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D R A F T

Public Smoking Issue Presentation

Communications Committee

October 30, 1986

Of our many issues, public smoking is the simplest to understand, the most difficult to combat, the most pervasive and ... arguably ... the most important.

The Surgeon General calls this issue the engine that drives the car. We don't agree with much that he says ... but he is right on this point.

Simply put, the anti-smokers say, "I am an innocent bystander. I am being hurt by the recklessness ... and the insensitivity of others."

Government at all levels has been quick to defend "innocent bystanders." And although we have won upwards of 90 per cent of all of our federal and state legislative battles in this area ... this year we faced 5 federal smoking restriction bills and another 35 at the state level. The 189 local battles this year

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have been far tougher.

The laws on the books range from the highly restrictive measures in San Francisco and Minnesota to a fairly permissive one in Maine which simply requires that businesses have a smoking policy.

Perhaps the most extreme public smoking rules are imposed voluntarily by literally thousands of businesses, associations, labor unions, public and private agencies. There are now a good many businesses and agencies that do not hire smokers -- yes, in most cases it is legal and they do it. Others ban smoking by customers. It is entirely possible that this nation's commercial airlines will ban on-flight smoking rather than risk legislation governing overall cabin air quality.

The public's view of the issue is somewhat muddled. A hard, realistic look at opinions is not encouraging. Overall, there is clear and overwhelming support from smokers and non-smokers alike for separate sections. There is not as much support for laws requiring segregation ... but the trends are disturbing.

Obviously, there are smokers who resent the second class citizenship ... but there are also smokers who stopped fighting a long time ago and who prefer the comfort of being surrounded by other smokers.

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There is much evidence that on this issue the news media remain skeptical of the anti-smokers and of us. The antis continue to choreograph an endless dance of "government reports" and studies. Our responses have been weak but, as we will discuss in a moment, there has been excellent progress in the past few months.

If one removes administrative costs from the equation ... Public Smoking is the single largest piece of our 1987 budget with proposed expenditures of about \$1.7 million. Beyond those direct expenses, are the salaries of three staff members assigned largely to the one issue, as well as related costs in the media relations, information center and coalitions budget. This issue is a priority and is treated as one.

Our program to deal with this issue is not only our best funded but is our best structured, best focused and best managed. Regretably, it is often our least visible. The major results we have seen are not in the public spotlight, but are mostly accomplished with individual businesses, unions, legislators, local news media and in the obscurity of scientific meetings.

Susan Stuntz manages the effort and will report to you on it now.

(Ms. Stuntz)

Each year, we spend a fair amount of time developing an issues plan and reporting progress against it. Since we all are

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familiar with that document, I'm going to rely on it here.

Our objective -- worked carefully through senior management, the various committees and our Board of Directors -- is "to discourage legislators and organizations from unfairly discriminating against employees and others who smoke."

This means:

- o We oppose all legislation and regulation which seeks to restrict smoking. No compromise ever.
- o We oppose all private efforts to discriminate unfairly against smokers ... hiring bans, refusals to promote smokers, refusal to allow smoking by employees or customers. The list is short and clear.
- o We discourage the voluntary restriction of smoking but we will help any organization which must, by law, adopt a smoking policy ... or any group wishing to adopt a policy as a means of avoiding legislation.

We have four strategies.

Strategy I is our most ambitious ... and our most important. It deals with the question of overall indoor air quality. It attempts to place environmental tobacco smoke in a reasonable

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context ... it attempts to broaden the issue ... broaden our support ... and deal head-on with Dr. Koop's favorite issue.

There is a great deal to report here. We could report at length on indoor air briefings we have conducted in the first nine months of this year with journalists, union and business leaders. We planned to conduct 35 of these sessions this year -- in the first nine months of 1986, we ran 123.

We could report on the new materials we have produced ... the articles, the reams of legislative testimony, the speeches and presentations.

We could report on a special kit, developed in close cooperation with the AFL-CIO and several unions, which takes a hard look at indoor air ... and a skeptical look at ETS ... from labor's perspective.

In our limited time today, we will report on two projects which we think you will find encouraging.

A year and one half ago, the Executive Committee authorized us to recruit scientists to deal exclusively with our legislative, public relations and immediate scientific needs in the areas of indoor air quality and environmental tobacco smoke. At the same time, the Committee created a committee of company scientists to look at the long term prospects for industry-supported research

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in this area. _

[John Rupp and his colleagues at Covington & Burling have done an excellent job of recruiting, coordinating and nurturing the scientists. They also serve on the special committee created by the Executive Committee. John couldn't be with us today; but we're lucky to have Matt Jacobs in his place. Matt will talk about past, present and future plans to get the scientists' views out to the people who need to hear them, and how far we've come in the last 18 months. He also can give you some personal insight into one particularly spectacular success story, as it's one he's been handling himself over the last 24 months.]

Matt....

Thank you, Matt. There's a second project here that is well worth mentioning. A year ago ... Bill Kloepfer noticed some workers poking a tube through the ceiling in our building. From that unusual introduction, we have come to know and utilize the services of a firm known as ACVA ... and its president, Gray Robertson.

ACVA is hired by businesses, contractors, landlords, unions, agencies and us to investigate indoor air quality. And, after examining some 125 million square feet in buildings ranging from Johns Hopkins University Hospital to one of the major facilities housing the Surgeon General's troops ... is that cigarette smoke

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is a problem only rarely.

And so ... we allowed Mr. Robertson to hire a public relations agency and sell his service through the news media.

Let me share a sampling of the results ...

(video)

Among the materials you have in front of you is the ACVA press kit; the results received thus far...in just five markets...are on the left hand side of the kit.

The clippings have been equally good in markets from Denver to Cincinnati ... to Chicago. We are attempting to pitch him to investigative reporters in cities where smoking restriction laws have been in place for sometime. No doubt, he will show that the laws have had very little effect on the quality of indoor air. And we are attempting to gain the support of organized labor at the local level to demand air quality investigations ... as a means of broadening the issue before workplace smoking bills and ordinances are debated.

Strategies II, III and IV describe our work with businesses, unions, restaurateurs and others considering voluntary restrictions.

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Here, we have a great variety of experts ranging from lawyers to personnel specialists ... materials ... studies ... and presentations. Samples of our materials are in your kit.

We are constantly adding to our inventory. We have two labor lawyers developing a piece for Harvard Business Review ... we hope to commission studies on smoker absenteeism and productivity in the near future ... we have just completed a paper on smokers' rights and affirmative action policies which is expected to be adopted and used by minority chambers of commerce ... we have videotapes on air quality in production ... and, as mentioned before, our workplace smoking kit for labor unions is nearly finished, as is a labor-targeted videotape, with an introduction by the president of a major union.

In the first nine months of this year ... we met and exceeded our annual goal of 120 special briefings with business and labor leaders ... representing such groups as the United Steel Workers of America, Coca Cola, Lockheed, Kaiser Aluminum, Reader's Digest, Goodrich and Goodyear, the University of Pittsburgh, the Army Corps of Engineers...the list for the first 9 and one-half months of the year is 92 pages long. I've a copy here if any of you would like to look at it.

We made another 20 presentations before major business associations including Chambers of Commerce in Illinois, Michigan, Vermont, Florida and New Jersey. Yesterday, one member

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of the staff spoke to the Florida Association of Personnel Administrators; today, Scott Stapf is talking to corporate personnel officials at a Bureau of National Affairs seminar on emerging issues in the workplace. We've also conducted briefings for nearly 30 unions. In both cases, we have exceeded our goal in nine months.

We have helped create smoking policies -- that help preserve smokers' rights -- for use by chambers of commerce in 7 states including New Jersey, Michigan, Illinois, Florida, Vermont, Maine, and Washington.

We have worked with restaurant associations in 17 states to promote the use of our "Smokers Are Welcome Here" program. Again, just this year, we have introduced the program in New Jersey, Florida, Louisiana and Oregon. Samples of that program's materials are in your workplace packet.

And ... again in the first nine months ... we responded to nearly 400 requests for assistance from such companies as the Insurance Institute of America, Blue Cross of Ohio, Lord and Taylor, Hoover, NCR and Sherwin-Williams Paint. Sometimes, these requests are easy to satisfy but often they require hours of work, site visits and the use of consultants.

It may seem we are preoccupied with our plans and goals ... we would admit to be determined to manage some specific challenges.

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And we are able to handle many, many unplanned activities.

We have managed the production of Institute testimony, the recruiting of witnesses and allies, the development of hostile and friendly questions for legislators, the briefing of Congressional staff and lobbyists, the generation of constituent letters, and the production of special studies, position papers and reports ... against any number of federal workplace smoking measures including the Scheur-Ritter and Stevens bills, the GSA proposal, the NAS and EPA forays, and the latest rash of airline and public transportation restrictions.

We have supported the State Activities division in many of the same ways in New York City, in Massachusetts and, right now, in New York State. Yesterday afternoon, we were asked to draft testimony for delivery by the president of the Teamsters union next Monday, before the New York State Public Health Council. Our strengths are in the guns and ammunition we have assembled ... in our targeted communications with key groups ... and in our support of our lobbyists.

As mentioned here many times ... our weakness is in public communication but, with Scott Stapf and company shooting our guns and ammo ... with Gray Robertson and the IAPAG scientists ... and with our other consultants pitching in ... we will make major progress yet this year.

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It is our view that this is difficult but not impossible ... that
the answers lie in many, direct and personal contacts ... sound
arguments ... and much persistence ... supported by a steady
change in public attitudes.

Thank you.