

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))

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

SA 1428. Mr. HATCH (for himself, Mr. MENENDEZ, Mr. NELSON, of Florida, and Mrs. GILLIBRAND) 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 1429. 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, supra; which was ordered to lie on the table.

SA 1430. Mr. SANDERS (for himself, Mr. CASEY, and Mr. CARPER) 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 1431. Mr. BENNET 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 1432. Mr. KYL (for himself and Mr. McCAIN) proposed an amendment 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 1433. Mr. COBURN 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 1434. Mr. COBURN 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 1435. Mr. PRYOR (for himself, Mr. HATCH, 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 1436. Mr. LIEBERMAN 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 1437. Mr. LIEBERMAN 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 1438. Mr. KERRY 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 1439. Mr. NELSON, of Florida 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 1440. 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; which was ordered to lie on the table.

SA 1441. Mr. MENENDEZ 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 1442. Mr. MENENDEZ 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 1443. Mr. DODD (for himself, Mr. LIEBERMAN, and Mr. CARPER) 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 1444. Mr. COBURN 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 1445. Mr. COBURN 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 1446. Mr. COBURN 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 1447. Mr. CORNYN (for himself, Mr. PRYOR, Mr. HATCH, Mr. VITTER, Mr. RISCH, Mr. CHAMBLISS, Mr. CORKER, Mr. ENZI, Mr. BARRASSO, Mr. GRAHAM, Mr. ROBERTS, Mr. WYDEN, and Mr. CRAPO) 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.

TEXT OF AMENDMENTS

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; as follows:

On page 77, between lines 16 and 17, insert the following:

SEC. 556. GOVERNMENT NEUTRALITY IN CONTRACTING.

(a) **PURPOSES.**—It is the purpose of this section to—

(1) promote and ensure open competition on Federal and federally funded or assisted construction projects;

(2) maintain Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded or assisted construction projects;

(3) reduce construction costs to the Federal Government and to the taxpayers;

(4) expand job opportunities, especially for small and disadvantaged businesses; and

(5) prevent discrimination against Federal Government contractors or their employees based upon labor affiliation or the lack thereof, thereby promoting the economical, nondiscriminatory, and efficient administration and completion of Federal and federally funded or assisted construction projects.

(b) **PRESERVATION OF OPEN COMPETITION AND FEDERAL GOVERNMENT NEUTRALITY.**—

(1) **PROHIBITION.**—

(A) **GENERAL RULE.**—The head of each executive agency that awards any construction contract after the date of enactment of this Act, or that obligates funds pursuant to such a contract, shall ensure that the agency, and any construction manager acting on behalf of the Federal Government with respect to such contract, in its bid specifications, project agreements, or other controlling documents does not—

(i) require or prohibit a bidder, offeror, contractor, or subcontractor from entering into, or adhering to, agreements with 1 or more labor organization, with respect to that construction project or another related construction project; or

(ii) otherwise discriminate against a bidder, offeror, contractor, or subcontractor because such bidder, offeror, contractor, or subcontractor—

(I) became a signatory, or otherwise adhered to, an agreement with 1 or more labor organization with respect to that construc-

tion project or another related construction project; or

(II) refused to become a signatory, or otherwise adhere to, an agreement with 1 or more labor organization with respect to that construction project or another related construction project.

(B) **APPLICATION OF PROHIBITION.**—The provisions of this subsection shall not apply to contracts awarded prior to the date of enactment of this Act, and subcontracts awarded pursuant to such contracts regardless of the date of such subcontracts.

(C) **RULE OF CONSTRUCTION.**—Nothing in subparagraph (A) shall be construed to prohibit a contractor or subcontractor from voluntarily entering into an agreement described in such subparagraph.

(2) **RECIPIENTS OF GRANTS AND OTHER ASSISTANCE.**—The head of each executive agency that awards grants, provides financial assistance, or enters into cooperative agreements for construction projects after the date of enactment of this Act, shall ensure that—

(A) the bid specifications, project agreements, or other controlling documents for such construction projects of a recipient of a grant or financial assistance, or by the parties to a cooperative agreement, do not contain any of the requirements or prohibitions described in clause (i) or (ii) of paragraph (1)(A); or

(B) the bid specifications, project agreements, or other controlling documents for such construction projects of a construction manager acting on behalf of a recipient or party described in subparagraph (A), do not contain any of the requirements or prohibitions described in clause (i) or (ii) of paragraph (1)(A).

(3) **FAILURE TO COMPLY.**—If an executive agency, a recipient of a grant or financial assistance from an executive agency, a party to a cooperative agreement with an executive agency, or a construction manager acting on behalf of such an agency, recipient or party, fails to comply with paragraph (1) or (2), the head of the executive agency awarding the contract, grant, or assistance, or entering into the agreement, involved shall take such action, consistent with law, as the head of the agency determines to be appropriate.

(4) **EXEMPTIONS.**—

(A) **IN GENERAL.**—The head of an executive agency may exempt a particular project, contract, subcontract, grant, or cooperative agreement from the requirements of 1 or more of the provisions of paragraphs (1) and (2) if the head of such agency determines that special circumstances exist that require an exemption in order to avert an imminent threat to public health or safety or to serve the national security.

(B) **SPECIAL CIRCUMSTANCES.**—For purposes of subparagraph (A), a finding of “special circumstances” may not be based on the possibility or existence of a labor dispute concerning contractors or subcontractors that are nonsignatories to, or that otherwise do not adhere to, agreements with 1 or more labor organization, or labor disputes concerning employees on the project who are not members of, or affiliated with, a labor organization.

(C) **ADDITIONAL EXEMPTION FOR CERTAIN PROJECTS.**—The head of an executive agency, upon application of an awarding authority, a recipient of grants or financial assistance, a party to a cooperative agreement, or a construction manager acting on behalf of any of such entities, may exempt a particular project from the requirements of any or all