

CALIFORNIA LEGISLATURE

Senate

STATE CAPITOL
SACRAMENTO, CALIFORNIA
95814

April 2, 2013

Chancellor Gene Block
UCLA Chancellor's Office
Box 951405
2147 Murphy Hall
Los Angeles, CA 90095-1405

Dear Chancellor Block:

We are writing to express our grave concerns relating to information that has come to light in a recent *Bakersfield Californian* column by Lois Henry, "Cozy emails undermine air czar's integrity" (March 10, 2013), which we are attaching.

The piece raises a number of issues that we believe merit further investigation into activities that appear to represent unethical, deceptive and possibly illegal activities conducted by Professor John Froines.

As relates to UCLA, we are formally requesting all emails from Prof. Froines, which to date UCLA has withheld or heavily redacted despite several public information act requests, including from the *Californian*.

According to the newspaper, UCLA's rationale for not providing these emails appears as if it may be in violation of government codes and statutes as pointed out by Jim Ewert, counsel for the California Newspaper Association, who told the *Californian*, "**This is the first time I have ever seen a public university cite the First Amendment to allow it to withhold otherwise disclosable documents.**"

Frankly, on its surface, UCLA's refusal to provide this information raises serious questions and suspicions about what is being withheld from the public and why.

These emails are critical for ensuring the public good. Prof. Froines was hired to provide regulators with a truly independent review of scientific data; this activity has profound relevance to the health of millions of Californians and hundreds of businesses.

If the process was biased or compromised, the public deserves to know.

We would appreciate UCLA's cooperation in reviewing this matter so that we might be able to answer the following questions raised or implied by the *Californian's account*:

1. Did Prof. Froines participate in a predetermined scheme to bias the results of an "independent" scientific review and lay the foundation for a lawsuit against the Department of Pesticide Regulation, which hired Prof. Froines?
2. Did Prof. Froines take a position on the scientific information before the independent Scientific Review Panel he chaired had even met? If so, did he bias the findings?
3. Did Prof. Froines' contact (and that of his assistant) with activists – including Susan Kegley (Pesticide Action Network) – constitute a violation of state ethics or criminal laws?
4. Did Prof. Froines engage in similar activities relative to his SRP work on behalf of Mary Nichols or the California Air Resources Board?
5. Did Mary Nichols and Prof. Froines in their respective capacities at UCLA share or disclose any sensitive or confidential information that would have interfered with or jeopardized any research or findings that had a direct or inappropriate impact on any Air Resources Board's decision-making or regulatory process?
6. Did Prof. Froines present official findings or conduct other SRP work at a time when he was not formally authorized to serve as chair of the SRP?
7. If improprieties occurred, should funds paid to Prof. Froines be returned to the State of California?
8. Should Prof. Froines be removed as SRP panel chair and be prohibited from future work on behalf of the State of California?
9. If Prof. Froines is determined to have presented biased or unauthorized findings, should policies developed or influenced by those findings be overturned and reevaluated by an objective and impartial panel of scientists?

We believe these are questions that must be answered. California residents and businesses deserve a process that is impartial, fair and honest. A corrupted system is a disservice to everyone and erodes the public trust.

We greatly appreciate your consideration of this request and look forward to working with you as part of our efforts to further investigate this serious matter.

Sincerely,

Handwritten signature of Bob Huff in black ink.

Senator Bob Huff
Republican Leader
29th Senate District

Handwritten signature of Jean Fuller in black ink.

Senator Jean Fuller
18th Senate District