

to work on time, and we get to the doctor, and other places you have to go on a regular basis.

I hope my colleagues in the Senate will look at this and say it could be an important issue for some people—certainly, for some particular interest. Typically, it is the NRA pushing this interest, but discounting that, people have a right to vote. But I plead with my colleagues, please, don't punish the American people, or the American economy, and don't take the chance for that disruption, and don't diminish our ability for rapid movement if we have to in a moment of threat.

I hope the vote will say if you want to have this discussion, let's have it, but don't put a sword hanging over the head of Amtrak.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of Colorado). Without objection, it is so ordered.

Mr. REID. Mr. President, what is the status of the floor?

The PRESIDING OFFICER. The Senate is considering H.R. 3288.

Mr. REID. Mr. President, I ask unanimous consent that at 11 a.m. tomorrow, September 16, the Senate resume consideration of H.R. 3288 and Senator COBURN be recognized for up to 30 minutes and that Senator MURRAY be recognized for up to 10 minutes; that upon the use or yielding back of that time as has been specified, the Senate proceed to vote in relation to the amendments in the order listed below, with no second-degree amendment in order to any of the listed amendments prior to a vote in relation thereto; that prior to each vote there be 2 minutes of debate, equally divided and controlled in the usual form; that after the first vote in any sequence the succeeding votes be limited to 10 minutes each: Coburn amendment No. 2374; Coburn amendment No. 2377; Coburn amendment No. 2371; Coburn amendment No. 2370; Coburn amendment No. 2372; Wicker amendment No. 2366, as modified; and Vitter amendment No. 2376.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I am going to send to the desk—I think it is already there—cloture motions on the substitute amendment and on the bill. I am certainly hopeful that cloture will not be necessary. Senator MURRAY is a wonderful manager. She does great work. She is working to come up with an agreement that will provide for consideration of other amendments to the bill, but we have not been able to get consent. I hope we can.

We have just entered into an agreement which will provide for votes in relation to seven pending amendments.

There are at least two pending amendments that will not require rollcall votes. Maybe some of the others won't. Members should expect up to five rollcall votes tomorrow morning starting around 11:30.

#### CLOTURE MOTION

Mr. President, I have at the desk a cloture motion on the substitute amendment.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the committee-reported substitute amendment to H.R. 3288, the Transportation, HUD and Related Agencies Appropriations Act for Fiscal Year 2010.

Harry Reid, Byron L. Dorgan, Mary L. Landrieu, Jon Tester, Patty Murray, Jack Reed, Daniel K. Inouye, Richard J. Durbin, Mark Udall, Bernard Sanders, Patrick J. Leahy, Ben Nelson, Frank R. Lautenberg, Michael F. Bennet, Tom Udall, Blanche L. Lincoln, Herb Kohl.

#### CLOTURE MOTION

Mr. REID. Mr. President, I have at the desk a cloture motion on the bill.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on H.R. 3288, the Transportation, HUD, and Related Agencies Appropriations Act for Fiscal Year 2010.

Patty Murray, Daniel K. Inouye, Al Franken, Jon Tester, Benjamin L. Cardin, John D. Rockefeller, IV, Charles E. Schumer, Mark Begich, Mary L. Landrieu, Mark Udall, Byron L. Dorgan, Frank R. Lautenberg, Robert Menendez, Patrick J. Leahy, Dianne Feinstein, Barbara A. Mikulski, Harry Reid.

Mr. REID. Mr. President, I ask unanimous consent the mandatory quorum as required under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ANNIVERSARY OF THE SIGNING OF THE CONSTITUTION

Mr. REID. Mr. President, I rise today to call attention to the upcoming anniversary of the signing of the Constitution of the United States of America. September 17, 1787, will mark the 222nd year that has passed since that final

meeting in Independence Hall, when 39 delegates supported the adoption of the Constitution.

Beginning on May 25, 1787, 55 delegates gathered almost daily in the State House in Philadelphia to revise the Articles of Confederation. By the middle of June, it became apparent to the delegates that merely amending of the Articles of Confederation would not suffice. These inspired men worked together to form a new government that would embody the principals of liberty, democracy, and equality. What resulted was an entirely new document designed to bind the individual States more firmly into one nation by ceding greater power to the central government while still respecting the sovereignty of the States and the rights of the people. After being signed in September of 1787, Congress sent printed copies of the Constitution to the State legislatures for ratification. By June 21, 1788, nine States had approved the Constitution, finally forming "a more perfect Union."

The Constitution of the United States of America stands today as our Nation's most sacred and inspired document. It is the oldest Constitution in the world and an enduring legacy of a generation of patriots eager to provide liberty and protection to the citizens of this new country. The Constitution is the basis for our laws, our rights, and our responsibilities as Americans. It is a gift for which we all should be grateful. As President Coolidge once remarked, "To live under the American Constitution is the greatest political privilege that was ever accorded to the human race."

As our country continues to age, year by year, the importance of the Constitution will never fade. It is a living document, and is as relevant now as it was to its framers in the 18th century. I call upon my colleagues in the Senate to join me in celebrating the signing of the Constitution, and in turn, the assurance of our freedoms as citizens of the United States of America.

#### CELEBRATION OF CARBON DAY

Mr. DURBIN. Mr. President, this year, the State of Illinois has designated September 15, 2009, as Carbon Day. As an official State holiday, communities across the State are encouraged to focus on reducing our State's carbon footprint and preserving our environment. Schools, organizations, businesses, and communities throughout Illinois will participate in organized events ranging from tree plantings to those promoting recycling and composting.

Carbon Day allows Illinois residents to find their own ways to help reduce greenhouse gas emissions and participate in the fight against global warming. Most of us don't think too much about how our daily activities contribute to greenhouse gases. This new State holiday asks people to think about that and offers ideas each of us can use to make a difference.

We do need to act. Global warming likely will lead to more severe heat waves and more fierce storms. That affects all of us. These are weather patterns that compromise air and water quality, reduce agricultural productivity, and threaten public health.

The simple step of planting a tree this fall can make a difference in someone's carbon footprint. One tree alone can absorb as much carbon dioxide as a single car can produce over 26,000 miles of driving. The more trees we plant, the greater the impact. One acre of trees may remove up to 2.6 tons of carbon dioxide from the atmosphere in 1 year alone. Trees planted in the fall generally require less water than those planted in the spring, making this a good time to get started.

Every person can contribute to reducing greenhouse gas emissions and work to provide future generations with a healthy environment. This September 15, I urge the people of Illinois to participate in Carbon Day events throughout the State, learn about the simple steps they can take to reduce their carbon footprint, and have a lasting impact on their environment.

#### REMEMBERING SENATOR EDWARD M. KENNEDY

Ms. SNOWE. Mr. President, I join with my colleagues today to express my profound and heartfelt sadness on the passing of Senator Edward M. Kennedy, a universally acknowledged "lion of this institution"—an unsurpassed colleague, a legislator's legislator, and political icon of incalculable, landmark significance to the U.S. Senate and the Nation and a good friend to me and to so many others in this body through the years.

Like all of my colleagues here today, I want to first and foremost offer my most sincere condolences to Ted's extraordinary wife Vicki, who has been such a tower of strength, courage, and faith; as well as to Ted's three children Kara, Ted, Jr., and PATRICK KENNEDY and two stepchildren Curran and Caroline Raclin; Ted's sister, Jean Kennedy Smith, and to his entire family who have done so much to shape the course of our Nation. My heart goes out to Senator Kennedy's numerous grandchildren, nieces, and nephews whose participation in his funeral mass could not have been more moving. I also extend my deepest sympathies to the people of Massachusetts, who have lost a legendary champion and fierce advocate for nearly half a century.

And how powerful and poignant was the remarkable outpouring of respect and affection for Senator Kennedy by the American people—from the streets of Boston, outside the John F. Kennedy Presidential Library and Museum, and near the Basilica of Our Lady of Perpetual Help, to congressional staff assembled on the Senate steps and mourners and well-wishers on the Capitol grounds or along the route to his final resting place at Arlington National Cemetery.

On an occasion of such a large and historic loss, summoning the appropriate words to capture the immense depth and breadth of this moment as well as the magnitude of its meaning represents the most daunting of challenges. Like every Senator fortunate enough to serve in this esteemed chamber during the span of the last 46 years, I have never known a Senate without Ted Kennedy, and it is difficult to comprehend that this hallowed Chamber will never again resound with Senator Kennedy's booming voice that would literally shake these walls.

As I look around this Chamber, I know I am far from alone in saying I will miss Ted's oratorical command of rhetoric and argumentation as well as his passion-filled gestures that punctuated his statements, and of course I will never forget those occasions when Ted would really get wound up as only Ted could, and his glasses would come off, and he would swing them around and around, faster and faster as his polemic reached a crescendo. And so, there is a highly personal and inescapable void among all of us that is at once acutely palpable, indescribable, and unforgettable.

I can still remember entering the Senate in 1995 having served in the U.S. House of Representatives and looking to my fellow New Englander, Senator Kennedy, as a model legislator, the best of his generation even then, for what can be achieved in the Senate with passion and devotion and an almost peerless ability to simply "get things done."

I always profoundly admired Ted for his commitment to this country and the steadfast, immutable determination he exhibited each and every day as he sought to better our Nation to the benefit not just of his constituents in Massachusetts but to all Americans. And he did so with uncommon civility and candor, facility and efficacy, partisanship and bipartisanship, as well as the most seriousness of purpose and irrepressible good humor. In short, Ted Kennedy combined legislative craftsmanship and legendary statesmanship that were the marvel of his time and that represented a pinnacle of leadership.

And part and parcel of his historic and overarching legacy is not just the results produced by his hard-fought labors, which have reached every corner of our country, but how he legislated and conducted the demanding task of advancing the public policy process. Where there was a divide, he saw an opportunity to repair the breach. Where there were opposing forces, he resolved to find a point of alliance.

As my colleagues here can attest, Senator Kennedy was ever-cognizant that your adversary today could, and frankly often would be, your ally tomorrow—the staunch opponent you encounter on one occasion may well support you on another down the road. Because for Ted, common ground was not simply a plot of earth he tilled, cul-

tivated, or nourished, it was soil he intuitively knew was meant to be shared and that would be improved through collaboration. And he understood keenly that the most powerful light was not the spotlight, but reflected light that shone first on someone else.

And if Ted Kennedy put into practice the idea that politics in the often-cited words of German Chancellor Bismarck was indeed "the art of the possible," he was also equally adept at implementing the notion that leadership was the catalyst for accomplishing the impossible. Not, however, by going it alone but rather by enlisting the active support of others.

The fact is, like so many of my colleagues in this Chamber, I was privileged to work with Senator Kennedy on several memorable measures, and one recent endeavor in particular exemplifies his collaborative spirit—the Genetic Information Nondiscrimination Act. That experience for me represented a microcosm of Ted's unrivaled political and public policy acumen.

To begin with, Senator Kennedy, as chairman of the Senate Committee on Health, Education, Labor, and Pensions or HELP, ordinarily would have been the lead sponsor on legislation being reported out of his committee. But, as all of us in this Chamber know, there was nothing "ordinary" about Ted Kennedy, and he graciously deferred the lead sponsorship to me and instead joined as lead Democratic sponsor of our measure, a gesture of incredible generosity and good will that I will never forget. And so, after already twice garnering Senate passage, we began a third attempt to achieve Senate enactment of vital reforms to protect Americans from both health insurance and workplace discrimination based on their genetic makeup. Beginning in November of 2006, we embarked on what was to be a second 18-month-long effort to systematically address every issue which opponents raised. Senator Kennedy's remarkable capacity to build consensus with both his colleagues and stakeholders, spoke to his consummate skills as a legislator and negotiator.

And Ted never tired in this undertaking, and his knowledge and skills and those of his superb and dedicated staff helped ensure our success when, on May 21 of last year, we at last witnessed the enactment into law of this landmark civil rights protection. Our victory was tempered, however, by the fact that due to his illness, even then, Ted could not join us at the White House that day for the signing. And yet it speaks enormous volumes that Senator Kennedy chose to devote his remaining energies in the past 15 months prior to his passing to ensuring that health reform advance ever forward.

As anyone who has come into contact with Ted Kennedy can tell you, he possessed and exuded a contagious joy and exuberance that permeated all he did. I well recall a few years ago being in