

**Compromise Amendment to the resolutions¹ before the Academic Senate,
which concern the Energy Biosciences Institute. April 19, 2007**

Resolution A. Whereas the public mission of the University of California, Berkeley, mandates the highest standards of scholarly integrity and transparency, particularly in regard to its relationships with sources of private funding, and given the position of the Systemwide Academic Senate on this issue,

Be it resolved, cognizant of the memorial passed and ratified by the Systemwide Academic Senate in 2006², that the Academic Senate instruct the Chair of the Berkeley Division to advise the Chancellor that grave issues of academic freedom would be raised if the campus were to deviate from the principle that no unit of the University, whether by faculty vote or administrative decision, has the authority to prevent a faculty member from accepting external research funding based solely on the source of funds. Policies such as the faculty code of conduct are already in place on our campus to uphold the highest standards and integrity of research. The Academic Senate believes that any intervention on the basis of assumptions about the moral or political standing of the donor is unwarranted.

Resolution B. Whereas the proposed partnership between BP and the University of California, Berkeley raises concerns about appointments and the allocation of resources,

Be it resolved that the Academic Senate instruct the Chair of the Berkeley Division to advise the Chancellor that an adequately supported committee³ composed of four members of the Academic Senate, the chairs of the Budget Committee, the Committee on Research, the Committee on Academic Planning and Resource Allocation, and the Committee on Academic Freedom, be constituted to serve in an advisory capacity to the chancellor in the initiation and oversight of the Energy Biosciences Institute and similar future endeavors.

1. Notice of a special meeting of the Academic Senate, April 19, 2007 with resolutions concerning university agreements (http://academic-senate.berkeley.edu/meetings/documents/Div_SpecialMtg_0407.pdf).

2. Memorial passed by the Systemwide Academic Council on September 27, 2006 and ratified by the Assembly on October 11, 2006. (<http://www.universityofcalifornia.edu/senate/assembly/oct2006/research%20funding.11.06.pdf>)

“The Academic Council instructs the Chair of the Council to advise the President that grave issues of academic freedom would be raised if the Regents were to deviate from the principle that no unit of the University, whether by faculty vote or administrative decision, has the authority to prevent a faculty member from accepting external research funding based solely on the source of funds. Policies such as the faculty code of conduct are already in place on all campuses to uphold the highest standards and integrity of research. The Academic Council believes that the Regental intervention on the basis of assumptions about the moral or political standing of the donor is unwarranted.”

3. Excerpt from the memo of W. Drummond, Chair, Berkeley Division of the Academic Senate, emailed on March 21, 2007. (http://academic-senate.berkeley.edu/EBI_chron.pdf), itself derived from the aforementioned resolutions.

“Following the announcement of February 1, the nature of consultations with the Senate changed. Negotiations got underway to create a contract to operationalize the EBI. On March 20, VCR Burnside advised me that the chairs of the Budget Committee, the Committee on Research, the Committee on Academic Planning and Resource Allocation, and the Committee on Academic Freedom had been invited to participate in the negotiation of the contract for the EBI agreement with BP. She asked that DIVCO entrust these chairs to provide confidential input to the negotiations. Once the contract was signed, they would be released from a pledge of confidentiality.”