

PAUL RYAN, WISCONSIN,
CHAIRMAN

SAM JOHNSON, TEXAS
KEVIN BRADY, TEXAS
DEVIN NUNES, CALIFORNIA
PATRICK J. TIBERI, OHIO
DAVID G. REICHERT, WASHINGTON
CHARLES W. BOUSTANY, JR., LOUISIANA
PETER J. ROSKAM, ILLINOIS
TOM PRICE, GEORGIA
VERN BUCHANAN, FLORIDA
ADRIAN SMITH, NEBRASKA
LYNN JENKINS, KANSAS
ERIK PAULSEN, MINNESOTA
KENNY MARCHANT, TEXAS
DIANE BLACK, TENNESSEE
TOM REED, NEW YORK
TODD YOUNG, INDIANA
MIKE KELLY, PENNSYLVANIA
JIM RENACCI, OHIO
PATRICK MEEHAN, PENNSYLVANIA
KRISTI NOEM, SOUTH DAKOTA
GEORGE HOLDING, NORTH CAROLINA
JASON SMITH, MISSOURI
ROBERT J. DOLD, ILLINOIS

JOYCE Y. MEYER,
STAFF DIRECTOR

Congress of the United States

U.S. House of Representatives

COMMITTEE ON WAYS AND MEANS

1102 LONGWORTH HOUSE OFFICE BUILDING
(202) 225-3625

Washington, DC 20515-6548

<http://waysandmeans.house.gov>

SANDER M. LEVIN, MICHIGAN, RANKING MEMBER
CHARLES B. RANGEL, NEW YORK
JIM MCDERMOTT, WASHINGTON
JOHN LEWIS, GEORGIA
RICHARD E. NEAL, MASSACHUSETTS
XAVIER BECERRA, CALIFORNIA
LLOYD DOGGETT, TEXAS
MIKE THOMPSON, CALIFORNIA
JOHN B. LARSON, CONNECTICUT
EARL BLUMENAUER, OREGON
RON KIND, WISCONSIN
BILL PASCRELL, JR., NEW JERSEY
JOSEPH CROWLEY, NEW YORK
DANNY K. DAVIS, ILLINOIS
LINDA SANCHEZ, CALIFORNIA

JANICE MAYES,
MINORITY CHIEF COUNSEL

July 24, 2015

The Honorable Michael Froman
United States Trade Representative
600 17th Street, NW
Washington, DC 20508

Dear Ambassador Froman:

As the Trans-Pacific Partnership (TPP) negotiations enter a critical phase, we are taking this opportunity to raise our concern about the disease and death caused by tobacco industry behavior and their products. It is critical that this matter be effectively dealt with in the TPP by including a strong safeguard that, beyond clarifying language in previous trade agreements, clearly protects legitimate public health measures relating to tobacco from unwarranted challenges under the agreement. Failing to do so, especially if combined with lower tariffs, would lead to increased consumption of tobacco products, particularly in developing countries.

Tobacco is projected to kill one billion people globally this century unless countries take action to reduce the consumption of tobacco products. Recognizing the unique harms of tobacco products, 179 parties representing nearly 90 percent of the world population have made commitments under the world's only health treaty, the Framework Convention for Tobacco Control (FCTC), to protect public health from, and reduce consumption of, tobacco products. While the United States has not ratified the treaty, we are implementing many of its provisions. All of the other 11 countries engaged in the TPP negotiations are parties to the FCTC.

As countries around the world are implementing meaningful tobacco control measures to prevent or reduce tobacco consumption, the tobacco industry is stepping up its opposition to those policies through industry initiated international trade disputes. When considering these disputes and the threatening letters, as recently reported by the New York Times, sent to countries in opposition to potential new tobacco control policies, the tobacco industry has successfully created a detrimental chilling effect on new tobacco policies. Thus, protecting the sovereign right of countries to adopt legitimate policies to reduce tobacco consumption from tobacco industry subversion in the TPP is critical to the health of the citizens of all of the TPP countries, including the United States.

The USTR position should be consistent with the letter and spirit of the Doggett Amendment, which prohibits the United States government from promoting tobacco exports. We appreciate your consideration of our concerns as you negotiate TPP provisions with profound consequences

regarding whether we and our trading partners can be successful in reducing the disease and death caused by tobacco products and the industry that aggressively promotes them. We seek a commitment from you that the United States will lead this fight.

Sincerely,



Sander M. Levin



Charles B. Rangel



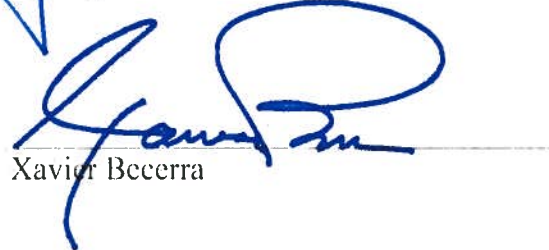
Jim McDermott



John Lewis



Richard E. Neal



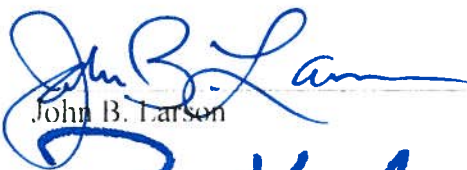
Xavier Becerra



Lloyd Doggett



Mike Thompson



John B. Larson



Earl Blumenauer



Ron Kind



Bill Pascrell Jr.



Linda Sanchez



Danny Davis



Joseph Crowley