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Week Ending Friday, August 15, 1997

The President's Radio Address

August 9, 1997

The President. Good morning. Vice President Gore has joined me today to talk to you about what we're doing to reduce smoking, especially by young people, and to protect Americans from the potential threat of secondhand tobacco smoke.

Cigarette smoking is the most single significant public health problem facing our people today. Every year, more Americans die from smoking-related diseases than from AIDS, car accidents, murders, suicides, and fires combined, taking a terrible human toll and putting great financial burdens on our health care system and on businesses all across America.

Last year we took bold action to shield our children from tobacco, telling the tobacco companies: Market and sell your products to adults if you wish, but you must draw the line at children. And we launched a comprehensive plan that prohibits retailers from selling tobacco to minors and requires clerks to check I.D.'s before selling cigarettes to the young people. These regulations are critical to our goal of keeping tobacco out of our children's lives, but they must be enforced. I requested $34 million for enforcement in my 1998 budget, but Congress has cut that funding. I urge the Congress to do the right thing and restore the full $34 million when they return in September. We need to do more to cut off our children's access to tobacco, and this is no time to cut corners.

This week I signed historic legislation that balances the budget in a way that protects our values, invests in our people, and prepares us for the 21st century. Our balanced budget includes a 15-cents-a-pack cigarette tax to help States provide health care for up to 5 million uninsured children and helps to prevent many young people from taking up smoking in the first place.

But we must do more to protect all Americans from the dangers of smoking. One of the most important things we can do is to protect those who don't use tobacco from the threat of secondhand smoke. And I'd like to ask the Vice President to say just a few words about what that threat means to our families and children.

[*At this point, Vice President Gore made brief remarks.*]

The President. Thank you. Today I am signing an Executive order that takes the next step and bans smoking in all Federal facilities under the control of our administration. A year from today, every Federal agency and office building, every visitor's center at every national park, every facility owned or leased by the executive branch must be smoke-free.

Now, this order does allow agencies to designate smoking areas for their employees who smoke, as long as these areas are ventilated to the outside and nonsmoking employees do not have to enter them. Our Federal workers and the thousands of people who visit Federal facilities will now be protected from the risk of secondhand smoke.

This fall, I hope we'll begin an important national debate on additional measures we can enact to reduce smoking, especially by children. I applaud the State attorneys general and public health advocates for providing us an extraordinary opportunity to engage in this debate and to build on the progress we've already made. I'm particularly pleased their plan includes a proposal, based on a bill by Representative Henry Waxman, to protect all Americans from secondhand smoke. And I look forward to working together in the months ahead to meet this challenge.

Americans who have 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.

Thanks for listening.

NOTE: The President spoke at 10:06 a.m. from the Oval Office at the White House.

Executive Order 13058—Protecting Federal Employees and the Public From Exposure to Tobacco Smoke in the Federal Workplace

August 9, 1997

By the authority vested in me as President by the Constitution and the laws of the United States of America and in order to protect Federal Government employees and members of the public from exposure to tobacco smoke in the Federal workplace, it is hereby ordered as follows:

Section 1. *Policy.* It is the policy of the executive branch to establish a smoke-free environment for Federal employees and members of the public visiting or using Federal facilities. The smoking of tobacco products is thus prohibited in all interior space owned, rented, or leased by the executive branch of the Federal Government, and in any outdoor areas under executive branch control in front of air intake ducts.

Sec. 2. *Exceptions.* The general policy established by this order is subject to the following exceptions: (a) The order does not apply in designated smoking areas that are enclosed and exhausted directly to the outside and away from air intake ducts, and are maintained under negative pressure (with respect to surrounding spaces) sufficient to contain tobacco smoke within the designated area. Agency officials shall not require workers to enter such areas during business hours while smoking is ongoing.

(b) The order does not extend to any residential accommodation for persons voluntarily or involuntarily residing, on a temporary or long-term basis, in a building owned, leased, or rented by the Federal Government.

(c) The order does not extend to those portions of federally owned buildings leased, rented, or otherwise provided in their entirety to nonfederal parties.

(d) The order does not extend to places of employment in the private sector or in other nonfederal governmental units that serve as the permanent or intermittent duty station of one or more Federal employees.

(e) The head of any agency may establish limited and narrow exceptions that are necessary to accomplish agency missions. Such exception shall be in writing, approved by the agency head, and to the fullest extent possible provide protection of nonsmokers from exposure to environmental tobacco smoke. Authority to establish such exceptions may not be delegated.

Sec. 3. *Other Locations.* The heads of agencies shall evaluate the need to restrict smoking at doorways and in courtyards under executive branch control in order to protect workers and visitors from environmental tobacco smoke, and may restrict smoking in these areas in light of this evaluation.

Sec. 4. *Smoking Cessation Programs.* The heads of agencies are encouraged to use existing authority to establish programs designed to help employees stop smoking.

Sec. 5. *Responsibility for Implementation.* The heads of agencies are responsible for implementing and ensuring compliance with the provisions of this order. ''Agency'' as used in this order means an Executive agency, as defined in 5 U.S.C. 105, and includes any employing unit or authority of the Federal Government, other than those of the legislative and judicial branches. Independent agencies are encouraged to comply with the provisions of this order.

Sec. 6. *Phase-In of Implementation.* Implementation of the policy set forth in this order shall be achieved no later than 1 year after the date of this order. This 1 year phase-in period is designed to establish a fixed but reasonable time for implementing this policy. Agency heads are directed during this period to inform all employees and visitors to executive branch facilities about the requirements of this order, inform their employees of the health risks of exposure to environmental tobacco smoke, and undertake related activities as necessary.

Sec. 7. *Consistency with Other Laws.* The provisions of this order shall be implemented consistent with applicable law, including the Federal Service Labor-Management Relations Act (5 U.S.C. 7101 *et seq.*) and the National Labor Relations Act (29 U.S.C. 151 *et seq.*) Provisions of existing collective bar-