

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. CORNYN). Without objection, it is so ordered.

CHIEF JUSTICE WILLIAM H. REHNQUIST

Mr. ALLEN. On September 3, 2005, America lost one of its greatest public servants when, following a year-long battle with cancer, William Hubbs Rehnquist passed away at the age of 80. At the time of his death, he had been a member of the U.S. Supreme Court for 33 distinguished years, having served as Chief Justice since 1986 and previously as an associate justice, appointed in 1972.

Much of William Rehnquist's professional career was dedicated to public service. He served his country honorably in the U.S. Army Air Corps during World War II from 1943–1946. After his military service, he earned an undergraduate, a masters' and a law degree from Stanford University. Even further demonstrating his intellectual acumen, Rehnquist also graduated with a master's degree from Harvard University and was first in his class at Stanford University Law School. After law school, he became a Supreme Court clerk for Associate Justice Robert Jackson before leaving for private practice in Arizona. In 1969, Justice Rehnquist joined the Nixon administration as an Assistant Attorney General where he served until 1971. That year, President Nixon nominated William H. Rehnquist to be on the Supreme Court; the following year, he was confirmed to be an associate justice by the U.S. Senate.

It was on the Supreme Court that William Rehnquist built his reputation as one of the great legal minds of our time. His tenure on the high court of the land, both as an associate justice and as the Chief Justice, was an extraordinary achievement. I was particularly impressed with his leadership as the head of the entire Federal judiciary, as well as his affable personal demeanor on the bench and off, both of which were important traits in his role as Chief.

I respect immensely the way in which Chief Justice Rehnquist served on the Court with honor and restraint. As a justice, he fairly and properly interpreted the words of the Constitution without usurping the rights of the American people and those of the States to make laws as they deem appropriate rather than allowing unelected judges who are appointed for life to substitute their personal political views for the popular will of the people.

Chief Justice Rehnquist clearly understood that judges ought to apply the law and Constitution, not invent the law or amend the Constitution by judi-

cial decree. And I believe that he perfectly embodied what I consider to be the proper role of a justice and that America should be grateful for his long and distinguished public service on the bench.

Our Nation was so fortunate to have a man of William Rehnquist's intelligence and legal experience in public service for so many years. As a Supreme Court Justice, he was a decent, dedicated, steady, and principled jurist whose legal brilliance and knowledge will be difficult to replace. Chief Justice Rehnquist deserves America's gratitude for his over three decades of dedicated service on the Supreme Court and a life devoted to the service of this great Nation and its citizens.

My condolences go out to his family, in particular his three children, James, Janet, and Nancy, during this difficult time.

May he rest in peace.

Mrs. DOLE. Mr. President, I as deeply saddened to learn of the passing of Chief Justice William Rehnquist. He will most certainly be remembered as one of this Nation's greatest Chief Justices.

During his 33 years of distinguished service on the High Court, Chief Justice Rehnquist served with tremendous wisdom, skill, and intellect. His legacy will be defined by his calm and steady leadership, his staunch defense of the constitution, and his support of an independent judiciary.

Born into a modest home in the Midwest, Rehnquist enlisted in the Army at age 19 during World War II. He went on to have a very impressive academic career, earning bachelor's and master's degrees in political science from Stanford University. In 1950, Rehnquist received a master's degree in government from Harvard University. He later returned to Stanford Law School, where he graduated first in his class and served as the editor of the law review.

After law school, Rehnquist served as a law clerk to Associate Supreme Court Justice Robert Jackson. He then settled in Phoenix, AZ, with his wife Nancy, where he spent 20 years in successful private practice. In 1968, Rehnquist returned to Washington, DC, to serve as President Nixon's Assistant Attorney General in the Office of Legal Counsel. In 1972, William Rehnquist became the 100th Justice of the U.S. Supreme Court.

I expect we will hear much discussion in the coming years about the legacy of Chief Justice Rehnquist. But I am confident that a significant part of his legacy, his strong leadership of the Court, will be unquestionable. President Bush said at Rehnquist's memorial service, "He built consensus through openness and collegiality." Likewise, praise from so many of his colleagues and friends serve as a true testament to William Rehnquist's ability to treat people graciously and fairly, both from the bench and in his personal life.

The praise for his professional life is certainly plentiful, but we know that

most important to William Rehnquist was his family. He was greatly loved as a husband, father, grandfather, and uncle. His daughters Nancy and Janet joked that dating your father was completely underrated, after they had the pleasure of accompanying their father around Washington and on foreign trips after the death of their mother. He was a family man, first and foremost.

Chief Justice Rehnquist deserves our praise and our tremendous gratitude for his dedicated service to this country. Our Nation mourns the passing of this great man. The significant contributions he made, personally and professionally, will certainly be remembered always.

MEDICARE DO NOT CALL ACT OF 2005

Mr. JOHNSON. Mr. President, today I have joined Senator CORZINE to introduce the Medicare Do Not Call Act. I am pleased to cosponsor this important legislation which will protect Medicare beneficiaries from being subjected to telemarketing campaigns related to the new Medicare Part D prescription drug program.

The Part D program will begin in January 2006, and as many of my colleagues are already aware, this program will turn the administration of the benefit over to health insurance companies. Between now and January 1, 2006, Medicare beneficiaries will receive a great deal of information from the Federal Government, insurance companies, and local organizations regarding how to sign up for the program. Many beneficiaries have already received information about the low-income coverage options.

Just last week the Centers for Medicare and Medicaid Services announced which health plans have been approved to offer the benefit. In South Dakota, there will be 18 companies offering the stand-alone prescription drug plan or PDP. Three companies will offer the Medicare Advantage plan, which is an HMO or Health Maintenance Organization type plan.

Starting in October, all of these companies will be allowed to start marketing their plans. While I do think it is important for seniors to have access to information about the various options, I do not think it is OK for these companies to be promoting their products through aggressive telemarketing campaigns. There are plenty of other, less invasive ways for these companies to get information about their Part D product to Medicare beneficiaries and I encourage those efforts, whether they be mailings, holding information sessions or releasing newspaper and television ads.

The Medicare Do Not Call Act would prohibit health plans from telemarketing their new Medicare prescription drug plans to beneficiaries. The bill permits representatives of insurance companies offering the Medicare prescription drug benefit to speak