

SMOKING POLICY

I. Purpose

This Directive implements Executive Order 13058, "Protecting Federal Employees and the Public from Exposure to Tobacco Smoke in the Federal Workplace," and Title 41, Code of Federal Regulations, Sections 102-74.315-351, "Smoking." It sets forth the smoking policy for the Department of Homeland Security (DHS).

II. Scope

This Directive applies throughout the Department.

III. Authorities

- A. Executive Order (E.O.) 13058, "Protecting Federal Employees and the Public from Exposure to Tobacco Smoke in the Federal Workplace," August 9, 1997
- B. Title 41, Code of Federal Regulations, Sections 102-74.315-351, "Smoking"
- C. General Services Administration (GSA) Federal Management Regulation Bulletin 2009-B1, "Protecting Federal Employees and the Public from Exposure to Tobacco Smoke in the Federal Workplace," December 22, 2008
- D. GSA Federal Management Regulation Bulletin B-3, "Use of Tobacco Products in U.S. Government Vehicles," April 8, 2002

IV. Responsibilities

- A. The **Chief Administrative Officer** is responsible for enforcing the smoking policy within the Department.
- B. **Component Heads** ensure compliance with the DHS Smoking Policy within their components.

C. **Facility Managers and Staff Office Heads** implement this policy at facilities and in motor vehicles under their control. The lead component at each DHS facility is authorized to select outside locations for smoking.

D. **DHS Employees** abide by the DHS Smoking Policy. Employees may pursue available training, educational, and counseling services for smoking cessation.

V. Policy and Requirements

A. Smoking is prohibited in all vehicles leased, assigned, or owned by DHS or GSA. The term “vehicles” includes both licensed and unlicensed conveyances, including but not limited to automobiles, ships, aircraft, and all-terrain vehicles.

B. Smoking is prohibited in all interior spaces owned, leased, or occupied by DHS, except:

1. Spaces personally designated by the Secretary as smoking areas under the criteria established in 41 CFR § 102-74.320(d).

2. Individually assigned family quarters as long as the quarters do not share a common heating/ventilation/air conditioning (HVAC) system with other quarters.

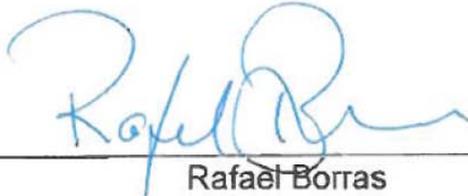
C. Smoking is prohibited in interior parking areas, garages, courtyards and within twenty-five (25) feet of doorways and air intake ducts on outdoor space owned, occupied, leased, or controlled by DHS or GSA. DHS or GSA may also prohibit smoking at a distance of greater than 25 feet when it is determined that a greater distance is needed to keep smoke from entering heating and air conditioning systems, windows, etc.

D. Smoking is prohibited in areas designated as “No Smoking” areas.

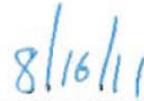
E. DHS supports the use of available funds to implement smoking cessation programs and provide related materials.

VI. Questions

Address questions concerning this Directive to the Office of the Chief Administrative Officer, Occupational Safety and Environmental Programs.



Rafael Borrás
Under Secretary for Management



Date