

The Regents of the University of California

**COMMITTEE ON OVERSIGHT OF THE  
DEPARTMENT OF ENERGY LABORATORIES**

November 16, 2006

The Committee on Oversight of the Department of Energy Laboratories met on the above date at Covell Commons, Los Angeles campus.

Members present: Regents Blum, Dynes, Marcus, Parsky, Pattiz, and Schreiner;  
Advisory member Oakley

In attendance: Regents Bustamante, Gould, Island, Johnson, Lansing, Ledesma, Lozano, Ruiz, Schilling, Varner, and Wachter, Regents-designate Allen, Brewer, and Bugay, Faculty Representative Brown, Acting Secretary Shaw, Acting General Counsel Blair, Chief Investment Officer Berggren, Provost Hume, Executive Vice President Darling, Vice Presidents Broome, Foley, Gurtner, and Hershman, Chancellors Birgeneau, Bishop, Córdova, Drake, Fox, and Vanderhoef, Acting Chancellors Abrams, Blumenthal, and Park, University Auditor Reed, and Recording Secretary Bryan

The meeting convened at 10:55 a.m. with Committee Chair Pattiz presiding.

1. **APPROVAL OF MINUTES OF PREVIOUS MEETING**

Upon motion duly made and seconded, the minutes of the meeting of September 20, 2006 were approved.

2. **STATUS OF COMPETITION AND OTHER MATTERS AT THE DEPARTMENT OF ENERGY LABORATORIES**

Vice President Foley provided an update on the Lawrence Livermore National Laboratory management contract competition. He reported that the proposal by the newly formed Lawrence Livermore National Security, LLC has been submitted to the National Nuclear Security Administration (NNSA). Oral presentations have been scheduled for December 12; thereafter, NNSA will complete its evaluation of the proposals and make an award probably by springtime. The only other entities that have announced their participation publicly are the teams headed by Northrop Grumman and by Tri-Valley Cares. The University's team has submitted a strong proposal that brings together the scientific, management, and operations strengths of each of its partners and applies them strategically to ensure that the laboratory continues to meet the mission set forth by the Department of Energy and the NNSA.

Vice President Foley reported that Lawrence Berkeley National Laboratory (LBNL) astrophysicist George Smoot was named the recipient of the Nobel Prize in Physics for his 1992 research providing the first substantial experimental evidence for the Big Bang Theory of cosmology. Professor Smoot indicated in his acceptance comments that he was grateful to the Laboratory and the University for providing the scientific freedom and culture that makes long-term experimental efforts such as his possible. In addition, another LBNL astrophysicist, Saul Perlmutter, received two prestigious international awards: the Shaw Prize and the Lincei Academy's Antonio Feltrinelli Prize for his leadership in discovering the accelerating expansion of the Universe. This fertile research environment has been a hallmark of LBNL since its inception. This year marks the 75<sup>th</sup> anniversary of its founding. A founder's day celebration was held at the Laboratory in August as part of a year-long celebration marked by special events, including a scientific symposium. Director Chu and his management team have responded aggressively to improve the safety profile at the Laboratory. It is one of only a few Office of Science laboratories to meet the safety standards set this year by the DOE for reducing incidents and lost work days. The Laboratory appears on track to achieving Best in Class in its safety operations.

Turning to the Los Alamos National Laboratory, Mr. Foley reported that a few weeks previously it was discovered that a subcontract employee had removed controlled documents and electronic media from the Laboratory. The attorney for the individual has stated that the removal was not done for purposes of espionage. The University has been working with the FBI, the NNSA, and its management partners to determine the circumstances and timing of the removal. Director Anastasio has been aggressive in his actions to address the situation and to mitigate a similar incident from occurring in the future. The matter remains under investigation by the FBI. The Regents are being informed of developments as they occur.

Regent-designate Allen expressed concern about the possibility that the Institute for Global Conflict and Cooperation may have to compete for funds from the fees paid from the DOE contracts, despite the understanding that its fee income would be used to support such research activities. Many graduate students benefit from that institute. Mr. Foley acknowledged that concern about the level of fee income and how it would be used was well placed. President Dynes reported that the allocation of DOE fees and their distribution for cooperative research between the University and the laboratories is an ongoing issue. He noted that it appears that the amount of money that comes from fees and is put into research will be doubling if the Livermore contract is won by the University, enhancing the University's research program and students' ability to interact with those programs in the national laboratories that are in their best interests. Regent-designate Allen advocated being mindful of the social science components of scientific research.

Chairman Parsky recalled that The Regents had passed a resolution that stated the intention of devoting DOE laboratory fee income to science and research and will be looking to President Dynes for specific recommendations.

The meeting adjourned at 11:10 a.m.

Attest:

Acting Secretary