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Federal Ban On Smoking To Widen

Clinton Plans Order For Tougher Rules At Government Sites

By Peter Baker

Washington Post Staff Writer

Tuesday, August 5, 1997; Page A01

The Washington Post

In the next stage in his war on tobacco, President Clinton plans to sign an executive order this week imposing the broadest smoking ban on federal property ever enacted, including a prohibition on lighting up outside office building entrances, according to administration officials.

The armed forces and many federal agencies already restrict smoking in their facilities. However, until now departments have had discretion in writing their own rules. Clinton's order, officials said, would set a standard policy across the government and extend existing prohibitions to places currently exempt, such as military officers' clubs.

"It's become clearer and clearer that this is a significant health risk, and we wanted a uniform government policy that brings all the agencies up to that level," said one administration official who spoke on condition of anonymity.

The order would ban indoor smoking in virtually every executive-branch building owned or leased by the federal government and forbid outdoor smoking in courtyards and near building entrances, according to officials. Generally the only exceptions would be rooms with separate ventilation systems that exhaust directly to the outside. Residential units such as military barracks also would be spared and some other narrow exceptions could be allowed, such as in "undercover, military or diplomatic situations that are essential to accomplish agency missions," officials said.

Because the president cannot control work conditions in other branches of the government, his order will not affect Congress or federal courts. But administration officials estimate that more than half of the 1.9 million executive branch employees work in agencies that will have to toughen rules as a result of his action.

The order gives agency managers a year to conform to the new standards. A signing ceremony has been placed on Clinton's schedule at least three times in recent weeks and then postponed because of logistical reasons. Officials said yesterday it will be made the focus of the president's weekly radio address Saturday.

"This decision is important symbolically, but it's also important to the health of federal government employees and the people who visit government buildings," said Matthew L. Myers, director of the National Center for Tobacco-Free Kids.

"Such an executive order guarantees an individual's fundamental right to work in an environment free of unhealthy smoke," said Sen. Tom Harkin (D-Iowa). "Risking lung cancer or heart disease shouldn't be a sacrifice a person should have to make for career advancement."

Such a directive was first contemplated late in George Bush's presidency but never acted on. When Clinton took over, he banned smoking in the White House but never followed through on the broader order.

Harkin and Sens. Frank R. Lautenberg (D-N.J.) and Richard J. Durbin (D-Ill.) wrote Clinton in June asking him to consider it again. Lautenberg, Durbin and Rep. Henry A. Waxman (D-Calif.) have also introduced legislation banning workplace smoking in government offices and private businesses except for separately ventilated rooms, similar to proposals under consideration by the Occupational Safety and Health Administration and included in the proposal recently negotiated with the tobacco industry.

But Thomas Lauria, a spokesman for the Tobacco Institute, said extending a smoking ban to outdoor areas is an outrageous overreach unjustified by evidence of any harm to nonsmokers in open-air settings. "If we start banning behavior that annoys one another, then we're going to become a straitjacket society before you know it," he said.

In many federal workplaces, it will make little practical

difference because 15 agencies already ban smoking. The Pentagon, Health and Human Services Department, Postal Service and Environmental Protection Agency have among the toughest policies.

However, others are not as strict. A survey by Lautenberg's office revealed a patchwork set of rules that vary from department to department. According to administration officials, the Transportation Department has smoking lounges, while the Housing and Urban Development Department permits smoking in some restrooms. Commerce Department workers can smoke in private offices and designated cafeterias, while soldiers, sailors and others can puff away in military-owned restaurants and bars.

Among the most visible changes will be the ban on outside entrances, where many workers escape for a smoke during lunchtime and coffee breaks. An earlier draft of the new policy called for a ban within 50 feet of doorways but the final version does not define how far the no-smoking zone would extend in the name of agency flexibility.

"I have a very stressful job. I don't smoke but three cigarettes a day, but I need those three cigarettes," Nikiesha Lucas, 25, an assistant manager at the Justice Department gift shop, said yesterday as she exhaled outside of department headquarters. "They really have some ridiculous laws. It's not fair."

Outside the Veterans Administration building, where a cloud of smoke hovers near the entrance each day, Ken McMillon was drawing slowly on his cigarette and doing a slow burn over the new rules. "Moving 50 feet away from the door puts me in the middle of the road, so I'll stand there and get hit by a car," he fumed. "If people want to decrease the efficiency at work, I will go five miles to have a cigarette."

Nearby, secretary Marie Brown said the government might as well go ahead and ban cigarettes altogether. "We don't have no rights," she said. "I don't know if the security guards are going to chase us away if we light up here. . . . They should just stop selling cigarettes altogether because they'll make me into a crook."

Staff writers Jon Jeter and Audrey Gillan contributed to this report.

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Date: 08/09/97 Time: 10:47

CClinton bans smoking at all federal buildings

WASHINGTON (AP) President Clinton outlawed smoking in all federal buildings today, but his executive order didn't banish smokers from government-owned doorways and courtyards.

"Our federal workers and the thousands of people who visit federal facilities will now be protected from the risk of secondhand smoke," the president said in his weekly radio broadcast from the Oval Office.

"Americans who've made the choice not to use tobacco products should not be put at risk by those who choose to smoke. With this step we're taking today, millions of Americans will be able to breathe just a little easier."

He gave agencies a year to comply. More than 15 federal agencies already ban indoor smoking.

An early draft of the executive order would have banned smoking within 50 feet of government buildings, but the final version had that aspect deleted. Administration officials suggested earlier this week that an outdoor ban would be included, but Clinton's order gives agency heads discretion to "evaluate the need" for such restrictions and impose them if necessary.

"After a lengthy review by the interagency process, we concluded it was better that that decision be left to the director of the agency," Rahm Emanuel, senior adviser to the president, said today.

Outdoor smoking will be prohibited only in front of building air-intake valves. Indoor smoking will be permitted in enclosed, separately ventilated areas.

"Secondhand smoke isn't just unpleasant. It is a risk to the public health," said Vice President Al Gore, who joined Clinton for the radio broadcast. "We've got to do more to protect people from secondhand smoke in our public places and clean up the air that all of us share."

Clinton's order would not affect offices outside the executive branch federal court buildings and congressional offices.

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NewsFlash
WHAT'S HAPPENING NOW

WASHINGTON
THE FULL STORY

Outdoor smoking ban will make federal workers take a hike

By CALVIN WOODWARD

The Associated Press

08/06/97 1:21 AM Eastern

WASHINGTON (AP) -- "Butt Out Here," demand the signs on ashtrays near the doors of some government buildings. But even that will be forbidden under a crackdown on smoking near federal entrances.

"It's getting to be insulting," Lillian Logan, a clerical staffer puffing by the doors of the Education Department, said of the inexorable march of anti-smoking rules.

"It's a form of harassment, really."

Nonsmokers say it's the present situation that stinks -- having to run a gamut of smokers whenever they enter or leave.

"It bugs me that I can't sit outside for lunch," Annie McGarrah, a health policy intern, said Tuesday of all the smoking. "Plus, I have asthma and I think it's gross."

President Clinton is expected to sign an order this week banning smoking in and outside most federal buildings around the country. Most agencies already limit indoor smoking, but few have tried to do the same outdoors.

Just how far smokers will need to go for a puff remains uncertain. An early draft of the rules would have banned smoking within 50 feet of buildings, putting some smokers literally on the street.

Now each agency is expected to be ordered to set up its own no-smoking policy for its entrances.

The rules apply only to the executive branch. In Congress, smoking is restricted in the House but widely allowed in Senate hallways and offices --

"a smoker's paradise," anti-tobacco Sen. Frank Lautenberg, D-N.J., calls them.

Outside the Health and Human Services Department, where the many gathered smokers stand in contrast to the agency's health mission, management analyst LeVern Dickson took a drag and asked, "What happened to my freedom?"

"I guess we'll all be sitting on the Mall instead of working," he said, calculating it will take him 10 extra minutes per smoke break if the new rules force him to cross the street and find a bench on the grassy Mall.

Lautenberg says what's important is that people be spared "the violence of secondhand smoke."

"In the wintertime, I've seen the huddled masses lighting up," he said. "It's unpleasant to have to walk through it."

At the Voice of America, where memories are fresh of curbed liberties and controlled behavior in homelands, the ban was a touch of the familiar for some smokers.

"We are very suspicious of these little things," says Czech native Jarmila Cech, smoking outside the building where VOA radio broadcasters carry their message of freedom in dozens of languages.

"Then it will be something else. Junk food? Fast cars?

"Most of us come from countries with restrictive regimes. We know what communism was."

Smoker Hakki Ocal, who broadcasts for the VOA's Turkish service, said he had no problem with the government curbing his "freedom to kill yourself."

Please send any questions or
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*From CAC
book***TABLE 3-2. MODEL SMOKEFREE POLICY****Policy**

Due to the acknowledged hazards arising from exposure to environmental tobacco smoke, it shall be the policy of _____ to provide a smokefree environment for all employees and visitors. This policy covers the smoking of any tobacco product and the use of smokeless or "spit" tobacco and applies to both employees and nonemployee visitors of _____.

Definition

1. There will be no smoking of tobacco products within the facilities at any time.

The decision to provide or not provide designated smoking areas outside the building will be at the discretion of management or other decision-making body.

- ✓ The designated smoking area will be located at least 20 feet from the main entrance.

All materials used for smoking, including cigarette butts and matches, will be extinguished and disposed of in appropriate containers. Supervisors will ensure periodic cleanup of the designated smoking area. If the designated smoking area is not properly maintained (for example, if cigarette butts are found on the ground), it can be eliminated at the discretion of management or other decision-making body.

[For a policy that extends smokefree to include company property, substitute the following: There will be no smoking of tobacco products within the facilities or on the property of _____ at any time.]

2. There will be no smoking in any _____ vehicle.

There will be no smoking in _____ vehicles at any time.

There will be no tobacco use in personal vehicles when transporting persons on _____-authorized business.

3. Breaks

Supervisors will discuss the issue of smoking breaks with their staff. Together they will develop effective solutions that do not interfere with the productivity of the staff.

Procedure

1. Employees will be informed of this policy through signs posted in _____ facilities and vehicles, the policy manual, and orientation and training provided by their supervisors.
2. Visitors will be informed of this policy through signs, and it will be explained by their host.
3. The _____ will assist employees who wish to quit smoking by facilitating access to recommended smoking cessation programs and materials.
4. Any violations of this policy will be handled through the standard disciplinary procedure.