



April 18, 2001

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

We are writing to share with you the ENACT Coalition's priority issues for the 107th Congress. ENACT is a group of more than 60 national organizations committed to reducing death and disability 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. Tobacco use causes nearly one out of every three deaths from cancer, one out of every five deaths from heart disease and nearly 90 percent of lung cancer cases. The cost of tobacco-related disease is staggering. Taxpayers pay billions of dollars each year to treat tobacco-related disease through the federally funded Medicare and Medicaid programs and health programs administered by the Departments of Defense and Veteran's Affairs, and the Indian Health Service.

We ask your help in stemming this epidemic by supporting effective policies in five areas: (1) meaningful Food and Drug Administration (FDA) regulatory authority over tobacco; (2) tobacco use cessation benefits under Medicare, Medicaid and other federal health programs; (3) increased funding for tobacco control programs at the Centers for Disease Control and Prevention's (CDC) Office on Smoking and Health; (4) laws to prevent tobacco smuggling; and (5) continued funding and prosecution of the Department of Justice (DOJ) lawsuit against the tobacco industry.

Food and Drug Administration Regulatory Authority. The ENACT Coalition supports legislation that would grant the FDA full authority to regulate the manufacture, distribution and sale of tobacco products to protect the public health. We are pleased that Secretary Thompson has indicated that he, too, supports FDA authority over tobacco. FDA oversight is especially needed to prevent the advertising, marketing, and sale of tobacco products to children.

Tobacco companies are now exempt from the most basic health and safety oversight of their products. They are not required to test additives for safety, to prevent misleading or inaccurate health claims, to tell consumers what is in their products, or to take any other action to make their products less harmful or addictive. No other industry enjoys this degree of special protection.

Providing FDA with oversight authority would not subject tobacco products to a higher level of scrutiny than other products. It would simply apply the same standards to tobacco products already applied to other products intended for human consumption. We ask that you lend your support to H.R.1097, H.R.1043 and S.190, all bipartisan bills that would provide effective FDA authority over tobacco.

Tobacco Use Cessation Programs. As the nation's largest health care purchaser, the federal government has a vital role to play in promoting effective, affordable tobacco cessation products and services. Research consistently proves that smoking cessation is one of the most cost-effective ways to save lives and reduce smoking-related health care costs. Unfortunately, federally financed health care programs, including Medicare and Medicaid, do not provide reimbursement for some of the best smoking cessation treatments recommended by the U.S. Department of Health and Human Services such as counseling services and pharmaceuticals to treat nicotine dependence. ENACT strongly encourages your support for legislation making proven smoking cessation treatments available through federally financed health care programs.

Centers for Disease Control and Prevention's Office on Smoking and Health. ENACT supports a fiscal year 2002 appropriation of \$130 million, a \$26 million increase, for the CDC's Office on Smoking and Health to assure a minimal level of federal assistance to state-based tobacco control and prevention programs. We understand that the budget you have submitted to Congress would result in a \$5-7 million reduction in funding for the Office on Smoking and Health. The CDC's role has grown even more critical as states commit tobacco settlement funds to tobacco prevention. Considerable technical assistance from the CDC will be required as these states seek to develop comprehensive and effective programs. States that currently fund comprehensive programs, such as Florida and Mississippi, continue to rely on CDC's expertise, as well. Funds for tobacco prevention at CDC are also used to maintain a comprehensive database of smoking and health information and to conduct laboratory work regarding the dangers of nicotine and other toxic compounds in tobacco.

Tobacco Smuggling. Tobacco product smuggling undermines public health and robs states of needed revenue. Federal laws to stop tobacco smugglers are badly 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. We urge you to request that Congress address this important law enforcement issue this year.

Department of Justice Lawsuit. ENACT supports continued funding and vigorous prosecution of the DOJ lawsuit against the tobacco industry. The industry sought to have the suit dismissed, but a federal judge ruled that the lawsuit could proceed under the federal government's racketeering (RICO) claims. The court stated that possible remedies include enjoining the industry from taking actions in the future, such as marketing to our children.

There has been speculation in the national press that your Administration might seek to dismiss the suit, kill the suit by reducing funding, or seek to settle the suit on terms favorable to the tobacco industry. We strongly oppose all of these actions. We urge you to hold the tobacco industry accountable for marketing its deadly products to our children and to champion the right of Americans to have their day in court by continuing the federal lawsuit against the tobacco industry.

As organizations committed to reducing the death and disease caused by tobacco use, we stand ready to work with you to assure that the issues outlined above are addressed in order to protect the nation's children from a lifetime of addiction and disease.

Respectfully,

The ENACT Coalition

Allergy and Asthma Network - Mothers of Asthmatics, Inc.
Alliance for Lung Cancer Advocacy, Support, and Education (ALCASE)
Alliance of Community Health Plans
American Academy of Addiction Psychiatry
American Academy of Child & Adolescent Psychiatry
American Academy of Family Physicians
American Academy of Otolaryngology, Head & Neck Surgery, Inc.
American Academy of Pediatrics
American Association for Respiratory Care
American Association of Physicians of Indian Origin
American Cancer Society
American College of Cardiology
American College of Chest Physicians
American College of Occupational and Environmental Medicine
American College of Physicians-American Society of Internal Medicine
American College of Preventive Medicine
American Dental Association
American Heart Association
American Psychiatric Association
American Psychological Association
American School Health Association
American Society of Addiction Medicine
American Society of Anesthesiologists

American Society of Clinical Oncology
Association of American Medical Colleges
Association of Black Cardiologists, Inc.
Association of Maternal and Child Health Programs
Association of Schools of Public Health
Association of Teachers of Preventive Medicine - ATPM
Campaign for Tobacco-Free Kids
Children's Defense Fund
College on Problems of Drug Dependence
Committee for Children
Community Anti-Drug Coalition of America (CADCA)
Council of State & Territorial Epidemiologists
Family Voices
Federation of Behavioral, Psychological and Cognitive Sciences
Girl Scouts of the U.S.A.
Hadassah
Interreligious Coalition on Smoking OR Health
Latino Council on Alcohol and Tobacco
National Association of Children's Hospitals
National Association of County and City Health Officials
National Association of Local Boards of Health
National Association of School Nurses
National Association of State and Drug Abuse Directors, Inc.
National Center for Health Education
National Center for Policy Research for Women & Families (CPR)
National Education Association Health Information Network
National Hispanic Medical Association
National Mental Health Association
National Partnership for Women and Families
National Women's Law Center
Oncology Nursing Society
Oral Health America
Partnership for Prevention
Society for Public Health Education
Society for Research on Nicotine and Tobacco
Society of Behavioral Medicine
Society of Critical Care Medicine
Summit Health Coalition