

the death of a good friend of most of us in this body. Our former colleague and friend, Congressman Marvin Esch of Ann Arbor has died. He was 82.

Mr. Esch served in the Michigan State House of Representatives from 1965 to 1966. He was then elected to the U.S. House of Representatives, where he represented Ann Arbor and southeastern Michigan through about 1976. In 1976, he made an unsuccessful bid for the United States Senate, losing to our friend and colleague Donald Riegle in the general election.

Mr. Esch was a veteran of both the U.S. Maritime Service and the United States Army. He was indeed proud of helping his constituents to navigate the problems that they were having with the Federal Government, especially widows and veterans, as his family takes pride in saying. In Congress, he pushed for an accelerated end to the Vietnam War, and he worked to create an all-volunteer military.

He counted Gerald Ford as one of his dear friends. They were both University of Michigan graduates, and he stood by him when President Ford was sworn in as the 38th President of the United States on the day that former President Nixon resigned.

He was born in Flint, Pennsylvania, on August 4, 1927. He went on to attend the University of Michigan, where he earned an A.B. in 1950, an M.A. in 1951, and a Ph.D. in 1957. He was a lifelong supporter of University of Michigan sports and took considerable pride in the success of that great school.

After his time in politics, he served as director of public affairs for the U.S. Steel Corporation from 1977 to 1980. From 1981 to 1987, he was the director of programs and seminars for the American Enterprise Institute. After his retirement in 1992, he worked on a number of philanthropic projects with The Communication Group.

He died in his sleep Saturday, June 19, two days after celebrating his 60th anniversary. His wife, Olga, survives him. He is survived also by his brother, Gordon Esch; a sister, Emily Esch of Bigfork, Montana; son, Tom Esch and his wife, Charlene, of Kalispell, Montana; and by grandsons and numerous nieces and nephews.

We all remember him as a kind man who loved to tell and hear stories. He was an optimist who made and cherished lifelong friendships. His relationship with his wife, as well as his relationships with his colleagues, and his hope for the country could best be summed up in the phrase, "And the best is yet to be."

I now yield to my dear friend from Michigan.

Mr. UPTON. Mr. Speaker, I would just briefly like to say I echo the remarks by the dean of the House and the dean of the Michigan delegation.

I knew Marv Esch as a staffer. He was a wonderful man, dedicated to this House and to making things work.

□ 1530

We will all miss him. It is sometimes tough to be a Wolverine, and as you know, he was a great Wolverine.

Mr. DINGELL. I now ask, Mr. Speaker, that the House have a moment of silence in honor of our former colleague and friend, Marvin Esch.

The SPEAKER pro tempore. Members will rise and observe a moment of silence.

#### FIREARMS EXCISE TAX IMPROVEMENT ACT OF 2010

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5552) to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly and to provide for the assessment by the Secretary of the Treasury of certain criminal restitution, as amended, 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 Wisconsin (Mr. KIND) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 412, nays 6, not voting 14, as follows:

[Roll No. 400]

YEAS—412

Ackerman  
Aderholt  
Adler (NJ)  
Akin  
Alexander  
Altmire  
Andrews  
Arcuri  
Austria  
Baca  
Bachmann  
Bachus  
Baird  
Baldwin  
Barrett (SC)  
Barrow  
Bartlett  
Barton (TX)  
Bean  
Becerra  
Berkley  
Berman  
Berry  
Biggert  
Bilbray  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blumenauer  
Blunt  
Boccieri  
Boehner  
Bonner  
Bono Mack  
Boozman  
Boren  
Boswell  
Boucher  
Boustany  
Boyd  
Brady (PA)

Brady (TX)  
Braley (IA)  
Bright  
Broun (GA)  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Buchanan  
Burgess  
Burton (IN)  
Butterfield  
Buyer  
Calvert  
Camp  
Campbell  
Cantor  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Carter  
Cassidy  
Castle  
Castor (FL)  
Chaffetz  
Chandler  
Childers  
Chu  
Clarke  
Clay  
Cleaver  
Clyburn  
Coble  
Coffman (CO)  
Cohen  
Cole  
Conaway  
Connolly (VA)  
Cooper

Costa  
Costello  
Courtney  
Crenshaw  
Critz  
Crowley  
Cuellar  
Culberson  
Dahlkemper  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis (KY)  
Davis (TN)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dent  
Deutch  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Djou  
Doggett  
Donnelly (IN)  
Doyle  
Dreier  
Driehaus  
Duncan  
Edwards (MD)  
Edwards (TX)  
Ehlers  
Ellison  
Ellsworth  
Emerson  
Eshoo  
Etheridge  
Fallin  
Fattah  
Filner  
Flake

Fleming  
Forbes  
Fortenberry  
Foster  
Fox  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gallegly  
Garamendi  
Garrett (NJ)  
Gerlach  
Giffords  
Gingrey (GA)  
Gohmert  
Gonzalez  
Goodlatte  
Gordon (TN)  
Granger  
Graves (GA)  
Graves (MO)  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Guthrie  
Gutierrez  
Hall (NY)  
Hall (TX)  
Halvorson  
Hare  
Harman  
Harper  
Hastings (FL)  
Hastings (WA)  
Heinrich  
Heller  
Hensarling  
Herger  
Herseth Sandlin  
Higgins  
Hill  
Himes  
Hinchey  
Hinojosa  
Hirono  
Hodes  
Holden  
Holt  
Honda  
Hoyer  
Hunter  
Inglis  
Inslee  
Israel  
Issa  
Jackson (IL)  
Jackson Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Jordan (OH)  
Kagen  
Kanjorski  
Kaptur  
Kennedy  
Kildee  
Kilpatrick (MI)  
Kilroy  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirkpatrick (AZ)  
Kissell  
Klein (FL)  
Kline (MN)  
Kosmas  
Kratovil  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Latta  
Lee (CA)  
Lee (NY)  
Levin  
Lewis (CA)  
Lewis (GA)

Linder  
Lipinski  
LoBiondo  
Loebach  
Lofgren, Zoe  
Lowey  
Lucas  
Luetkemeyer  
Lujan  
Lummis  
Lungren, Daniel  
E.  
Lynch  
Mack  
Maffei  
Maloney  
Manzullo  
Marchant  
Markey (CO)  
Markey (MA)  
Marshall  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McCollum  
McCotter  
McDermott  
McGovern  
McHenry  
McIntyre  
McKeon  
McMahon  
McMorris  
Rodgers  
McNerney  
Meek (FL)  
Meeks (NY)  
Melancon  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Minnick  
Mitchell  
Mollohan  
Moore (KS)  
Moran (KS)  
Moran (VA)  
Murphy (CT)  
Murphy (NY)  
Murphy, Patrick  
Murphy, Tim  
Myrick  
Napolitano  
Neal (MA)  
Neugebauer  
Nunes  
Nye  
Obey  
Olson  
Oliver  
Ortiz  
Owens  
Pallone  
Pascrell  
Pastor (AZ)  
Paulsen  
Payne  
Pence  
Perlmutter  
Perriello  
Peters  
Peterson  
Petri  
Pingree (ME)  
Pitts  
Platts  
Poe (TX)  
Polis (CO)  
Pomeroy  
Posey  
Price (GA)  
Price (NC)  
Quigley  
Radanovich  
Rahall  
Rangel  
Rehberg  
Reichert  
Reyes  
Richardson

Rodriguez  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothman (NJ)  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Salazar  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Scalise  
Schakowsky  
Schauer  
Schiff  
Schmidt  
Schock  
Schrader  
Schwartz  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Sestak  
Shadegg  
Shea-Porter  
Sherman  
Shimkus  
Shuler  
Shuster  
Simpson  
Sires  
Skelton  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Space  
Speier  
Spratt  
Stark  
Stearns  
Stupak  
Sullivan  
Sutton  
Tanner  
Teague  
Terry  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiahrt  
Tiberi  
Tierney  
Titus  
Tonko  
Towns  
Tsongas  
Turner  
Upton  
Van Hollen  
Velázquez  
Peters  
Visclosky  
Walden  
Walz  
Wasserman  
Schultz  
Watson  
Watt  
Waxman  
Weiner  
Welch  
Westmoreland  
Whitfield  
Wilson (OH)  
Wilson (SC)  
Wittman  
Wolf  
Wu  
Yarmuth  
Young (FL)

## NAYS—6

Conyers Kucinich Paul  
Farr Nadler (NY) Waters

## NOT VOTING—14

Cao Kirk Taylor  
Cummings Moore (WI) Wamp  
Engel Oberstar Woolsey  
Griffith Putnam Young (AK)  
Hoekstra Slaughter

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1538

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.

### HOMEBUYER ASSISTANCE AND IMPROVEMENT ACT OF 2010

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5623) to amend the Internal Revenue Code of 1986 to extend the homebuyer tax credit for the purchase of a principal residence before October 1, 2010, in the case of a written binding contract entered into with respect to such principal residence before May 1, 2010, and for other purposes, as amended, 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. LEVIN) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 5, not voting 18, as follows:

[Roll No. 401]

## YEAS—409

Ackerman	Boehner	Carter
Aderholt	Bonner	Cassidy
Adler (NJ)	Bono Mack	Castle
Akin	Boozman	Castor (FL)
Alexander	Boren	Chaffetz
Altmire	Boswell	Chandler
Andrews	Boucher	Childers
Arcuri	Boustany	Chu
Austria	Boyd	Clarke
Baca	Brady (PA)	Clay
Bachmann	Brady (TX)	Cleaver
Bachus	Braley (IA)	Clyburn
Baird	Bright	Coble
Baldwin	Broun (GA)	Coffman (CO)
Barrett (SC)	Brown (SC)	Cohen
Barrow	Brown, Corrine	Cole
Bartlett	Brown-Waite,	Conaway
Barton (TX)	Ginny	Connolly (VA)
Bean	Buchanan	Conyers
Becerra	Burgess	Cooper
Berkley	Burton (IN)	Costa
Berman	Butterfield	Costello
Berry	Buyer	Courtney
Biggert	Calvert	Crenshaw
Bilbray	Camp	Critz
Bilirakis	Cantor	Crowley
Bishop (GA)	Capito	Cuellar
Bishop (NY)	Capps	Culberson
Bishop (UT)	Capuano	Dahlkemper
Blackburn	Cardoza	Davis (AL)
Blumenauer	Carmahan	Davis (CA)
Blunt	Carney	Davis (IL)
Bocieri	Carson (IN)	Davis (KY)

Davis (TN)	Kildee	Paulsen
DeFazio	Kilpatrick (MI)	Payne
DeGette	Kilroy	Pence
Delahunt	Kind	Perlmutter
DeLauro	King (IA)	Perriello
Dent	King (NY)	Peters
Deutch	Kingston	Petri
Diaz-Balart, L.	Kirkpatrick (AZ)	Pingree (ME)
Diaz-Balart, M.	Kissell	Pitts
Dicks	Klein (FL)	Platts
Dingell	Kline (MN)	Poe (TX)
Djou	Kosmas	Polis (CO)
Doggett	Kratovil	Pomeroy
Donnelly (IN)	Kucinich	Posey
Doyle	Lamborn	Price (GA)
Dreier	Lance	Price (NC)
Driehaus	Langevin	Quigley
Duncan	Larsen (WA)	Radanovich
Edwards (MD)	Larson (CT)	Rahall
Edwards (TX)	Latham	Rangel
Ehlers	LaTourette	Rehberg
Ellison	Latta	Reichert
Ellsworth	Lee (CA)	Reyes
Emerson	Lee (NY)	Richardson
Eshoo	Levin	Rodriguez
Etheridge	Lewis (CA)	Roe (TN)
Fallin	Lewis (GA)	Rogers (AL)
Farr	Lipinski	Rogers (KY)
Fattah	LoBiondo	Rogers (MI)
Filner	Loebach	Rohrabacher
Fleming	Lofgren, Zoe	Rooney
Forbes	Lowe	Ros-Lehtinen
Fortenberry	Lucas	Roskam
Foster	Luetkemeyer	Ross
Fox	Lujan	Rothman (NJ)
Frank (MA)	Lummis	Roybal-Allard
Franks (AZ)	Lungren, Daniel	Royce
Frelinghuysen	E.	Ruppersberger
Fudge	Lynch	Rush
Gallegly	Mack	Ryan (OH)
Garamendi	Maffei	Ryan (WI)
Garrett (NJ)	Maloney	Salazar
Gerlach	Manzullo	Sanchez, Linda
Giffords	Marchant	T.
Gingrey (GA)	Markey (CO)	Sanchez, Loretta
Gohmert	Markey (MA)	Sarbanes
Gonzalez	Marshall	Scalise
Goodlatte	Matheson	Schakowsky
Gordon (TN)	Matsui	Schauer
Granger	McCarthy (CA)	Schiff
Graves (GA)	McCarthy (NY)	Schmidt
Graves (MO)	McCaul	Schock
Grayson	McCollum	Schrader
Green, Al	McCotter	Scott (GA)
Green, Gene	McDermott	Scott (VA)
Grijalva	McGovern	Sensenbrenner
Guthrie	McHenry	Serrano
Gutierrez	McIntyre	Sestak
Hall (NY)	McKeon	Shadeeg
Hall (TX)	McMahon	Shea-Porter
Halvorson	McMorris	Sherman
Hare	Rodgers	Shimkus
Harper	McNerney	Shuler
Hastings (FL)	Meek (FL)	Shuster
Hastings (WA)	Meeks (NY)	Simpson
Heinrich	Melancon	Sires
Heller	Mica	Skelton
Hergert	Michaud	Slaughter
Hereth Sandlin	Miller (FL)	Smith (NE)
Higgins	Miller (MI)	Smith (NJ)
Hill	Miller (NC)	Smith (TX)
Himes	Miller, Gary	Smith (WA)
Hinchey	Miller, George	Snyder
Hinojosa	Minnick	Space
Hirono	Mitchell	Speier
Hodes	Mollohan	Spratt
Holden	Moore (KS)	Stark
Holt	Moran (KS)	Stearns
Honda	Moran (VA)	Stupak
Hoyer	Murphy (CT)	Sullivan
Hunter	Murphy (NY)	Sutton
Inglis	Murphy, Patrick	Tanner
Inslee	Murphy, Tim	Teague
Israel	Myrick	Terry
Issa	Nadler (NY)	Thompson (CA)
Jackson (IL)	Napolitano	Thompson (MS)
Jackson Lee	Neal (MA)	Thompson (PA)
(TX)	Neugebauer	Thornberry
Jenkins	Nunes	Tiahrt
Johnson (GA)	Nye	Tiberi
Johnson (IL)	Obey	Tierney
Johnson, E. B.	Olson	Titus
Johnson, Sam	Oliver	Tonko
Jones	Ortiz	Towns
Jordan (OH)	Owens	Tsongas
Kagen	Pallone	Turner
Kanjorski	Pascarell	Upton
Kaptur	Pastor (AZ)	Van Hollen
Kennedy	Paul	Velázquez

Walden	Waxman	Wittman
Walz	Weiner	Wolf
Wasserman	Welch	Wu
Schultz	Westmoreland	Yarmuth
Waters	Whitfield	Young (FL)
Watson	Wilson (OH)	
Watt	Wilson (SC)	

## NAYS—5

Campbell	Hensarling	McClintock
Flake	Linder	

## NOT VOTING—18

Cao	Kirk	Sessions
Cummings	Moore (WI)	Taylor
Engel	Oberstar	Visclosky
Griffith	Peterson	Wamp
Harman	Putnam	Woolsey
Hoekstra	Schwartz	Young (AK)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1545

Mr. GARRETT of New Jersey changed his vote from “nay” to “yea.”

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.

Stated for:

Mr. SESSIONS. Mr. Speaker, I was inadvertently detained and missed rollcall No. 401, passage of H.R. 5623, the Homebuyers Assistance and Improvement Act of 2010. Had I been present, I would have voted “aye.”

## PERSONAL EXPLANATION

Ms. MOORE of Wisconsin. Mr. Speaker, I was unable to vote today on rollcall 398 through rollcall 401. Had I been present I would have voted “yes” on all four.

### EXPRESSING THE CONDOLENCES OF THE HOUSE OF REPRESENTATIVES ON THE DEATH OF THE HONORABLE ROBERT C. BYRD, A SENATOR FROM THE STATE OF WEST VIRGINIA

Mr. RAHALL. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 1484

*Resolved*, That the House has heard with profound sorrow of the death of the Honorable Robert C. Byrd, a Senator from the State of West Virginia.

*Resolved*, That a committee of such Members of the House as the Speaker may designate, together with such Members of the Senate as may be joined, be appointed to attend the funeral.

*Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

*Resolved*, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased Senator.

The SPEAKER pro tempore. The gentleman from West Virginia is recognized for 1 hour.

Mr. RAHALL. Mr. Speaker, I yield the customary 30 minutes to the gentlewoman from West Virginia (Mrs. CAPITO).