

DEBATE WITH SCIENTIFIC COMMUNITY  
NO COMMON GROUND

PUBLIC SMOKING PROGRAMS OF THE TOBACCO INSTITUTE

I. CONSULTING SCIENTISTS ON ETS AND INDOOR AIR QUALITY

REVISION - 1/24/84  
L. BARNER -  
3-4/84  
SPECIALIZE IN AREA  
FEB - APRIL  
ON COAST  
W. J. ...  
GETTING READY FOR  
M.C. ...  
WORKING  
EPA STAFF  
AND ...  
PREPARING FOR  
EPA RISK  
ASSESSMENT  
PAPER FOR  
S.A.B.

A. Academics. TI now has <sup>21</sup> 24 academic scientists on ETS; <sup>WORKING</sup> <sup>SCIENTIFIC</sup> eight have been retained in the last three months. The <sup>COMMUNITY</sup> academics are all faculty members of prestigious universities and medical schools. Their mission is to influence the scientific community's view of ETS science. They will testify before Congress and important regulatory agencies at the state and federal level, publish articles in the scientific literature, and actively participate in scientific conferences on ETS.

Status: All of the academic scientists are preparing to participate in the McGill University symposium on ETS November 3-4. Four of them will present keynote papers at the symposium; these papers will be published as part of the proceedings. In addition, several of the academics are assisting counsel in the preparation of the industry's submission to the California Air Resources Board, and in the defense of TI Australia with respect to its ETS advertising suit.

Next year, the academics will help us respond to an EPA risk assessment on ETS, the DOT cabin air quality study and other adverse scientific studies on ETS that are in the pipeline. They will also publish papers on epidemiology, scientific fraud, the politicization of science, and the manipulation of statistics in science.

B. Scientific Witness Team. TI now has 23 consulting scientists whose businesses are to market their scientific expertise. Their principal mission is to testify before state and local legislative bodies on ETS and indoor air quality issues. They also respond to adverse articles in scientific, technical and general audience publications by submitting letters to editors. They attend and report on meetings of scientific organizations. Three of these consultants also conduct two media tours on ETS and another on indoor air quality each month.

Status: Members of the scientific witness team have made 48 legislative appearances and conducted 30 media tours to date this year. They have submitted approximately a dozen substantive letters-to-editors of scientific journals, and countless others to general publications. Thus far, four have been accepted for publication, including two by the American Journal of Public Health. In addition, several members will attend the McGill conference next month. The team will hold its annual conference in Washington following the McGill conference.

\* An asterisk indicates a new or greatly expanded program.

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Next year, we anticipate that legislative activity will continue at this year's level. Media activity will increase early in the year in connection with promotion of the McGill proceedings. We also expect greater activity in response to media reports on ETS science (see Section II, below).

II. ADDITIONAL APPROACHES TO CARRY THE INDUSTRY'S VIEWS ON ETS TO THE GENERAL MEDIA

A. Media Responses. This strategy is to generate a scientifically based response to every article on new ETS science reported in the general media. This effort requires a thorough and timely review of the media and scientific literature, as well as the coordination of our consulting scientists.

*RESPOND TO PERIODICALS, NEWSPAPERS 20 OR MORE*

Status: The mechanisms are in place, and the effort is ongoing. This year, working with our scientists we have responded to reports on smoking aboard airliners, ETS and cervical cancer, cotinine measurements in nonsmokers, and the EPA's "Fact Sheet" on ETS.

Next year, we expect to respond to reports in connection with EPA's risk assessment on ETS, the DOT cabin air quality and other adverse scientific studies on ETS that are in the pipeline.

\* B. Foreign Scientists. This strategy is to bring a "foreign" perspective on ETS science to U.S. journalists through the use of the industry's overseas consulting scientists. Through editorial board briefings and interviews with science and health reporters, these scientists will suggest that the U.S. understanding of ETS science is skewed by anti-smoker media hype, and that the U.S. response to ETS science is extreme and out of step with the rest of the world.

*OR "NO COMMENT"*

**"Redacted -- Privileged"**

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Next year, we anticipate foreign scientists conducting at least one media tour per month in connection with attendance at scientific meetings.

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**III. JOURNALISTIC INTEGRITY ON ETS AND OTHER CONTROVERSIAL SCIENCE AND HEALTH MATTERS**

\* **A. Educational Outreach.** This program is designed to educate science and health reporters on the nuts and bolts of ETS science. The objective of this strategy is to assist regular reporters on ETS issues and to project The Institute as an "honest broker" with respect to scientific information on ETS. The foundation of this effort is the production of a detailed briefing book examining the major literature reviews on ETS (such as the 1986 Surgeon General's report), epidemiology as a limited scientific discipline, and the reports and criticisms regarding the original research purporting to link ETS and various health effects. The briefing book will be organized as an easy-to-use reference guide and will be written using lay terms and style. Once it is completed, it will be distributed to reporters systematically and through one-on-one briefings.

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11000 DRAFT  
PAGES*

**Status:** The briefing book is well underway and should be completed in November. TI media relations staff will begin distribution after the first of the year. Follow up activity will coincide with the appearance of new research.

\* **B. Criticize Science Reporting.** This program involves "chastising" the journalism community for its handling of controversial scientific issues, including ETS. The focal point of this effort will be an article authored by a respected member of the journalism community and published in a major journalism review. Citing examples such as alar and apples, cyclamates, caffeine, VDTs, fish oil and ETS, the article will describe deficiencies in science reporting, the politicization of science, and journalists' responsibility to put scientific developments in context, to clarify issues and not to add to public confusion and fear. Once an article is published, we will develop an op-ed campaign to bring the messages to the general public, and seek opportunities to sponsor a journalism foundation or journalism school seminar on science reporting to generate additional discussion of these issues.

*Done -  
COOKING  
FOR  
FLUORIDE*

**Status:** Research on various controversial scientific issues has been completed. A "white paper" synthesizing the research and framing the journalistic integrity issues will be completed by November 1 and then used to attract the interest of a respected member of the journalism community. We anticipate publication of the journalism review article in the first quarter of next year. Op-eds and seminars will follow publication of the article.

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**IV. SCIENTIFIC INTEGRITY ON ETS AND OTHER CONTROVERSIAL SCIENCE AND HEALTH MATTERS**

- EPA is  
not*
- \* **A. Nature of Science.** The first and longer-term strategy is to discuss the nature of the scientific process as evolutionary, rarely definitive, full of limitations and fallible. The scientific peer review process will be a key focus of this discussion. The consulting academic scientists will work with other credentialed critics to publish articles in scientific journals "reminding" their colleagues in the scientific community of the deficiencies and limitations of their profession, and exhorting them to avoid politicizing their work. These articles will be distributed to health and science reporters and utilized by industry representatives in responding to future reports on ETS.

Status: Background research on the scientific peer review process has been completed. Academic scientists will be assigned to this project in November, and papers should be submitted for publication in February.

- \* **B. Expose the Anti-Tobacco Industry.** This project is designed to document and publicize the anti-tobacco "industry," particularly the work of anti-tobacco scientists. The objective is to show that political agendas bias the work of these scientists, and that they actively strive to squelch the views of dissenting scientists.

*L. L. Brown*

Status: We have asked a University of Pittsburgh professor to submit a proposal to undertake this project. The ultimate product will be a book, but we anticipate that significant findings will be published as articles beginning as early as next spring. By then, a consulting economist will have completed and released an article detailing the social costs of anti-smoking activity.

- \* **C. Costly and Confusing Health Information.** This program is designed to illustrate the cost to business and society of politically motivated or exaggerated science, and to publicize the notion that the scientific community is overwhelming the general public with often conflicting information about reasonableness of everyday behavior and factors of risk. In both instances, ETS will serve as but one of many examples. Consulting academic scientists and economists will prepare articles for publication and will assist in identifying additional experts on these subjects. We will produce a series of video news segments and publicize them through media opportunities. Experts will conduct media tours, as appropriate. We will seek the support of other business organizations with an interest in these messages.

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Status: Research on examples of politically motivated science and on the risk of everyday activities is underway. Efforts to identify independent experts in these areas is also underway. We project completion of the video news segments in November and articles in December.

V. FOCUS ATTENTION ON THE NEED FOR IMPROVED VENTILATION SYSTEMS OR MORE EFFICIENT USE OF EXISTING SYSTEMS

A. ASHRAE 62-1989. ASHRAE 62-1989, the new ventilation standard, increases the minimum recommended ventilation rate for office environments to 20 cubic feet per minute per occupant (cfm). The previous, bifurcated standard, which recommended only 5 cfm in nonsmoking areas, encouraged employers and other building managers to ban smoking. We will press state legislatures to include ASHRAE 62-1989 in state building codes. Through op-eds, articles and interviews, our indoor air quality experts will publicize the new standard and ventilation -- not smoking bans -- as the proper means to achieve clean indoor air.

Status: ASHRAE 62-1989 was formally published October 2. Bills and resolutions, many featuring the new standard, have been introduced in ten states, including Washington, Illinois and Massachusetts. Next year, we plan to introduce indoor air legislation in nine additional states where we have active labor allies (see Section VI).

B. Healthy Buildings International (HBI). Gray Robertson recently renamed his company to Healthy Buildings International, or HBI. Gray Robertson and his colleagues at HBI remain our foremost resources in our indoor air quality strategy. Early next year, HBI will open offices on the West Coast and in New England. These offices will provide regional bases from which to conduct media tours, send expert witnesses to legislative hearings and briefings, brief employers on the development of workplace smoking policies, and conduct indoor air investigations.

Status: Gray Robertson currently conducts a monthly media tour, and HBI representatives appear at legislative hearings and submit letters to editors on indoor air quality issues. Additional media tours will be conducted regionally when the new HBI offices become operational during the first quarter of 1990. Also, plans are in development to produce briefing materials on, and a system to handle, workplace smoking policy inquiries. The materials and system will be completed before HBI opens its new offices.

*Handwritten notes:*  
R. Robertson  
open  
v. HBI  
media tours

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- \* C. Business Council on Indoor Air (BCIA). The Business Council on Indoor Air, or BCIA, is a small but increasingly prominent trade group which promotes a ventilation or building systems approach -- rather than pollutant-by-pollutant source control -- to mitigate indoor air pollution. BCIA's membership includes several firms that consult for TI and a few major chemical companies. Tobacco is not and must not be visible in this organization; the chemical companies whose involvement is critical to BCIA's credibility have indicated they would not participate if tobacco were involved. We are able to influence BCIA through our consultants and through personal relationships with its executive director. Through BCIA, we are able to present a credible business perspective on indoor air quality issues.

Status: This year, BCIA has testified on federal indoor air legislation hostile to tobacco before House and Senate subcommittees. The bills would give EPA authority to conduct research on and regulate individual indoor air contaminants, and to issue health advisories. BCIA urged Congress to spread (i.e., dilute) authority among several agencies and to focus the research effort on building systems rather than individual pollutants. BCIA also appeared before the EPA's Science Advisory Board to criticize an internal EPA document which advocated a source control research program.

In the coming months, we will work to help BCIA broaden its membership base. BCIA will help us gather intelligence at EPA, particularly with respect to EPA activities on ETS.

## VI. INDOOR AIR QUALITY AND ORGANIZED LABOR

A. Outreach to Organized Labor. Representatives of the Tobacco Industry Labor Management Committee (LMC) conduct indoor air quality presentations before labor groups around the country, targeting states where the industry faces smoking restriction legislation. These presentations often result in the passage of labor resolutions in opposition to workplace smoking restrictions and in support of improved ventilation to clean up the workplace. In Oregon last November, organized labor's opposition was critical in the defeat of ballot measure 6, the statewide smoking ban. In Massachusetts this year, labor introduced an indoor air quality bill advantageous to tobacco. The Service Employees International Union (SEIU) has been very aggressive in New England, pressing the Massachusetts state government to improve indoor air quality in state buildings. The LMC provided a grant to SEIU for a building air quality study by Gray Robertson's firm. SEIU will use the study to continue to press for clean indoor air rather than smoking bans.

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In Washington, D.C. last spring, federal workers formed the Safe Workplace Air Coalition (SWAC) and held a conference to publicize the results of its indoor air quality survey which demonstrated that GSA smoking bans had not cleaned up the air in federal buildings. SWAC's leader has become a strong ally, whose recent testimony on a federal indoor air bill introduced by Senate Majority Leader Mitchell was supportive of tobacco's position. In addition, SWAC and the LMC unions persuaded the AFL-CIO to develop a formal position on the Mitchell bill that is similarly supportive.

- \* We are also undertaking activities to attract the interest of labor groups representing white and pink collar workers by characterizing indoor air quality as a key office -- as opposed to industrial -- workplace health issue. The Coalition of Labor Union Women (CLUW) has agreed to sponsor a monograph on workplace health issues, including indoor air quality, of concern to working women. We will assist CLUW in publicizing the monograph and in developing a series of fact sheets based on it.

**Status:** Labor Management Committee representatives conduct presentations and work with national, state and local labor groups on an ongoing basis. The LMC has provided grants to SWAC for building air quality investigations at HUD and the U.S. Information Agency. We are assisting SWAC in the development of indoor air legislation that will be introduced, perhaps as early as next month, in the D.C. City Council. We will continue to support SWAC and assist in the promotion of its efforts.

With respect to the CLUW monograph project, we are preparing an outline of the piece for discussion with CLUW. Research and writing should be underway in November, and the monograph should be completed by early next year.

**B. National Energy Management Institute (NEMI).** NEMI's indoor air program is the focal point of the Labor Management Committee's institutional support of labor. Established by the unionized sheet metal industry, NEMI's indoor air quality program is designed to raise the sheet metal industry's awareness of indoor air pollution as a common problem and potential marketing opportunity. For the Sheet Metal Workers International Association, indoor air quality is primarily a "jobs" issue. This year, a NEMI representative testified before Congress and the Massachusetts legislature on indoor air quality bills of interest to tobacco. LMC representatives also assist NEMI in the production of its quarterly newsletter and other communications materials.

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well-trained experts throughout the country with a vested interest in the promotion of indoor air quality legislation. Training sessions are scheduled for Chicago and Boston in November. Preparations are underway for training additional instructors and scheduling 30 training sessions in 1990. The goal is to train 200 contractors and 400 technicians. The training sessions will be coordinated with NEMI's six regional offices and TI field staff. Early next year, NEMI will also begin to develop marketing and government relations materials to promote indoor air quality issues, NEMI's expertise in the field and the NEMI training program.

## VII. WORKPLACE ASSISTANCE PROGRAMS

*Spencer's  
memorandum  
will*

A. Corporate Assistance. While we do not encourage employers to develop workplace smoking policies, we do provide assistance to employers who are doing so in response to legislation or in response to management initiatives. We promote our expertise and availability to employers through targeted mailings of a brochure, "Workplace Smoking: A Resource Guide." We follow up with interested employers by providing written materials on ETS and indoor air quality issues, legal issues and management issues. We also discuss these issues with employers and offer to make on-site presentations. In addition, we produce and distribute employers' guides to smoking in the workplace sponsored by state and local business groups (without tobacco's fingerprints). These guides advise employers how to comply with smoking restriction laws, or serve to preempt legislation by demonstrating that the employer community is addressing the issue.

Status: We have advised more than 3,000 employers since the program began in 1984. This year we have completed resource guide mailings in Illinois, Indiana, Michigan, Ohio and Louisiana. We are scheduled to complete mailings in Massachusetts, Oregon and Idaho by the end of the year. We will develop a schedule for 1990 by the end of January. With respect to employers' guides, this year we have produced brochures in Massachusetts, Maine, New Hampshire, Kentucky and New York. A guide for Idaho employers is in development and should be completed by December 1. Future guides will be developed as appropriate.

B. Legal Issues. There is much confusion among employers about their legal liability regarding smoking in the workplace. Legal consultants have published articles on the subject that have appeared in the Employee Relations Law Journal, the California Western Law Review, Commerce Clearing House's Labor Law Journal, and the Campbell Law Review. We distribute these articles to interested employers. Legal consultants also testify when appropriate, conduct briefings before legislators and business, legal and other organizations, and conduct media tours.

well-trained experts throughout the country with a vested interest in the promotion of indoor air quality legislation. Training sessions are scheduled for Chicago and Boston in November. Preparations are underway for training additional instructors and scheduling 30 training sessions in 1990. The goal is to train 200 contractors and 400 technicians. The training sessions will be coordinated with NEMI's six regional offices and TI field staff. Early next year, NEMI will also begin to develop marketing and government relations materials to promote indoor air quality issues, NEMI's expertise in the field and the NEMI training program.

## VII. WORKPLACE ASSISTANCE PROGRAMS

*Spencer's  
memorandum  
McGill*

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**Status:** The law review articles were published in 1989, and no new articles are anticipated in 1990. Witness appearances have been few, and none are scheduled. Briefings have been conducted in five states this year. Additional briefings have been scheduled for Idaho in November, Minnesota in December and New Hampshire in January. A schedule for the remainder of 1990 will be completed in January. Media activity has coincided with the briefings and will continue to do so.

**C. Smoker Assistance.** We attempt to help smokers in two ways. This year, we began to press for laws to protect smokers from employment discrimination. Bills have been introduced in 18 states and protections have been enacted in Nevada and Virginia. Beyond the legislative activity, we provide materials to smokers -- many of whom are referred to us by member companies -- facing restrictive policies in their workplaces. Our key resource is a brochure developed this year entitled "Smokers' Rights in the Workplace: An Employee Guide." Legal counsel also reviews some smokers' complaints to determine whether legal action is warranted and appropriate.

**Status:** Legislative strategies for 1990 are being developed and should be completed early next year. Direct assistance to smokers is ongoing.

**D. Collective Bargaining.** Through the Labor Management Committee, TI helps union members protect their right to smoke on the job. Courts have ruled -- including this year in Seattle and Washington, D.C. -- that workplace smoking is a condition of employment governed by work rules. Employers whose workers are covered by collective bargaining agreements must negotiate workplace smoking policies with the unions. LMC representatives brief labor groups on this subject and provide materials and advice. LMC legal counsel also assists unions in filing grievances and preparing for arbitration proceedings on the issue.

**Status:** This program is ongoing. Labor Management Committee representatives are currently assisting unions representing workers at General Dynamics in Fort Worth, Texas, and at Amtrak headquarters in Washington, D.C.

#### VIII. SMOKERS AS CUSTOMERS

This program is designed to make the hospitality industry -- hotels and restaurants -- sensitive to the preferences of their smoking patrons. Our principal activity at this time is to exhibit and distribute our materials, particularly our brochure entitled "Open Door to Hospitality: Accommodating Smokers and Nonsmokers," at hospitality conventions.

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**Status:** This program is ongoing. In the first quarter of 1990, we expect to complete new research on smoking and the hospitality industry and develop a list of key contacts in major hospitality companies. In the second quarter, we plan to produce an updated brochure and promote it to the hospitality industry.

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