As there is a new Secretary of the Faculty general remarks regarding FCR preface this annual report.

Preface

The Faculty Council on Research (FCR) is one of twelve advisory bodies to the Faculty Senate and is responsible to the Senate Executive Committee (University Handbook Vol. 2, Part 4, Chapter 42, Sec. 42-31). The FCR serves as the deliberative and advisory body for all matters of University policy relating to research and is the primary forum for faculty-administrative interaction in determining that policy (University Handbook Vol. 2, Part 4, Chapter 42, Secs. 42-31 and 42-37). One of our weightier responsibilities deals with Classified, Proprietary and Restricted Research (University Handbook Vol. 4, Part II: University Research, Chapter 1: Classified and Proprietary Research). The FCR does not have general oversight responsibility for University policy on the protection of human subjects, which is the responsibility of the Research Advisory Board (University Handbook Vol. 4, Part 2, Chapter 2, Sec. 7).

Representation and Liaison:

1. An FCR member is appointed by the Provost for Research (Craig Hogan) to the Human Subjects Policy Board.
2. The current FCR Chair is a member of the Research Advisory Board.
3. The FCR Chair is a member of the Senate Executive Committee.
4. The FCR Chair is an ex officio voting member of the Senate.
5. The FCR Chair is an ex officio member of the Intellectual Property Advisory Management Committee (IPMAC).
6. An FCR member participates on the Export Control Committee (currently the Chair).
7. There is supposed to be (according to University Handbook Vol. 6, Part 1, Administrative Committees and Boards) FCR representation on the Board of Environmental Health and Safety, appointed by the Executive Director, Health Sciences Administration (John Coulter). According to John Coulter, the Board of Environmental Health and Safety has not met for several years and may be dissolved.

Annual Report

FCR Chair passed from H. Asuman Kiyak (Professor, Oral & Maxillofacial Surgery) to Brent K. Stewart (Professor, Radiology). Cathryn Booth-LaForce (Professor, Family and Child Nursing) kindly volunteered to serve as Vice-Chair. According to FCR vote, it was decided that, if at all possible, the Chair serves for a two-year term with the Vice-Chair succeeding the Chair. Professors Stewart and Booth-LaForce will continue, respectively, as Chair and Vice-Chair for the 2005/2006 academic year.

The primary activities of the FCR during the past year may be grouped into the following categories:

1. Changes to the University Handbook. Many months after its approval by the FCR and the Senate Executive Committee, President Emmert signed on 8 June 2005 the revision of the University Handbook, Volume 4, Part II (University Research), Chapter 1, Sections 1-3, entitled: “Classified, Proprietary and Restricted Research.” The policy reinforces the UW's commitment to an open academic environment that fosters intellectual creativity, freedom, and the open dissemination of research results. It also expands the previous charter of the FCR from classified research to add the proprietary and restricted research designations. Restrictions on research, for example the post 9/11 “sensitive but unclassified (SBU)” designation, attempt to place limits on publication, access and who may participate in such research. The FCR voted at the 20 May 2004 meeting (Prof. Kiyak, Chair) to refuse SBU language in pending grants and contracts accepted by the UW. Newly proposed export control language from the Department of Commerce is also seeking to place limits on the same (see section 5 below).

2. Human Subjects Division (HSD). FCR discussed the HSD at both the 1 November 2004 and 6 May 2005 meetings. The former was a presentation by Helen McGough, HSD Director and Prof. Karen
Moe, HSD Assistant Director on improvements and process streamlining for proposals to greatly reduce turn-around time. The Human Subjects Policy Board, comprised of representatives from across campus (including a faculty member of FCR), has been formed to help review where improvements in HSD processes can be achieved. A new electronic process (UWise) developed by Office of Research Information Services should speed the tracking and review of applications. Some reviews will be outsourced to Western IRB (Olympia). These changes have been made as in response to concerns voiced by researchers, by the Research Advisory Board and by FCR at previous meetings.

The Office of Human Research Protections (OHRP) made a visit to UW HSD in late February 2005 and cited seven findings and seven concerns. FCR discussed at the 6 May 2005 meeting these findings and concerns. Many, but not all, of these findings were processes that have been in place for many years, were agreeable to previous interpretations of the rules by OHRP and were put in place to help streamline the application review process (which most researchers believe is still too slow). The changes requested by OHRP will slow down the review process as it currently stands. FCR understands that short of a large-scale reorganization of HSD processes (which Prof. Moe is working on), more funding is required to solve the turn-around problem in the short-term. Considering the large number of requests for ICR funds this year and limited resources, FCR placed a high-priority for this year’s HSD budget requests, but it is unknown at this point where the $ will fall.

Office of Research. FCR greatly appreciates the continued participation and support of the Office of Research (Vice Provost Hogan and Associate Vice Provost Parks). FCR greatly appreciates the opportunity to weigh-in regarding institutional research statements and positions made by President Emmert’s office and the Office of Research, for example the NIH Open Access Policy and a letter for state legislative activities regarding stem cell research. Also, thanks for helping moving the above changes to the University Handbook through Executive Order. A big thanks to Barbara Perry (Associate Vice President/Federal Relations) for her excellent biweekly Federal Report.

Regional Bio-Containment Laboratory (RBL). FCR met on 4 February 2005 with Profs. Albert Berger (Vice Dean, School of Medicine) and Samuel Miller (Director, WWAMI Research Center of Excellence in Biodefense and Emerging Infectious Diseases), as well as Karen Van Dusen (Director, Environmental Health and Safety) in response to the unexpected news that UW had submitted a grant to the National Institute of Allergy and Infectious Diseases (NIAID) to build a Level 3 Regional Bio-Containment Laboratory on the UW campus without any advance warning to the campus or community at large (some UW administrators and community leaders, e.g., Mayor Nickels had approved the submission of the application). There are already 23 BL-3 (biohazard level 3) laboratories scattered throughout campus (mostly in the health sciences complex) and the NIAID proposal is just for BL-3 (no BL-4 labs). The current BL-3 and BL-2 labs are already under the scrutiny of the UW Institutional Biosafety Committee. The main issue was the absence of advanced notice on campus and lack of public outreach to the local community. President Emmert empanelled a joint Faculty Senate/Provost RBL siting committee to examine the proposed on-site location as well as alternate on- and off-site locations. Although President Emmert was to present the finding at the June Regents meeting, a decision on this matter has been deferred to late summer of early autumn.

Export Control Issues. Export controls are Federal laws restricting the flow of certain materials, devices and technical information to foreign countries and to foreign nationals residing in the US. Three are of particular concern: ITAR (International Traffic in Arms Regulations), EAR (Export Administration Regulations (EAR) and pending proposed changes by the US Commerce Department’s Bureau of Industry and Security (BIS) that will affect the “deemed” export rule under which “releases” of technology or source code software to a foreign national are deemed to be exports. Both EAR and ITAR include language that exempts “fundamental research” if we aren’t exporting the actual technologies, can freely present or publish the research and, in the case of federally funded work, there are no access restrictions. However, the proposed BIS language goes much farther, basing the deemed export licensing requirement on a foreign national’s country of birth, declaring that the fundamental research exception does not apply to technology for the use of equipment or software necessary to conduct such research and the fundamental research exception does not apply to US government funded research subject to specific contractual national security controls, regardless of whether the export is consistent within the specific controls. FCR voiced
approval of the proposed institutional response (due June 26) to reject the new BiS language. The Export Control Committee has approved changes to the eGC-1 to assist the Office of Sponsored Programs (OSP) in helping principle investigators with export control issues.

6. Declining International Graduate Student Enrollment. David Fenner (Assistant Vice Provost for International Education) visited FCR on 4 March 2005 to discuss reasons for the decline in international graduate student enrollments. A survey by the Council of Graduate Schools concluded that “following a decade of steady growth, the number of first-time international graduate students studying in the U.S. decreased between 6 and 10% for three consecutive years.” Graduate education around the world is seeing more grad students sticking closer to home, partially as a result of increased recruiting by other countries and partially as a result of increased barriers to recruitment in the US post-9/11. Graduate student applications to UW fell by almost half from the previous year (1800 in 2003 versus 1100 in 2004) and although almost the same number of foreign graduate students was admitted, the base from which to select and theoretically the quality of graduate students declined markedly.

7. Recommendations on Classified Research Proposals. Prof. Kiyak (Chair, Classified, Proprietary and Restricted Research subcommittee) reported at the 4 February 2005 meeting that her subcommittee reviewed proposals from the Applied Physics Laboratory (Robert Miyamoto) and recommended that they be approved by FCR. The proposals were unanimously approved by FCR, with 15 yes votes received.

8. Our Thanks and Welcome. We would like to thank outgoing FCR members Ross Heath, Mehmet Sarikaya and Stewart Tolnay for their sacrifice of time and energy in participating on this and past years FCR. You have our esteem and gratitude. We would also like to welcome incoming FCR members for 2005-2006 David Fluharty (Associate Professor, Marine Affairs), Mark Haselkorn (Professor, Technical Communication) and Richard Wright (Associate Professor Linguistics).

FCR Members 2004-2005:

- **Faculty**: Greg Benner (Education, Tacoma), Cathryn Booth-La Force (Nursing – Vice Chair), B. Robert Franza (Bioengineering), Francoise Haeseleer (Ophthalmology), Ross Heath (Oceanography), H. Asuman Kiyak (Dentistry), Subodha Kumar (Management Science), Gerald Miller (Physics), Diane Morrison (Social Work), John Rasmussen (Arts and Sciences, Bothell), Mehmet Sarikaya (Materials Science and Engineering), Brent K. Stewart (Radiology – Chair), Stewart Tolnay (Sociology), Daniel Vogt (Forest Resources).
- **Voting Ex-Officio**: Suzette Ashby-Larrabee (PSO Representative), Theresa Barker, GPSS Representative, Jon Blake (ALUW Representative), Sam Dworkin (Emeritus Faculty), Corey Fredericks (ASUW Representative), Gail Stygall (Legislative Representative).
- **Non-voting Ex-Officio**: Susan Camber (Associate Controller, Research Accounting and Analysis), Craig Hogan (Vice Provost for Research), Kerry Kahl (Director, Purchasing and Stores), Malcolm Parks (Associate Vice Provost for Research), Carol Zuiches (Assistant Vice Provost for Research, Office of Sponsored Programs).