

SMOKING BAN'S / Traficant Hearings

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To: Kathleen M. Linehan **Date:** 2/19/93
From: Robert Y. Maples
Subject: Traficant Hearing on General Services Administration Policy on Smoking in Federal Buildings

Per your request, I have become involved in preparations for next Tuesday's oversight hearing before the Public Buildings and Grounds Subcommittee (Public Works Full Committee), chaired by Rep. Jim Traficant (D-OH). After learning of the hearing late yesterday afternoon, I have canvassed the "friendly" Member staffs of the Subcommittee and the Tobacco Institute as to the current situation. My findings, initial actions, and future considerations are set forth below.

Background

Apparently, Chairman Traficant indicated his intention to conduct a hearing on the GSA's regulations regarding smoking in federal buildings at an organizational meeting of the Subcommittee several weeks ago. This item was one of fifteen items discussed and no particular emphasis or priority was given to the tobacco issue at that time.

Republican sources believe that Traficant has chosen to hold this hearing now because the federal building smoking policy has become a "high profile" issue due to the actions of Rep. Durbin (D-IL). Holding the hearing now would also be in accord with the House Democratic leadership request that House Committee and Subcommittee Chairmen "get busy" to show action. Moreover, these sources see some reason to believe that there may be a Traficant/Durbin "conspiracy" at work. Apparently, Traficant has been "spending a lot of time" in the Appropriations Committee on specific District projects, which could indicate some type of a trade off between Traficant and Durbin (who chairs the House Agriculture Appropriations Subcommittee).

The Hearing

The plans are for Tuesday to be an Oversight hearing on the GSA. There are three items slated to be addressed:

- The GSA smoking policy in federal buildings.
- The GSA plans for child care facilities in all federal buildings.
- The GSA use of alternative fuels in all federally leased or owned automobiles.

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According to TI reports, three (as yet unnamed) GSA representatives will testify, along with a Dr. Hoyt (University of PA) who reportedly will speak on the smoking issue. We are as of this writing attempting to identify Dr. Hoyt.

Neither the Ranking Minority staff nor the "friendly" Democrat staff have seen the actual text of the legislation that Traficant has reportedly introduced on smoking. As I understand staff's interpretation, the Traficant legislation will ban smoking in all federal buildings and/or in any vehicles owned or leased by the federal government, including the U.S. House and Senate and the U.S. Courts. Anyone wishing to smoke in federal buildings will have to go outside and the GSA, the Administrative Office of the Courts, the House Office Building Commission, the Senate Committee on Rules and the Architect of the Capitol are to issue regulations to institute and enforce the ban.

Rep. Traficant indicated to Minority staff that he would be holding hearings on his legislation "soon" and that "all parties would be able to be heard and all witnesses accommodated."

Action

- In conjunction with TI, I am making certain that the Ranking Minority Member and the friendly Democrat staff/Members are armed with questions and answers to keep the discussion on Tuesday on track. The briefing materials will focus on the GSA, their authority, their activities, and responsibilities. The Members will also be provided general information on ventilation standards and Indoor Air Quality considerations in general.

TI briefed my same contacts yesterday on ETS. We will provide ETS Q&As only to focus debate. Although we do not want this to be an ETS hearing, *per se*, our friends should be prepared to discuss the issue.

- We are talking with Mike Forcee and Susan Stuntz as to any labor concerns among the Federal Employees Union which may be expressed to Rep. Traficant. As of this writing, TI is planning to meet with the union in preparation for a IAQ briefing with Traficant.

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Future Considerations

TI spoke with Rep. Rose (D-NC), Chairman of the House Administration Committee, yesterday regarding the Tuesday hearing and the jurisdictional issues involved. Oldaker is also prepared to talk through the sequential process with Rose.

cc

Bill Campbell
Craig Fuller
Steve Parrish
Ellen Merlo
Jim Boland ✓

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