

would-be terrorists around the globe. If we are indeed engaged in a global war on terrorism, then why is justice not pursued to its fullest extent when the terrorists are Palestinian or citizens of countries, such as Indonesia or Yemen, with which we are keen to maintain good relations?

We must send the message that we, as a country, are no less than 100 percent committed in our resolve to investigate and prosecute the murder of innocent Americans abroad, whether they be high-level diplomats, school teachers on a picnic, or children whose lives are cut short.

We have sent precisely the wrong message to would-be terrorists in certain regions of the world for far too long. This culminated in today's tragic events in Gaza. The State Department obviously maintains considerable influence in the investigation of the cases of official and non-official Americans who have been killed abroad.

But the pursuit of justice should not primarily be an issue of diplomacy, but of justice. The return address for this entire issue of Americans who have been killed by terrorists abroad simply belongs in the Justice Department.

That is why I call upon you today to join me and almost two dozen other Senators in cosponsoring the Koby Mandell Act of 2003. The act calls for transferring the lead responsibility for the investigation and prosecution of terrorists who have killed Americans abroad into its rightful destination, the Department of Justice.

I urge you to cosponsor S. 684, the Koby Mandell Act of 2003, and to send a message to terrorists that we have their number, and that one day, hopefully sooner than later, their number will be up.

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#### CELEBRATING HISPANIC HERITAGE MONTH

Mr. DOMENICI. Mr. President, I rise today to pay tribute to the contributions of Hispanic Americans to New Mexico and our country. I would like to focus my remarks today particularly on the representation of Hispanic Americans in the Federal judiciary.

Hispanics are currently dramatically underrepresented in our Nation's judiciary, making up only 3.8 percent of Federal judges while comprising 14 percent of our country's population. New Mexico leads the Nation with the highest Hispanic population percentage of any State, nearly 43 percent. As New Mexico's senior Senator, I am proud to have played a strong role in recommending Hispanic nominees for the Federal bench, and am even prouder that these recommendations have been accepted. Soon, three of the seven judges serving on U.S. District Court for the District of New Mexico will be Hispanic. Of the last five nominations made by President Bush to this court, all based on my recommendations, two were Hispanic women: Judge Christina Armijo, confirmed in November 2001,

and Judith Herrera, nominated last month.

Judge Armijo, formerly a judge on the New Mexico Court of Appeals, brings a great deal of judicial experience and a history of public service to the Federal bench in New Mexico. A 1975 graduate of the UNM School of Law, she was an attorney and public defender before joining the Court of Appeals.

Ms. Herrera, a distinguished attorney from Santa Fe, has experience in the public sector as a University of New Mexico regent from 1999 to 2003, a Santa Fe City Councilor from 1981 to 1986, and as an assistant district attorney. She has been an attorney with the Herrera, Long, Pound & Komer firm in Santa Fe since 1987. She was a member of the New Mexico Economic Development Commission from 1998 to 2000, and is a current member of the Federal Magistrate Merit Selection Commission. She also served as the Chairman of the Board of Trustees of St. Vincent Hospital from 1991 to 2000. I know that she will serve her country well, and that her appointment is a step in the right direction to ensure that New Mexico's Federal bench better reflects the composition of our population. I have great hope that the Senate Judiciary Committee and then the full Senate will confirm her expeditiously.

While New Mexico's Federal courts present a stronger-than-average picture of Hispanic representation, there is another story with a more dismal ending in the case of Miguel Estrada, who if confirmed, would have been the first Hispanic judge on the DC Circuit Court of Appeals. It was a sad day for our Federal judiciary and for Hispanic Americans when Mr. Estrada decided to withdraw his nomination after Senate Democrats prevented an up-or-down vote, despite seven attempts by Republican leadership to end debate. I am still outraged that a purely partisan filibuster prevented this well-qualified Hispanic American from serving his country on the Federal bench.

At this time when we seek to honor Hispanic heritage, I invite my Senate colleagues to send the right message to all those who aspire to public service or seek to achieve their goals in this country: through hard work, honesty, and integrity, it is possible to overcome any barrier and succeed on your own merit. To me, this means giving qualified nominees a fair chance to succeed. I appreciate the qualified Hispanic Americans leading the way through their service on the Federal bench in New Mexico, and look forward to greater representation of Hispanics throughout the Federal judiciary.

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#### HONORING TED KOCH OF BOISE, ID

Mr. CRAPO. Mr. President, I give a well-deserved "thank you" to a member of my staff who recently left the U.S. Senate. Ted Koch was with me a short time as a congressional fellow on leave from U.S. Fish and Wildlife Serv-

ice, and has since returned to Idaho. During this experience here, I benefited from his expertise and abilities, and wanted to let him know how much I have appreciated his contributions.

Ted stepped into the breach upon the departure of my staff director at the Senate Environment and Public Works Subcommittee on Fisheries, Wildlife, and Water. He filled the role expertly and with great enthusiasm. I appreciate that Ted aspires to principles embodied by another "Ted," President Theodore Roosevelt. He deeply enjoys and understands the ecology of hunting and fishing. He strives to make progress. Ted and I both believe that the best hope for people and wildlife in Idaho is to defend property rights. With greater certainty about the inherent value of property, landowners have the confidence and freedom to advance their own ideas for conservation. These qualities and beliefs make Ted a valuable spokesman for intelligent conversation in Idaho. He has made himself a friend of Idaho through his friendships in the State and here in Washington. I appreciate his invaluable participation on my staff, and wish him well in future endeavors. I have no doubt about his continued success.

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#### COMMENDING DENNIS HERTEL

Mr. LEVIN. Mr. President, I commend the services of Dennis Hertel, who is retiring after 6 years as a director of the Northeast-Midwest Institute. Dennis has ably served as chairman of the Institute's policy committee.

Dennis, as all my colleagues know, also is a former Congressman from Michigan. He served with distinction on both the Armed Services and Merchant Marine and Fisheries Committees.

I serve as a cochair of the Northeast-Midwest Senate Coalition's Great Lakes Task Force. For many years, the bipartisan Coalition and the Institute have provided valuable services to the State of Michigan and the entire Northeast-Midwest region. Dennis Hertel has been particularly effective in ensuring that the Institute's work is relevant to policymakers. He also has been a valued champion of protecting and restoring the Great Lakes. I am pleased to commend his leadership at the Northeast-Midwest Institute.

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#### ADDITIONAL STATEMENTS

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##### PHYLLIS COLE BADER

• Mrs. BOXER. Mr. President, I call the Senate's attention to my extraordinary constituent, Phyllis Bader, who is celebrating her 90th birthday today in California with her children, grandchildren, and great-grandchildren.

Though she might take the day off, Phyllis is not resting on her laurels. At an age when most of us might be at least thinking of slowing down, she is

still going strong, still working, and still doing good work to benefit her community.

For the past two decades, Phyllis Bader has served as a volunteer and employee at The Shop, a nonprofit thrift store operated by the Junior League of Palo Alto—Mid Peninsula. Proceeds from sales at The Shop are used to fund the League's charitable and educational projects in the community.

Shortly after Phyllis moved to California to be near her family, she joined The Shop team as a volunteer at the suggestion of her daughter, Junior League supporter Lorinda Reichert. When The Shop moved to Menlo Park, the League asked Phyllis to join the staff. She has been there ever since, taking good care of customers and encouraging donations of sale items.

Noting that her work with the public has contributed to her longevity and good health, Phyllis has "never given a thought to retiring." She says that "It's important for old people to be around young people; they keep you on your toes."

Asked what lessons she has learned in 90 years, Phyllis Bader advises us to "Keep a positive attitude. Laugh at yourself. Don't be too sensitive about what people say. Be tolerant of others' ideas. Try to lift someone's spirits each day. Find something every day to be grateful for."

We would all do well to heed Phyllis Bader's advice. I thank her for her wisdom and her service to the community, and I send her my very best wishes on her 90th birthday.●

#### 50TH ANNIVERSARY OF THE AMERICAN CANCER SOCIETY'S CHICAGO WOMEN'S BOARD

● Mr. DURBIN. Mr. President, today I am pleased to recognize the 50th anniversary of the Chicago Women's Board of the American Cancer Society's Illinois Division.

Since its inception, in 1913, the American Cancer Society has been widely regarded as one of our Nation's leaders in public health. Even as the ACS expanded to become a nationwide community-based volunteer, health organization, they have remained dedicated to eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from this disease through research, education, advocacy, and service.

Founded in 1953, the Women's Board of the American Cancer Society has served as dedicated volunteers in the fight against cancer. In the beginning, the original members worked diligently canvassing neighborhoods, knocking on doors, requesting donations while also delivering important cancer information.

Today, the board raises over \$250,000 each year through their signature fundraising event, the Spring Fashion Show and Luncheon. They have also expanded their fundraising efforts to

include pediatric cancer patients through their annual American Girl Fashion Show. Through their Teen-In-Training program, a commitment has been made by the Chicago Women's Board to share their knowledge and experience to enable young girls and women to become aware of cancer issues, philanthropy, and service, paving the way for another 50 years of dedicated service.

The American Cancer Society has set important nationwide goals for the year 2015: to reduce cancer incidence rates by 25 percent, to reduce cancer mortality rates by 50 percent, and to improve the overall quality of life for cancer patients.

Clearly, the Women's Board is critical to achieving these goals, and it is for these reasons that I proudly stand here today, congratulating the Chicago Women's Board on its 50th anniversary. I know my fellow Senators will join me in applauding them for their dedication, and I extend my best wishes for the future.●

#### IN MEMORY OF JOHN BAILEY

● Mr. DODD. Mr. President, I rise to honor the memory of an outstanding public servant and a dear friend, John Michael Bailey, who passed away on September 23 at the age of 59.

My friendship with Jack Bailey was long and deep. Our families were close friends, and we knew each other as children. We ran against each other for Congress in 1974, and I will always remember his civility during that campaign. We stayed friends during the campaign, and we remained close until his untimely passing.

Jack served as the chief State's attorney in Connecticut for 9 years—the longest tenure of anyone to hold that office. With his cigars, dark suits, and slicked-back hair, he outwardly resembled a figure out of a Hollywood crime drama. But his success as a lawyer, and his integrity as a human being, were no fictions.

He spent 27 years as a criminal prosecutor, and his tireless work earned him the respect of political leaders in both parties. He was tough on crime, but also fair. He was truly a pioneer in law enforcement in Connecticut, leading the fight to get violent offenders off the streets and to crack down on the abuse of senior citizens. A number of his initiatives and methods have been adopted by law enforcement officials across America.

Jack Bailey's influence in Connecticut will be felt for years to come. Not only did he set up units and institutions that will serve as his legacy; he also was a mentor to many of the younger attorneys and officers who are now the new faces of law enforcement in our state.

But for his debilitating illness, Jack Bailey would still be serving the people of Connecticut. As his sister, former Congresswoman Barbara Kennelly, said, "He thought he had the best job

in the world." He stayed in his office as long as he could taking two medical leaves of absence—before finally resigning a year ago. The only thing that kept Jack from his job was a terrible disease that has no cure.

I join all of Connecticut's citizens in expressing my deep gratitude to Jack for spending so many years making our lives safer, and better. He served us with dignity, class, and great honor.

My deepest sympathies go out to Jack's wife Dee, to his sons John and Brian, and to all who knew and loved him.●

#### TRIBUTE TO DR. BILL SHIPP

● Mr. CRAPO. Mr. President, I rise today to acknowledge the recently announced decision of Dr. Bill Shipp to retire as president and laboratory director of the Idaho National Engineering and Environmental Laboratory, INEEL. After over 4 years as laboratory director and 3 years as president of Bechtel BWXT Idaho, the company that manages and operates the INEEL for the U.S. Department of Energy, Dr. Shipp is retiring to pursue other endeavors. Knowing him as I do, hunting and fishing will be high on the list of "other endeavors."

Dr. Shipp came to Idaho as part of the Bechtel team that won the contract to manage the INEEL in 1999. He had previously served with distinction as an associate lab director of the Pacific Northwest National Laboratory.

His years at the INEEL have been filled with accomplishment, leadership, and an ability to adapt to ever-changing circumstances. Under his leadership, the INEEL met critical cleanup milestones to cleanup the site and ship waste out of Idaho. The leadership he has provided at the INEEL has resulted in the growth of both the funding and respect for the INEEL's research and development capabilities. Within the Department of Energy's National Laboratory network he is respected by his peers.

In 1999, Idaho Governor Dirk Kempthorne named Dr. Shipp as Idaho's first Science and Technology Advisor to the Governor. In that capacity, he made important recommendations to the State and the Governor regarding the Idaho education system.

Dr. Shipp's record of leadership and accomplishment was recognized by Purdue University when it named him one of the institution's distinguished alumni in 2002. He returned to West Lafayette, IN, to receive that award, and I know that was a special moment for Dr. Shipp, his wife Linda and their children, Jennifer and John.

I enjoyed meeting with Dr. Shipp when he has come by my office to update me on how things are going at the INEEL. During these meetings, one of us would ask if the other had been hunting. As I think back, I realize lab directors get to hunt more than Senators, but what I remember most is Dr. Shipp and I always made plans to hunt