

And if by reason of strength they be four-score years, yet is their strength labour and sorrow; for it is soon cut off, and we fly away.

On my 80th birthday, I was in Charleston, WV, and the then-Governor of the State, Gov. Cecil Underwood, had invited me over to the Governor's mansion. I was enjoying a luncheon there, given by Cecil Underwood in my honor. During the luncheon, I was called to the telephone. On the telephone was my chief of staff, Barbara Videnieks, who said to me, "Senator, we have a visitor in the office," meaning here in Washington. She said, "Senator TED KENNEDY is here, and he has with him 80 roses."

TED KENNEDY brought the roses to my office himself, 80 roses. I never had that to happen to me before, and I am not sure that many Senators in this Chamber, if any other than I, can recount such a beautiful experience as that was for me. There was TED KENNEDY in my office—I was in Charleston, at the Governor's mansion—with 80 roses on my 80th birthday. You can bet before he was able to get out of my office and down to the subway car I was on the telephone calling him and thanking him for being such a real friend.

You would think we vote together just like that all the time. We don't. But we never argue about it; we never have any falling out about it, when we have little differences of viewpoints with respect to legislation. There is this underlying bond of friendship between Senator KENNEDY and me.

Last year, I was at the Greenbriar with my wife of 63 years on our anniversary. And, lo and behold, here came to our room at the Greenbriar 63 red roses. From whom? TED KENNEDY. I was surprised. That is TED KENNEDY. Our friendship will always be strong. He thought of me on our wedding anniversary, and he thought of Erma. He is just like that. But who else sent me 63 roses on our wedding anniversary? Nobody.

I think it is remarkable that there has grown up that kind of bond of affection and friendship between these two Senators.

Most people probably remember President John F. Kennedy introducing himself to the people of France by saying he was the person who accompanied Jacqueline Kennedy to Paris. A year before that, President Kennedy, upon a return visit to the Appalachian coal fields in West Virginia, introduced himself saying—here is President Kennedy saying—"I will introduce myself—Teddy Kennedy's brother."

During the last election, I saw for myself a tremendous display of this continued affection for Senator KENNEDY among my people, the people of West Virginia. When Senator KENNEDY and I appeared at a political rally in the heart of the State's southern coal fields where I grew up, we were promptly swamped by swarms of people—swarms of West Virginians, mountain

people—seeking TED KENNEDY's autograph and wanting to shake hands with him or simply to see him.

I will always be pleased to introduce myself as Senator TED KENNEDY's friend, and I will always be glad that I have had the opportunity to serve with him in the Senate.

I say belatedly to TED KENNEDY, with his birthday of a few days ago, Senator KENNEDY, because of you, many people in this country are much better off. Because of you, millions of our citizens have a voice that is heard in these Halls. So happy birthday, Senator KENNEDY, and may God bless you.

Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### SENATOR DAYTON'S MAIDEN SPEECH

Mr. WELLSTONE. Mr. President, I was at a conference dealing with health care policy when my colleague, Senator DAYTON, spoke. I come to the floor to congratulate Senator DAYTON for his words.

When he campaigned for the U.S. Senate seat, he spoke on cost of prescription drugs, especially for the elderly. I think it applies to many other families as well. Over and over again, he said this was his No. 1 priority. He said our country could do better. He said this was a matter of elementary justice. He talked about older people in Minnesota—senior citizens—two-thirds of whom have no prescription drug coverage. He talked about, for example, seniors cutting pills in half because they could not afford them or people running out of food or their homes being cold.

I think it is very significant that when Senator DAYTON came to the floor of the Senate today to give his first speech, his maiden speech, he talked about prescription drug costs and his commitment to introducing responsible legislation that will make a real difference in the lives of people.

The reason I think it is significant is not only because he spoke on an issue that is very important to people's lives, but it is all the more important because he said something about MARK DAYTON in very personal terms. He campaigned on this issue. He listened to many people in Minnesota, and many elderly people talk about these costs.

He came to the Senate after winning the election, and he basically stayed true to the commitment he made to people in his State. Senator DAYTON has been my friend for many years. I think he will be a great Senator.

I always said—and I said to Senator Rod Grams after the election—that no

one can ever say to Senator Rod Grams that he did not vote for what he believed in; that he did not say what he believed. I think he deserves an awful lot of credit for that.

I never like it when anyone loses. I don't like to see people lose. I like to see people win. It is because of my Jewish roots.

I think MARK DAYTON is going to be a great Senator for the State of Minnesota and for this country, and I am very honored to serve in the Senate with him. As the senior Senator, I hope he will consider my views over and over again. I doubt that he will. And it will probably make him an even better Senator if he doesn't.

He spoke powerful words. I am sorry I was not on the floor with him. But I thank him for his commitment to the people. I thank him for his passion. I thank him for caring about public service, and I thank Senator DAYTON for caring about senior citizens and other citizens in the country. I thank him for his commitment to Minnesota.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. We are in a period of morning business, with Members allowed to speak for up to 10 minutes.

#### U.S. SUPREME COURT

Mr. LEAHY. Mr. President, I have become increasingly concerned about some of the recent actions of the U.S. Supreme Court. As a member of the bar of the Court, as a U.S. Senator, as an American, I, of course, respect the decisions of the Supreme Court as being the ultimate decisions of law for our country. As an American, I accept any of its decisions as the ultimate interpretation of our Constitution, whether I agree or disagree. I have probably supported the Supreme Court and our judicial system more than anybody else on this floor.

Having said that, I think we can at least still have in this country a discussion of some of the things the Court has done. Recently, we have seen another assault by the Court on the legislative powers of Congress.

My concern may be more in sadness than in anger over what has happened. It is very easy to give talks about activist Supreme Courts, but it is hard to think of a time, certainly in my lifetime, with a more activist Supreme Court than the current one. Last week, the Court held that State employees are not protected by the Federal law banning discrimination against the disabled. The case was decided by the same 5-4 majority that brought us