



January 19, 2016

Regulations Division, Office of General Counsel  
Department of Housing and Urban Development  
451-7<sup>th</sup> St. SW, Room 10276  
Washington, DC 20410-0500

Re: Docket No. FR 5597-P-02, Instituting Smoke-Free Public Housing

Dear Secretary Castro:

NAATPN, Inc. formally submits this response to Docket # FR 5597-P-02, “Instituting Smoke-Free Public Housing”, which could potentially protect the lives of millions of vulnerable Americans. NAATPN, Inc. is a non-profit organization that facilitates health programs to benefit people and communities of African descent and we are in full support of this proposed rule and its potential to save the lives of millions of African Americans.

While tremendous progress has been made over the past two decades to eliminate exposure from second hand smoke (SHS), millions of nonsmoking people of color continue to be exposed. A July 2015 study in the American Journal of Public Health showed that local comprehensive smoke-free laws that are aimed to provide protection from SHS may have inadvertently led to sociodemographic disparities in SHS exposure since smoke-free laws are not evenly distributed across communities with different population characteristics. Communities with high income and education are more likely to be covered by smoke-free laws than communities with higher unemployment and more blue-collar workers. In addition, CDC’s February 2015 Vital Signs Report on Secondhand Smoke stated that 7 in 10 Black children remain exposed to secondhand smoke even though more than half of the nation is protected by a smoke-free public policy. Children living in households below the poverty level face an equal risk of exposure. It is no surprise that heart disease and cancer, both smoking-related illnesses, are the top two leading causes of death among African Americans.

NAATPN, Inc. will continue to promote population based policies and programs that have produced dramatic results in SHS exposure. We encourage organizations and agencies to expand their efforts to incorporate and embrace fundamental principles of health equity that afford equal treatment of all individuals/groups and provide supplementary support for individuals/groups that are marginalized. A smoke-free policy in public housing would promote health equity in tobacco control by creating a healthier, cleaner, and safer environment for all residents. Low-income residents of public housing should have the same rights to healthier living environments

as people living in detached homes. Research has shown that secondhand smoke does not stay in the unit of a person who smokes but it drifts throughout the building to expose neighbors.

Although some provisions in the proposed rule are particularly strong and would do much to protect the lives of millions of children exposed to secondhand smoke, there is more that can be done. First, HUD should acknowledge in the implementation section (965.653) that this rule will also benefit those residents that currently use tobacco products and would like to break from this deadly addiction. As such, the rule should incorporate opportunities for collaboration and partnership with public and private sectors to provide cessation education and treatment to residents in need of those services during the 18 month period prior to final rule implementation. Cessation services for residents of public housing should be culturally and linguistically appropriate and should include the availability of nicotine replacement therapy if warranted.

Secondly, HUD should amend the proposed rule to also restrict the use of electronic cigarettes and other electronic smoking devices. There is ample evidence to show that the aerosol emitted by electronic smoking devices is not harmless and it is a new source of air pollution that contains ultrafine particles, toxicants and carcinogens. Residents in public housing units should also be protected from the secondhand aerosol produced by electronic smoking devices. In addition, recent studies have shown that electronic smoking devices are a starter product for combustible tobacco products among youth and young adults.

Individuals and organizations vested in health equity and the health of vulnerable populations wholeheartedly support this proposed rule to restrict smoking in public housing. In contrast, those vested in the billions of dollars in revenue that would be lost as a result of this rule because it would naturally lead to cessation from tobacco products, are up in arms. It is at this junction that the U.S. Department of Housing and Urban Development (HUD) finds itself faced with a paradox. In the final analysis, there is no need for science or comments when we include morality in the equation. Restricting smoking in public housing will promote health equity and can save the lives of millions of vulnerable children exposed to secondhand smoke.

Fifty years ago former Surgeon General Luther Terry faced a similar paradox. Publicly stating that smoking could cause lung cancer was not a popular position and was certainly not welcomed by the tobacco industry. His name has been etched in history not because he coveted relationships with big corporations, but because he boldly stood on the side of international morality and the public's health. Fifty years from now no one will remember those that acquiesced to corporate demands under the guise of economic recovery, government interference or smoker's rights. History will remember those that courageously stood for positions that were morally just and protected the lives of its citizens. HUD must seize this historic opportunity. We call upon HUD to boldly stand and side with the public's health and restrict smoking in public housing, not because it's the scientific thing to do, but because it's the right thing to do.

This concludes our response to Docket # FR-5597-P-02 "Instituting Smoke-Free Public Housing." This response represents the position of the NAATPN, Inc. Board of Directors and its staff. If you require further information from us, please contact Delmonte Jefferson, NAATPN, Inc. Executive Director at 919-680-4000 or by email at [djefferson@naatpn.org](mailto:djefferson@naatpn.org). Thank you for your consideration in this matter.

Yours In Saving Lives,



Brenda Bell Caffee  
NAATPN, Inc. Board Chair



Delmonte Jefferson  
NAATPN, Inc. Executive Director

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