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FLORIDA NATIONAL FOREST LAND
ADJUSTMENT ACT OF 2009

Mr. BACA. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3954) to release Federal reversionary interests retained on certain lands acquired in the State of Florida under the Bankhead-Jones Farm Tenant Act, to authorize the interchange of National Forest System land and State land in Florida, to authorize an additional conveyance under the Florida National Forest Land Management Act of 2003, and for other purposes, as amended.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 3954

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 “Florida National Forest Land Adjustment Act of 2009”.

SEC. 2. RELEASE OF DEED RESTRICTIONS ON CERTAIN LANDS ACQUIRED UNDER THE BANKHEAD-JONES FARM TENANT ACT IN FLORIDA.

(a) **FINDINGS.**—Congress finds the following:

(1) Certain lands in the State of Florida were conveyed by the United States to the State under the authority of section 32(c) of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1011(c)), and now are part of the Blackwater River and Withlacoochee State Forests.

(2) The lands were conveyed to the State subject to deed restrictions that the lands could be only used for public purposes.

(3) The deed restrictions impede the ability of the State to remedy boundary and encroachment problems involving the lands.

(4) The release of the deed restrictions by the Secretary of Agriculture (hereafter referred to as the “Secretary”) will further the purposes for which the lands are being managed as State forests and will alleviate future Federal responsibilities with respect to the lands.

(b) **RELEASE REQUIRED.**—Subject to valid existing rights, and such reservations as the Secretary considers to be in the public interest, the Secretary shall release, convey, and quitclaim to the State of Florida, without monetary consideration, all rights, title, and remaining interest of the United States in and to those lands within or adjacent to the Blackwater River and Withlacoochee State Forests that were conveyed to the State under the authority of section 32(c) of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1011(c)) or under any other law authorizing conveyance subject to restrictions or reversionary interests retained by the United States.

(c) **TERMS AND CONDITIONS.**—The conveyances authorized by subsection (b) are subject to the following terms and conditions.

(1) The State shall cover or reimburse the Secretary for reasonable costs incurred by the Secretary to make the conveyances, including title searches, surveys, deed preparation, attorneys’ fees, and similar expenses. The Secretary may not seek reimbursement for administrative overhead costs.

(2) By accepting the conveyances authorized by this section, the State agrees—

(A) that all net proceeds from any sale, exchange, or other disposition of the real property subject to deed restrictions shall be used by the State for the acquisition of lands or interests in lands within or adjacent to units of the state forest and park systems;

(B) to affirmatively address and resolve boundary encroachments in accordance with State law for the affected State forests; and

(C) to indemnify and hold the United States harmless with regard to any boundary disputes related to any parcel released under this section.

SEC. 3. INTERCHANGE INVOLVING NATIONAL FOREST SYSTEM LAND AND STATE LAND IN FLORIDA.

(a) **FINDINGS.**—The Congress finds the following:

(1) There are intermingled Federal and State lands within units of the National Forest System in Florida that are of comparable quantity and quality and of approximately equal value.

(2) Interchanging these lands would be in the public interest by facilitating more efficient public land management.

(b) **APPROXIMATELY EQUAL VALUE DEFINED.**—In this section, the term “approximately equal value” means a comparative estimate of the value between lands to be interchanged, regarding which, without the necessity of an appraisal, the elements of value, such as physical characteristics and other amenities, are readily apparent and substantially similar.

(c) **LAND INTERCHANGE AUTHORIZED.**—

(1) **AUTHORIZATION.**—Subject to valid existing rights, if the State of Florida offers to convey to the United States those State lands designated for interchange on the two maps entitled “State of Florida—U.S. Forest Service Interchange—January, 2009” and title to such lands is otherwise acceptable to the Secretary of Agriculture, the Secretary shall convey and quitclaim to the State those National Forest System lands in the Ocala National Forest and the Apalachicola National Forest designated for interchange on the maps.

(2) **MAPS.**—The maps referenced in paragraph (1) shall be available for public inspection in the office of the Chief of the Forest Service and in the office of the Supervisor of the National Forests in Florida for a period of at least five years after completion of the land interchanges authorized by this section.

(d) **TERMS AND CONDITIONS.**—Any land interchange under this section shall be subject to such reservations and rights-of-way as may be mutually acceptable to the Secretary and the authorized officer of the State.

(e) **REPLACEMENT LAND.**—In the event that any of the designated lands are in whole or part found to be unacceptable for interchange under this section due to title deficiencies, survey problems, the existence of hazardous materials, or for any other reason, the Secretary and the authorized officer of the State may substitute or modify the lands to be interchanged insofar as it is mutually agreed that the lands are of comparable quality and approximately equal value.

SEC. 4. ADDITIONAL LAND DISPOSAL UNDER FLORIDA NATIONAL FOREST LAND MANAGEMENT ACT OF 2003.

(a) **DISPOSAL AUTHORIZED.**—In accordance with the provisions of the Florida National Forest Land Management Act of 2003 (Public Law 108-152; 117 Stat. 1919), the Secretary of Agriculture may convey, by means of sale or exchange, all right, title, and interest of the United States in and to a parcel of land comprising approximately 114 acres, located within Township 1 South, Range 1 West, section 25, Leon County, Florida, and designated as tract W-1979.

(b) **USE OF PROCEEDS.**—

(1) **TRACT W-1979.**—The Secretary shall use the proceeds derived from any sale of tract W-1979, as authorized by subsection (a), only—

(A) to acquire lands and interests in land for inclusion in the Apalachicola National Forest; and

(B) to cover the disposal costs incurred by the Secretary to carry out the sale of such tract.

(2) **CERTAIN OTHER TRACTS.**—With respect to tract A-943, tract A-944, and tract C-2210, as described in paragraphs (5), (6), and (16) of subsection (b) of section 3 of the Florida National Forest Land Management Act of 2003 and authorized for sale by subsection (a) of such section, being lands having permanent improvements and infrastructure, the Secretary may use the net proceeds derived from any sale of such tracts to acquire, construct, or maintain administrative improvements for units of the National Forest System in Florida.

SEC. 5. REQUIRED DESIGNATION IN PAYGO ACTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010 (Public Law 111-39; 124 Stat. 8), shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BACA) and the gentleman from Oklahoma (Mr. LUCAS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BACA. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on this bill, H.R. 3954.

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

There was no objection.

Mr. BACA. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, I rise today in support of H.R. 3954, the Florida National Forest Land Adjustment Act. This bill would authorize the conveyance of 114 acres in Leon County, Florida, that would allow the U.S. Forestry to make equivalent land exchange within the Ocala and the Apalachicola National Forests to better and more efficiently manage the land. The bill would also clarify some boundary issues by allowing a survey to be conducted on certain areas of Florida State forest land.

This bill has the support of the Democratic and Republican members of the Florida delegation; I state, members of the Florida delegation, bipartisan, as well as the U.S. Forestry. The Congressional Budget Office has indicated that this bill has no significant impact on the Federal budget; and it was passed by the House Agriculture Committee by a voice vote earlier. I urge my colleagues to support its passage.

I reserve the balance of my time.

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

Madam Speaker, I rise in support of H.R. 3954, a bill to address several public land issues in the great State of Florida. This legislation helps resolve

significant title and boundary issues on State and Federal lands in the State of Florida. The bill promotes better efficiency in public land management by allowing the State and Federal governments to exchange land that is better managed by each other.

This bill also allows the proceeds from the sale of certain tracts of land in the Apalachicola National Forest to be used to build a much needed administrative facility to manage the land.

This bill has the support of the Forestry Service. It has no budgetary impact. And I urge my colleagues to support this bill.

I reserve the balance of my time, Madam Speaker.

Mr. BACA. Madam Speaker, I yield 3 minutes to the gentleman from Florida (Mr. BOYD) who has vision and outstanding leadership in this area, and cares very much about this issue.

Mr. BOYD. Madam Speaker, I thank my friend, Mr. BACA, and also Mr. LUCAS for their help and support of this bill. I also want to thank Chairman COLIN PETERSON and members and staff of the Agriculture Committee, and particularly my friends JEFF MILLER and ANDER CRENSHAW for all the work they've put into moving this legislation.

Madam Speaker, I introduced this legislation to help the State of Florida make some much needed land exchanges between State and Federal governments. In many parts of Florida, State and Federal lands are intermingled. This patchwork of ownership adds much expense and confusion in the management of public lands. This legislation will help both Federal and State agencies take better care of several lands throughout the State, including the Apalachicola National Forest, which is in Florida's Second Congressional District.

This exchange will also help protect the environment as well. I am very fortunate to represent a place called Wakulla Springs, which is one of Florida's cleanest and most beautiful spring locations. Wakulla Springs is also a popular outdoor recreation site for many in north Florida and others who come to visit.

Believe it or not, glass bottom boat rides are still very popular at this spring and offer families a chance to enjoy the outdoors and see how beautiful north Florida is.

Most recently, the springs have been under the threat of pollution. By exchanging these lands, we will have a better ability to keep the springs clean. This legislation will help the Forest Service better protect lands around the springs, which impact water flow to the springs and will help keep them crystal clear.

Protecting Florida's natural environment is very important to me. This exchange will protect pristine forest land in the State of Florida for future generations. And I am very proud to support this legislation, and would urge a "yes" vote.

Mr. LUCAS. Madam Speaker, I yield to the gentleman from Florida (Mr. CRENSHAW) such time as he may consume.

Mr. CRENSHAW. Madam Speaker, the National Forest Service does a fantastic job of managing our Nation's natural resources. They manage them in Florida as well as all across the Nation, and they deserve to have the tools that they need to give them the flexibility to efficiently accomplish this job.

So that's why I've joined with my fellow colleagues from Florida, ALLEN BOYD and JEFF MILLER, to introduce the bipartisan Florida National Forest Land Adjustment Act, and I strongly urge its passage. Each of us has focused on a portion of this bill to ensure this comprehensive measure represents a strong public policy which will enable the Forest Service to embolden its mission.

Now, in Leon County, that's the capital of Florida, there's a 114-acre parcel known as W-1979. And it's evolved—it's a tract of land that has evolved into a kind of unmanageable problem for the Apalachicola National Forest, which is right outside Tallahassee. Because of its configuration and because of the commercial development around it, the vegetation can't be managed very well. They can't use prescribed fire, and so although it's very important from a commercial standpoint and a developmental standpoint, it has really lost its national forest character.

And so in an effort to provide the Forest Service with a method to manage this land, my provision of our joint bill would simply add this tract of land to the list that the Secretary of Agriculture is empowered to sell. And any proceeds from that prospective sale would allow the Forest Service to purchase other lands within the forest; and they'd be more manageable, and that would enhance the national forest.

So, Madam Speaker, this is the kind of flexibility that we think the National Forest Service ought to have. They can manage our Nation's precious resources, not only for us, but for generations to come. And so I am grateful for the work that my colleagues have put in on this and urge its adoption.

Mr. BACA. Madam Speaker, I submit the following exchange of letters between the Committee on Agriculture and the Committee on Natural Resources for inclusion in the CONGRESSIONAL RECORD.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, March 17, 2010.

Hon. COLLIN C. PETERSON,
Chairman, Committee on Agriculture,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for the opportunity to review the text of H.R. 3954, the Florida National Forest Land Adjustment Act of 2009, for provisions regarding public domain national forests which are within the jurisdiction of the Committee on Natural Resources.

Because of the continued cooperation and consideration that you have afforded me and

my staff in developing these provisions, I will not seek a sequential referral of H.R. 3954 based on their inclusion in the bill. Of course, this waiver is not intended to prejudice any future jurisdictional claims over these provisions or similar language. I also reserve the right to seek to have conferees named from the Committee on Natural Resources on these provisions, and request your support if such a request is made.

Please place this letter into the Congressional Record during consideration of H.R. 3954 on the House floor.

Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

With warm regards, I am,
Sincerely,

NICK J. RAHALL II,
Chairman, Committee on Natural Resources.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, March 17, 2010.

Hon. NICK J. RAHALL II,
Chairman, Committee on Natural Resources,
Washington, DC.

DEAR CHAIRMAN RAHALL: Thank you for your letter regarding H.R. 3954, the "Florida National Forest Land Adjustment Act of 2009.

H.R. 3954 was favorably reported by the House Agriculture Committee on March 3. The legislation contains provisions that are of jurisdictional interest to the Committee on Natural Resources.

I appreciate the willingness of your committee to discharge the bill without further consideration and understand that this action will in no way waive your committee's jurisdictional interests in the subject matter of the legislation or serve as a precedent for future referrals. In the event that a conference with the Senate is requested on this matter, I would support naming House Natural Resources Committee members to the conference committee.

A copy of our letters regarding this bill will be inserted into the Congressional Record during floor consideration of the legislation.

Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,
COLLIN C. PETERSON,
Chairman.

Madam Speaker, I reserve the balance of my time.

Mr. LUCAS. Madam Speaker, I have one additional speaker, and I wish to yield such time as he may consume to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. Madam Speaker, this bill does, in fact, make important and much-needed adjustments to the Federal land provisions to allow for better management of both Federal and State lands.

This bill provides for the interchange of Federal and State land to make land management more contiguous for both the State of Florida and the U.S. Department of Forestry because, within our national forest system, adjacent land has become intermingled over the years, and allowing Florida to interchange land with Federal land would make land management much more efficient for both sides.

The Florida National Forest Land Adjustment Act permits both the U.S.

Department of Forestry and the State of Florida to, in fact, better manage their forest systems.

As the vice chair of the Congressional Sportsmen's Caucus, I do know how vital Federal and State land management is in the protection of wildlife and resource conservation. So H.R. 3954 is a significant step toward better forest management, and I do urge my colleagues to vote in support of this bill.

Mr. LUCAS. Madam Speaker, I have no additional speakers, and I yield back the balance of my time.

Mr. BACA. Madam Speaker, I want to thank the ranking member, minority ranking member, Mr. LUCAS, for his bipartisan support. I also want to thank Chairman Collins, along with Congressmen CRENshaw and MILLER, on this bipartisan legislation that's important to a lot of us as we look at moving forward.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BACA) that the House suspend the rules and pass the bill, H.R. 3954, 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. BACA. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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.

CONTINUING EXTENSION ACT OF 2010

Mr. McDERMOTT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4851) to provide a temporary extension of certain programs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4851

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 "Continuing Extension Act of 2010".

SEC. 2. EXTENSION OF UNEMPLOYMENT INSURANCE PROVISIONS.

(a) IN GENERAL.—(1) Section 4007 of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended—

(A) by striking "April 5, 2010" each place it appears and inserting "May 5, 2010";

(B) in the heading for subsection (b)(2), by striking "APRIL 5, 2010" and inserting "MAY 5, 2010"; and

(C) in subsection (b)(3), by striking "September 4, 2010" and inserting "October 2, 2010".

(2) Section 2002(e) of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111-5 (26 U.S.C. 3304 note; 123 Stat. 438), is amended—

(A) in paragraph (1)(B), by striking "April 5, 2010" and inserting "May 5, 2010";

(B) in the heading for paragraph (2), by striking "APRIL 5, 2010" and inserting "MAY 5, 2010"; and

(C) in paragraph (3), by striking "October 5, 2010" and inserting "November 5, 2010".

(3) Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111-5 (26 U.S.C. 3304 note; 123 Stat. 444), is amended—

(A) by striking "April 5, 2010" each place it appears and inserting "May 5, 2010"; and

(B) in subsection (c), by striking "September 4, 2010" and inserting "October 2, 2010".

(4) Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110-449; 26 U.S.C. 3304 note) is amended by striking "September 4, 2010" and inserting "October 2, 2010".

(b) FUNDING.—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended—

(1) in subparagraph (C), by striking "and" at the end;

(2) by inserting after subparagraph (D) the following new subparagraph:

"(E) the amendments made by section 2(a)(1) of the Continuing Extension Act of 2010; and".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the amendments made by section 2 of the Temporary Extension Act of 2010 (Public Law 111-144).

SEC. 3. EXTENSION AND IMPROVEMENT OF PREMIUM ASSISTANCE FOR COBRA BENEFITS.

Subsection (a)(3)(A) of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), as amended by section 3(a) of the Temporary Extension Act of 2010 (Public Law 111-144), is amended by striking "March 31, 2010" and inserting "April 30, 2010".

SEC. 4. INCREASE IN THE MEDICARE PHYSICIAN PAYMENT UPDATE.

Paragraph (10) of section 1848(d) of the Social Security Act, as added by section 1011(a) of the Department of Defense Appropriations Act, 2010 (Public Law 111-118) and as amended by section 5 of the Temporary Extension Act of 2010 (Public Law 111-144), is amended—

(1) in subparagraph (A), by striking "March 31, 2010" and inserting "April 30, 2010"; and

(2) in subparagraph (B), by striking "April 1, 2010" and inserting "May 1, 2010".

SEC. 5. EXTENSION OF MEDICARE THERAPY CAPS EXCEPTIONS PROCESS.

Section 1833(g)(5) of the Social Security Act (42 U.S.C. 13951(g)(5)), as amended by section 6 of the Temporary Extension Act of 2010 (Public Law 111-144), is amended by striking "March 31, 2009" and inserting "April 30, 2010".

SEC. 6. EHR CLARIFICATION.

(a) QUALIFICATION FOR CLINIC-BASED PHYSICIANS.—

(1) MEDICARE.—Section 1848(o)(1)(C)(ii) of the Social Security Act (42 U.S.C. 1395w-4(o)(1)(C)(ii)) is amended by striking "setting (whether inpatient or outpatient)" and inserting "inpatient or emergency room setting".

(2) MEDICAID.—Section 1903(t)(3)(D) of the Social Security Act (42 U.S.C. 1396b(t)(3)(D)) is amended by striking "setting (whether inpatient or outpatient)" and inserting "inpatient or emergency room setting".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective as if included in the enactment of the HITECH Act (included in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5)).

(c) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of

Health and Human Services may implement the amendments made by this section by program instruction or otherwise.

SEC. 7. EXTENSION OF USE OF 2009 POVERTY GUIDELINES.

Section 1012 of the Department of Defense Appropriations Act, 2010 (Public Law 111-118), as amended by section 7 of the Temporary Extension Act of 2010 (Public Law 111-144), is amended by striking "March 31, 2010" and inserting "April 30, 2010".

SEC. 8. EXTENSION OF NATIONAL FLOOD INSURANCE PROGRAM.

(a) EXTENSION.—Section 129 of the Continuing Appropriations Resolution, 2010 (Public Law 111-68), as amended by section 8 of Public Law 111-144, is amended by striking "by substituting" and all that follows through the period at the end and inserting "by substituting April 30, 2010, for the date specified in each such section".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be considered to have taken effect on February 28, 2010.

SEC. 9. SATELLITE TELEVISION EXTENSION.

(a) AMENDMENTS TO SECTION 119 OF TITLE 17, UNITED STATES CODE.—

(1) IN GENERAL.—Section 119 of title 17, United States Code, is amended—

(A) in subsection (c)(1)(E), by striking "March 28, 2010" and inserting "April 30, 2010"; and

(B) in subsection (e), by striking "March 28, 2010" and inserting "April 30, 2010".

(2) TERMINATION OF LICENSE.—Section 1003(a)(2)(A) of Public Law 111-118 is amended by striking "March 28, 2010", and inserting "April 30, 2010".

(b) AMENDMENTS TO COMMUNICATIONS ACT OF 1934.—Section 325(b) of the Communications Act of 1934 (47 U.S.C. 325(b)) is amended—

(1) in paragraph (2)(C), by striking "March 28, 2010" and inserting "April 30, 2010"; and

(2) in paragraph (3)(C), by striking "March 29, 2010" each place it appears in clauses (ii) and (iii) and inserting "May 1, 2010".

SEC. 10. COMPENSATION AND RATIFICATION OF AUTHORITY RELATED TO LAPSE IN HIGHWAY PROGRAMS.

(a) COMPENSATION FOR FEDERAL EMPLOYEES.—Any Federal employees furloughed as a result of the lapse in expenditure authority from the Highway Trust Fund after 11:59 p.m. on February 28, 2010, through March 2, 2010, shall be compensated for the period of that lapse at their standard rates of compensation, as determined under policies established by the Secretary of Transportation.

(b) RATIFICATION OF ESSENTIAL ACTIONS.—All actions taken by Federal employees, contractors, and grantees for the purposes of maintaining the essential level of Government operations, services, and activities to protect life and property and to bring about orderly termination of Government functions during the lapse in expenditure authority from the Highway Trust Fund after 11:59 p.m. on February 28, 2010, through March 2, 2010, are hereby ratified and approved if otherwise in accord with the provisions of the Continuing Appropriations Resolution, 2010 (division B of Public Law 111-68).

(c) FUNDING.—Funds used by the Secretary to compensate employees described in subsection (a) shall be derived from funds previously authorized out of the Highway Trust Fund and made available or limited to the Department of Transportation by the Consolidated Appropriations Act, 2010 (Public Law 111-117) and shall be subject to the obligation limitations established in such Act.

(d) EXPENDITURES FROM HIGHWAY TRUST FUND.—To permit expenditures from the Highway Trust Fund to effectuate the purposes of this section, this section shall be