

July 25, 2023

The Honorable Kevin McCarthy
Speaker of the U.S. House of Representatives
H-232, The Capitol
Washington, D.C. 20515

The Honorable Hakeem Jeffries
Democratic Leader of the U.S. House of Representatives
H-204, The Capitol
Washington, D.C. 20515

Dear Speaker McCarthy and Democratic Leader Jeffries:

The undersigned organizations representing millions of consumers and taxpayers support Sections 768 and 769 of the Fiscal Year 2024 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations bill. These provisions specify that none of the funds provided by the act may be used by the Secretary of Health and Human Services to establish a maximum nicotine level for cigarettes, to prohibit menthol cigarettes, or to prohibit menthol or other characterizing flavors in cigars.

U.S. history shows that prohibition comes with unintended consequences, including smuggling and increases in organized crime. Banning certain types of cigarettes would create an unregulated black market for those products and potentially detract from efforts by law enforcement and customs officials to focus on cracking down on illicit trade in drugs like fentanyl.

A better approach would be to educate and empower Americans to make smart choices. Indeed, according to the most recent data from the Centers for Disease Control and Prevention, cigarette smoking rates in the United States continue to [decline](#).

The protections included in Sections 768 and 769 of this bill would prevent overreach by regulators that would have significant negative impacts on taxpayers, farmers, retailers, consumers, manufacturers, state and local governments, and supply chains across the country.

We encourage you to preserve this important language in the Fiscal Year 2024 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations bill during floor consideration in the House and in subsequent negotiations with the Senate.

Sincerely,



National Taxpayers Union



Americans for Tax Reform



Center for Freedom and Prosperity



Competitive Enterprise Institute



Council for Citizens Against Government Waste



Heritage Action for America



Hispanic Leadership Fund



Independent Women's Voice



Institute for Liberty



Taxpayers Protection Alliance



Viante Foundation