

drive away is the Federal Law Enforcement Training Center in Artesia. These two outstanding facilities are playing critical roles in the "War on Terrorism."

Were I present today, I would vote "yea" on the Omnibus Appropriations bill, H.R. 2673.

#### HONORING SENATOR BIRCH BAYH

Mr. DODD. Mr. President, I rise in tribute to a distinguished public servant, and a member of the Senate for 18 years, Senator Birch Bayh of Indiana.

Today, Senator Bayh is celebrating his 76th birthday. Earlier this week, I had the privilege of participating in an event honoring Senator Bayh at the University of Connecticut. Senator Bayh was recognized for his role as a chief architect of title IX, the historic legislation that prohibits discrimination against women in education.

Before title IX became law in 1972, American women and girls were treated as second-class citizens in our educational system. They were discouraged from studying subjects like math, science, and law. Many schools and universities had separate entrance requirements for male and female students—and many others did not admit women at all. Those women who did gain admission were often subject to discriminatory policies. Some were denied scholarships and other forms of financial aid. Others were excluded from honor societies, clubs, and other organizations and activities.

Thanks to title IX, women have taken their rightful place in American education—as students, teachers, professors, even university presidents. And equality in education has helped women find opportunities for success in virtually every aspect of American life. Today's women in America are doctors, lawyers, engineers, and business owners. They are mayors, governors, judges, and legislators. This distinguished body is privileged to count 14 women among its Members. And the day will likely soon come when this country elects its first woman President.

Title IX's impact is felt not only in the classroom and the boardroom, but in the locker room as well. Since title IX was passed, the number of women playing collegiate sports has increased from about 32,000 to nearly 150,000. Today, 3 million high school girls play competitive sports, compared to only 300,000 thirty years ago. America has a successful professional women's basketball league. And every 4 years, the Women's World Cup in soccer attracts thousands of spectators, and millions of TV viewers, across our Nation. The University of Connecticut, whose female student-athletes excel in both academics and athletics, is a shining example of the dramatic and positive change that title IX has brought to our Nation.

Birch Bayh was an ardent supporter of women's rights during his years of

service in the Senate. In addition to title IX, he also helped craft the Equal Rights Amendment, which has been ratified by 35 States, including my home State of Connecticut. I would like to thank Senator Bayh as well as the many others who helped make title IX a reality. In particular, I'd like to recognize my friend and colleague Senator TED STEVENS for his role as the lead Senate cosponsor, as well as the bill's sponsors in the House, the late Edith Green of Oregon and the late Patsy Mink of Hawaii.

And last but certainly not least, I'd like to express my appreciation and admiration for the countless girls and women in America over the years who fought to open doors that for so long were closed to them—from schools to offices to military bases to voting booths. The long journey towards gender equality is not yet complete. But achievements like title IX show that there has indeed been taken great and meaningful strides in the right direction.

#### LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH. Madam President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

Terriane Summers, a 51-year old transgender activist was shot in the back of the head while getting out of her car in her driveway. Summers, a retired Navy Lieutenant Commander, organized a local protest against the Winn-Dixie supermarket chain in January after an employee was fired for cross-dressing off-duty.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

#### HONORING OUR ARMED FORCES

##### SERGEANT JARROD BLACK

Mr. BAYH. Madam President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave young man from Peru, IN. Sgt. Jarrod William Black, 26 years old, died in Ar Ramadi, a town 60 miles west of Baghdad, on December 12, 2003, after his vehicle was hit by an improvised explosive device. Jarrod joined the Army with his entire life before him. He chose to risk everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Jarrod was the 22nd Hoosier soldier to be killed while serving his country

in Operation Iraqi Freedom. Jarrod leaves behind his father, Bill, his mother, Jane, his wife, Shawna, his brother, Brandon, and his sons, Jacob and Jason. Only 1 week after being deployed to Iraq the young couple found out that they were expecting a baby girl. May she grow up knowing that her father gave his life so that young Iraqis will some day know the freedom she will enjoy.

Today, I join Jarrod's family, his friends, and the entire Peru community in mourning his death. While we struggle to bear our sorrow over his death, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is this courage and strength of character that people will remember when they think of Jarrod, a memory that will burn brightly during these continuing days of conflict and grief.

Rowland Garver, Jarrod's grandfather and an Air Force veteran of 20 years, told Jarrod's hometown paper, the Peru Tribune, that the death of his grandson brings home the reality of war. These words of reflection and loss sting the hearts of all who know the worry and honor of having loved ones serve our Nation overseas.

During the last phone conversation that Jarrod had with his family, he called his mother and told her that he loved her and was being safe. His mother says that God granted her that one last conversation with her son. Today, Jarrod's family remembers him as a true American hero, and we honor the sacrifice he made while serving his country.

Jarrod graduated from Peru High School in 1999, where he was an avid Peru Tigers fan. Friends and family members remember Jarrod for the love he had for his entire family, and for his energetic personality, which he often demonstrated while cheering on his favorite team, the Indianapolis Colts.

After joining the Army in 1999, Jarrod left to begin full-time duty in Fort Riley, KS. Jarrod served on a tanker as part of the 1st Battalion, 34th Armor Division, 1st Infantry Division. He was deployed to the Middle East in September.

As I search for words to do justice in honoring Jarrod's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg:

We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.

This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Jarrod's actions will live on far longer than any record of these words.

It is my sad duty to enter the name of Jarrod Black in the official RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy and

peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that families like Jarrod's can find comfort in the words of the prophet Isaiah who said, "He will swallow up death in victory; and the Lord God will wipe away tears from off all faces."

May God grant strength and peace to those who mourn, and may God bless the United States of America.

#### HONORING SPECIALIST LUKE P. FRIST

Mr. BAYH. Madam President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave young man from Brookston, IN. Specialist Luke Frist, 20 years old, died at the Brooke Army Medical Center at Fort Sam Houston, TX, on January 5, 2004, following an attack, 3 days prior in Baghdad, Iraq, when the fuel truck he was driving struck an improvised explosive device.

After joining the Army Reserves, Luke was assigned to the 209th Quartermaster Company in Lafayette, IN. Luke served on a fuel tanker as a petroleum specialist during his deployment, which began in May 2003.

Luke was the twenty-third Hoosier soldier to be killed while serving his country in Operation Iraqi Freedom. This brave young soldier leaves behind his father, Dennis, his mother, Pattie, and two sisters. When Luke joined the Army Reserves, he was following in the military footsteps of his parental grandfather, who served in World War II. With his entire life before him, Luke chose to risk everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Today, I join Luke's family, his friends, and the entire Brookston community in mourning his death. While we struggle to bear our sorrow over his death, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Luke, a memory that will burn brightly during these continuing days of conflict and grief.

Luke's family recalls his being in good spirits during his last phone call home. According to his sister Johanna, Luke "wanted to fight for his country and be the best of the best . . . He died doing what he loved." Today, Luke's family remembers him as a true American hero, and we honor the sacrifice he made while serving his country.

Luke graduated from Tri-County High School in 2001. He was an active member of the student body, playing the trombone and tuba in the band, playing on the football team, and throwing shot put as a member of the track team. Friends and family members alike remember Luke for his energetic personality, his passion for being outdoors, and his dedication to making his dreams become a reality. When Luke was activated, he was working

full time while attending classes at Ivy Tech State College in Lafayette, with plans to transfer to Purdue University to pursue a career in landscape design.

As I search for words to do justice in honoring Luke's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg:

We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.

This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Luke's actions will live on far longer than any record of these words.

It is my sad duty to enter the name of Luke P. Frist in the official RECORD of the U.S. Senate for his service to his country and for his profound commitment to freedom, democracy and peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that families like Luke's can find comfort in the words of the prophet Isaiah who said, "He will swallow up death in victory; and the Lord God will wipe away tears from off all faces."

May God grant strength and peace to those who mourn, and may God bless us all.

#### HONORING SENATOR WILLIAM ROTH

Mr. FEINGOLD. Madam President, today I would like to pay tribute to a man who served in this body with distinction for 30 years, Senator William Roth.

Senator Roth was first elected to the House of Representatives from his adopted State of Delaware in 1966. He immediately made a name for himself as he shed light on wasteful Government spending. His fight against Government waste and abuse continued when he was elected to the Senate in 1970, where he served the people of his State honorably for three decades and chaired both the Governmental Affairs and Finance Committees.

Senator Roth will forever be remembered for the respect he paid to this institution and to his colleagues. That respect was returned many times over by his colleagues, who knew they could count on his integrity, civility and all-around decency. In a time when many feel partisanship is on the rise, those qualities are sorely missed. Senator Roth should be looked to as an example for all Members of the Senate.

Senator Roth's modest demeanor belied his accomplishments and influence. He played significant roles in many tax policy debates over the years and was a lead force in Congress with respect to efforts to "reinvent" the Federal Government during the 1990s. He also was a defender of the environ-

ment, opposing ocean dumping, oil drilling in the Arctic National Wildlife Refuge, and incineration of toxic waste.

I am honored to have served with Senator Roth and he will be truly missed.

#### JUDICIAL NOMINATIONS

Mr. LEAHY. Madam President, we open this year confronted with three additional disappointing developments regarding judicial nominations: the Pickering recess appointment, the renomination of Claude Allen, and the pilfering of Democratic offices' computer files by Republican staff.

Late last Friday afternoon President Bush made his most cynical and divisive appointment to date when he bypassed the Senate and unilaterally installed Charles Pickering to the U.S. Court of Appeals for the Fifth Circuit. That appointment is without the consent of the Senate and is a particular affront to the many individuals and membership organizations representing African Americans in the Fifth Circuit who have strongly opposed this nomination.

With respect to his extreme judicial nominations, President George W. Bush is the most divisive President in American history. Through his extreme judicial nominations, President Bush is dividing the American people and undermining the fairness and independence of the federal judiciary on which all Americans depend.

After fair hearings and open debate, the Senate Judiciary Committee rejected the Pickering nomination in 2002. Originally nominated in 2001 by President Bush, this nominee's record underwent a thorough examination by the Senate Judiciary Committee and was found lacking. Rejected for this promotion by the Committee in 2002 because of his poor record as a judge and the ethical problems raised by his handling of his duties in specific instances, Judge Pickering's nomination was nonetheless sent back to the Senate last year by a President who is the first in our history to reject the judgment of the Judiciary Committee on a judicial nominee. This is the only President who has renominated someone rejected on a vote by the Judiciary Committee for a judicial appointment.

The renomination of Charles Pickering lay dormant for most of last year while Republicans reportedly planned further hearings. Judge Pickering himself said that several hearings on his nomination were scheduled and cancelled over the last year by Republicans. Then, without any additional information or hearings, Republicans decided to forego any pretense at proceeding in regular order. Instead, they placed the name of Judge Pickering on the committee's markup agenda and pushed his nomination through with their one-vote majority. The Committee had been told since last January that a new hearing would be held