



## **Omnibus Budget Reconciliation Act of 1993 (selected provisions)**

**Pub. L. No. 103-130, Title I, Agricultural Reconciliation Act of  
1993, 107 Stat. 312 (1993)**

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Public Law 103-66  
103d Congress

An Act

Aug. 10, 1993  
[H.R. 2264]

To provide for reconciliation pursuant to section 7 of the concurrent resolution on the budget for fiscal year 1994.

Omnibus Budget  
Reconciliation  
Act of 1993.

*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 1993”.

**SEC. 2. TABLE OF CONTENTS.**

The table of contents is as follows:

TITLE I—AGRICULTURE AND RELATED PROVISIONS

TITLE II—ARMED SERVICES PROVISIONS

TITLE III—BANKING AND HOUSING PROVISIONS

TITLE IV—STUDENT LOANS AND ERISA PROVISIONS

TITLE V—TRANSPORTATION AND PUBLIC WORKS PROVISIONS

TITLE VI—COMMUNICATIONS LICENSING AND SPECTRUM ALLOCATION PROVISIONS

TITLE VII—NUCLEAR REGULATORY COMMISSION PROVISIONS

TITLE VIII—PATENT AND TRADEMARK OFFICE PROVISIONS

TITLE IX—MERCHANT MARINE PROVISIONS

TITLE X—NATURAL RESOURCES PROVISIONS

TITLE XI—CIVIL SERVICE AND POST OFFICE PROVISIONS

TITLE XII—VETERANS' AFFAIRS PROVISIONS

TITLE XIII—REVENUE, HEALTH CARE, HUMAN RESOURCES, INCOME SECURITY, CUSTOMS AND TRADE PROVISIONS, FOOD STAMP PROGRAM, AND TIMBER SALE PROVISIONS

TITLE XIV—BUDGET PROCESS PROVISIONS

Agricultural  
Reconciliation  
Act of 1993.

**TITLE I—AGRICULTURAL PROGRAMS**

**SEC. 1001. SHORT TITLE AND TABLE OF CONTENTS.**

7 USC 1421 note.

(a) **SHORT TITLE.**—This title may be cited as the “Agricultural Reconciliation Act of 1993”.

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

Sec. 1001. Short title and table of contents.

**Subtitle A—Commodity Programs**

Sec. 1101. Upland cotton program.

Sec. 1102. Wheat program.

Sec. 1103. Feed grain program.

Sec. 1104. Rice program.

Sec. 1105. Dairy program.

Sec. 1106. Tobacco program.

Sec. 1107. Sugar program.

Sec. 1108. Oilseeds program.

Sec. 1109. Peanut program.

Sec. 1110. Honey program.

Sec. 1111. Wool and mohair program.

**Subtitle B—Rural Electrification**

Sec. 1201. Refinancing and prepayment of FFB loans.

**Subtitle C—Agricultural Trade**

Sec. 1301. Acreage reduction requirements.

Sec. 1302. Market promotion program.

**Subtitle D—Miscellaneous**

Sec. 1401. Admission, entrance, and recreation fees.

Sec. 1402. Environmental conservation acreage reserve program amendments.

Sec. 1403. Federal crop insurance.

## **Subtitle A—Commodity Programs**

### **SEC. 1101. UPLAND COTTON PROGRAM.**

(a) **IN GENERAL.**—Section 103B of the Agricultural Act of 1949 (7 U.S.C. 1444-2) is amended—

(1) in the section heading, by striking “1995” and inserting “1997”;

(2) in subsections (a)(1), (b)(1), (c)(1)(A), (c)(1)(B)(ii), and (o), by striking “1995” each place it appears and inserting “1997”;

(3) in subparagraphs (B)(i), (D)(i), (E)(i), and (F)(i) of subsection (a)(5), by striking “1996” each place it appears and inserting “1998”;

(4) in subsection (c)(1)(D)—

(A) in the subparagraph heading, by striking “50/92 PROGRAM” and inserting “50/85 PROGRAM”;

(B) by inserting after “8 percent” both places it appears the following: “for each of the 1991 through 1993 crops, and 15 percent for each of the 1994 through 1997 crops (except as provided in clause (v)(II)),”; and

(C) in clause (v)—

(i) by striking “(v) PREVENTED PLANTING.—If” and inserting the following:

“(v) PREVENTED PLANTING AND REDUCED YIELDS.—

“(I) 1991 THROUGH 1993 CROPS.—In the case of each of the 1991 through 1993 crops of upland cotton, if”; and

(ii) by adding at the end the following new subclause:

“(II) 1994 THROUGH 1997 CROPS.—In the case of each of the 1994 through 1997 crops of upland

cotton, producers on a farm shall be eligible to receive deficiency payments as provided in clause (iii) if an acreage limitation program under subsection (e) is in effect for the crop and—

“(aa) the producers have been determined by the Secretary (in accordance with section 503(c)) to be prevented from planting the crop or have incurred a reduced yield for the crop (due to a natural disaster) and the producers elect to devote a portion of the maximum payment acres for upland cotton (as calculated under subparagraph (C)(ii)) equal to more than 8 percent of the upland cotton acreage, to conservation uses; or

“(bb) the producers elect to devote a portion of the maximum payment acres for upland cotton (as calculated under subparagraph (C)(ii)) equal to more than 8 percent of the upland cotton acreage, to alternative crops as provided in subparagraph (E).”; and

(5) in subsection (e)(1)(D), by inserting after “30 percent” the following: “for each of the 1991 through 1994 crops, 29½ percent for each of the 1995 and 1996 crops, and 29 percent for the 1997 crop”.

**(b) PROVISIONS NECESSARY TO THE OPERATION OF THE PROGRAM.—**

(1) **DEFICIENCY AND LAND DIVERSION PAYMENTS.**—Section 114 of the Agricultural Act of 1949 (7 U.S.C. 1445j) is amended by striking “1995” each place it appears in subsections (a)(1) and (c) and inserting “1997”.

(2) **ACREAGE BASE AND YIELD SYSTEM.**—Title V of such Act (7 U.S.C. 1461 et seq.) is amended—

(A) in section 503 (7 U.S.C. 1463)—

(i) in subsection (c)(3)—

(I) by striking “0/92 or 50/92”; and

(II) by striking “1995” and inserting “1997”; and

(ii) in subsection (h)(2)(A), by striking “1995” each place it appears and inserting “1997”;

(B) in paragraphs (1) and (2) of section 505(b) (7 U.S.C. 1465(b)), by striking “1995” each place it appears and inserting “1997”; and

(C) in section 509 (7 U.S.C. 1469), by striking “1995” and inserting “1997”.

(3) **PAYMENT LIMITATIONS.**—The Food Security Act of 1985 (Public Law 99-198; 99 Stat. 1354) is amended—

(A) in paragraphs (1)(A), (1)(B), and (2)(A) of section 1001 (7 U.S.C. 1308), by striking “1995” each place it appears and inserting “1997”; and

(B) in section 1001C(a) (7 U.S.C. 1308-3(a)), by striking “1995” both places it appears and inserting “1997”.

**SEC. 1102. WHEAT PROGRAM.**

Section 107B(c)(1)(E) of the Agricultural Act of 1949 (7 U.S.C. 1445b-3a(c)(1)(E)) is amended—

(1) in the subparagraph heading, by striking “0/92 PROGRAM” and inserting “0/85 PROGRAM”;

(2) in clause (i), by inserting after “8 percent” both places it appears the following: “for each of the 1991 through 1993 crops, and 15 percent for each of the 1994 through 1997 crops (except as provided in clause (vii)),”; and

(3) by adding at the end of the subparagraph the following new clause:

“(vii) EXCEPTIONS TO 0/85.—In the case of each of the 1994 through 1997 crops of wheat, producers on a farm shall be eligible to receive deficiency payments as provided in clause (ii) if an acreage limitation program under subsection (e) is in effect for the crop and—

“(I)(aa) the producers have been determined by the Secretary (in accordance with section 503(c)) to be prevented from planting the crop or have incurred a reduced yield for the crop (due to a natural disaster); and

“(bb) the producers elect to devote a portion of the maximum payment acres for wheat (as calculated under subparagraph (C)(ii)) equal to more than 8 percent of the wheat acreage, to conservation uses; or

“(II) the producers elect to devote a portion of the maximum payment acres for wheat (as calculated under subparagraph (C)(ii)) equal to more than 8 percent of the wheat acreage, to alternative crops as provided in subparagraph (F).”.

#### SEC. 1103. FEED GRAIN PROGRAM.

Section 105B(c)(1)(E) of the Agricultural Act of 1949 (7 U.S.C. 1444f(c)(1)(E)) is amended—

(1) in the subparagraph heading, by striking “0/92 PROGRAM” and inserting “0/85 PROGRAM”;

(2) in clause (i), by inserting after “8 percent” both places it appears the following: “for each of the 1991 through 1993 crops, and 15 percent for each of the 1994 through 1997 crops (except as provided in clause (vii)),”; and

(3) by adding at the end of the subparagraph the following new clause:

“(vii) EXCEPTIONS TO 0/85.—In the case of each of the 1994 through 1997 crops of feed grains, producers on a farm shall be eligible to receive deficiency payments as provided in clause (ii) if an acreage limitation program under subsection (e) is in effect for the crop and—

“(I)(aa) the producers have been determined by the Secretary (in accordance with section 503(c)) to be prevented from planting the crop or have incurred a reduced yield for the crop (due to a natural disaster); and

“(bb) the producers elect to devote a portion of the maximum payment acres for feed grains (as calculated under subparagraph (C)(ii)) equal to more than 8 percent of the feed grain acreage, to conservation uses; or

“(II) the producers elect to devote a portion of the maximum payment acres for feed grains

(as calculated under subparagraph (C)(ii)) equal to more than 8 percent of the feed grain acreage, to alternative crops as provided in subparagraph (F).”.

#### SEC. 1104. RICE PROGRAM.

Section 101B(c)(1)(D) of the Agricultural Act of 1949 (7 U.S.C. 1441-2(c)(1)(D)) is amended—

(1) in the subparagraph heading, by striking “50/92 PROGRAM” and inserting “50/85 PROGRAM”;

(2) in clause (i), by inserting after “8 percent” both places it appears the following: “for each of the 1991 through 1993 crops, and 15 percent for each of the 1994 through 1997 crops (except as provided in clause (v)(II)),”; and

(3) in clause (v)—

(A) by striking “(v) PREVENTED PLANTING.—If” and inserting the following:

“(v) PREVENTED PLANTING AND REDUCED YIELDS.—

“(I) 1991 THROUGH 1993 CROPS.—In the case of each of the 1991 through 1993 crops of rice, if”; and

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

“(II) 1994 THROUGH 1997 CROPS.—In the case of each of the 1994 through 1997 crops of rice, producers on a farm shall be eligible to receive deficiency payments as provided in clause (iii) if an acreage limitation program under subsection (e) is in effect for the crop and—

“(aa) the producers have been determined by the Secretary (in accordance with section 503(c)) to be prevented from planting the crop or have incurred a reduced yield for the crop (due to a natural disaster) and the producers elect to devote a portion of the maximum payment acres for rice (as calculated under subparagraph (C)(ii)) equal to more than 8 percent of the rice acreage, to conservation uses; or

“(bb) the producers elect to devote a portion of the maximum payment acres for rice (as calculated under subparagraph (C)(ii)) equal to more than 8 percent of the rice acreage, to alternative crops as provided in subparagraph (E).”.

#### SEC. 1105. DAIRY PROGRAM.

(a) IN GENERAL.—Section 204 of the Agricultural Act of 1949 (7 U.S.C. 1446e) is amended—

(1) in the section heading, by striking “1995” and inserting “1996”;

(2) in subsections (a), (b), (d)(1)(A), (d)(2)(A), (d)(3), (g)(1), and (k), by striking “1995” each place it appears and inserting “1996”;

(3) in subsection (c)(3)—

(A) in the first sentence of subparagraph (A), by striking “The Secretary” and inserting “Subject to subparagraph (B), the Secretary”;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following new subparagraph:

“(B) GUIDELINES.—In the case of purchases of butter and nonfat dry milk that are made by the Secretary under this section on or after the date of enactment of the Omnibus Budget Reconciliation Act of 1993, in allocating the rate of price support between the purchase prices of butter and nonfat dry milk under this paragraph, the Secretary may not—

“(i) offer to purchase butter for more than \$0.65 per pound; or

“(ii) offer to purchase nonfat dry milk for less than \$1.034 per pound.”;

(4) in subsection (h)(2)—

(A) by striking “and” at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph

(B) and inserting “; and”; and

(C) by adding at the end the following new subparagraph:

“(C) during each of calendar years 1996 and 1997, 10 cents per hundredweight of milk marketed, which rate shall be adjusted on or before May 1 of the respective calendar year in the manner provided in subparagraph (B).”; and

(5) in subsection (g)(2), by striking “1994” and inserting “1996”.

(b) PROVISIONS NECESSARY TO THE OPERATION OF THE PROGRAM.—Section 101(b) of the Agriculture and Food Act of 1981 (7 U.S.C. 608c note) is amended by striking “1995” and inserting “1996”.

(c) REDUCTION IN PRICE RECEIVED.—

(1) DEFINITIONS.—As used in this subsection:

(A) BOVINE GROWTH HORMONE.—The term “bovine growth hormone” means a synthetic growth hormone produced through the process of recombinant DNA techniques that is intended for use in bovine animals.

(B) DATE OF APPROVAL.—The term “date of approval” means the date the Food and Drug Administration, pursuant to authority under section 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b), first approves an application with respect to the use of bovine growth hormone.

(2) REDUCTION IN PRICE RECEIVED.—In order to offset the economic effects of the sale of bovine growth hormone, the Secretary of Agriculture shall decrease the amount of the reduction in price received by producers specified in subparagraph (B) or (C) (as appropriate) of section 204(h)(2) of the Agricultural Act of 1949 (7 U.S.C. 1446e(h)(2)) by 10 percent during the period beginning on the date of approval and ending 90 days after the date of approval and, during the period, it shall be unlawful for a person to sell bovine growth hormone for commercial agricultural purposes.

7 USC 1446e  
note.

**SEC. 1106. TOBACCO PROGRAM.**

(a) **DOMESTIC MARKETING ASSESSMENT.**—Part I of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.) is amended by adding at the end the following new section:

Business and  
industry.  
Exports and  
imports.  
7 USC 1314i.

**“SEC. 320C. DOMESTIC MARKETING ASSESSMENT.**

“(a) **CERTIFICATION.**—A domestic manufacturer of cigarettes shall certify to the Secretary, for each calendar year, the percentage of the quantity of tobacco used by the manufacturer to produce cigarettes during the year that is produced in the United States.

**“(b) PENALTIES.—**

“(1) **IN GENERAL.**—Subject to subsection (f), a domestic manufacturer of cigarettes that has failed, as determined by the Secretary after notice and opportunity for a hearing, to use in the manufacture of cigarettes during a calendar year a quantity of tobacco grown in the United States that is at least 75 percent of the total quantity of tobacco used by the manufacturer, or to comply with subsection (a), shall be subject to the requirements of subsections (c), (d), and (e).

“(2) **FAILURE TO CERTIFY.**—For purposes of this section, if a manufacturer fails to comply with subsection (a), the manufacturer shall be presumed to have used only imported tobacco in the manufacture of cigarettes produced by the manufacturer.

**“(3) REPORTS AND RECORDS.—**

“(A) **IN GENERAL.**—The Secretary shall require manufacturers of domestic cigarettes to make such reports and maintain such records as are necessary to carry out this section. If the reports and records are insufficient, the Secretary may request other persons to provide supplemental information.

“(B) **EXAMINATIONS.**—For the purpose of ascertaining the correctness of any report or record required under this section, or of obtaining further information required under this section, the Secretary and the Office of Inspector General may examine such records, books, and other materials as the Secretary has reason to believe may be relevant. In the case of a manufacturer of domestic cigarettes, the Secretary may charge a fee to the manufacturer to cover the reasonable costs of any such examination.

“(C) **PENALTIES.**—Any person who fails to provide information required under this paragraph or who provides false information under this paragraph shall be subject to section 1001 of title 18, United States Code.

“(D) **CONFIDENTIALITY.**—Section 320A(c) shall apply to information submitted by manufacturers of domestic cigarettes and other persons under this paragraph.

“(E) **DISCLOSURE.**—Notwithstanding any other provision of law, information on the percentage or quantity of domestic or imported tobacco in cigarettes or on the volume of cigarette production that is submitted under this section shall be exempt from disclosure under section 552 of title 5, United States Code.

**“(c) DOMESTIC MARKETING ASSESSMENT.—**

“(1) **IN GENERAL.**—A domestic manufacturer of cigarettes described in subsection (b) shall remit to the Commodity Credit



Corporation a nonrefundable marketing assessment in accordance with this subsection.

"(2) AMOUNT.—The amount of an assessment imposed on a manufacturer under this subsection shall be determined by multiplying—

"(A) the quantity by which the quantity of imported tobacco used by the manufacturer to produce cigarettes during a preceding calendar year exceeds 25 percent of the quantity of all tobacco used by the manufacturer to produce cigarettes during the preceding calendar year; by

"(B) the difference between—

"(i)  $\frac{1}{2}$  of the sum of—

"(I) the average price per pound received by domestic producers for Burley tobacco during the preceding calendar year; and

"(II) the average price per pound received by domestic producers for Flue-cured tobacco during the preceding calendar year; and

"(ii) the average price per pound of unmanufactured imported tobacco during the preceding calendar year, as determined by the Secretary.

"(3) COLLECTION.—An assessment imposed under this subsection shall be—

"(A) collected by the Secretary and transmitted to the Commodity Credit Corporation; and

"(B) enforced in the same manner as provided in section 320B.

"(d) PURCHASE OF BURLEY TOBACCO.—

"(1) IN GENERAL.—A domestic manufacturer of cigarettes described in subsection (b) shall purchase from the inventories of the producer-owned cooperative marketing associations for Burley tobacco described in section 320B(a)(2), at the applicable list price published by the association, the quantity of tobacco described in paragraph (2).

"(2) QUANTITY.—Subject to paragraph (3), the quantity of Burley tobacco required to be purchased by a manufacturer during a calendar year under this subsection shall equal  $\frac{1}{2}$  of the quantity of imported tobacco used by the manufacturer to produce cigarettes during the preceding calendar year that exceeds 25 percent of the quantity of all tobacco used by the manufacturer to produce cigarettes during the preceding calendar year.

"(3) LIMITATION.—If the total quantity of Burley tobacco required to be purchased by all manufacturers under paragraph (2) would reduce the inventories of the producer-owned cooperative marketing associations for Burley tobacco to less than the reserve stock level for Burley tobacco, the Secretary shall reduce the quantity of tobacco required to be purchased by manufacturers under paragraph (2), on a pro rata basis, to ensure that the inventories will not be less than the reserve stock level for Burley tobacco.

"(4) NONCOMPLIANCE.—If a manufacturer fails to purchase from the inventories of the producer-owned cooperative marketing associations the quantity of Burley tobacco required under this subsection, the manufacturer shall be subject to a penalty of 75 percent of the average market price (calculated to the nearest whole cent) for Burley tobacco for the immediately

preceding year on the quantity of tobacco as to which the failure occurs.

"(5) **PURCHASE REQUIREMENTS.**—Tobacco purchased by a manufacturer under this subsection shall not be included in determining the quantity of tobacco purchased by the manufacturer under section 320B.

"(e) **PURCHASE OF FLUE-CURED TOBACCO.**—

"(1) **IN GENERAL.**—A domestic manufacturer of cigarettes described in subsection (b) shall purchase from the inventories of the producer-owned cooperative marketing association for Flue-cured tobacco described in section 320B(a)(2), at the applicable list price published by the association, the quantity of tobacco described in paragraph (2).

"(2) **QUANTITY.**—Subject to paragraph (3), the quantity of Flue-cured tobacco required to be purchased by a manufacturer during a calendar year under this subsection shall equal  $\frac{1}{2}$  of the quantity of imported tobacco used by the manufacturer to produce cigarettes during the preceding calendar year that exceeds 25 percent of the quantity of all tobacco used by the manufacturer to produce cigarettes during the preceding calendar year.

"(3) **LIMITATION.**—If the total quantity of Flue-cured tobacco required to be purchased by all manufacturers under paragraph (2) would reduce the inventories of the producer-owned cooperative marketing association for Flue-cured tobacco to less than the reserve stock level for Flue-cured tobacco, the Secretary shall reduce the quantity of tobacco required to be purchased by manufacturers under paragraph (2), on a pro rata basis, to ensure that the inventories will not be less than the reserve stock level for Flue-cured tobacco.

"(4) **NONCOMPLIANCE.**—If a manufacturer fails to purchase from the inventories of the producer-owned cooperative marketing association the quantity of Flue-cured tobacco required under this subsection, the manufacturer shall be subject to a penalty of 75 percent of the average market price (calculated to the nearest whole cent) for Flue-cured tobacco for the immediately preceding year on the quantity of tobacco as to which the failure occurs.

"(5) **PURCHASE REQUIREMENTS.**—Tobacco purchased by a manufacturer under this subsection shall not be included in determining the quantity of tobacco purchased by the manufacturer under section 320B.

"(f) **CROP LOSSES DUE TO DISASTERS.**—

"(1) **IN GENERAL.**—If the Secretary, in consultation with producer-owned cooperative marketing associations, determines that because of drought, insect or disease infestation, or other natural disaster, or other condition beyond the control of producers, the total quantity of a crop of domestic Burley tobacco or Flue-cured tobacco that is harvested and suitable for marketing is substantially less than the expected yield for the crop, and that pool inventories for the kind of tobacco involved have been depleted, effective for the calendar year following the year in which the crop loss occurs, the Secretary may reduce the minimum percentage of domestic tobacco specified in subsection (a) to a percentage below 75 percent, as determined by the Secretary, that reflects the reduced availability of domestic supplies of the kind of tobacco involved.

“(2) DETERMINATION OF EXPECTED YIELD.—For purposes of paragraph (1), the Secretary shall determine the expected yield for a crop of Burley tobacco or Flue-cured tobacco by taking into consideration—

“(A) the total acreage planted to the crop (including acreage that the producers were prevented from planting because of a condition referred to in paragraph (1)); and

“(B) normal farm yields established for the crop.

“(3) DEADLINE FOR DETERMINATIONS.—The Secretary shall make determinations under paragraph (1) about crop losses and announce the reduced percentage of the domestic tobacco pool not later than November 30 of the year in which the applicable crop of Burley tobacco or Flue-cured tobacco is harvested.”

(b) BUDGET DEFICIT ASSESSMENT.—

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

“(h)(1) Effective only for each of the 1994 through 1998 crops of tobacco, an importer of tobacco that is produced outside the United States shall remit to the Commodity Credit Corporation a nonrefundable marketing assessment in an amount equal to the product obtained by multiplying—

“(A) the number of pounds of tobacco that is imported by the importer; by

“(B) the sum of—

“(i) the per pound marketing assessment imposed on purchasers of domestic Burley tobacco pursuant to subsection (g); and

“(ii) the per pound marketing assessment imposed on purchasers of domestic Flue-cured tobacco pursuant to subsection (g).

“(2) An assessment imposed under this subsection shall be paid by the importer.

“(3)(A) The importer shall remit the assessment at such time and in such manner as may be prescribed by the Secretary.

“(B) If the importer fails to comply with subparagraph (A), the importer shall be liable, in addition, for a marketing penalty at a rate equal to 37.5 percent of the sum of the average market price (calculated to the nearest whole cent) of Flue-cured and Burley tobacco for the immediately preceding year on the quantity of tobacco as to which the failure occurs.

“(C) This subsection shall be enforced in the same manner as subparagraphs (B) and (C) of paragraph (1), and paragraphs (2) and (3), of section 106A(h).

“(4) Any penalty collected by the Secretary under this subsection shall be deposited for use by the Commodity Credit Corporation.”

(2) IMPORTER ASSESSMENTS FOR NO NET COST TOBACCO FUND.—Section 106A of such Act (7 U.S.C. 1445-1) is amended—

(A) in subsection (c), by inserting “and importers” after “purchasers”;

(B) in subsection (d)(1)(A)—

(i) by striking “and” at the end of clause (i); and

(ii) by inserting after clause (ii) the following new clause:

“(iii) each importer of Flue-cured or Burley tobacco shall pay to the appropriate association, for deposit in the Fund of the association, an assessment, in an amount that is equal to the product obtained by multiplying—

“(I) the number of pounds of tobacco that is imported by the importer; by

“(II) the sum of the amount of per pound producer contributions and purchaser assessments, that are payable by domestic producers and purchasers of Flue-cured and Burley tobacco under clauses (i) and (ii); and”;

(C) in subsection (d)(2)—

(i) by inserting “or importer” after “or purchaser”;

(ii) by striking “and” at the end of subparagraph

(B);

(iii) by inserting “and” at the end of subparagraph

(C); and

(iv) by adding at the end the following new subparagraph:

“(D) if the tobacco involved is imported by an importer, from the importer.”; and

(D) in subsection (h)(1)—

(i) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(ii) by inserting after subparagraph (A) the following new subparagraph:

“(B) Each importer who fails to pay to the association an assessment as required by subsection (d)(2) at such time and in such manner as may be prescribed by the Secretary, shall be liable, in addition to any amount due, for a marketing penalty at a rate equal to 75 percent of the average market price (calculated to the nearest whole cent) for the respective kind of tobacco for the immediately preceding year on the quantity of tobacco as to which the failure occurs.”.

(3) IMPORTER ASSESSMENTS TO NO NET COST TOBACCO ACCOUNT.—Section 106B of such Act (7 U.S.C. 1445-2) is amended—

(A) in subsection (c)(1), by striking “producers and purchasers” and inserting “producers, purchasers, and importers”;

(B) in subsection (d)(1)—

(i) by designating the first and second sentences as subparagraphs (A) and (B), respectively; and

(ii) by adding at the end the following new subparagraph:

“(C) The Secretary shall also require (in lieu of any requirement under section 106A(d)(1)) that each importer of Flue-cured and Burley tobacco shall pay to the Corporation, for deposit in the Account of the association, an assessment, as determined under paragraph (2) and collected under paragraph (3), with respect to purchases of all such kinds of tobacco imported by the importer.”;

(C) in subsection (d)(2), by adding at the end the following new subparagraph:

“(C) The amount of the assessment to be paid by importers shall be an amount that is equal to the product obtained by multiplying—

“(i) the number of pounds of tobacco that is imported by the importer; by

“(ii) the sum of the amount of per pound producer and purchaser assessments that are payable by domestic producers and purchasers of the respective kind of tobacco under this paragraph.”;

(D) in subsection (d)(3), by adding at the end the following new subparagraph:

“(D) If Flue-cured or Burley tobacco is imported by an importer, any importer assessment required by subsection (d) shall be collected from the importer.”; and

(E) in subsection (j)(1)—

(i) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(ii) by inserting after subparagraph (A) the following new subparagraph:

“(B) Each importer who fails to pay to the Corporation an assessment as required by subsection (d) at such time and in such manner as may be prescribed by the Secretary, shall be liable, in addition to any amount due, to a marketing penalty at a rate equal to 75 percent of the average market price (calculated to the nearest whole cent) for the respective kind of tobacco for the immediately preceding year on the quantity of tobacco as to which the failure occurs.”.

(c) FEES FOR INSPECTING IMPORTED TOBACCO.—The second sentence of section 213(d) of the Tobacco Adjustment Act of 1983 (7 U.S.C. 511r(d)) is amended by inserting before the period at the end the following: “, and which shall be comparable to fees and charges fixed and collected for services provided in connection with tobacco produced in the United States”.

(d) EXTENSION OF QUOTA REDUCTION FLOORS.—

(1) BURLEY TOBACCO.—Section 319(c)(3)(C)(ii) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1314e(c)(3)(C)(ii)) is amended—

(A) by striking “1993” and inserting “1996”; and

(B) by inserting before the period at the end the following: “, except that, in the case of each of the 1995 and 1996 crops of Burley tobacco, the Secretary may waive the requirements of this clause if the Secretary determines that the requirements would likely result in inventories of the producer-owned cooperative marketing associations for Burley tobacco described in section 320B(a)(2) to exceed 150 percent of the reserve stock level for Burley tobacco”.

(2) FLUE-CURED TOBACCO.—Section 317(a)(1)(C)(ii) of such Act (7 U.S.C. 1314c(a)(1)(C)(ii)) is amended—

(A) by striking “1993” and inserting “1996”; and

(B) by inserting before the period at the end the following: “, except that, in the case of each of the 1995 and 1996 crops of Flue-cured tobacco, the Secretary may waive the requirements of this clause if the Secretary determines that the requirements would likely result in inventories of the producer-owned cooperative marketing association for Flue-cured tobacco described in section 320B(a)(2) to exceed 150 percent of the reserve stock level for Flue-cured tobacco”.

**SEC. 1107. SUGAR PROGRAM.**

(a) **IN GENERAL.**—Section 206 of the Agricultural Act of 1949 (7 U.S.C. 1446g) is amended—

(1) in the section heading, by striking “1995” and inserting “1997”;

(2) in subsections (a), (c), (d)(1), and (j), by striking “1995” each place it appears and inserting “1997”; and

(3) in subsection (i)—

(A) in paragraph (1), by striking “equal to” and all that follows through the period at the end and inserting the following: “equal to—

“(A) in the case of marketings during each of fiscal years 1992 through 1994, 1.0 percent of the loan level established under subsection (b) per pound of raw cane sugar (but not more than .18 cents per pound of raw cane sugar), processed by the processor from domestically produced sugarcane or sugarcane molasses, that has been marketed (including the transfer or delivery of the sugar to a refinery for further processing or marketing); and

“(B) in the case of marketings during each of fiscal years 1995 through 1998, 1.1 percent of the loan level established under subsection (b) per pound of raw cane sugar (but not more than .198 cents per pound of raw cane sugar), processed by the processor from domestically produced sugarcane or sugarcane molasses, that has been marketed (including the transfer or delivery of the sugar to a refinery for further processing or marketing).”;

(B) in paragraph (2), by striking “equal to” and all that follows through the period at the end and inserting the following: “equal to—

“(A) in the case of marketings during each of fiscal years 1992 through 1994, 1.0722 percent of the loan level established under subsection (b) per pound of beet sugar (but not more than .193 cents per pound of beet sugar), processed by the processor from domestically produced sugar beets or sugar beet molasses, that has been marketed; and

“(B) in the case of marketings during each of fiscal years 1995 through 1998, 1.1794 percent of the loan level established under subsection (b) per pound of beet sugar (but not more than .2123 cents per pound of beet sugar), processed by the processor from domestically produced sugar beets or sugar beet molasses, that has been marketed.”;

(C) by adding at the end the following new paragraph:

“(6) **EXCESS MARKETINGS.**—In addition to the assessment required under paragraph (1) or (2), a processor who knowingly markets sugar in excess of the allocated allotment of the processor under section 359d of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359dd) shall pay an assessment in an amount that is double the applicable assessment required under paragraph (1) or (2) per pound of sugar marketed.”.

(b) **PROVISIONS NECESSARY TO THE OPERATION OF THE PROGRAM.**—Section 359b of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb) is amended—

(1) in subsection (a)(1), by striking “1996” and inserting “1998”; and

(2) in subsection (d)—

(A) by striking paragraph (1) and inserting the following new paragraph:

“(1) IN GENERAL.—During any fiscal year or portion thereof for which marketing allotments have been established, no processor of sugar beets or sugarcane shall market a quantity of sugar in excess of the allocation established for such processor, except to enable another processor to fulfill an allocation established for such other processor or to facilitate the exportation of such sugar.”; and

(B) in paragraph (3), by inserting “knowingly” after “who” each place it appears.

#### SEC. 1108. OILSEEDS PROGRAM.

Section 205 of the Agricultural Act of 1949 (7 U.S.C. 1446f) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by inserting after “\$5.02 per bushel” the following: “for each of the 1991 through 1993 crops and \$4.92 per bushel for each of the 1994 through 1997 crops”; and

(B) in paragraph (2), by inserting after “\$0.089 per pound” the following: “for each of the 1991 through 1993 crops and \$0.087 per pound for each of the 1994 through 1997 crops”;

(2) in subsection (h), by striking “mature on the last day of the 9th month following the month the application for the loan is made.” and inserting the following: “mature—

“(1) in the case of each of the 1991 through 1993 crops, on the last day of the 9th month following the month the application for the loan is made; and

“(2) in the case of each of the 1994 through 1997 crops, on the last day of the 9th month following the month the application for the loan is made, except that the loan may not mature later than the last day of the fiscal year in which the application is made.”; and

(3) in subsection (m), by adding at the end the following new paragraph:

“(3) APPLICABILITY.—This subsection shall apply only to each of the 1991 through 1993 crops of oilseeds.”.

#### SEC. 1109. PEANUT PROGRAM.

(a) IN GENERAL.—Section 108B of the Agricultural Act of 1949 (7 U.S.C. 1445c-3) is amended—

(1) in the section heading, by striking “1995” and inserting “1997”;

(2) in subsections (a)(1), (a)(2), (b)(1), (g)(1), and (h), by striking “1995” each place it appears and inserting “1997”; and

(3) in subsection (g)—

(A) in paragraph (1), by inserting after “1 percent” both places it appears the following: “for each of the 1991 through 1993 crops, 1.1 percent for each of the 1994 and 1995 crops, 1.15 percent for the 1996 crop, and 1.2 percent for the 1997 crop”; and

(B) in paragraph (2)(A), by striking clauses (i) and (ii) and inserting the following new clauses:

“(i) collect from the producer a marketing assessment equal to the quantity of peanuts acquired multiplied by—

“(I) in the case of each of the 1991 through 1993 crops, .5 percent of the applicable national average support rate;

“(II) in the case of each of the 1994 and 1995 crops, .55 percent of the applicable national average support rate;

“(III) in the case of the 1996 crop, .6 percent of the applicable national average support rate; and

“(IV) in the case of the 1997 crop, .65 percent of the applicable national average support rate;

“(ii) pay, in addition to the amount collected under clause (i), a marketing assessment in an amount equal to the quantity of peanuts acquired multiplied by—

“(I) in the case of each of the 1991 through 1993 crops, .5 percent of the applicable national average support rate; and

“(II) in the case of each of the 1994 through 1997 crops, .55 percent of the applicable national average support rate; and”.

(b) ASSESSMENT UNDER PEANUT MARKETING AGREEMENT.—Section 8b(b)(1) of the Agricultural Adjustment Act (7 U.S.C. 608b(b)(1)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended—

(1) by striking “and” at the end of subparagraph (A);

(2) by striking the period at the end of subparagraph (B) and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(C) any assessment (except with respect to any assessment for the indemnification of losses on rejected peanuts) imposed under the agreement shall—

“(i) apply to peanut handlers (as defined by the Secretary) who have not entered into such an agreement with the Secretary in addition to those handlers who have entered into the agreement; and

“(ii) be paid to the Secretary.”.

(c) PROVISIONS NECESSARY TO THE OPERATION OF THE PROGRAM.—Part VI of subtitle B of title III of the Agricultural Adjustment Act of 1938 is amended—

(1) in section 358-1 (7 U.S.C. 1358-1)—

(A) in the section heading, by striking “1995” and inserting “1997”; and

(B) in subsections (a)(1), (b)(1)(A), (b)(1)(B), (b)(2)(A), (b)(2)(C), (b)(3)(A), and (f), by striking “1995” each place it appears and inserting “1997”; and

(2) in section 358e (7 U.S.C. 1359a)—

(A) in the section heading, by striking “1995” and inserting “1997”; and

(B) in subsection (i), by striking “1995” and inserting “1997”.

#### SEC. 1110. HONEY PROGRAM.

Section 207 of the Agricultural Act of 1949 (7 U.S.C. 1446h) is amended—



(1) by striking “1995” each place it appears in subsections (a), (c)(1), and (j) and inserting “1998”;

(2) in subsection (a), by striking “than 53.8 cents per pound.” and inserting “than—

“(1) 53.8 cents per pound for each of the 1991 through 1993 crop years;

“(2) 50 cents per pound for each of the 1994 and 1995 crop years;

“(3) 49 cents per pound for the 1996 crop year;

“(4) 48 cents per pound for the 1997 crop year; and

“(5) 47 cents per pound for the 1998 crop year.”;

(3) in subsection (e)(1)—

(A) by striking “and” at the end of subparagraph (C); and

(B) by striking subparagraph (D) and inserting the following new subparagraphs:

“(D) \$125,000 in the 1994 crop year;

“(E) \$100,000 in the 1995 crop year;

“(F) \$75,000 in the 1996 crop year; and

“(G) \$50,000 in each of the 1997 and 1998 crop years.”;

and

(4) in subsection (i)(1), by striking “1995” and inserting “1993”.

#### **SEC. 1111. WOOL AND MOHAIR PROGRAM.**

The National Wool Act of 1954 (7 U.S.C. 1781 et seq.) is amended—

(1) in section 703 (7 U.S.C. 1782), by striking “1995” both places it appears in subsections (a) and (b)(2) and inserting “1997”;

(2) in section 704 (7 U.S.C. 1783)—

(A) in subsection (b)(1)—

(i) by striking “and” at the end of subparagraph (C); and

(ii) by striking subparagraph (D) and inserting the following new subparagraphs:

“(D) \$125,000 for the 1994 marketing year;

“(E) \$100,000 for the 1995 marketing year;

“(F) \$75,000 for the 1996 marketing year; and

“(G) \$50,000 for the 1997 marketing year.”; and

(B) in subsection (c), by striking “through 1995” and inserting “and 1992”; and

(3) in section 706 (7 U.S.C. 1785), by inserting after the second sentence the following new sentence: “In determining the net sales proceeds and national payment rates for shorn wool and shorn mohair, the Secretary shall not deduct marketing charges for commissions, coring, or grading.”.

## **Subtitle B—Rural Electrification**

#### **SEC. 1201. REFINANCING AND PREPAYMENT OF FFB LOANS.**

(a) **IN GENERAL.**—Title III of the Rural Electrification Act of 1936 (7 U.S.C. 931 et seq.) is amended by inserting after section 306B (7 U.S.C. 936b) the following new section:

7 USC 936c.

**"SEC. 306C. REFINANCING AND PREPAYMENT OF FFB LOANS.**

**"(a) IN GENERAL.**—A borrower of a loan made by the Federal Financing Bank and guaranteed under section 306 may, at the option of the borrower, refinance or prepay the loan or an advance on the loan, or any portion of the loan or advance.

**"(b) PENALTY.**—

**"(1) DETERMINATION OF PENALTY.**—A penalty shall be assessed against a borrower that refinances or prepays a loan or loan advance, or any portion of a loan or advance, under this section. Except as provided in paragraph (2), the penalty shall be equal to the lesser of—

**"(A)** the difference between the outstanding principal balance of the loan being refinanced and the present value of the loan discounted at a rate equal to the then current cost of funds to the Department of the Treasury for obligations of comparable maturity to the loan being refinanced or prepaid;

**"(B)** 100 percent of the amount of interest for 1 year on the outstanding principal balance of the loan or loan advance, or any portion of the loan or advance, being refinanced, multiplied by the ratio that—

**"(i)** the number of quarterly payment dates between the date of the refinancing or prepayment and the maturity date for the loan advance; bears to

**"(ii)** the number of quarterly payment dates between the first quarterly payment date that occurs 12 years after the end of the year in which the amount being refinanced was advanced and the maturity date of the loan advance; and

**"(C)(i)** the present value of 100 percent of the amount of interest for 1 year on the outstanding principal balance of the loan or loan advance, or any portion of the loan or advance, being refinanced or prepaid; plus

**"(ii)** for the interval between the date of the refinancing or prepayment and the first quarterly payment date that occurs 12 years after the end of the year in which the amount being refinanced or prepaid was advanced, the present value of the difference between—

**"(I)** each payment scheduled for the interval on the loan amount being refinanced or prepaid; and

**"(II)** the payment amounts that would be required during the interval on the amounts being refinanced or prepaid if the interest rate on the loan were equal to the then current cost of funds to the Department of the Treasury for obligations of comparable maturity to the loan being refinanced or prepaid.

**"(2) LIMITATION.**—

**"(A) IN GENERAL.**—Except as provided in subparagraph (B), the penalty provided by paragraph (1)(A) shall be required for refinancing or prepayment under this section.

**"(B) EXCEPTION.**—In the case of a loan advanced under an agreement that permits the refinancing or prepayment of the loan advance based on the payment of 1 year of interest on the outstanding principal balance of the loan advance, a borrower may, in lieu of the penalty required by paragraph (1)(A), pay a penalty as provided by—

“(i) paragraph (1)(B), if the loan advance has reached the 12-year maturity required under the loan agreement for the refinancing or prepayment; or

“(ii) paragraph (1)(C), if the loan advance has not reached the 12-year maturity required under the loan agreement for the refinancing or prepayment.

“(3) FINANCING OF PENALTY.—

“(A) IN GENERAL.—In the case of a refinancing under this section, a borrower may, at the option of the borrower, meet the penalty requirements of paragraph (1) by—

“(i) making a payment in the amount of the required penalty at the time of the refinancing; or

“(ii) increasing the outstanding principal balance of the loan advance guaranteed by the Administrator that is being refinanced under this section by the amount of the penalty.

“(B) INCREASED PRINCIPAL.—If a borrower meets the penalty requirements of paragraph (1) by increasing the outstanding principal balance of the loan advance that is being refinanced, the borrower shall make a payment at the time of the refinancing equal to 2.5 percent of the amount of the penalty that is added to the outstanding principal balance of the loan.

“(c) LOAN TERMS AND CONDITIONS AFTER REFINANCING.—

“(1) IN GENERAL.—On the payment of a penalty as provided by subsection (b), the loan or loan advance, or any portion of the loan or advance, shall be refinanced at the interest rate described in paragraph (2) for a term selected by the borrower pursuant to paragraph (3), except that this paragraph shall not apply if the loan advance, or any portion of the advance, is prepaid by the borrower.

“(2) INTEREST RATE.—The interest rate on a loan refinanced under this section shall be determined to be equal to the then current cost of funds to the Department of the Treasury for obligations of comparable maturity to a term selected by the borrower pursuant to paragraph (3).

“(3) LOAN TERM.—Subject to paragraph (4), the borrower of a loan that is refinanced under this section—

“(A) shall select the term for which an interest rate shall be determined pursuant to paragraph (2); and

“(B) at the end of the term (and any succeeding term selected by the borrower under this paragraph), may renew the loan for another term selected by the borrower.

“(4) MAXIMUM TERM.—The borrower may not select a term pursuant to paragraph (3) that ends after the maturity date set for the loan before the refinancing of the loan under this section.

“(5) EXISTING LOANS.—In the case of the refinancing of a loan of a borrower pursuant to this section and the inclusion of a penalty in the outstanding principal balance of the refinanced loan pursuant to subsection (b)(3)—

“(A) the refinancing and inclusion of the penalty shall not be subject to appropriations or limited by the amount provided during a fiscal year for new loans, loan guarantees, or other credit activity;

“(B) the request of the borrower for the refinancing under this section may not be denied or delayed; and

“(C) the borrower may not be limited in the selection of any refinancing or prepayment option provided by this section to the borrower.”.

7 USC 936c note.

(b) **REGULATIONS.**—Not later than 45 days after the date of enactment of this section, the Administrator of the Rural Electrification Administration shall issue interim final regulations to carry out the amendment made by subsection (a).

## Subtitle C—Agricultural Trade

### SEC. 1301. ACREAGE REDUCTION REQUIREMENTS.

(a) **IN GENERAL.**—Section 1104 of the Omnibus Budget Reconciliation Act of 1990 (7 U.S.C. 1445b-3a note) is amended—

(1) in subsection (a), by striking paragraph (2) and inserting the following new paragraph:

“(2) corn 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 7½ percent.”; and

(2) in subsection (b)(2), by striking “grain sorghum, and barley,”.

(b) **READJUSTMENT OF SUPPORT LEVELS.**—Section 1302 of such Act (7 U.S.C. 1421 note) is amended—

(1) in subsection (b)—

(A) by striking paragraph (1); and

(B) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively;

(2) in subsection (c), by striking “and other programs”; and

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by striking subparagraph (A); and

(ii) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively;

(B) in paragraph (2), by striking “(A), (B), and (C)” and inserting “(A) and (B)”; and

(C) in paragraph (3)—

(i) by striking “measures specified in subparagraph (A) of paragraph (1) and”; and

(ii) by striking “(B) or (C)” and inserting “(A) or (B)”.

### SEC. 1302. MARKET PROMOTION PROGRAM.

(a) **REDUCTION OF FUNDING LEVEL.**—Section 211(c)(1) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(c)(1)) is amended by striking “through 1995” and inserting “through 1993, and not less than \$110,000,000 for each of the fiscal years 1994 through 1997”.

7 USC 5623 note.

(b) **SECRETARIAL ACTIONS TO ACHIEVE SAVINGS.**—In order to enable the Secretary of Agriculture to achieve the savings required in the market promotion program established by section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623) as a result of the amendments made by this section:

(1) **UNFAIR TRADE PRACTICES.**—Paragraph (2) of section 203(c) of such Act is amended to read as follows:

“(2) **UNFAIR TRADE PRACTICES.**—

7 USC 5623.

“(A) REQUIREMENT.—Except as provided in subparagraph (B), the Secretary shall provide assistance under this section only to counter or offset the adverse effects of a subsidy, import quota, or other unfair trade practice of a foreign country.

“(B) EXCEPTION.—The Secretary shall waive the requirements of this paragraph in the case of activities conducted by small entities operating through the regional State-related organizations.”.

(2) GUIDELINES.—The Secretary of Agriculture should implement changes in the market promotion program established by section 203 of such Act, beginning with fiscal year 1994, in order to improve the effectiveness of the program and to meet the following objectives:

(A) PRIORITY.—In providing assistance for branded promotion, the Secretary should give priority to small-sized entities.

(B) GRADUATION.—The Secretary should not provide assistance under the program to promote a specific branded product in a single market for more than 5 years unless the Secretary determines that further assistance is necessary in order to meet the objectives of the program.

(C) CONTRIBUTION LEVEL.—

(i) IN GENERAL.—The Secretary should require a minimum contribution level of 10 percent from an eligible trade organization that receives assistance for nonbranded promotion.

(ii) INCREASES IN CONTRIBUTION LEVEL.—The Secretary may increase the contribution level in any subsequent year that an eligible trade organization receives assistance for nonbranded promotion.

(D) ADDITIONALITY.—The Secretary should require each participant in the program to certify that any Federal funds received supplement, but do not supplant, private or third party participant funds or other contributions to program activities.

(E) INDEPENDENT AUDITS.—If as a result of an evaluation or audit of activities of a participant under the program, the Secretary determines that a further review is justified in order to ensure compliance with the requirements of the program, the Secretary should require the participant to contract for an independent audit of the program activities, including activities of any subcontractor.

(3) TOBACCO.—No funds made available under the market promotion program may be used for activities to develop, maintain, or expand foreign markets for tobacco.

(c) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Secretary of Agriculture shall issue regulations to implement this section and the amendments made by this section.

7 USC 5623 note.

## Subtitle D—Miscellaneous

### SEC. 1401. ADMISSION, ENTRANCE, AND RECREATION FEES.

16 USC 4601-6c.

(a) DEFINITIONS.—As used in this section:

(1) **AREA OF CONCENTRATED PUBLIC USE.**—The term “area of concentrated public use” means an area administered by the Secretary that meets each of the following criteria:

(A) The area is managed primarily for outdoor recreation purposes.

(B) Facilities and services necessary to accommodate heavy public use are provided in the area.

(C) The area contains at least 1 major recreation attraction.

(D) Public access to the area is provided in such a manner that admission fees can be efficiently collected at 1 or more centralized locations.

(2) **BOAT LAUNCHING FACILITY.**—The term “boat launching facility” includes any boat launching facility, regardless of whether specialized facilities or services, such as mechanical or hydraulic boat lifts or facilities, are provided.

(3) **CAMPGROUND.**—The term “campground” means any campground where a majority of the following amenities are provided, as determined by the Secretary:

(A) Tent or trailer spaces.

(B) Drinking water.

(C) An access road.

(D) Refuse containers.

(E) Toilet facilities.

(F) The personal collection of recreation use fees by an employee or agent of the Secretary.

(G) Reasonable visitor protection.

(H) If campfires are permitted in the campground, simple devices for containing the fires.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture.

(b) **AUTHORITY TO IMPOSE FEES.**—The Secretary may charge—

(1) admission or entrance fees at national monuments, national volcanic monuments, national scenic areas, and areas of concentrated public use administered by the Secretary; and

(2) recreation use fees at lands administered by the Secretary in connection with the use of specialized outdoor recreation sites, equipment, services, and facilities, including visitors' centers, picnic tables, boat launching facilities, and campgrounds.

(c) **AMOUNT OF FEES.**—The amount of the admission, entrance, and recreation fees authorized to be imposed under this section shall be determined by the Secretary.

#### **SEC. 1402. ENVIRONMENTAL CONSERVATION ACREAGE RESERVE PROGRAM AMENDMENTS.**

(a) **ENVIRONMENTAL CONSERVATION ACREAGE RESERVE PROGRAM.**—Section 1230(b) of the Food Security Act of 1985 (16 U.S.C. 3830(b)) is amended by striking “to place in” and all that follows through “acres”.

(b) **CONSERVATION RESERVE PROGRAM.**—Section 1231(d) of such Act (16 U.S.C. 3831(d)) is amended—

(1) by striking “may” and inserting “shall”;

(2) by striking “the amount of acres specified in section 1230(b)” and inserting “a total of 38,000,000 acres during the 1986 through 1995 calendar years”; and

(3) by striking "each of calendar years 1994 and 1995" and inserting "the 1995 calendar year".

(c) WETLANDS RESERVE PROGRAM.—Section 1237 of such Act (16 U.S.C. 3837) is amended—

(1) by striking subsection (b) and inserting the following new subsection:

"(b) MINIMUM ENROLLMENT.—The Secretary shall enroll into the wetlands reserve program—

"(1) a total of not less than 330,000 acres by the end of the 1995 calendar year; and

"(2) a total of not less than 975,000 acres during the 1991 through 2000 calendar years."; and

(2) in subsection (c), by striking "1995" and inserting "2000".

#### SEC. 1403. FEDERAL CROP INSURANCE.

(a) ACTUARIAL SOUNDNESS.—Section 506 of the Federal Crop Insurance Act (7 U.S.C. 1506) is amended by adding at the end the following new subsection:

"(n) ACTUARIAL SOUNDNESS.—The Corporation shall take such actions as are necessary to improve the actuarial soundness of Federal multiperil crop insurance coverage made available under this title to achieve, on and after October 1, 1995, an overall projected loss ratio of not greater than 1.1, including—

"(1) instituting appropriate requirements for documentation of the actual production history of insured producers to establish recorded or appraised yields for Federal crop insurance coverage that more accurately reflect the associated actuarial risk, except that the Corporation may not carry out this paragraph in a manner that would prevent beginning farmers from obtaining adequate Federal crop insurance, as determined by the Corporation;

"(2) establishing in counties, to the extent practicable, a crop insurance option based on area yields in a manner that allows an insured producer to qualify for an indemnity if a loss has occurred in a specified area in which the farm of the insured producer is located;

"(3) establishing a database that contains the social security account and employee identification numbers of participating producers and using the numbers to identify insured producers who are high risk for actuarial purposes and insured producers who have not documented at least 4 years of production history, to assess the performance of insurance providers, and for other purposes permitted by law; and

"(4) taking any other measures authorized by law to improve the actuarial soundness of the Federal crop insurance program while maintaining fairness and effective coverage for agricultural producers."

(b) CONFORMING AMENDMENTS.—

(1) REINSURANCE.—Section 508(h) of such Act (7 U.S.C. 1508(h)) is amended by striking the fifth sentence and inserting the following new sentence: "The Corporation shall also pay operating and administrative costs to insurers of policies on which the Corporation provides reinsurance in an amount determined by the Corporation."

(2) AREA YIELD PLAN.—Section 508 of such Act (7 U.S.C. 1508) is amended by adding at the end the following new subsection:

“(n) AREA YIELD PLAN.—

“(1) IN GENERAL.—Notwithstanding any other provision of this title, the Corporation may offer, only as an option to individual crop insurance coverage available under this Act, a crop insurance plan based on an area yield that allows an insured producer to qualify for an indemnity if a loss has occurred in an area, as specified by the Corporation, in which the farm of the producer is located.

“(2) LEVEL OF COVERAGE.—Under a plan offered under paragraph (1), an insured producer shall be allowed to select the level of production at which an indemnity will be paid consistent with terms and conditions established by the Corporation.”.

(3) YIELD COVERAGE.—Section 508A of such Act (7 U.S.C. 1508a) is amended—

(A) in subsection (a)(1), by striking “may” and inserting “shall”; and

(B) in subsection (b)—

(i) in paragraph (1)(A)—

(I) by striking “A crop insurance contract” and all that follows through “producer—” and inserting “Under regulations issued by the Corporation, a crop insurance contract offered under this title to an eligible insured producer of a commodity with respect to which the Corporation provides crop insurance coverage shall make available to the producer either—”;

(II) by striking “or” at the end of clause (i);

(III) in clause (ii)—

(aa) by striking “5” and inserting “4 building to 10”; and

(bb) by striking the period at the end and inserting “; or”; and

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

“(iii) yield coverage based on—

“(I) not less than 65 percent of the transitional yield of the producer (adjusted to reflect actual experience), as specified in regulations issued by the Corporation based on production history requirements; or

“(II) the area yield under section 508(n) for the crop established under the program for the commodity involved.”;

(ii) in paragraph (1)(B)—

(I) by striking “two” and inserting “3”; and

(II) by inserting after “subparagraph (A)” the following: “, where available (as determined by the Corporation),”;

(iii) in paragraph (2)—

(I) by striking “5” and inserting “4 building to 10”; and

(II) by inserting after “previous crops,” the following: “not less than 65 percent of the transi-



tional yield of the producer (adjusted to reflect actual experience), or the area yield,”; and

(iv) in paragraph (3)(A)(i), by inserting after “farm program yield” the following: “, not less than 65 percent of the transitional yield of the producer (adjusted to reflect actual experience), as specified in regulations issued by the Corporation based on production history requirements, or the area yield under section 508(n), whichever is applicable,”.

**(c) EFFECTIVE DATE.—**

7 USC 1506 note.

(1) **IN GENERAL.**—Except as provided in paragraph (2), this section and the amendments made by this section shall become effective on October 1, 1993.

(2) **REGULATIONS.**—Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture shall publish, for public comment, proposed regulations to implement the amendments made by this section.