

MEMORANDUM FOR: The Record

FROM: Sarah Kapnick
NOAA Chief Scientist



SUBJECT: 2021 Scientific and Research Misconduct Annual Report

NOAA is publishing the following report in accordance with NOAA Administrative Order 202-735D.2: Scientific Integrity, Section 10: Communication, Oversight, Review, and Reporting. During calendar year 2021 (January – December 2021). NOAA received two allegations of scientific misconduct involving NOAA employees. The status of all allegations is as follows:

Allegations in Progress

2021-001Q – A NOAA political appointee alleged scientific misconduct by a career Senior Executive Service (SES) employee by distributing emails that urged career staff to use only the best possible science in development of the National Climate Assessment and to avoid any political pressure to do otherwise. Complainant alleged these messages, while not naming him, were clearly directed at him and created a hostile work environment. The career SES was in the Scientific Integrity Officer's (SIO) chain of command; the SIO recused herself from adjudicating this matter. The Inquiry Team has been established, led by a career SES from another NOAA Line Office.

2021-002Q – A NOAA career SES alleged scientific misconduct by two NOAA political appointees. The political appointees were both detailed to another federal office and, while there, worked on a series of brief papers on climate that were published on a non-government website, but with the letterhead and logo of the other federal office. Upon being informed of the matter, the director of the other federal office sent the political appointees back to NOAA and stated officially that the publications had no government endorsement. The career SES was in the SIO's chain of command; the SIO recused herself from adjudicating this matter. The Inquiry Team has been established, led by a career SES from another NOAA Line Office.

Allegations Closed

2020-001 and 2020-002Q – Two outside organizations alleged scientific misconduct and loss of scientific integrity by multiple political and career employees with respect to the Biological Opinion and Incidental Harassment Authorizations (IHAs) issued in conjunction with seismic exploration permits for oil and gas companies on the Atlantic shelf off the east coast of the United States. Given the similarity of the two allegations, the SIO decided to consolidate these and jointly refer them to inquiry. The SIO further identified two particular individuals to review in conjunction with this allegation. The Inquiry Team recommended a finding of no scientific

misconduct but noted that the two Respondents engaged in behavior that was unusual and inappropriate in this matter.

2020-003Q - A NMFS employee alleged scientific misconduct and loss of scientific integrity by a subordinate regarding falsification of bycatch fisheries data collected in support of a stock assessment. The SIO referred the matter to inquiry. The Inquiry Team recommended a finding of no scientific misconduct but noted the behavior of the Respondent in using placeholder data and then attempting to conceal the inaccurate outcome likely merited personnel action. The Respondent had retired by the time the inquiry was completed.

Consultations

The NOAA Scientific Integrity Officer engaged in thirteen consultations in 2021, none of which resulted in a formal allegation of scientific misconduct.