

HISTORY OF THE AIRLINE SMOKING BAN

The 1987 federal law that bans smoking on commercial airlines:

- * Applies to domestic flights of two hours or less.
- * Took effect on April 23, 1988.
- * Automatically expires on April 23, 1990, unless renewed by Congress.
- * Is overwhelmingly supported by both smoking and non-smoking airline passengers (AARC survey, June 20, 1989).
- * Is a major workplace safety priority of groups representing the nation's 70,000 flight attendants.

The smoking ban on commercial airline flights of two hours or less was originally proposed in Congress in 1987 by Rep. Richard J. Durbin (D-Ill.). His initiative was a response to recent studies documenting the serious health risks to non-smokers from exposure to the carcinogenic chemicals from "environmental" tobacco smoke. In late 1986, the National Academy of Sciences (NAS) had recommended a total smoking ban on airlines because of the health and safety risks to all passengers from smoking. In 1987, the U.S. Surgeon General documented the health threat to non-smokers from breathing "second-hand" smoke.

Durbin drafted the airline smoking ban as an amendment to the Fiscal 1988 Transportation Appropriations bill. His proposal for a total ban was defeated twice in the House Appropriations Committee. Durbin then modified it to apply to flights of two hours or less (an estimated 80% of all domestic flights) and brought it to the House floor with the co-sponsorship of Rep. C.W. Bill Young (R-Fla.). On July 13, 1987, after a debate in which several lawmakers recounted their personal encounters with cancer, the smoking ban was passed by a vote of 198-193.

In the Senate, the airline smoking ban was endorsed by Sen. Frank Lautenberg (D-NJ), chairman of the Senate Appropriations Subcommittee on Transportation. Despite strong opposition from tobacco-state senators, Lautenberg won passage of a smoking ban on flights of 90 minutes or less. This version also contained a "sunset" provision, under which the ban would automatically expire in two years unless specifically renewed by Congress.

During the House-Senate conference on the FY 88 Transportation Appropriations bill, lawmakers reached a compromise that restored the smoking ban to flights of two hours or less, while also retaining the two-year "sunset" .

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The transportation funding bill (containing the smoking ban provision) was later enacted as part of that year's omnibus budget legislation. The smoking ban took effect April 23, 1988, and will expire on the same date in 1990 unless renewed by Congress.

On the first day of the 101st Congress, Durbin and Young introduced legislation (HR160) that would permanently renew the current smoking ban on flights of two hours or less. This legislation will be the subject of a public hearing June 22 by the House Public Works and Transportation Subcommittee on Aviation.

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