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June 11, 2019

The Honorable Frank Pallone
United States House of Representative
2107 Rayburn House Office Building
Washington, DC 20515-4904

Re: H.R. 2339: Reversing the Youth Tobacco Epidemic of 2019
Bill introduced by: U.S. Congressman Frank Pallone

Dear Representative Moore:

The National Organization of Black Law Enforcement Executives (NOBLE) serves as the conscience of law enforcement in America by being committed to Justice by Action. Founded in 1976, NOBLE is committed to ensure equity in the administration of justice and its unyielding commitment is to work toward the elimination of racism and bias of any type within the law enforcement field.

NOBLE has nearly 60 chapters and represents over 3,000 members worldwide that represent chief executive officers and command-level law enforcement officials from federal, state, county, municipal law enforcement agencies, and criminal justice practitioners.

As an organization, NOBLE has no stance on the scientific and medical issues regarding the impact of the use of menthol cigarettes aside from saying that we believe any governmental decision – especially one that could ban a previously legal product – should be rooted on rigorous science.

Historically, NOBLE has expressed concerns over the ban of menthol cigarettes for adults due to the unintended consequences that occur when said products are made available through an illicit market. The result can be the increased encounters between the consumer (in this case African Americans) and law enforcement officials who are enforcing the ban.

NOBLE applauds the legislation to increase the minimum age to consume tobacco products from 18 to 21. We currently are launching a program aimed at educating and informing young people to the dangers of consuming tobacco products and their derivatives. However, we are concerned over the inclusion of menthol flavored products in H.R. 2339 that may encourage a ban of these products in the adult market. Research data shows that menthol cigarettes constitute one-third of the U.S. market and is the preferred cigarette of more than 80% of African Americans who choose to smoke. Our goal is to reduce policies and legislative actions that may increase unintended enforcement interaction between police and people of color.

Organized criminal groups are already increasingly active in selling illicit cigarettes from low tax states to high tax states. A new market – menthol cigarettes – will only fuel those criminal enterprises and everything that comes with them from money laundering or shell companies that funding gang and terrorist activities. A ban on menthol cigarettes would be exploited by criminal organizations to finance their activities.

We urge you to consider the real-world evidence of the ramifications of the unintended consequences of a ban on the sale of menthol cigarettes and the disproportionate impact of a menthol ban in African American communities.

Given all of these concerns, ***NOBLE respectfully requests that this legislation remove menthol from the list of flavors being considered for a ban on retail sales.***

Thank you for your consideration.

Sincerely,

Vera Bumpers
National President



NATIONAL ORGANIZATION OF BLACK LAW ENFORCEMENT EXECUTIVES

Cc:

Madame Speaker Nancy Pelosi

The Honorable Steny Hoyer

The Honorable James E. Clyburn

Congressional Black Caucus

Energy & Commerce Committee