

Rush Shadegg Watt  
Ryan (OH) Strickland Weller

□ 1901

Mr. ENGLISH of Pennsylvania and Mr. KIRK changed their vote from “yea” to “nay.”

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

#### SUPPORTING THE GOALS AND IDEALS OF DOMESTIC VIOLENCE AWARENESS MONTH

The SPEAKER pro tempore (Mr. GILCREST). The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 209.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 209, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 404, nays 0, not voting 29, as follows:

[Roll No. 496]

YEAS—404

Abercrombie	Capps	Emanuel
Ackerman	Capuano	Emerson
Aderholt	Cardoza	Engel
Akin	Carmahan	English (PA)
Alexander	Carson	Eshoo
Allen	Carter	Etheridge
Andrews	Case	Evans
Baca	Castle	Everett
Bachus	Chabot	Farr
Baird	Chandler	Feeney
Baker	Chocola	Ferguson
Baldwin	Clay	Filner
Barrett (SC)	Cleaver	Fitzpatrick (PA)
Barrow	Clyburn	Flake
Bartlett (MD)	Coble	Foley
Barton (TX)	Cole (OK)	Forbes
Bass	Conaway	Ford
Bean	Conyers	Fortenberry
Beauprez	Cooper	Fossella
Becerra	Costa	Fox
Berkley	Costello	Frank (MA)
Berman	Cramer	Franks (AZ)
Berry	Crenshaw	Frelinghuysen
Biggert	Crowley	Galleghy
Billirakis	Cubin	Garrett (NJ)
Bishop (GA)	Cuellar	Gerlach
Bishop (NY)	Cummings	Gibbons
Bishop (UT)	Cunningham	Gilchrest
Blackburn	Davis (AL)	Gillmor
Blunt	Davis (CA)	Gingrey
Boehlert	Davis (IL)	Gohmert
Bonilla	Davis (KY)	Gonzalez
Bonner	Davis (TN)	Goode
Bono	Davis, Jo Ann	Goodlatte
Boozman	Davis, Tom	Granger
Boren	Deal (GA)	Graves
Boucher	DeFazio	Green (WI)
Boyd	DeGette	Green, Al
Bradley (NH)	Delahunt	Green, Gene
Brady (PA)	DeLauro	Gutknecht
Brown (OH)	DeLay	Hall
Brown (SC)	Dent	Harris
Brown, Corrine	Diaz-Balart, L.	Hart
Brown-Waite,	Diaz-Balart, M.	Hastings (FL)
Ginny	Dicks	Hastings (WA)
Burgess	Dingell	Hayes
Burton (IN)	Doggett	Hayworth
Butterfield	Doolittle	Hefley
Buyer	Doyle	Hensarling
Calvert	Drake	Herger
Camp	Dreier	Herseth
Cannon	Duncan	Higgins
Cantor	Edwards	Hinche
Capito	Ehlers	Hinojosa

Hobson	McKeon	Sánchez, Linda
Hoekstra	McMorris	T.
Holden	McNulty	Sanchez, Loretta
Holt	Meehan	Sanders
Honda	Meeks (NY)	Saxton
Hoolley	Mica	Schakowsky
Hostettler	Michaud	Schiff
Hoyer	Miller (FL)	Schmidt
Hulshof	Miller (MI)	Schwartz (PA)
Hyde	Miller (NC)	Schwarz (MI)
Inglis (SC)	Miller, Gary	Scott (GA)
Inslee	Miller, George	Scott (VA)
Israel	Mollohan	Sensenbrenner
Issa	Moore (KS)	Serrano
Istook	Moore (WI)	Sessions
Jackson (IL)	Moran (KS)	Shaw
Jackson-Lee	Moran (VA)	Shays
(TX)	Murphy	Sherman
Jefferson	Musgrave	Sherwood
Jenkins	Myrick	Shimkus
Jindal	Nadler	Shuster
Johnson (CT)	Napolitano	Simmons
Johnson (IL)	Neal (MA)	Simpson
Johnson, E. B.	Neugebauer	Skelton
Johnson, Sam	Ney	Slaughter
Jones (NC)	Norwood	Smith (NJ)
Jones (OH)	Nunes	Smith (TX)
Kanjorski	Nussle	Smith (WA)
Kaptur	Oberstar	Snyder
Keller	Obey	Sodrel
Kelly	Oliver	Solis
Kennedy (MN)	Ortiz	Souder
Kennedy (RI)	Osborne	Spratt
Kildee	Otter	Stark
Kilpatrick (MI)	Owens	Stearns
Kind	Oxley	Stupak
King (IA)	Pallone	Sullivan
King (NY)	Pascrell	Sweeney
Kingston	Pastor	Tancred
Kirk	Paul	Tanner
Kline	Payne	Tauscher
Knollenberg	Pearce	Taylor (MS)
Kolbe	Pelosi	Taylor (NC)
Kucinich	Pence	Terry
Kuhl (NY)	Peterson (MN)	Thomas
LaHood	Peterson (PA)	Thompson (CA)
Langevin	Petri	Thompson (MS)
Lantos	Pickering	Thornberry
Larsen (WA)	Pitts	Tiahrt
Larson (CT)	Platts	Tiberi
Latham	Poe	Tierney
LaTourette	Pombo	Towns
Leach	Pomeroy	Turner
Lee	Porter	Udall (CO)
Levin	Price (GA)	Udall (NM)
Lewis (CA)	Price (NC)	Upton
Lewis (GA)	Pryce (OH)	Van Hollen
Lewis (KY)	Putnam	Velázquez
Linder	Radanovich	Visclosky
Lipinski	Rahall	Walden (OR)
LoBiondo	Ramstad	Walsh
Lofgren, Zoe	Rangel	Wamp
Lowey	Regula	Wasserman
Lucas	Rehberg	Schultz
Lungren, Daniel	Reichert	Waters
E.	Renzi	Watson
Lynch	Reyes	Waxman
Mack	Reynolds	Weiner
Maloney	Rogers (AL)	Weldon (FL)
Manzullo	Rogers (KY)	Weldon (PA)
Marchant	Rogers (MI)	Westmoreland
Markey	Rohrabacher	Wexler
Matheson	Ross	Whitfield
Matsui	Rothman	Wicker
McCarthy	Roybal-Allard	Wilson (NM)
McCaul (TX)	Royce	Wilson (SC)
McCollum (MN)	Ruppersberger	Wolf
McCotter	Ryan (OH)	Woolsey
McCrary	Ryan (WI)	Wu
McGovern	Ryun (KS)	Wynn
McHenry	Sabo	Young (AK)
McHugh	Salazar	Young (FL)
McIntyre		

NOT VOTING—29

Blumenauer	Grijalva	Millender-
Boehner	Gutierrez	McDonald
Boswell	Harman	Murtha
Boustany	Hunter	Northup
Brady (TX)	Marshall	Ros-Lehtinen
Cardin	McDermott	Rush
Culberson	McKinney	Shadegg
Davis (FL)	Meeke (FL)	Strickland
Fattah	Melancon	Watt
Gordon	Menendez	Weller

□ 1918

So (two-thirds having voted in favor thereof) the rules were suspended and

the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

#### PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this Chamber today. I would like the RECORD to show that, had I been present, I would have voted “yea” on rollcall votes Nos. 494, 495 and 496.

#### PERSONAL EXPLANATION

Mr. GRIJALVA. Mr. Speaker, I was unable to cast rollcall votes 494, 495, and 496 on September 27, 2005, because I was unavoidably detained on official business.

Had I been present I would have cast the following votes: on rollcall vote No. 494, I would have voted “yea”; on rollcall vote No. 495, I would have voted “yea”; and on rollcall vote No. 496, I would have voted “yea”.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3824

Mr. OWENS. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 3824.

The SPEAKER pro tempore (Mr. GILCREST). Is there objection to the request of the gentleman from New York?

There was no objection.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

(Mr. GUTKNECHT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### EXCHANGE OF SPECIAL ORDER TIME

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Minnesota (Mr. GUTKNECHT).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

#### PARITY WITH THE EUROPEAN UNION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. OSBORNE) is recognized for 5 minutes.

Mr. OSBORNE. Mr. Speaker, later this year, another round of World Trade Organization talks will be held. Those talks will be pivotal for the

United States economy, especially for our agriculture sector. Of critical importance will be the role the European Union plays in these negotiations along with the United States.

I would like to point out some things, Mr. Speaker, regarding our situation with the European Union. First of all, as far as the economy of both the United States and the European Union is concerned, they are fairly equal. We have an economy of \$11.7 trillion, European Union is \$9.4 trillion. And in spite of that equality, our tariffs are very different. Those commodities from the European Union coming into the United States are tariffed at 12 percent. Our commodities going into the European Union are tariffed at 30 percent. So it is more than double. It is hard to understand why with roughly equivalent economies, we have this disparity.

The agriculture trade deficit, partly because of this and some other things I am going to discuss in a minute, for the United States last year was a minus \$6.3 billion. The European Union obviously benefited to the tune of \$6.3 billion in trade.

Now, the interesting thing is that the European Union provides \$3 billion in export subsidies. The United States provides \$31.5 million. These are subsidies that enhance the opportunity to trade with other countries. So that difference is 90 to 1. They spend 90 times more money to export subsidies than we do, and of course this apparently is allowed under WTO rules. This is one of the major complaints that other countries have about the whole trade situation internationally.

Another issue that is of some interest to those of us in the United States is the fact that we subsidize our agriculture to the tune of \$38 per acre. By contrast, the European Union subsidizes their agriculture \$295 per acre. Now, the reason this is important is that within the next year, we are going to start rewriting the farm bill and we will have tremendous pressure, particularly from the European Union, to do away with these subsidies here that amount to \$38 an acre, even though they are providing \$295 an acre.

The reason for that is they are priding themselves on the fact that they have gone with what they call decoupled payments in the past year. This means their payment is not linked to production. It is simply a payment to the farmers. Our payments are largely linked to production. It will be interesting to see what impact this has on our farm bill because we may be forced to some degree to go away from some of our subsidies as we now provide them, even though they are much less than what the European Union provides.

Another issue that is rather interesting is that the United States has had a total of two cases of BSE, or what is commonly referred to as "mad cow disease." In contrast, the European Union has 189,102 cases of BSE.

Now the reason that is interesting is they have effectively eliminated our beef exports into the European Union even though we have demonstrated that we have probably the safest beef supply in the world.

You say, how in the world can they do this? Last year in 2004, they had 756 cases of BSE where we had one this last year. And so the reason is that they simply have said, Well, you are using hormones with your beef and, therefore, it is unsafe. And, of course, the WTO has filed a suit against them and they are paying a fine, but it is just the cost of doing business.

In addition to this, they are also disallowing our imports of pork, our imports of poultry and also genetically modified corn and genetically modified soybeans. So in every one of these cases, they have used various means and methods to keep our products out.

So what we are seeing here is in this next round of talks, if the European Union is not brought around to the point where our farmers feel they are being fairly treated, we are going to have a hard time getting any kind of a trade agreement through this body.

You often hear our farmers say, we like free trade, but we especially want fair trade. I would say right now the biggest obstacle to what appears to be fair trade within the WTO framework is our relationship with the European Union. So we certainly think that these things need to be pointed out. We would like to see those things addressed in the next round of talks.

#### NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

Mrs. MCCARTHY. Mr. Speaker, on March 8, 2002, Peter Troy purchased a .22 caliber semi-automatic rifle with no questions asked.

The seller ran his name through the Federal background check system and nothing came up. However, Peter Troy had a history of mental health problems and his own mother filed a restraining order against him because of his violent background.

It was illegal for him to purchase a gun, but he, like so many others, he simply slipped through the cracks in our background check system. Four days later, Peter Troy walked into Our Lady of Peace Church in Lynbrook in my district, opened fire, and killed Reverend Lawrence Penzes and Eileen Tosner.

Peter Troy had no business buying a gun, and the system created to prevent him from doing so has failed. It is only a matter of time before the system's failings provoke larger tragedies.

Earlier today, I submitted an amendment to the Department of Justice authorization bill that will help ensure that others will not be victimized because of our flawed background check system.

NICS, the National Instant Criminal Background Check System, is the database used to check potential firearm buyers for any criminal record or history of mental illness. In large, NICS has been a great success.

Since 1994, more than 700,000 individuals have been denied a gun because of a felony conviction or other qualifying item on their background check. However, the NICS system is only as good as the information that it has. 25 States have automated less than 60 percent of their felony convictions into the NICS system. In these States, many felons will not turn up on the NICS system and would be able to purchase guns with no questions asked. For example, if someone is convicted of a crime in Texas, that disqualifying offense might not appear on a background check conducted in New York.

In 13 States, domestic violence restraining orders are not accessible through NICS. Common sense would tell you and dictate to you that you do not sell a gun to someone who has been served a restraining order.

□ 1930

Thirty-three States do not have automated or do not share mental health records that would disqualify certain individuals from purchasing a gun.

This amendment is similar to the stand-alone legislation that I have introduced. This amendment would require all States to provide the FBI with all of the relevant records needed to conduct effective background checks.

It is the State's responsibility to ensure this information is current and accurate. However, I recognize many State budgets are already overburdened. This legislation would provide grants to States to update their NICS system. States would get the funds they need to make sure records relevant to NICS are up to date.

We need the NICS Improvement Act to become law, and we need more bills like this to pass. These are ideas that impose no new restrictions on gun owners, but give the government tools to ensure existing laws are effective and enforceable. In fact, the NICS Improvement Act already passed this House in the 107th Congress by a voice vote. The bill had the endorsement of the National Rifle Association. Unfortunately, the other body never acted on the bill.

This is common-sense gun legislation we can all agree on. This bill will save lives while not infringing on anybody's second amendment rights.

Mr. Speaker, I hope the Committee on Rules accepts my amendment and we pass it on the floor tomorrow by a voice vote. If we can prevent another tragedy like the one that occurred at the Our Lady of Peace church, and those that are happening around this country, with a simple voice vote, we should do it right away.

We can make a difference in this country in reducing gun violence for