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HEADLINE: SENATE WEIGHS BAN ON FLIGHT SMOKING

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DATELINE: WASHINGTON, Sept. 13

**BODY:**

Temporarily frustrated by the parliamentary maneuvers of tobacco-state lawmakers, who are outnumbered but determined, the Senate today debated but did not vote on a measure that would permanently ban smoking on all domestic airline flights.

Passage is considered likely if a vote occurs, but Senator Jesse Helms, Republican of North Carolina, and Senator Wendell H. Ford, Democrat of Kentucky, today began to filibuster. The bill's proponents responded by filing a motion to shut off debate. A two-thirds majority is needed for cloture; the vote may occur on Thursday.

"We won't succumb to threats," said Senator Frank R. Lautenberg, Democrat of New Jersey, the sponsor of the smoking ban.

A ban on smoking on flights, while far from the ultimate taboo against tobacco, would carry both symbolic and practical significance, outlawing smoking in one of the places where smokers' rights conflict most directly with those of nonsmokers, to the irritation of both groups. Smoking is already prohibited on flights lasting less than two hours, or about four out of every five flights.

If the Senate passes the smoking ban as part of its transportation spending bill, it could become law when House and Senate conferees meet to write a final bill. In August, the House retained the two-hour rule in its version of the spending bill, but it did so without taking a separate vote on the question, because the tobacco lobby was afraid that a floor fight might lead to tougher restrictions.

The delaying tactic today suggests that the lobby is aiming for the same result in the Senate, in the hope that senators would tire of the prolonged debate.

**Union Optimistic on Bill**

But Jo Ellen Deutsch, a lobbyist for the Association of Flight Attendants, a union that supports the ban because its members suffer prolonged and repeated exposure to the smoke of passengers, said "it still looks good" for eventual passage of the bill.

She said her count indicated that the bill's backers had a big enough margin to guarantee defeat for a filibuster or an attempt to kill the proposal through other parliamentary objections.

Airlines do not take a public position on the smoking issue, but several airline officials have said privately that they hope the Government will ban smoking.

The airline officials said their companies would save substantial sums of money if smoking were banned from all flights. For example, the expenses of cleaning and repairing airplanes would be lower, and there would be added

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flexibility in making reservations and assigning seats to passengers.

The comprehensive ban on smoking would take effect 90 days after the transportation bill is signed by President Bush. Violations of the new rule would result in a \$1,000 fine, and tampering with smoke detectors in airplane lavatories would be punishable by a \$2,000 fine, as is already the case with the limited ban.

Although all the familiar arguments about the health, safety and economic repercussions of the smoking question were discussed in two days of debate, the issue boiled down to the question of one group's right to impose its preferences on another.

#### Conservatives Disagree

"People choose to smoke, but there is no choice about breathing," said Senator Orrin G. Hatch, a conservative Republican from Utah.

"People who smoke cigarettes have a right, too," said Senator Helms, another conservative, whose state is a prime tobacco producer. "But they are going to have no choice."

But the tone of the debate suggested that this fundamental issue has already been laid to rest with the partial ban on smoking, just as the national consensus supports the idea that secondary exposure to smoke is, like active smoking, a health hazard.

A series of scientific studies, while not conclusive, have lent plenty of weight to the conclusion that breathing in somebody else's smoke can be hazardous to health.

For example, reports issued in 1986 by the Surgeon General of the United States and by the National Academy of Sciences concluded that "passive smoking" caused disease, including lung cancer, in otherwise healthy nonsmokers, and increased the frequency of respiratory illness in children while impairing the development of their lungs.

Also in 1986, the National Academy of Sciences issued a second report on air quality inside aircraft cabins, which recommended a total ban on smoking in aircraft.

Last year, Surgeon General C. Everett Koop asked the National Cancer Institute to further study the issue, and based on results published this year in The Journal of the American Medical Association, he renewed the call for a

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total ban on airline smoking.

SUBJECT: AIRLINES AND AIRPLANES; FILIBUSTERS AND DEBATE CURBS; SMOKING; LAW AND LEGISLATION

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