

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