

United States Senate

WASHINGTON, DC 20510

June 4, 2026

David Waterfield
President and CEO
Reynolds American
401 N. Main St.
Winston-Salem, NC 27101

Dear Mr. Waterfield:

Money well spent! Your company's \$5 million investment in President Trump's political operation appears to have enabled tobacco manufacturers to circumvent federal law and unlawfully sell unauthorized e-cigarettes. Days after Reynolds American's political contribution—which followed donations to President Trump's gold-plated ballroom and campaign—and lunch at the President's golf resort, the Food and Drug Administration (FDA) issued an alarming new industry guidance. This May 8, 2026, FDA guidance grants enforcement discretion to permit kid-friendly, flavored e-cigarettes to be sold on the market without obtaining the law's required pre-market regulatory authorization.

FDA's abrupt reversal and decision to grant a free pass to addictive and harmful vapes will cause irreparable harm to children across the country and the agency's independence from political influence. But for you and your shareholders, this was a lucrative payday after years of unsuccessful legislative and regulatory efforts to weaken federal tobacco oversight.

To help us understand the public health ramifications of FDA's enforcement discretion, we request answers to the following questions by July 2, 2026:

1. Please provide a comprehensive list of all electronic nicotine delivery systems (ENDS) products for which Reynolds American, and any of its affiliates or subsidiary entities, has submitted a premarket tobacco product application (PMTA), and which have been filed and accepted for review and are currently pending before FDA.
2. Please provide a comprehensive list of every ENDS product that Reynolds American, and any of its affiliates or subsidiary entities, currently has available for sale on the market in the U.S. (inclusive of all retail settings).
3. Please provide a comprehensive list of every ENDS product for which Reynolds American, and any of its affiliates or subsidiary entities, has received a refused to file, refused to accept, or marketing denial order from the FDA over the past 10 years.
4. Please quantify the number of PMTAs submitted by Reynolds American, and any of its affiliates or subsidiary entities, on or after November 4, 2021, for ENDS products that are still pending and that Reynolds American believes meet the conditions specified in the May 8, 2026, guidance that therefore will not be the subject of prioritized enforcement.

5. Does Reynolds American, and any of its affiliates or subsidiary entities, have ENDS products with pending PMTAs at FDA that it did not market in the U.S. prior to FDA's May 8, 2026, guidance, that it has since brought—or is presently considering bringing—to the U.S. market despite lacking a Marketing Granted Order?
 - a. Please provide a list of all such flavored products for which Reynolds American, and any of its affiliates or subsidiary entities, is currently preparing or intends to submit a PMTA with the FDA within the next three years.

6. Did any employees, consultants, or contractors of Reynolds American, or any of its affiliates or subsidiary entities, communicate with any FDA, Department of Health and Human Services, or White House official regarding the agency's e-cigarette enforcement policies between January 1, 2026 and May 8, 2026, including on any issues that relate to FDA's enforcement guidance issued on May 8, 2026?
 - a. If so, please provide a copy of all such correspondence.

7. In addition to the \$5 million contribution on April 30, 2026, please provide a list of every donation and contribution that Reynolds American, any of its affiliate or subsidiary entities, or its corporate leadership and executive team, has made to Donald Trump, the Presidential Inaugural Committee, the White House Ballroom project, or any of Donald Trump's affiliated political campaign committees or operations, including MAGA, Inc., since November 15, 2022.

Thank you for your attention to this matter. We look forward to your response.

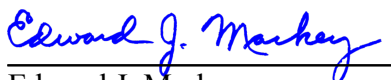
Sincerely,



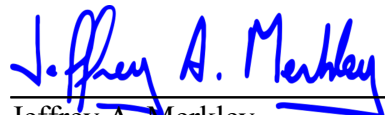
Richard J. Durbin
United States Senator



Elizabeth Warren
United States Senator



Edward J. Markey
United States Senator



Jeffrey A. Merkley
United States Senator



Richard Blumenthal
United States Senator



Jack Reed
United States Senator