

### **Testimony of Ron Hallagan, Chairman of the Board, RAMW.**

Good morning Council Member Schwartz and fellow Council Members, I am Ron Hallagan, Chairman of the Board for the Restaurant Association of Metropolitan Washington.

I am testifying on behalf of the Restaurant Association of Metropolitan Washington and its members to express our views on the total smoking ban being proposed in Washington, DC.

You know very well by now that we are not advocates of pro-smoking. We are “pro-choice” in this matter. Many of our customers choose to smoke and since smoking is legal, we hardly think it is right for them to be penalized for doing so.

We have always had a problem with over-government regulation. In this regard, Washington DC is one of the toughest places to do business – especially to start a business. Why is the answer always to add more regulation? Worse, we are talking about a situation where the marketplace is already causing changes in restaurants in response to consumer demand. For most restaurants nowadays, IF they have a smoking area at all, it is the smallest part of the restaurant. Many dining rooms don't even allow smoking, and the trend is continuing.

There has been a lot of talk about how smoking bans in other parts of the country have not affected restaurant revenues. We have presented reams of documentation to show you how that data is put together to intentionally masquerade the losses that occur particularly to bars, taverns and restaurants that have significant bar business. The deleterious effects are substantial. Please tell me how it is fair for hard-working citizens who have invested their hard-earned money to buy or build one of these establishments and have the government pull the rug out from under them? Before passing this ban, maybe you should consider compensating them for their losses, or maybe buy their establishments from them? They should at least receive the same treatment of those facing Eminent Domain.

There is also a lot of talk about second-hand smoke killing people. This is junk science. We have sent documentation to council members indicating a number of studies which show the effects of second-hand smoke to be negligent. Among them were studies by the EPA, the National Cancer Institute and the World Health Organization. Are the anti-smoking supporters so arrogant as to not care what the truth is? Of course, they will never admit *that*.

If the Council passes this ban, we must all ask ourselves (that includes you – our elected officials) where the future lines of the government's heavy-handed intervention might be drawn. Drinking alcohol causes drunk driving which kills people – might outlawing alcohol not be a shoe that fits? Fat and sugar cause hardened arteries and obesity and kill lots of people – shall the government decide what's good for us and what isn't next? Why shouldn't it? You are exploring such tactics already! I suggest the Council get out of the social engineering business and get on with managing this city and you can start with getting rid of some of the bureaucracy and red tape. There are more than enough problems for you to tackle that might actually help people with their real needs.

Finally, we are as much an international city as we are the Nation's Capital. We are concerned that a total smoking ban will have a negative impact particularly on international bookings. Telling 22% of Americans and even more Europeans and Asians “you are not welcome” is not good for business.

Once again, please keep in mind that we are for “choice” and letting the marketplace do what it already does well. And let us not forget, smoking is legal.

Thank you for letting me comment on behalf of our members.

Ron Hallagan  
Chairman of the Board  
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