



UCLA SCHOOL OF PUBLIC HEALTH
650 CHARLES E. YOUNG DR. SOUTH
AI-295 CHS, BOX 951772
LOS ANGELES, CALIFORNIA 90095-1772

January 23, 2012

Catia Sternini, Ph.D.
Department of Neurobiology
Chair, Academic Senate Review Team
for Department of Epidemiology
University of California, Los Angeles
Los Angeles, CA 90095-1408

Dear Dr. Sternini:

I am writing regarding the current UCLA Academic Senate Program Review of the Department of Epidemiology (EPI) within the School of Public Health (SPH) (<http://www.senate.ucla.edu/programreview/2011-12ProgramReviews.htm>). I want to express my serious concerns about academic freedom, academic diversity, and ethical conduct in EPI. Although I am not currently affiliated with EPI, I am an accomplished epidemiologist who has been at UCLA since December 1, 1973 and I currently hold an epidemiology-related research faculty position in the SPH Department of Environmental Health Sciences (EHS). I have extensive knowledge that is highly relevant to the EPI Program Review. I request that you give my comments full consideration.

My comments are focused primarily on the following two aspects of the Program Review:

1) ACADEMIC SENATE GUIDELINES FOR THE SELF-REVIEW

(<http://www.senate.ucla.edu/programreview/documents/GuidelinesfortheSelf-Review.pdf>)

“4. Sections of the Self-Review Report G. Diversity. Describe specifically the department’s efforts to foster diversity among faculty and staff.”

2) ACADEMIC SENATE GUIDELINES FOR THE SITE VISIT

(<http://www.senate.ucla.edu/programreview/documents/GuidelinesfortheSiteVisit.pdf>)

“Section 6. Special Concerns B. Evidence. The review team needs to be sensitive to evidence, particularly for allegations of inadequate performance, misconduct, or wrongdoing.”

I have substantial evidence that EPI has violated basic University of California (UC) policies regarding mission statement (specifically academic freedom), academic diversity, and ethical conduct. The relevant portions of these policies are shown below, with key phrases in bold:

1) *UCLA Mission Statement* (http://www.wasc.ucla.edu/cpr_endnotes/Mission_Statement.pdf).

This statement says “UCLA’s primary purpose as a public research university is the creation, dissemination, preservation, and application of knowledge for the betterment of our global society. To fulfill this mission, **UCLA is committed to academic freedom in its fullest terms: we value open access to information, free and lively debate conducted with mutual respect for individuals, and freedom from intolerance.** In all of our pursuits, we strive at once for excellence and diversity, recognizing that openness and inclusion produce true quality.”

2) *UC Diversity Statement*

(<http://www.ucop.edu/ucophome/coordrev/policy/PP063006DiversityStatement.pdf>). This statement says “Diversity – a defining feature of California’s past, present, and future – refers to the **variety of personal experiences, values, and worldviews** that arise from differences of culture and circumstance.”

3) *UC Standards of Ethical Conduct*

(<http://www.universityofcalifornia.edu/compaudit/ethicalconduct.html>). These standards state “Pursuit of the University of California mission of teaching, research and public service requires a shared commitment to the core values of the University as well as a commitment to the ethical conduct of all University activities. In that spirit, the *Standards of Ethical Conduct* are a statement of **our belief in ethical, legal and professional behavior in all of our dealings inside and outside the University.**”

November 30, 2011 EPI Self-Review Report by Chair Roger Detels and Vice Chair Beate Ritz (http://www.senate.ucla.edu/programreview/documents/SelfReview_Epidemiology.pdf) states on page 11 “Another issue is the lack of diversity in the faculty, there being no Hispanic and only one African among the department’s FTE (regular-series) faculty. On the other hand, 4 of the 9 current FTE faculty are women.” The issue of diversity involves much more than the race and sex of the FTE faculty. Particularly troubling is the fact that EPI as a whole (the 43 FTE and non-FTE faculty listed in Table 1) is dominated by liberal faculty members who have a liberal approach to public health issues.

This lack of academic diversity has existed for the entire 38 years that I have been at UCLA. There is a tremendous emphasis in EPI on the health risks associated with AIDS and HIV and environmental factors like air pollution, pesticides, and low level radiation. However, among the 235,000 annual deaths in California, AIDS accounts for fewer than 1,000 deaths and air pollution, pesticides, and low level radiation account for essentially no deaths, based on my assessment. EPI does not focus on the positive aspects of health in California, such as, the fact that California currently has third lowest total (all cause) age-adjusted death rate of the fifty states (<http://www.cdc.gov/nchs/data/databriefs/db64.pdf>) and the fact that Los Angeles County has the lowest total age-adjusted death rate of any large American county, a rate that is even lower than the California rate.

My openly conservative approach to public health issues is not acceptable to EPI, although the importance of my research findings has been widely recognized outside of UCLA. My research has focused on California populations that are at low risk of major diseases and on lifestyle factors that result in improved health and reduced mortality rate, such as, religiosity, marriage, education, and no cigarette smoking. For instance, I have studied the health benefits of the Mormon lifestyle since 1973 and have documented that this lifestyle is associated with a long-term 50% reduction in total death rate and is generalizable to non-Mormons who follow the same lifestyle. The latest findings are described in my 2008 *Preventive Medicine* paper with Dr. Lester Breslow (<http://www.scientificintegrityinstitute.org/PM2008.pdf>). Also, I have done extensive epidemiologic research which shows environmental factors like low level radiation, environmental tobacco smoke, and air pollution have essentially no impact on mortality. I have made significant findings on several important epidemiologic issues and all of my findings have held up over time. However, several of these findings are “politically incorrect” and have not been received well by liberal SPH faculty members, particularly SPH Dean Linda Rosenstock.

For the past six years I have been engaged in a successful scientific effort to document that fine particulate matter (PM_{2.5}) and diesel PM does not kill Californians. This effort has confirmed the validity of the findings in my December 2005 *Inhalation Toxicology* paper on PM_{2.5} and mortality in California (<http://www.scientificintegrityinstitute.org/IT121505.pdf>). My effort directly counters the 22-year effort of several liberal activist scientists in California, including EHS Chair Richard J. Jackson, who played a prominent role in getting diesel exhaust classified as a carcinogen in 1990, and EHS Professor John R. Froines, who played a prominent role in getting diesel exhaust, specifically diesel PM, classified as a toxic air contaminant in 1998. These classifications subsequently lead the California Air Resources Board (CARB) to enact draconian regulations to reduce diesel PM levels in California. Many of these multi-billion dollar diesel vehicle regulations have gone into effect as of January 1, 2012.

My efforts regarding PM_{2.5} and diesel PM epidemiology have been most recently described in my November 28, 2011 UCLA Institute of the Environment and Sustainability Seminar (<http://www.environment.ucla.edu/calendar/showevent.asp?eventid=667>) and in my December 13, 2011 comments to the California Office of Administrative Law (COAL) requesting suspension of the CARB diesel vehicle regulations (http://www.arb.ca.gov/lists/gmbond2011/2-enstrom_letter_to_coal_cornez_re_suspend_carb_diesel_regs_121311.pdf). There is now overwhelming evidence that there are NO premature deaths due to PM_{2.5} and diesel PM in California and no public health justification for the CARB diesel regulations. Unfortunately, my comments have been ignored by CARB and COAL. More California epidemiologists need to make their own assessment of this important environmental science and regulations issue.

Since 2008 I have made formal and/or informal requests to EPI Chair Detels, EPI Vice Chair Ritz (also an EHS Professor), former EPI Vice Chair Zuo-Feng Zhang (also an EHS Professor), and EPI Professor Sander Greenland regarding the serious issues of scientific integrity and ethical conduct surrounding PM_{2.5} epidemiology. These four EPI professors have expressed no concern to me about these issues and other EPI faculty members have expressed no concern either. Also, there has been no concern expressed about the actions taken during the past two years to end my research faculty appointment in EHS for reasons that are clearly related to my outspokenness on the PM_{2.5} epidemiology issue. The essential elements of my currently pending

termination from UCLA and its relationship to the PM_{2.5} epidemiology issue has been described in the attached December 5, 2011 National Association of Scholars article “Why UCLA’s Firing of a Lone Dissenting Voice Should Worry Us” by Dr. Geoffrey C. Kabat (http://www.nas.org/polArticles.cfm?doc_id=2303).

I have made detailed requests regarding PM_{2.5} epidemiology to Dr. Ritz, who is the EPI and EHS epidemiologist with the most expertise in air pollution epidemiology during the past decade, based on her publications and funding. However, she has failed to address my extensive evidence about the exaggerated mortality risks of PM_{2.5} and diesel PM in California, as stated in my December 10, 2008 CARB public comments (http://www.arb.ca.gov/lists/truckbus08/897-carb_enstrom_comments_on_statewide_truck_regulations_121008.pdf). She signed December 4, 2008 CARB public comments which support CARB diesel science and regulations. These comments include statements which have now been shown to be documentably false, such as, “The state of California estimates that diesel pollution from trucks and buses alone will be responsible for 4,500 premature deaths in California in 2008. . . . these pollutants are taking a serious toll on California’s public health. Much of this morbidity and mortality can be avoided by cleaning up heavy-duty trucks. . . .” (<http://www.arb.ca.gov/lists/truckbus08/426-public-health-letter--truck-and-bus-rule-dec-2008.pdf>).

Dr. Ritz has never corrected her 2008 CARB comments, which were also signed by EHS Chair Jackson, EHS Professor Arthur E. Winer, and Dean Rosenstock. Instead, Dr. Ritz stated in an August 2010 newspaper article about my then pending determination from EHS that she knows Enstrom “for letting his interpretations go beyond the data and his personal biases to be strong enough to not allow for a balanced and appropriately cautious interpretation of the numbers.” However, she has refused repeated requests to provide specific evidence supporting this defamatory claim (<http://www.scientificintegrityinstitute.org/Ritz100610.pdf>). My 2010 email messages to her are attached.

Her lack of response to these requests is further compounded by the fact that she, along with Dr. Zhang and Dean Rosenstock, participated in the April 15-16, 2010 EHS Program Review Site Visit, knowing that I had been entirely omitted. Furthermore, I was entirely omitted from the 650-page January 29, 2010 "UCLA Department of Environmental Health Sciences Self-Review Report" (<http://www.senate.ucla.edu/programreview/documents/SelfReviewEHScomplete.pdf>). These three individuals, who will participate in the February 16-17, 2012 EPI Program Review Site Visit, should be asked about the PM_{2.5} epidemiology issue and the omission of me from the 2010 EHS Program Review. Dr. Ritz has refused to address my October 6, 2011 request about these matters (<http://www.scientificintegrityinstitute.org/Ritz100711.pdf>). Our 2011 email correspondence is attached.

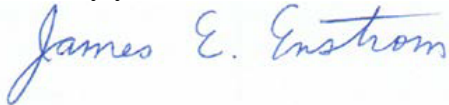
Having received no explanation from Dr. Ritz, I have made further attempts to get an explanation for my omission from the EHS Program Review. I sent an October 8, 2011 email request to Dr. Robert C. Spear of UC Berkeley, who was a member of the EHS External Review Team (<http://www.scientificintegrityinstitute.org/Spear100811.pdf>). Then I sent an October 10, 2011 email request to Dr. Robert G. Frank, Jr. of UCLA, who was Chair of the EHS Review Team (<http://www.scientificintegrityinstitute.org/Frank101011.pdf>). My request to Dr. Frank is attached. I have received no response to these requests from either Dr. Spear or Dr. Frank.

The complete lack of response to my requests raises serious concerns about academic freedom and ethical conduct in EPI. I believe this has occurred primarily because of the lack of academic diversity in EPI. Thus, I request that you and the other members of the EPI Review Team carefully examine and address my above concerns about academic freedom, academic diversity, and ethical conduct in EPI. Also, I request the opportunity to speak with the EPI Review Team directly about my concerns during the February 16-17, 2012 Site Visit at UCLA. At that time I will provide additional evidence that supports my concerns expressed above.

Finally, I want to make clear that the sole purpose of this letter is to inform the EPI Review Team of my serious concerns about EPI. This letter is not to be treated by the EPI Review Team or the Academic Senate Program Review staff as a personal grievance that should be addressed by other UCLA officials.

Thank you very much for your consideration of this important matter.

Sincerely yours,



James E. Enstrom, Ph.D., M.P.H.
School of Public Health
University of California
Los Angeles, CA 90095-1772
jenstrom@ucla.edu
(310) 825-2048

Attachments:

December 5, 2011 National Association of Scholars article “Why UCLA’s Firing of a Lone Dissenting Voice Should Worry Us” by Dr. Geoffrey C. Kabat (http://www.nas.org/polArticles.cfm?doc_id=2303).

October 2010 Enstrom email correspondence with Dr. Beate Ritz (<http://www.scientificintegrityinstitute.org/Ritz100610.pdf>)

October 2011 Enstrom email correspondence with Dr. Beate Ritz (<http://www.scientificintegrityinstitute.org/Ritz100711.pdf>)

October 10, 2011 Enstrom email request to Dr. Robert G. Frank, Jr. (<http://www.scientificintegrityinstitute.org/Frank101011.pdf>)

Why UCLA's Firing of a Lone Dissenting Voice Should Worry Us

December 05, 2011 By [Geoffrey C. Kabat](#)



In February 2010 UCLA epidemiologist James Enstrom was informed that he would not be reappointed as research professor – a position he had held for thirty-four years. Although the department offered as a reason that his research was not “aligned with the department’s mission,” the decision -- taken at a closed meeting that excluded Enstrom -- appears anything but academic.

Enstrom is an established researcher who has conducted large studies in diverse populations to address important health issues. In the early 2000s he started doing research on fine particle air pollution and mortality at a time when the state of California was considering stringent new regulations of diesel emissions. His reading of his own results and those of his peers put him in direct conflict with a powerful nexus of scientists and policymakers involved in setting air quality standards.

In 2008 the California Air Resources Board, or CARB, proposed and approved new rules to reduce the diesel particulate matter portion of fine particle air pollution (PM2.5), which can penetrate deep into the lungs. In support of this goal, a 2008 CARB report claimed that 18,000 premature deaths per year in California were caused by breathing PM2.5.



Enstrom believed that CARB’s claim was not supported by the evidence. While major studies in the mid-1990s had shown a weak association nationwide of exposure to PM2.5 with mortality in the 1980s, several more recent studies, including Enstrom’s, have shown that this association was not significant in California. In fact, the evidence is consistent in showing no association of PM2.5 with mortality in California.

In addition, Enstrom has tried to put PM2.5 health effects in perspective by pointing out that California is a very healthy state, with the fourth lowest total age-adjusted death rate among the fifty states.

Enstrom felt that the enactment of additional stringent regulations should be based on an honest reading of the scientific evidence, rather than one slanted to support a regulatory agenda. In addition, he argued that the broader consequences of the proposed regulations should be taken into account, including their impact on California’s already depressed economy.

But he went further. He delved deep into CARB's regulatory process – something no one else had successfully done. What he found was a pattern of abuses, including a fraudulent Ph.D. of the lead author of the 2008 CARB report that provided the public health justification for the diesel regulations; failure of members of CARB's scientific review panel (SRP) to comply with the three-year term limit mandated by state law (two activist members of the SRP have served for over 25 years); and a pervasive tendency to interpret the evidence in a way that supported its position.[1]

Due to Enstrom's persistence and outspokenness, five of the nine SRP members were replaced in 2010, and CARB was forced to modify its 2008 diesel regulations in 2010.

None of this activity has endeared Enstrom to powerful environmental activists at the University of California and CARB. Six senior members of Enstrom's department are involved in the diesel pollution issue, and UCLA's Southern California Particle Center has received tens of millions of dollars in research grants based on the contention that PM2.5 has an important impact on health. With his scrupulously-documented critique of air pollution epidemiology, Enstrom poses a threat to enormous vested interests.

It is in this light that the treatment of Enstrom by UCLA becomes intelligible. Although his position has been extended through June 2012, he has had to spend the past two years defending himself and has not been able to obtain new external funding to support his position and research. Also, he has never been allowed to present his work to his peers at UCLA.

Enstrom's experience, which he terms "Kafkaesque," raises pointed concerns about the politicization of science when it comes to high-stakes environmental and regulatory issues. When a proven scientist is silenced because his point of view conflicts with entrenched interests, and when the commitment to open debate, academic freedom, and due process are unceremoniously thrown aside, the result is not likely to be a well-grounded policy.

(Disclosure: I have collaborated with Dr. Enstrom on two scientific papers and can directly attest to the honesty and integrity of his research).

Geoffrey Kabat, Ph.D., is a cancer epidemiologist at the Albert Einstein College of Medicine and the author of *Hyping Health Risks: Environmental Hazards in Daily Life and the Science of Epidemiology*.

[1] Enstrom has meticulously documented every step in his attempt to obtain a hearing for the relevant science and has posted all relevant documents (including published papers, unpublished documents, correspondence, and public comments on the CARB review process) at www.scientificintegrityinstitute.org.

Date: Wed, 06 Oct 2010 13:27:29 -0700
To: "Ritz, Beate R." <britz@ucla.edu>
From: "James E. Enstrom" <jenstrom@ucla.edu>
Subject: Second Request Regarding Your Comments to Lois Henry

October 6, 2010

Beate R. Ritz, M.D., Ph.D.
UCLA Department of Epidemiology
UCLA Department of Environmental Health Sciences
britz@ucla.edu

Dear Dr. Ritz,

Since I have not received a response to my August 16, 2010 email message, I am making a second request for clarification of your comments to Lois Henry (see below). In particular, I would like specific evidence supporting your claim stating that you know Enstrom 'for letting his interpretations go beyond the data and his personal biases to be strong enough to not allow for a balanced and appropriately cautious interpretation of the numbers.' Unless you promptly provide me with specific evidence supporting your claim, I will assume that you do not have any such evidence.

As you may know, I am currently challenging my non-reappointment in the UCLA Department of Environmental Health Sciences. The Foundation for Individual Rights in Education (<http://www.thefire.org/>) has been assisting me with this challenge and they have prepared a detailed case file on my behalf (<http://www.thefire.org/case/838>).

Since you are a Professor of Epidemiology who is highly accomplished in the health effects of air pollution, I request that you comment on the validity of my April 21, 2010 public comments to CARB regarding the relationship between PM2.5 and total mortality in California (http://www.arb.ca.gov/lists/offroad09/25-carb_enstrom_comments_on_pm2.5_mortality_in_ca_042110.pdf). In particular, I would like to know if you agree with my statement "In summary, three major studies (Enstrom 2005, Jerrett 2010, and Zeger 2008) have produced results indicating NO relationship between PM2.5 and total mortality in California since 1982. These results must be given primary consideration in the estimation of "premature deaths" associated with PM2.5 in California and in the overall assessment of the current health effects of PM2.5 and diesel particulate matter in California."

Since you are also a member of the faculty of the Department of the Environmental Health Sciences, I request that you provide me with specific evidence from any source supporting the statement in the July 29, 2010 letter of non-reappointment that I received from Associate Dean Hilary Godwin "the reason for non-reappointment is the faculty of the Department of Environmental Health Sciences has determined your research is not aligned with the academic mission of the Department, and your research output and other contributions do not meet the department requirements" (<http://thefire.org/article/12212.html>).

Thank you very much for your assistance regarding this important matter.

Sincerely yours,

James E. Enstrom, Ph.D., M.P.H.
(310) 825-2048

Date: Mon, 16 Aug 2010 08:02:22 -0700
To: "Ritz, Beate R." <britz@ucla.edu>
From: "James E. Enstrom" <jenstrom@ucla.edu>
Subject: Request to Discuss Your Comments to Lois Henry

Dear Dr. Ritz,

In case you have not see the August 15, 2010 Bakersfield Californian column by Lois Henry, it is shown below. I would like to discuss with you Lois' column, particularly her sentence "But, based on his 2003 findings that second-hand cigarette smoke doesn't kill people, she [Ritz] said she knows him 'for letting his interpretations go beyond the data and his personal biases to be strong enough to not allow for a balanced and appropriately cautious interpretation of the numbers.'" Have you ever read my detailed 2007 EP&I defense of the 2003 BMJ paper on ETS and mortality in California (<http://www.epi-perspectives.com/content/4/1/11> or <http://www.scientificintegrityinstitute.org/EPI101007E.pdf>)? Also, have you ever watched the February 26, 2010 CARB presentations on PM2.5 and premature deaths in California made by me and Dr. Michael Jerrett (<http://scientificintegrityinstitute.org/JerrettTrans022610.pdf>)?

Please let me know when and where we can speak about your comments to Lois.

Thank you.

Jim Enstrom
(310) 825-2048

<http://www.bakersfield.com/news/columnist/henry/x1415295919/Independent-thought-not-wanted-at-UCLA>

LOIS HENRY: Independent thought not wanted at UCLA

The Bakersfield Californian | Saturday, Aug 14 2010 09:00 PM

Last Updated Saturday, Aug 14 2010 09:18 PM

I know you're going to wonder why you should care about some brainiac getting the boot at UCLA. So let me start by explaining why it matters, then we'll get to the nitty gritty of what happened.

It matters because it looks like UCLA is firing this guy because his work on air pollution doesn't fit with popular thinking and it wants to shut him up.

Popular thinking, that air pollution is killing us, is lucrative to universities by way of government-funded research grants.

The guy who's getting sacked, James Enstrom, was one of only a few scientists willing to stick his neck out and blow the whistle on an outright fraud and coverup at the California Air Resources Board (CARB) over regulations that will squeeze every wallet in this state once they're implemented.

Enstrom has been relentless, if not successful, in his efforts to get the air board to acknowledge that the science on the health effects of air pollution is not closed.

Moreover, he has demanded that the process of science-based regulation be honest, open and fair.

And that's why this really matters.

Out of step

Now, despite his 34 years as a researcher at UCLA, he's being dumped by a secret vote of the faculty in the Environmental Health Sciences Department.

Their official reason for not reappointing him is "your research is not aligned with the academic mission of the Department," according to a July 29 letter sent to Enstrom notifying him that his appeal of an earlier dismissal letter had been denied and his last day would be Aug. 30.

Department Chair Richard Jackson told me the faculty had no problem with scientific disagreement.

"They're not troubled by disagreement, but by poor quality science," he said, adding that "there are two sides to every story."

When I asked what about Enstrom's science had been subpar, Jackson said he would prefer I schedule a "formal interview" with him, which I did for the next day. He later canceled and referred me to Sarah Anderson, dean of communications for the School of Public Health.

Anderson e-mailed and asked what my questions were. I sent them and she replied that UCLA does not discuss personnel issues.

I objected that the faculty's opinion of Enstrom's published scientific work isn't a personnel issue.

I got nothing back.

Several other Environmental Sciences faculty members did not return my calls.

Beate Ritz, a leading air pollution scientist with UCLA who works in the Epidemiology Department, did respond.

She said she hadn't read Enstrom's 2005 study on air pollution.

But, based on his 2003 findings that second-hand cigarette smoke doesn't kill people, she said she knows him "for letting his interpretations go beyond the data and his personal biases to be strong enough to not allow for a balanced and appropriately cautious interpretation of the numbers."

Her attitude wasn't surprising to Enstrom, who said his 2003 paper, published in the British Medical Journal, was widely attacked.

"Not a single error was ever identified in that paper and I refuted all claims made against me and my research," he said. "My work isn't about being politically correct, it's about honest research and being faithful to the science."

Noted toxicologist Robert Phalen, who co-directs the Air Pollution Health Effects Laboratory at the University of California, Irvine, said Enstrom's science is very high quality. He theorized it has been Enstrom's outside activities, such as agitating at the air board, that did him in rather than his science.

"Jim was definitely out of step" with the direction of the leaders of his department, Phalen said.

Jackson himself alluded to that, saying the faculty were also troubled by Enstrom's presentation at a symposium in February put on by CARB to discuss the science examining air pollution's health effects. He didn't say exactly what about the presentation was upsetting.

Tangling with CARB

The Environmental Science mission statement says the department is "committed to furthering research and education at the interface between human health and the environment."

Enstrom has done exactly that with his studies, most notably one published in 2005 that shows no evidence of premature deaths in California due to exposure to PM2.5.

PM2.5 is tiny bits of dust and soot that CARB is trying to regulate to a gnat's hind end.

Specifically, CARB has regulations pending that would render today's trucking and heavy construction fleets inoperable in California.

The rationale for the regulations is that, based on numerous studies, PM2.5 kills thousands of Californians each year.

Enstrom's 2005 study was peer-reviewed and published in well-respected journals and, while some have disagreed with his conclusions, the study and its methodology have held up.

Yet, when a health effects report used to justify the new trucking regulations was written by

CARB staffer Hien Tran, Enstrom's study was misquoted and discounted, as were others that don't support the notion that PM2.5 kills.

Tran, it was discovered by Enstrom and others, had lied about having a Ph.D in statistics from UC Davis.

Enstrom's bell clanging over Tran later revealed that CARB chairwoman Mary Nichols knew about Tran's falsification but kept mum to other board members until after they voted to approve the trucking rules.

As an aside, I'm still aghast that both Tran and Nichols have kept their jobs. Really, we can't find two people in the entire state who can do this job honorably?

Making friends

Back to Enstrom. He also single-handedly got scientist John Froines kicked off the Scientific Review Panel, a state organization tasked with identifying toxic contaminants.

And, as luck would have it, Froines is a voting faculty member of UCLA's Environmental Sciences Department.

It was the Scientific Review Panel that in the 1990s declared diesel exhaust is toxic. That declaration triggered CARB to gin up regulations to reduce the amount of diesel PM2.5 in the air, which is what brought on the truck and heavy equipment regulations we're now facing.

Scientists are supposed to apply for and be appointed to the Scientific Review Panel on three-year terms. Froines was appointed in 1984 and continued to sit on that panel for more than 25 years though he was only reappointed a couple of times in the early years.

It's not just an issue of needing new blood. The Scientific Review Panel verifies and approves methodologies for studies that are government-funded.

Froines is also head of the Southern California Particle Center, which conducts such government-funded studies. All of which makes his de facto lifetime appointment seem more than a little conflicty.

When Enstrom brought that to the attention of the Legislature, Froines was kicked off the panel.

I called Froines to see how he felt about that and his views on Enstrom but he didn't call back.

The offense of not going along

Enstrom told me he doesn't believe his colleagues have done bad science, per se, on air pollution.

His main concern has been with how one-sided and self-fulfilling the entire system has become.

CARB exists to regulate air pollution. It funds studies looking for ill effects of air pollution. Any effects found are used to justify more regulations and, hence, more studies.

Finding "no effects" doesn't fit into that cycle.

Then, of course, there's ego.

A scientist's work is considered more important if it points out a hazard rather than saying "everything's fine," Phalen said.

"Jim's work offends people because it diminishes the importance of their work," Phalen said.

Even accidental findings of "no effects" have been ignored.

In one major national study by Daniel Krewski, a map shows PM2.5 had little to no effect of premature deaths in California. And just recently Michael Jerrett revealed preliminary data from his CARB-funded California specific study that also showed little to no evidence of premature death from PM2.5 exposure.

That map has since disappeared from later uses of the Krewski study. And Jerrett has said perhaps mortality calculations should be changed.

"They've decided that no one else can have a say," Enstrom said. "Valid research is being stifled."

Enstrom had been in line to receive funding for a new study from the Health Effects Institute, but that likely won't happen after he loses his UCLA position.

All of this may seem like so much academic inside baseball. But these studies and how they're treated result in regulations that have real-life consequences.

Phalen noted that we are in a period in our culture where science is used to fuel movements rather than to elucidate. Going against the movement puts careers at risk.

Phalen himself is no stranger to swimming against the tide, having published a book in 2002 titled "The Particulate Air Pollution Controversy." He concluded that our hamfisted manner of setting environmental standards has created a regulatory environment that doesn't consider secondary consequences and may result in more harm than good.

Though Phalen couldn't say whether that book cost him his position on Froine's Southern California Particle Center, he wasn't reappointed after it was published.

So much for welcoming diversity of thought.

Opinions expressed in this column are those of Lois Henry, not The Bakersfield Californian. Her column appears Wednesdays and Sundays. Comment at people.bakersfield.com/home/Blog/noholdsbarred, call her at (661) 395-7373 or e-mail lhenry@bakersfield.com

From: "Beate Ritz" <britz@ucla.edu>
To: "James E. Enstrom" <jenstrom@ucla.edu>
Subject: RE: Important Request to Discuss EHS & Epidemiology
Date: Fri, 7 Oct 2011 10:13:38 -0700

I have nothing else to add please contact Drs Detels or Jackson

Beate Ritz

From: James E. Enstrom [mailto:jenstrom@ucla.edu]
Sent: Friday, October 07, 2011 8:46 AM
To: Beate Ritz
Subject: Important Request to Discuss EHS & Epidemiology

October 7, 2011

Dear Dr. Ritz,

My request is quite complex. However, it should be understandable if you examine it in detail. Please let me know if I can explain my request to you in person or over the telephone.

Thank you for your further consideration.

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

At 01:14 PM 10/6/2011, you wrote:

Sorry but I do not understand this request , if you would like to be appointed in epi you need to contact our chair Dr Detels.

I only am secondarily affiliated with EHS and do not participate in their meetings or voting etc.

Beate Ritz

From: James E. Enstrom [<mailto:jenstrom@ucla.edu>]
Sent: Thursday, October 06, 2011 8:26 AM
To: Beate R. Ritz
Subject: Important Request re EHS Appointment & Program Review

October 6, 2011

Beate R. Ritz, M.D., Ph.D.

UCLA Department of Epidemiology
UCLA Department of Environmental Health Sciences
britz@ucla.edu

Dear Dr. Ritz,

My records indicate that you have never responded to my August 16, 2010 and October 6, 2010 email messages (<http://www.scientificintegrityinstitute.org/Ritz100610.pdf>) or to the requests that Dr. Carl V. Phillips made on my behalf in August 2010 regarding my appointment status in the Department of Environmental Health Sciences (EHS). I still request a response to the issues that I raised in my email messages. For your information, I have successfully appealed my 2010 non-reappointment in EHS (<http://thefire.org/article/13268.html>). My appointment has now been extended until June 30, 2012 (http://www.landlinemag.com/todays_news/Daily/2011/Sep11/090511/090711-06.shtml).

I discovered during the appeal process that I was entirely omitted from the 650-page January 29, 2010 "UCLA Department of Environmental Health Sciences Self-Review Report" and from the April 15-16, 2010 EHS Program Review Site Visit. You and your research are prominently cited in the Self-Review Report and you participated in the Site Visit. Also, you were sent a March 8, 2010 email message from EHS Chair Richard Jackson about my presentation at the February 26, 2010 CARB PM Symposium and you were specifically invited to participate in my proposed April 21, 2010 EHS Seminar "Does Diesel Particulate Matter Kill Californians?" Thus, you have known that I have had an appointment in EHS and that I have been involved in a major scientific controversy involving the lethality of particulate matter in California. My air pollution epidemiology research and I should have been included in the EHS Program Review and you, as the primary air pollution epidemiologist in EHS, should have helped make sure that my research and I were included. I have highly relevant expertise on EHS-related issues and I have held a faculty position in the School of Public Health since 1976, longer than all but one current EHS faculty member.

During the next nine months I plan on preparing a very strong case that there are serious ethical and scientific integrity problems with the epidemiologic studies of the relationship between particulate matter and mortality. I would like appropriate members of the Department of Epidemiology, including you, to participate in the preparation of my case and I would like to have an affiliation with the Department of Epidemiology during this period. I request the opportunity to personally discuss this matter with you sometime soon. Also, I request that you respond to this email message by October 13, 2011. If you do not respond then I will assume that you are not concerned about any of the issues that I have raised above. Because of the importance of this request, I am sending you a printed copy.

Thank you very much for your consideration regarding this important matter.

Sincerely yours,

James E. Enstrom, Ph.D., M.P.H.
UCLA School of Public Health
jenstrom@ucla.edu
(310) 825-2048

Date: Mon, 10 Oct 2011 15:42:03 -0700
To: "Robert G. Frank, Jr." <rfrankj@ucla.edu>
From: "James E. Enstrom" <jenstrom@ucla.edu>
Subject: Important Request re UCLA EHS Program Review

October 10, 2011

Robert G. Frank, Jr., Ph.D.
Professor of Neurobiology and Medical History
Departments of Neurobiology and History
University of California
Los Angeles, CA 90095-1763
rfrankj@ucla.edu

Dear Dr. Frank,

I am writing because I recently learned that you chaired the Review Team that conducted a 2010 Program Review of the Department of Environmental Health Sciences (EHS) for the UCLA Academic Senate. For your information, I have held a research faculty position at the UCLA School of Public Health (SPH) since July 1, 1976 and since July 1, 2004 that position has been in EHS. However, I was excluded from every aspect of the EHS Program Review process during 2009-2010. My fine particulate epidemiologic research and I were not mentioned once in the 650-page January 29, 2010 "UCLA Department of Environmental Health Sciences Self-Review Report" (<http://www.senate.ucla.edu/programreview/documents/SelfReviewEHScomplete.pdf>). Also, I was not allowed to participate in any aspect of the April 15-16, 2010 EHS Program Review Site Visit at UCLA.

Since February 10, 2010 EHS Chair Richard J. Jackson and SPH Dean Linda Rosenstock have repeatedly attempted to terminate my academic career at UCLA. For a detailed description of my case, please read the June 2, 2011 article by the Foundation for Individual Rights in Education (FIRE) (<http://thefire.org/article/13268.html>). For a summary of the underlying scientific and academic issues in my case, please view the nine-minute ReasonTV video cited in the article (<http://reason.com/blog/2011/04/04/the-green-politics-of-reprisal>).

Additional aspects of my case are also described by University of Massachusetts Professor Edward J. Calabrese, who sent an August 8, 2011 email letter to Dr. Jackson (<http://www.scientificintegrityinstitute.org/Calabrese080811.pdf>) and an August 23, 2011 email letter to UCLA Chancellor Gene D. Block (<http://www.scientificintegrityinstitute.org/Calabrese082311.pdf>).

I believe that the termination attempts against me were initiated after Norman R. Brown of Delta Construction Company sent a June 30, 2009 letter to Dean Rosenstock (http://www.cdtoa.org/CARBdocs/Delta_UCLA_Letter_063009.pdf) and an October 1, 2009 letter to Dr. Jackson (<http://www.cdtoa.org/CARBdocs/letters/DeltaLettertoUCLAJacksonReNichols&Froines100109.pdf>) regarding substantial evidence of unethical conduct by EHS Professor John R. Froines.

Finally, you should know that I have successfully challenged the unethical and unjustified efforts of EHS to terminate me. My position has recently been extended by the UCLA Chancellor's Office for another academic year, as explained in the September 6, 2011 FIRE post (<http://thefire.org/article/13530.html>) and the September 7, 2011 LandLineMag.com article (http://www.landlinemag.com/todays_news/Daily/2011/Sep11/090511/090711-06.shtml).

I request the opportunity to discuss with you as soon as possible several serious problems within EHS, including the unethical conduct of EHS Professors Rosenstock, Jackson, Godwin, and Froines with regard to me and my research. In addition, I would like to discuss my serious concerns about academic freedom, scientific integrity, and tolerance for minority viewpoints within the SPH. I realize that you may not be in a position to deal with the above issues, but I would still like to talk with you and get your suggestions as to how I might be able to get them addressed.

Thank you very much for your consideration regarding this important matter.

Sincerely yours,

James E. Enstrom, Ph.D., M.P.H.
School of Public Health
University of California
Los Angeles, CA 90095-1772
jenstrom@ucla.edu
(310) 825-2048