

of the agencies that we charge with protecting our food, our food supply, which is ultimately about the food, but it is about the safety of every man, woman and child in this country. That is all that we are asking about here.

Given the statistics, which are staggering, 5,000 deaths, 73 million people ill, 325,000 people hospitalized, it is unconscionable that we do not recognize this as a crisis and as an emergency.

We cannot allow this to continue. We can do something about it.

#### PARLIAMENTARY INQUIRY

Mr. BONILLA. Mr. Chairman, I have a parliamentary inquiry. Is the gentleman from Connecticut (Ms. DELAURO) withdrawing her amendment?

The CHAIRMAN pro tempore (Mr. WHITFIELD). Is the gentlewoman from Connecticut withdrawing her amendment, or does she continue to want to move forward on her amendment?

Ms. DELAURO. Mr. Chairman, I would like to continue to move forward with my amendment.

#### POINT OF ORDER

The CHAIRMAN pro tempore. Does the gentleman from Texas (Mr. BONILLA) insist on his point of order?

Mr. BONILLA. Mr. Chairman, I do.

The CHAIRMAN pro tempore. The gentleman will state his point of order.

Mr. BONILLA. Mr. Chairman, I make a point of order against the amendment, because it proposes to change existing law and constitutes legislation in an appropriations bill, and, therefore, violates clause 2 of rule XXI. The rule states, in pertinent part, an amendment to a general appropriation bill shall not be in order if changing existing law.

The amendment includes an emergency designation under section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, and, as such, constitutes legislation in violation of clause 2 of rule XXI.

I ask for a ruling from the Chair.

The CHAIRMAN pro tempore. Does the gentlewoman from Connecticut want to be heard on the point of order?

Ms. DELAURO. No, Mr. Chairman.

The CHAIRMAN pro tempore. Then the Chair is prepared to rule on the gentleman's point of order.

The Chair finds that this amendment includes an emergency designation under section 251(b)(2)(a) of the Balanced Budget and Emergency Deficit Control Act of 1985, the amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained. The amendment is not in order.

The CHAIRMAN pro tempore (Mr. WHITFIELD). The Committee will rise informally.

The SPEAKER pro tempore (Mr. LATHAM) assumed the Chair.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was commu-

nicated to the House by Mr. Edwin Thomas, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

#### AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

The Committee resumed its seating.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

#### OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, \$611,000.

#### FARM SERVICE AGENCY SALARIES AND EXPENSES

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, \$945,993,000: *Provided*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$1,000,000 shall be available for employment under 5 U.S.C. 3109.

#### STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101-5106), \$2,993,000.

#### DAIRY INDEMNITY PROGRAM

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, \$100,000, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-12).

#### AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

##### (INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928-1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, \$1,128,000,000, of which \$1,000,000,000 shall be for guaranteed loans and \$128,000,000 shall be for direct loans; operating loans, \$2,600,000,000, of which \$1,500,000,000 shall be for unsubsidized guaranteed loans, \$500,000,000 shall be for subsidized guaranteed loans, and \$600,000,000 shall be for direct loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$2,000,000; for

emergency insured loans, \$25,000,000 to meet the needs resulting from natural disasters; and for boll weevil eradication program loans as authorized by 7 U.S.C. 1989, \$100,000,000.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, \$7,866,000, of which \$4,500,000 shall be for guaranteed loans and \$3,366,000 shall be for direct loans; operating loans, \$174,030,000, of which \$52,650,000 shall be for unsubsidized guaranteed loans, \$67,800,000 shall be for subsidized guaranteed loans, and \$53,580,000 shall be for direct loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$118,000; and for emergency insured loans, \$3,363,000 to meet the needs resulting from natural disasters.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$282,769,000, of which \$274,769,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership and operating direct loans and guaranteed loans may be transferred among these programs: *Provided*, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

#### RISK MANAGEMENT AGENCY

For administrative and operating expenses, as authorized by the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 6933), \$75,142,000: *Provided*, That not to exceed \$700 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

#### CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

#### FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act, such sums as may be necessary, to remain available until expended (7 U.S.C. 2209b).

#### COMMODITY CREDIT CORPORATION FUND

##### REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 2002, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a-11).

#### OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE MANAGEMENT

For fiscal year 2002, the Commodity Credit Corporation shall not expend more than \$5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, 42 U.S.C. 6961.