

Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky

Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry

Tiahrt
Tiberi
Tierney
Tsongas
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Vislosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

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:

[Roll No. 64]
YEAS—403

Abercrombie
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Cubin
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio

Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Shuler
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard

Royce
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner

Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Tsongas
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Vislosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—28

Ackerman
Bishop (UT)
Brown, Corrine
Burgess
Capuano
Conyers
Deal (GA)
Drake
Engel
Eshoo

Feeney
Granger
Hayes
Hinojosa
Honda
Jones (OH)
Klein (FL)
Udall (CO)
Lowey
Miller (NC)
Moore (WI)

Neal (MA)
Peterson (PA)
Ruppersberger
Slaughter
Solis
Towns
Udall (CO)
Wynn

NOT VOTING—25
Ackerman
Bishop (UT)
Brown, Corrine
Burgess
Capuano
Conyers
Crowley
Cuellar
Deal (GA)
Doolittle
Drake
Engel
Hayes
Honda
Jones (OH)
Lowey
Miller (NC)
Neal (MA)
Peterson (PA)
Ruppersberger
Slaughter
Solis
Towns
Udall (CO)
Wynn

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.

DeGette
DeLauro
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Fox
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Heller
Hensarling
Herger
Herseht Sandlin
Higgins
Hill
Hinchev
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam

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 rollcall 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 yeas and nays;

H. Res. 972, by the yeas 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

Abercrombie	Blackburn	Cannon	Johnson (GA)	Paul	
Aderholt	Blumenauer	Cantor	Johnson (IL)	Payne	
Akin	Blunt	Capito	Johnson, E. B.	Pearce	
Alexander	Boehner	Capps	Johnson, Sam	Pence	
Allen	Bonner	Capuano	Jones (NC)	Perlmutter	
Altmire	Bono Mack	Cardoza	Jordan	Peterson (MN)	
Andrews	Boozman	Carnahan	Kagen	Petri	
Arcuri	Boren	Carney	Kanjorski	Pickering	
Baca	Boswell	Carter	Kaptur	Pitts	
Bachmann	Boucher	Castle	Keller	Platts	
Bachus	Boustany	Castor	Kennedy	Poe	
Baird	Boyd (FL)	Chabot	Kildee	Pomeroy	
Baldwin	Boyd (KS)	Chandler	Kilpatrick	Porter	
Barrett (SC)	Brady (PA)	Clarke	Kind	Price (GA)	
Barrow	Brady (TX)	Clay	King (IA)	Price (NC)	
Bartlett (MD)	Braley (IA)	Cleaver	King (NY)	Pryce (OH)	
Bean	Brown (GA)	Clyburn	Kingston	Putnam	
Becerra	Brown (SC)	Coble	Kirk	Radanovich	
Berkley	Brown-Waite,	Cohen	Klein (FL)	Rahall	
Berman	Ginny	Cole (OK)	Kline (MN)	Ramstad	
Berry	Buchanan	Conaway	Knollenberg	Rangel	
Biggart	Burton (IN)	Conyers	Kucinich	Regula	
Bilbray	Butterfield	Cooper	Kuhl (NY)	Rehberg	
Bilirakis	Buyer	Costa	LaHood	Reichert	
Bishop (GA)	Calvert	Costello	Lamborn	Renzi	
Bishop (NY)	Camp (MI)	Courtney	Lampson	Reyes	
Bishop (UT)	Campbell (CA)	Cramer	Langevin	Reynolds	
			Larsen (WA)	Richardson	
			Larson (CT)	Rodriguez	
			Latham	Rogers (AL)	
			LaTourette	Rogers (KY)	
			Latta	Rogers (MI)	
			Lee	Rohrabacher	
			Levin	Ros-Lehtinen	
			Lewis (CA)	Roskam	
			Lewis (GA)	Ross	
			Lewis (KY)	Rothman	
			Linder	Royal-Ballard	
			Lipinski	Royce	
			LoBiondo	Rush	
			Loebsock	Ryan (OH)	
			Lucas	Ryan (WI)	
			Lungren, Daniel	Salazar	
			E.	Sali	
			Lynch	Sánchez, Linda	
			Mack	T.	
			Mahoney (FL)	Sarbanes	
			Maloney (NY)	Saxton	
			Manzullo	Schakowsky	
			Marchant	Schiff	
			Markey	Schmidt	
			Marshall	Schwartz	
			Matheson	Scott (GA)	
			Matsui	Scott (VA)	
			McCarthy (CA)	Sensenbrenner	
			McCarthy (NY)	Serrano	
			McCaul (TX)	Sessions	
			McCollum (MN)	Shadegg	
			McCotter	Shays	
			McCrery	Shea-Porter	
			McDermott	Sherman	
			McGovern	Shimkus	
			McHenry	Shuler	
			McHugh	Shuster	
			McIntyre	Simpson	
			McKeon	Sires	
			Grijalva	McMorris	Skelton
			Gutierrez	Rodgers	Slaughter
			Hall (TX)	McNulty	Smith (NE)
			Hare	Meek (FL)	Smith (NJ)
			Harman	Meeks (NY)	Smith (TX)
			Hastings (FL)	Melancon	Smith (WA)
			Hastings (WA)	Mica	Snyder
			Heller	Michaud	Souder
			Hensarling	Miller (FL)	Space
			Herger	Miller (MI)	Spratt
			Herseth Sandlin	Miller (NC)	Stark
			Higgins	Miller, Gary	Stearns
			Hill	Mitchell	Stupak
			Hinojosa	Mollohan	Sullivan
			Hirono	Moore (KS)	Sutton
			Hobson	Moore (WI)	Tancredo
			Hodes	Moran (KS)	Tanner
			Hoekstra	Moran (VA)	Tauscher
			Holden	Murphy (CT)	Taylor
			Holt	Murphy, Patrick	Terry
			Hooley	Murtha	Thompson (MS)
			Hoyer	Musgrave	Thornberry
			Hulshof	Myrick	Tiahrt
			Hunter	Nadler	Tiberi
			Inglis (SC)	Napolitano	Tierney
			Inslee	Neugebauer	Turner
			Israel	Nunes	Udall (NM)
			Issa	Oberstar	Upton
			Jackson (IL)	Obey	Van Hollen
			Jackson-Lee	Olver	Velázquez
			(TX)	Ortiz	Vislosky
			Jefferson	Pallone	Walberg
				Pastor	Walden (OR)