

The Regents of the University of California

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

March 15, 2007

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, and Preuss; Advisory member Oakley

In attendance: Regents De La Peña, Hopkinson, Island, Johnson, Kozberg, Ledesma, Ruiz, and Schilling, Regents-designate Allen, Brewer, and Bugay, Faculty Representative Brown, Acting Secretary Shaw, General Counsel Robinson, Chief Investment Officer Berggren, Provost Hume, Executive Vice President Darling, Vice Presidents Broome and Foley, Chancellors Birgeneau, Córdova, Drake, Fox, Vanderhoef, and Yang, Acting Chancellor Blumenthal, and Recording Secretary Bryan

The meeting convened at 9:20 a.m. with Committee Vice Chair Preuss presiding.

**1. READING OF NOTICE OF MEETING**

For the record, it was confirmed that notice was served in accordance with the Bylaws and Standing Orders for a Special Meeting of the Committee on Oversight of the Department of Energy Laboratories, concurrent with the regular meeting, for the purpose of addressing items on the Committee's agenda.

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

Vice President Foley reported on the Lawrence Livermore National Laboratory (LLNL) competition and on the recent performance assessment of the Lawrence Berkeley National Laboratory (LBNL) by the Department of Energy (DOE).

Mr. Foley stated that the winner of the LLNL competition was scheduled to be announced by the end of March 2007, but there is likely to be a delay of several weeks. He acknowledged the stress that the LLNL employees feel regarding a potential new contractor, and stated that the Office of the President has been working diligently with Laboratory Director Miller, Ms. Peterson, who is the coordinator for transition planning at LLNL, and the entire planning team to make the transition as smooth as possible. Mr. Foley specifically called out the work of Associate Vice President Boyette and the staff of the Office of Human Resources and Benefits to provide support for the laboratory when the transition begins.

On March 2, 2007, the National Nuclear Security Administration (NNSA) announced that the design team from LLNL and Sandia California was selected to develop the reliable replacement warhead. A New Mexico team comprised of Los Alamos National Security, LLC (LANS) and Sandia New Mexico independently submitted a design, allowing the government to evaluate alternative weapons designs. The University should be proud of the efforts of both LLNL and LANS. The NNSA stated that both designs fully met the needs of the program, commenting specifically on the innovation of the LANS design, but that the government had higher confidence that the LLNL design could be certified without performing underground testing. This was the major factor in the decision. The first order of business at LLNL is to put together an integrated team from both LLNL and LANS designers to work on the issues. Both laboratories will be active in the effort.

In January 2007, Laboratory Director Chu had reported on the work of LBNL. Mr. Foley reported that the DOE has also acknowledged the excellence of LBNL in its most recent contract performance appraisal. The Office of Science within the DOE has recently initiated a performance appraisal system that rates all ten of the national laboratories on a common basis. LBNL achieved the highest rating of all the science laboratories overall. Of the eight parameters appraised, LBNL received the top rating in six.

Mr. Foley acknowledged that three out of the eight winners of the DOE's prestigious Ernest Orlando Lawrence award were associated with either LANS or LBNL. On February 7, 2007 the DOE announced that this year's award winners include Paul Alvisatos from UC Berkeley and LBNL in the Materials Research category, Malcolm Andrews from LANS in the National Security category, and My Hang Huynh from LANS in the Chemistry category.

President Dynes inquired about the effect of the delay in the LLNL competition decision in the event that UC does not win the award and must initiate a transition. Mr. Foley stated that the transition period is estimated at 90 days based on the lessons learned at LANS, and that a short delay should not pose problems.

The Committee recessed at 9:30 a.m.

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The Committee reconvened at 10:15 a.m. with Committee Vice Chair Preuss presiding.

Members present: Regents Blum, Dynes, Marcus, Moores, Parsky, and Preuss;  
Advisory member Oakley

In attendance: Regents De La Peña, Hopkinson, Island, Johnson, Kozberg,  
Lansing, Ledesma, Ruiz, and Schilling, Regents-designate Allen,

Brewer, and Bugay, Faculty Representative Brown, Acting Secretary Shaw, General Counsel Robinson, Chief Investment Officer Berggren, Provost Hume, Executive Vice President Darling, Vice Presidents Foley and Sakaki, Chancellors Birgeneau, Bishop, Córdova, Drake, Fox, Kang, Vanderhoef, and Yang, Acting Chancellor Blumenthal, and Recording Secretary Bryan

3. **APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING**

Upon motion duly made and seconded, the minutes of the meeting of January 17, 2007 were approved.

4. **APPOINTMENT OF WILLIAM R. FRAZER TO THE EXECUTIVE COMMITTEE OF THE BOARD OF GOVERNORS OF LOS ALAMOS NATIONAL SECURITY, LLC, ON AN INTERIM BASIS**

The Chairman of the Board of Regents and the President recommended that William R. Frazer be appointed on an interim basis as a member of the Executive Committee of the Board of Governors of the limited liability company known as Los Alamos National Security, LLC (LANS), effective immediately.

Mr. Frazer will be compensated from the fee earned by the University under the terms of the LANS contract, prorated for any partial year performance.

It was recalled that UC San Diego campus Chancellor Marye Anne Fox, one of the three founding UC LANS Executive Committee Members recently announced that she intends to step down as a member of the Executive Committee of the LANS Board of Governors. Chancellor Fox has concluded that she can no longer provide the time commitment that the LANS responsibilities require in light of her responsibilities as the San Diego campus Chancellor.

Regental policy prescribes that UC member governors of LANS will be appointed by the Board following the recommendation of the Chairman of the Board and the President. Both Chairman Blum and President Dynes strongly recommend the appointment of William R. Frazer, Senior Vice President Emeritus, Academic Affairs, University of California, and Professor Emeritus of Physics, UC Berkeley, as an interim replacement to fill the vacancy left by Chancellor Fox. The Acting Administrator of National Nuclear Security Administration and the Acting Deputy Administrator for Defense Programs have both been advised of and support this action.

Mr. Frazer has agreed to serve as an Executive Committee Governor on an interim basis and also to serve as Acting Chair of the Science and Technology Committee, effective immediately. Chairman Blum and President Dynes believe the University is fortunate to have a person of Mr. Frazer's experience, skill, and background willing to assume these important responsibilities on an interim basis.

The compensation rate is being negotiated with Mr. Frazer and will be set at a rate commensurate with his expected work in comparison to the rate of compensation of other LANS non-Executive Committee Governors.

A recommendation will be made to The Regents in the near future regarding a permanent appointment to the Executive Committee.

Executive Vice President Darling and President Dynes noted that Chancellor Fox took on an enormous responsibility at a time of transition, and that upon resigning from this position she will be better able to focus on her work as Chancellor. Regent Parsky, Regent Preuss, Faculty Representative Oakley, and President Dynes all thanked Chancellor Fox for her time, work, and contribution. Faculty Representative Oakley stated that it is appropriate to appoint Mr. Frazer given his high-level Academic Senate experience and high-level scientific expertise relevant to the work of the laboratories.

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

The meeting adjourned at 10:20 a.m.

Attest:

Acting Secretary