

Additions shown by double underscoring; deletions shown by strikethrough

Appendix H – Charter of the National Laboratories Committee

~~National Laboratories Subcommittee. The Committee hereby establishes the National Laboratories Subcommittee to assist the Committee in discharging its governance and oversight responsibilities with regard to the Lawrence Berkeley National Laboratory, the Lawrence Livermore National Laboratory, the Los Alamos National Laboratory, and any other Comparable Facility. A Comparable Facility shall include any National Laboratory or other Federally Funded Research and Development Center as identified by federal regulation. The duties and responsibilities of the Subcommittee, and the plenary authority delegated to it by the Board, are set forth as follows.~~

- A. Purpose. ~~In support of the Academic and Student Affairs Committee (the “related Standing Committee”), the~~ The National Laboratories Subcommittee Committee shall provide strategic direction and oversight, ~~consider,~~ make recommendations to the Board, and act pursuant to delegated authority on matters pertaining to the research and other activities of the Lawrence Berkeley National Laboratory, the Lawrence Livermore National Laboratory, the Los Alamos National Laboratory, and any other National Laboratory or Comparable Facility and any affiliated business entity holding a prime contract to manage and operate a National Laboratory or Comparable Facility. A Comparable Facility shall include any National Laboratory or other Federally Funded Research and Development Center as identified by federal regulation.
- B. Membership/Terms of Service. The identity, appointment and terms of service of ~~Subcommittee~~ members shall be as specified in Bylaws ~~25.3-24.4~~ through ~~25.5-24.6.~~ Membership shall include up to four non-voting advisory members (in addition to Chancellors) with expertise relevant to the work of the Committee. The Chair of the Committee shall possess or promptly apply for a security clearance that allows them access to classified information.
- C. Subcommittee Consent Responsibilities. ~~Unless otherwise specified in this Committee Charter, the Subcommittee~~ The Committee shall be charged with recommending action on the following matters which, on approval, shall be placed on the consent agenda of the Board for approval without discussion, ~~on the terms specified in Paragraph C above as though approved by the Standing Committee,~~ unless removed from the consent agenda by motion of any member of the Standing Committee requests that the matter be taken up for discussion and/or action by the Standing Committee for separate consideration. Unless otherwise specified, any approval authority for these matters that falls outside parameters expressly reserved to the Board or a Committee is delegated to the President.
- Making any cardinal change to a prime contract to manage and operate a

National Laboratory or other Comparable Facility.

- Allocation of the annual fee earned by the University from an affiliated business entity formed to manage and operate any National Laboratory or Comparable Facility.

D. Other Oversight Responsibilities. In addition to the responsibilities assigned to the ~~Subcommittee~~ Committee described above, and to the extent not otherwise within such responsibilities, the charge of the ~~Subcommittee~~ Committee shall include reviewing and making recommendations to the ~~related Standing Committee~~ Board with regard to the following matters and/or with regard to the following areas of the University's business:

- The University's participation in any solicitation for or contract to manage and operate a National Laboratory or Comparable Facility.
- The University's participation in any business entity formed to manage and operate a National Laboratory or other Comparable Facility
- Oversight of relationships between and among the University, the Department of Energy, the National Nuclear Security Administration, other pertinent state and federal authorities, and any business partners and business entities with responsibility for management and operation of a National Laboratory or Comparable Facility.

E. Reporting. ~~In addition to the reports required under Bylaw 25.8, the Subcommittee~~ The Committee shall report to the ~~related Standing Committee~~ Board any material developments in the operation of the National Laboratories or Comparable Facilities ~~including those that concern the health and safety of laboratory personnel or the surrounding communities, those that have the potential to expose the University to financial loss, those that have the potential materially to impact fees earned by the University for management and operation of a National Laboratory or Comparable Facility, and/or those that have the potential to adversely impact the University's relationship with state or federal authorities or University business partners.~~

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23.3(c) Principal Officers

Action to demote or dismiss the Chief Investment Officer shall be taken only upon recommendation of the Chair of the Board or the President of the University, in consultation with the Chair of the Investments ~~Subcommittee~~ Committee.

27.5 Interim Actions

Matters requiring Board or Committee action between meetings may be acted on upon the recommendation of the President of the University or an Officer of the Corporation in their respective areas of responsibility. For matters requiring action by the Board, approval under this authority requires either the approval of the Chair of the Board and the Chair of the Standing Committee with jurisdiction over the matter or approval by the Governance Committee. If the Chair of the Board also serves as Chair of the relevant Standing Committee, then approval by the Vice Chair of the relevant Standing Committee is required.

RESOLUTION

Pursuant to the *Policy on Security Clearance for Access to Federal Classified Information* adopted on March 29, 2012, and amended on December 30, 2015 and March 16, 2017, and this Resolution, the following named Key Management Personnel member as defined in Regents Policy 1600 shall not require, shall not have, and can be effectively excluded from access to all classified information and/or special nuclear material released to the Regents of the University of California until such individual is granted the required access authorization from the cognizant security agency. And, as a consequence of this Resolution, such individual does not occupy a position that would enable her to adversely affect the policies or practices of the University of California, or its subsidiary, regarding the performance of classified contracts for the United States Government.

NAME	TITLE
Eleni Kounalakis	Lieutenant Governor