

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

In the beginning, You created Adam and Eve, not because You needed mankind but because You wished to share Your friendship and Your gifts with humanity.

Even now, Lord, You do not need our prayers. You need not our service as if You could not shift the pattern of the world without our intent or efforts at goodness and justice.

Rather, it is by Your grace You lead us to do what is right and timely. By following Your commands and prophetic word, we find salvation for ourselves and search out the ways of peace with others. Simply by doing Your will are we led to where we belong and prove our connectedness to You and the world around us.

So, in all we say or do, we can either consciously or unknowingly give You glory, honor and praise both now and forever.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Nebraska (Mr. SMITH) come forward and lead the House in the Pledge of Allegiance.

Mr. SMITH of Nebraska led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

GENERAL SAM HOUSTON AND MARCH 2

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Madam Speaker, this day, March the 2nd, 1836, marks the day Texas declared independence from Mexico and its dictator, Santa Anna. Texas became a free, independent nation for 9 years.

March 2 also marks the birth of the person who led Texas to independence, Sam Houston. Born in Virginia in 1793, he fought the Creeks with Andy Jackson, became a Congressman and a Governor from Tennessee.

He went to Texas to champion the cause of Texas liberty, and was the commander of the outnumbered Army of Texas that defeated Santa Anna. General Sam became President of the Republic of Texas and, later, Governor and U.S. Senator when Texas was a State.

When the War Between the States broke out—ironically, on Sam's birth-

day and on the 25th anniversary of Texas independence, March the 2nd, 1861—Texas left the Union and joined the Confederacy. Houston refused to take the oath to support the South, so the Texas legislature removed Governor Houston from office.

Houston is the only person to have served in Congress from different States, as Governor of two States and as president of a nation. His last words were "Texas, Texas."

And that's just the way it is.

THE U.S. SENATE'S CONSIDERATION OF THE \$412 BILLION OMNIBUS APPROPRIATION

(Mr. KIRK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIRK. Madam Speaker, today, the Senate will consider the \$412 billion omnibus appropriation bill in the same month as the Fiscal Responsibility Summit.

The legislation contains 9,000 earmarks, including 12 potentially criminal earmarks. It is the spending for the clients of Paul Magliochetti & Associates, a lobbying firm raided by the FBI 3 months ago. We expect indictments soon. But the leaders of this House approved those 12 potentially criminal earmarks, and they are separate budget items now, totaling over \$8 million of the taxpayers' funds.

The Politico reported that the Speaker is concerned about the vetting process used by the Appropriations Committee. The concern is well-placed, and now the Senate should delete funding for these 12 potentially criminal PMA earmarks.

HONORING NINE YOUNG MEN WHO HAVE BECOME EAGLE SCOUTS

(Mr. FLEMING asked and was given permission to address the House for 1 minute.)

Mr. FLEMING. Madam Speaker, I rise today to congratulate nine young men in my district who exemplify leadership, commitment and perseverance—Kendall Belcher, Carter Boyd, Alec Giglio, and Austin Hunter from Shreveport, Louisiana, and Lincoln Hall, Gabe Castro, David Chatelain, Anthan Adkins, and Samuel Wisher from Natchitoches, Louisiana. They have all been named Eagle Scouts.

The award is the highest achievement in scouting and represents excellence in the three goals of scouting—citizenship training, character development and personal fitness. These nine young men proved they are worthy of an honor given to only 5 percent of all scouts, not to mention the population in general.

I congratulate these young men for this tremendous accomplishment, and I urge them to continue on the path of leadership.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 2, 2009.

Hon. NANCY PELOSI,
The Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 27, 2009, at 10:09 a.m.:

That the Senate passed S. 160.

That the Senate passed S. 387.

Appointments:

Congressional Advisors on trade policy and negotiations to International conferences, meetings and negotiation sessions relating to trade agreements.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

COCOPAH LANDS ACT

Mr. HOLT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 326) to direct the Secretary of the Interior to take lands in Yuma County, Arizona, into trust as part of the reservation of the Cocopah Tribe of Arizona, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 326

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Cocopah Lands Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The reservation of the Cocopah Tribe of Arizona is located in Yuma County, Arizona.

(2) That reservation was created by an Executive order signed by President Woodrow Wilson in 1917.

(3) The Tribe's land holdings are located within 3 noncontiguous reservations comprising a total of approximately 6,226.3 acres of trust land.

(4) The Tribe purchased the additional lands to provide infrastructure to housing areas, water, and economic development to tribal members.

(5) The current trust land base of the reservation is insufficient to provide such needs.

(6) The Tribe acquired 7 parcels of land contiguous to its present reservation lands

in 1986, 1993, 1997, and 2005, and these parcels are currently classified as "Tribal fee lands" under Federal law.

(7) The acquired parcels shall not be taken into trust for gaming purposes.

(8) The best means of solving the Tribe's land and economic needs to its tribal members is to require the Secretary to take lands in Yuma County, Arizona, that are acquired by the Tribe into trust for the Tribe subject to the provisions of this Act.

SEC. 3. DEFINITIONS.

For the purpose of this Act, the following definitions apply:

(1) **TRIBE.**—The term "Tribe" means the Cocopah Tribe of Arizona.

(2) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

SEC. 4. LANDS TO BE TAKEN INTO TRUST.

(a) **LANDS TO BE TAKEN INTO TRUST.**—If the Tribe transfers title to the land described in subsection (b) to the Secretary, the Secretary shall take that land into trust for the benefit of the Tribe, if at the time of such transfer there are no recognized environmental conditions or contamination related concerns and no adverse legal claims to such land, including outstanding liens, mortgages, or taxes owed.

(b) **LAND DESCRIBED.**—The land referred to in subsection (a) is described as follows:

(1) **PARCEL 1 (SIBLEY PURCHASE 1986).**—Lot 4 and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, of Sec. 1, T. 10 S., R. 25 W., of the Gila and Salt River Base and Meridian, Yuma County, Arizona, except that portion of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, of said Sec. 1, T. 10 S., R. 25 W., lying southeasterly of the north right-of-way line of the Bureau of Reclamation levee.

(2) **PARCEL 2 (SIBLEY PURCHASE 1986).**—Lot 1 and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, of Sec. 2, T. 10 S., R. 25 W., of the Gila and Salt River Base and Meridian, Yuma County, Arizona.

(3) **PARCEL 3 (MCDANIEL PURCHASE 1993).**—That part of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$, lying south of the East Main Bureau of Reclamation Canal right of way in Sec. 30, T. 9 S., R. 23 W., of the Gila and Salt River Base and Meridian, Yuma County, Arizona.

(4) **PARCEL 4 (HOLLAND PURCHASE 1997).**—That portion of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, of Sec. 31, T. 16 S., R. 22 E., of the San Bernardino Base and Meridian, Yuma County, Arizona, lying north of the levee and Salinity Canal; except the north 220 feet.

(5) **PARCEL 5 (HOLLAND PURCHASE 1997).**—An easement over the easterly 15 feet of the north 220 feet of that portion of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, of Sec. 31, T. 16 S., R. 22 E., of the San Bernardino Base and Meridian, Yuma County, Arizona, lying north of the levee and Salinity Canal for irrigation purposes.

(6) **PARCEL 6 (POWERS PURCHASE 1997).**—Lots 21, 24, and 25, Sec. 29, and Lots 16 and 17 and the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, of Sec. 30, T. 16 S., R. 22 E., of the San Bernardino Meridian, Yuma County, Arizona, according to the dependent resurvey of the Bureau of Land Management, accepted December 9, 1960.

(7) **PARCEL 7 (SPEED WAY PURCHASE 2005).**—That portion of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 30, T. 9 S., R. 23 W., of the Gila and Salt River Base and Meridian, Yuma County, Arizona, lying south and east of the East Main Canal; except the south 33 feet thereof; except one-third interest in and to all mineral rights, as reserved in the deed recorded in Docket 1461, page 600, records of Yuma County, Arizona.

(c) **LANDS TO BE MADE PART OF THE RESERVATION.**—Land taken into trust pursuant to subsection (a) shall be considered to be part of the Tribe's initial reservation.

(d) **SERVICE AREA.**—For the purposes of the delivery of Federal services to enrolled members of the Tribe, the Tribe's service area shall be Yuma County, Arizona.

(e) **GAMING PROHIBITED.**—Land taken into trust for the benefit of the Tribe under this Act shall not be used for gaming under the Indian Gaming Regulatory Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. HOLT) and the gentleman from Nebraska (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. HOLT. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill under consideration.

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

There was no objection.

Mr. HOLT. I yield myself such time as I may consume.

Madam Speaker, the pending measure sponsored by our colleague, Representative RAÚL GRIJALVA, would place land into trust for the Cocopah Indian Tribe of Arizona. This land will be used for housing, water and non-gaming economic development opportunities.

These lands, which are currently owned by the Cocopah, will be considered part of the tribe's initial reservation. Further, this legislation prohibits these lands from being used for gaming purposes under the Indian Gaming Regulatory Act. A similar measure was introduced in the 107th Congress and in the 109th Congress. In the last Congress, the House passed an identical version of this measure by unanimous consent.

The resolution of this matter is well-overdue. I urge my colleagues to support the passage of H.R. 326.

I reserve the balance of my time.

Mr. SMITH of Nebraska. I yield myself such time as I may consume.

Madam Speaker, the majority has adequately explained the purpose of H.R. 326. This legislation is the same as H.R. 673 that passed by unanimous consent in the House in 2007 but did not move in the Senate.

At present, the tribe benefiting from this legislation has a reservation that consists of several noncontiguous trust lands. H.R. 326 places tribal fee lands in trust to fill in some of the gaps in these reservation properties, and thereby, improves travel management and governance of the reservation.

The text of H.R. 326 reflects changes that had been recommended by the Bush administration in the last Congress. To the best of our knowledge, the bill is noncontroversial; and, therefore, we have no objections to it.

I reserve the balance of my time.

Mr. HOLT. May I ask if the gentleman has any further speakers.

Mr. SMITH of Nebraska. No, we haven't.

Mr. HOLT. With that, Madam Speaker, I again urge my colleagues to support the passage of H.R. 326.

I yield back the balance of my time.
Mr. SMITH of Nebraska. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. HOLT) that the House suspend the rules and pass the bill, H.R. 326.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SHARK CONSERVATION ACT OF 2009

Mr. HOLT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 81) to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 81

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Shark Conservation Act of 2009".

SEC. 2. AMENDMENT OF HIGH SEAS DRIFTNET FISHING MORATORIUM PROTECTION ACT.

Section 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(a)) is amended—

(1) by striking so much as precedes paragraph (1) and inserting the following:

"(a) **IDENTIFICATION.**—The Secretary shall identify, and list in the report under section 607—

"(1) a nation if—";

(2) in paragraph (1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(3) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(4) by moving subparagraphs (A) through (C) (as so redesignated) 2 ems to the right;

(5) in subparagraph (C) (as so redesignated) by striking the period at the end and inserting "; and"; and

(6) by adding at the end the following:

"(2) a nation if—

"(A) fishing vessels of that nation are engaged, or have been engaged during the preceding calendar year, in fishing activities or practices that target or incidentally catch sharks; and

"(B) the nation has not adopted a regulatory program to provide for the conservation of sharks, including measures to prohibit removal of any of the fins of a shark (including the tail) and discarding the carcass of the shark at sea, that is comparable to that of the United States, taking into account different conditions."

SEC. 3. AMENDMENT OF MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT.

Section 307(1) of Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857(1)) is amended—

(1) by amending subparagraph (P) to read as follows:

"(P)(i) to remove any of the fins of a shark (including the tail) at sea;