

The Regents of the University of California

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

September 15, 2010

The Committee on Oversight of the Department of Energy Laboratories met on the above date at UCSF–Mission Bay Community Center, San Francisco.

Members present: Regents DeFreece, De La Peña, Marcus, Pattiz, Reiss, and Varner;
Ex officio members Gould and Yudof; Advisory member Simmons

In attendance: Regents Cheng, Hime, Island, Johnson, Kieffer, Lansing, Lozano, Makarechian, Ruiz, Schilling, and Zettel, Regents-designate Hallett, Mireles, and Pelliccioni, Faculty Representative Anderson, Secretary and Chief of Staff Griffiths, Associate Secretary Shaw, General Counsel Robinson, Chief Investment Officer Berggren, Provost Pitts, Executive Vice Presidents Brostrom, Darling, and Taylor, Senior Vice President Stobo, Vice Presidents Beckwith, Duckett, Lenz, and Sakaki, Chancellors Birgeneau, Block, Blumenthal, Desmond-Hellmann, Drake, Fox, Kang, Katehi, White, and Yang, and Recording Secretary McCarthy

The meeting convened at 2:45 p.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 May 20, 2010 were approved.

2. UPDATE ON THE DEPARTMENT OF ENERGY LABORATORIES

Committee Chair Pattiz reported that there has been a great deal of positive activity at the Department of Energy (DOE) National Laboratories. He noted that many of the problems faced by the Laboratories are the same as those facing the University as a whole; however, the National Laboratories benefit from payment from the federal government for the Laboratories' services. In times of crisis, the U.S. government often calls on the National Laboratories for their unique scientific expertise, for example, during the recent Gulf of Mexico oil spill involving BP (formerly British Petroleum). President Obama quickly assembled a group of over 80 Laboratory scientists under the leadership of Secretary of Energy Chu, former Director of the Lawrence Berkeley National Laboratory (LBNL). This group has made a large contribution to the response effort, demonstrating the unique capabilities of the Laboratories. Committee Chair Pattiz noted that President Obama said that he had assembled a team of the brightest scientists and engineers in the world from the National Laboratories. Such work of the Laboratories reflects positively on the University of California's outstanding reputation as a research institution.

Committee Chair Pattiz noted that the primary mission of the Los Alamos National Laboratory (LANL) and the Lawrence Livermore National Laboratory (LLNL) is nuclear stockpile security, which has been extremely important during recent negotiations regarding nuclear arms reduction. The Laboratories also play an integral role in other important issues of our time, such as climate modeling and alternative energy. The Department of Homeland Security, the Director of National Intelligence, and the Department of Defense recently signed an agreement with Secretary Chu that will enable them to utilize the Laboratories more extensively to address emerging threats facing the nation.

Committee Chair Pattiz recalled that LANL and LLNL are managed by two limited liability corporations (LLCs). The primary entities running the LLCs are UC and Bechtel, and Committee Chair Pattiz serves as the Chairman of the Boards of Governors for both LLCs. LBNL is operated entirely by UC.

At its recent meeting, the LANL Board of Governors heard a presentation about its postdoctoral program. Over the past 18 months, the number of postdoctoral positions at the Laboratory has expanded by about 100 to a total of 421. The application process is extremely competitive, with 40 recent postings drawing 1,500 applications. Committee Chair Pattiz commented that the work of these postdoctoral appointees also contributes to the reputation of the University of California.

In response to President Yudof's inquiry at the Committee's meeting of May 20, 2010, Executive Vice President Darling reported that the three DOE Laboratories have received in excess of \$600 million this year from the American Recovery and Reinvestment Act of 2009 (ARRA). Over half of that amount went to LBNL, underscoring the value of the work that Laboratory is doing for the nation. Mr. Darling noted that most of the money allocated by the DOE was for basic research. There are 104 projects funded by ARRA at LBNL, generally covering building construction and seismic upgrades, basic research in a wide array of scientific fields, energy research, and high performance computing and networking, in support of LBNL's running DOE's National Energy Research Scientific Computing Center for the entire nation. More than 240 UC Berkeley faculty members have appointments at LBNL.

Mr. Darling reported that there were two areas of ARRA funding at LANL: \$60 million from the Department of Energy, National Institutes of Health, and the National Science Foundation for scientific research in a wide array of fields, as well as almost \$215 million for environmental remediation, specifically for the removal of 24 World War II legacy buildings.

LLNL has received \$23 million in ARRA funding this year for a variety of research projects in the fields of high-efficiency nanotubes and new measuring systems for global and greenhouse gases, as well as for updates to its plasma science user facilities.

Committee Chair Pattiz recounted that President Yudof was interested in a program to develop an artificial retina to restore eyesight for those blinded by a variety of conditions;

LANL, LLNL, and UC Santa Cruz are involved in this project. At their recent meeting, the Board of Governors heard a presentation from involved scientists. Committee Chair Pattiz mentioned that a similar presentation may be arranged for a future Regents meeting.

3. **AUTHORIZATION TO APPROVE AND EXECUTE MODIFICATION TO THE DEPARTMENT OF ENERGY CONTRACT FOR THE LAWRENCE BERKELEY NATIONAL LABORATORY AS A RESULT OF CHANGES TO THE FEDERAL ACQUISITION REGULATION**

The President recommended that he be authorized to execute a modification to the provisions of Lawrence Berkeley National Laboratory contract DE-AC02-05CH11231 in order to incorporate one clause addition.

New clause

Clause I.128 – FAR 52.204-9 Personal Identity Verification of Contractor Personnel (Sep 2007)

This clause specifies the requirements for personal identity verification procedures per Homeland Security Presidential Directive-12 (HSPD-12), Office of Management and Budget (OMB) guidance M-05-24, and Federal Information Processing Standards Publication (FIPS PUB) Number 201.

Lawrence Berkeley National Laboratory (LBNL) is an unclassified facility, however, the Laboratory Director and certain staff members have personal security clearance to receive information and participate in classified meetings at other facilities. This clause will apply only to those LBNL personnel who do hold a personal security clearance and receive the federal credential referenced in this clause.

As a result of the changes, the table of contents for the LBNL contract will be revised accordingly.

[Background material was mailed to Regents in advance of the meeting, and a copy is on file in the Office of the Secretary and Chief of Staff.]

Upon motion duly made and seconded, the Committee approved the President's recommendation and voted to present it to the Board.

The meeting adjourned at 2:55 p.m.

Attest:

Secretary and Chief of Staff