



**DEPARTMENT OF THE ARMY**  
**WALTER REED ARMY INSTITUTE OF RESEARCH**  
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FCMR-UWZ (100)

17 February 2023

**MEMORANDUM FOR All Personnel, Walter Reed Army Institute of Research (WRAIR)**  
**SUBJECT: WRAIR Policy #35, Research Integrity and Misconduct**

**1. References.**

- a. 5 United States Code (U.S.C.) § 2302, as amended by Supplement V, 12 January 2018.
- b. Public Health, 42 Code of Federal Regulation (C.F.R.) §§ 93.25-93.523 (2018).
- c. Federal Register, Office of Science and Technology, Volume 65, No. 235, Page 76260-67264, (Federal Policy on Research Misconduct), 6 December 2000.
- d. Department of Defense Instruction (DODI) 3210.7 (Research Integrity and Misconduct), 15 October 2018.
- e. DODI 3200.20 (Science and Engineering Integrity), 15 October 2018.
- f. Army Regulation (AR) 15-6 (Procedures for Administrative Investigations and Boards of Officers).
- g. U.S. Army Medical Research and Development Command (USAMRDC) Policy #120 (Research Integrity and Misconduct), 27 May 2022.
- h. WRAIR Policy #55 (Research Ethics and Integrity Consultation Service), 27 January 2022.

**2. History.**

This version of the policy revises and supersedes the previous version, which was issued 27 January 2022. This version of the policy is effective upon signature and will remain in effect until amended or rescinded.

**3. Purpose.**

This memorandum establishes requirements, responsibilities, and procedures for promoting ethics and integrity in scientific research and addressing allegations of research misconduct at WRAIR and its Directorates.

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**\*This supersedes WRAIR Policy #35, dtd 27 January 2022.**

#### 4. Background.

The integrity of the research performed at WRAIR is of critical importance to the organizational mission. Research misconduct undermines the research enterprise and is harmful to the scientific research community, the public, and the health and safety of the Soldier. WRAIR must maintain a research environment that supports scientific integrity and opposes misconduct, and uses research funds appropriately. Personnel assigned to WRAIR have a duty to support this culture of scientific integrity and maintain accurate research records.

#### 5. Scope.

This policy applies to all personnel involved in research activities at WRAIR, its Directorates, and its affiliated research sites, to include Military, Civilian, Contractor, fellow, and student personnel. It also applies to personnel working under Cooperative Agreements.

#### 6. Definitions.

a. Adjudication. The stage in the response to an allegation of research misconduct when the outcome of the investigation is reviewed, and appropriate corrective actions, if any, are determined. Corrective actions generally will be administrative in nature (e.g., termination of an award(s), debarment, special approvals, or correction of the research record); however, if there is an indication of violation of civil or criminal statutes, then civil or criminal sanctions may be pursued.

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

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

d. Finding of Research Misconduct. The conclusion proven by a preponderance of the evidence that there was research misconduct and that such misconduct represented a significant departure from accepted practices of the relevant research community and has been committed intentionally, knowingly, or recklessly.

e. Inquiry. The stage in the response to an allegation of research misconduct when the factual record is formally developed and examined to determine whether to dismiss the case, recommend for finding of research misconduct, and/or take other appropriate remedies.

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

g. Research. All basic, applied, and demonstration research in all fields of science, engineering, and mathematics. This includes, but is not limited to, research in economics, education, linguistics, medicine, psychology, physical sciences, social sciences, statistics, and research involving human subjects or animals regardless of the funding appropriation used to support it.

h. 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.

i. Research Record. The record of data or results that embodies the facts resulting from scientific inquiry. It includes, but is not limited to, research proposals, laboratory records, progress reports, abstracts, theses, oral presentations, internal reports, and journal articles, whether in physical or electronic form.

j. WRAIR Personnel. All U.S. Military and Civilian employees, Foreign Service Nationals/Locally Employed Staff, contractors, cooperative agreement employees, guest researchers, special government employees, volunteers, fellows, students and trainees of WRAIR.

## 7. Policy.

a. WRAIR personnel will uphold the highest standards of ethics and integrity for the conduct, review, approval, and oversight of scientific research, including refraining from engaging in research misconduct.

b. WRAIR personnel who have reason to believe that research misconduct is occurring or has occurred have a responsibility to consult with the WRAIR Research Integrity Officer (RIO) or with a RIO Liaison.

(1) Any individual who makes an allegation of research misconduct in good faith will be protected from retaliation. An allegation is made in good faith if the individual has the honest belief that research misconduct may have occurred. An allegation is not made in good faith if it is made with reckless disregard for or willful ignorance of facts that would disprove the allegation.

(2) To the extent feasible and consistent with laws and regulations, institutional officials will maintain confidentiality for all parties involved in consultation, reporting, and other processes related to research misconduct.

### c. RIO and RIO Liaisons.

(1) The WRAIR Commander will appoint a Research Integrity Officer (RIO) to serve as the principal resource for all matters related to research ethics and integrity and to coordinate the inquiry and investigation process for allegations of research

misconduct at WRAIR and its Forward Directorates. The RIO will report directly to the WRAIR Commander on matters related to research ethics and integrity, including research misconduct proceedings.

(a) The RIO will have sufficient scientific education and research experience to comprehend, knowledgeably navigate, and evaluate research studies performed at WRAIR and its Directorates.

(b) Whenever feasible, the RIO will serve for not fewer than three years, and will not have supervisory responsibilities over many research personnel.

(c) An active scientific researcher may serve as the RIO; however, they must avoid conflicts of interest in handling allegations of research misconduct related to their own areas of research. Any conflicts of interest with a RIO with regard to specific inquiries or investigations must be managed with the oversight of WRAIR leadership.

(2) The Directors of WRAIR's Forward Directorates will each appoint a RIO Liaison to serve as a local point of contact and resource for WRAIR RIO, including assisting with addressing allegations of research misconduct and providing training and education for research personnel. RIO Liaisons will ensure timely and accurate communication with the RIO regarding any issues of potential misconduct or investigative processes.

(3) The RIO and RIO Liaisons will complete the HHS Office of Research Integrity's "RIO Bootcamp" training or equivalent training offered by a commercial vendor. The RIO and RIO Liaisons will update this training in response to any changes to 42 C.F.R. §§ 93.25-93.523 (or other applicable regulations and requirements) and at least once every three years.

(4) The RIO and RIO Liaisons will participate in role-related capacity building activities as appropriate, such as the USAMRDC Research Ethics and Integrity Network (REIN) and the Association for Research Integrity Officers (ARIO).

(5) The RIO, with assistance as necessary from RIO Liaisons, will handle allegations of research misconduct in a manner consistent with the procedures detailed in this policy (see Appendix A).

(6) In support of effective reporting and consultation, information for communicating with the RIO and RIO Liaisons will be posted publicly, including on the WRAIR intranet and WRAIR website.

d. Education, Training, and Consultation

(1) All personnel involved in the design, conduct, review, or reporting of research at WRAIR and its Forward Directorates will complete basic training

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regarding the requirements of this policy and procedures for reporting suspected research misconduct at least once every three years.

(a) All new research personnel will complete this training within six months of the date of their appointment.

(b) The RIO will ensure that opportunities for this training are provided to all research personnel on a regular basis.

(2) The RIO will provide or arrange for the provision of additional educational and training opportunities on matters related to ethics and integrity of scientific research, including at least four hours per year of educational material, to be made widely accessible to research personnel at WRAIR and its Forward Directorates.

(3) The RIO will provide consultation, advice, conflict resolution, and other forms of assistance regarding matters of research ethics and integrity upon request from research personnel at WRAIR and its Forward Directorates.

8. Point of contact for this memorandum is [REDACTED], Research Integrity Officer (FCMR-UWS), at [REDACTED] or [REDACTED].

Encl

SIGNATURE ON FILE

CHAD A. KOENIG  
COL, SP  
Commanding

## APPENDIX A

### PROCEDURES FOR ADDRESSING ALLEGATIONS OF RESEARCH MISCONDUCT

a. Upon receipt of an allegation, the RIO will conduct an inquiry to determine whether it falls under the definition of research misconduct, and if so will immediately request sequestration of all related research records. The RIO will empanel an Inquiry Review Group consisting of the RIO, the Chief Science Officer (CSO), and the Deputy Commander (DC) (or, if CSO and DC are unavailable, two other qualified, unconflicted Federal personnel, at least one of whom must be Military personnel) to determine whether the allegation has substance to support a follow-on AR 15-6 investigation. The Inquiry Review Group will report the outcome of their review to the Commander, along with a recommendation for or against further AR 15-6 investigation. See DODI 3210.7, E2.1.5 and E3.1.9.

(1) When an allegation of research misconduct involves a Forward Directorate or other satellite activity of WRAIR, the Inquiry Review Group will also consider whether to recommend that the matter be delegated to the satellite institution. The circumstances to be considered in this regard include but are not limited to a determination that the satellite institution is unable to conduct a thorough and unbiased inquiry and investigation; a determination that it is in the public interest for the parent institution to conduct the inquiry and investigation; or a determination that the allegation involves a small organization that cannot reasonably be expected to respond.

(2) When an allegation possibly involves research misconduct by a member of WRAIR leadership, the Inquiry Review Group will also consider whether to recommend that the matter be delegated to a different USAMRDC institution's RIO. The circumstances to be considered in this regard include but are not limited to a determination that WRAIR is unable to conduct a thorough and unbiased inquiry and investigation or a determination that it is in the public interest for another USAMRDC institution to conduct the inquiry and investigation.

(3) All allegations of research misconduct believed to have occurred at WRAIR or its Forward Directorates will be referred to the WRAIR RIO.

(4) Credible allegations of research misconduct originating from individuals not affiliated with WRAIR will be considered according to the same procedures as allegations originating from WRAIR personnel.

b. If the affected research is supported by US Public Health Service (PHS) /Department of Health and Human Services (HHS) funds, then the Public Health Service Policies on Research Misconduct [42 C.F.R. §§ 93.25-93.523] will be followed. All policies and procedures at 42 C.F.R. §§ 93.25-93.523 will apply, along with the corresponding time limits and reporting requirements specified by PHS. Investigations will be in compliance with paragraph E3.1.9 of DODI 3210.7 and WRAIR will employ the

processes and protections contained in AR 15-6. If an AR 15-6 investigation is initiated and the research is funded in part or in total by PHS/HHS, the RIO will report the incident to the HHS Office of Research Integrity, as required by 42 C.F.R. §§ 93.25-93.523. In cases where Part 93 applies and is in conflict with AR 15-6, Part 93 will control, with the exception that the regulation which provides the most due process protection to the individual alleged to have engaged in research misconduct will be followed with regard to due process issues.

c. The AR 15-6 Appointing Authority will consult with the USAMRDC Office of the Staff Judge Advocate prior to initiating an AR 15-6 Investigation. The RIO may be appointed as an Investigating Officer (IO) or another IO may be appointed. Upon initiation of an AR 15-6 Investigation, the supervisor, Contracting Officer Representative (COR), or other government official responsible for reviewing the research of the individual alleged to have engaged in research misconduct will be notified. All physical and electronic research records will be sequestered with facilitation through the supervisor. Support from WRAIR cybersecurity personnel will be requested as needed for access to electronic research records stored on any DOD information system to achieve this end. The individual alleged to have engaged in research misconduct will be notified of the investigation by the RIO or the individual's supervisor, as appropriate, and advised in writing not to speculate regarding the source of the allegation or to take any action in reprisal for the allegation(s). (Note: The individual alleged to have engaged in research misconduct will be provided an opportunity to respond in the course of the AR 15-6 investigation and will be informed of the outcome of the investigation.)

(1) The continuity of research for other ongoing studies will be protected to the greatest extent possible. Shared equipment and other resources will be made available to other studies to the extent that it does not interfere with the ongoing research misconduct inquiry.

(2) The investigation will be conducted in a timely manner.

(3) Where reasonable, the individual alleged to have engaged in research misconduct will be given copies of, or supervised access to, data and other supporting evidence.

d. The RIO/IO must notify the Commander, and the Commander must notify USAMRDC HQ, if public health or safety is at risk, the WRAIR's or USAMRDC's resources are threatened, research activities are suspended due to the allegation, there is a possible violation of law, WRAIR or USAMRDC action is needed to protect the interests of those involved in the inquiry, a premature public disclosure of the inquiry may compromise the process, or the public should be informed.

e. The results of the AR 15-6 investigation will be reported to the Appointing Authority as per the guidance of the IO appointment letter, for adjudication by the appropriate WRAIR. The outcome of the investigation and adjudication will be reported

to USAMRDC HQ.

f. In order to ensure compliance with Paragraph E3.1.9.11 of DODI 3210.7, the procedures in paragraph 5-4 of AR 15-6 will be followed in all cases regardless of the rank or position of the individual alleged to have engaged in research misconduct. The individual alleged to have engaged in research misconduct may appeal any adverse action taken against them based on the investigation to the next higher Command authority.

g. Every effort will be made to investigate allegations of research misconduct as expeditiously as possible. Every effort will be made to adhere to the following aspirational time line:

(1) seven business days from receipt of the allegation to the recommendation from the Inquiry Review Group to the Commander

(2) seven business days from the recommendation of the Inquiry Review Group to the appointment of the investigation

(3) thirty calendar days for the IO or Board to complete and submit a report of investigation

(4) thirty calendar days to review and take action on the report

(a) The Commander may grant extensions and adjust these timelines as they consider appropriate.

h. Potential actions to be taken to address a finding of research misconduct include but are not limited to all those actions listed in 42 C.F.R. § 93.407. In addition, DA civilians found to have committed research misconduct are subject to counseling, negative appraisals, and other corrective actions that may not be considered adverse actions under agency regulations. Military members found to have committed research misconduct are subject to corrective actions such as counseling, negative effectiveness reports, adverse military personnel actions, and prosecution under the UCMJ if the research misconduct found constitutes a violation of the UCMJ.