

U.S. Department of the Interior
Minerals Management Service

Transmittal

SUBJECT: Offshore Minerals Management
Integrity and Code of Conduct for Science, Scientific Assessment, and Other
Similar Technical Activities

EXPLANATION OF MATERIAL TRANSMITTED:

This Interim Policy Document establishes a policy on the integrity and code of conduct for science, scientific assessment, and other similar technical activities within the Minerals Management Service Offshore Energy and Minerals Management Program..



Associate Director
Offshore Energy and Minerals Management

FILING INSTRUCTIONS:

REMOVE:

INSERT:

OPR: Environmental Division
Offshore Minerals Management

**Minerals Management Service
Interim Policy Document**

Effective Date: 12/28/2009

IPD No: 2010-01

Series: Offshore Energy and Minerals Management

Title: Integrity and Code of Conduct for Science, Scientific Assessment, and Other Similar Technical Activities

Originating Office: Offshore Energy and Minerals Management, Environmental Division

1. Purpose. This Interim Policy Document (IPD) establishes a policy on the integrity and code of conduct for science, scientific assessment, and other similar technical activities within the Minerals Management Service (MMS) Offshore Energy and Minerals Management (OEMM) Program. It establishes the responsibility for program implementation and directs all personnel (including decisionmakers, employees, and external participants) who are engaged in or use the results of scientific activities or scientific assessments to comply with the requirements of this IPD.

2. Objective. The objective of this IPD is to provide guidelines to ensure integrity in all science, scientific assessments, and similar technical activities used in decisionmaking from data collection through the use of such information in public documents.

3. Authorities.

A. 5 U.S.C. 301 allows the head of an executive department to prescribe regulations for the conduct of its employees.

B. Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR 2635).

C. 43 CFR 20.501 requires employees of the Department of the Interior (DOI) to comply with all Federal statutes, Executive Orders, Office of Government Ethics and Office of Personnel Management regulations, and Departmental regulations.

D. 43 CFR 20.502 states that employees are required to carry out the announced policies and programs of the DOI and to obey proper requests and directions from supervisors.

E. 43 CFR 20.502(a) states that an employee is subject to appropriate disciplinary action if he or she fails to comply with any lawful regulations, orders, or policies.

F. Office of Management and Budget Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies (67 FR 8452, February 22, 2002).

G. DOI Information Quality Guidelines Pursuant to Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (67 FR 36642, May 24, 2002).

H. Office of Science and Technology Policy, Federal Policy on Research Misconduct (65 FR 76260-76264, December 6, 2000).

I. DOI Manual Chapter on Discipline and Adverse Actions (370 DM 752, December 22, 2006).

4. **Definitions.** See attached Glossary for definitions of specific terms.

5. **Policy.**

A. The MMS is dedicated to preserving the integrity of science, scientific assessment, and other similar technical activities conducted by its personnel and by others on its behalf. The MMS will not tolerate misconduct in the performance or management of such activities.

B. The MMS will take appropriate action to protect the public from the effects of inaccurate and misleading information produced through MMS-supported science, scientific assessments, or similar technical activities.

C. All MMS decisionmakers, employees, and external participants who engage in or assist with scientific activities or assessments must adhere to the following **Code of Conduct**:

To the best of my ability, I will do all of the following:

(1) I will act in the interest of the advancement of science (including scientific assessments and other similar technical activities) and contribute the best, highest quality information to the DOI and MMS.

(2) I will plan, conduct, process data from, draw conclusions from, report, and communicate the results of science, scientific assessment, and other similar technical activities in an objective, thorough, and expeditious manner.

(3) I will be responsible for the resources entrusted to me, including equipment, funds, use of my official time, and the use of official time by employees under my supervision. I will promptly and accurately collect, use, and report all financial resources under my control; and promptly, thoroughly, and accurately report all scientific work.

(4) I will fully disclose all research methods used, available data, assessment protocols, etc., and final reports and publications consistent with applicable laws and policy.

(5) I will comply with Federal laws and agreements between MMS and its partners relating to the use, security, and release of sensitive, confidential, proprietary, and administratively controlled, deliberative, or personally identifiable information and data provided to the MMS.

(6) I will not engage in scientific, analytical, or similar technical misconduct nor hinder the science, scientific assessment, or technical activities of others.

(7) I will seek and consider constructive criticism of my scientific, scientific assessment, and similar technical activities; will participate in peer reviews as appropriate; and will critique others' works respectfully and objectively. I will substantiate comments that I make with the same care with which I report my own work.

(8) I will be diligent in creating, using, preserving, documenting, and maintaining collections and data.

(9) I will adhere to established quality assurance and quality control programs.

(10) I will follow the MMS's and DOI's records retention policies.

(11) I will adhere to appropriate standards for reporting the results of science, scientific assessment, and similar technical activities and will honor and comply with the intellectual property rights of others.

(12) I will differentiate among and properly identify facts, opinions, hypotheses, and professional judgment in reporting the results of science, scientific assessment, and technical activities to others.

(13) I will be responsible for the quality of data I collect, the interpretations of those data (as well as from any data for which I am entrusted), and the integrity of conclusions I draw in the course of my science, scientific assessment, or similar technical activities.

(14) I will place quality and objectivity of science, scientific assessment, and similar technical activities and reporting of their results ahead of personal gain or allegiance to individuals or organizations.

6. Responsibilities.

A. All MMS decisionmakers, employees, and external participants must comply with the Federal statutes, Executive Orders, Presidential Memoranda, Office of Government Ethics and Office of Personnel Management regulations, and DOI regulations and policies identified in the above section on Authorities.

B. All MMS personnel must report through official channels or directly to the Office of Inspector General:

(1) Any known, suspected, or alleged fraud, waste, abuse, or mismanagement affecting the Agency; and

(2) Any serious integrity matter that affects the MMS.

C. Decisionmakers, employees, and external participants who engage in scientific activities or assessments must comply with the **Code of Conduct** specified above. Failure to do so may result in further review and/or disciplinary action.

D. All MMS personnel who are involved in the conduct and reporting of science, scientific assessment, and other similar technical activities must comply with the Federal Policy on Research Misconduct published at 65 FR 76260-76264 (December 6, 2000), as appropriate.

E. All MMS decisionmakers, employees, and external participants who participate in the selection of vendors to perform science, scientific assessment, or similar technical activities, as appropriate, for MMS will adhere to established procurement procedures and the requirements of the Federal Acquisition Regulations and other applicable regulations. Selection of vendors will be based on the scientific and technical knowledge, credentials, experience, and integrity of the individuals proposed to complete the work.

F. Science, scientific assessment, and other similar technical activities shall be conducted with the fullest transparency allowed by law, from the planning stages through completion of the work and dissemination of the information generated.

G. Except for information that is properly restricted from disclosure under procedures established in accordance with statute, regulation, Executive Order, or Presidential Memorandum, the MMS shall make available to the public the science, scientific assessment, or similar technological findings or conclusions generated through its activities.

7. Procedures. The MMS is responsible for ensuring:

A. Use of the best available science, engineering, and supporting studies conducted in accordance with sound and objective scientific practices, including peer-reviewed studies where available and appropriate.

B. That methods for producing quality information will be made transparent to the maximum extent practicable through accurate documentation, use of appropriate internal and external review procedures, consultation with experts and users, and verification of its quality.

C. That information released by MMS will be developed only from data sources based on accepted practices and policies while utilizing accepted methods for information collection and verification at each stage of information development, and that information resulting from new or cutting edge technologies or methods will be subject to rigorous review and evaluation procedures.

D. In those cases where the public is not provided the entire spectrum of data, analyses, methodologies, etc., documentation of such data, analyses, methodologies, etc., must be maintained and provided upon request, as appropriate, and in accordance with standard Bureau procedures and protocols. Release of information will comply with the Federal laws and agreements between MMS and its partners relating to the use, security, and release of sensitive, confidential, proprietary, and administratively controlled, deliberative or personally identifiable information and data provided to the MMS.

E. That technical, engineering, scientific, or economic information submitted or developed by a third party is subject to the appropriate standards of objectivity and utility.

F. That MMS personnel who conduct and manage science, scientific assessment, and other similar technical activities shall be held accountable in accordance with 370 DM 752 for the integrity of the information they collect and analyze, and the conclusions they present.

G. Established procedures are followed to ensure proper handling of sensitive, confidential, proprietary, and administratively controlled, deliberative and personally identifiable information and data.

8. Cancellation. This IPD will remain in effect until incorporated into the MMS Manual, cancelled, or superseded by another IPD.



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Glossary

Decisionmakers. MMS employees who communicate, recommend, or decide policy or management; communicate, recommend, or decide expenditure of Agency funds; and rely in part on scientific products, or on documents compiled and translated from scientific products, to ensure that Agency actions are supported by evidence and have a rational basis and are not arbitrary or capricious. Decisionmakers may be supervisors or managers, but typically are not engaged directly in scientific activities. During the course of MMS business, decisionmakers may be involved in editing documents for clarification of major points to aid decisionmaking.

Employees Who Engage in Scientific Activities/Assessments. Individuals who conduct or directly supervise scientific activities/assessments, including but not limited to proposing, performing, or reviewing research, or in reporting research results; and individuals who directly supervise or personally perform work involving the compilation and translation of scientific information into formats used by the MMS decisionmakers.

External Participants. Individuals not employed by MMS who are engaged to conduct scientific activities or assessments on behalf of MMS through any procurement vehicle (e.g., contract, cooperative agreement, inter-agency agreement, intra-agency agreement, etc.), Memorandum of Understanding, or Memorandum of Agreement; or who are volunteers.

Fabrication. Making up data or results and recording or reporting them.

Falsification. Manipulating research materials, equipment, or processes; or changing or omitting data or results such that the research is not accurately represented.

Plagiarism. The appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

Reporting. Dissemination or disclosure of the results of scientific activities. Dissemination and disclosure may be oral or in any media format, including print and digital media.

Research. All basic, applied, and demonstration investigation in all fields of science, engineering, and mathematics, including social, behavioral, and economic analysis.

Research Misconduct. Fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Research misconduct does not include honest error or differences of opinion. (This definition is quoted from The Federal Policy on Research Misconduct (65 FR 76260-76264).)

Science. Knowledge obtained and tested through use of a method of research in which a problem is identified, relevant data are gathered, a hypothesis is formulated, and the hypothesis is empirically tested (scientific method). Science may also include the observation and

classification of facts, with the goal of establishing verifiable knowledge derived through induction and hypothesis.

Scientific Activities. Activities involving inventorying, monitoring, experimentation, study, research, modeling, and scientific assessment. Scientific activities are conducted in a manner specified by standard protocols and procedures and include any of the physical, biological, or social sciences as well as engineering and mathematics that employ the scientific method. Inspections for regulatory compliance and resulting records are not included because they are covered by separate requirements (see MMS Manual 650.1 Offshore Inspection Program).

Scientific Assessment. Evaluation of a body of scientific or technical knowledge which typically synthesizes multiple factual inputs, data, models, and assumptions, and/or implies best professional judgment to bridge uncertainties in the available information.

Scientific Misconduct. Fabrication, falsification, or plagiarism in proposing, performing, or reviewing scientific activities and their products. Dishonesty, fraud, deceit, misrepresentation, and coercive manipulation are other forms of scientific misconduct.