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Papers you weren't ever supposed to see

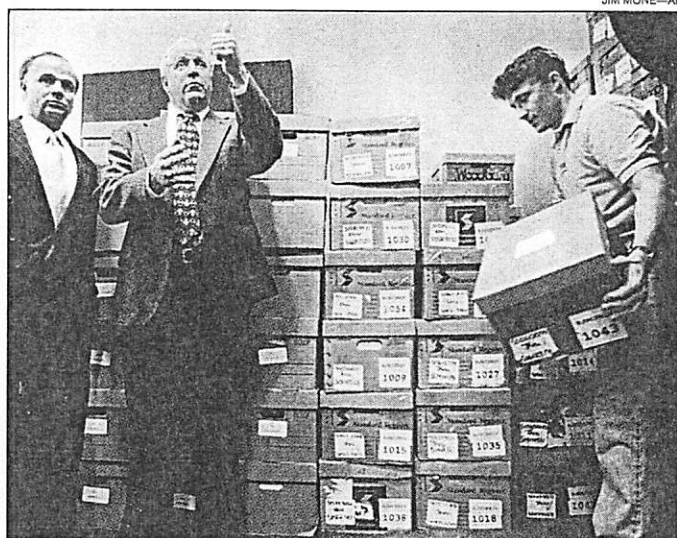
How Big Tobacco fought an all-fronts war

BY SUSAN HEADDEN

When you've already been called a liar, a death merchant, a corrupter of children, and a manipulator of science, it's hard to imagine that your public image could get much worse. And in one sense, the 39,000 tobacco industry documents released last week for all the world to see

what they knew. "Our case is even more compelling than before," says a spokesman for Minnesota Attorney General Hubert Humphrey III, who is suing the nation's largest cigarette companies for \$1.7 billion for the cost of treating sick smokers. The trial is expected to reach the jury in a few weeks.

No admission. The documents contain embarrassments aplenty. According to the Associated Press, there is correspondence from R. J. Reynolds in which a lawyer discussing damage from the chemicals in Camel cigarettes notes that an RJR scientist "destroyed reports and letters for legal reasons." Another document found by *U.S. News* in the RJR files shows that a scientist had found a way to remove carbon monoxide from smoke but was discouraged by a lawyer who complained that the discovery "constituted an admission on the part of the company that



PILES OF FILES. Minnesota Attorney General Hubert Humphrey III gives a thumbs up as new tobacco documents are delivered.

carbon monoxide was in smoke." In a 1978 report, an RJR lawyer challenged the wording of a paper that said tobacco smoke did not cause disease in *nonsmokers*. "Implication," he scribbled in the margin, "[is that tobacco] *does* cause disease in *smokers*."

Tobacco industry lawyers argue that their predecessors were simply trying to prevent litigation and to raise vigorous defenses when their clients did get sued. Thomas McKim, assistant general counsel for RJR, called some of the new documents inaccurate and said lawyers were only urging scientists to be "accurate and precise." Attorney General Humphrey, however, contends that the lawyers went beyond this simple duty. As evidence, he disclosed a 104-page litigation summary, prepared for RJR by an outside law firm,

simply reinforced the impression of a business many Americans have come to despise. "It's like having four witnesses to an armed robbery instead of just two," said John Coale, a plaintiffs' lawyer specializing in tobacco litigation. But the latest cigarette papers, which were subpoenaed and posted on the Internet by Virginia Republican Rep. Thomas Bliley, reveal evidence of coverups and suppression of scientific research to an extent not previously detailed. Such revelations won't help the embattled business as it tries to fend off continuing attacks on both legal and legislative fronts.

The new reports spell out with great clarity the remarkable degree to which tobacco company lawyers controlled research into smoking and health, and the measures their clients took to conceal

that suggests the company's previous outside counsel was editing, and even suppressing, reports of scientific research. The summary, which the judge in the Minnesota case has since placed under seal, suggests that RJR lawyers discouraged research that would appear to acknowledge that cigarettes posed a health problem.

Citing the company's "concerns about external events," RJR lawyers urged scientists to word their reports carefully, to avoid "loose language," such as the failure to precede *carcinogen* with the word *alleged*. A letter from the law firm for Brown & Williamson advised a B&W employee: "We prefer not to use the term 'de-

mentos highlight the need to educate the public about the "beneficial effects of smoking," though the only advantage consistently cited was stress reduction.

Other studies looked for health risks everywhere because, as a 1985 paper written for the Tobacco Institute, the industry's lobbying arm, put it, "if everything causes cancer, all care, yet none care." The paper goes on to advise the industry to "build a body of law in states where tobacco is grown and judges are elected" and to consider suing adversaries: "No potential defendant should be considered sacrosanct," the paper states, "including the American Cancer Society, heart and

ide, like Zambonis, are likely to be the cause of health problems, not exposure to cigarettes.

There are also revelations that Big Tobacco considered ways to improve the product with new additives. A 1977 document cited by the *Wall Street Journal* reportedly shows that scientists at one company debated adding to cigarettes a narcotic called etorphine, which it said was "10,000 times as effective an analgesic as morphine."

PR hell. In their sum, the papers portray an industry caught up in a uniquely hostile environment, determined to control the public debate even though, as one tobacco consultant understates in a memo, "this business defies traditional public-relations fixings." One 1983 memo summarizing the public-relations initiatives of the Tobacco Institute is particularly interesting in light of the overwhelming public support for stopping tobacco use by teenagers. Brown & Williamson, the author flatly states, "will not support a youth smoking program which discourages young people from smoking."

Several memos show consultants advising the cigarette companies to employ subtle tools to burnish their image. "It is essential that the industry lead in research efforts as a means of shaping the issue in the public arena," says a 1982 industry document. Another says that the Center for Tobacco Research, established by cigarette makers as an independent research arm, has "enabled the industry to continue its relationship with scientists whose conclusions contradict charges against cigarette smoking."

But the news wasn't all bad for Big Tobacco last week. In Iowa, the industry claimed victory when the state Supreme Court ruled that the state could not sue cigarette companies to recover the public costs of treating smoking-related disease. And in an NBC-*Wall Street Journal* poll, 70 percent of a sample of Americans said they suspected the sweeping antitobacco legislation now before the U.S. Senate is just another means to raise taxes. It was the very argument the cigarette companies had been making in full-page newspaper ads for the past two weeks. At the least, the poll results seemed an improvement over a survey described in a Brown & Williamson memo of August 1978. "The poll numbers against us," observed a B&W executive, "read like a thermometer in July." ■

With Gary Cohen, Elizabeth Fairhead, Pamela Street, Jason Vest, Stephen J. Hedges, Susannah Fox in Boston, and Mike Tharp in Los Angeles



BURNT IMAGES. Scientific tests may have proved mildness, but internal memos suggest that other research into effects of tobacco was suppressed. Some ads also suggested that smoking did not harm athletes.

pendence' when discussing the tobacco habit. . . . Many do not understand that this term has special meaning in the drug area." The tobacco industry has taken pains to advance its argument that cigarette smoking is not addictive.

Much of the documentation details the industry's extensive efforts to prove that its products were not harmful—right down to debates over which breed of hamster to use in its laboratory tests. The Syrian golden hamster should be avoided, one paper says, because it "sometimes stopped breathing intentionally during smoke exposure." A document from the industry-supported Council for Tobacco Research proposes a study to show that cigarettes are no more habit forming than Coca-Cola or chewing gum. Numerous industry

lung groups, and their local organizations." Another document details the industry's search for evidence of other causes of cancer, including stress or genetics or even "the role of the decrease in tuberculosis in the rise of lung cancer."

The hunt for other causes of disease took a memorable turn at one point when an industry researcher, noting claims that cigarettes are harmful because they contain carbon monoxide, cited a study of the exhaust fumes of the ice-rink-cleaning Zamboni and its effect on kids. The memo says that children may be at higher risk than adults of being hurt by exposure to carbon monoxide "since they have higher metabolism . . . and they are nearer the floor." In other words, the menacing nontobacco sources of carbon monox-