

2023

## Identifying and Examining Key Themes Emanating from the U.S. Legislative Tobacco Policy Subsystem

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# Walden University

College of Health Sciences and Public Policy

This is to certify that the doctoral dissertation by

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2023

Abstract

Identifying and Examining Key Themes Emanating from the U.S. Legislative Tobacco

Policy Subsystem

by

Arnon Dayak

MP, Walden University, 2021

MS, Georgetown University, 2013

BS, University of Maryland, 2009

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

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Public Policy and Administration

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## Abstract

Americans' continuously increasing tobacco use in the form of smoking presents an ongoing and rising negative health impact on this leading cause of preventable death. Despite existing U.S. federal level tobacco regulation through the Family Smoking Prevention and Tobacco Control Act (FSPTCA), U.S. tobacco use remains ubiquitous demonstrating existent ineffectiveness of tobacco control legislation. Unknown underlying attributing factors present critical information gaps which, when exposed, could improve tobacco regulation. Using a case study approach, the question, "What key themes are aligned with legislative subsystem actors when voting on the FSPTCA" was examined. Multi-source data streams using existing secondary datasets including each state's official tobacco use stance, 2009 FSPTCA Congressional documents, and legislators' FSPTCA public voting records were analyzed. Thematic analysis through Sabatier and Jenkins-Smith's advocacy coalition framework revealed tobacco subsystem actors, tobacco product natures, public health effects, economy impacts, ineffective tobacco industry maintenance, and needed public protection tobacco regulation as dominant themes linked to changes in public opinion and systemic governing coalitions. Coalition formation between policy actors inextricably contributed to FSPTCA enactment, whereas public opinion and systemic governing coalition changes propelled tobacco legislation. Positive social change implications include highlighting tobacco legislation influencers through knowledge and insights centered on their tobacco policy creation and voting patterns, influential triggers aiding public policy generation, and improved public well-being through informed health policy creation.

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## Chapter 1: Introduction to the Study

Tobacco use, including smoking, continues rising as a negative health impact and a dominant preventable United States health concern (Gottlieb, 2019). The United States Department of Health and Human Services' Centers for Disease Control and Prevention (CDC, 2021a) stressed that smoking's negative effect increases health risk behaviors. According to the CDC, nearly 500,000 people prematurely die from smoking every year and with \$300 billion annually spent for health care costs of smoking related illnesses. The CDC considered smoking the leading cause of preventable and unwarranted premature death affirming that efforts must occur to decrease the number of smoking-related deaths. Thus, smoking is a significant and preventable health concern negatively effecting people's lives.

Tobacco is consumed in a variety of ways including: cigarettes, electronic nicotine delivery systems (ENDS), cigars, snuff, chewing tobacco, smokeless tobacco, hookah, bidi, and a host of other novel tobacco forms (National Institutes of Health, National Institute on Drug Abuse, 2021). Due to the availability of various forms of tobacco, consumers have a plethora of products to choose from thus adding to tobacco attractions (CDC, 2019a). Thus, the allure of smoking tobacco contributes to the accumulating negative impacts caused by smoking.

Health, society, family, and economy are impacted by tobacco smoking (CDC, 2021b). According to the 2014 Surgeon General's Report (SGR), smoking disrupted

almost all the bodily organs and contributes to various diseases. Moreover, CDC reported, tobacco's influence reaches various vital areas including secondhand smoke impacts to surrounding individuals, increased health care costs, and the debilitating mental and emotional toll on families related to youth tobacco addiction. The SGR also highlighted tobacco use and its impact on various demographics including, socioeconomic status, educational level, and ethnicity. The Surgeon General (SG) exposed disparities demonstrating a lasting impact on some groups over others and leading to increased risk behaviors and premature death for those groups. Thus, tobacco control is a public health priority in the United States.

Enhanced legislation can improve tobacco control. The SG focused on ending the smoking epidemic through tobacco control subsequently referencing more than 30 reports regarding the negative impacts of tobacco (CDC, 2021b). Therefore, tobacco control remains a high health priority, yet the data also demonstrated that insufficient progress exists addressing tobacco reform.

### **Insufficient Progress**

Past positive efforts improving tobacco control included smoke-free law enforcement, increased cigarette tax, easy smoking cessation services access, increased public health interest groups, and smoke-free lifestyle advocacy (CDC, 2021a). While these programs served to improve tobacco control, youths' ENDS use continued trending upwards since 2014 and, in 2020, 19% of youth in the United States smoked e-cigarettes (Gentzke et al., 2020). CDC and Gentzke et al. noted that youth smoking is an escalating health concern and adult smoking continues unfettered.

The SG reported that 34 million adults continued smoking despite efforts addressing smoking cessation (CDC, 2020). Consequently, according to the CDC adult smoking continued contributing to the health-related risk and smoking related illness. Collectively, the rise in youth smoking, deep economic costs, limits with current tobacco policy legislation, negative health impacts, and disparities within certain demographics contributed to the overarching health concerns that smoking continued impacting United States society (CDC, 2021b; Gentzke et al., 2020; Morgan, 2019). Since public efforts guiding societal changes stem from public policy, redirecting tobacco's adverse trajectory also hinges on policy.

Logically, public policy is the foundation of tobacco control; therefore, it is vital that tobacco policies address the systemic issues of the problem. While there are many levels of policy creation within local and state levels, the all-encompassing basis of tobacco policy begins with the federal government (Heitshusen, 2018/2020). United States Congress members set the tone for nationwide tobacco policy and Congress crafts legislation implementing and granting authority for tobacco regulation (Heitshusen, 2018/2020). Thus, Congress is the starting point in dictating the scope of a policy and the government of state and Local Nation-Members. Through United States federal-level legislation, the Family Smoking Prevention and Tobacco Control Act (FSPTCA, 2009) gave the Food and Drug Administration (FDA) the authority to regulate tobacco products.

## **Need for Further Tobacco Policy Development**

Despite FSPTCA tobacco regulation, tobacco control efforts have not materialized to their fullest potential (Berman, 2018; Berman & Jenson, 2020; Lindblom, 2021). Additionally, tobacco control policy remains ineffective in regulating tobacco products to meet evolving challenges and reduce tobacco's negative health impacts due to the degree of FDA enforcement (Morgan, 2019; Termini, 2020; Vagnoni, 2019). Thus, the lack of tobacco policy development at the federal level continues impacting public health due to ineffective tobacco control.

Therefore, improved tobacco policy efficiently addressing public needs and advancing public health remains necessary (Peruga et al., 2021; Pisinger & Mackay, 2019; Yang et al., 2018). Peruga et al. reported that even though tobacco regulation continued rapid development, new tobacco policy creation persisted lagging behind societal needs. Yang et al. reported that tobacco controls were not evolving as fast as the developing tobacco industry. Hence, policy controls limiting access to harmful tobacco products remain ineffective due to policy restrictions (Antin et al., 2019). Thus, reversing the escalating trend of harmful tobacco use requires policy makers develop more effective, better informed public policy.

Therefore, it logically follows that, albeit the burden of crafting effective United States legislation rests with United States legislators, those policy makers must possess the foundational data needed to develop effective tobacco control policy. Subsequently, scholars agree that acquiring information on underlying influencers of the subject matter of those developing laws provides essential tools for effective policy development

(McConnell & 't Hart, 2019; Purtle et al., 2017, 2018; Roos et al., 2010). Consequently, insight into tobacco policy creation is critical to improving federal tobacco regulation. Subsequently, identifying key themes emerging from legislators concerning tobacco legislation is a needed component to improving tobacco control policy.

However, from the FSPTCA creation forward, factors influencing tobacco control policy makers during tobacco control policy development remain unknown thereby presenting a significant gap in tobacco control policy literature. Additionally, key influencing themes emanating from contributing policy actors when voting on tobacco control policies, including the FSPTCA, remain unidentified. Therefore, there is a critical need to identify this essential data to begin filling those knowledge gaps toward improving and enhancing tobacco control policy resulting in an improved effectiveness of such policy. My research provides information about key emergent themes during the FSPTCA culmination to aid in improved tobacco control policy effectiveness. Wherein, resulting positive policy and social changes provide ample justification for this research. Purtle et al. (2018) emphasized that awareness of voting influencers leads to more effective tobacco policy development and aids the tobacco policy subsystem. Thus, theme transparency emerging from legislators when developing tobacco legislation represents a critical element to improving tobacco control policy and improving public health by reducing public tobacco usage.

This chapter includes: (a) the background, (b) the problem, (c) the relevance, (d) purpose, (e) the research question, (f) the theoretical framework, (g) the nature of the study, (h) definitions, (i) assumptions, (j) scope and delimitations, (k) limitations, and (l)

the significance of the research study. Chapter 2 covers the literature review, Chapter 3 details the methodology, Chapter 4 includes the study results, and Chapter 5 discussion.

### **Background**

The scope of tobacco regulation and enforcement in the United States was outlined and encompassed in the FSPTCA (2009) which addressed the United States smoking epidemic, related tobacco abuse, and intended control thereof. Consequently, to examine the positive impact the FSPTCA had on the public, the initial factors which prompted the FSPTCA's emergence need analysis. Information identifying common themes emerging from legislators while crafting and voting on tobacco legislation aids in improved tobacco control (Purtle et al., 2017). Logically, key themes provide indications of triggers and factors influencing legislators during legislation development and culmination.

Current literature indicated a broad stimuli range that impacted policy creation including significant drivers influencing policymakers encompassing academic research, public health advocates, and science-based evidence (Bero & Jadid, 1997; Bogenschneider et al., 2019; Zardo & Collie, 2014). Health lobbyists and advocates, the tobacco industry, and tobacco control interest groups largely influenced tobacco control policy (Givel & Glantz, 2001; Montini & Bero, 2001). Moreover, science-based research and relationships between policymakers and stakeholders substantially impacted tobacco policy makers (Cohen et al., 1997; Givel & Glantz, 2001; Montini & Bero, 2001; Newman, 2019; Schmidt et al., 2014). While tobacco regulation policy drivers were present in the literature, these factors were only studied in isolation and mostly at the

state and local level (Cohen et al, 1997). Thus, identifying barriers impeding tobacco policy development were not analyzed and, consequently, such this research study was necessary to advance tobacco control policy thereby improving policy effectiveness.

Focusing on obstacles that limit tobacco policy growth allows stakeholders to alleviate impediments and drives more effective tobacco control (Donahoe et al., 2018). Thus, I concur with Donahoe et al. that identifying the key emergent themes emanating from legislators during crafting and voting on the FSPTCA benefits future tobacco control policy development. I also agree with Donahoe et al. that influencers on the FSPTCA formation help identify needed factors to enhance tobacco control policy. Logically, if those influencing factors become altered or hindered, alleviating those barriers moved tobacco control forward.

### **Efforts to Close the Gap**

Data about key environmental triggers during the FSPTCA's emergence remain unanalyzed. Identifying motivators prompting policymakers into action benefits future policy reform and provides necessary strategies creating specific conditions for legislators' improved policy development (Novilla et al., 2017). Logically, key emergent themes in the FSPTCA policy making process will improve future tobacco policy development. Thus, acquiring thematic information provides insight toward policy improvement (Roos et al., 2010). This concept equitably and equally applies to the tobacco policy subsystem as analyzing factors compelling tobacco control legislation at the federal level help bridge the information gap thereby benefiting public health.

## **Necessity of Moving Forward**

Gaining data on policy formation influencers is beneficial (McConnell & 't Hart, 2019) and specifically apropos to the context of the FSPTCA. Purtle et al. (2018) insisted that understanding factors informing policy subsystems and conditions invoking lawmakers' action aids in reformation policy. McConnell and 't Hart's and Purtle et al.'s reasoning naturally and coherently applies within the tobacco policy subsystem. Thus, ascertaining policy makers' influencers during policy creation and voting aids in further policy development and, thereby, improves public health related issues induced by tobacco abuse by providing significant and meaningful data. Rudestam and Newton (2015) noted that research rich in significance and social meaning is essential to bring value to any specific field of study. With this study, I investigated the FSPTCA precursor triggers to discover data beneficial toward improved tobacco control legislation.

Enhancing tobacco policy is essential in lowering smoking's negative impact Purtle et al. (2018). While the information on smoking effects is widespread, its use contributes to the increase of high-risk behaviors (Cullen et al., 2019; Wang et al., 2020). Subsequently, smokers are at a higher risk of negative behaviors compared to nonsmokers (Omoike & Johnson, 2021). Risky behaviors include illicit drugs use, alcohol, coitarche, texting while driving, not using seat belts, sensation seeking, and other adverse concerns (Chen et al., 2016; Omoike & Johnson, 2021). Thus, risky behaviors stemming from smoking add to the negative aspect of the smoking problem thereby impeding a healthy lifestyle. Therefore, smoking rates and tobacco use contribute risk behaviors call for urgency addressing tobacco control.

While smoking risk behaviors increase, its growth attributes to various forms of tobacco products appealing to middle school and high school youths and other vulnerable demographics (Chen et al., 2017; Cullen et al., 2019; CDC, 2019; Miech et al., 2021; Odani et al., 2018; Wang et al., 2020). Subsequently, tobacco product evolution over recent years contributed to smoking tobacco allure (CDC, 2019) resulting in the increased usage of electronic cigarettes (King et al., 2018). Thus, the appeal of smoking also increased smoking risk behaviors.

With new forms of tobacco products appearing on the market, targeting various demographics occurred especially towards youths (Tam, 2021). Accordingly, the appeal of electronic cigarettes towards youths is not categorized as beneficial (Creamer et al., 2021; Osibogun et al., 2020; Owusu et al., 2019; Tam, 2021; Wang et al., 2019). The effects of nicotine causing damage to a developing adolescent brain leads to addiction of other drugs and alcohol (CDC, 2019). Even though smoking rates decreased from 2005 to 2020 (Cornelius et al., 2020a) increased smoking risk behaviors are concerning (Wang et al., 2020), thus improved tobacco control is imperative to public health. Hence, smoking's negative effects generate increasing risk behaviors reaching far beyond just nicotine addiction while creating an overall disadvantage in advancing public health.

While smoking tobacco impedes a healthy lifestyle for all people, those risks significantly increase among vulnerable groups because of unneeded economic costs and population disparities (CDC, 2021b; Kong et al., 2019). Cornelius et al. (2020b) emphasized that smoking attracted more men at lower socioeconomic and educational levels, who are single, uninsured, and possess disabilities. Logically, tobacco abuse is a

public health concern, thus, addressing tobacco abuse prior to its lasting impacts is beneficial for current and future generations. Additionally, Heitshusen (2018/2020) explained that efficient tobacco regulation lays within Congressional jurisdiction thereby allowing regulatory agencies to limit the harm perpetuated by smoking tobacco and tobacco abuse. Thereby, effective public policy improving federal level tobacco regulation decreases the consequences of high-risk behaviors stemming from tobacco abuse.

Advancing tobacco control remains an FDA challenge (Berman, 2018). Poor regulation of youth smoking, warning labels, and menthol banning contributes to FDA challenges (Baig et al., 2019; Cadham et al., 2020; Rossheim et al., 2020). Moreover, initiatives toward closing the disparity gaps within certain communities targeted by smoking continue falling short (Cepeda-Benito et al., 2018; Stokes et al., 2021). Complicating the situation, poor FDA regulatory activities and FSPTCA loopholes allow wide FDA enforcement disparity, thereby, further limiting tobacco control initiatives (Berman, 2018; Bevins et al., 2018; Hemmerich et al., 2021). Thus, improved tobacco regulation will benefit public health.

Societal tobacco exposure additionally impedes tobacco control progress (Bennett et al., 2020). Bennett et al. demonstrated a strong relationship between media related tobacco exposure through Netflix, broadcast, and cable TV, thereby, impacting tobacco smoking initiatives. While current legislative policy does not regulate paid subscriptions like Netflix, in 1970, President Nixon signed legislation called The Public Health Cigarette Smoking Act (PHCSA, 2009), banning smoking advertisements on free to air

media. As demonstrated during the 1970s Nixon era, publicizing tobacco smoking through various platforms, including the media, contributed to smoking initiation (PHCSA, 2009). Campaigns limiting tobacco exposure continued as demonstrated by Peruga et al.'s (2021) insistence that legislators take measures diminishing smoking's negative health impact by limiting smoking exposure. Interestingly, as noted by Heitshusen (2018/2020), tobacco policy development is Congress's prerogative at the federal level due to its legislative power over the Nation.

Through study, I gathered, analyzed, and exposed data informing public health legislation by identifying key themes emerging from tobacco control legislation. Thus, by studying information about lawmaker influential factors and triggers, I uncovered needed data toward enhancing health polices for public health development.

### **Problem Statement**

Lingering substantial and preventable harmful health impacts and subsequent economic costs signal the need for more effective tobacco regulation (CDC, 2019). The FSPTCA (2009) currently regulates tobacco products on the United States federal level, however existing loopholes and inconsistent statute interpretation coupled with the FDA's discretionary enforcement practices render the legislation impotent (Lindblom, 2021). Ineffective tobacco policy development and regulation contribute to the growing need for positive social change (Berman, 2018; Bevins et al., 2018; Hemmerich, et al., 2021) and widen disparities among minority populations (Cepeda-Benito et al., 2018) including minor youths.

The upward trend of youth tobacco use accentuates the need for increased tobacco policy development and control (Gentzke et al., 2020). Premature tobacco related death rates of youths (under 18 years old) continue steadily escalating (CDC, 2021b). Considering the preventability of these youths' deaths, the need for more effective tobacco control is paramount to improve societal health. According to the CDC, smoking's negative health impact contributes to unhealthy lifestyle habits and tobacco use compounds those high-risk behaviors (Cullen et al., 2019). For example, Osibogun et al. (2020), demonstrated that youths using ENDS were significantly more prone to additionally using traditional cigarettes consequently contributing to further increased risky behaviors. Thus, the increasing risk behaviors stemming from tobacco use, including ENDS, emphasize the need for more effective tobacco control.

In addition to youths, other susceptible communities suffer negative tobacco-related health impacts (Pesko & Robarts, 2017). Living with tobacco users in rural environments propels middle school students to engage tobacco, thus, exposing them to higher risk factors (Owusu et al., 2019). Moreover, a resounding correlation between easy tobacco product access and the influences of friends and family smokers contributes to increased smoking initiation in rural areas compared to urban areas (Pesko & Robarts, 2017). According to Owusu et al. the impacts on those isolated vulnerable populations fortify the need for enhanced tobacco control focusing on disparities among the youth and other vulnerable rural populations such as impressionable populations like ethnic groups and marginalized communities.

African Americans are systematically targeted towards menthol cigarettes resulting in 84.6% of tobacco using African Americans smoking menthol flavored cigarettes (Kong et al., 2019). While smoking any kind of flavor has harmful effects, menthol increases nicotine dependency and therefore increases addiction (FDA, 2019). Menthol cigarettes advertising and marketing suggests menthol is a healthier alternative, however menthol is more dangerous than non-menthol cigarettes (FDA, 2013). According to Kong et al. tobacco manufactures targeting African American communities more than other communities are widespread. Furthermore, the FDA found many minority groups gravitate towards using menthol cigarettes including low-income individuals, lower socioeconomic communities, and LGBT communities. Thus, increasing public policy effectiveness specific to certain tobacco related products, such as menthol flavor, could reduce the negative health impacts occurring among those targeted minority communities and aid tobacco regulation development. Thus, the problem is the current ineffectiveness of the FSPTCA in minimizing the negative health impacts of tobacco use resulting in escalating tobacco related risk behaviors, illness, and premature death as well as increased negative socioeconomic repercussions.

### **Current Relevance**

Tobacco control legislation is the major driver for federal level tobacco control (Purtle et al., 2018) intended to effectively control tobacco use through Congressional policy (Heitshusen, 2018/2020). Such federal level statutory laws govern the entire United States, and the policy scope guides lower governments, therefore the primacy of such public policy holds more weight than state or local levels (Gravey & Sheffner,

2021). Thus, the highest governmental level lawmaking has a greater impact on tobacco control throughout the nation. Novilla et al. (2017) emphasized the importance of policymakers' decision-making processes while drafting public health legislation to improve policy. Donahoe et al. (2018) determined that identifying key themes emerging when policy actors vote opens pathways leading to enhanced policy because that information highlights hinderances and elements influencing policymakers during policy creation.

Difficulty passing tobacco legislation presents a hindrance to enhancing tobacco regulation (Kong et al., 2020); however, tobacco legislation enactment is fundamental to limiting tobacco use harm. According to Kong et al., only 17.4% of tobacco control bills introduced at state levels were passed resulting in only 486 bills of the 8409 bills, relating to tobacco between 2010 and 2015, passing. Kong et al. found that understanding the state level enactment failure can provide indication for improved tobacco regulation at the federal level and improve robust tobacco legislation enactment. Therefore, with study, I investigated the FSPTCA precursor triggers to identify information beneficial to improving future tobacco legislation. Exposing this data and revealing associated themes unearthed the triggers that influenced legislators when they developed the legislation thereby providing valuable data for improving that policy.

Beyond the involved legislators, public health interest groups and non-governmental organizations (NGOs) spread awareness of current public health issues including smoking epidemic and tobacco related concerns (American Lung Association [ALA], n.d). Tobacco control is a priority for NGOs like the American Cancer Society

(ACS, n.d.), American Heart Association (AHA, n.d.), ALA (n.d.), and several other public health interest groups. Subsequently, these agencies help address tobacco use issues, help enact education measures, spread awareness, and fund research to help reduce the tobacco use harm.

I aligned the study with the overarching goals of public health interest groups and governmental regulatory agencies like the ACS, AHA, and ALA toward improving tobacco control policies. Currently, United States tobacco control is public health priority wherein identifying triggers causing policy change is vital to improving policy (Roos et al., 2010). Thereby, addressing the smoking epidemic from different vantages enhances tobacco regulation toward alleviating the negative public health impact caused by tobacco use. Identifying key themes influencing policy actors at the federal level when passing the FSPTCA is one vantage toward tackling the problem thereby empowering the FDA in regulating tobacco at a national level. Thus, acquiring information on the influencers to lawmakers during the FSPTCA creation and enactment reveals needed elements toward creating and enacting effective tobacco policy.

### **Purpose of the Study**

The phenomenon I studied related to policy creation focusing on tobacco regulation. I used a qualitative case study approach allowing exploration of the factors that influenced the FSPTCA. I identified themes emanating from policy actors relating to their FSPTCA vote using four different data sources: (a) analyzing datasets denoting each state's view on tobacco gathered from various online sources that captured tobacco generated state revenue; (b) using archival Congressional documents providing FSPTCA

information connected to the legislators who voted on the FSPTCA; (c) congressional documents containing data driving the FSPTCA; and (d) FSPTCA voting records. I analyzed and coded the data to reveal key themes emerging from legislators in the FSPTCA policy making process to improve future tobacco policy development. My findings inform more effective policy creation by exposing key themes providing insight toward improving policy specific to the tobacco policy subsystem and the factors that compelled legislators, thereby bridging the gap and benefiting public health.

### **Research Question (RQ)**

RQ: What key themes influenced legislative subsystem actors when developing and voting on the Family Smoking Prevention and Tobacco Control Act (FSPTCA)?

### **Theoretical Framework**

I used Sabatier and Jenkins-Smith's (1993) advocacy coalition framework (ACF) as the theoretical base for the study. ACF tenets focus on the policy making process (Cisneros, 2016). Through the ACF, Sabatier and Jenkins-Smith refined analyses focus on interactions within stakeholders and policy actors taking places at different levels among same and differing coalitions (people having similar agendas). Sabatier and Jenkins-Smith determined that coalitions influence policymakers' policy creation, thus, the ACF was highly relevant to the research study. I present a more detailed explanation of ACF in Chapter 2, the literature review.

The ACF scope relates to questions of coalitions, learning, policy change, and stability (Sabatier & Jenkins-Smith, 1993). Through the ACF, Sabatier and Jenkins-Smith

proposed that individuals engage in politics through turning their beliefs into policy and building coalitions impacting policymakers, thereby resulting in policy changes and policy development (Weible et al., 2011). Weible and Sabatier (2018) noted several publications using ACF application and as a public policy framework related to various policy topics like environment, government, violence, drugs, and sports. Since the case study related to policy creation, ACF presented an optimal framework because my approach focused on gaining data about the key themes influencing legislators during the FSPTCA policy making process. While interpreting data through the ACF lens, I focused on specific elements within the ACF that motivated FSPTCA policy development and change, with focus on the coalition type influencing policy actors developing and voting on the legislation. My findings and subsequent conclusions benefit future tobacco policy development toward positively effecting public health and better protecting the public.

### **Nature of the Study**

A qualitative case study approach allowed me to explore the purpose of the study. According to Cronbach (1975), by using the qualitative method the researcher considers the multifaceted and dynamic quality of the world in relation to society. Unlike quantitative studies, where scholars test present theories and determine ideal ways through probable hypotheses based on relationships among associated variables, qualitative studies produce concepts related to behaviors and individual lives without predictions (Patton, 2015). Thus, the absence of data for crafting necessary variables impeded the usage of quantitative and mixed methods in the study. Hence, among

qualitative, quantitative, and mixed methods, the qualitative method presented the most appropriate to identify key themes emerging from the FSPTCA legislation.

The nature of policy creation is a complex and multilayered operation and cannot be measured by a single factor (Patton, 1990); therefore, using the qualitative method was ideal for the study. Patton noted the qualitative method allows the researcher to use the natural setting as it stands, which is called “empathic neutrality” (p. 55). Thus, the qualitative method added strength to the study by allowing me to operate within the context of the FSPTCA creation and allowed for correct interpretation to gain information from the specific unaltered setting as Cronbach (1975) noted. Subsequently, qualitative research allows the researcher to study phenomenon in their natural setting thereby promoting maximum accuracy.

Studying a specific topic within the given context allows the researcher to make sense of the information encouraging accurate interpretation to generate information and meaning specifically related to the social or human problem (Denzin & Lincoln, 2011). Subsequently, I explored key themes emanating from legislators during the FSPTCA policy making process within its natural setting to avoid potential data manipulation. By exploring emergent themes, as recommended by Cronbach (1975) and Denzin and Lincoln, I gathered unaltered data within the context of the study to provide untainted insight on emerging themes influencing lawmakers during FSPTCA development and enactment.

## **The Case Study Approach**

I focused on the specific tobacco policy subsystem setting which operates in specific ways. According to Rubin and Rubin (2012), case studies are ideal when researching a multifaceted phenomenon within the context of a respective setting, making a case study approach ideal for my study. Studying a single entity or unit such as, a group, institution, community, or a specific policy encompasses a case study approach (Merriam & Tisdell, 2016). Different research designs serve various functions (Patton, 1990); consequently, the researcher must identify the most appropriate design fulfilling the study purpose.

Painting a picture of the bounded unit is accomplished using a case study approach (Patton, 1990). Subsequently, the case study approach provides a comprehensive view of the whole unit under study relative to the phenomenon (Yin, 2014). Moreover, according to Yin, the case study approach examines questions related to “what”; wherein, I explored what influenced the policy actors during creation of the FSPTCA. In this study, the FSPTCA served as the bounded unit while policy creation was the phenomenon under study. With this research, I asked the question “what are the policy triggers?” Therefore, the case study approach was highly relevant. Patton also noted that, while utilizing the correct approach for a study is foundational, incorporating relevant sources for data collection is vital to the reliability of the study.

## **Plan on Data Collection**

Case studies use various forms of data collection that include interviews, reports, meetings agendas, observations, and artifacts among other data sources (Burkholder et

al., 2016). Burkholder et al. noted that utilizing multiple sources aids the researcher in gaining a holistic view of the phenomenon under study. Incorporating various sources in research contributes to the richness of the study. The scope of the documents I used encompassed official publications focusing on the legislative branch of the United States Federal Government tasked with lawmaking. I included FSPTCA (2009) Congressional documents.

Additionally, I used datasets denoting each state's view on tobacco. I gathered state datasets and various online sources capturing tobacco generated state revenue. This secondary data was publicly available, therefore permission to use the data was not required. While the data sources were vital to the study's reliability, Saldaña (2016) emphasized the data analysis must be dependable and confirmable.

### **Analyzing the Data**

Utilizing a reputable qualitative data analysis tool allows for easy organization and confirmable results (Saldaña, 2016). I used the multifaceted qualitative data tool, NVivo (QSR International, 2022), to examine data in various formats. Saldaña relayed that data analysis tools capable of incorporating charts, tables, visual diagrams, and other formats significantly adds to the usefulness of the software. Since I coded data collected from various sources for my thematic analysis, a multifaceted analysis tool was critical to the dependability of my findings.

NVivo assists with looking for codes that arise within the qualitative data (QSR International, 2022). Saldaña (2016) explained that coding aids the researcher in generating associated words or phrases representing concepts and bringing meaning to

the data. I coded the data and applied thematic analysis to expose patterns and themes revealing information on the factors that triggered the FSPTCA. NVivo aided my data organization and helped expose common patterns to answer my RQ.

### **Definitions**

The nomenclature of specific terms related to tobacco.

*Anti-tobacco states:* States discouraging citizens from the use of tobacco to protect the public from the harmful effects of smoking. States use tools such as placing high taxes on tobacco products, restricting smoking in various places, or ensure young people do not have easy access to tobacco products (CDC, 2022).

*Cigarette:* Tobacco that is wrapped, either in paper or another material that is not derived from tobacco along with a particular type of tobacco that is labeled and packaged (FSPTCA, 2009; Title 15 U.S.C. §1332, 2017).

*Electronic Cigarette (e-cigarette; E-cigs):* Noncombustible tobacco products that use nicotine containing liquids that have flavorings and other additives (FDA, 2022). When used in the device and inhaled, it produces a vapor or aerosol that delivers nicotine to the consumer (FDA, 2022).

*Electronic nicotine delivery systems (ENDS):* Noncombustible battery-operated devices that heat a liquid that contains nicotine (FDA, 2022).

*Novel/New Tobacco Product:* Products falling under categories of nicotine delivery products that do not include inhalation or combustion, such as tobacco sticks, strips, or dissolvable orbs, which often resemble products that typically would not contain nicotine (Tobacco Control Legal Consortium, 2011).

*Pro tobacco States:* States in favor of tobacco usage. States that limit tobacco control in various aspects such as set preemptive laws to restrict tobacco control or place lower taxes on tobacco products (Boesen, 2021a).

*Tobacco Control:* Public health field focusing on bettering the public health by lowering tobacco use around the world through various initiatives such as health education, policy making, and science-based cessation methods and research (Union for International Cancer Control, 2022).

*Tobacco Products:* Any products that are made or derived from tobacco and are intended for human consumption (FSPTCA, 2009; Title 15 U.S.C. §1332, 2017).

*Young Adults:* Denotes adults that are 18 to 24 years of age (CDC, 2019).

### **Assumptions**

Qualitative studies typically involve common assumptions when it comes to the elements that steer the research conducted (Patton, 2015). Through the lens of this study, I focused findings toward a particular context and included several assumptions. I used a qualitative case study approach; therefore, the first assumption directed the methodology and approach. Thus, I assumed that the various secondary data sources collectively connected and framed key emergent themes fashioning federal level tobacco policy. An additional assumption related to the inaccessibility of Congress members due to busy schedules and more than a decade of elapsed time rendered legislators difficult to contribute data regarding specific drivers that influenced their vote.

Another assumption related to the study's ontology which Creswell (2014) noted is the common reality established within the scope of a study. I used Sabatier and

Jenkins-Smith's (1993) ACF to view and interpret my findings and align data from the actors, coalitions, and conditions presented for tobacco legislation to materialize.

Thereby, I assumed the tenets of the ACF were valid parameters to the study ontology. A further ontological factor of the study was my assumption that tobacco products are deterrents to improving public health.

Lastly, the assumption of axiology was embedded throughout the study. Axiology pertains to the core ideologies that are rooted in the study (Creswell, 2014). Sabatier and Jenkins-Smith's (1993) ACF grounded this study. Accordingly, I assumed that the policy making process was complex and that interactions among the policy actors were key to developing policy and policy change. Furthermore, axiological assumption related to federal level statutory laws that govern the entire United

States wherein the policy scope guides lower governments. Therefore, as Gravey and Sheffner (2021) demonstrated, the primacy of such public policy holds more weight than state or local levels. Thus, legislation at the federal level directs lower levels of government such as state and local.

### **Scope and Delimitations**

The scope of this study was specific to the FSPTCA and the key themes that influenced its development into legislation. With this scope in mind, I selected secondary data sources containing specific criteria:

- Datasets pertained to each state's view on tobacco. For example, data that denoted states that were pro or against tobacco and the degree that tobacco played in the state's function, revenue, and economy.

- Voting legislators' views on tobacco policy related to the FSPTCA and were included in Congressional records, reports, bills, and hearings.
- Witness accounts included in records, reports, and Congress sessions who served on Congressional hearings related to the FSPTCA. These witness accounts included public citizens who were stakeholders or actors within the tobacco policy subsystem.
- Records, reports, bills, and the FSPTCA providing information on legislative findings and needed legislation.
- FSPTCA legislators' voting records.

The ACF focuses on the policy making process (Sabatier and Jenkins-Smith, 1993); therefore, I viewed the information gained through an ACF lens. Subsequently, I focused on the external subsystem events that caused policy change and the policy subsystem including coalition formation and influence on government authorities (legislators) to pass legislation. I scoped my findings according to the key themes influencing legislators in passing the FSPTCA to serve as a template and guide toward improving federal level public health policy.

I delimited the scope of my research to 2009 due to the timeline of the FSPTCA's enactment into law in 2009. In 2009, tobacco control was one of the major concerns in Congress (Congress.gov, n.d.), resulting in tobacco legislation.

### **Limitations**

Scope and delimitations relate to the boundaries and specificities in which the study was conducted and elements not included; whereas, limitations pertained to the

weaknesses within the study (Burkholder et al., 2016). According to Burkholder et al., qualitative studies traditionally include communication with study participants to gain rich information and first-hand data, this study's lack of interviews represented a limitation. Intriguingly, there were 500 Congressional members voting on the FSPTCA; thus, representing sample size. However, due to the inaccessibility of Congress members, conducting interviews was unfeasible. Many legislators that voted on the FSPTCA were not in public office at the time I conducted this study and were, therefore, inaccessible. Even though gaining first-hand information from the policy actors would be beneficial (Novilla et al., 2017), Congressional records painted a picture of factors influencing policy actors. The Congressional documents provided a confirmable and reputable account of the history that led to the birth of the FSPTCA as substantiated by Heitshusen (2018/2020). The narrative, provided by Congressional documents, provided information on involved policy actors, stakeholders, and events that propelled the legislation forward. Interestingly, that data was not primary data, which reduced the transferability of my conclusions to other disciplines since I looked at only secondary data. Nevertheless, inferences extend to lawmakers in their decision-making process, drafting legislation, and voting.

Additionally, this study contained the possibility for researcher bias considering I possessed over 6 years' experience in tobacco regulation. Consequently, my perception into the data collected and its interpretation might include an interpretive haze that would not be found in a researcher who was completely disconnected to the field. I had preconceived notions of the tobacco industry. However, conducting the study

methodically kept my biases in check. In addition, I adhered to checkpoints such as member checking, Walden's Institutional Review Board (IRB) study conducted protocols, I remained cognizant of my biases to stay objective, and I drew conclusions based only on the data collected and analyzed. I further limited any association between myself and my conclusions by collecting and analyzing the data strictly through Sabatier and Jenkins-Smith's (1993) ACF lens. Thereby, I did not filter my findings through my own personal connection to the topic. My inferences were based purely on the data collected.

### **Significance**

My findings were significant to help fill the knowledge gap about motivators that prompt policymakers' action benefiting future policy reform and providing necessary strategies creating specific conditions for legislators to improve policy. Subsequently, key themes emerging from legislators during the FSPTCA policy making process can improve future tobacco policy development specific to the tobacco policy subsystem. Findings could compel legislators to propose more effective federal level legislation, thereby bridging the knowledge gap and benefiting public health.

Information on drivers influencing policy making legislators serve as a blueprint for a policy subsystem improving legislation. Subsequently, future tobacco induced public health catastrophes can be prevented. Rudestam and Newton (2015) emphasized that research rich in significance and social meaning is essential to bring value to the specific field. Through this study, I investigated FSPTCA precursor triggers thereby revealing information beneficial to improving future tobacco legislation. The

consequences of high-risk behaviors impact future generations (CDC, 2021b), thus, improving federal level tobacco regulation can slow down the smoking epidemic.

Findings from this study can be used by other researchers interested in gaining information about the influencers needed for federal level tobacco policy reform. Furthermore, public health interest groups developing public policy can use the study template as a guide to analyze public health legislation toward identifying key themes emerging from legislators. Information on the triggers influencing lawmakers expose factors needed to enhance health polices thereby contributing to improved public health and positive social change.

Societies are built to be interactive with each other; the more we learn, understand, and engage with each other, the more we can grow as a society (Patton, 2015). Consequently, history demonstrates human nature as communicative and engaged with others. Thus, social change is embedded in our endeavors to improve issues that plague society. Logically, social change evolves from broad ideas that pierce diverse fields and ignite positive progress of societal conditions and human interactions. In other words, social change alters cultural norms and social constructs.

Social change is be birthed from policy (Coggon, 2020). Coggon noted the subjectivity of advancing policy among different populations, fields, and cultures. Coggon also emphasized that, regardless of challenge, if the benefits outweigh the risks and the cause collectively advances society for the common good, the concept of social change benefits the present and future generations.

In my research study, I wove the aspect of positive social change into the research intent. My goal was deliberate acquirement of information on policy crafting science to advance public health. The ongoing struggle of tobacco policies materializing to their fullest potential presents an alarming public health concern and social problem. Exposing the drivers influencing federal level tobacco legislation provides insight about the elements needed to influence further tobacco policy reform to better meet the needs of public health.

### **Summary**

Tobacco related smoking's negative health impact is a leading preventable health concern in this United States. The consequences of smoking impede public health. Since current public efforts guiding societal changes stemmed from public policy, redirecting tobacco's adverse trajectory also hinges on policy. Exploring the triggers that led to the FSPTCA was a critical objective for practitioners and public health advocates to enhance tobacco control. This objective was vital because smoking and tobacco use risk factors continue increasing. Sadly, the lack of knowledge about the influencing factors leading to federal level tobacco legislation fruition significantly hindered the effectiveness of that legislation. This missing data increased the ineffectiveness of tobacco policy improvement due to unidentified triggers propelling tobacco policy change.

Throughout this chapter, I presented my rationale for exploring the factors leading to the FSPTCA. Chapter 1 included the: (a) background, (b) problem statement, (c) current relevance, (d) study purpose, (e) RQ, (f) theoretical framework, (g) study nature, (h) definitions, (i) assumptions, (j) scope and delimitations, (k) limitations, and (l) the

significance of this research study. Chapter 2, the literature review, covers the: (a) literature search strategy, (b) theoretical foundation, and (c) detailed literature review. Chapter 3, the methodology, details the: (a) RQ, (b) central concepts, (c) researcher role, (d) methodology, (e) trustworthiness, and (f) ethical procedures. Chapter 4, the results of the study, presents the: (a) study setting, (b) demographics, (c) data collection process, (d) evidence of trustworthiness, (e) detailed data analysis, and (f) the results. In Chapter 5, the discussion, conclusion, and recommendations, provide: (a) my interpretation of findings, (b) encountered limitations, (c) future recommendations, (d) significant implications, and (e) my conclusions.

## Chapter 2: Literature Review

The FSPTCA's current ineffectiveness toward minimizing the negative health impacts and escalating tobacco related risk behaviors tobacco including illness, premature death, and increasingly negative socioeconomic repercussions represents the problem I studied towards realizing needed and required improved tobacco control. Thus, the phenomenon I studied centers around policy creation focusing on tobacco regulation. Subsequently, I used a qualitative case study approach to explore the factors that influenced FSPTCA creation and implementation. My purpose was to identify themes emanating from policy actors relating to various documents linked to the FSPTCA. Therefore, I analyzed and coded the data revealing key themes emerging from legislators in the FSPTCA policy making process and informing improved future tobacco policy development. My findings drive more effective policy creation by exposing thematic legislative influencing factors thereby providing insight toward improving policy specific to the tobacco policy subsystem and the factors that compelled legislators. This new information begins bridging the existing knowledge gap and benefiting public health.

To this end, I thoroughly reviewed the study framework connecting the research's purpose. I also reviewed and examined current literature about smoking's negative impact, its related risk behaviors, and consequences, thereby, establishing the research problem relevancy. Additionally, I explored the effectiveness of current tobacco regulation, thus, connecting the purpose of the study. Wherein, I also laid out the known triggers of tobacco policy that link the study's RQ while providing legislative process background further relating the study purpose.

This chapter includes: (a) literature research strategy, (b) theoretical framework addressing factors impacting policymaking, (c) the background history of tobacco control in the United States, (d) existing literature about tobacco policy development, (e) current tobacco regulation assessment, (f) tobacco policy triggers, and (g) the legislative process. Chapter 3 details the methodology, Chapter 4 the results, and Chapter 5 discussion.

### **Literature Search Strategy**

This in-depth literature review includes publications, articles, and government documents about the methodology, theoretical framework, public policymaking, tobacco control history, tobacco related legislation, tobacco related public health, tobacco use, and associated literature. My initial literature search focused on publications between 2017 and 2021; however, I extended my search beyond those parameters as current literature related to older documents and further publications per author association. Emergent literature references resulted in the addition of search topics related to the lack of tobacco policy, youth tobacco use, socioeconomic smoking costs, smoking consequences, legislative limitations, and FDA regulation.

Search keywords included Boolean combinations of *AFC, birth, consequences, costs, decisions, development, disparities, FDA, FSPTCA, health, legislation, limitations, methodology, minorities, policy, policymakers, policymaking, public, qualitative, rates, regulation, smoking, socioeconomic, theory, tobacco, triggers, and youth*, among others. I used search parameters phrases in isolation and combination including *advocacy coalition framework, birth of tobacco policy, case study, Family Smoking Prevention and Tobacco Control Act, policy development triggers, policy making decisions, policy*

*making triggers, theoretical framework, tobacco control, Tobacco Control Act, tobacco policy, tobacco regulation, United States legislative process, United States need for tobacco policy, United States smoking rates, United States youth smoking, and understanding policymakers.*

I performed in-depth searches using several academic databases including *SAGE Journals, Thoreau multi-database*, and public, private, and governmental *Public Policy and Administration databases*. Specific publication searches included *AARP State Data Center, Agricola, American National Election Studies, Atlas of Muslim Futures, Bloomsbury Open Archives 2008-2012, Business Source Complete, Comparative Agendas Project, CQ Researcher, Criminal Justice Database, Data USA, Federal Agency Participation, FindLaw, Gale eBooks, National Opinion Research Center General Society Survey, Google Public Data Directory, Gov.info (formerly Fdsys), Health and Environmental Research Online, Health Services and Sciences Research Resources, Healthcare Cost and Utilization Project, Homeland Security Digital Library, Inter-University Consortium for Political and Social Research Datasets, International Security and Counter Terrorism Reference Center, Military and Government Collections, National Academies Press, Nexis Uni, Project Muse, SAGE Stats, UN Data, UNESCO Documents Database, and United Nations Public Administration Network.*

I organized literature by publication year, author, and relevance. I achieved data saturation after over 50 searches in addition to going through the CDC's library thus ensuring the full scope of existing current literature. I determined data literature saturation when the same articles kept surfacing and no new literature emerged.

### Theoretical Foundation

Since the study focused through Sabatier and Jenkins-Smith's (1993) ACF lens, I began my literature review with the theoretical foundation. Even though the ACF was widely used in various research studies (Cisneros, 2016), its application to tobacco policy creation was not common (Arabloo et al., 2018). I found only Licari's (1997) study when searching the ProQuest database for published dissertations on *advocacy coalition framework* and *tobacco policy*. Furthermore, using the EBSCO database for published United States literature with the same search parameters yielded only Cox et al.'s (2016) and Wray et al.'s (2017) studies. Thus, I determined that ACF application focusing tobacco policy review was insignificant.

Even though most tobacco control policy analysis frameworks incorporated Kingdon's (1984) multiple streams model (Arabloo et al., 2018), the ACF presented the most detailed framework specific to the nature of my study. Furthermore, Arabloo et al. concluded that using theoretical frameworks within tobacco policy subsystem analysis was insufficient in research studies within the United States. Thus, the inadequate theoretical framework application in United States tobacco control research amplified the need to use such in further policy analysis in the United States. I selected Sabatier and Jenkins-Smith's (1993) ACF as the appropriate theoretical framework within the context of tobacco policy development based on the theory's origin, purpose, propositions, and assumptions.

## **ACF Origins**

While several policy making theories existed, Sabatier and Jenkins-Smith's (1993) ACF focused on coalition bargaining and the importance of actors in the federal system policy decision process. Initially, the ACF gained attention in 1993 with many subsequent revisions (Cisneros, 2016). Sabatier and Jenkins-Smith expanded the ACF to all government levels involved in the legislative process. The ACF related individual beliefs, values, and desires by translating such into actions through the political realm (Sabatier & Jenkins-Smith, 1993). Sabatier and Jenkins-Smith emphasized negotiating and competition among the various subsystem elements and explained that collaborating and competition among policy subsystem actors impacts the way public policy develops and is implemented. Thus, my rationale for using the ACF was due to mechanics of the framework specific to the intimate dealings within the subsystem, its contextually precise approaches to policy making, and related guidelines that shaped this study's purpose. Once I gathered and analyzed data, I determined the types of coalitions formed, collaborative efforts made, and influence on the development of the FSPTCA.

The ACF focuses on the policy subsystem nucleus centering the bonds and bargaining among policy actors and stakeholders, including those within and outside the government (Cisneros, 2016). According to Cisneros, the ACF propositions direct understanding and examination of the multifaceted processes of policy making and policy change. Subsequently, ACF provides a relative platform wherein researchers may comprehend and analyze policy making system subsets and processes at different levels (Weible et al., 2011). Weible et al. explained that examining how policy impacts the

public and specific communities is fundamental within the framework. Therefore, Sabatier and Jenkins-Smith's (1993) ACF was highly suitable to my study purpose and RQ in identifying the policy development of the FSPTCA relative to various actors within the bounded rational of coalitions that provoked policy change. Moreover, Weible et al. suggested acquiring an impact blueprint outlining the policy manifestation process is invaluable when acquiring subsystem information. Stimulatingly, Sabatier and Jenkins-Smith emphasized the importance of ACF assumptions and intentions toward establishing model trustworthiness.

### **ACF Propositions and Assumptions**

Policy subsystem actors within the study are a critical component to Sabatier and Jenkins-Smith's (1993) first assumption in the ACF. Weible et al. (2011) explained that ACF's first assumption centers on the policy making process and policy changes stemming from the various subsystem actors at all levels wherein all actors deal with the same policy subsystem. Thus, by taking into consideration the aspect of multiple actors dealing within the same tobacco policy subsystem that propel policy change, I applied this approach when identifying the triggers of the FSPTCA within this study.

The second ACF assumption focuses on coalition formations tied to common beliefs and values serving as unifying catalysts rather than economic reasons (Weible et al., 2011). Therefore, I applied the reasoning of coalition formations based on common beliefs when examining the various alliances formed to invoke the FSPTCA relating to this study purpose and RQ. According to Weible et al., in turn, alike actor actions are labeled collation behavior.

The third assumption pertains to the coalition's produced actions considered coalition beliefs (Weible et al., 2011). Weible et al. offered a clarifying example, as coalitions negotiate policy, groups fall within various opposition degrees based on the ideals and issues valued most. Thus, in this study I applied this assumption when analyzing the various associations formed based on competing ideologies and ideals that were valued the most within the policy actors. I examined if these coalitions pushed their relevant agendas towards policy development of the FSPTCA.

Coalitions are key to pushing agendas forward because coalition belief sharing pushes respective agendas forward and translates common values into policy (Weible et al., 2011). When analyzing the data gathered, I assessed if coalitions played a part in the fruition on of the FSPTCA and, if so, to what degree. The ACF fourth assumption requires the researcher accept coalitions as reasonable coherent groups focused on proposing ideas and strategically making policy demands helping their coalition (Pierce et al., 2017). Weible et al. noted that researchers must assume coalitions are long-term relationships feeding into the framework nature and accounting for lasting outlooks. However, Weible et al. cautioned that the intricacies of relationships present a limiting factor to this assumption.

Realistically, bonds are fluid and may not always be long lasting or strong (Weible et al., 2011). Thus, by applying the fourth assumption within the context of this study, I presumed that if coalitions formed to develop the FSPTCA, that these alliances were coherent in proposing reasonable policy demands that led to the FSPTCA. By doing so, I discerned if new coalitions were possible to propel tobacco policy change in the

future. While Sabatier and Jenkins-Smith (1993) intended the ACF framework operate within these assumptions, Weible et al. explained that, collectively, the assumptions can be understood differently depending on individual perspectives.

One potential ACF perspective relates to the way that coalitions impact others and that one coalition dynamic may cause relatively stable parameters (Weible et al., 2011). Therefore, Weible et al. warned that variation becomes limited resulting in long term coalitions that do not yield policy changes. According to Weible et al., another coalition dynamic occurs when specific external events cause one coalition to outweigh others resulting in short term openings extending to policy changes. Thus, external events foster policy changes. Therefore, applying that reasoning to analyzing external events triggering policy changes suggested following some external subsystem of events pushed FSPTCA forward that established tobacco policy change.

Triggering policy change was Sabatier and Jenkins-Smith's (1993) impetus creating the ACF. According to Sabatier and Jenkins-Smith, triggering policy change occurs in four different ways relating to external subsystem events. The first avenue allows for changes in socio-economic or technological matters (Weible et al., 2011). According to Weible et al., the second avenue allots for changes in public opinion wherein new information changes the coalition norms. Weible et al. explained the third avenue encompasses governing body changes, and the fourth avenue derives from the impact of decisions made by other systems thereby leading to policy changes. Thus, triggering policy change through one or more of these pathways activates the policy subsystem generating policy change, wherein, I explored which pathway activated the FSPTCA in

this study. While understanding tobacco policy change through the lens of ACF within the United States was not vastly used, other countries did not share the same perspective.

### **Analysis of Literature Related to Framework**

Many researchers based in various countries worldwide used ACF in their tobacco policy study (Breton et al., 2008; Cairney, 2007; Sato, 1999; Wood, 2006). Domestically, Weible et al. (2011) reported common ACF utilization to dissect policy making in entities like large private organizations and the federal government for foreign, environment, social issues, and public health policies. Sabatier and Weible, (2007) discussed ACF applications within energy policy, economic matters, education, sports, drugs, culture, and domestic violence. Thus, ACF is well established as a fundamental theory toward answering questions dealing with research on extensive policy processes. Furthermore, the ACF was an appropriate framework to identify key triggers that led to the tobacco policy change resulting in the enactment of the FSPTCA related to my study RQ and purpose. Consequently, the FSPTCA enactment allowed exploration within the ACF external system events sphere. Thus, the external subsystem events portion of Weible et al.'s ACF model allotted identification of one or more of the four paths by which tobacco policy change occurred thus pushing the FSPTCA forward.

The ACF provides foundational theoretical framework for policy process analysis used extensively on global scale and is beneficial when addressing current policy issues plaguing communities (Weible et al., 2011). Weible et al. related increased ACF application throughout various fields including transportation, biotechnology, carnivore management, intelligence policy, and food management policy, among others. Thus,

ACF guides policy change and provides a valid and reliable platform for understanding policy subsystem operations, wherein I explored the birthing process of the FSPTCA in this study.

### **Rationale for Using Framework**

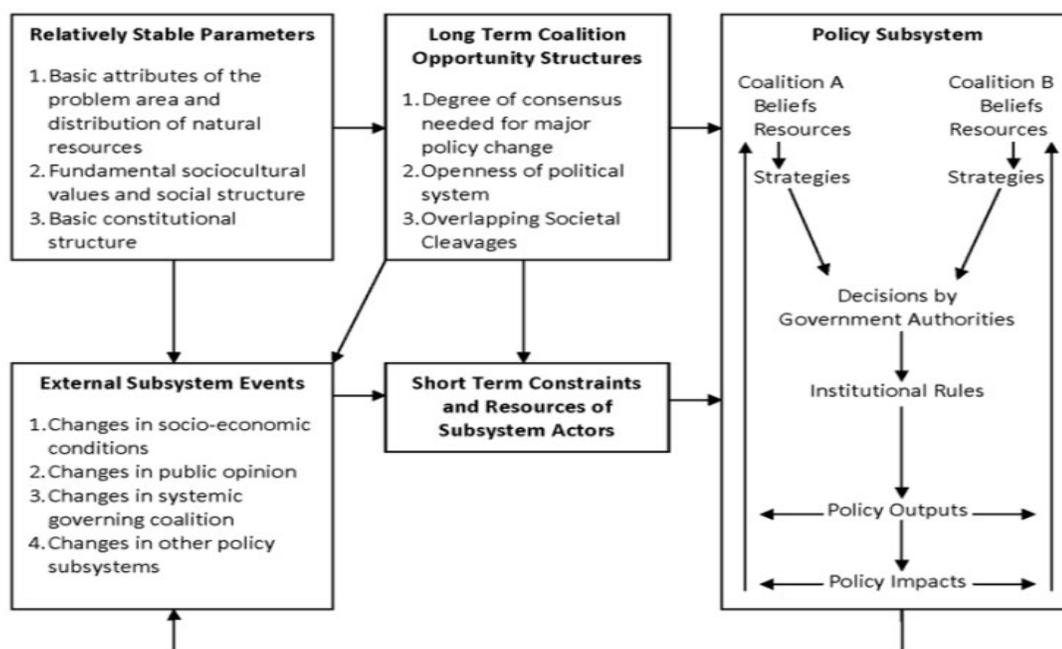
I choose ACF for this study because of its fundamental nature in focusing the policy making process. Through the study, I looked for information about the federal level tobacco policy subsystem wherein I analyzed FSPTCA enactment to answer the RQ about what key themes influenced the policymaking actors. Since an ACF aspect highlights coalition formation (Weible et al., 2011), the ACF aided my information extraction about possible alliances formed during the FSPTCA. Moreover, according to Weible et al. the ACF assumption about rational coalitions taking strategic actions enhancing policy and voicing demands is also a significant part of the policy making process. This assumption aided my strategy exploration propelling the FSPTCA by assisting me in identifying why coalitions formed and potential future coalitions makeup toward further tobacco policy. Clearly, the ACF lens was beneficial when exploring emergent factors of the FSPTCA enactment and interpreting results. Thus, the ACF framework presented a fitting guide for examining key themes surfacing from legislators during the tobacco legislation decision-making process, thereby bridging the current information gap and benefiting public health. To stay focused on current developments, I employed the most current ACF model.

Since the culmination of the ACF, there have been many revisions and developments including the most current model by Weible et al. (2011). Concentrating on Weible et al.’

ACF model allowed the most in-depth tobacco policy subsystem analysis. As illustrated in Figure 1, specific ACF aspects firmly anchor analysis within ACF propositions thereby providing trustworthiness when interpreting findings.

**Figure 1**

*The advocacy coalition framework*



*Note:* Sabatier, P. A., & Weible, C. M. (2014). The advocacy coalition framework. In P. A. Sabatier, *Theories of The Policy Process* (3<sup>rd</sup> edition, pp. 1-432). Taylor & Francis Inc. Reprinted with permission (Reference #66170; see Appendix A).

- External subsystem events: Figure 1 illustrates four different policy change triggers. FSPTCA enactment established policy change. Consequently, the FSPTCA enactment allowed exploration within the ACF external system events sphere. Thus, the external subsystem events portion of Weible et al.'s

(2011) ACF model allotted identification of one or more of the four paths by which tobacco policy change occurred thus pushing the FSPTCA forward.

- Policy Subsystem: Coalitions influence government authorities who then create rules (Weible et al., 2011). The FSPTCA centers on the tobacco policy subsystem. Thus, by focusing on the policy subsystem sphere during data analysis I viewed coalition formation within the tobacco policy subsystem. Moreover, I gained insight on how the coalitions impacted legislators when voting on the FSPTCA.

Concentrating on the external subsystem events and policy subsystem of the ACF provided optimal opportunity to make sense of the information gathered. Thus, analyzing the data through the ACF lens offered the perfect theoretical framework to answer my RQ. With the selection of the theoretical foundation, I move forward with tobacco use and legislation literature review through the ACF lens.

### **Background**

In the 1800s, tobacco product availability was mostly limited to snuff and chew tobacco; however, the latter half of the 1800s saw the rise of tobacco manufactures producing cigarettes resulting in the steady growth of the smoking epidemic (Wipfle & Samet, 2016). Smoking rates continued to rise thereby creating the 1950's United States culture wherein smoking was common amongst men (68%) and a substantiable number of women (32%; CDC, 2021c). According to the CDC, in 1959 the United States federal government began funding research toward acquiring information on cigarettes and smoking consequences. CDC reported the findings from those first studies correlated

1950's, research linking cigarette smoking to premature death rates and negative health impacts. Subsequently, the CDC determined that spreading information on tobacco and its harms could raise public awareness about the societal health concerns of tobacco use. The CDC also established that existing societal cultures perpetuated smoking as a stylish lifestyle, thus, the CDC focused to peel back those society layers and understanding the needed changes regarding smoking's impact. The CDC identified significant cultural influences stemming from the latter 1950s cigarette advertising embedded in society promoting smoking as a very hip and acceptable habit thus establishing the tobacco use problem driving the study.

Subsequently, the 1960s saw some of the first United States attempts at tobacco regulation (Whelan, 1984). The first SGR on smoking in 1964 highlighted scientific evidence about tobacco harms resulting in the Federal Trade Commission requirements for tobacco product warning labels and federally taxed tobacco products (Whelan, 1984). Thus, those warnings and taxes reenforced smoking's negative impact, which propels the study's research problem. State level regulation was introduced with the Minnesota Clean Indoor Air Act (1975) requiring distinct smoking designations in communal areas (Whelan, 1984), highlighting the efforts that had to be made to address tobacco use problem driving the study. Subsequently, tobacco harm awareness started spreading. The 1986 SGR connected nonsmokers' negative health impacts resulting from second-hand smoke harm which resulted in several late 1980s, anti-tobacco initiatives calling for heathier lifestyles (CDC, 1986/1998). Thus, boosting public awareness of smoking's negative health impacts also reflected in the study's research problem.

Notwithstanding, the continuing increase of smoking's negative health impacts resulted in anti-tobacco activists, public health groups, and state and local governments increasing their efforts towards tobacco control development throughout the 1990s (Givel & Glantz, 2001). Thereby, continuing to establish the necessary efforts taken in the past to combat the tobacco problem driving the study. Finally in 2009, President Obama granted the FDA jurisdiction in regulating tobacco products, thereby enacting the FSPTCA (2009). Thus, the FSPTCA marked the central point of federal level tobacco regulation and was historically momentous to United States tobacco control. Interestingly, that legislation took over 200 years from the time tobacco use pervaded the United States. However, the law succeeded in establishing a federal statute solely aimed towards federal level tobacco regulation thus establishing the relevant need for tobacco control driving the purpose of the study.

The FSPTCA (2009) was the pivotable point for federal level United States tobacco regulation. Even though tobacco control continued evolving henceforward, that increased development is not enough to surpass the harm that tobacco use has on public health (Fagan et al., 2020). There remains a critically current need for improved, more effective tobacco policy to meet public needs, which is the problem driving the purpose of the study.

### **Existing Literature Points to Needed Tobacco Policy Development**

A plethora of literature indicated several public health issues caused by tobacco use which further increased understanding tobacco harm and highlight needed tobacco

control policy improvement (Baskerville et al., 2018; Berman, 2018; Chen et al., 2017; Couch et al., 2017; Johnson et al., 2017; Kava et al., 2021; Yule & Tinson, 2017) for:

- Youth smoking and tobacco use
- Societal disparities and vulnerable population smoking and tobacco use
- Smoking and tobacco use consequences

Literature sources all agreed that smoking and tobacco attraction continues increasing in youth populations (Chen et al., 2017) and vulnerable communities (Baskerville et al., 2018), thereby, emphasizing needed tobacco policy development. While various negative effects exist, the negative impact on health demands attention towards tobacco control (CDC, 2019). Berman (2018) emphasized the need for tailoring tobacco regulation addressing the evolving smoking epidemic. Extensive literature calling for enhanced tobacco control approached the problem from qualitative and quantitative designs. The selected studies associated to the relevancy of the study by centering on the research problem about smoking's negative impact and highlighting needed tobacco policy development.

### **Qualitative Studies Calling for Enhanced Tobacco Control**

Most current smoking related qualitative research focused on perceptions of negative impacts (Kava et al., 2021) and many highlight youth smoking behaviors (Johnson et al., 2017), thereby aligning with the study's research problem. The rising youth smoking problem spotlighted negative public health issues (Johnson et al., 2017; Kava et al., 2021; Keamy-Minor et al., 2019). Wherein, youth perceptions were significantly swayed by marketing, and new tobacco product availability, like ENDS,

were main contributors to youth smoking attraction (Chen et al., 2017). Subsequently, using ENDS increased the likelihood of using other tobacco products (Chen et al., 2017; Keamy-Minor et al., 2019) resulting in further perpetuating the smoking epidemic. Logically, identifying methods to reduce smoking harm is vital to regulation, thus halting the smoking epidemic.

Providing legislators with relevant science driven research aids regulatory control by establishing adequate evidence for policy change (Russo et al., 2017). Russo et al. noted that efficient policy making stemming from tobacco regulatory science can help slow the smoking epidemic because science-based research provides legislators the necessary information to make well-informed decisions on tobacco policies. Gentzke et al. (2020) proposed that solutions decreasing youth smoking strongly correlate with tobacco control development. Kava et al. (2021) and Liu et al. (2021) suggested that adding various other strategies to science-based research may aid in lowering smoking's negative health impact on youths.

Efficient intervention presented another method toward reducing smoking's negative health impacts (Kava et al., 2021; Liu et al., 2021). Intriguingly, such interventions require better educational and prevention programs to drive healthier cessation efforts (Liu et al., 2021; Popova et al., 2021; Yule & Tinson, 2017). Laestadius et al. (2020) pointed out that it is easier to sway youth while they are still developing and forming habits which is why media platforms influence and motivate youth smoking. Additionally, family, friends, and one's environment also impact decisions and behaviors thereby playing a role in youth smoking initiation dependent on the degree of negative

influence (Yule & Tinson, 2017). Logically, limiting the factors driving youth smoking lessens tobacco's negative health impacts on youths as well as other vulnerable populations.

Disparate minorities like homeless individuals, the LGBTQ community, and lower socio-economic groups were prone to smoking more than others (Baskerville et al, 2018; Chellappa et al., 2021; Fagan et al., 2020; Mullins et al., 2018). Unfortunately, vulnerable populations had a harder time gaining access to health coverage (Fagan et al., 2020). Subsequently, Fagan et al. cautioned that healthcare access constraints posed additional challenges among susceptible populations because limited prevention availability led to increased negative health concerns.

Tobacco policies are meant to protect all the United States public; however, Kong et al. (2019) demonstrated that those policies often left susceptible populations unprotected. According to Kong et al., the tobacco industry's practice of attracting black neighborhoods with menthol cigarettes through advertising and marketing posed significant challenge to improving tobacco control. Kong et al. explained in comparison to other flavors, menthol cigarettes target neurobiological and cognitive functions in human bodies. Moreover, Kong et al. posited that menthol cigarettes were more easily accessible in black neighborhoods compared to other neighborhoods. Thus, institutionalized racism through residential segregation was prolonging the menthol-related smoking and tobacco problem. Clearly, easy access to menthol flavored tobacco products challenges a healthy lifestyle and increases risk behaviors for the vulnerable populations.

### ***Rational***

Qualitative studies on tobacco highlights smoking's negative impacts. Studies using a qualitative methodology focus on understanding human behavior (Creswell, 2014). Understanding human behavior was consistent among qualitative studies relating to youth and tobacco smoking (Keamy-Minor et al., 2019). Furthermore, existing smoking epidemic literature conveyed the need to address the smoking health concerns leading to risk behaviors (Chen et al., 2017), which was this study's research problem. Thus, qualitative research on smoking's negative impact expanded information about smokers' tobacco-related perspectives and experiences.

In addition to understanding smokers' behaviors, data from qualitative studies also provided evidence about smoking health concerns driving this study's research problem. Furthermore, qualitative studies help increase understanding and translate experience into usable data (Ravitch & Carl, 2016). While existing literature about smoking demonstrated the harm caused by smoking, the literature also evoked the need for more effective tobacco policy development and regulation that fed into this study's purpose.

### ***Strengths and Weaknesses***

Smoking related qualitative research presented strength by depicting how individuals' smoking views and experiences impacted their lives (Kava et al., 2021). Drawing information from interviews with smokers and observing their behaviors aided in revealing solutions to the current smoking epidemic problem (Couch et al., 2017; Kava et al., 2021; Keamy-Minor et al., 2019; Lui et al., 2021). Although qualitative

methodology is vastly used to understand humans, it includes limitations (Ravitch & Carl, 2016). Subsequently, Ravitch & Carl explained qualitative research does not generally focus on percentages or statistics because a qualitative study's main purpose is understanding, and finding commonalities, therefore the findings cannot be vastly generalized. Additionally, biases, varying data collection, and interpretation methods can result in conclusions based on the researcher's viewpoint (Burkholder et al., 2016). Thus, Ravitch & Carl concluded a qualitative research must maintain agenda awareness interpretation motivation. Logically, by focusing on the study intent using Weible et al.'s (2011) ACF model of Sabatier and Jenkins-Smith (1993) original ACF aided my objectivity and helped build reliant inferences based on the data collected. Thereby minimizing potential biases and variations and allowing focus on study's purpose.

Current qualitative tobacco study highlighting smoking's negative impacts remained limited to small populations and lacked diverse participants (Johnson et al., 2017; Kava et al., 2021; Keamy-Minor et al., 2019). Logically, a limited population size and participant diversity added to potential interpretation bias and transferability issues. However, I found the collective characteristics of qualitative methodology provided unique world understanding and subsequent interpretation. Throughout this literature review, qualitative research supported human understanding of smoking's negative impacts, whereas quantitative research explained and measured tangible concepts of smoking's negative impacts.

### **Quantitative Studies Calling for Enhanced Tobacco Control**

Quantitative research allows researchers to quantify relevant variables associated with the topic under study (Creswell, 2014). Unsurprisingly, I found several quantitative studies which correlated persistent smoking to variables associated with this study. Many variables among the literature represented tangible measurements about ENDS products availability and appealing flavors contributing to increasing youth smoking (Brett et al., 2019; Diez et al., 2019; Marsh et al., 2021; Rodu & Plurphanswat, 2018). Moreover, Owusu et al. (2019) found that family, community, and lax tobacco regulation demographics compounded the tangible measurements related to smoking persistence and impact. Other variables encompassed inadequate tobacco harm education correlated to impeded cessation efforts (Hong et al., 2021; Lazaro et al., 2021), thereby increasing smoking access and prevalence.

Consequently, cessation efforts depended on desiring a healthy lifestyle, available finances, and social affiliations, three variables significantly challenging for vulnerable populations like youths (Amato et al., 2021). Cullen et al. (2019) demonstrated that youth smoking negatively impacted healthy habits and increased risk behaviors. Interestingly, Hemmerich et al. (2021) determined that behavior risks could be offset through efficient federal level tobacco regulation; however, such regulation currently lacks effectiveness so fails to weaken the smoking epidemic. Marsh et al. (2021) emphasized that enhancing federal level tobacco regulation was vital for reducing tobacco smoking prevalence to increase tobacco regulation impacts on public health.

Smoking and vaping were significantly prevalent among high school students who become enticed by the ample accessibility and enticing flavors (Miech et al., 2021). Werk and Ford (2021) demonstrated that pediatric cancer survivors possessed increased smoking risk and risk behaviors beyond those of less vulnerable youth thereby adding to the harm smoking causes. Werk and Ford's findings exhibited one of many various smoking consequences affecting society. In another example, Yao et al. (2018) demonstrated exorbitant smoking related health concerns associated to secondhand smoke. Yao et al. confirmed billions of dollars in healthcare costs because of secondhand smoke exposure. Clearly, ignoring smoking consequences increases smoking's negative societal impact.

### ***Rational***

Quantitative tobacco studies highlighted smoking's negative impacts using methodology incorporating tangible element measurements associated with smoking and exposing health concerns (Brett et al., 2019; Diez et al., 2019; Owusu et al., 2019), which was this study's research problem. Consequently, findings within quantitative studies were generalized and applied to the public due to usage of large sample sizes as noted by Creswell (2014). Moreover, quantitative reliability and transferability strengthened findings' information trustworthiness (Rudestam & Newton, 2015). Thus, applying the data gathered from the quantitative tobacco studies highlighted smoking's negative impact thereby exposing the United States smoking epidemic severity propelling this study's research problem.

### ***Strengths and Weaknesses***

Quantitative studies afford researchers a practical way of addressing issues impacting society by providing a precise, systematic, and numerical problem analysis method based on statistical correlations (Creswell, 2014). In this literature review, statistical information aided problem solving by reflecting and highlighting smoking's negative impacts (Hong et al., 2021; Lazaro et al., 2021). According to Creswell, quantitative studies possess a methodical inquiry nature wherein the phenomenon under study is quantifiable through analyzing data statistically, mathematically, and computationally thereby providing the researcher a measurable element accessing the problem's depth. Thus, tangible elements measured through quantitative study provided easily digestible information which highlighted the phenomenon under study.

While quantitative studies add strength to replicability, transferability, reliability, and generalization, they are highly bounded (Creswell, 2014). According to Creswell, outlying variables are not always considered, the social aspects of the phenomena are not fully explored, and study conditions may not occur naturally. However, wholistically based on the data, quantitative studies in this literature review accentuated the need for more effective tobacco control regulation.

### **Assessing Tobacco Regulation**

Existing literature navigating the difficulties caused by smoking, clearly illustrated needed improvements addressing public health related smoking tobacco (Hong et al., 2021; Lazaro et al., 2021). Furthermore, examining current tobacco regulation exposed the current state of tobacco control (Jayawardhana et al., 2019). Data analysis of

current tobacco regulation and tobacco control were captured through qualitative, quantitative, and secondary research thereby revealing the current tobacco regulation weaknesses that drive this study's purpose in examining current tobacco regulation. The selected studies examined in this section convey the current state of tobacco regulation and needed tobacco policy improvement thereby connecting this study's purpose and establishing its relevance. Qualitative, quantitative, and secondary research examining the effectiveness of current tobacco regulation pointed to an urgent need to enhance tobacco control.

### **Qualitative Studies Examining Tobacco Regulation**

State tobacco policies not associated with federal mandates, like the 2009 New York flavored tobacco sales restriction, assist with tobacco control on state and local levels thereby positively impacting tobacco regulation (Brown et al., 2019). Brown et al. explained that New York struggled with implementation efforts because of the challenges categorizing ambiguous flavors. Moreover, Brown et al. emphasized New York city's robust retailer educating programs and frequent inspections as effective methods ensuring the policy was applied as intended, which resulted in decreasing retail store violations and increasing compliance. Although the policy is limited to a local level, similar application on a national scale could improve federal level tobacco regulation implementation and compliance, two of the problems driving this study's purpose.

Qualitative research afforded researchers a more in-depth perspective of the issues through examining tobacco regulation and assessing various tobacco regulations (Brown et al., 2019). However, qualitative findings were not often applied in a general sense and

Brown et al.'s small sample size limitations inhibited transferability. Nevertheless, insights gained from qualitative studies historically, significantly assist tobacco policy development as demonstrated throughout this literature review. Along with flavor bans, strong tobacco control policies within schools resulted in decreased youth smoking (Jayawardhana et al., 2019). Jayawardhana et al. highlighted similar strategies in schools, thereby, providing legislators needed tools preventing youth smoking. Intriguingly, Jayawardhana et al. cautioned constraint against bias and absence of causal effects analysis. Notwithstanding, lessons learned developing and implementing tobacco control policy in schools inform federal level law makers, thereby associating to this study's purpose and RQ.

While local tobacco policy aids tobacco control improvement, science drives federal level policy formation (Russo et al., 2017). Russo et al. amplified the notion of challenges accessing scientific results and applying findings to tobacco policy formation were a pivotal point in understanding the FDA's research priorities and subsequent training lack presenting scientific data in an understandable manner toward informing regulation. This challenge emphasized existing hurdles in conveying scientific research in ways meaningful to legislators towards furthering tobacco policy development; however, further successful initiatives can reveal possible solutions.

For example, a recent military success serves as a template addressing smoking prevalence (Singaraju et al., 2019). According to Singaraju et al., interventions were helpful in creating a positive smoke free culture, which aided with tobacco cessation, social support, and pharmacologic stimulants replacing tobacco products. Despite the

small sample sizes, Singaraju et al. gained significant insight from the way the military addressed smoking prevalence that could be translated into federal level suggestions enhancing tobacco policy. Examining tobacco policies and public health impacts in quantitative terms provided context to current tobacco regulation effectiveness thereby exposing the need for federal level tobacco policy reevaluation toward enhanced efficiency which is the purpose of this study.

### **Quantitative Studies Examining Tobacco Regulation**

Quantitative studies measure influences of current United States tobacco policies (Yang et al., 2018). Quantitative studies allow relationship analysis between variables measured using numerical values (Creswell, 2014). Since quantitative studies use measurable variables, they quantify the effect of tobacco control on the public. Thus, quantitative studies provided tangible assessment of current tobacco regulation effectiveness and revealed opportunities for strategically calibrated forward momentum.

For example, in 2011 the Department of Defense estimated \$1.6 billion goes towards smoking related health issues (Yang et al., 2018). According to Yan et al., implementing inclusive tobacco control policies, like tobacco free environments, lowered tobacco related health care costs and saved \$2.08 billion. However, bias constrained Yang et al.'s findings and short-term data collection impeded the study impact. Nevertheless, the information gained reinforced federal level tobacco policies through increased nationwide comprehensive smoke-free environment policies.

Another cost saving strategy involved tobacco taxation (Hawkins et al., 2018, 2019). According to Hawking et al., while cigarette tax policies and smoke-free

legislation reduced tobacco product expenditures and smoking prevalence, comprehensive taxation on all tobacco products can further decrease the smoking epidemic. Remarkably, in their tobacco point of sale (POS) review correlating media reports to state level tobacco control policy, Myers et al.'s (2019) found reduced state level impact. Moreover, Myers et al.'s quantitative findings were limited because of the artificial study design based on newspaper reports.

Newspapers and public media influence extends beyond POS tobacco control policy reporting associated to their tobacco consumption influence through content and intentional messaging (Bennett et al., 2020). Bennett et al. confidently connected many media sources, including streaming services and cable broadcasting, to smoking initiation, especially among youth and minorities. Bennett et al. conveyed smoking and tobacco related imagery, advertisements, and messages bombarded through media portrayed cultures of tobacco acceptance and trendiness which increased smoking initiation. Even though Creswell (2014) emphasized that quantitative studies can underestimate variable relationships, data connecting media and tobacco smoking permeated the literature lending irrefutable validity to Bennett et al.'s findings. Thus, tobacco policies addressing smoking marketing benefit public health.

Currently, the FSPTCA (2009) restricted advertising suggesting a particular tobacco product was less harmful than the other. However, Rossheim et al. (2020) exposed continuing product advertising propelling smokers to switch to safer products using intentionally structured wording like “natural” or “light”. Rossheim et al. determined that such promotional methods resulted in widespread tobacco users

switching to products perceived as safe rather than smoking cessation. Moreover, the ACS (2020), among other notable institutions, determined that these safe, natural, and light products are equally as harmful as other tobacco products. Such misleading claims emphasized needed tobacco regulation improvement which associates with research problem of this study.

While flavored cigarette bans do perpetuate reduced youth cigarette smoking, those bans do not similarly impact adults (Rossheim et al., 2020), thus, additional tobacco control strategies must become more comprehensive for all citizens. Regulatory agencies, like the FDA, must be empowered to fully exercise enforcement rather than their limited no-tobacco-sale orders (NTSOs) which only address a small number of retailers (Hemmerich et al., 2021). Hemmerich et al. suggested that violations be more rigorously handled by the FDA to enforce compliance, which aligns with the research problem of this study.

While informative, these quantitative studies examined tobacco regulation from limited approaches, thereby, underestimating variable connection, using unnatural analysis units, and lacking any social determinants (Bennett et al., 2020; Hemmerich et al., 2021; Rossheim et al., 2020). Future research must also include social determinants and attitudes about alternative tobacco products and population disparities (Hawkins et al., 2018, 2019; Yang et al., 2018). Even so, the participants included in the quantitative studies were reflective of key populations affected by smoking (Bennett et al., 2020; Hemmerich et al., 2021; Hawkins et al. 2019; Myers et al., 2019) so secondary data from

the associated results can still inform evolving tobacco control and guide further tobacco policy development.

### **Secondary Studies Examining Tobacco Regulation**

Although the FSPTCA tobacco control legislation established guidelines and rules, tobacco control remained far from achieving maximum impact (Hurst, 2018). This point was further demonstrated by data exposing the FDA's failure meeting tobacco related public health needs (Colditz et al., 2017; Hurst, 2018; Lindblom et al., 2020). Increased youth smoking led to adult smoking initiation and continually increasing nicotine strength trends impeded FSPTCA tobacco regulation (Lindblom et al., 2020). Thus far, according to Hurst, the FDA's efforts in the transformative role regulating tobacco products falls short, meaning that the FSPTCA gatekeeping intentions and authority continue failing to address tobacco related issues.

Subsequently, while the FSPTCA insufficiently impacted tobacco control, tobacco manufacturers produced uncompliant products like little cigars (Lindblom et al., 2020) and waterpipe tobacco (Colditz et al., 2017). Unclear and dated tobacco control policies remain ineffective tobacco control tools (Colditz et al., 2017; Lindblom et al., 2020). Thus, Lindblom alluded to re-prioritizing the FDA's mandates to include all tobacco products can improve tobacco regulation. Thus, policy reform mandating comprehensive compliance for all tobacco products can enhance tobacco control.

Such comprehensive compliance must also address variations of tobacco products because the absence of restrictions on more harmful products, like menthol related flavors, negatively impacted public health (Cadham et al., 2020). Cadham et al.

demonstrated that menthol flavor, more than other flavors, possessed harmful properties increasing negative health effects especially amongst marginalized populations.

Consequently, Cadham et al. explained banning menthol flavors across all forms of tobacco could aid tobacco use cessation and lower initiation rates. Intriguingly, Berman and Jenson (2020) attributed federal government bureaucracy to the FDA confines causing inefficient tobacco control and hindering tobacco policy advancement. Berman and Jenson posited that the public needs must be always within the FDA's property realm. Logically, public oversight, like the Tobacco Products Scientific Advisory Committee (TPSAC), is critical to ensure regulatory agencies prioritize protecting citizens from tobacco and smoking harms.

The TPSAC within the FDA evaluates the FDA's regulatory activities and provides recommendations based on science and regulatory program impact (Fagan et al., 2020). Unfortunately, Fagan et al., suggested the FDA's regulatory activities remained unimpacted by the TPSAC, thereby exposing tobacco regulation shortcomings by highlighting continued tobacco smoking enticing youth and adults. However, in May 2016, finalization of the Deeming Rule (2016) granted the FDA authority to regulate any product derived from or used with tobacco. Interestingly, in July 2017, the FDA delayed implementing various sections of the Deeming Rule impeding tobacco control advancement (Hurst, 2018). According to Hurst, one year later, in July 2018, youth's electronic cigarette usage increased to 78%, thereby, propelling the FDA to reiterate goals tightening tobacco regulation. While the FDA's desire for a comprehensive approach addressing nicotine and tobacco created an optimistic tobacco regulation view,

their efforts, actions, and impacts toward lowering electronic cigarette nicotine remained absent (Gholap & Halquist, 2020). Notwithstanding, legislation establishing addictive nicotine thresholds continues (Bevins et al., 2018), which presents opportunity for scientific evidence to guide enhanced policy decisions.

### ***FDA's Continued Efforts***

Furthermore, while the FDA faces challenges advancing federal level tobacco control, the Dormant Commerce Clause (1824) presented a major barrier to state level tobacco product regulation. Additionally, other public health initiatives shut down legislative rulemaking processes and negotiation phases (Berman, 2018). Moreover, Berman explained governing party ideologies and competing health priorities continued challenging regulatory agencies because of pivoting priority changes. Thus, federal regulatory barriers outlined by bureaucratic politics limit the FDA's reach indicating that comprehensive legislative reform also address potential 'red tape.'

Thus, tobacco reform must address potential barriers impeding tobacco regulation and implementation wherein tobacco manufacturers present significant obstacles (Robinson, 2021). Speculation on the impact and power the tobacco industry maintains over tobacco regulation remains rampant indicating a need to work harmoniously with the industry (Hurst, 2018). However, Hurst admonished that pacifying public health advocates while allowing the tobacco industry to push their agenda remained a challenging endeavor. According to Robinson, notwithstanding, public protection from harmful smoking effects should be central to tobacco control, thereby, balancing efficient tobacco regulation and tobacco industry growth. Hurst recommended encouraging

creative safe tobacco product manufacturing as a path to stability between tobacco regulation and tobacco industry maintenance; however, accomplishing this equilibrium may be challenging to comprehensive tobacco control legislation.

Considering, the FDA's responsibility to decrease tobacco product appeal, rapidly issuing and enforcing NTSOs to benefit the public, not the tobacco industry, prioritizes and enhances tobacco control (Lester, 2020). Ultimately, the FSPTCA granted the FDA power toward correcting the negative trajectory of tobacco use on public health (Vagnoni, 2019). Vagnoni and Lester posited that FDA authority extended to ban classes of products, mandated lower nicotine levels, and forbade youth sales as part of more effective tobacco regulation. However, as Lester alluded, the FDA was directed by governing administrations intent on different ideologies and priorities. Thus, political gain influences drove federal level tobacco policies and initiation, thereby inhibiting the FDA's sole focus on public health.

Therefore, balancing effective tobacco control for the public good against politically related tobacco influences remains precarious and often results in inefficient regulation. For example, in January 2020, the FDA banned marketing electronic cigarette cartridge flavors which removed some harmful products from the market (King, 2020). However, King revealed that legislative wording did not address disposable flavors, thereby, creating loopholes, which tobacco manufacturers quickly capitalized. According to Lindbom (2021), the Premarket Tobacco Product Application and Modified Risk Tobacco Product (MRTP) portions of the FSPTCA granted the FDA a wide discretionary range protecting public health which the FDA does not use to the fullest. Lindbom held

that, without violating the public health standards, the FDA can put forth more comprehensive and effective methods within the criteria and timelines put forth in premarket applications, thereby, granting market authorization. Clearly, the balance between robust tobacco regulation benefiting public health and pleasing the tobacco industry remains challenging, however such balance is essential to effective tobacco control.

### ***The Past Informs the Present***

Unfortunately, history demonstrated that grave circumstances often emphasize public health concerns, thereby, politically catalyzing needed legislative reform (Monaghan, 2021). Monaghan highlighted the 2018 regulatory pressures exaggerating needed tobacco regulation improvement resulted from tobacco companies, like JUUL Labs, releasing electronic cigarette products appealing to youth. Subsequently, Monaghan highlighted catastrophic lung issues developed among youth, thereby, heightening public health concerns towards the smoking epidemic. According to Monaghan, with the spotlight on JUUL Labs, other companies opportunistically also marketed youth-appealing products which mimicked the similar 1990s events with traditional cigarettes. Thus, new products such as ENDS began repeating a tragic public health history.

The tobacco industry continues promoting electronic cigarettes as a safer alternative to other traditional tobacco products and the FDA lacks initiatives to improve the situation (Morgan, 2019). Consequently, tobacco regulation litigation delayed efforts advancing tobacco control leading to inefficient tobacco regulation (Peruga et al., 2021; Schroth, 2020; Termini, 2020). Subsequently, this continuing problematic tobacco use

theme was attributed to addiction with new tobacco products presenting a growing concern (Aaron, 2021). According to Aaron, prior to the 2016 Deeming Rule, ENDS products had minimal federal oversight; however, 1990s smoking concerns paved the path for the FSPTCA (Hurst, 2018). As Hurst elaborated, the FSTPCA's national overarching impact can be improved and, Monaghan explained if history guides, federal level tobacco policy superseding lower legislative levels presents the ideal solution addressing the problem. According to Peruga et al., although tobacco policy was beneficial to public health thus far, it can be more effective in enhancing public health. Clearly, efficient federal level tobacco regulation is key to enhancing tobacco policy; albeit, identifying factors influence legislators supports more effective tobacco control.

### ***Reflection***

Secondary research builds on existing literature through analyzing prior data using primary research methods (Rudestam & Newton, 2015). Data sources vary based on the study purpose and include research articles, government documents, databases, records, books, and scientific data, among other sources (Burkholder et al., 2016). Therefore, secondary studies examining current tobacco regulation shed additional light on the original data, thereby, revealing necessary tobacco policy reform.

Furthermore, as stewards of public health, legislators and stakeholders steer policy toward protecting and benefiting all the public (Hurst, 2018). Satisfying the majority in relation to the public health is insufficient (Peruga et al., 2021). Whereas examining and helping sidelined individuals and groups identify policy triggers aids legislative reform, thereby, benefiting overall public health. The rationale for adding the

studies examined in this section conveys the current state of tobacco regulation, influencers of tobacco policy, and needed tobacco policy improvement, which correlate to this study's purpose.

### **Tobacco Policy Triggers**

The fruitfulness of federal level tobacco legislation is beyond dispute, however, its positive influence falls short (Hurst, 2018). Thereby, exposing needed tobacco policy reform for improved tobacco regulation (Monaghan, 2021); however, a deeper insight into legislative influencers adds insight. Granted, building efficient tobacco policy through policymakers is ideal (Schmidt et al., 2014) and establishing relationships with lawmakers fosters engagement (Roos et al., 2010); but, understanding policy actors' triggers remains at the core of such interaction. Cultivating a collaborative culture provides space for current issue conversations among various stakeholders within the tobacco policy subsystem (Schmidt et al., 2014). Moreover, Schmidt et al. explained communicating with legislators on program outcomes, policy decisions' economic concerns, and open dialogue propels policymakers toward more informed decisions when creating tobacco policy. Furthermore, according to Roos et al., understanding, recognizing, and communication among policymakers about population disparities is vital in producing policy improvement. Logically, if legislators are unaware of public issues, policy development and progression is impossible. Thus, exploring the mechanics of tobacco policy making within the United States drives the RQ of this study. Even though there was a lack of literature exploring the triggers of FSPTCA, I found some

research exploring the factors that contributed to tobacco regulation and, thereby, provided context and background to this study.

Given, tobacco legislation's birth required policy actors coming together to develop the FSTPCA (2009), examining that journey uncovers policy drivers and developments. Hoe et al. (2021) highlighted coalition formations as key when influencing tobacco policy makers and triggering policy change in the Philippines and Ukraine. While the study did not focus on the United States, Hoe et al.'s insights generally transfer to the United States, due to the similar nature and functionality of tobacco policy subsystems. Furthermore, petitioning legislators allows subsystem policy actors to propel agendas benefitting coalitions (Givel & Glantz, 2001) and coalitions, like public health lobbyists, non-profit health organizations, science, and medical institutions, impact policy (Cohen et al., 1997). Subsequently, according to Cohen et al, legislators become motivated by interactions and welcome information and perspectives from all stakeholders toward making well balanced decisions. Interestingly, Cohen et al. suggested public policy subsystem exchanges among legislators and coalitions were underutilized when crafting tobacco policy. Therefore, interactions motivating tobacco control improvements among involved parties must be encouraged.

### **Collaboration**

Conversion drives tobacco policy collaboration (Givel & Glantz, 2001) wherein legislators place high value on tobacco control advocates to shape policy (Montini & Bero, 2001). Furthermore, Montini & Bero explained peer reviewed literature and public testimony aids lawmakers developing tobacco policy. Considering, legislators

incorporated science presented in simple manners to guide their policy decision-making process, a strong link between academia, scientific literature, and policy making remains essential to tobacco control (Newman, 2019). Thus, educating policymakers significantly impacts their policy decision process (Novilla et al., 2017) because of their proclivity for reviewing science-based research to improve policy formation.

While science propels enhanced legislation, drastic changes outside the policy system influence policy change (Hudson et al., 2021). According to Hudson et al., cultural, climate, and disastrous circumstances induce policy makers to action and drive the policy making process. Subsequently, the lack of advocacy providing needed data challenges policy creation (Juarez et al., 2021), consequently, advocates and researchers must find methods making research easily accessible to policy makers to further beneficial policy development (Novilla et al., 2017). Moreover, a lack of relevant data significantly impeded tobacco policy development (Hoffman et al., 2018); therefore, policy makers' access to simple, understandable, creditable data supports legislators' positive policy progress.

### **Grasping the Business**

Although legislators operate within parameters like current data and coalition influence, it remains important to understand the drivers motivating policymakers (Purtle et al., 2018). Purtle et al. emphasized that gaining information on the factors propelling legislators provided a clearer perspective on the elements required in crafting well informed policy decisions. The process of policy creation is a multilayer orbit of politics intertwined with societal pressures wherein assessing the benefit of acting over risks

poses challenges among legislators (McConnell & 't Hart, 2019). At what point do legislators intervene, act, terminate, or reform existing policy? As such, the pivotal elements that influence legislators to act is key to policy enhancement, reflecting the RQ under study. Policy development is reactionary; therefore, legislators consider multiple facets when making policy decisions (O'Connell & Kephart, 2020). Therefore, it is judicious to find the right balance and act at the right point to initiate policy.

Furthermore, making policy decision is not straightforward and involves overcoming situations when policy decisions are difficult (O'Connell & Kephart, 2020). Drivers influencing legislators' voting behaviors encompass political ideology, gender, geographic location, and time of the vote among other factors (Purtle et al., 2017). Thus, tailoring strategies towards legislators through guidelines that govern their decision-making process allows actors within the policy subsystem to better impact legislators. Consequently, policymakers play vital roles in forming policy, albeit, operating within legislative process confines is essential. Thereby, understanding the way that legislation passes provides context for federal level policy change.

### **The Legislative Process**

The legislative process follows a specific path from legislation to passing and introducing bills for presidential consideration (Rubin, 2018). However, steps may vary in sequence and not always sync with Congressional phases (Rubin, 2018). Regardless, Congress shapes laws and influences statutory and non-statutory matters (Gravey & Sheffner, 2021). According to Gravey & Sheffner, while shaping policy is a large part of Congress's role, that policy is unimpactful if legislation is not passed. Subsequently,

enacting legislation is the pinnacle of governance. Thus, understanding the importance and significance of the law-making process is vital when exploring policy formation, which is the driving purpose and RQ of this study.

Typically, a member of Congress, either in the House of Representatives (House) or in the Senate, introduces a bill which is referred to as the Committee (Heitshusen, 2018/2020). The Committee chair decides on the bills the committee considers within the two-year period of Congress, then comes the committee's consideration (Rybicki, 2018). According to Heitshusen, if the Committee does not immediately dismiss the bill, Committee hearings may be held providing stakeholders a space to listen to the nature of the bill. Heitshusen emphasized if the bill receives consideration from the chamber, the committee members vote on the bill along with recommending any amendments.

Subsequently, once the committee votes on the bill, floor scheduling follows (Heitshusen, 2018/2020). Heitshusen articulated majority party leaders in the House typically decide upon the bills that will receive floor consideration, whereas the Senate makes a motion deciding if the bill should receive floor consideration. According to Heitshusen, after floor scheduling, the House votes and, if needed, amends the bill. In Senate floor consideration, according to Heitshusen, if the chamber considers the bill, then it is subject to rules allowing for discussion and possible amendment. After the Senate votes, negotiations between the House and the Senate on changes occur before the final vote (Davis, 2019). According to Davis, if passed in both chambers, the bill goes to the President to veto or sign into law. Collectively, the policy making process depends on feeding information to Congress for policy to realize fruition.

Current data and the subject matter propel bill introduction and crafting (Novilla et al., 2017). Subsequently, legislators are challenged with acquiring facts and educating themselves on proposed legislation topics (Smith & Wehbé, 2018). During the entire legislative process, lobbyists play a valuable role shaping the proposed bill till it gets to the final votes (Holyoke, 2019). Policy subsystem actors representing various sides of the issue strive to influence legislators in various ways like proposing amendments or proposing bill vetoes, depending on their agendas; subsequently, unorthodox methods may be exercised in the legislative process (Curry, 2019). Consequently, according to Curry, in a democracy there is a constant fight to keep the lines clean and uncorrupted by power and money; interestingly, data clearly demonstrates that stakeholders influence policy shaping. Regardless, balancing the scales where lawmakers vote based on the good of the public is a challenge, and it is this arena wherein federal level tobacco control legislation evolves.

### **Summary**

Smoking is the number one cause of United States premature deaths despite tobacco regulation through the FSPTCA (2009). New products rising on the market evoke needed tobacco policy evolution refocusing on improved tobacco regulation. Major themes revealed by current literature exposed public harm from tobacco use and smoking with increased consequences to youths and disparate vulnerable populations. Collectively, this emergent public smoking harm reveals the need for improved tobacco control and regulation. Qualitative and quantitative studies depicted the widespread necessity for more effective tobacco policy. The qualitative, quantitative, and secondary

literature focused on current tobacco policy, which exposed significantly lacking tobacco regulation. While some published literature regarding tobacco policy development was present, those sources did not broach the policy actors' influencers that led to the FSPTCA. Acquiring information on the birth of the FSPTCA provides indication of the necessary conditions to invoke further tobacco policy change, thereby addressing current public health needs.

Through this qualitative study, I investigated the FSPTCA precursor triggers to identify information beneficial to improve future tobacco legislation. Thus, the emerging themes provide trigger indications influencing legislators during tobacco legislation development and implementation. Chapter 2, the literature review, covered the: (a) literature research strategy, (b) theoretical framework, (c) the background, (d) existing literature, (e) tobacco regulation, (f) tobacco policy triggers, and (g) the legislative process. Chapter 3, the methodology, details the: (a) RQ, (b) central concepts, (c) researcher role, (d) methodology, (e) trustworthiness, and (f) ethical procedures. Chapter 4 presents the results of the study, and In Chapter 5, the discussion, conclusion, and recommendations, provide: (a) my interpretation of findings, (b) encountered limitations, (c) future recommendations, (d) significant implications, and (e) my conclusions.

### Chapter 3: Research Method

This qualitative case study focused on tobacco policy development and regulation to explore and identify factors propelling FSPTCA creation wherein findings can inform more effective federal level tobacco control. I identified themes emanating from voting FSPTCA policy actors by using publicly available: (a) datasets denoting each state's tobacco control views and tobacco generated state revenue, (b) archived Congressional documents providing data about the need for the FSPTCA and associated legislator votes, and (c) publicly available FSPTCA voting records. Subsequent emergent themes can improve future tobacco policy development by providing specific tobacco policy subsystem insight about factors compelling federal level legislation, thereby bridging the current knowledge gap and benefiting public health.

Chapter 3, the methodology, details the: (a) RQ, (b) central concepts, (c) researcher's role, (d) methodology, including recruitment, data collection, instrumentation, and data analysis; (e) trustworthiness, encompassing credibility, transferability, dependability, and confirmability, and (f) ethical procedures. Chapter 4, the results of the study, presents: the (a) study setting, (b) demographics, (c) data collection process, (d) evidence of trustworthiness, (e) detailed data analysis, and (f) the results. Chapter 5 provides the: (a) discussion, (b) conclusion, and (c) recommendations.

#### **Research Question (RQ)**

What key themes influenced legislative subsystem actors when developing and voting on the Family Smoking Prevention and Tobacco Control Act (FSPTCA)?

### **Central Concepts**

I answered the RQ using a qualitative case study approach focusing on tobacco regulation policy creation phenomenon. Quantitative studies focus on existing theories and predict hypotheses about variable relationships, whereas qualitative studies focus on constructing new themes and concepts through natural settings (Patton, 2015). However, Yin (2014) explained that a case study approach provides a comprehensive view of a whole unit relative to the phenomenon. Therefore, a case study approach supported gathering information from various sources which shed light on emerging themes leading to FSPTCA creation, which better supported the nature of this study.

In this study, I focused specifically on the tobacco policy subsystem and ways the subsystem operates. Yin's (2014) case study tradition centers on a single entity/unit like a group, institution, community, or specific policy and uses various data collection components. Burkholder et al. (2016) noted archival records, physical artifacts, reports, meetings agendas/meetings, interviews, researcher, and participant observations as common case study data sources. Thus, the case study design allowed me to illustrate the bounded unit: FSPTCA creation.

The FSPTCA was the bounded unit in my study and my research phenomenon was policy creation triggers, wherein, I explored what factors influenced the legislation's creation and implementation. Since, case studies explore descriptive questions like "what" (Yin, 2014) and I identified causal links and the paths propelling the FSPTCA using various data sources, a case study approach was perfect. Using various secondary data types like documentary reviews affords the researcher a comprehensive picture of

the phenomenon under study (Rudestam & Newton, 2015). My document scope included official publications from United States. Congressional and legislative branches tasked with FSPTCA lawmaking gathered from 2009, datasets denoting each state's tobacco view, and state tobacco generated revenue.

While gathering information is fundamental, analyzing the collected data brings meaning to the research (Burkholder et al., 2016), subsequently, analysis tools and techniques provide critical components for data analysis. I used the NVivo qualitative data analysis tool by QSR International (2022) to compile, organize, and analyze data. According to Burkholder et al., examining the data collected using various formats, like charts, tables, paragraph formats, and visual diagrams, allows maximum impact, which significantly aided my thematic analysis. Patton (2015) emphasized the importance of thematic analysis when identifying emergent themes, a process that allowed me to expose the factors influencing legislators' during FSPTCA creation and voting.

### **Role of the Researcher**

During this research study, I collected and analyzed data methodically by applying the relevant approaches recommended by Burkholder et al. (2016), Creswell (2014), Patton (2015), and Yin (2014), and by following associated established efficiency guidelines. Burkholder et al. emphasized the importance of conducting qualitative study using systematic methods so that conclusions reliably reflect the data collected. Since I was the sole researcher in this study, my role included crafting the research problem, setting, purpose, design, data collection, analysis, interpretation, and reporting.

Subsequently, one of my major roles was collecting the appropriate data to answer the RQ.

The RQ centered on identifying factors propelling legislation and implementation, thus, fulfilling the study purpose. Accomplishing the study purpose required implementing logical procedures, defining the study focus, and drafting a reasonable RQ as recommended by Patton (2015). According to Patton, gathering and analyzing data are vital to meet study goals. Patton conveyed, the researcher must find the most fitting methodology and design supporting design credibility. Weible et al.'s (2011) ACF model presented the most fitting theoretical lens supporting my examination of emergent themes when legislators voted on the FSPTAC tobacco legislation. Therefore, I used the ACF to collect and analyze data from 2009 Congressional documents about the FSPTCA along with datasets containing each state's view on tobacco to fulfill the study purpose.

FSPTCA Congressional documents included hearings, reports, and records representing policy actors' views within the tobacco policy subsystem, thereby, allowing me to generate rich context when identifying emergent themes leading to FSPTCA creation and implementation. Subsequently, I collected narrative data from key tobacco policy actors, thus, decreasing misrepresentation and advancing study reliability. Because I possess no personal or professional relationships with legislators who voted on the 2009 FSPTCA, researcher bias was limited. Additionally, I lacked any personal connection to Congressional document content, datasets, and FSPTCA voting records, which further reduced potential researcher bias. With potential researcher bias significantly minimized, I conducted a cohesive research strategy to fulfill the study purpose.

I used a systematic process to answer the RQ by

- collecting data as an instrument (Patton, 2015),
- identifying multiple data sources to assist (Patton, 2015), and
- analyzing data gathered to make sense and interpretate (Janesick, 2011).

I acquired the skills to conduct this study through years of practical and professional experience about tobacco research and tobacco regulation implementation. I adhered to Walden University's IRB (n.d.) requirements to complete my study methodologically and efficiently.

### **Methodology**

Methodology followed a comparison-focused sampling strategy as recommended by Janesick (2011), thus, reviewing various data to collectively address the RQ. Shenton (2004) noted that saturation was achieved when similar themes, redundancy, and patterns surfaced; therefore, I stopped data collection upon saturation. Additionally, Patton (2015) posited that multiple data sources added study reliability; subsequently, I corroborated data using multiple sources to frame the FSPTCA's birth. Furthermore, considering the number of Congress members involved with the FSPTCA, the wide sample pool added to data collection intensity.

There were 404 House Members and 96 Senators ( $N = 500$ ) who voted on the FSPTCA (2009). As such, Congressional documents did not include statements from all FSPTCA voting Congress members, thus, narrowing that sample. Additionally, I gathered data on conditions generating tobacco policy and propelling tobacco control

from non-legislator policy actors in the tobacco policy subsystem who also influenced the FSPTCA. Therefore, my selection criteria included:

- members of Congress who
  - voted on the FSPTCA, and
  - whose statements were memorialized in 2009 Congressional documents.
- public tobacco stakeholders who
  - served as Congressional hearing witnesses, and
  - whose statements were memorialized in 2009 Congressional documents.

Qualitative methodology has no set sample size rules, rather, the sample is dependent on researcher feasibility factors like time, resources, and study purpose (Patton, 2015). Since secondary document selection criteria remained within the FSPTCA context, I accessed relevant information answering my RQ using multiple data sources in a case study approach with purposeful sampling as recommended by Ravitch and Carl (2016). According to Ravitch and Carl, purposeful sampling allows the researcher access to individuals most beneficial to the study. Yin (2014) emphasized that participants possessing vast amounts of information, or significantly impacting the study phenomenon, are ideal for case studies, and Ravitch and Carl noted that knowledgeable sources increase study richness. Subsequently, I used purposeful sampling and operated within the study context to acquire detailed information to effectively answer the RQ by translating the different ways policymakers were impacted while creating policy.

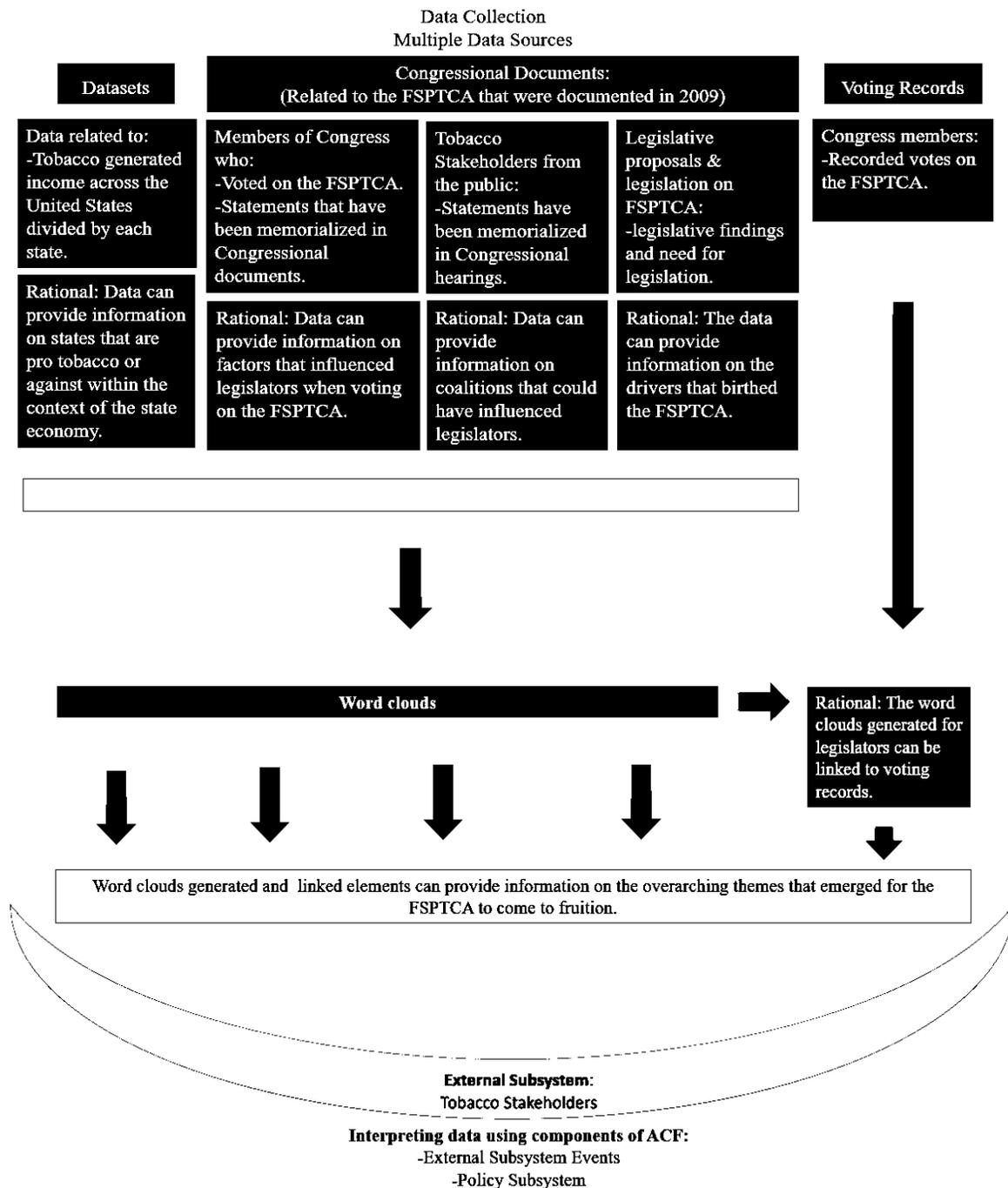
Thus, purposeful sampling was fitting and allowed for quality data collection while generating rich information. Acquiring information from legislators with the most information about FSPTCA birth and passage provided the most holistic insight to answer the RQ. Subsequently, as suggested by Patton, I stopped gathering data when I reached saturation, which subsequently exposed common themes and revealed similar word cloud patterns.

### **Recruitment & Data Collection**

Even though I gathered data from various sources, I did not recruit active participants since the data were all from documents publicly available through online sources. The various documents were openly available from multiple databases and government websites; thus, the data collection process was manageable. Richness relates idea density from sources with deep knowledge of the complex phenomenon under researched (Rubin & Rubin, 2012). Consequently, gathering data from sources with deep insight into the phenomenon was vital. Moreover, Patton (2015) emphasized that using secondary data stemming from various sources accounts for triangulation thereby increasing study reliability. Efficiently implementing triangulation measures increases study reliability and validity (Ravitch & Carl, 2016). Figure 2 illustrates my multisource data collection method.

**Figure 2**

*Data Collection Mind Map*



*Note:* Researcher developed for the purposes of this study.

Richness is found in overlapping versions from different people with different viewpoints to reveal commonalities emanating from individuals interacting with each other in same situations (Rubin & Rubin, 2012). Gathering data from FSPTCA legislators that worked and voted together provided deep insight identifying factors triggering legislators' action. Subsequently, individual legislators possessed different perspectives on a same topic because of different beliefs, perspectives, and priorities that shaped their votes as suggested by Novilla et al. (2017). Such data variation was vital to reliability of this study.

Data collection documents included:

- Datasets denoting each state's tobacco view gathered from online sources capturing tobacco generated state revenues. For example, data that denoted states that are pro- or anti-tobacco and whether tobacco plays a role in the state's function, revenue, and economy.
  - This information substantiated legislators' perspectives on tobacco legislation because each state's economy impacted legislators.
- FSPTCA records, reports, and hearings capturing legislator statements about tobacco policy.
  - This data provided information on factors influencing how legislators cast votes.
- FSPTCA records, reports, and hearings capturing tobacco policy subsystem actors' witness statements.

- This data provided coalition type information influencing legislators.
- FSPTCA and related legislative proposals providing information on legislative findings and legislative needs.
  - This data provided information driving FSPTCA creation.
- Voting record of FSPTCA legislators.
  - Word clouds generated from legislators connected voting records, thereby, suggesting drivers impacting legislators' votes.

The data collection process is a vital part of a qualitative research study (Patton, 2015). Without data, research studies cannot stand alone and attest the information gained (Rubin & Rubin, 2012). Mapping out an efficient strategy collecting data is a marathon requiring time (Patton, 2015). Consequently, data collection processes are unique to each study, go through many revisions, and must be well planned (Huberman & Miles, 1994). Thus, while collecting cohesive data supporting the RQ and providing information to reliably answer that RQ was vital, the instrumentation used to collect and analyze the data were equally crucial.

### **Instrumentation**

Multiple data sources are a main strength of cases study research and include document review and analysis of archives, reports, newspapers, memos, interviews, and media content (Patton, 2015) necessitating complex data extraction and analysis measures (Yin, 2014). Yin noted that various data sources add validity to a case study, afford the researcher vigilance grasping the complete picture, and corroborate data. Data

collection instruments, including all data sources, needed to answer the RQ allowing for thorough topic assessment were publicly available online. The secondary data I collected and analyzed were from established and reliable government websites and archivable Congressional documents thereby adding to study credibility. The qualitative case study design added study reflexivity and the theoretical ACF framework increased study reliability. Subsequently, each instrument I used to collect and analyze data provided a vital function in answering my RQ.

### *NVivo*

Analyzing and organizing data through specialized software allows the researcher to be more efficient (Patton, 2015); therefore, I used the NVivo software tool to aid data analysis. Such specialized software typically supports data storage, streamlines coding, and enables generating various reports assisting in thematic identification and analysis by providing visuals based on the results of developing patterns (Creswell & Poth, 2018). Using NVivo for data analysis helps organize and supports a more manageable task (QSR International, 2022). I used NVivo to dissect collected data due to its QSR International denoted features and functions that diminished gaps and lowered the number of mistakes that can occur when analyzing data; attributes that are unique compared to other software. Moreover, using the NVivo technology, I expanded my data collection methods and gathered data from larger sample sizes, which Creswell and Poth noted better represent the collective perspective of individuals that fall under the selection criteria. Thus, using NVivo added to study credibility.

I used NVivo to analyze, code, and identify patterns and categories. I imported all gathered data into NVivo, then categorized and coded data using the coding tool within NVivo. Figure 2 depicts the overall process by which I used NVivo to create word clouds and clusters emerging from the data collected, thereby, indicating key themes that influenced FSPTCA materialization.

***Govinfo.gov, GovTrack.us, and Congress.gov***

Information that is available to the public relating to proposed legislation, enacted legislation, and the status of statutes provided data on the drivers birthing the FSPTCA, which ultimately answered this study's RQ. Information on the legislative findings, developments with the proposed bill, and the legislative needs of the FSPTCA encompassed the documents I used and were publicly available online through Congress.gov (n.d.), Govinfo.gov (n.d.), and Govtrack.us (n.d.). These reliable and reputable government documents provided data leading to thematic insight about FSPTCA influencers, which emerged in word clouds generated by NVivo.

Additionally, I included Congressional hearings, records, and reports involving Congress members who voted on the FSPTCA the document data sources accessed through Congress.gov (n.d.), Govinfo.gov (n.d.), and Govtrack.us (n.d.), which provided information on factors influencing voting. I coded statements made by Congress members to generate patterns relating to factors influencing the FSPTCA vote and generated word clouds via NVivo to help answer my study's RQ.

Furthermore, I included stakeholders' contributions that participated in Congressional hearings relating to the development of the FSPTCA (2009) within the

documents retrieved via Congress.gov, Govinfo.gov, and Govtrack.us, thereby providing information about coalition types that potentially influenced legislators' votes. I coded various types of coalitions represented to assess the nature of the coalitions, whether from the tobacco industry and public health sectors. Additionally, I coded stakeholders' statements to identify common themes emerging from their FSPTCA stance wherein these themes were depicted via NVivo word clouds and helped answer my RQ.

To tie the data together from the various sources, I also considered Congress members' FSPTCA voting records. I linked the word clouds generated from the various sources to the voting records, thus, suggesting drivers impacting how legislators voted on the FSPTCA.

#### ***Tax Policy Center, The IGEN Blog, Statista, and The Tax Foundation***

Information available to the public through various online sources provided insight on tobacco generated state revenue that impacted each state's economy (Boesen, 2021b; Statista, n.d.; Tax Policy Center, n.d.; The IGEN Blog, n.d.). The information on tobacco generated state revenue highlighted pro- and anti-tobacco states, which substantiated legislators' perspectives on tobacco legislation due to the impact the economy had on legislators and their constituents. Thus, ultimately indicating the state's economic-based role in the enactment of the FSPTCA, which directly related to my RQ.

Once I uploaded the data on tobacco generated state revenue from each state to NVivo, I generated word clouds to identify pro- and anti-tobacco states then compared that data to word clouds from my other data sources to help answer my RQ.

### ***Rational for Collective Resources***

Collecting secondary data from online resources like Govinfo.gov, GovTrack.us, Congress.gov, Tax Policy Center, The IGEN Blog, Statista, and The Tax Foundation allowed for a comprehensive view of the phenomenon under study. The sources provided fact sheets on taxes placed on tobacco products throughout the United States. In addition, the sources were free to the public and related to official publications stemming from all three branches of the federal government. Moreover, the nature of the documents extended to the status of federal legislation and information on tobacco tax in relation to state revenue and tax policy analysis.

Although I did not conduct interviews, my secondary data were reputable sources and methods of data collection. Secondary data is an effective and valid form of data collection used for research studies (Patton, 2015). Additionally, research conducted using data that has been previously collected serves as reliable information (Rudestam & Newton, 2015). Consequently, using secondary data as the main source of data collection remains an established strategy and mode of data collection (Rudestam & Newton, 2015), thus, using secondary data did not diminish the value and richness of this study.

### **Data Analysis Plan**

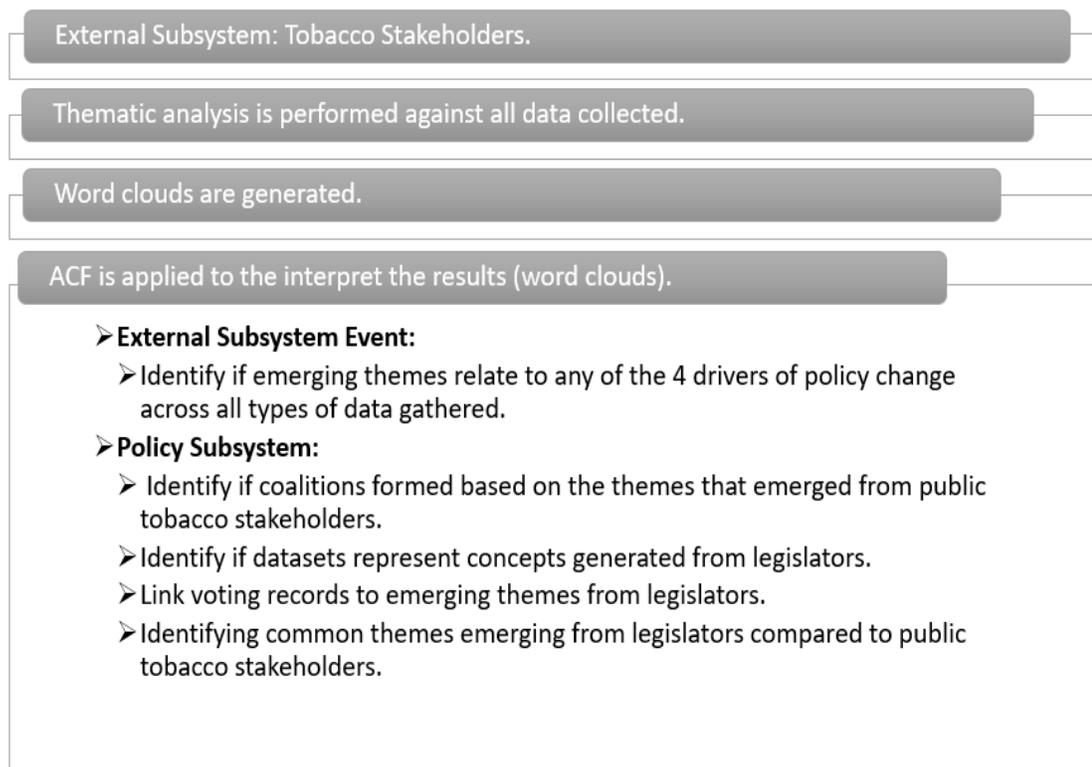
Data relevance and their study relation are key to data examination (Ravitch & Carl, 2016). Consequently, Ravitch and Carl noted that multiple data sources can anchor information and add reliability to qualitative study through triangulation and data analysis. Accordingly, thematic document analysis allows the researcher to multidimensionally examine the phenomenon and breeds triangulation (Patton, 2015).

Thus, I thematically analyzed each document for discrepant data and focused on data providing trigger indications leading up to FSPTCA formation toward answering my RQ. Thematic analysis is beneficial categorizing and identifying themes derived from the data by using patterns for logical study consistency thereby helping the researcher methodically address the RQ (Patton, 2015). Thus, I used thematic analysis to identify common themes surfacing from the data to explain FSPCTA triggers present for legislative fruition.

I used word clouds generated through NVivo as one step in data analysis to distill central concepts about common emergent themes. Patton (2015) noted the usefulness of such graphic depictions wherein the words were organized by thematic size relating to the weighted percentage of the surfacing words. Figure 3 depicts the mind-map for analyzing and interpreting my data. The external subsystem relates to the universe parameters in which I analyzed the data for this study, including all the subsystem policy actors (stakeholders) that impacted tobacco legislation, specific to the development and enactment of the FSPTCA.

### Figure 3

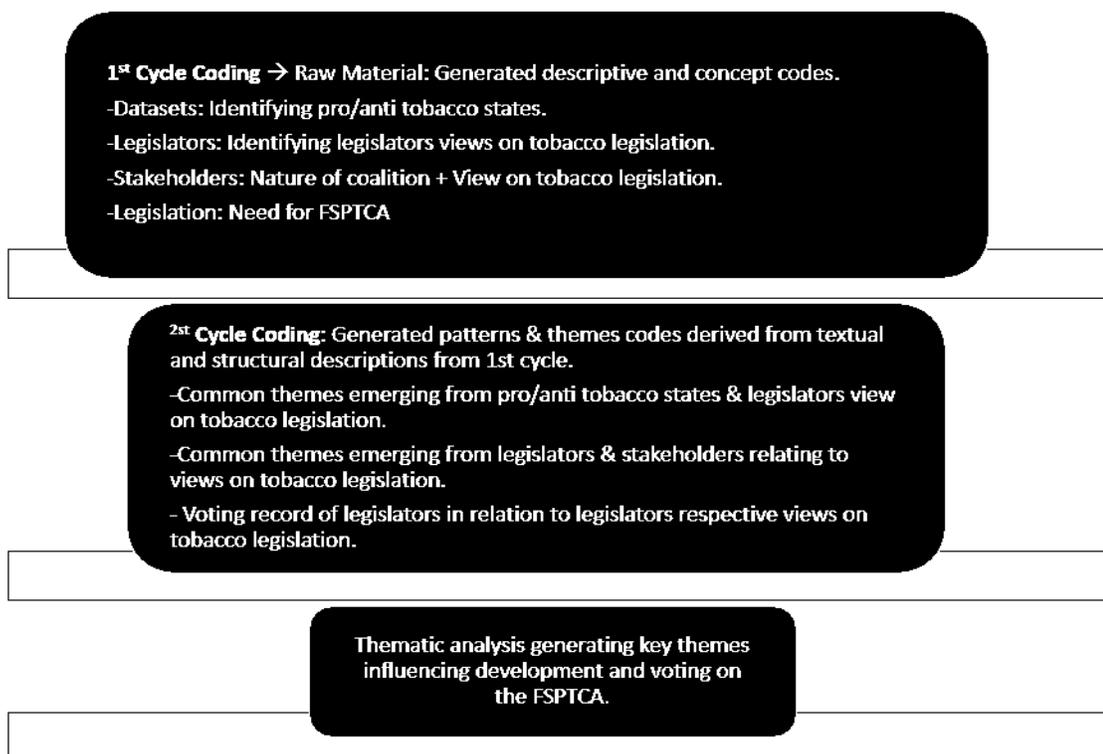
#### *Data Analysis and Interpretation*



*Note:* Researcher developed for purposes of this study.

### **Coding**

I used NVivo to analyze, code, and identify patterns and themes. Using multiple cycles to analyze data is beneficial and adds to the trustworthiness of the study (Patton, 2015). Initially I created nodes to describe the data, which helped build upon the meaning of the data as recommended by Miles et al. (2014). I allotted each node a name to code the data. Figure 4 illustrates my coding process for this study. Miles et al. highlighted the importance of coding the data to provide a repertoire of topics for indexing and categorization.

**Figure 4***Study Coding Process*

*Note:* Researcher developed based on Patton (2015) coding recommendations.

During the 1<sup>st</sup> cycle of the coding process, I used descriptive and concept codes to establish a working platform of emergent codes. The 1<sup>st</sup> cycle of coding generated codes for the datasets identifying pro/anti-tobacco states. Following, I generated codes on legislators' views on tobacco legislation, specifically the FSPTCA, and coalition natures, thereby aligning with the ACF as denoted by Cisneros (2016), who elaborates on the ACF and captures the various ways scholars apply the ACF. Subsequently, I generated codes relating to the coalition nature present at Congressional hearings and their tobacco legislation views. Finally, I produced codes relating the need for FSPTCA creation, the

external subsystem events that pushed policy change, and aligned them with the ACF.

Thus, I established the base set of codes for further analysis.

During the 2<sup>nd</sup> cycle, I used pattern and theme codes based on documented descriptions ensuring logical consistency as recommended by Patton (2015). I identified common themes emerging from pro- and anti-tobacco states & legislators views. Common tobacco legislation themes provided insight on stakeholders' impacts on Congress, which I aligned via the ACF according to Cisneros (2016). Legislators' voting records about their respective tobacco legislation views indicated potential FSPTCA development and enactment influencers. Table 1 illustrates code assignment based on my coding approach. I used a value coding method to analyze and provide context for my baseline coding analysis.

**Table 1**

*Code Assignments*

Nodes	Codes	Descriptive codes	Sources
Datasets	Anti-Tobacco Pro-Tobacco	Tobacco generated revenue codes for United States comparison	Boesen, 2021b; Statista, n.d.; Tax Policy Center n.d.; The IGEN Blog n.d.
Members of Congress	Revenue; economy; tobacco industry; health concern; youth; science	Words indicating tobacco legislation views	Hudson et al., 2021; Newman, 2019
Public Opinion	Science, research, facts; health	Public health interest groups focused on science propelled legislation	Cohen et al., 1997; Newman, 2019
Corporate Persuasion Tobacco Industry	Jobs; farming; economy; market	Tobacco industry and business-related desires	Hudson et al., 2021; Hurst, 2018; Montini & Bero, 2001; Newman, 2019
Legislative Proposals FSPTCA	Health concern; preventable; addictive; harm; risk	Legislative need and purpose	FSPTCA, 2009

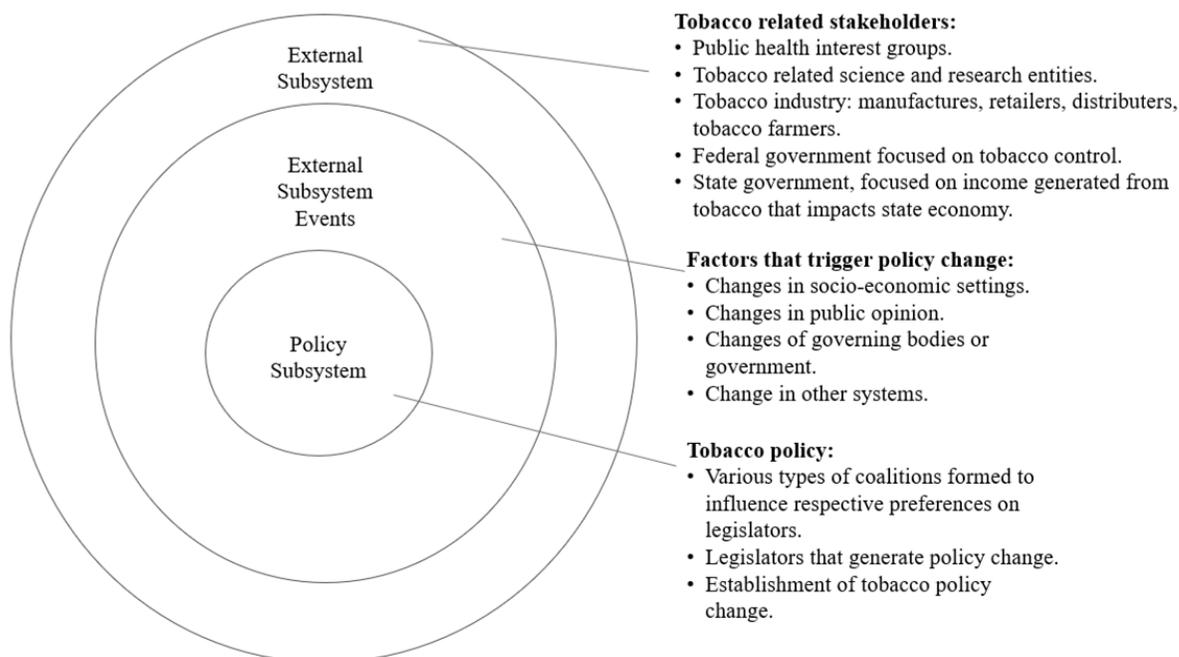
*Note:* Baseline for coding analysis.

### *Framing the Information Gathered*

Once thematic and word cloud analysis were completed, I viewed the information through the AFC lens as depicted in Figure 5. I interpreted thematic findings through the tobacco policy subsystem context to identify if specific coalitions (common groups of views) were part of the legislative influencing process. I needed this data because coalitions that might have formed holding specific motivating views and coalitions agendas could influence legislators to make policy change. Subsequently, I determined if the any of the four external subsystem event factors within the AFC triggered the FSPCTA. I conducted this data interpretation within the parameters of the tobacco related stakeholders' external system.

**Figure 5**

#### *AFC Focused Study Elements*



*Note:* Developed for this study founded on Weible et al.'s (2011) ACF.

Document analysis enhances the researcher's experience in immersing themselves into the study being conducted (Rubin & Rubin, 2012). As such, context points toward awareness about the topic under study, influences interpretive conceptions, and affects data analysis, which Patton (2015) stated are critical to study trustworthiness. Thus, by familiarizing myself with tobacco policy making terminology, I alleviated contextual issues specific to the tobacco legislation. This information helped answer my RQ and provided insight to the tobacco policy subsystem about factors compelling legislators to propose and vote federal level legislation benefitting public health and was key to influencing the smoking epidemic. Even though I designed a clearly applicable and trustworthy research model to answer my RQ, issues of trustworthiness remain inherent in all scientific study, including this study.

### **Issues of Trustworthiness**

One of the main components of a reliable research study is trustworthiness (Shenton, 2004). Shenton highlighted the concept of trustworthiness includes credibility, transferability, dependability, and confirmability, which, together, encapsulate research integrity (Patton, 2015). Logically, for my qualitative study to stand alone, I scrutinized it from different angles to withstand academic dissection.

### **Credibility**

Data collecting and interpretation must be systematic to avoid misrepresentation and inaccuracy, thereby, ensuring results accurately portrayed from participants' viewpoints to promote credibility (Shenton, 2004). I designed this study using an established methodological qualitative case study design allowing for systematic data

collecting to add research integrity. Additionally, my primary data analysis tool, NVivo, in conjunction with my thematic data analysis process provided study integrity.

Collectively, research design, instrumentation, and multiple data sources accurately represented the phenomenon under study, thereby triangulating data for applicable, realistic, and comprehensive interpretation.

For research credibility, study findings should revolve around realism and realistic problem application (Shenton, 2004). I used data stemming from the actual phenomenon subsystem to increase interpretation credibility. Consequently, results interpretation centered on the research problem context while minimizing interpretive discretion, which also added strength to transferability.

### **Transferability**

Rich contextual description and detailed data collection methodology support study replication and add transferability (Creswell & Poth, 2018). The study data and methodology were clearly outlined throughout Chapter 3, as were data collection, recording, and analysis. Creswell and Poth posited that transferability supports study replication in like environments, therefore incorporating contextual descriptions was essential. I included contextual descriptions throughout my interpretation, findings, and recommendations.

I included sufficient procedural details to replicate this study and tobacco legislators' practices when deciding tobacco regulation logically has widespread applications throughout various policy subsystems. Thus, my study design and findings are transferable for practitioners addressing public health legislation, applying

comparative techniques, and using similar publicly available data which subsequently increased my study dependability.

### **Dependability**

Dependability is reached when all the intentional and essential tasks of the research are completed (Lincoln & Guba, 1985). According to Lincoln & Guba, establishing data collection methods yielding trustworthy results adds dependability to study findings. Using reputable data sources when gathering data also adds dependability (Patton, 2015). In this study, I used reliable qualitative analysis tools to analyze data, thereby limiting biases and protecting data integrity. I also used an established well-known theoretical framework (ACF), as suggested by Patton, to interpret the results, thereby, increasing conclusion dependability. Furthermore, throughout this study, I proceeded in a systematic fashion to maximize thoroughness and completion of each study stage from data collection through interpretation to ensure dependability and confirmability.

### **Confirmability**

Confirmability ensures correct data interpretation (Shenton, 2004). I derived my findings and conclusions from the experiences and ideas collected rather than my personal preferences and characteristics. Thus, I based findings on reputable data sources. I methodologically collected the data, as recommended by Shenton, and organized the data through appropriately coded and categorized processes using a reputable qualitative analysis tool (NVivo). Moreover, Patton (2015) noted that presenting data collected via text format increases category transparency and theme development, which subsequently

increases confirmability. I collected all data via text format, thus, significantly building study integrity and minimizing potential ethical concerns.

### **Ethical Procedures**

Ethical research guidelines were clearly detailed by Walden IRB (n.d.) wherein the purpose of those guidelines was to protect participants and ensure the study was conducted in an ethical manner void from improper occurrences. I adhered to the guidelines and the procedures of Walden IRB (n.d.). I managed all my actions during this study through ensuring my compliance with Walden IRB's requirements, thereby keeping a neutral view as I conducted the entire research.

Logically, unmanaged biases can impact the outcome of the study. Therefore, maintaining awareness of elements like experiences, research problem mindfulness, and researcher views permeating results interpretation must be limited before they add to study bias issues (Patton, 2015). Subsequently, my experience and involvement with tobacco regulation and research could present bias. To alleviate that potential bias, I looked at the data from a holistic perspective. Recognizing the various facets of tobacco legislation and the complexities associated with the subsystem forces the researcher to reveal these layers and frame the larger picture of the data to avoid any misconceptions (Creswell, 2014). Thus, throughout this study, I identified the intricacies of the legislative process and used systematic approaches to analyze the data.

As a researcher, my experience places me close to the research topic; however, I acted according to the guidelines based on Walden IRB (n.d.) to ensure compliance. Patton (2015) stated, "the investigator's commitment is to understand the world as it

unfolds, be true to complexities and multiple perspectives as they emerge, and be balanced in reporting both confirming and disconfirming evidence with regard to any conclusions offered” (p. 58). Thus, by analyzing the data gathered in a methodical manner, I interpreted data and reported findings reflecting the data gathered. While gathering data was key to addressing a research question, I also accounted for a safe way of storing the data.

I stored research data on an encrypted thumb drive, which I will securely maintain for five years. After five years, I will re-format the thumb drive to erase it before destroying it completely to ensure for proper data protection as required by Walden IRB (n.d.). Since all the information was accessed digitally, I did not use paper records. I commenced data collection, thereby began conducting my study, only after I gained IRB approval from Walden University and related institutional permissions as required by Walden IRB (n.d.). I maintained study integrity and avoided potential ethical concerns by waiting for IRB approval and strictly following ethical guidelines throughout the entirety of this study.

### **Summary**

I centered the entirety of this study on phenomenon related to policy creation focusing on tobacco regulation. I used a qualitative case study approach to explore the federal level factors resulting in the FSPTCA. Data collection included documents, datasets, legislators’ tobacco policy views, legislative proposals, legislation creation, and FSPTCA voting records. I used thematic analysis to examine data, thereby revealing key themes emerging from legislators during the FSPTCA policy making process to improve

future tobacco policy development. Wherein, information about key themes provides insight toward policy improvement about the tobacco policy subsystem on the factors compelling legislators to propose federal level legislation, thereby bridging the information gap and benefiting public health.

Chapter 3, the methodology, detailed the: (a) RQ, (b) central concepts, (c) researcher role, (d) methodology, (e) trustworthiness, and (f) ethical procedures. Chapter 4, the results of the study, presents the: (a) study setting, (b) demographics, (c) data collection process, (d) evidence of trustworthiness, (e) detailed data analysis, and (f) the results. In Chapter 5, the discussion, conclusion, and recommendations, provide: (a) my interpretation of findings, (b) encountered limitations, (c) future recommendations, (d) significant implications, and (e) my conclusions. Conclusions will identify if the RQ was addressed within the context of the theoretical framework.

## Chapter 4: Results of the Study

The purpose of this study was to explore and identify factors propelling FSPTCA creation wherein findings inform more effective federal level tobacco control focused on tobacco policy development and regulation. I identified themes emanating from voting FSPTCA policy actors by using publicly available: (a) datasets denoting each state's tobacco control views and tobacco generated state revenue, (b) archived Congressional documents providing data about the need for the FSPTCA and associated legislator votes, and (c) publicly available FSPTCA voting records. Subsequent emergent themes can improve future tobacco policy development by providing specific tobacco policy subsystem insights about factors compelling federal level legislation, thereby bridging the current knowledge gap and benefiting public health. Consequently, I used a qualitative case study approach to answer the following RQ: What key themes influenced legislative subsystem actors when developing and voting on the FSPTCA? Chapter 4, the results of the study, details the: (a) setting, (b) demographics, (c) data collection, (d) data analysis, (e) evidence of trustworthiness, and (f) results.

### **Study Setting**

I conducted my research using secondary document selection criteria. I accessed relevant information answering my RQ using multiple data sources in a case study approach with purposeful sampling. Even though I gathered data from various sources, there was no active participant recruitment since the data were from documents openly available via multiple databases and government websites.

In this study, I used secondary data to ultimately answer the RQ; therefore, factors that might have influenced the population or impacted the results, analysis and interpretation were nonexistent. The online sources that I used provided information on the legislative need of tobacco regulation relating to the development of the H.R. 1256 Bill formulating the FSPTCA, associated legislative findings, and adaptations of H.R. 1256l. In addition, included documents encompassed Congressional hearings, records, and reports involving Congress members voting on the FSPTCA. Furthermore, I also collected statements of stakeholders who participated in Congressional hearings relating FSPTCA development.

To tie the data together, I gathered members' FSPTCA voting records. Therefore, I infused and reflected on the impact of the proposed legislation on constituents and on the tobacco policy subsystem within the data gathered. Additionally, datasets on tobacco generated state revenue and tobacco tax highlighted pro- and anti-tobacco states. Collectively the sources allowed for a comprehensive view of the phenomenon under study.

### **Demographics**

I used purposeful sampling and operated within the study context to acquire detailed information, thus, effectively answering the RQ by translating the different ways policymakers were impacted when creating policy leading up to the way legislators voted. Additionally, non-legislator policy actors within the tobacco policy subsystem also influenced the FSPTCA, therefore including stakeholder views on the FSPTCA was vital to the study. Jointly, the various iterations of H.R. 1256 and the final enacted legislation

(FSPTCA, 2009) provided insight on the narrative of tobacco legislation and the need for tobacco control.

As demonstrated in Chapter 2, the actors within the tobacco policy subsystem propel tobacco legislation. The tobacco policy subsystem actors included associated tobacco control, tobacco tax information, and tobacco generated revenue within each state that were relevant to the phenomenon. Consequently, finances of each state dictate anti- and pro-tobacco states. The study's data orbited around rich information collectively geared to answer the RQ. Due to the nature of data collection in the study, I gathered the documents that I reviewed and analyzed from virtually based, open access sources.

Upon receiving approval from Walden University's IRB, I collected data existing from January 2009 to June 22, 2009. The virtually based open access sources which included data related to Congressional documents included, Govinfo.gov, GovTrack.us and Congress.gov that captured information that represented data from 39 states. Virtually based open access sources which related to non-Congressional documents included, Tax Policy Center, The IGEN Blog, and Statista. Additionally, I also collected data from The Tax Foundation, United States Department of Agriculture (USDA, 2010) National Agricultural Statistics Service (NASS), and the CDC Office on Smoking and Health-State Tobacco Activities Tracking and Evaluation (CDC STATE, 2022) system, which related to non-Congressional documents. I also used state datasets providing information on state financials and included 2009 Comprehensive Annual Financial Reports for each state in the United States (see Appendix B). Collectively, I gathered data virtually from online sources with deep insight into the phenomenon, sources that were

impacted by the ongoing proposed tobacco control legislation in 2009, and sources that reflected the finances of each state. Collectively, the data gathered provided rich information and allowed me to meet data saturation.

### **Data Collection**

After receiving approval from Walden University's IRB (05-24-22-1005304D), I began the process of secondary data collection by examining online sources. I started with searching the Govinfo.gov website for Congressional records and hearings captured in 2009 pertaining to the proposed bill (H.R.1256) that developed into the FSPTCA (2009), including legislators ( $n=68$ ) and individual stakeholders ( $n=60$ ) representing over 1,850 entities. I then proceeded to search the GovTrack.us website and Congress.gov website for proposed legislation captured in 2009 related to H.R. 1256 and the enacted FSPTCA. I followed by collecting the final voting record of Congressmembers related to the enactment of FSPTCA from the GovTrack.us website. The data gathered collectively provided information on the formation of FSPTCA (Congress.gov, n.d.; Govinfo.gov, n.d.; Govtrack.us., n.d.). Thus, the captured views of tobacco policy actors and proceedings that led up to the birth of the FSPTCA within the tobacco policy subsystem pertained to the phenomenon under study.

Collectively, I reviewed over 450 Congressional documents, however, not all were relevant to the study's scope. I excluded Congressional documents related to statements made after 2009, which was after the FSPTCA was enacted; budget reports; Congressional agendas; summary of action items; and legislation proposals other than tobacco legislation.

While the Congressional documents served to frame the development of the FSPTCA, the economics of tobacco as a commodity in society provided insight on tobacco legislation (CDC, 2021c). Consequently, I collected data on 2009 tobacco generated state revenue pertaining to tobacco tax from the Tax Policy Center, Tax Foundation, CDC STATE system, and 2009 Comprehensive Annual Financial Reports for each state in the United States. I followed by collecting data on major states that grew tobacco crops in 2009 from the CDC STATE system, Statista, and USDA NASS.

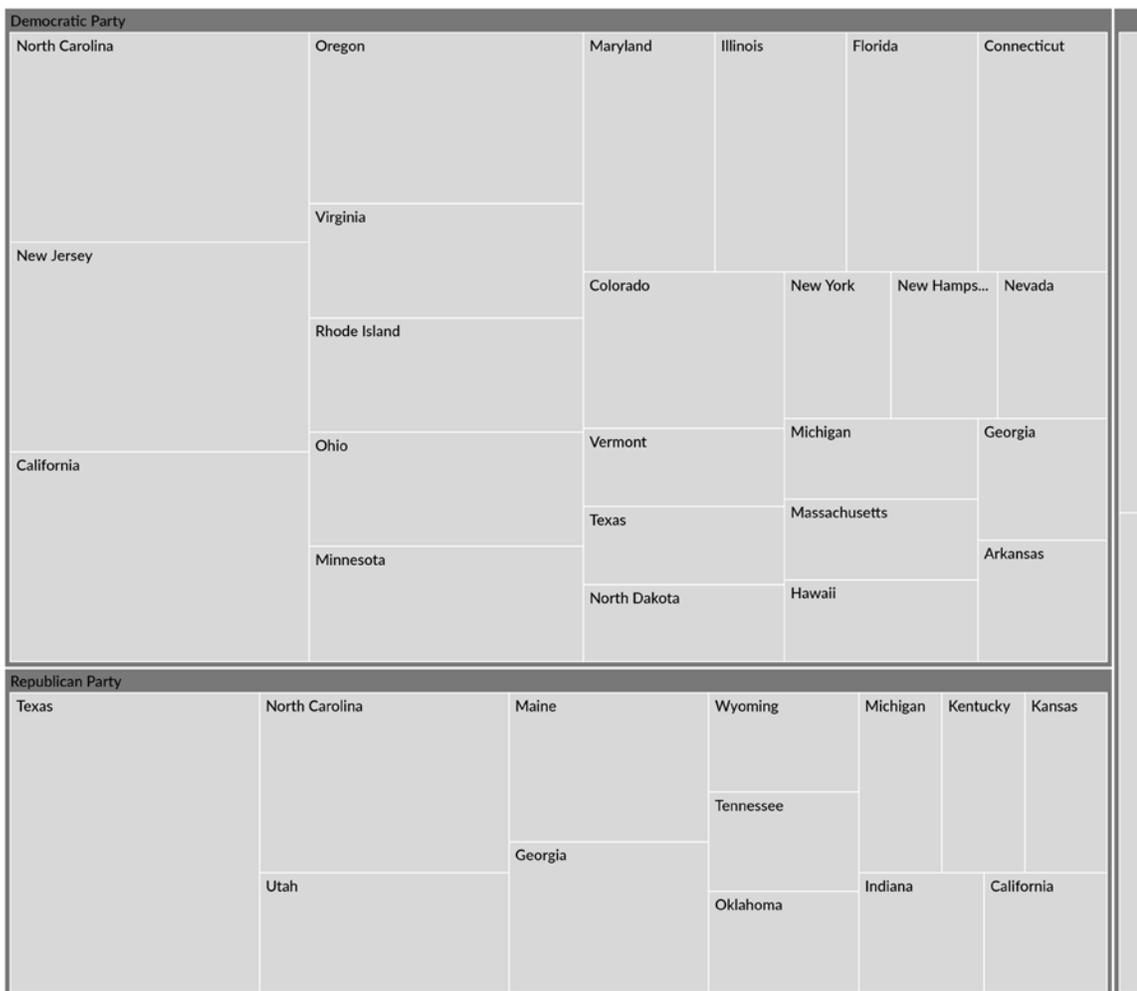
Jointly, I examined over 100 factsheets that included tables, charts, and graphs on tobacco generated state revenue that highlighted pro- and anti-tobacco states (Boesen, 2021b; CDC, 2010; Statista, n.d.; Tax Policy Center n.d.; USDA, 2010). The factsheets included taxes on various tobacco products in 2009 per state, total taxes on tobacco products in 2009 per state, and the trend of tobacco tax within each state. Additionally, I reviewed datasets that highlighted the tobacco agriculture within the United States. The datasets ultimately indicated the role of the economy in the enactment of the FSPTCA relating to my RQ.

### **Tobacco Policy Actors**

A substantial amount of data collected represented the views of tobacco policy actors within the tobacco policy subsystem. Ranging from legislators to various stakeholders who conveyed their perspectives and stances on the proposed tobacco legislation. The Congressional records and hearings were memorialized in different forms such as statements made in person through Congressional sessions and hearings, letters that were sent to Congress, articles, videos, and research that were used to support or

oppose H.R.1256. Consequently, Representative Waxman was the primary sponsor of H.R.1256 and the Bill was known as the Waxman Bill, eventually formulated to FSPTCA.

Legislators affiliated with democratic, republican, and independent political parties provided insight on the factors grounding their respective decision processes related to tobacco legislation. Figure 6 depicts the expanse of legislators represented covering 39 states within the data collected. The hierarchy chart represents the number of legislators within each state, revealing more representation from the democratic party with legislators from North Carolina and Texas showing the most representation. The span of legislators allowed for a comprehensive view on the thought process of legislators on shaping tobacco legislation.

**Figure 6***Visualization of Legislative Policy Actors*

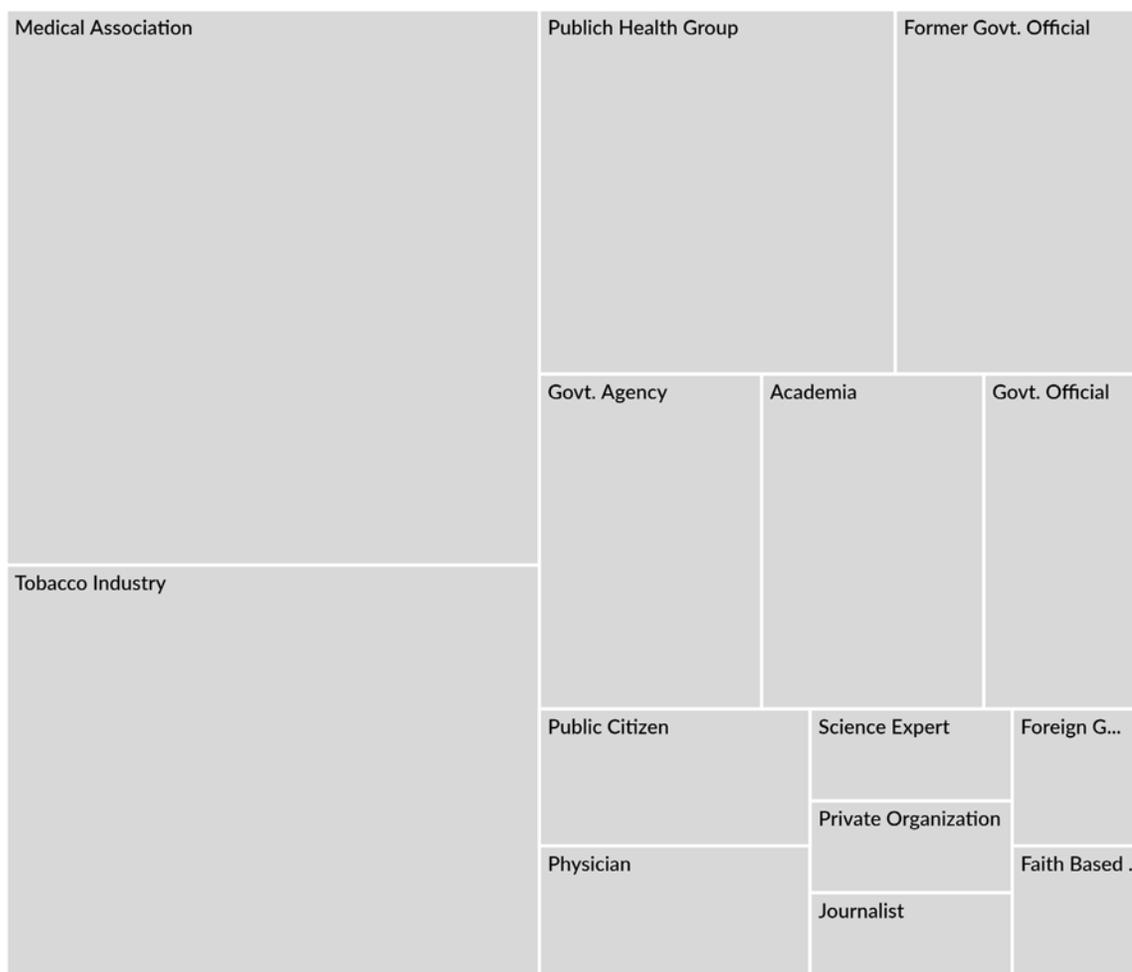
*Note.* Larger units reflect larger numbers of representation.

Additionally, Figure 7 depicts the non-legislators within the tobacco policy subsystem that influenced the legislation. The groups included various entities from medical and science professionals, public health groups like the Campaign for Tobacco Free Kids, academia, and government officials and agencies. Representatives included the ACS, AHA and concerned physicians alongside entities like the Congressional

Budget Office, the Supreme Court, FDA officials, and SGs. Interestingly, most non-legislators possessed overwhelming backgrounds in science whereby science clearly guided their perspectives proposing tobacco policy.

**Figure 7**

*Visualization of Non-legislative Actors*



*Note.* Larger units reflect larger numbers of representation.

Furthermore, groups impacted by the proposed tobacco legislation communicated their standpoints in opposition or endorsement. Anti-tobacco legislation representatives

ranged strongly represented the tobacco industry and include tobacco growing farmers, tobacco manufactures, and entities supporting farmers and tobacco development. Alternatively, concerned public citizens experienced with adverse tobacco effects, journalists, foreign governments, faith-based organizations, and science experts elaborated on the impact the proposed tobacco legislation would allow.

### **Data Recording & Variations**

As specified in Chapter 3, I used NVivo to aid with gathering, organizing, coding, and storing all study data. There were no major variations in the research method detailed in Chapter 3. Additionally, I did not encounter any unusual conditions during the data collection process. Subsequently, I imported all documents, visuals, articles, datasets, and factsheets into NVivo. After collecting the data, I assigned categories by file name and followed to code the data creating various codes based on data emergence. I used the coding tool in NVivo by creating specific codes to describe the data, thereby, opting to code the data myself manually. While I did not use the auto-coding feature within NVivo, I used the software as the primary mechanism to code, analyze and dissect the data into themes and patterns. Moreover, I used NVivo to create charts, concept maps, word clouds, and run queries from the data. Thus, I was able to establish patterns and make connections to answer the RQ.

In addition to the data collection and data analysis plan detailed in Chapter 3, I included three supplementary sources: the CDC STATE system, 2009 Comprehensive Annual Financial Reports for each state in the United States (see Appendix B), and USDA NASS. Consequently, the additional sources provided a deeper insight on tobacco

revenue generated among states along with data on United States tobacco farmers (CDC, 2010; USDA, 2010). Thereby, I was able to amplify the study's analysis section. Also noteworthy, the data I collected from The IGEN Blog mentioned in Chapter 3 did not provide the study with specific beneficial information; thus, I did not use that data. Even though I collected data applicable to answer my RQ, issues of trustworthiness remain inherent in this scientific study.

### **Evidence of Trustworthiness**

By applying strategies expressed in Chapter 3, I ensured the study's trustworthiness was directed by credibility, dependability, transferability, and confirmability criteria. Thus, the study stands alone and can withstand scrutiny from different angles and academic dissection. Collectively, the elements put in place to guide the study add to the integrity of the research.

### **Credibility**

For this study, I used an established methodology qualitative case study design followed by a systematic data collection process. Additionally, I used NVivo as the data analysis tool in combination with thematic data analysis, which added integrity to the study. Collectively, the research design, instrumentation, and the various data sources that I used correctly characterized the phenomenon under study, thereby triangulating data for applicable, realistic, and comprehensive interpretation. The various data sources, such as Congressional records, hearings, legislative proposals, and datasets, provided a comprehensive view on the case studied.

Furthermore, I used data stemming (the process of categorizing word variations into a single variant) to narrow down the key themes from the actual phenomenon subsystem to increase interpretation credibility. Thus, the reoccurrence of themes suggested data saturation and added results credibility. Consequently, I based results interpretation within the research problem context and diminished interpretive discretion, thereby, adding strength to transferability.

### **Transferability**

I systematically followed the data collection, recording, and analysis process set forth in Chapter 3. Subsequently, I incorporated transferability using thick contextual descriptions throughout my interpretation, findings, and recommendations. The contextual descriptions provide future scholars and practitioners ample information to assess their applicability within other conditions and populations. Additionally, the procedural details that I provided allow study replication and the actors practices within the tobacco policy subsystem are applicable to throughout various policy subsystems. Thus, study is useful for addressing public health legislation applying comparative techniques and using similar publicly available data, which subsequently added to the dependability of the study.

### **Dependability**

I used reliable qualitative analysis tools such as NVivo and thematic analysis to dissect the data, thereby, limiting biases and protecting data integrity. I used an established well-known theoretical framework, the ACF, to interpret the results, thereby, increasing conclusion dependability. Subsequently, I created separate files for various

types of data sources to avoid confusion when examining the data within each source. I coded the data methodically and analyzed the data collectively to look for connections. Thus, I proceeded in a systematic fashion throughout the study to maximize thoroughness and completion of each study stage from data collection through interpretation to ensure dependability and confirmability.

### **Confirmability**

I derived my findings and inferences solely based on the ideas and practices I collected rather than personal preferences and characteristics. I collected the data via text format, thus significantly building study integrity and minimizing potential ethical concerns. Consequently, I used NVivo to organize, code, and categorized the data. Once the data was coded and categorized, I used thematic analysis resulting in key emergent themes emerging. Collectively, based on the various sources that represent the phenomenon under study, I based conclusions on data saturation after data analysis.

### **Data Analysis**

I used a thematic analysis method to analyze the data collected toward revealing and validate themes connected with the phenomenon under study. To use thematic analysis, I familiarized myself with the raw data and created descriptions for the codes related to the phenomenon under study. Consequently, all the codes that were assigned were based on the actual data collected hence evading a process for pre-coding for thematic matching. Thus, the themes that emerged from the data were based on the frequency of the related codes.

While the Congressional data gathered was related to the phenomenon under study, the documents also contained information related to various issues and topics. Therefore, I reviewed the Congressional documents thoroughly and coded data only relevant to the RQ, which resulted in a lengthy process. I used a value coding approach when assigning codes and generating themes, which provided context to the phenomenon under study. I used two cycles of coding within NVivo. As mentioned in Chapter 3, I focused on raw data in the 1<sup>st</sup> cycle wherein I generated descriptive and concept codes. In the 2<sup>nd</sup> cycle, I followed by looking for concepts derived from textual and structural descriptions. Even though the concepts provided indications of the codes that represented the data, I used thematic analysis to categorize the codes, which resulted in key themes surfacing from the data to explain FSPCTA triggers present for legislative fruition. Consequently, I used word clouds generated through NVivo while conducting data analysis to distill central concepts about common emergent themes.

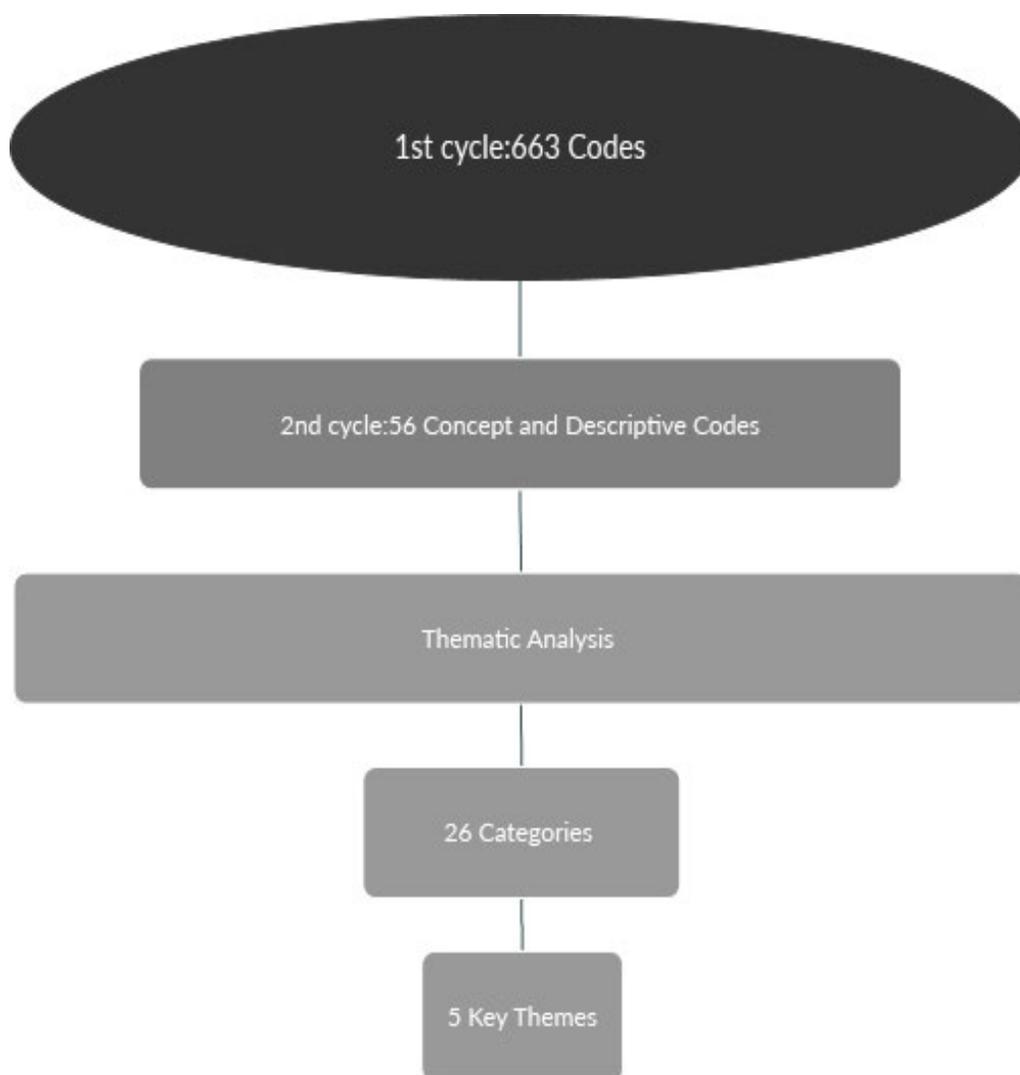
### **Thematic Analysis**

I allocated 663 codes by the end of the 1<sup>st</sup> coding cycle and 56 concept and descriptive codes by the end of the 2<sup>nd</sup> coding cycle, which I then proceeded to analyze thematically. As illustrated in Figure 8, applying thematic analysis revealed 26 categories followed by data stemming that generated five key themes associated FSPTCA legislative creation elements. I did not manually analyze the data. Rather, I used the various tools within NVivo such as, query searches, diagrams that explore connections within the data, word frequencies and hierarchy charts to uncover common themes and relationships that emerged from the data. Subsequently, by using the word cloud feature,

NVivo automatically resized common terms and filtered groups by stemmed words relative to the number of identified terms. Additionally, I ran queries and used visualization features to establish connections within the data. Thus, I identified terms appearing most frequently within the data and their relationships within the data.

**Figure 8**

*Aggregated Thematic Analysis Outcome*



*Note.* Researcher developed figure based on coded data collected.

The frequency of the terms that appeared within the data revealed key recurring themes and their respective related meaning within the context of the data. Throughout the legislative negotiation process there were various amendments to the proposed tobacco legislation, which contributed to these key themes:

- *Public Health Impact:* This theme referred to the effects smoking had on public health. Factors, like increased risk behaviors related to smoking, statistics on smoking rates, health effects, the draw for youth smoking, and illness associated and perpetuated by smoking were imbedded within this theme. Additionally, the science that amplified the various harms of smoking was highlighted within this theme. Collectively, elements that threatened the well-being of public health imposed by tobacco usage pointed to the need for improving tobacco control.
- *Economy:* This theme encompassed the monetary impact that tobacco usage had upon society at various capacities. Viewing the issue of tobacco control through an economic lens magnified the height of healthcare costs due to tobacco use. Additionally, income generated through tobacco use, like tobacco tax, which is used by the government for various programs, was a prominent economic factor within this theme. Furthermore, a large facet within this theme revolved around jobs connected to the tobacco industry and supported by tobacco use like tobacco manufacturers, retailers, and farmers growing tobacco crops. The economic impact of tobacco products influenced actors within the tobacco policy subsystem in different ways. While some

policy actors wanted to address the healthcare costs caused by tobacco industry others wanted the tobacco industry to be unaffected.

- *Tobacco Industry:* This theme involved the influence that the tobacco industry had on the public. Aspects tied to the theme included mis-claims for tobacco products, advertising targeting certain demographics, marketing strategies, misrepresenting facts, and farmers concerns on regulations.
- *Regulation:* This theme pertained to tobacco regulation. Subsequently, debating whether there was a need for tobacco regulation based on legislative findings, the responsibility of protecting the public, and the responsible entity regulating the commodity, like the FDA. Additionally, encompassed in this theme were the failed attempts of previous tobacco control efforts, proposed tobacco regulations, and different outlooks on regulation itself. Collectively, tobacco regulation was a priority for different reasons amongst the tobacco policy subsystem, advantages and disadvantages of tobacco control and oversight on tobacco products.
- *Characteristics of Tobacco Products:* This theme included the ingredients within tobacco products. Ingredients like carcinogens, along with the addictive properties causing harm. Subsequently, incorporated within this theme were the various forms of tobacco available and the relevant risk harm levels.

## **Discrepancy**

There were some discrepancies within the data collected, which I included in the study. While there was a link between pro- and anti-tobacco states correlating to the voting record of Congressmembers within their respective states, that association did not translate clearly within all legislator votes and their respective pro- and anti-tobacco states. For example, states that grew tobacco were considered pro-tobacco states, however, legislators from the tobacco growing states were not united in their stance on the proposed tobacco legislation. Consequently, of the votes casted, some legislators who were from tobacco growing states, voted for the Bill while others did not. Most of the legislators from the tobacco growing states voted against the FSPTCA.

Additionally, states with higher taxes on tobacco products also had higher tobacco generated revenue. The study's context of the pro- and anti-tobacco states was detailed in the definition section of Chapter 1. Anti-tobacco states discouraged consumers from smoking by placing higher taxes on tobacco products, wherein the resulting higher taxes placed on tobacco generated higher revenue that was used for various programs within the state. Interestingly, the legislators representing anti-tobacco states who voted for the proposed tobacco legislation aligned with their views on tobacco control were not consistent. Likewise, the same condition applied to pro-tobacco states that placed low taxes on tobacco products to avoid discouraging consumers from using tobacco products resulted in less generated revenue from tobacco taxes. As a result, legislators within pro-tobacco states were against the tobacco legislation; however, this practice was also not fixed across the spectrum.

## **Study Results**

I conducted the study to answer the following RQ: What key themes influenced legislative subsystem actors when developing and voting on the Family Smoking Prevention and Tobacco Control Act (FSPTCA)?

Based on the themes identified through thematic analysis, I found that the adverse public health impact of smoking, the economy, tobacco industry, regulation, and tobacco product characteristics influenced legislative subsystem actors while developing and voting on the FSPTCA. Subsequently, terms such as tobacco products and smoking emerged widespread throughout the data due to the subject matter.

### **Overarching Concepts**

I used various visual tools, like word trees and text search queries, within NVivo to explore the use, context, and meaning of words and common expressions, thereby, refining the prevalent concepts within the data. Table 2 illustrates the way I distilled dominant themes related to phenomenon under study. For instance, terms and expressions related to the public health impact theme were within the context of consequences of smoking to the public health.

**Table 2***Collective Key Themes*

Key themes	Common related terms
Public health impact	<i>Health, children; youth; family; public; disease; harms; death; care; cancer; risk; prevention; issue; reduce; increase; need; science; users; today/percent/using/number/information/report (statistics on smoking rates and health effects).</i>
Economy	<i>Cost/healthcare; employees; work; companies; tobacco (tobacco tax, farm tobacco industry).</i>
Tobacco industry	<i>Manufacture; distribution; advertising; consumers; sale; importer; marketing; made; users; restrictions; terms; industry.</i>
Regulation	<i>Protect; amendments; required/regulation; laws; support; standard; federal; committee; agency; American; action; control; bill; people; label; order; legislative; effective; requirements; FDA; informed; application; new; rules; give (authorization); enactment.</i>
Characteristics of tobacco product	<i>Cigarettes; nicotine; addictive; science; ingredients; smokeless; carcinogens.</i>

*Note.* Key emergent themes based on common terms derived from contextual meanings.

I noted that some of the terms collectively applied across other themes reflecting the perceptions of the tobacco policy subsystem. Thus, Figure 9 exposes various tobacco policy subsystem actors' perspectives, which were aligned with the proposed tobacco legislation. Those collective terms, considering their varying thematic sizes, were important when analyzing the holistic views of tobacco policy subsystem actors.



with statistical data, science, and research, thereby, driving the need for tobacco regulation. Legislator Wu, who voted for the FSPTCA remarked,

Statistics are handed out on this floor like candy. Because numbers are often passed off as nothing more than empty words, we fail to recognize how staggering they are. For instance, smoking-related diseases cause an estimated 440,000 American deaths each year. Smoking costs the United states over \$150 billion annually in health care. (Govinfo.gov, n.d.)

While that statement was from one legislator, it represents several legislators who endorsed the bill and held the same view concerning the vast amount of people negatively affected by tobacco use and the resulting unnecessary healthcare costs. Furthermore, Legislator Cornyn, who also voted for the FSPTCA stated,

The fact is, we know tobacco is a killer. It is a killer. It kills 400,000 Americans each year in the United States, including 90 percent of all deaths from lung cancer, one out of every three deaths from other types of cancer, and one out of every five deaths for cardiovascular disease. (Govinfo.gov, n.d.)

Additionally, the harmful ingredients within tobacco products highlighted the urgent need to address the issue. Congressman Durbin stated,

Cigarettes are not just tobacco leaves rolled up in paper; they are sophisticated, highly engineered products. In addition to tobacco leaf, cigarettes contain additives and chemicals that increase the kick of nicotine and mask the harshness of tobacco smoke. The act of lighting a

cigarette creates a toxic soup of more than 4,000 known chemical compounds, all carefully added to that little cigarette in the hope that you will enjoy it so darn much you will become addicted for life.

(Govinfo.gov, n.d.)

Thus, legislators provided ample facts while discussing the harmful ingredients in tobacco products.

Consequently, as legislators provided details on the harmful effects of tobacco products the next logical step was to convince Congress of needed tobacco industry oversight, thereby vocalizing that the industry lacked in accountability. Congressman Polis stated,

Tobacco is the deadliest product on the market today. It kills over 400,000 Americans each year. Despite this grim statistic, tobacco companies have enjoyed a great deal of influence over public policy, avoiding the appropriate oversight of their dangerous business. By giving the FDA the authority to exercise their proper oversight duties, we strip Big Tobacco of their special privileges and power. (Govinfo.gov, n.d.)

Following, the common thread herein was about the history of dishonesty by the tobacco industry, the public health concern, healthcare costs, needed regulation, and exposing the tobacco product characteristics.

### ***Stakeholders for Tobacco Legislation***

Stakeholders echoed a mutual view on tobacco legislation as legislators who voted for the FSPTCA. Tobacco Free Kids, which is a public health agency stated in a Congressional hearing,

Tobacco use remains the leading cause of preventable death in the United States, killing more than 400,000 Americans each year and costing our health care system an estimated \$96 billion annually. More than 1,000 kids become regular, daily smokers each day--and one-third of them will ultimately die from their addiction. (Govinfo.gov, n.d.)

Interestingly, the economy was not the most frequent theme within tobacco legislation endorsing actors, rather many focused on healthcare costs, which I denoted by the term cost.

Along with concern of healthcare costs, many stakeholders maintained a heightened alarm towards the tobacco industry. Mx. Lloyd, a public citizen impacted by tobacco usage, stated,

The collective and unspeakable horror of allowing an industry to run with a free license to kill is finally being heard. We represent lives of freedom and happiness robbed from nicotine addiction due to an industry that remains unregulated, with rampant freedom to manipulate their product to suit their greed. (Govinfo.gov, n.d.)

Such spotlights reverberated amid stakeholders endorsing the bill and supporting tobacco legislation. Tobacco legislation support also amplified preventability issues relating to the negative effect of tobacco uses on public health.

During a Congressional hearing, Congressman Christensen, Chair of the Congressional Black Caucus Health Brain Trust and noted physician, remarked,

Today, tobacco is the leading cause of preventable death in this country. It accounts for nearly one in five deaths each year and kills more people than AIDS, fires, cocaine, heroin, alcohol, homicide, car accidents and suicide combined. It is a major public health issue and a key driver of the country's high health care costs. (Govinfo.gov, n.d.)

The various versions of H.R. 1256 and the final enacted legislation also included other common shared themes, specifically concerning legislative findings and purpose.

### ***Legislative Findings***

Accordingly, H.R. 1256 the legislative findings established consensus, health dangers, and emphasized public health, economy, and regulation issues:

A consensus exists within the scientific and medical communities that tobacco products are inherently dangerous and cause cancer, heart disease, and other serious adverse health effects... Reducing the use of tobacco by minors by 50 percent would prevent well over 10,000,000 of today's children from becoming regular, daily smokers, saving over 3,000,000 of them from premature death due to tobacco-induced disease. Such a reduction in youth smoking would also result in approximately

\$75,000,000,000 in savings attributable to reduced health care costs.

(FSPTCA, 2009; Title 15 U.S.C. §1332, 2017)

Thusly, those legislative findings pointed to needed tobacco regulation due to the consequences of tobacco use. Tobacco control encapsulated a large portion of the legislative findings.

Subsequently, legislative findings also highlighted needed tobacco industry oversight. H.R. 1256 legislative findings stated, “Federal and State public health officials, the public health community, and the public at large recognize that the tobacco industry should be subject to ongoing oversight”. Consequently, the sale, distribution, marketing, and advertising of tobacco products required needed regulation due to negative public health impacts.

Collectively, terms such as *cancer*, *health*, *FDA*, *legislation*, *children*, and *regulate* were frequently used words of actors supporting tobacco legislation. In addition, supporters’ focus on words like *federal*, *carcinogens*, *death*, *reduce*, and *society* conveyed tobacco use consequences and urgently needed legislation. Additional terms like *protect*, *deception*, and *addiction* transmitted desires to protect the public from the tobacco industry.

I used word trees as part of my thematic analysis to dissect frequent terms within the text-based data, which provided context and meaning to recurring words Figure 9 depicts the central themes reaved within the perceptions of actors favoring tobacco legislation and the synergy within the legislative findings.



### **Triggers of Policy Actors Against Tobacco Legislation**

I found common FSPTCA perceptions among policy actors who voted against the FSPTCA, did not endorse H.R. 1256, and were unsupportive to tobacco legislation. Additionally, most pro tobacco states had links to legislators and stakeholders against tobacco legislation.

Although legislators conveyed a desire to protect public health, their respective constituents' concerns reflected opposing higher priorities. Consequently, those priorities focused on protecting the tobacco industry, the farmers, local and state economies, and unneeded tobacco industry oversight. Congressman Coble voiced these sentiments,

H.R. 1256 is misguided, in my opinion. It does not achieve the goals identified by proponents. Instead, it will further exacerbate an already stretched FDA, negatively impact manufacturers and farmers, and create a strain on Federal revenues to the Treasury. (Govinfo.gov, n.d.)

These perspectives were common amidst legislators not endorsing the bill and aligned with the stance that the proposed tobacco legislation did not significantly address the public health concern related to smoking. Additionally, legislators perceived FSCPTCA passage would significantly and detrimentally the impact the tobacco industry and economy.

Tobacco industry and local economies were a central concern among stakeholders opposing tobacco legislation. Congressman Poe stated,

The Country's in a recession, people are out of jobs. Is this really the best time to tax companies for a program that really, on its face, will not work

even though it sounds good? This is not reform. It's mindless Big Government that will only create more problems than the one it claims to address. I urge my colleagues to vote against more government bureaucracy, vote against this bill that won't stop smoking, vote against the rule and final passage. (Govinfo.gov, n.d.)

Thus, apprehension to the bill were based on potential negative impacts to tobacco manufacturers, retailers, farmers, and their families, couples with insufficient public health benefit.

Stakeholders' concerns about H.R. 1256 included industry limitations and growth hinderance, tobacco industry misinformation, unneeded oversight, and concerns about the FDA abilities. Congressman Conaway remarked,

I am not convinced that FDA is the right agency to provide whatever new regulations might be there. They have their plate full, I would argue, with drugs and food safety, and other areas that they have not done a particularly spectacular job on, so I am not convinced that that should be the agency that does this. (Govinfo.gov, n.d.)

The belief that the FDA was not the right agency to regulate tobacco products was rampant across legislators who voted against the bill.

Moreover, not only were legislators against the FDA regulating tobacco, but they also questioned the need to regulate tobacco at all. Congressman Burr stated,

When you see that 48 States have a higher prevalence of marijuana use among youth than they do of tobacco, how can you conclude that by

giving the FDA jurisdiction to regulate tobacco, somehow that means you are going to have a reduction in youth usage? It is just not going to happen. (Govinfo.gov, n.d.)

While legislators debated the gravity of tobacco use, they also highlighted limitations within the bill. Congressman Chambliss remarked,

If this bill passes, cigarette manufacturers such as Philip Morris and Reynolds America will be prevented from using the terms “light” and “low tar.” That means their cigarettes will still be on the market but under different names, not leading to fewer smokers, but leading to consumer confusion. (Govinfo.gov, n.d.)

Along with legislative limitations, stakeholders claimed the bill would block tobacco industry growth.

Consequently, concepts of progress and advancements propelling tobacco innovation were concerns among legislators against the bill. Congressman Buyer articulated that, “I also would like to mention how this bill actually locks the marketplace to prevent innovation and competition”. Thus, the hinderance of industry growth, bill limitations, unneeded oversight, FDA concerns, and overall tobacco industry impact o were the central issues amongst legislators against the FSPTCA. These issues were also common among other stakeholders against the FSPTCA.

### ***Stakeholders Against Tobacco Legislation***

Since, stakeholders against tobacco legislation held communal views as legislators who voted against the FSPTCA, similar themes among the two groups

emerged. Stakeholders were significantly concerned for farmers. During a Congressional hearing, Dr. Brown, an agricultural economist specializing in tobacco policy stated,

In summary, the primary determinants of the fate of U.S. tobacco farmers may well be FDA regulation of tobacco products and the ability of U.S. tobacco growers to compete against foreign tobacco producers.

Consequently, the impact on farmers to sustain their livelihood was an issue among actors against the FSPTCA.

Since the impact would be far reaching and affect farmers, local economies were important to stakeholders, specifically in pro-tobacco states. Director Boyed, executive director of North Carolina Association of Tobacco Growers remarked,

Agriculture is by far North Carolina's largest industry with a \$70.8 billion economic impact. Tobacco manufacturing represents \$24 billion in added value for North Carolina's economy. On average, a single tobacco plant is worth 71 cents in revenue for a U.S. farmer. That same plant will yield an average of \$15.74 in State and Federal excise taxes on tobacco products.

This money supports a variety of economic and health programs. A decrease in tobacco revenues will ultimately hurt States' ability to carry out programs that benefit many citizens. (Govinfo.gov, n.d.)

Thus, stakeholders dependent on tobacco growth were significantly concerned.

Correspondingly, keeping the tobacco economy afloat provided discussion in toward the unneeded tobacco legislation. Dr. Snell, a professor at the department of agricultural economics at the University of Kentucky, stated,

But the tobacco economy has changed dramatically in recent months. U.S. burley exports are being reduced by a higher value dollar, global recession and increasing foreign supplies. Domestically, a multitude of factors including tax increases, smoking restrictions, imports, shift to smokeless tobacco products, movement of cigarette production overseas, and possibly anticipated FDA regulations is reducing the domestic needs for U.S. burley. (Govinfo.gov, n.d.)

Thus, the collective views of stakeholders against the FSPTCA hinged upon the unfavorable impact tobacco control would have on the tobacco industry, jobs, economy, and agriculture. While stakeholders against the FSPTCA concentrated on the effects of tobacco legislation on the industry, pro-tobacco states conveyed similar views.

### ***Pro-Tobacco States***

Even though states within the United States growing tobacco crops are minimal, actors representing the leading tobacco growing states presented significance datasets and legislative objections. Statical supports against tobacco legislation included tobacco crops produced within states, dissatisfaction for FDA oversight, number of farmers involved, tobacco industry jobs generated, and acreage used for growing tobacco. Congressman Bunning, from the major tobacco growing state of Kentucky, remarked,

The big problem with this approach is that our Nation's tobacco farmers are the ones who are going to pay the price. Not once in this bill did I read any language that would provide any type of protection to our tobacco farmers--not even once. (Govinfo.gov, n.d.)

Concerns of job loss, revenue decline, and lives impacted through tobacco legislation collectively reflected the central perspectives among pro-tobacco states.

Intriguingly, policy actors within pro-tobacco states perceived tobacco control as a challenge, datasets displayed tangible numbers that propelled the tobacco economy within states. Consequently, Commissioner Troxler, the North Carolina Agriculture Commissioner stated,

Agriculture is by far North Carolina's largest industry, with a \$70.8 billion economic impact. Tobacco manufacturing represents almost \$24 billion in added value for North Carolina's economy. (Govinfo.gov, n.d.)

Thus, the overarching stance of pro-tobacco states rested on the disturbance of local economies sprung by the FSPTCA.

Collectively, the pattern resounded with other pro-tobacco states, including North Carolina, Georgia, Kentucky, Virginia, and South Carolina, thereby reflecting the major tobacco growers in 2009. Additionally, Pennsylvania, Ohio, Massachusetts, and Tennessee were also tobacco growing states, however their overall votes did not align with the pro-tobacco state. I used NVivo tools for thematic analysis to dissect the frequent terms within the text-based data, which provided context and meaning to recurring words.

Figure 10 depicts the central themes within the views of policy actors against tobacco legislation and pro-tobacco states. Collectively, terms like farmers, growers, pounds (relative to tobacco crop weight), agricultural, and economic depicted desires to



## **Inconsistencies**

I discovered discrepant contextual data indicating outlying perspectives among both side of the tobacco legislation stakeholders. As defined in Chapter 1, pro-tobacco states place lower taxes on tobacco products and consequently generate a lower tobacco tax revenue. Whereas, anti-tobacco states place higher taxes on tobacco products in efforts to discourage tobacco use and, hence, generate a higher tobacco tax revenue. Although, anti- and pro-tobacco states carry respective views on tobacco use, the overarching consensus supported tobacco legislation.

I denoted anti- and pro-tobacco states by revenue generated from tobacco product tax. Total tobacco product tax revenue generated in 2009 ranged from \$1,556,793 down to \$24,114. While cigarette taxes in 2009 ranged from \$3.46 per pack down to \$0.03 per pack. Along with identifying revenue generated from tobacco product tax, I also looked at voting records. Subsequently, 386 legislators voted for the FSPTCA while 114 legislators voted against, and 33 legislators did not vote. Most votes for FSPTCA enactment were from anti-tobacco states; however, there were also votes for FSPTCA enactment from pro-tobacco states. Thereby, revealing voting misalignment between the pro- and anti-tobacco states.

For example, Wyoming and North Dakota were at the lower end of total tobacco products tax revenue generated in 2009 compared to other states. Thus, I categorized Wyoming and North Dakota as pro-tobacco states. However, legislators in Wyoming and North Dakota voted for the enactment of the FSPTCA and did not reflect the views of pro-tobacco states. Table 3 depicts the top three states with the total higher revenue

generated by tobacco product tax and the bottom three states with the total lowest revenue generated by tobacco product tax. In cases wherein voting records did align with views represented by pro-tobacco states, I cross-examined the data with data from leading tobacco growing states.

**Table 3**

*Discrepant Cases Focused on Revenue*

Majority voting records	State	2009 cigarette tax per pack	Total tax revenue of tobacco products
For FSPTCA	Texas	\$1.41	\$1,556,793
For FSPTCA	New York	\$2.75	\$1,337,665
For FSPTCA	Michigan	\$2.00	\$1,043,532
Against FSPTCA	South Carolina	\$0.07	\$30,573
<i>For FSPTCA</i>	<i>Wyoming</i>	<i>\$0.60</i>	<i>\$26,449</i>
<i>For FSPTCA</i>	<i>North Dakota</i>	<i>\$0.44</i>	<i>\$24,114</i>

*Note.* Pro-tobacco states with total highest revenue generated by tobacco product tax down to the lowest. Italicized sections denote misaligned votes.

Tobacco production in 2009 ranged from 423,856 pounds down to 519 pounds. Consequently, majority of the votes from states such as Tennessee, Virginia, Pennsylvania, Ohio, and Massachusetts were for the enactment of the FSPTCA. Table 4 illustrates the wide range of tobacco production in 2009 and total tax revenue generated from tobacco products among leading tobacco growing states. Consequently, Ohio, Pennsylvania, Massachusetts, and Tennessee generated higher tobacco product tax revenue, hence categorized as anti-tobacco states. Voting records for these states also

reflected that alignment. However, those states were among leading United States tobacco growers, therefore, I expected them to reflect pro-tobacco state views on tobacco legislation. Contradicting that assumption, Virginia categorized as a pro-tobacco state and was among the leading tobacco growers but showed majority votes for the enactment of the FSPTCA, which was unaligned with pro-tobacco state views.

**Table 4**

*Discrepant Cases Focused on Tobacco Growers*

Leading tobacco growers	Majority voting records	2009 Tobacco production (pounds)	Total tax revenue of tobacco products
North Carolina	Against	423856	\$243,370
Kentucky	Against	206900	\$214,597
<i>Tennessee</i>	<i>For</i>	<i>49960</i>	<i>\$301,219</i>
<i>Virginia</i>	<i>For</i>	<i>47435</i>	<i>\$167,579</i>
South Carolina	Against	38850	\$30,573
Georgia	Against	28000	\$229,673
<i>Pennsylvania</i>	<i>For</i>	<i>18660</i>	<i>\$989,716</i>
<i>Ohio</i>	<i>For</i>	<i>6800</i>	<i>\$924,764</i>
<i>Massachusetts</i>	<i>For</i>	<i>519</i>	<i>\$587,331</i>

*Note.* States with the largest to lowest tobacco production in 2009, with discrepant cases italicized.

### Summary

My findings were generated from online sources which provided information on views from policy actors within the tobacco policy subsystem, FSPTCA voting records,

legislative findings, and datasets pertaining to pro- and anti-tobacco states. I gathered the data and synthesized research findings to address the RQ. I discovered 5 themes answering the RQ. I found that public health impact, local economies, tobacco industry, regulation, and tobacco product characteristics propelled legislative subsystem actors when developing and voting on the FSPTCA.

Chapter 4, the results of the study, detailed the: (a) setting, (b) demographics, (c) data collection, (d) evidence of trustworthiness, (e) data analysis, and (f) results. In Chapter 5, the discussion, conclusion, and recommendations, provide: (a) my interpretation of findings, (b) encountered limitations, (c) future recommendations, (d) significant implications, and (e) my conclusions.

## Chapter 5: Discussion, Conclusions, and Recommendations

Smoking is a significant and preventable health concern negatively effecting people's lives; thus, tobacco control remains a high health priority; yet data demonstrated insufficient public policy progress addressing tobacco reform. I determined that emergent themes from legislators during tobacco legislation development can improve future tobacco policy by providing specific tobacco policy subsystem insights about factors compelling federal level legislation, thereby bridging the current knowledge gap, and benefiting public health. In this qualitative case study, I focused on tobacco policy development and regulation to explore and identify factors propelling FSPTCA creation wherein findings can inform more effective federal level tobacco control. Wherein, I identified themes emanating from voting FSPTCA policy actors by using publicly available: (a) datasets denoting each state's tobacco control views and tobacco generated state revenue, (b) archived Congressional documents providing data about the need for the FSPTCA and associated legislator votes, and (c) publicly available FSPTCA voting records.

Five key themes addressing the RQ emerged: Public health impacts, economic concerns, tobacco industry needs, regulation challenges, and tobacco product characteristics were central in propelling the FSPTCA, which is the fundamental United states tobacco legislation. Chapter 5, the discussion, conclusions, and recommendations, details the: (a) interpretation of the findings, (b) limitations of the study, (c) recommendations, (d) implications, and (e) conclusion.

### **Interpretation of the Findings**

My findings confirmed the overarching Advocacy Coalition Framework (ACF) concept of collaboration during legislative development wherein collaboration across the tobacco policy subsystem was key during tobacco legislation development; thereby, supporting Novilla et al. (2017). As the theoretical foundation, ACF tenets substantiate that formed coalitions influenced government authorities to construct policy attributing to various external subsystem events. Additionally, my findings confirmed the importance of understanding the triggers motivating policymakers, which provided a clearer standpoint on Purtle et al.'s (2018) fundamentals required to create well-informed policy decisions. Subsequently, my findings also supported McConnell and Hart's (2019) assertion that the process of policy crafting is multilayered and circular wherein evaluating the benefit of acting over risks posed challenges among legislators.

Intriguingly, gaps remain in literature related to the triggers that prompted legislators to enact FSPTCA. However, my findings provided a glimpse into the nature of factors that drove a significant number of policy actors within the tobacco policy subsystem during FSPTCA development and enactment. Thereby, my findings to provide insight toward tobacco policy improvement.

### **Applying Findings to Tobacco Control**

Based on current literature presented in in Chapter 2 about tobacco policy triggers, collaboration was the predominant known concept in crafting tobacco legislation, thereby supporting Schmidt et al.'s (2014) research. My findings revealed perception similarities among legislator statements who endorsed and voted for the

FSPTCA and stakeholder statements in favor of tobacco legislation and endorsing the FSPTCA. Thus, my findings confirmed that strong group associations formed based on the backgrounds of stakeholders represented at the Congressional hearings. This knowledge supported Roos et al.'s (2010) declaration that establishing relationships with legislators was vital to building well rounded tobacco policy. My findings inferred strong coalition formation based on the similar themes that emerged from legislators and stakeholders advocating for the FSPTCA.

Those perception similarities contained synchronization with the legislative findings and further linked current literature, thereby filling more of the existing knowledge gap. Intrinsically, the legislative findings derived from Committee Reports were supported by scientific literature from studies conducted, established knowledge institutions, and experts within the field, as indicated by Crane (2014), that provided statistical information and research on the topic. Accordingly, I found that legislative information and actors' views supporting the proposed tobacco legislation were in accord.

Crafting legislation involved various actors within a particular subsystem, whereby, tobacco legislation called for specific actors that included public health professionals dedicated to protecting public health. Nonetheless, based on Cohen et al. (1997), coalitions like public health experts, medical institutions, and science experts within the field informed and propelled tobacco legislation. Subsequently, my findings confirmed formed coalitions related to public health entities, which suggested such as factors pushing towards FSPTCA enactment.

Thus, I determined that the central themes among legislators and stakeholders supporting the FSPTCA, in conjunction with legislative findings, fueled the need for FSPTCA development and enactment. Collectively, the legislative findings echoed the key themes that surfaced amongst the actors that endorsed H.R. 1256. Hence, the connections established served in favor of constructing and thrusting the proposed tobacco legislation into fruition.

While my findings confirmed collaboration presence based on literature, there was also an intricate policy creation process. I found a multi-layered process of policy making much like O'Connell and Kephart (2020) exposed, wherein policy development was reactionary; therefore, legislators contemplated multiple issue perspectives when making policy decisions. These findings suggested that legislators anchored their votes on various sources, rather than merely party ideology, geographic location, or economic gain alone. For example, Pennsylvania, Tennessee, Virginia, Ohio, and Massachusetts were part of the leading tobacco growing states during FSPTCA formation; however, majority of their legislator votes supported the FSPTCA, which did not align with the views of their state's tobacco growers.

Additionally, states like Pennsylvania and Ohio were positioned at the higher end alongside states that reaped large revenues generated from tobacco product tax in 2009, which also aligned with anti-tobacco states. However, I found that leading tobacco growing states supported pro-tobacco views. Therefore, while Pennsylvania and Ohio were among the leading tobacco growing states, the majority votes from these states

supported the FSPTCA. Therefore, my findings confirmed that the decision-making process for tobacco legislation was not tied to a singular factor.

Furthermore, although party ideology, geographic location, and state priorities played a role in crafting the legislation, balancing many priorities was a delicate ability. Collectively, majority votes cast supported the FSPTCA, which suggested the public health benefits outweighed the other risks posed by tobacco control. While my findings confirmed established literature related to tobacco policy triggers, my findings also related to the ACF, which was the study's theoretical basis.

### **Findings Interpretation within the ACF Context**

Throughout Chapter 2, I focused on the external subsystem events and policy subsystem of the ACF, which provided optimal opportunity to make sense of existing literature and the data I gathered during the research study. Through the ACF, Sabatier and Jenkins-Smith (1993) highlighted negotiating and competition among various subsystem elements and demonstrated that collaborating and competition among policy subsystem actors impacted the way public policy matured and developed. My findings reiterated similar collaborative efforts, negotiations, competing priorities, and coalitions were formed to drive FSPTCA enactment.

### ***Study Findings Related to the Policy Subsystem***

Examining the finding through an ACF lens provided insight about the policy making process. My findings aligned with Weible et al.'s (2011) determination that the policy system within the ACF focus on coalitions formed that ultimately influence government authorities to shape and implement legislation. I found that coalition

formations, negotiations, influences, and impacts on FSPTCA formation, collectively, drove the collaborative efforts that drove tobacco legislation.

**Coalitions.** I found that shared themes existed between legislators in favor of tobacco legislation and stakeholders who prioritized public health. Stakeholders, including medical professionals, public health groups, medical associations, academia, government officials, and agencies upheld public health as the most important issue to address when considering tobacco control. I discovered that, as science and research directed policy recommendations articulated by medical and scientific professionals, legislators made informed decisions based those scientific facts and research.

Additionally, I revealed that public citizens who experienced tobacco effects, journalists, faith-based organizations, and science experts also formed coalitions with legislators thereby influencing their votes. Thus, as posited by Weible et al. (2011), the coalition formations were based on common beliefs emphasized within the ACF, wherein those common beliefs centered on protecting public health as the main priority. Consequently, I determined that the themes that emerged from legislators supporting the FSPTCA and the themes that surfaced from stakeholders placing public health at the forefront were, collectively, congruent.

Along with these two distinct coalition formations, I found that the legislative findings derived from field experts also influenced the votes supporting the FSPTCA. I determined that legislative findings and the actors within the tobacco policy subsystem who support tobacco control displayed strong connections, which influenced the FSPTCA votes. Additionally, while coalition formations among the actors supporting

tobacco control exhibited strong bonds due to common beliefs, coalitions also existed between legislators and stakeholders against tobacco legislation. Consequently, the two groups shared similar views resulting in emergent themes from legislators against the FSPTCA but prioritized with tobacco industry and local economy advancement.

I found that FSPTCA opposition stakeholders included tobacco growing farmers, tobacco manufactures, foreign governments, and entities supporting farmers and tobacco development. Furthermore, opposition stakeholders used data from government agencies, like the Congressional Budget Office and medical associations like the Royal College of Physicians, to invalidate the benefits of the FSPTCA. As these coalitions emerged, I found that the views and issues they valued most extended from tobacco subsystem actors.

Subsequently, in conjunction with coalition formations, I discovered that both pro- and con-tobacco control legislators and stakeholders formed close bonds. Wherein, pro- and anti-tobacco state views influenced both coalition sides, thereby pushing their respective agendas to shape tobacco policy. Therefore, proper representation became key while developing policy. Legislator Peterson, who was present in the Congressional hearings highlighted the importance of input from actors across the entire tobacco subsystem as necessary in shaping tobacco policy with respect to state respective cases by stating

Tobacco production makes up a significant part of the southern farm economy especially in North Carolina and Kentucky, as is reflected by the makeup of the distinguished panel of witnesses here today. (Govinfo.gov, n.d.)

Thus, negotiations were also a critical factor influencing policy.

**Negotiations.** While coalitions navigated the journey towards tobacco policy, I discovered that negotiations were a large part of the pathway. I found that public health was a core angle from one side of the policy subsystem. Wherein, public health consequences due to tobacco use, high healthcare costs due to smoking, harmful characteristics of tobacco products, and the need to regulate the tobacco industry weighed strongest among one set of coalitions. Alternatively, the opposing views focused on protecting the tobacco industry and economy related to tobacco revenues. Weible et al. (2011) noted that the ACF assumes negotiations take place, wherein coalitions push respective legislative agendas.

Consequently, various amendments and six versions of H.R.1256 were drafted during the negotiation period as part of the policy making process, which was aligned with ACF tenets. Subsequently, various elements of the bill were altered to incorporate suggestions from actors within the tobacco subsystem. I found that elements like incorporating provisions to protect farmers, the addition of robust guidance on ingredient disclosures, and ensuring science as the driver for lower risk products became some of the amendments incorporated throughout the negotiation process.

While revisions took place in drafting H.R.1256, each set of coalitions held valid concerns and views, confirming coherent groups who focused on proposing ideas and policy demands, which Weible et al. (2011) noted as an important assumption within ACF. However, ultimately, one side outweighed the other, which resulted in policy change; thus, negotiations were a part of the policy development process. Therefore, the

coalition influence made way legislation enactment through legislators' votes. Upon culmination, the majority viewpoint concerning tobacco legislation supported protecting public health based on the common key themes. Thus, I determined that protecting public health was the primary overarching theme representing the highest priority among majority actors within the tobacco policy subsystem. Ultimately, the end of the policy process led to policy change with FSPTCA enactment which aligned with the ACF as part of the external subsystem realm.

### ***Findings in Relation to the External Subsystem Events***

Policy change progresses through various pathways wherein Sabatier and Jenkins-Smith (1993) posited that generating policy change occurs in four different ways relating to external subsystem events. Like Weible et al. (2011) posited about policy change, I found that the changes triggering FSPTCA enactment related to changes in public opinion and changes of governing bodies. I established that the common beliefs of actors within the tobacco policy subsystem gave way to different types of coalitions. While coalitions influence policy change, Weible et al. noted that specific external events cause one coalition to outweigh others resulting in short term openings extending to policy changes. Thus, based on this FSTPCA case study, the external events of changes in public opinion and changes of governing bodies fostered policy changes resulting in the FSTPCA.

**Changes in Public Opinion.** I established that one of the policy advancement triggers related to public opinion changes, which corroborated Weible et al.'s (2011) declaration that the aspect of cultural change and shifting of views must run deep within

society to arouse drastic change in legislation. Accordingly, FSPTCA Legislator Cornyn within the Congressional documents stated,

The key to reducing smoking is for individuals to make better choices and for our culture to change, as it has already changed, when it comes to consumption of tobacco products.

Hence, culture changes contributed to FSPTCA enactment. Additionally, Legislator Buyer within the Congressional documents remarked,

It is the only piece of legislation that builds on the success that we have seen in youth smoking rates, which are down more than 50 percent in the last 10 years. How did this happen? It happened because the American people, parents, teachers, and the retail community, came together and said that we are going to do something about kids smoking, and they have.

I found several other legislator statements that exposed shifting public opinion because of negative tobacco use impacts which pushed in policy benefitting the public health.

Additionally, while the majority of legislators and stakeholders concentrated efforts toward reducing tobacco use impacts, I discovered that legislative findings displayed similar conclusions. Subsequently, FSTPCA legislative findings reported “Federal and State public health officials, the public health community, and the public at large recognize that the tobacco industry should be subject to ongoing oversight.” Thus, harmony in public opinion pivoting toward tobacco control helped trigger policy change giving rise to the FSPTCA, which was also aligned with the ACF propositions that governing body changes propel policy change.

**Changes in Governing Bodies.** Governing parties uphold specific doctrine guiding agenda priorities; wherefore, in 2009, there was a majority party shift at the 111<sup>th</sup> United States Congress legislative branch, which enacted the FSPTCA. In 2009, the democrats increased majority in both chambers and Barack Obama was sworn in as President, resulting in democrats being the leading party within the federal government (History, Art, & Archives, United States House of Representatives, 2022). This trifecta impact had ripple effects, wherein I determined that one of those effects set tobacco control as a priority. The FSPTCA legislative findings reported that “it is in the public interest for Congress to adopt legislation to address the public health crisis created by actions of the tobacco industry.” Thus, the 111<sup>th</sup> Congress session did not shy away from the complex issue of tobacco control.

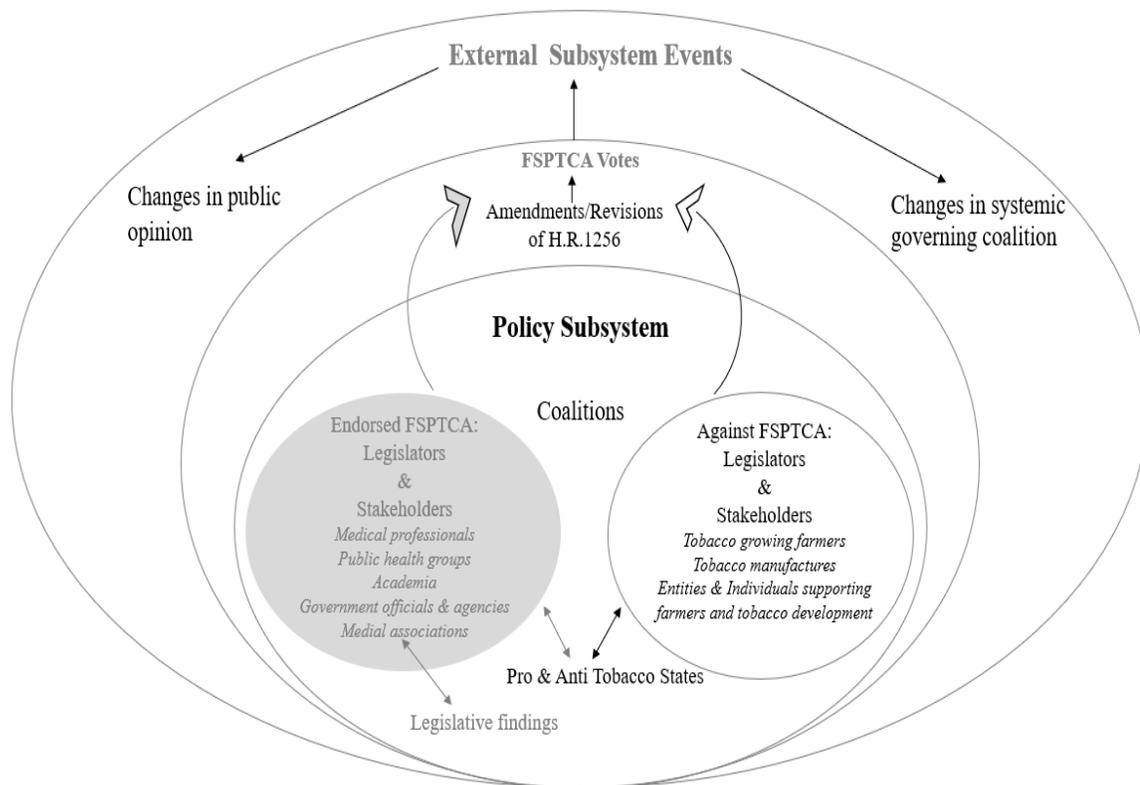
Additionally, the FSPTCA proceedings highlighted President Obama being a former smoker with Legislator Nelson’s remark that,

I have never been a smoker, but I understand people who are. One of them is our President. It is tough to break the habit. I was with him a lot during the campaign, because he was in my state, campaigning. He would break out that pack of Nicorette chewing gum. He would go to work on that chewing gum. And more power and more credit to the President for breaking this habit. It is tough.

Clearly, the President had a deep connection to the proposed legislation, which he signed into law in 2009. During the FSPTCA signing, President Obama articulated his delight in with the FSPTCA, echoing the gravity of the impact the legislation on the public health

and healthcare economy (The White House, 2009a). While healthcare reform was part of the President Obama's agenda, the FSPTCA kickstarted those efforts by reducing healthcare costs related to illness caused by smoking (The White House, 2009b). Thus, the governing party and ideology tipped the ongoing tobacco control issue which activated tobacco legislation.

Figure 11 illustrates the tobacco policy subsystem factors within the ACF scope highlighting the factors that fed FSPTCA and related coalition formation. I determined that the bounds coalition formed attributed to public opinion and systemic governing coalitions changes, thereby driving FSPTCA enactment. Additionally, legislators and stakeholders supporting tobacco legislation coupled with legislative findings, were prevailing forces shaping the FSPTCA.

**Figure 11***ACF-related Study Findings*

*Note.* Researcher generated Figure depicting how study findings related to the ACF.

### Study Limitations

I identified four significant limitations to the study findings. Considering my data was drawn from documentary reviews, there were some limitations applicable to target groups like policy developing Congressional legislators due to the lack of interviews. This limitation stemmed from exploring the perceptions of legislators via limited Congressional documents pertaining FSPTCA development from January 2009 until FSPTCA enactment.

Furthermore, the experiences and views of legislators that was studied did not include all FSPTCA voting legislators. Consequently, I only included data from legislators whose statements were memorialized in the Congressional documents ( $n = 68$ ). Thus, I only examined a partial set of legislator's experiences and views on tobacco legislation, whereby, the data and inferences apply to those sample legislators.

Additionally, the qualitative method did not directly account for causal relationships; however, my findings were indicative and suggestive. While my findings revealed key themes triggering the FSPTCA, the conditions present remain within the context FSPTCA development, thus frozen in time. Hence, the exact settings and conditions might not naturally occur within another subsystem.

Additionally, the classification of pro- and anti-tobacco states was limited to the scope of tobacco product taxes and the leading tobacco growing states. I did not consider other factors potentially influencing pro- and anti-tobacco state classification. Therefore, pro and anti-tobacco state classifications posed a limitation.

Nevertheless, the collective limitations held no bearing on the truthfulness, value, and insight my findings provided. Additionally, the key themes emerged early in the data collection process, which confirmed the accuracy of my findings and conclusions drawn. Subsequently, the limitations associated with sample size, scope, and the time are addressed through my recommendations.

### **Recommendations**

Recommendations for future research are based on the literature reviewed in Chapter 2 in conjunction with the study findings. Research on drivers propelling tobacco

legislation is needed due to the public health concerns related to tobacco use (Peruga et al., 2021; Schroth, 2020; Termini, 2020). Subsequently, my research into this phenomenon revealed key emergent themes drawn from legislative subsystem actors while developing and voting on the FSPTCA. However, future research can expound on my findings by reviewing various cases or tobacco legislation wherein tobacco policy developed at different governmental levels.

Additionally, by expanding analysis to the healthcare environment at the time the FSPTCA was developed, additional possible pressures and elements affecting FSPTCA formation could emerge. Such research efforts gathering perspectives and views of legislative aids or assets in close proximity to tobacco policy subsystem actors may provide insight to assist entities developing effective strategies through identifying appropriate drivers that could propel further tobacco legislation. Even though further research could significantly expound the development of tobacco lawmaking, inferences based on my findings hold significant implications.

### **Implications**

Key themes emerged from actors within the tobacco subsystem during the FSPTCA policy making process, which can improve further tobacco policy development specific to the tobacco policy subsystem. Major drivers like public health effects, economy impact, tobacco industry maintenance, public protection regulation, and the tobacco product composition propelled FSPTCA enactment. Additionally, my findings provide insight to commission legislators toward proposing enhanced federal level

legislation by addressing the drivers that birthed tobacco control (FSPTCA), thereby, bridging the knowledge gap and benefiting public health.

### **Theoretical Association**

My study is the first research effort exploring the currents that propelled FSPTCA enactment wherein I used ACF inferences that coalition formations are key to push legislation forward. Through ACF, Sabatier and Jenkins-Smith (1993) determined that coalitions influence policymakers' policy creation. Consequently, I used an ACF lens to reveal that legislators and stakeholders developing the FSPTCA showed great insight during FSPTCA creation.

Since the ACF offered a platform wherein researchers may comprehend and evaluate policymaking system subsets and processes at different levels (Weible et al., 2011), using ACF to make inferences based on examining tobacco legislation was a reliable choice. Even though the study was the first time that the ACF was used to analyze the data triggering the FSPTCA, through the ACF lens I confidently and reliably answered my RQ. Evaluating my findings through the ACF highlighted the impact and importance that changes in public opinion and systemic governing coalitions had on federal level tobacco legislation development.

Additionally, using ACF to analyze the coalition formations proved insightful because, as Cisneros (2016) explained, ACF focuses on the policy subsystem nucleus centering the bonds and bargaining among policy actors and stakeholders. Furthermore, ACF tenets include all actors within and outside the government (Cisneros, 2016); therefore, the importance of the various coalitions materializing during FSPTCA

development played a vital role in FSPTCA enactment. By examining the tobacco legislation process through an ACF lens, I fully comprehended coalition significance and external subsystem events during FSPTCA manifestation.

Thus, translating the importance of coalition formations relating to various external subsystem events triggered the pathway to policy change, which was key to understanding tobacco legislation and is useful to various other subsystems. Accordingly, ACF not only can be used to gain information on tobacco legislation triggers, but also other public health policy concerns without manipulating any ACF construct to answer particular health policy research questions related to policy triggers. While ACF proved helpful in shedding light on the important elements that propelled policy change, there were also practical implications of my findings.

### **Practical Aspect**

Information about influencing factors pushing policy actors' actions serve as an outline for policy subsystem improvement legislation. As Gottlieb (2019) established, tobacco use has an overall negative impact on the health of the public. Thus, moving towards a smoke free or risk-reduced environment within the tobacco subsystem is ideal when addressing public health concerns. Subsequently, future tobacco induced public health catastrophes can be prevented by considering my findings to add insight into policy triggers. Currently, tobacco policy deficiencies limit consumers, thereby making it difficult for consumers to gain access to less harmful products (Antin et al., 2019). Therefore, tobacco policies must provide for consumer access to tobacco products that are less harmful to public health.

Subsequently, my findings can aid in furthering tobacco legislation toward tighter tobacco policy. Consequently, researchers and policy actors vested in advancing tobacco legislation within the tobacco subsystem can look at the triggers that were present during FSPTCA development and evaluate whether the same conditions and pressures apply to current tobacco policy enhancement. Furthermore, while the practical implications of my findings can be applied toward advancing tobacco legislation, my findings can also be used to improve public health legislation and policy at various governmental levels.

Using my findings, relevant actors within various subsystems can build towards the influencing legislators and stakeholders to form relevant coalitions. Consequently, coalition formations can capitalize on major influencers such as present research related to public health effects, economy impacts, industry maintenance, public protect regulation, and the nature of the relevant commodity or health issue. While the key drivers influence policy change, it is beneficial for researchers to be aware of the overarching influencers for legislation.

Subsequently, researchers must maintain awareness of the importance of informing the public on the relevant concerns affecting public opinion, which Weible et al. (2011) posited trigger policy change. Additionally, as Weible et al. explained, policy actors wanting to promote legislation need remain well informed and aware that change in governing parties gives way to policy change. Thus, researchers must be aware of the significant opportunities changes in systemic governing coalitions bring.

Collectively, the various tremors of short-term openings wherein subsystem instability or change arises can throttle the current policy structure and give rise to policy

change benefiting the public. Applying and using my findings to improve public health policies can be practically beneficial, positive social change impacts abound.

### **Positive Social Change**

My intent with the study was to achieve positive social change by gaining missing information on the influencers triggering tobacco policy change to expose the conditions and drivers needed to foster further policy change better meeting public health needs. As Coggon (2020) established, social change is deeply rooted in addressing issues that pierce society by pushing or breaking the ceiling of cultural norms to enhance social frameworks; thus, social change is birthed from policy. This assumption hinges on efforts made within spheres encompassing problems which effect society and can be addressed through policy.

My goal for this research was to maximize the efficiency of the policy making process, thereby driving positive social change by providing information and raising awareness about influencers that can activate the policy development process. Consequently, legislators, researchers, and public citizens can use my research-based data to place the necessary weight on respective subsystems to form or improve policy. Furthermore, the information gained from my findings reveal the relevant types of coalition formations that influence and further aid policy change.

Additionally, based on my findings, key motivators inform policy actors on facets within a specific public health issue prioritized by policy actors. Thus, focusing on elements like public health effects, economy impacts, industry maintenance, public protection regulation, and the nature of the relevant issue allows the policy making

process to gain momentum. This newly revealed phenomenon contributes to the growth of more effective approaches and tactics within the policy making process at all governmental levels.

Additionally, my findings inform stakeholders within respective industries about the influencers at a macro-level to propel policy. As such, the key emergent themes elucidate the views of policy actors and hierarchize the policy influencing factors that can push policy change. Through learning the perceptions of policy actors on a public health issue, I identified that negotiation among the various subsystem actors was vital in balancing the multiple priorities among those actors. Hence, the numerous versions of the bill and amendments displayed the dialogues and debates that ensured a balanced legislation. Therefore, policy actors must negotiate and find a reasonable ground benefitting the public and outweighing the risks.

Although viewing public health problems through various facets is normal, I found that, ultimately the tools used intend advances in the interests of citizens by improving public health and wellbeing. Therefore, the results my findings add to the existing information about effective policymaking processes by providing areas of concern that impacted legislation and can be translated to different areas of public policy. Thereby, my findings generate a paradigm for policy actors to place better policies that prioritize health and protect the public as central ideologies.

### **Conclusions**

The infrastructure protecting the public starts with governance at the macro level acting as a gatekeeper which ultimately intends to protect the public. Such public

protection is exercised through various facets of which, the largest part of governance is legislation built by policy. While the policymaking process is a vital portion in building the whole, it also creates safe boundaries for societies to thrive. Since governmental entities are tasked with protecting the public, the policies formulated must ultimately benefit the public over the risks. Although policy making is not consistent throughout the various disciplines, the multiple layers, and factors, that respective policy actors must consider while developing policy, are not always straightforward (McConnell & Hart, 2019). Even though various levels of United States government set standards, the federal level government guides the general legislative framework throughout the Nation.

Consequently, gaining information on the policymaking process ignites effective policy development (Purtle et al., 2017, 2018). While various policy disciplines are important, public health issues remain highly significant for a healthy Nation. Tobacco use remains a major public health concern that continues to be the leading cause of preventable death in the Nation (CDC, 2021a). Subsequently, data that exposes the influencers of tobacco policy drives improved tobacco control (Donahoe et al., 2018), which relates to my findings.

My findings begin bridging the gap within the existing literature, thus shedding light on key tobacco policy motivators. While the inferences stem from the FSPTCA, conclusions can be drawn and applied in developing public health related legislation. Even though, policy actors were most influenced by public health effects; economy impacts, industry maintenance, public protection regulation, and the nature of issue all

influenced legislation. Subsequently, further research can elucidate deeper motivators of policy formation.

Furthermore, the theoretical lens through which I examined the study findings provided solid and credible foundation that can also be used by other researchers for similar studies. Ultimately, the changes in public opinion and systemic governing coalitions played a significant role in propelling legislators to achieve their agendas driven by coalitions formations bearing relevant data. Thus, reliable data and research shaped public opinion and impacted legislation. Regardless of discipline, applying critical thinking and introspection towards policy development is key in scholarly research, benefiting the way the nation is governed and transcending party ideology and traditional practices to better the public health.

## References

- Aaron, D. G. (2021). Tobacco reborn: The rise of E-cigarettes and regulatory approaches. *Lewis & Clark Law Review*, 25(3), 827-894.  
<https://law.lclark.edu/live/files/32302-aaron-article-253-pdf>
- Alaska Department of Administration Division of Finance. (2009). *State of Alaska Comprehensive Annual Financial Report for the Fiscal Year July 1, 2008 – June 30, 2009*. <https://doa.alaska.gov/dof/reports/resource/09cafr.pdf>
- Amato, M. S., Bottcher, M. M., Cha, S., Jacobs, M. A., Pearson, J. L., & Graham, A. L. (2021). “It’s really addictive and I’m trapped:” A qualitative analysis of the reasons for quitting vaping among treatment-seeking young people. *Addictive Behaviors*, 112, 1-7. <https://doi.org/10.1016/j.addbeh.2020.106599>
- American Cancer Society. (n.d.). *Stay away from tobacco*.  
<https://www.cancer.org/healthy/stay-away-from-tobacco.html>
- American Heart Association. (n.d.). *Quit smoking, vaping, and tobacco use*.  
<https://www.heart.org/en/healthy-living/healthy-lifestyle/quit-smoking-tobacco>
- American Lung Association. (n.d.). *Quit smoking*. <https://www.lung.org/quit-smoking>
- Antin, T. M. J., Hunt, G., Kaner, E., & Lipperman-Kreda, S. (2019). Youth perspectives on concurrent smoking and vaping: Implications for tobacco control. *International Journal of Drug Policy*, 66, 57–63.  
<https://www.doi.org/10.1016/j.drugpo.2019.01.018>
- Arabloo, J., Tourani, S., & Ravaghi, H. (2018). Application of policy analysis frameworks in tobacco control research: A systematic review of qualitative

literature. *Medical Journal of the Islamic Republic of Iran*, 32(1), 52-60.

<https://doi.org/10.14196/mjiri.32.52>

Baig, S. A., Byron, M. J., Lazard, A. J., & Brewer, N. T. (2019). “Organic,” natural,” and

“additive-free” cigarettes: Comparing the effects of advertising claims and

disclaimers on perceptions of harm. *Nicotine & Tobacco Research*, 21(7), 933–

939. <https://doi.org/10.1093/ntr/nty036>

Baskerville, N. B., Wong, K., Shuh, A., Abramowicz, A., Dash, D., Esmail, A., &

Kennedy, R. (2018). A qualitative study of tobacco interventions for LGBTQ+

youth and young adults: Overarching themes and key learnings. *BMC Public*

*Health*, 18(1), 155-169. <https://doi.org/10.1186/s12889-018-5050-4>

Bennett, M., Hair, E. C., Liu, M., Pitzer, L., Rath, J. M., & Vallone, D. M. (2020).

Exposure to tobacco content in episodic programs and tobacco and E-cigarette  
initiation. *Preventive Medicine*, 139.

<https://doi.org/10.1016/j.ypmed.2020.106169>

Berman, M. L. (2018). The faltering promise of FDA tobacco regulation. *Saint Louis*

*University Journal of Health Law & Policy*, 12(1), 145-167.

<https://scholarship.law.slu.edu/cgi/viewcontent.cgi?article=1020&context=jhlp>

Berman, M. L., & Jenson, D. (2020). The Food and Drug Administration as gatekeeper

and the menthol exemption. *American Journal of Public Health*, 110(6), 775–776.

<https://doi.org/10.2105/AJPH.2020.305672>

Bero, L. A., & Jadad, A. R. (1997). How consumers and policymakers can use systematic

reviews for decision making. *Annals of Internal Medicine*, 127(1), 37–42.

<https://www.acpjournals.org/doi/10.7326/0003-4819-127-1-199707010-00007>

Bevins, R. A., Barrett, S. T., Huynh, Y. W., Thompson, B. M., Kwan, D. A., & Murray, J. E. (2018). Experimental analysis of behavior and tobacco regulatory research on nicotine reduction. *Journal of the Experimental Analysis of Behavior, 110*(1), 1–10. <https://doi.org/10.1002/jeab.439>

Bogenschneider, K., Day, E., & Parrott, E. (2019). Revisiting theory on research use: turning to policymakers for fresh insights. *American Psychologist, 74*(7), 778–793. <https://doi.org/10.1037/amp0000460>

Boesen, U. (2021, May 3). How Stable is Cigarette Tax Revenue? Tax Foundation. <https://taxfoundation.org/cigarette-tax-revenue-tool/>

Boesen, U. (2021, July 22). Compare tobacco tax data in your State. Tax Foundation. <https://taxfoundation.org/tobacco-tax-data-tool/>

Breton, E., Richard, L., Gagnon, F., Jacques, M., Bergeron, P. (2008). Health promotion research and practice require sound policy analysis models: the case of Quebec's Tobacco Act. *Social Science & Medicine, 67*(11), 1679–1689. <https://doi.org/10.1016/j.socscimed.2008.07.028>

Brett, E. I., Stevens, E. M., Wagener, T. L., Leavens, E. L. S., Morgan, T. L., Cotton, W. D., & Hébert, E. T. (2019). A content analysis of JUUL discussions on social media: Using Reddit to understand patterns and perceptions of JUUL use. *Drug and Alcohol Dependence, 194*, 358–362. <https://doi.org/10.1016/j.drugalcdep.2018.10.014>

Brown, E. M., Rogers, T., Eggers, M. E., Cavazos, M. L., O'Brien, M. S., McCrae, T.,

Farley, S. M., & Schroth, K. R. J. (2019). Implementation of the New York City policy restricting sales of flavored non-cigarette tobacco products. *Health Education & Behavior, 46*(5), 782–789.

<https://doi.org/10.1177/1090198119853608>

Burkholder, G. J., Cox, K. A., & Crawford, L. M. (2016). The scholar-practitioner's guide to research design. *Laureate Publishing*.

Cadham, C. J., Sanchez-Romero, L. M., Fleischer, N. L., Mistry, R., Hirschtick, J. L., Meza, R., & Levy, D. T. (2020). The actual and anticipated effects of a menthol cigarette ban: a scoping review. *BMC Public Health, 20*(1), 1–17.

<https://doi.org/10.1186/s12889-020-09055-z>

Cairney, P. (2007). A 'multiple lenses' approach to policy change: The case of tobacco policy in the UK. *British Politics, 2*(2), 45-68.

<https://doi.org/10.1057/palgrave.bp.4200061>

Centers for Disease Control and Prevention. (1986, December 19). MMWR: Perspectives in disease prevention and health promotion 1986 Surgeon General's report: The health consequences of involuntary smoking. (Updated 1998, August 5).

<https://www.cdc.gov/mmwr/preview/mmwrhtml/00000837.htm#:~:text=The%201986%20Surgeon%20General's%20Report%20comes%20to%20three%20major%20conclusions,of%20respiratory%20symptoms%20and%20infections>

Centers for Disease Control and Prevention. (2010, April 9). *State Cigarette Excise Taxes --- United States, 2009*.

<https://www.cdc.gov/mmwr/preview/mmwrhtml/mm5913a1.htm#fig1>

- Centers for Disease Control and Prevention. (2019, November 15). *Smoking & tobacco use: 2016 Surgeon General's report: E-cigarette use among youth and young adults*. [https://www.cdc.gov/tobacco/data\\_statistics/sgr/e-cigarettes/index.htm](https://www.cdc.gov/tobacco/data_statistics/sgr/e-cigarettes/index.htm)
- Centers for Disease Control and Prevention. (2020, January 23). *Smoking & tobacco use: Surgeon General's reports on smoking and tobacco use*. [https://www.cdc.gov/tobacco/data\\_statistics/sgr/index.htm](https://www.cdc.gov/tobacco/data_statistics/sgr/index.htm)
- Centers for Disease Control and Prevention (2021a, November 17). *Smoking & tobacco use: Basic information*. [https://www.cdc.gov/tobacco/basic\\_information/index.htm](https://www.cdc.gov/tobacco/basic_information/index.htm)
- Centers for Disease Control and Prevention. (2021b, May 21). *Smoking & tobacco use: 2014 Surgeon General's report: The health consequences of smoking – 50 years of progress*. [https://www.cdc.gov/tobacco/data\\_statistics/sgr/50th-anniversary/index.htm](https://www.cdc.gov/tobacco/data_statistics/sgr/50th-anniversary/index.htm)
- Centers for Disease Control and Prevention. (2021c, October 19). *Smoking tobacco & use: History of the Surgeon General's reports on smoking and health*. [https://www.cdc.gov/tobacco/data\\_statistics/sgr/history/index.htm](https://www.cdc.gov/tobacco/data_statistics/sgr/history/index.htm)
- Centers for Disease Control and Prevention (2022, August 5). *STATE System Preemption Fact Sheet*. <https://www.cdc.gov/statesystem/factsheets/preemption/Preemption.html>
- Cepeda-Benito, A., Doogan, N. J., Redner, R., Roberts, M. E., Kurti, A. N., Villanti, A. C., Lopez, A. A., Quisenberry, A. J., Stanton, C. A., Gaalema, D. E., Keith, D. R., Parker, M. A., & Higgins, S. T. (2018). Trend differences in men and women in

rural and urban United States settings. *Preventive Medicine*, 117, 69–75.

<https://doi.org/10.1016/j.ypped.2018.04.008>

Chellappa, L. R., Balasubramaniam, A., Indiran, M. A., & Rathinavelu, P. K. (2021). A qualitative study on attitude towards smoking, quitting and tobacco control policies among current smokers of different socio-economic status. *Journal of Family Medicine & Primary Care*, 10(3), 1282–1287.

[https://doi.org/10.4103/jfmpe.jfmpe\\_1628\\_20](https://doi.org/10.4103/jfmpe.jfmpe_1628_20)

Chen, J. S., Nguyen, A. H., Malesker, M. A., & Morrow, L. E. (2016). High-Risk Smoking Behaviors and Barriers to Smoking Cessation Among Homeless Individuals. *Respiratory Care*, 61(5), 640–645.

<https://doi.org/10.4187/respcare.04439>

Chen, X., Yu, B., & Wang, Y. (2017). Initiation of electronic cigarette use by age among youth in the United States. *American Journal of Preventive Medicine*, 53(3), 396–399. <https://doi.org/10.1016/j.amepre.2017.02.011>

Cisneros, P. (2016). The advocacy coalition framework research program: An overview. In W. R. Thompson (Ed.) *Oxford Research Encyclopedia of Politics*. Oxford University Press. <https://doi.org/10.1093/acrefore/9780190228637.013.212>

Coggon, J. (2020). Smoke free? Public health policy, coercive paternalism, and the ethics of long-game regulation. *Journal of Law & Society*, 47(1), 121–148.

<https://doi.org/10.1111/jols.12213>

Cohen, J. E., Goldstein, A. O., Flynn, B. S., Munger, M. C., Gottlieb, N. H., Solomon, L. J., & Dana, G. S. (1997). State legislators' perceptions of lobbyists and lobbying

on tobacco control issues. *Tobacco Control*, 6(4), 332–336.

<http://dx.doi.org/10.1136/tc.6.4.332>

Colditz, J. B., Ton, J. N., James, A. E., & Primack, B. A. (2017). Toward Effective Water Pipe Tobacco Control Policy in the United States: Synthesis of Federal, State, and Local Policy Texts. *American Journal of Health Promotion*, 31(4), 302–309.

<https://doi.org/10.4278/ajhp.150218-QUAL-736>

Congress.gov (n.d.). *H.R. 1256 - Family Smoking Prevention and Tobacco Control Act*.

Retrieved from <https://www.congress.gov/bill/111th-congress/house-bill/1256/committees>

Comptroller of Maryland. (2009). *State of Maryland Comprehensive Annual Financial Report Fiscal Year Ended June 30, 2009*.

<https://www.marylandtaxes.gov/forms/CAFR/cafr2009.pdf>

Cornelius, M. E., Loretan, C. G., Wang, T. W., Jamal, A., Loretan, C. G., & Horma, D.

M. (2020a). Tobacco product use among adults – United States, 2020. *Morbidity & Mortality Weekly Report*, 71(11), 397-405.

<http://dx.doi.org/10.15585/mmwr.mm7111a1>

Cornelius, M. E., Wang, T. W., Jamal, A., Loretan, C. G., & Neff, L. J. (2020b). Tobacco product use among adults – United States, 2019. *Morbidity & Mortality Weekly Report*, 69(46), 1736–1742. <https://doi.org/10.15585/mmwr.mm6946a4>

<https://doi.org/10.15585/mmwr.mm6946a4>

Couch, E. T., Darius, E. F., Walsh, M. M., & Chaffee, B. W. (2017). ST Product

Characteristics and Relationships with Perceptions and Behaviors among Rural

Adolescent Males: A Qualitative Study. *Health Education Research*, 32(6), 537–

545. <https://doi.org/10.1093/her/cyx067>

Cox, E., Barry, R. A., & Glantz, S. (2016). E-cigarette policymaking by local and State governments: 2009-2014. *Milbank Quarterly*, 94(3), 520–596.

<https://doi.org/10.1111/1468-0009.12212>

Crane, D. A. (2014). Enacted legislative findings and the deference problem. *Georgetown Law Journal*, 102(3), 637–680.

Creamer, M. R., Dutra, L. M., Sharapova, S. R., Gentzke, A. S., Delucchi, K. L., Smith, R. A., & Glantz, S. A. (2021). Effects of e-cigarette use on cigarette smoking among United States youth, 2004–2018. *Preventive Medicine*, 142.

<https://doi.org/10.1016/j.ypmed.2020.106316>

Creswell, J. W. (2014). *Research design: Qualitative, quantitative, and mixed methods approaches* (4<sup>th</sup> edition). SAGE Publications, Inc.

Creswell, J. W., & Poth, C. N. (2018) *Qualitative inquiry and research design choosing among five approaches* (4<sup>th</sup> edition). SAGE Publications, Inc.

Cronbach, L. J. (1975). Beyond the two disciplines of scientific psychology. *American Psychologist*, 30(2), 116-127. <https://doi.org/10.1037/h0076829>

Cullen, K. A., Liu, S. T., Bernat, J. K., Slavitt, W. I., Tynan, M. A., King, B. A., & Neff, L. J. (2019). Flavored tobacco product use among middle and high school students – United States, 2014-2018. *Morbidity and Mortality Weekly Report*, 68(39), 839–844. <https://doi.org/10.15585/mmwr.mm6839a2>

Curry, J. M. (2019). Congressional processes and public approval of new laws. *Political Research Quarterly*, 72(4), 878–893. <https://doi.org/10.1177/1065912918819860>

- Davis, C. M. (2019). *The legislative process on the House floor: An introduction*.  
Congressional Research Service.  
<https://crsreports.congress.gov/product/pdf/RL/95-563>
- Deeming Rule 81 FR 28973 (2016)  
<https://www.federalregister.gov/documents/2016/05/10/2016-10685/deeming-tobacco-products-to-be-subject-to-the-federal-food-drug-and-cosmetic-act-as-amended-by-the>
- Denzin, N. K., & Lincoln, Y. S. (2011). *The SAGE handbook of qualitative research*.  
SAGE Publications, Inc.
- Department of Accounting and General Services Hawaii. (2009). *State of Hawaii Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009*. [https://files.hawaii.gov/auditor/Reports/2009\\_Audit/CAFR\\_2009.pdf](https://files.hawaii.gov/auditor/Reports/2009_Audit/CAFR_2009.pdf)
- Department of Administrative Services Nebraska. (2009). *State of Nebraska Comprehensive Annual Financial Report Fiscal Year Ended June 30, 2009*.  
[https://auditors.nebraska.gov/APA\\_Reports/2009/SA100-12292009-July\\_1\\_2008\\_through\\_June\\_30\\_2009\\_CAFR.pdf](https://auditors.nebraska.gov/APA_Reports/2009/SA100-12292009-July_1_2008_through_June_30_2009_CAFR.pdf)
- Department of Administrative Services New Hampshire. (2009). *State of New Hampshire Comprehensive Annual Financial Report Fiscal Year Ended June 30, 2009*.  
<https://www.das.nh.gov/accounting/FY%2009/CAFR%20FY09.pdf>
- Department of Administrative Services Oregon. (2009). *Oregon Comprehensive Annual Financial Report Fiscal Year Ended June 30, 2009*.  
[https://www.oregon.gov/das/Financial/Acctng/Documents/2009\\_Annual\\_Report](https://www.oregon.gov/das/Financial/Acctng/Documents/2009_Annual_Report).

pdf

Department of Administrative Services Utah. (2009). *State of Utah Comprehensive Annual Financial Report For Fiscal Year Ended June 30, 2009.*

<https://ia600104.us.archive.org/5/items/cafr-UT-Utah-2009/UT%20State%20of%20Utah%202009.pdf>

Department of Finance and Administration and Financial Services Maine. (2009).

*Arkansas Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009.* <https://www.maine.gov/osc/sites/maine.gov/osc/files/inline-files/acfr2009.pdf>

Department of Finance and Administration New Mexico. (2009). *State of New Mexico*

*Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009.* <https://www.nmdfa.state.nm.us/wp-content/uploads/2021/08/2009-Annual-Financial-Report.pdf>

Department of Finance and Administration Office of Accounting Arkansas. (2009).

*Arkansas Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009.*

<https://www.dfa.arkansas.gov/images/uploads/accountingOffice/cafr2009.pdf>

Department of Finance and Administration Tennessee. (2009). *Tennessee Comprehensive*

*Annual Financial Report For the Fiscal Year Ended June 30, 2009.*

[https://www.tn.gov/content/dam/tn/finance/acfr/acfr\\_fy09.pdf](https://www.tn.gov/content/dam/tn/finance/acfr/acfr_fy09.pdf)

Department of Finance and Management Vermont. (2009). *State of Vermont*

*Comprehensive Annual Financial Report For the Fiscal Year Ended June 30,*

2009.

[https://auditor.vermont.gov/sites/auditor/files/files/reports/cafr/2009\\_CAFR.pdf](https://auditor.vermont.gov/sites/auditor/files/files/reports/cafr/2009_CAFR.pdf)

Diez, S. L., Cristello, J. V., Dillon, F. R., De La Rosa, M., & Trucco, E. M. (2019).

Validation of the electronic cigarette attitudes survey (ECAS) for youth. *Addictive Behaviors, 91*, 216-221. <https://doi.org/10.1016/j.addbeh.2018.11.022>

Division of Accounting Delaware. (2009). *Delaware Comprehensive Annual Financial Report For the Year Ended June 30, 2009*.

<https://accountingfiles.delaware.gov/docs/2009cafr.pdf>

Division of Administration Louisiana. (2009). *Louisiana Comprehensive Annual Financial Report For the Year Ended June 30, 2009*.

<https://www.doa.la.gov/media/kucfp5rl/cafr2009.pdf>

Donahoe, J. T., Titus, A. R., & Fleischer, N. L. (2018). Key factors inhibiting legislative progress toward smoke-free coverage in Appalachia. *American Journal of Public Health, 108*(3), 372–378. <https://doi.org/10.2105/AJPH.2017.304244>

Fagan, P., Eissenberg, T., Jones, D. M., Cohen, J. E., Henderson, P. N., & Clanton, M. S. (2020). The first 10 years: Reflecting on opportunities and challenges of the tobacco products scientific advisory committee of the United States Food and Drug Administration. *Journal of Legal Medicine, 40*(3/4), 293–320.

<https://doi.org/10.1080/01947648.2020.1868938>

Family Smoking Prevention and Tobacco Control Act, 111 P.L. 31, 123 Stat. 1776, 2009 Enacted H.R. § 1256, 111 Enacted H.R. 1256 (June 22, 2009).

<https://www.govtrack.us/congress/bills/111/hr1256/text>

- Finance and Administration Cabinet Kentucky. (2009). *Commonwealth of Kentucky Comprehensive Annual Financial Report Fiscal year Ended June 30, 2009*.  
<https://finance.ky.gov/office-of-the-controller/office-of-statewide-accounting-services/financial-reporting-branch/ACFR/2009CAFRFINAL.pdf>
- Florida Division of Bond Finance. (2009). *Florida Comprehensive Annual Financial Report Fiscal Year Ended June 30, 2009*.  
<https://www.sbafla.com/bond/Portals/0/Content/FinancialInformation/ACFR/2009CAFR.pdf?ver=2019-04-17-075859-170>
- General Accounting Office Arizona. (2009). *Annual Financial Report State of Arizona*.  
[https://gao.az.gov/sites/default/files/Annual%20Financial%20Report%20June%2030%2C%202009\\_0.pdf](https://gao.az.gov/sites/default/files/Annual%20Financial%20Report%20June%2030%2C%202009_0.pdf)
- Gentzke, A. S., Wang, T. W., Jamal, A., Park-Lee, E., Ren, C., & Neff, L. (2020). Tobacco product use among middle and high school students, United States, 2020. *Morbidity and Mortality Weekly Report*, 69(50), 1881–1888.  
<https://doi.org/10.15585/mmwr.mm6950a1>
- Gholap, V., & Halquist, M. S. (2020). Historical perspective of proactive and reactive regulations of E-cigarettes to combat nicotine addiction. *Journal of Addiction Medicine*, 14(6), 443–445. <https://doi.org/10.1097/ADM.0000000000000627>
- Givel, M. S., & Glantz, S. A. (2001). Tobacco lobby political influence on U.S. State legislatures in the 1990s. *Tobacco Control*, 10(2), 124–134.  
<https://tobaccocontrol.bmj.com/content/tobaccocontrol/10/2/124.full.pdf>
- Gottlieb, M. A (2019). Regulation of E-cigarettes in the United States and its role in

- youth epidemic. *Children*, 6(3), 40. <https://doi.org/10.3390/children6030040>
- Govinfo.gov (n.d.). *Discover U.S. Government Information: Tobacco Control Act*.  
<https://www.Govinfo.gov>
- GovTrack.us (n.d.). *H.R. 1256 (111th): Family Smoking Prevention and Tobacco Control Act*. <https://www.govtrack.us/congress/bills/111/hr1256>
- Gravey, T., & Sheffner, D. J. (2021). *Congress's authority to influence and control executive branch agencies*. Congressional Research Service.  
<https://sgp.fas.org/crs/misc/R45442.pdf>
- Hawkins, S. S., Bach, N., & Baum, C. F. (2018). Impact of tobacco control policies on adolescent smokeless tobacco and cigar use: A difference-in-differences approach. *BMC Public Health*, 18(154), 1–10. <https://doi.org/10.1186/s12889-018-5063-z>
- Hawkins, S. S., Kull, M., & Baum, C. F. (2019). U.S. State cigarette tax increases and smoke-free legislation in relation to cigarette expenditure across household socioeconomic circumstances: A quasi-experimental study. *Addiction*, 114(4), 721–729. <https://doi.org/10.1111/add.14505>
- Heitshusen, V. (2018). *Introduction to the legislative process in the United States Congress* (updated 2020, November 24). Congressional Research Service.  
<https://sgp.fas.org/crs/misc/R42843.pdf>
- Hemmerich, N., Jenson, D., Bowrey, B. L., & Lee, J. G. L. (2021). Underutilization of no-tobacco-sale orders against retailers that repeatedly sell to minors, 2015-2019, USA. *Tobacco Control*, 0, 1-5. <https://doi.org/10.1136/tobaccocontrol-2020->

056379

- History, Art, & Archives, U.S. House of Representatives (2022). *111<sup>th</sup> Congress (2009-2011)*. <https://history.house.gov/Congressional-Overview/Profiles/111th/>
- Hoe, C., Weiger, C., & Cohen, J. E. (2021). The battle to increase tobacco taxes: Lessons from Philippines and Ukraine. *Social Science & Medicine*, 279, 1-12. <https://doi.org/10.1016/j.socscimed.2021.114001>
- Hoffman, B. L., Tulikangas, M. C., James, A. E., Shensa, A., Colditz, J. B., Sidani, J. E., & Primack, B. A. (2018). Pennsylvania policymakers' knowledge, attitudes and likelihood for action regarding waterpipe tobacco smoking and electronic nicotine delivery systems. *Tobacco Prevention & Cessation*, 4(April), 14-21 <https://doi.org/10.18332/tpc/89624>
- Holyoke, T. T. (2019). Strategic lobbying to support or oppose legislation in the U.S. Congress. *Journal of Legislative Studies*, 25(4), 533–552. <https://doi.org/10.1080/13572334.2019.1697053>
- Hong, T., Wu, J., Wijaya, D., Xuan, Z., & Fetterman, J. L. (2021). JUUL the heartbreaker: Twitter analysis of cardiovascular health perceptions of vaping. *Tobacco Induced Diseases*, 19, 1–6. <https://doi.org/10.18332/tid/130961>
- Huberman, A. M., & Miles, M. B. (1994). Data management and analysis methods. In N. K. Denzin & Y. S. Lincoln (Eds.), *Handbook of qualitative research* (pp. 428–444). SAGE Publications, Inc. <https://psycnet.apa.org/record/1994-98625-026>
- Hudson, S. V., Kurti, M., Howard, J., Sanabria, B., Schroth, K. R. J., Hrywna, M., & Delnevo, C. D. (2021). Adoption of tobacco 21: A cross-case analysis of ten U.S.

- States. *International Journal of Environmental Research and Public Health*, 18(11). <https://doi.org/10.3390/ijerph18116096>
- Hurst, A. (2018). Marketing, federalism, and the fight against teen E-cigarette use: Analyzing State and local legislative options. *Case Western Reserve Law Review*, 69(1), 173–208. <https://scholarlycommons.law.case.edu/caselrev/vol69/iss1/7>
- Indiana State Government. (2009). *State of Indiana Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009*.  
[https://www.in.gov/auditor/files/Entire\\_2009\\_CAFR.pdf](https://www.in.gov/auditor/files/Entire_2009_CAFR.pdf)
- Iowa Department of Administrative Services. (2009). *State of Indiana Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009*.  
[http://publications.iowa.gov/10536/1/FY09\\_cafr.pdf](http://publications.iowa.gov/10536/1/FY09_cafr.pdf)
- Janesick, V. G. (2011). “*Stretching*” exercises for qualitative research (3<sup>rd</sup> edition). SAGE Publications, Inc.
- Jayawardhana, J., Bolton, H. E., & Gaughan, M. (2019). The association between school tobacco control policies and youth smoking behavior. *International Journal of Behavioral Medicine*, 26(6), 658–664. <https://doi.org/10.1007/s12529-019-09825-z>
- Johnson, A. C., Mays, D., Hawkins, K. B., Denzel, M., & Tercyak, K. P. (2017). A qualitative study of adolescent perceptions of electronic cigarettes and their marketing: Implications for prevention and policy. *Children’s Health Care*, 46(4), 379–392. <https://doi.org/10.1080/02739615.2016.1227937>
- Juarez, R., Haidar, S., Brookins-Fisher, J., Hancher-Rauch, H., Ohneck, M., Thompson,

- A., & Papenfuse, D. (2021). Practices and perceptions of local health officers/commissioners regarding tobacco 21 policy advocacy. *Health Promotion Practice, February*(2021). <https://doi.org/10.1177/1524839921989271>
- Kansas Department of Administration. (2009). *State of Indiana Comprehensive Annual Financial Report July 1, 2008 – June 30, 2009*. [http://publications.iowa.gov/10536/1/FY09\\_cafr.pdf](http://publications.iowa.gov/10536/1/FY09_cafr.pdf)
- Kava, C. M., Soule, E. K., Seegmiller, L., Gold, E., Snipes, W., Westfield, T., Wick, N., & Afifi, R. (2021). “Taking up a new problem”: Context and determinants of pod-mod electronic cigarette use among college students. *Qualitative Health Research, 31*(4), 703–712. <https://doi.org/10.1177/1049732320971236>
- Keamy-Minor, E., McQuoid, J., & Ling, P. M. (2019). Young adult perceptions of JUUL and other pod electronic cigarette devices in California: A qualitative study. *BMJ Open, 9*(4), 1-7. <https://doi.org/10.1136/bmjopen-2018-026306>
- King, B. A. (2020). Flavors are a major driver of the youth E-cigarette epidemic. *American Journal of Public Health, 110*(6), 773–774. <https://doi.org/10.2105/AJPH.2020.305670>
- King B. A., Gammon D. G., Marynak K. L., & Rogers T. (2018). Electronic cigarette sales in the United States, 2013–2017. *JAMA, 320*(13), 1379–1380. <https://doi.org/10.1001/jama.2018.10488>
- Kingdon, J. W. (1984). *Agendas, alternatives, and public policies*. Little, Brown.
- Kong, A. Y., Golden, S. D., & Berger, M. T. (2019). An intersectional approach to the menthol cigarette problem: what’s race(ism) got to do with it? *Critical Public*

*Health*, 29(5), 616–623. <https://doi.org/10.1080/09581596.2018.1478066>

Kong, A. Y., Robichaud, M. O., Ribisl, K. M., Kirkland, J. H., & Golden, S. D. (2020).

Characteristics of proposed and enacted State tobacco control legislation in the United States, 2010–2015. *Journal of Public Health Policy*, 41(3), 334–350.

<https://doi.org/10.1057/s41271-020-00234-1>

Laestadius, L. I., Penndorf, K., Seidl, M., Pokhrel, P., Patrick, R., & Cho, Y. I. (2020).

Young adult identification and perception of hashtag-based vaping claims on instagram. *Health Education & Behavior*, 47(4), 611–618. Retrieved from

<https://doi.org/10.1177/1090198120928992>

Lazaro, A., Ceballos, R., Fischer, M., Smuin, S., & Halpern-Felsher, B. (2021). A novel

approach to training educators to conduct school-based adolescent e-cigarette education and prevention: Using the Tobacco Prevention Toolkit. *Addictive Behaviors*, 118.

<https://doi.org/10.1016/j.addbeh.2021.106858>

Lester, J. M. (2020). The next 10 years of federal tobacco regulation: A road map to

protect public health and advance health equity. *Journal of Legal Medicine*,

40(3/4), 355–368. <https://doi.org/10.1080/01947648.2020.1868941>

Licari, M. J. (1997). Smoke gets in your eyes: The politics of tobacco policy (Order No.

9738678). Available from ProQuest Dissertations & Theses Global. (304380412).

Lindblom, E. N. (2021). The Tobacco Control Act's PMTA and MRTP provisions mean

to protect the USA from any new tobacco products that will not reduce health

harms—But FDA isn't cooperating. *Journal of Health Care Law & Policy*, 23(2),

121–186. <https://digitalcommons.law.umaryland.edu/jhclp/vol23/iss2/2/>

- Lindblom, E. N., Mays, D., Schroth, K. R. J., & Delnevo, C. (2020). Has FDA abandoned its efforts to make fake-cigar cigarettes comply with federal tobacco control laws that apply to cigarettes but not cigars? *Tobacco Control*, 29, 606-611.  
<http://dx.doi.org/10.1136/tobaccocontrol-2019-055395>
- Lincoln, Y. S., & Guba, E. G. (1985). *Naturalistic inquiry*. SAGE Publications, Inc.
- Liu, J., Ramamurthi, D., & Halpern-Felsher, B. (2021). Inside the adolescent voice: A qualitative analysis of the appeal of different tobacco products. *Tobacco Induced Diseases*, 19(February), 1–10. <https://doi.org/10.18332/tid/132856>
- Marsh, L., Vaneckova, P., Robertson, L., Johnson, T. O., Doscher, C., Raskind, I. G., Schleicher, N. C., & Henriksen, L. (2021). Association between density and proximity of tobacco retail outlets with smoking: A systematic review of youth studies. *Health and Place*, 67. <https://doi.org/10.1016/j.healthplace.2019.102275>
- McConnell, A., & 't Hart, P. (2019). Inaction and public policy: understanding why policymakers “do nothing.” *Policy Sciences*, 52(4), 645–661.  
<https://doi.org/10.1007/s11077-019-09362-2>
- Merriam, S. B., & Tisdell, E. J. (2016). *Qualitative research: A guide to design and implementation* (fourth edition.). Jossey-Bass.
- Miech, R., Leventhal, A., Johnston, L., O'Malley, P. M., Patrick, M. E., & Barrington-Trimis, J. (2021). Trends in use and perceptions of nicotine vaping among U.S. youth from 2017 to 2020. *JAMA pediatrics*, 175(2), 185–190.  
<https://doi.org/10.1001/jamapediatrics.2020.5667>
- Miles, M. B., Huberman, M. A., & Saldaña, J. (2014). *Qualitative data analysis: A*

*methods sourcebook* (3rd edition). SAGE Publications, Inc.

Minnesota Clean Indoor Air Act, 144.411 – 144.417 (1975).

<https://www.health.state.mn.us/communities/environment/air/mciaa/index.html>

Minnesota Management and Budget (2009). *State of Minnesota Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009*.

[https://mn.gov/mmb/assets/2009\\_tcm1059-124962.pdf](https://mn.gov/mmb/assets/2009_tcm1059-124962.pdf)

Monaghan, K. (2021). When lightning strikes twice: E-cigarettes' use of traditional cigarette marketing practices. *Seton Hall Legislative Journal*, 45(2), 447-492.

<https://scholarship.shu.edu/shlj/vol45/iss2/6>

Montini, T., & Bero, L. A. (2001). Policy makers' perspectives on tobacco control advocates' roles in regulation development. *Tobacco Control*, 10(3), 218–224.

<http://dx.doi.org/10.1136/tc.10.3.218>

Morgan, A. J. (2019). Are vape pens the new cigarette? The FDA's impending quest to regulate the E-cigarette and its effect on society's youth. *DePaul Journal of Health Care Law*, 21(2), 1-27.

<https://via.library.depaul.edu/cgi/viewcontent.cgi?article=1377&context=jhcl>

Mullins, L., O'Hanlon, C. E., Shadel, W. G., & Tucker, J. S. (2018). A qualitative study of smoking cessation experiences and perceptions among homeless young adults.

*Journal of Social Distress & the Homeless*, 27(1), 1–8.

<https://doi.org/10.1080/10530789.2017.1377959>

Myers, A. E., Southwell, B. G., Ribisl, K. M., Moreland-Russell, S., Bowling, J. M., & Lytle, L. A. (2019). State-level point-of-sale tobacco news coverage and policy

progression over a 2-year period. *Health Promotion Practice*, 20(1), 135–145.

<https://doi.org/10.1177/1524839917752108>

National Institutes of Health, National Institute on Drug Abuse. (2021, April).

*Tobacco/nicotine and vaping: Cigarettes and other tobacco products drug facts.*

<https://nida.nih.gov/publications/drugfacts/cigarettes-other-tobacco-products>

Newman, J. (2019). The role of uncertainty in regulating E-cigarettes: The emergence of a regulatory regime, 2005-15. *Politics & Policy*, 47(2), 407–429.

<https://doi.org/10.1111/polp.12294>

Novilla, M. L. B., Goates, M. C., Calder, S., Galvao, L. A., Ellis, T., Eppich, K.,

Quintana, N. M., Mateos, D., & Doria, R. (2017). Are our policymakers on board? A systematic review of United States policymakers' views on the social determinants of health, health disparities, health equity, & health in all policies.

*All Faculty Publications*. 2093. <https://scholarsarchive.byu.edu/facpub/2093>

O'Connell, M., & Kephart, L. (2020). Local and State policy action taken in the United States to address the emergence of E-cigarettes and vaping: A scoping review of literature. *Health Promotion Practice*, 23(1), 51–63.

<https://doi.org/10.1177/1524839920963691>

Odani, S., Marynak, K., Armour, B., & Agaku, I. (2018). Electronic cigarette use and conventional cigarette smoking initiation among youth, United States, 2015-2016.

*Tobacco Induced Diseases*, 16(1), 559. <https://doi.org/10.18332/tid/84740>

Office of Administration Division of Accounting Missouri. (2009). *State of Missouri*

*Comprehensive Annual Financial Report Fiscal Year Ended June 30, 2009.*

<https://oa.mo.gov/sites/default/files/CAFR-2009.pdf>

Office of Budget Commonwealth of Pennsylvania. (2009). *Commonwealth of Pennsylvania Comprehensive Annual Financial Report Fiscal Year Ended June 30, 2009*.

<https://www.budget.pa.gov/Publications%20and%20Reports/AnnualFinancialReport/Pages/default.aspx>

Office of Financial Management State of Washington. (2009). *State of Washington Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009*. <https://ia600600.us.archive.org/27/items/cafr-WA-Washington-2009/WA%20State%20of%20Washington%202009.pdf>

Office of the General Treasurer State of Rhode Island. (2009). *State of Rhode Island and Providence Plantations Comprehensive Annual Financial Report Fiscal Year Ended June 30, 2009*. <https://ia600104.us.archive.org/7/items/cafr-RI-Rhode-Island-2009/RI%20State%20of%20Rhode%20Island%202009.pdf>

Office of Management and Budget New Jersey. (2009). *State of New Jersey Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009*. <https://www.nj.gov/treasury/omb/publications/09cafr/pdf/finsect.pdf>

Office of Management and Budget North Dakota. (2009). *State of North Dakota Comprehensive Annual Financial Report Fiscal Year Ended June 30, 2009*. <https://www.omb.nd.gov/sites/www/files/documents/financial-transparency/cafr/2009-cafr.pdf>

Office of State Controller Colorado. (2009). *State of Colorado Comprehensive Annual*

*Financial Report For the Fiscal Year Ended June 30, 2009.*

<https://drive.google.com/file/d/1fb89GPoQQQNqv9esBpRU8yd5xo6qEdKS/view>

Office of State Controller Commonwealth of Massachusetts. (2009). *Commonwealth of Massachusetts Annual Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009.* [https://www.macomptroller.org/wp-content/uploads/acfr\\_fy-2009.pdf](https://www.macomptroller.org/wp-content/uploads/acfr_fy-2009.pdf)

Office of State Controller Connecticut. (2009). *State of Connecticut Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009.*

<https://drive.google.com/file/d/1fb89GPoQQQNqv9esBpRU8yd5xo6qEdKS/view>

Office of State Controller New York. (2009). *State of New York Comprehensive Annual Financial Report For the Fiscal Year Ended March 31, 2009.*

<https://www.osc.state.ny.us/files/reports/finance/pdf/comprehensive-annual-financial-report-2009.pdf>

Office of State Controller North Carolina. (2009). *North Carolina Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009.*

<https://www.osc.nc.gov/media/126/open>

Office of State Controller Virginia. (2009). *Virginia Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009.*

<https://www.doa.virginia.gov/reports/ACFReport/2009/2009ACFReport.pdf>

Office of State Finance Oklahoma. (2009). *Oklahoma Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009.*

<https://www.sai.ok.gov/Search%20Reports/database/cafr09.pdf>

Ohio Department of Taxation. (2009). *Ohio Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009*.

[https://tax.ohio.gov/static/communications/publications/annual\\_reports/2009\\_annual\\_report/entire2009ar.pdf](https://tax.ohio.gov/static/communications/publications/annual_reports/2009_annual_report/entire2009ar.pdf)

Omoike, O. E., & Johnson, K. R. (2021). Prevalence of vaping and behavioral associations of vaping among a community of college students in the United States. *Journal of Community Health, 46*(1), 190–194.

<https://doi.org/10.1007/s10900-020-00868-y>

Osibogun, O., Bursac, Z., & Maziak, W. (2020). E-cigarette use and regular cigarette smoking among youth: Population assessment of tobacco and health study (2013–2016). *American Journal of Preventive Medicine, 58*(5), 657–665.

<https://doi.org/10.1016/j.amepre.2020.01.003>

Owusu, D., Mamudu, H. M., Robertson, C., Wang, L., Guy, H., Collins, C., Boghazian, R., & Littleton, M. A. (2019). Intention to try tobacco among middle school students in a predominantly rural environment of Central Appalachia. *Substance Use & Misuse, 54*(3), 449–458. <https://doi.org/10.1080/10826084.2018.1504080>

Patton, M. Q. (1990). *Qualitative evaluation and research methods* (2<sup>nd</sup> edition). SAGE Publications, Inc.

Patton, M. Q. (2015). *Qualitative research & evaluation methods: Integrating theory and practice* (4<sup>th</sup> edition). SAGE Publications, Inc.

Peruga, A., López, M. J., Martínez, C., & Fernández, E. (2021). Tobacco control policies in the 21<sup>st</sup> century: achievements and open challenges. *Molecular Oncology,*

15(3), 744–752. <https://doi.org/10.1002/1878-0261.12918>

Pesko, M. F., & Robarts, A. M. T. (2017). Adolescent tobacco use in urban versus rural areas of the United States: The influence of tobacco control policy environments. *Journal of Adolescent Health, 61*(1), 70–76.

<https://doi.org/10.1016/j.jadohealth.2017.01.019>

Pierce, J. J., Peterson, H. L., Jones, M. D., Garrard, S. P., & Vu, T. (2017). There and back again: A tale of the advocacy coalition framework. *Policy Studies Journal, 45*(S1), S13-S46. <https://doi.org/10.1111/psj.12197>

Pisinger, C., & Mackay, J. (2019). New tobacco products do not protect public health. *Annals of the American Thoracic Society, 16*(11), 1363–1365.

<https://doi.org/10.1513/AnnalsATS.201905-411PS>

Popova, L., Fairman, R. T., Akani, B., Dixon, K., & Weaver, S. R. (2021). “Don’t do vape, bro!” A qualitative study of youth’s and parents’ reactions to E-cigarette prevention advertisements. *Addictive Behaviors, 112*.

<https://doi.org/10.1016/j.addbeh.2020.106565>

Public Health Cigarette Smoking Act, 91-222 P.L., 84 Stat. (1970)

<https://www.congress.gov/bill/95th-congress/house-bill/839>

Purtle, J., Goldstein, N. D., Edson, E., & Hand, A. (2017). Who votes for public health? U.S. senator characteristics associated with voting in concordance with public health policy recommendations (1998-2013). *SSM Population Health, 3*(December)136–140.

<https://doi.org/10.1016/j.ssmph.2016.12.011>

Purtle, J., Henson, R. M., Carroll-Scott, A., Kolker, J., Joshi, R., & Diez Roux, A. V.

(2018). Understanding policymakers' opinions can help foster policy change.

*American Journal of Public Health, 108*(9), e6.

<https://doi.org/10.2105/AJPH.2018.304617>

QSR International (2022). *NVivo*. <https://www.qsrinternational.com/nvivo-qualitative-data-analysis-software/home>

Ravitch, S. M., & Carl, N. M. (2016). *Qualitative research: Bridging the conceptual, theoretical, and methodological*. SAGE Publications, Inc.

Robinson, E. (2021). One step forward, two steps backward: An elastic products liability framework for E-cigarette regulation. *University of Miami Law Review, 75*(3), 996-1030. <https://repository.law.miami.edu/umlr/vol175/iss3/9/>

Rodu, B., & Plurphanswat, N. (2018). E-cigarette use among U.S. adults: Population assessment of tobacco and health (PATH) study. *Nicotine & Tobacco Research, 20*(8), 940–948. <https://doi.org/10.1093/ntr/ntx194>

Roos, N. P., Roos, L. L., Brownell, M., & Fuller, E. L. (2010). Enhancing policymakers' understanding of disparities: Relevant data from an information-rich environment. *The Milbank Quarterly, 88*(3), 382–403. <https://doi.org/10.1111/j.1468-0009.2010.00604.x>

Rossheim, M. E., Livingston, M. D., Krall, J. R., Barnett, T. E., Thombs, D. L., McDonald, K. K., & Gimm, G. W. (2020). Cigarette use before and after the 2009 flavored cigarette ban. *Journal of Adolescent Health, 67*(3), 432–437. <https://doi.org/10.1016/j.jadohealth.2020.06.022>

Rubin, E. L. (2018). Statutory Design as Policy Analysis. *Harvard Journal on*

*Legislation*, 55(1), 143–183. Retrieved from

[https://search.ebscohost.com/login.aspx?direct=true&AuthType=shib&db=edswss  
&AN=000429624100005&site=eds-live&scope=site&custid=s6527200](https://search.ebscohost.com/login.aspx?direct=true&AuthType=shib&db=edswss&AN=000429624100005&site=eds-live&scope=site&custid=s6527200)

- Rubin, H. J., & Rubin, I. S. (2012) *Qualitative interviewing: The art of hearing data* (3<sup>rd</sup> edition). SAGE Publications, Inc.
- Rudestam, K. E., & Newton, R. R. (2015). *Surviving your dissertation: A comprehensive guide to content and process* (4<sup>th</sup> edition). SAGE Publications, Inc.
- Russo, A. R., Collins, L. K., Solis, A. C., Abudayyeh, H. S., Villanti, A. C., Chansky, M. C., Wipfli, H. L., Glantz, S. A., Kern, T. T., Samet, J. M., Lawley, R. K., & Benjamin, E. J. (2017). Mentoring for success in tobacco regulatory science: A qualitative study. *Tobacco Regulatory Science*, 3(3), 280–292.  
<https://doi.org/10.18001/TRS.3.3.4>
- Rybicki, E. (2018). *Conference committee and related procedures: An introduction*. Congressional Research Service. <https://sgp.fas.org/crs/misc/96-708.pdf>
- Sabatier, P. A., & Jenkins-Smith, H. C. (1993). *Policy change and learning: An advocacy coalition approach*. Westview Press.
- Sabatier, P. A., & Weible, C. M. (2007). The advocacy coalition framework. In P. A. Sabatier, *Theories of The Policy Process* (2<sup>nd</sup> edition, pp. 89–220). Westview Press. [https://collectivememory.fsv.cuni.cz/CVKP-29-version1-priloha\\_2\\_FF.pdf](https://collectivememory.fsv.cuni.cz/CVKP-29-version1-priloha_2_FF.pdf)
- Sabatier, P. A., & Weible, C. M. (2014). The advocacy coalition framework. In P. A. Sabatier, *Theories of The Policy Process* (3<sup>rd</sup> edition, pp. 1-432). Taylor & Francis Inc.

- Saldaña, J. (2016). *The coding manual for qualitative researchers* (3<sup>rd</sup> edition). SAGE Publications, Inc.
- Sato, H. (1999). The advocacy coalition framework and the policy process analysis: the case of smoking control in Japan. *Policy Studies Journal*, 27(1), 28-44.  
<https://doi.org/10.1111/j.1541-0072.1999.tb01951.x>
- Schmidt, A. M., Ranney, L. M., & Goldstein, A. O. (2014). Communicating program outcomes to encourage policymaker support for evidence-based State tobacco control. *International Journal of Environmental Research and Public Health*, 11(12), 12562–12574. <https://doi.org/10.3390/ijerph111212562>
- Schroth, K. R. J. (2020). Ten years of the Tobacco Control Act in New York City. *Journal of Legal Medicine*, 40(3/4), 321–333.  
<https://doi.org/10.1080/01947648.2020.1868939>
- Shenton, A. K. (2004). Strategies for ensuring trustworthiness in qualitative research projects. *Education for Information*, 22(2), 63-75. <https://doi.org/10.3233/EFI-2004-22201>
- Singaraju, R. C., Myers, J. N., Owczarzak, J. T., & Gielen, A. C. (2019). Combat readiness, harm aversion, and promotion eligibility: A qualitative study of United States servicemembers views on tobacco use and control in the military. *Military Medicine*, 184(3/4), e175–e182. <https://doi.org/10.1093/milmed/usy181>
- Smith, M., & Wehbé, A. (2018). A bipartisan vehicle for change: Proposing a novel investigative framework designed to improve and empower Congressional investigations. *Stanford Law & Policy Review*, 29(2), 237-266. <https://www->

cdn.law.stanford.edu/wp-content/uploads/2018/08/SLPR\_Smith\_Wehbe.pdf

Statista. (n.d.). *State government tax revenue in the United States from the fiscal year of 2007 to 2020*. <https://www.statista.com/statistics/248945/us-state-government-tax-revenue/>

State of Alabama Comptroller (2009). *State of Alabama Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2009*.

<https://comptroller.alabama.gov/wp-content/uploads/2017/11/cafr.2009.pdf>

State Budget Office Michigan. (2009). *State of California Comprehensive Annual Financial Report Fiscal Year Ended June 30, 2009*.

<https://www.michigan.gov/budget/->

[/media/Project/Websites/budget/Fiscal/Spending-and-Revenue-](https://www.michigan.gov/budget/-/media/Project/Websites/budget/Fiscal/Spending-and-Revenue-Reports/CAFR/ACFR-FY2009.pdf?rev=0134b498e3a24025a88baad8711eae94&hash=33EBB85D3E2D7556B9EF9D45C491BB4F)

[Reports/CAFR/ACFR-](https://www.michigan.gov/budget/-/media/Project/Websites/budget/Fiscal/Spending-and-Revenue-Reports/CAFR/ACFR-FY2009.pdf?rev=0134b498e3a24025a88baad8711eae94&hash=33EBB85D3E2D7556B9EF9D45C491BB4F)

[FY2009.pdf?rev=0134b498e3a24025a88baad8711eae94&hash=33EBB85D3E2D](https://www.michigan.gov/budget/-/media/Project/Websites/budget/Fiscal/Spending-and-Revenue-Reports/CAFR/ACFR-FY2009.pdf?rev=0134b498e3a24025a88baad8711eae94&hash=33EBB85D3E2D7556B9EF9D45C491BB4F)

[7556B9EF9D45C491BB4F](https://www.michigan.gov/budget/-/media/Project/Websites/budget/Fiscal/Spending-and-Revenue-Reports/CAFR/ACFR-FY2009.pdf?rev=0134b498e3a24025a88baad8711eae94&hash=33EBB85D3E2D7556B9EF9D45C491BB4F)

State Controller's Office California (2009). *State of California Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009*.

<https://www.sco.ca.gov/Files-ARD/CAFR/cafr09web.pdf>

State Financial Services Division Montana. (2009). *State of Montana Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009*.

[https://www.sco.idaho.gov/CAFRDocuments/2009%20Comprehensive%20Annu](https://www.sco.idaho.gov/CAFRDocuments/2009%20Comprehensive%20Annual%20Financial%20Report.pdf)

[al%20Financial%20Report.pdf](https://www.sco.idaho.gov/CAFRDocuments/2009%20Comprehensive%20Annual%20Financial%20Report.pdf)

State of Idaho Controller's Office. (2009). *State of California Comprehensive Annual*

*Financial Report For the Fiscal Year Ended June 30, 2009.*

<https://www.sco.idaho.gov/CAFRDocuments/2009%20Comprehensive%20Annual%20Financial%20Report.pdf>

State of Illinois Controller's Office. (2009). *State of California Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009.*

[https://illinoiscomptroller.gov/\\_media/sites/comptroller/assets/File/CAFR/CAFR%202009.pdf](https://illinoiscomptroller.gov/_media/sites/comptroller/assets/File/CAFR/CAFR%202009.pdf)

State of Nevada Controller's Office. (2009). *State of Nevada Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009.*

<https://controller.nv.gov/uploadedFiles/controller.nv.gov/Content/FinRpts/CAFR/FY09All.pdf>

State of South Carolina Controller's Office. (2009). *State of South Carolina Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009.*

[https://cg.sc.gov/sites/cg/files/Documents/Publications%20and%20Reports/Comprehensive%20Annual%20Financial%20Reports%20\(CAFR\)/FY2009/CompleteCAFRFY09.pdf](https://cg.sc.gov/sites/cg/files/Documents/Publications%20and%20Reports/Comprehensive%20Annual%20Financial%20Reports%20(CAFR)/FY2009/CompleteCAFRFY09.pdf)

State of Wisconsin Controller's Office. (2009). *State of Wisconsin Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009.*

[https://doa.wi.gov/DEBFCapitalFinance/2009/2009CAFR\\_Linked.pdf](https://doa.wi.gov/DEBFCapitalFinance/2009/2009CAFR_Linked.pdf)

Stokes, A. C., Wilson, A. E., Lundberg, D. J., Xie, W., Berry, K. M., Fetterman, J. L.,

Harlow, A. F., Cozier, Y. C., Barrington-Trimis, J. L., Sterling, K. L., Benjamin,

E. J., Blaha, M. J., Hamburg, N. M., Bhatnagar, A., & Robertson, R. M. (2021). Racial/ethnic differences in associations of noncigarette tobacco product use with subsequent initiation of cigarettes in U.S. youths. *Nicotine & Tobacco Research*, 23(6), 900–908. <https://doi.org/10.1093/ntr/ntaa170>

Tam, J. (2021). E-cigarette, combustible, and smokeless tobacco product use combinations among youth in the United States, 2014–2019. *Addictive Behaviors*, 112. <https://doi.org/10.1016/j.addbeh.2020.106636>

Tax Policy Center (n.d.). *State and Local Tobacco Tax Revenue*.

<https://www.taxpolicycenter.org/statistics/state-and-local-tobacco-tax-revenue>

Termini, R. B. (2020). A look back at the evolution of the family smoking prevention and tobacco control act and the present-day impact on “overlooked and belated issues”: Electronic nicotine delivery systems (ENDS) and the youth epidemic, menthol, corrective statements and cigarette labeling graphic health warnings. *Indiana Health Law Review*, 17(2), 107-151. <https://doi.org/10.18060/25042>

The IGEN Blog (n.d.). *Tobacco & Cigarette Taxes by State*.

<https://igentax.com/cigarette-tax-state/>

The White House (2009a, September 9). *Remarks by the President to a Joint Session of Congress on Health Care*. <https://obamawhitehouse.archives.gov/the-press-office/remarks-president-a-joint-session-congress-health-care>

The White House (2009b, June 22). *Remarks by the President at the signing of the family smoking prevention and tobacco control act*.

<https://obamawhitehouse.archives.gov/the-press-office/remarks-president-signing->

family-smoking-prevention-and-tobacco-control-act

Title 15 United States C. § 1332. (2017). Cigarette Labeling and Advertising.

<https://law.justia.com/codes/us/2017/title-15/chapter-36/sec.-1332/>

Tobacco Control Legal Consortium. (2011). *Novel non-cigarette tobacco products: An overview of regulatory options* [Fact Sheet].

<https://publichealthlawcenter.org/sites/default/files/resources/tclc-fs-novelotps-2011.pdf>

U.S. Const. art.S8.C3.1.5.1 1824., Dormant Commerce Clause.

U.S. Food and Drug Administration. (2022). *E-cigarettes, vapes, and other electronic*

*nicotine delivery systems (ENDS)*. [https://www.fda.gov/tobacco-](https://www.fda.gov/tobacco-products/products-ingredients-components/e-cigarettes-vapes-and-other-electronic-nicotine-delivery-systems-ends)

[products/products-ingredients-components/e-cigarettes-vapes-and-other-](https://www.fda.gov/tobacco-products/products-ingredients-components/e-cigarettes-vapes-and-other-electronic-nicotine-delivery-systems-ends)

[electronic-nicotine-delivery-systems-ends](https://www.fda.gov/tobacco-products/products-ingredients-components/e-cigarettes-vapes-and-other-electronic-nicotine-delivery-systems-ends)

U.S. Food and Drug Administration. (2019, November 12). *Tobacco products scientific*

*advisory committee*. [https://www.fda.gov/advisory-committees/committees-and-](https://www.fda.gov/advisory-committees/committees-and-meeting-materials/tobacco-products-scientific-advisory-committee)

[meeting-materials/tobacco-products-scientific-advisory-committee](https://www.fda.gov/advisory-committees/committees-and-meeting-materials/tobacco-products-scientific-advisory-committee)

U.S. Food and Drug Administration. (2013). *Preliminary scientific evaluation of the*

*possible public health effects of menthol versus nonmenthol cigarettes*.

<https://iucat.iu.edu/iuk/13455704>

Union for International Cancer Control. (2022, April 20). *Thematic areas of work:*

*Tobacco control*. [https://www.uicc.org/what-we-do/thematic-areas-work/tobacco-](https://www.uicc.org/what-we-do/thematic-areas-work/tobacco-control)

[control](https://www.uicc.org/what-we-do/thematic-areas-work/tobacco-control)

U.S. Department of Agriculture. (2010, January 12). *Crop Production 2009 Summary*

*January 2010.*

[https://www.nass.usda.gov/Publications/Todays\\_Reports/reports/cropan10.pdf](https://www.nass.usda.gov/Publications/Todays_Reports/reports/cropan10.pdf)

Vagnoni, M. R. (2019). The vapes of wrath: Why the FDA should ban fruity and sweet flavored E-liquids to preclude adolescent use of E-cigarettes. *Administrative Law Review*, 71(1), 277–305. [https://administrativelawreview.org/wp-content/uploads/sites/2/2019/07/71.1\\_Vagnoni\\_FINAL.pdf](https://administrativelawreview.org/wp-content/uploads/sites/2/2019/07/71.1_Vagnoni_FINAL.pdf)

Walden Institutional Review Board. (n.d.). *Tools and guides.*

<https://academicguides.waldenu.edu/research-center/research-ethics/tools-guides>

Wang, T. W., Gentzke, A. S., Creamer, M. R., Cullen, K. A., Holder-Hayes, E., Sawdey, M. D., Anic, G. M., Portnoy, D. B., Hu, S., Homa, D. M., Jamal, A., & Neff, L. J. (2019). Tobacco product use and associated factors among middle and high school students - United States, 2019. *Morbidity and Mortality Weekly Report*, 68(12), 1–22. <https://doi.org/10.15585/mmwr.ss6812a1>

Wang, T. W., Neff, L. J., Park-Lee, E., Ren, C., Cullen, K. A., & King, B. A. (2020). E-cigarette use among middle and high school students — United States, 2020. *Morbidity and Mortality Weekly Report*, 69(37), 1310–1312.

<https://doi.org/10.15585/mmwr.mm6937e1>

Weible, C. M., & Sabatier, P. A. (Eds.). (2018). *Theories of the policy process* (4th edition). Routledge. <https://doi.org/10.4324/9780429494284>

Weible, C. M., Sabatier, P. A., Jenkins-Smith, H. C., Nohrstedt, D., Henry, A. D., & deLeon, P. (2011). A quarter century of the advocacy coalition framework: An introduction to the special issue. *Policy Studies Journal*, 39(3), 349-360.

<https://doi.org/10.1111/j.1541-0072.2011.00412.x>

Werk, R. S., & Ford, J. S. (2021). Covariates of risky health behaviors in pediatric cancer survivors during adolescence. *Journal of Psychosocial Oncology*, 39(1), 74–88.

<https://doi.org/10.1080/07347332.2020.1795779>

Whelan, E. (1984). *A smoking gun: How the tobacco industry gets away with murder*.

George F. Stickley Co.

Wipfle, H., and Samet, J. M. (2016). One hundred years in the making: The global tobacco epidemic. (2016). *Annual Review of Public Health*, 37, 149.

<https://doi.org/10.1146/annurev-publhealth-032315-021850>

Wood, R. S. (2006). Tobacco's tipping point: The master settlement agreement as a focusing event. *Policy Studies Journal*, 34(3), 419–436.

<https://doi.org/10.1111/j.1541-0072.2006.00180.x>

Wray, R. J., Weaver, N., Jupka, K., Zellin, S., Berman, S., & Vijaykumar, S. (2017).

Comparing State legislative aides' perspectives on tobacco policymaking in States with strong and weak policies: A qualitative study. *American Journal of Health Promotion*, 31(6), 476–483. <https://doi.org/10.1177/0890117116668453>

Wyoming State Auditor's Office. (2009). *State of Wyoming Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2009*.

<https://ia800802.us.archive.org/26/items/cafr-WY-Wyoming-2009/WY%20State%20of%20Wyoming%202009.pdf>

Yang, W., Zou, Q., Tan, E., Watkins, L., Beronja, K., Hogan, P. F., & Elenberg, K.

(2018). Future health and economic impact of comprehensive tobacco control in

DoD: A microsimulation approach. *Military Medicine*, 183(1/2), e104–e112.

<https://doi.org/10.1093/milmed/usx015>

Yao, T., Sung, H.-Y., Wang, Y., Lightwood, J., & Max, W. (2018). Healthcare costs attributable to secondhand smoke exposure at home for United States adults.

*Tobacco Induced Diseases*, 16(1), 497–503. <https://doi.org/10.18332/tid/84564>

Yin, R. K. (2014). *Case study research: Design and methods* (5<sup>th</sup> edition). SAGE Publications, Inc.

Yule, J. A., & Tinson, J. S. (2017). Youth and the sociability of “vaping.” *Journal of Consumer Behaviour*, 16(1), 3–14. <https://doi.org/10.1002/cb.1597>

Zardo, P., & Collie, A. (2014). Measuring use of research evidence in public health policy: a policy content analysis. *BMC Public Health*, 14(496), 1-10.

<https://doi.org/10.1186/1471-2458-14-496>

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## Appendix B: State Tax Databases

State	2009 State Financial Office
Alabama	State of Alabama Comptroller
Alaska	Alaska Department of Administration Division of Finance
Arizona	General Accounting Office Arizona
Arkansas	Department of Finance and Administration Office of Accounting Arkansas
California	State Controller's Office California
Colorado	Office of State Controller Colorado
Connecticut	Office of State Controller Connecticut
Delaware	Division of Accounting Delaware
Florida	Florida Division of Bond Finance
Hawaii	Department of Accounting and General Services Hawaii
Idaho	State of Idaho Controller's Office
Illinois	State of Illinois Controller's Office
Indiana	Indiana State Government
Iowa	Iowa Department of Administrative Services
Kansas	Kansas Department of Administration
Kentucky	Finance and Administration Cabinet Kentucky
Louisiana	Division of Administration Louisiana
Maine	Department of Finance and Administration and Financial Services Maine
Maryland	Comptroller of Maryland
Massachusetts	Office of State Controller Commonwealth of Massachusetts
Michigan	State Budget Office Michigan
Minnesota	Minnesota Management and Budget
Missouri	Office of Administration Division of Accounting Missouri
Montana	State Financial Services Division Montana
Nebraska	Department of Administrative Services Nebraska
Nevada	State of Nevada Controller's Office
New Hampshire	Department of Administrative Services New Hampshire
New Jersey	Office of Management and Budget New Jersey
New Mexico	Department of Finance and Administration New Mexico
New York	Office of State Controller New York
North Carolina	Office of State Controller North Carolina
North Dakota	Office of Management and Budget North Dakota
Ohio	Ohio Department of Taxation
Oklahoma	Office of State Finance Oklahoma
Oregon	Department of Administrative Services Oregon

Pennsylvania	Office of Budget Commonwealth of Pennsylvania
Rhode Island	Office of the General Treasurer State of Rhode Island
South Carolina	State of South Carolina Controller's Office
Tennessee	Department of Finance and Administration Tennessee
Utah	Department of Administrative Services Utah
Vermont	Department of Finance and Management Vermont
Virginia	Office of State Controller Virginia
Washington	Office of Financial Management State of Washington
Wisconsin	State of Wisconsin Controller's Office
Wyoming	Wyoming State Auditor's Office

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*Note.* Researcher generated list of U.S. States and their respective financial offices.  
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