MEMORANDUM

TO: Randolph G. Moore
   Chairperson, Board of Regents

VIA: David Lassner
     President

VIA: Vassilis L. Syrnos
     Vice President for Research and Innovation

FROM: Leonard R. Gouveia, Jr.
      Facility Security Officer
      Director, Office of Export Controls

SUBJECT: Amendment to Board of Regents’ Policy, RP 12.204, Classified Contracts

SPECIFIC ACTION REQUESTED:

It is requested that the Board of Regents approve an amendment to the Board of Regents’ Policy, RP 12.204, Classified Contracts, to comply with the requirements of the Department of Defense Industrial Security Regulation (ISR) and National Industrial Security Program Operating Manual (NISPOM). These requirements apply to classified contracts awarded to the University of Hawai‘i.

RECOMMENDED EFFECTIVE DATE:

The recommended effective date is upon Board of Regents’ approval.

ADDITIONAL COST:

There are no additional costs associated with this request.

PURPOSE:

The purpose of this request is to change RP 12.204 and establish the “University Industrial Security Management Group.” The amendment is necessitated by the
Defense Security Service (DSS), as the University has been informed that it will be in technical violation of the ISR and NISPOM unless these changes are made.

BACKGROUND:

The proposed amendments to Board of Regents’ Policy, RP 12.204, Classified Contracts, Sections B and C, is necessary in order for the University to be in compliance with the requirements of the Department of Defense Industrial Security Regulation (ISR) and National Industrial Security Program Operating Manual (NISPOM).

This amendment to RP 12.204 was presented to the President (as the former Facility Security Officer and proposed member of the Industrial Security Management Group), the Facility Security Officer (as Facility Security Officer and proposed member of the Industrial Security Management Group), and the Vice President for Research and Innovation (as the Senior UH Research Administrator responsible for all UH research and proposed member of the Industrial Security Management Group) for review and comments. No objections were received as these are mandatory requirements that apply to classified contracts awarded to the University.

The attachments show the original version of RP 12.204 as amended using modified Ramseyer format. A clean copy of the policy is also attached.

ACTION RECOMMENDED:

It is recommended that the Board of Regents approve the proposed amendments to the Board of Regents’ Policy, RP 12.204, Classified Contracts, to comply with the requirements of the Department of Defense Industrial Security Regulation (ISR) and National Industrial Security Program Operating Manual (NISPOM) since these requirements apply to classified contracts awarded to the University of Hawai‘i.

Attachments
- RP 12.204 amended (in modified Ramseyer format)
- RP 12.204 amended (clean copy)
Regents Policy Chapter 12, Research
Regents Policy RP 12.204, Classified Contracts
Effective Date: April 2015
Prior Dates Amended: Oct. 31, 2014 (recodified)
Review Date: August 2019

I. Purpose

To set forth policy regarding classified contracts.

II. Definitions

No policy specific or unique definitions apply.

III. Policy

A. In the interest of fostering an open academic community for students and investigators, classified research should not be conducted on campus.

B. Industrial Security Management Group. The "Industrial Security Management Group" shall be responsible for any and all duties and responsibilities pertaining to the protection of classified information for the University of Hawai'i (UH), including responsibility over all matters necessary to ensure the security of classified information (e.g., the negotiation, execution, administration, and institutional compliance of classified contracts) that are subject to the requirements of the Department of Defense Industrial Security Regulation (ISR) and National Industrial Security Program Operating Manual (NISPOM). The Industrial Security Management Group should always include, at a minimum, the Senior UH Management Official in charge of the UH Facility (i.e., President), the UH Facility Security Officer, and the Senior UH Research Administrator responsible for all UH research on the system level (i.e., Vice President for Research and Innovation). Members of the Industrial Security Management Group shall insure that UH complies with all policies, regulations and contractual stipulations relative to safeguarding classified information accessed by UH, in accordance with the requirements of the ISR and NISPOM, and appropriate approvals from the Defense Security Service, when necessary. This responsibility includes, but is not limited to, determining which additional Senior UH Administrators, if any, are to be included in the Industrial
Management Group. The UH President shall act as the Chairman of the Industrial Security Management Group.

C. Security Clearance. In accordance with Section 2-104 of the NISPOM, members of the Industrial Security Management Group shall possess or be processed for a personnel security clearance for access to classified information to the level of the facility security clearance granted to UH.

IV. Delegation of Authority

There is no policy specific delegation of authority.

V. Contact Information

Office of the Vice President for Research and Innovation, telephone number: (808)956-4740; and e-mail lgouveia@hawaii.edu may be contacted for information relating to this Regents Policy.

VI. References

A. http://www.hawaii.edu/offices/bor/


Approved:

approved as to Form:

________________________________________  ____________________
Cynthia Quinn                                      Date
Executive Administrator and
Secretary of the Board of Regents