

Case Studies involving Classified Research and Otherwise Restricted Research

The following are examples of four efforts associated with classified research and “sensitive information.” When the Johns Hopkins Policy on Classified Research and Otherwise Restricted Research is finalized, this document can be placed on the same website to serve as a reference.

Dr. Smith – Proposal for Defense Advanced Research Projects Agency (DARPA) Contract

Dr. Smith is a faculty member in the Whiting School of Engineering who is interested in preparing a proposal for a contract from DARPA that involves classified information. There will be discussions with project team members and, as project leader, he will need to confer with colleagues at the Applied Physics Laboratory.

Before Dr. Smith continues with the proposal preparation process and files the appropriate documentation with his research administration office, he needs to ask about the types of materials involved and the location where the information is maintained or stored.

Dr. Smith discovers the information is classified at the TOP SECRET level and is on file at DARPA.

If Dr. Smith decides he is going to pursue the project, he needs to contact his research administration office, obtain and prepare the appropriate documentation to accompany the proposal to DARPA, and have the proposal approved by JHU. After the contract is awarded, Dr. Smith will need to apply for a security clearance at the TOP SECRET Level.

Dr. Smith can conduct his team discussions and compile his research findings at DARPA. If, however, it is determined that Dr. Smith needs to prepare his reports outside of DARPA, he should apply for permission to work and store his research in a secure facility such as the Applied Physics Laboratory. This information should be included in the original proposal to DARPA.

Dr. Roberts – Subcontract from Stanford – National Aeronautics and Space Administration (NASA)

Dr. Roberts is a faculty member in the Department of Earth and Planetary Science in the Krieger School of Arts and Sciences who has been contacted by a colleague from Stanford University about participating in a research study being sponsored by NASA. His colleague is not able to

travel to NASA in Washington, DC to conduct his research and Dr. Roberts has exceptional credentials in the subject area. Dr. Roberts' colleague at Stanford has obtained approval from NASA to subcontract this portion of the project. The research contains classified information.

Before Dr. Roberts continues with the proposal preparation process for obtaining a sub-contract and files the appropriate documentation with his research administration office, he needs to ask about the types of materials involved and the location where the information is maintained or stored.

Dr. Roberts discovers the information is classified at the SECRET level and is on file at NASA in Washington, DC.

If Dr. Roberts decides he does want to participate in the project, he needs to contact his research administration office in order obtain the appropriate information and prepare the necessary documentation in order to submit the proposal for approval by JHU. Even though it is a subcontract, JHU is subject to the conditions of the original contract that NASA awarded to Stanford. The proposal for the subcontract will be forwarded to Stanford (Stanford should submit the information to NASA). After the proposal is approved, Dr. Roberts needs to apply for a security clearance at the SECRET Level.

Dr. Roberts can only perform his research at NASA. If it is determined that Dr. Roberts prefers to compile his research and prepare the findings outside of NASA, he should obtain permission to work and store his research in a secure facility such as the Chemical Propulsion Information Agency or the Applied Physics Laboratory. This information should be included with the subcontract proposal to Stanford in order for the appropriate authorization to take place.

Dr. Brown – Proposal and Award from the Department of Defense – “Sensitive Information”

Dr. Brown is a member of the Department of Computer Science in the Whiting School of Engineering. She submitted a proposal to the Department of Defense to work on a project involving the development of Artificial Intelligence software. There was no mention in the program announcement from the sponsor that this project would involve classified research or that any of the results culminating from the research efforts would not be readily published. Dr. Brown's divisional research administration office reviewed the program requirements carefully to ensure that Dr. Brown's proposal contained all of the necessary information and materials and approved the proposal for submission.

Six months after the proposal was submitted, Dr. Brown was notified by the Department of Defense that her proposal was approved for funding. When the divisional research administration office received the award contract to review, the Department of Defense had inserted a clause that stated, “The Department of Defense reserves the right to review and restrict any findings conducted under this project and prevent the publishing of any materials it deems as sensitive unclassified information.”

The research administration office contacted the program administration office at the Department of Defense and indicated Johns Hopkins would not accept the contract under the current terms they proposed.

Dr. White (Applied Physics Laboratory) and Dr. Gray (Whiting School of Engineering) – Office of Naval Research Award involving Classified Research

Background: Dr. White is a member of the principal professional staff at the Applied Physics Laboratory (APL) and Dr. Gray is a member of the Department of Materials Science and Engineering in the Whiting School of Engineering. They share the same research interests in Engineering and have collaborated on a number of projects conducted at Johns Hopkins for several years. Their combined efforts in these projects are documented and arranged through a contract between the two divisions. In some instances, Dr. Gray, on behalf of the Whiting School of Engineering, carries out a portion of the research at the Homewood Campus while Dr. White oversees the project and conducts his portion of the research at the Applied Physics Laboratory. APL maintains the responsibility for the technical reporting and financial management of the project. In order for this research to be conducted in the appropriate manner, a brief summary of the work, personnel involved, proposed budget and specific project period are recorded on the Applied Physics Laboratory Work Agreement form. In addition, Dr. Gray has had graduate students participate in several projects at Homewood and these students have been paid for their efforts through the stipulations of the Work Agreement that is authorized by both divisions of the University.

Project: Recently Dr. White received an award for a proposal he submitted to the Office of Naval Research (ONR). Several sections (but not all) of this project contain the need to conduct activities involving classified research. The appropriate office at APL negotiated a contract with ONR outlining all of the necessary requirements and stipulations governing the award. Since Dr. White maintains a TOP SECRET Level Security Clearance from the Defense Security Service for his employment at APL, he will be able to proceed without interruption. However, Dr. White had indicated in the proposal that he would require his colleague, Dr. Gray, to assist him in this project. Dr. Gray holds a SECRET Level Security Clearance from the Defense Security Service that he obtained through the Johns Hopkins Security Clearance Administration Office. As a result, Dr. Gray will be able to participate in the project and all of the sections requiring classified research will be able to be conducted at the Applied Physics Laboratory because it is a secure facility. This stipulation is also outlined in the award contract. However, there is a section of the project that does not contain any exposure to or interaction with classified research materials. This unclassified portion of the contract can be conducted at the Homewood Campus in Dr. Gray's laboratory by one of his graduate students. An APL Work Agreement is prepared with the appropriate information that proposes the scope of the research that is unclassified, along with a budget, for submission and approval by both divisions of the University. At the end of the project, Dr. Gray will submit the unclassified research completed by the student at Homewood to satisfy all of the requirements of the award. The graduate student's work on this portion of the project can be published since it is not classified and it can be included as a fulfillment as one of the requirements for the student's academic degree program.

