

THE TOBACCO INSTITUTE

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SAMUEL D. CHILCOTE, JR.
President

March 7, 1991

MEMORANDUM

TO: The Members of the Executive Committee

FROM: Samuel D. Chilcote, Jr. *Sam*

As I reported last week, the Office of Management and Budget (OMB) has circulated to 22 federal agencies a draft Presidential Executive Order that would ban smoking in all space controlled by the federal government.

Since then, Institute and member company staffs have launched an all-out effort to encourage critical comments from as many agencies as possible. We note in our contacts that most agencies already have implemented policies under the General Services Administration smoking regulations approved several years ago; there's little need to fix a problem that doesn't appear to exist.

Because a number of federal agencies were omitted from the OMB distribution, we also are contacting administrators at those agencies, urging their attention to the draft order. In addition, Members of Congress who serve on oversight and appropriations committees for federal agencies have been urged to weigh in to the appropriate agency with their objections to the proposed ban.

Similar contacts are being made within the Administration. The North Carolina Congressional delegation, for example, has written President Bush urging him to reject the draft order. A copy of that letter is enclosed.

Representatives from tobacco growers' organizations and others in the agriculture community have contacted the Department of Agriculture to raise their objections to this draft policy.

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We understand that this executive order originated with HHS Secretary Louis Sullivan, whose efforts to ban smoking at his own agency last year were rejected when the courts ruled that he must negotiate any smoking policy with HHS unions. Unions representing public employees are contacting Congressional Democrats and federal personnel agencies to register their objections to the order, which would have the effect of overruling the federal civil service law requiring bargaining on this issue.

I will, of course, keep you posted on our efforts.

SDC/sms

Enclosure

cc: TI Senior Staff

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