

COMMITTEE ON FINANCE

Mr. SMITH of New Hampshire. Mr. President, the Finance Committee requests unanimous consent to conduct a hearing on Tuesday, March 23, 1999 beginning at 10 a.m. in room 215 Dirksen.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, March 23, 1999 at 2:30 p.m. to hold a business meeting.

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

SPECIAL COMMITTEE ON AGING

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Special Committee on Aging be permitted to meet on March 23, 1999 at 9 a.m.–1 p.m. in Dirksen 106 for the purpose of conducting a hearing.

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

SUBCOMMITTEE ON AFRICAN AFFAIRS

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Subcommittee on African Affairs of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, March 23, 1999 at 10 a.m. to hold a hearing.

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

SUBCOMMITTEE ON AGING

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Subcommittee on Aging of the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on Tuesday, March 23, 1999 at 2 p.m. to receive testimony on the Older Americans Act.

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

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, March 23, 1999 at 12 noon to hold a hearing.

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

SUBCOMMITTEE ON HOUSING AND TRANSPORTATION

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Transportation of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, March 23, 1999, to conduct a hearing on "Management Challenges at HUD."

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

SUBCOMMITTEE ON INVESTIGATIONS

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent on behalf of the Permanent Subcommittee on Investigations of the Governmental Affairs Committee to meet on Tuesday, March 23, 1999, for a hearing on the topic of "Securities Fraud On The Internet."

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

SUBCOMMITTEE ON TECHNOLOGY, TERRORISM, AND GOVERNMENT INFORMATION

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Subcommittee on Technology, Terrorism, and Government Information, of the Senate Judiciary Committee be authorized to hold a hearing during the session of the Senate on Tuesday, March 23, 1999 at 10 a.m. in room 226, Senate Dirksen Office Building, on "Internet Gambling."

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

ADDITIONAL STATEMENTS

THE 1999 JAMES MADISON PRIZE

• Mr. MOYNIHAN. Mr. President, this past Friday, the Society for History in the Federal Government awarded its annual James Madison prize for the most distinguished article on an historical topic "reflecting on the functions of the Federal Government." This year, the award was presented to a member of my staff, Mark A. Bradley, for an article he wrote on the disappearance of the U.S.S. *Scorpion* (SSN 589).

The *Scorpion* was a Skipjack class nuclear submarine. In 1968, after a Mediterranean deployment with the 6th Fleet, the *Scorpion* was lost with all hands aboard about 400 miles of the Azores. It had been on a secret intelligence mission and the exact circumstances of the tragedy continue to be debated. Mr. Bradley's article recounts the events that led to the loss of the *Scorpion* and offers an insightful explanation of what might have caused the accident.

Our own Senator ROBERT C. BYRD for his masterly work on the Senate, historian Ira Berlin for his work on Emancipation in the American South, and the Manuscript Division of the Library of Congress, for its W. Averell Harriman project are all past Society for History in the Federal Government award winners.

As a Rhodes scholar, Mr. Bradley is no stranger to distinguished awards. He is an accomplished historian who, in his spare time, serves as the Associate Editor of Periodical, the Journal of America's Military Past, where his award winning article, "Submit: The Mysterious Death of the USS *Scorpion* (SSN 589) appeared. We are proud of him and thankful that he has chosen to apply his talents here in the Senate in the service of the nation.

I ask that a portion of his award winning article be printed in the RECORD and intend to have the remainder of the article printed in the RECORD over the next several days.

The material follows:

SUBMIT: THE MYSTERIOUS DEATH OF THE U.S.S. "SCORPION" (SSN 589)

(By Mark Bradley)

At around midnight on May 16, 1968, U.S.S. *Scorpion* (SSN 589) slipped quietly through the Straits of Gibraltar and paused just long enough off the choppy breakwaters of Rota, Spain, to rendezvous with a boat and offload two crewmen and several messages. A high performance nuclear attack submarine with 99 men aboard, the *Scorpion* was on her way home to Norfolk, Virginia, after completing three months of operations in the Mediterranean with vessels from the Sixth Fleet and NATO. Capable of traveling submerged at over 30 knots, she expected to reach her home port within a week.

Upon entering the Atlantic, the *Scorpion* fell under the direct operational control of Vice Admiral Arnold Schade, the commander of the U.S. Navy's Atlantic Submarine Fleet. On May 20, he issued a still-classified operations order to the submarine that diverted her from her homeward trek and required her to move toward the Canary Islands and a small formation of Soviet warships that had gathered southwest of the islands. Under U.S. Naval air surveillance since May 19, this flotilla consisted of one Echo-II class nuclear submarine, a submarine rescue vessel, and two hydrographic survey ships. Three days later, a missile destroyer capable of firing nuclear surface-to-surface missiles and an oiler joined the group.

At approximately 7:54 p.m. Norfolk time on May 21, the *Scorpion* rose to within a few feet of the rolling surface, extended her antenna, and radioed the U.S. Naval Communication Station in Greece. Her radioman reported that she was 250 miles southwest of the Azores Islands and estimated her time of arrival in Norfolk to be 1 p.m. on May 27. On that day, as the families of the crew gathered on Pier 22 in a driving rain and waited for their husbands and fathers to surface off the Virginia capes, the captain of the U.S.S. *Orion*, who was the acting commander of Submarine Squadron 6, the *Scorpion's* unit, told Schade what the Vice Admiral secretly knew: the *Scorpion* had failed to respond to routine messages about tug services and her berthing location. After an intensive effort to communicate with the submarine failed, Schade declared a SUBMISS at 3:15 p.m. and launched a massive hunt.

Numbering over fifty ships, submarines and planes, the searchers retraced the *Scorpion's* projected route to Norfolk and found nothing. What most in the Navy, including the crew's families, did not know was that Schade already had organized a secret search for the submarine on May 24 after she had failed to respond to a series of classified messages and, by May 28, he and others in the service's command believed the *Scorpion* had been destroyed. Highly classified hydrophone data indicated to them that she had suffered a catastrophic explosion on May 22 and had been crushed as she twisted to the ocean's floor.

On June 5, the Navy officially declared the submarine presumed lost and her crew dead. On June 4, the service's high command had established a formal court of inquiry chaired by Vice Admiral Bernard Austin (Ret), who also had headed the Navy's investigation into the 1963 loss of U.S.S. *Thresher* which

had cost the lives of 129 men. After evaluating nearly 50 days of testimony, the Court concluded that it could not determine the exact cause for the *Scorpion's* loss. On October 28, 1968, the Navy found the *Scorpion's* shattered remains in over 11,000 feet of water approximately 400 miles southwest of the Azores Islands. On November 6 Admiral Austin reconvened his court, which studied thousands of photographs taken of the wreckage by U.S.N.S. *Mizar*. After two more months of investigation, the Court again held that it could not determine precisely how the submarine had been destroyed.

Frustrated by their lack of any clear answers, the Navy's high command turned to the *Trieste II*, a specially designed deep water submersible capable of plunging down to the gravesite. Between 2 June and 2 August 1969, this bathyscape made nine dives to the *Scorpion*, photographing and diagramming her broken corpse. Although these efforts provided a clearer view of where she was and in what condition, they again failed to tell what had happened to one of the service's most elite warships. After thirty years, the *Scorpion's* fate still remains shrouded in mystery, a not so ironic end for a member of the silent service that spent her life on the shadow front lines of the Cold War.

Launched on December 19, 1959, and commissioned on July 29, 1960, the *Scorpion* was built by General Dynamics' Electric Boat Division in Groton, Connecticut. One of six Skipjack class nuclear attack submarines, which combined a tear drop-shaped hull with a S5W reactor, the 252 foot *Scorpion* was capable of traveling over 20 knots while on the surface and over 30 knots while submerged. Her top underwater speed was more than 8 knots faster than that of U.S.S. *Nautilus*, the world's first nuclear submarine, launched in 1954, and twice that of the best World War II German U-boats. While the Nazis' Type XXI submarine, completed in 1944 could travel at a top speed of 16.7 knots for 72 minutes without resurfacing, the *Scorpion* could easily travel submerged at top speed for 70 days. These capabilities for high underwater speed and unlimited endurance gave the Navy new tactical abilities undreamed of in 1941-1945.

Although World War II had witnessed two great submarine campaigns, the first in the Atlantic where the Germans tried to sever England's supply lines and the second in the Pacific where the Americans assaulted the Japanese merchant fleet, the submarines of that period were strikingly similar to their World War I counterparts in submerged speed and endurance. Dependent upon diesel oil while traveling on the surface and batteries while underneath, these submarines were forced to spend the bulk of their time above water recharging, only submerging once they had spotted a target. Their reliance on two propulsion systems made them easy prey for air and surface attacks. Only near the war's end did Hitler's U-boats experiment with snorkels and more powerful batteries, and American submarines regularly employ sonar and radar. Even with these innovations, the United States Navy still lost nearly one-fifth of its submarine force while fighting in both theaters. The dropping of the atomic bomb changed all this and made possible not only one fuel system but also much greater underwater speed and endurance.

The Navy quickly seized upon these new capabilities and deployed its nuclear submarines in a variety of missions, particularly in gathering intelligence about the Soviet fleet. In 1959, President Dwight Eisenhower approved one of the most closely

guarded intelligence operations ever mounted by the United States. Code named Operation HOLYSTONE, its original purpose was to use specially equipped submarines to penetrate Soviet waters to observe missile launches and capture readouts of their computer calculations. Later, they also were used to photograph and gather highly sensitive configuration and sound data on the Russian navy, particularly its submarines. This information was then used by intelligence analysts to track hostile warships by listening to their noise patterns and sound signatures.

While the *Scorpion* specialized in developing undersea nuclear warfare tactics, she also was used to collect intelligence. For instance, in the late winter and early spring of 1966, and again that fall, she was engaged in what the Navy has called "special operations." Her then-commanding officer received the Navy's commendation medal for outstanding service. Although much about her last mission remains a mystery—five out of the last nine messages sent to her between May 21 and May 27 from Norfolk are still classified top secret—it seems likely that the *Scorpion* was engaged in or had just completed a highly sensitive intelligence operation when she was lost.

According to the first Court of Inquiry's sanitized declassified report, the *Scorpion* had been diverted to shadow a Soviet flotilla engaged in a "hydroacoustic" operation. This means the Russians were also collecting and analyzing information derived from the acoustic waves radiated by unfriendly ships and submarines. The Navy would have been greatly interested in any activity of this sort, particularly given the Soviets' location off the Canary Islands and near the Straits of Gibraltar, the gateway to the Mediterranean.

The Soviets also may have been trying to gather intelligence on the Americans' highly secretive Sound Underwater Surveillance System (SOSUS), an elaborate global network of fixed sea bottom hydrophones that listened for submarines. First developed in 1950 and installed in 1954, SOSUS formed the backbone of the United States' anti-submarine detection capability. This system became even more crucial in the late 1960s as the Soviet Navy began shifting its focus away from protecting Russia's coastal waters to building a blue water fleet spearheaded by advanced hunter-killer and ballistic missile nuclear submarines. This forced the Pentagon to place a premium on intelligence about the Kremlin's undersea operations.

By 1968, the Americans had deployed a SOSUS network off the Canary Islands and were laying another off the Azores Islands. Both were aimed at tracking Soviet submarines nearing the Straits of Gibraltar and approaching the Cape of Good Hope. Any Soviet attempt to disrupt or penetrate SOSUS would have aroused a great deal of interest in Norfolk and may explain the Navy's decision to send the *Scorpion* toward the Canary Islands.

Whatever her last mission was, it appears likely that the *Scorpion* had completed her operational phase by 7:54 p.m. on May 21, when she broadcast her last position and estimated time of arrival in Norfolk. Operating under strict orders to maintain electronic silence "except when necessary", the *Scorpion* sent only this message after she left Rota. At the time of her last communication, she was approximately two hundred miles or six hours away from the Soviet formation she had been sent to monitor. Nearly

twenty-four hours later, SOSUS and civilian underwater listening systems ranging from Argentina to Newfoundland picked up the shock of an underwater explosion along the *Scorpion's* projected route followed by crushing sounds not unlike those recorded during the *Thresher's* destruction in 1963. According to these readouts, the entire episode lasted slightly over three months.

Applying sophisticated mathematics to these recordings and tracing the *Scorpion's* presumed track and speed to Norfolk, the Navy designated an area of "special interest" for its search some 400 miles southwest of the Azores Islands. On May 31, the U.S.S. *Compass Island*, a navigational research ship, was dispatched to conduct an underwater survey and on October 28, 1968, the U.S.N.S. *Mizar*, another navigational ship with advanced photographic equipment, finally found the wreckage only three miles away from where SOSUS computers had estimated it to be. Broken into two pieces, the *Scorpion's* remains lay in over 11,000 feet of water.

Deeply shaken and still reeling from the loss of the U.S.S. *Thresher* (SSN 593) five years earlier, the Navy began its post-mortem with only the SOSUS readouts, the *Scorpion's* operational history and the testimony of her former crew members. The first Court of Inquiry deliberated from 4 June 1968 until 25 July 1968 and examined 76 witnesses as it considered a broad array of fatal possibilities. First among these was that the Soviets had intercepted the *Scorpion* and finished her in an undersea dogfight. The Court discarded this theory after it examined the reports the intelligence community provided and found no evidence that the Soviet formation which the *Scorpion* had been sent to shadow had launched an attack or fired any weapons when SOSUS recorded the explosion. The Court also noted that there were no other Russian or Warsaw Pact vessels within 1,000 miles of the *Scorpion's* last reported position. ●

AVIATION SAFETY PROTECTION ACT

● Mr. GRASSLEY. Mr. President, I am pleased to join Senator KERRY in introducing the "Aviation Safety Protection Act of 1999." This legislation will grant whistleblower protection to aviation workers, thus helping to increase the safety of the aviation industry and the traveling public.

I have long been a supporter of whistleblower protection for government workers. This act will extend that protection to aviation workers. Airline employees play a vital role in the protection of the traveling public. They are the first line of defense when it comes to recognizing hazards and other violations which can threaten airline safety. These dedicated employees should not have to choose between saving the public or saving their own jobs. The extension of whistleblower protection will eliminate that unfair choice and will allow them to do what is right. What is right is to be able to tell airline management of aviation safety problems without fear of retaliation or losing their job.

I have been working with Senator KERRY and flight attendants on this