

State. That is why a lot of new people are not going into the practice of obstetrics and gynecology. Especially for delivery of high-risk patients, rates have skyrocketed. Many physicians simply will not treat high-risk patients.

What are the women to do with a high-risk pregnancy? More and more women today are choosing to have babies later and later in life, and more and more of them have high-risk pregnancies as a result. With fewer and fewer doctors able to deliver high-risk pregnancies, this does not add up. That is why it is so critical to enact this legislation before the Senate today.

I know where the politics lie. We will probably not be able to pass this legislation at this point. However, I want people to take a hard look, talk to the patients in your States, find out what is really happening at the grassroots level. This is not a question of how much money a physician makes. This is not a question of whether hospitals or insurance companies are going to be profitable. This is a question of whether when somebody needs the health care services to save lives or deliver babies, that health care will be there because the provider is there.

I am passionate about this issue because people are in jeopardy of not getting the kinds of lifesaving services they need, the types of services that improve the quality of life for so many Americans. That is why this legislation is so critical today.

As we go forward over the next 24 hours debating this bill, I encourage Members to have a healthy debate with an up-or-down vote and start hearing from the American people on this issue. If Senators listen to their constituents, they will hear loudly and clearly we need to reform our medical liability system so we can afford to have health care that is so desperately needed.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Are we in morning business?

The PRESIDING OFFICER. We are in morning business with remaining time on our side of 4 minutes 21 seconds.

Mr. REID. Mr. President, I ask that the Senator from Idaho be given whatever time he needs. He is talking about a very important subject.

The PRESIDING OFFICER. There is a unanimous consent to begin debate on judges at 11:30.

Mr. REID. I ask unanimous consent the Senator have whatever time he needs up to 25 minutes to the hour for this very important statement.

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

#### BIRTH ANNOUNCEMENTS

Mr. CRAIG. Mr. President, the Democrat leader and I were visiting a few moments ago about our Fourth of July break and what we were doing. That is

one of the reasons I am speaking this morning. I thank the Senator from Nevada for that courtesy.

We all went home during the Fourth of July break to celebrate a birthday, the birthday of our great Nation. We gathered with family and friends. We set off fireworks. Some Members were in parades. It was all about a birthday, the birthday of this great Nation.

My wife Suzanne and I were also home in Idaho because of other birthdays. On May 31 of this year, our daughter Shae and her husband David had twins. Two new grandchildren entered both Suzanne's and my life, a boy and a girl, born on May 31. The little boy's name is Drew Calvin Howell and he weighed 5 pounds and 3 ounces. His sister, I am sure always to be called the little sister, is Peyton Shae Howell, and she was born at 11:54. Drew was born at 11:32. She weighed 4 pounds and 1 ounce. They are twins and were premature so they stayed the first 3 weeks of their lives in intensive care in a Boise hospital before they were allowed to come home.

Here we are, Fourth of July, and they are really home for the first time. It is the first time grandpa had a chance to hold them and love them and see them and be around them. It was a treat for our family but especially for Suzanne and myself to be with our grandchildren.

This Fourth of July in Idaho with our family took on special meaning as we celebrated the birthday of these grandchildren, these twins, with our daughter Shae and her husband David. It is always an important time in families when grandchildren enter them. Drew and Peyton are the sixth and seventh grandchildren, so we feel very privileged by that.

Often we come to the floor to talk about momentous and meaningful events. The Republican Senator from Nevada just spoke about a critical issue of reforming health care in our country, and malpractice. But probably there is no more important event than when grandchildren enter our lives.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

#### EXECUTIVE SESSION

NOMINATION OF DAVID G. CAMPBELL, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA

The PRESIDING OFFICER. The hour of 11:30 having arrived, the Senate will proceed to executive session for the consideration of Executive Calendar No. 227 until the hour of 11:45, with the time equally divided between the chairman and the ranking member of

the Judiciary Committee or their designees.

The clerk will report.

The legislative clerk read the nomination of David G. Campbell, of Arizona, to be United States District Judge for the District of Arizona.

The PRESIDING OFFICER. The Senator from Idaho.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

#### UNANIMOUS CONSENT AGREEMENT

Mr. FRIST. Mr. President, I ask unanimous consent that the cloture vote with respect to the Wolski nomination be vitiated; provided further that at 2:15 today the Senate resume the motion to proceed to S. 11; further, I ask unanimous consent that on Wednesday the time between 9:30 a.m. and 11 a.m. be equally divided between the two leaders or their designees; that at 11:30 the Senate proceed to the vote on invoking cloture on the motion to proceed to S. 11; and, regardless of the outcome of that vote the Senate then proceed to an immediate vote on the confirmation of Victor Wolski to be a judge of the U.S. Court of Federal Claims.

I further ask unanimous consent that immediately after the confirmation of the Wolski nomination the Senate proceed en bloc to Executive Calendar Nos. 89, 129, and 130; and, further, that the nominations be confirmed and the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

Finally, I ask unanimous consent that following that action the Senate then proceed to the consideration of Calendar No. 77, S. 925, the State Department authorization bill.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Mr. President, reserving the right to object—I will not object—I will make a comment and then pose a clarification.

I talked to the majority leader earlier today about the concerns that we have regarding Mr. Wolski. Although it was not our intent to extend the debate indefinitely, it was our view that, given the nature of his nomination, it deserved a little additional attention and some specific time for debate beyond that which we were provided this morning.

I wish to express my appreciation to the majority leader for giving us that opportunity. I hope, if there are breaks in the debate either today or tonight, that Senators who have an interest in this particular nomination use that time in addition to the amount of time that is earmarked for the debate on the

nomination tomorrow morning. So we will certainly find a way in which to make that part of the schedule.

The clarification: As I understand it—and I ask for the majority leader's affirmation—Nos. 89, 129, and 130 are the nominations involving the Federal Claims Court. They are the other nominees whose names are still pending on the Executive Calendar. I ask the majority leader if that is, indeed, the case.

Mr. FRIST. Mr. President, that is the case, and the understanding as put forth in the unanimous consent request is that we proceed to them en bloc. They are the other three on the claims court.

Mr. DASCHLE. Mr. President, I have no objection.

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

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I ask unanimous consent to speak for no more than 2 minutes on the nomination of David Campbell upon which we are about to vote.

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

Mr. KYL. Mr. President, I advise my colleagues that the person we are about to vote on is one of the smartest candidates for Federal district court that I have ever seen nominated by a President of either party. His name is David Campbell. He is nominated to be a U.S. District Judge for the District of Arizona.

He has a distinguished record in the State of Arizona, primarily with the Phoenix law firm of Osborn and Maledon. He was a graduate of the University of Utah Law School in 1979, where he was a note editor on the Law Review and was awarded the Order of Coif.

He clerked for both Judge Clifford Wallace for the U.S. Court of Appeals for the Ninth Circuit and for U.S. Supreme Court Justice William Rehnquist.

He has practiced primarily in the civil area but has a broad experience, including a lot of work with the Arizona State Bar Association's Committee on Rules of Professional Responsibility, and he has been cobar counsel in a majority bar disciplinary case.

In addition to his work in the law practice, he has taught as adjunct professor of law at the Arizona State University Law School and was a visiting professor at the J. Reuben Clark Law School at Brigham Young University where he was named Professor of the Year.

He has published articles and has had a distinguished career as a lawyer in the State of Arizona.

I think the Senate will be proud to have confirmed him to the Federal bench. He epitomizes what we are looking for in judicial temperament, intelligence and integrity, and I think the State of Arizona and the U.S. bench generally will be the better as a result of our confirmation of David Campbell.

I commend the President for his nomination of David Campbell.

I also express appreciation to David's wife Stacey and their five children for putting up with what will now be a career on the Federal bench for this very fine candidate, David Campbell.

I urge my colleagues to support the confirmation of his nomination to be a U.S. Federal judge.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. HATCH. Mr. President, I rise today to express my strong support for the confirmation of David G. Campbell to serve as a judge of the United States District Court for the District of Arizona.

David Campbell is an extremely well-qualified nominee with a significant amount of litigation experience, and he will make an excellent addition to the federal bench.

He received his undergraduate degree magna cum laude, as well as his law degree, from the University of Utah—which, in my view, is a reliable and persuasive indication of his excellent judgment.

Upon graduation from law school, Mr. Campbell clerked for Ninth Circuit Judge Clifford Wallace, and for then Associate Justice William Rehnquist on the United States Supreme Court.

He joined the Phoenix law firm of Meyer, Hendricks, Victor, Osborn & Maledon in 1982 and became a partner there in 1986. Since 1995, Mr. Campbell has been a partner at its successor firm, Osborn Maledon, where he practices in the area of general civil litigation. The American Bar Association bestowed on Mr. Campbell its highest rating of unambiguously well qualified in recognition of his outstanding legal skills and reputation.

In addition to his distinguished legal career, Mr. Campbell has been a great asset to his community and has donated many hours of pro bono service and volunteer time to help individuals and families in need in his community. His volunteer service has included building homes for the homeless in Mexico, providing Christmas supplies to crises nurseries, and providing back to school clothing for disadvantaged children. He was also named Professor of the Year in 1991 by the J. Reuben Clark Law School at Brigham Young University for his service as a visiting civil procedure professor.

I am confident that David Campbell will be a model jurist, and I urge my colleagues to join me in supporting his confirmation.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of David G. Campbell, of Arizona, to be United States District Judge for the District of Arizona?

The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Oklahoma (Mr. INHOFE) is necessarily absent.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from North Carolina (Mr. EDWARDS), the Senator from Florida (Mr. GRAHAM), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Georgia (Mr. MILLER), and the Senator from Florida (Mr. NELSON) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "yea."

The result was announced—yeas 92, nays 0, as follows:

[Rollcall Vote No. 263 Ex.]

#### YEAS—92

Akaka	DeWine	Lott
Alexander	Dodd	Lugar
Allard	Dole	McCain
Allen	Domenici	McConnell
Baucus	Dorgan	Mikulski
Bayh	Durbin	Murkowski
Bennett	Ensign	Murray
Bingaman	Enzi	Nelson (NE)
Bond	Feingold	Nickles
Boxer	Feinstein	Pryor
Breaux	Fitzgerald	Reed
Brownback	Frist	Reid
Bunning	Graham (SC)	Roberts
Burns	Grassley	Rockefeller
Byrd	Gregg	Santorum
Campbell	Hagel	Sarbanes
Cantwell	Harkin	Schumer
Carper	Hatch	Sessions
Chafee	Hollings	Shelby
Chambliss	Hutchison	Smith
Clinton	Inouye	Snowe
Cochran	Jeffords	Specter
Coleman	Johnson	Stabenow
Collins	Kennedy	Stevens
Conrad	Kohl	Sununu
Cornyn	Kyl	Talent
Corzine	Landrieu	Thomas
Craig	Lautenberg	Voinovich
Crapo	Leahy	Warner
Daschle	Levin	Wyden
Dayton	Lincoln	

#### NOT VOTING—8

Biden	Inhofe	Miller
Edwards	Kerry	Nelson (FL)
Graham (FL)	Lieberman	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. SESSIONS). Under the previous order, the President shall be immediately notified of the Senate's action.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

The Senator from Wyoming is recognized.

#### MORNING BUSINESS

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate begin a period of morning business until 12:30 p.m.

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

#### PATIENTS FIRST ACT

Mr. ENZI. Mr. President, throughout the West, and all over the country,