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Omnibus Budget Reconciliation Act of 1990 (selected provisions)

**Pub. L. No. 101-508, Title I, Agricultural Reconciliation Act of
1990, 104 Stat. 1388 (1990)**

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Public Law 101-508
101st Congress

An Act

Nov. 5, 1990
 [H.R. 5835]

To provide for reconciliation pursuant to section 4 of the concurrent resolution on the budget for fiscal year 1991.

Omnibus Budget
 Reconciliation
 Act of 1990.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Omnibus Budget Reconciliation Act of 1990”.

SEC. 2. TABLE OF TITLES.

- Title I. Agriculture and related programs.
- Title II. Banking, housing, and related programs.
- Title III. Student loans and labor provisions.
- Title IV. Medicare, medicaid, and other health-related programs.
- Title V. Income security, human resources, and related programs.
- Title VI. Energy and environmental programs.
- Title VII. Civil service and postal service programs.
- Title VIII. Veterans’ programs.
- Title IX. Transportation.
- Title X. Miscellaneous user fees and other provisions.
- Title XI. Revenue provisions.
- Title XII. Pensions.
- Title XIII. Budget enforcement.

Agricultural
 Reconciliation
 Act of 1990.

TITLE I—AGRICULTURE AND RELATED PROGRAMS

SEC. 1001. SHORT TITLE; TABLE OF CONTENTS.

7 USC 1421 note.

(a) **SHORT TITLE.**—This title may be cited as the “Agricultural Reconciliation Act of 1990”.

(b) **TABLE OF CONTENTS.**—The table of contents of this title is as follows:

Sec. 1001. Short title; table of contents.

Subtitle A—Commodity Programs

- Sec. 1101. Triple base for deficiency payments.
- Sec. 1102. Calculation of deficiency payments based on 12-month average.
- Sec. 1103. Acreage reduction program for 1991 crop.
- Sec. 1104. Acreage reduction programs for 1992 through 1995 crops.
- Sec. 1105. Loan origination fees and other savings.

Subtitle B—Other Agricultural Programs

- Sec. 1201. Authorization levels for rural electric and telephone loans.
- Sec. 1202. Authorization levels for FmHA loans.
- Sec. 1203. APHIS inspection user fee on international passengers.
- Sec. 1204. Additional savings and other provisions.

Subtitle C—Effective Date

- Sec. 1301. Effective date.
- Sec. 1302. Readjustment of support levels.

ENROLLMENT ERRATA

Pursuant to the provisions of H.J. Res. 682, waiving certain enrollment requirements with respect to any reconciliation bill, appropriation bill, or continuing resolution for the remainder of the One Hundred First Congress, and providing for the subsequent preparation and certification of printed enrollments, this printed enrollment contains corrections in indentation, typeface, and type size and includes footnotes identifying obvious errors in spelling or punctuation in the hand enrollment.

*Note: For information on the printing of this law and a related Presidential memorandum, see the editorial note at the end.

Subtitle A—Commodity Programs

SEC. 1101. TRIPLE BASE FOR DEFICIENCY PAYMENTS.

(a) **WHEAT.**—Section 107B(c)(1)(C)(ii) of the Agricultural Act of 1949 (as added by section 301 of the Food, Agriculture, Conservation, and Trade Act of 1990) is amended by striking “100 percent” and inserting “85 percent”. 7 USC 1445b-3a.

(b) **FEED GRAINS.**—Section 105B(c)(1)(C)(ii) of the Agricultural Act of 1949 (as added by section 401 of the Food, Agriculture, Conservation, and Trade Act of 1990) is amended by striking “100 percent” and inserting “85 percent”. 7 USC 1444f.

(c) **UPLAND COTTON.**—Section 103B(c)(1)(C)(ii) of the Agricultural Act of 1949 (as added by section 501 of the Food, Agriculture, Conservation, and Trade Act of 1990) is amended by striking “100 percent” and inserting “85 percent”. 7 USC 1444-2.

(d) **RICE.**—Section 101B(c)(1)(C)(ii) of the Agricultural Act of 1949 (as added by section 601 of the Food, Agriculture, Conservation, and Trade Act of 1990) is amended by striking “100 percent” and inserting “85 percent”. 7 USC 1441-2.

SEC. 1102. CALCULATION OF DEFICIENCY PAYMENTS BASED ON 12-MONTH AVERAGE.

(a) **WHEAT.**—Clause (ii) of section 107B(c)(1)(B) of the Agricultural Act of 1949 (as added by section 301 of the Food, Agriculture, Conservation, and Trade Act of 1990) is amended to read as follows:

“(ii) **PAYMENT RATE OF 1994 AND 1995 CROPS.**—The payment rate for each of the 1994 and 1995 crops of wheat shall be the amount by which the established price for the crop of wheat exceeds the higher of—

“(I) the lesser of—

“(aa) the national weighted average market price received by producers during the marketing year for the crop, as determined by the Secretary; or

“(bb) the national weighted average market price received by producers during the first 5 months of the marketing year for the crop, as determined by the Secretary, plus 10 cents per bushel; or

“(II) the loan level determined for the crop, prior to any adjustment made under subsection (a)(3) for the marketing year for the crop of wheat.”

(b) **FEED GRAINS.**—Clause (ii) of section 105B(c)(1)(B) of the Agricultural Act of 1949 (as added by section 401 of the Food, Agriculture, Conservation, and Trade Act of 1990) is amended to read as follows:

“(ii) **PAYMENT RATE OF 1994 AND 1995 CROPS.**—The payment rate for each of the 1994 and 1995 crops of corn, grain sorghums, oats, and barley shall be the amount by which the established price for the respective crop of feed grains exceeds the higher of—

“(I) the lesser of—

“(aa) the national weighted average market price received by producers during the marketing year for the crop, as determined by the Secretary; or

“(bb) the national weighted average market price received by producers during the first 5 months of the marketing year for the crop, as determined by the Secretary, plus 7 cents per bushel; or

“(II) the loan level determined for the crop, prior to any adjustment made under subsection (a)(3) for the marketing year for the respective crop of feed grains.”.

7 USC 1441-2.

(c) RICE.—Clause (ii) of section 101B(c)(1)(B) of the Agricultural Act of 1949 (as added by section 601 of the Food, Agriculture, Conservation, and Trade Act of 1990) is amended to read as follows:

“(ii) PAYMENT RATE OF 1994 AND 1995 CROPS.—The payment rate for each of the 1994 and 1995 crops of rice shall be the amount by which the established price for the crop of rice exceeds the higher of—

“(I) the lesser of—

“(aa) the national average market price received by producers during the calendar year that contains the first 5 months of the marketing year for the crop, as determined by the Secretary; or

“(bb) the national average market price received by producers during the first 5 months of the marketing year for the crop, as determined by the Secretary, plus an appropriate amount that is fair and equitable in relation to wheat and feed grains (as determined by the Secretary); or

“(II) the loan level determined for the crop.”.

7 USC 1445j.

(d) CONFORMING AMENDMENT.—Section 114(c) of the Agricultural Act of 1949 (as amended by section 1121(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 and redesignated by section 1161(a)(1) of such Act) by striking “wheat, feed grains, and rice which payments are calculated on the basis of the national weighted average market price (or, in the case of rice, the national average market price) for the marketing year for the crop” and inserting “wheat and feed grains which payments are calculated as provided in sections 107B(c)(1)(B)(ii), 107B(p), or 105B(c)(1)(B)(ii)”.

SEC. 1103. ACREAGE REDUCTION PROGRAM FOR 1991 CROP.

7 USC 1445b-3a
note.

(a) WHEAT.—In the case of the 1991 crop of wheat, the Secretary of Agriculture shall provide for an acreage limitation program as described in section 107B(e)(1)(F) of the Agricultural Act of 1949 (as added by section 301 of the Food, Agriculture, Conservation, and Trade Act of 1990).

7 USC 1444f.

(b) FEED GRAINS.—Subparagraph (F) of section 105B(e)(1) of the Agricultural Act of 1949 (as added by section 401 of the Food, Agriculture, Conservation, and Trade Act of 1990) is amended to read as follows:

“(F) ACREAGE LIMITATION PROGRAM FOR 1991 CROP.—In the case of the 1991 crop of corn, the Secretary shall provide for an acreage limitation program (as described in paragraph (2)) under which the acreage planted to corn for harvest on a farm would be limited to the corn crop acreage base for the farm for the crop reduced by not less than 7.5 percent.”.

SEC. 1104. ACREAGE REDUCTION PROGRAMS FOR 1992 THROUGH 1995 CROPS.7 USC 1445-3a
note.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, except as provided in subsections (b) and (c), the Secretary of Agriculture shall announce an acreage limitation program for each of the 1992 through 1995 crops of—

(1) wheat under which the acreage planted to wheat for harvest on a farm would be limited to the wheat crop acreage base for the farm for the crop reduced by—

(A) in the case of the 1992 crop of wheat, not less than 6 percent;

(B) in the case of the 1993 crop of wheat, not less than 5 percent;

(C) in the case of the 1994 crop of wheat, not less than 7 percent; and

(D) in the case of the 1995 crop of wheat, not less than 5 percent; and

(2) corn, grain sorghum, and barley under which the acreage planted to the respective feed grain for harvest on a farm would be limited to the respective feed grain crop acreage base for the farm for the crop reduced by not less than 7½ percent.

(b) **STOCKS-TO-USE RATIO.**—Subsection (a) shall not apply to a crop if the Secretary estimates for such crop that the stocks-to-use ratio will be less than—

(1) in the case of wheat, 34 percent; and

(2) in the case of corn, grain sorghum, and barley, 20 percent.

(c) **TERMINATION.**—If the Secretary determines that the quantity of soybeans on hand in the United States on the first day of the marketing year for the 1991 crop of soybeans (not including any quantity of soybeans of the 1991 crop) will be less than 325,000,000 bushels, subsection (a) shall not apply to any of the 1992 through 1995 crops of wheat and feed grains.

SEC. 1105. LOAN ORIGATION FEES AND OTHER SAVINGS.

(a) **OILSEEDS.**—Section 205 of the Agricultural Act of 1949 (as added by section 701(2) of the Food, Agriculture, Conservation, and Trade Act of 1990) is amended—

7 USC 1446f.

(1) by redesignating subsection (m) as subsection (n); and

(2) by inserting after subsection (1) the following new subsection:

“(m) **LOAN ORIGATION FEE.**—

“(1) **LOANS.**—The Secretary shall charge a producer a loan origination fee for a crop of oilseeds, in connection with making a loan, equal to the product obtained by multiplying—

“(A) the loan level determined for the crop under subsection (c); by

“(B) 2 percent; by

“(C) the quantity of oilseeds for which the producer obtains the loan.

“(2) **LOAN DEFICIENCY PAYMENTS.**—The Secretary shall deduct, from the amount of any loan deficiency payment made under subsection (e), an amount equal to the amount of the loan origination fee that would otherwise be paid under paragraph (1) if the producer obtained a loan rather a loan deficiency payment.”.

(b) **PEANUTS.**—

7 USC 1445c-3.

(1) IN GENERAL.—Section 108B of the Agricultural Act of 1949 (as added by section 806 of the Food, Agriculture, Conservation, and Trade Act of 1990) is amended—

(A) by redesignating subsection (g) as subsection (h); and

(B) by inserting after subsection (f) the following new subsection:

“(g) MARKETING ASSESSMENT.—

“(1) IN GENERAL.—The Secretary shall provide, by regulation, for a nonrefundable marketing assessment applicable to each of the 1991 through 1995 crops of peanuts. The assessment shall be made in accordance with this subsection and shall be on a per pound basis in an amount equal to 1 percent of the national average quota or additional peanut support rate per pound, as applicable, for the applicable crop. No peanuts shall be assessed more than 1 percent of the applicable support rate under this subsection.

“(2) FIRST PURCHASERS.—

“(A) IN GENERAL.—Except as provided under paragraphs (3) and (4), the first purchaser of peanuts shall—

“(i) collect from the producer a marketing assessment equal to $\frac{1}{2}$ percent of the applicable national average support rate times the quantity of peanuts acquired;

“(ii) pay, in addition to the amount collected under clause (i), a marketing assessment in an amount equal to $\frac{1}{2}$ percent of the applicable national average support rate times the quantity of peanuts acquired; and

“(iii) remit the amounts required under clauses (i) and (ii) to the Commodity Credit Corporation in a manner specified by the Secretary.

“(B) DEFINITION.—For purposes of this subsection, the term ‘first purchaser’ means a person acquiring peanuts from a producer except that in the case of peanuts forfeited by a producer to the Commodity Credit Corporation, such term means the person acquiring the peanuts from the Commodity Credit Corporation.

“(3) OTHER PRIVATE MARKETINGS.—In the case of a private marketing by a producer directly to a consumer through a retail or wholesale outlet or in the case of a marketing by the producer outside of the continental United States, the producer shall be responsible for the full amount of the assessment and shall remit the assessment by such time as is specified by the Secretary.

“(4) LOAN PEANUTS.—In the case of peanuts that are pledged as collateral for a price support loan made under this section, $\frac{1}{2}$ of the assessment shall be deducted from the proceeds of the loan. The remainder of the assessment shall be paid by the first purchaser of the peanuts. For purposes of computing net gains on peanuts under this section, the reduction in loan proceeds shall be treated as having been paid to the producer.

“(5) PENALTIES.—If any person fails to collect or remit the reduction required by this subsection or fails to comply with such requirements for recordkeeping or otherwise as are required by the Secretary to carry out this subsection, the person shall be liable to the Secretary for a civil penalty up to an amount determined by multiplying—

“(A) the quantity of peanuts involved in the violation; by

“(B) the national average quota peanut price support level for the applicable crop year.

“(6) ENFORCEMENT.—The Secretary may enforce this subsection in the courts of the United States.”.

(2) CONFORMING AMENDMENT.—Section 108B(a)(2) of the Agricultural Act of 1949 (as added by section 806(3) of the Food, Agriculture, Conservation, and Trade Act of 1990) is amended by inserting after “cost of land” the following: “and the cost of any assessments required under subsection (g)”.

7 USC 1445c-3.

(c) SUGAR.—Section 206 of the Agricultural Act of 1949 (as added by section 901(2) of the Food, Agriculture, Conservation, and Trade Act of 1990) is amended—

7 USC 1446g.

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following new subsection:

“(i) MARKETING ASSESSMENT.—

“(1) SUGARCANE.—Effective only for each of the 1991 through 1995 crops of sugarcane, the first processor of sugarcane shall remit to the Commodity Credit Corporation a nonrefundable marketing assessment in an amount equal to .18 cents per pound of raw cane sugar processed by the processor from domestically produced sugarcane.

“(2) SUGAR BEETS.—Effective only for each of the 1991 through 1995 crops of sugar beets, the first processor of sugar beets shall remit to the Commodity Credit Corporation a nonrefundable marketing assessment in an amount equal to .193 cents per pound of beet sugar processed by the processor from domestically produced sugar beets.

“(3) COLLECTION.—Marketing assessments required under this subsection shall be collected and remitted to the Commodity Credit Corporation in the manner prescribed by the Secretary and shall be nonrefundable.

“(4) PENALTIES.—If any person fails to collect or remit the reduction required by this subsection or fails to comply with such requirements for recordkeeping or otherwise as are required by the Secretary to carry out this subsection, the person shall be liable to the Secretary for a civil penalty up to an amount determined by multiplying—

“(A) the quantity of cane sugar or beet sugar involved in the violation; by

“(B) the support level for the applicable crop of sugarcane or sugar beets.

“(5) ENFORCEMENT.—The Secretary may enforce this subsection in the courts of the United States.”.

(d) HONEY.—Section 207 of the Agricultural Act of 1949 (as added by section 1001 of the Food, Agriculture, Conservation, and Trade Act of 1990) is amended—

7 USC 1446h.

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following new subsection:

“(i) MARKETING ASSESSMENT.—

“(1) IN GENERAL.—Effective only for each of the 1991 through 1995 crops of honey, producers and producer-packers of honey (as defined in paragraphs (5) and (9), respectively, of section 3 of the Honey Research, Promotion, and Consumer Information Act (7 U.S.C. 4602)) shall remit to the Commodity Credit Corporation a nonrefundable marketing assessment on a per pound

basis in an amount equal to 1 percent of the national price support level for each such crop as otherwise provided in this section.

“(2) **COLLECTION.**—The assessment shall be collected and remitted by the first handler of honey in the manner prescribed by the Secretary which, to the extent practicable, shall be as provided for in the Honey Research, Promotion, and Consumer Information Act.

“(3) **EXEMPTIONS.**—All persons who are exempt from the payment of the assessment authorized by such Act, and all imported honey, shall be exempt from the payment of the assessment required by this subsection.

“(4) **PENALTIES.**—If any person fails to collect or remit the reduction required by this subsection or fails to comply with such requirements for recordkeeping or otherwise as are required by the Secretary to carry out this subsection, the person shall be liable to the Secretary for a civil penalty up to an amount determined by multiplying—

“(A) the quantity of honey involved in the violation; by

“(B) the support level for the applicable crop of honey.

“(5) **ENFORCEMENT.**—The Secretary may enforce this subsection in the courts of the United States.”

(e) **WOOL AND MOHAIR.**—Section 704 of the National Wool Act of 1954 (7 U.S.C. 1783) (as amended by section 201(b) of the Food, Agriculture, Conservation, and Trade Act of 1990) is amended by adding at the following new subsection:

“(c) **MARKETING ASSESSMENTS.**—Effective only for each of the 1991 through 1995 marketing years for wool and mohair, the Secretary shall deduct an amount from the payment to be made available to producers of wool and mohair under subsection (a) equal to 1 percent of the payment.”

(f) **TOBACCO.**—Section 106 of the Agricultural Act of 1949 (7 U.S.C. 1445) is amended by adding at the end the following new subsection:

“(g)(1) Effective only for each of the 1991 through 1995 crops of tobacco for which price support is made available under this Act, producers and purchasers of such tobacco shall each remit to the Commodity Credit Corporation a nonrefundable marketing assessment in an amount equal to .5 percent of the national price support level for each such crop as otherwise provided for in this section.

“(2) Such producer assessments and purchaser assessments shall be—

“(A) collected in the same manner as provided for in section 106A(d)(2) or 106B(d)(3), as applicable; and

“(B) enforced in the same manner as provided in section 106A(h) or 106B(j), as applicable.

“(3) The Secretary may enforce this subsection in the courts of the United States.”

7 USC 1446e.

(g) **OTHER SAVINGS.**—Section 204 of the Agricultural Act of 1949 (as added by section 101 of the Food, Agriculture, Conservation, and Trade Act of 1990) is amended—

(1) in subsection (g)—

(A) in paragraph (1), by striking “1991 through 1994” and inserting “1992 through 1995”;

(B) in the matter preceding subparagraph (A) of paragraph (2)—

(i) by inserting after “purchases” the following: “in the following calendar year”; and

(ii) by inserting after “producers” the following: “in such following calendar year”; and

(C) in paragraph (2)(B), by striking “that calendar year” and inserting “such following calendar year”;

(2) by redesignating subsections (h) and (i) as subsections (j) and (k), respectively; and

(3) by inserting after subsection (g) the following new subsections:

“(h) **REDUCTION IN PRICE RECEIVED.**—

“(1) **IN GENERAL.**—Beginning January 1, 1991, the Secretary shall provide for a reduction in the price received by producers for all milk produced in the United States and marketed by producers for commercial use, in addition to any reduction in price required under subsection (g).

“(2) **AMOUNT.**—The amount of the reduction under paragraph (1) in the price received by producers shall be—

“(A) during calendar year 1991, 5 cents per hundredweight of milk marketed; and

“(B) during each of the calendar years 1992 through 1995, 11.25 cents per hundredweight of milk marketed, which rate shall be adjusted on or before May 1 of each of the calendar years 1992 through 1995 by an amount per hundredweight that is necessary to compensate for refunds made under paragraph (3) on the basis of marketings in the previous calendar year.

“(3) **REFUND.**—The Secretary shall provide a refund of the entire reduction under paragraph (2) in the price of milk received by a producer during a calendar year, if the producer provides evidence that the producer did not increase marketings in the calendar year that such reduction was in effect when compared to the immediately preceding calendar year.

“(i) **ENFORCEMENT.**—

“(1) **COLLECTION.**—Reductions in price required under subsection (g) or (h) shall be collected and remitted to the Commodity Credit Corporation in the manner prescribed by the Secretary.

“(2) **PENALTIES.**—If any person fails to collect or remit the reduction required by subsection (g) or (h) or fails to comply with such requirements for recordkeeping or otherwise as are required by the Secretary to carry out such subsection, the person shall be liable to the Secretary for a civil penalty up to an amount determined by multiplying—

“(A) the quantity of milk involved in the violation; by

“(B) the support rate for the applicable calendar year for milk.

“(3) **ENFORCEMENT.**—The Secretary may enforce subsection (g) or (h) in the courts of the United States.”.

Subtitle B—Other Agricultural Programs

SEC. 1201. AUTHORIZATION LEVELS FOR RURAL ELECTRIC AND TELEPHONE LOANS.

Title III of the Rural Electrification Act of 1936 (7 U.S.C. 931 et seq.) is amended by adding at the end the following new section:

7 USC 940d.

“SEC. 314. AUTHORIZATION LEVELS FOR RURAL ELECTRIC AND TELEPHONE LOANS.

“(a) IN GENERAL.—Subject to the other provisions of this section and notwithstanding any other provision of law, for each of fiscal years 1991 through 1995, insured loans may be made in accordance with this title from the Rural Electrification and Telephone Revolving Fund established under section 301 in amounts equal to the following levels:

- “(1) For fiscal year 1991, \$896,000,000.
- “(2) For fiscal year 1992, \$932,000,000.
- “(3) For fiscal year 1993, \$969,000,000.
- “(4) For fiscal year 1994, \$1,008,000,000.
- “(5) For fiscal year 1995, \$1,048,000,000.

“(b) REDUCTION.—Notwithstanding any other provision of law, for each of fiscal years 1991 through 1995, the Administrator shall—

“(1) reduce the amounts otherwise made available for insured loans made from the Rural Electrification and Telephone Revolving Fund by—

- “(A) \$224,000,000 for fiscal year 1991;
- “(B) \$234,000,000 for fiscal year 1992;
- “(C) \$244,000,000 for fiscal year 1993;
- “(D) \$256,000,000 for fiscal year 1994; and
- “(E) \$267,000,000 for fiscal year 1995; and

“(2) use the funds made available from such reductions in each fiscal year to guarantee loans under subsection (d).

“(c) MANDATORY LEVELS.—Notwithstanding any other provision of law, the Administrator shall make insured loans at the levels authorized by this section for each of fiscal years 1991 through 1995 taking into account any reductions under subsection (b).

“(d) GUARANTEED LOANS—

“(1) **IN GENERAL.**—Except as otherwise provided in this subsection and subsection (e) and notwithstanding any other provision of law, in carrying out this Act, the Administrator shall guarantee loans made by legally organized lending agencies to the extent of the reduction in insured loans as provided in subsection (b).

“(2) **AMOUNT OF GUARANTEE.**—The guarantees authorized under paragraph (1) shall be 90 percent of the principal of and interest on the loan and shall be made only upon the request of the borrower.

“(3) **NO FEDERAL INSTRUMENTALITY.**—The Administrator may not provide any such guarantee for a loan made by the Federal Financing Bank, the Rural Telephone Bank, or any other lending agency that is an agency or instrumentality of the United States other than banks for cooperatives.

“(4) **AUTHORITY.**—The Administrator is authorized to approve such guarantees subject to full use being made during each fiscal year of insured loan amounts made available during the fiscal year.

“(5) **CONSTRUCTION.**—Nothing in this subsection shall be construed as modifying the authority provided in section 306.

“(e) IMPLEMENTATION.—

“(1) **IN GENERAL.**—The Administrator shall implement the reduction in insured loans provided by subsection (b) in a manner that will lessen its adverse effect.

“(2) ALLOCATION BETWEEN ELECTRIC AND TELEPHONE PROGRAMS.—The reductions required by subsection (b) shall be allocated between the electric and telephone programs for each fiscal year in proportion to the amount of insured funds made available for each such program during the fiscal year in annual appropriations Acts.

“(3) ELECTRIC BORROWER’S OPTION.—If the amount of an insured electric loan is reduced as a result of the requirements of subsection (b), the electric borrower may, at the option of such borrower, obtain capital to replace the amount of the reduction—

“(A) with the assistance of a loan guarantee (as provided by subsection (d));

“(B) from internally generated funds of the electric borrower;

“(C) from private credit sources with a lien accommodation provided by the Administrator; or

“(D) from other private sources.”.

SEC. 1202. AUTHORIZATION LEVELS FOR FmHA LOANS.

(a) IN GENERAL.—Subsection (b) of section 346 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1994(b)) is amended to read as follows:

“(b)(1) For each of the fiscal years 1991 through 1995, real estate and operating loans may be insured, made to be sold and insured, or guaranteed in accordance with subtitles A and B, respectively, from the Agricultural Credit Insurance Fund established under section 309 in amounts equal to the following levels:

“(A) For fiscal year 1991, \$4,175,000,000, of which not less than \$827,000,000 shall be for farm ownership loans under subtitle A.

“(B) For fiscal year 1992, \$4,343,000,000, of which not less than \$861,000,000 shall be for farm ownership loans under subtitle A.

“(C) For fiscal year 1993, \$4,516,000,000, of which not less than \$895,000,000 shall be for farm ownership loans under subtitle A.

“(D) For fiscal year 1994, \$4,697,000,000, of which not less than \$931,000,000 shall be for farm ownership loans under subtitle A.

“(E) For fiscal year 1995, \$4,885,000,000, of which not less than \$968,000,000 shall be for farm ownership loans under subtitle A.

“(2) Subject to paragraph (3), such amounts set forth in paragraph (1) shall be apportioned as follows:

“(A) For fiscal year 1991—

“(i) \$1,019,000,000 for insured loans, of which not less than \$83,000,000 shall be for farm ownership loans; and

“(ii) \$3,156,000,000 for guaranteed loans, of which not less than \$744,000,000 shall be for guarantees of farm ownership loans.

“(B) For fiscal year 1992—

“(i) \$1,060,000,000 for insured loans, of which not less than \$87,000,000 shall be for farm ownership loans; and

“(ii) \$3,283,000,000 for guaranteed loans, of which not less than \$774,000,000 shall be for guarantees of farm ownership loans.

“(C) For fiscal year 1993—

“(i) \$1,102,000,000 for insured loans, of which not less than \$90,000,000 shall be for farm ownership loans; and
 “(ii) \$3,414,000,000 for guaranteed loans, of which not less than \$805,000,000 shall be for guarantees of farm ownership loans.

“(D) For fiscal year 1994—

“(i) \$1,147,000,000 for insured loans, of which not less than \$94,000,000 shall be for farm ownership loans; and
 “(ii) \$3,550,000,000 for guaranteed loans, of which not less than \$837,000,000 shall be for guarantees of farm ownership loans.

“(E) For fiscal year 1995—

“(i) \$1,192,000,000 for insured loans, of which not less than \$97,000,000 shall be for farm ownership loans; and
 “(ii) \$3,693,000,000 for guaranteed loans, of which not less than \$871,000,000 shall be for guarantees of farm ownership loans.

“(3) Notwithstanding any other provision of law:

“(A) The Secretary shall—

“(i) reduce the amounts otherwise made available for insured loans by—

“(I) \$482,000,000, for fiscal year 1991;

“(II) \$614,000,000, for fiscal year 1992;

“(III) \$760,000,000, for fiscal year 1993;

“(IV) \$859,000,000, for fiscal year 1994; and

“(V) \$907,000,000, for fiscal year 1995; and

“(ii) use the funds made available from such reductions in each fiscal year to guarantee loans under section 351.

“(B) The total amount of insured loans shall bear the same ratio to the amount of insured farm ownership loans as the dollar amount specified in paragraph (2)(A)(i) for insured loans bears to the dollar amount specified therein for insured farm ownership loans.

“(C) If more than 70 percent of the number of loans guaranteed under section 351 in a fiscal year have been guaranteed to persons to whom the Secretary had not previously made an insured loan under this Act, in lieu of the dollar amounts specified in subparagraph (A) for the immediately succeeding fiscal year, the dollar amounts which shall apply shall each be the product obtained by multiplying—

“(i) such dollar amount; by

“(ii) the quotient of—

“(I) the number of persons provided with guaranteed loans under section 351 in the fiscal year to whom the Secretary had not previously made an insured or a guaranteed loan under this Act; divided by

“(II) the total number of persons provided with guaranteed loans under section 351 in the fiscal year.

“(4) Notwithstanding subsection (a), the Secretary shall, as soon as practicable after the date of enactment of this subsection, make, insure, or guarantee loans at the levels authorized by this subsection for each of the fiscal years 1991 through 1995.”

(b) INTEREST RATE REDUCTION PROGRAM.—

(1) IN GENERAL.—Section 351 of such Act (7 U.S.C. 1999) is amended—

(A) in subsection (c)—

(i) by striking “50 percent” and inserting “100 percent”; and

(ii) by striking “2 percent” and inserting “4 percent”; and

(B) in subsection (d), by striking “, or 3 years, whichever is less”.

(2) **EXTENSION OF PROGRAM FOR 2 YEARS.**—Section 1320 of the Food Security Act of 1985 (7 U.S.C. 1999 note) is amended by striking “1993” and inserting “1995”.

(c) **DEMONSTRATION PROJECT FOR PURCHASE OF SYSTEM LAND.**—Section 351(h)(1) of such Act (7 U.S.C. 1999(h)(1)) is amended by striking “3-year” and inserting “4-year”.

SEC. 1203. APHIS INSPECTION USER FEE ON INTERNATIONAL PASSENGERS.

Section 2509(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 is amended—

21 USC 136a.

(1) in paragraph (1), by striking “a commercial vessel, commercial aircraft, commercial truck, or railroad car,” and inserting “an international passenger, commercial vessel, commercial aircraft, commercial truck, or railroad car.”; and

(2) in paragraph (3)(B)—

(A) by adding at the end of clause (ii) the following: “Any such reimbursement shall be subject to appropriations under clause (v).”; and

(B) by adding at the end the following new clause:

“(v) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated each fiscal year amounts in the Fund for use for quarantine or inspection services.”.

SEC. 1204. ADDITIONAL SAVINGS AND OTHER PROVISIONS.

(a) **INTEGRATED FARM MANAGEMENT PROGRAM.**—Section 1451 of the Food, Agriculture, Conservation, and Trade Act of 1990 is amended—

7 USC 5822.

(1) in subsection (d), by striking “enroll not more than” and inserting “enroll not less than”; and

(2) in subsection (h)(7)(A), by striking “shall not be eligible” and inserting “shall be eligible”.

(b) **FOOD AID ASSISTANCE.**—The Agricultural Trade, Development, and Assistance Act of 1954 (as amended by section 1512 of the Food, Agriculture, Conservation, and Trade Act of 1990) is amended—

(1) in section 202(e)(1), by striking “private” and all that follows through “Administrator” and inserting “the Administrator, not less than \$10,000,000, and not more than \$13,500,000, shall be made available in each fiscal year to private voluntary organizations and cooperatives”; and

7 USC 1722.

(2) in section 406, by adding at the end the following new subsection:

7 USC 1736.

“(d) **AVAILABILITY OF FUNDS.**—Funds shall be available under this Act only to the extent provided in advance in appropriation Acts.”; and

(3) in section 407(c)(4), by striking “providing ocean” and inserting “providing ocean transportation or”.

7 USC 1736a.

(c) **TOBACCO PROGRAM ADJUSTMENT.**—Section 213 of the Dairy and Tobacco Adjustment Act of 1983 (7 U.S.C. 511r) is amended—

(1) in subsection (d), by inserting before the period the following: “, subsection (e), and subsection (f)”; and

(2) in subsection (f), by adding at the end the following new paragraph:

“(4) Subsection (d) shall apply with respect to fees and charges imposed to cover the costs of such end user identification, certification, and reporting activities.”.

7 USC 1421 note. (d) EMERGENCY LOANS.—Section 2269 of the Food, Agriculture, Conservation, and Trade Act of 1990 is amended by—

(1) striking “(7 U.S.C. 1981(b))” and inserting “(7 U.S.C. 1961(b))”; and

(2) striking “1988” and inserting “1990”.

7 USC 136w note.

(e) FIFRA USER FEES.—Notwithstanding any provision of the Omnibus Budget Reconciliation Act of 1990, nothing in this title or the other provisions of this Act shall be construed to require or authorize the Administrator of the Environmental Protection Agency to assess or collect any fees or charges for services and activities authorized under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.).

Subtitle C—Effective Date

7 USC 511r note. SEC. 1301. EFFECTIVE DATE.

This title and the amendments made by this title shall become effective 1 day after the date of enactment of the Food, Agriculture, Conservation, and Trade Act of 1990, or December 1, 1990, whichever is earlier.

7 USC 1421 note. SEC. 1302. READJUSTMENT OF SUPPORT LEVELS.

(a) FAILURE TO ENTER INTO AGREEMENT.—If by June 30, 1992, the United States does not enter into (within the context of section 1102(a) of the Omnibus Trade and Competitiveness Act of 1988 (19 U.S.C. 2902)) an agricultural trade agreement in the Uruguay Round of multilateral trade negotiations under the General Agreement on Tariffs and Trade (GATT), agricultural acreage limitation and price support and production adjustment programs and export promotion levels shall be reconsidered and adjusted by the Secretary of Agriculture (hereafter in this section referred to as the “Secretary”) in accordance with subsection (b), as appropriate to protect the interests of American agricultural producers and ensure the international competitiveness of United States agriculture.

(b) REQUIRED MEASURES.—Pursuant to subsection (a), in order to protect the interests of American agricultural producers and ensure the competitive position of United States agriculture, the Secretary—

(1) is authorized to waive any minimum level for any acreage limitation program required or authorized for any of the 1993 through 1995 crops of wheat, feed grains, upland cotton, or rice established under section 107B(e), 105B(e), 103B(e), or 101B(e) of the Agricultural Act of 1949 (as amended by sections 301, 401, 501, and 601 of the Food, Agriculture, Conservation, and Trade Act of 1990), respectively;

(2) shall increase by \$1,000,000,000 for the period beginning October 1, 1993, and ending September 30, 1995, the level of export promotion programs authorized under the Agricultural Trade Act of 1978 (as amended by section 1531 of the Food,

Agriculture, Conservation, and Trade Act of 1990), in addition to any amounts otherwise required or made available under such programs; and

(3) shall permit producers to repay price support loans for any of the 1993 through 1995 crops of wheat and feed grains at the levels provided under sections 107B(a)(4) and 105B(a)(4) of the Agricultural Act of 1949, respectively.

(c) **FAILURE OF AGREEMENT TO ENTER INTO FORCE.**—If by June 30, 1993, an agricultural trade agreement under the Uruguay Round of multilateral trade negotiations under the General Agreement on Tariffs and Trade has not entered into force for the United States, agricultural price support and other programs and export promotion levels shall be reconsidered and adjusted by the Secretary in accordance with subsection (d), if the Secretary determines such action is appropriate to protect the interests of American agricultural producers and ensure the international competitiveness of United States agriculture.

(d) **SPECIFIC MEASURES.**—

(1) **MEASURES TO BE CONSIDERED.**—Pursuant to subsection (c), the Secretary shall consider—

(A) waiving all or part of the requirements of this title, and the amendments made by this title, requiring reductions in agricultural spending;

(B) increasing the level of funds made available for the programs authorized under the Agricultural Trade Act of 1978; and

(C) permitting producers to repay price support loans for any of the 1993 through 1995 crops of wheat and feed grains at the levels provided under sections 107B(a)(4) and 105B(a)(4) of the Agricultural Act of 1949, respectively.

(2) **AUTHORITY.**—The Secretary is authorized to implement the measures specified in subparagraphs (A), (B), and (C) of paragraph (1). This authority shall be in addition to, and not in place of, any other authority under any other provision of law.

(3) **IMPLEMENTATION.**—If the Secretary determines the action is appropriate pursuant to subsection (c), the Secretary shall implement measures specified in subparagraph (A) of paragraph (1) and either or both of the measures specified in subparagraph (B) or (C) of paragraph (1).

(e) **LIMITATION.**—This section shall not be construed to authorize the Secretary to reduce the level of income support provided to agricultural producers in the United States.

(f) **TERMINATION.**—The provisions of subsections (a) and (b) shall cease to be effective if the President certifies to Congress that the failure referred to in subsection (a) to enter into an agricultural trade agreement in the Uruguay Round of multilateral trade negotiations under the GATT is a result in whole or in part of the provisions of section 151 of the Trade Act of 1974 (19 U.S.C. 2191), or essentially similar provisions, not applying or in effect not applying during the period ending May 31, 1991 (or during the period June 1, 1991, through May 31, 1993, if the condition of section 1103(b)(1)(B)(i) is satisfied) to implementing bills submitted with respect to such an agreement entered into during the applicable period under section 1102(b) of the Omnibus Trade and Competitiveness Act of 1988 (19 U.S.C. 2902(b)).