

January, 2007

Name
Chamber
Street
City, State Zip
Fax:

Dear Senator/Representative:

We are writing to share with you the priority issues of the Partners for Effective Tobacco Policy (PARTNERS) for the first session of the 110th Congress. The PARTNERS coalition is a group of more than 60 national organizations committed to reducing and preventing death and disease caused by tobacco use. Tobacco use is the leading preventable cause of death in the United States, killing more than 400,000 people every year. The health care and lost productivity costs of tobacco-caused disease and disability are also staggering. Taxpayers pay billions of dollars each year to treat tobacco-caused disease through federally funded health programs including Medicare and Medicaid.

As a Member of Congress, you have the unique opportunity to support public policies that will help stem this epidemic, save lives and save money. During the first session of the 110th Congress, we ask for your leadership in enacting strong policies in the areas outlined below.

Food and Drug Administration (FDA) Regulatory Authority. The PARTNERS coalition supports legislation that would grant the FDA effective authority to regulate the manufacture, distribution, and sale of tobacco products to protect the public health. FDA oversight is especially needed to crack down on illegal sales of tobacco products to children and to restrict advertising and marketing that appeal to children. The tobacco industry is aggressively marketing a new generation of products with unproven claims that they are less harmful. This continued deception of consumers makes ever more urgent the need for FDA restrictions on advertising and marketing to children.

While virtually every other consumer product is regulated, tobacco products are exempt from the most basic oversight. Tobacco companies are not required to test additives for safety, prevent misleading or inaccurate health claims, inform consumers what is in their products, or take any other action to make their products less harmful or addictive. Congress affords no other industry this degree of special protection.

In 2004, identical FDA legislation was introduced in the House and Senate on a bipartisan basis. The Senate overwhelmingly passed the legislation on two separate occasions, but the House unfortunately never brought the bill to a vote. This bipartisan legislation, supported by the nation's public health community was reintroduced in the 109th Congress as H.R. 1376/S. 666. We anticipate that it will again be reintroduced in the 110th Congress, and we strongly urge Members of Congress to move quickly to cosponsor and enact this bipartisan legislation during

the first session of the new Congress. We also urge Congress to oppose any and all efforts to weaken this strong and effective FDA legislation.

Tobacco Use Cessation. The PARTNERS coalition urges the Congress to enact into law the recommendations of the Interagency Committee on Smoking and Health's (ICSH) national action plan on cessation. The Committee's recommendations are based upon sound science, and if adopted, would result in a substantial decrease in the number of people addicted to tobacco products.

We urge Congress to focus immediately on the recommendation of the ICSH that the Medicaid Program adequately reimburse tobacco cessation treatments such as counseling services and pharmacotherapies. Currently, Medicaid coverage of cessation services is optional, with few states providing the full range of necessary services. Lack of coverage under Medicaid is particularly troubling given that the majority of pregnant women who smoke are enrolled in Medicaid. Providing coverage to pregnant women who smoke is very cost effective, would improve the health of both mother and child, and decrease the number of low birth weight babies, pre-term deliveries, miscarriages and instances of sudden infant death syndrome and spontaneous abortions.

Funding for the Office on Smoking and Health at the Centers for Disease Control and Prevention (CDC). The CDC's Office on Smoking and Health provides significant technical assistance to states that are using tobacco settlement dollars to develop comprehensive and effective tobacco prevention programs in addition to providing a small, yet essential, amount of federal assistance directly to state tobacco control and prevention programs. States that currently fund comprehensive programs, such as Colorado, Delaware, and Maine rely on CDC's expertise, as do states seeking to develop programs. Funds for tobacco prevention at CDC also are used to maintain comprehensive information on smoking and health and support ongoing research on tobacco-related issues.

We believe the CDC's Office on Smoking and Health needs additional resources for youth tobacco prevention. Research has demonstrated that at both the state and national levels youth tobacco prevention programs are successful in significantly reducing youth smoking. We believe Congress should fund the type of youth tobacco prevention programs that science tells us are essential to counter the increasing tobacco company marketing to our kids. The PARTNERS coalition strongly supports a minimum level of \$145 million in FY 2008 funding for the CDC's Office on Smoking and Health.

Internet Tobacco Sales. We urge Congress to take action on legislation to curtail the alarming growth of tobacco product sales over the Internet that make low-cost cigarettes readily available to children and result in state revenue losses of hundreds of millions of dollars from excise tax evasion.

Currently, there are more than 500 websites that sell tobacco products to U.S. customers. The vast majority of Internet sellers are not complying with state cigarette tax collection laws, and the U.S. Government Accountability Office has reported that three-quarters of all Internet tobacco sellers explicitly say that they will not report cigarette sales to tax collection officials, thus violating federal law. Moreover, effective safeguards against kids buying cigarettes on the Internet are virtually nonexistent. Congress should swiftly adopt comprehensive and enforceable Internet sales legislation in the first session of the 110th Congress.

Tobacco Smuggling. Tobacco product smuggling undermines public health, robs states of much-needed revenue, and provides a potential source of revenue for organized crime and terrorists. Concerns about the threat of increased smuggling of tobacco products have grown as more web sites sell tobacco over the Internet and as more states look to tobacco taxes as a way to reduce tobacco use and as a source of revenue. Federal laws to stop tobacco smugglers are terribly outdated and do not provide law enforcement officials with the tools they need. There is broad consensus among experts on the changes needed to bring these laws up-to-date. Comprehensive legislation to address this issue was introduced in the 109th Congress as H.R. 1377. We urge Congress to pass this important law enforcement legislation this year.

Framework Convention on Tobacco Control (FCTC). Because the United States has failed to ratify the Framework Convention on Tobacco Control, it has been left out of important decisions regarding implementation, funding and enforcement of the treaty and the negotiation of side agreements on issues of importance to the U.S., such as cigarette smuggling.

It is unacceptable that the world's wealthiest and most powerful nation, is not leading the fight against the global tobacco epidemic. This epidemic is the leading preventable cause of death in our own country and kills almost five million people worldwide every year. Left unabated, it is estimated that tobacco will kill one billion people by the end of the century. Administration spokespeople have asserted that the U.S. supports the treaty and wants to see it ratified, but so far the treaty has languished at the State Department and is "still under inter-agency review". We call on Congress to request the President to immediately submit the tobacco treaty to the Senate for rapid ratification.

As organizations committed to reducing the death and disease caused by tobacco use, we stand ready to work with you to assure that this Congress adequately addresses the public health issues outlined above and fulfills its responsibility to protect the nation's children from a lifetime of preventable addiction, disease, and premature death. Should you have any questions or need additional information, please do not hesitate to contact any of the undersigned organizations. Thank you for your consideration of our views.

Sincerely,