

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore (Mr. CHAMBLISS). Without objection, it is so ordered.

CLOTURE MOTION

Mr. FRIST. Mr. President, I send a cloture motion to the desk on the pending Domenici amendment.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the 2nd degree pending amendment to Calendar No. 353, S. 150, a bill to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act:

Bill Frist, John McCain, George Allen, Pete Domenici, Trent Lott, Chuck Hagel, Larry E. Craig, John Ensign, Craig Thomas, Robert F. Bennett, James M. Inhofe, Conrad Burns, Don Nickles, Orrin Hatch, Gordon Smith, Saxby Chambliss, Mitch McConnell.

CLOTURE MOTION

Mr. FRIST. Mr. President, I send a cloture motion to the desk on the pending McCain substitute amendment.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate to the pending McCain Substitute Amendment No. 3048 to Calendar No. 353, S. 150, a bill to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act:

Bill Frist, John McCain, Jon Kyl, Norm Coleman, Jim Bunning, Gordon Smith, Mitch McConnell, Pete Domenici, Conrad Burns, Rick Santorum, Olympia Snowe, Judd Gregg, Wayne Allard, Thad Cochran, Mike Crapo, Larry E. Craig, Ted Stevens, George Allen.

Mr. FRIST. Mr. President, I ask unanimous consent that the live quorum with respect to the three cloture votes be waived.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. FRIST. Mr. President, I am disappointed to have to come to the Senate floor and file these cloture motions at this time. Earlier today, I had hoped we would finally make progress on the pending Internet tax access bill. Last week, I said we would be addressing the Internet tax access bill Monday, Tuesday, Wednesday, and Thursday, which I and most people felt would be sufficient time to address this bill and allow for amendments to be debated and discussed.

We did debate and vote on a relevant amendment offered by Senator HUTCHISON today. However, at the very first opportunity to offer an amendment from the other side of the aisle, they offered a completely nongermane amendment, which clearly is going to slow down this legislation.

On Thursday, these cloture motions will be voted on. There will be two cloture votes with respect to the energy amendments, but ultimately we will have a third cloture vote and that vote will be on the underlying substitute relating to the Internet access bill. That is the vote that will determine if we will be going forward on this bill at that time.

Again, I scheduled this measure with the hope of taking a few days and allowing Senators to have that opportunity to bring their amendments to the Senate floor to debate and vote on those amendments. I hoped those amendments would be centering on the Internet tax bill, the bill under consideration. The latest turn of events today means that many Senators who have legitimate and relevant amendments are being denied the opportunity to debate and vote on their amendments. This is unfortunate.

That said, I remain committed to finishing the bill in a timely fashion, and I hope that we can get back together tomorrow morning and make appropriate plans in order to accomplish that over the course of the next several days.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. Mr. President, if the distinguished leader will yield for a brief comment, as I said to Senator DOMENICI this afternoon, this scenario that has been set up is going to create some very interesting votes because if we move down the road where we come to a McCain cloture vote, if cloture is invoked, then Daschle and Domenici fall. At least that is my understanding. If that is the case, then that part of the Energy bill would be gone. But anyway, that sets up some interesting dynamics here.

We do at least have out here, in addition to the FSC legislation, pieces of the original Energy bill. Who knows, we might wind up doing something on energy.

Mr. FRIST. Mr. President, I do hope we will be able to complete the Internet access bill and that we can work through the turn of events of today. Again, I hope over the course of the evening people will come back and lay out a plan to accomplish what is important to the technology community and the communications community broadly, and that is to be able to allow people to vote on the very important underlying bill.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to a period for morning

business, with Senators permitted to speak for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF J.A. TIBERTI

Mr. REID. Mr. President, I rise today to congratulate J.A. Tiberti on his selection by the Boulder Dam Area Council of the Boy Scouts of America for the 2004 Good Scout Award. His philanthropic ventures and contributions to our State's economy have long made him a valuable part of the southern Nevada community.

The Good Scout Award recognizes an individual who exemplifies Scouting's ideals through professional leadership, community involvement, and personal commitment to excellence. This award reflects the personal character, dedication, and generosity of the recipient, and I can think of nobody more deserving than Mr. Tiberti.

As founder and chairman of Tiberti Companies, Mr. Tiberti has served as a prominent leader in southern Nevada's business community for the last 60 years. The company's construction of schools, hotels, banks, grocery stores and department stores has helped meet the needs of southern Nevada's growing population.

He also contributed to the region's dramatic growth by serving on the Las Vegas Planning Commission for 25 years and as a director of Nevada Power Company for 36 years.

Mr. Tiberti has also been a noted philanthropist, giving generously to many worthwhile causes. In 1979, he contributed \$1 million to create the College of Engineering at the University of Nevada Las Vegas. This generous gift expanded the opportunities for higher education available to Nevadans and helped UNLV become one of our Nation's leading universities.

Mr. Tiberti and his family also have longstanding ties with the Boy Scout program and were instrumental in the development of Spencer W. Kimball Scout Reservation, Camp Potosi.

Please join me in congratulating J.A. Tiberti on this well-earned honor.

HONORING OUR ARMED FORCES

WILLIAM LABADIE

Mrs. LINCOLN. Mr. President, I rise today to pay tribute to one of Arkansas' heroes who has paid the ultimate sacrifice in defense of his Nation. Sgt. 1st Class William W. Labadie, 45, a native of Bauxite, AR, was mortally wounded on April 7, 2004, during an attack by insurgents on his camp just south of Baghdad.

William Labadie, known to his friends as Wild Bill, joined the Marine Corps right after high school. After serving in the Corps for 8 years he returned home and later became a member of the Arkansas National Guard. Sgt. Labadie was known as a real soldier's soldier. He took his responsibilities seriously and was excited by the

opportunity to use his training in the service of his country. After having been in Iraq for less than a month and in a combat zone for less than 24 hours, Sgt. Labadie was fatally wounded when his camp came under a mortar and small arms attack.

Our condolences and prayers go out to William's wife, Sunnie, of Del City, OK; to his son, Bryan; and to his parents, Cheryl and Carl Winters of Bauxite, AR.

William's mother, Cheryl, was quoted in our State's newspaper, the Benton Courier, as saying that "[t]his honestly was his goal in life. He knew that this was his last shot at 45 years old. He told his commanding officer: 'Give me a shot.' It was like he was going to Disneyland." That kind of enthusiasm is what makes this nation great. We honor William's spirit and his strong resolve to take on the responsibility of advancing freedom to the world.

BRANDON CLINTON SMITH

Mrs. LINCOLN. Mr. President, I also rise today to pay tribute to a son of Arkansas who gave up the security of his family and home to protect our freedoms in the war on terrorism. Marine Private First Class Brandon Clinton Smith, 20, of Fayetteville was killed on March 17, 2004, in Al Qaim, Iraq, as he and three of his fellow Marines were racing to help comrades who had come under attack by insurgents.

Brandon attended Fayetteville High School and dreamed of becoming a Marine. He fulfilled his dream by enlisting this past September. He was so proud of his decision that he framed his Marine Corps acceptance letter and hung it in his bedroom. Upon completing boot camp, Brandon became a member of the 3rd Battalion, 7th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force.

Brandon was buried with full military honors in Fayetteville on Friday, March 26. Our thoughts and prayers go out to his father, Gordon Smith; to his mother, Deborah Bolin of West Fork; and to his sister, Desirae.

An attendee at Brandon's funeral was quoted by the Associated Press as saying that "[Brandon] made a great Marine. We could see he had changed when he came back from training. He had found himself." As this mission in Iraq continues, I am humbled that this young Marine found himself in so great a purpose as defending his nation.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. 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.

On November 18, 2004, in Fargo, ND, Derek Puttbrese, 20, beat a friend in his apartment. Both the victim and

Puttbrese admit that the assault originated after the victim admitted he was gay. The victim told authorities that Puttbrese had stayed at his apartment as a guest and attacked him after the two drank some wine.

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.

REMEMBERING THE ARMENIAN GENOCIDE

Mrs. FEINSTEIN. Mr. President, I rise today to honor the victims of the Armenian Genocide, one of the great tragedies of the 20th century. Last Saturday, April 24, 2004, marked the 89th anniversary of the beginning of that tragic period and I urge all Americans to take time to remember, reflect, and pledge never to forget what happened.

On April 24, 1915, under the guise of collecting supplies for its participation in World War I, the Ottoman Empire launched a brutal and unconscionable policy of mass murder. The New York Times reported that the Ottoman Empire had adopted a policy to annihilate the Armenians living within the empire. Throughout the following years, Armenians faced violent attacks, starvation, deportation, and murder. Sadly, the world took little notice.

Before the violence began in 1914, 2.5 million Armenians lived in the Ottoman Empire. As a result of the genocide, 1.5 million Armenians had died and another 500,000 had been driven from their homes and villages. We must remember and pay homage to those that died. We must remind the world of these deaths and renew our commitment to ensure that such tragedies never happen again.

I am proud to represent an Armenian community of half a million in my great State of California. They are a strong and resilient community, taking strength in the tragedies of the past and the promise of a better tomorrow. This community is leading the effort to preserve the memory of the Armenian Genocide not only for future generations of Armenian Americans, but, indeed, for all Americans and all citizens of the world.

I urge my colleagues to join me in remembering the first genocide of the 20th century. Through our commemoration of this tragedy, we make clear that we will not tolerate mass murder and ethnic cleansing ever again and we will never forget.

Mr. FEINGOLD. Mr. President, people around the world are joining together to solemnly remember and honor the men, women and children who perished in the Armenian genocide. Eighty-nine years ago, 1½ million Armenians were systematically massacred at the hands of the Ottoman

Empire. Over 500,000 more were forced to flee their homeland of 3,000 years. Before genocide was defined and codified in international law, Armenians experienced its horror.

Yet it appears that the international community did not learn the lessons of Armenia's genocide. Throughout the 20th century, the international community failed to act as governments in Germany, Yugoslavia and Rwanda attempted to methodically eliminate people because of their religion or ethnicity. Minority groups were abandoned by the international community in each instance to be overwhelmed by violence and despair. In Armenia, as in Rwanda and the Holocaust, the perpetrating governments scapegoated their minority groups for the difficulties they faced as societies. They justified their campaigns of hatred with political and economic reasons in an attempt to rationalize their depravity.

This is why we must remember the Armenian genocide. To forget it is to enable more genocides and ethnic cleansing to occur. We must honor its victims by reaffirming our resolve to not let it happen again.

In the shadow of the Holocaust, in 1948, the United Nations adopted the Convention on the Prevention and Punishment of the Crime of Genocide. What Winston Churchill once called a "crime without a name", was now called "genocide" by the Convention and defined as "acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group." The Convention required its parties to create domestic legislation to hold perpetrators of genocide accountable for their actions and to place these perpetrators before domestic courts or international tribunals.

The international community has a long way to go in punishing and especially, preventing genocide. But we have made the first steps. As we move forward, we must learn the lessons of Armenia's genocide. Can we recognize the rhetorical veils of murderous leaders, thrown up to disguise the agenda at hand? Have we, the international community, learned that we must not stand by, paralyzed, as horrors occur, but work collectively to prevent and stop genocides from occurring? We owe the victims of the Armenian genocide this commitment.

IN RECOGNITION OF 56 YEARS OF ISRAELI INDEPENDENCE

Mr. CHAFEE. Mr. President, I rise today to congratulate Israel on 56 years of independence. Last year, I visited Israel in my capacity as Chairman of the Subcommittee on Near Eastern and South Eastern Affairs of the Senate Committee on Foreign Relations. This was my first visit to Israel, and I was tremendously impressed with how much has been accomplished by this tiny country over the last several decades. I also was reminded of how much Israel has suffered at the hands of suicide bombers, who have killed hundreds