

NATIONAL
ASSOCIATION
of SCHOLARS

November 25, 2019

WASC Senior College and University Commission (WSCUC)
985 Atlantic Avenue, Suite 100
Alameda, CA 94501

Re: Third-Party Comment on WSCUC Accreditation Review of UCLA

Dear WASC Senior College and University Commission,

I join in support of Dr. James E. Enstrom's November 4, 2019 Third-Party Comment about the University of California Los Angeles' (UCLA) failure to live up to its own Mission Statement to support academic freedom, academic diversity, and research integrity. UCLA engaged in retaliatory dismissal of Dr. Enstrom, failed to acknowledge publicly its violation of academic freedom, and has undertaken no reform of its own procedures to prevent future, similar violations of academic freedom. I urge WSCUC to call on UCLA to take these two actions, as a sign that it has properly institutionalized its own commitments to academic freedom, academic diversity, and research integrity.

I write as President of the National Association of Scholars (NAS). NAS is a network of scholars and citizens united by our commitment to academic freedom, disinterested scholarship, and excellence in higher education. As part of our mission, we support academic freedom and intellectual diversity throughout American higher education. We have more than thirty years of experience providing support for the principles and institutional practice of intellectual diversity.

UCLA has failed to live up to its commitment to "academic freedom in its fullest terms." Dr. Enstrom lost his research professor position at UCLA in 2010, apparently as a result of a desire by his colleagues to retaliate against him for:

- 1) publishing research that provided evidence against the scientific research used by the California Air Resources Board (CARB) to justify new rules to reduce the diesel particulate matter portion of fine particle air pollution (PM2.5); and
- 2) publicizing a pattern of abuses by CARB, 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 members of the

SRP have served for over 25 years); and a pervasive tendency to interpret the range of scientific evidence in a way that supported a single, tendentious position.

UCLA failed to respond to protests by both the Foundation for Individual Rights in Education and the American Center for Law & Justice (ACLJ).¹ UCLA ultimately provided compensation to Dr. Enstrom, but only after ACLJ sued it. UCLA has not admitted wrongdoing, expressed remorse, provided any punishment to any individual for their mistreatment of Dr. Enstrom, offered Dr. Enstrom any opportunity for another UCLA position, nor instituted institutional reforms to prevent similar violations of UCLA's institutional commitment to academic freedom.²

Although he has been at a great academic disadvantage since his 2010 UCLA termination, Dr. Enstrom has continued to conduct important epidemiologic research. Indeed, in 2017 and 2018 he published seminal reanalyses of American Cancer Society data that have confirmed and expanded upon the validity of the research findings that got him terminated. Indeed, he has now shown that PM2.5 does not cause premature deaths anywhere in the United States, not just in California. This finding has multi-billion-dollar implications for air pollution regulatory policy in the United States and California. He has described various aspects of his recent research in his Comment to the EPA Clean Air Science Advisory Committee (CASAC) Policy Assessment of the Particulate Matter National Ambient Air Quality Standard (NAAQS).³

UCLA's wrongful termination of Dr. Enstrom is part of a larger pattern of behavior by UCLA that supports an improper commitment to political activism, in place of disengaged intellectual inquiry. This political activist behavior is documented in a detailed 2012 National Association of Scholars Report.^{4 5} This pattern of behavior warrants a systemic reform effort by UCLA—a systemic effort that can best be achieved and validated via accreditation.

I call on WSCUC, as part of its accreditation procedures of UCLA, to ask UCLA to produce documentation to explain how its procedures to protect intellectual diversity and academic freedom failed to protect Dr. Enstrom, and documentation on planned new procedures to ensure that such misbehavior does not occur again. I believe that WSCUC's accreditation mission supports such a request, and that UCLA ought to provide evidence of substantive changes, to support its own mission, as part of the accreditation process.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Peter W. Wood".

Peter W. Wood, PhD

President

National Association of Scholars

See attachments following this letter:

¹ Adam Kissel, Director, Individual Rights Defense Program, Foundation for Individual Rights in Education, Letter to Chancellor Gene D. Block, University of California, Los Angeles, August 26, 2010; David French, Senior Counsel, American Center for Law & Justice, Letter to President Mark G. Yudof, University of California, Los Angeles, May 21, 2012.

² Geoffrey C. Kabat, "Why UCLA's Firing of a Lone Dissenting Voice Should Worry Us," National Association of Scholars, December 5, 2011; Peter Bonilla, "James Enstrom versus UCLA: Terminating Environmental Debate," *Academic Questions* 30, 4 (2017), https://www.nas.org/academic-questions/30/4/james_enstrom_versus_ucla_terminating_environmental_debate.

³ James E. Enstrom, EPA CASAC Comment "Criticism of EPA-452/P-19-001 September 2019 Policy Assessment for the Review of the National Ambient Air Quality Standards for Particulate Matter, External Review Draft" [https://yosemite.epa.gov/sab/sabproduct.nsf/F729E7D8E248A2C5852584970009565A/\\$File/Enstrom+Comment+to+CASAC+re+090519+EPA+PM+PA+101719.pdf](https://yosemite.epa.gov/sab/sabproduct.nsf/F729E7D8E248A2C5852584970009565A/$File/Enstrom+Comment+to+CASAC+re+090519+EPA+PM+PA+101719.pdf)

⁴ California Association of Scholars, *A Crisis of Competence: The Corrupting Effect of Political Activism in the University of California* (National Association of Scholars, 2012), https://www.nas.org/storage/app/media/Reports/A%20Crisis%20of%20Competence/A_Crisis_of_Competence.pdf

⁵ Peter Berkowitz, "How California's Colleges Indoctrinate Students: A new report on the UC System documents the plague of politicized classrooms," Wall Street Journal, March 31, 2012 <http://online.wsj.com/article/SB10001424052702303816504577312361540817878.html>; Debra J. Saunders, "University echo chamber drowns out diverse voices," San Francisco Chronicle, April 1, 2012 <http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2012/03/30/INLN1MNUVT.DTL>