

U.S. DEPARTMENT OF COMMERCE — DEPARTMENT

ADMINISTRATIVE ORDER 216-23: SCIENTIFIC INTEGRITY

Effective Date: January 15, 2025 (superseded version)

Verbatim text as published at commerce.gov/opog/directives/DAO_216-23. Captured from the Internet Archive Wayback Machine, January 17, 2026 (web.archive.org/web/20260117134635). Reproduced by PatriotAddict for reader reference; a U.S. Government work, not subject to copyright.

SECTION 1. PURPOSE.

.01 The purpose of this order is to update previous instructions that enhance and promote a continuing culture of scientific integrity. This order aims to ensure the integrity of all aspects of scientific activities including proposing, conducting, reviewing, managing, communicating about science and scientific activities, and using the results of science. This order establishes the expectations and procedures required to maintain scientific integrity at the U.S. Department of Commerce (Department).

SECTION 2. BACKGROUND.

.01 Scientific and technological information, data, and evidence are central to the development and iterative improvement of sound policies, and to the delivery of equitable services and programs, across every area of the government. The 2022 NSTC Report of the SI-FTAC (2021 Task Force), Protecting the Integrity of Government Science, found that strong scientific integrity policies and practices bolster the ability of federal agencies to protect government science.

.02 The Task Force Report summarizes recent foundational Executive branch actions on scientific integrity, including the Presidential Memorandum 3-9-09, “Scientific Integrity” (2009), the Office of Science and Technology Policy Memorandum, “Scientific Integrity” (2010), and the Presidential Memorandum, “Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking” (2021). The requirements of this order are derived from these foundational actions, the collective experience of federal agencies, and the informed engagement of stakeholders both inside and outside of government that were the basis of the Task Force Report.

SECTION 3. DEFINITION OF SCIENTIFIC INTEGRITY AND SCIENTIFIC INTEGRITY OFFICIAL.

.01 The Department adopts the following official definition of Scientific Integrity: “Scientific integrity is the adherence to professional practices, ethical behavior, and the principles of honesty and objectivity when conducting, managing, using the results of, and communicating about science and scientific activities. Inclusivity, transparency, and protection from inappropriate influence are hallmarks of scientific integrity.”

.02 While the responsibility for upholding scientific integrity lies with all of the Department and its contractors and grantees, trainees, interns, and advisory committee members, the Department will designate a senior career employee as the Department’s lead Scientific Integrity Official to oversee implementation and

iterative improvement of scientific integrity policies and processes.

.03 The Scientific Integrity Official shall be empowered with the independence necessary to gather and protect information to support the review and assessment of scientific integrity concerns, as well as to ensure implementation of corrective scientific actions and to coordinate with appropriate agency authorities to enforce corrective and administrative actions as well as actions to prevent scientific integrity concerns. The Scientific Integrity Official, in conjunction with the Chief Science Officer, shall also advocate for appropriate engagement of scientific leadership in decision-making. (Unless otherwise specified, this DAO uses the terms Scientific Integrity Official and Chief Science Officer to refer to the officials holding these roles for the Department, not at an operating unit level.)

SECTION 4. EFFECTIVE DATE AND POLICY AMENDMENTS.

.01 This order is effective when signed. This order shall be reviewed by the Scientific Integrity Official every 2 years. Amendments to this order shall be overseen by the Scientific Integrity Official and communicated to the Director of the White House Office of Science and Technology Policy no later than 30 days after adoption.

SECTION 5. APPLICABILITY AND SCOPE.

.01 Scientific integrity is the responsibility of the entire Department workforce. Covered individuals who must adhere to the requirements of this order include all Department employees, political appointees, trainees, interns, and advisory committee members, when they propose, conduct, or review science or communicate about science and scientific activities and to all levels of employees who manage or supervise scientific activities and use scientific information in decision making.

.02 All Department contractors, cooperators, partners, co-regulators, permittees, lessees, grantees, and volunteers, who engage or assist in scientific activities are expected to uphold the principles of scientific integrity established by this order. Express requirements will be set forth in individual agreements, contracts, statements of work, memoranda of understanding, grant awards, etc., and/or established via issuance of a separate rule or other policy.

.03 Operating units within the Department may have their own scientific integrity policies. Operating unit-specific scientific integrity policies may be more protective of scientific integrity than this DAO, but they may not be less protective of scientific integrity. Operating unit-level Covered Individuals must abide by this DAO as well as their operating unit's policies. Scientific integrity concerns will be addressed by applicable operating unit-level policy unless an operating unit does not have a scientific integrity policy or the scientific integrity concern is at the Department level. An operating unit scientific integrity official may elect to refer a particular scientific integrity concern to be addressed under this DAO, for example if reviewing it under the operating unit scientific integrity policy presents a conflict of interest.

SECTION 6. DEFINITIONS.

.01 Allegation. A formal accusation of a suspected loss of scientific integrity.

.02 Covered Individuals. The individuals covered by this Scientific Integrity DAO are all Department employees, political appointees, trainees, interns, and advisory committee members, when they propose,

conduct, or review science or communicate about science and scientific activities and all levels of employees who manage or supervise scientific activities and use scientific information in decision making. Additionally, this term includes contractors, cooperators, partners, co-regulators, permittees, lessees, grantees, and volunteers who are covered by this policy pursuant to the agreement, contract, statement of work, memorandum of understanding, grant award, or other document governing their relationship with the Department.

.03 Department. Refers to the Department of Commerce, including all operating units.

.04 Inappropriate Influence. The attempt to shape or interfere in scientific activities or the communication about or use of scientific activities or findings against well-accepted scientific methods and theories or without scientific justification.

.05 Interference. Inappropriate, scientifically unjustified intervention in the conduct, management, communication, or use of science. It includes censorship, suppression, or distortion of scientific or technological findings, data, information, or conclusions; inhibiting scientific independence during clearance and review; scientifically unjustified intervention in research and data collection; and inappropriate engagement or participation in peer review processes or on federal advisory committees.

.06 Political. The term “political” has two different meanings in this policy.

a. When referring to personnel, such as “political appointees” or “political officials,” the term refers to non-career officials whose appointment is typically made or approved by the White House and whose tenure generally ends with a change in Administration. This can include Schedule C personnel, non-career Senior Executive Service personnel, and the Presidentially appointed, Senate-confirmed principal officers.

b. When used in reference to motivations or reasons for action, such as “political purposes,” the term refers to non-scientific factors that may sometimes inform policy making, such as the legislative process, stakeholder interests, and competing policy concerns, but that should never distort, suppress, or interfere with science.

.07 Research Misconduct. Fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results or ordering, advising or suggesting that subordinates engage in research misconduct. Research misconduct does not include honest error or differences of opinion.

.08 Science. Science refers to the full spectrum of scientific endeavors, including basic science, applied science, evaluation science, engineering, technology, economics, social sciences, and statistics, as well as the scientific and technical information derived from these endeavors.

.09 Scientific Integrity. The adherence to professional practices, ethical behavior, and the principles of honesty and objectivity when conducting, managing, using the results of, and communicating about science and scientific activities. Inclusivity, transparency, and protection from inappropriate influence are hallmarks of scientific integrity.

.10 Scientific Activities. Activities that involve the application of well-accepted scientific methods and theories in a systematic manner, and includes, but is not limited to, data collection, inventorying, monitoring, statistical analysis, surveying, observations, experimentation, study, research, integration, economic analysis, forecasting, predictive analytics, modeling, technology development, and scientific assessment.

.11 Scientific Product. The results of scientific activities include the analysis, synthesis, compilation, or

translation of scientific information and data into electronic and hardcopy formats that are traditional modalities of publishing scientific findings. These products include, but are not limited to, experimental and operational models, forecasts, graphics, and tables. The results of scientific activities can be expressed through a variety of verbal, visual, or documented communications, for example, manuscripts for scientific journals, presentations for workshops, conferences, and symposia.

.12 Special Sworn Status. The designation given to individuals who are not Census Bureau employees and are given the Oath of Nondisclosure in order to access Census confidential data in support of Title 13 programs. Special Sworn Status is authorized by Title 13, U.S.C., Section 23(c), which permits the temporary staff to be sworn to observe the limitations imposed by Title 13, U.S.C., Section 9.

.13 Special Sworn Research Consultants. The designation given to individuals who are not Bureau of Economic Analysis employees and are given the Oath of Nondisclosure in order to access BEA confidential data in support of Title 22 programs. Special Sworn Research Consultant Status is authorized by Title 22, U.S.C., Section 3104(c), which also imposes limitations on disclosure of the data.

.14 Transparency. This refers to how scientists give visibility to their data and to describe their analyses, methods, and how to interpret their results in ways that allow others to assess them. In addition, transparency also includes ensuring all relevant data and information used to inform a decision made or action taken is visible, accessible, and consumable by affected or interested parties, to the extent allowable by law. This includes, to the extent possible, providing the information necessary to interpret artificial intelligence and machine learning methodologies when used.

SECTION 7. PRINCIPLES.

.01 The Department's mission is to create the conditions for economic growth and opportunity for all communities. Modern evidence-based economic growth policies are anchored by science and data. The Department produces scientific research and relies on it to develop the policies needed to achieve its mission. Scientific integrity is vital to the Department's mission.

.02 To fulfill the directives in this order, the Department is committed to the following overarching principles:

- a. Ensure a culture of scientific integrity among leadership and staff at all levels, from the Secretary of Commerce to entry-level employees, and maintain diversity, equity, inclusion and accessibility in the execution and dissemination of research.
- b. Protect scientific activities, findings, data, and products from actual or attempted suppression or alteration that is not scientifically based by any employee, whether career or political.
- c. Select candidates for scientific positions, including on technical or scientific federal advisory committees, on the basis of their scientific and technical knowledge, credentials, experience, integrity and with consideration for diversity, equity, inclusion and accessibility, and where applicable in accordance with the merit system principles established in 5 U.S.C. § 2301, in order to bring different experiences and points of view to research.
- d. Hold all employees and other Covered Individuals (including external advisors and reviewers) to relevant standards governing real and perceived conflicts of interest and ethical conduct, including financial interests

and personal and professional relationships.

e. Ensure scientific findings, data, and products undergo independent peer review by diverse and qualified experts who are free from real or perceived conflicts of interest.

f. Adopt and abide by appropriate whistleblower protections.

g. Facilitate the free flow of information on scientific activities, findings, data, and products, consistent with privacy, security classification standards, the ability of the Department to share the underlying data, and responsible communication of scientific information.

h. Expand and promote access to scientific findings, data, and products by making them available online in open formats consistent with privacy, security classification standards, the ability of the Department to share the underlying data, and responsible communication of scientific information.

i. Where appropriate, expand and promote access to data and models that underlie regulatory proposals and policy decisions.

j. Support scientists engaging in vigorous debate that improves science. Science benefits from discussion of a diversity of opinions within the scientific community to sharpen ideas and thinking.

k. Apply scientific integrity policies to all individuals engaged in scientific activities as well as the use of science and data in making policy.

l. When appropriate, consult scientists in policy-making when the results of their science are under consideration. For science to inform policy and management decisions, it needs to be understood and interpreted with expertise during decision-making.

m. Permit, and encourage, where appropriate, federal scientists to participate in communications with the media regarding their scientific activities and areas of scientific expertise (in alignment with DAO 219-1). Transparency underpins the robust generation of knowledge and promotes accountability to the American public.

n. Strive to advance the equitable and accessible delivery of scientific information from the Federal Government's programs.

o. Emerging technologies and methods (e.g. artificial intelligence, machine learning and person- or community-based science, aka citizen science) will be developed following the principles and practices of scientific integrity.

SECTION 8. POLICY REQUIREMENTS.

.01 Department leadership at all levels shall recognize, support, and promote this policy and its underlying principles, as well as model behavior exemplary of a strong culture of scientific integrity.

.02 The Department shall promote a culture of scientific integrity. This means both creating an empowering environment that is conducive to innovation and progress and also protecting scientists and the process of science. Science, and public trust in science, thrives in an environment that shields scientific data and analyses and their use in policymaking from political interference or inappropriate influence. Scientific findings and products must not be suppressed, delayed, or altered for political purposes and must not be subjected to

inappropriate influence.

.03 A strong culture of scientific integrity begins with ensuring a professional environment that is safe, equitable, and inclusive. Issues of diversity, equity, inclusion and accessibility are an integral component of the entire scientific process and attention to these issues can improve the representativeness and eminence of the scientific workforce, foster innovation in the conduct and use of science, and provide for more equitable participation in science by diverse communities. The responsible and ethical conduct of research and other scientific activities requires an environment that is equitable, inclusive, safe, and free from harassment and discrimination.

.04 To instill and enhance a culture of scientific integrity, the Department will post this policy prominently on its website; take other measures, such as agency townhalls and written and oral communications, as possible and appropriate to keep scientific integrity visible at the Department; and educate all Covered Individuals on their rights and responsibilities related to scientific integrity. All Covered Individuals will receive scientific integrity information or training to make them aware of their responsibilities under this scientific integrity policy within 6 months of their date of hire. The Department, given the availability of funding, will provide training for those who propose, review, conduct, manage, and use the results of and communicate about science and scientific activities biannually. Training will be tracked to ensure Covered Individuals have received appropriate training.

.05 The Department shall ensure that different modes of science, such as citizen science, community-engaged research, participatory science, and crowdsourcing, have the recognition, support, and resources to meet the same high standards of scientific integrity that traditional modes are expected to uphold. Further scientific integrity practices must be applied in ways that are inclusive of these modes of science. This may require expanded scientific integrity practices and expectations, such as granting communities more autonomy over research questions and research design, recognition of data and knowledge sovereignty, and inclusion of multiple forms of evidence, such as Indigenous Knowledge.

.06 It is the policy of the Department to promote scientific integrity at the Department. This policy outlines seven specific areas and their scientific integrity considerations:

- a. Protecting Scientific Processes;
- b. Ensuring the Free Flow of Scientific Information;
- c. Supporting Decision-Making Processes;
- d. Ensuring Accountability;
- e. Protecting Scientists;
- f. Professional Development for Government Scientists; and
- g. Scientific and Technical Federal Advisory Committees.

.07 Protecting Scientific Processes. Scientific integrity fosters “honest scientific investigation, open discussion, refined understanding, and a firm commitment to evidence.” It also enables consideration and documentation of differing scientific opinions, and includes peer review. Science, and public trust in science, thrives in an environment that shields scientific data and analyses and their use in policy making from political interference or inappropriate influence. It is the policy of the Department to:

- a. Prohibit political interference or inappropriate influence in the funding, design, proposal, conduct, review, evaluation, or reporting of scientific activities and the use of scientific information.
- b. Prohibit inappropriate restrictions on resources and capacity that limit and reduce the availability of science and scientific products outside of normal budgetary or priority-setting processes or without scientific justification.
- c. Require that leadership and management ensure that Covered Individuals engaged in scientific activities are able to conduct their work free from reprisal or concern for reprisal.
- d. Require reasonable efforts to ensure the accuracy of the scientific record and to correct identified inaccuracies that pertain to their contribution to any scientific records.
- e. Require that Covered Individuals represent their contributions to scientific work fairly and accurately and neither accept nor assume unauthorized and/or unwarranted credit for another's accomplishments. To be named as an author, contributors shall have made a substantial intellectual contribution, written or provided editorial revisions that include critical intellectual content, and approved the final version and agreed to be accountable for all aspects of the work.
- f. Ensure independent review of facilities, methodologies, and other scientific activities as appropriate to ensure scientific integrity.
- g. Adhere to the Office of Management and Budget Final Information Quality Bulletin for Peer Review. When independent peer reviews of scientific products are conducted by contractors, a conflict-of-interest review shall be conducted for all reviewers.
- h. Require Covered Individuals comply with agency policies and procedures for planning and conducting scientific activities and show appropriate diligence toward preserving and maintaining research resources, such as equipment and other property, records of data and results that are entrusted to them, consistent with federal records laws and regulations.
- i. Prohibit research misconduct and the use of improper or inappropriate methods or processes in conducting research and lack of adherence to practices that ensure the quality of research and other scientific activities such as quality assurance systems.
- j. Require that Covered Individuals design, conduct, manage, evaluate, and report scientific research and other scientific activities honestly and thoroughly and disclose any conflicts of interest to their supervisor or other appropriate Department official(s) for their determination as to whether a recusal, disclaimer, or other appropriate notification would be appropriate.
- k. Require that research involving human subjects and the use of non-human animals is conducted in accordance with applicable ethical standards, regulations, and laws.
- l. Ensure, as feasible and appropriate, that the processes, participation, and dissemination of results used by scientists and their collaborators include or are informed by underrepresented and disadvantaged groups.
- m. Ensure recognition and prompt action to address and prevent scientific integrity policy violations that have been shown to have a disproportional impact on underrepresented groups or weaken the equitable delivery of federal government programs.

.08 Ensuring the Free Flow of Scientific Information. Open and timely communication of the Department's science plays a valuable role in building public trust and understanding of the Department's work. The Department shall facilitate the free flow of scientific and technological information and support scientific integrity in the communication of scientific activities, findings and products, to the extent permitted by law. Scientific and technological information will be disseminated to the extent allowed by and consistent with privacy, classification standards, the ability of the Department to share the underlying data, as well as responsible communication of scientific information. It is the shared responsibility of scientists and communications professionals to adhere to the principles of inclusivity, transparency, and protection from inappropriate influence that are hallmarks of scientific integrity. It is the policy of the Department to:

- a. Facilitate the free flow of scientific and technological information, consistent with privacy, classification standards, and the ability of the Department to share the underlying data. Consistent with Open Government requirements, the Department shall expand and promote access to scientific and technological information by making it available freely to the public in an online digital format when legally possible.
- b. Ensure that scientific findings and products are not suppressed, delayed, or altered for political purposes and are not subjected to inappropriate influence.
- c. Permit, and even encourage, agency scientists to participate in communications with the media regarding their scientific activities and areas of scientific expertise. In communicating with the media, scientists are strongly encouraged to seek advice from Department-trained career communications experts.
- d. Provide scientific communication training and communications support, funding permitted, to agency scientists to enable their ability to clearly communicate their findings, both to policy makers within their agencies and to the public and stakeholders more broadly.
- e. Ensure that the work and conclusions of Department scientists and the work and conclusions of work funded/supported by the federal government are accurately represented in Departmental communications. If documents significantly rely on a scientist's research or scientific product, identify them as an author, or represent their scientific opinion, the scientist(s) shall be given the option to review the scientific content of proposed documents.
- f. Ensure that mechanisms are in place to resolve disputes that arise from decisions to proceed or not to proceed with proposed interviews or other public information-related activities.
- g. Ensure that Department scientists may communicate their scientific activities objectively without political interference or inappropriate influence, while at the same time complying with Department policies and procedures for planning and conducting scientific activities, reporting scientific findings, and reviewing and releasing scientific products. Scientific products (e.g., manuscripts for scientific journals, presentations for workshops, conferences, and symposia) should adhere to Department and operating unit review procedures.
- h. Allow Department employees to report their scientific findings and communicate with the media or the public in their official capacities at the Department. In their official capacity, the Department's scientists shall refrain from making or publishing statements that could be construed as being judgments of, or recommendations related to the Department or any other federal government policy, unless they have secured appropriate prior approval to do so. Such communications shall remain within the bounds of their scientific or technological findings, unless otherwise authorized.

i. Allow scientists to communicate with the media or the public in their personal capacities subject to limitations of government ethics rules and in accordance with DAO 219-1. Consistent with DAO 219-1, the Department's scientists may express their personal views and opinions. However, they should not claim to officially represent the Department or its policies or use the Department or other Federal Government seals or logos and should use appropriate written or oral disclaimers. Personal or private activities must not violate federal ethics rules or 5 U.S.C. § 2635.101.

j. Require that Department officials, including public affairs officers, shall not alter, nor direct agency scientists and technology experts to alter, scientific and technological research findings.

k. Require that Department officials, including public affairs officers, shall neither ask nor direct Department scientists and technology experts to alter the presentation of their scientific findings in a manner that would knowingly compromise the objectivity or accurate representation of those findings, nor affect a change in presentation without concurrence of the principal agency scientist or technology expert.

l. In response to media requests about the scientific or technological aspects of their work, agencies will offer knowledgeable spokespersons who can, in an objective and nonpartisan fashion, describe these dimensions (OSTP 2010). This does not include describing the policy implications of their work. That requires a separate permission.

m. Require that technical review and clearance processes include provisions for timely clearance and expressly forbid censorship, unreasonable delay, and suppression of objective communication of data and results that are otherwise legally permitted to be shared.

n. Ensure that scientific information is accurately represented in responses to Congressional inquiries, testimony, and other requests.

o. Ensure that the work and conclusions of Covered Individuals are accurately represented in social media communications and that Covered Individuals are appropriately guided on use of social media, which includes but is not limited to blogs, social networks, forums, and micro blogs. This should be done consistent with Department communication policies including the Department's Social Media and Web 2.0 Policy and DAO 219-1.

.09 Supporting Decision-Making Processes. It is the policy of the Department to:

a. Ensure the quality, accuracy, and transparency of scientific information used to support policy and decision making including:

1. Use scientific information that is derived from well-established scientific processes, including accepted community practices for scientific activities, as defined in Section

2. Ensure that scientific data and research used to support policy decisions undergo review by qualified experts, where feasible and appropriate, and consistent with law.

3. Reflect scientific information appropriately and accurately.

b. Develop a mechanism for Covered Individuals to express differing scientific opinions in the policymaking process. When a Covered Individual who is substantively engaged in the science informing a policy decision disagrees with the scientific data, interpretations, or conclusions that are to be relied upon for a decision, the Covered Individual is encouraged to express that opinion complete with rationale and in writing through the

internal mechanism developed pursuant to this DAO.

.10 Ensuring Accountability. It is the policy of the Department to, in consultation with the Office of the General Counsel:

- a. Ensure correction of the scientific record, the implementation of recommendations to prevent such allegations in the future and the enforcement of administrative actions when allegations of a loss of scientific integrity are substantiated.
- b. Encourage and facilitate early informal or formal consultation with the Department Scientific Integrity Officer and/or the Operating Unit Scientific Integrity Officer to seek advice on preventing a situation of concern, to determine if it is a potential violation of this order, and to ascertain if it should be referred elsewhere in the Department for resolution.
- c. Provide clear guidance on how to formally and confidentially report concerns and allegations of scientific integrity policy violations. Those who report concerns and allegations need not be directly involved or witness a violation.
- d. Ensure that the Scientific Integrity Official, together with the Office of the General Counsel and Operating Unit scientific integrity officials, as applicable, drafts procedures to respond to allegations of compromised scientific integrity in a timely, objective, and thorough manner. These procedures shall include the following steps: an initial assessment and review, a fact-finding process, an agency adjudication or determination including description of remedies and preventative measures to safeguard the science, an appeals process, follow-up to track implementation of remedies, and reporting.
- e. Ensure that these procedures document the necessary aspects for each step of the process including burden of proof, any necessary determination of intentionality, and reporting as well as the roles of the Scientific Integrity Official and Department staff in the process. See Section 9 for details.

.11 Protecting Scientists. To assure the protection of government scientists and as appropriate other Covered Individuals from retribution, retaliation or reprisal, it is the policy of the Department to, in consultation with the Office of the General Counsel:

- a. Select and retain candidates for scientific and technical positions based on the candidate's scientific and technical knowledge, credentials, experience, and integrity, and hold them and their supervisors to the highest standard of professional and scientific ethics.
- b. In accordance with the merit system principles established in 5 U.S.C. § 2301 and Title VII of the Civil Rights Act of 1964, promote diversity, equity, inclusion, and accessibility in the scientific workforce and to create safe workspaces that are free from harassment and discrimination. Support scientists and researchers of all genders, races, ethnicities, and backgrounds, and advance the equitable delivery of federal programs.
- c. Protect those individuals who report allegations of compromised scientific integrity in good faith, as well as those Covered Individuals alleged to have compromised scientific integrity in the absence of a finding that the individual compromised scientific integrity, from prohibited personnel practices (as defined in 5 U.S.C. 2302(b)).
- d. Prevent supervisors and managers or other Department leadership from intimidating or coercing scientists to alter scientific data, findings, or professional opinions or from inappropriately influencing scientific

advisory committees.

e. Comply with whistleblower protections, specifically:

1. By protecting employees from prohibited personnel practices (as defined in 5 U.S.C. 2302(b));
2. The requirements of the Whistleblower Protection Act of 1989, and its expanded protections enacted by PL 103-424 and the Whistleblower Protection Enhancement Act of 2012;
3. The National Defense Authorization Act's expansion of certain whistleblower protections to employees of federal government contractors, subcontractors, and grant recipients. 41 U.S.C. 4712; and,
4. Presidential Policy Directive 19, which prohibits supervisors from taking, failing to take, or threatening to take or fail to take any action affecting an employee's eligibility for access to classified information in reprisal for making a protected disclosure.

.12 Professional Development for Government Scientists. It is the policy of the Department to allow the Department's scientists and other Covered Individuals involved in scientific activities to interact with the broader scientific community to the extent permitted by law, in a manner that is consistent with federal ethics, research security, and job responsibilities, and to the extent that is practicable given the availability of funding to support such interactions and any budgetary restraints. This includes:

- a. Allowing publication of research such as in peer-reviewed, professional, scholarly journals, Department technical reports and publications, or other appropriate outlets;
- b. Allowing the sharing of scientific activities, findings, and materials (including curated data and code) through appropriate avenues including in digital repositories;
- c. Allowing attendance and presentation of research at professional meetings including workshops, conferences, and symposia, subject to the availability of funding;
- d. Allowing service on editorial boards, as peer reviewers, or as editors of professional or scholarly journals;
- e. Allowing participation in professional societies, committees, task forces, and other specialized bodies of professional societies, including removing barriers to serving as officers or on governing boards of such societies, to the extent allowed by law;
- f. Allowing scientists to receive honors and awards for contributions to scientific activities and discoveries to the extent allowed by law, to accrue the professional recognition of such honors or awards,
- g. Allowing scientists to perform outreach and engagement activities, such as speaking to community and student groups, as part of their job.

.13 Federal Advisory Committees. Scientific and technical federal advisory committees (FACs) are an important resource within the Department for ensuring the credibility, quality, and transparency of the Department's science. The Department shall adhere to the Federal Advisory Committee Act, where applicable, and develop policies, consistent with the General Services Administration guidance as well as guidance on lobbyists serving on FACs. The Department shall convene FACs tasked with giving scientific and technical advice, consistent with the following:

- a. The recruitment process for new FAC members should be as transparent as practicable.

- b. The Department should, when practicable and appropriate, announce FAC member vacancies widely, including notification in the Federal Register, with an invitation for the public to recommend individuals for consideration and for self-nominations to be submitted.
- c. Professional biographical information (including current and past professional affiliations) for appointed committee members should be made widely available to the public (e.g., via a website) subject to Privacy Act and other statutory/regulatory considerations. Such information should clearly illustrate the individuals' qualifications for serving on the committee.
- d. The selection of members to serve on a scientific or technical FAC should be based on expertise, knowledge, and contribution to the relevant subject area. Additional factors that may be considered are availability of the member to serve, diversity of backgrounds and viewpoints among members of the FAC, and the ability to work effectively on advisory committees. Committee membership should be fairly balanced in terms of points of view represented with respect to the functions to be performed by the FAC.
- e. Non-federal members of scientific and technical (including statistical) FACs shall be appointed as Special Government Employees (SGEs) where appropriate, and make all conflict of interest waivers granted to these non-federal committee members publicly available.
- f. Except when explicitly stated in a prior agreement between the Department and a FAC, all reports, recommendations, and products produced by FACs should be treated as solely the findings of such committees rather than of the U.S. Government, and thus are not subject to intra- or inter- agency revision.
- g. The Department shall comply with current standards governing conflict of interest as defined in statutes and implementing regulations.

SECTION 9. ROLES AND RESPONSIBILITIES.

.01 Secretary of Commerce and Deputy Secretary of Commerce.

- a. Provide leadership for the Department on scientific integrity such as leading through example, upholding scientific integrity principles, and regularly communicating the importance of scientific integrity.
- b. Ensure that all Department activities associated with scientific processes are conducted in accordance with the policy.
- c. Ensure that applicable Department mission area and staff office policies and guidance are consistent with this DAO.
- d. Ensure all supervisors and managers comply with the scientific integrity policy and ensure accountability for those who do not.
- e. Ensure violations of scientific integrity policies shall be taken as seriously as violations of government ethics rules and must come with appropriate consequences.
- f. Designate a senior Department employee with appropriate qualifications and scientific credentials for the role of chief science officer, science advisor, or chief scientist ("Chief Science Officer") and support their role as advisor on scientific issues.
- g. Ensure that the scientific-integrity policy considers, supplements, and supports agency plans for forming

evidence-based policies, including the evidence-building plans required by 5 U.S.C. 312(a) and the annual evaluation plans required by 5 U.S.C. 312(b).

h. Identify resources and funding to implement this policy, including staffing, annual reporting, and training.

i. Support and respect the Scientific Integrity Official's independence, recommendations, and designation of and the Department's compliance with corrective scientific actions when violations of this policy are substantiated.

.02 Operating Unit Heads.

a. Ensure that their respective operating unit complies with this DAO.

b. Ensure that applicable operating unit policies and guidance are consistent with this DAO.

c. Designate an Operating Unit Scientific Integrity Official and, if applicable, an Operating Unit Chief Scientific Officer.

d. If applicable, designate a Determining Official who will adjudicate alleged violations at the operating unit level.

e. Ensure that the Department Scientific Integrity Official is notified of all allegations of compromises of scientific integrity referred for an inquiry or investigation, and that the Department Scientific Integrity Official receives periodic reports on the status of the responses to said allegations.

.03 Chief Science Officer.

a. Serves as the principal advisor to the Secretary on scientific issues, except with respect to statistical issues.

b. Ensures the Department's research programs are scientifically and technologically well- founded and conducted with integrity.

c. In cooperation with the Scientific Integrity Official, oversees the implementation and iterative improvement of policies and processes affecting the integrity of research funded, conducted, or overseen by the Department, as well as policies affecting the federal and non-federal scientists who support the research activities of the Department, including scientific integrity policies.

d. In the absence of a secretarial designation, either the Undersecretary of Commerce for Oceans and Atmosphere or the Undersecretary of Commerce for Standards and Technology shall serve as Chief Science Officer, for alternating six-month terms, beginning with the Undersecretary of Commerce for Oceans and Atmosphere.

.04 Scientific Integrity Official

a. The Scientific Integrity Official is a designated, full-time equivalent, career employee who has agency appropriate scientific credentials and is appointed at a senior level, for example as Scientific or Professional employee (ST), Senior Level employee (SL), or in the Senior Executive Service (SES).

b. Oversees implementation and iterative improvement of scientific integrity policies and processes providing leadership, acting to champion scientific integrity, and serving as the primary Department-level contact for questions regarding scientific integrity and ensuring scientific integrity activities and outcomes are appropriately monitored and evaluated.

- c. Leads training and outreach initiatives to facilitate Covered Individual awareness and understanding of this policy.
- d. Serves as a neutral point of contact for receiving scientific integrity questions and concerns and allegations of compromised scientific integrity.
- e. For the Department and operating units without their own scientific integrity policy, conducts an initial assessment of allegations and submitted materials, following established procedures, to determine whether the allegations pertain to compromised scientific integrity and the appropriate handling of said allegations.
- f. Provides independent oversight of operating unit responses to allegations of compromised scientific integrity referred for an inquiry or investigation, including:
 - 1. Reviewing operating unit-submitted reports of allegations and their disposition; and
 - 2. Maintaining a status report of responses to allegations as a means of monitoring the progress toward resolution.
- g. Leads efforts to update this policy and any accompanying guidance, as appropriate.
- h. Reports on the duties outlined below to the Chief Science Officer or similarly placed individual with an appropriate background on matters involving scientific integrity.
- i. Coordinates with the Office of the General Counsel (OGC), Office of Inspector General (OIG), and other offices, as necessary.
- j. Reports any potentially criminal behavior related to waste, fraud or abuse to OIG that is uncovered during the course of responding to an allegation of compromised scientific integrity and coordinates as appropriate related to the referral provided to OIG.
- k. Keeps the Chief Science Officer, Secretary, and Deputy Secretary informed on the status of the implementation of this policy and any compliance concerns, as warranted.
- l. Delegates responsibilities to other scientific integrity officials exercising a purview applicable to organizational subunits (e.g., operating units) of the Department, and chairs their regular meetings in the Scientific Integrity Council.
- m. Publishes an annual scientific integrity report as described below.
- n. Leads efforts for the iterative improvement of this policy and scientific integrity initiatives overall including development and implementation of an evaluation plan to regularly monitor and evaluate ongoing scientific integrity activities and outcomes.
- o. To the extent possible, is involved in high level discussions and strategic planning on the recruitment, retention, development, and advancement of scientists—especially scientists from underrepresented communities—to help ensure that scientific integrity is appropriately and carefully considered.
- p. Supports the Chief Science Officer in developing policies and procedures for related scientific and technical issues, including a process for resolution of scientific disputes.
- q. Maintains awareness of policies and programs that intersect with the development of the culture of scientific integrity within the Department.

r. In the absence of a secretarial designation, the scientific integrity official for the National Oceanic and Atmospheric Administration (NOAA) or the scientific integrity official for the National Institute for Standards and Technology (NIST) shall serve as Scientific Integrity Official for alternating six-month terms, beginning with the scientific integrity official for NIST. If there is no secretarial designation for both the Chief Science Officer and the Scientific Integrity Official, the alternating terms shall be aligned such that one position is always filled by an official from NOAA and the other by an official from NIST.

.05 Scientific Integrity Council.

a. The Scientific Integrity Council is made up of Operating Unit Scientific Integrity Officials. The Chief Science Officer and Department Scientific Integrity Official may include representatives of other appropriate offices to sit on the Scientific Integrity Council as ex officio members.

b. Supports the Department's Scientific Integrity Official in assessing and adjudicating allegations of violations of this DAO.

c. Works with the Department's Chief Science Officer and Scientific Integrity Official to develop procedures for adjudicating allegations and any other procedures, as needed and appropriate.

d. Provide oversight for the implementation of this DAO at the Department.

e. Takes proactive steps to enhance and improve the environment of scientific integrity and quality within the Department.

f. Drafts criteria for the Chief Science Officer and additional responsibilities for the Chief Science Officer for consideration by the Department's leadership.

g. Acts as liaisons for their respective Department units.

h. Assists with training and policy assessment, updates and amendments.

i. Is available to address any questions or concerns regarding this policy.

.06 Operating Unit Scientific Integrity Official.

a. The Operating Unit Scientific Integrity Official is a senior federal career employee designated by an operating unit to lead and oversee implementation and iterative improvement of scientific integrity policies and processes.

b. An individual designated to serve as an Operating Unit Scientific Integrity Official must be a full-time career employee, should have previous experience conducting scientific activities, and sufficient institutional authority, stature, and credentials to be able to fulfill the required responsibilities.

c. Develops operating unit-specific scientific integrity policies and guidance, as appropriate and necessary, including developing appropriate language for inclusion in contracts, grants, permits, leases, cooperative agreements, and similar documents, in consultation with the Office of the General Counsel.

d. Bears primary responsibility for assessing and adjudicating alleged compromises of scientific integrity for Covered Individuals in the Operating Unit.

e. Develops operating unit-level procedures for adjudicating allegations and any other procedures, as needed and appropriate.

f. Maintains awareness of policies and programs that intersect with the development of the culture of scientific integrity within the Department.

g. Participates in the Department's Scientific Integrity Council.

h. Coordinates, as necessary, with the appropriate employee relations and labor management staff, Office of the General Counsel personnel, information integrity officer, peer review officer, public affairs officer, advisory committee Designated Federal Officers, contracting and grant personnel, and others to ensure that operating unit policies and guidance are consistent with this DAO.

i. Ensures that operating unit Covered Individuals are aware of the policies in the DAO and the procedures for reporting alleged compromises of scientific integrity.

j. Provides operating unit Covered Individuals with any necessary guidance and training to understand and fulfill their responsibilities under this DAO and any operating unit-specific guidance on scientific integrity.

k. Monitors and reports compliance with this DAO to the Department Scientific Integrity Official, including activities undertaken to implement the DAO.

.07 Managers and Supervisors.

a. Comply with and ensure agency and Covered Individual compliance with the scientific integrity policy and listen, advise, and report allegations of compromised scientific integrity and take action as appropriate.

b. Are aware of and uphold the principles contained in this DAO. Lead through example by upholding scientific integrity principles and communicating the importance of doing so.

c. Report any knowledge of potential losses of scientific integrity to the Scientific Integrity Official or other scientific integrity officials.

d. Refrain from committing prohibited personnel practices (as defined in 5 U.S.C. 2302(b)) against all agency employees and other Covered Individuals.

e. Consult, as appropriate depending upon the nature of the allegation, with the Scientific Integrity Official, human resources officer, contracting and grant personnel, or Office of the General Counsel.

.08 Employees and Other Covered Individuals.

a. Maintain awareness of the principles contained in this DAO and how the DAO applies to their duties.

b. Comply with this DAO, including any mandatory training that may be required.

c. Adhere to accepted professional values and practices of the relevant research and scientific communities so as to ensure scientific integrity.

d. Are encouraged to report to the Scientific Integrity Official or Operating Unit Scientific Integrity Official any knowledge of compromised scientific integrity.

.09 Determining Official.

a. The Determining Official makes the final determination on an allegation of compromise of scientific integrity and proposes corrective personnel action, as appropriate, as discussed further in Section 12.

b. At the Department level, the Deputy General Counsel for Administration will serve as the Determining

Official. In the absence of an operating unit-level policy that designates an alternative senior level career official, the Determining Official for each operating unit will be the Deputy General Counsel for Administration, who may delegate that function.

.10 Director, Office of Human Resource Management and Chief Human Capital Officer, Department. The Department's Director of the Office of Human Resource Management (Director) and Chief Human Capital Officer works with the Scientific Integrity Official to ensure ongoing coordination across activities and consistency between scientific integrity and human resources policies. The Director appoints a senior staff member to serve as an ex officio member of the Scientific Integrity Council. The Director's representative attends meetings, but does not participate in adjudicating allegations brought before the Scientific Integrity Official.

SECTION 10. MONITORING, EVALUATING, AND REPORTING.

.01 Monitoring and Evaluating Scientific Integrity Activities and Outcomes.

a. The Scientific Integrity Official, with the help of the Scientific Integrity Council and input from the operating units, will develop and implement an evaluation plan to regularly measure, monitor, and evaluate ongoing scientific integrity activities and outcomes. The plan will include a roadmap of activities and expected outcomes, the steps and methods needed to assess the processes and outcomes, the methods and metrics used to evaluate the activities and outcomes, and how the data will be analyzed on a regular basis and used for ongoing improvement of SI processes, procedures, and policies. The plan shall include, at a minimum, the metrics for operating units to collect and report as identified in Chapters 2 and 3 of A Framework for Federal Scientific Integrity Policy and Practice (January 2023).

b. The plan shall also include a timeline for implementation and frequency of data collection, analysis, review, recommendations, and implementing recommendations. Monitoring and evaluation results, recommendations, and policy/procedure changes based on results will be reported to agency leadership and will be made available to agency staff and the public in a timely manner, including through an annual report as described below.

.02 Reporting. The Scientific Integrity Official, with the help of the Scientific Integrity Council, is responsible for generating and making prominently available on the Department's public facing website an annual report to Department leadership on the status of scientific integrity within the Department, per the January 27, 2021, Presidential Memorandum.

a. The report shall highlight activities and outcomes the Department has taken to improve scientific integrity activities as well as scientific integrity successes and accomplishments across the Department such as any new scientific integrity hires, training, enhancements to scientific integrity policies; identify any resource gaps for implementing the policy; and identify areas for improvement and develop a plan for addressing critical weaknesses, if any.

b. The report shall report on progress toward achieving the critical metrics identified in Chapters 2 and 3 of A Framework for Federal Scientific Integrity Policy and Practice (January 2023), including comparisons to the same metrics from prior years to show trends over time, whenever feasible.

c. The report will include the number of formal administrative inquiries, informal requests for assistance,

investigations and appeals involving alleged or actual deviations from the scientific integrity policy, and the number of investigations and pending appeals.

d. The report will also include anonymized, individual, closed scientific integrity case summaries. These summaries can be posted in a timely manner after completion of inquiries. The identities of complainants, respondents, witnesses, and others involved in the investigations shall be protected.

e. The initial report is due by September 30, 2025 and due annually on September 30th thereafter. The Department will make the report available on a public-facing website and will include the status of scientific integrity within the Department.

SECTION 11. SCIENTIFIC INTEGRITY POLICY INTERSECTIONS WITH RELATED AND SUPPORTING POLICIES.

.01 The Scientific Integrity Official shall have an awareness of policies and programs that intersect with the development of the culture of scientific integrity within the Department. Officials responsible for such policies and programs shall engage the Department and/or Operating Unit Scientific Integrity Official, where possible, in the development or revision of the broader set of policies and practices that affect the culture and applicability of scientific integrity with the Department and its operating units.

.02 Diversity, Equity, Inclusion, and Accessibility (DEIA) in Addressing and Strengthening Scientific Integrity and the Disproportionate Impact of Scientific Integrity Policy Violations on Underrepresented Groups. Policies, practices, and Department culture to promote diversity, equity, inclusion, and accessibility in the scientific workforce and federal workforce at large and to create safe workspaces that are free from harassment are foundational for achieving a culture of scientific integrity. Because racism, sexism, discrimination and other forms of bias may occur in the workplace, scientific integrity and DEIA policies may intersect. Similarly, scientific integrity entails greater transparency into research processes and policy-making outcomes. Open science policies and practices help to ensure that publications, data, and other outputs of government-funded research are readily available to other researchers, innovators, students, and the broader public, including underserved communities. The Scientific Integrity Official will review and, upon consultation with the Office of Civil Rights, address potential scientific integrity policy violations that have a disproportionate impact on underrepresented groups or weaken the equitable delivery of Department programs.

.03 Whistleblower Protection. The WPEA, as amended, provides whistleblower protection for employees who make disclosures protected by 5 U.S.C. § 2302. Contact the Whistleblower Protection Coordinator or equivalent for additional information.

.04 Human and Animal Subject Protections.

a. When applicable, protection for human subjects of research and clinical investigations are provided in the Federal Policy for Protection of Human Research Subjects outlined in 15 C.F.R. §§ 27.101-124 and the FDA Policy for the Protection of Human Subjects outlined in 21 C.F.R. §§ 50, 56, 312 and 812.

b. To protect the welfare of animals used in research or other activities conducted or supported by federal programs, agencies must comply with the federal regulations and policies governing animal care. These include the United States Department of Agriculture Animal Welfare Act (AWA) and regulations (AWAR),

the Public Health Service Policy on Humane Care and Use of Laboratory Animals (PHS Policy) administered by the National Institutes of Health, Office of Laboratory Animal Welfare, and the Guide for the Care and Use of Laboratory Animals.

.05 Scientific Research Security. Scientists are encouraged to interact with the broader scientific community, engage with collaborators, and commit to transparency, honesty, equity, fair competition, objectivity, and democratic values. However, some foreign governments are working vigorously in contradiction with these values to acquire, through both licit and illicit means, U.S. research and technology. Research security policies, such as the National Security Presidential Memorandum 33 (NSPM-33) and subsequent Guidance for Implementing NSPM-33, must harmonize with scientific integrity policies by both guarding against foreign abuses and protecting intellectual property rights, while ensuring the scientists maintain honesty, objectivity, transparency, and professional and ethical behaviors.

SECTION 12. PROCEDURES.

.01 The Scientific Integrity Official and Scientific Integrity Council, in conjunction with the Chief Science Officer and operating units, shall expeditiously draft and prominently post on the Department's website the following procedures: addressing scientific integrity concerns, handling differing scientific opinions, clearance of scientific products, scientific communications, authorship and attribution and other topics as needed. These policies shall be completed by May 31, 2025.

.02 The procedures for handling allegations of scientific integrity violations will, at a minimum, address the following:

a. How to submit an allegation, including a secure email address and/or web portal, with the ability for the complainant to remain anonymous;

b. Steps to address an allegation, including: Immediate escalation for matters that risk lives and property, Formal or informal consultations, Assessment, Inquiry, Investigation, Determination, Appeals process, Timeline for steps in these processes, Methods for gathering information on allegations (statements, interviews, access to email, etc.), and Information sharing with the Inspector General and Human Resources, as appropriate.

.03 Allegations of violations of this DAO against Covered Individuals shall be submitted following the procedures of the Covered Individual's operating unit scientific integrity policy. If an operating unit does not have an operating unit-level policy or the allegation is at the Department level, the allegation shall be submitted following the procedures developed by the Department's Scientific Integrity Official and Scientific Integrity Council.

.04 The procedures for handling allegations of violations of this DAO will be publicized throughout the Department and made available on an appropriate public-facing website.

.05 Interim Procedures. While the Department's procedures are under development, any allegations of scientific integrity violations at the Department level or in operating units that do not have a policy to address scientific integrity allegations may be brought to the NOAA or NIST Scientific Integrity Officials. NOAA and NIST will work with the Determining Official to adjudicate the allegation.

.06 Allegations related to research that is classified, in whole or in part, will be investigated by personnel with an appropriate clearance level and in coordination with the Office of Security.

SECTION 13. AUTHORITIES/ REFERENCES.

.01 Pursuant to the 2021 Presidential Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking, all federal agencies must establish a scientific integrity policy. Accordingly, the Department has established this DAO.

.02 As applicable, this policy should be used in conjunction with:

The NSTC Report Protecting the Integrity of Government Science (January 11, 2022); and the NSTC Report Framework for Federal Scientific Integrity Policy and Practice (January 2023).

.03 Other statutes and guidelines:

PL 106-554, Section 515, The Information Quality Act, Office of Management and Budget (OMB) Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies, 2002; OMB Final Information Quality Bulletin for Peer Review, 2004; 65 FR 76260-76264, Federal Policy on Research Misconduct; PL 101-12, Whistleblower Protection Act (WPA) of 1989; PL 112-199, Whistleblower Protection Enhancement Act (WPEA) of 2012; 5 U.S.C. Chapter 10, Federal Advisory Committee Act of 1972; 18 U.S.C. 1905 (Trade Secrets Act); 5 U.S.C. 552, The Freedom of Information Act; 5 U.S.C. 552a, The Privacy Act; 13 U.S.C. 9 and 23; 22 U.S.C. 3104(c); 5 CFR 735, Employee Responsibilities and Conduct; and 5 CFR 2635, Standards of Ethical Conduct for Employees of the Executive Branch. Evidence Act; 5 CFR 724 – No FEAR Act; 15 CFR 27 – Common Rule for the Protection of Human Subjects; PL 89-544 – Animal Welfare Act; PL 115-435 -Evidence Act; 5 USC 1214 – Discipline of federal employee by agency; 5 USC 75 – Adverse Actions; The Crowdsourcing and Citizen Science Act of 2016 (15 U.S.C. § 3724); The America Competes Act; Statistical Policy Directive No. 1: Fundamental Responsibilities of Federal Statistical Agencies and Recognized Statistical Units; Statistical Policy Directive No. 3: Compilation, Relevance, and Evaluation of Principal Federal Economic Indicators; Statistical Policy Directive No. 4: Release and Dissemination of Statistical Products Produced by Federal Statistical Agencies; DS006 – Controlling Non-Employee Access Policy; Special Sworn Researcher Program - U.S. Bureau of Economic Analysis; DAO 219-1 Public Communications; and U.S. Department of Commerce Policy on the Approval and Use of Social Media and Web 2.0 (2010); NIST IR 8484: Safeguarding International Science: Research Security Framework.

SECTION 14. EFFECT ON OTHER ORDERS AND LAWS.

.01 This DAO supersedes the December 16, 2011 Memorandum from General Counsel Cam Kerry, “Implementation of Administration Policy on Scientific Integrity.” This DAO otherwise is in addition to, and does not alter the requirements of any other applicable federal statutes, regulations, or policies, or other operating unit or Department administrative orders.

.02 This DAO shall not be interpreted to conflict with the rights of an employee under the law, including, but not limited to, the following:

a. The Federal Service Labor-Management Relations Statute (5 U.S.C. §§ 7101-7135), including any rights

accorded a union representative when communicating in that role;

b. The provisions within Federal Service Labor-Management Relations Statute 5 U.S. Code Chapter 75 – Adverse Actions, relating to disciplinary action of employees; and

c. The Whistleblower Protection Act of 1989, as amended (5 U.S.C. §§ 1201 et seq.), Merit Systems Protection Board, Office of Special Counsel, and Employee Right of Action.

Signed by: Secretary of Commerce

Office of Primary Interest: Office of Policy and Strategic Planning