

appreciate in so many ways the career of Justice Sandra Day O'Connor, but one of the ways I appreciate her career is that she has paved the way toward the highest accomplishment for women in our society, and for that I shall be grateful always.

She was Justice O'Connor, after all, born in El Paso, TX—I have to remind my colleagues of that—on March 26, 1930. She married law school classmate John Jay O'Connor III in 1952 and raised three sons: Scott, Brian, and Jay—all while managing, as many women do in our society today, a career and family at the same time, but in this instance demonstrating and living out one of the most remarkable legal and political careers in our history.

She received her undergraduate and law degrees at Stanford University and graduated third in her class. She then served as deputy county attorney in San Mateo County, CA, and then as a civilian attorney for Quartermaster Market Center in Frankfurt, Germany. She later served as assistant attorney general of Arizona and then as a member of the Arizona State Senate. As one who has now served in the executive branch and the judicial branch of State government in Texas and now serves in the legislative branch in Washington, the kind of service Justice O'Connor has had in all of her varied and important positions during her career has well prepared her as a Justice on the Court and understanding both the opportunities and potential and the limitation of government to do good in our country and in our society and what questions can be resolved by government and which questions are best reserved to the people.

In 1975, she was elected judge of the Maricopa County Superior Court and served there until 1979, when she was appointed to the Arizona Court of Appeals. In 1981, it was President Ronald Reagan who nominated her as Associate Justice to the U.S. Supreme Court. She has written two books, "Lazy B" and her most recent, "Majesty of the Law."

Justice O'Connor has played a leading role in some of the Nation's most contentious legal disputes in recent years. And she has provided a critical voice of judicial restraint on a number of important issues on which the Court is closely divided 5 to 4.

She authored the Court's 5-4 majority opinion upholding the three-strikes-and-you're-out law for repeat convicted criminals. She wrote the Court's plurality opinion in Hamdi, affirming the President's legal authority to detain enemy combatants in wartime and thus preserving a key tool in the ongoing global war on terrorism. She provided the critical fifth vote protecting the First Amendment freedom of association of the Boy Scouts. She has provided the critical fifth vote in case after case after case, involving the important role that States play in our federalist system of Government, and in the protection of religious liberties

and religious expression in the public square.

Justice O'Connor has made important contributions to our jurisprudence, even when she was not part of the Court's ruling majority. Just last week, she penned an important dissent on behalf of private property rights against overreaching and ever-growing government—and against the 5-4 majority ruling in Kelo which has attracted so much national attention and outrage this past week. Last year, she provided a critical voice in defense of the voluntary recitation of the Pledge of Allegiance in public schools, even though a majority of her colleagues refused to do so. And 2 years ago, she demonstrated respect for precedent when she refused to join the Court's controversial majority opinion in *Lawrence v. Texas*, the 2003 decision that inspired State and Federal court rulings and local government actions against traditional marriage laws nationwide.

Throughout her 24 years of service on the Nation's highest court, Justice O'Connor worked to restore common sense to our criminal justice system and due regard for the power reserved to the States under the Constitution, and to limit restrictions on faith in the public square. Thanks to Sandra Day O'Connor, victims of crime are more likely to receive justice, and inner city children are no longer constitutionally barred from access to school choice programs. Although I have not always agreed with her rulings, I have always felt a deep and abiding respect for her commitment to public service, her reverence for the law, and her regard for her fellow man and woman.

In a time when so many controversial issues divide Americans of good will, it is especially critical that our Federal courts, led by our Supreme Court, be steadfast in its interpretation and application of the law as it is written, and for our courts to avoid picking winner and losers in the great political debates of our day. Under the steady hand of Sandra Day O'Connor, America has weathered some of the most heated legal controversies our Nation has ever endured—and for that, the American people will forever be grateful.

Today's historic announcement also raises an important question about the Senate and the role we will play in the confirmation process of the President's selection to succeed Sandra Day O'Connor on the Supreme Court. Moments ago the President called upon the Senate for a dignified process, and I think we should heed that call. We should conduct ourselves in a way worthy of this great body, which has served the Nation for more than 200 years, and which time after time after time, when there has been a vacancy on the Court, has done its job, providing advice and consent, asking hard questions, investigating the background of the President's nominees—but ultimately providing an up-or-down vote to each and

every one of the President's nominees to the U.S. Supreme Court.

The process for considering the next Associate Justice should reflect the best of the American judiciary—not the worst of American politics. We deserve a Supreme Court nominee who reveres the law—and a confirmation process that is civil, respectful, and keeps politics out of the judiciary.

As I wrote in an op-ed piece this past Monday in *National Review Online*, which I had printed in the *RECORD* yesterday, history affords us some important benchmarks for determining whether the Senate has undertaken a confirmation process worthy of the Court and of the American people. There is a right way and a wrong way to debate the merits of a Supreme Court nominee. The Senate's past record, unfortunately, has been mixed.

Whoever the nominee is, the Senate should focus its attention on judicial qualifications—not personal political beliefs. Whoever the nominee is, the Senate should engage in respectful and honest inquiry, not partisan personal attacks.

I wish to congratulate Sandra Day O'Connor on her extraordinary life and commitment to public service. I wish her and her family well. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

ARMY SPECIALIST JULIE HICKEY

Mr. DEWINE. Mr. President, as we approach the celebration of America's Independence Day, I am reminded of something that President Franklin D. Roosevelt once said about the ideals we hold dear. He said this: "In the truest sense, freedom cannot be bestowed; it must be achieved."

That was certainly true of our Founding Fathers when they established America's freedoms and independence over 225 years ago. And, it is still true today of the men and women in our military who are serving around the globe to achieve freedom in nations that have never, ever known it before.

Today, I rise to recognize the contributions of an exceptional young woman whose mission it was to protect our freedom here at home and to promote its achievement abroad. I pay tribute to her now as we approach the Fourth of July—a date that is significant not just because she embodied the ideals it represents, but because it marks the anniversary of this brave young woman's death.

Army SPC Julie R. Hickey, of Gallo-way, OH, died at Landstuhl Regional Medical Center in Landstuhl, Germany, on July 4, 2004, from diabetic complications. She was 20 years old.

Julie Hickey was born on January 17, 1984. Growing up, she was a fun-loving child with a gift for making friends. Her younger sister Rachel says that Julie was always the shoulder to cry on and also the person who wanted to make sure you had fun.

Julie was very loyal and very protective of her friends. She was 5 feet and 11 inches tall and built to shelter and stand up for them. Julie's friend, Audria Daniels, remembered a time when she was having a fight with an old boyfriend. Displaying the personal courage that would serve her so well in the Army, Julie stepped right into the middle of this particularly heated exchange and said, "You can't talk to her like that." Even though the young man stood 6 foot 8, he quickly backed down. Looking back, it makes perfect sense that Julie would dedicate her life to standing up for others in need. She'd been doing it all her life.

Julie attended Westland High School in Galloway, OH. During high school, she enlisted in the Army Reserves and completed the Civil Affairs Specialist Course at Fort Bragg, NC. She graduated from Westland High in 2002, and, wanting to earn money for college, she joined the Army Reserves. Julie had been planning to start school at The Ohio State University in the fall of 2003, but before she could realize that dream, Julie was called to serve in Operation Enduring Freedom.

Julie was deployed to Afghanistan as a member of the 412th Civil Affairs Battalion, where she was assigned to the Provincial Reconstruction Team in Asadabad. As part of this team, she provided humanitarian assistance to the Afghan people, particularly women and children in need. Seeing the unfair way that women were treated in Afghanistan, Julie again decided to stand up. During her time there, Julie gave impassioned speeches to women's organizations about how they needed to fight for their rights.

Following one particular speech, Julie's mother, Melody, recalled this:

One of the women came to see her afterward and told her through an interpreter that it made them happy to see Julie wearing pants and working beside men. She said it gave them hope for the future.

For women who had grown up in oppression, Julie Hickey was an inspiration—a hopeful example of what they, too, could be.

Ask anyone who knew Julie Hickey, and they would tell you about her passion for her work. As her mother said:

[Julie] loved her job. She spent some of her time working at a medical clinic, where she assisted children. She would teach them personal hygiene. She taught them a little English—how to count from one to 10 and say "Groovy, man!"

Julie's work was direct—one-on-one with people—and she could see, firsthand, the good she was doing on the faces of the women and children with whom she worked. Julie was the type of ambassador that the United States depends on in our efforts to spread the great blessings of freedom and democracy in a part of the world still troubled by violence and fear.

More than anyone, Julie's mother understood her commitment to serving others in the fight for freedom. She once said that Julie strongly believed

that we need to "appreciate everything [we] have. We have so much here just because we were born [in the United States]." Julie never took this wonderful gift for granted. In fact, she spent her life paying it back through her service to others.

Tragically, Julie's life of service was cut short by diabetes. Julie's mother said that their family has a history of diabetes, but that Julie hadn't been diagnosed with the illness before she left for Afghanistan. Even a preliminary medical exam didn't reveal anything abnormal. However, when Julie fainted at work one day, she was stabilized and moved to a hospital in Bagram. Only then and there was she diagnosed with diabetes.

Julie Hickey was transferred to Landstuhl on June 30, 2004. She went into insulin shock and died on the Fourth of July—the day before she was to be sent to Walter Reed Army Medical Center.

The sudden nature of this tragedy struck all of Julie's friends and family. Her mother said that Julie was planning her wedding to another soldier and that she was going to be honorably discharged. According to Julie's family, one of the deepest disappointments is that Julie would never get to become a mother and have "the children she longed for." Given the love and compassion she demonstrated all throughout her life, Julie clearly would have made a wonderful mother.

Julie's awards hardly do justice to the full breadth and depth of her service. But, they do illustrate how special this young lady was. Her awards include the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal, the National Defense Service Medal, and the Army Service Ribbon.

While these awards are, indeed, impressive, there is, perhaps, a better symbol of Julie's service. On a 2-week leave in late May of 2004, Julie brought home with her a burqa—the head-to-toe covering that many Afghani women wear. One of the women she had been working with gave this to her. Julie was buried with that burqa in her casket. It was a fitting reminder of the profound impact she had on the life of so many Afghan women.

As Julie's mother Melody has said, it is, in some respects, fitting that Julie passed away on the day of our Nation's birth. On this July Fourth, let us remember Army SPC Julie Hickey's dedication to freedom and learn from this splendid 20 year old about what it truly means to be an American.

HONORING OUR ARMED FORCES

SPECIALIST JAMES "JIM" MILLER

Mr. DEWINE. Mr. President, I today honor the memory of Army SPC James "Jim" Miller, IV. The West Chester, OH, native died on January 30, 2005, when an improvised explosive device hit his convoy near Ramadi, Iraq. He was 22 years old.

That date—January 30, 2005—should sound familiar. It was an historic day on which Iraqi citizens participated in their first, truly democratic election. And Jim Miller, an Army medic, was an integral part of that remarkable day.

Having already treated three of his wounded comrades, Jim could have stayed at an aid station to wait out the dangerous Election Day. Instead, he volunteered to go back out to the streets and help safeguard Iraqis waiting at polling places. To some, Jim's choice to do that might have seemed like an extraordinary act. But, with Jim, such actions were typical. That's just the way he was—always choosing to be brave, always choosing to be selfless. He was, indeed, a hero.

Jim Miller was one of those people who left an impression on everyone he met. He was always courteous, polite, and quick to laugh—a laugh that those who knew him describe as soft, gentle, and distinct. Jim was a very intelligent young man—wise beyond his years. His pee-wee football coach and mentor, John Hayden, said of Jim's intelligence:

He had the most sophisticated, elaborate vocabulary of any young boy I'd ever seen. [After every football practice], he would send me home looking to the dictionary for what he had called me that day!

The oldest—and biggest—of three brothers, Jim had many passions, one of which was football. In pee-wee football, he was an offensive lineman who proudly called himself a "B-U-B," or "Big Ugly Body." Jim excelled at football and played until his sophomore year at Anderson High School. But, according to John Hayden, under the large, intimidating physique, Jim was still just "a big teddy bear. . . . He was . . . a sensitive kid with a lot of depth."

Tragically, during his sophomore year of high school Jim's mother, Alice, died of breast cancer. He turned inward to find purpose and solace. At that time, Jim discovered another passion—and that was music. He started a band, in which he played the guitar, and during his senior year, he signed up for music theory and music history classes.

His principal, Diana Carter, remembers him as a "very bright, insightful, and mature young man—an independent spirit." She was also impressed with his decision to take music theory and music history because it was an extra bit of dedication to music that many musicians don't exhibit. It seems Jim was always a bit more dedicated to the things he was passionate about.

Jim graduated from Anderson in 2001 and decided to attend Xavier University and study English. After 18 months, though, Jim realized that college was not providing him with the fulfillment he desired. As his father, James Miller, III knew, "[Jim] was the type of kid who was always looking inside himself." When he looked inside himself, Jim found that what he really