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SAMUEL D. CHILCOTE, JR.
President

October 2, 1987

MEMORANDUM

~~Sam~~
WEA

To: The Members of the Executive Committee

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

During July's House floor debate on Rep. Richard Durbin's (D-IL) proposal to ban smoking on domestic airline flights of two hours or less, Rep. Norm Mineta (D-CA), promised hearings on all airline smoking legislation in the fall. As I have reported to you previously, Mineta will keep his promise Wednesday, October 7.

These hearings will address HR 432, sponsored by Rep. James Scheuer (D-NY); HR 3018, sponsored by Rep. Jim Bates (D-CA); HR 2040, sponsored by Rep. Robert Dornan (R-CA); HR 1078, sponsored by Rep. Robert Torricelli (D-NJ); HR 3377, sponsored by Rep. James Oberstar (D-MN); as well as amendments to Department of Transportation appropriations bills proposed by Rep. Richard Durbin (D-IL) and Sen. Frank Lautenberg (D-NJ). These bills range from two-hour bans to total bans; some cover domestic flights, some domestic and international.

The hearings, before the Aviation Subcommittee of the House Public Works and Transportation Committee, will include testimony from Members of Congress, the Administration, the tobacco and aviation industries, as well as the usual litany of anti-smoking groups.

Congressmen who have asked to testify include Rep. Tim Valentine (D-NC), and five who have introduced legislation to restrict smoking on airlines: Scheuer, Torricelli, Oberstar, Durbin and Lautenberg.

Philip W. Hazeltine, deputy assistant secretary for policy and international affairs, will testify on behalf of the Department of Transportation. We understand that DOT will offer strong support for the current regulation, and repeat its earlier recommendations for additional study.

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Former Rep. Charles Whitley will testify for The Institute, focusing on public satisfaction with the current rules, lack of scientific evidence on which to base claims of adverse health effects from ETS, and the need for additional study. He will be accompanied by scientific expert Larry Holcomb, who will note problems with scientific studies that are being cited to support airline smoking restrictions. Toxicologist Sorell Schwartz will be available to answer any questions about use of cotinine as a marker for ETS in airline passengers and crew.

William Crouse, a senior research chemist at Lorillard, will demonstrate the Portable Air Sampling System (the "briefcase"), which was used to test for ETS on certain types of aircraft last year. Crouse, along with chemist Guy Oldaker of R.J. Reynolds last week briefed subcommittee staff and the Department of Transportation, on the briefcase testing system. Although Oldaker is not available for testimony on October 7, he will submit a written statement, along with his article on the aircraft tests, which has just been published.

Written testimony also will be submitted by the Air Transport Association, which we understand will support the status quo, and by Piedmont Airlines, which will do the same.

Anti-smoking groups that have asked to testify include representatives from Americans for Nonsmokers' Rights, a Virginia chapter of GASP, Action on Smoking and Health, the Coalition on Smoking OR Health, American Medical Association, American Association of Respiratory Physicians, Aviation Consumer Action Project, the Tobacco Lawyers Litigation Group, Citizens Against Tobacco Smoke and Association of Flight Attendants.

Enclosed are copies of Mr. Whitley's, Dr. Holcomb's and Dr. Crouse's draft statements and attachments. Also enclosed is a copy of the Lautenberg Amendment adopted by the Senate Appropriations Committee Thursday evening.

I will, of course, report to you promptly on the outcome of these hearings.

SDC/sdr

Enclosures

cc: TI Senior Staff

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