

Scientific Integrity Report Card Marine Mammal Commission

Scientific Integrity Grading Rubric	Total Possible: 100 Points	Total Awarded: 21 Points
Scientific Misconduct	Subsection Total: 40	Subsection Total: 2
A. Political Manipulation of Science	6	0
B. Breadth of Coverage	5	0
C. Whistleblower Protection	12	0
D. Investigations of Complaints	5	1
E. Investigation Independent from Chain of Command	6	1
F. Sanctions for Misconduct	6	0
Public Communications of Science	Subsection Total: 40	Subsection Total: 14
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	0
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 – (2/40 pts)

A. Political Manipulation of Science (0/6 pts)

1. *Prohibits alteration of technical/scientific documents for non-technical reasons (0/3 pts)*

The Marine Mammal Commission's Scientific Integrity Policy does not address this.

2. *Prohibits intimidation or coercion to alter scientific data/analysis/conclusions for non-technical reasons (0/3 pts)*

The Marine Mammal Commission's Scientific Integrity Policy does not address this.

B. Breadth of Coverage (0/5 pts)

1. *Applies to political appointees and senior managers (0/3 pts)*

The Marine Mammal Commission's Scientific Integrity Policy does not address this.

2. *Applies to contractors, states, and other partners (0/2 pts)*

The Marine Mammal Commission's Scientific Integrity Policy does not address this.

C. Whistleblower Protection (0/12 pts)

1. *Explicitly protects those filing misconduct complaints from retaliation (0/4 pts)*

The Marine Mammal Commission's Scientific Integrity Policy only provides for preexisting whistleblower protection.

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

The Marine Mammal Commission's Scientific Integrity Policy does not address this.

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

The Marine Mammal Commission's Scientific Integrity Policy does not address this.

D. Investigations of Complaints (1/5 pts)

1. *Defined process (0/1 pt)*

None specified.

2. *Timelines (0/1 pt)*

None specified.

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

None specified.

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

None specified.

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

“As a small agency, the Commission does not have its own Inspector General. However, the Commission has entered into a cooperative agreement with the Inspector General of the Department of Commerce to conduct independent investigations should the need arise or if the objectivity of the Executive Director, the Chair of the Commission, or the General Counsel should be placed in question by a whistleblower’s allegations.”

E. Investigation Independent from Chain of Command (1/6 pts)

Should the need for an investigation arise, the Inspector General of the Department of Commerce will lead the investigation. The Marine Mammals Commission’s Scientific Integrity Policy does not specify how or to whom a complainant would raise his complaint, so it is likely it will have to be done through the chain of command. There is also no indication of who determines whether an investigation by the IG is necessary.

F. Sanctions for Misconduct (0/6 pts)

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

The Marine Mammal Commission’s Scientific Integrity Policy does not address this.

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

The Marine Mammal Commission’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 Marine Mammal Commission’s Scientific Integrity Policy does not address this.

II. Public Communications of Science – (14/40 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)

“Agency scientists may speak to the media and the public about the scientific and technical aspects of their work, subject to coordination with their supervisor and/or the Executive Director.”

“Scientific, management, and policy findings of the Commission and related work products, including those arising from studies or workshops sponsored by the Commission, may be appropriate for submission to peer reviewed, professional, or scholarly journals or presentation at professional meetings.”

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

“Agency scientists responsible for responding to media requests may not be asked or directed to alter their scientific findings.”

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

The Marine Mammal Commission’s Scientific Integrity Policy does not address this.

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

“Employees are allowed and encouraged, subject to applicable ethics laws, to serve as editors or editorial board members of professional or scholarly journals.”

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)

“The Marine Mammal Protection Act requires that the Commissioners consult with the Committee of Scientific Advisors on Marine Mammals on all studies and recommendations under consideration, on research programs conducted or proposed under the authority of the Act, and on all applications for permits for scientific research. Such consultations provide a mechanism for independent peer review by qualified experts of the data and research used to support the Commission’s policy decisions and recommendations. When appropriate and feasible, the Commission also may provide opportunities for peer review of the information underlying agency policies and recommendations by experts not associated with its Committee of Scientific Advisors on Marine Mammals.”

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

“It is the policy of the Commission, as specified in the Marine Mammal Protection Act, that all Commission reports and recommendations shall be matters of public record and made available to the public. In accordance with this requirement, the Commission

publishes all of its recommendations, annual reports, and technical reports on its Web site and in other formats, as appropriate. . . . The Commission encourages investigators to make data or meta-data available to the public in open formats and, when appropriate, posts or provides links to such material on its website.”