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SAMUEL D. GHILCOTE, JR.
President

File File

July 31, 1990

MEMORANDUM

TO: The Members of the Executive Committee
FROM: Samuel D. Chilcote, Jr. 
RE: Fire Safety

Yesterday, the House of Representatives passed, by voice vote, H.R. 293, the Moakley-Boucher fire-safe cigarette bill.

Hours later the Senate passed the bill, clearing it for the President's signature.

A copy of our response to prospective press inquiries is enclosed.

SDC/sr

Enclosure

RESPONSE TO THE PRESS ON MOAKLEY
"FIRE SAFE" CIGARETTE BILL

We support the efforts of Congressman Moakley to find a solution to the problem of cigarette related fires. In this regard we are pleased that Congress has passed the new Moakley-Boucher bill. We will cooperate in every reasonable way with the Government in the development of cigarettes having a reduced ignition propensity.

*Full
Fire Issue*

air quality of several mitigation actions that could be taken. Those methods include use of catalytic converters to reduce tailpipe emissions in automobiles or emission controls on major stationary sources. Socio-economic costs and benefits of those methods also will be assessed. Each country plans to provide \$4.5 million for the program.

The agreement includes an intellectual property clause, which states that the parties "agree to notify one another in a timely fashion of any inventions or copyrighted works arising under this Agreement and to seek protection for such intellectual property in a timely fashion."

It provides that in Mexico, IMP will have first option to secure all rights and interests, subject to a royalty-free, non-exclusive, irrevocable license to DOE and the nationals of its country designated by it for the purpose of scientific research. In the United States and "third countries," DOE will have first option. □

Product Safety

CPSC TO STUDY CIGARETTE IGNITION UNDER SUBCOMMITTEE-APPROVED COMPROMISE

Legislation requiring the Consumer Product Safety Commission to direct research to determine cigarette ignition propensity was reported out of the House Energy and Commerce Subcommittee on Commerce, Consumer Protection, and Competitiveness July 19.

In a markup hearing, the subcommittee sent to the full House Committee on Energy and Commerce a compromise bill that integrates elements of two proposed bills (HR 293 and HR 673) pertaining to the development of cigarettes that would have a reduced propensity to ignite furniture and mattresses.

Under HR 293, the Fire Safe Cigarette Act of 1989, the commission would work with the Center for Fire Research of the National Institute for Standards and Technology to:

- Develop a standard test method to determine cigarette ignition propensity;
- Compile performance data for cigarettes using the standard test method; and
- Conduct laboratory studies on and computer modeling of ignition physics to develop predictive capability.

In addition, the legislation would require the CPSC to design and implement a study to collect baseline and follow-up data about the characteristics of cigarettes, products ignited, and smokers involved in fires, as well as develop information on societal costs of cigarette-ignited fires. The commission would also consult with the secretary of Health and Human Services to develop information on changes in the toxicity of smoke and resultant health effects from cigarette prototypes.

Finally, the CPSC chairman would be required to submit three status reports to Congress on the activities mentioned above. The first would be due to Congress within 13 months after the date of enactment, the second within 25 months, and the final report due no later than 36 months after the enactment date.

Original Bill Provisions

Under the original provisions of HR 293, the CPSC would have been required to promulgate a mandatory standard for cigarettes within one year, while HR 673 called for reinstatement of an interagency committee and an implementation task force to direct further studies and submit recommendations to Congress. The subcommittee held a hearing on May 16 to obtain views on the two bills.

Rep. Doug Walgren (D-Pa), chairman of the subcommittee and co-sponsor of HR 293, said the legislation is a definite move closer to the development of a fire-safe cigarette that promotes health, safety, and economic interests. "In 1987, 1,500 people lost their lives and 3,000 others were injured in cigarette-related fires," he said, adding that smokers under the influence of alcohol and/or drugs are most at risk.

Rep. Don Ritter (R-Pa) expressed concern that the title of the bill would be misleading, as it is "highly unlikely" that a completely fire-safe cigarette can be developed. "At best, reduced flammability is what we can hope for," he said, adding that it will take a combination of improved cigarette design, promotion and maintenance of smoke detectors, and smoker education to reduce the risk of cigarette-related fires. Ritter said he would draft a title amendment to send with the bill to the full committee. □

International Trade

SENATE COMMITTEE, WITHOUT REPUBLICANS, APPROVES AID PACKAGE FOR EASTERN EUROPE

The Senate Foreign Relations Committee, without the participation of its Republican members, voted July 19 to authorize \$535 million in new U.S. spending on technical assistance for Eastern Europe and the Soviet Union.

The 10 Democratic members of the committee, led by Committee Chairman Clairborne Pell (RI), voted unanimously to report out without amendment a 114-page "mark-up text" entitled "Support for East European Democracy Act of 1990 (SEED II)," based on a bill (S 2040) introduced by Pell, Sen. Joseph R. Biden Jr. (D-Del), and others at the beginning of this year.

The measure, drafted essentially by Biden, chairman of the committee's subcommittee on European affairs, would authorize funding for fiscal year 1991, which begins Oct. 1.

In a letter to Pell dated July 18, Sen. Jesse Helms (R-NC), the ranking minority member of the committee, said that he and the other Republican members of the panel were "resisting" attending the committee meeting because the mark-up document under consideration had not been offered in "due legislative form."

Helms also said that the committee had not yet had an opportunity to obtain "detailed comment" from the agencies in the administration which would be charged with implementing the legislation, including AID, Commerce, Labor, Defense, and the CIA.

"Senate Legislative Counsel has informed me that it will require much labor over many days to put the current staff document into proper legislative form,"