



*Office of the Associate Vice President  
for Administration/Finance*

May 8, 2006

The Sunshine Project  
P.O. Box 41987  
Austin, Texas 78704  
Attn: Edward H. Hammond, Director

Re: FOIL Request – Minutes of all meetings of the State University of New York, Stony Brook Institutional Biosafety Committee (IBC) since May 1, 2003

Dear Mr. Hammond:

This will supplement our initial response to you dated April 26, 2006. Your request falls under the New York State Freedom of Information Law (FOIL). Attached are the documents we have identified that are responsive to your request which have been redacted consistent with applicable FOIL exemptions under POL §87 (2)(g), non-official intra-agency materials which do not fall into our four FOIL exemptions to the exemption.

Should you wish to appeal this decision you may send a written appeal to:

Stacey Hengsterman  
FOIL Appeals Officer  
SUNY T-11  
State University Plaza  
Albany, NY 12246

Very truly yours,

A handwritten signature in black ink that reads "Karol Kain Gray". The signature is written in a cursive, flowing style.

Karol Kain Gray  
Records Access Officer

**Institutional Biosafety Committee  
Minutes of Meeting Held  
May 6, 2003**

In attendance: Dr. Bauer, Ms. Auletta, Dr. Hubert, Mr. Marshall, Ms. Kotlas, Dr. Bliska, Mr. Robert Holthausen (guest), Ms. Matuk (NV: ex officio)

Unable to attend: Dr. Friemuth, Dr. Taichman, Mr. Kaczmarczyk

Meeting Commenced 10:30 am

**I. Minutes from January 2003 meeting: approved**

**II. Review of Applications**

2003-209          Davis

Deferred

1. Applicable to section D.1.a.
2. No project summary was provided.
3. PI must address biological containment.

2003-210          Domenico

Deferred

1. Applicable to section D.1.a.
2. No project summary was provided.
3. PI must address vector.

2003-211          Benach

All strains are exempt, hosts are at BSL3.  
Approved as written (w/ Dr. Bliska abstaining)

### III. Discussion

Meeting adjourned 11:50 am

**Institutional Biosafety Committee  
Minutes of Meeting Held  
November 11, 2003**

**In attendance:** Mr. Holthausen, Mr. Marshall, Dr. Hubert, Ms. Kotlas, Dr. Bliska, Dr. Bauer, Ms. Matuk (NV: ex officio)

**Unable to attend:** Dr. Friemuth, Dr. Taichman,

**Meeting Commenced 10:05 am**

**I. Minutes from May 2003 meeting: approved**

**II. Review of Applications**

**2003-209          Davis**  
**Modifications**

- 1. Dr. Kazzaz must e-mail Ms Matuk (on behalf of the IBC) regarding his concurrence to collaborate with you on this study. He must confirm that he has the experience/qualifications to conduct the rDNA activities described in this application.**
- 2. PI must confirm that he understands that approval from Winthrop's IBC is required prior to commencement of this activity.**

**2003-210          Domenico**  
**Exemption F.6 confirmed via clarification from submitted project description.**

**2003-214          Mackow**  
**a) PI must identify the location where the rDNA activities will be conducted. Mr. Holthausen should be copied on the response so that he can inspect the facility. Mr. Holthausen will e-mail Ms. Matuk with findings once inspection has been completed.**

b) Note that the following experiment categories were deemed correct with respect to the activities described in your application: D.3.b., D.2.a., E.1. Biological containment is HV2. This will be noted on the application once approved.

2003-215        Grollman  
Exemption F.2

2003-216        Rollo  
Modifications (Final Reviewers: all members)  
a) PI to identify the location where the rDNA activities will be conducted. If VA, PI must confirm understanding that the VA IBC must review and approve the study as well.  
b) PI to submit CV, with a narrative describing prior hands-on experience with rDNA.  
c) Note that biological containment is HV2.

2003-219        Hadjiargyrou  
Modifications (final reviewers: all members)  
a) What is the viral vector to be used for this study?  
b) PI to submit CV, with a narrative describing prior hands-on experience with rDNA.  
c) PI to provide the abstract to the grant described in the application (states externally funded')

2004-081        Tsirka  
Approved, E.1  
Note:  
-Simbis is RG2  
-BL2, HV2

Discussion:

Meeting adjourned 11:02am

**Institutional Biosafety Committee  
Minutes of Meeting Held  
August 26, 2004**

**In attendance:** Mr. Holthausen, Mr. Marshall, Dr. Hubert, Dr. Bliska, Dr. Bauer, Ms. Matuk (NV: ex officio)

**Unable to attend:** Dr. Friemuth, Dr. Taichman, Ms. Auletta

**Meeting Commenced 1:03 pm**

**Committee noted that Ms. Kotlas was leaving the Institution, and requested that Dr. Habicht appoint Mr. Gary Kaczmarczyk to the committee as soon as possible.**

**I. Minutes from November 2003 meeting: approved**

**II. Review of Applications**

2004-228      Jeffrey Pessin  
**Project Title:**    Intracellular Signaling by the Insulin Receptor  
                                 Kinase  
**Exemption confirmed**

2004-227      Jane Hou  
**Project Title:**    A Role of p120 in the Regulation of Insulin  
                                 Stimulated GLUT4 Translocation  
**Exempt confirmed**

**III. Discussion**

**Meeting adjourned 1:30PM**

**Institutional Biosafety Committee  
Minutes of Meeting Held  
April 22, 2005**

**In attendance:** Mr. Holthausen, Dr. Hubert, Dr. Bliska, Dr. Bauer, Dr. Taichman, Ms. Auletta, Mr. Kaczmarczyk, Ms. Matuk (NV: ex officio), Ms. Johnson (Guest)

**Unable to attend:** Mr. Marshall, Friemuth

**Meeting Commenced 1:35 pm.** Committee welcomed Mr. Kaczmarczyk, Director of EH&S as a new IBC member.

Ms. Matuk discussed the latest information regarding The Sunshine Project, i.e., their complaint to OBA regarding our response to their request for IBC minutes, OBA's letter to SBU, and SBU's response to OBA.

**I. Minutes from August 2004 meeting:** Not available

**II. Review of Applications**

2005-032      James Bliska (left the room during deliberation and vote)

Approved, with the condition that individuals named on the IBC application complete EH&S training prior to involvement with the study.

2005-060      Gail Mandel  
Approved

PI must verify BSC class for biosafety cabinet and provide documentation that the certificate for the cabinet is current.

2005-063      Deborah Brown

**Modifications Required:**

1. All personnel must undergo required annual EH&S training. PI must contact Mr. Robert Holthausen (2-6410, or on notes) for

details.

2. The biosafety carbinet must be recertified prior to commencement of the activity.
3. Section F.14; Physical containment level must be revised to BSL2 containment due to involvement of adenovirus.
4. Section G: this activity does not qualify for exemption, as it involves adenovirus.
5. Section F.5: Activity is Risk Group 2 (not 1 and 2)

2005-076          Citovsky

Exemption Categories F3, 4, 6

Please note:

1. Personnel experience must include number of year's experience.
2. Biosafety cabinet is not required for this work, but if it is used, BSC class must be provided, and it must be certified in order to ensure personnel protection.

2005-142          Masaaki Moriya

Approved

Please note: Biosafety cabinet certification is out of date.  
Recertification is required .

2005-151          Aaron Neiman

Approved

2005-183          James Bliska (left the room during deliberation  
and vote)

Approved

2005-184          Siamak Tabibzadeh

Modifications Required

1. Section A; under experience for all personnel, the # of years experience must be provided.
2. Section F.14 must be revised to reflect BSL2 physical containment, due to use of adenovirus and retrovirus.

3. Section G: Study does not qualify for exemption.
4. Section F.5, should be revised to indicate an RG2 risk group.
5. PI and personnel must undergo required annual EH&S training.  
PI must contact Mr. Robert Holthausen for details.

2005-231      Gary Matthews  
Exemption under category F2

2005-233   Peter Tonge  
Approved

### **III. Discussion**

**Meeting adjourned 3:05PM**

**Stony Brook University  
Institutional Biosafety Committee  
Minutes of Meeting Held  
July 20, 2005**

**In attendance:** Dr. Bauer, Dr. Bliska, Ms. Auletta, Mr. Hubert, Mr. Marshall, Dr. Taichman, Mr. Holthausen

**Unable to Attend:** Dr. Freimuth, Mr. Kaczmarczyk

**Meeting commenced 12:12 pm**

- 1. Committee noted that Ms. Auletta will be an employee of SBU effective August 8, 2005, and though continuing to serve on the IBC, will no longer be considered as a community member.**
- 2. Committee approved IBC minutes from Meetings held August 26, 2004, and April 22, 2005.**
- 3. Review of Applications:**

**NOTE:**

- Materials submitted for review include a completed IBC application (<http://www.stonybrook.edu/research/forms/campus/05ibcapp.doc>), and a project summary from the associated grant that supports the activity.**
- No IBC member takes part in the review of a study in which there is a real or possibility of perceived conflict.**

**2005-013          Patrick Hearing**

**Project Title:      Adenovirus as a Vector for Gene Therapy...**

**IBC reviewed the grant summary and IBC application for all details concerning the rDNA activity including but not limited to, e.g., laboratory specifications (including current biosafety cabinet certification), vectors to be used, helper virus (if applicable), DNA to be inserted, origin and source of the DNA to be inserted, Host-vector system, biological and physical containments etc. and determined that the study may be:**

**APPROVED          7 yea          0 nay          0 abstain**

**With the provision that all staff undergo required annual training through the Department of Environmental Health and Safety (course ELS 003; [www.sunysb.edu/ehs/lab/labsafe.shtml](http://www.sunysb.edu/ehs/lab/labsafe.shtml)) prior to participation in the research activity.**

2005-053      Nicole Sampson

Project Title:    Protein Interactions in Fertilization...

IBC reviewed the grant summary and IBC application for all details concerning the rDNA activity including but not limited to, e.g., laboratory specifications (including current biosafety cabinet certification), vectors to be used, helper virus (if applicable), DNA to be inserted, origin and source of the DNA to be inserted, Host-vector system, biological and physical containments etc. and determined that the study may be:

APPROVED      7 yea      0 nay      0 abstain

Please note:

- 1) Projects A and C are exempt.
- 2) Project B is approved, at RG 3 (the use of *Mycobacterium tuberculosis* and potential for aerosolization) and BSL 2.
- 3) All personnel except Sunjong Kwak must undergo biohazard training through the Department of Environmental Health and Safety (course ELS 003; [www.sunysb.edu/ehs/lab/labsafe.shtml](http://www.sunysb.edu/ehs/lab/labsafe.shtml)) prior to participation in the research activity.

2005-074      Craig Malbon

Project Title:    Structure and Biology of Beta-Adrenergic Receptors...

IBC reviewed the grant summary and IBC application for all details concerning the rDNA activity including but not limited to, e.g., laboratory specifications (including current biosafety cabinet certification), vectors to be used, helper virus (if applicable), DNA to be inserted, origin and source of the DNA to be inserted, Host-vector system, biological and physical containments etc. and determined that the study had:

Modifications Required: 7 yea      0 nay      0 abstain

**PI answer to be sent for final review to all IBC members by e-mail.**

1. Answer to Question F.3 must be more specific
2. Question #4 must be answered.
3. PI to indicate why he believed this application required approval from the IBC (i.e., and not qualify for exemption).

2005-123      Hermann Schindelin

Project Title:    The Molybdenum Cofactor...

IBC reviewed the grant summary and IBC application for all details concerning the rDNA activity including but not limited to, e.g., laboratory specifications (including current biosafety cabinet certification), vectors to be used, helper virus (if applicable), DNA to be inserted, origin and source of the DNA to be inserted, Host-vector system, biological and physical containments etc. and determined that the study had:

Modifications Required: 7 yea      0 nay      0 abstain

*IBC notes that the DNA as used in the protocol is inert DNA derived from BSL 2 and 3 organisms. Noted as well is the fact that greater than 10 liters of culture will be involved.*

1. Question F.5: Although the answer is 'yes', PI must continue to specify 'Human', and Risk Group 2 and 3 are relevant to the proposed work.
2. Question F.7.A.: the answer is 'yes, and the select agent is 'Y. Pestis'.
3. Section G: Experiment category is unchecked (should be last box, i.e., ...your protocol does not fit into a sub-category listed above')
4. Due to PI's use of Y. Pestis, the study should be conducted at BSL2 containment (F14). Therefore, all employees listed on the IBC application must undergo annual biohazard training through Department of Environmental Health and Safety (course ELS 003; [www.sunysb.edu/ehs/lab/labsafe.shtml](http://www.sunysb.edu/ehs/lab/labsafe.shtml)) prior to participation in the research activity.

2005-145            David Thanassi

Project Title:     Structure and Function of the Pilus Usher...

IBC reviewed the grant summary and IBC application for all details concerning the rDNA activity including but not limited to, e.g., laboratory specifications (including current biosafety cabinet certification), vectors to be used, helper virus (if applicable), DNA to be inserted, origin and source of the DNA to be inserted, Host-vector system, biological and physical containments etc. and determined that the study may be:

Approved                      7 yea                      0 nay                      0 abstain

Study must be conducted at BSL2 containment, requiring use of hood (IBC notes that certification is current) and training for Stephanie Shu Kin So, course ELS 003, through EH&S.

*(Reader to note that Dr. Thanassi wrote shortly thereafter receiving approval for this study stating that he believed BSL1 would be sufficient for this project because he will only express genes obtained from pathogenic bacteria in non-pathogenic E. coli strains and the recombinant strains will not be infectious. DNA will be obtained from the pathogenic strains from collaborators, but pathogenic strains will not be handled here. Since the DNA is derived from pathogenic strains, PI checked Risk Group 2 in Section F-5, but the actual strains to be worked with are in Risk Group 1.*

*Drs. Bauer and Bliska reviewed this information, and confirmed that RG1/BSL1 is acceptable. Training requirement was waived as a result. PI was notified on 8/15/05)*

2005-149            Roger Johnson

Project Title:     'Regulation of Adenylyl Cyclases...

IBC reviewed the grant summary and IBC application for all details concerning the rDNA activity including but not limited to, e.g., laboratory specifications (including current biosafety cabinet certification), vectors to be used, helper virus (if applicable), DNA to be inserted, origin and source of the DNA to be inserted, Host-vector system, biological and physical containments etc. and determined that the study had:

Modifications Required:        7 yea            0 nay            0 abstain

**PI answer to be sent for final review to all IBC members by e-mail.**

1. Committee determined that this study does not qualify for exemption due to involvement of human epithelial cells.
2. Question F.1: PI did not provide the vectors to be used (although host cells were provided). PI to revise.
3. Question D.2 should be checked 'yes', i.e., a hood needs to be used. PI to provide all required information and not that certification must be current (certified yearly).
4. Question D.3 needs to be answered.
5. Section F.14 should be revised to BSL2 containment.
6. All employees listed on the IBC application must undergo biohazard training through the Department of Environmental Health and Safety (course ELS 003; [www.sunysb.edu/ehs/lab/labsafe.shtml](http://www.sunysb.edu/ehs/lab/labsafe.shtml)) prior to participation in the research activity.
7. Dr. El-Maghrabi must be specifically listed in the section A chart, and an e-mail from him to IBC should be submitted certifying his inclusion on the study and required training.

2005-158

Richard Clark

Project Title:

Fibronectin and Cell Recruitment

IBC reviewed the grant summary and IBC application for all details concerning the rDNA activity including but not limited to, e.g., laboratory specifications (including current biosafety cabinet certification), vectors to be used, helper virus (if applicable), DNA to be inserted, origin and source of the DNA to be inserted, Host-vector system, biological and physical containments etc. and determined that the study may be:

Approved        7 yea            0 nay            0 abstain

Please note: PI to confirm that IBC application describes RG1 work (section F.5)

2005-235

Masaaki Moriya

Project Title:

Interstrand DNA Cross-Link Repair in Mammalian Cells

IBC reviewed the grant summary and IBC application for all details concerning the rDNA activity including but not limited to, e.g., laboratory specifications (including current biosafety cabinet certification), vectors to be used, helper virus (if applicable), DNA to be inserted, origin and source of the DNA to be inserted, Host-vector system, biological and physical containments etc. and determined that the study had:

Modifications Required:        7 yea            0 nay            0 abstain

1. PI must identify the species of mammal from which he will be obtaining DNA. If human, the study must be conducted at BSL2 containment, the culture hood must receive current certification, and all listed personnel must undergo annual biohazard training through the Department of Environmental

Health and Safety (course ELS 003; [www.sunysb.edu/ehs/lab/labsafe.shtml](http://www.sunysb.edu/ehs/lab/labsafe.shtml)) prior to participation in the research activity.

2. Question F.5: If the DHA is not derived from a potential pathogen, and does not encode a potential toxin, then risk group assignment is not necessary.

2005-236

David Thanassi

Project Title:

Type II Secretion Systems in Uropathogenic

Escherichia Coli

IBC reviewed the grant summary and IBC application for all details concerning the rDNA activity including but not limited to, e.g., laboratory specifications (including current biosafety cabinet certification), vectors to be used, helper virus (if applicable), DNA to be inserted, origin and source of the DNA to be inserted, Host-vector system, biological and physical containments etc. and determined that the study may be:

Approved

7 yea

0 nay

0 abstain

2005-239

Xiangdong Ren

Project Title:

Fibronectin Mediated Cell Migration: Signal

Integration

IBC reviewed the grant summary and IBC application for all details concerning the rDNA activity including but not limited to, e.g., laboratory specifications (including current biosafety cabinet certification), vectors to be used, helper virus (if applicable), DNA to be inserted, origin and source of the DNA to be inserted, Host-vector system, biological and physical containments etc. and determined that the study may be:

Approved

7 yea

0 nay

0 abstain

Please note:

1. Ruixue Wang requires training (course ELS 003) through EH&S.

Information is provided at [ehs/lab/labsafe.shtml](http://ehs/lab/labsafe.shtml)

2. Approval is based on the understanding that ALL work related to this study is being conducted in Life Science Building Room 004.

4. Discussion:

**Meeting adjourned 1:15PM**

**Stony Brook University  
Institutional Biosafety Committee  
Minutes of Meeting Held  
December 21, 2005**

In attendance: Dr. Bauer, Dr. Bliska, Ms. Auletta, Mr. Marshall, Dr. Taichman, Mr. Holthausen, Mr. Kaczmarczyk, Ms. Matuk (ex officio, Director, Research Compliance)

Unable to Attend: Dr. Freimuth, Mr. Hubert

Meeting commenced 1:05 pm

I. Committee approved IBC minutes from Meetings held July 20, 2005.

II. Review of Applications:

**NOTE:**

- Materials submitted for review include a completed IBC application (<http://www.stonybrook.edu/research/forms/campus/05ibcapp.doc>), and a project summary from the associated grant that supports the activity.
- No IBC member takes part in the review of a study in which there is a real or possibility of perceived conflict.

2005-215          Arthur Grollman

Project Title:      Exocyclic Adducts and Oxidative DNA Damage

IBC reviewed the grant summary and IBC application for all details concerning the rDNA activity including but not limited to, e.g., laboratory specifications (including current biosafety cabinet certification), vectors to be used, helper virus (if applicable), DNA to be inserted, origin and source of the DNA to be inserted, Host-vector system, biological and physical containments etc. and determined that the study qualified for:

Exemption          7 yea                  0 nay                  0 abstain

Note:

1. Exemption category F.6 applies
2. Answer to Section D.4 required.

2005-243          Edward Chan

Project Title:      Mechanisms of Ron Mediated Tumor Growth

IBC reviewed the grant summary and IBC application for all details concerning the rDNA activity including but not limited to, e.g., laboratory specifications (including current biosafety cabinet certification), vectors to be used, helper virus (if applicable), DNA to be inserted, origin and source of the

DNA to be inserted, Host-vector system, biological and physical containments etc. and determined that the study qualified for:

Exemption                      7 yea                      0 nay                      0 abstain

Note:

- 1) Exemption category F.4 applies
- 2) IBC notes that PI is the only personnel listed on the application; PI must be aware that additional personnel may not work on the rDNA aspects of this study unless amendment is made to the IBC.
- 3) Study is RG1, but due to host-vector, BSL-2 is applicable.

2005-250                      Nancy Reich

Project Title:              Regulation of STAT 3 Signaling

IBC reviewed the grant summary and IBC application for all details concerning the rDNA activity including but not limited to, e.g., laboratory specifications (including current biosafety cabinet certification), vectors to be used, helper virus (if applicable), DNA to be inserted, origin and source of the DNA to be inserted, Host-vector system, biological and physical containments etc. and determined that the study qualified for:

Exemption:                      7 yea                      0 nay                      0 abstain

1. Exemption categories F.5 and F.6 apply
2. Question F.8 must be answered; proteins must be described.
3. Question F.9; IACUC # must be provided
4. All employees require biosafety training.
5. RG1, BSL-2 applicable

2005-036                      Janet Hearing

Project Title:              Maintenance of Epstein-Barr Virus Genomes In Tumor Cells

IBC reviewed the grant summary and IBC application for all details concerning the rDNA activity including but not limited to, e.g., laboratory specifications (including current biosafety cabinet certification), vectors to be used, helper virus (if applicable), DNA to be inserted, origin and source of the DNA to be inserted, Host-vector system, biological and physical containments etc. and determined that the study qualified for:

Approval:                      7 yea                      0 nay                      0 abstain

Note:

1. Answer to question F.5 is incorrect; only RG2 is applicable to this study.
2. If additional personnel are added to the protocol you must amend this application accordingly.
3. Biosafety cabinet must have current certification prior to activity commencement.
4. PI to contact EH&S for appropriate containers that must be used for the transfer to the other campus location.

2006-089 Robert Halitwanger

Project Title: Glycobiology of Signal Transduction/Grant title:O-Glycosylation of Epidermal Growth Factor-like Modules//Glycosylation of Thrombospondin Type 1 Repeats

IBC reviewed the grant summary and IBC application for all details concerning the rDNA activity including but not limited to, e.g., laboratory specifications (including current biosafety cabinet certification), vectors to be used, helper virus (if applicable), DNA to be inserted, origin and source of the DNA to be inserted, Host-vector system, biological and physical containments etc. and determined that the study qualifies for:

Approval 7 yea 0 nay 0 abstain

1. Corrections to application at question F.14. BSL2 is applicable due to use of tissue culture cells.

2. Lab safety/biohazard training is required annually for all personnel working at BSL2.

### III. Discussion:

Meeting adjourned 1:45PM



*Office of the Vice President  
for Research*

September 7, 2006

Mr. Edward Hammond  
The Sunshine Project  
1920 Stuart Street  
Berkeley, CA 94703

Dear Mr. Hammond:

Thank you for your e-mail dated 8/25/06. Our IBC minutes are not and were not edited. There was no added commentary, nor was information "deleted." Certain information was redacted pursuant to applicable New York State Freedom of Information Law. As you were informed in our May 8, 2006 response to your request, a written appeal may be addressed to:

Stacey Hengsternan  
FOIL Appeals Officer  
SUNY T-11  
State University Plaza  
Albany, New York 12246

Very truly yours,

A handwritten signature in cursive script, reading "Gail S. Habicht".

Gail S. Habicht, Ph.D.  
Vice President

cc: James Bliska  
Karol Kain Gray  
Judy Matuk  
Ronnie McKinnon  
Lynette Phillips  
Vence Bonham, NHGRI – NIH  
Amy Patterson, OBA - NIH



*Office of the Associate Vice President  
for Administration/Finance*

April 26, 2006

The Sunshine Project  
P.O. Box 41987  
Austin, Texas 78704  
Attn: Edward H. Hammond, Director

Re: FOIL Request – Minutes of all meetings of the State University of New York, Stony Brook Institutional Biosafety Committee (IBC) since May 1, 2003

Dear Mr. Hammond:

This letter acknowledges our receipt of your correspondence seeking Institutional Biosafety Committee Minutes. Your request was forwarded to this office on April 26, 2006. We have interpreted your written request for records as a request made under the New York State Freedom of Information Law.

Please note the Freedom of Information Law §87 of Public Officers Law, governs access to certain records, subject to statutory exceptions, but does not provide for a means to obtain answers to written questions.

The University is searching its files for records that would satisfy your request. Accessible records, subject to statutory exemptions, will be mailed to you promptly upon receipt of our fee for copying records. Under the Freedom of Information Law, that fee is 25 cents per page copied for documents up to 9" x 14" in size. If there are records that we determine are not accessible under provisions of the Law, we will inform you and provide you with information on the process of appealing that determination.

Sincerely,

A handwritten signature in black ink that reads "Karol Kain Gray". The signature is written in a cursive, flowing style.

Karol Kain Gray  
Records Access Officer