

“(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. ISAKSON, Mr. MCCAIN, Mr. CORNYN, Mr. GRAHAM, Mr. HATCH, Mr. WICKER, Mr. JOHANNES, 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. ISAKSON, 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*.

SA 4824. Mr. REID proposed an amendment to the bill H.R. 5281, *supra*.

SA 4825. Mr. REID proposed an amendment to amendment SA 4824 proposed by Mr. REID to the bill H.R. 5281, *supra*.

SA 4826. Mr. REID proposed an amendment to amendment SA 4825 proposed by Mr. REID to the amendment SA 4824 proposed by Mr. REID to the bill H.R. 5281, *supra*.

SA 4827. Mr. REID proposed an amendment to the bill H.R. 2965, to amend the Small Business Act with respect to the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes.

SA 4828. Mr. REID proposed an amendment to amendment SA 4827 proposed by Mr. REID to the bill H.R. 2965, *supra*.

SA 4829. Mr. REID proposed an amendment to the bill H.R. 2965, *supra*.

SA 4830. Mr. REID proposed an amendment to amendment SA 4829 proposed by Mr. REID to the bill H.R. 2965, *supra*.

SA 4831. Mr. REID proposed an amendment to amendment SA 4830 proposed by Mr. REID to the amendment SA 4829 proposed by Mr. REID to the bill H.R. 2965, *supra*.

SA 4832. Ms. SNOWE 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.

#### TEXT OF AMENDMENTS

**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; as follows:

In the preamble to the New START Treaty, strike "Recognizing the existence of the interrelationship between strategic offensive arms and strategic defensive arms, that this interrelationship will become more important as strategic nuclear arms are reduced, and that current strategic defensive arms do not undermine the viability and effectiveness of the strategic offensive arms of the Parties,".

**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; as follows:

On page 1068, between lines 17 and 18, insert the following:

#### SEC. 311. MAINTENANCE OF EFFORT REQUIREMENTS.

Paragraph (10)(A) of section 101 of Public Law 111-226 (124 Stat. 2391) is amended—

(1) in clause (ii), by striking "or" after the semicolon;

(2) in clause (iii)(II), by striking "2006." and inserting "2006; or"; and

(3) by adding at the end the following:

"(iv) for State fiscal year 2011, the State will maintain State support for elementary

and secondary education and for public institutions of higher education (not including support for capital projects or for research and development or tuition and fees paid by students), in the aggregate, at a percentage of the total revenues available to the State that is equal to or greater than the total percentage provided for such support for State fiscal year 2010."

**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; as follows:

At the end of subtitle C of title VIII, add the following:

#### SEC. 836. ADDITIONAL DEFINITION RELATING TO PRODUCTION OF SPECIALTY METALS WITHIN THE UNITED STATES.

Section 2533b(m) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(11) The term 'produced', as used in subsections (a) and (b), means melted, or processed in a manner that results in physical or chemical property changes that are the equivalent of melting. The term does not include finishing processes such as rolling, heat treatment, quenching, tempering, grinding, or shaving."

**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; as follows:

On page 662, line 6, insert "Provided further, That none of the amounts appropriated under this Act may be used to modify existing policy by providing collective bargaining rights to screeners at the Transportation Security Administration" before the period at the end.

**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; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Diesel Emissions Reduction Act of 2010".

#### SEC. 2. DIESEL EMISSIONS REDUCTION PROGRAM.

(a) DEFINITIONS.—Section 791 of the Energy Policy Act of 2005 (42 U.S.C. 16131) is amended—

(1) in paragraph (3)—

(A) in subparagraph (A), by striking "and" at the end;

(B) in subparagraph (B), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(C) any private individual or entity that—  
"(i) is the owner of record of a diesel vehicle or fleet operated pursuant to a contract, license, or lease with a Federal department or agency or an entity described in subparagraph (A); and

"(ii) meets such timely and appropriate requirements as the Administrator may establish for vehicle use and for notice to and approval by the Federal department or agency or entity described in subparagraph (A) with respect to which the owner has entered into a contract, license, or lease as described in clause (i).";

(2) in paragraph (4), by inserting "currently, or has not been previously," after "that is not";

(3) by striking paragraph (9);

(4) by redesignating paragraph (8) as paragraph (9);

(5) in paragraph (9) (as so redesignated), in the matter preceding subparagraph (A), by striking "advanced truckstop electrification system,"; and

(6) by inserting after paragraph (7) the following:

"(8) STATE.—The term 'State' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the United States Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands."

(b) NATIONAL GRANT, REBATE, AND LOAN PROGRAMS.—Section 792 of the Energy Policy Act of 2005 (42 U.S.C. 16132) is amended—

(1) in the section heading, by inserting "REBATE," after "GRANT";

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "to provide grants and low-cost revolving loans, as determined by the Administrator, on a competitive basis, to eligible entities" and inserting "to provide grants, rebates, or low-cost revolving loans, as determined by the Administrator, on a competitive basis, to eligible entities, including through contracts entered into under subsection (e) of this section,"; and

(B) in paragraph (1), by striking "tons of";

(3) in subsection (b)—

(A) by striking paragraph (2);

(B) by redesignating paragraph (3) as paragraph (2); and

(C) in paragraph (2) (as so redesignated)—

(i) in subparagraph (A), in the matter preceding clause (i), by striking "90" and inserting "95";

(ii) in subparagraph (B)(i), by striking "10 percent" and inserting "5 percent"; and

(iii) in subparagraph (B)(ii), by striking "the application under subsection (c)" and inserting "a verification application";

(4) in subsection (c)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(B) by striking paragraph (1) and inserting the following:

"(1) EXPEDITED PROCESS.—

"(A) IN GENERAL.—The Administrator shall develop a simplified application process for all applicants under this section to expedite the provision of funds.

"(B) REQUIREMENTS.—In developing the expedited process under subparagraph (A), the Administrator—