

Agricultural Credit Act of 1987 to reauthorize State mediation programs.

S. 1382

At the request of Mr. DODD, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1382, a bill to improve and expand the Peace Corps for the 21st century, and for other purposes.

S.J. RES. 17

At the request of Mr. MCCONNELL, the names of the Senator from Utah (Mr. HATCH) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

S. CON. RES. 25

At the request of Mr. MENENDEZ, the names of the Senator from California (Mrs. BOXER) and the Senator from Illinois (Mr. BURRIS) were added as cosponsors of S. Con. Res. 25, a concurrent resolution recognizing the value and benefits that community health centers provide as health care homes for over 18,000,000 individuals, and the importance of enabling health centers and other safety net providers to continue to offer accessible, affordable, and continuous care to their current patients and to every American who lacks access to preventive and primary care services.

S. RES. 71

At the request of Mr. WYDEN, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. Res. 71, a resolution condemning the Government of Iran for its state-sponsored persecution of the Baha'i minority in Iran and its continued violation of the International Covenants on Human Rights.

AMENDMENT NO. 1408

At the request of Mr. CORNYN, the names of the Senator from Oregon (Mr. MERKLEY), the Senator from Kansas (Mr. ROBERTS), the Senator from South Dakota (Mr. THUNE), the Senator from Oklahoma (Mr. COBURN), the Senator from Wyoming (Mr. BARRASSO) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of amendment No. 1408 intended to be proposed to H.R. 2892, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY (for himself and Mr. HATCH):

S. 1409. A bill to expedite the adjudication of employer petitions for aliens with extraordinary artistic ability; to the Committee on the Judiciary.

Mr. KERRY. Mr. President, one of the best ways that the U.S. can gain understanding and appreciation of other cultures is through the arts. Exposing children and adults alike to the

creativity of other countries enriches our own artistic talents and helps bridge the gap between nations. It is for those reasons my colleague Senator HATCH and I have introduced the Arts Require Timely Service, ARTS, Act.

This legislation helps streamline the visa process and waive fees so that foreign artists and musicians can share their talents in the U.S. Currently, the visa process for visiting artists is slow and costly, often times prohibiting artists from coming to the U.S. to share their talents. Breaking down these barriers is important and we shouldn't let the politics of immigration interfere with expanding our cultural horizons.

I am proud to stand with Senator HATCH and the Performing Arts Visa Task Force to try and help artists visit our country and inspire our communities. I hope our colleagues will join us and pass this sensible reform to expedite cultural exchanges and artistic expression.

Mr. HATCH. Mr. President, I rise to introduce with my colleague, Senator JOHN KERRY, the Arts Require Timely Services, ARTS, Act.

For some time, I have been working to improve the processing of visa petitions filed by nonprofit arts organizations. Unfortunately, years of delays, errors, and unpredictability have forced some U.S.-based nonprofit arts organizations from even trying to bring international artists into the United States. We must eliminate some of the bureaucratic barriers that have been negatively affecting performing artists.

There is no doubt that nonprofit arts organizations across the country engage foreign guest artists in their orchestras, theatres, and dance and opera companies. In my home state of Utah, I am aware that many organizations that will benefit from passage of the ARTS Act, including Brigham Young University, Cache Valley Center for the Arts, The Orchestra of Southern Utah, University of Utah, Murray Symphony Orchestra, Salt Lake Symphony, and the Utah Shakespeare Festival, to name a few.

The ARTS Act would apply only to temporary, nonimmigrant visas for foreign artists visiting the United States. The legislation would require U.S. Citizenship and Immigration Services to treat as a Premium Processing case, or a 15-day turn-around, free of additional charge, any nonprofit arts-related O- and P-visa petition that it fails to adjudicate within 30 days. In November 2007, the Congressional Budget Office issued a cost estimate for the ARTS Act, stating that the bill would have no significant cost to the Federal Government.

It is my hope that my colleagues will support passage of this legislation in the near future.

By Mr. REID (for Mr. KENNEDY (for himself, Mr. BINGAMAN, Mr. SANDERS, Mr. HARKIN, and Mr. BROWN):

S. 1410.—A bill to establish expanded learning time initiatives, and for other

purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, it is a privilege today to be introducing two bills to improve our schools and bring them into the 21st century. The Time for Innovation Matters in Education Act, S. 1410, or TIME Act, seeks to expand our 19th century school calendar to provide more time for learning across the curriculum. The Keeping Parents and Communities Engaged Act, S. 1411, or Keeping PACE Act, will encourage greater involvement of parents in their children's education, and engage community partners in supporting the comprehensive learning needs of students in school.

These bills take different approaches, but both address critical challenges for our Nation's schools. By providing the time and resources for students to succeed, we can ensure that all students are equipped with the tools needed to be successful in the 21st century economy.

As a result of the current 6 hours a day, 180 days a year schedule, American students spend about 30 percent less time in school than students in other leading nations. This gap hinders the ability of our students to compete with their peers around the globe who derive a significant advantage by having more time to learn what they need to know. About 1,000 U.S. schools are already tackling this problem on their own, and now it's time for the Federal Government to step up and help more students obtain the time in school they need.

The TIME Act authorizes \$350 million next year, increasing to up to \$500 million in 2014, to support schools in expanding learning time by 300 hours a year and redesigning their school day to meet the needs of students and teachers. The act promotes partnerships between schools and community-based organizations in expanding and redesigning the school schedule to give students a broader learning experience and encourage innovation. The goal of the act is not merely to encourage schools to add more time at the end of the day, but to take a close look at how they use their time and redesign the entire school schedule for the benefit of students' learning experiences.

Studies document the difference an extra hour of school each day, a few more weeks of school each year, or additional time after or before school for tutoring can make to all students. According to these studies, the students for whom this time is most important for are the students we need to be focusing on—our neediest students. Students in disadvantaged families show a drop-off in learning over long summer recesses compared to their better-off classmates, and they fall farther behind each year. A 2007 study found that 2/3 of the reading achievement gap between 9th graders of low and high socioeconomic standing in Baltimore public schools can be traced to what they learned, or failed to learn, during their summers.

These students also are less likely to have parents with the time to help them with their school work. Expanded learning time can help these needy students catch up by shortening their summer recesses, providing more time for educators to support student learning, and giving schools the opportunity to provide these students with additional nutritious meals.

In addition to those at risk of falling behind, more time for learning helps students who are on grade level get ahead, by providing greater time for enrichment and a broader curriculum. Additional time also enables more students to participate in experiential and interactive learning, in service learning opportunities in their schools and communities, and in internships, all of which help keep students engaged in school and make school more relevant.

For additional time to be used most effectively, it must also work for teachers. The act encourages the use of this time for greater teacher planning and collaboration across grades and subjects, so that teachers can work together to help their students. Today's elementary school teachers spend less than 10 percent of their time planning lessons and preparing for classes—compared to over 40 percent for their Asian counterparts. Just as it does for students, time matters for teachers, by helping them to help their students more effectively.

To assess the difference these programs will make, the TIME Act calls for a comprehensive evaluation of the programs it supports. We're still in the learning stages of expanded learning time. It is intuitive that time matters, but we're still learning what practices work best—for teachers, for students, and for schools. This evaluation will ensure that we will learn as much as possible about what works, and that the Department of Education will be able to do a better job of sharing best practices nationwide in supporting these initiatives.

Expanded learning is an idea whose time has come, thanks in large part to the leadership of Massachusetts. As John Adams wrote in the Massachusetts Constitution in 1780, the education of the people is "necessary for the preservation of their rights and liberties." Ever since, Massachusetts has been ahead of the curve in education reform. In recent years, the Commonwealth has developed a significant expanded learning time initiative that enables schools to offer 300 additional hours of instruction during the school year, allocated as each school chooses. The initiative began with 10 schools in 2006. Twenty-six schools are now participating, and more than 40 are now planning to participate.

At the Edwards Middle School in Boston's Charlestown neighborhood, additional time has made a difference. The percentage of students scoring "proficient" on math tests rose almost thirteen points during its first year with expanded school hours, and the

school is also offering a wide array of extracurricular activities, including Latin American Dance, Musical Theater, and valuable apprenticeship opportunities.

We know that many schools and districts around the country are seeking better ways to strengthen the support they offer parents and to deepen their connection with their communities. The No Child Left Behind Law includes requirements to develop parent-involvement policies and programs, release school report cards, and engage parents and community representatives to construct plans to improve struggling schools. The Keeping PACE Act builds on these activities to support schools in making parents and the community full partners in the education of their children.

Parents are their children's first teachers, and they have immense influence over their children's attitudes, focus, priorities and goals. Well-informed parents are more likely to be involved, to ask questions, to suggest constructive changes and to make a difference in their child's education. They deserve to know what their children are learning and being tested on, what their children's grades and assessment scores mean, and how assessment data can be used to improve learning. Informed and engaged parents can help turn around struggling schools.

Educators have long recognized this fact, based on their own experience and abundant research. Unfortunately, a series of reports by Appleseed make clear schools and districts continue to face too many challenges that undermine the effort to achieve parental involvement. Parents may feel intimidated by language or cultural barriers, or have difficulty understanding their role as an advocate for their children. Parents too often find that the information provided by schools and districts is not released in a timely manner, is not clear and student-specific, and uses technical terms that are unfamiliar. Poor communication also often obscures the school-choice and supplemental-services options for parents under the No Child Left Behind Act.

Heather Weiss, the director of the Harvard Family Research Project, emphasizes that with the conclusive evidence now available, the time has come for action. As she states, "The question we must ask is, in addition to quality schools, what non-school learning resources should we invest in and scale up to improve educational outcomes, narrow achievement gaps, and equip our children with the knowledge and skills needed to succeed in the complex and global 21st century?"

To encourage greater parent involvement, this bill amends the Elementary and Secondary Education Act to enable States to award grants to local education agencies to assist schools in hiring and maintaining Parent and Community Outreach Coordinators. These coordinators will build vital partnerships among families, schools, and the

community. They'll work with school principals, teachers, and staff to encourage parents to become more involved in their child's education and give them the tools necessary to become successful advocates for their children. Instead of giving teachers, counselors, and principals more to do, every school should have a resource they can turn to for help with identifying student needs and using community resources to help all students succeed.

Educational research also shows that students flourish in environments in which learning is a community value and in which schools have the ability to address a broad range of student needs. Many school districts have established full-service community schools that directly involve parents, families, and the entire community in education. These schools use integrated services to students to help meet multiple local needs in areas such as education, health, social services, and recreation. President Obama has recognized the power of these schools, by often citing the extraordinary success of the Harlem Children's Zone and using it as a model for his Promise Neighborhoods proposal.

Responding to this research and to success stories from around the nation, the Keeping PACE Act will help school districts do more to increase community involvement in schools, provide a wide range of support and services to children, and make schools the center of their neighborhood. The Keeping PACE Act supports incentives for local education agencies to coordinate with mayors, community-based organizations, for-profit entities, and other local partners to re-design and modernize their current school plans and facilities to link students more effectively with existing resources.

Improved coordination among parents, schools, and their communities can create networks that enable and empower students to take advantage of many more opportunities to learn, and by doing so, we will uncover innovations to help all schools.

As with the TIME Act, establishing this network will benefit not only students who need the greatest help with their learning, or who are at risk of dropping out, but also those who need more challenging schoolwork to keep them engaged and making progress.

Yet again, Massachusetts is leading the way. A current Massachusetts pilot initiative has placed 32 full-time family and community outreach coordinators in Boston public schools. These coordinators are responsible for supporting families, teachers, and the community in a common effort to help students academically and socially, and their efforts have been successful.

For example, the Family and Community Outreach Coordinator at the Condon School in Boston has offered workshops for parents on middle school transition and math curriculum and coordinated parent participation on an

anti-bullying initiative at the school, called the School Climate Committee. The Coordinator has helped teachers and parents make connections for parent-teacher conferences, bringing in over 200 parents to participate in a fall open house, in which some of the teachers have reported contact with over 80 percent of their students' families. The Coordinator has also inspired donations to the school through the generosity of local businesses.

Now is the time for the nation as a whole to make a greater effort on expanded learning and parent and community involvement. These two bills constitute a strong commitment to meet the comprehensive learning needs of children and families, guarantee a role for parents and families in local schools, and provide real hope to students most at-risk of dropping out. Addressing these challenges is essential to the future and prosperity of our nation as a whole.

We know the dimensions of the problem we face. Today, 65 percent of 12th graders do not read on grade level, and 1.2 million students who enter the ninth grade fail to receive a high school diploma four years later. We can no longer afford to pay this high price, either in terms of lost human potential or national productivity. These bills will help millions of young people reach their potential, and help make our education system the best in the world once again.

The Keeping PACE Act is supported by 40 organizations representing education communities. Mr. President, I ask unanimous consent that their joint letter of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the Record, as follows:

JUNE 19, 2009.

DEAR SENATOR KENNEDY: The 40 undersigned organizations support the Keeping Parents and Communities Engaged (PACE) Act. We commend you for your sponsorship and look forward to working together to include Keeping PACE in the reauthorization of the Elementary and Secondary Education Act.

The Keeping PACE Act creates incentives and structure for schools and communities to work together to support students through coordinated, comprehensive, and targeted approaches to meet the needs of students in school and outside school. We're confident that this approach, supported by extensive research, will lead to greater academic improvement and future success for our young people.

The legislation achieves these goals through a series of voluntary programs that will be supported by federal grants. Resources will be available to support parent and community outreach coordinators to assist schools in engaging with the community and achieving greater parental involvement. The bill also will connect students to community resources and comprehensive support services, so that effective community organizations and others can provide students with support outside the classroom to promote academic achievement. In addition, resources will be provided to schools as centers of communities, in order to expand the community school movement.

Extensive research and experience support the implementation of each of these three approaches. Through this approach, we believe that schools and communities will be able to provide the services needed by students, particularly those who are disadvantaged. We commend you for introducing this legislation and we look forward to working together to enact it.

Sincerely,

Communities In Schools; American Association of School Administrators; American Association of University Women; American Federation of Teachers; American Humane Association; America's Promise Alliance; Association for Supervision and Curriculum Development; Boys & Girls Clubs of America; Big Brothers Big Sisters of America; Center for American Progress.

Center for Parent Leadership/Commonwealth Institute for Parent Leadership; Chicago Public Schools; Children's Aid Society; Citizen Schools; City Year; Coalition for Community Schools; Family Connection of Easton; First Focus; I Have A Dream Foundation; Massachusetts Parent Information & Resource Center.

Mentor; National Alliance of Black School Educators; National Association of Elementary School Principals; National Association of School Psychologists; National Association of Secondary School Principals; National Association of State Boards of Education; National Association of State Directors of Special Education; National Collaboration for Youth; National Coalition for Parent Involvement in Education.

National Education Association; National Youth Leadership Council; PACER; Parent Teacher Association; Parent Institute for Quality Education; Public Education Network; The Forum for Youth Investment; The National Coalition of ESEA Title I Parents—Region VII; Save the Children; United Way; Youth Service America.

By Mr. KERRY (for himself and Mr. KENNEDY):

S. 1413. A bill to amend the Adams National Historical Park Act of 1998 to include the Quincy Homestead within the boundary of the Adams National Historical Park, and for other purposes, to the Committee on Energy and Natural Resources.

Mr. KERRY. Mr. President, today I am introducing legislation that will designate Quincy Homestead, a local and national treasure, within the boundary of the Adams National Historical Park. The Quincy Homestead, located in Quincy, MA, was constructed in 1686 by Edmund Quincy II and was called home by five generations of Quincys and is an important historical site for Massachusetts and the nation. It housed great Americans such as President John Quincy Adams, Oliver Wendell Holmes, and Dorothy Quincy Hancock, the first First Lady of Massachusetts. In the years leading up to the American Revolution, it also served as a meeting place for renowned American patriots including President John Adams, Josiah Quincy, and John Hancock.

In addition to its historical significance the Homestead is also a pristine

example of American architecture and represents its evolution over three hundred years. The Quincy Homestead was designated a National Historic Landmark in 2005.

While a lot of passion and hard work has gone into the preservation and operation of this property, there is more to be done to enhance these efforts and to realize the full potential of this property. Adding Quincy Homestead to the Adams National Park will advance opportunities for educational and recreational activities at the Homestead and allow greater public access to its rich historic and architectural traditions. I believe this piece of legislation will help the citizens of Massachusetts and the American people to take much fuller advantage of this stunning, national landmark. I ask all my colleagues to support this legislation.

By Mrs. McCASKILL:

S. 1414. A bill to confer upon the United States Court of Federal Claims jurisdiction to hear, determine, and render final judgment on any legal or equitable claim against the United States to receive just compensation for the taking of certain lands in the State of Missouri, and for other purposes; to the Committee on the Judiciary.

Mrs. McCASKILL. Mr. President, today I am here to talk about a simple bill that would correct a serious injustice.

In 1992, land belonging to over 100 south St. Louis County homeowners was converted into a recreational trail under the National Trails System Act, which allows rights-of-way abandoned by railroads to be made into trails. I have nothing against the National Trails System Act. It is a good program; it improves communities and preserves rights-of-way. In 1990, the Supreme Court upheld the program as a rightful use of eminent domain, but made it absolutely clear that, in accordance with the Fifth Amendment, property owners must be justly compensated for their losses. Only this did not happen in the case of my constituents back in Missouri. These homeowners—modest, hardworking people—were never compensated for the loss of their land.

These Missouri homeowners did everything right. First, in December 1998, they filed their claim. Federal Judge Bruggink ruled the claim to be filed in timely manner, and the Department of Justice later agreed. Then, on two separate occasions, Judge Bruggink ruled that the federal government was liable for taking the Missouri homeowners' land. After 6 years of litigation, the Department of Justice finally agreed on the amount of just compensation owed to each homeowner. On December 17, 2004, Judge Bruggink found the settlement to be fair and prepared to enter a final order. However, just days before Judge Bruggink was to issue the final order, a separate court—considering an unrelated case—changed the rule on how to calculate the 6-year

statute of limitations in which property owners have to file a claim for compensation.

This new rule determined that the clock on the statute of limitations starts to run at the time negotiations for a possible trail begin, instead of when a trail is actually established. Frankly, this is a little ridiculous because the negotiations are between the railroad company and the trail operator, not the actual property owners who must file the claim. Frequently property owners are not even notified of the negotiations until a trail is established! In the Missouri homeowners' case, negotiations began in March 1992, 6 years and 9 months before they filed their claim. Under the new rule, they filed their claim 9 months too late. As a result, the Court of Claims no longer had jurisdiction to approve the settlement and Judge Bruggink was forced to dismiss the case. To this day the government is still using these citizens' land for a recreational trail, the Grant's Trail, but the citizens have never been extended their constitutional right to just compensation.

Today, along with my distinguished colleague from Missouri, Senator BOND, I am introducing legislation to correct this injustice. The Fair Compensation Act of 2009 would simply confer jurisdiction upon the U.S. Court of Federal Claims to hear the Missouri homeowners' claim. We are doing this for people like Gale and Sarah Illig, a retired couple who had a 50-foot wide strip of land taken from their yard. Then there is Betty Mea Steinhans, who lived in her home for 51 years. The recreational trail took out a sizable chunk of Betty's prized garden. A government appraiser and the DOJ determined that the Federal Government owed Betty \$31,000. That is almost 25 percent of the value of her home! These Missourians, and dozens like them, have worked hard to purchase their homes, and they will likely rely on their home's value to provide for them into retirement. They deserve their day in court.

Let me make this clear: our legislation does not award a monetary amount to Missouri landowners. While I certainly think the homeowners are entitled to just compensation, that is not Congress' decision. It is the Court of Federal Claims' job to make that decision. This legislation would only allow the Court the opportunity to hear this case on its merits and would not require any additional appropriations from Congress.

Congress has the authority to enact special jurisdiction legislation; we have exercised it multiple times and the Supreme Court has upheld this right. In the late 1800s, Congress used it to give the Court of Federal Claims jurisdiction to hear the case of a businessman who had several hundred bales of cotton captured by General Sherman during the Civil War. More recently, Congress used it to give the Court jurisdiction to hear the case of the Pueb-

lo of Isleta Indian Tribe, who had a sizable portion of their land taken by the Federal Government.

I want to thank Senator WHITEHOUSE and his staff for working with us to draft this legislation. I will continue to work with the Judiciary Committee on this issue, and I urge them to give this important legislation the consideration it deserves. I am confident that Congress will do what is right, and allow these hardworking Missouri homeowners their day in court.

By Mr. UDALL of Colorado:

S. 1417. A bill to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to require the Secretary of the Interior, acting through the Bureau of Reclamation, to remedy problems caused by a collapsed drainage tunnel in Leadville, Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. UDALL of Colorado. Mr. President, today I am introducing the Leadville Mine Drainage Tunnel Remediation Act of 2009. This bill is the same as a bill introduced in the last Congress by my colleague Representative DOUG LAMBORN. I was proud to cosponsor that bill in the last Congress, which passed the House of Representatives but was not taken up in the Senate, and I am pleased to introduce it today.

The Leadville Mine Drainage Tunnel Remediation Act addresses concerns regarding a mine tunnel in Leadville, Colorado. In 2008, a blockage formed in the tunnel that backed up a large volume of water, thereby creating a potential safety hazard to the community in the event of a catastrophic failure. While taking actions to address the immediate threat, questions arose as to whether the Bureau of Reclamation, which owns the tunnel, has the authority to help implement a number of remedies to reduce this threat and clean up additional contaminated water from the tunnel. My bill would clarify that the Bureau of Reclamation has the authority to treat water in the tunnel and is responsible for maintaining it in order to reduce future threats to the community.

The Leadville Mine Drainage Tunnel was originally constructed by the federal Bureau of Mines in the 1940s and 1950s to facilitate the extraction of lead and zinc ore for World War II and Korean War efforts. The Bureau of Reclamation acquired the tunnel in 1959, hoping to use it as a source of water for the Fryngpan-Arkansas Project, a water diversion project in the Fryngpan and Arkansas River Basins. Although the tunnel was never used for the Fryngpan-Arkansas Project, water that flows out of the tunnel is considered part of the natural flow of the Arkansas River. With the passage and subsequent signing into law of H.R. 429 during the 102nd Congress, the Bureau of Reclamation constructed and continues to operate a water treatment plant at the mouth of the tunnel.

Groundwater levels at the tunnel have fluctuated in recent years. The 2008 collapse in the tunnel increased the tunnel's mine pool significantly, leading to new seeps and springs in the area. Estimates suggest that up to 1 billion gallons of water may have built up behind the blockage within the mine pool.

In November 2007, the U.S. Environmental Protection Agency, EPA, sent a letter to the Bureau of Reclamation expressing concerns over a catastrophic blowout as a result of the built up water, and, in February 2008, the Lake County Commissioners declared a state of emergency. The Bureau of Reclamation developed a risk assessment in the area, and the EPA and the Bureau of Reclamation performed some emergency measures to relieve water pressure in the area.

While this emergency work was important, the long-term need to rehabilitate and maintain the tunnel remains an open question. There has been general agreement on what needs to be done; namely, plugging the tunnel, drilling a well behind the plug, and then pumping the water out so it can be piped to the Bureau of Reclamation's existing treatment plant. However, it remains unclear as to whether the Bureau of Reclamation has the authority to help solve the problem by treating the water that the EPA plans to pump from behind the blockage.

In short, we found there is not only a physical blockage, but also a legal blockage that has prevented the Bureau of Reclamation, the EPA and the State of Colorado from reaching an agreement on a long-term solution. This legislation will clear out the legal blockage by allowing the Bureau of Reclamation and the EPA to collaboratively implement the proposed remedy and address the unsafe mine pool in the tunnel.

Specifically, the bill does three things:

First, it clarifies that the Bureau of Reclamation has the authority to treat water pooling up behind the blockage. Currently, the Bureau has authority to treat "historic releases," which could include water behind the tunnel blockage, but Bureau of Reclamation officials are uncertain. In response, this bill eliminates the "historic release" language and clarifies that the Bureau of Reclamation can treat the blocked water in the tunnel.

Second, the bill authorizes and directs the Bureau of Reclamation to participate with the EPA on the remedy established under Superfund for the tunnel. The bill also maintains that the Bureau of Reclamation is not liable for the Superfund site cleanup in Leadville. Nevertheless, since remediation activities will occur within the Superfund site, the Bureau of Reclamation has been reluctant to implement this remedy. The Bureau of Reclamation does not want to assume any Superfund liability and does not read current law as allowing participation

with the EPA on the long-term remedy. The bill clarifies that the Bureau of Reclamation not only has the authority to implement the long-term solution at the Superfund site, but that it will be required to join the EPA in implementing it.

Third, the bill clarifies that the Bureau of Reclamation is required to maintain the structural integrity of the tunnel to minimize the chance of another blockage within the tunnel.

The bill also authorizes any funding that might be necessary for the Bureau of Reclamation to perform its clarified responsibilities under this bill.

By clearing up the legal blockage, the bill will help create a collaborative working relationship between the Bureau of Reclamation, the EPA and the State of Colorado to solve this problem for the long-term benefit of Colorado.

I look forward to working with the rest of the Colorado Congressional delegation on this legislation and on moving quickly to address concerns with the Leadville Mine Drainage Tunnel.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1417

*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 "Leadville Mine Drainage Tunnel Remediation Act of 2009".

#### SEC. 2. TUNNEL MAINTENANCE.

Section 705 of the Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102-575; 106 Stat. 4656) is amended to read as follows:

##### "SEC. 705. TUNNEL MAINTENANCE.

"The Secretary shall take such steps to repair or maintain the structural integrity of the Leadville Mine Drainage Tunnel as are necessary to prevent Tunnel failure and to preclude uncontrolled release of water from any portion of the Tunnel."

#### SEC. 3. WATER QUALITY RESTORATION.

(a) IN GENERAL.—Section 708(a) of the Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102-575; 106 Stat. 4657) is amended—

(1) by striking "(a) The Secretary" and inserting the following:

"(a) IN GENERAL.—

"(1) AUTHORIZATION.—The Secretary";

(2) by striking "Neither" and inserting the following:

"(2) LIABILITY.—Neither";

(3) by striking "The Secretary shall have" and inserting the following:

"(3) FACILITIES COVERED UNDER OTHER LAWS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall have";

(4) by inserting after "Recovery Act." the following:

"(B) CALIFORNIA GULCH SUPERFUND SITE OPERABLE UNIT 6 REMEDY.—The Secretary shall participate in the implementation of the operable unit 6 remedy for the California Gulch Superfund Site, as the remedy is described in the Record of Decision of the Environmental Protection Agency for the operable unit (2003), by—

(i) treating water behind any blockage or bulkhead in the Leadville Mine Drainage

Tunnel, including surface water diverted into the Tunnel workings as part of the remedy; and

(ii) managing and maintaining the mine pool behind the blockage or bulkhead at a level that precludes surface runoff and releases and minimizes the potential for Tunnel failure due to excessive water pressure in the Tunnel."; and

(5) by striking "For the purpose of" and inserting the following:

"(4) DEFINITION OF UPPER ARKANSAS RIVER BASIN.—In".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 708(f) of the Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102-575; 106 Stat. 4657) is amended by striking "sections 707 and 708" and inserting "this section and sections 705 and 707".

By Mr. UDALL of Colorado (for himself and Mr. BENNET):

S. 1418. A bill to direct the Secretary of the Interior to carry out a study to determine the suitability and feasibility of establishing Camp Hale as a unit of the National Park System; to the Committee on Energy and Natural Resources.

Mr. UDALL of Colorado. Mr. President, today I am introducing the Camp Hale Study Act of 2009. This is a companion bill to the one my Colorado colleague, Rep. DOUG LAMBORN, has introduced in the House of Representatives, H.R. 2330.

This bill was first introduced by Rep. LAMBORN in the last Congress and I was proud to cosponsor that bill. The bill passed the House of Representatives last session, but was not taken up by the Senate. H.R. 2330 has passed the House of Representatives in this Congress and I hope that the Senate can do the same.

I am again pleased to join my colleague Representative LAMBORN in reintroducing this bill. It concerns an important military legacy from the WWII era. Camp Hale, located in the mountains of central Colorado, was a facility that trained a number of soldiers for combat in high alpine and mountainous conditions. Principally, it was a training venue for the Army's 10th Mountain Division and other elements of the U.S. Armed Forces. The geography of the area was ideal for winter and high-altitude training, with steep mountains surrounding a level valley suitable for housing and other facilities. The camp itself was located in Eagle County along the Eagle River, and its training boundary included lands in Eagle, Summit, Lake, and Pitkin Counties.

In addition to the 10th Mountain Division, the 38th Regimental Combat Team, 99th Infantry Battalion, and soldiers from Fort Carson were trained at Camp Hale from 1942 to 1965. Throughout this time, the Army tested a variety of weapons and equipment at Camp Hale.

Between 1956 and 1965, the camp was also used by the Central Intelligence Agency as a secret center for training Tibetan refugees in guerilla warfare to resist the Chinese occupation of their mountainous country.

In July 1965, Camp Hale was deactivated and control of the lands was returned to the Forest Service in 1966. Today the camp is part of the White River and San Isabel National Forests. The U.S. Army Corps of Engineers is working to clean up potentially hazardous munitions left over from weapons testing at the camp, particularly in the East Fork.

Camp Hale was placed on the National Register of Historic Places in 1992. The bill I am introducing today would direct the Secretary of the Interior to study the feasibility and suitability of establishing Camp Hale, near Leadville, CO, as a national historic district.

Specifically, the bill directs the Secretary of the Interior, acting through the Director of the National Park Service, to complete a special resource study of Camp Hale to determine the suitability and feasibility of designating Camp Hale as a separate unit of the National Park System, and also to consider other Federal, State, local, private or nonprofit means of protecting and interpreting the site. That would include an analysis of the significance of Camp Hale in relation to the defense of our Nation during World War II and the Cold War, including the use of Camp Hale for training of the 10th Mountain Division and other elements of the United States Armed Forces; and use of Camp Hale for training by the Central Intelligence Agency of Tibetan refugees seeking to resist the Chinese occupation of Tibet.

The study would also examine the opportunities for public enjoyment of the site, any operational, management, and private property issues that need to be considered if Camp Hale were to be added to the National Park System, the feasibility of administering Camp Hale as a unit of the National Park System considering its size, configuration, ownership, costs, and other factors, and the adequacy of other alternatives for management and resource protection of Camp Hale and for appropriately commemorating the role of Camp Hale in connection with training of United States troops and assistance to Tibetans opposed to the occupation of Tibet.

The bill also contains language ensuring that existing private property rights are not affected by this study, including water rights. The bill in this Congress contains a small change from the last bill in that it makes clear that the bill does not affect the ability to construct needed water infrastructure in the area subject to the study.

Camp Hale is an important part of our nation's proud national defense legacy and it deserves to be recognized and protected. The people who trained there are proud of their accomplishments and I am proud to join Representative LAMBORN in supporting this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1418

*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 “Camp Hale Study Act”.

**SEC. 2. SPECIAL RESOURCE STUDY OF THE SUITABILITY AND FEASIBILITY OF ESTABLISHING CAMP HALE AS A UNIT OF THE NATIONAL PARK SYSTEM.**

(a) IN GENERAL.—The Secretary of the Interior, acting through the Director of the National Park Service, (hereinafter referred to as the “Secretary”) shall complete a special resource study of Camp Hale to determine—

(1) the suitability and feasibility of designating Camp Hale as a separate unit of the National Park System; and

(2) the methods and means for the protection and interpretation of Camp Hale by the National Park Service, other Federal, State, or local government entities or private or nonprofit organizations.

(b) STUDY REQUIREMENTS.—The Secretary shall conduct the study in accordance with section 8(c) of Public Law 91–383 (16 U.S.C. 1a–5(c)).

(c) REPORT.—Not later than 3 years after the date on which funds are made available to carry out this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report containing—

(1) the results of the study; and

(2) any recommendations of the Secretary.

**SEC. 3. EFFECT OF STUDY.**

Nothing in this Act shall affect valid existing rights or the exercise of such rights, including—

(1) all interstate water compacts in existence on the date of the enactment of this Act (including full development of any apportionment made in accordance with the compacts);

(2) water rights decreed at the Camp Hale site or flowing within, below, or through the Camp Hale site;

(3) water rights in the State of Colorado;

(4) water rights held by the United States;

(5) the management and operation of any reservoir, including the storage, management, release, or transportation of water; and

(6) the ability, subject to compliance with lawful existing local, State, and Federal regulatory requirements, to construct and operate that infrastructure determined necessary by those with decreed water rights to develop and place to beneficial use such rights.

SUBMITTED RESOLUTIONS

**SENATE RESOLUTION 210—DESIGNATING THE WEEK BEGINNING ON NOVEMBER 9, 2009, AS NATIONAL SCHOOL PSYCHOLOGY WEEK**

Mrs. LINCOLN (for herself and Mr. COCHRAN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 210

Whereas all children and youth learn best when they are healthy, supported, and receive an education that meets their individual needs;

Whereas schools can more effectively ensure that all students are ready and able to learn if schools meet all the needs of each student;

Whereas learning and development are directly linked to the mental health of children, and a supportive learning environment is an optimal place to promote mental health;

Whereas sound psychological principles are critical to proper instruction and learning, social and emotional development, prevention and early intervention, and support for a culturally diverse student population;

Whereas school psychologists are specially trained to deliver mental health services and academic support that lower barriers to learning and allow teachers to teach more effectively;

Whereas school psychologists facilitate collaboration that helps parents and educators identify and reduce risk factors, promote protective factors, create safe schools, and access community resources;

Whereas school psychologists are trained to assess barriers to learning, utilize data-based decisionmaking, implement research-driven prevention and intervention strategies, evaluate outcomes, and improve accountability;

Whereas State educational agencies and other State entities credential more than 35,000 school psychologists who practice in schools in the United States as key professionals that promote the learning and mental health of all children;

Whereas the National Association of School Psychologists establishes and maintains high standards for training, practice, and school psychologist credentialing, in collaboration with organizations such as the American Psychological Association, that promote effective and ethical services by school psychologists to children, families, and schools; and

Whereas the people of the United States should recognize the vital role school psychologists play in the personal and academic development of the Nation’s children: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week beginning on November 9, 2009, as National School Psychology Week;

(2) honors and recognizes the contributions of school psychologists to the success of students in schools across the United States; and

(3) encourages the people of the United States to observe the week with appropriate ceremonies and activities that promote awareness of the vital role school psychologists play in schools, in the community, and in helping students develop into successful and productive members of society.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1412. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 1413. Mr. SHELBY (for himself, Mr. DODD, and Mr. REED) submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1414. Mr. GRASSLEY submitted an amendment intended to be proposed by him

to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1415. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUE, and Mrs. MURRAY)) to the bill H.R. 2892, supra.

SA 1416. Mr. PRYOR (for himself, Mr. HATCH, Mr. COBURN, and Mr. CORKER) submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1417. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1418. Mr. NELSON, of Nebraska (for himself, Ms. COLLINS, Ms. LANDRIEU, Mr. LIEBERMAN, Ms. KLOBUCHAR, and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the resolution S. Res. 175, expressing the sense of the Senate that the Federal Government is a reluctant shareholder in the ownership of General Motors and Chrysler; which was referred to the Committee on Banking, Housing, and Urban Affairs.

SA 1419. Mr. NELSON, of Nebraska (for himself, Ms. COLLINS, Ms. LANDRIEU, Mr. LIEBERMAN, Ms. KLOBUCHAR, and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the resolution S. Res. 175, supra; which was referred to the Committee on Banking, Housing, and Urban Affairs.

SA 1420. Mr. NELSON, of Nebraska (for himself, Ms. COLLINS, Ms. LANDRIEU, Mr. LIEBERMAN, Ms. KLOBUCHAR, and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the resolution S. Res. 175, supra; which was referred to the Committee on Banking, Housing, and Urban Affairs.

SA 1421. Mr. KYL submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 1422. Mr. KYL submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1423. Mr. KYL submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1424. Mr. KYL submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1425. Mr. KYL submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1426. Mr. KYL submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1427. Mr. KYL submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUE, and Mrs. MURRAY))