

Vermont in compliance with the 1980 Low-level Radioactive Waste Policy Act which Congress passed in an effort to establish a uniform Federal policy on nuclear waste disposal. While the Federal Government retained responsibility over high-level waste disposal, this act placed the onus on the States to dispose properly of low-level radioactive waste generated within their borders.

To promote and encourage the fulfillment of this obligation by all States, Congress authorized the States to enter into compacts with other States to share waste disposal facilities. It is pursuant to this obligation and mandate that the Texas-Maine-Vermont Compact was negotiated and approved by the legislatures of Texas and Vermont and through a public referendum in the State of Maine. The compact was subsequently signed by the governors of all three states.

Currently, nine interstate compacts involving 41 States are operating through Congressional consent. I have received a letter signed by the Governors of Texas, Maine, and Vermont urging Congress to pass this compact as passed by the States. This compact would bring these states into compliance with federal law. The hard work for drafting a compact that all three states would ratify and that would meet with congressional approval has been completed for some time. The States have carefully crafted a compact that will serve their low-level waste disposal needs in a responsible and lawful manner.

The States have done their part and have been patiently waiting for congressional consent before moving forward with plans to construct the waste disposal facility. It is now time for this body to do its part in assuring that this compact will be passed swiftly without further delay. I therefore support this important piece of legislation, and encourage my colleague to do the same.

Ms. SNOWE addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, I yield back the balance of my time.

The PRESIDING OFFICER. There are 40 minutes equally divided and reserved for tomorrow. Both sides are yielding back the balance of the time for tonight?

Ms. SNOWE. That's correct.

Mr. WELLSTONE. That's correct.

MORNING BUSINESS

Ms. SNOWE. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

MILITARY CONSTRUCTION APPROPRIATIONS CONFERENCE REPORT

Mr. HOLLINGS. Mr. President, this morning I missed the vote on the Fis-

cal Year 1999 Military Construction Appropriations Conference Report, which this body approved by a wide margin. I missed the vote due to a long airline delay—a delay especially vexing to me because I had scheduled my departure from South Carolina to arrive here in plenty of time to vote on this legislation. Had I been here, I would have been proud to cast an "aye" vote for this bill.

As a combat veteran, I'm convinced a strong and vigorous military is vital to our nation's security and interests. The Military Construction Appropriations Conference Report is crucial to strengthening our armed forces, and it is tremendously important to the people of South Carolina.

I was proud to work with fellow Appropriations Committee members to secure additional money for projects at the Parris Island Marine Corps Recruit Depot, McEntire Air National Guard Station, Spartanburg Air National Guard Center, Beaufort Marine Air Corps Station, and Charleston Air Force Base. In addition to strengthening our military, these projects will help the brave men and women in uniform who serve on these bases and their dependents.

I was proud to help make the 1999 Military Construction Appropriations Conference Report a reality, and I'm pleased to see it approved today by the Senate.

Mr. COVERDELL. Mr. President, with regards to this morning's vote on the military construction appropriations conference report, vote number 253, I would like the RECORD to show that had I been present I would have voted aye. This bill provides important funding for military construction projects across the country, including a number of projects at military installations in Georgia.

MEASURES REFERRED

The following bill, previously received from the House of Representatives for the concurrence of the Senate, was read the first and second times by unanimous consent and referred as indicated:

H.R. 3696. An act to designate the United States courthouse located at 316 North 26th Street in Billings, Montana, as the "James F. Battin United States Courthouse"; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McCAIN, from the Committee on Commerce, Science, and Transportation, without amendment:

H.R. 624: A bill to amend the Armored Car Industry Reciprocity Act of 1993 to clarify certain requirements and to improve the flow of interstate commerce (Rept. No. 105-297).

By Mr. HATCH, from the Committee on the Judiciary:

Report to accompany the joint resolutions (S.J. Res. 40 and H.J. Res. 54) proposing an

amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States (Rept. No. 105-298).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. CLELAND (for himself and Mr. COVERDELL):

S. 2429. A bill to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in the Atlanta, Georgia, metropolitan area; to the Committee on Veterans Affairs.

By Mr. GRAMS:

S. 2430. A bill to provide a comprehensive program of support for victims of torture; to the Committee on the Judiciary.

By Mr. ROTH (for himself, Mr. BIDEN, Mr. THURMOND, Mr. HELMS, Mr. STEVENS, Mr. COCHRAN, Mr. INOUE, Mr. HOLLINGS, Mr. SPECTER, Mr. FAIRCLOTH, Mr. DURBIN, and Mr. FORD):

S.J. Res. 55. A joint resolution requesting the President to advance the late Rear Admiral Husband E. Kimmel on the retired list of the Navy to the highest grade held as Commander in Chief, United States Fleet, during World War II, and to advance the late Major General Walter C. Short on the retired list of the Army to the highest grade held as Commanding General, Hawaiian Department, during World War II, as was done under the Officer Personnel Act of 1947 for all other senior officers who served in positions of command during World War II, and for other purposes; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LAUTENBERG (for himself and Mr. TORRICELLI):

S. Res. 268. A resolution congratulating the Toms River East American Little League team of Toms River, New Jersey, for winning the Little League World Series; considered and agreed to.

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 269. A resolution to authorize production of Senate documents and representation by Senate Legal Counsel in the case of Rose Larker, et al. v. Kevin A. Carias-Herrera, et al; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CLELAND (for himself and Mr. COVERDELL):

S. 2429. A bill to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in the Atlanta, Georgia, metropolitan area; to the Committee on Veterans' Affairs.

NATIONAL CEMETERY LEGISLATION

Mr. CLELAND. Mr. President, today I am pleased to offer an important

piece of legislation designed to address a critical need of Georgia's veterans and their families.

One of the greatest honors our country provides for a veteran's service is the opportunity to be buried in a national cemetery. It is logical that a veteran's family would want to have the grave site of their loved one close by. They want to be able to visit to place flowers or a folded American flag by the headstone of their father, mother, sister or brother. Georgia veterans' families deserve such consideration. The establishment of a new veterans national cemetery in the Atlanta metropolitan area is one of my highest legislative priorities.

The current veterans population in Georgia is estimated to be nearly 700,000, with over 400,000 residing in the Metro Atlanta area. Our state currently has two cemeteries designated specifically for veterans, in Marietta and Andersonville. Marietta National Cemetery has been full since 1970, and Andersonville National Historic Cemetery is located in southwest Georgia, at a considerable distance from most of the state's veterans population.

The large population of veterans' families in Metro Atlanta and North Georgia is not being served, and we need to change that.

Abraham Lincoln once said: "All that a man hath will he give for his life; and while all contribute of their substance the soldier puts his life at stake, and often yields it up in his country's cause. The highest merit, then, is due to the soldier."

We owe it to our veterans and their families to provide a national veterans cemetery close to their home.

I have been pursuing this matter for over 20 years, since I was head of the Veterans' Administration, now called the Department of Veterans' Affairs. Nationally, there are over 300,000 vacancies in national cemeteries for veterans, but in Georgia, there are no such vacancies. The only option these veterans have is burial in Andersonville, a national historic cemetery which is operated by the National Park Service, not the VA, and is more than 100 miles away from the Metro Atlanta area. This deeply concerns me, especially when one considers that Georgia has the highest rate of growth in terms of military retirees in the Nation, and that the majority of these veterans reside in Metro Atlanta. We really must do better for our veterans.

In 1979, when I was head of the VA, our studies documented that the Atlanta metropolitan area was the area having the largest veterans population in the country without a national cemetery. Later that same year, I announced that Metro Atlanta had been chosen as the site for a new VA cemetery, which was to be opened in late 1983. The Atlanta location was chosen after an exhaustive review of many sites, including consideration of environmental, access, and land use factors, and most importantly, the den-

sity of veterans population. Unfortunately, the Reagan Administration later withdrew approval of the Atlanta site. Over the years since then, Atlanta has repeatedly been one of the top areas in the United States most in need of an additional national cemetery.

Mr. President, the bill I am introducing today is simple. First, it requires the Department of Veterans Affairs to establish a national cemetery in the Atlanta metropolitan area not later than January 1, 2000. Second, it requires the Department to consult with appropriate federal, state, and local officials to determine the most suitable site. Finally, the bill further requires the Secretary of Veterans Affairs to report to Congress on the establishment of the cemetery, including an estimate on its cost and a timetable for completion of the cemetery.

I believe this bill is a necessary first step toward the eventual establishment of a national cemetery to meet the needs of Atlanta's veterans and their families. Admittedly, several factors must be resolved before the cemetery can be established. A site must be found and funding must be made available. However, we must move swiftly to resolve this problem so that a critical element of our commitment to the Nation's veterans can be met.

I am hopeful that the Senate will take favorable action on my bill early in the next Congress. I want to thank my colleague from Georgia, Senator COVERDELL, for joining me in this important effort, and Representative BARR for sponsoring the companion bill in the other body.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2429

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ESTABLISHMENT.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall establish, in accordance with chapter 24 of title 38, United States Code, a national cemetery in the Atlanta, Georgia, metropolitan area to serve the needs of veterans and their families.

(b) CONSULTATION IN SELECTION OF SITE.—Before selecting the site for the national cemetery established under subsection (a), the Secretary shall consult with—

(1) appropriate officials of the State of Georgia and local officials of the Atlanta, Georgia, metropolitan area, and

(2) appropriate officials of the United States, including the Administrator of General Services, with respect to land belonging to the United States in that area that would be suitable to establish the national cemetery under subsection (a).

(c) REPORT.—As soon as practicable after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the establishment of the national cemetery under subsection (a). The report shall set forth a schedule for such establishment and an estimate of the costs associated with such establishment.

(d) DEADLINE.—The Secretary shall complete the establishment of the national cem-

etry under subsection (a) not later than January 1, 2000.

Mr. COVERDELL. Mr. President, today I am proud to join my esteemed colleague from Georgia, Senator CLELAND, in introducing this very important piece of legislation authorizing a new National Cemetery in the Atlanta, Georgia, metropolitan area. For many years Georgia has had a pressing need for a new national cemetery for veterans. Now, with the leadership of my friend from Georgia who, I might add, has been working to make this a reality for about twenty years, and with the introduction of this legislation, I believe we can finally build this much needed cemetery.

Mr. President, Georgia has one of the fastest growing veterans populations in the country. Currently, about 700,000 veterans call Georgia home with well over half, about 440,000, living in the Metro-Atlanta region; the area where this new cemetery would be built. However, the only national cemetery in the area has been full since 1970. Furthermore, the only other veterans cemetery in the state is operated by the National Parks Service, not the Department of Veterans' Affairs, and is in Andersonville, a town in southwest Georgia far from the concentration of Georgia veterans.

Mr. President, I believe my colleague has clearly demonstrated to us all further justification for a new national cemetery in Georgia. VA studies have concurred the need for this cemetery and, in fact, Atlanta was chosen as a site for a new cemetery in 1983. Again, Senator CLELAND makes all this clear and I thank him for his dedication to this project.

Burial in a national cemetery is a deserving honor for our nation's veterans, but it is becoming increasingly difficult to bestow upon them, especially in Georgia. This bipartisan legislation seeks to remedy this situation. Mr. President, by focusing on areas across the country with pressing needs for more burial slots, Congress can increase access to the honor of burial in a national cemetery. Georgia is such an area. By passing this measure, Congress would help veterans, and their families, find a burial place befitting their patriotic service to this great land.

By Mr. ROTH (for Mr. BIDEN, Mr. THURMOND, Mr. HELMS, Mr. STEVENS, Mr. COCHRAN, Mr. INOUE, Mr. HOLLINGS, Mr. SPECTER, Mr. FAIRCLOTH, Mr. DURBIN, and Mr. FORD):

S. J. Res. 55. A joint resolution requesting the President to advance the late Rear Admiral Husband E. Kimmel on the retired list of the Navy to the highest grade held as Commander in Chief, United States Fleet, during World War II, and to advance the late Major General Walter C. Short on the retired list of the Army to the highest grade held as Commanding General, Hawaiian Department, during World

War II, as was done under the Officer Personnel Act of 1947 for all other senior officers who served impositions of command during World War II, and for other purposes; to the Committee on Armed Services.

JOINT RESOLUTION RELATIVE TO REAR ADMIRAL HUSBAND KIMMEL AND MAJOR GENERAL WALTER SHORT

• Mr. ROTH. Mr. President, on Wednesday, September 2, 1998 the *U.S.S. Missouri*, arguably our nation's most famous battleship, will be permanently berthed at Pearl Harbor. The *Missouri*, with its remarkable and gallant history of naval combat in the United States Navy, will serve as a fitting monument to those Americans who fought and died in the name of freedom, liberty, and justice.

However, I must confess that the remembrance of the events surrounding the December 1941 attack on Pearl Harbor also rekindles a painful memory of one of the great injustices that occurred within our own ranks during World War II, an injustice that still remains, an injustice that continues to tarnish our nation's military honor.

Admiral Husband Kimmel and General Walter Short were the two senior commanders of U.S. military forces deployed in the Pacific at the time of the disastrous surprise attack on Pearl Harbor. In the immediate aftermath of the attack, these two commanders were unfairly held singularly responsible for the success of the attack. They were scapegoated.

First, they were publicly accused of dereliction of duty by a hastily conducted investigation. Then, when subsequent investigations conducted during World War II exonerated these officers, those findings were kept secret on the grounds that they undercut the war effort.

But, what is most unforgivable is that after the end of World War II, this scapegoating was given a near permanent veneer when the President of the United States declined to advance Admiral Kimmel and General Short on the retired list to their highest ranks of war-time command—an honor that was given to every other senior commander who served in war-time positions above their grade. As Commander-in-Chief of the Pacific and United States Fleets, Admiral Kimmel, a two star, served as a four star commander. Major General Short, also a two star, served as a three star commander when he was the Commanding General of the Army's Hawaiian Department.

Today, this singular exclusion from advancement on the military's retired list only perpetuates the myth that Admiral Kimmel and General Short were derelict in their duty and singularly responsible for the success of the attack on Pearl Harbor. This is a distinct and unacceptable expression of dishonor toward two of the finest officers who have served in the Armed Forces of the United States. It is clearly inconsistent with the most basic no-

tion of fairness and justice. Such scapegoating is inconsistent with this great nation's unmatched military honor.

It is high time that this injustice suffered by General Short and Admiral Kimmel be rectified. Toward that end, I introduce on behalf of myself, Senator BIDEN, the Chairman of the Armed Services Committee, the Chairman of the Foreign Relations Committee, the Chairman of the Appropriations Committee, the Chairman of the Veterans Committee and Senators INOUE, COCHRAN, HOLLINGS, FAIRCLOTH and DURBIN, a joint resolution intended to right this longstanding injustice.

The joint resolution calls upon the President to posthumously advance on the retirement list Major General Short's grade to Lieutenant General—his rank of command as Commanding General of the Army's Hawaiian Department and Rear Admiral Kimmel's grade to Admiral—his rank of command as Commander in Chief, U.S. Fleet.

The facts that constitute the case of Admiral Kimmel and General Short have been remarkably documented over time—which is one of the reasons that I am disappointed that after fifty-seven years this injustice has not been rectified.

Since the attack on Pearl Harbor back in December of 1941, there have been numerous investigations and histories on the job performance of Kimmel and Short. These include nine official governmental investigations and reports and one inquiry conducted by a special Joint Congressional Committee. Findings of six of these inquiries are noted in the resolution.

Perhaps the most flawed, and unfortunately most influential investigation, was that of the Roberts Commission. Less than 6 weeks after the Pearl Harbor attack, it presented a hastily prepared report to the President accusing Kimmel and Short of dereliction of duty—a charge that was immediately and highly publicized.

Admiral William Harrison Standley, who served as a member of the Roberts Commission later and disavowed its report, stated that Admiral Kimmel and General Short were "martyred" and "if they had been brought to trial, they would have been cleared of the charge."

Later, Admiral J.O. Richardson, who was Admiral Kimmel's predecessor as Commander in Chief, U.S. Pacific Fleet, wrote:

In the impression that the Roberts Commission created in the minds of the American people, and in the way it was drawn up for that specific purpose, I believe that the report of the Roberts Commission was the most unfair, unjust, and deceptively dishonest document ever printed by the Government Printing Office.

The highly publicized accusation of that infamous investigation contributed to the inaccurate myth that these two officers were singularly responsible for the success of the attack on Pearl Harbor.

Since 1941 a number of official investigations provided clear evidence that these two commanders were unfairly singled out for blame that should have been widely shared with their senior commanders. These reports include, among others, a 1944 Navy Court of Inquiry, a 1944 Army Pearl Harbor Board of Investigation, a 1946 Joint Congressional Committee Report, and more recently a 1991 Army Board for the Correction of Military Records. The findings of these official reports are described in the Resolution and can be summarized as four principal points.

First, the investigations provide ample evidence that the Hawaiian commanders were not provided vital intelligence that they needed and that was available in Washington prior to the attack on Pearl Harbor. Their senior commanders had critical information about Japanese intentions, plans, and actions, but neither passed this on nor took issue or attempted to correct the disposition of forces under Kimmel's and Short's commands.

Second, the disposition of forces in Hawaii were consistent with the information that was made available to Admiral Kimmel and General Short. Based on the information available to the Hawaiian commanders, the forces under their command at Pearl Harbor were properly disposed.

In my review of this case, I was most struck by the honor and integrity demonstrated by General George Marshall who was Army Chief of Staff at the time of the attack. General Short interpreted a vaguely written war warning message sent from the high command in Washington on November 27, 1941 as suggesting the need to defend against sabotage. Consequently, when he concentrated his aircraft away from perimeter roads to protect them, he inadvertently increased their vulnerability to air attack. When he reported his preparations to the General Staff in Washington, the General Staff never took steps to clarify the reality of the situation.

The Report of the Joint Congressional Committee of 1946 is testament to General Marshall's sense of honor and integrity. General Marshall testified that as Chief of Staff, he was responsible for ensuring the proper disposition of General Short's forces. He acknowledged that he must have seen General Short's report, which would have been his opportunity to issue a corrective message, and that he failed to do so.

Mr. President, I only wish that the force of General Marshall's integrity and sense of responsibility had greater influence over the management of the case of Admiral Kimmel and General Short.

A third theme of these investigations concerned the failure of the Department of War and the Department of the Navy to properly manage the flow of intelligence. The Dorn Report completed in 1995 for the Deputy Secretary of Defense at the request of Senator

THURMOND stated that the handling of intelligence in Washington during the time leading up to the attack on Pearl Harbor was characterized by "ineptitude * * * limited coordination * * * ambiguous language, and lack of clarification and follow-up," among other serious faults. The bottom line is that poor command decisions and inefficient management structures and procedures blocked the flow of essential intelligence from Washington to the Hawaiian commanders.

The fourth and most important theme that permeates the aforementioned reports is that blame for the disaster at Pearl Harbor cannot be placed only upon the Hawaiian commanders. Some of these reports completely absolved these two officers. While others found them to have made errors in judgement, all the reports subsequent to the Roberts Commission cleared them of the charge of dereliction of duty.

And, Mr. President, all those reports identified significant failures and shortcomings of the senior commanders in Washington that contributed significantly—if not predominantly—to the success of the surprise attack on Pearl Harbor. The Dorn Report put it best, stating that "responsibility for the Pearl Harbor disaster should not fall solely on the shoulders of Admiral Kimmel and Lieutenant General Short, it should be broadly shared."

Mr. President, I would like to emphasize two points about these investigations. First, these two officers were repeatedly denied their requests—their requests—for courts martial.

Second, the conclusions of the 1944 Naval Court of Inquiry and the Army Pearl Harbor Board—that Kimmel's and Short's forces had been properly disposed according to the information available to them and that criticized their superior officers for not sharing important intelligence—were kept secret on the grounds that they were detrimental to the war effort.

For reasons unexplainable to me, the scapegoating of Admiral Kimmel and General Short has survived the cleansing tides of history. It is an unambiguous fact that responsibility for the success of the Pearl Harbor attack lies with the failure of their superiors situated in Washington to provide them the intelligence that was available.

One can make the case that back in the midst of World War II, allowing blame to fall and remain solely on Admiral Kimmel and General Short helped prevent the American people from losing confidence in their national leadership. But perpetuating the cruel myth that Kimmel and Short were singularly responsible for the disaster at Pearl Harbor is not only unfair, it blemishes the military honor of our nation.

This issue of fairness and justice has been raised not only by General Short and Admiral Kimmel and their surviving families today, but also by numerous senior officers and public organizations around the country.

Mr. President, allow me to submit for the RECORD a letter endorsing our resolution from five living former naval officers who served at the very pinnacle of military responsibility. They are former Chairmen of the Joint Chiefs of Staff Admiral Thomas H. Moorer and Admiral William J. Crowe and former Chiefs of Naval Operations Admiral J.L. Holloway III, Admiral Elmo R. Zumwalt and Admiral Carlisle A.H. Trost.

The efforts of these and other officers have been complemented by the initiatives of many public organizations who have called for posthumous advancement of Kimmel and Short. At various times down through the years, they have included the Veterans of Foreign Wars, the Retired Officers Association, the Naval Academy Alumni Association, the Pearl Harbor Commemorative Committee, the Admiral Nimitz Foundation, and the Pearl Harbor Survivors Association.

I submit for the RECORD a moving resolution passed by the Delaware Chapter of the VFW last June calling for the posthumous advancement of General Short and Admiral Kimmel and a letter from the President of the VFW to the President of the United States making the same request.

Mr. President, Admiral Kimmel and General Short have been unjustly stigmatized by our nation's failure to treat them in the same manner with which we treated their peers. To redress this wrong would be fully consistent with this nation's sense of justice.

The message of our joint resolution is about justice, equity, and honor. Its purpose is to redress an historic wrong, to ensure that these two officers are treated fairly and with the dignity and honor they deserve, and to ensure that justice and fairness fully permeate the memory and lessons learned from the catastrophe at Pearl Harbor.

The President should advance the ranks of Admiral Kimmel and General Short on the retired list to their highest war-time ranks, as was done for all their peers. After 57 years, this correction is long overdue.

I urge my colleagues to support this joint resolution.

Mr. President, I ask unanimous consent that the text of the joint resolution, the VFW resolution, and letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S.J. RES. 55

Whereas, Rear Admiral Husband E. Kimmel, formerly the Commander in Chief of the United States Fleet and the Commander in Chief, United States Pacific Fleet, possessed an excellent and unassailable record throughout his career in the United States Navy prior to the December 7, 1941 attack on Pearl Harbor;

Whereas Major General Walter C. Short, formerly the Commander of the United States Army Hawaiian Department, possessed an excellent and unassailable record throughout his career in the United States Army prior to the December 7, 1941 attack on Pearl Harbor;

Whereas numerous investigations following the attack on Pearl Harbor have documented that Admiral Kimmel and Lieutenant General Short were not provided with the necessary and critical intelligence available that foretold of war with Japan, that warned of imminent attack, and that would have alerted them to prepare for the attack, including such essential communiques as the Japanese Pearl Harbor Bomb Plot message of September 24, 1941, and the message sent from the Imperial Japanese Foreign Ministry to the Japanese Ambassador in the United States from December 6-7, 1941, known as the Fourteen-Part Message;

Whereas on December 16, 1941, Admiral Kimmel and Lieutenant General Short were relieved of their commands and returned to their permanent ranks of rear admiral and major general;

Whereas Admiral William Harrison Standley, who served as a member of the investigating commission known as the Roberts Commission that accused Admiral Kimmel and Lieutenant General Short of "dereliction of duty" only six weeks after the attack on Pearl Harbor, later disavowed the report maintaining that "these two officers were martyred" and "if they had been brought to trial, both would have been cleared of the charge";

Whereas on October 19, 1944, a Naval Court of Inquiry exonerated Admiral Kimmel on the grounds that his military decisions and the disposition of his forces at the time of the December 7, 1941 attack on Pearl Harbor were proper "by virtue of the information that Admiral Kimmel had at hand which indicated neither the probability nor the imminence of an air attack on Pearl Harbor"; criticized the higher command for not sharing with Admiral Kimmel "during the very critical period of 26 November to 7 December 1941, important information . . . regarding the Japanese situation"; and, concluded that the Japanese attack and its outcome was attributable to no serious fault on the part of anyone in the naval service;

Whereas on June 15, 1944, an investigation conducted by Admiral T. C. Hart at the direction of the Secretary of the Navy produced evidence, subsequently confirmed, that essential intelligence concerning Japanese intentions and war plans was available in Washington but was not shared with Admiral Kimmel;

Whereas on October 20, 1944, the Army Pearl Harbor Board of Investigation determined that Lieutenant General Short had not been kept "fully advised of the growing tenseness of the Japanese situation which indicated an increasing necessity for better preparation for war"; detailed information and intelligence about Japanese intentions and war plans were available in "abundance" but were not shared with the General Short's Hawaii command; and General Short was not provided "on the evening of December 6th and the early morning of December 7th, the critical information indicating an almost immediate break with Japan, though there was ample time to have accomplished this";

Whereas the reports by both the Naval Court of Inquiry and the Army Pearl Harbor Board of Investigation were kept secret, and Rear Admiral Kimmel and Major General Short were denied their requests to defend themselves through trial by court-martial;

Whereas the joint committee of Congress that was established to investigate the conduct of Admiral Kimmel and Lieutenant General Short issued, on May 23, 1946, a 1,075-page report which included the conclusions of the committee that the two officers had not been guilty of dereliction of duty;

Whereas the then Chief of Naval Personnel, Admiral J. L. Holloway, Jr., on April 27, 1954,

recommended that Admiral Kimmel be advanced in rank in accordance with the provisions of the Officer Personnel Act of 1947;

Whereas on November 13, 1991, a majority of the members of the Board for the Correction of Military Records of the Department of the Army found that Lieutenant General Short "was unjustly held responsible for the Pearl Harbor disaster" and that "it would be equitable and just" to advance him to the rank of lieutenant general on the retired list";

Whereas in October 1994, the then Chief of Naval Operations, Admiral Carlisle Trost, withdrew his 1988 recommendation against the advancement of Admiral Kimmel and recommended that the case of Admiral Kimmel be reopened;

Whereas the Dorn Report, a report on the results of a Department of Defense study that was issued on December 15, 1995, did not provide support for an advancement of Rear Admiral Kimmel or Major General Short in grade, it did set forth as a conclusion of the study that "responsibility for the Pearl Harbor disaster should not fall solely on the shoulders of Admiral Kimmel and Lieutenant General Short, it should be broadly shared";

Whereas the Dorn Report found that "Army and Navy officials in Washington were privy to intercepted Japanese diplomatic communications . . . which provided crucial confirmation of the imminence of war"; that "the evidence of the handling of these messages in Washington reveals some ineptitude, some unwarranted assumptions and misestimations, limited coordination, ambiguous language, and lack of clarification and follow-up at higher levels"; and, that "together, these characteristics resulted in failure . . . to appreciate fully and to convey to the commanders in Hawaii the sense of focus and urgency that these intercepts should have engendered";

Whereas, on July 21, 1997, Vice Admiral David C. Richardson (United States Navy, retired) responded to the Dorn Report with his own study which confirmed findings of the Naval Court of Inquiry and the Army Pearl Harbor Board of Investigation and established, among other facts, that the war effort in 1941 was undermined by a restrictive intelligence distribution policy, and the degree to which the commanders of the United States forces in Hawaii were not alerted about the impending attack on Hawaii was directly attributable to the withholding of intelligence from Admiral Kimmel and Lieutenant General Short;

Whereas the Officer Personnel Act of 1947, in establishing a promotion system for the Navy and the Army, provided a legal basis for the President to honor any officer of the Armed Forces of the United States who served his country as a senior commander during World War II with a placement of that officer, with the advice and consent of the Senate, on a retired list with the highest grade held while on the active duty list;

Whereas Rear Admiral Kimmel and Major General Short are the only two eligible officers from World War II who were excluded from the list of retired officers presented for advancement on the retired lists to their highest wartime ranks under the terms of the Officer Personnel Act of 1947;

Whereas this singular exclusion from advancement on the retired list serves only to perpetuate the myth that the senior commanders in Hawaii were derelict in their duty and responsible for the success of the attack on Pearl Harbor, a distinct and unacceptable expression of dishonor toward two of the finest officers who have served in the Armed Forces of the United States;

Whereas Major General Walter Short died on September 23, 1949, and Rear Admiral

Husband Kimmel died on May 14, 1968, without the honor of having been returned to their wartime ranks as were their fellow veterans of World War II; and

Whereas the Veterans of Foreign Wars, the Pearl Harbor Survivors Association, the Admiral Nimitz Foundation, the Naval Academy Alumni Association, the Retired Officers Association, and the Pearl Harbor Commemorative Committee, and other associations and numerous retired military officers have called for the rehabilitation of the reputations and honor of Admiral Kimmel and Lieutenant General Short through their posthumous advancement on the retired lists to their highest wartime grades: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ADVANCEMENT OF REAR ADMIRAL KIMMEL AND MAJOR GENERAL SHORT ON RETIRED LISTS.

(a) REQUEST.—The President is requested—

(1) to advance the late Rear Admiral Husband E. Kimmel to the grade of admiral on the retired list of the Navy; and

(2) to advance the late Major General Walter C. Short to the grade of lieutenant general on the retired list of the Army.

(b) ADDITIONAL BENEFITS NOT TO ACCRUE.—Any advancement in grade on a retired list requested under subsection (a) shall not increase or change the compensation or benefits from the United States to which any person is now or may in the future be entitled based upon the military service of the officer advanced.

SEC. 2. SENSE OF CONGRESS REGARDING THE PROFESSIONAL PERFORMANCE OF ADMIRAL KIMMEL AND LIEUTENANT GENERAL SHORT.

It is the sense of Congress that—

(1) the late Rear Admiral Husband E. Kimmel performed his duties as Commander in Chief, United States Pacific Fleet, competently and professionally, and, therefore, the losses incurred by the United States in the attacks on the naval base at Pearl Harbor, Hawaii, and other targets on the island of Oahu, Hawaii, on December 7, 1941, were not a result of dereliction in the performance of those duties by the then Admiral Kimmel; and

(2) the late Major General Walter C. Short performed his duties as Commanding General, Hawaiian Department, competently and professionally, and, therefore, the losses incurred by the United States in the attacks on Hickam Army Air Field and Schofield Barracks, Hawaii, and other targets on the island of Oahu, Hawaii, on December 7, 1941, were not a result of dereliction in the performance of those duties by the then Lieutenant General Short.

RESOLUTION ADOPTED BY THE DELAWARE VETERANS OF FOREIGN WARS

Whereas, Admiral Husband E. Kimmel and General Walter C. Short were the Commanders of record for the Navy and Army forces at Pearl Harbor, Hawaii, on December 7, 1941 when the Japanese Imperial Navy launched its attack; and

Whereas, following the attack, President Franklin D. Roosevelt appointed Supreme Court Justice Owen J. Roberts to a Commission to investigate such incident to determine if there had been any dereliction of duty; and

Whereas, the Roberts Commission conducted a rushed investigation in only five weeks. It charged Admiral Kimmel and General Short with dereliction of their duty. These findings were made public to the world; and

Whereas, the dereliction of duty charge destroyed the honor and reputations of both

Admiral Kimmel and General Short, and due to the urgency of the war neither man was given the opportunity to defend himself against the accusation of dereliction of duty; and

Whereas, other investigations showed that there was no basis for the dereliction of duty charges, and a Congressional Investigation in 1946 made specific findings that neither Admiral Kimmel nor General Short had been "derelict in his duty" at the time of the bombing of Pearl Harbor; and

Whereas, it has been documented that the United States Military had broken the Japanese codes in 1941. With the use of a cryptic machine known as "Magic," the Military was able to decipher the Japanese diplomatic code known as "Purple" and the military code known as JN-25. The final part of the diplomatic message that told of the attack on Pearl Harbor was received on December 6, 1941. With this vital information in hand, no warning was dispatched to Admiral Kimmel or General Short to provide sufficient time to defend Pearl Harbor in the proper manner; and

Whereas, it was not until after the tenth investigation of the attack on Pearl Harbor was completed in December of 1995, that the United States Government acknowledged in the report of Under Secretary of Defense Edwin S. Dorn, that Admiral Kimmel and General Short were not solely responsible for the disaster but that responsibility must be broadly shared; and

Whereas, at this time the American public have been deceived for the past fifty-six years regarding the unfounded charge of dereliction of duty against two fine military officers whose reputations and honor have been tarnished; now, therefore be it

Resolved, That the Veterans of Foreign Wars urges the President of the United States to restore the honor and reputations of Admiral Husband E. Kimmel and General Walter C. Short by making a public apology to them and their families for the wrongful actions of past administrations for allowing these unfounded charges of dereliction of duty to stand. Be it

Resolved, That the Veterans of Foreign Wars urges the President of the United States to take the necessary steps to posthumously advance Admiral Kimmel and General Short to their highest wartime ranks of Four-Star Admiral and Three-Star General. Such action would correct the injustice suffered by them and their families for the past fifty-six years.

Re the honor and reputations of Admiral Husband Kimmel and General Walter Short.
HONORABLE MEMBERS OF THE UNITED STATES SENATE.

DEAR SENATORS: We ask that the honor and reputations of two fine officers who dedicated themselves to the service of their country be restored. Admiral Husband Kimmel and General Walter Short were singularly scapegoated as responsible for the success of the Japanese attack on Pearl Harbor December 7, 1941. The time is long overdue to reverse this inequity and treat Admiral Kimmel and General Short fairly and justly. The appropriate vehicle for that is the current Roth-Biden Resolution.

The Resolution calls for the posthumous advancement on the retired list of Admiral Kimmel and General Short to their highest WWII wartime ranks of four-star admiral and three-star general as provided by the Officer Personnel Act of 1947. They are the only two eligible officers who have been singled out for exclusion from that privilege; all other eligible officers have been so privileged.

We urge you to support this Resolution.

We are career military officers who have served over a period of several decades and

through several wartime eras in the capacities of Chairman, Joint Chiefs of Staff and/or Chief of Naval Operations. Each of us is familiar with the circumstances leading up to the attack on Pearl Harbor.

We are unanimous in our conviction that Admiral Husband Kimmel and General Walter Short were not responsible for the success of that attack, and that the fault lay with the command structure at the seat of government in Washington. The Roth-Biden Resolution details specifics of this case and requests the President of the United States to nominate Kimmel and Short for the appropriate advancement in rank.

As many of you know, Admiral Kimmel and General Short were the Hawaiian Commanders in charge of naval and ground forces on Hawaii at the time of the Japanese attack. After a hurried investigation in January, 1942 they were charged with having been "derelict in their duty" and given no opportunity to refute that charge which was publicized throughout the country.

As a result, many today believe the "dereliction" charge to be true despite the fact that a Naval Board of Inquiry exonerated Admiral Kimmel of blame; a Joint Congressional Committee specifically found that neither had been derelict in his duty; a four-to-one majority of the members of a Board for the Correction of Military Records in the Department of the Army found that General Short had been "unjustly held responsible" and recommended his advancement to the rank of lieutenant general on the retired list.

This injustice has been perpetuated for more than half a century by their sole exclusion from the privilege of the Act mentioned above.

As professional military officers we support in the strongest terms the concept of holding commanders accountable for the performance of their forces. We are equally strong in our belief in the fundamental American principle of justice for all Americans, regardless of creed, color, status or rank. In other words, we believe strongly in fairness.

These two principles must be applied to the specific facts of a given situation. History as well as innumerable investigations have proven beyond any question that Admiral Kimmel and General Short were not responsible for the Pearl Harbor disaster. And we submit that where there is no responsibility there can be no accountability.

But as a military principle—both practical and moral—the dynamic of accountability works in both directions along the vertical line known as the chain of command. In view of the facts presented in the Roth-Biden Resolution and below—with special reference to the fact that essential and critical intelligence information was withheld from the Hawaiian Commanders despite the commitment of the command structure to provide that information to them—we submit that while the Hawaiian Commanders were as responsible and accountable as anyone could have been given the circumstances, their superiors in Washington were sadly and tragically lacking in both of these leadership commitments.

A review of the historical facts available on the subject of the attack on Pearl Harbor demonstrates that these officers were not treated fairly.

1. They accomplished all that anyone could have with the support provided by their superiors in terms of operating forces (ships and aircraft) and information (instructions and intelligence). Their disposition of forces, in view of the information made available to them by the command structure in Washington, was reasonable and appropriate.

2. Admiral Kimmel was told of the capabilities of U.S. intelligence (MAGIC, the

code-breaking capability of PURPLE and other Japanese codes) and he was promised he could rely on adequate warning of any attack based on this special intelligence capability. Both Commanders rightfully operated under the impression, and with the assurance, that they were receiving the necessary intelligence information to fulfill their responsibilities.

3. Historical information now available in the public domain through declassified files, and post-war statements of many officers involved, clearly demonstrate that vital information was routinely withheld from both commanders. For example, the "Bomb Plot" message and subsequent reporting orders from Tokyo to Japanese agents in Hawaii as to location, types and number of warships, and their replies to Tokyo.

4. The code-breaking intelligence of Purple did provide warning of an attack on Pearl Harbor, but the Hawaiian Commanders were not informed. Whether deliberate or for some other reason should make no difference, have no bearing. These officers did not get the support and warnings they were promised.

5. The fault was not theirs. It lay in Washington.

We urge you, as Members of the United States Senate, to take a leadership role in assuring justice for two military careerists who were willing to fight and die for their country, but not to be humiliated by its government. We believe that the American people—with their national characteristic of fair play—would want the record set straight.

Thank you.

THOMAS H. MOORER,
Admiral, U.S. Navy (Ret.),
Former Chairman, Joint Chiefs of Staff,
Former Chief of Naval Operations.

WILLIAM J. CROWE,
Admiral, U.S. Navy (Ret.),
Former Chairman, Joint Chiefs of Staff,
J.L. HOLLOWAY III,

Admiral, U.S. Navy (Ret.),
Former Chief of Naval Operations.
ELMO R. ZUMWALT,

Admiral, U.S. Navy (Ret.),
Former Chief of Naval Operations.
CARLISLE A.H. TROST,

Admiral, U.S. Navy (Ret.),
Former Chief of Naval Operations.

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
Washington, DC, June 26, 1998.

Mr. EDWARD R. KIMMEL,
Wilmington, DE.

DEAR MR. KIMMEL: Thank you for your letter to Mr. Larry Rivers, Adjutant General, Veterans of Foreign Wars of the United States, dated January 2, 1998. Your letter addressed Secretary of Defense William S. Cohen's comments made in a letter to Senator Strom Thurmond, Chairman of the Senate Armed Services Committee, dated November 18, 1997.

Attached is a copy of a letter VFW Commander-in-Chief John E. Moon recently sent to Secretary Cohen. This letter supports the proposal, lead by Senators Joseph R. Biden and William V. Roth, Jr. in May 1998, asking that Admiral Husband Kimmel and General Walter Short not bear the full responsibility for the December 7, 1941 attack on Pearl Harbor.

We hope that the Secretary of Defense will act favorably on the request of Senators Biden and Roth.

Sincerely,

KENNETH A. STEADMAN,
Executive Director.●

● Mr. BIDEN. Mr. President, tomorrow is an important day for all who honor the valor and sacrifice Americans made

in World War II. Tomorrow, the history of America's war in the Pacific is brought full circle. The U.S.S. *Missouri*, the ship on which the United States formally accepted Japan's surrender, will be permanently berthed at Pearl Harbor, the site of America's entry into the war against Japan following a devastating surprise attack.

It is appropriate that in this same week I, along with my colleagues, Senators ROTH, THURMOND, INOUE, STEVENS, HOLLINGS, FORD, DURBIN, SPECTER, HELMS, COCHRAN, and FAIRCLOTH, seek to close the circle for the two commanders at Pearl Harbor fifty-seven years ago, Admiral Husband Kimmel and General Walter Short. Today, we are introducing a resolution that seeks long overdue justice for these two fine officers.

Now some of you will ask "why now?" The answer is not just because we are honoring the service and sacrifice of Americans who served in the Pacific campaign by permanently berthing the *Missouri* at Pearl Harbor. It is more basic than that—there can be no statute of limitations for restoring honor and dignity to men who spent their lives devoted to America's service and yet were unfairly treated. When it comes to serving truth and justice, the time must always be "now".

I hope that most of you will read this resolution. The majority of the text details the historic case on behalf of Admiral Kimmel and General Short and expresses Congress's opinion that both officers performed their duty competently. Most importantly, it requests that the President submit the names of Kimmel and Short to the Senate for posthumous advancements on the retirement lists to their highest held wartime rank.

Mr. President, this action would not require any form of compensation. Instead, it would acknowledge, once and for all, that these two officers were not treated fairly by the U.S. government and it would uphold the military tradition that responsible officers take the blame for their failures.

I will address these points in more detail and will review some of the evidence regarding the soundness of Kimmel and Short's military decisions.

First, I want to discuss the treatment of Kimmel and Short and who bore responsibility. Like most Americans, Admiral Kimmel and General Short requested a fair and open hearing of their case, a court martial. They were denied their request. After lifetimes of honorable service to this nation and the defense of its values, they were denied the most basic form of justice—a hearing.

Let me review some of the facts. On December 18, 1941, a mere 11 days after Pearl Harbor, the Roberts Commission was formed to determine whether derelictions of duty or errors of judgment by Kimmel and Short contributed to the success of the Japanese attack. This Commission concluded that both

commanders had been derelict in their duty and the President ordered the immediate public release of these findings.

Several facts about the Roberts Commission force us to question its conclusions. First, Kimmel and Short were denied the right to counsel and were not allowed to be present when witnesses were questioned. They were then explicitly told that the Commission was a fact-finding body and would not be passing judgment on their performance. When the findings accusing them of a serious offense were released, they immediately requested a court-martial. That request was refused. It is difficult to imagine a fair review of the evidence given the rules of procedure followed by the Commission.

I also think that it is important to note the timing here. It would be difficult to provide a fair hearing in the charged atmosphere immediately following America's entry into the war in the Pacific. In fact, Kimmel and Short were the objects of public vilification. The Commission was not immune to this pressure. One Commission member, for example, Admiral Standley, expressed strong reservations about the Commission's findings, later characterizing them as a "travesty of justice". He did sign the Report, however, because of concerns that doing otherwise might adversely affect the war effort. As you will see, the war effort played an important role in how Kimmel and Short were treated.

The Roberts Commission was the only investigative body that found these two officers derelict in their duty.

In 1944 an Army Board investigated General Short's actions at Pearl Harbor. The conclusions of that investigation placed blame on General Marshall, the Chief of Staff of the Army at the time of Pearl Harbor and in 1944. This report was sequestered and kept secret from the public on the grounds that it would be detrimental to the war effort.

That same year, a Naval Court of Inquiry investigated Admiral Kimmel's actions at Pearl Harbor. The Naval Court's conclusions were divided into two sections in order to protect information indicating that America had the ability to decode and intercept Japanese messages. The first and longer section, therefore, was classified "top secret." The second section was written to be unclassified and completely exonerated Admiral Kimmel and recognized that Admiral Stark bore some of the blame for Pearl Harbor because of his failure to provide Kimmel with critical information available in Washington. Then Secretary of the Navy James Forrestal instructed the Court that it had to classify both sections "secret" and not release any findings to the public.

I won't go any further with this discussion of history, again I urge my colleagues to read the resolution. I hope that I have made my point that these officers were not treated fairly and

that there is good reason to question where the blame for Pearl Harbor should lie.

The whole story was re-evaluated in 1995 at the request of Senator THURMOND by Under Secretary for Defense Edwin Dorn. In his report, Dorn concluded that responsibility for the disaster at Pearl Harbor should be broadly shared. I agree. Where Dorn's conclusions differ from mine and my cosponsors, is that he also found that "the official treatment of Admiral Kimmel and General Short was substantively temperate and procedurally proper." I disagree.

These officers were publicly vilified and never given a chance to clear their names. If we lived in a closed society, fearful of the truth, then there would be no need for the President to take any action today. But we don't. We live in an open society. Eventually, we are able to declassify documents and evaluate our past based on at least a good portion of the whole story. One of our greatest strengths as a nation comes from our ability to honor truth and the lessons of our past.

Like most people, I can accept that there was a good case for the need to protect our intelligence capabilities during the war. I cannot accept that there is a reason for continuing to deny the culpability of others in Washington at the expense of these two officers' reputations 57 years later. Continuing to falsely scapegoat two dedicated and competent officers dishonors the military tradition of taking responsibility for failure. The historic message sent is that the truth will be suppressed to protect some responsible parties and distorted to sacrifice others.

One point I want to make here is that we are not seeking to place blame. This is not a witch-hunt aimed at those superior officers who were advanced in rank and continued to serve, despite being implicated in the losses at Pearl Harbor. I think the historic record has become quite clear that blame should be shared.

The unfortunate reality is that Admiral Kimmel and General Short were blamed entirely and forced into early retirement.

After the war, in 1947, they were singled out as the only eligible officers from World War II not advanced to their highest held wartime ranks on the retirement lists, under the Officer Personnel Act of 1947. By failing to advance them, the government and the Departments of the Navy and Army perpetuate the myth that these two officers bear a unique and disproportionate part of the blame.

The government that denied these officers a fair hearing and suppressed findings favorable to their case while releasing hostile information owes them an official apology. That's what this resolution calls for.

The last point that I want to make deals with the military situation at Pearl Harbor. It is legitimate to ask whether Admiral Kimmel and General

Short, as commanding officers, properly deployed their forces. I think reasonable people may disagree on this point. I have been struck by the number of qualified individuals who believe the commanders properly deployed based on the intelligence available to them. I will ask to enter this partial list of flag officers into the RECORD. Among those listed is Vice Admiral Richardson, a distinguished naval commander, who wrote an entire report refuting the conclusions of the Dorn Report. My colleagues will also see the names of four Chiefs of Naval Operations and the former chairman of the Joint Chiefs of Staff Admiral Thomas Moorer. It was Admiral Moorer who observed that, "If Nelson and Napoleon had been in command at Pearl Harbor, the results would have been the same."

In conclusion, Mr. President, I believe this case is unique and demands our attention. As we honor those who served in World War II by permanently berthing the U.S.S. *Missouri* in Pearl Harbor, we must also honor the ideals for which they fought. High among those American ideals is upholding truth and justice. Those ideals give us the strength to admit and, where possible, correct our errors.

I urge my colleagues to support this resolution and move one step closer to justice for Admiral Kimmel and General Short.

Mr. President, I ask unanimous consent a partial list of flag officers be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

The following is a partial listing of high-ranking retired military personnel who advocate in support of the posthumous advancement on the retired lists of Rear Admiral Husband Kimmel and Major General Walter Short to Four-Star Admiral and Three-Star General respectively:

ADMIRALS

Thomas H. Moorer; Carlisle A.H. Trost; William J. Crowe, Jr.; Elmo R. Zumwalt; J.L. Holloway III; Ronald J. Hays; T.B. Hayward; Horatio Rivero; Worth H. Bargley; Noel A.M. Gayler; Kinnaird R. McKee; Robert L.J. Long; William N. Small; Maurice F. Weisner; U.S.G. Sharp, Jr.; H. Hardisty; Wesley McDonald; Lee Baggett, Jr.; and Donald C. Davis.

VICE ADMIRALS

David C. Richardson and William P. Lawrence.

REAR ADMIRALS

D.M. Showers and Kemp Tolley.

ADDITIONAL COSPONSORS

S. 89

At the request of Ms. SNOWE, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 89, a bill to prohibit discrimination against individuals and their family members on the basis of genetic information, or a request for genetic services.

S. 951

At the request of Mr. TORRICELLI, the name of the Senator from California