

Moran (KS) Scott (GA) Sweeney
 Murtha Shimkus Tancredo
 Oxley Slaughter Tanner
 Pearce Spratt Udall (NM)
 Reynolds Strickland
 Sanders Sullivan

□ 1348

Mr. CLYBURN and Mr. EVERETT changed their vote from “nay” to “yea.”

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Ms. HERSETH. Mr. Speaker, on November 14, 2006, I missed rollcall vote No. 520 on H.R. 6314 to amend title 38, United States Code, to extend certain expiring provisions of law and to expand eligibility for the Survivors' and Dependents' Educational Assistance program. Had I been present and voting, I would have voted “yea” on H.R. 6314.

SOBER TRUTH ON PREVENTING UNDERAGE DRINKING ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 864, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. DEAL) that the House suspend the rules and pass the bill, H.R. 864, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 373, nays 23, not voting 36, as follows:

[Roll No. 521]
 YEAS—373

Abercrombie Bradley (NH) Davis (CA)
 Ackerman Brady (PA) Davis (FL)
 Aderholt Brady (TX) Davis (IL)
 Akin Brown (SC) Davis (KY)
 Alexander Brown, Corrine Davis (TN)
 Allen Brown-Waite, Davis, Jo Ann
 Andrews Ginny Davis, Tom
 Baca Burgess Deal (GA)
 Bachus DeFazio DeFazio
 Baird Buyer DeGette
 Baker Calvert Delahunt
 Baldwin Camp (MI) DeLauro
 Barrow Cannon Dent
 Bartlett (MD) Capito Diaz-Balart, L.
 Barton (TX) Capps Diaz-Balart, M.
 Bass Capuano Dicks
 Bean Cardoza Dingell
 Beauprez Carnahan Doggett
 Becerra Carter Doolittle
 Berkley Case Doyle
 Berman Castle Drake
 Berry Chabot Dreier
 Biggert Chocola Duncan
 Bilbray Clay Edwards
 Bilirakis Cleaver Ehlers
 Bishop (GA) Clyburn Emanuel
 Bishop (NY) Coble Emerson
 Bishop (UT) Cole (OK) Engel
 Blackburn Conaway English (PA)
 Blunt Conyers Eshoo
 Boehlert Cooper Etheridge
 Boehner Costa Everett
 Bonilla Costello Farr
 Bonner Cramer Fattah
 Bono Crenshaw Ferguson
 Boren Fowley Filner
 Boswell Cuellar Fitzpatrick (PA)
 Boucher Culberson Forbes
 Boustany Cummings Fortenberry
 Boyd Davis (AL) Fossella

Frank (MA) Lynch
 Franks (AZ) Mack
 Frelinghuysen Maloney
 Garrett (NJ) Markey
 Gerlach Marshall
 Gilchrest Matheson
 Gingrey Matsui
 Gonzalez McCarthy
 Goodlatte McCaul (TX)
 Gordon McCollum (MN)
 Granger McCotter
 Graves McCreery
 Green (WI) McDermott
 Green, Al McGovern
 Green, Gene McHenry
 Grijalva McHugh
 Gutierrez McIntyre
 Hall McKeon
 Harman McMorris
 Harris Rodgers
 Hart McNulty
 Hastings (FL) Meehan
 Hastings (WA) Meek (FL)
 Hayes Meeks (NY)
 Hayworth Melancon
 Herseth Mica
 Hinchey Michaud
 Hinojosa Millender-
 Hobson McDonald
 Hoekstra Miller (FL)
 Holden Miller (MI)
 Holt Miller (NC)
 Honda Miller, Gary
 Hooley Miller, George
 Hoyer Mollohan
 Hulshof Moore (KS)
 Hunter Moore (WI)
 Hyde Moran (VA)
 Inslee Murphy
 Israel Musgrave
 Issa Nadler
 Istook Napolitano
 Jackson (IL) Neal (MA)
 Jackson-Lee Neugebauer
 (TX) Northup
 Jefferson Norwood
 Jenkins Nunes
 Johnson (CT) Nussle
 Johnson (IL) Oberstar
 Johnson, E. B. Obey
 Jones (OH) Oliver
 Kanjorski Ortiz
 Kaptur Osborne
 Keller Owens
 Kelly Pallone
 Kennedy (MN) Pascrell
 Kennedy (RI) Pastor
 Kildee Payne
 Kilpatrick (MI) Pelosi
 Kind Peterson (MN)
 King (NY) Peterson (PA)
 Kingston Petri
 Kirtz Pickering
 Kline Pitts
 Knollenberg Platts
 Kucinich Poe
 Kuhl (NY) Pombo
 LaHood Pomeroy
 Langevin Porter
 Lantos Price (GA)
 Larsen (WA) Price (NC)
 Larson (CT) Pryce (OH)
 Latham Putnam
 LaTourette Radanovich
 Leach Rahall
 Lee Ramstad
 Levin Rangel
 Lewis (CA) Regula
 Lewis (GA) Rehberg
 Linder Reichert
 Lipinski Renzi
 Lofgren, Zoe Reyes
 Lowey Reynolds
 Lucas Rogers (AL)
 Lungren, Daniel Rogers (KY)
 E. Rogers (MI)
 Ros-Lehtinen Ros-Lehtinen

NAYS—23

Barrett (SC) Herger
 Campbell (CA) Hostettler
 Cantor Inglis (SC)
 Feeney Johnson, Sam
 Flake Jones (NC)
 Foxx King (IA)
 Gutknecht Kolbe
 Hensarling Manzullo

Ross
 Rothman
 Roybal-Allard
 Royce
 Ruppertsberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Ryun (KS)
 Sabo
 Salazar
 Sanchez, Linda
 T.
 Sanchez, Loretta

Blumenauer
 Boozman
 Brown (OH)
 Burton (IN)
 Cardin
 Carson
 Chandler
 Cubin
 Evans
 Ford
 Gallegly
 Gibbons
 Gillmor
 Gohmert
 Goode
 Hefley
 Higgins
 Jindal
 Lewis (KY)
 Marchant
 McKinney
 Moran (KS)
 Murtha
 Oxley

NOT VOTING—36
 Pearce
 Sanders
 Scott (GA)
 Shimkus
 Slaughter
 Spratt
 Strickland
 Sullivan
 Sweeney
 Tancredo
 Tanner
 Udall (NM)

□ 1405

Mr. HERGER and Mr. TAYLOR of Mississippi changed their vote from “yea” to “nay.”

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. CARSON. Mr. Speaker, due to a flight delay, I was unable to record my rollcall votes 520 and 521. Had I been present, I would have voted “yes” to both votes.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 6 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1647

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 4 o'clock and 47 minutes p.m.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. MCKINNEY (at the request of Ms. PELOSI) for today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3501. An Act to amend the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act to establish an acquisition fund for the water rights and habitat acquisition program; to the Committee on Resources.

S. 3687. An Act to waive application of the Indian Self-Determination and Education Assistance Act to a specific parcel of real property transferred by the United States to 2 Indian tribes in the State of Oregon, and for other purposes; to the Committee on Resources.

Myrick
 Otter
 Paul
 Pence
 Rohrabacher
 Taylor (MS)
 Westmoreland

ADJOURNMENT

Mr. CAMPBELL of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 48 minutes p.m.), the House adjourned until tomorrow, Wednesday, November 15, 2006, at 10 a.m.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

9980. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Bacillus Thuringiensis Modified Cry3A Protein and the Genetic Material Necessary for Its Production in Corn; Exemption from the Requirement of a Tolerance* [EPA-HQ-OPP-2006-0784; FRL-8096-4] received October 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9981. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Flumioxazin; Pesticide Tolerances for Emergency Exemptions* [EPA-HQ-OPP-2006-0792; FRL-8098-5] received October 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9982. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *NESHAP: National Emission Standards for Hazardous Air Pollutants: Standards for Hazardous Waste Combustors (Amendment)* [EPA-HQ-OAR-2004-0022 FRL-8233-9] (RIN: 2050-AG33) received October 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9983. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Approval and Promulgation of Implementation Plans; Tennessee; Memphis/Shelby County Area Second 10-Year Maintenance Plan for the Carbon Monoxide National Ambient Air Quality Standard* [EPA-R04-OAR-2006-0531-200618(a); FRL-8233-8] received October 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9984. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; State of California; PM-10; Determination of Attainment for the San Joaquin Valley Nonattainment Area; Determination Regarding Applicability of Certain Clean Air Act Requirements* [EPA-R09-OAR-2006-0583, FRL-8234-1] received October 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9985. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Approval and Promulgation of Air Quality Implementation Plans; Maryland; State Implementation Plan Revision for American Cyanamid Company, Havre de Grace; Maryland* [EPA-R03-OAR-2006-0607; FRL-8233-2] received October 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9986. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen-

cy's final rule — *Revisions to the California State Implementation Plan, Lake County Air Quality Management District, Monterey Bay Unified Air Pollution Control District, San Joaquin Valley Unified Air Pollution Control District, and Ventura County Air Pollution Control District* [EPA-R09-OAR-2006-0839, FRL-8234-9] received November 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9987. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Louisiana: Final Authorization of State Hazardous Waste Management Program Revision* [EPA-R06-RCRA-2006-0914; FRL-8241-3] received November 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9988. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Export Notification; Change to Reporting Requirements* [EPA-HQ-OPPT-2005-0058; FRL-8101-3] (RIN: 2070-AJ01) received November 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9989. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Approval and Promulgation of Implementation Plans; State of Iowa* [EPA-R07-OAR-2006-0836; FRL-8240-6] received November 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9990. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Approval and Promulgation of Implementation Plans; Louisiana; 2006 Low Enhanced Vehicle Inspection/Maintenance (IM) Program* [EPA-R06-OAR-2006-0456; FRL-8241-2] received November 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9991. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Clean Air Act Approval and Promulgation of Air Quality Implementation Plan Revision for Colorado; Long-Term Strategy of State Implementation Plan for Class I Visibility Protection* [EPA-R08-OAR-2005-CO-0002; FRL-8232-2] received October 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9992. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Amendment to Prevention of Significant Deterioration (PSD) Air Quality Permit Program* [EPA-R03-OAR-2006-0527; FRL-8236-5] received October 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9993. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Amendments to Nonattainment New Source Review (NSR) Air Quality Permit Program* [EPA-R03-OAR-2006-0528; FRL-8236-6] received October 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9994. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Approval and Promulgation of Air Quality Implementation Plans; Utah; Revisions to the Utah Administrative Code; Direct Final Rule* [EPA-R08-OAR-2006-0564; FRL-8236-8] received October 30, 2006, pursu-

ant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9995. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Approval and Promulgation of Air Quality Implementation Plans; Revised Format for Materials Being Incorporated by Reference for Wyoming* [R08-WY-2006-0001; FRL-8236-2] received October 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9996. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Washington: Final Authorization of State Hazardous Waste Management Program Revisions* [FRL-8235-5] received October 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9997. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Revisions to the Nevada State Implementation Plan, Clark County* [EPA-R09-OAR-2006-0548a; FRL-8225-5] received October 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9998. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Revisions to the California State Implementation Plan, Yolo-Solano Air Quality Management District* [EPA-R09-OAR-2005-0557e; FRL-8225-7] received October 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9999. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District* [EPA-R09-OAR-2006-0747; FRL-8231-5] received October 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10000. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Approval and Promulgation of Implementation Plans; Louisiana; Transportation Conformity* [EPA-R06-OAR-2005-LA-0003; FRL-8234-8] received October 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10001. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Approval and Promulgation of Air Quality Implementation Plans; Indiana* [EPA-R05-OAR-2006-0539; EPA-R05-2006-0610; FRL-8224-3] received October 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10002. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Regional Haze Regulations; Revisions to Provisions Governing Alternative to Source-Specific Best Available Retrofit Technology (BART) Determinations* [EPA-HQ-OAR-2002-0076; FRL-8230-4] (RIN: 2060-AN22) received October 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10003. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — *Approval and Promulgation of Implementation Plans; State of Missouri; Correction* [EPA-R07-OAR-2005-MO-0005; FRL-8228-9] received October 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10004. A letter from the Principal Deputy Associate Administrator, Environmental