

THE SMOKING RESTRICTIONS IN FEDERAL BUILDINGS ACT

The "Smoking Restrictions in Federal Buildings Act" would require all federal executive branch and independent agencies to ensure that designated smoking areas are sufficiently ventilated and that levels of tobacco smoke in such areas do not exceed recommended levels. If recommended levels are exceeded, the bill would require that appropriate corrective measures be taken, including the further restriction of smoking.

All federal buildings controlled by the General Services Administration (GSA) currently are subject to regulations that prohibit smoking in areas other than designated smoking areas. Federal agencies occupying GSA-controlled buildings are free to designate smoking areas or to adopt more stringent measures including a total ban. Some agencies, notably the Department of Health and Human Services, have chosen to ban smoking entirely.

The proposed bill would not affect any federal building in which smoking has been banned. In federal buildings with designated smoking areas, however, the bill would require each agency to evaluate existing smoking areas to determine whether the ventilation supplied to such areas meets the minimum standards established by the American Society of Heating, Cooling and Air-Conditioning Engineers (ASHRAE). In addition, the agency would be required to determine for each area whether the average concentration of

particulate matter from tobacco smoke exceeded ASHRAE's recommended levels.

If it were found that such levels were exceeded, the bill would require that corrective measures be taken. Such measures could include increases in ventilation rates, reallocation of work space or the implementation of further restrictions on smoking. If such additional restrictions were imposed, the bill would require the designation of smoking areas for those federal employees who desire to smoke in accordance with specifications more rigorous than those currently required by the GSA regulations. Among other things, smoking areas could not be designated in any area occupied by nonsmoking employees. In addition, smoking areas would have to be constructed or located so that air exhausted from such areas is directed outside the building or, alternatively, diluted and filtered so as to meet ASHRAE standards.

Finally, federal agencies would be required to establish complaint procedures for employees and to protect the identity of any employee requesting an investigation into potential violations of the Act's requirements.

The bill strikes an appropriate balance between the preferences of smokers and nonsmokers and is designed to encourage adequate ventilation and attention to good indoor air quality for the benefit of both.