



New York Association of Convenience Stores
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November 2, 2009

Hon. Charles E. Schumer
United States Senate
311 Hart Senate Office Building
Washington DC 20510

Subject: PACT Act – S.1147

Dear Senator Schumer:

The New York Association of Convenience Stores represents 7,700 neighborhood mini-marts and convenience stores that are licensed by the State of New York to responsibly sell legal tobacco products to adult customers.

On behalf of these family-operated small businesses, NYACS urges you to support passage of S.1147, the Prevent All Cigarette Trafficking Act of 2009, which provides a recipe for recapturing lost cigarette tax revenue, blocking illegal trafficking in bootleg cigarettes, and leveling the retail playing field in New York and across the country.

Passed overwhelmingly by the House of Representatives on May 21, 2009 (H.R. 1676), the PACT Act will reform the Jenkins Act to make it harder for criminals to smuggle or counterfeit cigarettes. It will create a new federal offense for delivering cigarettes without complying with state tax laws. It will also make violating the Jenkins Act a felony.

The PACT Act provides law enforcement with tools they need in order to stop Internet sellers from evading the law. "Tax free," non-age-verified Internet cigarette sales are a huge problem in New York State, draining business away from our stores, depriving the State and localities of hundreds of millions of dollars in tax revenue, and thwarting anti-smoking initiatives.

In order to balance budgets, prevent youth access to tobacco, and allow mom-and-pop retailers to fairly compete for retail trade, our nation needs more effective ways to counteract cigarette smuggling and tax evasion. The PACT Act is the right vehicle for achieving these shared goals. Thank you for your leadership and support.

Sincerely,

James Calvin
President