

Miller (NC)	Regula	Spratt
Miller, Gary	Rehberg	Stark
Miller, George	Reichert	Stearns
Mollohan	Renzi	Strickland
Moore (KS)	Reyes	Stupak
Moore (WI)	Reynolds	Sullivan
Moran (KS)	Rogers (AL)	Sweeney
Moran (VA)	Rogers (KY)	Tancredo
Murtha	Rogers (MI)	Tanner
Musgrave	Rohrabacher	Tauscher
Myrick	Ros-Lehtinen	Taylor (MS)
Nadler	Ross	Taylor (NC)
Napolitano	Rothman	Terry
Neal (MA)	Roybal-Allard	Thomas
Neugebauer	Royce	Thompson (CA)
Ney	Ruppersberger	Thompson (MS)
Northup	Rush	Thornberry
Norwood	Ryan (OH)	Tiahrt
Nunes	Ryan (WI)	Tiberi
Nussle	Ryun (KS)	Tierney
Oberstar	Sabo	Towns
Obey	Salazar	Turner
Olver	Sánchez, Linda	Udall (CO)
Ortiz	T.	Udall (NM)
Osborne	Sanchez,	Upton
Otter	Loretta	Van Hollen
Owens	Sanders	Velázquez
Oxley	Saxton	Visclosky
Pallone	Schakowsky	Walden (OR)
Pascarella	Schiff	Walsh
Pastor	Schwartz (PA)	Wamp
Paul	Schwarz (MI)	Wasserman
Payne	Scott (GA)	Schultz
Pearce	Scott (VA)	Waters
Pelosi	Sensenbrenner	Watson
Pence	Serrano	Watt
Peterson (MN)	Shadegg	Waxman
Peterson (PA)	Shaw	Weiner
Petri	Shays	Weldon (FL)
Pickering	Sherman	Weldon (PA)
Pitts	Sherwood	Weller
Platts	Shimkus	Westmoreland
Poe	Shuster	Wexler
Pombo	Simmons	Whitfield
Pomeroy	Simpson	Wicker
Porter	Skelton	Wilson (NM)
Price (GA)	Slaughter	Wilson (SC)
Price (NC)	Smith (NJ)	Wolf
Pryce (OH)	Smith (TX)	Woolsey
Putnam	Smith (WA)	Wu
Radanovich	Snyder	Wynn
Rahall	Sodrel	Young (AK)
Ramstad	Solis	
Rangel	Souder	

## NOT VOTING—8

Carter	Herseth	Sessions
Conaway	Lewis (GA)	Young (FL)
Deal (GA)	Murphy	

□ 1705

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.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. CARTER. Mr. Speaker, on June 21, 2005, I was unavoidably detained on official business in my Congressional District. During rollcall vote No. 288, if present, I would have voted "yea." On rollcall vote No. 289, I would have voted "no." On final passage of H.R. 2475, authorize appropriations for fiscal year 2006 for intelligence and intelligence-related activities, rollcall vote 290, I would have voted "yea." On passage of H.J. Res. 52, rollcall vote 291, I would have voted "yea." On passage of H. Con. Res. 160, rollcall vote 292, I would have voted "yea."

## PERSONAL EXPLANATION

Mr. MURPHY. Mr. Speaker, due to official business relating to the visit of BRAC Commissioner General Lloyd Newton to the 911th

Airlift Wing, Air Force Reserve in my Congressional District, I was not present in the Chamber on Tuesday, June 21, 2005, and was regrettably unable to cast my vote on rollcall No. 288, rollcall No. 289, rollcall No. 290, rollcall No. 291, and rollcall No. 292.

Had I been present, I would have voted "yea" on rollcall No. 288; "no" on rollcall No. 289; "yea" on rollcall No. 290; "yea" on rollcall No. 291; and "yea" on rollcall No. 292.

#### SUPPORTING FIREFIGHTER LIFE SAFETY SUMMIT INITIATIVES AND MISSION OF NATIONAL FALLEN FIREFIGHTERS FOUNDATION AND UNITED STATES FIRE ADMINISTRATION

The SPEAKER pro tempore (Mr. PETRI). The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 180.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BOEHLERT) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 180.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### REPORT ON H.R. 3010, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Mr. REGULA, from the Committee on Appropriations, submitted a privileged report (Rept. No. 109-143) on the bill (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

## SPECIAL ORDERS

The SPEAKER pro tempore (Mr. MCCAUL of Texas). 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.

## TAKING STEPS TO FIX NICS

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

Mrs. MCCARTHY. Mr. Speaker, currently, when someone wants to buy a gun, they are subject to a background

check, and once he or she is cleared, the records of that transaction are destroyed after 24 hours. But 24 hours is simply not enough time to ensure a gun is not sold to someone who should not be buying guns. Why? Because the National Instant Background Check System, or NICS, is not effective enough to warrant such a quick turnaround time on gun purchase records.

NICS is a database to check potential firearm buyers for any criminal record or history of mental illness.

□ 1715

Mr. Speaker, however, the NICS system is only as good as the information States provide. Twenty-five States have automated less than 60 percent of their felony convictions into the NICS system.

In these States, many felons will not be listed on the NICS system and would be able to purchase guns with no questions asked. In 13 States, domestic violence restraining orders are not accessible through the NICS system. Common sense would dictate that you do not sell a gun to someone who has been recently served with a restraining order.

Thirty-three States have not automated or do not share mental health records that would disqualify certain individuals from purchasing a gun under existing law. Also felony convictions in some States will not show up on another State's background check.

I understand the political realities of this Congress when it comes to new gun laws. Many on both sides of the aisle see anything longer than a 24-hour period to hold records as a de facto gun registry.

So we must take measures to fix the NICS system to make sure that our existing laws are enforced. I have introduced legislation with the gentleman from Michigan (Mr. DINGELL), the NICS Improvement Act of 2005, that will give States grants to update their NICS database.

This is the same bill that passed the House by a voice vote in the 107th Congress. No one person was denied his or her second amendment rights because of this bill. Even the National Rifle Association approved the bill in 2002.

It is the States' responsibility to make sure that NICS databases are in order. But if so many States are facing budget problems, many simply cannot afford to dedicate resources to updating their NICS system.

Meanwhile, too many criminals are slipping through the cracks of our background check system. This is unacceptable, especially in the post-9/11 era. Until we fix the NICS system, our law enforcement officers will continue to be within a tight deadline to determine whether or not background checks cover all of the bases.

With my bill, we can ensure that the NICS system does its job at the point of purchase. Mr. Speaker, please bring the NICS Improvement Act up for a vote this summer. It is time that we