

United States Senate  
Washington, DC 20510-1304

December 11, 2019

Melania Trump  
First Lady of the United States  
White House  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

Dear Mrs. Trump:

Exactly three months ago, you participated in an Oval Office meeting, to announce an important policy change to address skyrocketing rates of e-cigarette use among children. At this meeting, you and the President—along with the Secretary of Health and Human Services, and then-Acting Commissioner of the Food and Drug Administration—announced that all non-tobacco e-cigarette flavors, including mint and menthol, would soon be removed from the market unless or until they could prove a net public health benefit.

Along with all major public health, education, and parent organizations, I cheered this long-overdue action as a vital and necessary step to protect millions of children from a lifetime of nicotine addiction. Sadly, three months later, it appears that the President is reversing his position and breaking his promise to our nation's children.

During the last two years of your husband's presidency, our nation has experienced a 135 percent increase in the number of children using e-cigarettes. Today, more than five million children are vaping—including more than one in four high-school students and more than one in ten middle-school students. Nearly 30 percent of school-aged children are vaping, compared with less than four percent of adults. And we know that e-cigarette flavors—including mint and menthol—are why children get hooked on e-cigarettes. We also know that children who use e-cigarettes are significantly more likely than their peers to start smoking tobacco cigarettes. This should be alarming to all of us who care about our nation's children, as cigarettes—both tobacco and electronic—have well-documented negative health effects.

Because of these harms, I was pleased by the Administration's September 11 announcement. It meant that e-cigarette flavors designed and marketed to children—flavors such as gummy bear, sugar cookie, whipped cream, fruit medley, and cool mint—would no longer be in reach of our kids. However, three months later, implementation of this policy has stalled, and dangerous and addictive e-cigarette products have been allowed to remain on the market without regulation.

At that Oval Office meeting, the President stated, “Vaping has become a very big business ... But we can’t allow people to get sick, and we can’t have our youth be so affected. And I’m hearing it. And that’s how the First Lady got involved. I mean, she’s got a son— together—that is a beautiful, young man, and she feels very, very strongly about it.” Given your strong personal interest in this issue, it is my hope that the position protecting our children, which you stood up for in September, will not be abandoned.

Sincerely,

A handwritten signature in blue ink that reads "Dick Durbin". The signature is written in a cursive, flowing style.

Richard J. Durbin  
United States Senator