

(14) In October 1994, the then Chief of Naval Operations, Admiral Carlisle Trost, withdrew his 1988 recommendation against the advancement of Rear Admiral (retired) Kimmel (By then deceased) and recommended that the case of Rear Admiral Kimmel be reopened.

(15) Although the Dorn Report, a report on the result of a Department of Defense study that was issued on December 15, 1995, did not provide support for an advancement of the late Rear Admiral (retired) Kimmel or the late Major General (retired) 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".

(16) The Dorn Report found—

(A) that "Army and Navy officials in Washington were privy to intercepted Japanese diplomatic communications . . . which provided crucial confirmation of the imminence of war";

(B) 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

(C) 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".

(17) 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 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 then Admiral Kimmel and Lieutenant General Short.

(18) Rear Admiral (retired) Kimmel and Major General (retired) Short are the only two officers eligible for advancement under the Officer Personnel Act of 1947 as senior World War II commanders who were excluded from the list of retired officers presented for advancement on the retired lists to their highest wartime ranks under that Act.

(19) This singular exclusion from advancement of Rear Admiral (retired) Kimmel and Major General (retired) Short from the Navy retired list and the Army retired list, respectively, 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, and 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.

(20) Major General (retired) Walter Short died on September 23, 1949, and Rear Admiral (retired) Husband Kimmel died on May 14, 1968, without having been accorded the honor of being returned to their wartime ranks as were their fellow veterans of World War II.

(21) The Veterans of Foreign Wars, the Pearl Harbor Survivors Association, the Admiral Nimitz Foundation, the Naval Academy Alumni Association, the Retired Officers Association, the Pearl Harbor Commemorative Committee, and other associations and numerous retired military officers have called for the rehabilitation of the reputations and honor of the late Rear Admiral (retired) Kimmel and the late Major General (retired) Short through their posthumous advancement on the retired lists to their highest wartime grades.

(b) REQUEST FOR ADVANCEMENT ON RETIRED LISTS.—(1) The President is requested—

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

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

(2) Any advancement in grade on a retired list requested under paragraph (1) shall not increase or otherwise modify 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.

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the late Rear Admiral (retired) 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 (retired) 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.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON INDIAN AFFAIRS

Mr. SMITH of New Hampshire. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet during the session of the Senate on Wednesday, May 26, 1999, at 9:30 a.m. to conduct a hearing on American Indian Youth Activities and Initiatives. The hearing will be held in room 485, Russell Senate Building.

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

SUBCOMMITTEE ON CRIMINAL JUSTICE OVERSIGHT

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Subcommittee on Criminal Justice Oversight, of the Senate Judiciary Committee, be authorized to meet during the session of the Senate on Monday, May 24, 1999, at 3 p.m. to hold a hearing in room 226, Senate Dirksen Office Building, on: "Bureau of Prisons Oversight: The Importance of Federal Prison Industries."

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

ADDITIONAL STATEMENTS

REMEMBERING THE NAVAJO CODE TALKERS ON MEMORIAL DAY

• Mr. BIDEN. Mr. President, as our nation gratefully remembers the deceased men and women of our military, I have a special commemoration for this Me-

morial Day, 1999. This year, as brave American patriots willingly put themselves in "harm's way" to defend the values and national interests of all Americans in places like the Balkans and the Persian Gulf, I rise to remind my colleagues here in the United States Senate and the American people of one distinguished group of patriots who gave so unselfishly at a time when their rights of citizenship were restricted—the Navajo Code Talkers of World War II. I want to let everyone know how honored we Delawareans are to welcome to my state one of these Native American patriots and World War II veterans this Memorial Day weekend.

The Clarence Vinson-John Chason Post #3238 of the Veterans of Foreign Wars, in Camden, Delaware will have the distinct privilege of hosting Mr. Samuel Billison. Mr. Billison was one of the Navajo Code Talkers who helped the United States of America defeat the Axis Powers in the Pacific during World War II. Mr. Billison is traveling from Window Rock, Arizona to be the featured speaker at the May 31st Memorial Day observances being conducted by VFW Post #3238 at the Ceasar Rodney High School auditorium.

My state—the First State, the State that started our nation—has a long and proud history of celebrating the culture and accomplishments of Native Americans. It is only fitting, therefore, that Post Commander Mark Newman and Memorial Day Program Director Thomas E. Weyant sought out Mr. Samuel Billison, once one of the select Navajo Code Talkers.

Each Navajo Code Talker made an invaluable personal contribution to the success of our nation's effort in World War II to preserve freedom and democracy. What is most astonishing about this is that they were willing to take on the responsibilities of democracy at a time when they were not allowed to enjoy the full blessings and rights of democracy here at home.

Their communications contribution to World War II began in 1942 with a small group of 29 Navajos who shared their unique and unwritten language with the United States Marine Corps. Together they developed an unbreakable verbal code. By 1943, nearly 200 Navajo Code Talkers were dispersed to three combat divisions of the U.S. Marine Corps. As part of Marine Corps signal units, they participated through 1944 in the Pacific battles whose names bear witness to the honor and bravery of America's Marines—Bouganville, Tarawa, Cape Gloucester, the Marshall Islands, Saipan, Guam, and Peleiu.

As 1945 unfolded, all six divisions of the Marine Corps in the Pacific theater were using the distinctive skills and loyal services of approximately 400 Navajo Code Talkers. These brave Native Americans joined other courageous Marines to recapture Iwo Jima and Okinawa. In the first two days of the battle for Iwo Jima, Navajo Code

Talkers flawlessly translated over 800 messages. At the end of that month-long blood bath, it was Navajo Code Talkers who spelled out "Mt. Suribachi" as the flag was raised. By late 1945, the Navajo Code Talkers were serving with the occupation forces in Japan and China.

The historical accomplishments and story of the Navajo Code Talkers must be preserved and retold for future generations. These Native American communications experts used their native tongue to thwart the enemy; to expedite military operations for critical territory; and to save countless lives in combat. Learning their story and repeating it is more than a matter of historical accuracy and completeness, or even a matter of just recognition and gratitude. As my friend Tom Weyant pointed out—speaking, I believe, for all Delawareans—it is also critical that Americans enter the New Millennium understanding the community ethos and deep patriotism of the Navajos who fought in World War II. The Navajos saw that "pulling together" was a matter of national survival. They gave unselfishly to defend ideals that even today, all we Americans still have not fully realized here in the United States, because the Navajos had faith that America would always continue to move toward the realization and fulfillment of those ideals.

Mr. President, we in Delaware salute the Navajo Code Talkers of World War II. They are unsung heroes who played a vital role in our ultimate success in the Pacific by providing a code which the Japanese never could decipher. While many knew that Native Americans faithfully served in the war, including Navajos, it was not until 1968 that the existence of this top-secret code was finally declassified and made public. Our entire country is indebted to Mr. Billison, to all the Navajo Code Talkers, and to the thousands of Native Americans from various tribes who served so loyally and selflessly in both the Pacific and European theaters of World War II. We must never forget the ultimate sacrifice these Native Americans were willing to make at a time when they and their families were not even allowed to vote or participate in the full fruits of American citizenship in several states.

Mr. Samuel Billison, the Navajo legacy of patriotism, the Navajo contribution of their unique skills, the Navajo heritage of heroism, and the Navajo example of love for America must be carried forward by us all. Your story embodies all that we Americans look for in our heroes today and that we revere in the rich tradition of our United States Marine Corps. To you and to all who served, I thank you.●

SECTION 201 PETITION FOR THE LAMB INDUSTRY

● Mr. BURNS. Mr. President, I rise today to bring to everyone's attention the issue of lamb imports. These im-

ports are being sold well below the price of identical domestic products and have created a slow motion, chain reaction collapse of the lamb market that continues through this day.

This nation's lamb industry suffers not only from the unprecedented surge of imports that have flooded the domestic marketplace. It suffers not only from the skyrocketing, record-setting levels that now dominate one-third of all lamb consumed in the United States.

This industry also suffers from severe and consistent price undercutting by importers.

Evidence of the price disparity can be found in the report prepared by the U.S. International Trade Commission. The Commission made dozens of product-to-product comparisons. In 8 out of 10 comparisons, the Commission found imports undercutting domestic products by margins of 20 percent to 40 percent.

Other comparisons have found disparities reaching as high as 70 percent. This gulf is directly related to global economic conditions. In Asia, the widespread economic crash left traditional buyers unable to pay for new shipments of lamb meat from Australia and New Zealand—those products had to go somewhere.

It couldn't go to the European market. The European Union has absolute quotas in place to govern the amount of lamb imports into that market.

Instead, it came here, to the United States market. It came to a market that stands open and unprotected. To a market where the government has done nothing, absolutely nothing, to protect its own domestic industries from devastating surges of imports.

That surge began what amounts to a slow-motion crash of the domestic lamb market in the fall of 1997. Packers and processors with lamb to sell suddenly lost account after account to the cheaper imports. Losing money by the day, they had none to pay to their own suppliers and the lamb feeder level.

And so it went, with domestic producers hoping the surge would slow of its own accord. Hoping the importers would realize the devastation they'd wrought. Hoping they could stay in business long enough to finish upgrading equipment, or solidifying alliances—to become more competitive.

But the onslaught from imports was relentless. From the processors and packers to the feeders, the domestic market crash now reaches all the way to farms and ranches that have stood for generations—an entire industry teeters on the edge of financial ruin.

Last fall, some producers with sheep to sell couldn't find a single buyer. For the second Easter/Passover season in a row, the market's traditional high point and the largest holiday marketing period of the year—live lambs were selling in the 60-cent per pound range. Few producers in the country can remain in business at those prices.

Let me add my voice to those urging the President to fashion strong, effective import relief for the U.S. lamb industry. This relief must do two things, curb this unprecedented surge of imports and level the playing field.●

RECOGNITION OF EDGAR LEE NEWTON

● Mr. LEVIN. Mr. President, I rise today to pay tribute to a remarkable person from my home state of Michigan, Mr. Edgar Lee Newton. On May 23, 1999, Mr. Newton will be honored upon his retirement after 18 years as the president of the Bay City branch of the NAACP.

As president of the Bay City NAACP, Edgar Newton has fought many difficult battles for equality and civil rights. Although his tireless efforts on behalf of the NAACP are worthy of recognition in their own right, Mr. Newton has not confined his community service to the NAACP. He has also served with distinction in leadership roles with organizations like the American Red Cross, the United Way, Habitat for Humanity and the Kiwanis Club.

Edgar Newton's departure from the NAACP will mark a new chapter in his life. I can only hope it is as successful as his civil rights career. Though I am sure he will remain active in the Bay City community, he will enjoy spending more time with his wife Shirley and his two children and grandchild. I am pleased to join his colleagues, friends and family in offering my thanks for all he has done.

Mr. President, Edgar Newton can take pride in the many important achievements of his tenure with the NAACP. He has truly exhibited a dedication to justice and equality for all people. I know my colleagues will join me in saluting his commitment to civil rights and in wishing him well in his retirement.●

MELISSA YORK, WINNER OF JAMES MADISON MEMORIAL FOUNDATION FELLOWSHIP

● Mr. GORTON. Today, I would like to recognize Melissa York, a teacher from Tyee High School in Seatac. She has won Washington State's 1999 James Madison Memorial Foundation Fellowship which will pay for her graduate school program.

James Madison was perhaps the hardest working and most widely respected man of his day. Commonly hailed as the Father of our Constitution, Madison had more to do with its conception than any other man. He was the driving force in organizing the convention and in establishing the tone and ironing out each obstacle that threatened the success of the Constitution.

Because of Madison's tremendous contributions to the creation of the Constitution, Congress decided to establish the Memorial Foundation Fellowship to recognize Americans who