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Chair of the Assembly and the Academic Council
Faculty Representative to the Board of Regents
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

July 25, 2007

ROBERT C. DYNES **PRESIDENT**

Dear Bob,

Thank you for your letter of June 19, 2007, in which you asked me to inform you of the Academic Senate's priorities for this year's allocation of net fee income received by UC from LANS LLC incident to the contract between the federal Department of Energy and LANS LLC for the management and operation of the Los Alamos National Laboratory.

At its meeting on April 25, 2007, the Academic Council endorsed the enclosed memorandum of April 19, 2007, addressed to the Council by me as Chair of the Academic Counsel Special Committee on the National Labs (ACSCONL). Because it had an impact on the upcoming Regents' meeting, I transmitted the essential message of this memorandum to you orally, when we met for the President's Agenda meeting on April 26. That essential message is twofold. First, net fee income from LLC-managed labs should be used to support scientific research at UC in the most general and non-restrictive sense. Second, insofar as priority is assigned to lab-related research, this prioritization should be based on the broadest possible conception of lab-related research, including not only research untaken by UC faculty in partnership with lab collaborators, but also research undertaken by UC faculty on their own without the collaboration of lab personnel.

The Academic Council has created a new entity to advise it on lab-related issues. This new entity, which is the successor to ACSCONL, is called the Academic Council Special Committee on Lab Issues (ACSCOLI). The transition from ACSCONL to ACSCOLI took place on July 1 of this year, but because of summer scheduling issues ACSCOLI has not been able to meet in time to advise Council as to how to respond to your June 19th letter.

Pending its receipt of such recommendations as ACSCOLI may offer, which may affect future statements of the Senate's priorities for the allocation of net fee income, the Academic Council today authorized me to reply to your letter with the following statement of present Senate priorities, which is based on the Council's April 25th endorsement of ACSCONL's April 19th memorandum:

Net fee income received from Los Alamos National Security (LANS) LLC should be used to support scientific research at the University of California. Part but not necessarily all of such net fee income should be directed to lab-related research. The definition of qualifying lab-related research should be broad, and should include the political, social, and cultural impacts of the work performed at Los Alamos National Laboratory (LANL). Qualifying lab-related research should include but not be limited to research involving collaboration between UC faculty and LANL research personnel employed by LANS. Lab-related research proposed or undertaken by UC faculty without such collaboration should also be supported.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'John B. Oakley', written in a cursive style.

John B. Oakley, Chair
Academic Council

Enclosure: 1

Copy: Academic Council
María Bertero-Barcelo, Executive Director

April 19, 2007

To: Academic Council
From: John Oakley, Chair, ACSCONL

ACSCONL discussed the Draft Proposal for Appropriating Net Fee Income that UC will receive as part owner of the Los Alamos National Security LLC. If UC and its partners are successful in winning the contract for Livermore National Security LLC, there would be additional fees accruing from this second source. The general thrust of the Draft Proposal is excellent and establishes an important role for the Academic Senate in helping to choose the research done with the fee income, which ACSCONL was pleased to see and strongly supports.

ACSCONL also applauds the Regents' interest in the use of the fee income. In their Item 204 approved September 20, 2006, they directed that the fees be used "for the limited purposes of funding scientific research" among a small set of choices [Action item (1)]. In the Item Background, they stated "the University believes it is important . . . that net fee income be expended for scientific research" including that "proposed jointly by the laboratories and the campuses, as well as other University research. The focus of research would remain on activities relevant to the laboratory missions . . . and be conducted principally at the University campuses and associated research institutes."

The Draft Proposal did not explicitly include research done on the campuses that might not collaborate with Laboratory scientists and engineers. The Academic Assembly, in its Statement of the Academic Senate on Interaction between UC's Faculty and UC's Associated National Laboratories (adopted October 11, 2006), resolved that "these fees should support specific scientific and technical projects at the labs *as well as synergistic scientific and technical activities at UC* (italics added)." The membership of ACSCONL is clear that fee money should appropriately be directed in some part at research related to the missions of LANS and LLNS (if UC's bid is successful). ACSCONL adds, however, that some of the fee money can be directed to research performed on UC campuses that does not necessarily require collaboration with Laboratory research personnel. The Draft Proposal specifically notes that such research might include "political, social and cultural impacts of the work at the National Laboratories" although it specifically calls for "collaborative" research. ACSCONL feels that such research may at times be done solely on the UC campuses without collaboration. ACSCONL recommends that the Academic Council adopt this position and ask the Council Chair to so inform the President. It may be that the Draft Proposal intended to include these kinds of research, but the particular wording could be interpreted to restrict fee-supported research only to projects where UC faculty and students actively collaborated with Laboratory investigators.

ACSCONL looks forward to learning of the Council's views on this matter.