

(2) promoting the free exchange of ideas; and

(3) vigorously exercising in its Parliament, the Knesset, a democratic government that is fully representative of its citizens;

Whereas Israel has bravely defended itself from terrorist and military attacks repeatedly since it declared its independence;

Whereas the Government of Israel has successfully worked with the neighboring Governments of Egypt and Jordan to establish peaceful and bilateral relations;

Whereas, despite the deaths of over 1,000 innocent Israelis at the hands of murderous suicide bombers and other terrorists during the last 5 years, the people of Israel continue to seek peace with their Palestinian neighbors;

Whereas visionary Israeli leaders like Yitzhak Rabin and Ariel Sharon were at the forefront of creating conditions for peace in the Middle East;

Whereas the United States and Israel enjoy a strategic partnership based on shared democratic values, friendship, and respect;

Whereas the people of the United States share an affinity with the people of Israel and view Israel as a strong and trusted ally;

Whereas Israel has made significant global contributions in the fields of science, medicine, and technology; and

Whereas the Independence Day of Israel on the Jewish calendar coincides this year with May 3, 2006: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the independence of the State of Israel as a significant event for providing refuge and a national homeland for the Jewish people;

(2) commends the bipartisan commitment of all administrations and Congresses of the United States since 1948 that stood by Israel and worked for its security and well-being;

(3) congratulates the United States and Israel for strengthening their bilateral relations during the last year in the fields of defense, diplomacy, and homeland security, and encourages both countries to continue their cooperation in resolving future mutual challenges; and

(4) extends warm congratulations and best wishes to the people of Israel as they celebrate the 58th anniversary of the independence of Israel.

Mr. FRIST. Mr. President, this resolution we addressed is a resolution recognizing the 58th anniversary of the independence of the State of Israel. I am proud to be the sponsor of this resolution and appreciate my colleagues for joining me on this resolution.

#### NATIONAL HUNGER AWARENESS DAY

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 464, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 464) designating June 7, 2006, as "National Hunger Awareness Day" and authorizing the Senate offices of Senators Gordon H. Smith, Blanche L. Lincoln, Elizabeth Dole, and Richard J. Durbin to collect donations of food during the period beginning May 9, 2006, and ending June 7, 2006, from concerned Members of Congress and staff to assist families suffering from hunger and food insecurity in the Washington, D.C., metropolitan area.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 464) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 464

Whereas food insecurity and hunger are a fact of life for millions of low-income citizens of the United States and can produce physical, mental, and social impairments;

Whereas recent data published by the Department of Agriculture show that almost 38,200,000 people in the United States live in households experiencing hunger or food insecurity;

Whereas the problem of hunger and food insecurity can be found in rural, suburban, and urban portions of the United States, touching nearly every community of the Nation;

Whereas, although substantial progress has been made in reducing the incidence of hunger and food insecurity in the United States, certain groups remain vulnerable to hunger and the negative effects of food deprivation, including the working poor, the elderly, homeless people, children, migrant workers, and Native Americans;

Whereas the people of the United States have a long tradition of providing food assistance to hungry people through acts of private generosity and public support programs;

Whereas the Federal Government provides essential nutritional support to millions of low-income people through numerous Federal food assistance programs, including—

(1) the federal food stamp program, as established by the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.);

(2) child nutrition programs; and

(3) food donation programs;

Whereas there is a growing awareness of the important public and private partnership role that community-based organizations, institutions of faith, and charities provide in assisting hungry and food-insecure people;

Whereas more than 50,000 local community-based organizations rely on the support and efforts of more than 1,000,000 volunteers to provide food assistance and services to millions of vulnerable people;

Whereas a diverse group of organizations have documented substantial increases in requests for emergency food assistance during the last year; and

Whereas all citizens of the United States can help participate in hunger relief efforts in their communities by—

(1) donating food and money;

(2) volunteering; and

(3) supporting public policies aimed at reducing hunger: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates June 7, 2006, as "National Hunger Awareness Day";

(2) calls on the people of the United States to observe National Hunger Awareness Day with—

(A) appropriate ceremonies, volunteer activities, and other support for local anti-hunger advocacy efforts and hunger relief charities, including food banks, food rescue organizations, food pantries, soup kitchens, and emergency shelters; and

(B) the continued support of programs and public policies that reduce hunger and food insecurity in the United States; and

(3) authorizes the offices of Senators Gordon H. Smith, Blanche L. Lincoln, Elizabeth Dole, and Richard J. Durbin to collect donations of food during the period beginning May 8, 2006, and ending June 7, 2006, from concerned Members of Congress and staff to assist families suffering from hunger and food insecurity in the Washington, D.C., metropolitan area.

#### MEASURE PLACED ON THE CALENDAR—S. 2700

Mr. FRIST. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the second time.

The legislative clerk read as follows:

A bill (S. 2700) to amend the Clean Air Act to provide for a Federal Fuels List, and for other purposes.

Mr. FRIST. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceeding.

The PRESIDING OFFICER. Objection is heard. The bill will be placed on the calendar.

#### MEASURES READ THE FIRST TIME—S. 22 AND S. 23

Mr. FRIST. Mr. President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will report the bills by title.

The legislative clerk read as follows:

A bill (S. 22) to improve patient access to health care services and so forth, and for other purposes.

A bill (S. 23) to improve women's access to health care services and so forth, and for other purposes.

Mr. FRIST. Mr. President, I ask for a second reading, and in order to place the bills on the calendar under the provisions of rule XIV, I object to my own request, all en bloc.

The PRESIDING OFFICER. Objection is heard.

The bills will receive their second reading on the next legislative day.

Mr. FRIST. Mr. President, I will continue with our business, but I have to stop a moment and note that both of these bills, S. 22 and S. 23, address an issue that is very close to my heart because they focus on reform of a medical liability system, or a medical malpractice system that is just flat out broken. The sad thing about it is that the patients suffer. Future mothers—women who are pregnant—have to worry about whether an obstetrician will be available if they begin to have problems during their pregnancy. Over half the counties in America don't have an obstetrician. If you are so unfortunate as to have an accident driving home tonight or in to work tomorrow, you want to make sure there is a neurosurgeon on call to be at that hospital to treat you in the event of a traumatic accident.

The truth is neurosurgeons today are fleeing from taking trauma emergency

calls because of the likelihood—no matter how good they are, no matter what their past record is, or no matter what they do—of being sued by predatory personal injury trial lawyers who are after them because they can make a buck. That is the reality we are talking about. People should be able to depend on access to good quality of care, whether it is delivering a baby that future moms have to worry about—and in America it shouldn't happen—or having to worry about whether there is somebody appropriate to treat you in the event there is trauma.

That is where the vote is going to be when we debate these two bills, and hopefully we will be debating these bills sometimes in the next 3 or 4 days.

I do have to add the other component to it because the other issue, aside from the access issue, is the cost issue. Everyone knows that health care costs are skyrocketing, and they are out of reach for many, if not most, Americans today. As a physician, I can tell you that if you know you are going to be sued, no matter who you are, and almost all physicians are sued today—almost all physicians are sued—if you know you are going to be sued, you practice what we call defensive medicine. And since you know you can be sued sometime in the future, for every patient who comes in, to protect yourself when you are sued, no matter if you have done anything wrong, you end up ordering lots of extra tests to have a paper trail documented to show that you made the right decisions throughout.

It is estimated that so-called defensive medicine cost is anywhere from \$100 billion to \$125 billion a year. In my own State it is estimated to be about \$2 billion a year. That is wasted money, inefficient use, money that is thrown away. Who pays for it? The American people do. The premiums go up. The cost issue is a separate issue from the access of care. But the access of care issue and the cost issue, the higher you drive up the costs and the lower the access, quality falls. That is what is going to be debated when we address these two bills on medical liability by Senator ENSIGN and the second bill by Senator SANTORUM.

#### CONVEYING SYMPATHY OF CONGRESS TO THE WOMEN OF CHIHUAHUA

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 90 just received from the House and at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

A concurrent resolution (H. Con. Res. 90) conveying the sympathy of Congress to the young women murdered in the State of Chihuahua, Mexico, and encouraging increased United States involvement in bringing an end to these crimes.

The PRESIDING OFFICER. There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the current resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating thereto be printed in the RECORD as if read without intervening action or debate.

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

The concurrent resolution (H. Con. Res. 90) was agreed to.

The preamble was agreed to.

#### ORDERS FOR THURSDAY, MAY 6, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Thursday, May 4. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, there then be a period for the transaction of morning business for up to 60 minutes with the Democratic leader or his designee in control of the first 30 minutes, to be followed by 30 minutes under the control of the majority leader or his designee; provided further that the Senate then resume the consideration of H.R. 4939 as under the previous order; provided further that the chairman and ranking member be recognized for up to 10 minutes each.

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

#### PROGRAM

Mr. FRIST. Mr. President, for the information of our colleagues, all post-cloture time has been consumed on the supplemental appropriations bill. The only action remaining on the bill will be the two amendments pending, and then a vote on passage. I understand that we may not need a vote on both of the amendments, and therefore we will have two or three votes in the morning to conclude action on the supple-

mental. Other votes could occur on Thursday's session as we try to clear some executive nominations, including two district court judges.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order until 9:30 a.m. tomorrow.

There being no objection, the Senate, at 7:50 p.m., recessed until Thursday, May 4, 2006, at 9:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate May 3, 2006:

##### DEPARTMENT OF THE INTERIOR

MARK MYERS, OF ALASKA, TO BE DIRECTOR OF THE UNITED STATES GEOLOGICAL SURVEY, VICE CHARLES G. GROAT, RESIGNED.

##### DEPARTMENT OF STATE

SUSAN C. SCHWAB, OF MARYLAND, TO BE UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY, VICE ROBERT J. PORTMAN.

##### IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

##### *To be rear admiral*

REAR ADM. (LH) GARY T. BLORE, 0000  
REAR ADM. (LH) JOHN P. CURRIER, 0000  
REAR ADM. (LH) JOEL R. WHITEHEAD, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

##### *To be lieutenant (junior grade)*

THEA IACOMINO, 0000

##### IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### *To be brigadier general*

COL. LINDA K. MCTAGUE, 0000

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be lieutenant general*

MAJ. GEN. LLOYD J. AUSTIN III, 0000

#### WITHDRAWAL

Executive Message transmitted by the President to the Senate on May 3, 2006 withdrawing from further Senate consideration the following nomination:

COAST GUARD NOMINATION OF THEA IACOMINO TO BE LIEUTENANT, WHICH WAS SENT TO THE SENATE ON OCTOBER 6, 2005.