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# House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. EDWARDS of Maryland).

## DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
*March 2, 2009.*

I hereby appoint the Honorable DONNA F. EDWARDS to act as Speaker pro tempore on this day.

NANCY PELOSI,
*Speaker of the House of Representatives.*

## MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2009, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

## AMERICA IS FACING A CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. WOLF) for 5 minutes.

Mr. WOLF. Madam Speaker, America is facing a crisis. The budget request projects a $1.8 trillion deficit this year and a $533 billion deficit in fiscal year 2013, and red ink is as far as the eye can see.

We have over $56 trillion in unfunded obligations for Social Security, Medicare, and Medicaid. The national debt is nearing $11 trillion and growing every day.

Standard & Poor's investment service predicts the loss of America's AAA bond rating as early as 2012, and that will be devastating.

Every day seems to bring more bad news. The stock market continues to plummet, dropping below 7,000 this morning, and Americans everywhere understand that our Nation is in trouble. When I left my office today, the stock market was down over 200 points.

Most Americans realize that Congress is broken, and it will take a special process to address this runaway spending.

The action that will lead to a solution is the bipartisan commission that Congressman COOPER of Tennessee and I have proposed, with every spending program on the table along with tax policy. Congress, under this process, would be forced to vote on the commission's recommendations, and over 111 Members of the House pledged their support to this last year, and it would be bipartisan.

This process, which also would have outside experts, would help establish confidence. In the Webster Dictionary it says in the definition of confidence, ''the faith or belief that one will act in a right, or effective, way.'' And boy, do we need that now.

Congress is paralyzed by partisan bickering, and so far, this Congress has chosen to hide behind the mantra of ''regular order.'' But this problem will not fix itself.

There is a bridge linking Trenton, New Jersey, with Morrisville, Pennsylvania, and there's a sign on the bridge that said, ''Trenton Makes, the World Takes.'' Well, Trenton doesn't make anything anymore, and the sign ought to say, ''The World Makes, Trenton Takes.'' And all you have to do is get on the train from Washington going up to New York, and all the factories are closed and in decay, and the windows are broken.

A bipartisan commission would renew America's confidence in the economy. It would create a renaissance in the ability of our elected leaders to act. It would provide a bigger and brighter future for the next generation of America's young people and ensure that we have discretionary dollars for math and science and physics and chemistry and biology and cancer research, research for autism, research for Alzheimer's. It would also help create manufacturing.

For the sake of this country, this Congress and this administration should act to set up a bipartisan panel to help us give some hope to our children and our grandchildren.

In closing, Madam Speaker, I would also say to the leaders of this Congress, this is also a moral issue. This is also a moral issue. Is it appropriate for one generation to be living so well, knowing that their children and grandchildren will have to pay?

And to close, I read a quote by Deitrich Bonhoeffer, who was a Lutheran pastor who stood up to the Nazis and was killed, hung, by the Nazis in Flossenberg Prison just before the end of the war. Deitrich Bonhoeffer said, ''The ultimate test of a moral society is the kind of world that it leaves to its children.''

This Congress, as of now, is failing that moral test.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 35 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. HIRONO) at 2 p.m.



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## 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 birthday 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 SW¼ of the NW¼, 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 SW¼ of the NW¼, 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 SE¼ of the NE¼, 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 E½ of the SE¼, 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 NW¼ of the NE¼, 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 NW¼ of the NE¼, 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 N½ of the SW¼ of the SE¼, 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 W½ of the SE¼ 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 nongaming 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;

''(ii) to have custody, control, or possession of any such fin aboard a fishing vessel unless it is naturally attached to the corresponding carcass;

''(iii) to transfer any such fin from one vessel to another vessel at sea, or to receive any such fin in such transfer, without the fin naturally attached to the corresponding carcass; or

''(iv) to land any such fin that is not naturally attached to the corresponding carcass, or to land any shark carcass without such fins naturally attached;''; and

(2) by striking the matter following subparagraph (R) and inserting the following:

''For purposes of subparagraph (P), there shall be a rebuttable presumption that if any shark fin (including the tail) is found aboard a vessel, other than a fishing vessel, without being naturally attached to the corresponding carcass, such fin was transferred in violation of subparagraph (P)(iii) and that if, after landing, the total weight of shark fins (including the tail) landed from any vessel exceeds five percent of the total weight of shark carcasses landed, such fins were taken, held, or landed in violation of subparagraph (P).''.

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 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.

□ 1415

Mr. HOLT. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 81, the Shark Conservation Act of 2009. Sharks are vital to the health of marine ecosystems, but the practice of shark finning is driving the decline of their populations worldwide.

Nine years ago, Congress passed the Shark Finning Prohibition Act to protect these important species. The pending measure reconfirms the original intent of Congress to prevent shark finning by prohibiting the removal of fins at sea and the possession, transfer or landing of fins, which are not naturally attached to the corresponding carcass.

Reducing shark finning is imperative to conserving sharks, a critical species within marine ecosystems. This bill passed the House during the last Congress but was not acted upon by the other body. Today, we are repeating our effort for this important conservation.

I especially want to acknowledge the efforts of MADELEINE BORDALLO, the Chair of the Insular Affairs Oceans and Wildlife subcommittee. She has worked hard on this. And for the sake of the ecosystem of our world's oceans, I urge my colleagues to support the passage of this bill.

I reserve the balance of my time.

Mr. SMITH of Nebraska. Madam Speaker, I rise in support of H.R. 81, the Shark Conservation Act of 2009. Due to an unfortunate court ruling, a loophole was opened in the Shark Finning Prohibition Act of 2000 which allows fishermen to transfer shark fins from fishing vessels to transshipment vessels at sea. This type of at-sea transfer was clearly a violation of the Act, but the court ruled otherwise.

Another provision in the Shark Finning Prohibition Act of 2000 required fishermen to land the carcasses of the sharks they had caught so that fishery managers could determine the number and type of shark species being harvested. H.R. 81 takes that one step further and requires U.S. fishermen to land sharks with the fins still attached.

While the change in shark management included in this legislation is consistent with the regulations developed by the Secretary of Commerce for Atlantic shark fisheries, management measures for sharks in the Pacific are normally developed through the Western Pacific Fishery Management Council.

I yield back the balance of my time.

Mr. HOLT. Madam Speaker, as the gentleman said, this bill will correct an oversight in the existing law, and I urge my colleagues to support this legislation.

Mr. BROWN of South Carolina. Madam Speaker, in the 106th Congress, we enacted the Shark Finning Prohibition Act of 2000. At the time fisheries managers were unable to quantify the number and the species of sharks being harvested in some fisheries and this made shark management unsuccessful. The Shark Finning Prohibition Act required that fishermen land the carcass of the shark along with the fins so that fishery managers could track shark mortality.

Unfortunately, some shark fin buyers attempted to create a loophole in the law by purchasing fins without the carcasses at sea from fishermen and then "transferring them to transhipment vessels. This clearly violated the intent, if not the actual provisions, of the law.

To make things worse, a court ruling seems to have sanctioned this unintended loophole in the law.

This legislation closes that loophole and I support this legislation.

Mr. HOLT. 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. 81.

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.

## REVOLUTIONARY WAR AND WAR OF 1812 BATTLEFIELD PROTECTION ACT

Mr. HOLT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 146) to amend the American Battlefield Protection Act of 1996 to establish a battlefield acquisition grant program for the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 146

*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 ''Revolutionary War and War of 1812 Battlefield Protection Act''.

**SEC. 2. BATTLEFIELD ACQUISITION GRANT PROGRAM FOR BATTLEFIELDS OF THE REVOLUTIONARY WAR AND WAR OF 1812.**

(a) DEFINITIONS.—In this Act:

(1) BATTLEFIELD REPORT.—The term ''battlefield report'' means the document titled ''Report to Congress on the Historic Preservation of Revolutionary War and War of 1812 Sites in the United States'', prepared by the National Park Service, and dated September 2007.

(2) ELIGIBLE ENTITY.—The term ''eligible entity'' means a State or local government.

(3) ELIGIBLE SITE.—The term ''eligible site'' means a site that—

(A) is not within the exterior boundaries of a unit of the National Park System; and

(B) is identified in the battlefield report.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the American Battlefield Protection Program.

(b) ESTABLISHMENT.—The Secretary shall establish a battlefield acquisition grant program for nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under which the Secretary may make grants to eligible entities to pay the Federal share of the cost of acquiring fee-simple or lesser interests from willing sellers in eligible sites for the preservation and protection of those eligible sites.

(c) NONPROFIT PARTNERS.— An eligible entity may acquire an interest in an eligible site using a grant under this section in partnership with nonprofit organization.

(d) NON-FEDERAL SHARE.—The non-Federal share of the total cost of acquiring an interest in an eligible site under this section shall be not less than 50 percent.

(e) LIMITATIONS ON LAND USE.—An interest in an eligible site acquired under this section shall be subject to section 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–8(f)(3)).

(f) WILLING SELLER.—Acquisitions of land and interests in land under this Act shall be limited to acquisitions, from willing sellers only, of conservation easements and fee-simple purchases of eligible sites.

(g) REPORTS.—

(1) IN GENERAL.—Not later than 5 years after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the activities carried out under this section.

(2) UPDATE ON BATTLEFIELD REPORT.—Not later than 3 years after the date of the enactment of this Act, the Secretary shall submit to Congress a report that updates the battlefield report to reflect—

(A) preservation activities carried out at the 677 battlefields and associated sites identified in the battlefield report during the period between publication of the battlefield report and the update;

(B) changes in the condition of the battlefields and associated sites during that period; and

(C) any other relevant developments relating to the battlefields and associated sites during that period.

(h) AUTHORIZATIONS OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary from the Land and Water Conservation Fund to provide grants under this Act $10,000,000 for each of fiscal years 2010 through 2014.

(2) UPDATE OF BATTLEFIELD REPORT.—There are authorized to be appropriated to the Secretary to carry out subsection (g)(2), $500,000.

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 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. Madam Speaker, I rise as the sponsor of H.R. 146, the Revolutionary War and War of 1812 Battlefield Protection Act, which I introduced for myself and a number of other Members. I would like to thank Chairman RAHALL and Chairman GRIJALVA for their help in bringing this legislation to the floor.

Madam Speaker, from the shot heard around the world in Lexington to the beginning of the winning, when Washington and his soldiers crossed the Delaware, on to the surrender of Lord Cornwallis at Yorktown, the stories of the American Revolution bring to life the ideals of liberty and democracy fostered by our Nation's founders.

As noted historian, David Hackett Fischer, testified before the Natural Resources Committee last year, ''from long experience I can testify that one of the best ways to learn about history is to go to sites, and get on the ground.'' I could not agree more.

While one can read about the American Revolution and the values that were fought for and established at that time, or read about the War of 1812 when the fledgling country fought to maintain its independence, history is best experienced, however, not by reading but by feeling, touching and living what was experienced in those trying times. There is no better way to experience the history of the founding of our great Nation than on the hallowed ground where the epic struggle for our Nation's independence took place.

Preserving these American historic treasures is essential to remembering the sacrifices that our forefathers made to secure our freedom and our independence, and it is vital for educating the current generations and future generations and about our rich cultural heritage. Unfortunately, urbanization, suburban sprawl and unplanned development continually encroach on many of the significant battlefields of that period. This encroachment poses a severe and growing risk to the preservation of these historic significant sites.

Last spring, the National Park Service published its report to Congress on the status of the Revolutionary War and the War of 1812 sites in the United States. This report demonstrates that there is a great need to act and to act quickly to preserve many of these sites. Out of the 677 naturally significant battlefields and associated sites of the Revolutionary War and the War of 1812, 99, according to the National Park Service, are lost forever already; 234 are fragmented or in poor condition; an additional 170 are in danger of being destroyed within the next decade.

H.R. 146 would help State and local governments and non-profits protect and preserve these battlefields and historic sites by authorizing the use of money from the Land and Water Conservation Fund to provide up to 50 percent of the costs of purchasing battlefield land threatened by sprawl and commercial development. This legislation is patterned after the successful Civil War Battlefield Protection Program that has been in effect for quite some time now.

I might add, it was an oversight, I would say, that decades ago, these battlefields and sites of the War of 1812 and the Revolutionary War were not included under the same umbrella. Now is the time to do it. Now is past the time to do it.

My home State of New Jersey played a unique role in the American Revolution. I was pleased when, a couple of years ago, Congress took action to protect the battlefields in historic sites where this conflict took place. We passed legislation that created the Crossroads of the American Revolution National Heritage Area linking hundreds of sites across 14 counties in New Jersey where more military engagements took place than in any other States. New Jersey was truly the crossroads of the American Revolution for a number of reasons, and I'm pleased we're taking steps to preserve the record of those engagements.

There's a fundamental misconception that the American Revolution and War of 1812 took place only in the Northeast. In truth, the story of the American Revolution and the War of 1812 crisscrosses 33 States, from New York to Louisiana, from Georgia to Oregon. Enacting this legislation would allow each of these States to preserve better their history and their role in the War of 1812 and the American Revolution.

Soon, I will be introducing legislation that will provide additional funding for the program created in this legislation, H.R. 149. That legislation, the American Revolution and War of 1812 Commemorative Coin Act, is modeled after the Civil War Battlefield Commemorative Coin Act of 1992, which has raised over $6 million for battlefield preservation.

Enacting that bill will allow many more historic battlefields to be preserved. Enacting this bill will make it possible for our children and their children and other generations to enjoy and learn. We want to give Americans the opportunity to learn history, to feel history, to experience history so that they understand the principles on which this country was founded. People who know history can be better citizens, more engaged in current civic affairs and more cognizant of their place in history.

I urge my colleagues to support and vote for this important legislation.

I reserve the balance of my time.

Mr. SMITH of Nebraska. Madam Speaker, I yield myself as much time as I may consume.

During hearings on this bill in the 110th Congress, the Committee on Natural Resources heard testimony from historian David Hackett Fischer. Mr. Fischer's writings on the Revolutionary War point out General Washington's support for property rights and the strong actions he took to ensure that his soldiers respected the property of civilians, even when the property belonged to a Tory sympathizer. Washington personally gave strict orders to forbid looting even though plunder was the norm at the time and even though many of his men were hungry, dressed in rags and marched barefoot in the snow.

It is remarkable that in so desperate a situation and with so noble a cause, he imposed on the Patriot side such a high standard of conduct.

Washington's honorable policy stood in stark contrast to the routine seizures by the British and Hessian troops. It is no accident that over the course of the early years of the war, 1776 and 1777, in the battleground State of New Jersey, a population that was once evenly divided in its loyalty threw its support to the American cause.

There are lessons we can learn from Washington's example. In earlier battlefield protection efforts, the National Park Service used its eminent domain powers to seize lands from unwilling sellers. The justified resentment this caused hurt subsequent efforts.

I hope that as we set out to preserve historic sites, we emulate George Washington and not George III.

I yield back the balance of my time.

Mr. HOLT. Madam Speaker, with the urging to my colleagues to support this legislation, 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. 146, as amended.

The question was taken.

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

Mr. SMITH of Nebraska. Madam Speaker, I object to the vote on the ground that a quorum is not present

and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

## CIVIL WAR BATTLEFIELD PRESERVATION ACT OF 2009

Mr. HOLT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 548) to assist citizens, public and private institutions, and governments at all levels in planning, interpreting, and protecting sites where historic battles were fought on American soil during the armed conflicts that shaped the growth and development of the United States, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 548

*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 ''Civil War Battlefield Preservation Act of 2009''.

**SEC. 2. AMERICAN BATTLEFIELD PROTECTION PROGRAM.**

The purpose of this Act is to assist citizens, public and private institutions, and governments at all levels in planning, interpreting, and protecting sites where historic battles were fought on American soil during the armed conflicts that shaped the growth and development of the United States, in order that present and future generations may learn and gain inspiration from the ground where Americans made their ultimate sacrifice.

**SEC. 3. PRESERVATION ASSISTANCE.**

(a) IN GENERAL.—Using the established national historic preservation program to the extent practicable, the Secretary of the Interior, acting through the American Battlefield Protection Program, shall encourage, support, assist, recognize, and work in partnership with citizens, Federal, State, local, and tribal governments, other public entities, educational institutions, and private nonprofit organizations in identifying, researching, evaluating, interpreting, and protecting historic battlefields and associated sites on a National, State, and local level.

(b) FINANCIAL ASSISTANCE.—To carry out subsection (a), the Secretary may use a cooperative agreement, grant, contract, or other generally adopted means of providing financial assistance.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $3,000,000 annually to carry out this section, to remain available until expended.

**SEC. 4. BATTLEFIELD ACQUISITION GRANT PROGRAM.**

(a) DEFINITIONS.—In this section:

(1) BATTEFIELD REPORT.—The term ''Battlefield Report'' means the document entitled ''Report on the Nation's Civil War Battlefields'', prepared by the Civil War Sites Advisory Commission, and dated July 1993.

(2) ELIGIBLE ENTITY.—The term ''eligible entity'' means a State or local government.

(3) ELIGIBLE SITE.—The term ''eligible site'' means a site—

(A) that is not within the exterior boundaries of a unit of the National Park System; and (B) that is identified in the Battlefield Report.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the American Battlefield Protection Program.

(b) ESTABLISHMENT.—The Secretary shall establish a battlefield acquisition grant program under which the Secretary may provide grants to eligible entities to pay the Federal share of the cost of acquiring interests in eligible sites for the preservation and protection of those eligible sites.

(c) NONPROFIT PARTNERS.—An eligible entity may acquire an interest in an eligible site using a grant under this section in partnership with a nonprofit organization.

(d) NON-FEDERAL SHARE.—The non-Federal share of the total cost of acquiring an interest in an eligible site under this section shall be not less than 50 percent.

(e) LIMITATION ON LAND USE.—An interest in an eligible site acquired under this section shall be subject to section 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–8(f)(3)).

(f) WILLING SELLERS.—Acquisitions of land and interests in land under this Act shall be limited to acquisitions, from willing sellers only, of conservation easements and fee-simple purchases of eligible sites.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to provide grants under this section $10,000,000 for each of fiscal years 2009 through 2013.

**SEC. 5. REPEAL.**

This Act shall be repealed on September 30, 2019.

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 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. Madam Speaker, since its inception in 1996, the American Battlefield Protection Program has provided grants for preserving endangered battlefields of the Civil War, which are specifically not part of the National Park system.

□ 1430

The program contains two components. The Battlefield Preservation Grants Program is designed to help State and local governments, private organizations and citizens protect battlefield sites.

The Battlefield Acquisition Grant Program provides matching funds to help State and local governments acquire and preserve battlefield sites. Together, these two programs have helped protect more than 15,000 acres at 72 Civil War battlefields. They have leveraged more than $50 million in non-Federal funding for battlefield protection.

Madam Speaker, as we all know, several time-sensitive pieces of legislation were caught up in the lengthy debate about public lands issues in the other body. Because of that delay, the original law for this program lapsed last September. H.R. 548 would restore this important program and authorize it through 2019.

As I said in connection with the previous bill on battlefields of the War of 1812 and the Revolution, preserving these historic sites is important not for looking back, but for looking forward, for knowing where we came from and where we are going, for knowing that we are a Nation conceived in liberty and dedicated on the proposition that all are equal. The lesson of the Civil War battlefields is a lesson for today's children, for tomorrow's children, for all citizens.

I commend our colleague, Representative GARY MILLER of California, for his leadership on this issue and his commitment to historic preservation.

I urge my colleagues to support passage of H.R. 548.

Madam Speaker, I reserve the balance of my time.

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

The American Civil War captures the imagination of people like no other event in our history. In bookstores, most shelves in the history section are devoted to events of the 1860s. On weekends, battles are re-enacted by serious hobbyists who strive for authenticity in costume, weaponry, and skirmish details. Pictures of Lincoln are found in countless homes and classrooms, Confederate flags adorn pick-up trucks, and the words of the Gettysburg Address are as familiar as the 23rd Psalm.

As a Nation, we clearly recognize the continuing importance of the War Between the States, so it is natural that we should try to find appropriate ways to keep safe the places where our great grandfathers witnessed events so noble and so horrific. But since our country is about liberty rather than glorification of the State, we have to safeguard not just the hills and the mud on which they fought, but also the freedoms for which they fought. Therefore, it would be tragic if we would allow our well-meaning enthusiasm for protecting historic sites to result in programs that diminish the property rights of our fellow citizens.

This bill has two important safeguards. First, a ''willing seller'' provision—and we need to make sure the seller's willingness is uncoerced. Second, a sunset provision so that Congress will have an opportunity to see if this program merits continued Federal support. The bill's author, Congressman GARY MILLER, is to be commended for including these good government provisions.

Madam Speaker, I reserve the balance of my time.

Mr. HOLT. Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Nebraska. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. I thank the gentleman for yielding time.

This bill is about history, American history. And sometimes we forget our own history, no matter what it is. But if you recall, it all started in 1861, the War Between the States. And after the smoke cleared, there were 600,000 Americans from the North and from the South killed—250,000 from the South, 350,000 from the North, and many more died years later from wounds that they had received.

Many of those battles that took place took place in Virginia. One such battle was the Battle of the Wilderness on May 5–7 of 1864. In that battle, 145,000 troops from the Union and the South fought each other. Madam Speaker, that's the number of troops we have in all of Iraq. They assembled together in Orange County, near Fredericksburg, to do battle.

After that battle was over with, between 18,000 and 20,000 died in those 3 days of battle. And that is one of the areas that this bill would affect. It would help preserve the surrounding community to sellers that would willfully sell their land to help preserve the battlefield.

One such location near Fredericksburg is a location where the profit motive is moving in. None other than Wal-Mart wants to build a Wal-Mart on the very spot where Union troops assembled before that battle started. And this bill would help protect and preserve that location.

This bill is especially important to me and this battle is especially important to me because, although the casualties were great on both sides, the State of Vermont lost a great percentage of the soldiers from Vermont that fought in that battle. And being from Texas, Texas had the same result on the south; 86 percent of the Texans that went to battle in those 3 days were killed or wounded. And it would be important that battles such as the Battle of the Wilderness and all the other battles from the War Between the States be preserved for our heritage because history, Madam Speaker, is what we do in this country.

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

Mr. HOLT. Madam Speaker, I thank the distinguished gentleman, my friend and colleague from Texas, for those eloquent remarks reminding us that this is not just for land preservation, it is for values preservation that we are supporting Mr. MILLER's bill. And I thank my colleagues also for recognizing the work that Mr. MILLER has put into this.

With that, I urge my colleagues to pass this bill, and 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. 548, as amended.

The question was taken.

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

Mr. HOLT. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

## MARINE MAMMAL RESCUE ASSISTANCE AMENDMENTS OF 2009

Mr. HOLT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 844) to amend the provisions of law relating to the John H. Prescott Marine Mammal Rescue Assistance Grant Program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 844

*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 ''Marine Mammal Rescue Assistance Amendments of 2009''.

**SEC. 2. STRANDING AND ENTANGLEMENT RESPONSE.**

(a) COLLECTION AND UPDATING OF INFORMATION.—Section 402(b)(1)(A) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421a(b)(1)(A)) is amended by inserting ''or entangled'' after ''stranded''.

(b) ENTANGLEMENT RESPONSE AGREEMENTS.—

(1) IN GENERAL.—Section 403 of such Act (16 U.S.C. 1421b) is amended—

(A) by amending the section heading to read as follows:

**''SEC. 403. STRANDING OR ENTANGLEMENT RESPONSE AGREEMENTS.'';**

and

(B) in subsection (a) by inserting ''or entanglement'' before the period.

(2) CLERICAL AMENDMENT.—The table of contents at the end of the first section is amended by striking the item relating to section 403 and inserting the following:

''Sec. 403. Stranding or entanglement response agreements.''.

(c) LIABILITY.—Section 406(a) of such Act (16 U.S.C. 1421e(a)) is amended by inserting ''or entanglement'' after ''stranding''.

(d) ENTANGLEMENT DEFINED.—

(1) IN GENERAL.—Section 410 of such Act (16 U.S.C. 1421h) is amended—

(A) by redesignating paragraphs (1) through (6) in order as paragraphs (2) through (7); and

(B) by inserting before paragraph (2) (as so redesignated) the following:

''(1) The term 'entanglement' means an event in the wild in which a living or dead marine mammal has gear, rope, line, net, or other material wrapped around or attached to it and is—

''(A) on a beach or shore of the United States; or

''(B) in waters under the jurisdiction of the United States.''.

(2) CONFORMING AMENDMENT.—Section 408(a)(2)(B)(i) of such Act (16 U.S.C. 1421f–1(a)(2)(B)(i)) is amended by striking ''section 410(6)'' and inserting ''section 410(7)''.

(e) JOHN H. PRESCOTT MARINE MAMMAL RESCUE ASSISTANCE GRANT PROGRAM.—

(1) AUTHORIZATION OF APPROPRIATIONS FOR GRANT PROGRAM.—Section 408(h) of such Act (16 U.S.C. 1421f–1(h)) is amended—

(A) by striking ''$5,000,000 for each of fiscal years 2001 through 2003'' and inserting ''$7,000,000 for each of fiscal years 2010 through 2013''; and

(B) in paragraph (1) by striking ''$4,000,000'' and inserting ''$6,000,000''.

(2) ADMINISTRATIVE COSTS AND EXPENSES.—Section 408 of such Act (16 U.S.C. 1421f–1) is amended—

(A) by adding at the end of subsection (a)(1) the following: ''All funds available to implement this section shall be distributed to eligible stranding network participants for the purposes set forth in this paragraph and paragraph (2), except as provided in subsection (f).''; and

(B) by amending subsection (f) to read as follows:

''(f) ADMINISTRATIVE COSTS AND EXPENSES.—Of the amounts available each fiscal year to carry out this section, the Secretary may expend not more than 6 percent or $80,000, whichever is greater, to pay the administrative costs and administrative expenses to implement the grant program under subsection (a). Any such funds retained by the Secretary for a fiscal year for such costs and expenses that are not used for such costs and expenses before the end of the fiscal year shall be provided as grants under subsection (a).''.

(3) EMERGENCY ASSISTANCE.—Section 408 of such Act (16 U.S.C. 1421f–1) is amended—

(A) in subsection (a) by redesignating paragraph (2) as paragraph (3), and by inserting after paragraph (1) the following:

''(2) Subject to the availability of appropriations, the Secretary may also enter into cooperative agreements, contracts, or such other agreements or arrangements as the Secretary considers appropriate to address stranding events requiring emergency assistance.'';

(B) in subsection (d) by inserting ''(1)'' before the text, and by adding at the end the following:

''(2) Funding for emergency stranding projects shall not be subject to the funding limit established in paragraph (1).'';

(C) in subsection (e)—

(i) in paragraph (1) by striking ''The non-Federal'' and inserting ''Except as provided in paragraph (2), the non-Federal'';

(ii) by redesignating paragraph (2) as paragraph (3); and

(iii) by inserting after paragraph (1) the following:

''(2) EMERGENCY ASSISTANCE.—No non-Federal contribution shall be required for funding for a response to an emergency stranding event.''; and

(D) in subsection (g) by redesignating paragraph (2) as paragraph (3) and inserting after paragraph (1) the following:

''(2) EMERGENCY ASSISTANCE.—The term 'emergency assistance' means assistance provided for a stranding event that—

''(A) is not an unusual mortality event as defined in section 409(6);

''(B) leads to an immediate increase in required costs for stranding response, recovery, or rehabilitation in excess of regularly scheduled costs;

''(C) may be cyclical or endemic; and

''(D) may involve out-of-habitat animals.''.

(4) CONTRIBUTIONS.—Section 408 of such Act (16 U.S.C. 1421f–1) is amended by adding at the end the following:

''(i) CONTRIBUTIONS.—For purposes of carrying out this section, the Secretary may solicit, accept, receive, hold, administer, and use gifts, devises, and bequests.''.

(f) AUTHORIZATION OF APPROPRIATIONS FOR MARINE MAMMAL UNUSUAL MORTALITY EVENT

FUND.—Section 409(3) of such Act (16 U.S.C. 1421g(3)) is amended by striking ''fiscal year 1993'' and inserting ''each of fiscal years 2010 through 2013''.

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 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. Madam Speaker, the pending measure, the Marine Mammal Rescue Assistance Amendments of 2009, was introduced by our esteemed colleague from Alaska, Representative DON YOUNG. The bill would extend through fiscal year 2013 the authorization of appropriations for the John H. Prescott Marine Mammal Rescue Assistance Grant Fund and the Marine Mammal Unusual Mortality Event Fund.

H.R. 844 would direct the relevant Secretary to collect and update procedures for rescuing and rehabilitating marine mammals entangled in fishing gear, rope, line, or entangled in any way other. The bill also authorizes the Secretary to enter into agreements for marine mammal stranding events requiring emergency assistance.

The 110th Congress passed a similar bill by voice vote, but the legislation did not pass the other body. We support this bill and commend Representative YOUNG for his leadership on this issue.

I ask Members on both sides to support passage of this legislation.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Nebraska. I rise in support of H.R. 844, the Marine Mammal Rescue Assistance Amendments of 2009. This legislation, introduced by Congressman DON YOUNG, will extend the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

The program was first authorized in 2000 to address the funding needs of facilities assisting in the recovery and rehabilitation of stranded marine mammals. The Prescott Grant Program has been very successful in supporting facilities around the Nation, volunteering facility space and staff time to rehabilitate stranded marine mammals and return many of them to the wild.

While the Prescott Grant Program has been successful in many areas, some areas of the country do not have appropriate coverage. The Alaska region and the southeast region are two examples. This legislation will provide funding for the Department of Commerce to help address the lack of coverage in certain areas, and will also increase the number of grants that can be issued each year.

I urge an ''aye'' vote on H.R. 844.

Madam Speaker, I reserve the balance of my time.

Mr. HOLT. Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Nebraska. Madam Speaker, I yield 3 minutes to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. I thank the gentleman for yielding to me.

Madam Speaker, I rise in support of H.R. 844, the Marine Mammal Rescue Assistance Amendments of 2009. This important piece of legislation continues to build upon the original legislation this body passed in 1972, the Marine Mammal Protection Act.

Continuing to recognize the importance of marine mammals and the fragile state of some of their populations, Congress passed the Marine Mammal Rescue Assistance Act in 2000 and created the John H. Prescott Marine Mammal Assistance Program.

Keeping with the spirit of these achievements in marine mammal protection, I introduced this legislation which builds upon our earlier successes and expands the Prescott Grant Program. This bill will allow the Secretary of Commerce to provide grants to participants who assist in removing ropes and other materials from marine mammals while at sea.

By providing grants to institutions such as the Alaskan Sealife Center, untold numbers of marine mammals have been positively impacted. Support for this bill will further invest in the health of our oceans and its numerous marine resources.

Again, I urge my colleagues to support marine mammals and the passage of H.R. 844.

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

Mr. HOLT. 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. 844.

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.

## SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

## WILLIAM BARRETT TRAVIS

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

Mr. POE of Texas. Madam Speaker, today is March the 2nd; and on March 2, 1836, my native State, Texas, declared independence from Mexico.

It all started back when Texas was a part of Mexico. Mexico revolted from the Spanish empire, won that revolution, and then Texas became a part of northern Mexico. And there was a constitutional republic in Mexico, it was the Constitution of 1824, drafted somewhat after the American Constitution. But things turned sour when a guy by the name of Santa Anna became dictator of Mexico, abolished the constitution, and eliminated civil rights. And people who lived in Texas, both white, brown and black, were offended by that, and so in 1835 revolution started in Texas, or northern Mexico. And on March 2, 1836, Texas declared independence from Mexico.

It was an interesting time of the year because, you see, on March the second, there were already 187 volunteers in a beat-up old Spanish church not far from where Texas independence was declared, that being Washington on the Brazos. In that beat-up old Spanish church, a mission, it was called the Alamo. And those 187 volunteers from every State in the Union, from 13 foreign countries, including Mexico, of all races stood defiant against Santa Anna's invading Army of about 6,000 that came in to quell the revolution.

□ 1445

We all know what happened at the Battle of the Alamo. For 13 days those 187 volunteers withheld the onslaught, and finally on March 6, 4 days hence, the Alamo fell.

The Alamo was commanded by my favorite person in all of history, William Barrett Travis. He was a 27-year-old lawyer from South Carolina, then Alabama, and then came to Texas. And one of his last letters from the Alamo pleading for other Texans to come to his help and help Texas' independence was written on February 24, 1836. It goes like this, Madam Speaker:

''To the people of the world and all of Texas, I am besieged by a thousand or more of the enemy under Santa Anna. I have sustained a continual bombardment and cannon fire for over 24 hours, but I have not lost a man. The enemy has demanded surrender at its discretion. Otherwise, the fort will be put to the sword. I have answered that demand with a cannon shot. And the flag still waves proudly over the wall.

''I shall never surrender or retreat. I call upon you, in the name of liberty and everything dear to our character, to come to my aid with all dispatch. If this call is neglected, I am determined to sustain myself for as long as possible and do what is necessary for my honor and my country. Victory or death.

''God and Texas, William Barrett Travis.''

That was one of the last letters he wrote, and except for 32 men from the small town of Gonzales, no one came to

Travis's aid, and the Alamo fell on March 6, 1836. All 187 Texans were killed and about 10 times that number from the Mexican army fell as well.

Texans started fleeing to the east to get away from the invading armies, and General Sam Houston was elected as the commander in chief to try to rally what Texans were left to do battle. And on April 21, 1836, where Buffalo Bayou meets the San Jacinto River in what is now Houston, Texas, they did battle with Santa Anna's invading army. It took place in the afternoon on April 21. Madam Speaker, we all know that battles take place in the morning, but yet this battle took place in the afternoon. The outnumbered Texans caught Santa Anna's army sleeping, and in 18 minutes it was complete victory and Texas won its independence. It became a republic. It claimed not only Texas but part of Oklahoma, New Mexico, Kansas, Colorado, and Wyoming, all the way to the Canadian border. Texas remained an independent nation for 9 years. Then in 1845, it was allowed into the Union by one vote. Some wished the vote had gone the other way. But be that as it may, Texas was an independent republic for 9 years.

And on this day, March the 2nd, we from Texas celebrate the Republic of Texas and Texas' independence and that spirit that gave all Americans what we have today: a free and independent Nation. And we also honor the likes of William Barrett Travis, Sam Houston, Davy Crockett, Jim Bonham, and Jim Bowie.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

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

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

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

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

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

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

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HOLT) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

(The following Members (at the request of Mr. SMITH of Nebraska) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, March 6 and 9.

Mr. JONES, for 5 minutes, March 6 and 9.

Ms. ROS-LEHTINEN, for 5 minutes, March 3.

Mr. BURTON of Indiana, for 5 minutes, today, March 3, 4, 5 and 6.

Mr. OLSON, for 5 minutes, today.

## SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 387. An act to designate the United States courthouse located at 211 South Court Street, Rockford, Illinois, as the ''Stanley J. Roszkowski United States Courthouse''; to the Committee on Transportation and Infrastructure.

## ADJOURNMENT

Mr. POE of Texas. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 50 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, March 3, 2009, at 10:30 a.m., for morning-hour debate.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

743. A letter from the Board of Governors, Federal Reserve System, transmitting the System's semiannual Monetary Policy Report, pursuant to Public Law 106-569; to the Committee on Financial Services.

744. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Zimbabwe that was declared in Executive Order 13288 of March 6, 2003, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

745. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

746. A letter from the Secretary, Department of Labor, transmitting the Department's report entitled, ''Citizen's Report: FY 2008 Summary of Performance and Financial Results''; to the Committee on Oversight and Government Reform.

747. A letter from the Management Analyst, Department of Homeland Security, transmitting the Department's final rule — Employment Authorization and Verification of Aliens Enlisting in the Armed Forces [CIS No.: 2463-08; Docket No.: USCIS-2008-0072] (RIN: 1615-AB78) received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

748. A letter from the Executive Director, National Association of Police Organizations, Inc., transmitting the Association's Notice of Appointment — Law Enforcement Congressional Badge of Bravery State and Local Law Enforcement Board, pursuant to Public Law 110-298, section 203(c)(1)(E); to the Committee on the Judiciary.

749. A letter from the Federal Register Liaison Officer, Department of Treasury, transmitting the Department's final rule — Establishment of the Snipes Mountain Viticultural Area (2007R-300P) [Docket No.: TTB-2008-0003; T.D. TTB-73; Re: Notice No. 82] (RIN: 1513-AB51) received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

750. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Expansion of the Paso Robles Viticultural Area (2008R-073P) [Docket No.: TTB-2008-0005; T.D. TTB-72; Re: Notice No. 85] (RIN: 1513-AB47) received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

751. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — RRTA Desk Guide [LMSB-4-0908-048] received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

752. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — March 2009 (Rev. Rul.2009-8) received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

753. A letter from the Director, Office of Counternarcotics Enforcement, Department of Homeland Security, transmitting the Department's biennial Southwest Border Counternarcotics Strategy for calendar year 2008; jointly to the Committees on Homeland Security, the Judiciary, and Foreign Affairs.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CONYERS: Committee on the Judiciary. H.R. 157. A bill to provide for the treatment of the District of Columbia as a Congressional district for purposes of representation in the House of Representatives, and for other purposes; with an amendment (Rept. 111–22). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. NORTON:

H.R. 1241. A bill to increase the penalty for failure to file a partnership or S corporation return; to the Committee on Ways and Means.

By Mrs. MALONEY (for herself, Mr. KING of New York, Mr. MEEKS of New York, Mr. JONES, Mr. ELLISON, Mr. SENSENBRENNER, Mr. HINCHEY, Mr. GOODLATTE, and Mr. MCGOVERN):

H.R. 1242. A bill to amend the Emergency Economic Stabilization Act of 2008 to provide for additional monitoring and accountability of the Troubled Assets Relief Program; to the Committee on Financial Services.

By Mr. BACA (for himself and Mr. AL GREEN of Texas):

H.R. 1243. A bill to provide for the award of a gold medal on behalf of Congress to Arnold Palmer in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf; to the Committee on Financial Services.

By Mr. BACA:

H.R. 1244. A bill to provide for the award of a gold medal on behalf of the Congress to Tiger Woods, in recognition of his service to the Nation in promoting excellence and good sportsmanship, and in breaking barriers with grace and dignity by showing that golf is a sport for all people; to the Committee on Financial Services.

By Mr. CALVERT:

H.R. 1245. A bill to amend the Internal Revenue Code of 1986 to provide a Federal income tax credit for certain home purchases; to the Committee on Ways and Means.

By Mrs. CAPPS (for herself, Mrs. EMERSON, and Ms. SUTTON):

H.R. 1246. A bill to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss; to the Committee on Energy and Commerce.

By Mr. ELLISON (for himself, Ms. WATERS, Mr. CAPUANO, and Mrs. MCCARTHY of New York):

H.R. 1247. A bill to protect the interests of bona fide tenants in the case of any foreclosure on any dwelling or residential real property, and for other purposes; to the Committee on Financial Services.

By Mr. HOLT (for himself, Mr. NADLER of New York, and Mr. CUMMINGS):

H.R. 1248. A bill to establish the National Commission on the Anthrax Attacks Upon the United States to examine and report upon the facts and causes relating to the anthrax letter attacks of September and October 2001, and investigate and report to the President and Congress on its findings, conclusions, and recommendations for corrective measures that can be taken to prevent and respond to acts of bioterrorism; to the Committee on the Judiciary.

By Mr. PATRICK J. MURPHY of Pennsylvania (for himself and Mr. LATHAM):

H.R. 1249. A bill to amend the Internal Revenue Code of 1986 to provide special rules for charitable contributions of alternative energy property for educational purposes; to the Committee on Ways and Means.

By Mr. POMEROY (for himself and Mr. HERGER):

H.R. 1250. A bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts for charitable purposes; to the Committee on Ways and Means.

By Mr. WEINER:

H.R. 1251. A bill to amend title 39, United States Code, to provide that the United States Postal Service may not carry out a change-of-address request unless it first receives a signed confirmation that the request was in fact made by or on behalf of the addressee; to the Committee on Oversight and Government Reform.

By Mr. KUCINICH (for himself, Mr. SHIMKUS, Mr. LIPINSKI, Ms. SCHAKOWSKY, Mr. ROGERS of Michigan, Mr. DOYLE, Mr. RUSH, Ms. SHEA-PORTER, Mr. COSTELLO, Mr. ABERCROMBIE, Ms. JACKSON-LEE of Texas, Ms. KAPTUR, Mr. DINGELL, Mr. VAN HOLLEN, Mr. GUTIERREZ, Mr. SARBANES, Mr. BARROW, Mr. BOUCHER, Mr. SHUSTER, Mr. MCCOTTER, Mr. KANJORSKI, Mr. SESTAK, and Mrs. BIGGERT):

H.J. Res. 26. A joint resolution proclaiming Casimir Pulaski to be an honorary citizen of the United States posthumously; to the Committee on the Judiciary.

By Ms. SLAUGHTER (for herself, Mr. KING of New York, Mr. THOMPSON of Mississippi, Mr. MCMAHON, Mr. ISRAEL, Mr. LEE of New York, Mr. HINCHEY, Mr. SERRANO, Mr. HALL of New York, Mrs. MCCARTHY of New York, Mrs. MALONEY, Ms. CLARKE, Mr. PASCRELL, Mr. HIGGINS, and Mr. TOWNS):

H. Res. 201. A resolution recognizing Beverly Eckert's service to the Nation and particularly to the survivors and families of the September 11, 2001, attacks; to the Committee on Homeland Security.

By Mr. SESSIONS (for himself, Mr. PENCE, and Mr. BURTON of Indiana):

H. Res. 202. A resolution expressing the sense of the House of Representatives that the Commissioner of Food and Drugs should evaluate the scientific evidence on the question of whether to add more folic acid to enriched grain products and expand folic acid fortification into cornmeal and corn-based food products to help prevent further serious birth defects; to the Committee on Energy and Commerce.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. CROWLEY introduced A bill (H.R. 1252) for the relief of Wahab Munir and Hunain Munir; which was referred to the Committee on the Judiciary.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 22: Ms. SCHAKOWSKY, Mr. GRAVES, Mr. MCNERNEY, Mr. GRIJALVA, Ms. SHEA-PORTER, Ms. CORRINE BROWN of Florida, Mr. SIRES, Mr. ISRAEL, Mr. PATRICK J. MURPHY of Pennsylvania, Ms. MCCOLLUM, Mr. ALTMIRE, and Mr. MANZULLO.

H.R. 61: Mr. DAVIS of Illinois.

H.R. 81: Ms. SCHAKOWSKY.

H.R. 144: Mr. NADLER of New York, Mr. SERRANO, and Mr. KUCINICH. H.R. 155: Ms. KAPTUR.

H.R. 197: Mr. DENT, Mr. GUTHRIE, Mr. LINCOLN DIAZ-BALART of Florida, Mr. REHBERG, and Mrs. CAPITO.

H.R. 265: Mr. GENE GREEN of Texas.

H.R. 292: Mr. WAMP.

H.R. 333: Ms. JACKSON-LEE of Texas, Ms. MCCOLLUM, Mr. MEEK of Florida, Mr. KAGEN, Mr. BRIGHT, and Mr. CARNAHAN.

H.R. 442: Mr. ROHRABACHER, Mr. MURTHA, Mr. SCALISE, Mr. CHAFFETZ, and Mrs. CAPITO.

H.R. 450: Mr. GOODLATTE, Mr. BILBRAY, and Mrs. BACHMANN.

H.R. 484: Mr. LINCOLN DIAZ-BALART of Florida.

H.R. 527: Ms. SCHAKOWSKY.

H.R. 578: Mr. DOGGETT.

H.R. 627: Ms. TSONGAS, Mr. VISCLOSKY, and Mr. WU.

H.R. 630: Mr. BISHOP of Utah.

H.R. 699: Mr. POLIS of Colorado.

H.R. 734: Mr. TERRY, Ms. NORTON, Ms. LEE of California, Mr. CARSON of Indiana, Mr. MINNICK, and Mr. DAVIS of Illinois.

H.R. 756: Ms. KAPTUR, Ms. BALDWIN, and Ms. SUTTON.

H.R. 764: Mr. SCALISE.

H.R. 775: Mr. FATTAH, Ms. MATSUI, Ms. JACKSON-LEE of Texas, Ms. GINNY BROWN-WAITE of Florida, Mr. CARNAHAN, Mr. LARSON of Connecticut, Ms. MARKEY of Colorado, Mr. GUTHRIE, and Mr. SPACE.

H.R. 795: Mr. HINCHEY and Mr. SARBANES.

H.R. 868: Mr. PLATTS and Mr. MCGOVERN.

H.R. 877: Mr. DANIEL E. LUNGREN of California, Mrs. BACHMANN, Mr. BOOZMAN, Mr. CANTOR, and Mr. SOUDER.

H.R. 968: Mr. COBLE.

H.R. 997: Mr. SCALISE, Mr. PUTNAM, Mr. GOODLATTE, Mr. FORTENBERRY, and Mrs. CAPITO.

H.R. 998: Mr. PAUL.

H.R. 1032: Mr. BISHOP of Georgia, Mr. JOHNSON of Georgia, Mr. MURTHA, Mr. ROTHMAN of New Jersey, Mr. SPACE, Mrs. MCCARTHY of New York, Mr. HALL of New York, and Mr. GUTIERREZ.

H.R. 1086: Mr. MATHESON.

H.R. 1121: Mr. WATT, Mrs. MYRICK, Mr. MCINTYRE, Mr. MCHENRY, Mr. JONES, Mr. Kissell, Mr. SHULER, Mr. PRICE of North Carolina, Mr. MILLER of North Carolina, and Mr. COBLE.

H.R. 1197: Mr. PASTOR of Arizona and Mr. SESTAK.

H.R. 1211: Mr. SESTAK and Mr. MICHAUD.

H.R. 1219: Mr. HUNTER.

H.R. 1222: Mr. ELLISON and Mrs. BACHMANN.

H. Con. Res. 49: Mr. SMITH of Washington, Mr. CARSON of Indiana, Mr. KAGEN, Mr. LUCAS, Mr. COSTELLO, and Mr. BROUN of Georgia.

H. Con. Res. 55: Mr. INGLIS, Mr. LANGEVIN, Mr. SCHIFF, Mr. MCCAUL, Mr. SOUDER, Mr. PIERLUISI, Mr. WALDEN, Mr. DREIER, Mrs. CHRISTENSEN, Mr CARTER, and Ms. JACKSON-LEE of Texas.

H. Con. Res. 59: Ms. KAPTUR.

H. Res. 146: Mr. PERLMUTTER, Mr. GERLACH, Mr. HONDA, Mr. Lance, Mr. BARROW, Mr. CONNOLLY of Virginia, Mr. BACA, Mr. MILLER of North Carolina, Mr. REICHERT, Mr. UPTON, Mr. PETRI, Mr. WEXLER, and Mr. GORDON of Tennessee.

H. Res. 195: Mrs. KIRKPATRICK of Arizona and Mr. LUJÁN.

## CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. RANGEL

H.R. 1241, a bill to increase the penalty for failure to file a partnership or S corporation return, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.