

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074
MINORITY (202) 225-5051
<https://oversight.house.gov>

August 22, 2025

The Honorable Pam Bondi
Attorney General
Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Attorney General Bondi:

The Committee on Oversight and Government Reform is continuing to investigate the influx of unregulated, illegal vapor products, primarily from China, available for sale in the United States. The Committee raised this issue at a hearing on April 9, 2025, titled, “Restoring Trust in FDA: Rooting Out Illicit Products,” underscoring the significant enforcement shortfall under the Biden Administration, which endangers American consumers and public health.¹ To better understand how the Department of Justice (DOJ) is working to counter this illicit market, the Committee requests a staff-level briefing.

The supply of unauthorized vapor products on the U.S. market intensified at an alarming pace over the last four years.² These illicit products are openly sold to consumers in stores and major trade shows around the nation, sometimes in view of U.S. Food and Drug Administration (FDA) personnel.³ With many vapor products lacking market authorization from the FDA, the illicit products from China routinely circumvent U.S. Customs and Border Protection (CBP) agents at ports of entry.⁴ The FDA’s failure to approve effective alternatives—and the regulatory backlog of its own making—during the Biden Administration continues to drive consumers to these unregulated, unsafe, and unknown options.⁵ Although the vaping rates of America’s youth continue to decline, the nation’s youth still find themselves consuming illicit products marketed with fruity flavors—with the top three brands originating in China.⁶

¹ *Restoring Trust in FDA: Rooting Out Illicit Products: Hearing Before the H. Comm. on Oversight and Government Reform*, 119th Cong. (Apr. 9, 2025).

² Andrew Mark Miller, *Experts reveal Trump’s next move could be ‘nail in coffin’ for Biden-era regulations on nicotine*, FOX NEWS (Apr. 26, 2025).

³ Christina Jewett, *Illegal Vapes Are Biggest Threat on Market, FDA Says*, N.Y. TIMES (Oct. 10, 2023); *See also* Lisa Fletcher, et. al., *Vapes Illegal Under Federal Law Targeting Teens Seen on Display at Public Expos*, WJLA (Apr. 21, 2025).

⁴ U.S. Customs & Border Prot., *\$81.5 Million Unapproved Electronic Nicotine Delivery Systems Seized* (Apr. 7, 2025); *See also* Matthew Perrone, *Elf Bar and other e-cigarette makers dodged US customs and taxes after China’s ban on vaping flavors*, AP NEWS (Dec. 19, 2023).

⁵ Carl Campanile, *Rep. Ritchie Torres pushes Hochul to crack down on illegal vapes from China: ‘Direct threat to public health’*, N.Y. POST (Apr. 6, 2025).

⁶ *Id.*; *See also* Louise Matsakis, *The US Is Being Flooded by Chinese Vapes*, WIRED (June 25, 2024).

CBP agents occasionally intercept illicit vapor product shipments from China—often disguised through falsified shipping manifests.⁷ However, the sheer volume of imports from China overwhelms current enforcement capabilities.⁸ This has been further exacerbated by ongoing border security issues under the Biden Administration.⁹ As a result, a stronger, more coordinated response—including robust legal action—is urgently needed.

As the Committee highlighted in its April 2025 hearing, the presence and sale of unauthorized vapor products poses significant risks to our nation’s public health—especially our youth.¹⁰ For instance, Mr. Guy Bentely from the Reason Foundation noted in his testimony that “it is easier to introduce a new cigarette to the market than...safer alternatives to smoking.”¹¹ The FDA and the DOJ are obligated to act against entities and enforce restrictions against these illicit products; however, the Biden Administration’s enforcement actions were woefully insufficient.¹²

China’s involvement in illegally selling these products on the U.S. market is a matter of national concern. The China National Tobacco Corporation (CNTC), which manufactures vapor products, generates revenue that nearly matches the annual defense budget of China.¹³ These illicit Chinese products, devoid of regulatory oversight and public health safety review, put Americans at risk and provide an influx of cash to China. In addition to these concerns, there are new concerns that China allegedly works with Mexican drug cartels, many of which are now designated foreign terrorist organizations (FTOs), to launder money enabling the cartels to traffic products into the interior of the United States.¹⁴

The Committee urges DOJ to continue to prioritize this critical issue. As a key part of the Trump Administration, which has emphasized strong border enforcement and combating the trafficking of illicit produces, DOJ plays a vital role in keeping harmful substances—particularly those targeting our youth—off the streets.

To assist the Committee’s oversight of this matter, we request a staff-level briefing as soon as possible, but no later than September 5, 2025, to learn what DOJ has done and is doing to prevent illicit Chinese vape products and how DOJ plans to further curtail those devices.

⁷ *Supra*, n.4.

⁸ Spencer Lindquist, *China Is Flooding America With Illegal Vapes – And More Than 90% Fly Under the Radar*, DAILY WIRE (Apr. 23, 2025).

⁹ Drew Wilson, *FRF warns consumers about illegal, potentially deadly vaping products*, FLORIDA POLITICS (June 20, 2023).

¹⁰ *Supra*, n.1.

¹¹ *Supra*, n. 1 (Testimony of Guy Bentley).

¹² See e.g., News Release, U.S. Food & Drug Admin., FDA Issues Warning Letters to 14 Online Retailers for Selling Unauthorized E-Cigarettes (May 1, 2024); See also Jessie Hellmann, *FDA, DOJ hammered on response to illegal vapes*, ROLL CALL (June 12, 2024).

¹³ Jason McLure, et. al., *Smoking for the State: How China became addicted to its cigarette monopoly*, USA TODAY (Sept. 13, 2023).

¹⁴ *Behind The Vapor Veil: The CCP’s Illicit Vape Trade*, POLARIS NATL. SEC. (Apr. 7, 2025); See also Christopher Urben, *Chinese money laundering scheme boosts drug trafficking in US*, THE HILL (Aug. 22, 2022).

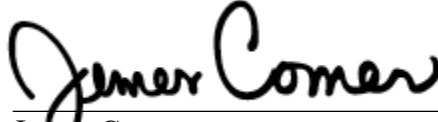
The Honorable Pam Bondi

August 22, 2025

Page 3 of 3

The Committee on Oversight and Government Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. To schedule the briefing or to ask any related follow-up questions, please contact the Committee on Oversight and Government Reform Majority staff at (202) 225-5074. Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink that reads "James Comer". The signature is written in a cursive style with a large, stylized "J" and "C".

James Comer
Chairman

cc: The Honorable Robert Garcia, Ranking Member
Committee on Oversight and Government Reform