

James E. Enstrom, Ph.D., M.P.H.
President

SCIENTIFIC INTEGRITY INSTITUTE
914 Westwood Boulevard #577
Los Angeles, CA 90024-2905
<http://www.scientificintegrityinstitute.org>
jenstrom@ucla.edu
(310) 472-4274

August 8, 2013

The Honorable Lamar Smith
The Honorable Eddie Bernice Johnson
Committee on Science, Space, and Technology
U.S. House of Representatives
2321 Rayburn House Office Building
Washington, DC 20515-6301

Dear Chairman Smith and Ranking Member Johnson,

I am writing to accurately describe my scientific qualifications and to fully refute the defamatory statements about me that are contained in the August 6, 2013 letter of the Ranking Member. The defamatory statements on the second page of the August 6 letter are as follows:

“However, these issues pale in comparison to the issues raised by the other researcher you mentioned at the business meeting. You mentioned Dr. Jim Enstrom as an example of a legitimate researcher who has been denied access to the American Cancer Society’s CPS 2 data. You noted that Dr. Enstrom is affiliated with UCLA; however, Dr. Enstrom was terminated by that institution in 2012. What you did not mention is that Dr. Enstrom was a long-time consultant to the tobacco industry, and he conducted tobacco industry funded studies on the health effects of tobacco. For instance, in 2003 Dr. Enstrom published a study questioning the negative health effects of second-hand smoke [Enstrom JE, Kabat GC. Environmental tobacco smoke and tobacco related mortality in a prospective study of Californians, 1960-1998. *BMJ* 2003;326:1057-1061]. This study was partially financed by the tobacco industry. My staff has subsequently determined that over a long period of time, Dr. Enstrom’s relationship with the tobacco industry has resulted in payment to him of hundreds of thousands of dollars. I’ve attached to this letter certain documents establishing this relationship, including scanned copies of payments from tobacco companies to Dr. Enstrom.

To say that I am disappointed that you would identify a paid tobacco industry consultant as a legitimate researcher would be a gross understatement. I am appalled.”

My Scientific Qualifications

In 1965 I obtained my B.S. in physics at Harvey Mudd College in Claremont, CA, where I graduated co-valedictorian of my class. In 1970 I obtained my Ph.D. in elementary particle physics at Stanford University from Nobel Laureate Melvin Schwartz. On July 1, 1971 I joined the Lawrence Berkeley Laboratory at the University of California, Berkeley as a research physicist in Group A, headed by Nobel Laureate Luis Alvarez.

On December 1, 1973 I came to the UCLA School of Public Health (SPH) as a postdoctoral fellow in cancer epidemiology and I received formal training as an epidemiologist, receiving an M.P.H. and postdoctoral certificate in 1976. My epidemiologic mentor was SPH Dean Lester Breslow, a renowned epidemiologist, health educator, and health administrator, who had a 70-year career in public health. On July 1, 1976 I joined the SPH research faculty and I held a research faculty appointment for 36 years until June 30, 2012. I still retain an affiliation with UCLA to this day because of my status as a former faculty member and I can still be reached at my UCLA email address.

I have been a Fellow of the American College of Epidemiology since it was founded in 1981. I have been listed continuously in *Who's Who in America* since 1990, when I was selected because of the importance of my epidemiologic research. I have record of peer-reviewed epidemiologic publications that dates back to 1974. I have had one of the longest careers as an epidemiologist in the history of the SPH, which was established in 1961.

My most important epidemiologic research has been measuring and documenting the substantial health benefits of the Mormon lifestyle, which advocates abstinence from tobacco and alcohol. My Mormon research has been widely cited for four decades, such as, in the front page November 18, 1974 Washington Post article "Study Shows Low Mormon Cancer Rate," and in the April 15, 2012 New York Times obituary "Lester Breslow, Who Linked Healthy Habits and Long Life, Dies at 97." For the record, I am a lifelong nonsmoker and nondrinker, I am still in perfect health, and I hope to have as long a career as Dr. Breslow.

Contrary to the contention in your letter, I am indeed an ideal "legitimate researcher" who should have access to the American Cancer Society's CPS 2 data. I am the only outside researcher ever granted access to CPS data with individual identifiers. I received such data in 1991 for the 118,094 California subjects in CPS 1, which began in 1959. I have subsequently completed nearly 50 years of follow-up on these subjects, while maintaining their absolute confidentiality. I used the CA CPS 1 follow-up mortality data in both my 2003 *BMJ* paper and my 2005 *Inhalation Toxicology* paper "Fine Particulate Air Pollution and Total Mortality Among Elderly Californians, 1973-2002." Because of my education and my subsequent 43-year scientific career, I have a deep understanding of elementary particles, fine particles, epidemiology, statistical analysis, the ACS, and CPS data. These factors qualify me as a legitimate researcher who should be allowed to independently analyze the CPS 2 data heavily relied upon by EPA.

None of the above information about me, most of which can be found on my Scientific Integrity Institute website, was cited in the August 6 letter. Instead, the letter deliberately misrepresents my qualifications and makes defamatory ad hominem statements, which I will now refute.

Refutation of Defamatory Statements

The claim that “Dr. Enstrom was terminated by that institution [UCLA] in 2012” is highly misleading. I am in the process of proving that I was wrongfully terminated in 2012. Extensive supportive evidence has been presented by the Foundation for Individual Rights in Education (FIRE) on their webpage “University of California, Los Angeles: Non-Reappointment of Controversial Professor.” My June 2012 Federal lawsuit against UCLA, claiming violation of my First and Fourteenth Amendment rights, is proceeding against six defendants, including two Vice Chancellors, a Dean, and a Department Chair. Earlier this year, the U.S. District Court rejected UCLA's attempt to dismiss the case, and it is now proceeding to discovery.

There is compelling evidence that UCLA retaliated against me after my epidemiologic findings that fine particles do not cause “premature deaths” in California, cited above, challenged the scientific justification for job-killing diesel vehicle regulations in California and after I publicly exposed the illegal tenure of a powerful UCLA professor on the Scientific Review Panel that identified diesel particulate matter as a toxic air contaminant. In reviewing my case, the UCLA Academic Freedom Committee unanimously expressed its concern about my academic freedom and my termination. If my lawsuit is successful, my faculty position will be restored.

The claim that “Dr. Enstrom was a long-time consultant to the tobacco industry” is absolutely false. Although I received funding from the tobacco industry as one of the many research funding sources I have had during my long career, I have never had any consulting arrangement with the tobacco industry. Their research funding was used at UCLA for my independent, high quality, peer-reviewed, tobacco-related epidemiologic research. Furthermore, I only used this source of funding because I was surprisingly denied the funding that I had expected from the American Cancer Society (ACS) in the early 1990s. The ACS played a major role in my research funding during the first two decades of my epidemiologic career.

The claim that “in 2003 Dr. Enstrom published a study questioning the negative health effects of second-hand smoke” is highly misleading. My 2003 *BMJ* paper showed no relationship between second-hand smoke and tobacco-related mortality, but showed a strong, long-term relationship between active smoking and tobacco-related mortality. Not one error has ever been identified in this paper and it has been fully defended by the authors and the *BMJ* editor.

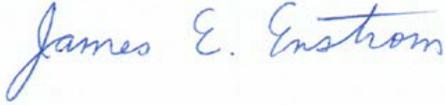
The statement “To say that I am disappointed that you would identify a paid tobacco industry consultant as a legitimate researcher would be a gross understatement” is totally unjustified and defamatory, because I have never been “a paid tobacco industry consultant” and because I am a “legitimate researcher,” as explained above.

Request

I request that the Ranking Member immediately withdraw her defamatory statements about me. Furthermore, I request that the Ranking Member identify the person(s) who originated these defamatory statements. Finally, I request the opportunity to explain to all Committee Members my successful use of CPS 1 data and the urgent need for independent reanalysis of the CPS 2 data requested in the August 1, 2013 subpoena of the Chairman and Subcommittee Chairman.

Thank you very much for your prompt consideration of my letter.

Sincerely yours,

A handwritten signature in blue ink that reads "James E. Enstrom". The signature is written in a cursive style with a large initial 'J'.

James E. Enstrom, Ph.D., M.P.H.
President
Scientific Integrity Institute

cc: The Honorable Chris Stewart
Chairman, Subcommittee on Environment