

- (1) $\frac{1}{3}$ of such amount shall be distributed as provided in subsection (a);
- (2) $\frac{1}{3}$ shall be distributed as provided in subsection (b);
- and
- (3) $\frac{1}{3}$ shall be distributed as provided in subsection (c).

SEC. 209. ANDERSONVILLE PRISONER-OF-WAR MUSEUM ENDOWMENT FUND.

(a) **ESTABLISHMENT.**—There is hereby established in the Department of the Interior an endowment fund (hereinafter in this section referred to as the “fund”) to be administered by the Secretary of the Interior and to consist of the amounts deposited under subsection (b).

(b) **DEPOSIT INTO FUND.**—

(1) **DEPOSIT FROM SURCHARGES.**—There shall be deposited into the fund such amounts that are paid by the Secretary under section 208(a)(2).

(2) **INVESTMENT.**—The Secretary of the Interior shall have the authority to invest the portion of the fund that is not, in the determination of such Secretary, required to meet the current needs of the fund, in obligations of the United States or in obligations guaranteed as to the principal and interest by the United States. In making such investments, the Secretary of the Interior shall select obligations having maturities suitable to the needs of the fund.

(c) **EXPENDITURES.**—The Secretary of the Interior may use the amounts deposited in the fund under this title to pay for the maintenance of the Andersonville Prisoner-of-War Museum in Andersonville, Georgia.

SEC. 210. AUDITS.

The Comptroller General of the United States shall have the right to examine such books, records, documents, and other data of the entities specified in section 208, as may be related to the expenditures of amounts paid under section 208.

SEC. 211. FINANCIAL ASSURANCES.

(a) **NO NET COST TO THE GOVERNMENT.**—The Secretary shall take such actions as may be necessary to ensure that minting and issuing coins under this title will not result in any net cost to the United States Government.

(b) **PAYMENT FOR COINS.**—A coin shall not be issued under this title unless the Secretary has received—

- (1) full payment for the coin;
- (2) security satisfactory to the Secretary to indemnify the United States for full payment; or
- (3) a guarantee of full payment satisfactory to the Secretary from a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration Board.

TITLE III—REFORM OF COMMEMORATIVE COIN PROGRAMS

31 USC 5112
note.

SEC. 301. SENSE OF CONGRESS RESOLUTION.

(a) FINDINGS.—The Congress hereby makes the following findings:

(1) Congress has authorized 18 commemorative coin programs in the 9 years since 1984.

(2) There are more meritorious causes, events, and people worthy of commemoration than can be honored with commemorative coinage.

(3) Commemorative coin legislation has increased at a pace beyond that which the numismatic community can reasonably be expected to absorb.

(4) It is in the interests of all Members of Congress that a policy be established to control the flow of commemorative coin legislation.

(b) DECLARATION.—It is the sense of the Congress that the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate should not report or otherwise clear for consideration by the House of Representatives or the Senate legislation providing for more than 2 commemorative coin programs for any year, unless the committee determines, on the basis of a recommendation by the Citizens Commemorative Coin Advisory Committee, that extraordinary merit exists for an additional commemorative coin program.

SEC. 302. REPORTS BY RECIPIENTS OF COMMEMORATIVE COIN SURCHARGES.

(a) QUARTERLY FINANCIAL REPORT.—

(1) IN GENERAL.—Each person who receives, after the date of the enactment of this Act, any surcharge derived from the sale of commemorative coins under any Act of Congress shall submit a quarterly financial report to the Director of the United States Mint and the Comptroller General of the United States describing in detail the expenditures made by such person from the proceeds of the surcharge.

(2) INFORMATION TO BE INCLUDED.—The report under paragraph (1) shall include information on the proportion of the surcharges received during the period covered by the report to the total revenue of such person during such period, expressed as a percentage, and the percentage of total revenue during such period which was spent on administrative expenses (including salaries, travel, overhead, and fund raising).

(3) DUE DATES.—Quarterly reports under this subsection shall be due at the end of the 30-day period beginning on the last day of any calendar quarter during which any surcharge derived from the sale of commemorative coins is received by any person.

(b) FINAL REPORT.—Each person who receives, after the date of the enactment of this Act, any surcharge derived from the sale of commemorative coins under any Act of Congress shall submit a final report on the expenditures made by such person from the proceeds of all surcharges received by such person, including information described in subsection (a)(2), before the end of the

1-year period beginning on the last day on which sales of such coins may be made.

SEC. 303. GAO REPORTS TO CONGRESS.

Before the end of the 1-year period beginning on the last day on which sales of commemorative coins may be made under the Act of Congress which authorized such coins, the Comptroller General of the United States shall submit a financial accounting statement to the Congress on the payment of any surcharges derived from the sale of such coins and the use and expenditure of the proceeds of such surcharges by any recipient (other than a recipient which is an agency or department of the Federal Government) based on the reports filed by such recipient with the Comptroller General in accordance with section 302 and any audit of such recipient which is conducted by the Comptroller General with respect to the use and expenditure of such proceeds.

Bicentennial of
the United
States Capitol
Commemorative
Coin Act.
31 USC 5112
note.

TITLE IV—BICENTENNIAL OF THE UNITED STATES CAPITOL COMMEMORATIVE COIN ACT

SEC. 401. SHORT TITLE.

This title may be cited as the "Bicentennial of the United States Capitol Commemorative Coin Act".

SEC. 402. SPECIFICATIONS OF COINS.

(a) ONE-DOLLAR SILVER COINS.—

(1) ISSUANCE.—The Secretary of the Treasury (hereinafter in this title referred to as the "Secretary") shall mint and issue not more than 500,000 one-dollar coins each of which shall—

(A) weigh 26.73 grams;

(B) have a diameter of 1.500 inches; and

(C) be composed of 90 percent silver and 10 percent copper.

(2) DESIGN.—The design of the one-dollar coins shall, in accordance with section 404, be emblematic of the bicentennial of the United States Capitol. Each one-dollar coin shall bear a designation of the value of the coin, an inscription of the year "1994", and inscriptions of the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum".

(b) LEGAL TENDER.—The coins minted under this title shall be legal tender as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of section 5132(a)(1) of title 31, United States Code, all coins minted under this title shall be considered to be numismatic items.

SEC. 403. SOURCES OF BULLION.

The Secretary shall obtain silver for minting coins under this title only from stockpiles established under the Strategic and Critical Minerals Stock Piling Act.

SEC. 404. DESIGN OF COINS.

The design for the coin authorized by this title shall be selected by the Secretary after consultation with the Speaker of the House

of Representatives, the President pro tempore of the Senate, and the Commission of Fine Arts.

SEC. 405. ISSUANCE OF COINS.

(a) **ONE-DOLLAR COINS.**—The one-dollar coins minted under this title may be issued in uncirculated and proof qualities, except that not more than 1 facility of the United States Mint may be used to strike any particular quality.

(b) **COMMENCEMENT OF ISSUANCE.**—The Secretary may issue the coins minted under this title beginning May 1, 1994.

(c) **TERMINATION OF AUTHORITY.**—Coins may not be minted under this title after April 30, 1995.

(d) **CONTRACTS.**—Any contract to be made by the Secretary involving the promotion, advertising, or marketing of any coins authorized under this title shall be valid only upon approval by the United States Capitol Preservation Commission.

SEC. 406. SALE OF COINS.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary shall sell the coins minted under this title at a price equal to the face value, plus the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, and overhead expenses).

(b) **BULK SALES.**—The Secretary shall make any bulk sales of the coins minted under this title at a reasonable discount.

(c) **PREPAID ORDERS.**—The Secretary shall accept prepaid orders for the coins minted under this title prior to the issuance of such coins. Sale prices with respect to such prepaid orders shall be at a reasonable discount.

(d) **SURCHARGES.**—All sales of coins minted under this title shall include a surcharge of \$15 per coin.

SEC. 407. FINANCIAL ASSURANCES.

(a) **NO NET COST TO THE GOVERNMENT.**—The Secretary shall take such actions as may be necessary to ensure that minting and issuing coins under this title will not result in any net cost to the United States Government.

(b) **PAYMENT FOR COINS.**—A coin shall not be issued under this title unless the Secretary has received—

(1) full payment for the coin;

(2) security satisfactory to the Secretary to indemnify the United States for full payment; or

(3) a guarantee of full payment satisfactory to the Secretary from a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration Board.

SEC. 408. USE OF SURCHARGES.

(a) **USE OF SURCHARGES.**—All surcharges that are received by the Secretary from the sale of coins minted under this title shall be deposited in the Capitol Preservation Fund and be available to the United States Capitol Preservation Commission.

(b) **TECHNICAL AMENDMENT.**—Section 8(b)(1) of Public Law 100-673 is amended to read as follows:

“(2) **LIMITATIONS ON REIMBURSEMENTS.**—No amount received by the Commission from the Capitol Preservation Fund from the sale of coins minted under this Act may be used to pay representational expenses of the Commission.”

SEC. 409. GENERAL WAIVER OF PROCUREMENT REGULATIONS.

(a) **IN GENERAL.**—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods and services necessary for carrying out the provisions of this title.

(b) **EQUAL EMPLOYMENT OPPORTUNITY.**—Subsection (a) shall not relieve any person entering into a contract under the authority of this title from complying with any law relating to equal employment opportunity.

Approved December 14, 1993.

LEGISLATIVE HISTORY—H.R. 3616:

CONGRESSIONAL RECORD, Vol. 139 (1993):

Nov. 22, considered and passed House.

Nov. 24, considered and passed Senate.

Public Law 103-187
103d Congress

Joint Resolution

Designating December 15, 1993, as "National Firefighters Day".

Dec. 14, 1993
[H.J. Res. 272]

Whereas there are over 2,000,000 firefighters in the United States; Whereas firefighters respond to more than 2,300,000 fires and 8,700,000 emergencies other than fires each year;

Whereas fires annually cause nearly 6,000 deaths and \$10,000,000,000 in property damages;

Whereas firefighters have given their lives and risked injury to preserve the lives and protect the property of others;

Whereas the contributions and sacrifices of valiant firefighters often go unreported and are inadequately recognized by the public; and

Whereas the work of firefighters deserves the attention and gratitude of all individuals in the United States: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That December 15, 1993, is designated as "National Firefighters Day", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe the day with appropriate ceremonies and activities.

Approved December 14, 1993.

LEGISLATIVE HISTORY—H.J. Res. 272:

CONGRESSIONAL RECORD, Vol. 139 (1993):

Nov. 21, considered and passed House.

Nov. 22, considered and passed Senate.

Public Law 103-188
103d Congress

An Act

Dec. 14, 1993
[S. 717]

To amend the Egg Research and Consumer Information Act to modify the provisions governing the rate of assessment, to expand the exemption of egg producers from such Act, and for other purposes.

Egg Research
and Consumer
Information Act
Amendments of
1993.
7 USC 2701 note.

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 "Egg Research and Consumer Information Act Amendments of 1993".

SEC. 2. ASSESSMENT RATE.

(a) **IN GENERAL.**—Section 8(e) of the Egg Research and Consumer Information Act (7 U.S.C. 2707(e)) is amended—

(1) by designating the first and second sentences as paragraph (1);

(2) by designating the fifth and sixth sentences as paragraph (3); and

(3) by striking the third and fourth sentences and inserting the following new paragraph:

"(2)(A) The assessment rate shall be prescribed by the order. The rate shall not exceed 20 cents per case (or the equivalent of a case) of commercial eggs.

"(B) The order may be amended to increase the rate of assessment if the increase is recommended by the Egg Board and approved by egg producers in a referendum conducted under section 9(b).

"(C) The order may be amended to decrease the assessment rate after public notice and opportunity for comment in accordance with section 553 of title 5, United States Code, and without regard to sections 556 and 557 of such title."

(b) **REFERENDUM.**—Section 9 of such Act (7 U.S.C. 2708) is amended—

(1) by designating the first and second sentences as subsection (a);

(2) by designating the last sentence as subsection (c); and

(3) by inserting after subsection (a) (as designated by paragraph (1)) the following new subsection:

"(b)(1) If the Egg Board determines, based on a scientific study, marketing analysis, or other similar competent evidence, that an increase in the assessment rate is needed to ensure that assessments under the order are set at an appropriate level to effectuate the policy declared in section 2, the Egg Board may request that the Secretary conduct a referendum, as provided in paragraph (2).

“(2)(A) If the Egg Board requests the Secretary to conduct a referendum under paragraph (1) or (3), the Secretary shall conduct a referendum among egg producers not exempt from this Act who, during a representative period determined by the Secretary, have been engaged in the production of commercial eggs, for the purpose of ascertaining whether the producers approve the change in the assessment rate proposed by the Egg Board.

“(B) The change in the assessment rate shall become effective if the change is approved or favored by—

“(i) not less than two-thirds of the producers voting in the referendum; or

“(ii) a majority of the producers voting in the referendum, if the majority produced not less than two-thirds of all the commercial eggs produced by the producers voting during a representative period defined by the Secretary.

“(3)(A) In the case of the order in effect on the date of enactment of this subsection, the Egg Board shall determine under paragraph (1), as soon as practicable after such date of enactment, whether to request that the Secretary conduct a referendum under paragraph (2).

“(B) If the Egg Board makes such a request on the basis of competent evidence, as provided in paragraph (1), the Secretary shall conduct the referendum as soon as practicable, but not later than—

“(i) 120 days after receipt of the request from the Egg Board; or

“(ii) if the Director of the Office of Management and Budget determines that the change in the assessment rate is a significant action that requires review by the Director, 170 days after receipt of the request from the Egg Board.

“(4) Notwithstanding any other provision of this Act, if an increase in the assessment rate and the authority for additional increases is approved by producers in a referendum conducted under this subsection, the Secretary shall amend the order to reflect the vote of the producers. The amendment to the order shall become effective on the date of issuance of the amendment.”

Effective date.

SEC. 3. RESEARCH.

Section 8(d) of the Egg Research and Consumer Information Act (7 U.S.C. 2707(d)) is amended by adding at the end the following new sentence: “In preparing a budget for each of the 1994 and subsequent fiscal years, the Egg Board shall, to the maximum extent practicable, allocate a proportion of funds for research projects under this Act that is comparable to the proportion of funds that were allocated for research projects under this Act in the budget of the Egg Board for fiscal year 1993.”

SEC. 4. EXEMPTED PRODUCERS.

Section 12(a)(1) of the Egg Research and Consumer Information Act (7 U.S.C. 2711(a)(1)) is amended by striking “30,000 laying hens” and inserting “75,000 laying hens”.

SEC. 5. AMENDMENT TO ORDER.

Notwithstanding any other provision of law:

(1) IN GENERAL.—The Secretary of Agriculture shall issue amendments to the egg promotion and research order issued under the Egg Research and Consumer Information Act (7 U.S.C. 2701 et seq.) to implement the amendments made by

7 USC 2703 note.

this Act. The amendments shall be issued after public notice and opportunity for comment in accordance with section 553 of title 5, United States Code, and without regard to sections 556 and 557 of such title. The Secretary shall issue the proposed amendments to the order not later than 80 days after the date of enactment of this Act.

(2) **EFFECTIVE DATE.**—The amendments to the egg promotion and research order required by paragraph (1) shall become effective not later than—

(A) 30 days after the proposed amendments are issued;

or

(B) if the Director of the Office of Management and Budget determines that the amendments are a significant action that requires review by the Director, 50 days after the proposed amendments are issued.

(3) **REFERENDUM.**—The amendments referred to in paragraph (2) shall not be subject to a referendum conducted under the Egg Research and Consumer Information Act.

Approved December 14, 1993.

LEGISLATIVE HISTORY—S. 717 (H.R. 3515):

HOUSE REPORTS: No. 103-394 accompanying H.R. 3515 (Comm. on Agriculture).
CONGRESSIONAL RECORD, Vol. 139 (1993):

Nov. 20, S. 717 considered and passed Senate. H.R. 3515 considered and passed House.

Nov. 21, S. 717 considered and passed House.

Public Law 103-189
103d Congress

An Act

To amend the Watermelon Research and Promotion Act to expand operation of the Act to the entire United States, to authorize the revocation of the refund provision of the Act, to modify the referendum procedures of the Act, and for other purposes.

Dec. 14, 1993

[S. 778]

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Watermelon Research and Promotion Improvement Act of 1993”.

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

- Sec. 1. Short title and table of contents.
- Sec. 2. Change to majority vote in referendum procedures.
- Sec. 3. Expansion of watermelon plans to entire United States.
- Sec. 4. Clarification of differences between producers and handlers.
- Sec. 5. Clarification of collection of assessments by the Board.
- Sec. 6. Changes to assessment rate not subject to formal rulemaking.
- Sec. 7. Elimination of watermelon assessment refund.
- Sec. 8. Equitable treatment of watermelon plans.
- Sec. 9. Definition of producer.
- Sec. 10. Amendment procedure.

Watermelon
Research and
Promotion
Improvement
Act of 1993.
7 USC 4901 note.

SEC. 2. CHANGE TO MAJORITY VOTE IN REFERENDUM PROCEDURES.

Section 1653 of the Watermelon Research and Promotion Act (7 U.S.C. 4912) is amended—

(1) by inserting “(a)” after “SEC. 1653.”;

(2) by striking the third sentence; and

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

“(b) A plan issued under this subtitle shall not take effect unless the Secretary determines that the issuance of the plan is approved or favored by a majority of the producers and handlers (and importers who are subject to the plan) voting in the referendum.”

SEC. 3. EXPANSION OF WATERMELON PLANS TO ENTIRE UNITED STATES.

(a) **DEFINITIONS.**—Section 1643 of the Watermelon Research and Promotion Act (7 U.S.C. 4902) is amended—

(1) in paragraph (3), by striking “the forty-eight contiguous States of”; and

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

“(10) The term ‘United States’ means each of the several States and the District of Columbia.”

(b) **ISSUANCE OF PLANS.**—The last sentence of section 1644 of such Act (7 U.S.C. 4903) is amended by striking “the forty-eight contiguous States of”.

SEC. 4. CLARIFICATION OF DIFFERENCES BETWEEN PRODUCERS AND HANDLERS.

Section 1647(c) of the Watermelon Research and Promotion Act (7 U.S.C. 4906(c)) is amended by adding at the end the following new paragraph:

(1) by inserting “(1)” after “(c)”; and

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

“(2) A producer shall be eligible to serve on the Board only as a representative of handlers, and not as a representative of producers, if—

“(A) the producer purchases watermelons from other producers, in a combined total volume that is equal to 25 percent or more of the producer’s own production; or

“(B) the combined total volume of watermelons handled by the producer from the producer’s own production and purchases from other producers’ production is more than 50 percent of the producer’s own production.”.

SEC. 5. CLARIFICATION OF COLLECTION OF ASSESSMENTS BY THE BOARD.

Section 1647 of the Watermelon Research and Promotion Act (7 U.S.C. 4906) is amended—

(1) in subsection (f), by striking “collection of the assessments by the Board” and inserting “payment of the assessments to the Board.”; and

(2) in paragraphs (1) and (3) of subsection (g), by striking “collected” each place it appears and inserting “received”.

SEC. 6. CHANGES TO ASSESSMENT RATE NOT SUBJECT TO FORMAL RULEMAKING.

Section 1647(f) of the Watermelon Research and Promotion Act (7 U.S.C. 4906(f)) is amended by adding at the end the following new sentences: “In fixing or changing the rate of assessment pursuant to the plan, the Secretary shall comply with the notice and comment procedures established under section 553 of title 5, United States Code. Sections 556 and 557 of such title shall not apply with respect to fixing or changing the rate of assessment.”.

SEC. 7. ELIMINATION OF WATERMELON ASSESSMENT REFUND.

Section 1647(h) of the Watermelon Research and Promotion Act (7 U.S.C. 4906(h)) is amended—

(1) by striking “(h) The” and inserting “(h)(1) Except as provided in paragraph (2), the”; and

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

“(2) If approved in the referendum required by section 1655(b) relating to the elimination of the assessment refund under paragraph (1), the Secretary shall amend the plan that is in effect on the day before the date of the enactment of the Watermelon Research and Promotion Improvement Act of 1993 to eliminate the refund provision.

“(3)(A) Notwithstanding paragraph (2) and subject to subparagraph (B), if importers are subject to the plan, the plan shall provide that an importer of less than 150,000 pounds of water-

melons per year shall be entitled to apply for a refund that is based on the rate of assessment paid by domestic producers.

“(B) The Secretary may adjust the quantity of the weight exemption specified in subparagraph (A) on the recommendation of the Board after an opportunity for public notice and opportunity for comment in accordance with section 553 of title 5, United States Code, and without regard to sections 556 and 557 of such title, to reflect significant changes in the 5-year average yield per acre of watermelons produced in the United States.”.

SEC. 8. EQUITABLE TREATMENT OF WATERMELON PLANS.

(a) DEFINITIONS.—Section 1643 of the Watermelon Research and Promotion Act (7 U.S.C. 4902), as amended by section 3(a), is further amended—

(1) in paragraph (3), by striking the semicolon at the end and inserting the following: “or imported into the United States.”;

(2) by redesignating paragraphs (6) and (7) as paragraphs (8) and (9), respectively; and

(3) by inserting after paragraph (5) the following new paragraphs:

“(6) The term ‘importer’ means any person who imports watermelons into the United States.

“(7) The term ‘plan’ means an order issued by the Secretary under this subtitle.”.

(b) ISSUANCE OF PLANS.—Section 1644 of such Act (7 U.S.C. 4903), as amended by section 3(b), is further amended—

(1) in the first sentence, by striking “and handlers” and inserting “, handlers, and importers”;

(2) by striking the second sentence; and

(3) in the last sentence, by inserting “or imported into the United States” before the period.

(c) NOTICE AND HEARINGS.—Section 1645(a) of such Act (7 U.S.C. 4904(a)) is amended—

(1) in the first sentence, by striking “and handlers” and inserting “, handlers, and importers”; and

(2) in the last sentence, by striking “or handlers” and inserting “, handlers, or importers”.

(d) MEMBERSHIP OF BOARD.—Section 1647(c) of such Act (7 U.S.C. 4906(c)), as amended by section 4, is further amended—

(1) in the second sentence of paragraph (1), by striking “producer and handler members” and inserting “other members”; and

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

“(3)(A) If importers are subject to the plan, the Board shall also include 1 or more representatives of importers, who shall be appointed by the Secretary from nominations submitted by importers in such manner as may be prescribed by the Secretary.

“(B) Importer representation on the Board shall be proportionate to the percentage of assessments paid by importers to the Board, except that at least 1 representative of importers shall serve on the Board.

“(C) If importers are subject to the plan and fail to select nominees for appointment to the Board, the Secretary may appoint any importers as the representatives of importers.

“(D) Not later than 5 years after the date that importers are subjected to the plan, and every 5 years thereafter, the Secretary

shall evaluate the average annual percentage of assessments paid by importers during the 3-year period preceding the date of the evaluation and adjust, to the extent practicable, the number of importer representatives on the Board.”

(e) ASSESSMENTS.—Section 1647(g) of such Act (7 U.S.C. 4906(g)) is amended—

(1) in paragraph (4)—

(A) by striking “(4) assessments” and inserting “(4) Assessments”; and

(B) by inserting “in the case of producers and handlers” after “such assessments”; and

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

“(5) If importers are subject to the plan, an assessment shall also be made on watermelons imported into the United States by the importers. The rate of assessment for importers who are subject to the plan shall be equal to the combined rate for producers and handlers.”

(f) REFUNDS.—Paragraph (1) of section 1647(h) of such Act (7 U.S.C. 4906(h)), as amended by section 7, is further amended—

(1) by inserting after “or handler” the first two places it appears the following: “(or importer who is subject to the plan)”; and

(2) by striking “or handler” the last place it appears and inserting “, handler, or importer”.

(g) ASSESSMENT PROCEDURES.—Section 1649 of such Act (7 U.S.C. 4908) is amended—

(1) in subsection (a)—

(A) by inserting “(1)” after “(a)”; and

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

“(2)(A) If importers are subject to the plan, each importer required to pay assessments under the plan shall be responsible for payment of the assessment to the Board, as the Board may direct.

“(B) The assessment on imported watermelons shall be equal to the combined rate for domestic producers and handlers and shall be paid by the importer to the Board at the time of the entry of the watermelons into the United States.

“(C) Each importer required to pay assessments under the plan shall maintain a separate record that includes a record of—

“(i) the total quantity of watermelons imported into the United States that are included under the terms of the plan;

“(ii) the total quantity of watermelons that are exempt from the plan; and

“(iii) such other information as may be prescribed by the Board.

“(D) No more than 1 assessment shall be made on any imported watermelon.”;

(2) in subsection (b), by inserting “and importers” after “Handlers”; and

(3) in subsection (c)(1), by inserting “or importers” after “handlers”.

(h) INVESTIGATIONS.—Section 1652(a) of such Act (7 U.S.C. 4911(a)) is amended—

(1) in the first sentence, by striking “a handler or any other person” by inserting “a person”;

(2) in the fourth sentence, by inserting “(or an importer who is subject to the plan)” after “a handler”; and