

ETS

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DATE: July 1, 1993

FROM: Jim Boland *JFB*

SUBJECT: Indoor Air Update

Pressure on regulating or banning smoking in the workplace by regulation, legislation, or executive order will quite likely reach a new high the week of July 19.

- July 19 Secretary Reich of the Department of Labor has made a decision to regulate smoking in the workplace. This decision will be made public in an OSHA court appearance on action on Smoking or Health's petition to ban smoking. Although the court document may not contain any specifics on the form of OSHA's proposed regulation, it will certainly set out the OSHA proposed regulatory schedule.
- July 22 Representative Henry Waxman is expected to hold a hearing in his Health and Environment Subcommittee on ETS. Carol Browner, Administrator of EPA, is expected to be the key witness. At the hearing a new public education brochure will be unveiled. Confidential sources have indicated that this document will not only discuss the health risks to children and adults from ETS, but will outline what steps must be taken by parents, employers, smokers and non-smokers to avoid the dangers of ETS. The report will indicate that smoking should be banned in schools and in the home. However, if it is permitted in the workplace, it should be done only after agreement between management and labor and should be done only in areas which are separately exhausted to the outside and are ventilated at a rate of 60 CFM. (Many believe that the costs of implementing such a standard would result in a de facto ban).

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These two events are likely to receive major news attention. Waxman is expected to introduce his own IAQ legislation in the near future focused on children which will be drafted in such a manner as to neutralize organized labor as well as avoid the jurisdiction of other Committees. Without question, these events would lay a good foundation for the Clinton Administration to issue an executive order announcing a goal of a smoke-free federal work-place.

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