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1. Comprehensive Program

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**Conceptual Framework of
Comprehensive Public Smoking Program**

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Objectives

1. To defeat mandatory and voluntary smoking restrictions.
2. To slow the decline of social acceptability of smoking.

Business and Political Environment

Factors which need to be addressed. (Motivators)

- o Concerns about health effects of ETS; general public concern with personal health and "innocent victims," e.g. non-smokers and involuntary smoking.
- o Annoyance with ETS and smokers.
- o Legislators' belief that there is no political risk in voting for smoking restrictions.
- o Resentment of tobacco industry's supposed arrogance and influence.
- o Unwarranted concerns about the social costs allegedly attributable to smokers.
- o Anti-smoker momentum and credibility.
- o Defensive legislative posture of industry.
- o Absence of established "smokers' rights."

Factors which need to be maximized. (Inhibitors)

- o ETS is a relatively unimportant component of indoor air pollution.
- o Good ventilation quickly diffuses ETS and eliminates the appearance and odors which cause some people to be annoyed.
- o Largely untapped smoker resentment of restrictions and anti-smoker harassment.
- o Anti-smokers have difficulty harnessing their extreme factions; anti-smokers need to keep the issue fresh.
- o Absence of established "nonsmokers' rights."
- o Concerns about individual rights and personal choices.
- o Most smokers and nonsmokers co-exist easily; have no interest in personal conflict.

Strategies

1. Oppose all legislative, regulatory, judicial and voluntary efforts to discriminate unfairly against smokers. Look for opportunities to reverse all existing restrictions.
2. Introduce and promote legislative, regulatory and voluntary measures which establish smokers' rights.
3. Increase awareness of extreme anti-smoker activities.
4. Increase awareness of true nature of indoor air pollution. Promote improved ventilation as the best solution.
5. Reduce superficial public debate of ETS.
6. Encourage scientific examination of ETS and actively present findings to audiences capable of engaging in detailed and technical discussions.
7. Critically evaluate ETS research.
8. Demonstrate that the "social cost" calculations are wrong; that smokers do not cost society more than nonsmokers.
9. Demonstrate that smokers expect courteous treatment from those who sell them products and services.
10. As part of a coalition, demonstrate that overreaction to annoyances is anti-social behavior; that Americans normally do accommodate each other.
11. As part of a coalition, help managers, service personnel and others deal more effectively with diffusing potential conflicts.
12. Encourage smokers to take the lead against anti-smoker proposals and activities. Provide means by which individuals and groups of smokers can express their dissatisfaction with discourteous and insensitive treatment.

Tactical Programs

A. Legislation

1. Standard lobbying and support operation.* & **

Oppose legislative, regulatory, and administrative efforts to restrict smokers' use of tobacco products in public and private places, utilizing existing programs and new tactics as necessary. Look for opportunities to repeal or modify (roll back) existing legislative, regulatory, administrative or judicial mandates restricting smokers' use of tobacco products in public places.

2. Ventilation legislation.*

Encourage the introduction and passage of bills and ordinances setting acceptable ventilation standards.

3. Smokers' rights legislation.*

Encourage adoption of measures which establish or preserve smokers' rights, i.e., forbid job discrimination against smokers.

B. Science

Center for Indoor Air Research.*

1. Sponsor research into overall indoor air quality.
2. Critically analyze all ETS research.
3. Sponsor research which looks objectively at health effects of ETS.
4. Share research findings with the scientific community; participate widely in indoor air quality discussions, symposia and through publications.
5. Provide technical and scientific spokespersons for briefing sessions described in tactic D-3 below.

Scientific Witness Team/Indoor Air Pollution Advisory Group.*

6. Critically analyze all ETS research.

7. Share research findings with the scientific community; participate in indoor air quality discussions, symposia and through publications.

8. Provide technical and scientific spokespersons for briefing sessions described in tactic D-3 below.

C. **Litigation**

1. Aggressive legal defense of smokers' rights.*

Conduct an aggressive legal program to establish precedents to protect smokers' rights, and to act as a deterrent to discrimination against smokers. (Related to tactic A-3 above)

2. Legal briefings.

Conduct briefings of bar associations, civil liberty groups and others engaged in the defense of individual rights.

D. **Public Relations**

1. Workplace restrictions: Corporate assistance.

Retain independent management consulting firm to help businesses deal fairly with both smokers and nonsmokers. Aggressively promote availability of service.

2. Workplace restrictions: Individual smoker assistance.

Redirect The Tobacco Institute's corporate program to serve individual employees seeking advice on how to influence or respond to workplace restrictions. Coordinate with Tactic C-1 above.

3. Promotion of need for ventilation.**

Promote the need for ventilation standards through news media, advertising, direct mail, videos, print materials, and coalitions.

4. ETS and indoor air quality briefings.

Conduct briefings with groups of legislators, journalists, business, professional, labor and civic officials on the subject of ETS and indoor air quality. Coordinate with scheduled meetings of allied associations, labor unions, lobbyists' and legislators' meetings.

5. Extreme reactions to common annoyances.*

With other organizations concerned with courtesy:

a) Help business managers and service personnel, e.g. flight attendants, restaurant employees, deal more effectively with potential conflicts arising from a range of annoyances.

b) Demonstrate that extreme reactions to every day annoyances constitutes anti-social behavior; that all people are annoyed by some things and, conversely, that all people do annoying things.

6. Smokers' rights groups.

Maximize the use of member company and Tobacco Institute programs to reach smokers and members of the tobacco family as means of demonstrating voter resentment of restrictions.

7. Smokers as customers.

Actively demonstrate smokers' value to business and the need to treat all customers courteously.

8. Social costs.

Work with economists, social scientists and others to demonstrate that "social cost" methodologies are little more than means to rationalize political action against business.

Media

1. Publications.
2. Articles and reprints.
3. Videos.
4. Advertising.
5. Direct mail.
6. Seminars and symposia.
7. Expert media tours.
8. Op-ed articles.
9. Celebrity spokespersons.
10. One-on-one briefings.

* * *

* new tactic
** current strengths

II. Legislative

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Lobbying and
Support

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Lobbying and Support Operation

Summary

Smoking restriction legislative, regulatory and administrative attacks on the industry continue to be introduced at a rate of more than 100 per year in the states and in several hundred localities annually. An expansion of current industry programs is required to meet the challenge.

Background

Anti-smoking proponents, once considered fringe groups out of the mainstream of contemporary political thought, have gained added credibility as more and more state health departments and quasi-state health panels have sided actively with anti-smokers, and as more smoking restrictions have been adopted. The watershed event was the 1986 report on environmental tobacco smoke from the surgeon general.

Company Programs

Member companies, to varying degrees, have augmented their government relations operations and are aggressively seeking opportunities to rollback existing anti-tobacco laws.

Strategy

Oppose legislative, regulatory and administrative efforts to restrict smokers' use of tobacco products in public and private places. Look for opportunities to repeal, modify or rollback existing legislative, regulatory, administrative or judicial mandates restricting smokers' use of tobacco products in public places.

Highlights

- o On a case-by-case basis, develop alternative legislative proposals to assure the best possible legislative outcome when some form of smoking restriction is inevitable, i.e., the 1985 Florida restriction law.
- o Identify and prioritize legislative and regulatory opportunities to rollback, modify or repeal restrictive legislation, i.e., Beverly Hills restaurant smoking ban.
- o Develop language to weaken proposed restriction measures and restrictive laws, i.e., non-tobacco specific ventilation standards, recognize equal rights of smokers and nonsmokers, protect employment rights of smokers.

o Encourage smokers rights' groups to oppose actively restrictive legislation and to assist in rollback activities.

o Develop and implement advertising campaigns sponsored by third-party groups to support legislative activities in targeted localities, i.e.; Charlotte restaurateur advertising.

Lobbying and Support Operation

Relationship to comprehensive plan

Primary Strategy

Strategy 1: Oppose legislative, regulatory, judicial and voluntary efforts to discriminate unfairly against smokers. Attempt to reverse existing restrictions as possible.

Tactical Programs

Tactical Program A.1.: Lobby against smoking restriction bills, ordinances and regulations. Utilize expert witnesses and coalitions. Encourage smokers to lobby and testify personally. Look for opportunities to repeal, modify or rollback existing legislative, regulatory, administrative or judicial mandates restricting smokers' use of tobacco products in public places.

Political and business environment

- o Legislation restricting smoking in public places continues to receive prominent consideration in the states. Since 1974, with few exceptions, more than 100 measures have been introduced each year. Despite this, we regularly defeat more than 90 percent of these proposals.
- o On the local level, smoking restriction introductions have increased dramatically. In 1982, for example, only 79 proposals were considered as compared to 1987 when nearly 300 local measures were introduced.
- o On the state and local level, anti-smoking organizations are gaining increasing credibility and momentum in promoting anti-smoking legislation. These groups were once considered outside the political mainstream.
- o Increasing participation by state health departments and quasi-state health panels has bolstered the credibility of anti-smoking groups efforts to restrict public smoking, i.e., Minnesota, Utah, New York.
- o State and local legislators increasingly are reluctant to vote against restriction legislation because it is viewed as a public health issue.
- o Honoraria and corporate campaign contributions programs are helpful in providing forums for lawmakers to hear industry views on ETS and other issues.

o The industry is often viewed as the primary -- and in some cases only -- opponent to restriction legislation.

o This perception is fortified by increasing and negative media coverage of virtually all tobacco-related issues. Currently, we have limited resources to deal directly with the local press to balance media reports.

o Smoking restrictions are often viewed by state and local legislators as the easiest way to improve indoor air quality.

o There have been some instances, i.e., Beverly Hills, Rancho Mirage, where restrictive laws were determined to be unworkable as originally enacted.

o Industry allies, including tobacco family groups, organized labor, business groups and restaurateurs, are frequently effective in opposing restrictive legislation.

Institute Program

Strategy: Oppose legislative, regulatory and administrative efforts to restrict smokers' use of tobacco products in public and private places. Look for opportunities to repeal, modify or rollback existing legislative, regulatory, administrative or judicial mandates restricting smokers' use of tobacco products in public places.

Tactics:

1. Maintain sufficient state legislative counsel in every state to lead on-scene lobbying efforts.

2. Retain sufficient numbers of local legislative counsel to lead lobbying activities on the local level.

3. Employ sufficient Institute field staff, strategically positioned to best represent the legislative priorities of the industry. The field staff includes a regional vice president and a regional director within each region.

4. In the 30 states that allow direct corporate campaign contributions, The Institute contributes to the campaigns of key lawmakers. The 1988 budget for this activity is \$384,000.

5. In most of the 20 states that do not allow direct corporate campaign contributions, The Institute provides honoraria forums for key lawmakers to facilitate an exchange of ideas with industry representatives. The 1988 budget for this project is \$49,000.

6. Retain regional public relations and labor consultants in selected key states or regions as appropriate.

7. Cultivate existing and new coalitions to complement industry activities, i.e., restaurant associations, chambers of commerce, law enforcement officials, minority groups, liberal/labor groups.

8. Work with state and local legislative associations, i.e., NCSL, CSG, ALEC, NACo, and look for opportunities to educate memberships to industry concerns.

9. Coordinate grassroots activities with TAN activists and individuals on member company smoker lists. As appropriate, encourage them to speak out against restrictive proposals.

10. As appropriate, produce and utilize materials that reinforce our positions, i.e., Illinois Chamber of Commerce voluntary program materials.

11. As appropriate, use expert ETS, ventilation and economic consultants to speak in public hearings and to brief legislators and key allies in private briefings.

Status:

o The Institute has at least one legislative counsel in each state. So far this year, we have defeated smoking restriction legislation in 19 states. In Maryland, Hawaii and Minnesota we were successful in defeating all workplace proposals, but additional minor restrictions were enacted in each of those states. Seventeen states are still considering smoking restriction legislation.

o Local counsel are retained in more than 15 key jurisdictions. On the local level in 1988, measures to restrict smoking have been introduced in 121 localities. To date, 32 communities have approved legislation. We have defeated 4 proposals; however, we are still concentrating efforts on the 90 localities which are considering legislation. Most local legislation is centered in California, Colorado, Pennsylvania, New York and Texas.

o Direct corporate campaign contributions are being utilized as appropriate.

o Honoraria forums are being conducted as appropriate.

o Staff are participating in state-related legislative organization meetings as necessary.

o TAN activists have been contacted to assist in state and local restriction battles as necessary. On the industry's airline project, State Activities has completed two of six mailings scheduled for 1988: (1) to 1,200 California activists and (2) 15,000 nationwide. These mailings have generated substantial correspondence to individual airlines and the Department of Transportation.

o A survey of the results of the Illinois business community's voluntary workplace program was conducted at our direction under the sponsorship of the state chamber. The results are being shared with key lawmakers and the press in state and local Illinois battles.

o At the request of the Sergeant at Arms of the Oklahoma House of Representatives, ACVA inspected the House Chamber and discovered serious, but manageable, indoor air quality problems. ACVA found no ETS problem. The report was shared with the Speaker of the Oklahoma House. He, along with most of his colleagues, now understand (from the immediate improvements to the House's air quality) the importance of indoor air quality and the minor role played by ETS.

o Scientific and indoor air quality witnesses have testified before several state and local legislative jurisdictions. These experts have conducted numerous one-on-one sessions with lawmakers and allied groups.

Member Company Programs

During the past several years, some of the Institute's member companies have added significantly to their existing government affairs programs. Two member companies retain legislative counsel in some states. Like The Institute, some member companies participate in corporate campaign contribution and honoraria programs. Some member companies are seeking opportunities to rollback existing anti-tobacco legislation.

Recommended Program Expansion

o On a case-by-case basis, develop alternative legislative proposals to assure the best possible legislative outcome when some form of smoking restriction is inevitable.

- o Encourage smokers' rights groups to oppose restrictive legislation and to assist in rollback activities.
- o Identify and prioritize legislative and regulatory opportunities to rollback, modify or repeal restrictive legislation, i.e., Beverly Hills restaurant smoking ban.
- o New areas for rollback activity include work against related commuter train smoking bans in Connecticut, New Jersey and New York. Continue and expand efforts to reinstate smoking cars on MTA trains in those states.
- o Develop proposals to weaken restrictive laws, i.e., non-tobacco specific ventilation standards, recognize equal rights of smokers and nonsmokers, protect employment rights of smokers. Language may reflect a variety of different legislative possibilities depending on local conditions.
- o Develop and use public opinion surveys sponsored by third-party allies to support rollback activities. Promote survey results to garner public support.
- o Identify and retain additional state/local legislative counsel as necessary to lead rollback efforts.
- o As necessary, employ additional State Activities regional and headquarters staff to support rollback and other activities.
- o To implement local public relations and media activities, employ Regional Directors - Public Relations. A pilot program will be conducted in State Activities Regions I and IV.
- o On the advice and under the direction of State Activities, develop media and public relations programs to support rollback and other legislative activities. Programs may include retention of public relations counsel and advertising campaigns, and development of local spokespeople.
- o Identify existing coalitions and assist development of new coalition groups to spearhead rollback activities, i.e., Beverly Hills Restaurant Association.
- o Conduct more briefings of state and local allied groups and potential allies on issue related topics. Seek additional opportunities to address organizations at meetings and conferences.

o Expand "early-warning" legislative network among industry and allied groups for quick identification of potentially damaging tobacco-related bills, especially at the local level. Through state Tobacco Action Network Advisory Committees (TACs), encourage activists and allies to be on the alert for smoking restriction proposals in their communities. To improve the early warning network, assist non-tobacco allies in identifying issues of importance to them.

o Promote industry views in allied publications, i.e., NRA News and state chamber periodicals.

o Look for opportunities to improve relationships with state and local legislative organizations, i.e., NCSL, CSG, NACo, League of Cities.

o Develop and implement advertising campaigns sponsored by third-party groups in targeted localities, i.e., Charlotte restaurateur advertising.

Ventilation

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Ventilation Legislation

Summary

Experience shows that many lawmakers and allies understand and appreciate the need for clean indoor air. When educated, legislators and allies often understand that clean indoor air requires much more than simple smoking restrictions and that tobacco smoke is a symptom rather than a cause of most indoor air problems. This educational process must be expanded.

Background

During recent years there has been a growing awareness and concern about the sick building syndrome and the need for properly installed and maintained ventilation equipment. That awareness has not yet led to a general preference for broad clean indoor air legislation over smoking restriction legislation. Since anti-smoking proponents do not normally oppose improved ventilation, there is an opportunity in some places to encourage broad ventilation measures, possibly in lieu of smoking restrictions.

Company Programs

None

Strategy

Increase awareness of the true nature of indoor air pollution. Promote improved ventilation as the best solution and a better approach than smoking restriction legislation.

Highlights

- o Determine target states and localities for legislative introductions. Identify indoor air quality allies and assist them in preparing legislation establishing acceptable ventilation standards.
- o Conduct indoor air quality briefings with key lawmakers and existing and potential allies to encourage their support of legislative efforts concerning ventilation standards.
- o Brief legislative counsel on indoor air quality issues, and as appropriate, direct them to assist allies in promoting legislative initiatives. As necessary, retain additional legislative counsel to assist in these efforts.

o Encourage indoor air quality allies to participate in existing state ventilation study commissions and promote improved ventilation standards as an effective response.

o Expand indoor air quality inspections of key government and private facilities to illustrate to legislators and business leaders the need to address overall indoor air quality. Promote as appropriate.

o Monitor all indoor air quality legislative introductions at the state level to determine which measures, if any, are suitable vehicles for ventilation legislation amendments.

Ventilation Legislation

Relationship to comprehensive plan

Primary Strategy

Strategy 4: Increase awareness of the true nature of indoor air pollution. Promote improved ventilation as the best solution.

Tactical Program

Tactical Program A. 2.: Encourage the introduction and passage of bills and ordinances which set acceptable ventilation standards and minimize the need or desire for smoking restriction legislation.

Political and business environment

o Some indoor air quality experts view improved and properly maintained ventilation systems as an effective means of addressing all indoor air pollutants including smoking. For example, ASHRAE has proposed that current dual ventilation standards for smoking and nonsmoking areas be replaced by a single standard regardless of smoking activity.

o There has been considerable media coverage pointing to proper ventilation as the key element to clean indoor air, i.e., Dr. Art Ulene's interview with Gray Robertson of ACVA. This broadens the indoor air quality issue and places smoking in the proper perspective among all indoor air pollutants.

o Some lawmakers, building codes organizations, and labor and business groups view smoking restrictions as an ineffective response to indoor air pollution. Labor groups, for instance, have promoted improved ventilation standards, i.e., legislation to assure overall clean indoor air.

o Support of labor's position on indoor air quality enhances our relationship with liberal/labor allies.

o Many business leaders are reluctant to tackle the indoor air quality issue for fear of excessive costs. Proper education can, in many instances, ease those fears.

o By the same token, business fears of ventilation amendments (perceived as costly) have led to the defeat of smoking restriction legislation in Washington State this year.

o Improved ventilation is often not viewed as an acceptable alternative to smoking restrictions by legislators and anti-tobacco groups.

o Some lawmakers and businesses often view smoking restrictions as the logical and most economical first step to improved indoor air quality.

o There are a growing number of state study commissions on indoor air quality. These forums present industry allies the opportunity to participate as members and to communicate an objective indoor air quality message.

Institute Program

New Program

Member Company Programs

None

Recommended Program Expansion

Strategy: Increase awareness of true nature of indoor air pollution. Promote improved ventilation as the best solution and a better approach than smoking restriction legislation.

Tactics:

1. Determine target states and localities for legislative introductions. Identify indoor air quality allies and assist them in preparing legislation establishing acceptable ventilation standards.
2. When determining target states and localities, review existing ventilation and smoking restriction legislation with indoor air quality allies for opportunities to include amendments establishing ventilation standards which would preclude the need for restrictive smoking legislation. If appropriate, introduce new ventilation-specific legislation.
3. Conduct indoor air quality briefings with key lawmakers and existing and potential allies to encourage their support of legislative efforts concerning ventilation standards. Seek additional presentation opportunities.
4. Brief legislative counsel on indoor air quality issues, and as appropriate, direct them to assist allies in promoting legislative initiatives. As necessary, retain additional legislative counsel to assist in these efforts.

5. Encourage ventilation allies to oppose smoking restriction legislation as an ineffective alternative to good indoor air quality.

6. As appropriate, develop public relations program to support legislative campaign. As necessary, retain public relations counsel.

7. Encourage indoor air quality allies to participate in existing ventilation study commissions. Encourage these representatives to promote improved ventilation standards as an effective response.

8. Expand indoor air quality inspections of key government and private facilities to illustrate to legislators and business leaders the need to address overall indoor air quality. Promote as appropriate.

9. Promote case studies of buildings that have adopted smoking restriction policies, but have failed to address overall indoor air quality. Direct promotion to those who conclude that smoking restrictions are the logical first step toward improved indoor air.

Smokers' Rights

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Smokers' Rights Legislation

Summary

Individuals and associations often agree that it is time to recognize to some degree the rights of smokers. The goal of the program is to take advantage of this sentiment, build upon it, and ensure that smokers are not discriminated against in hiring practices, nor in smoking restriction policies or legislation. These efforts, at least in part, must be led by smokers' rights activists.

Background

During the 1980's, several local fire and police departments began the practice of not hiring smokers and forbidding the use of tobacco products on or off the job. That practice is now seen in other job settings, i.e., The Travelers Insurance Companies and Federal Express. Some state and local smoking restriction laws provide total accommodation for nonsmokers in public and private workplaces.

Company Programs

At least two member companies are exploring smokers' rights programs.

Strategy

Seek opportunities to pass legislation which (1) protects the smoker's ability to retain or gain employment, (2) amends existing (or mandates through new legislation) restriction laws to require equal treatment for smokers and nonsmokers. Also, seek opportunities to adopt legislation which protects smokers from other unreasonable anti-tobacco efforts.

Highlights

- o Work with smokers' rights groups for the adoption of new legislation, and amendments to existing legislation, to establish smokers' rights to employment and use of tobacco products in public places.
- o Look for opportunities to adopt legislation which protects smokers' abilities to purchase tobacco products free from excessive taxation.

o Work to enact laws that discourage efforts to limit smoker information about new and existing tobacco products.

o Seek to establish a broad-based coalition of organizations opposed to discrimination against smokers.

o Create positive media interest in discrimination against smokers through smokers' rights groups. Assist such groups by identifying local public relations firms and providing other resource support.

Smokers' Rights Legislation

Relationship to comprehensive plan

Primary Strategy

Strategy 2: Introduce and promote legislative, regulatory and voluntary measures which establish smokers' rights.

Secondary Strategy

Strategy 3: Increase awareness of extreme anti-smoker activities.

Tactical Program

Tactical Program A.3.: Encourage adoption of measures which establish or preserve smokers' rights, i.e., forbid job discrimination against smokers, accommodate smokers and nonsmokers equally.

Political and business environment

o Increasing numbers of employers are adopting restrictive workplace smoking policies. Although some accommodate the preferences of smokers and nonsmokers, a growing number severely infringe on the rights of smokers, i.e., smoker hiring bans, policies that prohibit smoking on and off the job, ordinances giving all "rights" to nonsmokers.

o There is some public sentiment that the campaign against smokers has gone too far and infringes on individual freedom of choice.

o Without the active support of smokers, it will be difficult for the industry to promote smokers' rights against hiring bans.

o Currently smokers rights' activists are not well organized to protect their freedom to use tobacco products. Apart from industry activists, such as the Institute's TAN membership, there are few groups that appear capable of implementing effective smokers' rights campaigns. However, if properly educated, motivated and otherwise assisted, emerging groups may become more numerous and proficient.

o Some liberal, libertarian, and civil rights groups may support smokers' rights as a matter of individual liberty.

o There may be opportunities to amend existing, or introduce new, legislation to protect the rights of smokers, i.e., prohibit employer discrimination against smokers.

o Smokers' rights legislation may deflect anti-smoking groups from their own legislative agenda and force them to react.

Institute Program

New Program

Member Company Programs

Although some member companies provide industry information to individuals on their smokers' lists and smokers' rights groups, the focus on promotion of legislation to protect against smoker hiring discrimination and other rights of smokers is in the initial stages of development.

Recommended Program Expansion

Strategy: Attempt to pass legislation which (1) protects the smoker's ability to retain or gain employment (2) amends existing (or mandates through new legislation) restriction laws to require equal treatment for smokers and nonsmokers. Seek opportunities to adopt legislation which protects smokers from other unreasonable anti-tobacco efforts.

Tactics:

1. Target states and localities for introduction of legislation to prohibit discrimination against smokers.
2. Assist smokers' rights groups to enact legislation and amendments which establish smokers' rights to employment and use of tobacco products in public places.
3. Using Washington and Oregon as the initial sites, develop legislation to ensure equal accommodation of smokers and nonsmokers in public places.
4. Encourage the view that smokers have a right to purchase tobacco products without paying excessive and punitive taxes. Work with smokers in Virginia for passage of a cap on local cigarette excise taxes.
5. Encourage the view that smokers have a right to information about new and existing tobacco products. Using Massachusetts as a test, preempt local sampling laws.
6. As appropriate, utilize legislative counsel to assist in promotion of legislation establishing smokers' rights. If necessary, hire additional counsel.

7. Work with smokers' rights groups in identifying potential allies, i.e., civil rights, minority groups, to endorse efforts to establish and preserve smokers' rights. Assist in conducting briefings with appropriate organizations.

8. Seek to establish a broad-based coalition of organizations concerned with discrimination against smokers.

9. Assist organizational efforts of smokers' rights groups to make them more politically effective, i.e., issue material development, direct mail and telephone bank efforts to support legislative efforts.

10. As appropriate develop public relations programs to assist smokers' rights groups in promoting legislation, i.e., surveys demonstrating public opposition to smoker discrimination, advertising techniques. If necessary, employ local public relations counsel.

11. Compile, and promote as appropriate, examples of severe discrimination against smokers in the public and private sectors, i.e., Arlington, Texas case.

12. Employ TAN and member company smoker lists to support legislation establishing and preserving smokers' rights.

III. Science

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Center for Indoor
Air Research

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CIAR Indoor Air Research Program

Summary

With support from cigarette manufacturing companies, but independent from The Tobacco Institute, the new Center for Indoor Air Research strives to inspire objective scientific research on environmental tobacco smoke as well as the larger, and more important issue of indoor air quality.

Background

The environmental tobacco smoke issue is a controversy dominated by public relations and legal issues in which adversaries use science as ammunition. While objective research may support the hypothesis stated above, the role of science in resolving the controversy depends on the availability of articulate and respected scientists to explain research results effectively in the public interest.

Company Programs

Member companies have contributed independently to the development of equipment to quantify some elements of environmental smoke in aircraft, workplaces and restaurants, and have published or prepared for publication results of some studies using such equipment. Similar projects are under way.

Strategy

Identify areas of deficient scientific knowledge and invite and support research projects to expand such knowledge.

Continue support and encouragement of research on overall indoor air quality and mitigation.

Highlights

CIAR is committed to expansion of its efforts as noted above, examining and quantifying sources of indoor air contamination and the development of equipment and techniques to ascertain actual "exposure" under real-life conditions.

CIAR Indoor Air Research Program

Relationship to comprehensive plan

Primary Strategies

Strategy 4 (part): Increase awareness of indoor air pollution, and Strategy 6 (part): Encourage scientific examination of ETS.

Tactical Programs

Tactical Program B.1.: This continues to be a major thrust of CIAR's work. In New York and Dallas, ETS studies in workplaces and restaurants have been completed and publicized. A similar study is planned in Washington, D.C. These studies determine ambient levels of particulates and nicotine and, in some cases, carbon monoxide.

In addition, under Dr. S. DiNardi, CIAR has sponsored investigation of overall indoor air quality, with emphasis on respirable suspended particulates, in shopping malls and offices. It has also supported studies at Oak Ridge National Laboratory to evaluate personal nicotine monitors. A further project with Dr. D. Eatough of Brigham Young University is directed at understanding the relationship between nonsmoker exposure and nonsmoker dosage of ETS, and identification of additional markers of ETS.

CIAR has scheduled a three-day meeting of its directors and advisors in early May to plot further direction and expansion of its research support activities.

CIAR ETS Research Analyses

Summary

Throughout the 1980s, roughly beginning with publication of the Hirayama report on the health of nonsmoking wives of Japanese smokers, more than a dozen epidemiologic studies have appeared which constitute a "pseudo science" of ETS health effects. CIAR supports objective examination of the reported data and publication of the analytical results.

Background

Studies to date have been used to support contentions from sources such as the U.S. Surgeon General and the National Academy of Science that ETS is the cause of certain diseases and physiologic problems. These contentions, in turn, have supported political and social moves to diminish ETS through smoker behavior restrictions.

Strategy

Support critical and objective appraisals of ETS published research reports.

Tactical Programs

CIAR regards the Hirayama report as the major element of the epidemiologic data base which is interpreted as condemnatory of ETS. It has supported a study of that data by Dr. J. Kilpatrick whose analysis will be published as part of the proceedings of an indoor air conference in which he took part in Japan last October.

CIAR is supporting a study by Dr. L. Husting, looking at the epidemiology of low-risk associations as reported by case-control methods. Its hypothesis is that this method can lead to reported associations even in the face of certain knowledge that they are not cause/effect.

At its May meeting, CIAR participants will discuss further pursuit of this strategy.

CIAR Communications

Summary

Perhaps due to the suspicion created by prior "expert" judgments in the basic smokers' health issue, research supported by governmental and other institutions has tended to be designed and reported as indictments of ETS. Ironically, in a number of workshops and symposia involving knowledgeable scientists and researchers, these indictments have not been affirmed. Stimulation of such exchanges can lead to greater awareness of objective assessments and at the same time inspire additional necessary research in the public interest.

Background

Members of the CIAR board of directors and its grantees have begun a pattern of participation in communications within the scientific community. Through publications, personal exchanges and the delivery of scientific papers they have gained confidence of the willingness of the scientific community generally to take open-minded approaches to the ETS controversy and to study the overall indoor air quality question more assiduously.

Strategy

CIAR intends to broaden scientific communication on ETS and thereby expand scientific interest in total air quality.

Tactical Programs

- o It is CIAR's intention to establish an indoor air quality newsletter to report ETS and other air quality information within the scientific community and to other interested readers.
- o In the longer run, CIAR is interested in the establishment of a peer reviewed scientific journal devoted to overall air quality, partly to help speed up publication of important information.
- o Membership in CIAR, consisting of cigarette manufacturers, is open to other industries interested in air quality. CIAR will plan recruiting as a means to broaden interest in research support programs.

CIAR Technical/Scientific Spokespersons

Summary

As stated or implied elsewhere in this document, there is a relative abundance of "expert" individuals who denounce ETS as unhealthful, largely ignoring other elements of indoor air which may be unhealthful and certainly are more difficult to perceive. On the other hand, a tendency to identify persons who speak objectively in public about indoor air as somehow defending the tobacco industry per se is an inhibiting factor. CIAR recognizes this as an undeserving situation from the standpoint of the public interest, but pending its organizational and research support priority development, is not in a position to deal with this problem directly.

Background

Scientific spokespersons in this area must be authoritative in their comprehension of indoor air quality problems and the appropriate methods which have been or are to be applied in assessing relevant health effects, if any. As an example, it may be possible to detect minimal exposure to ETS in the bodies of persons exposed to it. On the other hand, at present there is a lack of objective, qualified individuals prepared to demonstrate that such exposures are not sufficient to affect the health of individuals, or to make accurate statements regarding other components of indoor air.

As noted, CIAR is making determined efforts to expand the scope of its activities and this question will be faced in due course. The organization was created earlier this year and is endeavoring at the moment to establish its role and develop appropriate staffing.

Scientific Affairs

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Scientific Affairs Program

Summary

The program relies upon Institute scientific witnesses to analyze ETS research, and to place ETS in proper perspective in the indoor air quality issue.

Background

Although not all scientists agree that ETS has been proven to be a health hazard to nonsmokers, it is difficult for scientists with opposing viewpoints to express themselves within the scientific community. The 1986 Surgeon General's and National Academy of Sciences reports tend to muzzle opposing views.

Company Programs

Member companies call upon Institute scientific witnesses to provide scientific background in briefings they arrange.

Strategy

Encourage continued participation by ETS scientists in briefings, publications, seminars and other efforts that point to environmental tobacco smoke as a minor indoor air quality factor.

Highlights

- o Continue and expand ETS briefings of legislators and other decision makers by scientific experts. Conduct follow-up briefings as additional analysis and research becomes available.
- o Intensify efforts to obtain draft materials and reviewers' comments from the 1986 Surgeon General's report on ETS. Seek additional opportunities to obtain documentation through anti-smoker workplace claims that currently are in the courts.
- o Actively monitor and comment on federal research grants to conduct indoor air quality and ETS research; through the appropriations process, question validity and necessity of current research programs.

Media

The program relies for the most part on individual and group briefings, publication of articles and letters to the editor (and subsequent reprints, as appropriate).

Scientific Affairs Program

Relationship to comprehensive plan

Primary Strategies

Strategy 5: Reduce superficial public debate of ETS.

Strategy 7: Critically evaluate ETS research.

Secondary Strategies

Strategy 4: Increase awareness of true nature of indoor air pollution. Promote improved ventilation as the best solution.

Strategy 6: Encourage scientific examination of ETS and actively present findings to audiences capable of engaging in detailed and technical discussions.

Tactical Programs

Tactical Program B.6: Critically analyze all ETS research.

Tactical Program B.7: Share research findings with the scientific community; participate in indoor air quality discussions, symposia and publications.

Tactical Program B.8: Provide technical and scientific spokespersons for briefing sessions described in public affairs tactic D.3.

Political and Business Environment

o Most smoking restrictions and smoking restriction legislation are based on the alleged health effects of environmental tobacco smoke on the nonsmoker. The 1986 Surgeon General's and National Academy of Sciences reports are the primary ammunition for legislative activity.

o Although other viewpoints exist, it has been difficult for scientists with these viewpoints to express themselves within the scientific community. A network of anti-smokers in leadership positions effectively muzzles opposing views; publication of articles with these views is difficult.

o Although the industry has caused increased focus on the broader issue of indoor air quality, environmental

smoke is still viewed as a separate and distinct issue.

Institute program

Strategy: Focus greater attention on the broader issue of indoor air quality and encourage continued participation in efforts that point to ETS as a minor indoor air quality factor.

Tactics:

1. Assist the Center for Indoor Air Research in conducting an additional six portable air sampling system studies in priority locations identified by State Activities and/or Federal Relations.
2. Encourage scientific research and publication of articles that point to environmental tobacco smoke as a minor indoor air quality factor.
3. Encourage continued and expanded participation by scientific consultants on committees of organizations studying indoor air quality.
4. Maintain well briefed and up-to-date scientific witness team, available to and capable of conducting briefings on ETS research with legislators, decision-makers and representatives from the scientific community.
5. Encourage detailed analysis of all anti-smoking research; aggressively criticize -- via briefings, publications, letters to the editor -- all shoddy research.

Status:

o Conduct "PASS" studies. These are scheduled at the request of the Center for Indoor Air Research, with Institute staff assisting in identifying sites and Institute scientific consultants assisting in coordination, as requested. To date, one PASS study has been scheduled -- in Washington, D.C. Institute staff has identified 35 workplaces for testing, and obtained tentative approval from building occupants. We also have asked consultant Larry Holcomb to stand by to coordinate the testing, tentatively scheduled for mid to late May.

o Seek publication of articles. Scientific consultants retained by The Institute -- through the Indoor Air Pollution Advisory Group and the Scientific Witness Team -- undertake these activities at the direction of the Center for Indoor Air Research.

o Participate on indoor air quality committees. Representatives from the Scientific Witness Team and the Indoor Air Pollution Advisory Group continue to monitor and participate in scientific conferences and on panels examining indoor air quality. The Institute maintains a comprehensive scientific meeting schedule, and coordinates staff and consultant attendance at all scientific meetings.

In May, for example, scientific consultants will attend two air quality seminars at Research Triangle Park, and a Consumer Federation of America conference on indoor air quality.

o Maintain scientific witness team. Currently, representatives from the Indoor Air Pollution Advisory Group review all indoor air quality research and literature, and ensure that Institute scientific witnesses are fully briefed on the state of the science.

To date this year, the Institute has sponsored two full-day briefings for scientific consultants. At the first, IAPAG representatives reviewed the literature and discussed any questions or problems scientific witnesses may be encountering. At the second, Institute staff and the scientific witnesses worked through preparation and delivery of testimony, audio-visual materials, media training, and other technical problems.

Currently, The Institute can call upon three scientific consultants for testimony and for media work. Some representatives from IAPAG are available for testimony in litigation, before Congress, and for meetings with scientific representatives from regulatory agencies. We are attempting to identify an additional four witnesses for general testimony.

o Analyze and criticize anti-smoker research. As noted above, IAPAG representatives continue their role as analysts of ETS research. Results of these analyses are incorporated into ETS briefings for legislators and regulators.

In addition, Institute staff, through Rep. Norm Mineta's staff, continue their efforts to obtain draft chapters and reviewers' comments from the 1986 Surgeon General's report on ETS. These documents will offer further opportunity for analysis and criticism. We also are working to identify additional means by which these documents might be obtained -- including court cases in which the report may be cited to justify workplace smoking restrictions or employee compensation.

Member Company Programs

Member companies rely on Institute scientific witnesses for testimony and briefings, although both also arrange for briefings on their own.

Recommended Program Expansion

- o Expand efforts to obtain documentation for the 1986 Surgeon General's report. Canvass current court cases in which plaintiffs may be citing report to obtain compensation; work through defense counsel in an effort to subpoena documents.
- o As additional information on shoddy ETS research becomes available (e.g., Kilpatrick's analysis of the Hirayama data), provide follow-up briefings to legislators and decision makers who already have received an overview of the issue. Incorporate new information and/or researchers into future briefings.
- o Actively monitor National Cancer Institute appropriations process. Review and submit comments on all ETS-related research proposals. Through Congressional appropriations committees, raise questions about validity and necessity for current federal research program.

IV. Litigation

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Litigation Program

Summary

The program establishes The Institute as a source of assistance in asserting rights of smokers in the workplace and in public places, and provides guidelines under which the industry seeks to broaden the concept of smokers' rights.

Background

Proliferating public and private restrictions against smoking, and resulting inconsistent and discriminatory enforcement, are continuing to create problems for smokers who may be denied jobs or promotions because they choose to smoke.

Company Programs

Member companies refer to The Institute most requests for legal assistance; some are referred directly to Institute legal counsel.

Strategy

Seek opportunities to establish and broaden smokers' rights in the workplace and in public places, and actively promote The Institute as a source of assistance for smokers who believe they are being discriminated against or harassed.

Highlights

- o Develop, refine and promote materials that can be made available to smokers who have experienced discrimination or harassment.
- o Provide assistance to smokers -- either as individuals or through organized labor -- who have legal channels available to them to assert their rights.
- o Brief individuals and groups concerned with civil liberties on individual rights, particularly regarding current smoking restriction activities.

Media

The program is promoted via member company publications and direct mail to smokers and smokers' rights groups. Supporting materials include publications and reprints of articles. Legal media tours, conferences and briefings with civil liberties groups also will be used.

Litigation Program

Relationship to comprehensive plan

Primary Strategy

Strategy 1: Oppose all legislative, regulatory, judicial and voluntary efforts to discriminate against smokers. Look for and attempt to capitalize on any opportunities to reverse existing restrictions.

Secondary Strategies

Strategy 3: Increase awareness of extreme anti-smoker activities.

Strategy 12: Encourage smokers to take the lead against anti-smoker proposals and activities. Provide means by which individuals and groups of smokers can express their dissatisfaction with discourteous and insensitive treatment.

Tactical Programs

Tactic C.1: Conduct an aggressive legal program to establish precedents to protect smokers' rights, and to act as a deterrent to discrimination against smokers. (Related to tactic A-3).

Tactic C.2: Conduct briefings of bar associations, civil liberty groups and others engaged in the defense of individual rights.

Political and business environment

o As legislative measures restricting smoking in public places and the workplace have proliferated, a climate has been created that encourages public and private actions that discriminate against and harass smokers.

o Many smokers currently are covered by smoking restriction laws or ordinances and are subject, in the event of noncompliance, to a variety of statutory penalties. A major problem is that many of the pertinent measures are so vague that compliance is not a particularly easy matter. Inconsistent and discriminatory enforcement of smoking restriction statutes also can create serious problems for smokers.

o Many smokers also face discrimination because of smoking restrictions that have been imposed, independently of legislation, by private employers and the managers of public places. Such discrimination takes a variety of forms -- refusing to hire smokers, giving smokers undesirable work assignments or work spaces, discriminating against smokers in promotion or actually firing employees who smoke. The recent actions of Northwest Airlines, prohibiting smoking on all domestic flights, is an example of the kind of private non-workplace discrimination that occasionally has occurred.

o Over the past several months we also have become aware of a number of incidents of outright harassment or attempted intimidation of smokers. Such incidents may well increase in the future.

Institute Program

Strategies:

Strategy I: Promote The Institute as an entity that is prepared to assist smokers in asserting their rights in the workplace and in public places.

Strategy II: Seek opportunities to broaden the concept of smokers' rights and generally to establish favorable precedents for smokers, while also providing assistance to individual smokers in appropriate circumstances. The types of matters that are of concern include the following:

- o People who have been fired, denied a promotion, given an undesirable reassignment or not hired because of smoking
- o Employees who are subject to burdensome limitations on smoking at work, particularly if the limitations go beyond applicable legal requirements
- o Any situation involving an attempt by an employer to restrict employee smoking off the job
- o Any instance of an employee being threatened with discharge or actually being fired for expressing opposition to a workplace smoking policy
- o Any request for assistance involving threatened or actual legal prosecution of a smoker for allegedly violating a smoking restriction law or privately imposed smoking restriction policy

o Any actual or contemplated legal challenge to a smoking restriction

Tactics:

1. Review pertinent publications (newspapers, employment law reporters and other publications) for incidents of discrimination or harassment involving smokers.
2. Increase knowledge and awareness by Institute field staff, legislative counsel and company personnel of The Institute public relations staff responsibility for coordinating action on any incident involving a smoker of which they become aware.
3. Develop and refine materials that can be made available to smokers who have experienced discrimination or harassment, including brochures, reprints of articles, legal memoranda, etc.
4. Work with legal counsel to identify appropriate incidents for litigation or to assist in such litigation.
5. Continue to look for cases or proceedings in which an anti-smoker is seeking to have smoking restricted or claiming damages or other relief because smoking has not been restricted.

Status:

o Identifying instances meriting assistance. Institute field staff and legislative counsel are reminded regularly of the importance of their notifying Institute staff in Washington promptly in the event they become aware of instances of smoker discrimination or harassment. We also have provided similar encouragement to company personnel. As a result of these and other efforts, a substantial number of matters have been referred to The Institute over the past several months for review and assistance.

In addition, several union cases have been identified and assigned to labor consultants for handling.

o Handling individual cases. Institute staff in Washington have been assigned responsibility for handling--at least initially--instances of discrimination or harassment involving smokers. After reviewing any written materials that describe the incident (press reports, letters, etc.), Institute staff typically call the smoker involved, attempt to obtain

further information concerning the incident and, if appropriate, provide the smoker with materials that can be used to assist in resolving the problem. On appropriate occasions, Institute field staff have attempted, with some success, to mediate the dispute with the employer or other person responsible for the problem.

If a case concerning the incident has been filed, is threatened or appears to offer, from the industry's perspective, some promise, Institute staff refer the matter to legal counsel for handling. During the past year, legal counsel has received -- either from Institute staff or directly from company personnel -- between one and two new referrals per week in this area.

Through legal counsel, the industry has provided assistance during the past year to smokers in a number of court cases. These include a group of smokers who were arrested after a flight was declared to be nonsmoking, a smoker who was fired from her job for refusing to comply with smoking restrictions that went well beyond applicable legal requirements and -- through the Tobacco Industry Labor Management Committee -- to employees of HHS and unionized city employees in Anchorage, Alaska.

In addition, legal counsel has provided advice and assistance in connection with a number of incidents that ultimately were resolved without litigation and has been actively monitoring cases brought by anti-smoking groups or individuals. In the latter category of cases, legal counsel has been providing assistance -- legal research, memoranda, comments on briefs, scientific witnesses and the like -- whenever appropriate to the lawyers representing the defendant(s).

o Briefings of individuals concerned with civil liberties. Management attorney John Fox has co-authored, with former American Association for Affirmative Action president Robert Ethridge, a monograph raising potential equal employment problems with smoking restrictions. This monograph has been shared -- quietly to date -- with allies in minority groups.

Institute counsel continues to work with the American Civil Liberties Union toward a statement opposing smoker hiring bans.

Member Company Programs

Member companies refer requests for legal assistance to The Institute, or in some cases, directly to legal counsel.

Recommended Program Expansion

Institute counsel advises that the prospect of success in individual cases involving smokers varies widely and that, without additional legislation, there is little chance of our establishing through litigation any general "right" to smoke in the workplace or in public places. We will continue to utilize litigation in this area on only a very selective and discriminating basis.

- o Develop briefing paper for use with organized labor, outlining union rights and responsibilities in smoking issues involving collective bargaining. Incorporate into legal and labor briefing materials.
- o Develop a labor-oriented presentation on union collective bargaining rights involving smoking issues. Seek opportunities to make presentations to national, state and local labor councils, to conventions of individual unions, either in conjunction with current indoor air quality presentation or alone.
- o Utilizing affirmative action and other legal arguments, brief representatives from minority bar groups (e.g., Hispanic Bar Association); seek statements in opposing discrimination against smokers.

V. Public Relations

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Corporate/
Smoker Assistance

50662 4319

Corporate/Smoker Assistance Programs

Summary

The programs offer practical advice and solutions to businesses and smokers facing the workplace smoking issue. The programs attempt to circumvent the need for legislative interference or unreasonable interpretation of existing laws.

Background

Although there is growing pressure to restrict smoking in the private workplace and a perceived trend toward restrictive policies, businesses respond favorably to reasonable responses to the issue.

Company Programs

Philip Morris promotes The Institute's assistance program through Philip Morris Magazine and mailings of the workplace smoking resource guide. Philip Morris recently prepared a guide for employers and smokers to the New York City law.

R.J. Reynolds has prepared its own workplace kit with sections on ETS, indoor air quality, and practical guidelines for dealing with the issue. The Institute's assistance program is promoted in R.J. Reynolds' various newsletters.

Strategy

Encourage reasonable employer response to the workplace smoking issue. Increase awareness among smokers and employers of alternatives to restrictive corporate smoking policies.

Highlights

o Retain an independent management consulting firm to offer assistance and materials to companies dealing with the issue. The firm would promote reasonable responses, compared to other firms which counsel bans. The firm would promote their services through media tours, seminars, direct mail and advertising. The firm also would prepare and promote an informative video.

o Increase promotion of good ventilation and air filtration as an effective response to workplace smoking problems. Point out good ventilation improves employee productivity.

o Focus The Institute's assistance program to smokers responding to restrictions. Re-design workplace kit for smokers offering suggestions on how to deal with existing and proposed restrictions.

Media

The management consulting firm will promote its services to companies via direct mail solicitations, advertising in management publications, seminars, videos and print materials.

The Institute will continue to promote its programs to smokers via Institute and member company publications, via direct mail to smokers' lists and through smokers' rights organizations. Materials to be used include print publications, reprints of articles and videos.

Corporate/Smoker Assistance Programs

Relationship to comprehensive plan

Primary Strategy

Strategy 1: Oppose all legislative, regulatory, judicial and voluntary efforts to discriminate unfairly against smokers. Attempt to reverse all existing restrictions.

Secondary Strategies

Strategy 3: Increase awareness of extreme anti-smoker activities.

Strategy 11: Help managers, service personnel and others deal more effectively with diffusing potential conflicts.

Strategy 12: Encourage smokers to take the lead against anti-smoker proposals and activities. Provide means by which individuals and groups of smokers can express their dissatisfaction with discourteous and insensitive treatment.

Tactical Programs

Tactical Program D.1: Retain independent management firm to help businesses deal fairly with both smokers and nonsmokers. Aggressively promote availability of service.

Tactical Program D.2: Redirect The Tobacco Institute's corporate program to serve individual employees seeking advice on how to influence or respond to workplace restrictions. Coordinate with aggressive legal assistance program.

Political and business environment

o Most smoking restrictions and smoking restriction legislation are based on the alleged health effects of environmental tobacco smoke on the nonsmoker; proponents are strongly motivated by annoyance. The 1986 Surgeon General's and NAS reports are the primary ammunition for legislative activity.

o Federal, state, local and private public smoking activity continues to increase. Since the first public smoking legislation was passed in 1973, some 42 states

and more than 500 localities have restricted smoking in public places. Of these, 12 states restrict smoking in the private workplace and 24 states address smoking in government offices. In addition, more than 170 localities restrict smoking in the workplace.

o Although many private employers who regulate smoking attempt to accommodate smokers and nonsmokers, some implement smoking bans and discriminatory hiring policies. The business community and the news media perceive a growing trend toward severe restriction. This perception is supported in part by surveys of corporate attitudes toward smoking restrictions.

o Employers are receiving substantial pressure from anti-smoking organizations to severely restrict smoking to protect the public's health, reduce overhead expenses and thereby increase profits.

o Most employers would prefer to develop their own responses to the issue rather than respond to specific legislation or to anti-smoker demands; however, we are seeing a growing trend toward support of legislation and/or total bans as easy ways out of dealing with a potentially difficult issue.

o The Institute continues to call upon considerable resources to assist employers and others in dealing with the public smoking issue in a responsive and reasonable manner. Although The Institute has provided assistance to a number of institutions, many continue to be unaware of our resources or unwilling to consult us as a credible source of reasonable information.

o Smokers have and will continue to rely heavily on The Institute for information and support in opposition to legislated and private smoking restrictions.

Institute Program

Strategy: Work with employers and business organizations to increase awareness and credibility of The Institute's workplace programs. Encourage reasonable employer response to employee demand for smoking restrictions.

Tactics:

1. Continue targeted mailings establishing The Institute's expertise and willingness to provide assistance. Provide materials to 200,000 employers during 1988. In consultation with State Activities Division, mailings will be prioritized according to states and localities that are facing workplace smoking legislation.

2. Promote reasonable policies to employers who are considering policies or who are responding to state and local legislation. Reasonable responses will accommodate smokers and nonsmokers without allowing an individual or a group of individuals to dictate preferences.

3. Conduct in 1988 at least 500 workplace smoking issue briefings with institutions that are facing the issue. Identify opportunities for corporate briefings as follows:

- . Companies with which we have already established contact but have not yet requested a briefing.

- . As a follow-up to targeted mailings and phone calls.

- . Leads from state and local chambers of commerce with which we have established a relationship.

4. Briefings will be conducted by Institute staff. Specialty consultants may include: legal counsel, union specialist, ventilation experts, management consultants.

5. Promote effective ventilation, air filtration/cleaning technology as a viable alternative for employers facing the issue. Develop materials outlining low-cost approaches to improved ventilation systems, use in communications with employers.

6. Offer generic workplace smoking and corporate indoor air quality videos to employers considering restrictions. Videos may be used in instances where in-person briefings are not possible.

7. Encourage publication in the general media of articles giving examples of reasonable responses. Consultants who are adept on the issue will respond to articles which suggest unreasonable and unfair solutions to workplace smoking issues.

Status:

- o Targeted Mailings. We have provided approximately 30,000 written issue briefing materials to employers and smokers in the first quarter of 1988.

- o Promotion of Reasonable Policies. We have prepared workplace smoking guides for employers in Waltham, Mass., and Tennessee, encouraging reasonable response to the workplace smoking issue.

We also have worked with the Illinois Chamber of Commerce to commission a survey of employers in the state, demonstrating that voluntary response to the smoking issue is working, and that legislation is not needed.

o **Workplace Issue Briefings.** As of March 31, we have completed 150 workplace smoking briefings for employers considering the issue. In addition, we have briefed 160 individual smokers seeking information and assistance opposing smoking restrictions.

Professional Group Briefings. As of March 31, we have completed two briefings of professional groups on the workplace smoking issue, including the New York City Chamber of Commerce and the Institute of Savings Leagues in Washington, D.C.

Media/Legal Briefings. To date, we have completed three legal media tours, in which management attorney John Fox encourages reasonable accommodation of smokers and nonsmokers in the workplace.

Attorney John Fox also has worked with the Sunnyvale, Cal., city attorney to respond to a proposal to restrict smoking severely. The city attorney has proposed a less drastic solution calling for accommodation of all employees.

o **Promote Effective Ventilation as an Alternative.** Ventilation expert Gray Robertson has completed two media tours to date, including interviews with two dozen print and broadcast media. In addition, he and TI staff met with representatives from a Richmond, Va., employer seeking an alternative to a smoking ban.

The Institute and the National Energy Management Institute (NEMI) have developed brochures on ventilation as a low-cost alternative. Both are in production and will be completed by May 15.

NEMI also has begun publishing a newsletter on indoor air quality issues in the workplace.

o **Use generic workplace and corporate air quality videos in briefings.** Workplace video is under review for updating, which, if appropriate, will be completed in the first half of 1988.

o **Publish articles on reasonable response.** Consultants continue to respond to articles suggesting unreasonable solutions. Fox and Robertson media tours generate articles on reasonable responses to the issue.

Member Company Programs

Philip Morris sends The Institute's workplace smoking kit to individuals and companies who request information. They promote The Institute's workplace/smoker assistance through Philip Morris Magazine. Some requests for legal assistance are referred directly to The Institute's legal counsel.

Philip Morris also mailed The Institute's workplace smoking resource guide to targeted companies. Philip Morris also prepared and distributed guides for employers and smokers on New York City's public/workplace law.

R.J. Reynolds has prepared a workplace kit, including booklets on ETS, indoor air quality, and practical guidelines for dealing with the issue. The kit has been sent to CEO's, and state and local Chambers of Commerce. RJR staff is now updating these materials.

RJR also provides information and guidance on workplace issues in their various newsletters. Requests for assistance are either handled in-house, or forwarded to The Institute, depending on the nature of the request. Some are forwarded directly to Institute legal counsel.

Recommended Program Expansion

o Retain an outside management consulting firm to offer materials and assistance to companies interested in accommodating smokers and nonsmokers. [Although Institute materials are viewed as reasonable by most, this will enable us to reach companies that do not view our information as credible.] The firm would promote itself as the reasonable alternative to those consultants which counsel bans.

o Assist the management firm in promoting its services to the corporate community. Conduct seminars, media tours and advertising campaigns to communicate the message that any workplace smoking problem can be resolved without imposing unreasonable restrictions.

o In conjunction with management firm, develop an informative video on how to develop a workplace smoking policy for use and promotion. Promote by mail, seminars and media tours.

o In conjunction with management firm, commission corporate surveys to demonstrate that businesses are content with handling the workplace smoking issue on their own.

o Through management firm, promote positive case studies of companies that have handled workplace smoking issue in a reasonable manner. Case studies would focus on reasonable accommodation. Seek publication and promote accordingly.

o The Institute will continue to provide information and assistance to smokers. The program will be promoted actively by The Institute, its member companies and third parties, i.e., smokers' rights groups.

o Re-design workplace kit to provide assistance to smokers including suggestions on how to deal with smoking restrictions or employers developing an office policy. The kit would be promoted by The Institute, smokers' rights groups, and member companies.

o Increase promotion of workplace smoking and indoor air quality videos currently being revised. Include as a resource in the workplace smoking resource guide. Incorporate introductory and closing segments by representatives from sponsoring organizations.

o Increase frequency of legal media tours on workplace smoking legal issues. Conduct a series of John Fox legal seminars on the issue.

o Expand ACVA promotional activity to the corporate community, i.e., state and local chambers of commerce and corporate briefings. Promote good indoor air quality as a productivity factor.

o Actively promote through state and local chambers of commerce, development of employer guides to workplace smoking laws. The guides will provide information on how to develop a policy that complies with the law and how to accommodate smokers.

Indoor Air Quality

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Indoor Air Quality Programs

Summary

The programs call for extensive briefings of liberal/labor and corporate communities on indoor air quality issues via briefing teams, direct mail, print and broadcast advertising, videos and other communications. These experts and individuals promote ventilation as the best solution to all indoor air quality problems, including smoking.

Background

Although there is an increasing awareness of the problems of indoor air pollution and poor office ventilation caused, in part, by industry efforts, environmental tobacco smoke continues to be viewed as a separate and distinct issue, and smoking restrictions continue to be viewed as the best way to improve indoor air quality.

Member Company Programs

Philip Morris and R.J. Reynolds incorporate indoor air quality issues into their own materials, publications and presentations. Philip Morris also provides grants to some organizations for purchase of ventilation equipment.

Strategy

Promote ventilation as the best solution to all indoor air quality problems, including smoking.

Highlights

- o Continue and expand current programs to brief media, labor/liberal organizations, and the corporate community on the true nature of indoor air quality.
- o Provide additional visibility to indoor air quality expert briefing teams and experts via print and broadcast advertising, direct mail, newsletters, seminars, op-ed mailings.
- o Promote positive case studies -- such as the rescission of the Beverly Hills, Cal., restaurant smoking ban -- where indoor air quality can be improved without resorting to smoking bans. Promote productivity/cost savings as an added incentive for the corporate community to improve indoor air quality.

o Expand grants program to include assistance to individuals and organizations seeking ventilation retrofit information as an alternative to smoking bans.

Media

The program relies upon expert spokespersons to conduct briefings with decision-makers and allies. Seminars, symposia, media tours, publication of articles and promotion of reprints, and videos also are used to disseminate the indoor air quality message.

Targeted advertising and direct mail promotion of ventilation company services are also components, along with provision of grants to conduct additional building studies and to retrofit existing systems.

Indoor Air Quality Programs

Relationship to comprehensive plan

Primary Strategy

Strategy 4: Increase awareness of true nature of indoor air pollution. Promote improved ventilation as the best solution.

Secondary Strategies

Strategy 1: Oppose all legislative, regulatory, judicial and voluntary efforts to discriminate unfairly against smokers. Attempt to reverse all existing restrictions.

Strategy 5: Reduce superficial public debate of ETS.

Strategy 7: Critically evaluate ETS research.

Tactical Programs

Tactical Program D.3: Promote the need for ventilation standards through news media, advertising, direct mail, videos, print materials, and coalitions.

Tactical Program D.4: Conduct briefings with groups of legislators, journalists, business, professional, labor and civic officials on the subject of ETS and indoor air quality. Coordinate with scheduled meetings of allied associations, labor unions, lobbyists' and legislators' meetings.

Political and business environment

o There is an increasing awareness of the problems of indoor air pollution and poor office ventilation.

o The effort in the mid-1970's to conserve energy by reducing ventilation and tightening building insulation has contributed to building occupant illnesses.

o Many indoor air components are regulated through OSHA for industrial workplace environments; however, there are few standards regulations for the white collar workplace.

o Several jurisdictions and states have taken preliminary steps to address this problem to one degree

or another. Therefore, eventually, it will be addressed with or without our input.

o Although we have caused increased focus on the broader issue of indoor air quality, environmental tobacco smoke is still viewed as a separate and distinct issue, and smoking restrictions continue to be viewed as the most effective way to improve indoor air quality.

o The business community typically would not support legislation to mandate ventilation controls; however, some businesses may support ventilation standards laws if they are already in compliance or if they perceive a financial interest in doing so.

o There may be substantial costs to owners of older buildings with poor or outdated systems if ventilation standards are imposed. Costs to newer building owners may not be substantial if existing ventilation equipment is adequate to meet new standards.

o Organized labor supports ventilation standards as an improvement in working conditions and as a jobs issue.

o Depending on location, the issue may break down to "energy conservation vs. indoor air quality." If this does take place, the issue of energy tax credits will come into play. The suppliers of energy (i.e., coal, oil, hydro, etc.) may also be a factor.

o The argument of "freedom of choice" with regard to workplace smoking is becoming increasingly difficult to sell because those who are opposed to smoking have used the same argument effectively. The concept of "indoor air quality" (with an emphasis on science) has much more credibility and will draw in a wider audience.

o Many anti-smoking groups may support ventilation standards legislation, although not at the expense of existing smoking restrictions.

Institute program

Strategy I: Focus greater attention on the broader issue of indoor air quality and the need for improved ventilation systems or more efficient use of existing systems.

Strategy II: Continue to broaden political and professional relationships with organizations and individuals concerned with the issue of indoor air quality.

Tactics:

1. Conduct at least one ACVA indoor quality and two ETS Truth Squad media tours per month. Conduct at least one media tour per month in unionized regions of the country, featuring labor consultants.
2. In conjunction with ACVA (a company devoted to the identification and control of internal pollution problems in public and commercial buildings) media tours, urge ACVA to place indoor air quality issue ads in newspapers in media tour cities.
3. Conduct at least 500 briefings on the indoor air quality issue with officials from labor, industry, trade, environmental groups and the media throughout 1988. Conduct briefings before at least 20 state/local labor councils on workplace smoking issues.
4. Assist interested organizations in preparing statements supporting broad indoor air quality standards and regulations.
5. Identify, prepare and promote positive case studies where indoor air quality was improved without restricting smoking.
6. Continue support of National Energy Management Institute (NEMI) indoor air quality project, through the Tobacco Industry Labor Management Committee. Identify appropriate NEMI spokespersons and promote the project as appropriate.
7. Through the Tobacco Industry Labor Management Committee, ACVA and NEMI, identify opportunities to conduct building ventilation studies in areas or among employers considering smoking restrictions. Support efforts of local unions to promote indoor air quality awareness.
8. Utilize materials prepared for organized labor to encourage state and local labor councils/international unions to reasonably accommodate all members in their bargaining conferences, and to view smoking restrictions in the broader context of indoor air quality.

Status:

o ACVA/Truth Squad/Labor Tours.

In the first quarter, ACVA completed two media tours, in Minnesota and in Tampa/Jacksonville/St. Petersburg, Fla. Media briefings to date total 30. Our

understanding is that ACVA will launch a national media campaign.

We have completed six Truth Squad tours, in Denver, Cleveland/Columbus, Baton Rouge/Shreveport, Seattle/Tacoma, St. Louis/Columbia/Jefferson City, and Detroit. Media briefings to date total 48.

We have completed two labor media tours, in Seattle/Tacoma, Wash., and in Portland, Ore. Briefings to date total 10.

o ACVA Advertising Campaign. Two ACVA indoor air quality ads, for use in conjunction with ACVA media tours have been developed and tested.

The National Energy Management Institute (NEMI) also is considering advertising on the indoor air quality issue.

o Indoor Air Quality Issue Briefings. Completed indoor air quality issue briefings to date include:

Federal: January and April briefings of Members of Congress by ETS scientist Larry Holcomb and ACVA's Gray Robertson. A February briefing of Congressional staff by the same two.

State: Background briefings for legislators and policy makers in Massachusetts and Virginia, by ETS scientists and ACVA representatives.

Media: 78 media briefings have been completed to date.

Labor: January briefings included the presidents and legislative directors of 9 AFL-CIO northeast state federations; officials from the Washington and Oregon state federations. In February we completed briefings before the Food and Allied Service Trades Department of the AFL-CIO; with legislative counsel for all Maryland AFL-CIO affiliates; and with additional representatives from Washington and Oregon federations. In March, briefings included the Pennsylvania AFL-CIO executive council and the Pennsylvania AFL-CIO convention. April briefings included the board of the Labor Council for Latin American Advancement and a regional meeting of the A. Philip Randolph Institute.

Total briefings to date: 185 individual briefings; 16 briefings before state or local labor councils.

May briefings scheduled to date include another regional conference of the A. Philip Randolph Institute, the Washington State AFL-CIO educational directors meeting, and the Meany-Murray-Gompers Educational Institute in Massachusetts.

In August, we will address the Labor Council for Latin American Advancement national convention, the Washington State AFL-CIO convention, and the A. Philip Randolph Institute national conference.

In November, we are booked on the program of the Coalition of Labor Union Women national conference.

o Encourage Statements from Third Parties.

In February, the AFL-CIO executive council passed a resolution encouraging improved ventilation and passage of indoor air quality standards as the best means of dealing with indoor air pollution.

The Sheet Metal Workers union and the National Energy Management Institute have submitted comments on an Environmental Protection Agency indoor air quality brochure, noting that improved ventilation solves most building air quality problems, including those that have been traced to smoking.

NEMI has requested representation on a new Commission on Indoor Air Quality being established in Connecticut. The organization also has asked to appear on the panel of a Consumer Federation of America workshop on indoor air quality, and before the National Association of Counties tobacco task force.

o Promote Positive Case Studies. The Institute has in production a brochure on the indoor air quality issue, referring to several case studies of building air quality complaints which were corrected by improved ventilation.

ACVA refers to such case studies in its media materials, and in briefings with the media and with corporate clients.

The National Energy Management Institute is producing a brochure, and quarterly newsletters with the same message. These include case studies cited in a 1987 National Academy of Sciences report on building air quality.

o Continue Support of National Energy Management Institute (NEMI). A promotion plan for NEMI has been

developed and is being implemented. Activities to date include:

Establishment of a toll-free telephone number, to assist in generating requests for indoor air audits.

Development of a quarterly NEMI newsletter for distribution to contractors and their customers. Development of a NEMI promotional brochure to describe NEMI's indoor air quality services.

NEMI promotional booths at state AFL-CIO conventions, and ventilation organization trade shows. NEMI recently staffed a booth at the Pennsylvania state AFL-CIO convention.

Identification and training of a national NEMI spokesperson, to represent the organization before legislatures, the media, and labor/industry gatherings.

NEMI continues to support the Beverly Hills Restaurant Association in its efforts to find a reasonable alternative to the City Council's smoking ban.

NEMI has met with officials in San Diego County, Cal., in an effort to persuade them that a proposed smoking ban would do little to solve indoor air quality problems.

NEMI has requested representation on the newly established Connecticut Commission on Indoor Air.

Production of a NEMI promotional video is underway.

Additional activities in the future include training of additional spokespersons, print and broadcast advertising, op-ed placements and a direct mail campaign.

o **Conduct Building Studies. Assist Unions in Raising the Indoor Air Quality Issue.** In addition to the NEMI building studies underway in Beverly Hills, the Tobacco Industry Labor Management Committee has supported building studies in:

Maine and New Hampshire, where five state office buildings were inspected at the request of the Northern New England Indoor Air Coalition, to support ventilation legislation in those states.

Oregon, where state employees asked for building studies at three sites.

We also have provided expert ventilation testimony to support workplace grievance proceedings in Iowa and Michigan, where employers attempted to justify smoking bans as the best way to clean up the indoor air. We have offered similar assistance to the American Federation of Government Employees, in its continued efforts to block a Department of Health and Human Services smoking ban.

o Promote Labor Management Committee Materials. These materials include two AFL-CIO Executive Council resolutions opposing legislated smoking restrictions and supporting comprehensive indoor air quality programs; a guide to collective bargaining and indoor air quality in the workplace; and videos featuring two international union presidents.

To date in 1988, 2,300 workplace guides have been distributed to national, state and local unions throughout the country. These guides include the AFL-CIO resolutions.

We also have provided the two videos to 235 unions, particularly in the northern states. In Washington State, the president of the state federation has broadcast the videos on the federation's cable channel.

Member Company Programs

Philip Morris provides grants to some organizations for purchase of ventilation equipment. Grants of up to \$20,000 are provided to non-profit corporations. PM also promotes ACVA's services in its Philip Morris magazine.

R.J. Reynolds incorporates ventilation/indoor air quality issues into all of its corporate, hospitality and smoker materials, as well as its newsletters. It also includes indoor air quality arguments in the presentations it makes to trade and hospitality groups.

Recommended Program Expansion

o Identify and train at least four additional ventilation/indoor air quality spokespersons available and willing to brief media, labor and other groups on the issue. At least one of these experts should be an industrial hygienist who can accompany labor spokespersons on briefings of unions.

o Identify and retain at least two additional national and four additional state labor consultants, for indoor air quality briefings of labor organizations, labor media, and other liberal organizations. These consultants also would represent the Tobacco Industry Labor Management committee in other coalition efforts with organized labor/liberal groups.

o Renew and expand NEMI grant to include training and support for two additional NEMI spokespersons, and continued support of NEMI newsletter, promotional materials and advertising. Provide for grants to enable NEMI to assist allies in developing plans to respond to alternatives to smoking restriction legislation.

o Seek opportunities for sponsorship of indoor air quality seminars -- sponsored by NEMI, by liberal/labor organizations, or by corporate associations, as additional speaking forums for IAQ experts. Promote as appropriate. Sponsor at least four for the remainder of 1988.

o In conjunction with ACVA, NEMI and seminar activity, expand use of indoor air quality print advertisements. Explore feasibility of producing broadcast ads. Point to case studies in which indoor air has been improved without resorting to smoking bans.

o Develop indoor air quality exhibition booth, for use by NEMI, ACVA, and other allies at trade shows, conventions, etc. Use to promote indoor air quality videos, materials, etc.

o Initiate op-ed mailings, with articles authored by indoor air quality/ventilation experts, in targeted areas in which smoking restrictions and/or indoor air quality issues are under consideration.

o Generate debate on indoor air quality issues. Identify a constituency that would argue that workplace air already is clean (much as the airlines argue that cabin air is clean). Encourage debate with ACVA, NEMI and other ventilation consultants.

o Develop arguments that cleaning up the indoor air improves productivity and thus results in savings to the employer, rather than expense. Add to existing corporate materials and promote in presentations to corporations, state and local Chambers of Commerce, etc.

o Via direct mail to the corporate community and to state and local chambers of commerce promote ACVA, NEMI and other indoor air quality/ventilation services as a means of cleaning up the indoor air.

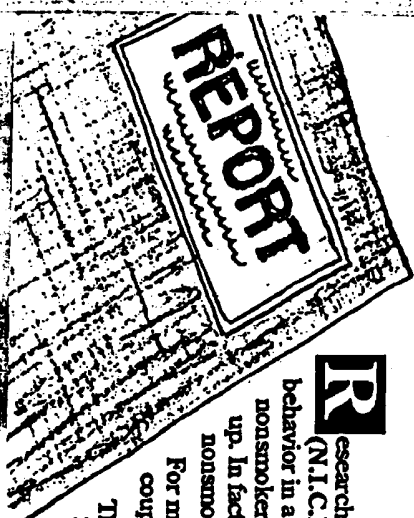
o Encourage existing coalitions -- Hispanics, minority groups, women's groups -- to speak out on the indoor air quality issue. Develop targeted briefing materials, identify speaking forums and briefing teams for each constituency, and arrange for participation in workshops.

o Commission article for labor audiences on indoor air quality as a workplace issue for union attention. Seek publication in a labor journal. Promote reprints as appropriate.

Conflict Resolution

50662 4340

National Survey Finds Extreme Reactions to Smoking Anti-Social.



Research conducted by the National Institute for Conflict Education (N.I.C.E.) set out to discover what Americans consider acceptable behavior in a variety of social situations. In undesignated areas, smokers and nonsmokers both agree that smokers are well within social bounds to light up. In fact, this nationwide poll indicates that overreaction on the part of nonsmokers is considered inappropriate and anti-social.

For more information on the N.I.C.E. results, complete the tear-off coupon and send to:
The National Institute for Conflict Education (N.I.C.E.)
312 Freemont Street
Alexis, New York 29873

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Name _____

Address _____

City _____

State _____ Zip _____

Mail to:

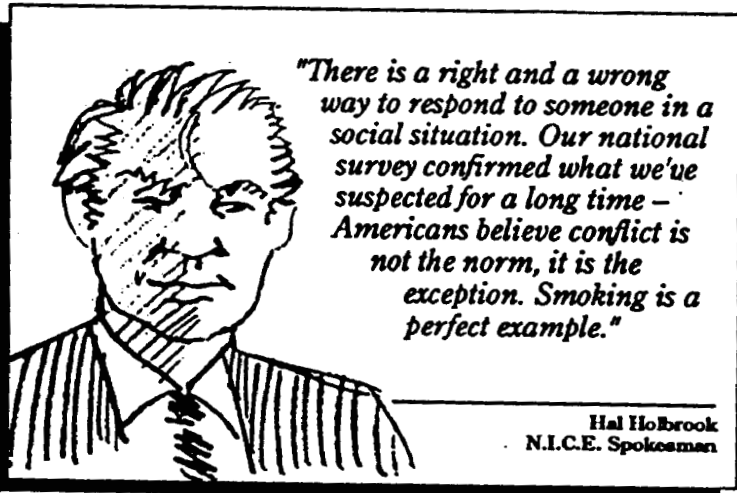
The National Institute for
Conflict Education (N.I.C.E.)
312 Freemont Street
Alexis, New York 29873



N.I.C.E. carton interior (inside carton panel - 10-1/2" x 3-7/16")

TKD 4-27-88

National Survey Finds Extreme Reactions to Smoking Anti-Social.

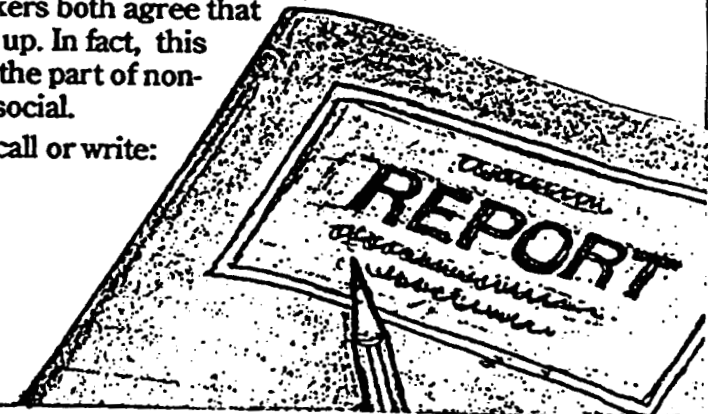


Hal Holbrook
N.I.C.E. Spokesman

Research conducted by the National Institute for Conflict Education (N.I.C.E.) set out to discover what Americans consider acceptable behavior in a variety of social situations. In undesignated areas, smokers and non-smokers both agree that smokers are well within social bounds to light up. In fact, this nationwide poll indicates that overreaction on the part of non-smokers is considered inappropriate and anti-social.

For more information on the N.I.C.E. results, call or write:

The National Institute for Conflict
Education (N.I.C.E.)
312 Freemont Street
Alexis, New York 29873
(202)987-6543



Conflict Resolution Program

Summary

A coalition named the National Institute of Conflict Education (N.I.C.E.) will be formed to demonstrate that overreaction to annoyances, particularly to smoking, is anti-social and unacceptable behavior. The primary audience for N.I.C.E. messages will be smokers; the secondary audience will be members of other coalition groups.

Background

Smoke is a common annoyance to some nonsmokers; they have been encouraged to make their annoyance with smoke and smokers well known. As a result, nonsmokers occasionally take extreme actions to make smokers put out their cigarettes, creating a perception among smokers that smoking in public places may lead to a conflict.

Company Programs

None

Strategies

- o Through a coalition, conduct and publicize research demonstrating that, in general, tolerance and accommodation of annoyances are socially accepted norms and that overreaction is anti-social.
- o Provide guidance to coalition group members on how best to diffuse the conflicts they are likely to encounter on a daily basis, using research specifically tailored and distributed to those groups.
- o Demonstrate to smokers that nonsmokers who overreact, and not smokers, are considered anti-social.

Highlights

- o Actor Hal Holbrook will be used as the group's spokesman to provide smokers with N.I.C.E. research findings demonstrating that it is nonsmokers who, through their obnoxious reactions to smokers, are anti-social.
- o The coalition will sponsor research on annoyances, conflict resolution and methods of diffusing potential conflicts. Spokesman Holbrook will be used to communicate N.I.C.E.-sponsored research to other coalition group members.

Media

The coalition will use symposia, speaking tours, articles in national media and editorials to promote conflict resolution guidelines.

Advertisements in national decisionmaker publications will be considered on an issue-by-issue basis.

Messages to smokers will be disseminated via direct mail, cigarette carton information and industry publications.

Conflict Resolution Program

Relationship to comprehensive plan

Primary Strategies

Strategy 10: As part of a coalition, demonstrate that overreaction to annoyances is anti-social behavior; that Americans normally do accommodate each other.

Strategy 11: As part of a coalition, help managers, service personnel and others deal more effectively with diffusing potential conflicts.

Tactical Program

Tactical program D.5: With other organizations concerned with courtesy:

a. Help business managers and service personnel, e.g. flight attendants, restaurant employees, deal more effectively with potential conflicts arising from a range of annoyances.

b. Demonstrate that extreme reactions to everyday annoyances constitute anti-social behavior; that all people are annoyed by some things and, conversely, that all people do annoying things.

Political and business environment

o Everyone is annoyed by the actions of others and everyone does things that annoy others. Most people, however, respond rationally and in a tolerant manner to these annoyances. Conflicts arising from annoying situations are the exception rather than the rule.

o Based on preliminary qualitative research, it appears that annoyances are becoming more common and frustrating in modern society. As a result, annoyances are leading to conflicts more frequently.

o Increasingly, those who work with the public are put in the position of mediating disputes and conflicts. These informal "referees" include flight attendants, supervisory personnel, restaurant employees, etc.

o Smoke is a specific and frequently mentioned annoyance to some nonsmokers for a variety of reasons including its sensory effects (it is visible and olfactory), personal history with smoking or smokers and perceived health threats of ETS.

o Research indicates that nonsmokers object to smoke as an annoyance and not as a health threat. Although most nonsmokers are aware that the "government" has warned about ETS, they show only minimal concern about any potential threat.

o The campaign by the Surgeon General and anti-smoking activists has encouraged nonsmokers to make their annoyance with smoke and smokers well known. This has led nonsmokers to challenge smokers' rights to smoke, often intimidating smokers and usually making them feel uncomfortable about their habit.

o Emboldened by anti-smoking campaigns, nonsmokers occasionally take extreme actions to make smokers put out their cigarettes. Although such extreme actions are generally seen as unacceptable social behavior by smokers and nonsmokers, they help create a strong perception that smoking in public places may lead to a conflict.

This is true despite research showing that most people agree that in an area not designated as "nonsmoking" it is acceptable to smoke.

o A significant percentage of smokers feel resentment about how they are treated by nonsmokers. They use phrases such as "second-hand citizens" and "outcast" to describe the way they are treated by nonsmokers. While most agree that nonsmokers are generally courteous when asking them to put out their cigarette, smokers complain that nonsmokers "have a holier than thou attitude."

o The vast majority of smokers go out of their way to avoid possible conflict with nonsmokers and to accommodate their wishes. Nonsmokers readily agree that smokers are almost always courteous when asked to put out their cigarette or redirect their smokestream. This appears to hold true in non-designated areas as well.

Institute Program

None

Member Company Program

None

Recommended Program Expansion

New Program

Strategies:

1. Through a coalition, conduct and publicize research demonstrating that, in general, tolerance and accommodation of annoyances are the socially accepted norms and that overreaction is anti-social.
2. Using research specifically tailored and distributed to them, provide guidance to coalition group members on how best to diffuse the conflicts they are likely to encounter on a daily basis.
3. Demonstrate to smokers that nonsmokers who overreact, and not smokers, are the ones who are anti-social.

Tactics

1. Organize a coalition with other groups interested in increasing tolerance and diffusing conflicts to promote the program with the public and, specifically, among their members.
 - o The name of the coalition will be the National Institute for Conflict Education (N.I.C.E.).
 - o N.I.C.E. will consist of a broad range of groups with members or constituents who could benefit from research, advice and training on conflict resolution.
 - o The tobacco industry will be a public member of N.I.C.E. because of its concern over annoyances arising from smoking.
 - o Other coalition groups will be established organizations with national, well defined memberships or constituencies.
 - o Potential coalition groups include:
 - . Professional and working women
 - . Restaurant owners and personnel
 - . Hotel operators and personnel
 - . Supervisory personnel
 - . Managers
 - . Minority professional associations
 - . National fraternities and sororities
 - . American Trucking Association
 - . Car clubs

o Because the program will cater to those most directly involved in interpersonal conflicts and annoyances, coalition members will be the target audiences for most program elements.

2. Use actor Hal Holbrook as the recognized independent spokesperson for the program.

o A panel of prominent academic experts in conflict resolution will be used to provide the sociological and scientific background for the spokesperson's presentation.

o In specific instances, the academic panel will make presentations based on their research.

3. Conduct research on annoyances, conflict resolution and methods of diffusing potential conflicts in N.I.C.E.'s name to provide support for the group's message.

o The research will take several different forms:

. Focus groups and detailed studies of what annoys people and how they react.

. Polling and surveys to support the message that overreactions are anti-social.

o Research will be tailored to reflect the specific concerns of the membership of each coalition group. For instance, studies could be conducted on how best to deal with:

. Workplace disputes for supervisory personnel.

. How to deal with the overreactions of anti-smokers for smokers.

4. Disseminate research results to the members and constituents of coalition groups. The following methods may be used in communicating the pertinent research results:

. Press releases, interviews and story placement in group and trade publications. Hal Holbrook as the coalition spokesperson would give the interviews with possible support from a recognized figure within the specific coalition group.

. Spokesperson speaking tours to group trade meetings and conferences.

. N.I.C.E.- sponsored symposiums on conflict resolution within the coalition group.

. Direct mail pieces developed by N.I.C.E. and sponsored by specific coalition groups and targeted to its membership.

. Coalition groups would also be encouraged and assisted by N.I.C.E. in developing continuing conflict resolution education and training programs for their members.

. By involving the members of coalition groups in this effort, N.I.C.E.'s credibility and importance will be boosted while the various organizations will benefit from performing valuable service for their members.

5. Release research findings to the public through a carefully targeted media campaign. The research released to the popular media will be of a more general nature than that distributed to coalition groups. Methods to reach the public through the media may include:

. Interviews with the spokesperson on national radio and television programs that have feature segments.

. Interviews and placement of feature stories in national newspapers and magazines. These would range from general circulation papers such as USA Today to specialized magazines such as Psychology Today.

. Spokesperson media tours in targeted markets or regions.

. Editorials signed by the spokesperson and distributed both nationally and locally.

. A series of print advertisements in national decisionmaker publications.

o The spokesperson will play a pivotal role in the media program. He will be representing the program and will have to be well versed in the messages and goals of N.I.C.E. Regardless of the spokesperson's media experience, he will be media trained specifically for this program.

6. Reach smokers with the message that they are already being courteous and tolerant and it is the overreaction of nonsmokers that is anti-social. One of the situations for N.I.C.E. research would be public smoking. Results that find smokers to be courteous and nonsmokers to be unreasonable would be forwarded to smokers in some of the following ways:

. Development of a direct mail flyer for smokers outlining the research findings and offering advice on what they can do when they encounter unreasonable anti-smokers.

. Distribution of the flyer through direct mail to smokers, using industry lists and lists of smokers' rights groups.

. Printing the flyers on the inside of cigarette cartons.

. Reprinting the flyer or excerpts in industry publications.

Smokers' Rights

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Smokers' Rights Groups Program

Summary

The programs seek to identify and to assist smokers' rights groups in becoming effective advocacy organizations to enable them to defend aggressively their rights. The programs will enable these groups to generate public awareness of smokers' rights issues and to oppose effectively anti-smoking legislation on the local, state and federal levels.

Background

Compared to anti-smoking organizations, relatively few smokers' rights groups exist. The ones that do exist have too few members and resources to compete effectively with anti-smoking groups. Recent efforts by member companies have mobilized many of those smokers who are willing to speak out.

Company Programs

Philip Morris and R.J. Reynolds both provide some support of resources to smokers' rights groups. Philip Morris is developing a large network of smokers' rights activists.

Strategy

Encourage aggressive and efficient operation of smokers' rights groups in states with most significant anti-tobacco activity, to augment efforts to motivate individual smokers.

Highlights

- o Provide basic organizational assistance to smokers' rights groups in six states comprising most local anti-smoking legislative activity: California, Massachusetts, Colorado, Texas, New York, and Arizona.
- o Encourage groups to state their positions on relevant local, state and federal anti-smoking initiatives.
- o Identify on an on-going basis smokers' rights activists. Increase their participation in smokers' rights issues.

o Provide early warning to smokers' rights groups of anti-smoking legislation and activity in their states.

o Provide financial, technical and legal support to each group to develop their own packets of information on specific smokers' rights issues.

Media

Support to smokers' rights groups will include provision of print and video materials, public relations support, and support for targeted advertising programs.

Smokers' Rights Groups Program

Relationship to comprehensive plan

Primary Strategy

Strategy 12: Encourage smokers to take the lead against anti-smoker proposals and activities. Provide means by which individuals and groups of smokers can express their dissatisfaction with discourteous and insensitive treatment.

Tactical Program

Tactical Program D-6: Maximize the use of member company and Tobacco Institute programs to reach smokers and members of the tobacco family as means of demonstrating voter resentment of restrictions.

Political and Business Environment

o A large, well-defined constituency is a key element of an effective public affairs program. Individuals with a strong economic or ideological interest generally form such constituencies. Customers per se generally do not.

o Some smokers say they would like to quit, large percentages support separate sections, some even support bans and higher excises. Therefore, not all smokers appear willing to defend smokers' rights.

o Compared to anti-smoking organizations, relatively few smokers' rights groups exist. Those smokers' rights groups which do exist have too few members and other resources to effectively compete with the anti-smoking groups.

o Recent efforts by member companies have mobilized many of those smokers willing to speak out.

o Some smokers' rights groups have been established spontaneously -- often by smokers frustrated by anti-smoking activities and by the public and private interference in their personal lives. Some are formed by entrepreneurs interested in attracting tobacco industry funds.

o The existing smokers' rights groups vary in ability. Many are disorganized and far less effective than desirable.

o The industry does not agree with all things said and done by smokers' rights groups.

o The industry is held responsible for projects it funds. Therefore, words spoken or written by sponsored smokers' rights groups must be consistent with industry positions.

Institute Programs

The Institute has an established Tobacco Action Network of 20,000 activists to be called upon to contact legislators, to participate in petition drives, to attend and speak up at public hearings on any tobacco issue.

The Tobacco Observer has been reformatted to educate readers on tobacco issues and to encourage them to speak out. Current circulation is approximately 60,000.

Member Company Programs

Philip Morris is developing a large activists network of smokers concerned with smokers' rights. The activists will be encouraged to speak out. Philip Morris also provides some support of resources to existing smokers' rights groups.

R.J. Reynolds looks for opportunities to foster the establishment of independent local smokers' rights groups. Activities include advice and assistance in organizing, and provision of issue materials.

Recommended Program Expansion

Strategy: Encourage aggressive and efficient operation of smokers' rights groups in states with most significant anti-tobacco activity, to augment efforts to motivate individual smokers.

Tactics:

1. Identify one smokers' rights group in each of the six states comprising 66 percent of local anti-smoking legislative activity: California, Massachusetts, Colorado, Texas, New York and Arizona.

To qualify as serious participants and to discourage entrepreneurs, these groups must meet the following criteria:

- o have at least 10 adult members who smoke
- o meet at least monthly

o collect dues or revenue (from non-industry sources) sufficient to hold meetings, print own stationery, correspond and publish a newsletter at least quarterly to its members

o have expressed smokers' rights views on at least one occasion, in legislative or other public forum

o demonstrate on-going efforts to attract new members and sustained growth since inception

o elect its own leaders who:

-- conduct the business of the group, i.e., manage and account for all funds; maintain membership records and minutes of meetings; correspond on behalf of the group; develop policy and plans; conduct meetings

-- act as public spokespersons for the group

o be willing to accept limited financial and in-kind support from the industry. (No personal compensation of officers or members will be offered)

1.a. If satisfactory groups can not be identified in all six states:

o Groups with potential will be assisted to meet the criteria, and/or

o Local individuals interested in forming smokers' rights groups will be supported accordingly.

2. Provide basic organizational assistance, as needed, to each of the six groups. This assistance may include:

o Establishment or review and revision of basic organizational functions, i.e., financial and other record keeping, meeting management.

o Establishment or review and revision of programs to attract and retain members.

o Establishment or review and improvement of a group resource center containing background materials on tobacco issues; the anti-smoking movement; names and phone numbers of qualified experts; sample letters, press releases, resolutions, statements.

o Videotaped "spokesperson" training seminar. Loaned videotape machine and monitor.

o Loaned duplicating machine, typewriter and thermofax.

o Office supplies, including limited amounts of postage stamps.

3. Provide financial, technical and legal support to each group to develop their own packets of information on specific smokers' rights issues.

Packets will be developed in each of the following areas:

Group 1: Smokers and unfair taxes.

Group 2: Job discrimination and smokers.

Group 3: What smokers want from the people who sell them services and products.

Group 4: Smokers as employees.

Group 5: What smokers want from their elected representatives.

Group 6: Airline smoking restrictions and smokers' rights.

Each packet will contain:

- o an introductory letter from the group's president
- o a campaign manual -- How to use these materials
- o 25 copies of a pamphlet
- o sample letters, resolutions and a speech
- o 15 and 30-second radio PSA scripts/advertisements
- o suggested meeting agendas and available speakers

Each packet will be written and produced locally to ensure a variety of styles and appearances. However, to ensure accuracy, The Institute will provide technical and legal assistance to each group during the drafting of the pieces.

These materials will be printed in sufficient numbers, at Institute expense, to allow for free distribution to the group's own members, prospective members, for use in the group's communications efforts and for sale to other

smokers' rights groups. On this latter point, see item 4 directly below.

4. Encourage and underwrite the purchase of the smokers' rights packets among all participating groups.

The Institute will fund the purchase of packets among the groups. In this way:

o There will be a variety of accurate materials available to participating groups. These materials will vary in appearance and local sponsorship.

o The participating groups will have a modest but on-going source of income to support their activities; and no offsetting costs related to their "products".

5. Provide other communications resources, as needed, to all participating groups.

These resources may include:

o Lists of names for membership drives

o Names and addresses of key elected and appointed officials; journalists; business, labor and civic leaders involved in tobacco issues to be targeted by the group's communications programs.

o Speakers for meetings, including officers of other smokers' rights groups

o Issues videotapes for training purposes

o Scholarships and travel stipends to The Institute's annual Tobacco College

6. Establish means of providing early warning to smokers' rights groups of anti-smoking legislation and activity in their states.

Each group will designate a political activities coordinator who will be contacted by Tobacco Institute field staff when it is known that a specific anti-tobacco measure has been introduced or if other anti-smoking activity becomes known.

Initial contact will be made by phone followed by a thermofaxed copy of the proposed legislation or other anti-smoking measure.

Within a day, relevant background information will be mailed from The Institute headquarters.

7. Encourage all participating groups to state their positions on relevant local, state and federal anti-smoking initiatives.

When alerted to specific challenges, groups will be encouraged to:

- o make visits to elected and appointed officials, journalists, business, labor and civic leaders as appropriate.
- o write letters and make phone calls to all of the above influential individuals
- o testify
- o recruit allies

On an on-going basis, groups will be encouraged to provide background briefings and group presentations to the same local audiences.

8. Annually evaluate all participating groups; recognize those which make significant contributions to smokers' rights; assist those which require more assistance; eliminate those which fail to contribute.

Groups will be evaluated against these criteria:

- o Membership growth of at least 10 percent annually.
- o 100 percent group participation in all legislative challenges identified by The Institute. "Group participation" will be determined through evidence of at least one public statement, in the name of the group, per legislative incident.
- o An average of 50 percent involvement of all of a group's members in all legislative situations where help has been requested by The Institute. This will be determined again by evidence of involvement such as letters, serving as witnesses, written reports.
- o Demonstrated ability to produce a "smokers' rights" packet in a timely, economic and accurate manner.
- o Initiative: instances of alerting The Institute to local challenges, generation of ideas, special membership efforts, other special results.
- o Overall effectiveness: financial and membership record keeping, reporting and generally functioning in a businesslike way.

9. Increase our understanding of how to identify smokers' rights activists, what motivates them and to increase their participation in smokers' rights issues.

o Periodically convene panels of active and inactive members of participating groups; qualitatively examine above questions.

o Annually survey sample of activists drawn from membership lists, individuals who have written The Institute and its member companies, who have spoken out or written spontaneously in defense of smokers' rights.

o Establish "test" programs to determine the degree to which uninvolved smokers might help in new ways on different issues. For example, a smoker might be uncomfortable phoning an elected official but would serve as a member of a phone bank calling neighbors. Over time, this project would look at new activities as a way of attracting more members to smokers' rights groups.

50662 4361

Service/Hospitality

Service/Hospitality Programs

Summary

The programs communicate to the hospitality industry that smokers represent a significant market and that failure to respect their preferences will cause them to lose patrons. The programs also provide practical advice on accommodating smokers and nonsmokers.

Background

The hospitality industry is coming under increased pressure to establish anti-smoking policies. In some cases, the industry has softened despite the fact that smokers represent a significant portion of their business.

Company Programs

Philip Morris is preparing a survey to demonstrate the economic force of smokers. The results will be released in a national advertising campaign.

R.J. Reynolds has prepared several brochures for the hospitality industry on smoking restrictions and indoor air quality issues. They also have retained a consultant to open up contacts with the industry.

Strategy

Increase the hospitality and travel industry's understanding that smokers choose services that are gracious to all customers; and that smokers comprise a significant segment of their markets. Increase smoker awareness of hotels, rental car companies and restaurants that treat smokers graciously.

Highlights

o Deliver presentations on research demonstrating that smokers are a significant economic force to national, state and local meetings of hospitality associations. Conduct private briefings with hospitality association executives.

o Promote positive case studies where restaurant have been able to resolve smoking problems without resorting to bans; publicize economic pitfalls of bans (e.g., Beverly Hills), and promote ventilation as a reasonable solution.

o Prepare hospitality kit incorporating program research and case studies. Promote Great American Welcome, this year's response to the Great American Smokeout, to the hospitality industry as an accommodation program for smokers and nonsmokers, and as a component of the hospitality kit.

o Initiate a syndicated restaurant/hospitality column evaluating among other things, hospitality to smokers.

Media

The program will rely on individual briefings and group presentations, along with targeted materials and videos. Offers of materials also will be made through print advertising in restaurant and hospitality publications, and via direct mail.

Service/Hospitality Programs

Relationship to comprehensive plan

Primary Strategy

Strategy 9: Demonstrate that smokers expect courteous treatment from those who sell them products and services.

Secondary Strategy

Strategy 11: Help managers, service personnel and others deal more effectively with diffusing potential conflicts.

Primary Tactical Program

Tactical Program D.7: Actively demonstrate smokers' value to business and the need to treat all customers courteously.

Secondary Tactical Program

Tactical Program D.5.a: With other organizations concerned with courtesy, help business managers and service personnel, e.g., flight attendants, restaurant employees, deal more effectively with potential conflicts arising from a range of annoyances.

Political and business environment

o Subjected to heavy anti-smoker pressure, the hospitality and travel industries are beginning to soften -- and in some instances abandon -- their traditional opposition to anti-smoking initiatives. Many are being encouraged to restrict smoking to protect the public's health, to reduce overhead expenses and thereby increase profits.

o Most service industries would prefer to develop their own responses to the issue rather than respond to specific legislation or to anti-smoker demands; however, we are seeing a growing trend toward support of legislation and/or total bans as easy ways out of dealing with a potentially difficult issue.

o The hospitality and travel business is highly competitive. When individual companies have discriminated against smokers (through nonsmoker discounts, "nonsmoker only" cars and rooms, etc.) it has

been for marketing and promotional purposes. Although some of these gimmicks have been withdrawn, presumably because of poor sales performance, many continue to spread across the country, particularly among the hotel/motel industry.

o To date, attempts to examine smokers as restaurant patrons have been inconclusive. The most valid study we have seen states that there are little if any differences in smokers' and nonsmokers' patronage of eating establishments and the size of their checks.

o Ongoing research has found some support for the notion that smokers drink stronger and more expensive beverages although the differences are not particularly large, e.g., about 30 percent of smokers say they drink beer regularly versus 18 percent of nonsmokers; 23 percent of smokers drink liquor regularly versus 14 percent of nonsmokers.

o Although few conduct such research, we believe that those in the hospitality and travel industries have said they are interested in the views of their customers in this controversial area.

Institute program

Strategy: Increase the hospitality and travel industry's understanding that smokers choose services that are gracious to all customers; and that smokers comprise a significant segment of their markets. Increase smoker awareness of hotels, rental car companies and restaurants that treat smokers graciously.

[Although airlines would under other circumstances be included in this plan, a separate public affairs issue plan has been developed in response to the smoking ban on flights of two hours or less.]

Tactics:

1. Commission a survey of smokers to determine levels of resentment of discrimination; awareness of specific types of discrimination; smokers' response to discrimination, i.e., tips, return business, etc.; smokers' preferences, i.e., language on signs, seating patterns, ash trays, discounts, etc.

2. Commission a study of smokers as customers of hotels, car rental agencies and restaurants, to demonstrate size and current preferences of smokers.

3. Survey all major hospitality and travel companies to determine current policies and marketing programs related to smokers.
4. Produce a list of individuals within the hospitality and travel companies, who are responsible for developing and implementing anti-smoker policies.
5. Produce a booklet based on the survey of smokers and marketing research, and mail it to all individuals on key contact list.
6. Conduct private meetings with officials of the hospitality and travel trade associations to discuss the program research and The Institute's plans to encourage smoker insistence on fair treatment. Target those hospitality and travel organizations with unfair policies and offer to meet with them to discuss the research.
7. Produce a package of background information for use by member companies' smoker communications programs. Share research and materials with smokers' rights groups and encourage them to react publicly to all forms of discrimination.
8. Examine feasibility of offering technical marketing or promotional assistance, including ventilation consultation, to hospitality and travel groups interested in providing special treatment to smokers.

Status:

- o **Survey of Smoker Attitudes Toward Discrimination.** We have completed the survey of smokers' attitudes toward discrimination. Summaries have been produced and are being incorporated into standard speeches, slides, hospitality packages for briefings and presentations to industry groups and individuals.
- o **Survey of Smokers as Customers.** We have completed the survey of smokers as customers of the hospitality industry. Results are being incorporated into materials described above.
- o **Survey of Hospitality Industry and List of Decision-Makers.** We have completed the survey of hospitality companies, and produced a list of individuals within those companies responsible for developing smoking policies.
- o **Research Summary.** The booklet summarizing the research is in draft form, and will be ready for release

by May 15, along with other materials described above. These also will be provided for use by member companies' smoker communications programs.

o Private Briefings. A promotional plan for briefing representatives from the hospitality industries has been completed.

o Produce Package of Background Information. Materials are in draft form and will be completed by June 1.

o Offer Technical Marketing Assistance, Including Ventilation Consultation. Ventilation expert Gray Robertson has completed and forwarded to the Washington, D.C., restaurant association an article on ventilation as an alternative to smoking restrictions. The restaurant group requested the article, which will be published in a future issue of its monthly magazine.

The National Energy Management Institute (NEMI) continues to assist the Beverly Hills Restaurant Association in developing an alternative to the City Council's smoking ban. Once the alternative is in place, NEMI will produce and promote its activity. Promotional materials will be included in hospitality packages described above.

Member Company Programs

Philip Morris has commissioned a survey demonstrating the economic force of smokers. The results will be promoted in a future advertising campaign.

R.J. Reynolds has prepared a series of brochures for restaurant owners on smoking restrictions and indoor air quality issues. R.J. Reynolds also has retained a consultant, available to The Institute, to open up contacts within the hospitality industry.

Recommended Program Expansion

o Retain independent management firm to assist hospitality industry in accommodating smokers and nonsmokers. The firm would promote their services to the industry through trade press, mailings, and at national, state and local association meetings.

o Initiate a syndicated restaurant/hospitality column evaluating among other things, hospitality to smokers. Promote in tobacco trade press and other publications.

o Promote Great American Welcome campaign (1988 response to the Great American Smokeout) as an

accommodation program for smokers and nonsmokers and to further communicate economic value of smokers to hospitality industry. (Proposal and budget attached)

o In conjunction with management firm, prepare video for hospitality industry on how to accommodate smokers and nonsmokers and suggest good ventilation as an alternative to restrictions. Utilize Beverly Hills as a case study. Promote video to state and local hospitality associations.

o Promote improved indoor air quality as an alternative to smoking restrictions. Promote ACVA and NEMI speakers at national, state and local hospitality association meetings. Prepare and promote articles for hospitality trade press.

o Initiate advertising campaigns in hospitality trade press pointing out economic value of smokers; reasonable accommodation of smokers and nonsmokers; and, good ventilation as an alternative to smoking restrictions.

o Encourage smokers rights' groups to meet with hospitality industry representatives to communicate their opposition to unreasonable restrictions and make it clear that they will not patronize establishments that have such restrictions.

o Encourage state and local hospitality associations to produce guides on smoking restriction laws to assure reasonable interpretation and protection of smoker's rights. Also encourage preparation of materials and trade press articles on how to accommodate smokers and nonsmokers without imposing unreasonable restrictions.

o Promote hospitality program at national, state and local hospitality association meetings. Develop information booths to display program materials.

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PETER G. SPARBER
Vice President
202-457-9313

January 29, 1988

MEMORANDUM

TO: The Members of the Communications Committee
FR: Peter G. Sparber
RE: 1988 Response to the Great American Smokeout

Although we have just dealt with the 1987 Smokeout,
attached is a proposal to deal with next year's event.

Your comments and criticisms would be appreciated.

Attachment

cc: Brennan Moran
Susan Stuntz

/mm

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BACKGROUND AND ASSUMPTIONS

- o The American Cancer Society's 12th Annual Great American Smokeout will be held Thursday, November 17, 1988. Once again, its objective will be to encourage smokers to quit at least for the day.

Over the years, the Smokeout has become a rallying point for the Society and other anti-smoking groups and leaders, as literally thousands of local groups participate.

- o For ten years, the industry did little to offset the impact of the Great American Smokeout. In 1986 Philip Morris countered with the good natured "Great American Smoker" program. In 1987 The Institute issued the "Great American Challenge."

These more aggressive industry responses drew media attention away from the event and reportedly caused concern within the Society.

- o The success of the new approaches suggests:
 - the industry can "ride" the Great American theme because the media are looking for fresh angles to the story.
 - the industry can "rain on the Society's parade" if the approach is positive and/or tongue-in-cheek.
 - the Society will prepare to deal with us as an element of its overall Smokeout planning. If the Smokeout becomes an annual opportunity for us, the Society may revise or even abandon it.

OBJECTIVE

One of The Institute's fundamental objectives is to discourage unfair discrimination against smokers. Since the Great American Smokeout annually subjects smokers to humiliation and harassment, it is our long term objective:

To encourage the American Cancer Society to significantly modify or abandon the Smokeout.

STRATEGY

1. Continue to ride the "Great American" theme, as a means of encouraging the ACS to change it and lose the event's identity.
2. Maintain a positive, non-confrontational tone.
3. Communicate to the public with and through allies so that we do not position our program as an industry vs. ACS battle.
4. Provide a "service" to industry customers so they will not feel abandoned on the day of the Smokeout.

PROPOSED THEME FOR 1988

"The Great American Welcome"

We propose that on November 17, 1988 -- the day of the next Smokeout -- that we encourage American business to extend a "Great American Welcome" to customers who choose to smoke. 55 million American adults may smoke, but that does not begin to describe their choice of services and products, much less their overall buying power.

Working through state chambers of commerce, restaurant, hotel and motel, grocers and other retailer groups, we will attempt to:

- o increase the business community's awareness of smokers as customers who, as all customers, respond to courtesy and respect.
- o enlist thousands of local businesses to formally welcome smokers November 17 by posting a decal or sign featuring our theme.
- o promote the names of all participating businesses to smokers

TACTICS

Studies and Materials

1. Produce a study of smokers' buying power, focusing on major retail and hospitality industries. Dollars should be expressed as "per store" statistics, not in gross industry-wide terms.
2. Sponsor opinion research into smokers' views of what constitutes good customer relations, and how they respond to discourteous service.
3. Produce a "Great American Welcome" kit with the two studies described above, a pamphlet describing the event, a sample ad and window decal, press release - all for use with state associations representing local businesses.

First Level Contacts

1. Enlist support of state business, retailer, and hospitality associations.
2. Obtain support of convenience store, drugstore, supermarket, fast food, hotel, and other chains with large numbers of local outlets.

Second Level Contacts

1. Enlist the help of state associations to promote program via mailings and publications read by their members.
2. Distribute decals to local businesses and ask that they call an 800 number if they wish to be listed in special promotions aimed at smokers.
3. Enlist help of company sales staff to distribute decals to every business selling cigarettes. Maintain lists for promotion.

Promotion

1. Lists of businesses welcoming smokers will be mailed to smokers and otherwise publicized (via Philip Morris Magazine, etc.) to smokers the week of the event.
2. In 10 of the top 20 markets the week of the event, ads will feature the "Great American Welcome" logo and tell readers to patronize businesses displaying it. Ads also will list those businesses that have agreed to participate.

3. The week of the event, conduct a press conference releasing the opinion research and buying power studies, and announcing the program.

Augment the press conference with satellite broadcasts of the project materials, print mailings and audio releases.

RESOURCES

A. Budget

. Economic study of smokers' buying power	\$ 50,000
. Opinion research into smokers' views of good customer relations	25,000*
. "Great American Welcome" kit	
. Graphics	10,000
. Printing	50,000
. 800 phone line for 6 months	700**
. Advertising (full page in 10 of top 20 markets, plus USA Today)	300,000***
. Public Relations Counsel	100,000
. Press conference, with satellite, audio and video news releases	20,000

\$555,750

* to be conducted by member company market research staff as add-ons to current research projects.

** estimate covers installation and service for a new 800 line for 6 months. Staffing to be handled by Institute or public relations counsel staff. Addition charge of 22 cents/minute per call not included.

*** from public smoking advertising fund.

B. Personnel

1. Public Affairs

S. Stuntz, W. Foley, J. Lyons, S. Ransome
(Issues)

B. Moran, W. Merryman, additional speakers
TBD (Media Relations)

A. Cannell (Production Services)

2. State Activities Field Staff

3. Company sales forces as appropriate

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Social Costs Program

Summary

The program seeks through credible scientific research to demonstrate that "social cost" justifications for anti-tobacco proposals are inappropriate. The programs also seek to establish a coalition of businesses concerned about abuse of "social cost" economics.

Background

The "social costs" argument that smokers impose a significant economic burden to society are being used increasingly to justify anti-tobacco proposals. Faulty "social costs" calculations concerning tobacco have and can be applied to a number of other industries.

Company Programs

None.

Strategy

Aggressively counter "social cost" research with credible, independent economic studies. Demonstrate that "social cost" arguments can be applied to other industries and generate support from them to challenge these arguments.

Highlights

- o Establish a network of "social costs" economists to review literature, to conduct research, and to prepare articles and legislative testimony.
- o Commission and promote research on "social costs" issues, i.e., smoker vs. nonsmoker productivity, absenteeism and accident rates, etc.
- o Promote Tollison and Wagner's "social cost" book which effectively critiques the claim that smoking imposes significant costs upon society.
- o Support and promote an academic "social cost" symposium. Also, seek opportunities for "social costs" economists to deliver presentations on the issue at national and regional economic conferences.

o Establish a coalition of businesses concerned with the abuse of "social costs" economics and encourage them to aggressively speak out. Identify and promote a well-known personality to serve as the group's spokesperson.

Media

Promotion of the social costs program relies upon academic publications and symposia, op-eds and book reviews of social cost research, expert media tours, videos and general publications.

Social Costs Program

Relationship to comprehensive plan

Primary Strategy

Strategy 9: Demonstrate that "social cost" calculations are wrong; that smokers do not cost society more than nonsmokers.

Tactical Program

Tactical Program D.8: Work with economists, social scientists and others to demonstrate that "social cost" methodologies are little more than means to rationalize political action against business.

Political and business environment

o Anti-smoking activists increasingly are arguing that the smokers' alleged cost to society, i.e., increased job absences, higher public medical expenses, accidental fires, etc., justify increasing cigarette excise taxes, bans on cigarette advertising, public smoking restrictions, and elimination of the tobacco farm program. "Social cost" arguments promoted by anti-smoking groups add to the perception that tobacco use is socially unacceptable.

o "Social cost" arguments are utilized by anti-smoking groups to counter any effort by the tobacco industry to demonstrate the positive economic impact of tobacco on the nation's economy, i.e., the Wharton and Chase studies. These economic impact studies do not deal with "social cost" arguments.

o Independent economists state that "social cost" concepts and computations used by anti-smokers do not withstand credible economic scrutiny. Anti-smokers' research presumes that most costs they perceive to be associated with smoking represent a financial burden on society as a whole.

o The Surgeon General's assertion that environmental tobacco smoke is a demonstrated health hazard to the nonsmoker will most likely escalate future "social cost" estimates.

o The "social cost" debate thus far has been largely between the anti-smoking lobby, including some members of Congress, and the tobacco industry, with public policy makers as the primary audience. Some actuarial and health care economic discussions which do not

support anti-smoker research have not been widely distributed or promoted. The general public is not familiar with all aspects of the issue and, if they were, would likely be unsympathetic to "social cost" economics as a justification for restricting free lifestyle choices.

o Other industries, i.e., dairy, meat, alcohol, chemical producers, nuclear power, hazardous wastes management, and small aircraft are also vulnerable to similar "social cost."

Institute program

Strategy: Aggressively counter "social cost" research with credible, independent economic studies.

Tactics:

1. Identify network of economists familiar with the "social cost" issue to review and maintain literature, to conduct research, to prepare articles, legislative testimony, letters to the editor and op-ed pieces. When possible utilize existing tax issue economists' network. Conduct periodic meetings in central location.
2. Publicize independent economic review of "social cost" arguments and encourage publication in newspapers, economic journals and economic conference proceedings.
3. Commission and aggressively promote new studies on precise topics, i.e., smoker vs. nonsmoker productivity, absenteeism and accident rates, actual estimate of all taxes paid by smokers vs. the public health care costs allegedly attributed to smoking, etc.
4. Publicize Tollison and Wagner book in conjunction with a media tour of "social cost" economists sponsored by an academic institution. In conjunction with tour, prepare and distribute executive summary of book.
5. Support and aggressively promote a one-day symposium sponsored by an academic institution, i.e., Center for the Study of Public Choice at George Mason University, on the "social cost" issue. Sponsor would commission papers on precise topics and publish and promote the proceedings.
6. Direct "social cost" economists to submit abstracts of studies and seek speaking/seminar opportunities at prestigious economic conferences, i.e., American Economic Association, Southern Economic Association, Western Economic Association, Atlantic Economic Association, etc.

7. Seek opportunities for "social cost" economists to testify, to prepare testimony, and to include research/articles in the legislative record when anti-tobacco legislation is under consideration and "social cost" arguments are utilized. (This year, economists already have prepared rebuttals to "social cost" arguments to justify excise tax increases in California and Texas.)

8. Direct "social cost" economists to brief economic and policy staffs of legislative organizations, i.e., American Legislative Exchange Council, National Conference of State Legislators, Council of State Governments, National Governors Association on the "social costs" issue; encourage them to address the issue as a serious public policy concern. Seek publication and speaking/seminar opportunities.

9. Encourage existing and future smoker anti-harassment groups to point to "social cost" arguments issue as another form of harassment.

10. Brief minority and veterans groups on the "social cost" issue and encourage them to take a position. Assist in preparing op-ed pieces, letters to the editor and developing a series of position statements suggesting "social cost" as a byword for discrimination.

11. Inspire Congressional request for a new OTA study within proper economic guidelines.

Status:

o "Social Costs" Economists Network. We have identified a core group of economists uniquely qualified to work on the issue. The group will conduct research for publication and presentation at academic conferences and symposia, and will be available to challenge "social costs" economics utilized by anti-smokers at public and legislative forums. The group includes:

- . Gary Anderson, Ph.D.
Professor, Department of Economics
California State University at Northridge
- . Robert Ekelund Jr., Ph.D.
Lowder Professor of Economics
Auburn University

- . **Richard Higgins, Ph.D.**
Economist
Washington Economic Research Consultants
(Former Deputy Director, Bureau of Economics,
Federal Trade Commission)
- . **Dwight Lee, Ph.D.**
Professor, Department of Economics
University of Georgia
- . **Robert D. Tollison, Ph.D.**
Director, Public Choice Center
George Mason University
- . **Richard Wagner, Ph.D.**
Holbert Harris University Distinguished
Professor
George Mason University
- . **Bob Ebel, Ph.D.**
Director, Public Finance Program
The Urban Institute

o **"Social Costs" Research.** The "social costs" economists have submitted several initial research proposals. Research and preparation of reports will take approximately three months and will be promoted as appropriate. Research proposals submitted so far include the following:

- . **The "Social Costs" of Smoking: A Survey of the Literature,** will note that perceived "social costs" associated with smoking are essentially private costs paid by smokers and not costs paid by non-smokers.
- . **Is Absenteeism Due To Smoking? An Empirical Study,** will demonstrate that absenteeism is related to job and physiological characteristics, and income levels.
- . **The "Social Costs" of Everyday Goods and Services,** will examine the "social costs" associated with an array of goods and services unrelated to tobacco and the Office of Technology Assessment's defective "social costs" methodology.
- . **Rent Seeking, Bureaucracy, and Public Health Regulation,** will demonstrate that regulatory proposals advanced on public health grounds tend to receive substantially less critical examination compared to other regulatory proposals.

- . **Smoking and Productivity in Japan**, will challenge the assertion that smokers are less productive than nonsmokers by pointing to the Japanese experience. Japan is considered one of the most productive nations in the world with a work force composed of a high concentration of smokers.

o **Smoking and The State**. This 125 page book by Robert Tollison and Richard Wagner which analyzes "social costs" economics and its application to tobacco issues has been published. Promotion activities include:

- . media tour by the authors
- . promotion to academic publications
- . reviews by economists' network
- . submission of economists reviews to targeted publications

o **"Smoking, Social Costs and Common Sense."** William Prendergast, former U.S. Defense Advisor to NATO and Institute consultant, has prepared a basic monograph on the "social costs" issue for general consumption. Promotion activities include:

- . business press publication
- . executive summary publication
- . briefing paper for lobbying use
- . submission of opinion editorials to targeted publications
- . production of a video

o **"Social Costs" Bibliography**. Lewis Solmon, dean of the Graduate School of Education at UCLA, has prepared an extensive bibliography and classification of "social costs" research. He is seeking publication opportunities.

o **Economic Conference Presentations**. Sessions focusing on "social costs" economics are being organized for the Atlantic, Southern and Western Economic Associations. Papers will focus on the abuse of "social costs" economics. Presentations will be promoted as appropriate.

o **"Social Costs" Academic Symposium**. Robert Tollison is organizing a symposium featuring "social costs" research at George Mason University this fall. The symposium will be promoted as appropriate.

Strategy: Demonstrate that "social cost" arguments can be applied to other industries and generate support from those industries in challenging these arguments.

Tactics:

1. Extend "social cost" research as applied to smokers to other industries by obtaining estimates from "social cost" economists of potential cost targeted commodities impose upon society, i.e., beef, alcohol, sugar, coffee, salt, etc.
2. Brief target industry association executives on repercussions of potential social cost allegations utilizing "social cost" economist network. If possible, have economists brief peer economists at targeted industries or utilize third party groups, i.e., tobacco grower representatives for briefing with cattlemen's association.
3. Attempt to organize coalition of business to counter "social cost" claims. Prepare and distribute coalition brochures, newspaper advertisements and video on the issue.
4. Organize coalition of economists frustrated with abuse of economics in politics. Seek speaking opportunities at economic seminars (see above); interviews with business and economic journalists.

Status:

o **Industry Coalition.** Research demonstrating the application of faulty "social costs" research to other industries will be packaged and utilized to assist us in forming an industry coalition to oppose abuse of "social costs" economics.

Economists are now briefing other industry economists to generate interest and have scheduled meetings with the U.S. Chamber, the National Association of Manufacturers and other groups to generate interest.

We are reviewing presentation opportunities at other industry and association meetings.

o **"Social Costs" Video.** A video is being produced on the abuse of "social costs" economics for industry and coalition development use. The video will be promoted as appropriate.

Member Company Programs

None.

Recommended Program Expansion

- o Commission four additional studies on the "social costs" issue. Seek publication in economic journals and opportunities to present research at economic conferences.
- o Expand "social costs" economists network as needed.
- o Support and promote two additional conferences on the "social costs" issue.
- o Identify a well-known personality to serve as a spokesperson for the coalition of businesses concerned with abuse of "social costs" economics.