

make sure Sparks wasn't overshadowed by its larger neighbor.

Tony also spearheaded the Sparks Centennial Commission, which is celebrating the city's 100th birthday this year.

There is no question that the city will miss his leadership. And the people of Sparks will miss Tony's warm smile and his friendly conversation.

The man who preceded him as mayor, Bruce Breslow, put it simply. "He made everyone around him feel important," he said of Tony.

Another friend, Mary Henderson, said, "His smile was as bright as a northern Nevada sunrise."

Mary Humphries met Tony last spring, when they both welcomed attendees to a Sertoma convention in Sparks. After sitting with him for half an hour, she felt as if they had been friends for years.

Tony's daughter has multiple sclerosis, and 2 years ago at an MS walk, he struck up a conversation with Steve Mattos, a Reno man whose wife also has the disease. Tony told Steve that he was taking his daughter to Stanford Medical Center for some experimental tests, and Steve asked him to pass along any information that might be helpful. From that day forward, Tony regularly sent e-mail updates to a man he had met in person only that one time.

Another person who will never forget Tony is Tina Cline. Her husband, Marine LCpl Donald Cline, was killed in Iraq in 2003. At his memorial service, a tearful Tony introduced himself to Tina, hugged her and gave her his home phone number. After Tony's death last weekend, Mrs. Cline posted a message on the web site of the Reno Gazette Journal. "He has been one of the most helpful men I have ever known," she said.

Those are just some of the ways the people of Sparks will remember Tony Armstrong. He was only 59, and his death from complications after surgery was a blow to everyone who knew him.

Tony is survived by Debby, his wife of 21 years; his sons Richard and Keith; his daughter Misti Franco; four grandchildren, and three brothers. Please join me in offering condolences to them on the loss of their loved one.

Tony Armstrong will be missed by many people in many ways, but our memories of him will never be extinguished.

#### HONORING OUR ARMED FORCES

CORPORAL NATHAN A. SCHUBERT

Mr. GRASSLEY. Mr. President, I rise today in honor of an Iowa Marine who has fallen in service to his country in Iraq. Marine Corporal Nathan A. Schubert, of the 1st Battalion 3rd Marine Regiment, was killed on January 26, 2005 when his helicopter crashed during a sandstorm near Ar Rutbah, Iraq. The

helicopter carried Corporal Schubert and thirty other Marines who were part of a security mission to aid in the safe conduct of the national democratic elections last Sunday. He is survived by his mother, Cheryl Winklepeck, a sister, Elizabeth Householder, and a brother, Matt. Corporal Schubert died one day before his 23rd birthday.

A native of Cherokee, IA, Cpl. Schubert attended Washington High School and went on to continue his studies at Kirkwood Community College in the fall of 2001. Just weeks after the terrorist attacks on September 11, Nathan Schubert enlisted in the Marines to fulfill what he saw as his patriotic duty. Describing Corporal Schubert as a friendly, likable, and patriotic young man, his brother noted that he "lived life to the fullest."

I ask all of my colleagues in this body and all Americans to remember with respect, admiration, and gratitude this courageous Marine who made the ultimate sacrifice in the name of the principles we value most as Americans: freedom, democracy, and justice. Corporal Schubert died honorably while supporting and defending these values by aiding the birth and development of democracy in Iraq. He is to be commended for his bravery as he joins the honorable ranks of those Americans who have gone before him in service of their country. My prayers go out to Nathan's family and friends and my greatest respect and appreciation go to Cpl Nathan A. Schubert.

#### A STEP BACKWARDS IN NEPAL

Mr. LEAHY. Mr. President, earlier this week, for the second time in less than 3 years, King Gyanendra of Nepal dismissed the multiparty government and declared a state of emergency suspending fundamental constitutional rights. Apparently, he will assume the duties of the deposed Prime Minister and appoint a new cabinet.

Throughout its troubled past, Nepal has suffered from the neglect and often violent and corrupt misrule of many monarchs. For that reason, those familiar with its history may not be completely surprised by this unfortunate development.

Yet one would have thought that in the 21st century, this type of thing would, by now, be a distant memory. At a time when a vicious Maoist insurgency is gaining ground in Nepal, it would be hard to conceive of a worse time for the King to repeat his past mistake.

There is no military solution to this conflict. Nepal is a place where, not unlike Afghanistan, a handful of extremists with rifles and explosives can wreak havoc and easily disappear into the rugged countryside. By terrorizing rural villagers and exploiting the Government's neglect of them, the Maoists

have steadily extended their reach to large areas of the country.

The Nepalese army, while somewhat more effective than a few years ago when it performed little more than ceremonial duties, has likewise alienated much of the rural population by arbitrarily arresting, disappearing and killing civilians suspected of sympathizing with the Maoists. Today, the army, rather than defending democracy, is defending the King. It is clear that the King and the army concocted this together, despite having assured the UN High Commissioner for Human Rights last week that concerns about violations of human rights would be addressed.

This year, the United States plans to provide some \$40 million in economic aid to Nepal. Much of this is channeled by USAID through nongovernmental organizations. But we are also providing support to the Nepalese government, as well as training and equipment to the Army. In fact, several months ago we approved the transfer of \$1 million in fiscal year 2004 military equipment that had not initially been appropriated for Nepal.

The Indian government, to its credit, issued a strong statement critical of the King's actions. The State Department has also called for the immediate restoration of multiparty democracy. King Gyanendra is on notice that he will be held responsible for infringement of the rights of free speech and assembly, or abuses of citizens who have defended human rights and democracy.

The State Department should also make clear that unless democratic government and fundamental rights are promptly restored, the United States will cut off aid to the government and the army under Section 508 of the Foreign Operations Act which was designed to deter and punish this type of act. Regardless of whether or not the King may have acted within his authority under Nepal's constitution, and I do not know if he did or not, that is not the issue. The intent of our law to safeguard democracy is clear. The price is losing U.S. aid. Furthermore, if the \$1 million in military equipment previously transferred has not yet been delivered, it should be withheld.

Everyone who has followed Nepal's recent history would agree that its 10 year "experiment" with democracy has not been easy. Democracy is never easy, and no one should minimize the threat the Maoists pose. But the answer is not to undermine democracy. The answer, as President Bush expressed in his Inaugural Address, is to work, with help from the international community, to strengthen democracy. The United States Congress would welcome that opportunity.

King Gyanendra has made a tragic blunder. He still has time to prevent a

momentary crisis from becoming a disaster for his country and perhaps for the monarchy itself.

#### LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

In January 2005, a teenage Texas male was repeatedly beaten by a group of teenage boys. The apparent motivation for this attack was the victim's sexual orientation—he was gay. The attackers punched and repeatedly kicked the victim with a steel-toed boot while yelling slurs regarding his sexual orientation.

I believe that the 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.

#### AN ASSAULT RIFLE THAT FITS IN YOUR POCKET

Mr. LEVIN. Mr. President, I call the attention of my colleagues to a warning from several major police organizations that a new high powered and easily concealable handgun, known as the Five-Seven, is easily available to potential criminals and poses a significant threat to our Nation's law enforcement officers. The International Association of Chiefs of Police, the International Brotherhood of Police Officers, and the National Organization of Black Law Enforcement Executives issued the warning late last week.

Belgian firearm manufacturer FN Herstal specializes in military and law enforcement weaponry but has also made its Five-Seven handgun available to private buyers in the United States. The Five-Seven includes a 20-round clip and is capable of firing ammunition that penetrates the body armor commonly worn by law enforcement officials. The FN Herstal Web site boasts that with the Five-Seven handgun, "Enemy personnel, even wearing body armor can be effectively engaged up to 200 meters. Kevlar helmets and vests as well as the CRISAT protection will be penetrated."

These new guns clearly have no sporting purpose and no place on our streets. We should not ignore the concerns of our law enforcement officers

with regard to these dangerous weapons.

The law enforcement community is most concerned about the Five-Seven's ability to kill police officers, even while wearing protective body armor. Bernard Thompson, director of the National Organization of Black Law Enforcement Executives, commented on the Five-Seven, "No one is safe from a weapon like this. Police body armor won't offer protection if a criminal has this pistol."

The legislative director of the International Brotherhood of Police Officers Steve Lenkhart called the Five-Seven "an assault rifle that fits in your pocket." A recent memo by the Florida Department of Law Enforcement supports this assertion. The memo reportedly states that the Five-Seven has the capabilities of a carbine or rifle but weighs less than 2 pounds when fully loaded. The FN Herstal Web site lists the overall length of the handgun as only 8.2 inches, making it small enough and light enough to be easily concealed by criminals.

Common sense should tell us that there is no reason for civilians to have access to easily concealable handguns with the capability to shoot through body armor. It is important for our elected officials to listen to the warnings of those who put their lives on the line to help keep violent criminals off of our streets. Unfortunately, the Congress also continues its failure to pass commonsense gun safety legislation that, among other things, would reauthorize the 1994 assault weapons ban, close the gun show loophole, and regulate high-powered .50 caliber sniper rifles. I again urge my colleagues to work to pass sensible gun-safety legislation that will help protect our law enforcement officers, families, and communities from military style firearms like the Five-Seven handgun.

#### TRIBUTE TO PRIME MINISTER OF THE REPUBLIC OF GEORGIA

Mr. KYL. Mr. President, I rise today to express my condolences to the family of Mr. Zurab Zhvanai, the Prime Minister of Georgia, who died early today in what appeared to have been a tragic accident. My prayers go out to his wife and his three children that he leaves behind.

Prime Minister Zhvania was one of the leading figures that peacefully brought about democratic change in Georgia following the country's fraudulent November 2003 elections. The prime minister, along with Mikail Saakashvili, the current president of Georgia, spearheaded the "Rose Revolution" that toppled the government of Eduard Shevardnadze and ushered in a new era in Georgian history, one that has set Georgia on a pro-Western reform path.

Prime Minister Zhvania was a dynamic young man who became an in-

spiration to millions of Georgians, became a close personal friend of many in the Bush Administration, in Congress, and in Washington, DC, and was viewed throughout the world as a positive force for democratic reform in Georgia. His energy, courage, and humility will be missed, and his contributions to democracy and liberty will not be forgotten.

The death of Prime Minister Zhvania, while tragic, does not spell the end of democratic reforms in Georgia. In fact, his contributions to Georgian democracy will be long lasting. In the short time Prime Minister Zhvania was in power, he and his team began a process of significant institutional reconstruction and orientation that will one day, in the not-so-distant future, firmly entrench Georgia into the western institutions of the European Union and NATO.

Tomorrow, in Tbilisi, a large international conference will convene to discuss Georgia and the Caucasus region integration with the West. And, in less than two weeks, the Community of Democracies will hold a workshop with representatives from more than 17 countries to discuss and develop action plans for further democratic and institutional reform in Georgia. Neither would have occurred had it not been for the courage and dedication to democracy and freedom exhibited by President Saakashvili and his trusted advisor and ally, Zurab Zhvania, which led the Rose Revolution to victory and brought hope to the Georgian people.

I believe that one of the finest tributes to the Prime Minister's memory will be for all of us, in Georgia and in the West, to redouble our efforts to ensure that Zurab Zhvania's aspirations for democracy in Georgia are fully realized in the critical months ahead. Let me say that America will continue to work with the people of Georgia, President Saakashvili, and other Georgian leaders to ensure that their aspiration to become fully integrated into the world's community of nations is met, as expeditiously and irreversibly as possible.

The United States mourns the loss of such an intelligent and vibrant democratic leader as was found in Prime Minister Zhvania. As President Saakashvili was quoted as saying earlier today, "I have lost my closest friend, my most loyal adviser, my biggest ally." Let me say to President Saakashvili and the Georgian people, America shares your loss and honors the accomplishments and memory of Prime Minister Zurab Zhvania.

#### PROCEDURE—RULES OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, in accordance with Rule XXVI, paragraph 2, of the Standing Rules of the Senate, I