

STATEMENT OF  
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ACTING COMMISSIONER  
PUBLIC BUILDINGS SERVICE  
GENERAL SERVICES ADMINISTRATION  
BEFORE THE  
SUBCOMMITTEE ON PUBLIC BUILDINGS AND GROUNDS  
COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION  
U.S. HOUSE OF REPRESENTATIVES  
FEBRUARY 23, 1993

GOOD MORNING MR. CHAIRMAN, AND MEMBERS OF THE SUBCOMMITTEE.  
THANK YOU FOR THE OPPORTUNITY TO APPEAR BEFORE YOU TODAY TO  
DISCUSS THE GENERAL SERVICES ADMINISTRATION'S VIEWS REGARDING  
SMOKING IN FEDERAL BUILDINGS.

THE GENERAL SERVICES ADMINISTRATION'S PUBLIC BUILDINGS  
SERVICE IS A REAL ESTATE ORGANIZATION OF NATIONAL SCOPE: WE  
PROVIDE NEARLY 260 MILLION SQUARE FEET OF SPACE LOCATED IN OVER  
7,800 LEASED AND GOVERNMENT-OWNED BUILDINGS. THIS REPRESENTS  
APPROXIMATELY 10 PERCENT OF THE TOTAL FEDERAL INVENTORY. MORE  
THAN 1 MILLION FEDERAL EMPLOYEES WORK IN OUR FACILITIES. IN  
ADDITION, THERE ARE NUMEROUS VISITORS TO FEDERAL BUILDINGS; THE  
STAY FOR SOME MEMBERS OF THE PUBLIC, SUCH AS JURORS AND OTHER  
PARTICIPANTS IN COURT PROCEEDINGS, MAY BE LENGTHY.

THE PUBLIC BUILDINGS SERVICE IS COMMITTED TO PROVIDING  
QUALITY SERVICES AND THE BEST VALUE TO THE FEDERAL AGENCIES IN  
OUR FACILITIES, THEREBY CONTRIBUTING TO THEIR ABILITY TO CARRY  
OUT THEIR MISSIONS. WE BELIEVE THAT ONE OF THE MOST IMPORTANT  
ELEMENTS OF OUR PROPERTY MANAGEMENT RESPONSIBILITIES IS PROVIDING  
A SAFE AND HEALTHFUL WORK ENVIRONMENT FOR FEDERAL EMPLOYEES AND  
VISITORS TO OUR BUILDINGS.

THE ISSUE OF SMOKING IN THE WORKPLACE HAS RECENTLY BEEN ELEVATED TO A MORE SERIOUS CONCERN. WITH THE PUBLICATION OF THE ENVIRONMENTAL PROTECTION AGENCY'S REPORT, "RESPIRATORY HEALTH EFFECT OF PASSIVE SMOKING: LUNG CANCER AND OTHER DISORDERS," PASSIVE SMOKE CAN NO LONGER BE VIEWED AS MERELY AN INCONVENIENCE, A NUISANCE, OR A MATTER OF DISCOMFORT. IT IS A DEADLY CARCINOGEN, GROUPED WITH ASBESTOS, BENZENE AND RADON.

WE ARE PROUD THAT NEARLY SEVEN YEARS AGO, THE GENERAL SERVICES ADMINISTRATION RECOGNIZED THAT ENVIRONMENTAL TOBACCO SMOKE WAS A SERIOUS PROBLEM WHICH ADVERSELY AFFECTED OUR GOAL OF PROVIDING A HEALTHFUL WORKING ENVIRONMENT FOR FEDERAL EMPLOYEES. THE GENERAL SERVICES ADMINISTRATION TOOK STRONG MEASURES TO CURTAIL THE EXPOSURE OF NON-SMOKERS TO ENVIRONMENTAL TOBACCO SMOKE BY ISSUING A REGULATION TO LIMIT SMOKING IN OUR FACILITIES.

THIS REGULATION WAS PUBLISHED IN THE FEDERAL REGISTER FOR PUBLIC COMMENT PRIOR TO ISSUING THE FINAL RULE. AS PART OF THE COMMENTING PROCESS, THE GENERAL SERVICES ADMINISTRATION CONSULTED WITH SIX NATIONAL EMPLOYEE UNIONS INCLUDING THE AMERICAN FEDERATION OF FEDERAL EMPLOYEES, THE NATIONAL FEDERATION OF FEDERAL EMPLOYEES, THE NATIONAL TREASURY EMPLOYEE UNION, AND OTHERS. THE GENERAL SERVICES ADMINISTRATION ALSO CONSULTED WITH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, PUBLIC HEALTH SERVICE, AND THE OFFICE OF PERSONNEL MANAGEMENT.

THOSE CONSULTATIONS RESULTED IN THE PUBLICATION OF A NEW REGULATION THAT BANNED SMOKING IN THE GENERAL SERVICES ADMINISTRATION'S FACILITIES EXCEPT IN SMOKING AREAS SPECIFICALLY DESIGNATED BY THE OCCUPANT AGENCY HEAD. AUDITORIUMS, CLASSROOMS, CONFERENCE ROOMS, ELEVATORS, MEDICAL CARE FACILITIES, AND SIMILAR SPACE MAY NOT BE DESIGNATED SMOKING AREAS UNDER THE CURRENT REGULATION. DESIGNATED SMOKING AREAS IN OFFICE SPACE MUST BE CONFIGURED SO AS TO LIMIT THE INVOLUNTARY EXPOSURE OF NON-SMOKERS TO SECONDHAND SMOKE. SMOKING AREAS IN CORRIDORS, LOBBIES, AND RESTROOMS, MAY BE ESTABLISHED WHEN IT IS NOT POSSIBLE TO DESIGNATE A SUFFICIENT NUMBER OF OTHER SMOKING AREAS. THE REGULATION PROVIDES FOR SMOKING AREAS BEING ESTABLISHED IN CAFETERIAS. HOWEVER, THE REGULATION ALSO STATES THAT NOTHING PROHIBITS OCCUPANT AGENCY HEADS FROM ESTABLISHING MORE RESTRICTIVE GUIDELINES.

WITH THE CLASSIFICATION OF ENVIRONMENTAL TOBACCO SMOKE AS A CLASS A CARCINOGEN, THE EXISTING REGULATION DOES NOT PROVIDE THE NON-SMOKER WITH ADEQUATE PROTECTION. SECONDARY SMOKE RECIRCULATES THROUGHOUT THE BUILDINGS AS AIR IS CIRCULATED, FILTERED, COOLED, OR HEATED. BUILDING FILTERS ARE INCAPABLE OF ELIMINATING THE MICROSCOPIC CARCINOGEN MATERIALS THAT ARE CONTAINED IN TOBACCO SMOKE. THUS, EVEN NON-SMOKERS WHO MAY BE DISTANT FROM SMOKERS ARE EXPOSED TO THE CARCINOGEN. GIVEN THE NEW EPA FINDINGS THAT ENVIRONMENTAL TOBACCO SMOKE IS A CARCINOGEN GSA AND OTHER RESPONSIBLE DEPARTMENTS ARE IN THE PROCESS OF

REEXAMINING CURRENT POLICIES GOVERNING SMOKING IN FEDERAL FACILITIES.

LEGISLATION HAS BEEN INTRODUCED IN BOTH THE HOUSE AND SENATE THAT WOULD RESTRICT SMOKING INSIDE FEDERAL BUILDINGS. SOME WOULD LIMIT IT TO SEPARATELY VENTILATED AREAS OF THE BUILDING. OTHER LEGISLATION, AS WELL AS THE PUBLIC HEALTH SERVICE'S NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH, WOULD ELIMINATE TOBACCO USE FROM THE WORKPLACE ENTIRELY. FROM A PROPERTY MANAGER'S PERSPECTIVE, A COMPLETE BAN IS THE SIMPLEST AND LEAST EXPENSIVE MEANS OF RESOLVING THE ISSUE.

ESTABLISHING SEPARATELY VENTILATED SMOKING AREAS THAT VENT AIR AND SMOKE TO THE OUTSIDE WITHOUT RECIRCULATING IT IN BUILDINGS WOULD BE EXPENSIVE; INITIAL CONSTRUCTION COSTS FOR INSTALLING NEW VENTILATION SYSTEMS IN EXISTING SPACE COULD RANGE FROM \$30 TO \$50 PER SQUARE FOOT. OTHER EXPENSES WOULD INCLUDE THE ANNUAL COST OF OPERATING AND MAINTAINING THAT EQUIPMENT AND THE COST OF SPACE USED ONLY AS SMOKING AREAS.

IF CONGRESS DOES APPROVE LEGISLATION ADDRESSING THIS QUESTION, THE GENERAL SERVICES ADMINISTRATION BELIEVES THAT IT SHOULD NOT MANDATE THE INSTALLATION OF SEPARATELY VENTILATED AREAS. RATHER, IT SHOULD CONTINUE TO ALLOW AGENCY HEADS THE OPTION OF COMPLETELY BANNING SMOKING IN THAT AGENCY'S FACILITIES.

THE SPEED WITH WHICH A COMPLETE BAN CAN BE IMPLEMENTED CAN BE AFFECTED BY LEGISLATIVE PROVISIONS AFFECTING OUR LABOR/MANAGEMENT NEGOTIATION RESPONSIBILITIES.

MR. CHAIRMAN, THANK YOU FOR YOUR INTEREST IN THE PUBLIC BUILDINGS SERVICE AND FOR INVITING US HERE TODAY TO DISCUSS THIS IMPORTANT ISSUE. WE LOOK FORWARD TO WORKING WITH THE SUBCOMMITTEE TO DEVELOP A POLICY THAT IS SAFE, HEALTHFUL, COST EFFECTIVE, AND RESPONSIVE TO THE NEEDS OF OUR TENANTS AND THE TAXPAYERS. I WOULD BE HAPPY TO RESPOND TO ANY QUESTIONS THE SUBCOMMITTEE MAY HAVE.