

Dr. Rice is a woman of remarkable accomplishments. Throughout her life, she has applied her razor sharp mind and steely determination to reach the highest peaks of achievement.

Dr. Rice was born in 1954 in Birmingham, AL. By the age of 3 she was already a piano prodigy playing hymnals for her family. By age 5, she was playing beside her mother on the church organ bench.

At 19, Condoleezza earned her bachelors degree in political science cum laude, Phi Beta Kappa from the University of Denver and a year later, her Master's from Notre Dame. And at the young age of 26, having earned her Ph.D., Dr. Rice became an assistant professor at Stanford University.

A decade later, Dr. Rice was elevated to the post of Provost, essentially the chief operating officer of the University.

From 1989 to 1991, Dr. Rice served the first Bush administration as Director, and then senior Director, of Soviet and East European Affairs at the National Security Council.

During this time, Dr. Rice brought her considerable expertise in Eastern European affairs to the administration's handling of the collapse of the Berlin Wall, Germany's reunification, and the transition of the Soviet Union to the Russian Federation. This, combined with her years of foreign policy experience, particularly in the post 9/11 context, make her distinctly qualified to lead the Department of State.

As the President said in his announcement, we are a Nation at war. As Secretary of State, Dr. Rice will have the responsibility of advancing democracy and freedom across the globe, not only to protect us from attack, but to fulfill America's unique moral purpose.

Outlaw regimes must be confronted. Dangerous weapons proliferation must be stopped. Terrorist organizations must be destroyed. Dr. Rice has both the ability and experience, from fighting the Cold War to the War on Terror, to meet these daunting challenges.

Dr. Rice possesses a rare combination of management and administrative experience, public policy expertise, high academic scholarship, and not least importantly, a graciousness that will serve America's interests well. In these difficult and challenging times, America needs a leader of her caliber.

Dr. Rice has said that growing up, her father John, and her mother, Angelena, taught her that in a country where racial segregation and Jim Crow were an ugly fact of life, she had to be twice as good to get ahead. I think it is fair to say that she has surpassed this high charge.

Dr. Rice is an author, classically trained pianist, ice skater, and tennis player. She speaks Russian fluently and is an avid fan of football. We are grateful that she has set aside, at least for the moment, her ambition to become Commissioner of the National Football League.

A woman of deep faith in God, liberty, and freedom, Condoleezza Rice will protect and serve our national interests. I should also note that Dr. Rice would be the first African American woman to serve as Secretary of State.

I urge the Senate to give Dr. Rice their strong support. I hope and expect to see her confirmed swiftly so she can begin addressing the urgent threats and challenges that face our great Nation.

TRIBUTE TO RALPH BOLING

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to Mr. Ralph Boling, a fine Kentuckian who passed away at the age of 76 on September 27, 2004.

Mr. Boling, a native of Hancock County, KY, dedicated his life to serving others. His service began with a stint in the U.S. Army. After protecting his country, he returned to his beloved Hancock County and served as an auctioneer, an oil-well driller, the Hancock County road foreman, and the superintendent of the Hawesville Water Works.

In 1970, Mr. Boling was elected sheriff of Hancock County. He served until 1973, was reelected to a second term in 1978, and served until 1981. By taking this post, Mr. Boling was continuing a family tradition: Both his father, Claude, and his mother, Leva, had previously served as Hancock County sheriff. President Ronald Reagan then appointed Mr. Boling to serve as the United States Marshal for the western Kentucky district, a post he held for 12 years.

Mr. Boling resigned as a U.S. Marshal to run for judge-executive of Hancock County. On November 2, 1993, he defeated the two-term incumbent with over 58 percent of the vote; he carried each of the county's eight precincts as well as absentee ballots. During his 5-year tenure, Mr. Boling worked tirelessly with people across party lines to put the community first. He successfully closed the county's landfill and pushed for the creation of the county's career center. Thanks to Mr. Boling, the Hancock County Career Center is a resource for job opportunities, worker training and continuing education today.

Mr. Boling's proud family tradition of public service continues with his granddaughter, LeAnn Crosby, who works as a field representative in my Bowling Green, KY, office.

His dedication to the Hancock County community went beyond a career choice. He was a member of Hancock Lodge No. 115 and served various positions in the organization. He was a member of the Fraternal Order of Police and was active within the Blackford Baptist Church. And one of his greatest passions was rooting for my alma mater, the University of Louisville basketball team.

Today I ask my colleagues to joining me in paying tribute to the life of Mr.

Ralph Boling. He will be missed by his family, his friends and constituents in Hancock County, and the entire Commonwealth of Kentucky.

TRIBUTE TO TONY CRUISE

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to Mr. Tony Cruise, the morning voice of WHAS radio in my hometown of Louisville, KY. His love of Louisville and his perseverance and dedication to WHAS is something to be commended. Tony and his family moved to Louisville in 1969. As a child, he fell in love with the city and the voices he heard on the local radio. While most members of the media community long for the "big time" of New York or Los Angeles, Tony's dream, since he was a young man, was to be the morning anchor for WHAS, home of such Kentucky radio giants as Van Vance and Wayne Perkey.

Tony received his first radio job at WWKY in Winchester as the Saturday afternoon disc jockey in 1980. His career almost ended after his first show. Fortunately for future WHAS listeners, Tony was a quick learner. He graduated from Eastern Kentucky University with a bachelor's degree in mass communications in 1982.

In 1992, there was a position available at WHAS. Tony wanted this position so badly that he waited outside the station for station manager Skip Essick to head home, so he could lobby for the position. His persistence paid off, when that October, Tony was hired. He hosted "Sports Talk," a call-in show that mainly focused on the interstate feud of athletic prowess between my alma mater, the University of Louisville, and the University of Kentucky.

In May of this year, Tony realized his lifelong dream, when he was named the newest morning show host at WHAS. Unlike many radio personalities these days who love to offend, Tony is a decent, honest man who opens his heart to his listeners every morning. No wonder he is welcome in so many Kentucky homes, including mine.

Tony is a friend of mine and I have been privileged to be a guest on his show. It is a terrific program. The Louisville community agrees, as some 120,000 people tune in to "The Cruise-man" as he is known, every week. I enjoy and commend him for his excellent work.

I ask all my colleagues to join me in paying tribute to Mr. Tony Cruise for his outstanding contributions to the Louisville community.

TRIBUTE TO JAMES PATTERSON

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to an upstanding and generous member of the Louisville, KY, community, Mr. James Patterson.

Born and raised in Louisville, Jim, as his friends call him, has always loved two things: his hometown, and baseball. He attended the University of

Louisville, also my alma mater, where he starred on the Cardinal baseball team and graduated in 1955 with a degree in marketing.

After graduating, Jim served a stint as a Captain in the United States Air Force and eventually returned to Louisville, which is also my hometown, where he embarked on a very successful business career as a restaurateur. Quite frankly, if you have ever eaten in Louisville, chances are you ate in one of Jim's restaurants. In 1959, he became a franchisee of Jerry's Restaurant. Ten years later he founded the Long John Silver's seafood restaurant chain. Under Jim's leadership, Long John Silver's rose to number one in the country, and today is the largest seafood restaurant chain in the world.

Jim helped found Chi-Chi's Mexican Restaurant, Rally's Hamburgers, and Western Restaurants. He has also founded the companies AmeriCall Services, Resource America and First Phone, worked with Gulfstream Petroleum, and currently owns Pattco LLC, a privately held investment vehicle.

Jim has always believed in sharing his success with the city he loves. In 1998, he founded School Choice Scholarships, a privately funded program that helps low-income families pay tuition for their elementary-aged children to attend private schools. School Choice Scholarships provide assistance for 650 Louisville youths, 250 of whom owe their scholarships to Jim personally.

Jim has finally combined his two loves, Louisville and baseball, by donating a very generous sum to enable the University of Louisville to begin construction on a new, \$10-million baseball stadium, which broke ground this October 7. In their gratitude, the university has named the facility the Jim Patterson Stadium.

Today, I ask my colleagues in the Senate to join me in paying tribute to Jim Patterson for his passion, kindness, and charity. He is a valuable member of the Louisville community.

TRIBUTE TO JAMES C. RUSSELL

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to one of Kentucky's barons of bourbon, Master Distiller James "Jimmy" C. Russell. This year marks Jimmy's 50th year of service at the Wild Turkey Bourbon Distillery in Lawrenceburg, KY. Jimmy is so beloved at Wild Turkey, they named one of their finest products after him in 2000—the 10-year-old Russell's Reserve. I recently toured the Wild Turkey Bourbon Distillery, where Jimmy showed me the bourbon-making process personally. The bourbon distillery tradition in Kentucky dates back to 1789, and has been handed down through generations of Kentuckians. Bourbon is truly a Kentucky product—named, in fact, for Bourbon County, Kentucky. Ninety percent of all bourbon worldwide is made in the Bluegrass State, and one of the most famous brands is Wild Turkey.

Jimmy was born and raised just 5 miles from the Wild Turkey distillery, and both his grandfather and father worked there. Jimmy entered the family business in 1954 when he got his first job at the Lawrenceburg distillery. He mastered the craft under Mr. Bill Hughes, Wild Turkey's second Master Distiller, and Mr. Ernest W. Ripy Jr., the son of one of the original owners of Wild Turkey.

Jimmy is especially proud that the family tradition will continue, as his son, Eddie, has worked at the Wild Turkey distillery for the past twenty years.

Jimmy has become a legend in the distilled-spirits community over the last five decades. He is a director of the Kentucky Distillers Association, and spends time as a goodwill ambassador for Wild Turkey Bourbon. Throughout the Wild Turkey Bourbon Distillery, he is known as a "master distillers' master distiller."

Jimmy is a respected figure in his hometown of Lawrenceburg. He is a deacon at his local church and a supporter of Anderson County High School athletics. He also adores his wife of fifty years, Joretta, and their rose garden.

Today I ask my colleagues to join me in honoring and recognizing Mr. James C. Russell, Master Distiller, and his 50 years of loyal service to the Wild Turkey Bourbon Distillery and the Lawrenceburg, KY, community.

COOPERATIVE RESEARCH AND TECHNOLOGY ENHANCEMENT ACT OF 2004

Mr. LEAHY. Mr. President, I am pleased that the House has voted to pass the Cooperative Research and Technology Enhancement Act, the CREATE Act of 2004, sending this important and needed legislation to the White House for the President's signature. This past March, I joined with Senator HATCH, Senator KOHL, and Senator FEINGOLD introducing the CREATE Act, which will provide a needed remedy to one aspect of our Nation's patent laws.

In 1980, Congress passed the Bayh-Dole Act, which encouraged private entities and not-for-profits such as universities to form collaborative partnerships that aid innovation. Prior to the enactment of this law, universities were issued fewer than 250 patents each year. Thanks to the Bayh-Dole Act, the number of patents universities have been issued in more recent years has surpassed 2,000—adding billions of dollars annually to the U.S. economy.

The CREATE Act corrects a provision in the Bayh-Dole Act which, when read literally, runs counter to the intent of that legislation. In 1997, the United States Court of Appeals for the Federal Circuit ruled, in *Oddzon Products, Inc. v. Just Toys, Inc.*, that non-public information may in certain cases be considered "prior art"—a standard which generally prevents an

inventor from obtaining a patent. The *Oddzon* ruling was certainly sound law, but it was not sound public policy, and as a result some collaborative teams have been unable to receive patents for their work. As a consequence, there is a deterrent from forming this type of partnership, which has proved so beneficial to universities, the private sector, the American worker, and the U.S. economy.

Recognizing Congress' intended purpose in passing the Bayh-Dole Act, the Federal Circuit invited Congress to better conform the language of the act to the intent of the legislation. The CREATE Act does exactly that by ensuring that non-public information is not considered "prior art" when the information is used in a collaborative partnership under the Bayh-Dole Act. The bill that the House passed today also includes strict evidentiary burdens to ensure that the legislation is tailored narrowly so as only to achieve this goal that—although narrow—is vitally important.

I also wish to draw attention to Senator HATCH's statement of June 25, 2004, in which he explained some of the more complex issues surrounding the CREATE Act. I agree entirely with his comments, which I will prove useful for those seeking a background understanding of this legislation.

Again, I thank the House for moving to pass this legislation as the 108th Congress drew to a close, and I would also like to thank in particular Senator HATCH, Senator KOHL, Senator FEINGOLD, Senator GRASSLEY, and Senator SCHUMER for their hard work in gaining this bill's passage.

HONORING OUR ARMED FORCES

CORPORAL JARROD L. MAHER

Mr. GRASSLEY. Mr. President, I rise today to pay tribute to a fellow Iowan, Marine Cpl Jarrod Maher, who gave his life for his country in Iraq, and to express my heartfelt sympathy to his family. A native of Imogene, IA, Corporal Maher was serving in the Baghdad suburb of Abu Ghraib as a member of the 1st Battalion, 4th Marine Regiment, 1st Marine Division, 1st Marine Expeditionary Force stationed in Camp Pendleton, CA. Only 2 weeks after his graduation from Shenandoah High School, Maher became a marine. Corporal Maher is survived by his father and mother, Kevin and Jacque Maher, as well as numerous siblings.

Jarrod Maher will be missed by a great many people. His service and sacrifice represent Iowa at its best. In describing him, his father, Kevin Maher said, "He loved being a Marine, but he also loved coming home. He loved the farm. He loved to help." In honor of Jarrod's spirit of selflessness, I ask my colleagues in the Senate and my fellow Americans to join me in paying respect to Marine Cpl Jarrod Maher.