



June 17, 2005

The Honorable Alberto Gonzales
Attorney General
United States Department of Justice
Robert F. Kennedy Building
Tenth Street and Constitution Avenue, NW
Washington, DC 20530

Transmitted Via Fax: 202-307-6777

Dear Attorney General Gonzales:

We are writing today to express our concern over recent developments in the Department's case against the tobacco industry.

The arguments laid out last week by the Department in your closing statements fall short of the smoking cessation plan recommended by your own expert witness, Dr. Michael Fiore of the University of Wisconsin, who recommended a 25-year, \$130 billion program that would include a national telephone quitline network, universal access to smoking cessation medication and counseling, an extensive media campaign, research and education of medical providers. Until last week, the Department gave absolutely no indication that there was disagreement around this recommendation. During closing arguments, Department lawyers unexpectedly abandoned the proposal and called for only a five-year, \$10 billion smoking cessation program. This dramatic reversal is not warranted by the law or facts of this case and is inconsistent with the powerful liability case the Department has made.

Unless the Department reverses course and seeks strong remedies, you will miss a truly historic opportunity to hold the tobacco industry legally accountable for its wrongful behavior and reduce tobacco's terrible toll in health, lives and money. We urge that the Department submit a proposed remedies order for the June 27th deadline that is consistent with the strong case put on by the trial team prior to closing arguments and with the recommendations made by your own expert witnesses, including fundamental reform of the industry's harmful marketing practices; the establishment of well-funded, sustained, nationwide programs to prevent kids from smoking and help smokers quit; and financial penalties against the tobacco companies should they continue to addict our children.

Furthermore, we urge you not to enter into a settlement with the tobacco industry based on the arguments laid out in your closing arguments to the court. Such a settlement would fail to hold the tobacco industry accountable for decades of wrong-doing that has resulted in millions of premature deaths, addicted smokers and our nation's children.

Sincerely,

American Cancer Society
American Heart Association
American Lung Association

American Public Health Association
American Academy of Chest Physicians
American Association for Respiratory Care
American College of Cardiology
American Dental Hygienists' Association
Americans for Nonsmokers' Rights
American Thoracic Society
Campaign for Tobacco-Free Kids
Community Anti-Drug Coalition of America
National Association of County and City Health Officials
National Latino Council on Alcohol and Tobacco
Oncology Nursing Society
Oral Health America
Society for Public Health Education
Society for Research on Nicotine and Tobacco

cc: President George W. Bush