

will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 1108, de novo;

Conference report on H.R. 4040, by the yeas and nays.

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

FAMILY SMOKING PREVENTION AND TOBACCO CONTROL ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 1108, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. DINGELL) that the House suspend the rules and pass the bill, H.R. 1108, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. BARTON of Texas. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 326, nays 102, not voting 6, as follows:

[Roll No. 542]

YEAS—326

Abercrombie	Castor	Everett
Ackerman	Cazayoux	Fallin
Alexander	Chabot	Farr
Allen	Chandler	Fattah
Altmire	Childers	Ferguson
Andrews	Clarke	Fliner
Arcuri	Clay	Fortenberry
Baird	Cleaver	Fossella
Baldwin	Clyburn	Foster
Barrow	Cohen	Frank (MA)
Bartlett (MD)	Conyers	Frelinghuysen
Bean	Cooper	Galleghy
Becerra	Costa	Gerlach
Berkley	Costello	Giffords
Berman	Courtney	Gilchrest
Berry	Cramer	Gillibrand
Biggert	Crenshaw	Gonzalez
Bilbray	Crowley	Gordon
Bilirakis	Cuellar	Granger
Bishop (GA)	Cummings	Graves
Bishop (NY)	Davis (AL)	Green, Al
Blumenauer	Davis (CA)	Green, Gene
Bonner	Davis (IL)	Grijalva
Bono Mack	Davis, Tom	Gutierrez
Boozman	DeFazio	Herger
Boren	DeGette	Hall (NY)
Boswell	Delahunt	Hall (TX)
Boucher	DeLauro	Hare
Boyd (FL)	Dent	Harman
Boyd (KS)	Dicks	Hastings (FL)
Brady (PA)	Dingell	Hastings (WA)
Brady (TX)	Doggett	Herseth Sandlin
Braley (IA)	Donnelly	Higgins
Brown (SC)	Doyle	Hill
Brown, Corrine	Drake	Hinchey
Buchanan	Dreier	Hinojosa
Burton (IN)	Duncan	Hirono
Butterfield	Edwards (MD)	Hobson
Camp (MI)	Edwards (TX)	Hodes
Cantor	Ehlers	Hoekstra
Capito	Ellison	Holden
Capps	Ellsworth	Holt
Capuano	Emanuel	Honda
Cardoza	Emerson	Hooley
Carnahan	Engel	Hoyer
Carney	English (PA)	Inslée
Carson	Eshoo	Israel
Castle	Etheridge	Jackson (IL)

Jackson-Lee (TX)	Mitchell	Shays	Thornberry	Weldon (FL)	Whitfield (KY)
Jefferson	Mollohan	Shea-Porter	Walberg	Westmoreland	Wilson (SC)
Johnson (GA)	Moore (KS)	Sherman			
Johnson (IL)	Moore (WI)	Shimkus			
Johnson, E. B.	Moran (KS)	Shuster			
Johnson, Sam	Moran (VA)	Simpson	Blunt	Cubin	Rangel
Jones (OH)	Murphy (CT)	Sires	Brown-Waite, Ginny	Hulshof	
Kagen	Murphy, Patrick	Skelton		Maloney (NY)	
Kanjorski	Murphy, Tim	Slaughter			
Kaptur	Murtha	Smith (NJ)			
Kennedy	Nadler	Smith (TX)			
Kildee	Napolitano	Smith (WA)			
Kilpatrick	Neal (MA)	Snyder			
Kind	Oberstar	Solis			
King (NY)	Obey	Space			
Kirk	Olver	Speier			
Klein (FL)	Ortiz	Spratt			
Knollenberg	Pallone	Stark			
Kucinich	Pascrell	Stupak			
Kuhl (NY)	Pastor	Sutton			
LaHood	Payne	Tanner			
Lampson	Perlmutter	Tauscher			
Langevin	Peterson (MN)	Taylor			
Larsen (WA)	Peterson (PA)	Terry			
Larsen (CT)	Pickering	Thompson (CA)			
LaTourette	Platts	Thompson (MS)			
Lee	Pomeroy	Tiahrt			
Levin	Porter	Tiberi			
Lewis (GA)	Price (NC)	Tierney			
Linder	Pryce (OH)	Towns			
Lipinski	Putnam	Tsongas			
LoBiondo	Rahall	Turner			
Loeb sack	Ramstad	Udall (CO)			
Lofgren, Zoe	Regula	Udall (NM)			
Lowe	Rehberg	Upton			
Lynch	Reichert	Van Hollen			
Mahoney (FL)	Renzi	Velázquez			
Manzullo	Reyes	Visclosky			
Markey	Richardson	Walden (OR)			
Marshall	Rodriguez	Walsh (NY)			
Matheson	Rogers (AL)	Walz (MN)			
Matsui	Rogers (MD)	Wamp			
McCarthy (CA)	Ros-Lehtinen	Wasserman			
McCarthy (NY)	Roskam	Schultz			
McCaul (TX)	Ross	Waters			
McCollum (MN)	Rothman	Watson			
McDermott	Roybal-Allard	Watt			
McGovern	Ruppersberger	Waxman			
McHugh	Rush	Weiner			
McIntyre	Ryan (OH)	Welch (VT)			
McKeon	Salazar	Weller			
McMorris	Sánchez, Linda T.	Wexler			
Morris	Sanchez, Loretta	Wilson (NM)			
McNerney	Sarbanes	Wilson (OH)			
McNulty	Saxton	Wittman (VA)			
Meek (FL)	Schakowsky	Wolf			
Meeks (NY)	Schiff	Woolsey			
Melancon	Schwartz	Wu			
Michaud	Scott (GA)	Yarmuth			
Miller (MI)	Scott (VA)	Young (AK)			
Miller (NC)	Serrano	Young (FL)			
Miller, George	Sestak				

NAYS—102

Aderholt	Frank (AZ)	Miller (FL)
Akin	Garrett (NJ)	Miller, Gary
Baca	Gingrey	Musgrave
Bachmann	Gohmert	Myrick
Bachus	Goode	Neugebauer
Barrett (SC)	Goodlatte	Nunes
Barton (TX)	Hayes	Paul
Bishop (UT)	Heller	Pearce
Blackburn	Hensarling	Pence
Boehner	Herger	Petri
Boustany	Hunter	Pitts
Broun (GA)	Inglis (SC)	Issa
Burgess	Issa	Jones (NC)
Buyer	Jones (NC)	Jordan
Calvert	Jordan	Keller
Campbell (CA)	King (IA)	King (IA)
Cannon	Kingston	Kline (MN)
Carter	Kline (MN)	Lamborn
Coble	Lamborn	Latham
Cole (OK)	Latham	Latta
Conaway	Latta	Lewis (CA)
Culberson	Lewis (CA)	Lewis (KY)
Davis (KY)	Lewis (KY)	Lucas
Davis, David	Lucas	Lungren, Daniel E.
Davis, Lincoln	Deal (GA)	Mack
Deal (GA)	Diaz-Balart, L.	Marchant
Diaz-Balart, L.	Doolittle	McCotter
Doolittle	Edwards, M.	Flake
Edwards, M.	Feeney	McCrery
Ehlers	Flake	McHenry
Ellison	Forbes	Mica
Ellsworth	Fox	

NOT VOTING—6

Blunt
Brown-Waite, Ginny
Cubin
Hulshof
Maloney (NY)

Messrs. SULLIVAN, SOUDER, CARTER, WALLBERG and ISSA changed their vote from “yea” to “nay.”

Mrs. JONES of Ohio, Mr. TIAHRT and Ms. FALLIN changed their vote from “nay” to “yea.”

□ 1836

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 4040, CONSUMER PRODUCT SAFETY IMPROVEMENT ACT OF 2008

The SPEAKER pro tempore (Mr. CUELLAR). The unfinished business is the vote on the motion to suspend the rules and agree to the conference report to the bill, H.R. 4040, 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 Michigan (Mr. DINGELL) that the House suspend the rules and agree to the conference report to the bill, H.R. 4040.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 424, nays 1, not voting 9, as follows:

[Roll No. 543]

YEAS—424

Abercrombie	Boustany	Cooper
Ackerman	Boyd (FL)	Costa
Aderholt	Boyda (KS)	Costello
Akin	Brady (PA)	Courtney
Alexander	Brady (TX)	Cramer
Allen	Braley (IA)	Crenshaw
Altmire	Brown (SC)	Crowley
Andrews	Brown, Corrine	Cuellar
Arcuri	Buchanan	Culberson
Baca	Burgess	Cummings
Bachmann	Burton (IN)	Davis (AL)
Bachus	Butterfield	Davis (CA)
Baird	Calvert	Davis (IL)
Baldwin	Camp (MI)	Davis (KY)
Barrett (SC)	Campbell (CA)	Davis, David
Barrow	Cannon	Davis, Lincoln
Bartlett (MD)	Cantor	Davis, Tom
Barton (TX)	Capito	Deal (GA)
Bean	Capps	DeFazio
Becerra	Capuano	DeGette
Berkley	Cardoza	Delahunt
Berman	Carnahan	DeLauro
Berry	Carney	Dent
Biggert	Carson	Diaz-Balart, L.
Bilbray	Carter	Diaz-Balart, M.
Bilirakis	Castle	Dingell
Bishop (GA)	Castor	Doggett
Bishop (NY)	Cazayoux	Donnelly
Bishop (UT)	Chabot	Doolittle
Blackburn	Chandler	Doyle
Blumenauer	Childers	Drake
Blunt	Clarke	Dreier
Boehner	Clay	Duncan
Bonner	Cleaver	Edwards (MD)
Bono Mack	Clyburn	Edwards (TX)
Boozman	Coble	Ehlers
Boren	Cohen	Ellison
Boswell	Cole (OK)	Ellsworth
Boucher	Conaway	Emanuel