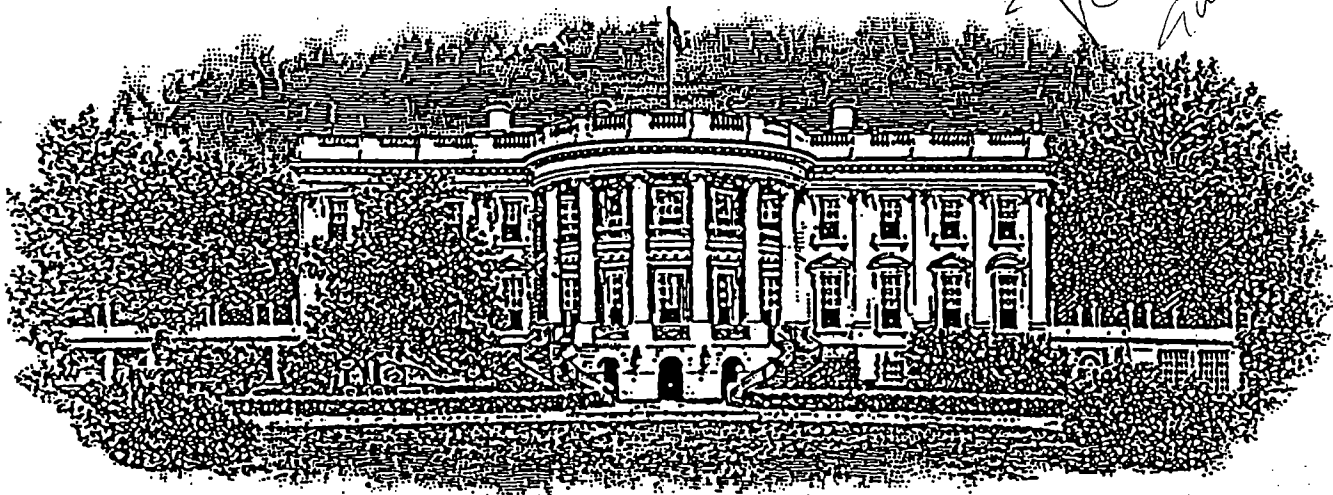


The White House

Vol from
Gunn Jan 12



DOMESTIC POLICY

FACSIMILE TRANSMISSION COVER SHEET

TO: Dallas Smith

FAX NUMBER: 720 8254

TELEPHONE NUMBER: _____

FROM: Tom F.

TELEPHONE NUMBER: _____

PAGES (INCLUDING COVER): _____

COMMENTS: As we discussed

Last page marked "last page"

LUGAR 1

S.L.C.

Alvin Lugar 12:20 p.m.
Movers up to 1/27/98

AMENDMENT NO. _____

Calendar No. _____

Purpose: To clarify the treatment of payments made to tobacco owners and producers and tobacco-dependent States.

IN THE SENATE OF THE UNITED STATES—105th Cong., 2d Sess.

S. 1415

T AMENDMENT N^o 2501 ch tobacco
By *Lugar - McConnell* distributed,
Bill/Res. No. minors, to
use, and

R 4 Page(s)
CPO: 1996 25-891 (mac)

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. LUGAR (for himself and Mr. McCONNELL)

Viz:

1 Strike title X in the Committee amendment and in-
2 sert the following:

3 **TITLE X—PAYMENTS TO**
4 **TOBACCO FARMERS**

5 **SEC. 1001. BUDGETARY TREATMENT.**

6 Subtitle A of title XV constitutes budget authority
7 in advance of appropriations Acts and represents the obli-
8 gation of the Federal Government to provide payments to

1 States and eligible persons in accordance with subtitle A
2 of title XV.

3 **SEC. 1002. BUYOUT PAYMENTS TO OWNERS.**

4 (a) IN GENERAL.—Notwithstanding, and in lieu of,
5 section 1514, the Secretary of Agriculture shall make
6 buyout payments for each of the 1999 through 2001 mar-
7 keting years for each kind of tobacco involved to an owner
8 that owns quota at the time of entering into a tobacco
9 transition contract.

10 (b) ALLOCATION.—Of the total amount of buyout
11 payments made under subsection (a)—

12 (1) 46 percent shall be made for the 1999 mar-
13 keting year;

14 (2) 27 percent shall be made for the 2000 mar-
15 keting year; and

16 (3) 27 percent shall be made for the 2001 mar-
17 keting year.

18 (c) COMPENSATION FOR LOST VALUE.—The pay-
19 ment shall constitute compensation for the lost value to
20 the owner of the quota.

21 (d) PAYMENT CALCULATION.—Under this section,
22 the total amount of the buyout payment made to an owner
23 shall be determined by multiplying—

24 (1) \$8.00; by

1 (2) the average annual quantity of quota owned
2 by the owner during the 1995 through 1997 crop
3 years.

4 **SEC. 1003. TRANSITION PAYMENTS TO PRODUCERS.**

5 (a) **IN GENERAL.**—Notwithstanding, and in lieu of,
6 section 1515, the Secretary of Agriculture shall make
7 transition payments for each of the 1999 through 2001
8 marketing years for each kind of tobacco produced, to a
9 producer that—

10 (1) produced the kind of tobacco for each of the
11 1995 through 1997 crops; and

12 (2) entered into a tobacco transition contract.

13 (b) **ALLOCATION.**—Of the total amount of transition
14 payments made under subsection (a)—

15 (1) 46 percent shall be made for the 1999 mar-
16 keting year;

17 (2) 27 percent shall be made for the 2000 mar-
18 keting year; and

19 (3) 27 percent shall be made for the 2001 mar-
20 keting year.

21 (c) **TRANSITION PAYMENTS LIMITED TO LEASED**
22 **QUOTA.**—A producer shall be eligible for transition pay-
23 ments only for the portion of the production of the pro-
24 ducer that is subject to quota that is leased (as defined

1 in section 1503(5) of this Act) during the 3 crop years
2 described in subsection (a)(1).

3 (d) COMPENSATION FOR LOST REVENUE.—The pay-
4 ments shall constitute compensation for the lost revenue
5 incurred by a tobacco producer for a kind of tobacco.

6 (e) PRODUCTION HISTORY; PRODUCTION.—

7 (1) PRODUCTION HISTORY.—The Secretary
8 shall base a transition payment made to a producer
9 on the average quantity of tobacco subject to a mar-
10 keting quota that is produced by the producer for
11 each of the 1995 through 1997 crops.

12 (2) PRODUCTION.—The producer shall have the
13 burden of demonstrating to the Secretary the pro-
14 duction of tobacco for each of the 1995 through
15 1997 crops.

16 (f) PAYMENT CALCULATION.—Under this section,
17 the total amount of the transition payment made to a pro-
18 ducer shall be determined by multiplying—

19 (1) \$4.00; by

20 (2) the average quantity of the kind of tobacco
21 produced by the producer for each of the 1995
22 through 1997 crops.

23 **SEC. 1004. EFFECTIVE DATE.**

24 This title takes effect on the day after the date of
25 enactment of this Act.

LUGAR 2

S.L.C. 12:20 p.m.
Alvin Lugar

AMENDMENT NO. _____

Calendar No. _____

Purpose: To make a perfecting amendment.

IN THE SENATE OF THE UNITED STATES—105th Cong., 2d Sess.

S. 1415

To refer:	AMENDMENT N^o 2502	reco
prod		ted,
to p	By <i>Lugar - McConnell</i>	to
redr	Bill/Res. No. _____	and
for c	_____	

Referred

4 Page(s)

GPO: 1996 25-891 (mac)

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. LUGAR (for himself and Mr. MCCONNELL)

Viz:

1 In lieu of the matter proposed to be inserted for title

2 X, insert the following:

3 **TITLE X—PAYMENTS TO**

4 **TOBACCO FARMERS**

5 **SEC. 1001. BUDGETARY TREATMENT.**

6 Subtitle A of title XV constitutes budget authority

7 in advance of appropriations Acts and represents the obli-

8 gation of the Federal Government to provide payments to

1 States and eligible persons in accordance with subtitle A
2 of title XV.

3 **SEC. 1002. BUYOUT PAYMENTS TO OWNERS.**

4 (a) **IN GENERAL.**—Notwithstanding, and in lieu of,
5 section 1514, the Secretary of Agriculture shall make
6 buyout payments for each of the 1999 through 2001 mar-
7 keting years for each kind of tobacco involved to an owner
8 that owns quota at the time of entering into a tobacco
9 transition contract.

10 (b) **ALLOCATION.**—Of the total amount of buyout
11 payments made under subsection (a)—

12 (1) 46 percent shall be made for the 1999 mar-
13 keting year;

14 (2) 27 percent shall be made for the 2000 mar-
15 keting year; and

16 (3) 27 percent shall be made for the 2001 mar-
17 keting year.

18 (c) **COMPENSATION FOR LOST VALUE.**—The pay-
19 ment shall constitute compensation for the lost value to
20 the owner of the quota.

21 (d) **PAYMENT CALCULATION.**—Under this section,
22 the total amount of the buyout payment made to an owner
23 shall be determined by multiplying—

24 (1) \$8.00; by

1 (2) the average annual quantity of quota owned
2 by the owner during the 1995 through 1997 crop
3 years.

4 **SEC. 1003. TRANSITION PAYMENTS TO PRODUCERS.**

5 (a) **IN GENERAL.**—Notwithstanding, and in lieu of,
6 section 1515, the Secretary of Agriculture shall make
7 transition payments for each of the 1999 through 2001
8 marketing years for each kind of tobacco produced, to a
9 producer that—

10 (1) produced the kind of tobacco for each of the
11 1995 through 1997 crops; and

12 (2) entered into a tobacco transition contract.

13 (b) **ALLOCATION.**—Of the total amount of transition
14 payments made under subsection (a)—

15 (1) 46 percent shall be made for the 1999 mar-
16 keting year;

17 (2) 27 percent shall be made for the 2000 mar-
18 keting year; and

19 (3) 27 percent shall be made for the 2001 mar-
20 keting year.

21 (c) **TRANSITION PAYMENTS LIMITED TO LEASED**
22 **QUOTA.**—A producer shall be eligible for transition pay-
23 ments only for the portion of the production of the pro-
24 ducer that is subject to quota that is leased (as defined

1 in section 1503(5) of this Act) during the 3 crop years
2 described in subsection (a)(1).

3 (d) COMPENSATION FOR LOST REVENUE.—The pay-
4 ments shall constitute compensation for the lost revenue
5 incurred by a tobacco producer for a kind of tobacco.

6 (e) PRODUCTION HISTORY; PRODUCTION.—

7 (1) PRODUCTION HISTORY.—The Secretary
8 shall base a transition payment made to a producer
9 on the average quantity of tobacco subject to a mar-
10 keting quota that is produced by the producer for
11 each of the 1995 through 1997 crops.

12 (2) PRODUCTION.—The producer shall have the
13 burden of demonstrating to the Secretary the pro-
14 duction of tobacco for each of the 1995 through
15 1997 crops.

16 (f) PAYMENT CALCULATION.—Under this section,
17 the total amount of the transition payment made to a pro-
18 ducer shall be determined by multiplying—

19 (1) \$4.00; by

20 (2) the average quantity of the kind of tobacco
21 produced by the producer for each of the 1995
22 through 1997 crops.

Kerrey 3

12:47 p.m.

[Signature]

AMENDMENT NO. _____

Calendar No. _____

*- \$1.25 bill
- Program to respond
#1 bill
- 30 to 10 yr
- take program
- [Signature]*

Purpose: To modify the tobacco transition provisions of title XV.

IN THE SENATE OF THE UNITED STATES—105th Cong., 2d Sess.

S. 1415

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Bill/Res. No. _____

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GPO: 1996 25-891 (mac)

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. KERREY

Viz:

1 Strike title XV and insert the following:

2 **TITLE XV—TOBACCO**

3 **TRANSITION**

4 **SEC. 1501. DEFINITIONS.**

5 In this title:

6 (1) GOVERNOR.—The term "Governor" means
7 the chief executive officer of a State.

8 (2) LEASE.—The term "lease" means—

1 (A) the rental of quota on either a cash
2 rent or crop share basis;

3 (B) the rental of farmland to produce to-
4 bacco under a farm marketing quota; or

5 (C) the lease and transfer of quota for the
6 marketing of tobacco produced on the farm of
7 a lessor.

8 (3) OWNER.—The term “owner” means a per-
9 son that, on the date of enactment of this Act, owns
10 quota provided by the Secretary.

11 (4) PRODUCER.—The term “producer” means a
12 person that for each of the 1995 through 1997 crops
13 of tobacco (as determined by the Secretary) that
14 were subject to quota—

15 (A) leased quota or farmland;

16 (B) shared in the risk of producing a crop
17 of tobacco; and

18 (C) marketed the tobacco subject to quota.

19 (5) QUOTA.—The term “quota” means the
20 right to market tobacco under a basic marketing
21 quota or acreage allotment allotted to a person
22 under the Agricultural Adjustment Act of 1938 (7
23 U.S.C. 1281 et seq.).

24 (6) SECRETARY.—The term “Secretary” means
25 the Secretary of Agriculture.

1 (7) STATE.—The term “State” means each of
2 the several States of the United States, the District
3 of Columbia, the Commonwealth of Puerto Rico, and
4 any other territory or possession of the United
5 States.

6 (8) TOBACCO.—The term “tobacco” means any
7 kind of tobacco for which—

8 (A) a marketing quota is in effect;

9 (B) a marketing quota is not disapproved
10 by producers; or

11 (C) price support is available.

12 **Subtitle A—Payments for Lost**
13 **Value of Tobacco Crops**

14 **SEC. 1511. PAYMENTS FOR LOST VALUE OF TOBACCO**
15 **CROPS.**

16 (a) IN GENERAL.—For each of fiscal years 1999
17 through 2005, the Secretary shall make payments for the
18 lost value of tobacco crops to owners and producers from
19 funds made available from the National Tobacco Trust
20 Fund established by section 401.

21 (b) AMOUNT.—

22 (1) OWNERS.—The amount of the payment
23 made to an owner for a fiscal year under this section
24 shall equal 30 percent of the value of the tobacco
25 produced under a tobacco farm marketing quota or

1 farm acreage allotment established owned by the
2 owner under the Agricultural Adjustment Act of
3 1938 (7 U.S.C. 1281 et seq.) for the 1997 crop
4 year.

5 (2) PRODUCERS.—The amount of the payment
6 made to a producer for a fiscal year under this sec-
7 tion shall equal 15 percent of the value of the to-
8 bacco produced by the producer under a tobacco
9 farm marketing quota or farm acreage allotment es-
10 tablished under the Agricultural Adjustment Act of
11 1938 (7 U.S.C. 1281 et seq.) for the 1997 crop
12 year.

13 **Subtitle B—Rural Economic** 14 **Assistance Block Grants**

15 **SEC. 1521. RURAL ECONOMIC ASSISTANCE BLOCK GRANTS.**

16 (a) IN GENERAL.—From funds made available from
17 the National Tobacco Trust Fund established by section
18 401, the Secretary shall use \$200,000,000 for each of fis-
19 cal years 1999 through 2003 to provide block grants to
20 tobacco-growing States to assist areas of such a State that
21 are economically dependent on the production of tobacco.

22 (b) PAYMENTS BY SECRETARY TO TOBACCO-GROW-
23 ING STATES.—

24 (1) IN GENERAL.—The Secretary shall use the
25 amount available for a fiscal year under subsection

1 (a) to make block grant payments to the Governors
2 of tobacco-growing States.

3 (2) AMOUNT.—The amount of a block grant
4 paid to a tobacco-growing State shall be based on,
5 as determined by the Secretary—

6 (A) the number of counties in the State in
7 which tobacco production is a significant part of
8 the county's economy; and

9 (B) the level of economic dependence of
10 the counties on tobacco production.

11 (c) GRANTS BY STATES TO ASSIST TOBACCO-GROW-
12 ING AREAS.—

13 (1) IN GENERAL.—A Governor of a tobacco-
14 growing State shall use the amount of the block
15 grant to the State under subsection (b) to make
16 grants to counties or other public or private entities
17 in the State to assist areas that are dependent on
18 the production of tobacco, as determined by the Gov-
19 ernor.

20 (2) AMOUNT.—The amount of a grant paid to
21 a county or other entity to assist an area shall be
22 based on—

23 (A) the ratio of gross tobacco sales receipts
24 in the area to the total farm income in the area;
25 and

1 (B) the ratio of all tobacco related receipts
2 in the area to the total income in the area.

3 (3) USE OF GRANTS.—A county or other entity
4 that receives a grant under this subsection may use
5 the grant in a manner determined appropriate by
6 the county or entity (with the approval of the State)
7 to assist producers and other persons that are eco-
8 nomically dependent on the production of tobacco,
9 including use for—

10 (A) on-farm diversification, alternatives to
11 the production of tobacco, and risk manage-
12 ment;

13 (B) off-farm activities such as education,
14 retraining, and development of non-tobacco re-
15 lated jobs; and

16 (C) assistance to tobacco warehouse own-
17 ers or operators.

18 (d) TERMINATION OF AUTHORITY.—The authority
19 provided by this section terminates September 30, 2003.

1 **Subtitle C—Tobacco Price Support**
2 **and Production Adjustment Pro-**
3 **grams**

4 **SEC. 1531. TERMINATION OF TOBACCO PRICE SUPPORT**
5 **PROGRAM.**

6 (a) **PARITY PRICE SUPPORT.**—Section 101 of the Ag-
7 ricultural Act of 1949 (7 U.S.C. 1441) is amended—

8 (1) in the first sentence of subsection (a), by
9 striking “tobacco (except as otherwise provided here-
10 in), corn,” and inserting “corn”;

11 (2) by striking subsections (c), (g), (h), and (i);

12 (3) in subsection (d)(3)—

13 (A) by striking “, except tobacco,”; and

14 (B) by striking “and no price support shall
15 be made available for any crop of tobacco for
16 which marketing quotas have been disapproved
17 by producers;” and

18 (4) by redesignating subsections (d) and (e) as
19 subsections (c) and (d), respectively.

20 (b) **TERMINATION OF TOBACCO PRICE SUPPORT AND**
21 **NO NET COST PROVISIONS.**—Sections 106, 106A, and
22 106B of the Agricultural Act of 1949 (7 U.S.C. 1445,
23 1445-1, 1445-2) are repealed.

1 (c) DEFINITION OF BASIC AGRICULTURAL COMMOD-
2 ITY.—Section 408(e) of the Agricultural Act of 1949 (7
3 U.S.C. 1428(e)) is amended by striking “tobacco,”

4 (d) REVIEW OF BURLEY TOBACCO IMPORTS.—Sec-
5 tion 3 of Public Law 98–59 (7 U.S.C. 625) is repealed.

6 (e) POWERS OF COMMODITY CREDIT CORPORA-
7 TION.—Section 5 of the poration Charter Act (15 U.S.C.
8 714e) is amended by inserting “(other than tobacco)”
9 after “agricultural commodities” each place it appears.

10 (f) TRANSITION PROVISIONS.—

11 (1) LIABILITY.—The amendments made by this
12 section shall not affect the liability of any person
13 under any provision of law as in effect before the ef-
14 fective date of this section.

15 (2) TOBACCO STOCKS AND LOANS.—The Sec-
16 retary shall issue regulations that require—

17 (A) the orderly disposition of tobacco
18 stocks; and

19 (B) the repayment of all tobacco price sup-
20 port loans by not later than 1 year after the ef-
21 fective date of this section.

22 (g) CROPS.—This section and the amendments made
23 by this section shall apply with respect to the 1999 and
24 subsequent crops of the kind of tobacco involved.

1 SEC. 1532. TERMINATION OF TOBACCO PRODUCTION AD-
2 JUSTMENT PROGRAMS.

3 (a) DECLARATION OF POLICY.—Section 2 of the Ag-
4 ricultural Adjustment Act of 1938 (7 U.S.C. 1282) is
5 amended by striking “tobacco,”.

6 (b) DEFINITIONS.—Section 301(b) of the Agricul-
7 tural Adjustment Act of 1938 (7 U.S.C. 1301(b)) is
8 amended—

9 (1) in paragraph (3)—

10 (A) by striking subparagraph (C); and

11 (B) by redesignating subparagraph (D) as
12 subparagraph (C);

13 (2) in paragraph (6)(A), by striking “tobacco,”;

14 (3) in paragraph (7), by striking the following:

15 “tobacco (flue-cured), July 1—June 30;

16 “tobacco (other than flue-cured), October
17 1–September 30;”;

18 (4) in paragraph (10)—

19 (A) by striking subparagraph (B); and

20 (B) by redesignating subparagraph (C) as
21 subparagraph (B);

22 (5) in paragraph (11)(B), by striking “and to-
23 bacco”;

24 (6) in paragraph (12), by striking “tobacco,”;

25 (7) in paragraph (14)—

1 (A) in subparagraph (A), by striking
2 “(A)”;
3 (B) by striking subparagraphs (B), (C),
4 and (D);
5 (8) by striking paragraph (15);
6 (9) in paragraph (16)—
7 (A) by striking subparagraph (B); and
8 (B) by redesignating subparagraph (C) as
9 subparagraph (B); and
10 (10) by redesignating paragraphs (16) and (17)
11 as paragraphs (15) and (16), respectively.

12 (c) **PARITY PAYMENTS.**—Section 303 of the Agricultural
13 Adjustment Act of 1938 (7 U.S.C. 1303) is amended
14 in the first sentence by striking “rice, or tobacco,” and
15 inserting “or rice,”.

16 (d) **MARKETING QUOTAS.**—Part I of subtitle B of
17 title III of the Agricultural Adjustment Act of 1938 (7
18 U.S.C. 1311 et seq.) is repealed.

19 (e) **ADMINISTRATIVE PROVISIONS.**—Section 361 of
20 the Agricultural Adjustment Act of 1938 (7 U.S.C. 1361)
21 is amended by striking “tobacco,”.

22 (f) **ADJUSTMENT OF QUOTAS.**—Section 371 of the
23 Agricultural Adjustment Act of 1938 (7 U.S.C. 1371) is
24 amended—

1 (1) in the first sentence of subsection (a), by
2 striking “peanuts, or tobacco” and inserting “or
3 peanuts”; and

4 (2) in the first sentence of subsection (b), by
5 striking “peanuts or tobacco” and inserting “or pea-
6 nuts”.

7 (g) REPORTS AND RECORDS.—Section 373 of the Ag-
8 ricultural Adjustment Act of 1938 (7 U.S.C. 1373) is
9 amended—

10 (1) by striking “peanuts, or tobacco” each place
11 it appears in subsections (a) and (b) and inserting
12 “or peanuts”; and

13 (2) in subsection (a)—

14 (A) in the first sentence, by striking “all
15 persons engaged in the business of redrying,
16 prizing, or stemming tobacco for producers,”;
17 and

18 (B) in the last sentence, by striking
19 “\$500;” and all that follows through the period
20 at the end of the sentence and inserting
21 “\$500.”.

22 (h) REGULATIONS.—Section 375(a) of the Agricul-
23 tural Adjustment Act of 1938 (7 U.S.C. 1375(a)) is
24 amended by striking “peanuts, or tobacco” and inserting
25 “or peanuts”.

1 (i) EMINENT DOMAIN.—Section 378 of the Agricul-
2 tural Adjustment Act of 1938 (7 U.S.C. 1378) is amend-
3 ed—

4 (1) in the first sentence of subsection (c), by
5 striking “cotton, tobacco, and peanuts” and insert-
6 ing “cotton and peanuts”; and

7 (2) by striking subsections (d), (e), and (f).

8 (j) BURLEY TOBACCO FARM RECONSTITUTION.—
9 Section 379 of the Agricultural Adjustment Act of 1938
10 (7 U.S.C. 1379) is amended—

11 (1) in subsection (a)—

12 (A) by striking “(a)”; and

13 (B) in paragraph (6), by striking “, but
14 this clause (6) shall not be applicable in the
15 case of burley tobacco”; and

16 (2) by striking subsections (b) and (c).

17 (k) ACREAGE-POUNDAGE QUOTAS.—Section 4 of the
18 Act entitled “An Act to amend the Agricultural Adjust-
19 ment Act of 1938, as amended, to provide for acreage-
20 poundage marketing quotas for tobacco, to amend the to-
21 bacco price support provisions of the Agricultural Act of
22 1949, as amended, and for other purposes”, approved
23 April 16, 1965 (Public Law 89-12; 7 U.S.C. 1314c note),
24 is repealed.

1 (l) BURLEY TOBACCO ACREAGE ALLOTMENTS.—The
2 Act entitled “An Act relating to burley tobacco farm acre-
3 age allotments under the Agricultural Adjustment Act of
4 1938, as amended”, approved July 12, 1952 (7 U.S.C.
5 1315), is repealed.

6 (m) TRANSFER OF ALLOTMENTS.—Section 703 of
7 the Food and Agriculture Act of 1965 (7 U.S.C. 1316)
8 is repealed.

9 (n) ADVANCE RECOURSE LOANS.—Section
10 13(a)(2)(B) of the Food Security Improvements Act of
11 1986 (7 U.S.C. 1433c-1(a)(2)(B)) is amended by striking
12 “tobacco and”.

13 (o) TOBACCO FIELD MEASUREMENT.—Section 1112
14 of the Omnibus Budget Reconciliation Act of 1987 (Public
15 Law 100-203) is amended by striking subsection (c).

16 (p) LIABILITY.—The amendments made by this sec-
17 tion shall not affect the liability of any person under any
18 provision of law as in effect before the effective date under
19 subsection (q).

20 (q) CROPS.—This section and the amendments made
21 by this section shall apply with respect to the 1999 and
22 subsequent crops of the kind of tobacco involved.

i **Subtitle D—Miscellaneous**

2 **SEC. 1541. TOBACCO PRODUCERS MARKETING CORPORA-**
3 **TION.**

4 (a) **ESTABLISHMENT.**—There is established a cor-
5 poration to be known as the “Tobacco Producers Market-
6 ing Corporation”, which shall be a federally chartered in-
7 strumentality of the United States.

8 (b) **DUTIES.**—The Corporation negotiate with buyers
9 of tobacco produced in the United States on behalf of pro-
10 ducers of the tobacco that elect to be represented by the
11 Corporation (referred to in this section as “participating
12 producers”).

13 (c) **BOARD OF DIRECTORS.**—

14 (1) **IN GENERAL.**—The powers of the Corpora-
15 tion shall be vested in a Board of Directors.

16 (2) **MEMBERS.**—The Board of Directors shall
17 composed of members elected by participating pro-
18 ducers.

19 (3) **MEMBERSHIP QUALIFICATIONS.**—A member
20 of the Board shall not hold any Federal, State, or
21 local elected office or be a Federal officer or em-
22 ployee.

23 (4) **CHAIRPERSONS.**—The chairperson of the
24 Board shall be elected by members of the Board.

25 (5) **EXECUTIVE DIRECTOR.**—

1 (A) APPOINTMENT.—The Board shall ap-
2 point an Executive Director.

3 (B) DUTIES.—The Executive Director
4 shall be the chief executive officer of the Cor-
5 poration, with such power and authority as may
6 be conferred by the Board.

7 (C) COMPENSATION.—The Executive Di-
8 rector shall receive basic pay at the rate pro-
9 vided for level IV of the Executive Schedule
10 under section 5315 of title 5, United States
11 Code.

12 (6) OFFICERS.—The Board shall establish the
13 offices and appoint the officers of the Corporation,
14 including a Secretary, and define the duties of the
15 officers in a manner consistent with this section.

16 (7) MEETINGS.—

17 (A) IN GENERAL.—The Board shall meet
18 at least 3 times each fiscal year at the call of
19 a Chairperson or at the request of the Execu-
20 tive Director.

21 (B) LOCATION.—The location of a meeting
22 shall be subject to approval of the Executive Di-
23 rector.

24 (C) QUORUM.—A quorum of the Board
25 shall consist of a majority of the members.

1 (8) TERM; VACANCIES.—

2 (A) TERM.—The term of office of a mem-
3 ber of the Board elected under paragraph (2)
4 shall be 4 years.

5 (B) VACANCIES.—A vacancy on the Board
6 shall be filled in the same manner as the origi-
7 nal appointment was made.

8 (9) COMPENSATION.—

9 (A) IN GENERAL.—A member of the Board
10 shall receive, for each day (including travel
11 time) that the member is engaged in the per-
12 formance of the functions of the Board, com-
13 pensation at a rate not to exceed the daily
14 equivalent of the annual rate in effect for level
15 IV of the Executive Schedule under section
16 5315 of title 5, United States Code.

17 (B) EXPENSES.—A member of the Board
18 shall be reimbursed for travel, subsistence, and
19 other necessary expenses incurred by the mem-
20 ber in the performance of the duties of the
21 member.

22 (10) CONFLICT OF INTEREST; FINANCIAL DIS-
23 CLOSURE.—

24 (A) CONFLICT OF INTEREST.—Except as
25 provided in subparagraph (C), a member of the

1 Board shall not vote on any matter concerning
2 any application, contract, or claim, or other
3 particular matter pending before the Corpora-
4 tion, in which, to the knowledge of the member,
5 the member, spouse, or child of the member,
6 partner of the member, or organization in
7 which the member is serving as officer, director,
8 trustee, partner, or employee, or any person or
9 organization with which the member is nego-
10 tiating or has any arrangement concerning pro-
11 spective employment, has a financial interest.

12 (B) VIOLATIONS.—Violation of subpara-
13 graph (A) by a member of the Board shall be
14 cause for removal of the member, but shall not
15 impair or otherwise affect the validity of any
16 otherwise lawful action by the Corporation in
17 which the member participated.

18 (C) EXCEPTIONS.—

19 (i) IN GENERAL.—Except as provided
20 in clause (ii), the prohibitions contained in
21 subparagraph (A) shall not apply if—

22 (I) a member of the Board ad-
23 vises the Board of the nature of the
24 particular matter in which the mem-
25 ber proposes to participate, and if the

1 member makes a full disclosure of the
2 financial interest, prior to any partici-
3 pation; and

4 (II) the Board determines, by
5 majority vote, that the financial inter-
6 est is too remote or too inconsequen-
7 tial to affect the integrity of the mem-
8 ber's services to the Corporation in
9 that matter.

10 (ii) VOTE.—The member involved
11 shall not vote on the determination under
12 clause (i)(II).

13 (D) FINANCIAL DISCLOSURE.—A Board
14 member shall be subject to the financial disclo-
15 sure requirements of subchapter B of chapter
16 XVI of title 5, Code of Federal Regulations (or
17 any corresponding or similar regulation or rul-
18 ing), applicable to a special Government em-
19 ployee (as defined in section 202(a) of title 18,
20 United States Code).

21 (11) BYLAWS.—The Board shall adopt, and
22 may from time to time amend, any bylaw that is
23 necessary for the proper management and function-
24 ing of the Corporation.

1 (12) PERSONNEL.—The Corporation may select
2 and appoint officers, attorneys, employees, and
3 agents, who shall be vested with such powers and
4 duties as the Corporation may determine.

5 (d) GENERAL POWERS.—In addition to any other
6 powers granted to the Corporation under this section, the
7 Corporation—

8 (1) shall have succession in its corporate name;

9 (2) may adopt, alter, and rescind any bylaw and
10 adopt and alter a corporate seal, which shall be judi-
11 cially noticed;

12 (3) may enter into any agreement or contract
13 with a person or private or governmental agency;

14 (4) may lease, purchase, accept a gift or dona-
15 tion of, or otherwise acquire, use, own, hold, im-
16 prove, or otherwise deal in or with, and sell, convey,
17 mortgage, pledge, lease, exchange, or otherwise dis-
18 pose of, any property or interest in property, as the
19 Corporation considers necessary in the transaction
20 of the business of the Corporation;

21 (5) may sue and be sued in the corporate name
22 of the Corporation, except that—

23 (A) no attachment, injunction, garnish-
24 ment, or similar process shall be issued against

1 the Corporation or property of the Corporation;
2 and

3 (B) exclusive original jurisdiction shall re-
4 side in the district courts of the United States,
5 and the Corporation may intervene in any court
6 in any suit, action, or proceeding in which the
7 Corporation has an interest;

8 (6) may independently retain legal representa-
9 tion;

10 (7) may provide for and designate such commit-
11 tees, and the functions of the committees, as the
12 Board considers necessary or desirable;

13 (8) may indemnify officers of the Corporation,
14 as the Board considers necessary and desirable, ex-
15 cept that the officers shall not be indemnified for an
16 act outside the scope of employment;

17 (9) may, with the consent of any board, com-
18 mission, independent establishment, or executive de-
19 partment of the Federal Government, including any
20 field service, use information, services, facilities, offi-
21 cials, and employees in carrying out this section, and
22 pay for the use, which payments shall be transferred
23 to the applicable appropriation account that incurred
24 the expense;

1 (10) may obtain the services and fix the com-
2 pensation of any consultant and otherwise procure
3 temporary and intermittent services under section
4 3109(b) of title 5, United States Code;

5 (11) may use the United States mails on the
6 same terms and conditions as the Executive agencies
7 of the Federal Government;

8 (12) shall have the rights, privileges, and immu-
9 nities of the United States with respect to the right
10 to priority of payment with respect to debts due
11 from bankrupt, insolvent, or deceased creditors;

12 (13) may collect or compromise any obligations
13 assigned to or held by the Corporation, including
14 any legal or equitable rights accruing to the Cor-
15 poration;

16 (14) shall determine the character of, and ne-
17 cessity for, obligations and expenditures of the Cor-
18 poration and the manner in which the obligations
19 and expenditures shall be incurred, allowed, and
20 paid, subject to provisions of law specifically applica-
21 ble to Government corporations;

22 (15) may make final and conclusive settlement
23 and adjustment of any claim by or against the Cor-
24 poration or a fiscal officer of the Corporation;

1 (16) may sell assets, loans, and equity interests
2 acquired in connection with the financing of projects
3 funded by the Corporation; and

4 (17) may exercise all other lawful powers nec-
5 essarily or reasonably related to the establishment of
6 the Corporation to carry out this title and the pow-
7 ers, purposes, functions, duties, and authorized ac-
8 tivities of the Corporation.

9. **SEC. 1542. ASSISTANCE FOR PRODUCERS EXPERIENCING**
10 **LOSSES OF FARM INCOME.**

11 (a) **IN GENERAL.**—Notwithstanding any other provi-
12 sion of this title, from amounts made available to carry
13 out this title, the Secretary shall use \$250,000,000 for
14 each of fiscal years 1999 through 2004 to establish a pro-
15 gram to indemnify eligible producers that have experi-
16 enced, or are experiencing, catastrophic losses in farm in-
17 come, as determined by the Secretary.

18 (b) **GROSS INCOME AND PAYMENT LIMITATIONS.**—
19 In carrying out this section, the Secretary shall, to the
20 maximum extent practicable, use gross income and pay-
21 ment limitations established for the Disaster Reserve As-
22 sistance Program under section 813 of the Agricultural
23 Act of 1970 (7 U.S.C. 1427a).

1 **SEC. 1543. SAVINGS.**

2 Except as provided in section 1542, any savings de-
3 rived as a result of this title shall be used for tobacco use
4 prevention and cessation initiatives.

WARNER L

1:04 p.m.

AMENDMENT NO. _____ Ex. _____ Calendar No. _____

Purpose: To provide for services to dislocated
workers negatively impacted by the implementation
of the Act

IN THE SENATE OF THE UNITED STATES— _____ Cong., _____ Sess.

S. 1415 _____
H.R. _____ (or Treaty _____)
SHORT TITLE

(title) _____

- () Referred to the Committee on _____
and ordered to be printed
- () Ordered to lie on the table and to be printed

John Warner

INTENDED to be proposed by WARNER _____

Viz:

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14

Strike ~~1031~~ Sec. 1031.

AMENDMENT N^o 2564

By Warner _____

Bill/Res. No. S. 1415 _____

S. 1415

1
Page(s)

Last page

Potential compromise

FARMER PAYMENTS

\$8/\$4 formula of both bills unchanged

Speed of payments: as fast as bill will allow (McCain's call)

\$16.5 bil.

PROGRAM

Terminates after 15 years

Authority for Interstate Compacts after 15 years

PROGRAM COSTS

Covered as under LEAF Act for 15 years

\$ 1.5 bil. (max.)

ECONOMIC DEVELOPMENT/EDUCATION

80% of LEAF Act amounts

Limit Economic Development to 15 years

Limit Education grants to 20 years

\$ 4.46 bil.

OVERALL COSTS

\$ 22.46 bil.

*Tab. Filled
Attachments*

FAX COVER SHEET

U.S. DEPARTMENT OF AGRICULTURE
Office of the Under Secretary
Farm and Foreign Agricultural Services
14th Street and Independence Avenue, S.W.
Washington, D.C. 20250-0105

Fax No.: (202) 720-8254
Telephone: (202) 720-3111

Date: 6/16/98 - 3:44 p.m.

TO:	<u>Tom Freedman</u>
	<u>WFF</u>
FAX NO:	<u>456-7431</u>
PAGES:	<u>10</u> (including cover)
FROM:	
<input type="checkbox"/> AUGUST SCHUMACHER	<input type="checkbox"/> BUTCH MAY
<input checked="" type="checkbox"/> DALLAS R. SMITH	<input type="checkbox"/> KATHY BLYTHE
<input type="checkbox"/> JIM SCHROEDER	<input type="checkbox"/> JACKIE BURRELLO
<input type="checkbox"/> TERESA GRUBER	<input type="checkbox"/> VICKIE PAIGE
<input type="checkbox"/> JOHN WINSKI	

John

COMMENTS:

*Attachment
1st Installment plus our comment.*

03/18/98 TUE 11:23 FAX 202 456 5581

DOMESTIC POLICY COL

THE WHITE HOUSE
WASHINGTON

DOMESTIC POLICY COUNCIL

FACSIMILE FOR: Dallas Smith

DATE: _____

TELEPHONE: _____

FAX: _____

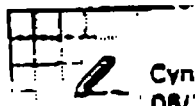
FACSIMILE FROM: MARY SMITH

TELEPHONE: (202) 456-5571

FAX: (202) 456-7431

NUMBER OF PAGES (INCLUDING COVER): _____

COMMENTS: List in statement of amendment



Cynthia Dallard
08/15/98 02:46:30 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP, Jeanne Lambrew/OPD/EOP, Thomas L. Freedman/OPD/EOP, Mary L. Smith/OPD/EOP

cc:

Subject: new list of McCain amendments.



amend616.wpd Here is another list of McCain amendments. This time, we will ask the agencies whether we should oppose or support accepting the amendments by UC. I will also ask the agencies to note which amendments we need to actively fight. I am having the amendments pulled off the web, and I will get you copies of your amendments as soon as I can.

amend618.wpd

Amendment	Oppose	Neutral	Support
Amendment 2459 (Abramam): Authorizes anti-drug activities that may be included in the section that deals with counter-advertising		X	
Amendment 2480 (Allard): Specifies that each State legislature appropriates amounts made available to the State.		X	
Amendment 2457 (Chafee): Creates in EPA a national education and outreach campaign for the effects of second hand smoke and allocates \$55 million annually		X	
Amendment 2468 (Chafee): Provides grants for minority medical schools for endowments and establishes public health programs regarding tobacco products		X	
Amendment 2469 (Chafee): Replaces section 402(b) with a section that requires tobacco manufacturers to annual base payments. Section 403 deleted. Adjusts the applicable base amount for changes in volume of domestic sales.		X	
Amendment 2463 (Coats): Deletes section 1161 - Improving Child Care and Early Childhood Development		X	
Amendment 2464 (Coats): Adds Section 231(h) - No HHS or State authority to establish a licensing program or conduct inspections of retailers on Federal military bases		X	
Amendment 2465 (Coats): Prohibits the diversion of FDA resources		X	
Amendment 2466 (Coats): Establishes a Center for Tobacco Product Regulation at FDA		X	
Amendment 2467 (Coats): Defines and gives guidelines for "Nonprofit Private Entities"		X	
Amendment 2472 (Coats): Limits attorneys fees		X	
Amendment 2441 (Craig): Creates a Black Lung Allocation Account		X	
Amendment 2571 (D'Amato): [2nd degree to #2441 (Feinstein)] Limits local governments that are eligible for assistance to those who supply Medicaid services or direct indigent care		X	
Amendment 2461-2462 (Domenici): Delete section 401(e) - Budgetary Treatment		X	
Amendment 2481 (Domenici): Allows a State to use funds for anti-tobacco smoking and anti-drug use programs and to administer a limitation on attorneys' fees.		X	
Amendment 2482 (Domenici): Limits attorneys' fees to \$2000/yr spent in productive time.		X	
Amendment 2483 (Domenici): Establishes a trust fund in a separate account called the Veterans Account and specifies that amounts in Veterans Account shall be available in the amounts provided in advance appropriation acts.		X	
Amendment 2484 (Domenici): Eliminates restrictions on State allocations		X	
Amendment 2485 (Domenici): Permits expedited judicial review		X	

REASONS FOR OPPOSITION

<u>Amend. #</u>	<u>Reason for Opposition</u>
2699	Oppose - Not needed under current tobacco program or the Ford Amendment program.
2700	Oppose - Eliminates tobacco program abruptly, causing undue hardships for tobacco producers and their communities.
2492	Oppose - Favor continuation of the tobacco program under the Ford Amendment.
2493	Oppose - Favor continuation of the tobacco program under the Ford Amendment.
2494	Oppose - Favor continuation of the tobacco program under the Ford Amendment.
2495	Oppose - Favor continuation of the tobacco program under the Ford Amendment.
2496	Oppose - Favor continuation of the tobacco program under the Ford Amendment.
2497	Oppose - Favor continuation of the tobacco program under the Ford Amendment.
2498	Oppose - Favor continuation of the tobacco program under the Ford Amendment.
2499	Oppose - Favor continuation of the tobacco program under the Ford Amendment.
2500	Oppose - Favor continuation of the tobacco program under the Ford Amendment.
2502	Oppose - Favor continuation of the tobacco program under the Ford Amendment.
2435	Oppose - May not adequately compensate tobacco farmers and their communities.

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X	Amendment 2490 (Lugar): Deletes Title X	X		
X	Amendment 2494 (Lugar): Deletes Section 1021(d)(4)(E) which is the Special Rule for Tenant of Leased Tobacco	X		
X	Amendment 2495 (Lugar):	X		
X	Amendment 2496 (Lugar): Deletes Title X	X		
X	Amendment 2497 (Lugar): Deletes Title X and adds section 1001 - Budgetary Treatment; section 1002 - Buy out Payments to Owners; section 1003 - Transition Payments to Producers; Section 1004 - Effective Date	X		
X	Amendment 2498 (Lugar): Changes payment system of farmers	X		
X	Amendment 2499 (Lugar): Makes additional changes to payment system of farmers	X		
X	Amendment 2500 (Lugar): Makes additional changes to payment system of farmers	X		
X	Amendment 2502 (Lugar): Makes additional changes to payment system of farmers	X		
	Amendment 2459 (Seaton): Establish a national tobacco compensation program			
	Amendment 2702 (Reed): Second degree to Amendment 2437; disallowance of tax deduction for tobacco advertising expenses not in conformity with part 897 of CFR title 21.		X	
	Amendment 2435 (G. Smith): Ties the annual payments of the tobacco companies to the total number of units of tobacco products that were sold in the previous year in the U.S. It also changes the spending allocations - 10 percent unrestricted to states; 10 percent to health and health research; 10 percent to farmers; 70 percent to Medicare Trust Fund	X		
	Amendment 2572 (G. Smith): (2nd degree to #2435 (G. Smith)) Eliminates the section of the previous amendment that connects industry payments to the number of units sold	X		
	Amendment 2476 (Snowe): Adds "Subtitle A - Provisions Relating to the Protocol and Liability" and "Subtitle B - Codification of Marketing and Advertising Restrictions" and section 1421 - Finding; section 1422 - Advertising Provisions; section 1423 - Point-of-Sale Restrictions; and section 1424 - Statutory Advertising Restrictions		X	
	Amendment 2477 (Snowe): Adds "Subtitle A - Provisions Relating to the Protocol and Liability" and "Subtitle B - Codification of Marketing and Advertising Restrictions" and section 1421 - Finding; section 1422 - Advertising Provisions; section 1423 - Point-of-Sale Restrictions; section 1424 - Statutory Advertising Restrictions; section 1425 - Effective Date; and section 1426 - Sunset Provision		X	
	Amendment 2690 (Toricelli and Wellstone): Provides for Medicaid children's bonus. Sets aside 15% of funding for states not conducting outreach efforts for Medicaid children enrollment, and for streamlined procedures for determining eligibility and enrollment.		X	
	Amendment 2573 (Wellstone): (2nd degree to #2508 (Craig)) Requires that payments to states that have settled with tobacco companies must be made from the State Account until the state actually receives payment from the companies		X	

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Amendment 2607 (Ford): Changes the definition of "public facility" for purposes of smoke-free policy from a building regularly entered by 10 or more individuals at least 1 day a week to 10 or more individuals at least 4 days a week		X	
Amendment 2608 (Ford): Requires notice to be served on someone violating a smoke-free policy at least 180 days before beginning adverse action, rather than 60 days notice		X	
Amendment 2609 (Ford): Extends the period in which a smoke-free policy must be brought into compliance from 60 days to 180 days		X	
Amendment 2610 (Ford): Eliminates awarding of costs of litigation to an individual bringing suit against someone found guilty of violating the smoke-free policy		X	
Amendment 2611 (Ford): Requires a 180-day period for public comment on any regulation issued under the authority of the section governing environmental tobacco smoke		X	
Amendment 2612 (Ford): Exempts any state that has its own ETS laws from the application of the federal law		X	
Amendment 2613 (Ford): Includes a finding in the section dealing with the application to Indian Tribes that there is significant potential for the creation of a black market on lands under Indian jurisdiction		X	
Amendment 2614 (Ford): Requires Indian Tribes to establish a program to monitor the manufacture, distribution and use of black market tobacco products on lands under their jurisdiction		X	
Amendment 2615 (Ford): Provides immunity from tobacco claims to tobacco growers, cooperatives or warehouses			X
Amendments 2616-20 (Ford): Provide slightly different versions of a substitute bill			
Amendment 2621 (Ford): [2nd degree amendment to #2501 (Lugar)] Substitutes Senator Ford's title X on the economic assistance to farmers and their communities			X
Amendment 2627 (Ford): Strikes the Lugar Tobacco Assistance Title			X
Amendment 2628 (Ford): [2nd degree amendment to #2497 (Lugar)] Substitutes the Ford Tobacco Assistance Title			X
Amendment 2629 (Ford): Strikes the Lugar Tobacco Assistance Title			X
Amendment 2630 (Ford): Strikes the elimination of the tobacco quota system in the Lugar Tobacco Assistance Title			X
Amendment 2631 (Ford): [2nd degree amendment to #2435 (Ford)] Strikes the Lugar Tobacco Assistance Title			X
Amendment 2632 (Ford): [2nd degree amendment to #2435 (Ford)] Strikes the Lugar Tobacco Assistance Title			X
Amendment 2638 (Ford): Strikes all of Title I, except definitions.			X
Amendment 2639 (Ford): A second degree amendment to 2638 (Ford), striking all of Title I, except definitions.			X
Amendment 2640 (Ford): Doubles surcharges for non-attendants, and replaces p107 line 5-p182, line 21.		X	

2311e
Amend

2301e
Amend

X

X

X

X

X

X

X

X

X

X

X

- 3
0

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Amendment 2586 (Ford): Requires Congressional review of FDA regulation that reduces nicotine by 50 percent or more (rather than only when proposing to eliminate nicotine altogether)		X	
Amendment 2587 (Ford): Eliminates FDA's ability to accelerate the effective date of a performance standard		X	
Amendment 2588 (Ford): Changes the standard that FDA would use to notify a manufacturer of a product's immediate (rather than substantial) harm		X	
Amendment 2588 (Ford): Changes the standard that FDA would use to notify a manufacturer of a product's immediate (rather than substantial) harm		X	
Amendment 2590 (Ford): Shortens the time that FDA has to act on an application for premarket approval from 180 days to 90 days		X	
Amendment 2591 (Ford): Requires a 120-day public comment period for the issuance of FDA's regulations governing postmarket surveillance		X	
Amendment 2591 (Ford): Requires a 120-day public comment period for the issuance of FDA's regulations governing postmarket surveillance		X	
Amendment 2594 (Ford): Requires a determination of underage use of black market tobacco products			X
Amendment 2595 (Ford): Requires a report on the extent to which underage youth are using black market tobacco products			X
Amendment 2596 (Ford): Requires a state to collect data from participants in cessation programs their use of black market tobacco products		X	
Amendment 2597 (Ford): Changes the effective date for labeling of flip top cigarette boxes from January 1, 2000 to January 1, 2002		X	
Amendment 2598 (Ford): Requires a 180-day period for public comments on any change in the warning labels for cigarettes		X	
Amendment 2599 (Ford): Requires a 180-day period for public comments on any change in the warning labels for smokeless tobacco products		X	
Amendment 2600 (Ford): Requires a 180-day period for public comments on any change in content disclosure requirements		X	
Amendment 2601 (Ford): Changes the maximum period of 24 months for FDA's promulgation of regulations for testing and content reporting to a minimum of 36 months		X	
Amendment 2602 (Ford): Requires a 180-day period for public comments on any promulgation of a regulation for testing and content reporting		X	
Amendment 2603 (Ford): Allows for an adjustment of prior year's payment if the manufacturer's payment was based on an incorrect annual apportionment		X	
Amendment 2604 (Ford): Changes the title of the section dealing with the right of an individual to bring suit against someone violating smoke-free policies from "Citizen Actions" to "Enforcement and Penalties"		X	
Amendment 2605 (Ford): Removes individuals from the list of those with standing to sue for violations of smoke-free policies		X	
Amendment 2606 (Ford): Changes the definition of "public facility" for purposes of smoke-free policy from a building regularly entered by 10 or more individuals at least 1 day a week to 50 or more individuals at least 6 days a week		X	

Same

Same

ND

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Amendment 2486 (Domenici): Deletes the State Allocation Accounts and adds section 451 - Allocation Accounts and Section 451(a) Reduction of 15 and 28 Percent Rates		X	
Amendment 2487 (Domenici): Increases and simplifies the Dependent Care Tax Credit		X	
Amendment 2488 (Domenici): Adds "Termination of Accounts" in which selected accounts that are established shall terminate in 10 years		X	
Amendment 2489 (Domenici): Adds "Windfall Profit Escape Tax on Certain Excessive Attorneys' Fee"		X	
Amendment 2571 (Durbin): Requires Congress to comply with the ETS regulations by January 1, 1999.		X	
Amendment 2636 (Durbin): Reduces attainment goals for underage tobacco use and reduces by half surcharges on tobacco products for non-attainment of goals.		X	
Amendment 2670 (Erzli): Allocates amounts contained in the National Tobacco Settlement Trust Fund			
Amendment 2471 (Erzli): (2nd degree to #2470 (Erzli)) Limits expenditures on obligations involving National Tobacco Settlement Trust Fund			
Amendment 2701 (Faircloth): Establishes criteria and jurisdiction for attorneys' fees, and establishes a limit of \$1,000 an hour plus 200% of expenses.		X	
Amendment 2443 (Feinstein): Provides payment to local governments that had initiated litigation against tobacco companies on or before June 20, 1997		X	
Amendment 2460 (Feinstein): Creates a formula for the allocation of State Litigation Settlement Account		X	
Amendment 2576 (Ford): Defines Black Market Tobacco Product			X
Amendment 2577 (Ford): Requires that the Secretary notify Congress if pipe and cigar smoking is increasing "materially"			X
Amendment 2578 (Ford): Increases the minimum period for public comment on document disclosure actions from 60 days to 90 days		X	
Amendment 2579 (Ford): Increases the maximum period for public comment on document disclosure actions from 90 days to 120 days		X	
Amendment 2580 (Ford): Prohibits FDA from issuing regulations affecting the manufacturing of tobacco products if the regulation adversely affects agricultural employment or manufacturing employment in the U.S.			X
Amendment 2581 (Ford): Requires 120 days notice to manufacturer of hearings and allows for the manufacturer to participate in an oral hearing regarding the violation of these regulations		X	
Amendment 2582 (Ford): Requires FDA Advisory Committee review of any petition for an exemption to manufacturing practices regulation		X	
Amendment 2583 (Ford): Requires that FDA consult with USTR and USDA prior to issuing any performance standards regulations and that FDA, USTR and USDA certify that the regulations do not violate any treaty or adversely affect domestic or international competitiveness of tobacco growers in the U.S.			X
Amendment 2584 (Ford): Increases the period for public comment on performance standards regulations from 60 days to 180 days		X	
Amendment 2585 (Ford): Increases the Congressional review period for regulations affecting classes of products from 2 years to 5 years		X	

3030 2

X