

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 398

*Resolved by the House of Representatives (the Senate concurring), That, in consonance with section 132(a) of the Legislative Reorganization Act of 1946, when the House adjourns on the legislative day of Thursday, July 31, 2008, Friday, August 1, 2008, or Saturday, August 2, 2008, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, September 8, 2008, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Friday, August 1, 2008, through Friday, September 5, 2008, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, September 8, 2008, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.*

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore. The question is on the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. PETRI. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this 15-minute vote on House Concurrent Resolution 398 will be followed by 5-minute votes on motions to suspend the rules on H.R. 5892 and on House Resolution 1370.

The vote was taken by electronic device, and there were—yeas 213, nays 212, not voting 10, as follows:

[Roll No. 537]

YEAS—213

Abercrombie	Capuano	Davis (IL)
Ackerman	Cardoza	Davis, Lincoln
Allen	Carnahan	DeFazio
Andrews	Carson	DeGette
Baca	Castor	Delahunt
Baird	Cazayoux	DeLauro
Baldwin	Chandler	Dicks
Bean	Clarke	Dingell
Becerra	Clay	Doggett
Berkley	Cleaver	Doyle
Berman	Clyburn	Edwards (MD)
Berry	Cohen	Edwards (TX)
Bishop (GA)	Conyers	Ellison
Bishop (NY)	Cooper	Emanuel
Blumenauer	Costa	Engel
Boren	Costello	Eshoo
Boucher	Courtney	Etheridge
Boyd (FL)	Cramer	Farr
Boyd (KS)	Crowley	Fattah
Brady (PA)	Cuellar	Filner
Brown, Corrine	Cummings	Foster
Butterfield	Davis (AL)	Frank (MA)
Capps	Davis (CA)	Giffords

Gonzalez	Maloney (NY)	Sánchez, Linda	Neugebauer	Rogers (MI)	Tancredo
Gordon	Markey	T.	Nunes	Rohrabacher	Terry
Green, Al	Matheson	Sanchez, Loretta	Paul	Ros-Lehtinen	Thornberry
Green, Gene	Matsui	Sarbanes	Pearce	Roskam	Tiahrt
Grijalva	McCarthy (NY)	Schakowsky	Pence	Royce	Tiberi
Gutierrez	McCollum (MN)	Schiff	Peterson (PA)	Ryan (WI)	Turner
Hall (NY)	McDermott	Schwartz	Petri	Sali	Udall (NM)
Hare	McGovern	Scott (GA)	Pickering	Saxton	Upton
Harman	McIntyre	Scott (VA)	Pitts	Scalise	Walberg
Hastings (FL)	McNerney	Serrano	Platts	Schmidt	Walden (OR)
Higgins	McNulty	Shea-Porter	Poe	Sensenbrenner	Walsh (NY)
Hill	Meek (FL)	Sherman	Porter	Sessions	Wamp
Hinches	Melancon	Shuler	Price (GA)	Sestak	Weldon (FL)
Hinojosa	Michaud	Sires	Pryce (OH)	Shadegg	Weller
Hirono	Miller (NC)	Skelton	Putnam	Shays	Westmoreland
Hodes	Miller, George	Slaughter	Radanovich	Shimkus	Whitfield (KY)
Holden	Mollohan	Smith (WA)	Ramstad	Shuster	Wilson (NM)
Holt	Moore (KS)	Snyder	Regula	Simpson	Wilson (SC)
Honda	Moore (WI)	Solis	Rehberg	Smith (NE)	Wittman (VA)
Hooley	Moran (VA)	Space	Reichert	Smith (NJ)	Wolf
Hoyer	Murphy (CT)	Speier	Renzi	Smith (TX)	Young (AK)
Inslie	Murtha	Spratt	Reynolds	Souder	Young (FL)
Israel	Nadler	Stark	Rogers (AL)	Stearns	
Jackson (IL)	Napolitano	Stupak	Rogers (KY)	Sullivan	
Jackson-Lee	Neal (MA)	Sutton			
(TX)	Oberstar	Tanner			
Jefferson	Obey	Tauscher			
Johnson (GA)	Oliver	Taylor			
Johnson, E. B.	Ortiz	Thompson (CA)			
Jones (OH)	Pallone	Thompson (MS)			
Kagen	Pascrell	Tierney			
Kanjorski	Pastor	Towns			
Kaptur	Payne	Tsongas			
Kennedy	Pelosi	Van Hollen			
Kildee	Perlmutter	Velázquez			
Kilpatrick	Peterson (MN)	Visclosky			
Kind	Pomeroy	Walz (MN)			
Klein (FL)	Price (NC)	Wasserman			
Kucinich	Rahall	Schultz			
Langevin	Rangel	Watson			
Larsen (WA)	Reyes	Watt			
Larson (CT)	Richardson	Waxman			
Lee	Rodriguez	Weiner			
Lewis (GA)	Ross	Welch (VT)			
Lipinski	Rothman	Wexler			
Lofgren, Zoe	Roybal-Allard	Wilson (OH)			
Lowe	Ruppersberger	Woolsey			
Lynch	Ryan (OH)	Wu			
Mahoney (FL)	Salazar	Yarmuth			

NAYS—212

Aderholt	Deal (GA)	Johnson, Sam
Akin	Dent	Jones (NC)
Alexander	Diaz-Balart, L.	Jordan
Altmire	Diaz-Balart, M.	Keller
Arcuri	Donnelly	King (IA)
Bachmann	Doolittle	King (NY)
Bachus	Drake	Kingston
Barrett (SC)	Dreier	Kirk
Bartlett (MD)	Duncan	Kline (MN)
Barton (TX)	Ehlers	Knollenberg
Biggart	Ellsworth	Kuhl (NY)
Bilbray	Emerson	LaHood
Bilirakis	English (PA)	Lamborn
Bishop (UT)	Everett	Lampson
Blackburn	Fallin	Latham
Boehner	Feeney	LaTourette
Bonner	Ferguson	Latta
Bono Mack	Flake	Lewis (CA)
Boozman	Forbes	Lewis (KY)
Boswell	Portenberry	Linder
Boustany	Fossella	LoBiondo
Brady (TX)	Fox	Loeback
Braley (IA)	Franks (AZ)	Lucas
Brown (GA)	Frelinghuysen	Lungren, Daniel
Brown (SC)	Gallegly	E.
Buchanan	Garrett (NJ)	Mack
Burgess	Gerlach	Manzullo
Burton (IN)	Gilchrest	Marchant
Buyer	Gillibrand	Marshall
Calvert	Gingrey	McCarthy (CA)
Camp (MI)	Gohmert	McCaul (TX)
Campbell (CA)	Goode	McCotter
Cannon	Goodlatte	McCrery
Cantor	Granger	McHenry
Capito	Graves	McHugh
Carney	Hall (TX)	McKeon
Carter	Hastings (WA)	McMorris
Castle	Hayes	Rodgers
Chabot	Heller	Mica
Childers	Hensarling	Miller (FL)
Coble	Herger	Miller (MI)
Cole (OK)	Herseth Sandlin	Miller, Gary
Conaway	Hobson	Mitchell
Crenshaw	Hoekstra	Moran (KS)
Culberson	Hunter	Murphy, Patrick
Davis (KY)	Inglis (SC)	Murphy, Tim
Davis, David	Issa	Musgrave
Davis, Tom	Johnson (IL)	Myrick

Neugebauer	Rogers (MI)	Tancredo
Nunes	Rohrabacher	Terry
Paul	Ros-Lehtinen	Thornberry
Pearce	Roskam	Tiahrt
Pence	Royce	Tiberi
Peterson (PA)	Ryan (WI)	Turner
Petri	Sali	Udall (NM)
Pickering	Saxton	Upton
Pitts	Scalise	Walberg
Platts	Schmidt	Walden (OR)
Poe	Sensenbrenner	Walsh (NY)
Porter	Sessions	Wamp
Price (GA)	Sestak	Weldon (FL)
Pryce (OH)	Shadegg	Weller
Putnam	Shays	Westmoreland
Radanovich	Shimkus	Whitfield (KY)
Ramstad	Shuster	Wilson (NM)
Regula	Simpson	Wilson (SC)
Rehberg	Smith (NE)	Wittman (VA)
Reichert	Smith (NJ)	Wolf
Renzi	Smith (TX)	Young (AK)
Reynolds	Souder	Young (FL)
Rogers (AL)	Stearns	
Rogers (KY)	Sullivan	

NOT VOTING—10

Barrow	Cubin	Rush
Blunt	Hulshof	Udall (CO)
Brown-Waite,	Levin	Waters
Ginny	Meeks (NY)	

□ 1304

Mr. SESTAK changed his vote from “yea” to “nay.”

Messrs. FOSTER, HARE, PASTOR and SHULER and Ms. HOOLEY changed their vote from “nay” to “yes.”

So the concurrent resolution was agreed to. The result of the vote was announced as above recorded. A motion to reconsider was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. KILPATRICK (at the request of Mr. HOYER) for today after 7 p.m. on account of personal business.

Mr. YOUNG of Alaska (at the request of Mr. BOEHNER) for today and the balance of the week on account of business in the district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. EDWARDS of Texas) to revise and extend their remarks and include extraneous material:)

Mr. SKELTON, for 5 minutes, today.  
 Ms. WOOLSEY, for 5 minutes, today.  
 Mr. SPRATT, for 5 minutes, today.  
 Mr. PERLMUTTER, for 5 minutes, today.  
 Ms. JACKSON-LEE of Texas, for 5 minutes, today.

A JOINT RESOLUTION AND BILL PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on July 28, 2008 she presented to the President of the United States, for his approval, the following joint resolution.

H.J. Res 93. Approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

Lorraine C. Miller, Clerk of the House reports that on July 29, 2008 she presented to the President of the United States, for his approval, the following bill.

H.R. 3221. To provide needed housing reform and for other purposes.

#### ADJOURNMENT

Mr. EDWARDS of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 8 minutes a.m.), the House adjourned until today, Friday, August 1, 2008, at 9 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

7891. A letter from the Executive Director, Commodities Futures Trading Commission, transmitting the Commission's final rule — Amendments Pertinent to Registered Entities and Exempt Commercial Markets (RIN: 3038-AC39) received July 31, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7892. A letter from the Secretary, Department of Agriculture, transmitting a copy of draft legislation to amend the Agricultural Marketing Act of 1946 to require the Department of Agriculture (USDA) to collect and retain user fees for enforcement activities related to mandatory country of origin labeling (COOL); to the Committee on Agriculture.

7893. A letter from the Secretary, Department of Agriculture, transmitting a copy of a draft bill entitled, "to remove the prohibition against the rescission of certain unadvanced telecommunications loan balances"; to the Committee on Agriculture.

7894. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Altrazine; Pesticide Tolerance [EPA-HQ-OPP-2006-0192; FRL-8364-1] received July 2, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7895. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flumioxazin; Pesticide Tolerance [EPA-HQ-OPP-2007-0871; FRL-8370-2] received July 2, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7896. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 1-Methylcyclopropene; Pesticide Tolerance; Technical Correction [EPA-HQ-OPP-2008-0511; FRL-8372-9] received July 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7897. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cyfluthrin; Pesticide Tolerance [EPA-HQ-OPP-2006-0857; FRL-8370-7] received July 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7898. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Gentamicin; Pesticide Tolerance for Emergency Exemptions [EPA-HQ-

OPP-2006-0234; FRL-8370-8] received July 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7899. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Inert Ingredients; Extension of Effective Date of Revocation of Certain Tolerance Exemptions with Insufficient Data for Reassessment [EPA-HQ-OPP-2006-0230; FRL-837207] received July 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7900. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyraclostrobin; Pesticide Tolerances [EPA-HQ-OPP-2007-0214; FRL-8373-2] received July 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7901. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Ammonium Soap Salts of Higher Fatty Acids (C8-C18 saturated; C8-C12) unsaturated; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2007-0571; FRL-8372-2] received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7902. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Azoxystrobin; Pesticide Tolerances [EPA-HQ-OPP-2007-0416; FRL-8371-9] received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7903. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Gamma-cyhalothrin; Pesticide Tolerances [EPA-HQ-OPP-2007-0096; FRL-8372-6] received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7904. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Sethoxydim; Pesticide Tolerances [EPA-HQ-OPP-2007-0893; FRL-8370-9] received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7905. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Spirotetramat; Pesticide Tolerances [EPA-HQ-OPP-2007-0475; FRL-8367-1] received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7906. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Bacillus thuringiensis* Modified Cry1Ab Protein; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2007-1204; FRL-8371-6] received July 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7907. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Oxirane, 2-methyl-, polymer with oxirane, mono [2-[2-(2-butoxymethylethoxy)methylethoxy]methylethyl] ether; Tolerance Exemption [EPA-HQ-OPP-2008-0254; FRL-8371-7] received July 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7908. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Dichlorvos (DDVP); Order Denying NRDC's Objections and Requests for

Hearing [EPA-HQ-OPP-2002-0302; FRL-8372-5] received July 17, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7909. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Bacillus thuringiensis* Cry2Ab2 protein; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2007-0346; FRL-8369-4] received June 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7910. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Residues of Quaternary Ammonium Compounds, Didecyl Dimethyl Ammonium Carbonate and Didecyl Dimethyl Ammonium Bicarbonate; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2006-1024; FRL-8368-1] received June 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7911. A letter from the Secretary of the Navy, Department of Defense, transmitting the Secretary's determination and findings that it is in the public interest to use other than competitive procedures for a specific procurement, pursuant to 10 U.S.C. 2304(c)(7); to the Committee on Armed Services.

7912. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John F. Goodman, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

7913. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral John G. Cotton, United States Navy Reserve, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

7914. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Charles E. Croom, Jr., United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

7915. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John W. Bergman, United States Marine Corps Reserve, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

7916. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Rear Admiral (lower half) Garland P. Wright, Jr., United States Navy Reserve, to wear the insignia of the grade of rear admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

7917. A letter from the Chief, Programs and Legislation Division, Department of the Air Force, Department of Defense, transmitting Notice of the decision to conduct a single function standard competition of the Civil Engineer Function at Buckley Air Force Base, Colorado, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

7918. A letter from the Deputy Under Secretary for Logistics and Material Readiness, Department of Defense, transmitting the National Defense Stockpile (NDS) Annual Materials Plan for Fiscal Year 2009, along with proposed plans for FY 2010 through 2013, pursuant to 50 U.S.C. 98h-2(b); to the Committee on Armed Services.

7919. A letter from the Chief Counsel, FEMA, Department of Homeland Security,