Summary of Requirements for Department of Defense (DOD) Supported Research

In addition the Common Rule, human Research supported by the DoD is subject to requirements and ethical standards outlined in the Department of Defense Directive (DoDD) 3216.02. The USC Human Subjects Program Policies and Procedures describes policies for review, conduct and oversight of human research supported by the DoD.

Support of a study generally means the provision of funding, personnel (both military and civilian DoD employees), facilities, and any other resource.

☑ Discuss with Principal Investigator (PI) to Confirm the proposed research is DoD supported.

☑ Request PI contact DoD Component (i.e., Army, Navy) supporting the research to confirm additional human subject research requirements. The Human Research Protection Official (HRPO) for specific Components provides administrative review and approval to confirm protocol is compliant with federal and DoD requirements.

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<th>General DoD Requirements</th>
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<td>☑ Use the IRB DoD Checklist for DoD supported research to facilitate IRB review.</td>
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1. **Scientific Merit**
The IRB must consider the review by the investigator’s department relative to *scientific merit* of the research.

☑ Ensure scientific review discussions are documented in IRB review materials or minutes.

2. **Research Monitor**
An independent Research Monitor (RM) is required for *greater than minimal risk research*. While not mandated, the IRB may at its discretion, require an RM be assigned to a study or portion of research that is not greater than minimal risk. The investigator may recommend individuals for this role; however the RM operates under the direction of and reports to the IRB. The RM has the authority to stop a research study, remove individuals from a study, observe group recruitment, and take any other steps to protect the safety and well-being of subjects until the IRB can assess the research monitor’s report.

☑ Ensure IRB has curriculum vita and any other material to assess proposed RM’s expertise and credentials.

☑ Ensure IRB determines and documents RM’s:
  - educational and professional experience
  - independence from the research personnel
  - designated authorities and responsibilities
Ensure investigator provides the IRB with a letter from the RM accepting the assignment and responsibilities.

3. **Classified Research**
Research involving classified information must be reviewed by the full convened IRB; requires descriptions and clarifications be included in the informed consent process (waiver is prohibited); and must be approved by the Secretary of Defense prior to initiation.

4. **Survey Research**
If DoD supported study involves survey research or surveys in DoD personnel, additional level of DoD review is typically required.

5. **Compensation**
Dual compensation rules limit subject payment. Options vary depending on participation on or off active duty and source of funds for payment.

   - Ensure that investigator is aware of compensation policies as applied to proposed research if subject payment is involved.

6. **International Research**
Research involving international citizen populations should adhere to any local applicable laws, regulations, customs, and required local ethics review. Consult the current edition of the [International Compilation of Human Research Standards](#) for reference.

   - Ensure researcher has permission to conduct research in the country by certification or local ethics review.
   - Ensure knowledge of local context is met by standing or ad hoc IRB member or cultural consultant.

7. **Armed Services personnel, Military or Civilian DoD Employees**
If study is a clinical investigation including Armed Services personnel, women and minorities must be included as subjects.

Research with DoD personnel (military or civilian DoD employees) must include a recruitment plan that incorporates safeguards to minimize undue influence from superiors in the chain of command (i.e. superiors may not be present at time of recruitment and must be provided a separate opportunity to consider participation themselves).

If research includes military personnel, the HRPO may require PIs to obtain permission from local command to allow subject’s participation during or off duty particularly if research could impact the Service members’ ability to perform his/her military duties.

If recruitment for a greater than minimal risks study occurs in a group setting, the research monitor must observe the recruitment and informed consent process to ensure voluntariness. This is required for military (not civilian) DoD personnel, but the IRB may require use of this safeguard for civilian DoD employees when appropriate.
8. Humans as Experimental Subjects
The following additional requirements apply only to the sub-category of human research entitled, **Research involving Humans as Experimental Subjects**. This is a category of research conducted for the purpose of obtaining data regarding the effect of an intervention or interaction.

- For Research involving Humans as Experimental Subjects, ensure that:
  - informed consent is obtained;
  - waiver of informed consent is never granted (unless prohibition waived by Secretary of Defense); and
  - the research intends and has potential to benefit the subjects in studies where consent could be obtained from a subject’s legally authorized representative.

9. Planned emergency research
As planned emergency research meets the above definition of research involving humans as experimental subjects, a waiver of informed consent is prohibited unless DoD has issued a waiver.

10. Vulnerable Subject Subparts
The DoD has adopted 45 CFR 46 Subpart B (pregnant women, fetuses, and neonates), C (prisoners), and D (children) with limitations and modifications.

- Subpart B:
  - For the purposes of applying Subpart B risk-benefit analysis, DoD replaces the phrase “biomedical knowledge” with “generalizable knowledge”.
  - The DoD limits the applicability of Subpart B to research involving:
    - pregnant women as participants in research that is more than minimal risk and includes interventions or invasive procedures to the woman or the fetus; or
    - fetuses or neonates as participants.
  - Fetal research must comply with the [US Code Title 42, Chapter 6A, Subchapter III, Part H, 289g](https://www.govinfo.gov/app/details/USTRANSCOM-2017/2017-02-17).

- Subpart C:
  - For research intended to enroll prisoners, the DoD does not allow review by expedited mechanism.
  - If a PI attests that it is in the best interest of a subject who becomes a prisoner to continue participation in the research, the DoD allows the IRB chair to make a preliminary determination until the convened IRB (and DoD Component if applicable) can review the request. Otherwise, the IRB may require that all research interactions and interventions with the prisoner-subject (including obtaining identifiable private information) cease until the convened IRB with consultation from the prisoner representative, can review this request to ensure that the rights and wellbeing of the human subject, now a prisoner, are not in jeopardy.
If the prisoner-participant can continue to consent to participate and is capable of meeting the research protocol requirements, the terms of the prisoner-participant’s confinement does not inhibit the ethical conduct of the research, and there are no other significant issues preventing the research involving human participants from continuing as approved, the convened IRB may approve a change in the study to allow this prisoner-participant to continue.

- Subpart D:
  - The DoD does not apply subpart D to active duty personnel under the age of 18 as it considers all active duty military to be adults with legal capacity to participate in DoD supported research.

Should the DoD protocol include or have potential to enroll any vulnerable population protected under the Common Rule subparts, refer to the DoDD 3216.02 and/or the supporting Component for specific determinations required on the part of the IRB.

Determinations authorizing or requiring any action by an official of HHS about any requirements of subparts B-D would be submitted to and authorized by the Assistant Secretary of Defense for Research and Engineering ASD(R&E).

11. Detainees
   ✔ Research with detainees is prohibited.

12. Multi-site or Collaborative Research
Standard requirements apply to multi-site or collaborative research supported by the DoD.
   - Ensure investigators conducting DoD-sponsored multi-site research have provided the IRB with information on the federal assurance(s) held by collaborating institutions, including the existence of any DoD Addendum or other direct DoD assurance.

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<th>DoD Components (Army, Navy, Air Force, etc.)</th>
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<td>1. DoD Components may have additional requirements beyond those outlined in the OHRP FWA. The Component will communicate the unique requirements by providing the investigator with an early communication applicable to the proposed research (common Army practice) or by requiring an FWA Addendum which conveys the unique requirements (common Navy and Air Force practice). Once a DoD Addendum is in place it covers all DoD research sponsored or initiated by that Component.</td>
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<tr>
<td>✔ Ensure investigator has provided the IRB with any specific unique requirements outlined in DoD Component communication or FWA addendum.</td>
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<td>Potential additional Component requirements may include:</td>
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• Requirement for an FWA Addendum
• Specific educational or certification requirements
• Documentation submission (e.g. meeting minutes for all meetings in which research is reviewed; continuation review approval or materials)
• Reporting or record retention requirements
• Additional levels of review

2. The investigator submits documentation of IRB review and approval to the DoD Component. The HRPO provides an administrative review to confirm the protocol is compliant with Federal and DoD requirements and to concur with USC IRB’s determinations (i.e., activity not HSP research; research is exempt; level of risk; protocol approval).

☑ Investigator should not initiate the study until approved by HRPO or relevant Component designee.

3. Standard reporting and recordkeeping procedures apply unless additional requirements are made by the supporting DoD Component.