

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 benefit 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 classwork.

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 farmers, 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 make 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 108 members, having re-

cently surpassed the tenure of the legendary Justice Joseph Story.

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

William 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 his former colleagues into the Court where he lay in repose in a plain white pine casket. It was so touching.

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 icons such as Justice William Brennan called Chief Justice Rehnquist a breath of fresh air.

Justice Thurgood Marshall called him a great Chief Justice.

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 he 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 can remember his smiling from 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 stripes on his black robe. 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 one 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 for 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 away.

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 of the United States, 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 in 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 1950. He earned his L.L.B. from Stanford 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 John Marshall Harlan 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 principle 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 within the 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 infighting 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 a decisive, but not intrusive arbiter. His insightful observations about the operation of the Senate were both serious and humor-

ous. A profound defender of the Constitution and a staunch protector of liberty, Chief Justice Rehnquist has left behind a legacy of thoughtfulness and quiet intellect, and will be remembered as one of our Nation's greatest judicial leaders.

Mr. ENZI. Mr. President, I was sad to hear of Chief Justice Rehnquist's passing, but I want to share my gratitude for his service. He exceeded all but seven Justices by the length of his 33 years on the Supreme Court bench. President Nixon nominated him to be the 100th Supreme Court Justice in 1971. Fourteen years later, President Reagan nominated him to serve as Chief Justice. In his tenure as Chief Justice, he oversaw benchmark cases and events that helped to shape the Supreme Court and the country as we know it today. His efficient management of the Court and careful interpretation of the Constitution provide a good example for future Chief Justices.

He was a very learned man, interested in a wide range of topics and pleasant to be around. In 1952, he graduated first in his law school class at Stanford. In addition to his law degree, he held master degrees in political science from Stanford and Harvard.

He left law school and moved to Washington, DC, to clerk at the Supreme Court, a place where he would eventually spend over a third of his life.

At times, our lives intersected. During the impeachment trial of President Clinton, I presided on the Senate floor just before Chief Justice Rehnquist took the presiding officer's chair—and then I took over each day as he left the chair. I also presided when he was escorted out of the chamber following the end of the trial. I enjoyed reading his book about civil liberties in wartime and his book about the history of impeachments, which I was fortunate enough to get him to sign for me.

Now in the wake of his death and one of the worst natural disasters in U.S. history, the Senate will soon move to fill the vacancies on the court. People are going through some hard times in our country. Chief Justice Rehnquist knew about hard times.

He returned to the bench after being diagnosed and treated for cancer. He fought bravely to finish his job and spurned the rumors of retirement this summer. He stated that he would "continue as long as his health permits." And he did. I admire him for it.

We also must continue to do our job by holding hearings and then voting on the President's nominees to the court. If we keep the political posturing to a minimum, we should have plenty of time to fill the spot of the man who held it for so long and so well.

Mr. FEINGOLD. Mr. President, today we mourn Chief Justice William H. Rehnquist, who faithfully served the Supreme Court and our Nation for 33 years—19 of them as Chief Justice. That tenure made him the fourth-longest serving Chief Justice in the history

of our Nation, surpassed only by Chief Justices Melville Weston Fuller, Roger B. Taney, and John Marshall. He was also the fifth longest serving Justice in our history. Walter Dellinger, former acting Solicitor General in the Clinton administration, has suggested that Chief Justice Rehnquist will be judged by history as one of the three most influential Chief Justices, together with Marshall and Chief Justice Earl Warren. We have truly lost a historic figure.

It is with pride, then, that we in Wisconsin claim Justice Rehnquist as a native son. He was born in our State, and Wisconsin was his first home. He grew up in Shorewood, a suburb of Milwaukee, and graduated from Shorewood High School in 1942. Wisconsin must have provided a good foundation for his future; he went on to graduate first in his class from Stanford Law School and to clerk for former Supreme Court Justice Robert H. Jackson, another of the great jurists of the 20th century.

I have deep respect for this son of Wisconsin, although I did not always agree with his substantive legal views. Indeed, we are hearing praise for Justice Rehnquist from across the political and legal spectrum. To be admired and respected despite philosophical differences is one of the marks of a truly great man.

Justice John Paul Stevens, perhaps Rehnquist's most ideologically distant colleague on the current Court, paid tribute to him on behalf of the entire Court on the occasion of Justice Rehnquist's 30th anniversary on the bench. Justice Stevens praised him for his efficiency, good humor, and absolute impartiality when presiding over Court conferences. That Chief Justice Rehnquist possessed sufficient intellectual strength and personal skill to preside over discussions among nine of the finest legal minds in the nation and to earn their respect is no small feat, particularly considering the difficulties and dissension that have marked discussions and conferences in other eras. All acknowledge that Chief Justice Rehnquist was a devoted and skilled court administrator, not just for his own highest court but also in his role as guardian of our entire third branch of government, the Federal judiciary.

In addition to his accomplishments on the Court, Chief Justice Rehnquist deserves our greatest respect for the dignity and fortitude with which he conducted himself in the last year. Despite the fact that he was clearly suffering from serious illness, he continued to serve the public and the Court. He was an inspiration to all who encounter physical obstacles in carrying out their duties, to all who face the challenges of illness or disability but still want to contribute to their country or their communities.

History will judge whether Chief Justice Rehnquist led the Court in a direction that was good for the country. For now, it is appropriate to recognize his

intellect 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. America is a better and stronger 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 presiding during each era. 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 patiently helped reshape 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 tremendous loss to our 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 obtained 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 U.S. 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. Guided by Rehnquist's steady hand, the United States Senate weathered one of the most difficult and controversial moments in our nation's modern history—the impeachment trial of a sitting U.S. president.

Rehnquist believed that the best judiciary was a restrained judiciary—one that would adhere to the letter of the law—not to the personal policy preferences of its members. Two areas in particular stand out in my mind as perhaps the most lasting examples of this legacy.

The Rehnquist Court may perhaps best be remembered for the restoration of common sense to our criminal justice system. Many Americans perhaps do not remember the days of the Supreme Court under Chief Justice Earl Warren. The 16 years under Warren, from 1953 to 1969, were nothing short of a heyday for criminals in America. Many Americans probably are familiar with the notion of letting a criminal off on the basis of a "technicality." This notion originated in the years of the Warren Court. The Supreme Court let countless criminals go free because police officers did not say precisely what the Court wanted them to say when they arrested criminals, or because warrants did not say precisely

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.

This 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 officials 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 primary 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’s 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’s 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 in a manner that would make him proud.

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 1950s and 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 philosophy 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 Laws But One: 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 also 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, hoping to one day return to the homes and lives they were forced to leave behind. Our work to help the victims of this national