

required for disbursements of salaries (and related agency contributions) paid at an annual rate.

SENATE RESOLUTION 173—TO AUTHORIZE REPRESENTATION OF THE SENATE COMMITTEE ON ARMED SERVICES IN THE CASE OF PHILIP TINSLEY III V. SENATE COMMITTEE ON ARMED SERVICES

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution which was considered and agreed to:

S. RES. 173

Whereas, in the case of *Philip Tinsley III v. Senate Committee on Armed Services*, Civil Action No. 99-951-A, pending in the United States District Court for the Eastern District of Virginia, the plaintiff has sued the United States Senate Committee on Armed Services;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Senate committees in civil actions. Now, therefore be it

Resolved, That the Senate Legal Counsel is directed to represent the Senate Committee on Armed Services in the case of *Philip Tinsley III v. Senate Committee on Armed Services*.

SENATE RESOLUTION 174—TO AUTHORIZE REPRESENTATION OF THE SENATE COMMITTEE ON THE JUDICIARY IN THE CASE OF PHILIP TINSLEY III V. SENATE COMMITTEE ON THE JUDICIARY

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 174

Whereas, in the case of *Philip Tinsley III v. Senate Committee on the Judiciary*, Civil Action No. 99-952-A, pending in the United States District Court for the Eastern District of Virginia, the plaintiff has sued the United States Senate Committee on the Judiciary;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(1), Senate may direct its counsel to defend Senate committees in civil actions. Now, therefore be it

Resolved, That the Senate Legal Counsel is directed to represent the Senate Committee on the Judiciary in the case of *Philip Tinsley III v. Senate Committee on the Judiciary*.

AMENDMENTS SUBMITTED

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

ROBERTS (AND OTHERS)
AMENDMENT NO. 1509

Mr. ROBERTS (for himself, Mr. GRAMS, Mr. GRASSLEY, Mr. SANTORUM,

Mr. CRAIG, Mr. GORTON, Mr. BURNS, Mr. BROWBACK, and Mr. HAGEL) proposed an amendment to the bill (S. 1233) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2000, and for other purposes; as follow:

Beginning on page 1, line 3, strike all that follows "SEC." to the end of the amendment and insert the following:

EMERGENCY AND MARKET LOSS ASSISTANCE.—(a) CROP LOSS ASSISTANCE.—

(1) IN GENERAL.—In accordance with this subsection, the Secretary of Agriculture (referred to in this section as the "Secretary") shall administer a program under which emergency financial assistance is made available to producers on a farm that have incurred crop losses due to disasters (as determined by the Secretary).

(2) LOSSES INCURRED FOR 1999 CROP.—The Secretary shall use not more than \$400,000,000 of funds of the Commodity Credit Corporation to make available assistance to producers on a farm that have incurred losses in the 1999 crop due to disasters.

(3) QUALIFYING LOSSES.—With respect to a crop, assistance under this subsection may be made for—

(A) quantity losses;

(B) quality (including aflatoxin) losses; or

(C) severe economic losses due to damaging weather or related condition.

(4) CROPS COVERED.—Assistance under this subsection shall be applicable to losses for all crops (including losses of trees from which a crop is harvested), as determined by the Secretary, due to disasters.

(b) MARKET LOSS ASSISTANCE.—

(1) IN GENERAL.—The Secretary shall use not more than \$5,500,000,000 of funds of the Commodity Credit Corporation to provide assistance to owners and producers on a farm that are eligible for payments for fiscal year 1999 under a production flexibility contract for the farm under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.).

(2) AMOUNT.—The amount of assistance made available to owners and producers on a farm under this subsection shall be proportionate to the amount of the contract payment received by the owners and producers for fiscal year 1999 under a production flexibility contract for the farm under the Agricultural Market Transition Act.

(3) TIME FOR PAYMENT.—The assistance made available under this subsection for an eligible owner or producer shall be provided not later than 45 days after the date of enactment of this Act.

(c) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS.—Notwithstanding section 1001(2) of the Food Security Act of 1985 (7 U.S.C. 1308(1)), the total amount of the payments specified in section 1001(3) of that Act that a person shall be entitled to receive under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) for 1 or more contract commodities and oilseeds during the 1999 crop year may not exceed \$150,000.

(d) UPLAND COTTON PRICE COMPETITIVENESS.—

(1) IN GENERAL.—Section 136(a) of the Agricultural Market Transition Act (7 U.S.C. 7236(a)) is amended—

(A) in paragraph (1), by striking "or cash payments" and inserting "or cash payments, at the option of the recipient,";

(B) by striking "3 cents per pound" each place it appears and inserting "1.25 cents per pound";

(C) in the first sentence of paragraph (3)(A), by striking "owned by the Commodity Credit Corporation in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates" and inserting "owned by the Commodity Credit Corporation or pledged to the Commodity Credit Corporation as collateral for a loan in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates, including enhancing the competitiveness and marketability of United States cotton"; and

(D) by striking paragraph (4).

(2) ENSURING THE AVAILABILITY OF UPLAND COTTON.—Section 136(b) of the Agricultural Market Transition Act (7 U.S.C. 7236(b)) is amended—

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

"(1) ESTABLISHMENT.—

"(A) IN GENERAL.—The President shall carry out an import quota program during the period ending July 31, 2003, as provided in this subsection.

"(B) PROGRAM REQUIREMENTS.—Except as provided in subparagraph (C), whenever the Secretary determines and announces that for any consecutive 4-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 $\frac{3}{8}$ -inch cotton, delivered C.I.F. Northern Europe, adjusted for the value of any certificate issued under subsection (a), exceeds the Northern Europe price by more than 1.25 cents per pound, there shall immediately be in effect a special import quota.

"(C) TIGHT DOMESTIC SUPPLY.—During any month for which the Secretary estimates the season-ending United States upland cotton stocks-to-use ratio, as determined under subparagraph (D), to be below 16 percent, the Secretary, in making the determination under subparagraph (B), shall not adjust the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 $\frac{3}{8}$ -inch cotton, delivered C.I.F. Northern Europe, for the value of any certificates issued under subsection (a).

"(D) SEASON-ENDING UNITED STATES STOCKS-TO-USE RATIO.—For the purposes of making estimates under subparagraph (C), the Secretary shall, on a monthly basis, estimate and report the season-ending United States upland cotton stocks-to-use ratio, excluding projected raw cotton imports but including the quantity of raw cotton that has been imported into the United States during the marketing year."; and

(B) by adding at the end the following:

"(7) LIMITATION.—The quantity of cotton entered into the United States during any marketing year under the special import quota established under this subsection may not exceed the equivalent of 5 week's consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the 3 months immediately preceding the first special import quota established in any marketing year."

(e) OILSEED PAYMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall use not less than \$500,000,000 of funds of the Commodity Credit Corporation to make payments to producers of the 1999 crop of oilseeds that are eligible to obtain a marketing assistance loan under section 131 of the Agricultural Market Transition Act (7 U.S.C. 7231).