

-----Original Message-----

**From:** McDaniel, Janice A.  
**Sent:** Friday, January 28, 2000 3:47 PM  
**To:** Merlo, Ellen; Pfeil, Michael E.; Wilson, Gregory B.; Carney, Alfonso; McAleer, Dorothy; Ryan, Thomas M; Chevront, Karl R. (Rusty); McCormick, Brendan J.; Desel, Paula  
**Cc:** Fisher, Scott  
**Subject:** NYS Tax Countdown program

RJR is working on getting a POS campaign out to about 5,000 retail outlets in NYS in the next week or so that is designed to generate consumer disapproval of the recently enacted tax hike, slated to go into effect on 3/1. NYACS (Jim Calvin) will hold a series of press conferences in select media markets over a two-day period to kick off the initiative and will collect all the post cards to deliver them to the governor. While there isn't hope of repealing the tax, the goal is to demonstrate disapproval to the governor and the legislature (and perhaps to send a signal outside of the state that this is not an easy target). B&W and Lorillard are not participating financially, due to the amt. of \$ they spent in December fighting the tax. RJR would like for us to split the cost of the program, which would cost us about \$15k.

Would appreciate your thoughts/input on our participation.

Al/Dorothy: The materials, which are described below, do not have any tagline on them indicating who is sponsoring. While I'm not sure this would be considering "lobbying" (it is not on a specific piece of legislation), please advise on legal and reporting considerations.

The POS kit includes a "Tax Countdown" calendar:

**Number of Days until YOU pay the highest cigarette tax in the nation...**  
**\$1.11 per pack**  
**Brought to you by the Governor and your Legislators**  
**Call Albany Today, Tell them you're Angry**

The Postcards read:

**To: Governor Pataki**  
**Fr: A New York Smoker**

**I'm angry! Smokers alone must pay the highest cigarette tax in the nation for more social programs. That's not right!**  
**An upset Smoker**  
**Name\_\_\_\_\_**  
**Address\_\_\_\_\_**  
**City, State, Zip\_\_\_\_\_**

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*I have a fax copy of these layouts if you would like to see.*