

(1) an analysis of the progress made toward achieving the goals and objectives of the plan outlined in section 4;

(2) an evaluation of the effectiveness of the system;

(3) recommendations concerning modifications to the system;

(4) an analysis of the consistency of reported greenhouse gas emission reductions with independent observations of atmospheric and Earth-system trends; and

(5) an update on changes or trends in Earth-system sources and sinks of greenhouse gases.

#### SEC. 6. AGREEMENTS.

(a) IN GENERAL.—The Administrator may enter into and perform such contracts, leases, grants, cooperative agreements, or other agreements as may be necessary to carry out the purposes of this Act.

(b) SPECIFIC AUTHORITY.—Notwithstanding any other provision of law, the Administrator may—

(1) enter into long-term leases of up to 20 years for the use of unimproved land to site small shelter facilities, antennae, and equipment including weather, tide, tidal currents, river, and air sampling or measuring equipment;

(2) enter into long-term licenses of up to 20 years at no cost to site facilities and equipment including weather, tide, tidal currents, river, and air sampling or measuring equipment;

(3) acquire (by purchase, lease, or otherwise), lease, sell, and dispose of or convey services, money, securities, or property (whether real, personal, intellectual, or of any other kind) or an interest therein;

(4) construct, improve, repair, operate, maintain, outgrant, and dispose of real or personal property, including buildings, facilities, and land; and

(5) waive capital lease scoring requirements for any lease of space on commercial antennas to support weather radio equipment, air sampling, or measuring equipment.

(c) CERTAIN LEASED EQUIPMENT.—Notwithstanding any other provision of law, rule, or regulation, leases of antenna or equipment on towers or other structures shall be considered operating leases for the purpose of capital lease scoring.

#### SEC. 7. EFFECT ON OTHER LAWS.

Nothing in this Act shall be construed to supersede or alter the existing authorities of any Federal agency with respect to Earth science research or greenhouse gas mitigation.

#### SEC. 8. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the National Oceanic and Atmospheric Administration.

(2) EARTH-SYSTEM.—The term “Earth-system” means the Earth’s biosphere, including the ocean, atmosphere, and soils that influence the amounts of greenhouse gas in the atmosphere.

(3) GREENHOUSE GAS.—The term “greenhouse gas” means a gas in the atmosphere that increases the radiative forcing of the Earth-atmosphere system.

(4) INTERNATIONAL SYSTEM OF UNITS.—The term “International System of Units” means the modern metric system of units established in 1960 by the 11th General Conference on Weight and Measures.

(5) RADIATIVE FORCING.—The term “radiative forcing” means the measure of the influence that a substance or process has in altering the balance of incoming and outgoing energy in the Earth-system.

(6) SINK.—The term “sink” means the removal of a greenhouse gas from the atmosphere.

(7) SOURCE.—The term “source” means the emission of a greenhouse gas into the atmosphere.

(8) SYSTEM.—The term “system” means the national greenhouse gas observation and analysis system established under section 3.

(9) TRACER.—The term “tracer” means an atmospheric substance that can be used to assess or determine the origin of a greenhouse gas.

#### SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary of Commerce such sums as appropriate to carry out this Act.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 226—DESIGNATING SEPTEMBER 2009 AS “GOSPEL MUSIC HERITAGE MONTH” AND HONORING GOSPEL MUSIC FOR ITS VALUABLE CONTRIBUTIONS TO THE CULTURE OF THE UNITED STATES

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

S. RES. 226

Whereas gospel music is a beloved art form of the United States;

Whereas gospel music is a cornerstone of the musical traditions of the United States and has spread beyond origins in African-American spirituals to achieve popular cultural and historical relevance;

Whereas gospel music has spread beyond geographic origins in the United States to touch audiences around the world; and

Whereas gospel music is a testament to the universal appeal of a historical art form of the United States that both inspires and entertains across racial, ethnic, religious, and geographical boundaries: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates September 2009 as “Gospel Music Heritage Month”; and

(2) recognizes the valuable contributions to the culture of the United States derived from the rich heritage of gospel music and gospel music artists.

#### SENATE RESOLUTION 227—DESIGNATING SEPTEMBER 2009 AS “TAY-SACHS AWARENESS MONTH”

Mr. BROWN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 227

Whereas Tay-Sachs disease is a rare, genetic disorder that causes destruction of nerve cells in the brain and spinal cord due to the poor functioning of an enzyme called hexosaminidase A;

Whereas there is no proven treatment or cure for Tay-Sachs disease and the disease is always fatal in children;

Whereas the disorder was named after Warren Tay, an ophthalmologist from the United Kingdom, and Bernard Sachs, a neurologist from the United States, both of whom contributed to the discovery of the disease in the 1880s;

Whereas Tay-Sachs disease often affects families with no prior history of the disease;

Whereas approximately 1 in 27 Ashkenazi Jews, 1 in 30 Louisianan Cajuns, 1 in 30 French Canadians, 1 in 50 Irish Americans,

and 1 in every 250 people are carriers of Tay-Sachs disease, which means approximately 1,500,000 people in the United States are carriers;

Whereas unaffected carriers of the disease possess the recessive gene that can trigger the disease in future generations;

Whereas, if both parents of a child are carriers of Tay-Sachs disease, there is a 1 in 4 chance that the child will develop Tay-Sachs disease;

Whereas a simple and inexpensive blood test can determine if an individual is a carrier of Tay-Sachs disease, and all people in the United States, especially those people who are members of high-risk populations, should be screened; and

Whereas raising awareness of Tay-Sachs disease is the best way to fight this horrific disease: Now, therefore, be it

*Resolved*, That the Senate designates September 2009 as “Tay-Sachs Awareness Month”.

#### SENATE RESOLUTION 228—DESIGNATING THE WEEK BEGINNING SEPTEMBER 14, 2009, AS “NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK”

Mr. NELSON of Nebraska (for himself, Mr. KERRY, Mr. BROWNBACK, Mr. KENNEDY, Ms. COLLINS, Mr. CARPER, Mr. BUNNING, Ms. SNOWE, Mr. DODD, and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 228

Whereas direct support workers, direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals (referred to in this preamble as “direct support professionals”) are the primary providers of publicly funded long term support and services for millions of individuals;

Whereas a direct support professional must build a close, trusted relationship with an individual with disabilities;

Whereas a direct support professional assists an individual with disabilities with the most intimate needs, on a daily basis;

Whereas direct support professionals provide a broad range of support, including—

- (1) preparation of meals;
- (2) helping with medications;
- (3) bathing;
- (4) dressing;
- (5) mobility;
- (6) getting to school, work, religious, and recreational activities; and
- (7) general daily affairs;

Whereas a direct support professional provides essential support to help keep an individual with disabilities connected to the family and community of the individual;

Whereas direct support professionals enable individuals with disabilities to live meaningful, productive lives;

Whereas direct support professionals are the key to allowing an individual with disabilities to live successfully in the community of the individual, and to avoid more costly institutional care;

Whereas the majority of direct support professionals are female, and many are the sole breadwinners of their families;

Whereas direct support professionals work and pay taxes, but many remain impoverished and are eligible for the same Federal and State public assistance programs on which the individuals with disabilities served by the direct support professionals must depend;

Whereas Federal and State policies, as well as the Supreme Court, in *Olmstead v. L.C.*, 527 U.S. 581 (1999), assert the right of an individual to live in the home and community of the individual;

Whereas, in 2008, the majority of direct support professionals are employed in home and community-based settings and this trend is projected to increase over the next decade;

Whereas there is a documented critical and growing shortage of direct support professionals in every community throughout the United States; and

Whereas many direct support professionals are forced to leave jobs due to inadequate wages and benefits, creating high turnover and vacancy rates that research demonstrates adversely affects the quality of support to individuals with disabilities: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week beginning September 14, 2009, as “National Direct Support Professionals Recognition Week”;

(2) recognizes the dedication and vital role of direct support professionals in enhancing the lives of individuals with disabilities of all ages;

(3) appreciates the contribution of direct support professionals in supporting the needs that reach beyond the capacities of millions of families in the United States;

(4) commends direct support professionals as integral in supporting the long-term support and services system of the United States; and

(5) finds that the successful implementation of the public policies of the United States depends on the dedication of direct support professionals.

**SENATE RESOLUTION 229—DESIGNATING THE WEEK BEGINNING AUGUST 30, 2009, AS “NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK”**

Mr. GRAHAM (for himself, Mr. ALEXANDER, Mr. BAYH, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBAC, Mr. BUNNING, Mr. BURR, Mr. BYRD, Mr. CARDIN, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Mr. CORKER, Mr. CORNYN, Mr. DEMINT, Mr. DURBIN, Mrs. HAGAN, Mrs. HUTCHISON, Mr. ISAKSON, Mr. KAUFMAN, Ms. LANDRIEU, Mr. LEVIN, Mrs. LINCOLN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Ms. MIKULSKI, Mr. SESSIONS, Mr. SPECTER, Mr. STABENOW, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, and Mr. WICKER) submitted the following resolution; which was considered and agreed to:

S. RES. 229

Whereas there are 103 historically Black colleges and universities in the United States;

Whereas historically Black colleges and universities provide the quality education essential to full participation in a complex, highly technological society;

Whereas historically Black colleges and universities have a rich heritage and have played a prominent role in the history of the United States;

Whereas historically Black colleges and universities allow talented and diverse students, many of whom represent underserved populations, to attain their full potential through higher education; and

Whereas the achievements and goals of historically Black colleges and universities are deserving of national recognition: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week beginning August 30, 2009, as “National Historically Black Colleges and Universities Week”; and

(2) calls on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for historically Black colleges and universities in the United States.

**SENATE RESOLUTION 230—DESIGNATING RICHARD A. BAKER AS HISTORIAN EMERITUS OF THE UNITED STATES SENATE**

Mr. REID (for himself, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNETT, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBAC, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOPE, Mr. INOUE, Mr. ISAKSON, Mr. JOHANNIS, Mr. JOHNSON, Mr. KAUFMAN, Mr. KENNEDY, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 230

Whereas, Richard A. Baker will retire from the United States Senate after serving with distinction as the Senate’s first historian from 1975 to 2009, and as acting curator from 1969 to 1970;

Whereas, Richard A. Baker has dedicated his Senate service to preserving, protecting, and promoting the history of the Senate and its members;

Whereas, Richard A. Baker has produced or directed production of numerous books, articles, and pamphlets detailing the rich institutional history of the Senate;

Whereas, Richard A. Baker has worked with senators and Senate committees to archive their records and to make them available for scholarly research in a timely manner;

Whereas, Richard A. Baker has assisted in the Senate’s commemoration of events of historical significance and in the development of exhibitions and educational programs on the history of the Senate and the U.S. Capitol;

Whereas, Richard A. Baker has upheld the high standards and traditions of the Senate with abiding devotion, and has performed his Senate duties in an impartial and professional manner;

Whereas Richard A. Baker has earned the respect, affection, and esteem of the United States Senate: Now, therefore, be it

*Resolved*, That, effective September 1, 2009, as a token of the appreciation of the Senate for his long and faithful service, Richard A. Baker is hereby designated as Historian Emeritus of the United States Senate.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 1865. Mr. CORKER submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

SA 1866. Mr. CORKER submitted an amendment intended to be proposed by him to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1867. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra.

SA 1868. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1869. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1870. Mr. MARTINEZ (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1871. Mr. MARTINEZ (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1872. Mr. MARTINEZ (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1873. Mrs. HUTCHISON submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1874. Mr. NELSON, of Nebraska proposed an amendment to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra.

SA 1875. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 685, to require new vessels for carrying oil fuel to have double hulls, and for other purposes; which was ordered to lie on the table.

SA 1876. Mr. BINGAMAN (for himself and Mr. UDALL, of New Mexico) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 1877. Mr. WEBB (for himself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.