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No. 184

## House of Representatives

Pursuant to section 2 of House Concurrent Resolution 440, 110th Congress, the House met at 11 a.m.

### NOTICE OF REASSEMBLY

The SPEAKER. The Chair lays before the House the text of the formal notice of reassembly that was sent to Members on Friday, December 5, 2008.

CONGRESS OF THE UNITED STATES,  
Washington, DC, December 5, 2008.

HOUSE OF REPRESENTATIVES,  
Washington, DC.

DEAR REPRESENTATIVE: Pursuant to section 2 of House Concurrent Resolution 440, after consultation with the Minority Leader of the House and the Minority Leader of the Senate, we determine that the public interest requires that the House reassemble at 11 a.m. on Tuesday, December 9, 2008, the Senate already being in session.

The Sergeant-at-Arms is directed to notify all Members of the reassembly of the House of Representatives for additional legislative business during the second session of the One Hundred Tenth Congress.

Thank you for your attention to this urgent matter.

Best Regards,

NANCY PELOSI,  
*Speaker of the House.*  
HARRY REID,  
*Majority Leader of the Senate.*

### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Lord, You are powerful and strong, yet You bend to Your people and show them mercy and sustaining grace. Help the leaders of our Nation make wise decisions in our day. Set us on a path that will lead to peace and security. We look to You for guidance every step of the way until we stand in Your light forever and ever.

Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's pro-

ceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Minnesota (Ms. MCCOLLUM) come forward and lead the House in the Pledge of Allegiance.

Ms. MCCOLLUM of Minnesota led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,

HOUSE OF REPRESENTATIVES,  
Washington, DC, November 20, 2008.

Hon. NANCY PELOSI,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 20, 2008, at 3:57 p.m.:

That the Senate passed without amendment H.R. 6867.

Appointments:  
United States-China Economic Security Review Commission.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,  
*Clerk of the House.*

### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Ms. MCCOLLUM of Minnesota) laid before the House the following communica-

tion from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, November 24, 2008.

Hon. NANCY PELOSI,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 24, 2008, at 10:05 a.m.:

That the Senate passed without amendment H.R. 6859.

That the Senate passed S. 3663.

That the Senate passed S. 3681.

That the Senate passed S. 3711.

That the Senate passed S. 3712.

That the Senate agreed to without amendment H. Con. Res. 435.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,  
*Clerk of the House.*

### RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, November 20, 2008.

Hon. NANCY PELOSI,  
*Speaker of the House of Representatives,*  
Washington, DC.

DEAR MADAM SPEAKER: I have sent the enclosed letter to Governor Timothy M. Kaine of Virginia resigning my office of United States Representative for the 11th Congressional District of Virginia, effective November 24, 2008.

It has been a privilege and an honor to serve the people of Virginia.

Sincerely,

THOMAS M. DAVIS III,  
*Member of Congress.*

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H10859

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, November 20, 2008.

Hon. TIMOTHY M. KAINE,  
Governor of Virginia, Office of the Governor,  
Richmond, Virginia.

DEAR GOVERNOR KAINE: I hereby resign from the office of United States Representative for the 11th Congressional District of Virginia, effective November 24, 2008.

It has been a privilege and an honor to serve the people of Virginia.

Sincerely,

THOMAS M. DAVIS III,  
Member of Congress.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentleman from Virginia (Mr. DAVIS), the whole number of the House is 434.

#### APPOINTMENTS TO CONGRES- SIONAL OVERSIGHT PANEL

The SPEAKER pro tempore. Pursuant to section 125 (c)(1) of the Emergency Economic Stabilization Act of 2008 (P.L. 110-343), and the order of the House of January 4, 2007, the Chair announces the November 14, 2008, joint appointment by the Speaker and the majority leader of the Senate and appointment by the Speaker on the part of the House to the Congressional Oversight Panel: joint appointment:

Mr. Damon Silvers, Maryland; Speaker's appointment:

Mr. Richard H. Neiman, New York.

#### 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 11 o'clock and 8 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 2000

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ARCURI) at 8 p.m.

#### REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Ms. SUTTON, from the Committee on Rules, submitted a privileged report (Rept. No. 110-918) on the resolution (H. Res. 1533) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

#### 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 8 o'clock and 1 minute p.m.), the House stood in recess subject to the call of the Chair.

□ 2100

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CLAY) at 9 o'clock p.m.

#### 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. 3663. An act to provide for the short-term partial extension of analog broadcasting; to the Committee on Energy and Commerce.

S. 3681. An act to designate the facility of the United States Postal Service located at 5070 Vegas Valley Drive in Las Vegas, Nevada, as the "Joseph A. Ryan Post Office Building"; to the Committee on Oversight and Government Reform.

S. 3711. An act to authorize a cost of living adjustment for the Federal judiciary; to the Committee on the Judiciary.

S. 3712. An act to make a technical correction in the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008; to the Committee on Energy and Commerce; in addition to the Committee on Education and Labor for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned; in addition to the Committee on Ways and Means for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

#### ENROLLED BILL SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 6859. An act to designate the facility of the United States Postal Service located at 1501 South Slappey Boulevard in Albany, Georgia, as the "Dr. Walter Carl Gordon, Jr. Post Office Building".

#### BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on November 20, 2008 she presented to the President of the United States, for his approval, the following bills.

H.R. 5714. To require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the United States Army in 1775, to honor the American Soldier of both today and yesterday, in wartime and in peace, and to commemorate the traditions, history, and heritage of the United States Army and its role in American Society, from the Colonial period to today.

H.R. 6867. To provide for additional emergency unemployment compensation.

Lorraine C. Miller, Clerk of the House reports that on November 25, 2008 she presented to the President of the United States, for his approval, the following bill.

H.R. 2050. To require the Secretary of the Treasury to mint coins in commemoration of the semicentennial of the enactment of the Civil Rights Act of 1964.

#### ADJOURNMENT

Mr. CLEAVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 1 minute p.m.), the House adjourned until tomorrow, Wednesday, December 10, 2008, 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:

9602. A letter from the Chief, Regulatory Analysis & Development, Department of Agriculture, transmitting the Department's final rule — Agricultural Bioterrorism Protection Act of 2002; Biennial Review and Reproduction of the Select Agent and Toxin List [Docket No.: APHIS-2007-0033] (RIN: 0579-AC53) received October 21, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9603. A letter from the Assistant Director, Directives and Regulations Branch, Office of Regulatory and Management Services, USDA Forest Service, Department of transmitting the Department's final rule — Special Areas; Roadless Area Conservation; Applicability to the National Forest (RIN: Number: 0596-AC62) received October 21, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9604. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Avocados Grown in South Florida; Revisions to Grade and Container Requirements [Docket No.: AMS-FV-08-0022; FV08-915-1 FR] received November 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9605. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Almonds Grown in California; Relaxation of Incoming Quality Control Requirements [Docket No.: AMS-FV-08-0044; FV08-981-1 FIR] received November 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9606. A letter from the Director, Policy Issuances Division, Department of Agriculture, transmitting the Department's final rule — Mandatory Country of Origin Labeling of Muscle Cuts of Beef (Including Veal), Lamb, Chicken, Goat, and Pork; Ground Beef, Ground Lamb, Ground Chicken, Ground Goat, and Ground Pork [Docket No.: FSIS-2008-0027] (RIN: 0583-AD38) received December 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9607. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Michael W. Peterson, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

9608. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved