Chain of Command	6	2
F. Sanctions for Misconduct	6	4
Public Communications of Science	Subsection Total: 40	Subsection Total: 24
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	2
C. Ability of scientists to review press releases regarding their work prior to final publication	10	10
D. Explicit provision for agency scientists to be on governing and editorial boards of scientific societies	10	10
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 – (23/40 pts)

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

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

“Prohibits all EPA employees, including scientists, managers, and other Agency leadership, from suppressing, altering, or otherwise impeding the timely release of scientific findings or conclusions.”

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

“Prohibits managers and other Agency leadership from intimidating or coercing scientists to alter scientific data, findings, or professional opinions or inappropriately influencing scientific advisory boards. In addition, policy makers shall not knowingly misrepresent, exaggerate, or downplay areas of scientific uncertainty associated with policy decisions.”

B. Breadth of Coverage (5/5 pts)

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

Yes.

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

“In addition, all contractors, grantees, collaborators and student volunteers of the Agency who engage in scientific activities are expected to uphold the standards established by this policy and may be required to do so as part of their respective agreements with the EPA.”

C. Whistleblower Protection (4/12 pts)

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

Yes.

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

EPA’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)*

EPA’s Scientific Integrity Policy does not address this.

D. Investigations of Complaints (2/5 pts)

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

EPA's Scientific Integrity Policy relies on the agency's preexisting Policy and Procedures for Addressing Research Misconduct, *available at* http://rpc.research.ucla.edu/RPC/Documents/EPA-Research_Misconduct_Policy.pdf.

2. *Timelines (0/1 pt)*

None specified.

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

None specified. "For EPA employees, the safeguards for employees occur after the OIG has done its investigation and submitted its report to EPA management for adjudication."

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

None specified.

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

Yes. It appears from the cross-reference to EPA's Policy and Procedures for Addressing Research Misconduct that the OIG will conduct scientific integrity investigations.

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

The investigation is lead by the Inspector General who, while outside the chain of command of the violator and complainant, is not outside the chain of command of the agency. There is also no provision prohibiting conflicts of interest.

F. Sanctions for Misconduct (4/6 pts)

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

Yes.

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

Yes, EPA's Conduct and Discipline Manual, referenced in the agency's Scientific Integrity Policy as being the appropriate source for agency responses to scientific misconduct, provides for increasing penalties for multiple offenses. See the Table of Offenses and Penalties, *available at* http://www.oge.gov/uploadedFiles/Education/Education_Resources_for_Ethics_Officials/Resources/Assets/Non-

Searchable/Breakout%2049%20Real%20Ethics%20Tips%20and%20Trends%20in%20Ethics%20Enforcement%20conduct%20and%20discipline%20excerpts.pdf.

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

EPA's Scientific Integrity Policy does not address this.

II. Public Communications of Science – (24/40 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)

“The EPA Scientific Integrity Committee will develop an Agency-wide framework for the approval of scientific communications. Each Program Office and Regional Office will develop and document procedures for review and approval, consistent with the Scientific Integrity Committee's framework. The procedures will include guidance for review elements, time frames for review and approval, and a process for redress if review procedures are not met.” Partial credit was awarded for noting the absence of such procedures, but no full credit because these procedures are not currently in existence.

- B. Absence of policy review or agency screening for the above (2/10 pts)

“Under no circumstances should the public affairs staff attempt to alter or change scientific findings or results. The role of the public affairs officer is to ensure that the science is plainly and clearly communicated for the intended audience in a timely fashion.”

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

“The Agency's scientists and managers are expected to . . . [r]eview, correct, and approve the scientific content of any proposed Agency document intended for public dissemination that significantly relies on their research, identifies them as an author, or represents their scientific opinion. Disputes associated with the dissemination plan for a scientific product will be resolved first by the employees' direct supervisors, and if necessary, the Office of External Affairs and Environmental Education (OEAAE) and the Deputy Scientific Integrity Official or his/her designee.”

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

“It is Agency policy to . . . [a]llow participation in professional societies, committees, task forces and other specialized bodies of professional societies, including serving as officers or on the governing boards of such societies.”

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)

EPA's Scientific Integrity Policy references the agency's policy on Peer Review, *available at* http://www.epa.gov/peerreview/pdfs/peer_review_policy_and_memo.pdf. The Peer Review policy provides that external peer review is expected for "highly influential" scientific assessments and for influential scientific information intended to support important decisions.

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

EPA's Scientific Integrity Policy provides that only "[t]he Agency will continue to expand and promote access to scientific information by making it available online in open formats in a timely manner, including access to data and non-proprietary models underlying Agency policy decisions." Where misconduct is found, according to EPA's Policy and Procedures on Addressing Research Misconduct, "EPA will take appropriate steps to correct the research record."