
Campaign to Defend Academic Integrity

September 13, 2006

University of California Board of Regents
Office of the Secretary
1111 Franklin Street, 12th Floor
Oakland, CA 94607

Dear UC Board of Regents,

On Wednesday, September 20, 2006, the Committee on Educational Policy will discuss the issue of whether to adopt a policy to not accept tobacco industry funding at the University of California. The issue, introduced to the Committee by Regent Bustamante, has been in discussion at UC for several years. The discussion originally began after seven academic units at four UC campuses passed policies to not accept tobacco industry funding, as they believed accepting funds for research from the tobacco industry was inconsistent with the mission of UC.

In 2003, the Academic Council asked the University Committee on Research Policy (UCORP) to investigate the type and nature of restrictions attached to research awards, and the university's policies and practices regarding such restrictions. After reviewing the report from UCORP and requesting feedback from UC faculty members on the Council's proposed resolution on restrictions on research funding, the Academic Senate adopted the position in May 2005, that any decision to decline tobacco industry money (or funds from a particular source) should be done on a systemwide level by the Board of Regents.

The UC system is now the only higher education system in the world that does not allow academic units to make decisions on funding sources. Other prestigious universities such as Harvard, John Hopkins, and Emory have made the decision to not accept funding from any company affiliated with the tobacco industry. These decisions were based on arguments that revealed the danger in associating with the tobacco industry. Similar to the debate that took place with the Academic Council, these universities felt receiving funds from the tobacco related companies was dangerous to the mission of their universities and the academic freedom of their faculty.

The argument in favor of adopting a policy to no longer solicit or accept funding from the tobacco industry for any purpose recently became more convincing on August 17, 2006, when Judge Gladys Kessler found the tobacco industry guilty of violating the Racketeer Influence and Corrupt Organizations Act (RICO). Judge Kessler recognized in her ruling that in 1953 the tobacco industry formed an "Enterprise" that has been defrauding the public for over 50 years. A major component of the ruling was the Enterprises desire to fund university research to slow scientific and public acceptance of the idea that smoking and secondhand smoke causes disease. In her final statements, Judge Kessler concluded that the Enterprise continues to deceive the public. The question that begs to be asked is do the Regents of the University of California want to continue to have a relationship with an Enterprise that has been found guilty of racketeering?

Enclosed, please find letters of support from national health organizations, UC faculty members, and the Tobacco Education and Research Oversight Committee; a synopsis of Judge Kessler's ruling; correspondence from Regent Bustamante to the full Board of Regents; and previous communication with the University of California Office of the President.

Thank you for taking the time to review this information. If there is any additional information or materials I can provide you with, please contact me.

Sincerely yours,

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cc: Lieutenant Governor Cruz Bustamante, Regent
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Rory Hume, Provost
John Oakley, Chair, Academic Senate
Michael Brown, Vice Chair, Academic Senate
Jeff Blair, Acting General Counsel
Anne Shaw, Acting Secretary
Marie Berggren, Acting Treasurer

encl: Correspondence from Regent Bustamante, 9/13/06
National Voluntary Letter, 8/25/06, 7/14/05
Tobacco Education and Research Oversight Committee Letter, 9/13/06
Americans for Nonsmokers' Rights Letter, 9/7/06
Dr. Stanton Glantz Letter, 9/12/06
Relevant sections from Judge Kessler's ruling, 2006
Letter to Vice Provost Larry Coleman, 2003
Academic Senate Resolution on Funding, 2005