

Congress of the United States

Washington, DC 20515

March 4, 2026

The Honorable Jamieson Greer
United States Trade Representative
Office of the U. S. Trade Representative
600 17th St., NW
Washington, DC 20508

The Honorable Scott Bessent
Secretary of the Treasury
U.S. Department of the Treasury
1500 Pennsylvania Avenue, NW
Washington, DC 20220

Dear Secretary Bessent and Ambassador Greer:

As trade discussions with the People’s Republic of China (PRC) advance, it is critical that the United States Trade Representative (USTR) and the Department of the Treasury confront the ongoing exploitation of our trade system. Any new trade agreement with China should require the Chinese government, through its oversight of e-cigarette exports, to take decisive action to curb the influx of illegal, youth-oriented e-cigarettes that openly flout U.S. and Chinese law.

The Administration has made clear that stopping the flow of dangerous and plainly illegal Chinese e-cigarettes is a national priority.¹ We commend the important work of U.S. Customs and Border Protection officers, who continue to intercept illicit, often misdeclared, shipments. Despite these efforts, Chinese e-cigarette exports to the United States continued to rise during the final quarter of 2025,² surpassing \$10 billion in that year.³

These devices are a threat to national security. The Department of Justice has reported that unauthorized vapes are frequently smuggled from China and sold near schools and military bases, putting minors and service members at risk.⁴ The Drug Enforcement Administration has investigated vape shops in proximity to military installations and found that many are owned or operated by foreign nationals suspected of deliberately targeting military personnel. One joint operation led to 20 arrests, including three Chinese nationals.⁵

The emergence of Chinese “smart vapes”—which connect to smartphones—poses an additional cybersecurity threat.⁶ These devices may enable unauthorized access to personal data, cameras, microphones, geolocations, and networks. If used by military personnel, sensitive information could flow directly to the Chinese Communist Party under China’s 2017 National Intelligence Law, which requires companies to cooperate with state intelligence services.⁷

Given the threat these devices pose, the U.S. government should aggressively counter the source of these products. It is far more efficient to prevent these products from entering the United States from China than it is to intercept such products once they have entered the U.S. domestic supply chain. Chinese law bans

¹ See, e.g., DOJ, Press Release, [More Than Two Million Illicit Vaping Products Seized in Nationwide Sweep](#) (9/25/25); DEA, Press Release, [Operation Vape Trail Cracks Down on Illegal Substances in Vape Shops](#) (9/22/25); FDA, Press Release, [HHS, CBP Seize \\$86.5 Million Worth of Illegal E-Cigarettes in Largest-Ever Operation](#) (9/10/25).

² See Washington Examiner, [Chinese vape imports surge despite Trump administration’s crackdown, data suggests](#) (12/9/25).

³ Firsts, [China’s E-Cigarette Exports Fall Slightly to USD 10.6 Billion in 2025, U.S. Market Further Consolidates Lead](#) (1/20/26).

⁴ DOJ, Press Release, [More Than Two Million Illicit Vaping Products Seized in Nationwide Sweep](#) (9/25/25).

⁵ DEA, Press Release, [Operation Vape Trail Cracks Down on Illegal Substances in Vape Shops](#) (9/22/25).

⁶ ISTS, [Are Vaping Devices the Next Cyber Threat? What Every IT Professional Needs to Know](#) (7/3/24).

⁷ See, e.g., Department of Homeland Security, [Data Security Business Advisory](#) (February 2021).

manufacturers from shipping e-cigarettes to a country where those products are illegal.⁸ Although the State Tobacco Monopoly Administration (STMA)⁹ exerts extensive control over the e-cigarette- industry in China, including the export of such products, the STMA has allowed massive quantities of illegal e-cigarettes shipments to the United States. This is not an administrative lapse; it appears to be a deliberate strategy on the part of the STMA that capitalizes on gaps in U.S. enforcement. Any forthcoming agreement with the PRC must ensure that the STMA enforces its existing rules on these illegal exports.

The need for action is urgent. Illicit Chinese e-cigarette makers and their U.S. distributors intentionally design and market products to appeal to young people—using candy flavored cartridges, toy-like designs, and packaging styled after fashion accessories. They rely on influencer marketing on youth-heavy platforms such as TikTok¹⁰ and Instagram.¹¹ These illegal products often contain carcinogens, toxic additives, and high levels of heavy metals like lead, along with other unknown substances.¹²

Moreover, the illicit e-cigarette- trade has become an attractive revenue stream for Mexican drug cartels. Associated Press reporting indicates that cartels have secured a dominant share of the illegal market in Mexico and are continuing to expand their operations in the United States.¹³ E-cigarette sales are illegal in Mexico, but demand for these products still exists which has likely led to the rise of cartel involvement in the sale of these devices. The Financial Crimes Enforcement Network (a bureau of the Department of the Treasury) has identified these products as a vehicle for trade-based money laundering schemes tied to fentanyl proceeds,¹⁴ and the U.S. Bureau of Alcohol, Tobacco, and Firearms has similarly traced funds from illicit Chinese e-cigarette sales to foreign adversaries and cartel operations inside the United States.¹⁵

For these reasons, we strongly urge the USTR to elevate this matter in ongoing trade negotiations with China and to pursue a binding commitment requiring the Chinese government to stop all e-cigarette exports that fail to comply with U.S. and Chinese law. U.S. national security and public health require nothing less.

Sincerely,



Mike Carey
Member of Congress



Ann Wagner
Member of Congress

⁸ “E-Cigarette products for export shall comply with the laws, regulations and standards of the destination country or region...”, [Administrative Rules for E-Cigarettes Import-Export Trade and Foreign Economic and Technical Cooperation](#) (10/12/22).

⁹ The STMA “supervise[s] and manage[s] the... export... of e-cigarettes.” [Administrative Rules for E-Cigarettes Import-Export Trade and Foreign Economic and Technical Cooperation](#), Art. 3. (10/12/22).

¹⁰ See, e.g., Page Dobbs, Eric Schisler, Charlotte McCormick, [#Discreetshipping: Selling E-cigarettes on TikTok](#), *Nicotine & Tobacco Research*, April 2025(27).

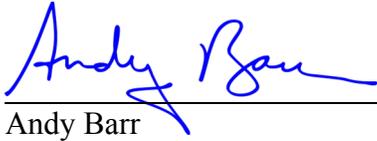
¹¹ See, e.g., Vassej J, Valente T, Barker J, et al. [E-cigarette brands and social media influencers on Instagram: a social network analysis](#), *Tobacco Control* 2023(32). (7/19/23).

¹² See, e.g., Andrew Turner, John W. Scott, Thomas Backshall-Kennedy, Maya C. Dabrowski. [Deconstructing contemporary disposable vapes: A material and elemental analysis](#). *Science of The Total Environment*, 2024(954), 176292. See, e.g., Andrew Turner, John W. Scott, Thomas Backshall-Kennedy, Maya C. Dabrowski. [Deconstructing contemporary disposable vapes: A material and elemental analysis](#). *Science of The Total Environment*, 2024(954), 176292. *The Atlantic*, [Public Health Has a Blueberry-Banana Problem](#) (10/10/24).

¹³ AP, [After Mexico bans vapes, cartels tighten their grip on a booming market](#) (1/31/26).

¹⁴ Financial Crimes Enforcement Network, [Financial Trend Analysis: Fentanyl-Related Illicit Finance](#) (04/25) pp 2, 18, 19.

¹⁵ ATF Deputy Director Robert Cekada, [DOJ Press Conference](#) (9/10/25) (at 23:32-24:05).



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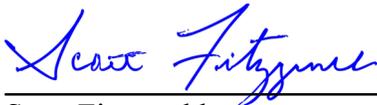
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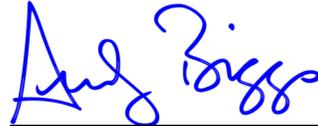
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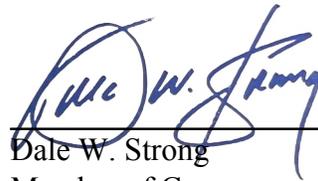
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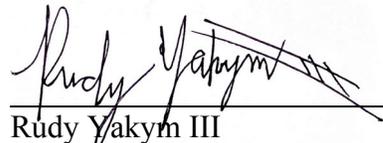
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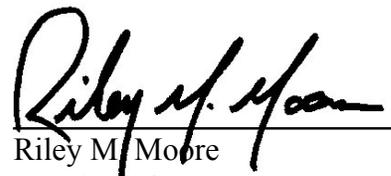
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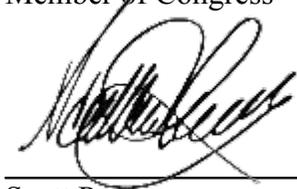
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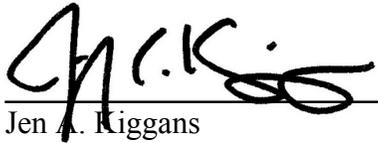
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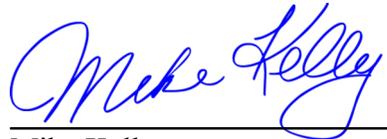
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