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HEADLINE: 17-State Federal Program Cuts Smoking, Draws Fire

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BODY:

Finally, a federal program that works—that's the way anti-tobacco activists describe an unconventional three-year-old project that claims to have reduced cigarette smoking by 10 percent in the 17 states where it operates.

The program's success suggests it is preventing hundreds of thousands of premature deaths from smoking, federal officials say. They say the program has cost tobacco companies sales of 800 million packs of cigarettes, worth hundreds of millions of dollars.

So it's only natural that the tobacco industry and its allies attack the program, called the American Stop Smoking Intervention Study (ASSIST). The industry has used lawsuits and public records laws to divert health workers' energies, say anti-smoking crusaders. Some Republicans in Congress have said they want to derail the project, run by the National Cancer Institute (NCI), because they believe it is improper.

The tobacco industry's struggles with ASSIST wouldn't be affected by any agreement cigarette firms may reach in ongoing negotiations, revealed this week, with state attorneys general and individuals over anti-tobacco lawsuits. But the industry's battles over ASSIST do illustrate how expensive and time-consuming its legal problems are.

The \$ 25 million-a-year ASSIST program, which operates at the local level in the 17 states, including Virginia, aims to make smoking an expensive hassle by advocating smoke-free buildings, curbs on tobacco sales to youth and— strikingly, in this anti-tax era—higher excise taxes on cigarettes.

But ASSIST's critics in Congress, in the tobacco industry and at conservative foundations say the program violates the law by using federal funds to lobby state legislatures and municipalities.

"This is an abuse of taxpayer money to take sides in a partisan debate," said Rep. Ernest J. Istook Jr. (R-Okla.). "It's government running roughshod."

Cancer institute officials deny spending U.S. funds on political activities, but acknowledge enlisting a private partner, the American Cancer Society, to lobby lawmakers. The society's files aren't subject to open-records laws because it receives no ASSIST funds.