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November 7, 1986

MEMORANDUM

To: Peter Sparber

From: Susan Stuntz, Jeff Ross, Lisa Osborne, Sharon Ransome

Re: Public Smoking Issue - October 1986 Report

Overview and Highlights

Although Members of Congress went home until 1987, activity on the public smoking issue at the federal level showed no sign of slacking off through the end of the year. And even with most state legislatures out of session, Public Affairs staff continued to be involved in the New York State Public Health Council issue. Demand for presentations and workplace assistance continued to be heavy, as staff prepared for an onslaught of scientific reports on the ETS issue at year's end.

Work began in earnest on the Institute's proposed response to the Surgeon General's and National Academy of Sciences reports on ETS. We completed numerous reviews of a "shadow" report, developed a plan for promoting the report, and have begun to implement that plan. In addition, we continued work on the development of a formal organization to act as a clearinghouse, providing advice and assistance to smokers who wish to oppose discrimination and harassment.

Staff also completed two group presentations on the workplace issue -- one to the Florida Association of Personnel Administrators, the other to a Bureau of National Affairs seminar group. We also provided an overview of our work on this issue to the Institute's Communications Committee.

In New York State, we supplied, on three-hours' notice, testimony for two unions officials to present at a November 3 public hearing on the Public Health Council proposal to restrict smoking in all public places.

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Having already exceeded our goals for the year in all categories, we continued to build on those efforts; we do not anticipate any reduction in demand as the year comes to an end.

In need of attention

- . Preparation of materials to counter an expected call for a ban on smoking on airlines.
- . Completion of materials for the workplace smoking kit for organized labor, to be available by year's end.

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MONTHLY PROGRESS TOWARD PLANS

Strategy I: Position the industry as concerned about the broad issue of indoor air quality.

Reportable Items:

Goals:

1. Air quality briefing papers available for use by March 1996.
 - . ACVA paper has been submitted for publication to ASHRAE Journal.
 - . Katzenstein paper has been cleared, but is still undergoing review and comment at IAFAG.
2. Conduct at least 35 briefings on the broader issue.

Current count: 163

Most recent contacts: Sheet Metal Workers International Union; Robertson briefed 34 print and broadcast media; Katzenstein completed an additional 5 briefings.

Tactics:

1. Continue to oppose unnecessary legislation.
 - . Scientific witness testimony:
 - . DiNardi is preparing comments on ASHRAE 62-1981R.
 - . Ventilation testimony:
 - . Robertson is preparing comments on ASHRAE 62-1981R.
 - . Ventilation building studies requested:
 - . American Federation of Government Employees -- 15 studies in progress.
 - . Jacobson has proposed studies in Iowa and South Dakota; he met with Stuntz 10/2 to discuss procedures and pitfalls.

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- . Scanlan is seeking a building in Suffolk County, N.Y., and in New York City.
- . American Federation of Government Employees State Dept. Local has asked for two studies. Follow up will occur when staff at AFGE returns from leave in November.
- . Economic witness testimony
 - . Savarese and/or a representative from N.Y. State Public Employee Federation will testify on economic impact of Public Health Council proposal 11/3.
 - . Testimony for Barry Feinstein (Teamsters) requested 10/29, completed and forwarded to state activities the same day.
 - . Testimony for N.Y. Public Employee Federation requested, drafted and telecopied to Scanlan 10/31.
- . Economic impact studies underway:
 - . Study of New York State Public Health Council proposal revised according to State Activities directions; delivered to Cannell, Minshew, Ruggeri, Scanlan 10/27 and 10/30.
 - . Stuntz, Savarese, Cannell met 10/1 to discuss revisions/additions to current format. Further discussions put on hold by SAD until N.Y. Public Health Council situation has been resolved.
- . Voter survey underway:
 - . New York City results received in draft form.
- . Overview of potential impact of N.Y. State Public Health Council action on smoking on other state industries drafted, revised and forwarded to state activities. We have received no word on use.
- . Solidify opposition to federal workplace smoking legislation:
 - . Oppose General Services Administration restriction rulemaking.
 - . We have filed a Freedom of Information request to obtain copies of comments; request filed 9/15.
 - . Federal relations has asked that we defer follow up until GSA has completed its deliberations.
 - . Contact continues with AFGE to assess progress of negotiations with GSA.

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Support as appropriate to federal relations re Scheuer/Rivter legislation.

Legislation died when Congress adjourned. We continue to work with labor, veterans organizations to prepare for 1987.

Follow up on reports that Repace is enjoying a rebirth at EPA, with new air and radiation leadership having a new interest in indoor air quality.

DiNardi is in line to be named to a vacancy on EPA's Science Advisory Board on indoor air quality.

Respond to NAS cabin air quality report.

Summary comments for submission to Kassebaum committee completed, forwarded to federal relations 10/31.

Rebuttal of ASH claims has been delayed by heavy workload. Will be provided to federal relations by end of November.

Response to SG, NAS reports on ETS.

Draft TI report reviewed and in clearance with company scientists, litigation counsel.

Plan to respond via editorial board meetings, private meetings w/ agency personnel, TI press conference drafted, approved, and now being implemented.

2. Prepare and publish indoor air quality position papers.

As reported above, all papers submitted to the 1/29 NAS hearing have been submitted for publication. Awaiting word from IAFAG as to where the articles have been submitted.

Katzenstein will identify semi-technical publications as potential recipients of position papers. This assignment has been revised somewhat. Katzenstein is focusing on media tours; he will respond to articles as appropriate.

3. Brief labor and industry personnel on the issue.

Schwartz has submitted to Rupp proposal for reconstituted ETS seminar. Last word had a new seminar scheduled for March - April, 1987.

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TI wrote Air Transport Assn. 8/12 proposing a joint ATA-TI study of cabin air quality. Follow up w/ Collier indicates we can expect a formal response by mid-November.

Katzenstein media tours scheduled for Los Angeles, Lansing and Grand Rapids in November. He prepared an assessment of the Califano Committee report, at B. Buckley's request. We are still attempting to determine use; now following up with Cannell.

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Katzenstein letters have been prepared and mailed to Reader's Digest. Dayton Daily News op-ed cleared and mailed.

Robertson has completed media tours in New York and Indiana. Louisiana and Maine are scheduled for November. Reports, clips continue to be extremely favorable.

RJR has asked for a plan to ensure comments in support of proposed ASHRAE ventilation standard. Stuntz, Cannell reviewed possibilities 10/4. Stuntz, Ross, Jacobs (C&B), Forscey, Schaenman, Marcus met 10/7 for a briefing. Although formal plan is overdue, response (which will be limited to those individuals who would have a knowledge of the issue) is moving forward.

Stuntz, Jacobs outlined indoor air quality, public smoking program progress to Communications Committee 10/30.

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Videotape of Robertson air quality presentation will be produced, with organized labor as the target. Script completed and cleared 10/3. Taping now scheduled for 12/9. At that time, a second tape will be made of the standard Robertson slide presentation as requested (and to be paid for) by Philip Morris.

First, second and third drafts of "Tobacco Smoke and the Nonsmoker: Scientific Integrity at the Crossroads" have been reviewed and edited. Drafts are now in the hands of company scientists, legal counsel for comment. Printing deadline: Nov. 10.

Strategy II: Work with human resource professionals and private industry to increase awareness of TI's workplace smoking program.

Reportable Items:

Goals:

1. Complete at least 120 workplace smoking issue briefings.

Current count: 150.

Most recent contacts: Rothmans (Australia), Eli Witt.
2. Make workplace presentations before 20 professional associations.

Current count: 26.

Most recent contacts: Florida American Assn. for Personnel Administrators, Bureau of National Affairs, Houston Chamber of Commerce, Houston Hispanic Chamber of Commerce, Houston Minority Business Development Center, Brotherhood of Vietnam Veterans.
3. Respond to all requests for assistance.

Current count: 406.

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Most recent contacts: Rockwell International; Commonwealth of Pennsylvania.

Tactics:

1. All resources available for use by 1/1/86.
Completed.
 2. Organize teams of experts to conduct briefings.
 - . With account personnel changes at O&M and Fleishman-Hilliard, retraining will have to begin on new personnel for briefings. That probably will not occur until 1987.
 3. Introduce new resources.
 - . Vaughn, Ross and Osborne are contacting prospective companies for smoking policy development case studies. Harvard Business Review has expressed an interest in publishing an article, pending approval of outline. Study candidates to be finalized by Nov. 21; Vaughn will submit formal proposal Dec. 1.
 - . Ross met w/ Solmon re Hoel Committee proposal to review cost/absenteeism literature. Work is on schedule; first draft is due in December.
 - . Stuntz to check with Shook, Hardy & Bacon re availability of Heimstra to write on productivity.
 - . Economic consultants have submitted eight proposals to study various aspects of "social costs" issues. Comments have gone to WK.
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- . Materials for workplace "kit" for organized labor have been cleared by counsel; design concept approved. SC&T has completed follow up with organized labor; all comments are now on Stuntz' desk waiting incorporation into final document.
 - . Public smoking topic sheets. Drafts need to be reviewed and revised; revisions had been

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deleted from 1985 budget. Assignment has gone to Ransome; will be completed in 1985.

Popular version of "Cigarette Smoke and the Nonsmoker." Katzenstein drafts not appropriate as a "pop" version. Staff will review for possible other uses. In the meantime, we must begin anew work on the "pop" version.

We have begun review of the "Some Considerations" workplace kit for possible revision, addition, deletion, once current supply is exhausted. Drafts of new material due 12/1. Production will begin by year's end.

Recommendations have been received about two new potential economic consultants. One, an Indiana Univ. professor recommended by Rupp, has received materials. If he is interested, Ross will arrange a meeting with him. A second, from St. John's Univ., who contacted RJR, has received similar materials. No word back yet from either.

Article, signed by Sam Chilcote, completed, cleared and forwarded to American Institute of Management for printing in its November President's Journal.

Preparation of materials for Great American Smokeout:

Brochures, logos, and other materials to support smoker support clearinghouse are being developed. Minor changes suggested in first roughs; we still are struggling to find an appropriate name.

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I drafts have gone to WK, FGE, BRG for comment prior to production.

4. Select opportunities for briefings.

Chase Manhattan Bank, Long Island Railroad and Colorado Public Service Commission member have asked for briefings. All will be scheduled in by year's end.

Utilize consultant/lobbyist client lists. FR workplace consultants have been asked to assist with introductions. Where feasible, they will do so.

Fox, Vaughn are arranging workplace

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- . Seek contacts from member company supplier and subsidiary lists. No progress to date.
- . Direct mail promotion of TI assistance. Follow up has been completed to second wave of mailings for Fortune 500 companies. Mailings to defense contractors who may be reacting to JoD restrictions have been completed. Follow up will begin in December.
- . Follow up on all requests for assistance.
 - . Staff responded to 43 requests for workplace assistance in October. Of these, 17 resulted in detailed briefings.
- . Work through field staff and lobbyists to identify speaking forums.
 - . Dennis Dyer (Region I vice president) has tentatively identified the North Shore Chamber of Commerce, Springfield, Mass. We await word from him.
 - . Dyer also has proposed the New England Regional Council. We are waiting for Dyer to reschedule.
 - . Florida chapter of the American Society for Personnel Administrators presentation completed.
 - . Staff addressed Bureau of National Affairs conference on "emerging employee issues" 10/30. Stuntz, Ross, Forsey drafted strategy and remarks, reviewed w/ Staff 10/27.
 - . Booklet outlining Cincinnati horror stories is being developed by local PR counsel. We are providing assistance as requested by Woodson.
- 5. Incorporate "success stories" into future briefings.
 - . Success stories will be part of "how to" kit discussed above.

Strategy III: Encourage responsible corporate decision making with regard to smoking restrictions.

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Strategy III: Encourage responsible corporate decision making with regard to smoking restrictions.

Reportable Items:

Goals:

See Strategy II.

Tactics:

1. Follow up with field staff on use of "fair" policies.

Workplace

- . Vermont chambers have approved copy. Production will be completed by November 30.
- . Michigan chamber okayed design and draft copy 9/10. Revisions sent to chamber 11/12.
- . Draft copy for Illinois chamber booklet has been approved. Production to be completed by year's end.
- . New York Business Council has asked for a meeting in October. That has been postponed indefinitely in light of N.Y. Public Health Council proposal.
- . Meetings with city chambers in Houston and Dallas have been completed. Draft booklet for Houston is being prepared.

Restaurant

- . Field staff postponed scheduled 9/25 meeting w/ Mass. Restaurant Assn. He will reschedule.
 - . Meeting w/ Texas Restaurant Assn. completed 10/21.
 - . Osborne met w/ Memphis Restaurant Assn. re survey request 10/14. Questions are being developed for their review. Deadline: 11/20.
 - . National Restaurant Assn. participated in "National Tobacco-Free Young America" workshop in Minneapolis 10/16-17. They shared action plan and objectives with us; we have forwarded to field staff via SAD headquarters.
2. Aggressively promote implementation of fair policies in appropriate areas.

Workplace

- . Vermont is now on track.
- . Michigan is on track; production will be completed by 12/12.
- . Ill. copy has been approved by Chamber. We are awaiting design approval. Production

Reportable Items:

Goals:

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- . Ill. copy has been approved by Chamber. We are awaiting design approval. Production

will be completed by 12/15.

Restaurants

- . Materials have been provided to the Louisiana Restaurant Assn. and La. Hotel and Motel Assn. Response has been slow, according to assn. executives.
 - . Delaware meeting on hold until progress is made in Illinois.
 - . Florida meeting cancelled until state assn. trade show is over; follow up scheduled for late November.
 - . Additional material given to Ill. Restaurant Assn. They will consider the program during Nov. board meeting. Field staff has been asked to assist with follow up. We have heard nothing as yet.
 - . Received commitment from N.J. Restaurant Assn. to assist in follow up and publicity for its fair policy program. Meeting held 8/5; we are following up; letter outlining project sent 10/7. No activity expected until late Nov.
 - . Draft materials for Oregon Restaurant and Beverage Assn. have been forwarded; we await their comments.
3. Refer to these "fair" policies as examples of responsible corporate decision making in TI-prepared articles.
- . No progress on TI materials. Legislative opposition to any restrictions makes such reference difficult.
4. Encourage officials of organizations adopting such policies to oppose legislated restrictions.
- No new progress to report.
5. TI spokesmen will identify opportunities to address business organizations during regularly scheduled media relations visits.
- No progress to date.
6. Institute spokesmen may assist in implementation of voluntary restaurant program.
- No progress to date.

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Strategy IV: Establish a broader political and professional relationship with organizations and individuals affected by restrictions.

Reportable Items:

Goals:

1. Obtain statements opposing smoking restrictions from labor, Hispanic, veterans and affirmative action groups.
 - . No new progress to report.
2. Appear on conference programs.
 - . Alex King arranged a presentation on smoking in the workplace at the Washington State AFL-CIO meeting November 13. Appearance cancelled 11/11 at Brozek's request.
3. Brief at least 20 officials from these organizations.

Current count: 34.

Most recent contacts: National Energy Management Institute, Brotherhood of Vietnam Veterans, Houston Hispanic Chamber of Commerce, Houston Minority Business Development Center.

Tactics:

1. Commission position papers that describe attitudes toward smoking restrictions.
 - . Affirmative action position paper has been cleared. Ross to follow up with AAAA 11/13. Additional follow up planned for Hispanic, other minority audiences.
 - . Labor law article on smoking restrictions has been given to Forscey for review and rewrite. Again, no longer a priority given workload on federal issues.
2. Obtain and publicize statements opposing smoking restriction legislation.
 - . ACLU contact in N.Y. has asked for additional material on public and workplace smoking restrictions and smoker hiring bans.

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Material, and outline of IT's position, provided 10/21. We continue to follow up.

Philip Morris has asked for a briefing in extent of smoking history data nationwide. Jay Smith to set date.

3. Maintain and improve relations with appropriate organizations.

- . Osborne, Stuntz are establishing relations with women's and minority organizations re smoking restrictions. Activity is noted in coalition report.
- . Ross and Osborne met with Hispanic chamber of commerce in Houston in October; Chicago to occur in November.
- . Reyes is coordinating assistance to Hispanic organizations.
- . Obledo will meet w/ federal relations re assistance there Nov. 20.

4. Conduct individual briefings on issue for conference planners.

No new progress to date.

Unplanned Items:

Strategy I, Tactic 1.

- . Smoking restrictions as a deterrent to economic development.

Strategy II, Tactic 2.

- . Response to Surgeon General 1986 report on "involuntary smoking."
- . Response to draft OTA report on smoking in the workplace.
- . GSA response initiative.
- . ACVA videotapes for labor, industry audiences.

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Strategy II, Tactic 3.

- . Workplace "kit" for distribution by labor management committee.
- . Materials for Great American Smokeout.

Completed in 1986:

Strategy I:

- . Technical air quality briefing papers (by IAPAG group.)
- . Testimony before NAS "passive smoking" committee.
- . Ventilation Studies:
 - . Madison Building, Detroit, Mich.
 - . Redmond, Wash.
- . Economic impact studies:
 - . Indiana
 - . Michigan
 - . New York State
 - . New Hampshire
 - . Vermont
 - . New York City
 - . Massachusetts
 - . Scheuer and Ritter bills
 - . GSA rulemaking
- . Economic witness testimony:
 - . Michigan
 - . New Hampshire
 - . New York City
 - . Scheuer/Ritter hearing
 - . 21 letters to GSA
- . Voter Survey:
 - . New England
- . Organized Labor Assistance
 - . Ga. AFL-CIO was asked to attend Atlanta conference on smoking or health. Staff was not available to attend.
 - . New York State
 - . New York City
 - . Scheuer, Ritter bills
 - . GSA rulemaking
- . Draft TI comments for OTA report on smoking in the workplace, coordinate submission of consultant comments, review and draft reaction to final report.
- . GSA Rulemaking
 - . Stutz, Ross, Osborne letters to GSA.

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- . Letters from 36 friends produced.
- . AFGE comments, economic impact study.
- . Coordinate Tollison meeting with Helms, Dole, Jim Miller.
- . Review and edit draft TO comments.
- . Review comments for IAM submission.
- . Review draft comments for FEI submission.
- . Review economic, ventilation, scientific comments.
- . Follow up meeting with NAGE.
- . Reviewed proposed OPM and AFGE revisions; recommended follow up strategy to federal relations.
- . Schauer/Ritter legislation.
 - . Draft and/or review testimony for IAPAG, Robertson, Tollison, Burch, Solmon, Lewis, PED, AFGE.
 - . Coordinate witness preparation for 6/12 and 6/27 hearings.
 - . Coordinate testimony for friendly congressmen.
 - . Draft questions for friendly and unfriendly witnesses.
 - . Arrange and attend briefing with Robertson and Bliley staff.
 - . Follow up questions for Bliley transmittal to Repace.
- . Report to WK on "Americans United for a Smoke-Free Environment."
- . Meeting with Air Transport Assn. and RJR scientists 6/11.
- . Meeting w/ Delta, Pan Am government affairs directors re Bates, Hatch legislation.
- . Report to C&B re Johnson & Johnson wellness program.
- . Katzenstein media briefings in Portland, New Orleans and Baton Rouge.
- . Meeting w/ D. Mudarri (EPA); Robertson and Balter attended.
- . NAS cabin air quality report.
 - . Developed strategy, reviewed and cleared materials; briefed RJR scientists; followed up interest by flight attendant unions; coordinate ATA, DoT coalition efforts; prepared background documents as follow up.
 - . Recommendations to federal relations staff re follow up for the record.
 - . Summary of follow up submissions.
- . Questions for EPA R&D associate administrator designate Vaua Newill drafted, cleared and forwarded to federal relations.

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Strategy II:

- . Have met 100 percent of year's goal of briefings.
- . Materials:
 - . ACVA op-ed pieces and letters to the editor.
 - . Employee Relations Law Journal article published and distributed.
- . Assisted John Rupp w/ his May 2 presentation to Council of State Governments.
- . Drafted remarks, q&a material for Arthur Stevens presentation to Pace Univ. law students.
- . Tobacco College presentations.
- . Assistance to Bureau of National Affairs in development of its workplace smoking issue book.
- . Identification of companies to be targeted for initial promotional mailing.
- . Identification of Fortune 1000 companies in state activities priority states.
- . Mailing and follow up to 231 Fortune 1000 companies.
- . Consultants have shared N.J. and Fla. chamber workplace booklets with clients in those states.
- . Assistance to Ron Saldana in identification of a speaker on legal issues regarding smoking in the workplace for Orange County, Cal., Chamber of Commerce.

Strategy III:

- . Article for NJBIA in New Jersey Business magazine, describing employer responsibilities under new N.J. workplace law.
- . Booklets for N.J. and Fla. employers outlining responsibilities under workplace laws.
- . Comments re N.J. Dept. of Health guidelines on N.J. workplace law.

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- . N.J. Restaurant Assn. mailing.
- . Louisiana Hotel and Motel Assn., and Restaurant Assn. mailings.
- . Arby's Roast Beef Restaurant mailings.
- . American Food & Wine Institute reception.
- . RJR-Ogburn briefing on restaurant program.
- . Briefing for Jim Peters, president of Responsible Hospitality Institute.
- . Letter critiquing 11/95 American Chamber of Commerce article on smoking restrictions mailed 1/15/96 over WK signature. Published 3/96.
- . Maine Chamber of Commerce brochure.
- . Article for Maine Today.
- . New Hampshire brochure materials.

Strategy IV:

- . VFW has passed a resolution opposing public smoking restrictions.
- . AFL-CIO executive committee has passed a resolution opposing smoker hiring bans and legislated workplace smoking restrictions.
- . AFGE on record as opposing workplace restrictions.
- . LULAC executive council resolution opposing workplace smoking restrictions.

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