

## SMOKING BAN WINS CLINTON'S SUPPORT

### Six Surgeons General Favor Prohibiting Tobacco Use in All Public Buildings

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WASHINGTON, Feb. 7 — The Clinton Administration today backed legislation to ban smoking in taverns, hardware stores and all other buildings open to the public, saying the nation could save tens of billions of dollars each year, along with thousands of lives, with only small enforcement costs.

In addition, the last six Surgeons General of the United States, from four Republican and two Democratic Administrations, spoke in support of the measure at a House subcommittee hearing. They echoed the theme that this simple measure could do more for the public health than any other bill in years.

Speaking against the measure was Charles O. Whitley of the Tobacco Institute, which represents large tobacco companies. "This attempt to ban smoking is an example of social engineering on a vast scale," Mr. Whitley said. "Such massive intervention in the private lives and choices of one quarter of our adult population recalls the extremism of Prohibition, the last national crusade against a supposed social evil."

The proposed legislation, the Smoke-Free Environment Act, was debated at a hearing of the Energy and Commerce subcommittee on health and the environment. It would ban smoking in every building regularly entered by 10 or more people at least one day a week, not including residences. Building owners could have special smoking rooms in public buildings if the rooms were not used for anything else and if the smoky air was vented outside rather than circulated back into the building.

The bill would also ban smoking near building entrances.

### 'A Turning Point'

Representative Henry A. Waxman, the California Democrat who heads the subcommittee, said today: "This is the first time that any Administration, Democrat or Republican, has supported comprehensive, nationwide, restrictions on smoking. This hearing is the first time that six Surgeons General have appeared before Congress on any issue. This hearing marks a turning point. The national mood has changed. The American public has awakened to the dangers of environmental tobacco smoke and is demanding tough Federal action."

Carol M. Browner, the Administrator of the Environmental Protection Agency, testified that her agency estimated that if the bill became law the lives of 5,000 to 9,000 nonsmokers would be saved, along with those of 33,000 to 99,000 smokers who would quit smoking or cut back.

Ms. Browner estimated the savings in medical costs and lost wages at \$6.5 billion to \$19 billion a year.

The bill provides penalties for those who operate buildings that fail to comply with the law, but it relies on complaints by members of the public to enforce the ban. The bill authorizes any aggrieved person or agency to take complaints to Federal District Court, where a fine of up to \$5,000 a day could be imposed.

Ms. Browner said the cost of enforcement and of "smokers' rooms" in some buildings would amount to \$70 million to \$200 million a year. She said that if every building in the nation put in a smokers' area, the cost could be as much as \$3.5 billion, but she said that would still fall far short of the savings from the measure.

Mr. Whitley of the Tobacco Institute said the legislation would waste Federal money because it could lead to many court actions against building owners who failed to enforce the law.

"Anti-smoking zealots will be able to subject building owners and lessees who permit smoking to endless harassment," he said. "Their motto might become 'where there's smoke, there's a lawsuit.'"

Bills banning smoking have recently fared well in Congress. Three months ago, the House passed a bill that would ban smoking in Federal buildings, but Senate has yet to take up the legislation. A week ago, the Senate passed a bill to ban smoking in any buildings that house children's programs financed by the Federal Government. That bill has yet to be taken up in the House.