DEFENSE ADVANCED RESEARCH PROJECTS AGENCY
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ARLINGTON, VA 22203-2114

MEMORANDUM FOR DARPA STAFF AND CONTRACTORS

SUBJECT: DARPA Fundamental Research Risk-Based Security Review Process

References: a) Under Secretary of Defense for Research and Engineering Memorandum,
                    "Policy on Risk-Based Security Reviews on Fundamental Research,"
                    June 8, 2023
                b) National Security Presidential Memorandum-33 (NSPM-33), January 14, 2021
                c) DARPA Memorandum, "DARPA Countering Foreign Influence Program
                    (CFIP)," September 17, 2021
                d) DARPA, "Risk-Based Measures to Assess Potential Undue Foreign Influence
                    Conflicts of Interest or Conflicts of Commitment," September 20, 2021, as
                    amended
                e) DARPA, CFIP Frequently Asked Questions (FAQ), September 20, 2021, as
                    amended

        On June 8, 2023, the Undersecretary of Defense for Research and Engineering
(USD(R&E)) (Reference a) directed DoD Components to establish a research security
program to identify and mitigate undue foreign influence in fundamental research consistent
with the requirements mandated by NSPM-33 (Reference b). The previous DARPA
Countering Foreign Influence Program (CFIP) policy (Reference c), DARPA Risk Rubric
(Reference d), and FAQ (Reference e) are superseded by the following policy effective
October 1, 2023.

        This new risk-based security review process provides consistency in policy and
procedures across all DoD Components. The MSO/SID CFIP Team will conduct risk-based
security reviews of all covered individuals (i.e., Senior/Key Personnel) submitted with
fundamental research proposals that a DARPA Program Manager (PM) identifies as
"selectable and recommended for funding." The risk-based security reviews will be
conducted by reviewing the Standard Form (SF) 424, "Senior/Key Person Profile
(Expanded)," its accompanying or referenced documents, and the Research Performance
Progress Reports (when applicable), in concert with the DoD Component Decision Matrix
(Reference a).

        The new DoD Component Decision Matrix replaces the previous risk rubric. Risk
levels (i.e., Low, Moderate, High, Very High) have been replaced in the Decision Matrix with
"levels of required mitigation" that range from "No Mitigation Needed" to "Prohibited."
Those levels are detailed as follows:

1. **No Mitigation Needed**: Risk can be accepted by the PM and does not
   require a risk mitigation plan or documented risk acceptance decision.

2. **Mitigation Measures Suggested**: Mitigation plans may be accepted by the PM. The PM is required to document their risk mitigation decision in writing. Office Directors (ODs) may request Deputy Director, DARPA approval to accept risk without mitigation.

3. **Mitigation Measures Recommended**: Mitigation plans may be accepted by the OD with a documented risk acceptance decision. ODs may request Deputy Director, DARPA approval to accept risk without mitigation.

4. **Mitigation Measures Required**: Mitigation plans must be accepted by the DARPA Director or Deputy Director. All risk mitigation and acceptance must be formally documented in writing. If risk mitigation and acceptance cannot be agreed upon, then award must be denied and USD(R&E) notified.

5. **Prohibited**: Risk is not permitted and cannot be mitigated, and award must be denied.

For individuals that rate "Mitigation Measures Suggested" or higher, the Contracting Officer will coordinate with the PM, Scientific Review Official (SRO), and the OD (in cases in which the OD was not the SRO) as part of the post-selection activities and provide an opportunity for the research institution to address the risk or DARPA's proposed risk mitigation recommendation during negotiations. The MSO/SID CFIP Team has created a guide to risk mitigation actions that PMs can leverage during this process.

While some risk mitigation acceptance authority has been delegated to the PMs and ODs, only the DARPA Director or Deputy Director may accept risk without mitigation.

All risk mitigation acceptance or rejection decisions and their risk mitigation strategies (if applicable) must be forwarded to the MSO/SID CFIP Team. MSO/SID CFIP will assist DARPA PMs and Contracting Officers with risk mitigation compliance deliverables, if applicable, as well as ensuring DARPA's compliance with the USD(R&E) oversight and compliance responsibilities:

1. Formal notification of all fundamental research proposals rejected because of the findings in the risk-based security review or rejection of the research institution's risk mitigation strategy;

2. Semi-annual summary reports of all risk-based security reviews; and

3. Spot checks of risk-based security reviews.

Research institutions that do not agree with DARPA's rejection of a fundamental research proposal based on the risk-based security review may challenge DARPA's decision with USD(R&E) (Reference a). In these cases, USD(R&E) reserves the right to change DARPA's risk-based security review if they find evidence of inconsistency or misinterpretation of the policy. If that does occur, USD(R&E) will return the new risk-based security

determination to DARPA for a funding decision and implementation of mitigation strategies as appropriate.

This new policy does have a retroactive component, which requires spot checks of covered individuals to identify if any research security risks were missed during the original risk-based security review. These new spot checks will focus on fundamental research awards that were assessed and did not require risk mitigations.

This new risk-based security review process will be conducted separately from the DARPA scientific review process and adjudicated before the final award. This process, including negotiation of risk mitigation measures, shall be tracked separately as part of the total time-to-award.

Nationality or citizenship is not collected as part of the risk-based security review process and is not a factor in our assessments.

Key aspects of this policy will be integrated into the DARPA Broad Agency Announcements and other guides and instructions as applicable.

Questions regarding this policy can be directed to Jesse Watkins, MSO/SID, at jesse.watkins@darpa.mil.

Dr. Stefanie Tompkins
Director