

LUGAR BILL - NATIONAL TOBACCO SETTLEMENT - S. 1313

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Funding for the Lugar Bill, including buy-outs, transition payments and grants, as well as offsets to cover federal revenue losses due to the termination of the program (all of which has been scored at \$15 billion), would be obtained by increasing the proposed \$368.5 billion National tobacco settlement between tobacco companies and 40 state attorneys general.

Concerns with the Lugar Bill:

- By terminating quotas and phasing out price supports, cigarette manufacturers and leaf exporters are projected to have windfall gains of about \$800 million annually. The \$800 million windfall is calculated by assuming that the domestic price of flue-cured tobacco would fall from \$1.72 per pound to \$1.15 per pound and the price of burley would decline from \$1.89 per pound to \$1.35 per pound. The volume on which the windfall would occur is assumed to be the average marketings during the 1995-97 period (922 million pounds of flue-cured and 543 million pounds of burley). The current price is held artificially high by a statutory support formula and a Tariff Rate Quota. The cigarette manufacturers would continue to receive this windfall over time once the price support program is phased out and if extended over the 25 years of the Settlement Agreement the windfall would amount to approximately \$20 billion.
- During the 3-year transition period, price supports would be reduced by 25 percent the first year and 10 percent in each of the next 2 years. Without quotas and with reduced price supports, overall production would probably be limited to existing curing barn capacity. Given the fact that price supports would also be terminated after 2001, producers would be reluctant to invest in additional barn capacity and lenders would be reluctant to finance barn

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and related equipment purchases. Larger more efficient producers would likely expand production while small inefficient producers will likely go out of business. Overall, flue-cured production might increase about 200 million pounds and burley about 50 million pounds during the 3-year transition period.

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- After a transition period, production of flue-cured and burley tobaccos is projected to increase by as much as 50 percent and 20 percent, respectively. Other kinds of quota tobaccos are less likely to be significantly impacted by the Lugar Bill. This increase in burley and flue-cured tobacco production is assumed because of the expected shifts in production to larger farming operations and lowering of costs of production through efficiencies to be gained by changes in the manner in which the crop is produced and marketed. Larger farmers will be able to absorb the expected drop in price by spreading their fixed costs over larger planted acres and because tobacco currently has almost three times the crop value as the next nearest crop (cabbage production) and almost a seven fold advantage over the production of cotton. manufacturers.
- Increased production with lower profit margins should be a boon to large established producers; however, the legislation would have a disproportionately adverse impact on minority and limited-resource tobacco producers and de-stabilize many of these family farming operations. In fact, while African-American operated farms are about as likely as all U.S. farms to harvest corn and soybeans, they are twice as likely to harvest tobacco. These facts, coupled with the fact that nearly 90 percent of farms operated by African-Americans nationally have sales of less than \$25,000, further highlights the impact of tobacco on minority owned farms. In addition, 43 percent of flue-cured quotas and 31 percent of the burley quotas are owned by females although a large number of these quota holders are not actively engaged in farming but are leasing their quota rights to others.
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- Economic development grants for three years, funded at \$100 million per year, appear grossly inadequate to bridge the transition period. Marginal tobacco production areas are unlikely to remain economically viable. In the absence of tobacco farming, substantial agricultural

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An analysis of the Lugar Bill indicates that the financial exposure of CCC and thus the National tobacco settlement is difficult to predict. In 1999, if the Lugar Bill becomes law, quotas would be abolished leaving production open-ended. Price support would be available but at substantially reduced rates. Under this scenario, price-supported tobacco production is projected to increase by about 250 million pounds in the first year, mostly from current producers. However, due to substantially lower prices (price support is reduced 25 percent in 1999), demand is expected to increase by a similar amount, leaving only a small amount to be pledged for loan under the price support program. Production could increase in subsequent years up to approximately 1.5 billion pounds for flue-cured and 750 million pounds for burley tobacco. Again, demand is expected to increase concurrently, limiting CCC loan exposure.

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Additional concern has been raised over the large outlays required by the Lugar Bill of approximately \$15 billion during the first 3 years after passage. By contrast, the McCain Bill disperses about \$28.5 billion over 25 years, including \$16.5 billion in producer payments over the first 10 years.

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: 5/15/98

TO:

Tom Friedman

FAX NO:

PAGES:

4
(including cover)

FROM:

- ☐ AUGUST SCHUMACHER
- ☐ DALLAS R. SMITH
- ☐ JIM SCHROEDER
- ☐ TERESA GRUBER
- ☐ JOHN WINSKI

- ☐ BUTCH MAY
- ☐ KATHY BLYTHE
- ☒ JACKIE BURRELLO
- ☐ VICKIE PAIGE

for Dallas

COMMENTS:

Blackman

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05/15/98 FAX 10:10 FAX 202 720 8234 USDA-PPAS

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Tobacco
- Herbs
- Legumes

Wallas

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Tom,

As requested, please find attached staff analysis of the Lugar bill and the potential impact of the legislation on tobacco growers and their communities, if implemented as proposed. We understand that changes in the bill may be under consideration, but are not reflected in our analysis. Therefore, the ultimate impact of the legislation can only be assessed after the final version of the bill is known.

Dallas

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CHARLES S. R
VIRGINIA

WASHINGTON OFFICE:
Russell Senate Office Building
First and Constitution Avenue, NE, Room 154
Washington, DC 20510
(202) 224-4024
Email: senator@robb.senate.gov

United States Senate

WASHINGTON, DC 20510-4603

COMMITTEES:
ARMED SERVICES
FOREIGN RELATIONS
INTELLIGENCE
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Vice Chairman
Democratic Policy Committee

OFFICE OF SENATOR CHARLES ROBB

FAX: 202/224-8689

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*Tobacco
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FROM: Ricky Schuyler

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State Office:

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1011 East Main Street
Richmond, VA 23219
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898 Waterford Drive
Norfolk, VA 23510
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Main Street
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(540) 928-4184

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630 Main Street
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The Honorable John McCain
Chairman
Committee on Commerce, Science, and Transportation
United States Senate
Washington D.C.

The Honorable Ernest F. Hollings
Ranking Minority Member
Committee on Commerce, Science, and Transportation
United States Senate
Washington DC

Dear Chairman McCain and Senator Hollings;

We are writing to express our views concerning the tobacco farming provisions as presently contained in S. 1415, the "National Tobacco Policy and Youth Smoking Reduction Act".

As you may be aware many of the health organizations as well as the tobacco farm organization have been meeting over the last several years to talk about the future of America's tobacco farming communities in an environment where we hope that there will be significant reduction of tobacco use in this country, particularly by children and adolescents.

Our talks have been honest, open, and productive. On March 16th of this year we issued a set of Core Principles signed by more than forty health and farm organizations in an effort to help guide the legislative process towards reaching some solutions that benefited both public health as well as provided stability for the tobacco producing communities into the 21st century. It was against those Core Principles that we agreed we would 'measure' all of the various tobacco farm proposals pending before Congress. We are attaching a copy of those principles and we hope you will take the time to read them.

It is our view that the tobacco farm provisions contained in S. 1415 are consistent with the overall focus of the Core Principles except that we believe there can and should be improvements. The public health community has basically four overarching goals:

- to eliminate federal funding for the administration and operation of the tobacco control program.

DETERMINED TO BE AN
ADMINISTRATIVE MARKING
INITIALS: WV DATE: 11/2/15

- to reduce tobacco communities dependence on tobacco production into the next century.
- to provide economic development assistance and other incentives to tobacco producing communities to assist them in making the changes necessary in a less tobacco dependent environment.
- to maintain some type of tobacco program that establishes controls over production, price, as well as setting health and safety standards.

We would suggest for your consideration that S. 1415 be modified on the Senate floor to achieve the following objectives:

1. Economic Development Funds: The health groups and tobacco farm groups met in Frankfort Kentucky in March to discuss how the economic development funds should be administered and spent. It was the consensus of this group that it was essential that decision making be as local as possible in that each community would have to ascertain its needs and overall directions for change. A background paper was developed as well some specific statutory recommendations. This language has been provided to various Senate staffers for consideration

2. Tobacco Program: The legislation contains different provisions for the operations of the burley versus the flue cured program. We have stated publicly that we support the maintenance of some type of program that will stabilize production and price. However we believe that maintenance of the current program or failing to modify the program to adapt to reducing demand for tobacco products is the wrong approach to be taking. Maintaining the "status quo" is not in our view in the best interests of the farmer or their communities as we move into the 21st century. Maintenance of a tobacco program for controlling production, supply and price must also carry with it strong components for changing the economic infrastructures of these tobacco producing communities that will allow them to flourish and pursue new options and opportunities into the 21st Century.

3. Incentives for Reducing Dependence on Production: A critical component of any tobacco farm provision has to be providing the necessary incentives for tobacco farmers to make the changes they need to reduce or retire their quota in a way that does not adversely effect them economically and that for many allows them to stay in the business of farming. While we have recognized the importance of a program of some sort to maintain stability, we also believe that there must be sufficient incentives that encourage

tobacco farmers to reduce their dependence on the production of tobacco. While we were pleased to see that "buy out" provisions have been added to the original "Leaf Act" we remain concerned that as drafted there is a greater incentive to remain in the program rather than for considering options to opt out of the program.

It is our firm belief that we can reach agreement on the specifics of this legislation that will provide the necessary stability and assurances to the tobacco producing regions of this country while at the same time moving towards reducing the addiction, disease, and death caused by the use of tobacco. We encourage you both to take a lead in making this happen.

Sincerely,

CTFK, AHA, ACS, APHA

cc Tobacco State Senators
Senate Committee on Agriculture