

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)	Aderholt	Deal (GA)	Johnson, Sam	Neugebauer	Rogers (MI)	Tancredo
Ackerman	Cardoza	Davis, Lincoln	Akin	Dent	Jones (NC)	Nunes	Rohrabacher	Terry
Allen	Carnahan	DeFazio	Alexander	Diaz-Balart, L.	Jordan	Paul	Ros-Lehtinen	Thornberry
Andrews	Carson	DeGette	Altire	Diaz-Balart, M.	Keller	Pearce	Roskam	Tiaht
Baca	Castor	DeLahunt	Arcuri	Donnelly	King (IA)	Pence	Royce	Tiberi
Baird	Cazayoux	DeLauro	Bachmann	Doolittle	King (NY)	Peterson (PA)	Ryan (WI)	Turner
Baldwin	Chandler	Dicks	Bachus	Drake	Kingston	Porter	Sali	Udall (NM)
Bean	Clarke	Dingell	Barrett (SC)	Dreier	Kirk	Petri	Saxton	Upton
Becerra	Clay	Doggett	Bartlett (MD)	Duncan	Kline (MN)	Pickering	Scalise	Walberg
Berkley	Cleaver	Doyle	Barton (TX)	Ehlers	Knollenberg	Platts	Schmidt	Walden (OR)
Berman	Clyburn	Edwards (MD)	Biggert	Ellsworth	Kuhl (NY)	Poe	Sensenbrenner	Walsh (NY)
Berry	Cohen	Edwards (TX)	Bilbray	Emerson	LaHood	Porter	Sessions	Wamp
Bishop (GA)	Conyers	Ellison	Bilirakis	English (PA)	Lamborn	Price (GA)	Sestak	Weldon (FL)
Bishop (NY)	Cooper	Emanuel	Bishop (UT)	Everett	Lampson	Sires	Pryce (OH)	Weller
Blumenauer	Costa	Engel	Blackburn	Fallin	Latham	Putnam	Shays	Westmoreland
Boren	Costello	Eshoo	Boehner	Feehey	LaTourette	Radanovich	Shimkus	Whitfield (KY)
Boucher	Courtney	Etheridge	Bonner	Ferguson	Latta	Ramstad	Shuster	Wilson (NM)
Boyd (FL)	Cramer	Farr	Bono Mack	Flake	Lewis (CA)	Regula	Simpson	Wilson (SC)
Boysa (KS)	Crowley	Fattah	Boozman	Forbes	Lewis (KY)	Rehberg	Smith (NE)	Wittman (VA)
Brady (PA)	Cuellar	Filner	Boswell	Fortenberry	Linder	Reichert	Smith (NJ)	Wolf
Brown, Corrine	Cummings	Foster	Boustany	Fossella	LoBiondo	Renzi	Smith (TX)	Young (AK)
Butterfield	Davis (AL)	Frank (MA)	Brady (TX)	Foxx	Loebssack	Reynolds	Souder	Young (FL)
Capps	Davis (CA)	Giffords	Braley (IA)	Franks (AZ)	Lucas	Rogers (AL)	Stearns	
			Broun (GA)	Frelenghuisen	Lungren, Daniel	Rogers (KY)	Sullivan	
			Brown (SC)	Galgley	E.			
			Buchanan	Garrett (NJ)	Mack			
			Burgess	Gerlach	Manzullo			
			Burton (IN)	Gilchrest	Marchant			
			Calvert	Gillibrand	Marshall			
			Camp (MI)	Gingrey	McCarthy (CA)			
			Campbell (CA)	Gohmert	McCaul (TX)			
			Cannon	Goode	McCotter			
			Cantor	Goodlatte	McCrary			
			Capito	Granger	McHenry			
			Carney	Graves	Mack			
			Carter	Hall (TX)	Manzullo			
			Castile	Hastings (WA)	Marchant			
			Chabot	Hayes	Marshall			
			Childers	Heller	McCarthy			
			Hensarling	Hersh	McCaul (TX)			
			Cole (OK)	Herseth Sandlin	McCotter			
			Conaway	Hobson	McCrary			
			Farr	Hoeckstra	McHenry			
			Fattah	Hunter	Mack			
			Filner	Moran (KS)	Manzullo			
			Foster	Ingels (SC)	Marchant			
			Frank (MA)	Issa	McCarty			
			Giffords	Johnson (IL)	McCaul (TX)			
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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-butoxymethyl)ethoxy]methylethoxy] ethoxy; 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,