

# Institutions' Experiences with the Department of Defense Policy for Risk-Based Security Reviews of Fundamental Research:



## A SUMMARY OF RESULTS FROM COGR'S SURVEY OF MEMBER INSTITUTIONS

*By Kristin H. West*

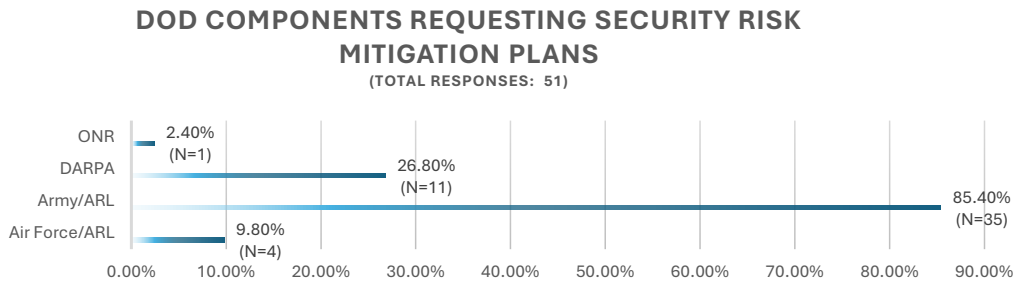
In response to concerns about malign foreign influence on fundamental research, federal research funding agencies have implemented requirements designed to ensure that researchers provide complete and accurate disclosures of all appointments, affiliations, and research funding sources. These disclosures may reveal current or former affiliations with individuals or entities in countries of concern (CHIPS Act, 2022), and funding agencies must then determine how to assess their risk to national security, whether that risk can be mitigated, and how that risk should impact funding decisions.

In June 2023, the Department of Defense (DoD) outlined its risk assessment and mitigation process with its publication of the [Policy for Risk-Based Security Reviews of Fundamental Research](#) ("Policy") and the accompanying [DoD Component Decision Matrix to Inform Fundamental Research Proposal Mitigation Decisions](#) ("DoD Matrix"). Although DoD expects all its research funding components ("Components") to eventually implement the DoD Matrix, some Components currently continue to employ their existing matrices ("Component-Specific Matrix"). For example, the [Defense Advanced Research Project Agency \(DARPA\)](#) has adopted the [DoD Matrix](#), while DEVCOM Army Research Laboratory's (ARL) continues to use the [Army Futures Command \(AFC\) Army Research Risk Assessment Protection Program \(ARRP\)](#), which was implemented prior to the publication of the DoD Matrix.

**COGR Survey:** COGR is an association of over 200 public and private U.S. research universities and affiliated academic medical centers and research institutes. It focuses on the impact of federal regulations, policies, and practices on the performance of research conducted at its member institutions. Between March 14 and April 8, 2024, COGR conducted a member survey to gather information about their experiences with the DoD and Component-Specific Matrices (risk reviews). A full survey report is available on [COGR's website](#).

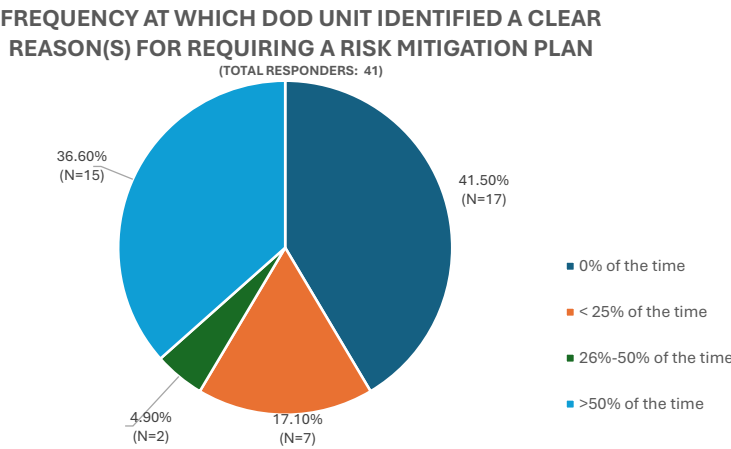
**Survey Demographics:** Eighty-two institutions participated in the web-based survey. Of the institutions that responded, 52 were public institutions and 30 were private. 56.3% of responding institutions received between \$5 and \$50 million in research funding from DoD components as reported on the most recently published [NSF HERD Survey](#).

One-half of the institutions that answered the COGR survey reported receiving a request from a Component to provide a research security risk mitigation plan, with over 85% of those requests coming from the Army/ARL. Requests were typically sent to principal investigators and/or sponsored programs offices.

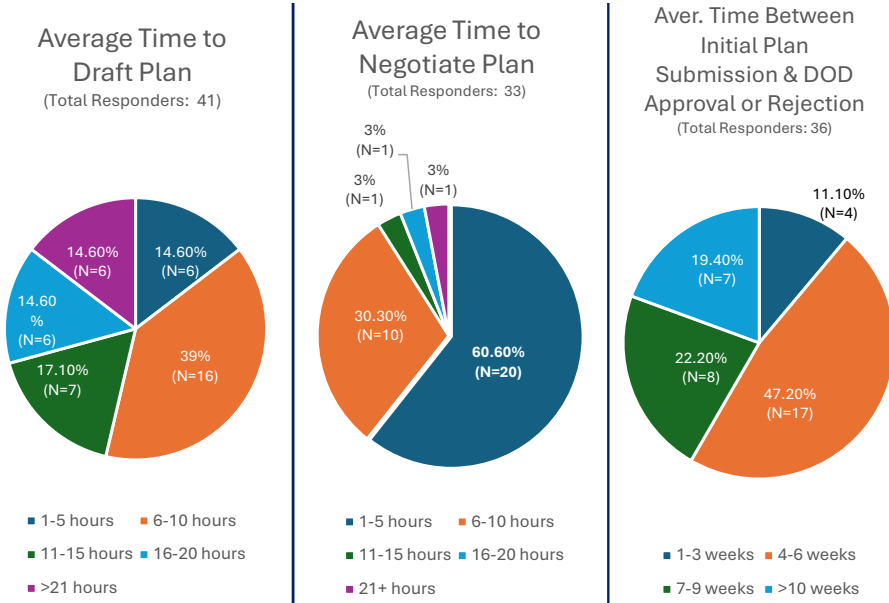


**Key Survey Findings:**

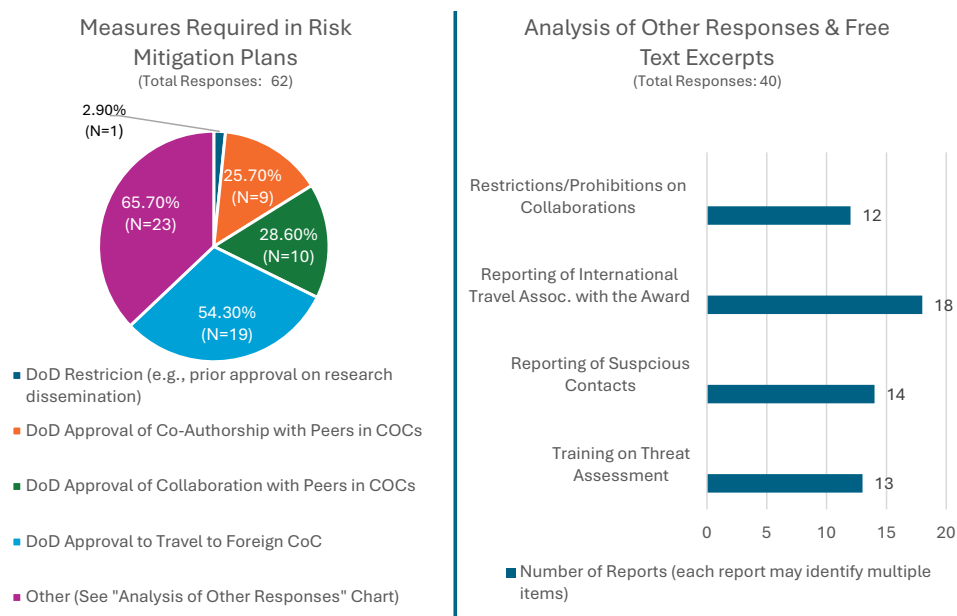
- Requesting Components frequently did not provide the institution with the specific reason(s) why a risk mitigation plan was necessary.



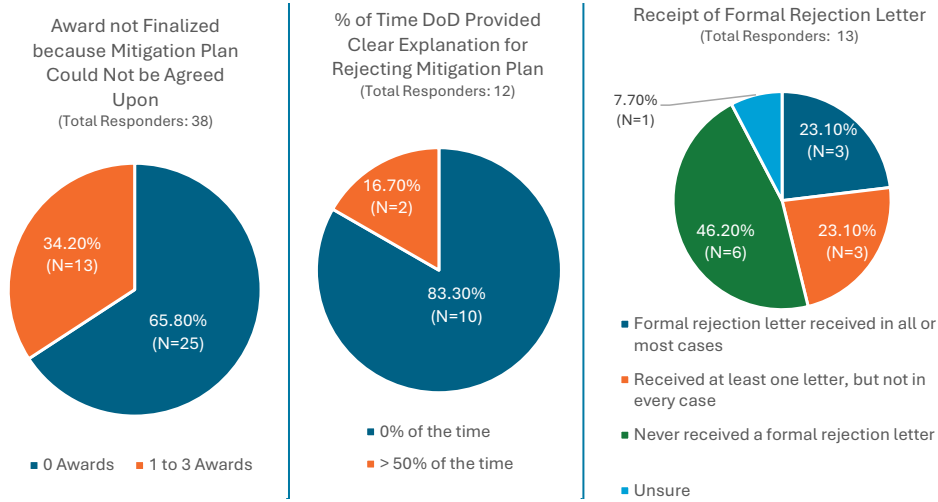
- Requesting Components seldom provided a draft risk mitigation plan or template, and 90% of institutions from which plans were requested developed their plans from scratch using the Component's request letter. Responders also reported that it took significant time to initially draft and negotiate a risk mitigation plan.



- Commonly required risk mitigation plan elements include international travel reporting, threat awareness training, reporting of suspicious contacts with foreign operatives, and reporting/restrictions on certain collaborations with persons/entities in countries of concern.



- 65% of responders were able to successfully negotiate risk mitigation plans, but just over one-third of responders' plans were rejected, and in 83% of those cases the Component did not provide a clear reason for the rejection.



**Conclusion:** Research institutions that submit proposals to DoD Components should be prepared for the possibility that the Component will require an acceptable risk mitigation plan as a condition of the award to address research security risks presented by researchers’ disclosures. The drafting and negotiation of a plan can add significant time to the award process, and in a substantial number of cases, plan negotiations proved unsuccessful. Further, several institutions commented that they were not offered an opportunity to negotiate plan terms, and in some cases received no response to submitted mitigation plans. DoD Components could assist institutions in this process by providing template risk mitigation plans, clearly setting forth the reason(s) plans are required, and describing expectations for mitigation measures that are novel to fundamental research settings (e.g., reporting suspicious contacts by foreign operatives). ■

### Reference

Currently defined as The People’s Republic of China, the Democratic People’s Republic of Korea, the Russian Federation, and the Islamic Republic of Iran per the CHIPS and Science Act of 2022, Pub. L. No. 117-167 136 Stat. 1366 (2022).  
[www.congress.gov/117/plaws/publ167/PLAW-117/publ167.pdf](https://www.congress.gov/117/plaws/publ167/PLAW-117/publ167.pdf)



**Kris West** is the Director for Research Compliance and Ethics at the Council on Governmental Relations (COGR). She provides regulatory analysis and advice in the areas of human and animal research regulation, conflicts of interest and commitment, research integrity, and research security. She previously served as Emory University’s Chief Compliance Officer. She can be reached at [kwest@cogr.edu](mailto:kwest@cogr.edu).