

make \$1 a day for the rest of their lives. At sixth grade, they have another purge and even more people are kicked out of school. We would never stand for that. Those people will make \$2 a day the rest of their lives. Now, in most of the world, poverty is \$1 a day, so they are above the poverty line, although they wouldn't be in the United States. So India only lets 7 percent of the kids go to college—just 7 percent. Again, we would never stand for that. We keep trying to figure out how to get more and more people into post-high school education, and that includes career and vocational education. And we need to do that. But in India, part of people's incentive to get into science, technology, engineering, and math is that those are the jobs that pay well. One person in India told me: We don't have professional sports teams, so there aren't any kids out there who are bouncing a basketball or throwing a pass or doing any of the other things that a lot of American kids are doing and thinking they are going to get to go pro. Some American kids think they are going to go pro and think they will make about \$18 million a year. It is not going to happen for most of them.

I really appreciate the NCAA's ads running now that show a whole bunch of people in different professional sports, and they say there are 380,000 young people who are in college sports, and every one of them will go pro but not in their sport. That is the important line on it: not in their sport.

Somehow, we have to get more people involved in the sciences so they have the basic knowledge in grade school, which will allow them to excel in high school, which will allow them to do well in college and then allow them to get into the higher paying jobs. Men and women have equal talent in all of those areas. What we have to do is encourage that equal talent equally.

I have been trying to get the Workforce Investment Act through here, and I have gotten it through the Senate twice unanimously, but there hasn't been a willingness to go to conference committee with the House. I asked why, and I was told: Well, we are afraid of where the conference committee might go. There is no reason for that fear right now because the same people who were afraid of where it might go would be in charge of the conference committee now. If they are in charge of it, they could make sure it doesn't go anywhere they do not want it to go.

If we can pass that bill, it will provide the flexibility that will allow 900,000 people a year to train for higher skilled jobs. For many women, that will narrow the pay gap. They can go into other kinds of jobs that they may have been precluded by other events in their lives from ever getting into. If we want to narrow the wage gap, there are a number of ways to do that, but it means we have to get women into areas they haven't been traditionally working in before. That is the best solution to the wage gap argument.

Part of the difficulty in passing a bill around here is having a chance to work on the bill. The bill that came before us earlier today passed the House after being allowed only one hour of debate. Using their rules, the majority made sure no one was allowed to amend it. Now, it comes over here and bypasses the committee. The way we usually work a bill is for the chairman of the committee and the ranking member, Senator KENNEDY and myself, to sit down and list out some principles that we have to check with the rest of the committee to see if they match the problem we are trying to solve. After we have those principles, we plug in details and see if we have the details right. Then we call in the stakeholders, which is really anybody interested in that issue, and we see if they agree with it.

We have found that when we can get agreements with the people on the committee and the stakeholders, we have the answer right. And most people in this body agree we have it right because most of the bills that get worked out this way get passed unanimously. A long debate for a bill that comes out of our committee is probably 2 hours.

We are going to have one of those tomorrow. It will be genetic non-discrimination, a very important bill which, first of all, allows people to take advantage of the Genome Project. For example, if you are having your blood checked you can find out your genetic framework, which can tell you things that could happen to you in the future. And if you know they could happen to you in the future, you can take actions to keep them from ever happening.

This bill requires that if you have a genetic marker indicating that something could happen to you, your insurer is not allowed to make it a pre-existing condition and your employer is not allowed to fire you over it. The bill will offer real protection that can ultimately help people live healthier longer.

The Genetic Non-Discrimination bill went through the whole process that I have described. It has even been pre-conferenced with the House side. So we are pretty sure that once it finishes here it will go right over to the House and the House will take care of it too. That doesn't mean we left the House and the House committee out of the process. We let them into the process. We let them into the process early so that everybody would know what was happening. But that hasn't been the case on H.R. 2831.

I am disappointed that there wasn't the need, the courage, the desire to see what the principles are on this issue and see if we could actually solve the problem. We can build a good case for equal employment because we have always voted for equal employment. We will all vote for equal employment. We all want to close the pay gap. That is a bit tougher to do, but we can do it if we work together. If we don't work to-

gether and use issues like this to score political points, it will be like so many bills that come over here and get debated for long periods of time and nothing ever happens to address the issue. The most productive place to address tough issues is the committee. In the committee, you can have a couple of people interested in one part of the issue go off by themselves and come up with a solution. Quite often, it isn't the polarized one the Republicans have or the polarized one the Democrats had. What it becomes is the third way, and that eliminates the clash of the two polarized sides.

There are so many things around here that have been debated so long that if you mention a term from that issue, you get instant rebellion from both sides. I have watched that so many times, people hear a word and jump into the weeds arguing about the broader application of that word and keeping the discussion from actually getting to the principle that is trying to be solved.

So there is a way to get these bills done, but it isn't through "gotcha" politics. It isn't by just bringing things here without consulting the other side to see if there are any small corrections or maybe even big corrections that can be made. And, as I said before, I happen to be disappointed that after all the cooperation we have had in the committee on other difficult issues, that there wasn't even an opportunity for cooperation in the committee on this one.

I believe there are some solutions out there, but they are not going to be arrived at on the floor of the Senate. What happens here on the floor is that both sides bring a series of amendments that we think will put the other side in a bad light if they vote against it. It isn't just one side that will do it, both sides will do it. So we need to have a little more civil way of solving this problem, and I have confidence it can be done.

I thank the Chair, and I yield the floor.

COCONUT ROAD INVESTIGATION

Mr. KYL. Mr. President, I rise today to comment on the competing Coburn and Boxer amendments that were offered last Thursday to the highway technical corrections bill. I voted in favor of the Coburn amendment. That amendment would establish a bipartisan, bicameral committee of Congress to investigate the circumstances surrounding the changes that were made to the provisions of the 2005 highway bill relating to the Coconut Road project between the time that the bill passed the House and Senate and the time that it was enrolled.

However, I voted against the Boxer amendment, which purports to command the Justice Department to commence a criminal investigation of this same matter. Whether to initiate a criminal investigation is a decision

that our Constitution vests exclusively in the executive branch. It is not a decision that the Constitution allows to be made through legislative enactments. Although the Boxer amendment's mandate to the executive was modified to state that the criminal investigation shall only commence "under applicable standards and procedures," this change does not cure the amendment's constitutional infirmity. There are no "applicable standards and procedures" for a legislative mandate to the executive to initiate a criminal investigation. Whether to initiate such an investigation is a matter of prosecutorial discretion and is a decision entrusted firmly and solely to the executive branch. To the extent that the Boxer amendment purports to commandeer this function, it is a dead letter and will surely be ignored as unconstitutional legislative interference in an executive function.

I would finally note that by insisting on replacing Senator COBURN's amendment with a me-too amendment of their own, the Democratic majority has undercut the likelihood that there will be any investigation of the Coconut Road matter. Senator COBURN's proposal to create a committee of Congress to investigate this matter was perfectly constitutional and would have gotten to the bottom of this issue. The Boxer amendment is an unconstitutional nullity. And even if that amendment weren't unconstitutional, or if the Justice Department undertook an investigation of this affair on its own initiative, such an investigation would only answer whether a Federal crime has been committed. Congress and the people deserve to know the circumstances and potential ethical violations raised by this matter regardless of whether a criminal offense occurred.

I regret that the Coburn amendment was not adopted and was replaced by the Boxer amendment. By taking these actions, the Senate has crossed a constitutional line and has reduced the likelihood that the underlying matter will be adequately investigated.

ARMENIAN GENOCIDE

Mrs. BOXER. Mr. President, I take this opportunity today to solemnly observe the 93rd anniversary of the Armenian Genocide.

The Armenian genocide was the first genocide of the 20th century. From 1915 until 1923, 1.5 million Armenians were brutally killed by the Ottoman Turks in a systematic effort to eradicate the Armenian people. There were unbearable acts of torture; men were separated from their families and murdered; women and children were put on a forced march across the Syrian desert without food or water.

Henry Morgenthau, the U.S. Ambassador to the Ottoman Empire from 1913 to 1916, recalled:

When the Turkish authorities gave the orders for these deportations, they were merely giving the death warrant to a whole race;

they understood this well, and, in their conversations with me, they made no particular attempt to conceal the fact . . . I am confident that the whole history of the human race contains no such horrible episode as this. The great massacres and persecutions of the past seem almost insignificant when compared to the sufferings of the Armenian race in 1915.

Tragically, 1915 was just the beginning. We saw the horrors of genocide in World War II when Jews were subjected to systematic extermination at the hands of Adolf Hitler and his followers. Indeed, Hitler remarked at the outset of this unbridled evil, "Who, after all, speaks today of the annihilation of the Armenians?" Unfortunately, the phrase "never again" turned out to be a hollow slogan. In the later half of the last century, countries like Cambodia and Rwanda were ravaged while the world was silent. And even now, in this new century, Darfur is the latest place to experience such brutality and inhumanity as the world stands idly by, either incapable or unwilling to do what is necessary to stop the devastation and murder.

Today, the Turkish Government denies what happened in the dying days of the Ottoman Empire and thus this scar on history cannot be healed until history is accurately spoken, written, and recalled. These are lessons that must be told and repeated to each and every generation.

In order for democracy and human rights to flourish, we must not support efforts to rewrite and deny history. In the United States, we strive to make human rights a fundamental component of our democracy. It is long overdue for our Nation to demand that the truth be told. We must recognize the Armenian genocide in the name of democracy, fairness, and human rights.

To that end, I am proud to be an original cosponsor of Senator RICHARD DURBIN's S. Res. 106, calling on the President to accurately characterize the Armenian Genocide in his annual message around April 24 and to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide.

It is important that we recognize the Armenian Genocide while its survivors are still with us to tell their stories. We must recognize the genocide for the survivors. We must recognize the genocide because it's the right thing to do. We must recognize the Armenian Genocide to help shed light on the darkness and move toward a more humane world.

ADDITIONAL STATEMENTS

TRIBUTE TO ROY E. JUNE

• Mr. BAUCUS. Mr. President, I wish to recognize a distinguished and decorated World War II U.S. Army Air

Corps veteran from my home State of Montana. Born in the small, humble town of Forsyth, 1LT Roy E. June comes as an inspiration to those who wish to lead a life of service to their country and their communities.

From the tragedy of Pearl Harbor on December 7, 1941, came America's greatest generation responding to the certain urgency of that era. Like many young men of that generation, Roy and his buddies enlisted in the Armed Forces to defend their country and to advance the just cause of freedom. In the U.S. Army Air Corps, Roy's bravery and skills as a fighter pilot set him above the rest. As a P-51 Mustang fighter pilot, Roy escorted B-29 bombers to Japan, strafed and dive-bombed strategic military installations on Chi Chi Jima. For his heroism in the Pacific Theater, Roy earned an Air Medal with Oak Leaf Cluster and the Distinguished Flying Cross. His 15th Fighter Group, the 47th Fighter Squadron was awarded a Distinguished Unit Citation.

A fellow returning from Hawaii brought news about the end of the war. "Atomic Bomb Dropped On Japan" read the headline of the Honolulu Daily Advertiser. After 11 missions over Japan and more than 500 combat hours in the P-51s, Roy returned home to Missoula in January 1946.

Having grown up in the great State of Montana, Roy could recall many fond memories from his youth in his hometown of Forsyth. Roy was a Boy Scout and played center on the high school football team. Summers meant Huck Finn adventures and odd jobs; winters, though harsh, saw skating parties on the Yellowstone and ice hockey using sticks and tin cans. Before he joined the Air Corps, Roy studied engineering at the Montana State College in Bozeman.

And like all Montanans who believe a good education is a lifelong process, Roy went back to school after his return from war. With degrees in journalism and business administration from the University of Montana in Missoula, Roy entered law school in 1949. There he met his wife Laura Jane Brautigam, also a native of Montana.

Receiving his law degree in 1952, Roy went on to practice law in Helena where he helped to draft bills for State senators during the 1953 session. In Billings, he became an associate in the law firm of Sanders, Cresap and Koch representing groups such as the National Beef Council and the National Livestock Auction Markets. A few years later, Roy moved to California to serve as the city attorney for Costa Mesa. He took with him the spirit of Montana generosity and incorporated several nonprofit companies pro bono as his contribution to his community.

Even after his retirement in December 1996, Roy continues to give back to his community by volunteering at the Palm Springs Air Museum. Armed with firsthand knowledge of World War II aviation and the conflicts in the Pacific Theater, Roy shares his vivid