

## [Scientific Integrity Act \(S 338, 115th Congress\)](#)

Requires creation of scientific integrity policies by federal agencies that fund or conduct scientific research, under the guidance of principles established by the Office of Science and Technology Policy.

Updated last **May 22, 2017**  
for the 2/15/17 version of S 338.

### WHAT IT DOES

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[S 338](#) affirms that public policy issues should be guided by impartial science. Further, the legislation states that public trust depends on the reliable conduct and communication of publicly funded science. “Science, the scientific process, and the communication of science should be free from political, ideological, or financial influence.”

To that end, the bill mandates each federal agency that funds or conducts scientific research to “promote and maximize the communication and open exchange of data and findings to other agencies, policymakers, and the public of research conducted by a scientist employed or contracted by a Federal agency that funds or conducts scientific research; and prevent the intentional or unintentional suppression or distortion of the data and findings” [emphasis added].

The bill creates new standards within the Office of Science and Technology Policy ([OSTP](#)) ([42 U.S.C. 6611 et seq.](#)), mandating the following:

- No later than 30 days after enactment of this legislation, the OSTP Director must develop an overarching set of principles that achieves the quoted goal [to promote, maximize, and prevent], accomplished in consultation with the head of each federal agency to which this bill applies.
  - OSTP-developed principles must:
    - Be consistent with existing regulations, specifically *Patent Rights in Inventions Made with Federal Assistance* ([35 U.S.C. 200, et seq.](#), commonly known as the [Bayh-Dole Act](#)); and
    - Consider policies of peer-reviewed scientific journals.
- No later than 90 days after the bill’s enactment: 1) The head of each federal agency to which this legislation pertains must develop and enforce a scientific integrity policy that is consistent with the OSTP-established principles, and 2) Submit the policy to the OSTP Director and Congress. This policy must:
  - Be specific to an agency’s functions and procedures and apply to the agency uniformly;
  - Ensure, among other things, that scientific conclusions and personnel decisions regarding scientists are not executed based on political considerations; and that candidates are selected and retained based on expertise, credentials, experience, and integrity;
  - Indicate that the agency makes publicly available scientific and technical findings that inform policy proposals and decisions; and
  - Be disseminated to new employees and contractors alike, and also be made available on the agency’s website.

The bill also mandates a study of agencies’ scientific integrity policies by the [National Academy of Public Administration](#).

### STATUS

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S 338 was introduced on February 15, 2017, and immediately referred to the [Committee on the Judiciary](#).

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