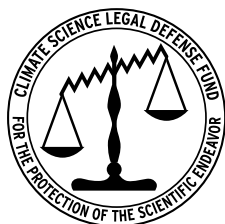


A QUICK GUIDE TO THE SCIENTIFIC INTEGRITY POLICY AT THE

Department of State (DOS)



Brought to you by  
the Climate Science  
Legal Defense Fund

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## A Quick Guide to the Department of State Scientific Integrity Policy

Scientific integrity principles are indispensable to the missions and the functions of federal scientific agencies in the United States. Conducting sound and unbiased scientific research is essential to maintaining public trust in these agencies. For scientists employed at these agencies, understanding these principles—both how to abide by them, and what to do if they are violated—is a core job function.

Many scientific agencies adopted scientific integrity policies following a 2009 memorandum issued by President Obama, and a subsequent memorandum issued in 2010 by the White House Office of Science and Technology Policy. These policies clarify how individual agencies interpret scientific integrity. In many cases, a policy also describes how a scientist should report a loss of scientific integrity, how the agency will investigate such claims, and the rights of both a complainant and a person alleged to have committed a violation.

This guide examines the Department of State (DOS) scientific integrity policy. The guide is designed to help scientists working for the DOS understand how the policy applies to them, what rights they have under the policy, and how they can avail themselves of these.

The DOS policy could be made stronger by providing more information and guidance on scientific integrity for scientists working at the agency. But it is still crucial for agency scientists to understand their existing rights and responsibilities with respect to scientific integrity, as well as the strengths and weaknesses of the DOS policy.

While this guide helps DOS scientists understand the agency's scientific integrity policy, it is not a substitute for legal advice regarding a particular situation. The Climate Science Legal Defense Fund offers **free, confidential consultations to scientists** with questions about scientific integrity.

Contact us at  
**(646) 801-0853**

Or send an email to  
**[lawyer@cslddf.org](mailto:lawyer@cslddf.org)**

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## SUMMARY

The DOS addresses scientific integrity in its [Foreign Affairs Manual on Scientific Integrity](#) (referred to as the policy in this guide and cited as 11 FAM 820 et seq.) The DOS policy has its strengths: It uses clear language, it's well organized, and it defines what behaviors compromise scientific integrity. These behaviors include using scientific studies in decision-making that don't reflect current scientific knowledge; misrepresenting, suppressing, or altering scientific findings during the decision-making process; and altering or misrepresenting scientific findings in public communications (11 FAM 823). The policy also has detailed guidance on communicating DOS science and encourages all aspects of professional development for DOS scientists.

There are ways the DOS could improve its scientific integrity policy, which emphasizes the use of science and technology in DOS policy-making decisions. As an agency with a focus on policy-making and not research, this is appropriate. However, the policy fails to address research misconduct—a significant oversight given that the DOS oversees scientific research.

The policy gives scientists less freedom to communicate about their work with the press than other federal agencies, requiring all communications about research to be first cleared by the DOS Bureau of Public Affairs. The policy fails to address the procedures for investigating compromises of scientific integrity. While it links to various channels for general misconduct investigations within the DOS, the failure to address specific procedures for investigating scientific integrity violations is a serious omission.

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## WHAT DOES THE POLICY GOVERN?

### Research Misconduct

The policy does not define or address research misconduct.

### Conflicts of Interest

The policy does not define conflicts of interest; it states that the policy does not supersede the provisions of federal statutes or regulations, including avoidance of conflicts of interest. It references the section of the Code of Federal Regulations (CFR) that addresses conflicts of interest as an example but does not link to this provision (11 FAM 824.2 (b)).

### Political Interference

The policy prohibits attempts to alter or suppress the use of scientific or technological findings in decision-making processes. It states that individuals working for the DOS should uphold this standard (FAM 824.3(c)). The policy reiterates this stance in discussing DOS communications with the press, saying that individuals

working for the DOS should ensure that the scientific or technological findings used in communications are not altered, misrepresented, or suppressed (11 FAM 825.2).

## Threats and Intimidation

The policy does not explicitly address threatening or intimidating researchers, but such actions may be covered by the provisions noted under “Political Interference.”

## Use of Science in Agency Decision-Making

The policy has a provision on the role of scientific integrity in decision-making processes. The policy states that individuals working for the DOS should ensure that the underlying assumptions, uncertainties, and probabilities of scientific and technical data are accounted for and communicated during a decision-making process. It also says that when scientific or technical information is considered in policy decisions, that information should be representative of the current state of the science, evidence-based, and subject to established scientific processes such as peer review (11 FAM 824.3 (a) and (b)).

## Science Communication

**Timeliness:** The policy does not address the timeliness of scientific communications.

**Press:** According to the policy, all communications to the media or public on scientific topics, policies, and research must be cleared by the DOS Bureau of Public Affairs (11 FAM 825.1). This requirement limits scientists’ ability to communicate their research to the public, although this may be due to the confidential nature of their work. DOS public affairs offices decide whether to fulfill interview requests and other public information activities.

DOS employees must ensure that no attempts are made to alter, suppress, or misrepresent scientific findings in public communications (11 FAM 825.2). The DOS will ensure the person authorized to respond to media requests is qualified to speak on the scientific or technological aspects of the work in question and can do so in an objective, nonpartisan way (11 FAM 825.5(a)).

If a DOS employee is contacted directly by a journalist, the employee should refer the journalist to the appropriate bureau contact for public affairs (11 FAM 825.5(b)). A DOS scientist may speak to the media or the public about their official work, however, they must do so according to DOS policies on [Review of Public Speaking, Teaching, Writing, and Media Engagement and Remarks and Writings for the Media and General Public](#) (both referenced in the policy). These generally require that public statements made in an employee’s official DOS capacity or on topics of DOS concern be pre-approved.

**Social media:** The policy does not address social media. However, it references the DOS policy, [Review of Public Speaking, Teaching, Writing, and Media Engagement](#), which has guidelines for social media use.

**Testifying before Congress:** While the policy does not state that agency scientists have the right to testify before Congress, this right is protected by federal law.

**Right of scientists to review and/or correct agency communications:** The policy does not address whether DOS scientists have the right to review or correct agency communications that discuss or rely on their work. Yet scientists at other federal agencies have the right to review DOS documents that depend on their data, analyses, or research results to make sure the science is accurately interpreted and represented (11 FAM 825.6).

**Publishing and lecturing:** DOS scientists are allowed to publish in scientific journals and present at public or professional meetings as long as they follow the guidelines in the DOS policy, [Review of Public Speaking, Teaching, Writing, and Media Engagement](#).

**Scientific societies:** DOS scientists are encouraged to participate in professional societies and other organizations that enhance their professional development, especially when their participation advances the DOS's mission. DOS scientists can serve as editors or editorial board members of scholarly journals as long as specific requirements are met. However, employees should work with the Bureau of Public Affairs to determine whether a disclaimer is necessary (11 FAM 827(4)).

**Opinion statements:** According to the policy, unofficial activities—speaking, writing, or teaching in a private capacity outside U.S. government property or work hours—on a topic of official concern (defined as activities or topics that may be interpreted as relating to the current responsibilities, interests, programs, or operations of the DOS) must be approved by public affairs officers and require a disclaimer. Unofficial activities on matters not of official concern do not require review (11 FAM 825.4).

## Hiring Practices

It is DOS policy that the selection of candidates for scientific positions be based primarily on their scientific and technical knowledge, credentials, experience, and integrity (11 FAM 827(1)).

## Federal Advisory Committees

According to the policy, the DOS uses [Federal Advisory Committees](#) and references the DOS policy on Federal Advisory Committees, but does not provide information about their use (11 FAM 826).

## Whistleblower Protections

The policy cites the Whistleblower Protection Act (WPA) and other existing protections in federal laws for whistleblowers, but it does not provide additional rights or protections for whistleblowers (11 FAM 828(c)).

# 4

## WHO DOES THE POLICY GOVERN?

The policy applies to all Civil Service and Foreign Service employees, political appointees, fellows, interns, contractors, and locally-employed staff who:

- Use scientific information in decision-making processes
- Communicate science and technology policy or scientific topics
- Serve on or select members of advisory panels that address scientific or technical issues
- Manage or support portfolios that include environment, science, technology, and health (ESTH) or engineering topics
- Evaluate proposals for grants, foreign assistance, contracts, or cooperative agreements for ESTH activities
- Facilitate scientific cooperation between government, academic, private institutions, or non-governmental and civil society organizations
- Develop positions on ESTH issues in bilateral and multilateral negotiations (11 FAM 824.2)

## 5 WHAT IS THE PROCESS FOR FILING A COMPLAINT?

The policy does not address the filing, investigation, or resolution of scientific complaints. While it describes general ways to prevent and report compromises of scientific integrity (including reporting up the chain of command, the Civil Service and Foreign Service Grievance System, the Dissent Channel, and reporting to the Office of Inspector General), these mechanisms are broad, and encompass various kinds of DOS policy violations (11 FAM 828(b)).

A shortcoming of the DOS policy is its failure to mention how allegations of scientific integrity violations are addressed.

## 6 ADDITIONAL RELEVANT POLICIES AND PROCEDURES

- [Remarks and Writings for the Media and General Public](#)
- [Review of Public Speaking, Teaching, Writing, and Media Engagement](#)
- [Federal Advisory Committees](#)
- [Reporting to the Office of Inspector General](#)

## 7 REPRESENTATIVE CASES AND OUTCOMES

DOS does not appear to make public the outcomes of investigations into alleged scientific integrity violations.

The Climate Science Legal Defense Fund produced this guide to help scientists understand their rights under federal agency scientific integrity policies. This guide concerns only U.S. laws, and nothing in it should be construed as legal advice for your individual situation.

CSLDF provides free counsel to scientists with legal questions pertaining to their work. Contact us at **(646) 801-0853** or email **[lawyer@csldf.org](mailto:lawyer@csldf.org)** to arrange a free and confidential consultation with an attorney.



**The Climate Science Legal Defense Fund (CSLDF)** works to protect the scientific endeavor by helping defend climate scientists against politically and ideologically motivated attacks. CSLDF is a non-profit organization under section 501(c)(3) of the Internal Revenue Code.

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