Tiahrt Poe Schiff Pomeroy Schmidt Tiberi Porter Schwartz Tiernev Price (GA) Scott (GA) Tsongas Price (NC) Scott (VA) Turner Pryce (OH) Sensenbrenner Udall (NM) Putnam Serrano Upton Radanovich Sessions Van Hollen Rahall Sestak Velázquez Ramstad Shadegg Visclosky Shays Shea-Porter Rangel Walberg Walden (OR) Regula Rehberg Sherman Walsh (NY) Shimkus Reichert Walz (MN) Renzi Shuler Wamp Shuster Reyes Reynolds Simpson Wasserman Schultz Richardson Sires Waters Skelton Rodriguez Rogers (AL) Smith (NE) Watson Rogers (KY) Smith (N.I) Watt Smith (TX) Rogers (MI) Waxman Rohrabacher Smith (WA) Weiner Ros-Lehtinen Snyder Welch (VT) Roskam Souder Weldon (FL) Ross Space Weller Rothman Spratt Westmoreland Roybal-Allard Stark Wexler Royce Stearns Whitfield (KY) Rush Stupak Wilson (NM) Ryan (OH) Sullivan Wilson (OH) Ryan (WI) Sutton Wilson (SC) Tancredo Salazar Wittman (VA) Sali Tanner Wolf Sánchez, Linda Tauscher Woolsey Tavlor T. Sanchez, Loretta Wıı Terry Thompson (CA) Sarbanes Yarmuth Thompson (MS) Young (AK) Saxton Schakowsky Thornberry Young (FL)

NOT VOTING-28

Neal (MA) Ackerman Feeney Bishop (UT) Granger Peterson (PA) Brown, Corrine Hayes Ruppersberger Hinojosa Slaughter Capuano Honda. Solis Jones (OH) Convers Towns Deal (GA) Klein (FL) Udall (CO) Lowey Miller (NC) Drake Wynn Engel Moore (WI)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote

□ 1459

So (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Madam Speaker, during rollcall vote No. 63, on motion to suspend and pass S. 2571, FIFRA Amendments, I was unavoidably detained. Had I been present, I would have voted "yea."

HONORING AND PRAISING THE NAACP ON ITS 99TH ANNIVERSARY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 289, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 289.

Davis (IL)

Davis (KY)

Davis, David

Davis, Tom

DeFazio

Davis, Lincoln

(TX)

Jefferson

Johnson (GA)

Johnson (IL)

Johnson, E. B.

Johnson, Sam

Murtha

Myrick

Nadler

Musgrave

Napolitano

Neugebauer

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 403, nays 0, not voting 25, as follows:

[Boll No. 64] YEAS-403 DeGette Abercrombie Jones (NC) Aderholt Delahunt Jordan Akin DeLauro Kagen Alexander Dent Kaniorski Diaz-Balart, L. Allen Kaptur Altmire Diaz-Balart, M. Keller Andrews Dicks Kennedy Dingell Kildee Arcuri Kilpatrick Baca Doggett Bachmann Donnelly Kind King (IA) Bachus Doyle Baird Dreier King (NY) Baldwin Duncan Kingston Barrett (SC) Edwards Kirk Barrow Bartlett (MD) Ehlers Klein (FL) Kline (MN) Ellison Knollenberg Barton (TX) Ellsworth Kucinich Kuhl (NY) Bean Emanuel Becerra Emerson Berkley English (PA) LaHood Eshoo Etheridge Berman Lamborn Berry Lampson Biggert Everett Langevin Bilbray Fallin Larsen (WA) Bilirakis Larson (CT) Farr Bishop (GA) Fattah Latham Bishop (NY) Feenev LaTourette Blackburn Ferguson Latta Blumenauer Filner Lee Blunt Flake Levin Lewis (CA) Boehner Forbes Bonner Fortenberry Lewis (GA) Bono Mack Fossella Lewis (KY) Boozman Foxx Linder Boren Frank (MA) Lipinski Boswell Franks (AZ) LoBiondo Frelinghuysen Boucher Loebsack Boustany Gallegly Lofgren, Zoe Garrett (NJ) Boyd (FL) Lucas Lungren, Daniel Boyda (KS) Gerlach Brady (PA) Giffords \mathbf{E} Brady (TX) Gilchrest Lynch Gillibrand Braley (IA) Mack Mahoney (FL) Broun (GA) Gingrey Maloney (NY) Brown (SC) Gohmert Brown-Waite, Gonzalez Manzullo Ginny Goode Marchant Goodlatte Buchanan Markey Burton (IN) Gordon Marshall Butterfield Granger Matheson Buyer Graves Matsui Calvert Green, Al McCarthy (CA) Camp (MI) Green Gene McCarthy (NY) Campbell (CA) Grijalva McCaul (TX) Cannon Gutierrez McCollum (MN) Cantor Hall (NY) McCotter Capito Hall (TX) McCrery Capps $_{
m Hare}$ McDermott Harman Capuano McGovern Cardoza Hastings (FL) McHenry Carnahan Hastings (WA) McHugh Heller Carter McIntvre Hensarling Castle McKeon Castor Herger McMorris Herseth Sandlin Chabot Rodgers Chandler Higgins McNerney Clarke Hill McNulty Hinchey Meek (FL) Clav Meeks (NY) Cleaver Hinojosa Clyburn Hirono Melancon Coble Hobson Mica Cohen Hodes Michaud Cole (OK) Hoekstra Miller (FL) Conaway Holden Miller (MI) Miller, Gary Cooper Holt Costa Hooley Miller, George Costello Hoyer Mitchell Courtney Hulshof Mollohan Moore (KS) Cramer Hunter Inglis (SC) Crenshaw Moore (WI) Cubin Inslee Moran (KS) Culberson Israel Moran (VA) Cummings Issa Murphy (CT) Davis (AL) Jackson (IL) Murphy, Patrick Davis (CA) Jackson-Lee Murphy, Tim

Tauscher Royce Oberstar Rush Taylor Obey Ryan (OH) Terry Olver Rvan (WI) Thompson (CA) Ortiz Salazar Thompson (MS) Pallone Sali Thornberry Sánchez, Linda Pascrell Tiahrt Pastor Т. Tiberi Paul Sanchez Loretta Tierney Sarbanes Pavne Tsongas Pearce Saxton Turner Pence Schakowsky Udall (NM) Perlmutter Schiff Upton Peterson (MN) Schmidt Van Hollen Petri Schwartz Velázquez Pickering Scott (GA) Scott (VA) Visclosky Platts Sensenbrenner Walberg Walden (OR) Poe Serrano Pomeroy Sessions Walsh (NY) Porter Sestak Walz (MN) Price (GA) Shadegg Wamp Price (NC Shays Shea-Porter Wasserman Pryce (OH) Schultz Putnam Sherman Waters Radanovich Shimkus Watson Rahall Shuler Watt Ramstad Shuster Waxman Rangel Simpson Weiner Regula Sires Welch (VT) Skelton Rehberg Weldon (FL) Reichert Smith (NE) Weller Smith (NJ) Renzi Westmoreland Reyes Smith (TX) Wexler Reynolds Smith (WA) Whitfield (KY) Richardson Snyder Wilson (NM) Rodriguez Souder Wilson (OH) Rogers (AL) Space Spratt Wilson (SC) Rogers (KY) Wittman (VA) Rogers (MI) Stark Wolf Rohrabacher Stearns Woolsey Ros-Lehtinen Stupak Roskam Sullivan Wıı Yarmuth Ross Sutton Tancredo Rothman Young (AK) Roybal-Allard Young (FL) Tanner

NOT VOTING-25

Ackerman Doolittle Peterson (PA) Bishop (UT) Drake Ruppersberger Brown, Corrine Engel Slaughter Burgess Hayes Solis Carnev Honda Towns Jones (OH) Convers Udall (CO) Lowey Miller (NC) Crowley Cuellar Deal (GA) Neal (MA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in the vote.

□ 1507

So (two-thirds being in the affirmative) the rules were suspended and 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.

Stated for:

Ms. SOLIS. Madam Speaker, during rollcall vote No. 64, on motion to suspend and pass H. Con. Res. 289, praising the NAACP, I was unavoidably detained. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Ms. SLAUGHTER. Madam Speaker, on roll-call Nos. 62, 63, and 64, had I been present, I would have voted "yea."

QUESTION OF PERSONAL PRIVILEGE

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, pursuant to clause 1 of rule IX, I rise to a question of personal privilege.

The SPEAKER pro tempore. The Chair has been made aware of a valid basis for the gentleman's point of personal privilege.

The gentleman from Florida is recognized for 1 hour.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, it is with great regret, but I must rise today for a question of personal privilege. An article appeared today, Madam Speaker, on the Web site of a publication called The Politico reprinting a statement by a spokesperson for the majority leader of this House describing actions of mine as "incomprehensible" and "unjustifiable" and insinuating that I purposely brought disrespect to the House and to the memory of my dear friend and colleague, Congressman Tom Lantos.

It was not my actions which were incomprehensible or unjustifiable, Madam Speaker, but rather the actions of the majority which deprived all Members of this House the opportunity to debate or even consider or vote on the contempt resolutions brought to the floor today by the majority in an absolutely totally unprecedented fashion.

The majority knows that the rule we considered earlier is totally and absolutely unprecedented. Its sole purpose was to prevent us from even debating or voting on these contempt resolutions. And further, the majority denied us the opportunity to take up the Foreign Intelligence Surveillance Act amendments passed by the Senate, which we feel very strongly are in the supreme national interest of the United States.

The majority knew that the minority was strongly of the belief that the only options available to us were procedural votes. The majority knew that we intended to utilize our procedural options to register our displeasure with this uncalled-for process.

We purposely refrained from all procedural motions during the opening moments of the session today precisely to show respect for our friend and departed colleague.

We were assured by the majority that we would not begin consideration of the rule, in other words, that the House would not reconvene until 11:30 a.m. or the conclusion of Mr. Lantos' memorial service.

Tom Lantos, Madam Speaker, was an extraordinary man, a great man, and he was my friend. It was an honor for me to be present today at his memorial service in Statuary Hall. I was suddenly summoned out of the memorial service for my friend Mr. Lantos to perform my responsibilities as a member of the Rules Committee, to manage the rule for the minority side for the contempt resolutions. The majority had decided to resume the session during the memorial service.

Madam Speaker, I am a member of the minority. Neither I nor my leadership control when the House convenes. What we saw today was an uncalled-for effort by the majority to force the minority to give up our rights to protest a process we feel is blatantly unfair.

The majority's decision to reconvene the House interrupted the tribute to my good friend Mr. Lantos. It is the majority that decides when to convene the House. It is the majority that chose to convene the House even though many speakers remained to speak in the memorial for Mr. Lantos.

I was told by my good friend Mr. DREIER that he does not recall any memorial being interrupted by a House session, and he has been here more years than I have. I have been here 15, and obviously I don't recall any either.

Madam Speaker, the statement attacking me today by a spokesperson for the majority leader was totally uncalled for and unacceptable.

I yield such time as he may consume to the ranking member of the Rules Committee, the gentleman from California.

Mr. DREIER. Madam Speaker, I thank my friend for yielding. And we have all come to the conclusion that this has been a very sad day in many ways. Of course, the saddest part of it was the loss of our dear friend and colleague, Tom Lantos.

I would simply like to say that Mr. DIAZ-BALART had the responsibility of serving as the floor manager for a rule that was, as he said in his very thoughtful statement, unprecedented. And we had a debate on that rule, and this House chose to do something it had never done before, pass a rule which took two contempt resolutions and adopted them. That was a decision of the House. And I think it was an unfortunate one.

Mr. DIAZ-BALART had a responsibility to stand up for this institution. He and I stood together at that service, heard from colleagues of ours and heard from many other distinguished people who remembered the life of Tom Lantos.

□ 1515

We were stunned when all of a sudden the bells rang and the House was going to reconvene in the middle of this memorial service.

Now, members of the majority staff, Madam Speaker, had been informed, had been informed, of exactly what it was that we in the minority were going to do. If the House reconvened and we proceeded with consideration of this special rule, we had informed the members of the majority staff that we were going to call for a vote.

So Mr. DIAZ-BALART was simply working to, under very, very, very challenging, and, again, from my perspective, unprecedented circumstances, where I had never before seen the House of Representatives convened during a memorial service being held in Statuary Hall, but under those circumstances, Mr. DIAZ-BALART had the responsibility to fulfill his duties, not to the Republican Members, but to do what he believed to be right, and I agree with him, obviously, in uphold-

ing the rights of this institution. So for any Member, any Member or anyone outside to malign Mr. DIAZ-BALART for simply doing his job under very difficult circumstances is not right.

Let me conclude by simply saying that Mr. DIAZ-BALART is one of those Members who we all know is a fighter for freedom and has been throughout his entire life. In many respects, LINCOLN DIAZ-BALART is very similar to Tom Lantos.

Madam Speaker, I will say that it is a tragic irony that as we are remembering the life of Tom Lantos that a Member like LINCOLN DIAZ-BALART would in any way be maligned for his work on behalf of the struggle for freedom and democracy and the liberation of people all over this world.

Mr. BLUNT. Madam Speaker, will the gentleman yield?

Mr. LINCOLN DIAZ-BALART of Florida. I yield to the gentleman from Missouri.

Mr. BLUNT. Madam Speaker, I thank the gentleman for yielding.

I would say, of course, we come to the floor today with lots of disappointment on what we are failing to do today. We think we should stay until we get other matters done. But on this issue that relates to the activities of the day, first of all, I was at the memorial service, as many of you were. I was privileged to be there. Frankly, there are very few Members of Congress, in the history of the Congress, that could have, on the very short notice that we would have this sad service today, would have the Foreign Minister of Israel, the Secretary of State, the head of the United Nations, the Speaker of the House present. It was an impressive service, and I hate that we are having this debate around any lack of respect for that service.

On the other hand, the only work we had to do today was 1 hour of debate on a rule that would then also replace the debate. One hour of debate. The service was scheduled to last from 10 o'clock until 11:30. It turned out it lasted until 11:50. But it was scheduled to last from 10 o'clock until 11:30.

When at 10:45 the majority decides we are going to start the 1 hour of work we have to do today at 11, the majority should expect the other side to complain. If in fact Mr. DIAZ-BALART had not had his objection, 50 minutes of that 1-hour debate would have gone before I ever walked out of the memorial service. The vote lasted 50 minutes, or thereabouts. Apparently, Members couldn't even get in to vote for 50 minutes, let alone to get in to participate in the debate.

Of course, we should have said, let's not start the debate on the only work we are doing today while we are passing up the work on the Foreign Intelligence Surveillance Act. We are voting to talk about how you can kill rats in the technical correction to the Federal Insecticide, Fungicide, and Rodenticide Act. That is the only debate we were going to have during 50 minutes of the

1 hour of the memorial service. And of course LINCOLN DIAZ-BALART or somebody should have stepped up to stop that, and thank goodness he did.

I am really sad that a service we should have all agreed on would be the priority of the morning, we couldn't manage for that to be the priority of the morning. We had to start the 1 hour of work we had to do 50 minutes before that service turned out to end and 30 minutes before it was scheduled to end.

I am regretful that my good friend had to rise to this moment of personal privilege, but I certainly support him in seeking this privilege and hope that the Members of the House will understand what happened here and appreciate the great respect we all have for Tom Lantos.

Mr. HOYER. Madam Speaker, will the gentleman yield?

Mr. LINCOLN DIAZ-BALART of Florida. I yield to the gentleman from Maryland.

Mr. HOYER. I rise, as I have a couple of times in the past, to simply say that I think on our side, obviously, we believed that we needed to move forward on the work. All of us, however, share what has been said about Tom Lantos, for whom we had the greatest respect, and we all share a sadness at his loss.

I regret that the actions that precipitated this hour that you are taking have occurred. They have occurred. We can't change them. Having said that, I want to say that I understand the point the gentleman is making, and I understand the point my friend Mr. BLUNT has made. I think it will suffice to say that. But I can appreciate the position the gentleman found himself in and that Mr. BLUNT and his leadership found themselves in.

Mr. LINCOLN DIAZ-BALART of Florida. Thank you.

Madam Speaker, I utilized the opportunity of the rules to rise to a question of personal privilege due to the statements attributed in the press that I mentioned before to a spokesperson, which I stated and restated I believe were totally uncalled for and unacceptable.

I thank all of you for having listened to me with such courtesy. It is for someone who arrived as a 4-year-old refugee with his family fleeing oppression, an extraordinary moment in the midst of the sadness of the day, and the offense that I felt, it is an extraordinary moment to be able to rise and invoke the rules of the House to seek the attention of the representatives of this extraordinary Nation. So I thank each and every one of you for your patience and your courtesy.

At this point, after thanking Mr. DREIER, thanking Mr. BLUNT, and thanking the majority leader for their kind words, I simply end remembering a friend who everyone in this room can agree enriched our lives. My son mentioned the other day this week when we were talking about the sad news, he said, Dad, do you remember when I was

a little kid and you wanted me to get my posture up, what you would tell me? I will never forget, he told me. Lantos. Your posture. That is one of the first things that impressed me about Tom Lantos, even before I learned about his zealous extraordinary commitment to the oppressed everywhere where people are still longing to be free.

So let us all then end this recollection of what I believe was a very unfortunate moment remembering someone who we can all agree was extraordinary, enriched our lives, and was a great Member of Congress and a great American. Thank you all very much.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 4169, by the yeas and nays;

H. Res. 790, by the yeas and nays;

H. Res. 963, by the year and nays;

H. Res. 972, by the year and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

AMERICAN BRAILLE FLAG MEMORIAL ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 4169, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. RODRIGUEZ) that the House suspend the rules and pass the bill, H.R. 4169.

The vote was taken by electronic device, and there were—yeas 396, nays 0, not voting 32, as follows:

[Roll No. 65] YEAS—396

Blackburn Abercrombie Cannon Aderholt Blumenauer Cantor Akin Blunt. Capito Alexander Boehner Capps Allen Bonner Capuano Bono Mack Altmire Cardoza Andrews Boozman Carnahan Arcuri Boren Carney Ba.ca. Boswell 1 Carter Boucher Bachmann Castle Bachus Boustany Castor Baird Boyd (FL) Chabot Baldwin Boyda (KS) Chandler Barrett (SC) Brady (PA) Clarke Barrow Brady (TX) Clav Bartlett (MD) Braley (IA) Cleaver Bean Broun (GA) Clyburn Becerra Brown (SC) Coble Berkley Brown-Waite. Cohen Ginny Cole (OK) Berman Berry Buchanan Conaway Biggert Burton (IN) Conyers Bilbray Butterfield Cooper Bilirakis Buyer Costa Bishop (GA) Calvert Costello Bishop (NY) Camp (MI) Courtney Campbell (CA) Bishop (UT) Cramer

Cuellar Culberson Cummings Davis (AL) Davis (CA) Davis (IL) Davis (KY) Davis, David Davis, Lincoln Davis, Tom DeGette Delahunt DeLauro Dent Diaz-Balart, L. Diaz-Balart, M. Dicks Dingell Doggett Donnelly Doolittle Dreier Duncan Edwards Ehlers Ellison Ellsworth Emanuel Emerson English (PA) Etheridge Everett Fallin Farr Fattah Feeney Ferguson Filner Flake Forbes Fortenberry Fossella Foxx Frank (MA) Franks (AZ) Frelinghuysen Gallegly Garrett (NJ) Gerlach Gilchrest Gillibrand Gingrev Gohmert Gonzalez Goode Goodlatte Gordon Granger Graves Green, Al Green, Gene Grijalya. Gutierrez Hall (TX) Hare Harman Hastings (FL) Hastings (WA) Heller Hensarling Herger Herseth Sandlin Higgins Hill Hinchey Hinojosa Hirono Hobson Hodes Hoekstra Holden Holt. Hooley Hoyer Hulshof Hunter Inglis (SC) Inslee Israel IssaJackson (IL) Jackson-Lee

(TX)

Jefferson

Crenshaw

Crowley

Cubin

Johnson (GA) Johnson (IL) Johnson, E. B. Johnson, Sam Jones (NC) Jordan Kagen Kanjorski Kaptur Keller Kennedy Kildee Kilpatrick Kind King (IA) King (NY) Kingston Kirk Klein (FL) Kline (MN) Knollenberg Kucinich Kuhl (NY) LaHood Lamborn Lampson Langevin Larsen (WA) Larson (CT) Latham LaTourette Latta Lee Levin Lewis (CA) Lewis (GA) Lewis (KY) Linder Lipinski LoBiondo Loebsack Lucas Lungren, Daniel E. Lynch Mack Mahoney (FL) Maloney (NY) Manzullo Marchant Markey Marshall Matheson Matsui McCarthy (CA) McCarthy (NY) McCaul (TX) McCollum (MN) McCotter McCrery McDermott McGovern McHenry McHugh McIntyre McKeon McMorris Rodgers McNulty Meek (FL) Meeks (NY) Melancon Mica. Michaud Miller (FL) Miller (MI) Miller (NC) Miller, Gary Mitchell Mollohan Moore (KS) Moore (WI) Moran (KS) Moran (VA) Murphy (CT) Murphy, Patrick Murtha. Musgrave Myrick Nadler Napolitano Neugebauer Nunes Oberstar Obey Olver Ortiz Pallone Pastor

Paul Payne Pearce Pence Perlmutter Peterson (MN) Petri Pickering Pitts Platts Poe Pomerov Porter Price (GA) Price (NC) Pryce (OH) Putnam Radanovich Rahall Ramstad Rangel Regula Rehberg Reichert Renzi Reyes Revnolds Richardson Rodriguez Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Ros-Lehtinen Roskam Ross Rothman Rovbal-Allard Rovce Rush Rvan (OH) Ryan (WI) Salazar Sali Sánchez, Linda Т. Sarbanes Saxton Schakowsky Schiff Schmidt Schwartz Scott (GA) Scott (VA) Sensenbrenner Serrano Shadegg Shavs Shea-Porter Sherman Shimkus Shuler Shuster Simpson Sires Skelton Slaughter Smith (NE) Smith (NJ) Smith (TX) Smith (WA) Snyder Souder Space Spratt Stark Stearns Stupak Sullivan Sutton Tancredo Tanner Tauscher Taylor Terry Thompson (MS) Thornberry Tiahrt Tiberi Tierney Turner Udall (NM) Upton Van Hollen Velázguez Visclosky Walberg Walden (OR)