

MEMORANDUM

Date: May 7, 2019

To: University of Michigan Board of Regents

cc: Mark S. Schlissel, President
Sally Churchill, Vice President and Secretary

From: S. Jack Hu, Vice President for Research 

Re: Resolution Delegating Duties and Responsibilities Concerning Access To, Management, Handling, and Protection of Federally-Classified Information

Attached for your review is the Resolution Delegating Duties and Responsibilities Concerning Access To, Management, Handling, and Protection of Federally-Classified Information.

The University of Michigan (U-M) has a rich history of conducting research to enhance national security. A small, but significant, fraction of this research between 1973 to 2011 involved investigator access to classified information. To access classified information, the University maintained an administrative Facility Clearance (FCL). However, U-M's FCL was terminated in 2011 when projects needing access to classified information ended.

U-M investigators again have opportunities to conduct research involving classified information. The Office of Naval Research (ONR) has sponsored U-M to reinstate its FCL certification to allow investigator access to classified information relevant to two research projects within the College of Engineering. To reinstate the FCL, the Board must establish a FCL Executive Committee (EC) to oversee the University's management of classified information. While the research projects require access to classified information, the research itself will lead to publishable results.

The attached proposed resolution would establish the required FCL-EC.

Attachment

May 2019

The University of Michigan
Regents Communication
Action Request

Subject: Resolution Delegating Duties and Responsibilities
Concerning Federally Classified Information

Action Requested: Approval of Resolution

RESOLUTION DELEGATING DUTIES AND RESPONSIBILITIES
CONCERNING ACCESS TO, MANAGEMENT, HANDLING AND
PROTECTION OF FEDERALLY CLASSIFIED INFORMATION

WHEREAS, the Board of Regents of the University of Michigan desires to delegate to certain board member, officer, and management personnel of the university (the "Institution") all duties and responsibilities concerning access to, management, handling, and protection of classified information relating to the national defense and security, in order to simplify compliance with facility clearance and individual security clearance requirements of the Defense Security Service of the Department of Defense, or any applicable requirements of other Federal offices and Cognizant Security Agencies.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Regents as follows:

1. The University of Michigan (U-M) desires to reinstate its Facility Clearance (FCL) to allow investigator access to federally classified information. The FCL certification process, through the Defense Security Service (DSS), mandates a management Executive Committee within U-M that is authorized to make all operational, administrative, and contractual decisions impacting the security of U-M's access to classified information. These individuals are known as the Key Management Personnel (KMP) and must have, or obtain, a security clearance at the SECRET level. In consultation with DSS, the following management structure is proposed:

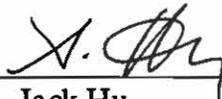
Facility Clearance Executive Committee (FCL-EC)

1. Mark Schlissel, President (Senior Management Official)*
2. Katherine E. White, Designated Regent
3. Michael Imperiale, Associate Vice President for Research (Assistant Senior Management Official)
4. Henry Baier, Associate Vice President for Facilities & Operations (Assistant Senior Management Official)
5. Steven Dawson, Assistant Director of Research Compliance (Facility Security Officer)*

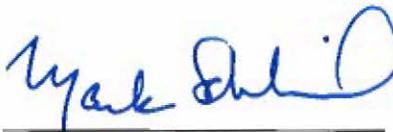
* **NOTE:** The Senior Management Official and Facility Security Officer are mandatory members of the FCL-EC.

2. The individuals now, or at any time hereafter, serving in the above official capacities, within the Institution, are hereby designated as members, during their tenure in such capacities, of the FCL Executive Committee to which is hereby delegated all authority and responsibility of the Board pertaining to access to, management, handling, and protection of any and all such classified information which may now or in the future be in the possession of the Institution.
3. The Board will elect a "Designated Regent" for the FCL Executive Committee should such a need arise in the future.
4. The present and future members of the Board, other than one individual Board member designated above (the "Designated Regent"), do not and will not require access to any classified information relating to national defense and security which may now or in the future be in the possession of the Institution. Accordingly, all present and future Board members, other than the Designated Regent, can effectively be, and shall be excluded from and shall not have access to, any and all such classified information. This exclusion shall not be interpreted as preventing such excluded members from participating in consideration of and voting upon proposed federal contract or grant documents which may come before the Board and which relate to, but which do not in themselves contain, classified information.
5. The members of the Board of Regents and Executive Officers who are not members of FCL Executive Committee may receive unclassified briefings on a need-to-know basis. Such members and officers with the appropriate security clearance may receive classified briefings on a need-to know basis.
6. The Secretary of the University is authorized to furnish copies of this resolution to the Cognizant Security Office processing that facility security clearance for the Institution and that the Cognizant Security Office will be notified prior to any change in conditions which would require the officials to have access to the classified information

Respectfully submitted,



S. Jack Hu
Vice President for Research



Mark S. Schlissel
President

May 2019