

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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