



USDA Scientific Integrity Review Panel (SIRP) Guidelines

**Office of the Chief Scientist
Research, Education, and Economics Mission Area**

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If there is an alleged concern and/or violation of scientific integrity policy, an USDA employee must follow the established agency procedures and chains of authority, using the instructions in the Scientific Integrity Policy Handbook, Section 6, Reporting and Resolving Concerns and Disputes. If a reported, alleged scientific integrity policy concern and/or violation cannot be resolved at the Agency level, then a higher official such as the Departmental Scientific Integrity Officer may convene a panel. The USDA Scientific Integrity Review Panel (SIRP) Guidelines explains how to create and convene an USDA Scientific Integrity Review Panel. The USDA Scientific Integrity Policy Handbook provides guidance for the implementation of DR 1074-001 – Scientific Integrity.

USDA SCIENTIFIC INTEGRITY REVIEW PANEL

PURPOSE

The USDA Scientific Integrity Policy Handbook provides guidance for the implementation of Departmental Regulation (DR) 1074-001 – Scientific Integrity. As a part of that guidance, if there is an alleged concern and/or violation of scientific integrity policy, a USDA employee/contractor must follow the established agency procedures and chains of authority as established within Section 6 of the Scientific Integrity Policy Handbook. In accordance with that section, if an alleged scientific integrity policy concern and/or violation has not been resolved or corrected at the Agency level to the mutual satisfaction of the USDA employee(s)/contractor(s) involved and the Agency Scientific Integrity Officer (ASIO), then the Departmental Scientific Integrity Officer¹ (DSIO) may convene a panel to determine the appropriate referral or handling of the alleged concern and/or violation. This document outlines the procedural steps that USDA will follow to create and convene a USDA Scientific Integrity Review Panel (SIRP).

A SIRP will be convened by the DSIO to review and deliberate on alleged scientific integrity concerns and/or violations that could not be resolved by the ASIO. The SIRP may conduct fact finding and review the allegations of scientific integrity concerns and/or violations reported by and against USDA employees and/or contractors. Its purpose is to address the materiality or significance of the alleged scientific integrity concern and/or violation, as well as review the resolution offered to the parties by the ASIO.

DSIO ROLES AND RESPONSIBILITIES

Within 45 days after being notified that an ASIO was unable to resolve a scientific integrity concern and/or violation to the satisfaction of the parties directly involved, the DSIO will notify the ASIO and complainant that an SIRP will be convened to review the alleged scientific integrity concern and/or violation. The DSIO will then identify panel members and the SIRP will convene at least once within the next 30 days. Compliance with this timeline and convening of this panel will occur in most cases. However, the timeline can be extended or the panel will not be convened if the DSIO can present a compelling case against doing so. Such instances should be documented in writing and have the concurrence of the Office of the Chief Scientist (OCS) Director. The DSIO will chair and manage the SIRP and play a substantive role in the process. This includes:

- Examining the scientific integrity allegation, as well as previous agency level decisions on that particular allegation, and developing a charge for the panel which will;
 - Reduce the volume of extraneous information to be considered and eliminate questions that lie outside of the scope of the USDA Scientific Integrity Policy;

¹ The Departmental Scientific Integrity Officer (DSIO) is a staff member in the USDA Office of the Chief Scientist.

- Present one or more binary questions to the panel on which they will deliberate;
- Appointing the three panel members, which will consist of USDA ASIOs that are not from an affected agency or otherwise conflicted;
- Setting the specific dates, time, and place for SIRP meetings, and ensure that information concerning the case is distributed to SIRP members in advance of the first panel meeting;
- Communicating with affected parties associated with the complaint;
- Recruiting and managing USDA employees to serve as technical advisors;
- Instructing the panel on procedures; and
- Providing support or advice, as needed.

In the event that the DSIO is unable to perform these duties due to conflict, extended absence, or any other reason, the Director of the Office of the Chief Scientist may either fulfill these duties themselves or designate an interim/alternate DSIO level to do so.

TECHNICAL ADVISOR(S) ROLES & RESPONSIBILITY

Some scientific integrity cases may intersect with other issues that have human resources, ethical, legal and other implications. Further, the panel may require technical information that can only be provided by scientific experts. Therefore, technical advice may be sought regarding human resources, ethics, legal issues, the science in question or other required information. These advisors will be recruited by the DSIO, as needed to serve in an advisory role. However, they will not be members of the SIRP of the panel nor be given a direct voice in decision making. These technical advisors should be free of conflict of interest and, similarly to panel members, should keep matters pertaining to the panel confidential.

SIRP MEMBERS ROLES & REPONSIBILITIES

The following are the roles and responsibilities of the SIRP members.

Fact finding. The SIRP will use the information provided by the DSIO to arrive at a decision or recommendation. However, at its discretion, it may secure and review additional documentary evidence, including all original experimental records, protocols, and data from the associated ASIO and/or employee(s)/contractor(s) of the alleged concern and/or violation. The panel may also interview relevant persons, whether in person, or by telephone, and secure written statements from the interested parties.

Confidentiality and impartiality. The DSIO shall advise SIRP members to maintain confidentiality of materials and discussions relating to the alleged scientific integrity concern and/or violation. All information pertaining to any allegation and SIRP discussions shall be safeguarded and not shared outside of the SIRP process, unless release is required by law. The

DSIO, technical advisors, and/or SIRP members will be required to recuse themselves if, through the course of the review process, they self-identify a conflict of interest with the case before them.

Decision-making process. With respect to SIRP deliberations, the DSIO will serve in the facilitation role described earlier and will not be directly involved in the decision of the SIRP. The DSIO and/or ad-hoc Advisor(s) may be asked to provide support or advice to the SIRP members as appropriate.

The SIRP members will attempt to reach a consensus decision regarding whether the evidence is sufficient to conclude that what occurred was a violation of USDA Scientific Integrity Policy, focusing on questions put forward in the charge. Consensus decision means that all SIRP members agree in general with a decision, which is different from a majority-rule decision. A SIRP member may not abstain from participation in establishing a decision regarding the alleged scientific integrity concern and/or allegation. In the consensus-based process, SIRP members work together to develop a finding that all of the SIRP members can agree on. The SIRP will take the time necessary to address all of the relevant issues associated with the allegation in order to reach a consensus finding. The DSIO will determine if consensus has been reached by asking all SIRP members if they agree with the finding.

If consensus is reached, then the SIRP shall write a consensus report of their findings as specified in the next section.

If after all efforts are exhausted, the SIRP is still unable to reach consensus about whether or not a violation of scientific integrity has occurred, then a majority report will be authored.

As per USDA's Scientific Integrity Policy, alleged violations that are potentially criminal in nature must be reported by the DSIO to the USDA Office of Inspector General for investigation, if not already reported as such by the ASIO

REPORTING AND RESOLUTION OF ALLEGATION(S)

The SIRP report produced will provide answers to the binary question or questions posed by the charge and may offer a recommendation for resolution based on USDA and Agency Scientific Integrity Policy. The report and supporting documents constitute the record of the SIRP activities and will be kept by the OCS Director or DSIO in accordance with DR 3080-001 – Records Management. This report is intended to provide advice, recommendations, and/or opinions that are part of the deliberative, consultative, decision-making processes of the USDA. The SIRP report will contain a summary of the findings, the basis for determining whether or not the scientific integrity concern and/or violation occurred, an assessment of the seriousness and extent of any misconduct found that to be violation of the USDA Scientific Integrity Policy, and may include a recommendation for resolution. However, the report and/or recommendation will be considered a deliberative document for internal USDA use only.

At a minimum the report will be structured to include:

- (1) Summary of the alleged scientific integrity concern and or violation;
- (2) Summary of why there was no resolution at the Agency or employee(s)/contractor(s) level of the alleged scientific integrity concern and/or violation;
- (3) Summary of the SIRP review activities, including the SIRP charge and particular scientific integrity questions under review;
- (4) Discussion and conclusion as a result of the review; and
- (5) Appendices as needed containing supporting documents and written statements (if necessary).

Within 30 calendar days of completing the SIRP report, the DSIO shall forward the completed report to the USDA Chief Scientist, OCS Director, Agency Head, and Agency-specific ASIO. At the DSIO's discretion, it may also be shared with any internal USDA party(ies) that either sought or were directly involved in the review. Communication about the findings to other parties, internal and external, should be consistent with agency and departmental guidelines, as well as the judgment of agency leadership.

REFERENCES

- Presidential Memorandum, Scientific Integrity, March 9, 2009.
- Memorandum, Office of Science and Technology Policy, Scientific Integrity, Dec. 17, 2010.
- USDA Departmental Regulation, DR 1074-001, Scientific Integrity, May 10, 2013. The DR 1074-001 may be accessed at: [DR 1074-001](#).
- USDA Departmental Regulation, DR 3080-001, Records Management, May 23, 2013. The DR 3080-001 may be accessed at: [DR 3080-001](#).
- USDA Scientific Integrity Handbook (Guidance for Implementation of DR 1074-001), July 10, 2013. The USDA Scientific Integrity Handbook may be accessed at: [USDA Scientific Integrity Handbook](#) .
- Agriculture Acquisition Regulation (AGAR) Subpart -----70, Scientific Integrity. The AGAR may be accessed at: [Agriculture Acquisition Regulation](#).
- Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR 2635).
- Federal Policy on Research Misconduct (65 FR 76260-76264, December 6, 2000).
- Whistleblower Protection Act (5 U.S.C 2302(b) (8)).