

December 7, 2023

Dear Tribal Leader:

The U.S. Food and Drug Administration's (FDA or the Agency) Center for Tobacco Products regulates the manufacturing, marketing, and distribution of commercial tobacco products, including cigarettes, smokeless tobacco, e-cigarettes, and cigars, to protect Americans from tobacco-related disease and death. FDA uses multiple tools, including compliance check inspections of tobacco retailers and tobacco-related educational materials, to help protect youth from the dangers of commercial tobacco.

We recognize and appreciate the efforts Tribal Nations and health officials have actively taken to reduce commercial tobacco use in your communities, especially among tribal youth. FDA respects tribal sovereignty and honors the nation-to-nation relationship it has with federally recognized American Indian and Alaska Native (AI/AN) tribes. FDA does not regulate the use of traditional (ceremonial) tobacco, and the Agency understands and respects the use of traditional tobacco by AI/AN tribes.

As part of our ongoing efforts to comprehensively regulate tobacco products, the Agency contracts with states, U.S. territories, and AI/AN tribes to conduct compliance check inspections of tobacco retailers to determine retailer compliance. FDA has a goal of establishing a contract, where feasible, with AI/AN tribes to conduct retail inspections within their jurisdictions. Currently, FDA utilizes its own inspectors to conduct retailer inspections on AI/AN lands where FDA does not have contracts.

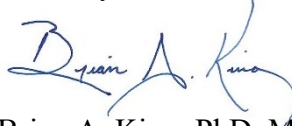
We encourage federally recognized AI/AN tribes and tribal health officials to partner with FDA to conduct the abovementioned compliance check inspections. This partnership, strengthened by the intimate knowledge that Tribal Nations have about their lands and resources, will ensure that these inspections are conducted in a manner that continues to respect and support tribal sovereignty. By working together, we can promote healthier lives and communities.

Further details of these compliance check inspections are available on the webinar, "[FDA Commercial Tobacco Retail Compliance Check Inspection Program](#)." Specifically, this webinar describes a contracting opportunity for federally recognized AI/AN tribes, highlights key elements of the Retail Compliance Check Inspection Program, and explains how native tribes that are interested in partnering with FDA can find out more information about the program and contract opportunity.

For further information about FDA's engagement with AI/AN tribal governments, you can visit our [Engagement with American Indian and Alaska Native Tribal Governments](#) website. Additionally, if you or your health officials have specific questions about our program and would like to discuss how we can partner to conduct inspections at tobacco retail establishments, please contact Thomas Lawson at thomas.lawson@fda.hhs.gov or 240.402.4254. For general questions regarding FDA's activities with federally recognized Tribal Nations, or to submit formal correspondence to the Agency, please contact the Agency's Intergovernmental Affairs (IGA) staff at IGA@fda.hhs.gov. IGA serves as FDA's primary liaison with Tribal Nations and officials and is a dedicated resource for tribal officials to interface with the Agency.

We look forward to continuing the longstanding relationship between FDA and Tribal Nations to protect and advance public health.

Sincerely,

A handwritten signature in blue ink that reads "Brian A. King". The signature is fluid and cursive, with the first name "Brian" being the most prominent.

Brian A. King, PhD, MPH
Director, Center for Tobacco Products