

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 1108
OFFERED BY MR. BURGESS OF TEXAS**

**Page and line numbers refer to the March 4th version of the
amendment in the nature of a substitute.**

On page 122, after line 8, insert the following:

1 “(4) PROHIBITION AGAINST USE OF OTHER
2 FUNDS.—

3 “(A) IN GENERAL.—Except as provided in
4 subparagraph (B), fees collected pursuant to
5 this section shall be the only funds used to pay
6 the costs of the activities of the Food and Drug
7 Administration related to the regulation of to-
8 bacco products under this chapter and the
9 Family Smoking Prevention and Tobacco Con-
10 trol Act.

11 “(B) STARTUP COSTS.—Subparagraph (A)
12 shall not apply until the date on which the Sec-
13 retary has collected fees pursuant to this sec-
14 tion for 2 fiscal year quarters. Until such date,
15 amounts available to the Food and Drug Ad-
16 ministration (other than fees collected pursuant
17 to this section) may be used to pay the costs

1 described in subparagraph (A), provided that
2 such amounts are reimbursed through such
3 fees.

