

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.

And because of high natural gas prices, manufacturing and chemical jobs have been steadily moving overseas. Farmers are taking a pay cut. Consumers are paying too much to heat and cool their homes. Communities across the country are suffering. And as many as 2.7 million manufacturing jobs have been lost because of soaring prices.

All the while, we have grown dangerously reliant on foreign sources of energy. And some of those foreign sources do not have America's best interests at heart.

With all of this as a backdrop, we were finally able, this week, to pass a comprehensive Energy bill. It took 10 years, but we made it. And I am hopeful that, soon, we will be able to deliver to the American people an energy plan that makes America safer and more secure.

Another area where we simultaneously strengthened America's national and economic security was with the passage of the Central American Free Trade Agreement last night.

The agreement, which President Bush signed in May of 2004, will eliminate most trade barriers between the United States, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and the Dominican Republic.

CAFTA will open the doors to 44 million new consumers of American goods. And more sales to Central America mean more jobs here at home.

It also means a more shared values.

Twenty years ago, only two of the CAFTA nations were established democracies—Costa Rica and the United States. Today, all seven can be counted among the free nations of the world.

By linking their economies with democratic capitalism, CAFTA will help gird these nations against the threats posed in the neighborhood, mainly Venezuela and Cuba. It will strengthen their democracies and provide a model for freedom seekers around the world.

Which brings me to our outstanding work on the world stage. In April, by a near unanimous vote, we passed the emergency defense and war supplemental and Tsunami relief.

On the morning of December 26th, the world woke up to the terrible tsunami disaster in Southeast Asia.

Deep in the Indian Ocean, an enormous earthquake, estimated at a magnitude of 9.0 on the Richter scale—possibly one of the most powerful earthquakes in history—caused a devastating tsunami which killed over 155,000 people, seriously injured half a million, and displaced as many as 5 million from their demolished homes.

Thousands of people were literally washed out to sea as the enormous wall of water traveling at speeds of up to 500 miles per hour in the open ocean struck the coasts of the Indian Ocean rim. As the waves receded, they took with them whole towns and villages.

In the face of this terrible tragedy, America took swift action.

We immediately dispatched military ships, planes and helicopters to deliver aid. Twelve thousand of our men and women in uniform worked around the clock to reach survivors. And Americans here at home, moved by the terrible images and stories, gave millions out of their own pockets to help.

I had the opportunity to travel to the region with Senator LANDRIEU to survey the damage and meet with local doctors and government officials. We learned that it will take years for the region to recover. Many families never will.

The legislation we passed in April provides an additional \$880 million to help the victims recover and rebuild. The tsunami story may no longer be grabbing headlines, but America is still hard at work doing its part.

We are still also hard at work fighting the war on terror. And the emergency defense bill provides \$75.9 billion in support for our brave soldiers in Afghanistan and Iraq hunting down the enemy, helping to rebuild and spread freedom and democracy.

As the President reminded the Nation this week, we are engaged in an epic struggle. The terrorists and insurgents want to deny the Iraqi people the freedoms that are the right of all mankind.

They want democracy in Iraq to fail, so that they can seize power and spread their poison.

But they will not succeed. We will win this war. But to do so, we must continue to stand together, united in support of our troops and in support of our values. The terrorists are no match for the will of the American people. And as Senators, we have no higher duty than to protect our fellow citizens' safety and well being.

The past 6 months were not without their tense and dramatic moments in the Senate—none were more dramatic than the battle to confirm the President's judicial nominees.

We appear to have begun to repair the confirmation process and restore dignity, fairness, and respect to our debates.

As we said all along, each of these candidates was amply qualified, and enjoyed the majority support of the Senate. Each would be confirmed if brought to the Senate floor. And each of them were: Priscilla Owen, Janice Rodgers Brown, William Pryor, Richard Griffin, David McKeague, and Tom Griffith were all confirmed to the Federal bench.

Unfortunately, in the process, they had to endure continuous, unfair attacks on their character. Some of the nominees in the last Congress found the process so painful, they dropped out rather than continue on.

It is no wonder that we now hear reports that smart, qualified judges do not want to be considered for confirmation to the Federal bench. They have concluded that Washington is no place to risk your reputation—you may never get it back.

Unfortunately, we see this now with the nomination of John Bolton to the United Nations.

I have listened to my Democrat colleagues and heard their requests. I have no choice but to conclude that some on the other side are engaged in plain, partisan obstruction.

John Bolton has a long record of successfully serving his country. He has been confirmed by the Senate no less than four times.

I have been more than willing to try to reach a fair accommodation with the various requests, but the goalposts keep moving.

This is a critical time for the United States and for the world. Because of the President's vision and commitment, democracy is on the march around the globe. And with sensible reform, the United Nations can and should be vital in advancing these developments. But we need to get a U.N. ambassador in place to make that change happen.

We have before us a smart, principled, and straightforward candidate who will effectively articulate the President's policies on the world stage.

We were assured that the partisan obstruction would stop. But as we see with the John Bolton nomination here we are again. I urge my colleagues to do what is right for the country, to set aside partisanship and let the Senate do its work, vote up or down, yes or no.

We have much to do when we get back. It will be a busy month. I look forward to getting down to business and passing more legislation, like the Genetic Non-Discrimination Act we passed in February, that makes America more secure.

I thank my colleagues for their hard work. I wish them a safe, productive and energizing holiday recess.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky.

Mr. McCONNELL. Mr. President, I ask unanimous consent that at the conclusion of my very brief remarks about the retirement of Justice O'Connor, Senator VOINOVICH be recognized for up to 15 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. STEVENS. May I inquire, does the Senator from Ohio intend to speak about Justice O'Connor?

Mr. VOINOVICH. I do not.

Mr. STEVENS. Mr. President, would the Senator mind if I made a short statement about Justice O'Connor before he speaks?

Mr. VOINOVICH. I have been here since 10 minutes to 10 waiting to give a speech. I have a schedule today. I would like to have my time.

Mr. STEVENS. Very well.

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

The Senator from Kentucky.

Mr. McCONNELL. Mr. President, I rise today to briefly celebrate the service of Justice Sandra Day O'Connor. I met Justice O'Connor through my wife,

Labor Secretary Elaine Chao. Justice O'Connor swore her in for two of the positions she has held in the Federal Government, as chairman of the Federal Maritime Commission and, also, most recently, as Secretary of Labor. Through Secretary Chao, I have seen her on several occasions socially. I must say that she is an extraordinary individual. During her time on the Court, Justice O'Connor has proven herself to be a brilliant jurist and a strong defender of the Constitution. She is known for her fairness and her desire to seek practical solutions for even the most difficult decisions upon which the Court had to rule.

Justice O'Connor has proved to be an independent thinker and a vigorous questioner, narrowing in on precise legal issues with laser-like precision from the bench. She has lived up to the promise to respect the Constitution and to interpret the law judiciously, seeking the narrowest reach possible for the Court's rulings. Justice O'Connor is known for approaching each case individually, seeking to arrive at practical conclusions.

Justice O'Connor has been a great advocate for the Court. She has traveled the globe, speaking to thousands of students, lawyers, foreign dignitaries, and others on the judiciary, the Constitution, and the law. Justice O'Connor's love of this Nation, its judicial process, and the law is widely known.

In her most recent book, "Majesty of the Law, Reflections of a Supreme Court Justice," she insightfully describes the institution of the Court, its history, customs, and some of its most able members. Certainly, we will all agree that Justice O'Connor will long be remembered as one of the most distinguished persons ever to serve on the High Court. We wish her very well in her retirement.

I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Ohio is recognized for 15 minutes.

Mr. VOINOVICH. Mr. President, I just found out that Sandra Day O'Connor has resigned from the Supreme Court. I think regardless of what our political persuasion is or our ideology, we all respect her for living up to her oath of office in that her presence on the Supreme Court is going to be missed by this country.

NOMINATION OF JOHN BOLTON

Mr. VOINOVICH. This is the third time I have come to the Senate floor to speak about the nomination of John Bolton to be the next ambassador to the United Nations. It is particularly apropos because the Senate is on the eve of going into the Fourth of July recess. The record before the Senate documents the allegations related to Mr. Bolton's lack of interpersonal skills and management style, the pattern of intimidation with intelligence analysts, and the allegations that Mr.

Bolton had a habit of cherrypicking intelligence to suit his perception of the world and his ideology.

The record has also documented Mr. Bolton's tendency to stray off message in a manner that could harm U.S. interests and his need for supervision from higher authorities to prevent him from hurting U.S. objectives. The record documents the fact that I was given assurances by the Secretary of State, Condoleezza Rice, that Mr. Bolton would be supervised closely in his new position at the U.N. Because of these concerns—and according to other Members of the Senate, they were given the same assurances—the question we all have to ask is, Why would we send someone to the United Nations who needs supervision?

I did not come to the floor today to repeat the record, although these issues are very important to our decision to confirm Mr. Bolton as our next ambassador to the United Nations. I came to the floor to talk about why this nomination is particularly unique and why it is particularly important at this time in history that we send the right candidate to the United Nations.

The nominee that we send to the U.N. to be the face of the United States to the world community must be able to advance our objectives through diplomacy and improve the world's opinion of the United States at this critical time. America's image is in trouble. World opinion is increasingly negative when it comes to the United States. It is not limited to Muslim countries. Polls of traditional allies and nonallies reveal a dangerous rise in negative opinion since the beginning of the conflict in Iraq. The Associated Press reported that the popularity of the United States in many countries, including many in Europe, is lagging behind even Communist China.

According to the Pew Research Center for the People and the Press, about two-thirds of Britain, 65 percent, saw China favorably compared with 55 percent who held a positive view of the United States. It is easy to understand why our friend, British Prime Minister Tony Blair, lost 30 seats in the Parliament.

The 9/11 Commission made this point in its report that negative opinions of the United States have a serious impact on U.S. national security objectives. The report stated that winning hearts and minds through public diplomacy is just as critical to the war on terrorism as other tools, such as military assets and intelligence. I know I am not the only American who is disturbed by these numbers. The allegations and the criticism do not reflect the facts and are in no way fair to the United States of America. Our country is a decent, generous country that has sacrificed a great deal for our brothers and sisters throughout the world. Our men and women have sacrificed their lives in many wars and peacekeeping operations so that others could be free from oppression and free to pursue happiness.

In Iraq, the deaths of over 1,700 Americans and the injuries borne by almost 13,000 Americans bear witness to this sacrifice. But the fact is, we have to do a better job of getting our message out.

Our President, who made an outstanding case for our need to stay the course in Iraq the other night, has stated on a number of occasions that we need to improve our public diplomacy, and he has been very successful in pushing forward that agenda in recent months. As I mentioned before, the President has nominated Karen Hughes to head up his public diplomacy efforts at the State Department, understanding that it is going to take a talented individual to get the job done. He has also been very successful in strengthening relationships with key allies in the last several months.

The President has been very clear about the importance of diplomacy in dealing with the world and the most pressing national security issues. During the President's May 31 press conference at the White House, just a month ago, he stated:

The best way to solve any difficult situation is through diplomacy.

In response to questions about Iran, the President stated that U.S. policy is to let diplomacy work its way and to solve the problem with diplomacy, working with the EU-3, France, Great Britain, and Germany.

In response to questions about North Korea, the President said:

We want diplomacy to work.

Repeating:

We want diplomacy to be given a chance to work.

And that is exactly the position of the Government.

Based on these statements, there is no doubt that U.S. national security strategy is going to rely on diplomacy for the months ahead, and our ambassador to the United Nations must have the ability to implement this Presidential strategy.

I recently spoke with Comptroller General David Walker who heads the Government Accountability Office and is an expert on change in governmental organizations and how one achieves reform in a governmental organization. He said that in order to be successful on reform, you need someone who respects the institution to be reformed and who is respected by the institution.

In a March 2005 article in the Los Angeles Times, it was reported that Mr. Bolton was asked why he opposed offering incentives to North Korea to abandon its nuclear weapons program.

Mr. Bolton stated, "I don't do carrots."

Any competent diplomat knows you need both a carrot and a stick to be successful. One would assume by that statement that Mr. Bolton's mode of diplomacy is solely through carrying a big stick.

I will read a few quotes of many Mr. Bolton has spoken over the years: