



CONFIDENTIAL

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February 5, 2004

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To: Roberto D. Peccei, Ph.D.
Vice Chancellor for Research

From: James E. Enstrom, Ph.D., M.P.H.
School of Public Health 177220
825-2048

Re: My appointment as a Researcher in the School of Public Health and issues of scientific integrity, academic freedom, and tobacco industry funding

Key points describing problem:

- 1) After almost 28 years of high-quality, self-supporting performance as a Researcher based in the Dean's Office, I will be terminated from the School of Public Health as of July 1, 2004 unless I find a Departmental home outside of the Dean's Office. I am attempting to make this transition and currently have two possible new Departmental homes. But the transition is difficult to make given my existing circumstances and that fact that I am receiving no assistance from the Dean's Office.
- 2) Although the official reason for this change is that I no longer "meet the programmatic requirements of the School," I have substantial evidence that it is directly related to my tobacco industry funding and to the academic freedom I have had in my current position, as summarized in points 3) to 6) below.
- 3) The publication of my May 17, 2003 British Medical Journal (BMJ) paper on environmental tobacco smoke generated world-wide controversy, due largely to false and misleading statements made about me and my research. Although no errors have been identified in the paper and the BMJ Editor stands behind the paper, my tobacco industry funding and I have apparently become an "embarrassment" to some in the School of Public Health.
- 4) Associate Dean for Research, Roshan Bastani, will not allow me accept the second year funding from my three-year Philip Morris grant, which began September 1, 2002, after allowing me to accept the first year funding through the Jonsson Comprehensive Cancer Center, where I hold joint appointment. Although I am currently a PI in good standing, this prohibition has been imposed without explanation and it is disrupting my ongoing research. This prohibition is even contrary to the 11/25/03 draft policy statement by Dr. Bastani that the School "in no way restrict" tobacco industry funding. Indeed, the School has never had a specific policy prohibiting tobacco industry funding, which I have received since 1992.

- 5) Associate Dean for Academic Programs, Gerald F. Kominski, who has written two letters informing me of my pending termination, has a clear conflict of interest because the multi-year award he received in July 2002 from the American Legacy Foundation, which prohibits any tobacco industry funding in the School. However, effective July 2003 the UC Vice Chancellors for Research determined that UC cannot accept funding from ALF because of its policy prohibiting tobacco industry funding to any PI. Yet the School continues to receive ALF funding and is offering scholarships for the current academic year.
- 6) Individuals within the UC System, including a group at UCSF, have impugned my scientific integrity by making false and misleading statements about my research and my tobacco industry funding. Furthermore, the UCOP Tobacco-Related Disease Research Program, which knew the importance of my research on ETS and tobacco-related mortality, denied me funding for it in 1994 and 1997 and, indeed, has never funded any epidemiologic research on this subject.

I have attached key pages in chronological order which support the points above and much more documentation exists. Also, I have full documentation regarding my BMJ paper.

Proposed actions to resolve problem:

- 1) Allow me to accept the second year of funding for my Philip Morris grant so that my research program can continue, at least until something is proven wrong with my scientific integrity.
- 2) Allow me some forum in which I can fully defend myself, my research, and my tobacco industry funding.
- 3) Provide some administrative assistance to make a successful transition to another Department at UCLA possible, even if this process goes beyond my pending termination date of July 1, 2004.

James E. Enstrom