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TALKING POINTS ON SMOKING ABOARD AIRLINERS

FOR CHARLES H. POWERS

BEFORE THE EXECUTIVE COMMITTEE

APRIL 6, 1989

TI DN 0010324

- o ~~As Bob said (assuming Charley follows Bob Lewis,~~ the House Aviation Subcommittee was expected to conduct hearings early this month on smoking aboard airliners. Although the hearings have been postponed, I want to give you a ~~very~~ brief update on our hearing resources and on our other airline activities.

- o ~~As we approach hearings,~~ [✓] We are stepping up our efforts to broaden the airline smoking issue to one of cabin air quality. Gray Robertson has reviewed the limited literature available on aircraft ventilation systems. We have changed Gray's media messages to highlight airliners as one of the filthiest indoor environments and to emphasize ventilation as the only workable solution to cabin air quality problems. Gray will, as appropriate, brief members of the subcommittee and subcommittee staff on these issues.

- o In addition, we continue to search for a true aircraft ventilation expert -- an engineer who comes out of the aviation industry -- to speak out on these issues. This task is proving difficult, so at the same time we are getting our existing consultants up to speed on the literature and arguments relating to design characteristics, operational practices and maintenance of airliner ventilation systems.

- o We are prepared for [↑] ~~combination~~ legislative ^{oversight} ~~oversight~~ hearings, -- wide ranging and hostile. Charley Whitley will present The Tobacco Institute's testimony. He will be

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accompanied by one of our consultant toxicologists, Dr. Larry Holcomb, and perhaps RJR's Dr. Guy Oldaker, who will discuss the efficacy of the Portable Air Sampling System -- the "briefcase."

o Mr. Whitley's testimony will focus on the primary reason the two-hour ban is a two-year test -- that is, the DOT is undertaking a comprehensive empirical cabin air quality study.

-- He will argue that it would be premature to take any legislative or regulatory action prior to the completion of the study.

-- He will also argue that there are substantial cabin air quality problems -- including ozone, low relative humidity and microbial aerosols -- that will go unaddressed if Congress focuses only on smoking.

-- He will urge the committee to consider improvements in aircraft ventilation systems as a means of solving all cabin air quality problems.

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- o Mr. Whitley will also raise doubts about the demand for a total smoking ban by pointing to passenger complaint data and Northwest's experience, and suggest that passengers are less concerned about in-flight smoking than aircraft maintenance and safety, flight delays, overbookings, lost luggage and other elements of customer service.

- o In addition, he will raise questions about aspects of the JAMA report, particularly about the way the report is written and the study methodology, as a prelude to Dr. Holcomb's testimony.

- o Larry Holcomb will focus on the half dozen or so in-flight ETS studies that have been reported. He will review the data findings (low nicotine concentrations) of these studies, including the JAMA report, and conclude that "the available scientific evidence does not support the prohibition of smoking on commercial aircraft."

- o He will also conclude that "given the limited and intermittent occasions for exposure, even in the case of compromised individuals [those with pre-existing health conditions] and cabin attendants, adverse health effects from exposure to ETS aboard aircraft are highly unlikely."

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- o Dr. Holcomb is currently preparing a critique of the JAMA report for publication in a scientific journal.

- o Dr. Oldaker will discuss the Portable Air Sampling System ("briefcase") technology developed by R.J. Reynolds scientists and used in recent in-flight studies. His testimony will focus on the capabilities of the technology to produce valid data in an unobtrusive manner, and will provide an opportunity to promote the efficacy of the DOT cabin air quality study process. If the subcommittee calls the DOT contractor to testify, Dr. Oldaker's testimony may be redundant.

- o We are prepared to propose additional witnesses to the subcommittee, including the head of an airline health and safety interest group, an aviation economist, and a smokers' rights activist. These witnesses would not be directly associated with us.

- o Peter Trask, director of the Aviation Safety and Health Association, would criticize the National Academy of Sciences' report which called for a total in-flight smoking ban. He would assert that the NAS committee did not adhere to its mandate and failed to address the most significant cabin air quality problems such as pressurization, low relative humidity, microbial aerosols, ozone, cosmic

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radiation, formaldehyde, etc. He would also state that even if smoking is banned, polluted cabin air will continue to threaten the health of flight attendants and the traveling public. He would urge adoption and enforcement of ventilation regulations.

- o An aviation economist -- either Lee Howard of Airline Economics or David Burnes of Aviation Research & Analysis -- would testify that the traveling public has never demanded and is not now demanding a smoking ban. He would review Northwest's experience and show that the carrier did not benefit from its total ban policy. He would also suggest that in some markets airline traffic may even have declined as a result of the ban.

- o Dave Brenton of the Smoker's Rights Alliance would serve to "offset" other potential "consumer" witnesses. Supporters of a total ban assert that even smokers dislike in-flight smoking. Brenton would demonstrate that there are many affected airline passengers who despise the 2-hour ban and oppose a total ban. He would briefly describe his organization and his views and activities on the airline ban. He would submit copies of petitions with more than 12,000 signatures calling for a reversal of the two-hour ban.

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- o Invitations for these three witnesses may hinge on whether the subcommittee conducts wide-open hearings, such as in 1987 when anyone with a view was permitted to speak, or more controlled, substantive hearings on the issues. If it is the latter, we may have difficulty securing invitations for these additional witnesses:
- o We expect a couple of "neutral" and a few ^{HOSTILE} opposition witnesses to be called.
- o DOT officials are likely to describe the cabin air quality study and suggest that further action should await the results of the study. The DOT study contractors, Geomet and Versar may also be called.
- o The Air Transport Association, which represents major airlines, would likely reject an invitation to testify. ATA members recently reached a policy consensus on this issue: To support making the 2-hour ban permanent and not to oppose total ban legislation. ATA does not want visibility on it.

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- o The Surgeon General has become more outspoken in recent months about a total airline ban and will likely be invited to testify. If he declines, another Public Health Service official, such as Office on Smoking and Health Director Ron Davis, may be called instead.

- o The president of the Association of Flight Attendants, the largest union will likely receive an invitation to testify. AFA actively supported the Durbin Amendment in 1987 and has^{NE} publicly called for a total ban.

- o Chairman Oberstar, who is from Minnesota, may want Minneapolis-based Northwest to testify about its total ban experience, particularly about passenger acceptance and enforcement. The carrier will no doubt proclaim its ban a complete success.

- o In addition, we have completed our first edition of the Smoker's Flight Guide. We are distributing it to our activists who are particularly interested in this issue and to Smoker's Rights Alliance members.

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o This month we will also complete the first of at least four Tobacco Action Network mailings on the issue. We believe correspondence opposing the 2-hour ban and total ban legislation directed to the airlines, DOT and Members of Congress is very important to our success. Last year, TAN activists produced an estimated 30,000 letters to these audiences, and we expect the same level of support this year.

o This updates our activities. We will, of course, keep you apprised of developments and make adjustments as events warrant.

*with THE HEAVENS
GETS CLOSER WE WILL HAVE
MEDIA EVENTS USING DAVE BRENTON
AND ~~THE~~ 12,000 SIGNATURES
OPPOSED TO A BAN. WE WOULD
ALSO PRODUCE A VIDEO NOW RELEASE.*

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