

a consumer-driven, provider-friendly, patient-centered system.

I know my colleagues share these or similar priorities. I believe the steps I have proposed today will be to the benefit of patients. It will save money. It will save lives. Prescription drugs, I believe, are the most powerful tools in American medicine today. We really could not and should not do without them. But we have to use them and market them and promote them with care.

Mr. President, I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

Mr. FRIST. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RETIREMENT OF JUSTICE SANDRA DAY O'CONNOR

Mr. FRIST. Mr. President, I rise to pay tribute to a truly distinguished American—U.S. Supreme Court Justice Sandra Day O'Connor, who announced her retirement earlier this morning.

The current group of nine Justices, including Justice O'Connor, represented the longest serving Supreme Court since the 1820s.

Today marks a great loss for America. But it is also a day to reflect on all that we have gained because of Justice O'Connor's service to our country.

For nearly 23 years, Justice O'Connor lent America her brilliant mind and her fair and impartial judgment.

Sandra Day O'Connor, who turned 75 this year, was born in El Paso, TX.

The daughter of Harry and Ada Mae, she was raised on her family's cattle ranch, in southeastern Arizona.

Sandra Day O'Connor began her academic journey at Stanford University.

Upon earning a bachelor's degree in economics and graduating magna cum laude, she stayed on at Stanford, pursuing an education in law.

And at Stanford she thrived. She earned a coveted position on the Law Review's Board of Editors and completed law school in only 2 years. Not only did she graduate in record time, but she finished third in her class.

Coincidentally, she finished with a man who would later become her colleague on the highest Court in the land—Chief Justice William H. Rehnquist.

It was during law school that Sandra Day O'Connor met her future husband, John Jay O'Connor.

Seeking her first job as a young, female attorney, Sandra Day O'Connor faced many challenges in a male-dominated law profession.

After having difficulty finding a job in the private sector, she began her legal career as Deputy County Attorney of San Mateo, CA.

When her husband was drafted into the JAG Corps in 1953, the young couple moved to Frankfurt, Germany, where she worked as a civilian attorney for the U.S. Army.

After 2 years in Europe, Sandra Day O'Connor returned to Maryvale, AZ, where she experienced difficulty finding employment in the legal world. As a result, she decided to start her own legal practice.

After practicing law for 2 years, Sandra Day O'Connor took a break from her career to start a family. She and her husband raised three sons—Scott, Brian, and Jay. I must say, as a father of three sons, this may be her greatest accomplishment—certainly, one of the most challenging.

In 1965, Sandra Day O'Connor transitioned from the private sector, to the public, when she became Arizona's Assistant Attorney General.

In this capacity, she served for 4 years before being appointed to fill an unexpired seat in the Arizona State Senate. Her constituents agreed it was a good match—as they elected her twice more.

In the Arizona Senate she rose to the highest level, becoming majority leader and the first woman ever to hold such an office in the United States.

As majority leader of this body, I understand the challenges and rewards of being leader and admire Justice O'Connor for her tremendous achievement.

In 1975, Sandra Day O'Connor was elected, judge of the Maricopa County Superior Court and served until 1979, when she was appointed to the appellate bench in Arizona.

There she served, until late President Ronald Reagan appointed her Associate Justice to the Supreme Court.

On September, 21, 1981, the Senate unanimously confirmed her nomination to the Supreme Court. And that day, Sandra Day O'Connor made history. She became the first female Justice in the Court's history.

This 51-year-old Arizona-Court of Appeals judge shattered the 190-year-long tradition on the High Court of addressing Justices: "Mr. Justice."

When asked for her reaction to her nomination, Sandra Day O'Connor said:

I can only say that I will approach [my work on the bench] with care and effort and do the best job I possibly can do.

Most would agree that she has done just that.

Since 1981, Justice Sandra Day O'Connor has served with distinction on the U.S. Supreme Court. She has served as an example to all Americans—demonstrating that through persistence and hard work anything is possible.

In the face of obstacles—including being a woman in a male-dominated law profession—she never surrendered her determination nor did she surrender her Southwestern pride and love of the outdoors when she moved to the city. Rather, she brought it with her.

Anyone who has entered the inner confines of Justice O'Connor's Supreme Court office is familiar with a sign that reads "Cowgirl Parking Only: All Others will be Towed."

Fiercely proud of her heritage, Justice O'Connor and her brother, H. Alan Day, authored a best selling memoir "entitled Lazy B: Growing up on a Cattle Ranch in the American Southwest."

Having grown up in the South—in Nashville, TN—I appreciate Justice O'Connor's pride in her roots. She has not forgotten where she came from.

The values she learned through life on the range were values that left their brand mark. Indeed, hard work, self-reliance, and survival are the core values that make Sandra Day O'Connor the successful woman she is today.

As she writes in her memoir, working alongside cowboys on the Lazy B, she learned a system of values that was "simple and unsophisticated and the product of necessity."

Throughout her tenure on the Court, she has not wavered from her well-grounded views.

I've had the privilege of meeting Justice O'Connor on various occasions during my time in the United States Senate.

Each time that I've had the opportunity to interact with her, I've found her to be thoughtful, kind, and extraordinarily intelligent.

To echo the words of Ronald Reagan on the day he appointed Sandra Day O'Connor:

She is truly a "person for all seasons," possessing those unique qualities of temperament, fairness, intellectual capacity and devotion to the public good which have characterized the 101 "brethren" who have preceded her.

Today, more than 23 years later, President Reagan's words still ring true.

When she took the oath of office as the 102nd Associate Justice, she pledged to uphold the Constitution, and since this time, Justice O'Connor has proven her steadfast commitment to uphold the Constitution.

During her confirmation hearing, she emphasized that the court's role was to interpret the law and not to make public policy.

Her record demonstrates that she has lived up to that commitment, respecting the rule of law and judiciously interpreting the Constitution.

Often cited as the "swing vote" on many important cases, Sandra Day

O'Connor has taken exception to that characterization, stating that "if my vote has not been a hundred percent predictable, that's because I try to look at each one as it comes to us."

Sandra Day O'Connor is an independent thinker and has made great contributions in many substantive areas of the law.

On the bench, she has not allowed the pressures of popular opinion to sway her decisions. Rather, she has consistently decided each case before her based on the underlying facts.

Despite being the first woman to serve on the high Court, Justice O'Connor has not used this position to influence decisions of the majority. She once said:

The power I exert on the court depends on the power of my arguments, not my gender.

Her wisdom, intellect, and humility have earned her deep respect from her colleagues, even those with opposing judicial philosophies.

For they see that she embodies all the ideal qualities in a judge—fair, impartial, and open-minded.

Through her experiences, Justice O'Connor has brought a unique perspective and understanding of checks and balances to the Court.

A true public servant—Sandra Day O'Connor has served our Nation for almost four decades: As an Arizona State Senator and majority leader, State court judge, assistant State attorney general, and in the capacity for which she will long be remembered, as an Associate Justice on the Supreme Court.

Throughout her life, Justice O'Connor has displayed her civic loyalties through her participation in various community organizations including the boards of the Smithsonian Institution, the Heard Museum, and the Salvation Army.

She was recognized for her service in 1995, when she was inducted into the National Women's Hall of Fame.

Sandra Day O'Connor has accomplished more in a lifetime than many would imagine possible.

Yet, throughout that breathtaking journey to the top, she never lost sight of her humble roots, and never lost sight of the people she served.

As she told a reporter in a 1996 interview that she never expected or aspired to be a justice, and still considers herself "just a cowgirl from Arizona."

While the "cowgirl from Arizona" may never have dreamed of riding to the highest court in the land, America is fortunate that she did.

A brilliant jurist, a bright legal mind, and a compassionate woman—she has earned her place in history for more reasons than one.

I am sure that Justice O'Connor is looking forward to spending time with her husband, John, and their family during her retirement.

And Karyn and I wish her and her family much joy and happiness in this new chapter of life.

On behalf of the entire United States Senate and a grateful Nation, I com-

mend Justice Sandra Day O'Connor for a lifetime of distinguished service to our great Nation.

As the Senate moves forward to confirm a new nominee for the high Court, it's important that we remember her legacy.

America needs judges who are fair, independent, unbiased and committed to equal justice under the law. I am confident that the President will select a qualified replacement justice who embodies these qualities.

And I look forward to working with my colleagues to ensure a fair confirmation process in the Senate that will ensure the Supreme Court is at full strength to start its next term in October.

I yield the floor.

#### SENATE ACCOMPLISHMENTS

Mr. FRIST. Mr. President, before we leave for the Fourth of July recess, I want to congratulate my colleagues for their hard work and focus over the past 6 months. We have worked hard to deliver meaningful solutions for the American people, and we have succeeded.

From lawsuit reform to trade and energy policy, we have tackled a number of key issues that will make America stronger, more prosperous and more secure.

We also confirmed six new members of the President's administration, including Secretary Condoleezza Rice, Homeland Security Chief Michael Chertoff, Attorney General Alberto Gonzales, Trade Representative Rob Portman, EPA Administrator Stephen L. Johnson, and the first ever National Intelligence Director, John Negroponte.

As I reflect on the goals set out in January, we took on big and urgent challenges. And our actions have translated into solutions. Together we are moving America forward.

When we began the 109th Congress 6 months ago, America faced a number of structural problems threatening our safety, prosperity, and freedom.

America was drowning in lawsuit abuse. Our highways and ports were falling into disrepair. We were hitting our 10th year with no energy plan and becoming ever more dependent on foreign oil. Partisan obstruction was tearing apart the confirmation process. Our troops in the field needed our support. And over the Christmas holiday, a tsunami disaster devastated Southeast Asia.

We needed to take bold action, so I laid out a plan.

We began by passing the 5th fastest budget in Senate history. That allowed us to move on to the issues starting with class action. Frivolous lawsuits were so out of control that litigation in America had become the most expensive in the world. In 2003, the tort system cost an incredible \$246 billion—more than the total economic output of my home State of Tennessee.

Frivolous filings dull our competitive edge, clog up state courts, waste taxpayer dollars, and lead to outrageous settlements that award trial attorneys multimillion-dollar fees while their clients get pennies.

Reform was long overdue. So we pulled together and finally passed a comprehensive class action reform bill with nearly three-quarters of the Senate voting in favor. One week later, the bill was signed into law. And we delivered to America a victory for fairness.

With this success at our backs, we turned to bankruptcy abuse.

Bankruptcy reform had long been in the works. Similar bills had passed the 105th, 106th and 107th Congresses. In this Congress, we passed the most sweeping overhaul of bankruptcy law in 25 years to restore fairness, integrity and personal responsibility to the system. And like class action, the bankruptcy bill passed with broad, bipartisan support.

I thank my colleagues for finally getting these reforms through. It was not easy. A rich and powerful constituency had a lot to lose from reform. But common sense prevailed and we were able to return fairness to the system.

There is still much to do to curb the lawsuit culture: asbestos, gun liability, and medical malpractice. But I am hopeful that the bipartisan spirit that carried us this far will continue to push us across the finish line.

The highway bill was another area where we were able to come together and keep America moving forward.

The highway bill was the result of a long, bipartisan process. It was based on more than 3 years of work, over a dozen hearings, testimony from more than 100 witnesses, and countless hours of negotiation. It was supported by a deep and broad coalition—from State and local highway authorities to national safety advocates.

As every commuter knows, America's roads have become choked with traffic. In many American cities, rush hour now lasts all day long.

Worse yet, car crashes are the No. 1 cause of death for every age from 3 to 33. Last year, nearly 43,000 people died in car accidents.

Transportation Secretary Norm Mineta rightly observed that, "If this many people were to die from any one disease in a single year, Americans would demand a vaccine."

This year, we were able to provide relief. By a vote of 89 to 11, we passed the long overdue SAFETEA bill. As communities improve their roads and ports, America's drivers will face less time sitting in traffic, burning up time and gas.

Which brings me to energy. Like the highway bill and lawsuit abuse reform, energy policy had languished for years—in this case, for over a decade.

While Congress dithered, oil prices soared.

Likewise, instead of the lowest natural gas prices in the industrialized world, we have the highest.