

THURGOOD MARSHALL UNITED STATES COURTHOUSE

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 988 just received from the House.

The PRESIDENT pro tempore. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (H.R. 988) to designate the United States courthouse located at 40 Centre Street in New York, New York, as the "Thurgood Marshall United States Courthouse."

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read three times, passed, and the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating thereto be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (H.R. 988) was read the third time and passed.

THE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed, en bloc, to the consideration of the following calendar items: Calendar No. 57, S. 238; Calendar No. 59, S. 329; Calendar No. 60, S. 491; Calendar No. 61, S. 498; Calendar No. 62, S. 506; Calendar No. 64, S. 509; Calendar No. 99, H.R. 427; and Calendar No. 100, H.R. 271.

There being no objection, the Senate proceeded to consider the bills.

Mr. REID. Mr. President, I ask unanimous consent that any committee amendments, where applicable, be agreed to, the bills, as amended, where applicable, be read three times, passed, and the motions to reconsider be laid upon the table en bloc, that any title amendments, where applicable, be agreed to, and that any statements relating to these matters be printed in the RECORD, with no intervening action or debate.

The PRESIDENT pro tempore. Is there objection to the several requests?

Hearing no objection, the requests are granted.

BURNT, MALHEUR, OWYHEE, AND POWDER RIVER BASIN WATER OPTIMIZATION FEASIBILITY STUDY ACT OF 2001

The bill (S. 238) to authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 238

*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 "Burnt, Malheur, Owyhee, and Powder River Basin

Water Optimization Feasibility Study Act of 2001".

SEC. 2. STUDY.

The Secretary of the Interior may conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

PEOPLING OF AMERICA THEME STUDY ACT

The bill (S. 329) to require the Secretary of the Interior to conduct a theme study on the peopling of America, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 329

*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 "Peopling of America Theme Study Act".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) an important facet of the history of the United States is the story of how the United States was populated;

(2) the migration, immigration, and settlement of the population of the United States—

(A) is broadly termed the "peopling of America"; and

(B) is characterized by—

(i) the movement of groups of people across external and internal boundaries of the United States and territories of the United States; and

(ii) the interactions of those groups with each other and with other populations;

(3) each of those groups has made unique, important contributions to American history, culture, art, and life;

(4) the spiritual, intellectual, cultural, political, and economic vitality of the United States is a result of the pluralism and diversity of the American population;

(5) the success of the United States in embracing and accommodating diversity has strengthened the national fabric and unified the United States in its values, institutions, experiences, goals, and accomplishments;

(6)(A) the National Park Service's official thematic framework, revised in 1996, responds to the requirement of section 1209 of the Civil War Sites Study Act of 1990 (16 U.S.C. 1a-5 note; title XII of Public Law 101-628), that "the Secretary shall ensure that the full diversity of American history and prehistory are represented" in the identification and interpretation of historic properties by the National Park Service; and

(B) the thematic framework recognizes that "people are the primary agents of change" and establishes the theme of human population movement and change—or "peopling places"—as a primary thematic category for interpretation and preservation; and

(7) although there are approximately 70,000 listings on the National Register of Historic Places, sites associated with the exploration and settlement of the United States by a broad range of cultures are not well represented.

(b) PURPOSES.—The purposes of this Act are—

(1) to foster a much-needed understanding of the diversity and contribution of the

breadth of groups who have peopled the United States; and

(2) to strengthen the ability of the National Park Service to include groups and events otherwise not recognized in the peopling of the United States.

SEC. 3. DEFINITIONS.

In this Act:

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

(2) THEME STUDY.—The term "theme study" means the national historic landmark theme study required under section 4.

(3) PEOPLING OF AMERICA.—The term "peopling of America" means the migration, immigration, and settlement of the population of the United States.

SEC. 4. NATIONAL HISTORIC LANDMARK THEME STUDY ON THE PEOPLING OF AMERICA.

(a) THEME STUDY REQUIRED.—The Secretary shall prepare and submit to Congress a national historic landmark theme study on the peopling of America.

(b) PURPOSE.—The purpose of the theme study shall be to identify regions, areas, trails, districts, communities, sites, buildings, structures, objects, organizations, societies, and cultures that—

(1) best illustrate and commemorate key events or decisions affecting the peopling of America; and

(2) can provide a basis for the preservation and interpretation of the peopling of America that has shaped the culture and society of the United States.

(c) IDENTIFICATION AND DESIGNATION OF POTENTIAL NEW NATIONAL HISTORIC LANDMARKS.—

(1) IN GENERAL.—The theme study shall identify and recommend for designation new national historic landmarks.

(2) LIST OF APPROPRIATE SITES.—The theme study shall—

(A) include a list, in order of importance or merit, of the most appropriate sites for national historic landmark designation; and

(B) encourage the nomination of other properties to the National Register of Historic Places.

(3) DESIGNATION.—On the basis of the theme study, the Secretary shall designate new national historic landmarks.

(d) NATIONAL PARK SYSTEM.—

(1) IDENTIFICATION OF SITES WITHIN CURRENT UNITS.—The theme study shall identify appropriate sites within units of the National Park System at which the peopling of America may be interpreted.

(2) IDENTIFICATION OF NEW SITES.—On the basis of the theme study, the Secretary shall recommend to Congress sites for which studies for potential inclusion in the National Park System should be authorized.

(e) CONTINUING AUTHORITY.—After the date of submission to Congress of the theme study, the Secretary shall, on a continuing basis, as appropriate to interpret the peopling of America—

(1) evaluate, identify, and designate new national historic landmarks; and

(2) evaluate, identify, and recommend to Congress sites for which studies for potential inclusion in the National Park System should be authorized.

(f) PUBLIC EDUCATION AND RESEARCH.—

(1) LINKAGES.—

(A) ESTABLISHMENT.—On the basis of the theme study, the Secretary may identify appropriate means for establishing linkages—

(i) between—

(I) regions, areas, trails, districts, communities, sites, buildings, structures, objects, organizations, societies, and cultures identified under subsections (b) and (d); and

(II) groups of people; and

(ii) between—

(I) regions, areas, trails, districts, communities, sites, buildings, structures, objects, organizations, societies, and cultures identified under subsection (b); and

(II) units of the National Park System identified under subsection (d).

(B) PURPOSE.—The purpose of the linkages shall be to maximize opportunities for public education and scholarly research on the peopling of America.

(2) COOPERATIVE ARRANGEMENTS.—On the basis of the theme study, the Secretary shall, subject to the availability of funds, enter into cooperative arrangements with State and local governments, educational institutions, local historical organizations, communities, and other appropriate entities to preserve and interpret key sites in the peopling of America.

(3) EDUCATIONAL INITIATIVES.—

(A) IN GENERAL.—The documentation in the theme study shall be used for broad educational initiatives such as—

- (i) popular publications;
- (ii) curriculum material such as the Teaching with Historic Places program;
- (iii) heritage tourism products such as the National Register of Historic Places Travel Itineraries program; and
- (iv) oral history and ethnographic programs.

(B) COOPERATIVE PROGRAMS.—On the basis of the theme study, the Secretary shall implement cooperative programs to encourage the preservation and interpretation of the peopling of America.

#### SEC. 5. COOPERATIVE AGREEMENTS.

The Secretary may enter into cooperative agreements with educational institutions, professional associations, or other entities knowledgeable about the peopling of America—

- (1) to prepare the theme study;
- (2) to ensure that the theme study is prepared in accordance with generally accepted scholarly standards; and
- (3) to promote cooperative arrangements and programs relating to the peopling of America.

#### SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

### DENVER WATER REUSE PROJECT

The Senate proceeded to consider the bill (S. 491) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of the Denver Water Reuse project, which had been reported from the Committee on Energy and Natural Resources with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

#### SECTION 1. DENVER WATER REUSE PROJECT.

(a) AUTHORIZATION.—*The Secretary of the Interior, in cooperation with the appropriate State and local authorities, may participate in the design, planning, and construction of the Denver Water Reuse Project (hereinafter referred to as the "Project") to reclaim and reuse water in the service area of the Denver Water Department of the city and county of Denver, Colorado.*

(b) COST SHARE.—*The Federal share of the cost of the Project shall not exceed 25 percent of the total cost.*

(c) LIMITATION.—*Funds provided by the Secretary shall not be used for the operation or maintenance of the Project.*

(d) FUNDING.—*Funds appropriated pursuant to section 1631 of the Reclamation Wastewater*

*and Groundwater Study and Facilities Act (43 U.S.C. 390h–13) may be used for the Project.*

#### SEC. 2. RECLAMATION WASTEWATER AND GROUNDWATER STUDY AND FACILITIES ACT.

*Design, planning, and construction of the Project authorized by this Act shall be in accordance with, and subject to the limitations contained in, the Reclamation Wastewater and Groundwater Study and Facilities Act (106 Stat. 4663–4669, 43 U.S.C. 390h et seq.), as amended.*

Amend the title so as to read: "A bill to authorize the Secretary of the Interior, pursuant to the provisions of the Reclamation Wastewater and Groundwater to participate in the design, planning, and construction of the Denver Water Reuse project."

The committee amendment, in the nature of a substitute, was agreed to.

The title amendment was agreed to.

The bill (S. 491) as amended, was read the third time and passed.

### NATIONAL DISCOVERY TRAILS ACT OF 2001

The Senate proceeded to consider the bill (S. 498) entitled "National Discovery Trails Act of 2001," which had been reported from the Committee on Energy and Natural Resources with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic)

S. 498

*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 "National Discovery Trails Act of 2001".

#### SEC. 2. NATIONAL TRAILS SYSTEM ACT AMENDMENTS.

(a)(1) Section 3(a) of the National Trails System Act (16 U.S.C. 1242(a)) is amended by inserting after paragraph (4) the following:

"(5) National discovery trails, established as provided in section 5, which will be extended, continuous, interstate trails so located as to provide for outstanding outdoor recreation and travel and to connect representative examples of America's trails and communities. National discovery trails should provide for the conservation and enjoyment of significant natural, cultural, and historic resources associated with each trail and should be so located as to represent metropolitan, urban, rural, and back country regions of the Nation. Any such trail may be designated on federal lands and, with the consent of the owner thereof, on any non federal lands."

(2) FEASIBILITY REQUIREMENTS; COOPERATIVE MANAGEMENT REQUIREMENT.—Section 5(b) of such Act (16 U.S.C. 1244) is amended by adding at the end the following new paragraph:

"(12) For purposes of subsection (b), a trail shall not be considered feasible and desirable for designation as a national discovery trail unless it meets all of the following criteria:

"(A) The trail must link one or more areas within the boundaries of a metropolitan area (as those boundaries are determined under section 134(c) of title 23, United States Code). It should also join with other trails, connecting the National Trails System to significant recreation and resources areas.

"(B) The trail must be supported by at least one competent trailwide volunteer-based organization. Each trail should have extensive local and trailwide support by the

public, by user groups, and by affected State and local governments.

"(C) The trail must be extended and pass through more than one State. At a minimum, it should be a continuous, walkable route.

"(13) The appropriate Secretary for each national discovery trail shall administer the trail in cooperation with at least one competent trailwide volunteer-based organization. Where the designation of discovery trail is aligned with other units of the National Trails System, or State or local trails, the designation of a discovery trail shall not affect the protections or authorities provided for the other trail or trails, nor shall the designation of a discovery trail diminish the values and significance for which those trails were established."

(b) DESIGNATION OF THE AMERICAN DISCOVERY TRAIL AS A NATIONAL DISCOVERY TRAIL.—Section 5(a) of such Act (16 U.S.C. 1244(a)) is amended—

[(1) by re-designating the paragraph relating to the California National Historic Trail as paragraph (18);

[(2) by re-designating the paragraph relating to the Pony Express National Historic Trail as paragraph (19);

[(3) by re-designating the paragraph relating to the Selma to Montgomery National Historic Trail as paragraph (20); and

[(4) by adding at the end the following:]

*(1) by redesignating the second paragraph (21) (relating to the Ala Kahakai National Historic Trail) as paragraph (22); and*

*(2) by adding at the end the following:*

"[(21)] (23) The American Discovery Trail,

a trail of approximately 6,000 miles extending from Cape Henlopen State Park in Delaware to Point Reyes National Seashore in California, extending westward through Delaware, Maryland, the District of Columbia, West Virginia, Ohio, and Kentucky, where near Cincinnati it splits into two routes. The Northern Midwest route traverses Ohio, Indiana, Illinois, Iowa, Nebraska, and Colorado, and the Southern Midwest route traverses Indiana, Illinois, Missouri, Kansas, and Colorado. After the two routes rejoin in Denver, Colorado, the route continues through Colorado, Utah, Nevada, and California. The trail is generally described in Volume 2 of the National Park Service feasibility study dated June 1995 which shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, the District of Columbia. The American Discovery Trail shall be administered by the Secretary of the Interior in cooperation with at least one competent trailwide volunteer-based organization and other affected federal land managing agencies, and state and local governments, as appropriate. No lands or interests outside the exterior boundaries of federally administered areas may be acquired by the Federal Government solely for the American Discovery Trail. The provisions of sections 7(e), 7(f), and 7(g) shall not apply to the American Discovery Trail."

(c) COMPREHENSIVE NATIONAL DISCOVERY TRAIL PLAN.—Section 5 of such Act (16 U.S.C. 1244) is further amended by adding at the end the following new subsection:

"(g) Within three complete fiscal years after the date of enactment of any law designating a national discovery trail, the appropriate Secretary shall submit a comprehensive plan for the protection, management, development, and use of the trail, to the Committee on Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. The responsible Secretary shall ensure that the comprehensive plan for the entire trail does not conflict