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No. 127

## House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. GINGREY).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
November 13, 2006.

I hereby appoint the Honorable PHIL GINGREY to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,  
*Speaker of the House of Representatives.*

### PRAYER

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

Lord God of the universe, we praise You and thank You as the 109th Congress gathers to resume its work in serving this Nation. Grant all the Members of this assembly wisdom, prudence and courage as these words of Moses are taken to heart and You pour forth Your spirit upon two new Members as well:

"If you will only obey the Lord your God by diligently observing all the commandments that I enjoin on you today, the Lord your God will raise you high above all the nations of the Earth. Every blessing shall come upon you and overwhelm you, if only you obey the Lord your God."

With renewed faith, we place all our trust in You, and give You glory, Lord, by our words and deeds 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 his approval thereof.

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

### PLEDGE OF ALLEGIANCE

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

Mr. POE 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.

### NO SUBSTITUTE FOR VICTORY

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

Mr. POE. Mr. Speaker, as the war wages on in the deserts of Iraq, there is talk of a new direction. There are only three options: one, retreat because the fight is a bit rough-going. Two, stalemate. A Vietnam-type politically correct draw. Three, victory.

Mr. Speaker, there is no substitute for victory. Let the generals finish the job, win and bring our troops home. Abandoning Iraq is not in the best interest of the United States. If we sneak out now, who is to say the Iranians and their rogue dictator will not come in and make Iraq a puppet nation of their radicalism.

Confront the armed militias who murder Iraqis in the name of religion, like al-Sa'dr's Mahdi army. The thugs who roam the streets are not engaged in civil war, but terror and anarchy and murder.

The question I was asked when I was in Iraq by Iraqi citizens was, is America going to leave like in 1991 before the war is won? While American politicians are debating that question, turn the U.S. military loose on the enemy and let our troops decide that question with total victory.

And that's just the way it is.

### AMERICA'S NEED FOR FUEL INDEPENDENCE

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

Mr. KINGSTON. Mr. Speaker, at one time the United States of America overwhelmingly was an agrarian country, but today only 2 percent of the population are farmers. Yet those 2 percent feed all 100 percent of us and a great portion of the rest of the world as well.

Now, when it comes to energy, however, we import 60 percent; yet America consumes 25 percent of the world's oil. We need, for the sake of national security, fuel independence. In 2004, we bought over \$100 billion of oil from non-democratic countries, countries like Saudi Arabia, Iran, Iraq, Russia, Venezuela, countries that are not always with the United States on a lot of matters and particularly on their votes in the U.N.

When we do this, we are funding both sides in the war on terrorism. We need to move towards alternatives: biofuel, ethanol, hydrogen. These technologies are already out there; we just need to have a national commitment to have fuel independence.

I have proposed a bill, H.R. 4409, which is cosponsored by Mr. ENGEL of New York, that moves us in that direction in 20 years. I urge my colleagues to join us and take a good serious look at fuel independence.

### CONGRATULATING THE HOUSTON DYNAMO

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, soccer anyone? Mr. Speaker, I rise today to congratulate the Houston Dynamo, located in the 18th Congressional District, who are now the 2006

This symbol represents the time of day during the House proceedings, e.g.,  1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Major League Soccer Cup champions, as they won it just yesterday in front of thousands of soccer fans at Pizza Hut Park. The Houston Dynamo emerged victorious against the New England Revolution.

A bet was made with the mayor of the City of Houston and the mayor of Boston now has to pay up, legally. The win was with a score of 4-3 on penalty kicks after the team played to a 1-1 draw through regulation and extra time.

This is a young team that moved from San Jose, and we in Houston are enthusiastic and absolutely dynamic about the Dynamo. Congratulations to Kelly Gray, Stuart Holden, Dwayne De Rosario and Brian Ching who successfully converted from the penalty spot in the shoot-out. Brian Ching was recognized as the match's most valuable player.

This is the Dynamo's first season in Houston. They have surely made a warm welcome for themselves. The team is led by 2005 Major League Soccer Coach of the Year, Dominic Kinnear. Let me acknowledge Dynamo investor-operator Philip Anschutz for the time and commitment he has given to U.S. soccer and the City of Houston.

Let me also thank Oliver Luck and all of the management team family. I also congratulate the players and their families for making the transition from their other city to Houston, Texas. Let me also say that the Dynamo are great civic leaders and participants. I am delighted that they are going to be involved with our school districts in Houston, the North Forest Independent School District to be able to uplift those students and let them know that staying in school is the right thing to do.

Soccer, anyone? The Houston Dynamo, they are the Major League Soccer Cup winners of 2006. We are proud of them. I yield back knowing that we can play soccer in Houston, Texas.

#### HOURLY MEETING ON TOMORROW

Mr. RADANOVICH. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow for morning hour debate, thereafter to resume its session at 11 a.m.

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

There was no objection.

#### 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 after 6:20 p.m. today.

#### SIERRA NATIONAL FOREST LAND EXCHANGE ACT OF 2006

Mr. RADANOVICH. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 409) to provide for the exchange of land within the Sierra National Forest, California, and for other purposes. The Clerk read as follows:

##### Senate amendment:

Strike out all after the enacting clause and insert:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Sierra National Forest Land Exchange Act of 2006".

##### SEC. 2. DEFINITIONS.

In this Act:

(1) COUNCIL.—The term "Council" means the Sequoia Council of the Boy Scouts of America.

(2) FEDERAL LAND.—The term "Federal land" means the parcel of land comprising 160 acres and located in E½SW¼ and W½SE¼, sec. 30, T. 9 S., R. 25 E., Mt. Diablo Meridian, California.

(3) NON-FEDERAL LAND.—The term "non-Federal land" means a parcel of land comprising approximately 80 acres and located in N½NW¼, sec. 29, T. 8 S., R. 26 E., Mt. Diablo Meridian, California.

(4) PROJECT NO. 67.—The term "Project No. 67" means the hydroelectric project licensed pursuant to the Federal Power Act (16 U.S.C. 791a et seq.) as Project No. 67.

(5) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

##### SEC. 3. LAND EXCHANGE, SIERRA NATIONAL FOREST, CALIFORNIA.

(a) EXCHANGE AUTHORIZED.—

(1) IN GENERAL.—If, during the 1-year period beginning on the date of enactment of this Act, the owner of the non-Federal land offers to convey to the United States title to the non-Federal land and to make a cash equalization payment of \$50,000 to the United States, the Secretary shall convey to the owner of the non-Federal land, all right, title, and interest of the United States in and to the Federal land, except as provided in subsection (d), subject to valid existing rights, and under such terms and conditions as the Secretary may require.

(2) CORRECTION AND MODIFICATION OF LEGAL DESCRIPTIONS.—

(A) IN GENERAL.—The Secretary, in consultation with the owner of the non-Federal land, may agree to make corrections to the legal descriptions of the Federal land and non-Federal land.

(B) MODIFICATIONS.—The Secretary and the owner of the non-Federal land may agree to make minor modifications to the legal descriptions if the modifications do not affect the overall value of the exchange by more than 5 percent.

(b) VALUATION OF LAND TO BE CONVEYED.—For purposes of this section, during the period referred to in subsection (a)(1)—

(1) the value of the non-Federal land shall be considered to be \$200,000; and

(2) the value of the Federal land shall be considered to be \$250,000.

(c) ADMINISTRATION OF LAND ACQUIRED BY UNITED STATES.—On acquisition by the Secretary, the Secretary shall manage the non-Federal land in accordance with—

(1) the Act of March 1, 1911 (commonly known as the "Weeks Act") (16 U.S.C. 480 et seq.); and

(2) any other laws (including regulations) applicable to the National Forest System.

(d) CONDITIONS ON CONVEYANCE OF FEDERAL LAND.—The conveyance by the Secretary under subsection (a) shall be subject to the conditions that—

(1) the recipient of the Federal land convey all 160 acres of the Federal land to the Council not later than 120 days after the date on which the recipient receives title to the Federal land;

(2) in accordance with section 4(a), the Secretary grant to the owner of Project No. 67 an easement; and

(3) in accordance with section 4(b), the owner of Project No. 67 has the right of first refusal regarding any reconveyance of the Federal land by the Council.

(e) DISPOSITION AND USE OF CASH EQUALIZATION FUNDS.—

(1) IN GENERAL.—The Secretary shall deposit the cash equalization payment received under subsection (a)(1) in the fund established by Public Law 90-171 (commonly known as the "Sisk Act") (16 U.S.C. 484a).

(2) USE.—Amounts deposited under paragraph (1) shall be available to the Secretary until expended, without further appropriation, for the acquisition of land and any interests in land for the National Forest System in the State of California.

(f) COST COLLECTION FUNDS.—

(1) IN GENERAL.—The owner of the non-Federal land shall pay to the Secretary all direct costs associated with processing the land exchange under this section.

(2) COST COLLECTION ACCOUNT.—

(A) IN GENERAL.—Any amounts received by the Secretary under paragraph (1) shall be deposited in a cost collection account.

(B) USE.—Amounts deposited under subparagraph (A) shall be available to the Secretary until expended, without further appropriation, for the costs associated with the land exchange.

(C) REFUND.—The Secretary shall provide to the owner of the non-Federal land a refund of any amounts remaining in the cost collection account after completion of the land exchange that are not needed to cover expenses of the land exchange.

(g) LAND AND WATER CONSERVATION FUND.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9), the boundaries of the Sierra National Forest shall be considered to be the boundaries of the Sierra National Forest as of January 1, 1965.

##### SEC. 4. GRANT OF EASEMENT AND RIGHT OF FIRST REFUSAL.

In accordance with the agreement entered into by the Forest Service, the Council, and the owner of Project No. 67 entitled the "Agreement to Convey Grant of Easement and Right of First Refusal" and executed on April 17, 2006—

(1) the Secretary shall grant an easement to the owner of Project No. 67; and

(2) the Council shall grant a right of first refusal to the owner of Project No. 67.

##### SEC. 5. EXERCISE OF DISCRETION.

In exercising any discretion necessary to carry out this Act, the Secretary shall ensure that the public interest is well served.

##### SEC. 6. GRANTS TO IMPROVE THE COMMERCIAL VALUE OF FOREST BIOMASS FOR ELECTRIC ENERGY, USEFUL HEAT, TRANSPORTATION FUELS, AND OTHER COMMERCIAL PURPOSES.

Section 210(d) of the Energy Policy Act of 2005 (42 U.S.C. 15855(d)) is amended by striking "\$50,000,000 for each of the fiscal years 2006 through 2016" and inserting "\$50,000,000 for fiscal year 2006 and \$35,000,000 for each of fiscal years 2007 through 2016".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentlewoman from South Dakota (Ms. HERSETH) each will control 20 minutes. The Chair recognizes the gentleman from California.

##### GENERAL LEAVE

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