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<http://stopBP-Berkeley.org>  
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## **A First Look at the Finalized BP/Berkeley Deal**

In anticipation of public pressure, the University of California, Berkeley has published what it claims is the "full text of the Master Agreement" it has signed with the immense oil corporation BP today. This deal inaugurates a ten-year partnership between BP (formerly British Petroleum) and UC Berkeley, along with the University of Illinois at Urbana-Champaign and the Lawrence Berkeley National Laboratory, creating an Energy Biosciences Institute (EBI) to develop marketable energy technologies based on genetic engineering technology.

While it remains to be seen whether this is in fact the complete agreement — the proposal that led to this deal was kept secret until it was leaked to the press, and then was published by the university in censored form, with large sections invisibly omitted — what is published is more than enough to confirm EBI opponents' fears.

The agreement text, released online at [http://www.berkeley.edu/news/media/releases/2007/11/14\\_ebisigning.shtml](http://www.berkeley.edu/news/media/releases/2007/11/14_ebisigning.shtml), does not include any mention of "the public interest" or "the public good". It does not even pay lip service to any sort of public accountability or transparency — except where it states that "No notice of any such [Governance Board] meetings [is] required." (p.6)

Under this agreement, UC Berkeley invites scientists and engineers who work solely for BP (formerly British Petroleum) to work in the new EBI building in Berkeley on secret, proprietary research for BP's eyes only. These researchers will have access to researchers working on publicly funded, open research, as well as the university researchers funded by the BP project. The agreement's text tells us that "[The Proprietary Component] shall be operated under the sole control and discretion of BP." (p. 4)

Professor Chris Somerville, who is being hired away from Stanford to head the institute, bypassing the normal tenure process, will "be familiar with certain BP Confidential Information ... to ensure that such plans are consistent with the commercial goals... of the Partners" (i.e. BP).

The Governance Board will have 4 members from BP and 4 members from the other institutions, and will approve the budget and overall direction. The Executive Committee (which will determine which projects are funded) will initially have 2 members from BP, 3 members from other institutions, and require a 2/3 majority (i.e. 4 out of 5 votes) to do anything. Any changes to this structure must be approved by the Governance Board. So BP has veto power at both levels, and can not be overridden.

There is one bright spot in the agreement, though: if Berkeley were to "reasonably determine that continued association with EBI was not in accord with its fundamental principles, then ... within 180 days... Berkeley may terminate this Agreement... effective upon receipt."