

November 30, 1999

Ms. Sybil Francis  
Office of Science and Technology Policy  
Executive Office of the President  
Washington, DC 20502

Dear Ms. Francis:

This is in response to the Proposed Policy Statement on Research Misconduct To Protect the Integrity of the Research Record published by the Office of Science and Technology Policy (OSTP) on October 14, 1999, in the Federal Register, Volume 64, No. 198. We have reviewed the Policy Statement for its application to research sponsored by the U.S. Nuclear Regulatory Commission (NRC). This research is performed primarily by laboratories, universities, etc. that are under contract to us and are external to the NRC. A limited amount of research is also performed by federal employees in the Office of Nuclear Regulatory Research. The NRC has no comments on the application of the proposed OSTP procedures to external research.

With regard to internal research, the proposed procedures do not appear to address situations in which the allegation of research misconduct is against a current federal employee. Should such misconduct occur, we believe that the statutes, regulations, and policies that currently apply to federal employee discipline have established an adequate mechanism for resolving these issues. Accordingly, we recommend insertion of the following in the policy statement:

"In the event that the subject of the alleged research misconduct is a current federal employee, the investigation, process for proposing and deciding upon administrative action, and available appeals will be governed not by this policy statement but by applicable law, regulation, agency policy or collective bargaining agreement."

Thank you for the opportunity to comment on your Proposed Policy Statement on Research Misconduct To Protect the Integrity of the Research Record. Please contact me at (301-415-6641) or Paul Norian (301-415-5674) if you have any questions regarding these comments.

Sincerely,

Original signed by Margaret V. Federline for:

Ashok C. Thadani, Director  
Office of Nuclear Regulatory Research  
U.S. Nuclear Regulatory Commission

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