

Executive Summary



From
The
Tobacco
Institute

Friday, April 3, 1987

AT THE FEDERAL LEVEL

* Chairman Luken convened his Subcommittee on Transportation, Tourism and Hazardous Materials to begin hearings on Advertising and the First Amendment and on H.R. 1532 at 9:30 a.m. today and adjourned at 2:45 p.m. The witness list is attached. Of the fifteen witnesses, ten opposed advertising bans and restrictions. Members of the subcommittee who were present included Chairman Luken (D-OH), Congressman Whittaker (R-KS) and Congressman Bates (D-CA). Congressman Bliley, not a subcommittee member but a member of the full Energy and Commerce Committee, was present throughout the hearing and participated in the questioning. Additional information, including a set of all written statements will follow under separate cover.

Overall, the hearing were balanced and went well from our point of view. No further hearings are planned at this time. The record will remain open for 30 days, and we will encourage appropriate witnesses to submit statements as necessary to make the record complete from our standpoint.

On a lighter note, the American Newspaper Publishers Association passed out buttons at the hearing to all ad ban opponents bearing the slogan "Censorship is Contagious."

* Senator Ford introduced a bill, which was referred to the Agriculture Committee, to require the Secretaries of Agriculture and Commerce to conduct a joint study of commodities and products that may be produced and marketed in conjunction with the production of tobacco.

* During markup by the House Agriculture Committee April 1, Congressman Rose amended the trade bill (H.R. 3) to require (1) reciprocal retaliation by the U.S. against countries imposing import restrictions on U.S.-grown tobacco and (2) identification of quantities of foreign and U.S.-grown tobacco in exports of tobacco and tobacco products from the U.S. These amendments (attached), as well as the rest of the trade bill, must still withstand review and approval by the House Rules Committee, the full House, the Senate and the president.

* The House Armed Services Committee has asked the commanding general of the Air Force Commissary Service to respond expeditiously, in writing, to several very pointed questions about its joint effort with the American Cancer Society to place messages on tobacco display cases encouraging people to stop smoking. The committee particularly wants to know why the Air Force should cooperate with a lobbying organization representing one side of an issue, especially when the other side, the tobacco industry, is paying for the shelf space used to promote the ACS messages.

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IN THE STATES

- * A California Superior Court refused to grant an injunction against the Beverly Hills restaurant smoking ban ordinance. The Restaurant Association immediately filed an appeal. TI has assisted the restaurateurs in challenging the ordinance, which takes effect today... The Los Angeles City Council has delayed consideration of restaurant restriction proposals until April 15. The Institute is part of a broad coalition fighting these measures.
- * The Birmingham, Alabama, City Council heard testimony on a new workplace restriction proposal this week. TI efforts caused action to be delayed until later in April. Meanwhile, coalition efforts are well underway.
- * Despite a 6-cent tax hike due July 1, some North Dakota state senators are proposing an additional 3-cent increase during the final days of the session to help remedy the state's \$100 million deficit. TI is working to ensure the "enough is enough" attitude prevails among money-hungry lawmakers... Minnesota legislators are considering tax increase measures of 18, 15 and 5 cents... Meanwhile, the Idaho legislature passed, and the governor signed, an 8.9-cent cigarette tax increase, raising the state's excise to 18 cents per pack.

IN OTHER MATTERS

- * OMB Director James C. Miller III told the Republican Study Committee Wednesday that the president would stand by his 1984 campaign commitment not to raise the cigarette tax, stating there is "no evidence that the current tax on cigarettes is not appropriate as is." The committee, convened in response to House Speaker Jim Wright's proposed tax increase, also heard from TI economic consultant Bob Tollison of George Mason University who criticized excises for their regressivity.
- * TI consultant and former president of the National Association of State Boards of Education Jolly Ann Davidson will appear on NBC's "Today" show April 9 to promote the "Helping Youth Decide" program and announce the availability of the follow-up "Helping Youth Say No."
- * Representatives of the Joint Council of Flight Attendant Unions, who have voted to support a ban on smoking on commercial aircraft, meet next week in Washington, D.C. At Labor Management Committee request, representatives of the Air Line Pilots Association will outline political, health and ventilation aspects of the issue, as a first step in efforts to reverse the flight attendants' position.
- * The federal Interagency Committee on Smoking and Health heard four presentations on smoking's impact on minority populations this week. Despite the Coalition on Smoking OR Health's extensive efforts to include several minority legislators and staff in the meeting, TI staff managed to persuade them not to attend the anti-smoking "revival."
- * March was a record month for requests for workplace assistance. Two hundred seventeen companies contacted TI staff for advice and information on workplace smoking issues. Many of the requests came from New York companies seeking help in complying with the new Public Health Council regulation.
- * In response to the budget plan of Senator Lawton Chiles (D-FL), John DeConcini, president of the Bakery, Confectionery and Tobacco Workers, wrote members of the Senate Budget Committee: "[P]assage of increased taxes on gasoline, cigarettes and alcohol you suggested be considered would be a breach of faith with the working, middle and lower income Americans who returned the Democratic Party to power in the Senate."

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