STEVEN BECKWITH
VICE PRESIDENT FOR RESEARCH AND GRADUATE STUDIES

Re: Allocating Net Fee Income Received from the DOE National Laboratories

Dear Steve:

Academic Council has completed its review of the draft document, ‘Allocating Net Fee Income Received as Owner of LLCs Managing DOE National Laboratories.’ While members were supportive of the draft ‘principles,’ they stressed that these principles should allow for allocation to broader research areas that have not traditionally been thought of as having a direct connection to the National Laboratories and their rather narrowly-defined disciplines. For example, allocation of these funds might include PIs in the humanities and social sciences who study conflict resolution, peace studies, and environmental security. What underlies these suggestions is the pronounced belief that these UC funds for operating the laboratories should support UC research activities, broadly defined.

It was also stressed that while a portion of the lab fees should be used for graduate research, educational, and research activities on the campuses and collaborative research, neither of these emphasis areas should be favored above the other. In addition, it is desired that a portion of the lab fees support long-term funding of multi-campus institutions that foster work related to the mission of the National Laboratories. Especially with regard to the funding of graduate students, funding should be organized along the lines of a multi-year endeavor. A five-year funding cycle might be optimal, in that funding renewal processes could be synchronized with the quinquennial reviews of MRUs. Inter-disciplinary research is important and desirable as well.

Regarding the document itself, there seems to be a lack of equal emphasis on ‘mission’ and ‘collaboration,’ with the latter seeming to take the preeminent priority. The document starts with equal weight on mission and collaboration: then the principles and criteria expand on collaboration and only mention mission in passing. Likewise, the document begins without any mention of the strategic needs of the labs, introduces mutual benefit of labs and campuses in the principles, and then drops the role of the campuses--leaving only the strategic needs of the labs.

Finally, under the section entitled ‘Research Program Oversight,’ agency comments stressed that the VPR should consult with the Senate when reporting to the Provost on the health of the program, the
quality and relevance of the research, and providing recommendations for improvements. One additional technical recommendation is the replacement of ‘scientists’ with ‘researchers’ throughout the document.

For your convenience, I have included a mark-up of the draft document with many of Council’s comments and suggested edits. Please do not hesitate to contact me if you have any questions regarding Council’s comments. We look forward to working with you on a revised RFP.

Sincerely,

Michael T. Brown, Chair
Academic Council

Copy: Academic Council
      María Bertero-Barceló, Executive Director

Encl. 1
Council Members,

Attached are some suggestions for changing the document and comments provided parenthetically.

I have spent some time with LLNL and LANL programs and would like to make sure we guard against an "old boy network" that has tended to establish a long line of funding for a limited set of researchers in narrowly defined disciplines. Part of UC's role was to allow some creative research to flourish and such protections are even more important now that the corporations are looking to enhance revenues.

Jim H

----- Forwarded message from Maria.Bertero-Barcelo@UCOP.EDU ------
Date: Mon, 19 May 2008 13:55:16 -0700
From: Maria Bertero-Barcelo <Maria.Bertero-Barcelo@UCOP.EDU>
Reply-To: Maria Bertero-Barcelo <Maria.Bertero-Barcelo@UCOP.EDU>
Subject: Important (Academic Council) Comments on the proposed Fee Allocation Document
To: UCACOUN-L@LISTSERV.UCOP.EDU

Dear Members of the Academic Council:

Response Date: 5pm, Thursday, May 22, 2008 for those wishing to respond.

RE: Allocating Net Fee Income Received as Owner of LLCs Managing DOE National Laboratories

On behalf of Chair Brown and ACSCOLI Chair Croughan, please find attached a draft document summarizing the process for the allocation of net fee income that is received by UC as one owner of the LLC's managing the DOE National Laboratories.
Allocating Net Fee Income Received as Owner of LLCs
Managing DOE National Laboratories

May 2, 2008, Rev 6

The University of California will receive a portion of the fee awarded to the Los Alamos National Security, LLC and the Lawrence Livermore National Security, LLC for the management of the Los Alamos National Laboratory and the Lawrence Livermore National Laboratory. The Regents have directed that this net fee income be allocated to research that is related to the missions of the laboratories and emphasizes collaborations between University faculty, staff and students and the research staff of the laboratories.

The Regents charged the University President with developing a plan for funding scientific research from net fee income, in consultation with laboratory directors and the Academic Senate.

Principles Guiding Fee Allocation

The research activities funded by this net fee should be:

- Prioritized for research collaborations between lab and campus researchers {obviously engineering is involved but also social sciences and international studies when considering environmental security}, emphasizing those involving support of UC graduate student research.
- Focused on research of strategic interest and mutual benefit to the laboratories and the campuses, especially for proposals that do not involve pre-existing (?) collaborations between campus and lab researchers.
- Limited to research with no restrictions on publication (i.e. not restricted by classification or deemed export rules).
- Selected through a merit-based competitive process that relies on peer review.
- Administered by the Office of the President in consultation with the Academic Senate.

Annual Allocation Process

1. To assist the President in establishing University priorities for use of net fee income, the Provost will ask each Laboratory Director and the Academic Senate to provide to the Provost a list of priorities for fee-funded research that meets the principles established by the President (see above) and best meets the strategic needs of that laboratory.
The Laboratory Directors and the Senate will be advised to give priority to research that meets the criteria outlined above, namely:

- Supporting collaborative research between UC faculty and Laboratory researchers.
- Supporting UC graduate students in programs that promote interaction between Laboratory researchers and UC graduate programs.
- Supporting research that takes advantage of unique Laboratory facilities (redundant from above bullet).
- Supporting research in the physical, life, or social sciences, or in the humanities, on topics aligned with the mission of the laboratories.

2. The Vice President for Research and Graduate Studies (the VPR) will review the recommended priorities, consult further with the lab directors and the Senate as necessary and recommend a final list of priorities to the Provost.

3. Once an estimate of net fee income is available, the VPR will recommend to the Provost which programs can be funded with net fee income.

The VPR will advise the Provost on the best processes for soliciting proposals for the research to be funded with net fee income. (should be moved up to be below #2: The logical order should be to set priorities, solicit proposals, review proposals, prioritize proposals for funding, and later review progress.)

4. Peer review committees whose members will be chosen for their expertise and independence will be established to evaluate the technical merit of proposals. These committees will be comprised of UC faculty and external reviewers.

5. A rank-ordered listing of proposal scores will be presented by the VPR to the Provost for funding allocation.

**Research Program Oversight**

Oversight of the allocation process will continue to be the responsibility of the UC Office of the President. Fee awardees will provide annual reports to the VPR. Feedback on the impact of the programs at the laboratories will be provided by the lab directors. The VPR in consultation with the Senate will then report to the Provost on the health of the program, the quality and relevance of the research, and provide recommendations for improvements.
Maria Bertero-Barceló, Executive Director, Chief of Staff Assembly of the Academic Senate
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-----Original Message-----
From: qwilliams.bd@gmail.com [mailto:qwilliams.bd@gmail.com] On Behalf Of Quentin Williams
Sent: Thursday, May 22, 2008 12:39 PM
To: Maria Bertero-Barcelo; Michael Brown
Subject: Re: Important (Academic Council) Comments on the proposed Fee Allocation Document

Hi there,
I also endorse Jim H.'s suggested alterations--and, as you certainly know, a draft version of the RFP (with "scientists" rather than "researchers" throughout) was distributed yesterday to the campuses.

Cheers,
QW

On 5/19/08, Maria Bertero-Barcelo <Maria.Bertero-Barcelo@ucop.edu> wrote:
> 
> > 
> > > 
> > Dear Members of the Academic Council:
> > > 
> > Response Date: 5pm, Thursday, May 22, 2008 for those wishing to respond.
> > > 
> > RE: Allocating Net Fee Income Received as Owner of LLCs Managing DOE National Laboratories
> > 
> > On behalf of Chair Brown and ACSCOLI Chair Croughan, please find attached a draft document summarizing the process for the allocation
Dear Michael et al.,

I support Jim H's modifications, and I also have an additional suggestion: the second bullet in the Principles Guiding Fee Allocation does not specify who decides what the strategic interests and mutual benefits are while point 2 of the Annual Allocation Procedure allows the VPR to opt out of consulting with the Senate in deciding funding priorities. I suggest that both these points be modified to require faculty input in deciding what the strategic priorities are and which of these re to be funded.

-Jose

Jose Wudka
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tel: (1-951)827-4296
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Dear Maria,

Diane and I sought comment on this document from a number of knowledgeable individuals in our Division -- typically people with extensive experience with national lab issues.

Due to the very short time frame for responding, our reply is in three pieces: two letters (attached), and some assembled comments (below). Please feel free to contact Diane or me if you have questions.

Thanks,

Jim

ADDITIONAL COMMENTS:

Process

"Giving the Divisions three days to respond to a draft document cannot be considered consultation with the Senate. The forwarding letter indicates that it has been vetted by UCORP. Regardless, vetting by UCORP is not the same as consultation with the Divisions. Many of us have been asking for months for clarity in how the fee allocation process would work and essentially there has been no response. Furthermore, without a historical context (e.g., a document outlining the size and use of the fee in the past and anticipated size of the fee in the future), it is impossible to offer much specificity in response. What is outlined is reasonable as a model for a mini-grant program (I participated in the reviews of proposals for a LANL-UCSD mini-grant program about 4 years ago). If the fee was sufficiently large, one might consider a much different approach that might include mini-grants, but establishing major institutes as well."

Content

"As a process for reviewing mini-grant proposals, the fee allocation document appears reasonable. Since the document indicates it is an 'Annual Allocation Process,' there is no indication that multi-year
allocations (pending availability of funds) are possible. This then implies that the scope of what will be proposed is much different than significant investments in multi-year collaborative projects. Personally, I think this type of project is not a good investment. All of us know that you wouldn't redirect a student for just a year unless the research proposed already was something you were working on anyway. Thus, there is very little 'new' that would result almost by definition. Thus, I feel explicit attention needs to be given to major, multi-year investments, with high strategic value for UC. Mini-grants, student travel grants to make use of lab facilities, etc., might be part of the mix but not the bulk of the investment. To me it looks like the entire thinking is to run a large mini-grant program focused on one-year projects."

"The document starts with equal weight on mission and collaboration: then the principles and criteria expand on collaboration and only mention mission in passing. The document starts with no mention of the strategic needs of the labs, introduces mutual benefit of labs and campuses in the principles, and then by the time it gets to criteria, drops the campuses, leaving only the 'strategic needs of the labs.'"

"There is a lack of clarity about the process: Do 'funding priorities' mean general types of activities or specific proposals received from faculty? Will the lab directors actually have a separate review process for proposals that will be parallel to the Academic Senate's? What criteria will be given to the review panels? If this money clearly belongs to UC, why do the lab directors get such a major say on what is done with it? Shouldn't the educational value to UC be the primary consideration? I'm glad to see some consideration for activities that are not necessarily collaborative but are on "topics aligned with the missions of the laboratories.""

Dear Members of the Academic Council:

Response Date: 5pm, Thursday, May 22, 2008 for those wishing to respond.

RE: Allocating Net Fee Income Received as Owner of LLCs Managing DOE National Laboratories

On behalf of Chair Brown and ACSCOLI Chair Croughan, please find attached a draft document summarizing the process for the allocation of net fee income that is received by UC as one owner of the LLC's managing the DOE National Laboratories.

ACSCOLI, UCORP and Chair Brown and Vice Chair Croughan, have reviewed and commented on the document. Due to a tight deadline, we are unable to schedule this item for action at the May Council meeting. Instead, members are asked to provide comments by no later than Thursday, May 22, so that the Chair and Vice Chair can respond to Vice President Beckwith with Council's comments. Also, some of you may remember that an RFP process should have been put in place last year and that the proposed process will be evaluated and open to future modification.

Please feel free to respond directly to the listserv or to Chair Brown and Vice Chair Croughan.

Cordially,
Maria

5/23/2008
21 May 2008

To: Jim Posakony, Chair, UCSD Division of the Academic Senate

From: Susan Shirk, IRPS; Henry Abarbanel, Physics/SIO; Eli Berman, Economics

Re: Use of Fees Received by UC as an owner of the LLC’s managing the Los Alamos and Livermore Laboratories

As faculty members associated with the multicampus research unit, the Institute on Global Conflict and Cooperation (IGCC), the issue of the use of laboratory related fees is of key interest to us. Since its founding 25 years ago IGCC has received its core funding from the predecessors of these lab fees. As the scholarly unit of the University of California dedicated to technical and policy research associated in a central manner with issues affecting the laboratories IGCC has built on this core funding to develop far reaching interdisciplinary programs involving faculty on all campuses and technical staff at both laboratories.

IGCC is the only multi-campus organization for LLNL and LANL to access the UC expertise related to national security issues. We have affiliated programs on every UC campus. If you want to find the social scientists to engage with on, say, terrorist networks, the North Korean nuclear program, China’s military modernization, or policy and technical issues associated with the future of civilian nuclear power, IGCC is the center of the action within the University of California. We also work actively with lab experts to develop collaborative interdisciplinary training and research programs on nuclear weapons, nuclear energy, nuclear forensics, regional security, terrorism, nonproliferation, and homeland security. We are currently expanding this cooperation to global environment and health issues, again across technical and social science policy disciplines.

We have had extensive conversations with VPR Beckwith on the guidelines for disbursing the lab fees and our comments are based partly on those productive discussions.

The lab fees in the past arrived at UCOP, when UC held the management contract for the labs (LANL and LLNL), and those fees were regarded as “belonging” to the labs for supporting science and technology there as well as for
stimulating lab/campus cooperation. In the LLC setting, those fees belong to UC alone, and it was the view of the Regents that the fees be spent to support UC’s basis for participating in the LLC managing the labs.

The previous Academic Senate discussions of these fees, primarily in the Academic Council Special Committee for the Labs (ACSCONL) from 2003-2007 centered around the idea that it was the entire University of California that provided value to the labs in their national security role, not just UC’s engineering and natural science departments and research units, and we are pleased to see that recognition is acknowledged in the proposed Academic Council position.

In that view, a proper use of some part of the lab fee should be to support the faculty’s identification of scholarly efforts within UC that may not yet have counterparts at the laboratories. Moreover, the use of the fee should not be driven solely by decisions at the labs or in Washington in the use of the fees. In short, UC should take a leadership role with regard to the labs by seeking to enhance scholarly interests associated with national security concerns.

Most of the items in the “principles guiding fee allocation” in the Council’s draft memo address these views. We support the general thrust of these principles.

One missing item, in our view, is the recognition that the labs and the campuses have long-term mutual interests not satisfied by the dominant focus on “research collaborations,” which in discussions with the VPR appear to be limited to one to three year, relatively focused, projects. Those long-term interests are expressed, for example, in the two MRUs, IGCC and IGPP. The former has active branches on all ten UC campuses and steering committee members from the labs, while the latter has branches on many campuses and at the labs. Both have received funding through the lab fees, and both have created educational and research contributions of enormous value to UC, to the labs, and to the nation. In the case of IGCC, less than $1m in core funding from the lab management fees is leveraged to raise extramural funding, allowing us to run a $5m program on national security related topics. That program includes research, policy briefings in Washington, track II diplomatic efforts, grants to campus programs, and competitive, faculty-reviewed mini-grant programs for UC graduate students and faculty. These programs further science, educate, and train, and have the strong endorsement of our partners at the national laboratories, even though not all of them are collaborative.

We suggest, since the fees are now UC’s, that the faculty take a leadership role in looking at the long-term interests of scholarly activities on the campuses and at the labs that address, across disciplines, national security issues of importance both to the University, to the labs and to the nation. Some of these activities may occur at the campuses alone and perhaps lead to an interest or equivalent activity at the labs, and some may have an existing
correspondence within UC and the labs. A network of scholars and students collaborating on national security issues requires a stable administrative platform. Funding on a long term (5-10 year) basis, subject to competitive review, for a scholarly nexus between the labs and UC on national security is a creative use of the lab fees that allows UC to impressively fulfill its role --to provide intellectual leadership to the labs’ enterprise. That is the role accepted by the Regents through UC’s membership in the LLCs governing the labs. If UC does not boldly use the fees to support this role, we do not distinguish ourselves from the other LLC members or achieve the value an academic institution should bring in an association with the labs. We have a challenge and an opportunity to lead thinking on national security issues, in both their technical and policy aspects, that goes far beyond specific short-term research collaborations.

We anticipate that most of the lab fees will be allocated to specific short term collaborative scientific research projects. But we also believe that the faculty should insist that a small proportion of the fees be devoted to providing value above and beyond those specific collaborations in a manner that cannot be achieved by any of our LLC partners. However, if UC addresses only these short-term matters, it turns into a kind of UC-NSF and loses its important and distinctive role of translating the scholarship of its faculty into policy relevant ideas for how to enhance national security. It is in that faculty articulated educational and research vision that UC provides the foresight for which the NNSA/DOE selected it as part of the continuing laboratory management.

To achieve this leadership role, some part of the lab fees must support stable UC platforms on which long-term educational and research efforts can be built. IGCC has demonstrated that this is a viable approach, which reaps dividends in extramural funding. That platform should complement and help generate a coherent set of specific research programs identified year to year. Doing both would significantly enhance UC’s key role as a partner in the LANS and LLNS LLCs.

We can take from this set of guidelines, some specific suggestions for the Academic Council to consider:

1. Allocate a portion of the lab fees to be used for educational and research activities on the campuses related to the missions of the labs as well as to collaborative research. Do not necessarily favor one above the other. Both contribute to UC’s role in our association with the labs. Both involve the UC faculty in the role they excel at: research and education.

2. Use part of the lab fees to support long term (five year) funding to the multi-campus institutions that foster work directly related to the national security mission of the laboratories. Recognize that these organizational infrastructures
are essential for building teams of researchers across the campuses and with the labs.

3. Encourage interdisciplinary efforts and multi-campus efforts in addition to the important focused collaborative projects connecting lab staff and faculty.

In addition, clarify the actual review and decision process of the fee allocation. In the draft Academic Council memo it is not clear whether UC faculty maintain their leadership in the allocation process or if the lab directors’ priorities will dominate or if UCOP plays a dominant role. Make sure that the value of the programs to UC education and research is weighted most heavily, and assert the preeminent role of the faculty in selecting how research and education is implemented in the use of these fees.
To: Prof. J. Posakony, Chair, UCSD Division of the Academic Senate
From: Jean-Bernard Minster, IGPP/SIO
Re: Use of net fees received by UC as an owner of the LLC’s managing the Los Alamos and Livermore National Laboratories

May 22, 2008

I am a faculty member of IGPP at UCSD (Scripps Institution of Oceanography) and the former systemwide IGPP director (1994-2005). I have also served on the Science and Technology Panel of the President’s Council on the National Laboratories from 1996 until the Lab management was transferred to separate LLC’s, first at Los Alamos, and then at Livermore.

The use of fees generated for UC through management of the Labs is therefore of great interest to me. I have oft stated in various forums—including in particular the Academic Council—that under the new management model, the UC share of the fees should be managed by UC (as opposed to being returned to the Labs in the form of UCDRD funds—after all this is UC money!) These funds should be employed to nurture the half-century old collaboration between UC faculty, researchers, and Lab Technical Staff Members (TSM), with a focus on the special, often unique opportunities offered for education through this collaboration. I am therefore very supportive of the gist of the “principles” document.

Allow me, however, to delve into some details that should not be overlooked, and to request clarification of some aspects of the guidelines.

IGPP was created in 1946 by the Regents at UCLA. A branch was created at Scripps in 1960, and another at UCR in 1967. With the exception of the UC Observatories, IGPP is therefore the oldest of what is now known as UC Multi-campus Research Units (MRU). What is especially noteworthy, however, is that IGPP added branches at Los Alamos in 1980, and at Livermore in 1982. The Institute is thus the only MRU with formal branches at both National Labs. These branches continue to exist within the LLC management system, and continue to support collaborations with UC campuses to this day. With new branches at UCI and UCSC—recommended by our review committee in 1997—and other branches proposed and recommended at the remaining campuses by our review committee in 2005, IGPP offers an existing infrastructure for ongoing fruitful campus-Lab collaboration. This infrastructure has been spectacularly successful over the past quarter century, and the scientific results —from high pressure physics to cosmic ray observations, from accelerator mass spectrometry to global ocean circulation, and from treaty verification research to satellite remote sensing, from the use of NIF and CAMS at Livermore to the use of Milagro and the LANSCE at Los Alamos—are documented in thousands of publications. Over the past two decades, some 70 to 120 collaborative projects have been sponsored every year by IGPP at both Labs, supporting graduate students and post docs, many of whom have ultimately been hired by the Labs. IGPP at Los Alamos has also sponsored several decade-long workshop series that attracted experts from UC campuses and other research institutions worldwide, as well as the award-winning Summer of Applied Geophysics Experience (SAGE) educational program.

Thus, IGPP is perhaps the best structure in existence that UC has built over the years to foster practical campus-Lab collaborations. Its scope in the natural sciences is only matched by the scope of another MRU,
IGCC, in the social, political, and economic sciences. Both IGPP and IGCC have deep roots in the campuses and in the Labs. In the words of an anonymous supporter: “if these MRUs did not exist, we would have to invent them.”

The most visible intercampus and campus-Lab activity of IGPP has been funded since 1988 from the Complementary and Beneficial Activities (CBA) portion of the lab management fee, at a level that has remained within 10 percent of $500K / year for the past two decades (with the unfortunate result that on the average, fewer projects could be supported year after year). However, this UC contribution has been matched approximately 2:1 year-in year-out, by Lab funds and up to 3.5:1 in the mid-1990s. This lab contribution endures today because the program is strongly supported by Lab scientists and managers.

In view of this history, IGPP is arguably in a favorable position to compete for support under the new program for the use of fees. On the other hand, it must be pointed out that optimal support of graduate students is a multi-year endeavor. Most IGPP grants are for 3 years, funded a year at a time. Having to re-compete every 3 years for resources to continue such a program would introduce a level of uncertainty that makes program management much more difficult. Given that IGPP is reviewed every 5 years — as are all MRUs— I would argue that a 5-year cycle for the use of Lab net Fees to support programs such as those of IGPP and IGCC would make much more sense, insofar as the renewal process could then be synchronized with the quinquennial reviews of the MRU.

This brings me to several specific comments on the Draft:

- It is essential to make a distinction between proposals and programs. Proposals will typically deal with specific research endeavors, often quite disciplinary in nature. A 3-year proposal cycle is a commonly accepted time frame by most US funding agencies. Programs, on the other hand, are multidisciplinary in nature, and consist of a variety of research efforts. The time scales associated with programs should, by nature, be longer. Most US funding agencies that support research programs tend to use a 5-year cycle, with 5 year renewal upon review. This is precisely how UC manages MRUS such as IGPP and IGCC.
- The document should recognize explicitly the option—desirable in my view—of making best use of existing structures, particularly when they already include a presence at the Labs. I expect that improvements could be made. A recommendation from UC management that existing programs should improve their coordination, both on campuses and at the Labs, would most likely be well received.
- The second bullet under “Principles Guiding Fee Allocation” is worded in a rather opaque way. I assume that what is meant is intercampus collaborations that are of strategic interest to the Labs and to national priorities. But the wording could accommodate non-UC campuses and even non-educational entities.
- The first paragraph under “Annual Allocation Process” should be clarified: are we talking about an Annual RFP? If so, what should happen to 3-year proposals—and 5-year programs—when UC is faced with a lean year?
- Would the yearly allocation be “all-purpose” or would the RFP state a set of “priorities of the year”?
- Again, in paragraph (2) would priorities be set prior to requesting proposals, or would they be set ex post facto in response to proposal reviews?
- In paragraph (3) there is a confusing mix of “programs” and “proposals” that should be clarified.
- Throughout the document, mention is made of “ladder faculty” and “Lab researchers;” Does this mean that UC employees in the research series are not allowed to propose? (Since this would be nonsensical, I expect that the clarification could be “ladder and research faculty.”)

Thanks for giving me the opportunity to comment on this document.