



January 30, 2025

The Honorable Susan Collins
 Chair
 Committee on Appropriations
 U.S. Senate
 Washington, DC 20510

The Honorable Tom Cole
 Chairman
 Committee on Appropriations
 U.S. House of Representatives
 Washington, DC 20515

The Honorable Patty Murray
 Vice Chair
 Committee on Appropriations
 U.S. Senate
 Washington, DC 20510

The Honorable Rosa DeLauro
 Ranking Member
 Committee on Appropriations
 U.S. House of Representatives
 Washington, DC 20515

Dear Chair Collins, Chairman Cole, Vice Chair Murray, and Ranking Member DeLauro:

As you develop final appropriations bills for FY 2025, we urge you to ensure that the Food and Drug Administration (FDA) retains its full authority to oversee tobacco products and that the Centers for Disease Control and Prevention (CDC) receives necessary resources to protect kids from tobacco products and reduce tobacco-related disease.¹

Tobacco use remains the leading preventable cause of death in the U.S., responsible for nearly 500,000 deaths and \$241 billion in health care costs each year. Preventing youth from starting to use tobacco products and helping adults who use tobacco to quit improves health, saves lives, and reduces the financial burden that tobacco use imposes on families, employers, and governments. But provisions in House appropriations bills would undercut efforts by FDA and CDC to reduce tobacco use.

The House Agriculture, Rural Development, Food and Drug Administration, and Related Agencies appropriations bill would prevent FDA from issuing rules that would remove menthol cigarettes and flavored cigars from the market and reduce nicotine levels in cigarettes until the agency takes several actions related to the illegal sale of unauthorized e-cigarettes. This provision (Sec. 733) would delay, possibly for years, long overdue FDA rules that would reduce youth use of cigarettes

¹ References to tobacco in this letter refer to commercial tobacco and not ceremonial tobacco which is used by some American Indian communities.

and cigars and save lives. While the large number of illegal e-cigarettes on the market is a serious concern, preventing FDA from moving forward with rules on menthol cigarettes, flavored cigars, and nicotine levels would not solve that problem. Sec. 733 creates a false choice between addressing the harm caused by cigarettes and cigars and the harm caused by e-cigarettes. FDA can and should address both.

FDA has proposed, but has not finalized, rules to eliminate menthol cigarettes and flavored cigars. The rules were based on strong science that demonstrates the detrimental impact these products have on public health. Menthol cools and numbs the throat, which reduces the harshness of tobacco and makes it easier for youth to start smoking. Menthol also makes cigarettes more addictive and harder to quit. Flavors increase the appeal of cigars and make them easier to smoke, especially among youth. FDA estimates that removing menthol cigarettes and flavored cigars from the market will reduce youth tobacco use, advance health equity, and save hundreds of thousands of lives.

FDA has recently issued a proposed rule to reduce nicotine levels in cigarettes and certain other tobacco products to minimally or non-addictive levels. Doing so would reduce the number of kids who become addicted to tobacco and help adult tobacco users to quit. FDA estimates that the proposed rule would prompt 19.5 million people who currently smoke to quit within five years, prevent 48 million youth and young adults from starting to smoke and save 4.3 million lives by the end of this century.

These rules will prevent millions of young people from using tobacco regularly and save millions of lives over time. FDA should be allowed to use the oversight authority it was given under the 2009 Family Smoking Prevention and Tobacco Control Act, follow the science, and implement these rules to protect the public's health.

While the Senate Agriculture, Rural Development, Food and Drug Administration, and Related Agencies appropriations bill would not restrict FDA's ability to oversee tobacco products – and would provide \$2 million to support FDA's participation in the new multi-agency task force to combat the illegal sale of unauthorized e-cigarettes – it would limit funding for FDA until the agency takes certain actions related to illegal e-cigarettes. We are concerned about the potential implications of withholding funds from FDA and believe the actions FDA would be required to take under the Senate bill are unlikely to significantly reduce the number of illegal e-cigarettes on the market. To clear the market of illegal e-cigarettes, FDA and other enforcement agencies need to focus on taking more and stronger enforcement action.

The House Labor, Health and Human Services, Education, and Related Agencies appropriations bill would eliminate funding for CDC's Office on Smoking and Health. Under the House bill, CDC would no longer be able to provide funding to states to implement evidence-based programs to prevent youth use of e-cigarettes and other tobacco products. States would no longer receive federal support for state quitlines, which help people who use tobacco to quit. And CDC would not have the resources to continue its highly effective national public awareness campaign, *Tips from Former Smokers*, which helped approximately one million people who smoke to quit, prevented 129,100 smoking-related deaths, and saved an estimated \$7.3 billion in health care costs from 2012 through 2018. The Senate bill would maintain current funding for CDC's Office on Smoking and Health.

As you work to finalize appropriations bills for fiscal year 2025, we urge you to not include provisions that would prevent or delay FDA from moving forward with rules on menthol cigarettes, flavored cigars, and reduced nicotine levels in cigarettes and to ensure that CDC's Office on Smoking and Health at a minimum maintains current funding levels.

Sincerely,

100 Black Men of America, Inc.

Academy of General Dentistry

African American Tobacco Control
Leadership Council

Allergy & Asthma Network

Alpha-1 Foundation

American Academy of Family Physicians

American Academy of Otolaryngology - Head
and Neck Surgery

American Academy of Pediatrics

American Association for Cancer Research

American Association for Dental, Oral, and
Craniofacial Research

American Association for Respiratory Care

American Cancer Society Cancer Action
Network

American College Health Association

American College of Cardiology

American College of Chest Physicians
(CHEST)

American College of Obstetricians and
Gynecologists

American College of Physicians

American Dental Association

American Heart Association

American Lung Association

American Medical Women's Association

American Public Health Association

American Society of Addiction Medicine

American Thoracic Society

Americans for Nonsmokers Rights

Association for Clinical Oncology (ASCO)

Association for the Treatment of Tobacco Use
and Dependence

Association of Clinicians for the Underserved
(ACU)

Association of State and Territorial Health
Officials

Asthma and Allergy Foundation of America

Big Cities Health Coalition

BlackDoctor Foundation

Breathe Southern California

CADCA

Campaign for Tobacco-Free Kids

CATCH Global Foundation

Commissioned Officers Association of the
USPHS

COPD Foundation

Counter Tools

Dana-Farber Cancer Institute

Emphysema Foundation of America

Families USA	National Network of Public Health Institutes
FCCLA	NETWORK Lobby for Catholic Social Justice
GLMA: Health Professionals Advancing LGBTQ+ Equality	North American Quitline Consortium
GO2 for Lung Cancer	Oncology Nursing Society
Healthy Americas Foundation	Parents Against Vaping E-cigarettes
IntelliQuit	Preventive Cardiovascular Nurses Association
Jack & Jill	Public Health Solutions
Leadership Council for Healthy Communities	Respiratory Health Association
LUNGevity Foundation	Right 2 Breathe
March of Dimes	Save A Girl Save A World
Mocha Moms Inc	Society for Public Health Education
NAACP	Society for Research on Nicotine and Tobacco
National Alliance for Hispanic Health	The African American Wellness Project
National Association of County and City Health Officials	The Center for Black Health & Equity
National Association of Hispanic Nurses	The National Alliance to Advance Adolescent Health/Got Transition
National Association of Pediatric Nurse Practitioners	The Society of State Leaders of Health and Physical Education
National Association of School Nurses	The Society of Thoracic Surgeons
National Association of Social Workers	Tobacco Free Portfolios Ltd.
National Black Nurses Association, Inc	Trust for America's Health
National Center for Health Research	University of Wisconsin Center for Tobacco Research and Intervention
National Coalition for LGBTQ Health	WomenHeart: The National Coalition for Women with Heart Disease
National Forum for Heart Disease & Stroke Prevention	
National Hispanic Medical Association	
National LGBTQI+ Cancer Network	
National Medical Association	