year-old Pittsburgh-based international charity, is sending a tractor-trailer full of donations, including 5,000 pairs of new shoes donated by CROCS Inc. of Boulder, CO, and new clothing and hygiene items.

Fraternal societies have also stepped up to the plate, including the Loyal Christian Benefit Association headquartered in Erie, PA, as well as the Knights of Columbus and Thrivent. The Greek Catholic Union of the United States, headquartered in Beaver, PA, has donated $15,000 to Catholic Charities, Salvation Army, and American Red Cross.

The University of Pittsburgh Medical Center, UPMC, is ready to deploy two helicopters to states hit by the hurricane if emergency management officials ask for them.

Additionally, UPMC has offered to treat hurricane patients at its Pittsburgh hospitals or set up a 250-bed medical facility around the disaster area.

Carnegie Mellon University has offered to assist Tulane University in New Orleans in any possible way, which could include CMU taking on students from Tulane so they do not fall behind in their coursework.

The charitable efforts of so many Americans during this crisis is a reminder that government should be making laws that support and encourage such philanthropy. Legislation such as the bipartisan CARE Act benefits a sector that is vital during these times of crisis. The estimated $2 billion in food-donation incentives that the CARE Act provides would allow restaurants, and corporations to give more of their surplus food to local food banks and soup kitchens. Additionally, individuals would be willing to donate even more if current law was more favorable to those who charitably donate.

ORDER OF PROCEDURE
The PRESIDING OFFICER. The Senator from Utah.
Mr. HATCH. Madam President, I ask unanimous consent that the vote on S. Res. 234 be delayed until 12:10.

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

HONORING CHIEF JUSTICE WILLIAM H. REHNQUIST
Mr. HATCH. Mr. President, I want to pay tribute to a good man whom I knew well, who was a great judge, the late Chief Justice William Rehnquist.

His service and leadership on the Supreme Court, the principles he consistently followed, and the steady hand with which he guided the judiciary made him one of the judiciary’s very best.

William Hubbs Rehnquist served on the Supreme Court of the United States for 33 years and almost 8 months.

He was the eighth longest serving of the Court’s 16 Chief Justices, and one of just five individuals to have served as both Associate and Chief Justice.

Rehnquist’s service was a powerful mixture of the personal and the professional.

He brought a kind of dignified practicality, or perhaps it was practical dignity, to what is one of the most formal and respected posts in the Federal Government.

William Rehnquist was the historian who could play a practical joke, the defender of the judicial institution who played poker with his colleagues.

We will miss this scholar and author, who also led an annual Christmas carol sing-along for the Court’s employees.

Yesterday, his former clerks surrounded his casket and carried it past the Court’s employees. We were all touched by Justice Sandra Day O’Connor weeping at the loss of a man who had been a fellow law student more than 50 years ago, and was a fellow Justice for the past 24. He was No. 1 in his class; she was No. 3. They were close friends.

The respected legal analyst Stuart Taylor writes that one attribute of greatness is being esteemed by one’s colleagues. Whether his fellow Justices voted with him or against him on the cases before the Court, they all cherished and esteemed him.

Liberal icon and former Justice William Brennan called Chief Justice Rehnquist a breath of fresh air.


Justice Lewis Powell said he had a good sense of humor and was both generous and principled.

When President Nixon nominated William Rehnquist to be an Associate Justice in 1971, Attorney General John Mitchell said the expected Justice Rehnquist to be independent.

Before the Judiciary Committee, the nominee pledged as his fundamental commitment to totally disregard his own personal beliefs when interpreting and applying the law.

Democratic Senator John McClellan of Arkansas, a member of the Judiciary Committee, explained in the pages of the New York Times why he supported what he called a distinguished nominee.

He said that William Rehnquist would not contribute to the trend of pursuing abstract goals driven by ideology rather than law. As both Associate and Chief Justice, William Rehnquist confirmed Senator McClellan’s judgment.

Chief Justice Rehnquist strongly defended the prerogatives of the judicial branch. This alone might give pause to those who believe the judiciary was already too strong.

But he coupled that commitment to institutional vigor with a fidelity to constitutional rigor.

While insisting that the Court was the primary interpreter of the Constitution, he did not join those who said the Constitution’s meaning ebbed and flowed with the latest cultural and political fad.

Chief Justice Rehnquist understood that we entrust interpretation of our laws to unelected judges only because, as he had, they promise to keep their own moral and political viewpoints on the sideline.

Over time by example and leadership, this principle helped him move the Court toward its traditionally modest role within our system of government.

Commentators and reporters discussing the Chief Justice’s legacy almost reflexively use the moniker “Lone Ranger” to describe the new Associate Justice Rehnquist.

He was sometimes a lonely dissenter on a Court that saw itself as the vanguard of social change.

In that role, however, he reminded us of the fundamental principles that should guide the judiciary.

Judges may not exercise judicial review based on their personal opinions, preferences, or agendas. They must take the Constitution as they find it and apply it as it is.

As new Justices joined the Court, and Chief Justice Rehnquist continued articulating and applying such traditional principles, he found himself with more company.

While some talk of Chief Justices as able to bring colleagues together in a particular case, Chief Justice Rehnquist did so, patiently and steadily, over the long haul of his entire tenure.

In a 1996 address at American University’s Washington College of Law, Chief Justice Rehnquist called judicial independence the “crown jewel” of the American judicial system.

He took this seriously on a personal as well as a judicial level.

In this last year or so, William Hubbs Rehnquist lived and finished life on this earth in his own independent way.

He shared what he wanted to share, when and how he chose to share it.

He carried himself with dignity, in a way protecting his privacy publicly, if such a thing is possible.

He was a good man and a good judge. Our lives, individually as citizens and collectively as a nation, are much better for him having been among us.

I knew him personally. I know what a great man he was, as far as I am concerned. I know what a supreme intellect he was on that Court. I know what a decent, honorable, honest person he was on that Court. I can remember one lunch I had with Chief Justice Rehnquist, Justice Scalia, and Justice Kennedy. It was terrific luncheon, filled with intellectual repartee. It was a luncheon that I will never forget. I remember him taking time to time as his colleagues made some of their points. He had this wry sense of humor that I suppose came from the
people that he was born and raised with in his own State. This is a man of tremendous, inestimable talent, intellect, and ability. But he was warm. He was kind. He was decent. The only time I saw any flare for the unusual was the striping of his mouth. That was done tongue in cheek, to just kind of lampoon some of the overseriousness some of us sometimes have with regard to the Supreme Court.

William Rehnquist was a good father. His daughter Janet worked with us on my staff for a short time. I think the world of her. She is a good person. The other offspring of Justice Rehnquist are also good people. I knew Justice Rehnquist’s wife who preceded him in death. She was a beautiful, lovely human being, to whom he gave great deference. This was a man who counted. This was a Chief Justice who made a difference. This is a person whom I respect and whom I care for.

I yield the floor.

Mr. CONRAD. Mr. President, today, we remember the life and dedication of the most influential leaders of the U.S. Supreme Court.

William H. Rehnquist, 16th Chief Justice of the United States, passed away on Saturday, September 3, 2005. A midwesterner, Rehnquist’s service to our country dates back to March 1943 when he was drafted to the U.S. Army Air Corps, the equivalent of today’s U.S. Air Force. He served in World War II until 1946.

After his time in the military, Rehnquist began his academic journey under the G.I. bill at Stanford University, where he earned a bachelor’s degree, a master’s degree, and ultimately graduated first in his class at the Stanford Law School. After clerking for Justice Robert H. Jackson, Rehnquist spent the next 16 years in private practice in Arizona.

In 1971, President Nixon nominated William Rehnquist to be an Associate Justice on the Supreme Court. As Associate Justice, Rehnquist was nicknamed the “Lone Ranger” for his many lone dissents on the nine-member Court.

In 1986, President Ronald Reagan elevated William Rehnquist to Chief Justice of the United States. In that role, Rehnquist became known for his ability to foster and retain collegiality among Associate Justices with widely differing views on the issues before the Court. He was an outstanding leader of the judicial branch of our Government. Those of us in the Senate probably remember him best for his service during the impeachment trial of President Clinton. He presided over that historic event with dignity and decorum.

Over the past year, as he battled cancer, Chief Justice Rehnquist was as determined and sharp as ever, doing his job faithfully until the day that he passed.

Today, we remember the Chief Justice’s passion, dedication, and brilliance. And we also remember his great sense of humor. Bill Rehnquist will be sorely missed by his family, his friends, and his country.

Mrs. HUTCHISON. Mr. President, I rise today to recognize and honor one of our country’s greatest judicial leaders, a noble public servant, the 16th Chief Justice, William Hubbs Rehnquist. For the past 33 years, the last 19 of which as its leader, Chief Justice Rehnquist served the Supreme Court with honor, wisdom, and keen judgment. His record will be remembered as one of ideological dedication and devotion to a court of consensus and collegiality.

A native of Milwaukee, WI, William Rehnquist first answered his country’s call to service in World War II by serving in the Army Air Corps as a weather observer in North Africa from 1943 to 1946. Upon his return, he earned his bachelor's and master's degrees in political science from Stanford University in 1948, and a master’s degree in government from Harvard University in 1952, graduating first in his class, a class which included his future Supreme Court colleague Sandra Day O’Connor.

Chief Justice Rehnquist’s first experience with the Supreme Court came when he clerked for Associate Supreme Court Justice Robert Jackson. Rehnquist observed during this time at the Court what he would later describe as the “expansion of federal power at the expense of State power.”

After his clerkship, Rehnquist moved to Phoenix, AZ, where he practiced law in the private sector for more than 15 years. During this time, he became involved in politics; and when President Nixon was elected in 1968, Rehnquist was asked to serve as Assistant Attorney General for the Justice Department’s Office of Legal Counsel. Three years later, in 1971, President Nixon nominated Rehnquist to replace Justice William O. Douglas on the United States Supreme Court.

From his early years as an Associate Justice through his years as the Court’s leader, Chief Justice Rehnquist chartered a course to reestablish the important princi-ple of federalism, an integral part of our Nation’s constitutional structure. In cases such as National League of Cities v. Usery in 1976 through U.S. v. Lopez in 1995, his opinions aimed to protect the role of the States in our federal system by recognizing that our government is one of enumerated rights and dual sovereignty.

Though a strong and vigorous advocate for his beliefs, Chief Justice Rehnquist was always respectful of his colleagues and committed to the rule of law, never allowing politics or in- fighting to threaten his Court. All of us in the Senate got to know Chief Justice Rehnquist when he presided over the impeachment trial of President William Clinton. He was decisive, but not intrusive arbiter. His insightful observations about the operation of the Senate were both serious and humor-
intelect and his service. I have deep respect for Justice Rehnquist's integrity, his personal fortitude and his devotion to the Court and the entire judicial branch. Wisconsin will miss our distinguished son.

Mr. HAGEL. Mr. President, I rise today to honor the late Chief Justice William H. Rehnquist. The Chief Justice leaves behind a legacy as one of the longest serving and most influential members of America's highest Court, and as a scientist, jurist, and citizen of the nation because of his distinguished service on the U.S. Supreme Court. As many from his generation did, Chief Justice Rehnquist served in the military during World War II. He relied on the GI bill to attend college after the war and graduated from Stanford law school at the top of his class. In 1951 and 1952, Justice Rehnquist served as a U.S. Supreme Court law clerk to Justice Robert Jackson, and then went on to a distinguished career in private legal practice.

In 1971, President Nixon nominated Rehnquist to replace John Marshall Harlan on the Supreme Court, beginning one of the longest terms of service in the history of the U.S. Supreme Court. In 1986, President Ronald Reagan nominated Justice Rehnquist to be Chief Justice. He served in that capacity for over 18 years.

Only 16 individuals have served as Chief Justice of the U.S. Supreme Court. Legal scholars identify periods of evolution in American jurisprudence by the name of the Chief Justice preceding or following a major decision. The Rehnquist Court will go down in American history as one of the most important.

As an Associate Justice, Rehnquist began coaxing the Court back into the role our Founders envisioned. As Chief Justice, Rehnquist continued to gradually pull the Court away from promoting particular social policies and back toward the principles of federalism enshrined in our Constitution. By the time he was through, Rehnquist had painted the contours of the relationships between our branches of Government and the States.

Chief Justice Rehnquist deserves enormous credit for returning the Court to its role of analyzing and interpreting the Constitution and our laws. History will judge Chief Justice Rehnquist well for the way in which he shaped and guided the Supreme Court during his service to our Nation. America will miss him.

Mr. CORNYN. Mr. President, today I rise to pay tribute to one of the greatest legal minds of our day: Chief Justice William Hubbs Rehnquist, who passed away late Saturday night. His death is a loss to the entire Nation. I join my fellow Americans in both mourning his passing and honoring his profound contribution to our country.

Chief Justice Rehnquist faithfully served the American people on their Supreme Court for 33 years. Without question, our country owes him a debt of great gratitude.

The individual who occupies the center seat on the Supreme Court is not the Chief Justice of the Supreme Court, but the Chief Justice of the United States—the one person who embodies our national commitment to constitutional democracy and to the rule of law. Throughout his life, William Hubbs Rehnquist revered the Supreme Court and the rule of law as few people have—not only as our Nation's Chief Justice for 19 years, as Associate Justice for 14 years, and as a high Court law clerk, but also a student and a scholar of the Supreme Court. Rehnquist has written numerous books on legal history and the Supreme Court—Including: The Supreme Court: How It Was, How It Is; Grand Inquests: The Historic Impeachments of Justice Samuel Chase and President Andrew Johnson; All the Laws But One: Civil Liberties in Wartime; and Centennial Crisis: The Disputed Election of 1876.

William Hubbs Rehnquist was born October 1, 1924, in Milwaukee, WI. He entered the U.S. Army Air Force and served in World War II from 1943 to 1946. Rehnquist received his undergraduate degree from Stanford University and two master's degrees from Stanford and Harvard Universities. He received his law degree from Stanford, graduating first in his class. Rehnquist served as a law clerk for Justice Robert H. Jackson, then practiced law in Phoenix, Arizona. President Richard Nixon appointed Rehnquist to serve, first as Assistant Attorney General in charge of the Office of Legal Counsel at the Department of Justice, and then as Associate Justice in 1972. President Ronald Reagan nominated him Chief Justice in 1986.

The Supreme Court enjoyed renewed admiration under Rehnquist's leadership. Just as a general rule, if you could stand on the outside of the building and you could see the moon and the stars, then you could call yourself a conservative. It's a rough standard to apply, and it's a very, very high standard. This is the highest court in the land, the Court of Last Resort. The individual who occupies the center seat on the Supreme Court is not the Chief Justice of the Supreme Court, but the Chief Justice of the United States—the one person who embodies our national commitment to constitutional democracy and to the rule of law.
what the Court wanted them to say when the police searched criminals. It is no exaggeration to assert that, at that time, the rights of criminals were placed before the rights of victims—not to mention before the wellbeing of society in general.

The period ended when President Reagan elevated William Rehnquist to Chief Justice. Chief Justice Rehnquist did his level best to return our Constitution to its original understanding, an understanding that gives law enforcement officers the freedom they need to protect society from criminals. Over the last decade, we have witnessed an historic decline in violent crime all across America. This is due, in no small part, to the efforts of Chief Justice Rehnquist.

The second area, one equally, if not more important than the first, was the effort to restore the federal-state partnership known as “federalism” envisioned by our Founding Fathers. Our Founding Fathers believed that States and the Federal Government should be equal partners. Indeed, it was the view of our Founding Fathers that the Federal Government should have limited and enumerated powers, and, in fact, the supremacy authority to legislate should be left to State governments. I know this might come as a surprise to some, but not all wisdom emanates from Washington DC. State governments, after all, are closer to the people than the Federal Government is. Our Founding Fathers realized this fact.

Unfortunately, many Supreme Court Justices did not. Over the years, many of these Justices had interpreted the Constitution to give the Federal Government unlimited powers. These Justices characterized everything the Federal Government wanted to do as a regulation of “interstate commerce.”

This was a fiction, of course, but over the years the Federal Government grew bigger and more powerful, the State governments grew smaller and less powerful, and the American people became less free.

Chief Justice Rehnquist did his part to stem this tide. He tried to stand for our Constitution and the founding vision that not everything should be left to the Federal Government. Although this project is still unfinished, Chief Justice Rehnquist made impressive strides, and there is no question that our Nation is better off today for his efforts.

Chief Justice Rehnquist’s passing also reminds us that Supreme Court Justices are, after all, human beings—and that they should be treated with civility and respect, not as political pawns. Thus, perhaps the best way that we in the Senate might pay tribute to Chief Justice Rehnquist’s legacy is to put partisanship aside in the judicial confirmation process.

President Bush has now fittingly nominated one of Rehnquist’s former law clerks, Judge John Roberts, to replace him as Chief Justice. We should do the right thing by Chief Justice Rehnquist and vote on Judge Roberts’ nomination as expeditiously as possible—and without some of the political posturing that has greeted other well-qualified nominees.

My thoughts and prayers are with Chief Justice Rehnquist’s family. The Nation suffered a profound loss on Saturday night. I am confident, however, that we in the Senate will do our part to proceed in a manner that honors the memory of our late Chief Justice and do the right thing by Chief Justice Rehnquist.

Mr. KYL. Mr. President, the death of William Hubbs Rehnquist leaves us saddened but also grateful for his more than three decades of service to his country as a Justice of the U.S. Supreme Court, including 19 years as its Chief Justice.

I first met Chief Justice Rehnquist when he was a lawyer in Phoenix. He spent most of the 1960s practicing law in our State, and raising a family there with his wife, Natalie, who passed away in 1991. He made an annual return to Arizona from 1994 until last year, to teach a course on Supreme Court history at the University of Arizona College of Law, my alma mater.

Appointed to his seat by President Nixon in 1972, and elevated to Chief Justice by President Reagan in 1986, he provided steady leadership at the Court through turbulent decades. He showed that one man of integrity really can make a difference.

He was a conservative whose philosophic faith did not always carry the day, especially in his early years on the Court. More recently, there has been greater acceptance of his notion of balance between the authority of States and the Federal Government. His decisions helped prevent the rights of criminal suspects from being over-emphasized to the point that law enforcement was hampered in doing its job. They curbed the Government’s use of racial quotas, deemed by most Americans to be a squandering of the moral authority of the civil rights movement. They reaffirmed the religious freedom clause of the first amendment. They upheld restrictions on the practice of abortion, again in keeping with the views of most Americans.

On a personal level, William Rehnquist had a quick, dry wit and a manner that was warm and courteous. He was a straight shooter, devoid of pretentiousness, yet deeply learned in the law and many other things. The legacy he leaves includes the histories he wrote, namely his four books on the Court and the American legal system: “The Supreme Court: How It Was, How It Is,” 1987; “Grand Inquests: The Historic Impeachments of Justice Samuel Chase and President Andrew Johnson,” 1992; “All the Liberty: The Civil Liberties in Wartime,” 1998; and “Centennial Crisis: The Disputed Election of 1876,” 2004.

Notice those titles. We had, during his tenure as Chief Justice, a Presidential impeachment—over which he presided with a dignity and good sense that were reassuring to all, in and out of the Senate Chamber. We had a disputed election—in which he led the Court in delivering the U.S. Government and the country from a nightmare of litigation and partisan combat.

His death has left mourners even among those who disagreed with him. The liberal law professor Laurence H. Tribe offered words of praise for his brilliance, his honesty, and his calm leadership. He called Chief Justice Rehnquist “a master” at enabling the Court to “earn the respect of all who take part in its proceedings or are affected by its rulings.” Justice Ruth Bader Ginsburg said he was “the fairest, most efficient boss I have ever had.”

The admiration he inspired in people all across the political spectrum is due in large part to the superb job he did as the Federal judiciary’s top administrator, which is part of the role of Chief Justice. He staunchly asserted the independence of the Federal court system and fought to see that those who worked in it were adequately compensated.

William Rehnquist loved his family; he loved the law; he loved America and its history; and he loved the Supreme Court as an institution. The courage and tenacity he showed, despite suffering from thyroid cancer, were typical of him. He presided over oral arguments in the spring and continued his work on that group of cases until just last month.

It is the right of every citizen to be tried by judges as free, impartial, and independent as the lot of humanity will admit.

So said the Massachusetts Constitution of 1780, which influenced the writing of the U.S. Constitution. William Rehnquist was a free, an impartial, and an independent judge. His combination of strong-mindedness and meticulous fairness made him perfect for the position he held. He makes Americans, and especially Arizonans, very proud. We mourn his loss.

HURRICANE KATRINA

Mr. MCCAIN. Mr. President, at times we come to the floor of the Senate not to debate policy but to mark the death of fellow Americans. I am deeply saddened to note that this is one such occasion.

By some estimates, Hurricane Katrina has taken what may be thousands of lives throughout the southeastern United States. The storm not only ended lives but it also displaced hundreds of thousands of our fellow citizens. They have now been scattered throughout the Nation, praying to one day return to the homes and lives they were forced to leave behind. Our work to help the victims of this national