

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