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Memo on Status of Waxman Hearing for Feb. 7 on H.R. 3434

1. We are advised that both Dr. Elders and Carol Browner have accepted invitations and will appear. (JD)
2. We understand that Dr. Koop is preparing testimony and hope to get a copy next week (Brennan)
3. Forsey is attempting to get a labor witness to testify that AFL-CIO favors comprehensive approach to clean air to be administered by OSHA. Suppose to report by Friday.
4. Burleigh is attempting to get NAM witness to testify along these same lines. Should have definite answer by Friday.
5. Burleigh attempting to get witness from TIEQ (The Total Indoor Air Quality Coalition)

Note - Labor, NAM & TIEQ all testified before Waxman last year on the Kennedy bill and took the above position. That bill, however, was not ETS specific and one which is poses somewhat different problems for these witnesses.

[R]

7. Margaret Rita is preparing a briefing book. Should be ready early next week.
 8. Cathey Yoe is compiling list of legislation and regulatory activity already taken on ETS in states and/or localities represented by members of Waxman Subcommittee.
 9. Burleigh is of the opinion that to the extent we can steer this hearing away from arguing science and more in the direction of an OSHA-oriented comprehensive clean air approach the better.
- * However, it is the opinion of Sam that we should have a scientific witness under any circumstances.

Boland has suggested having Gray Robertson.

My own view, is that particularly if we strike out on live witnesses from labor and industry, we should not go in with me (Charlie) as the sole live witness for the industry.

Even if I say all the right things, I have no scientific credentials.

Under these circumstances, my nominee would be Larry Holcomb.

Unlike Gray, he can address health science - not just engineering and architectural considerations.

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He does not have as much well-publicized financial ties to tobacco as Gray.

Gray needs at least 20 minutes to do his thing with charts and slides.

Holcomb can do more in a 5-minute summary.

Holcomb can answer health-oriented questions better.

10. Brennan is preparing for media relations for the hearing.

11. We will call subcommittee members early next week to see who will be present and try to farm out questions.

* He thinks we should perhaps offer more than one - maybe Gori and LaVois in addition to Holcomb.

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