

**Statement Of  
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Assistant Secretary for Transportation Policy  
U.S. Department of Transportation  
before the  
Subcommittee on Aviation  
House Committee on Transportation and Infrastructure  
July 16, 1996**

Good afternoon Mr. Chairman. I am pleased to be here today to report on the status of the Department of Transportation's efforts to eliminate smoking on international airline flights and to affirm our commitment to furthering this policy in the future.

As Secretary Peña has said on several occasions, the goal of the Department of Transportation is to achieve smoke-free travel in all modes of public transportation. With regard to airline travel, the attainment of this goal has required a major shift in public expectations. Prior to the passage eight years ago by Congress of its first airline smoking-ban legislation--on flights not exceeding two hours in duration--smoking was the norm on all flights of U.S. airlines. Since the time of the statutorily imposed ban in 1990, covering almost all domestic flights, the public has come to expect smoke-free planes and airports.

The last frontier is the banning of smoking on international flights, and we have worked hard to achieve that objective.

To gain international support, the U.S. cosponsored and worked hard for the passage of the resolution by the Assembly of the International Civil Aviation Organization (ICAO) in 1992 that calls on member states to ban smoking on international flights. ICAO reaffirmed its resolution in 1995. We have pursued this goal relentlessly through discussions with individual countries and by seeking action by international organizations and by encouraging the airline industry to act voluntarily to ban smoking.

As a result of our efforts, we concluded an international agreement with Australia and Canada in 1994 that bans smoking on all scheduled non-stop flights between our countries on flights operated by Australian, Canadian and U.S. carriers. That agreement has demonstrated that a smoking ban on flights of nearly 15 hours in duration is feasible and, in fact, welcomed by the public. It has been a catalyst in spurring interest by the aviation community in moving towards a smoke-free policy.

At every opportunity, we have sought endorsements for a smoking ban from international organizations. Recently, the World Health Organization endorsed the ICAO smoking agreement and indicated their intention to develop a convention for banning all smoking that transcends national boundaries. This spring, the ministers of transportation of the Western Hemisphere agreed to strive to ban smoking on international flights.

Over the past few years, we have invited over 20 nations to join with us in banning smoking on international flights. Although Australia and Canada are the only nations that have joined with us formally in banning smoking, our efforts have contributed to the climate for effecting change. Today several carriers from nations throughout the world are smoke free.

When the Administration took office in January 1993, smoking was permitted on all international flights, with the exception of limited transborder flights to our neighboring countries. As a result of our initiative, over 80 percent of flights by U.S. carriers to and from the United States are smoke free as are all flights to the Caribbean and Oceania, almost 90 percent of U.S. carrier flights crossing the Atlantic, and 56 percent to the Far East. However, we have been less successful on other parts of the world. In Asia, only 34 percent of our carriers' flights are no smoking; in South America, 6 percent; and in the Middle East, 0 percent.

In addition to our regulatory, executive agreement and persuasion options, we have been considering other approaches to eliminating smoking. These could include conditioning the award of contracts by U.S. government agencies. In short, we shall consider all approaches for achieving our goal.

Although we do not have a position on H.R. 969 at this time, we strongly support the bill's goal of providing smoke-free international airline travel. We are concerned, however, that seeking this goal through legislative action could undermine our continuing efforts to achieve multilateral agreements with other nations. A unilateral approach by the U.S. would be perceived by some countries as applying U.S. laws in a manner that violates existing bilateral aviation agreements. This could well lead to protracted disputes on the smoking issue as well as complicate our efforts to achieve other aviation policy goals. The Administration will continue to study these issues and work with the Congress to seek to identify ways in which a legislative solution could be made more effective.

I shall be glad to answer any questions that you may have.