

INOUE), the Senator from Florida (Mr. NELSON), the Senator from Virginia (Mr. WARNER), the Senator from South Dakota (Mr. JOHNSON) and the Senator from Missouri (Mrs. McCASKILL) were added as cosponsors of S. 4023, a bill to provide for the repeal of the Department of Defense policy concerning homosexuality in the Armed Forces known as "Don't Ask, Don't Tell".

S. CON. RES. 71

At the request of Mr. FEINGOLD, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. Con. Res. 71, a concurrent resolution recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

AMENDMENT NO. 4807

At the request of Mr. MCCAIN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of amendment No. 4807 intended to be proposed to H.R. 3082, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself and Ms. STABENOW):

S. 4035. A bill to amend the Public Health Service Act to provide grants for community-based mental health infrastructure improvement; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I introduce, along with my colleague, Senator STABENOW, the Community-Based Mental Health Infrastructure Improvements Act.

Multiple research studies have shown that people with mental illness are at greater risk of preventable health conditions such as heart disease and diabetes and are more likely to die sooner than healthy individuals—in some instances up to 25 years sooner. In order to address this troubling trend, I authored language in the new health insurance reform law to ensure that individuals with multiple co-occurring mental, behavioral, and physical health conditions have access to a coordinated and integrated health care delivery system. Under this provision, Community Mental Health Centers are authorized to provide patients with mental, behavioral, and primary health care all in one location.

Recently, I was pleased to learn that two Community Mental Health Centers in Rhode Island received funding to begin to offer these co-located services. However, many Community Mental Health Centers are unable to provide this broader range of services due to

the limited physical space they occupy. The Community-Based Mental Health Infrastructure Improvements Act would authorize grants to states for the construction and modernization of these facilities. Indeed, for some Community Mental Health Centers, facility updates are the first step to enhancing patient care.

I am also pleased that this legislation has been included in a broader piece of legislation that I joined Senator STABENOW in introducing today, the Excellence in Mental Health Act. As a member of the Senate Committee on Health, Education, Labor, and Pensions, I will continue to work to include these important initiatives in legislation that renews and improves Substance Abuse and Mental Health Services Administration, SAMHSA, programs.

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. 4035

*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 "Community-Based Mental Health Infrastructure Improvements Act".

#### SEC. 2. COMMUNITY-BASED MENTAL HEALTH INFRASTRUCTURE IMPROVEMENT.

Title V of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

#### "PART H—COMMUNITY-BASED MENTAL HEALTH INFRASTRUCTURE IMPROVEMENTS

#### "SEC. 560. GRANTS FOR COMMUNITY-BASED MENTAL HEALTH INFRASTRUCTURE IMPROVEMENTS.

"(a) GRANTS AUTHORIZED.—The Secretary may award grants to eligible entities to expend funds for the construction or modernization of facilities used to provide mental health and substance abuse services to individuals.

"(b) ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means—

"(1) a State that is the recipient of a Community Mental Health Services Block Grant under subpart I of part B of title XIX and a Substance Abuse Prevention and Treatment Block Grant under subpart II of such part; or

"(2) an Indian tribe or a tribal organization (as such terms are defined in sections 4(b) and 4(c) of the Indian Self-Determination and Education Assistance Act).

"(c) APPLICATION.—A eligible entity desiring a grant under this section shall submit to the Secretary an application at such time, in such manner, and containing—

"(1) a plan for the construction or modernization of facilities used to provide mental health and substance abuse services to individuals that—

"(A) designates a single State or tribal agency as the sole agency for the supervision and administration of the grant;

"(B) contains satisfactory evidence that such agency so designated will have the authority to carry out the plan;

"(C) provides for the designation of an advisory council, which shall include representatives of nongovernmental organizations or groups, and of the relevant State or tribal agencies, that aided in the develop-

ment of the plan and that will implement and monitor any grant awarded to the eligible entity under this section;

"(D) in the case of an eligible entity that is a State, includes a copy of the State plan under section 1912(b) and section 1932(b);

"(E)(i) includes a listing of the projects to be funded by the grant; and

"(ii) in the case of an eligible entity that is a State, explains how each listed project helps the State in accomplishing its goals and objectives under the Community Mental Health Services Block Grant under subpart I of part B of title XIX and the Substance Abuse Prevention and Treatment Block Grant under subpart II of such part;

"(F) includes assurances that the facilities will be used for a period of not less than 10 years for the provision of community-based mental health or substance abuse services for those who cannot pay for such services, subject to subsection (e); and

"(G) in the case of a facility that is not a public facility, includes the name and executive director of the entity who will provide services in the facility; and

"(2) with respect to each construction or modernization project described in the application—

"(A) a description of the site for the project;

"(B) plans and specifications for the project and State or tribal approval for the plans and specifications;

"(C) assurance that the title for the site is or will be vested with either the public entity or private nonprofit entity who will provide the services in the facility;

"(D) assurance that adequate financial resources will be available for the construction or major rehabilitation of the project and for the maintenance and operation of the facility;

"(E) estimates of the cost of the project; and

"(F) the estimated length of time for completion of the project.

#### "(d) SUBGRANTS BY STATES.—

"(1) IN GENERAL.—A State that receives a grant under this section may award a subgrant to a qualified community program (as such term is used in section 1913(b)(1)).

"(2) USE OF FUNDS.—Subgrants awarded pursuant to paragraph (1) may be used for activities such as—

"(A) the construction, expansion, and modernization of facilities used to provide mental health and substance abuse services to individuals;

"(B) acquiring and leasing facilities and equipment (including paying the costs of amortizing the principal of, and paying the interest on, loans for such facilities and equipment) to support or further the operation of the subgrantee;

"(C) the construction and structural modification (including equipment acquisition) of facilities to permit the integrated delivery of behavioral health and primary care of specialty medical services to individuals with co-occurring mental illnesses and chronic medical or surgical diseases at a single service site; and

"(D) acquiring information technology required to accommodate the clinical needs of primary and specialty care professionals.

"(3) LIMITATION.—Not to exceed 15 percent of grant funds may be used for activities described in paragraph (2)(D).

"(e) REQUEST TO TRANSFER OBLIGATION.—An eligible entity that receives a grant under this section may submit a request to the Secretary for permission to transfer the 10-year obligation of facility use, as described in subsection (c)(1)(F), to another facility.

“(f) AGREEMENT TO FEDERAL SHARE.—As a condition of receipt of a grant under this section, an eligible entity shall agree, with respect to the costs to be incurred by the entity in carrying out the activities for which such grant is awarded, that the entity will make available non-Federal contributions (which may include State or local funds, or funds from the qualified community program) in an amount equal to not less than \$1 for every \$1 of Federal funds provided under the grant.

“(g) REPORTING.—

“(1) REPORTING BY STATES.—During the 10-year period referred to in subsection (c)(1)(F), the Secretary shall require that a State that receives a grant under this section submit, as part of the report of the State required under the Community Mental Health Services Block Grant under subpart I of part B of title XIX and the Substance Abuse Prevention and Treatment Block Grant under subpart II of such part, a description of the progress on—

“(A) the projects carried out pursuant to the grant under this section; and

“(B) the assurances that the facilities involved continue to be used for the purpose for which they were funded under such grant during such 10-year period.

“(2) REPORTING BY INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—The Secretary shall establish reporting requirements for Indian tribes and tribal organizations that receive a grant under this section. Such reporting requirements shall include that such Indian tribe or tribal organization provide a description of the progress on—

“(A) the projects carried out pursuant to the grant under this section; and

“(B) the assurances that the facilities involved continue to be used for the purpose for which they were funded under such grant during the 10-year period referred to in subsection (c)(1)(F).

“(h) FAILURE TO MEET OBLIGATIONS.—

“(1) IN GENERAL.—If an eligible entity that receives a grant under this section fails to meet any of the obligations of the entity required under this section, the Secretary shall take appropriate steps, which may include—

“(A) requiring that the entity return the unused portion of the funds awarded under this section for the projects that are incomplete; and

“(B) extending the length of time that the entity must ensure that the facility involved is used for the purposes for which it is intended, as described in subsection (c)(1)(F).

“(2) HEARING.—Prior to requesting the return of the funds under paragraph (1)(B), the Secretary shall provide the entity notice and opportunity for a hearing.

“(i) COLLABORATION.—The Secretary may establish intergovernmental and interdepartmental memorandums of agreement as necessary to carry out this section.

“(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$20,000,000 for fiscal year 2010 and such sums as may be necessary for each of fiscal years 2011 through 2013.”.

By Mr. MCCONNELL (for himself, Mr. THUNE, Mr. GREGG, Mr. KYL, Mr. VITTER, Mr. KIRK, Mr. ENSIGN, Mr. LEMIEUX, Mr. ALEXANDER, Mr. ISAISON, Mr. MCCAIN, Mr. CORNYN, Mr. GRAHAM, Mr. HATCH, Mr. WICKER, Mr. JOHANNIS, and Mr. ROBERTS):

S.J. Res. 42. A joint resolution to extend the continuing resolution until February 1, 2011; read the first time.

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

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

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. EXTENSION OF THE CONTINUING RESOLUTION UNTIL FEBRUARY 18, 2011.

The Continuing Appropriations Act, 2011 (Public Law 111-242) is amended by striking the date specified in section 106(3) and inserting “February 18, 2011”.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 702—RECOGNIZING THE WORK AND IMPORTANCE OF SPECIAL EDUCATION TEACHERS

Mr. ROBERTS (for himself, Mr. HARKIN, Mr. HATCH, and Ms. MURKOWSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 702

Whereas, in 1972, the Supreme Court ruled that children with disabilities have the same right to receive a quality education in the public schools as their nondisabled peers and, in 1975, the Congress passed Public Law 94-142 guaranteeing students with disabilities the right to a free appropriate public education;

Whereas, according to the Department of Education, approximately 6,600,000 children (roughly 13 percent of all school-aged children) receive special education services;

Whereas there are over 370,000 highly qualified special education teachers in the United States;

Whereas the work of special education teachers requires special education teachers to be able to interact and teach students with specific learning disabilities, hearing impairments, speech or language impairments, orthopedic impairments, visual impairments, autism, combined deafness and blindness, traumatic brain injury, and other health impairments;

Whereas special education teachers—

- (1) are dedicated;
- (2) possess the ability to understand the needs of a diverse group of students;
- (3) have the capacity to use innovative teaching methods tailored to a unique group of students; and
- (4) understand the differences of the children in their care;

Whereas special education teachers must have the ability to interact and coordinate with a child's parents or legal guardians, social workers, school psychologists, occupational and physical therapists, and school administrators, as well as other educators to provide the best quality education for their students;

Whereas special education teachers help to develop an individualized education program for every special education student based on the needs and abilities of the student; and

Whereas special education teachers dedicate themselves to preparing special education students for success in school and beyond: Now, therefore, be it

*Resolved*, That Congress—

- (1) recognizes the amount of work required to be a special education teacher; and
- (2) commends special education teachers for their sacrifices and dedication to pre-

paring individuals with special needs for high school graduation, college success, and rewarding careers.

### AMENDMENTS SUBMITTED AND PROPOSED

SA 4814. Mr. MCCAIN (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to Treaty Doc. 111-5, Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed in Prague on April 8, 2010, with Protocol; which was ordered to lie on the table.

SA 4815. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 4805 submitted by Mr. INOUE and intended to be proposed to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 4816. Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill S. 3454, to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4817. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 4805 submitted by Mr. INOUE and intended to be proposed to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 4818. Mr. DORGAN (for Mr. VOINOVICH (for himself, Mr. CARPER, Mrs. BOXER, Mr. INHOFE, Mr. ALEXANDER, Mr. BAUCUS, Mr. BROWN of Ohio, Mr. CARDIN, Ms. COLLINS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mrs. HAGAN, Mr. HARKIN, Mr. KERRY, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LIEBERMAN, Mr. LUGAR, Mr. MERKLEY, Mr. REED, Mr. SCHUMER, Mrs. SHAHEEN, Mr. TESTER, Mr. WARNER, Mr. WHITEHOUSE, Mr. WYDEN, Ms. MURKOWSKI, Mr. MENENDEZ, Mr. WEBB, and Mr. LEVIN)) proposed an amendment to the bill H.R. 5809, to amend the Energy Policy Act of 2005 to reauthorize and modify provisions relating to the diesel emissions reduction program.

SA 4819. Mr. DORGAN (for Mr. VOINOVICH (for himself and Mr. CARPER)) proposed an amendment to the bill H.R. 5809, *supra*.

SA 4820. Mrs. HUTCHISON (for herself, Mr. WICKER, Mr. ENSIGN, Mr. ISAISON, Mr. THUNE, Mr. DEMINT, Mr. CORNYN, and Mr. COBURN) submitted an amendment intended to be proposed by her to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 4821. Mr. ROCKEFELLER (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill H.R. 3082, *supra*; which was ordered to lie on the table.

SA 4822. Mr. REID proposed an amendment to the bill H.R. 5281, to amend title 28, United States Code, to clarify and improve certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts, and for other purposes.

SA 4823. Mr. REID proposed an amendment to amendment SA 4822 proposed by Mr. REID to the bill H.R. 5281, *supra*.