



OFFICE OF THE PRESIDENT

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THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

In August, you received a letter from the State Tobacco Education and Research Oversight Committee commending the UC Berkeley School of Public Health for “banning the use of tobacco industry funding for research,” and urging the Board of Regents to adopt a systemwide policy banning the use of tobacco industry funding for research. While people may differ in their views about the appropriateness of accepting research funding from the tobacco industry, I believe that it is the fundamental right of faculty to accept such funding.

Legitimate concerns have been raised about the health effects of tobacco and about the corporate actions of some tobacco companies. Accordingly, many individual faculty members have chosen not to pursue tobacco industry funding. While many researchers may choose to avoid tobacco funding, an institutional policy prohibiting faculty from accepting funding from a particular source based on moral or political judgments about the fund source or based on speculations about how the research results might be used would be a violation of the faculty’s academic freedom. The Academic Senate agrees with this position and, on July 21, 2004, passed a resolution setting out the issue and its position in more detail. I enclose a copy of that resolution for your information.

“Resolution on Research Funding Sources” was passed in response to restrictions that some sought to impose on acceptance of tobacco funding, but was not exclusive to that one source or issue. Indeed, it is worth noting that there are a number of other industries, e.g., manufacturers of alcohol, pharmaceuticals, firearms, whose corporate behavior may be objectionable to some groups. It is important to adopt a consistent policy that can be applied broadly to all types of industry funding.

I endorse the Academic Council’s Resolution, which states in part that:

The principles of academic freedom and the policies of the University of California require that individual faculty members be free to accept or refuse research support from any source, consistent with their individual judgment and conscience and with University policy. Therefore, no unit of the University should be directed (by faculty vote or administrative decision) to refuse to process, accept, or administer a research award based on the source of the funds; and no special encumbrances should be placed on a faculty member’s ability to solicit or accept awards based on the source of the funds.

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I plan to work with the Academic Senate to apprise the campuses of the joint Administration and Senate view that individual campuses, schools, departments, and centers may not prohibit faculty from accepting research funding from a particular source, as long as the funding is otherwise in compliance with University policy (for example, as long as it does not contain publication restrictions or unacceptable business terms), and that no unit should be directed to refuse to process, accept, or administer a research award based on the source of the funds.

Finally, I would urge caution about adopting a view that the University should accept industry research funding only from those companies whose corporate goals we support. As a practical matter, distinguishing between different degrees of potentially objectionable corporate behavior could be an almost impossible task. But more fundamentally, we should reject the notion that accepting funding from a corporate sponsor implies endorsement of the corporate sponsor's behavior. Regardless of funding source, UC faculty are obligated to adhere to the highest ethical standards of intellectual honesty and integrity in research. While sponsors may have a variety of motivations in funding research, as long as a grant has no conditions that would prevent researchers from adhering to their obligation to engage in intellectually honest research and to release the results of such research, the sponsor's motivations should not preclude acceptance of funding from that sponsor.

Sincerely,

/s/ Robert C. Dynes

Robert C. Dynes

Enclosure

cc: Chancellors
Laboratory Directors
Academic Council Chair Blumenthal

**Resolution of the Academic Council
Restrictions on Research Funding Sources**

**Submitted by the University Committee on Research Policy;
Adopted by the Academic Council July 21, 2004**

Whereas, Freedom of inquiry is a fundamental principle of the University of California; and

Whereas, The University of California faculty code of conduct requires that “[Professors] respect and defend the free inquiry of associates”; and

Whereas, The University of California policy on academic freedom requires that scholarship be judged solely by reference to professional standards, and that researchers “must form their point of view by applying professional standards of inquiry rather than by succumbing to external and illegitimate incentives such as monetary gain or political coercion”; and

Whereas, The University of California has existing policies that encourage the highest ethical standards in the conduct of research, require disclosure of conflicts of interest, guarantee the freedom of publication, and prevent misuse of the University's name; and

Whereas, Restrictions on accepting research funding from particular sources on the basis of moral or political judgments about the fund source or the propriety of the research, or because of speculations about how the research results might be used, interfere with an individual faculty member's freedom to define and carry out a research program; and

Whereas, No Committee, Faculty, or Division of the Academic Senate of the University of California has the plenary authority either to set aside the principles of academic freedom or to establish policies on the acceptance of research funding; now, therefore, be it

Resolved, That the principles of academic freedom and the policies of the University of California require that individual faculty members be free to accept or refuse research support from any source, consistent with their individual judgment and conscience and with University policy. Therefore, no unit of the University should be directed (by faculty vote or administrative decision) to refuse to process, accept, or administer a research award based on the source of the funds; and no special encumbrances should be placed on a faculty member's ability to solicit or accept awards based on the source of the funds.

ATTACHMENT

Current Active Awards to UC campuses from Tobacco-Related Companies

	Sponsor	Award Title	Campus	Award Period	Award Amount
2006	PHILIP MORRIS U.S.A.	SALIVARY BIOMARKERS FOR EARLY ORAL CANCER DETECTION	Los Angeles	March 1, 2006 - February 28, 2007	\$250,000.00
2005	PHILIP MORRIS U.S.A.	ROLE OF SNON ONCOPROTEIN IN LUNG CARCINOGENESIS	Berkeley	January 1, 2005 - December 31, 2007	\$328,732.00
2004	PHILIP MORRIS U.S.A.	TOBACCO OXIDANTS PROLONG EGF RECEPTOR SIGNALING IN THE LUNG	Davis	April 1, 2004 - December 31, 2006	\$455,526.00
2002	PHILIP MORRIS U.S.A.	MEASUREMENT OF VASCULAR PO2 IN PERIPHERAL TISSUE IN VIVO	Davis	October 1, 2002 - October 31, 2006	\$882,856.00
					\$1,917,114.00

*We do not maintain a comprehensive list of "tobacco companies" (some companies, like RJ Reynolds and British American Tobacco, are readily identified as "tobacco companies", others, like Kraft Foods, have a number of divisions which may include tobacco among other products). However, we are aware that there are companies that have in the past been identified with the tobacco industry; this table shows active awards from companies that we know to be, or to have been, tobacco-related.