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AJM

To: . Distribution
From: . Kathleen M. Linehan *KML*
Subject: . Department of Defense Smoking Regulations

Date: June 19, 1986

As you are aware, the Department of the Army recently issued orders placing strict controls on smoking for its civilian and service personnel. The new controls prohibit smoking in all Army vehicles and aircraft and prohibit smoking in buildings except where "secondhand smoke from tobacco products can be sufficiently isolated to protect smokers from its effects."

The Army regulations were promulgated to comply with Secretary Weinburger's directive of March 11. His directive was issued as required by the Defense Appropriations conference report which mandated a report on smoking and health in lieu of cigarette commissary sale restrictions.

It is the industry's contention that the Army order goes well beyond the Secretary's directive for a smoking cessation education program, as well as , discussions Weinburger had with key House Armed Service Committee members. We have also been arguing that the new regulations will have a detrimental effect on future recruitment and troop morale.

It is not known when the Navy and the Air Force will come forward with their smoking programs. A delay is probable since both services have outgoing chiefs of staff who may want their successors to implement new policy.

There is also the opinion within the Department of Defense that their federal employees unions may sue for injunctive relief based on the regulations' preemption of the collective bargaining process. The filing of such a suit may also help encourage employee unions to threaten suit against the new GSA regulations.

In coordination with the TI, we are visiting various Senate and House offices of Members of the Armed Services Committees and the Defense Appropriations Subcommittees to ask that the Members call Weinburger's office and Army Secretary Marsh's office to ask that the Army program be withdrawn before its July 7 effective date.

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We are also informing tobacco state Members of the impact of proposed regulations.

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