simply dies without even a hearing. This is just plain wrong.

I have watched the painful process over the last 9 years. During 6 of those years, the blue slip itself contained the words, “no further proceedings on this nominee will be scheduled until both blue slips have been returned by the nominee’s home State Senators.” As a result, I saw nominees waiting 1, 2, 3, even 4 years, often without as much as a hearing or even an explanation as to why the action was taken. These nominees put their lives on hold. Yet they never have a chance to discuss the concerns that may have been raised about them. These concerns remain secret and the nomination goes nowhere.

As a member of the Judiciary Committee, I believe our duty is either to confirm or reject a nominee based on an informed judgment that he or she is either fit or not fit to serve; to listen to concerns and responses, to examine the evidence presented at a hearing, and to have a rationale for determining whether or not an individual nominee should serve as a district court judge or circuit court judge or even a U.S. Supreme Court Justice. That duty, in my view, leaves no room for a secret word as to why the nomination has not moved forward.

Simply put, the nominee has been blackballed by a blue slip, and there is nothing that can be done about it—no one to hold accountable. I believe that if a Member wants to use a blue slip to stop a nominee from moving forward, that blue slip should be public. And I also believe that the Member should be prepared to appear before the Judiciary Committee and explain why the Senate should not consider the nominee and hold a hearing.

Making the blue slip public is no guarantee that a nominee will receive a hearing. It is no guarantee that an up or down vote will ever be held. But at least the nominee will have the chance to see who has the problem, and what that problem is. In many cases, a nominee may choose to withdraw. In others, perhaps a misunderstanding can be cleared up. Either way, the process will be in the open, and we will know the reasons.

I believe that many members of this Senate did not even realize they held the power of the blue slip until just recently.

In my view, the rationale behind the blue slip process is faulty. The process was designed to allow home state Senators—who may in some instances know the nominee better than the rest of the Senate—to have a larger say in whether the nominee moves forward. More often than not, however, this power is and will be used to stop nominees for political or other reasons having nothing to do with qualifications.

As a matter of fact, the Member who uses the blue slip, who doesn’t send it in, or sends it in negatively, may never have even met the nominee.

If legitimate reasons to defeat a nominee do exist, those reasons can be shared with the Judiciary Committee in confidence, and decisions can be made based on that information—by the entire Committee.

The blue slip process as it now stands is open to abuse. I would join with those—I am hopeful there are now those—on the Judiciary Committee who will happily vote to do away with the blue slip.

Before I conclude, I want to read from a recent opinion piece by G. Cal McKenzie, a professor at Colby College and an expert on the appointment process. In the April 1, 2001 edition of the Washington Post, McKenzie wrote:

The nomination system is a national disgrace. It encourages bullies and emboldens demagogues, silences the voices of responsibility, and nourishes the lowest forms of partisan combat. It uses innocent citizens as pawns in politicians’ petty games and stains the reputations of good people. It routinely violates fundamental democratic principles, undermines the quality and consistency of public management, and breaches simple decency.

I find myself in agreement with every word in that quote. It is quite an indictment of our nominations process. On both sides of the aisle, we hear: Well, they did it, so we are going to do it. Well, they blocked our nominee, so now we will block theirs.

I don’t believe that has any merit whatsoever. I believe at some point we have to stop this cycle. At some point, nominees have to come to the Senate Judiciary Committee, go promptly or as promptly as they can go to a hearing, have the questions asked, and we do our duty which we took our oath to do, which is to make the judgment whether that nominee qualifies to be a Federal court judge or district court judge.

I make these remarks to say that this is one Member of the Judiciary Committee who will happily vote to do away with the blue slip.

Thank you very much. I yield the floor.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The PRESIDING OFFICER. The clerk will call the roll.

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

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

MORNING BUSINESS

Mr. DASCHLE. Madam President, I ask unanimous consent that there be a period for morning business with Senators permitted to speak for up to 5 minutes each.

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

EXPLAINATION OF ABSENCE

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Pursuant to rule 6, paragraph 2, I ask unanimous consent the Senator from Alaska, Mr. Murkowski, be granted official leave of the Senate until July 9.

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

FORMAL OPENING OF THE NATIONAL JAPANESE AMERICAN MEMORIAL

Mr. AKAKA. Mr. President, earlier this afternoon, a few short blocks from this Chamber and in the shadow of the Capitol, hundreds of people gathered to celebrate the formal opening of the National Japanese American Memorial honoring the loyalty and courage of Japanese Americans during the Second World War.

As a World War II veteran and a native of Hawaii, I am well-acquainted with the exceptional contributions of Japanese Americans to the war effort, both at home and abroad. The battlefield exploits of the 442nd, 100th, and...
and necessary endeavor, for it reminds
us and future generations of Americans
that courage, honor, and loyalty trans-
scend race, culture, and ethnicity.

JUSTICE FOR U.S. PRISONERS OF
WAR

Mr. HATCH. Mr. President, as we move into recess for our annual Indepen-
dence Day celebration, I wish to offer my deepest gratitude for all vet-
erans of this country who took the call for arms in silent and noble duty and
sacrificed more than we can ever repay.

From the Revolutionary War to the
Persian Gulf War, American men and
women have always answered the call
to secure and preserve independence
and freedom both here and abroad. We
are forever in their debt.

I also want to take this occasion to
recognize and honor a special group of
brave, indeed extraordinary, soldiers
who served this country so gallantly in
WWII. I want to pay special tribute to
those who served in the Pacific, were
taken prisoner, and then enslaved, and
endured the prejudice and in-
justices perpetrated by private com-
panies.

While I in no way wish to suggest
that other American troops did not suf-
er equal horrid hardships or served
with any less courage, the situation
faced by this particular group of vet-
erans was unique. As recognized in a
unanimous joint resolution last year,
all members of Congress stated their
strong support for these brave Ameri-
cans. As with many of our colleagues
here today, I am committed to sup-
porting these veterans in every way
possible in their fight for justice.

This weekend the Prime Minister
of Japan will be meeting with the Presi-
dent of the United States. I cannot
praise this President enough for his
thoughtfulness in hosting this event
for the leader of Japan.

On this Independence Day, as we
honor and appreciate America’s free-
dom, we cannot help but think of those
who served our country. Freedom, in-
deed, is not free. The price is immeas-
urable. I hope the Prime Minister will
understand, as I know he does, the
value we place upon our veterans—the
very people who fought and paid the
price.

Our country appreciates the decades
of friendship the United States and
Japan have shared. Often, we probably
do not recognize as we should the value
of our bilateral relationship with
Japan. On many occasions, we get
bogged down in trade disputes. But ul-
timately we have found ways to resolve
past trade differences, and I am con-
fident we can address all current and
future trade issues.

It is with this sincere hope and ap-
preciation that I raise the memory of
injustices perpetrated by private com-
panies in Japan against American serv-
iciemen, and I hope that we can find a
resolution to this problem. There is no
more appropriate time to open the door
to this long overdue dialogue between
the United States and Japan. This is a
moral issue that will not go away. We
can work with Japan to close this sad
chapter in history. In so doing, we will
fortify and continue our bilateral rela-
tionship with Japan.

In closing, I urge all Americans, dur-
ing this next week as we celebrate our
freedom and our great history, to
thank our soldiers who gave their lives
and their freedom to fight for our na-
tion. I thank them and express my sup-
port that they will be helped and pro-
tected. I will fight for them as they
fought for me, my children, and all other Americans.

RETIREMENT OF VICE ADMIRAL
JAMES F. AMERAULT

Mr. LOTT. Mr. President, it is with
great pleasure that I rise to take this
opportunity to recognize the exem-
plary service and career of an out-
standing naval officer, Vice Admiral
James F. Amerault, upon his retire-
ment from the United States Navy at
the conclusion of more than 36 years of
honorable and distinguished service. It
is my privilege to commend him for
outstanding service to the Navy and
our great nation.

Vice Admiral Amerault embarked on
his naval career thirty-six years ago,
on the 28th of June 1965. In the years
since that day, he has devoted great
energy and talent to the Navy and pro-
tecting our national security interests.
It would be hard to calculate the innu-
merable hours this man has stood
watch to keep our nation safe. He has
been steadfast in his commitment to
the ideals and values that our country
embraces and holds dear.

Following his commissioning at the
United States Naval Academy, he em-
arked on the first of many ships that
would benefit from his leadership and
expertise. Vice Admiral Amerault
served at-sea as Gunnery Officer and
First Lieutenant on board USS Massey
(DD 778). He then served as Officer in
Charge, Patrol Craft Fast 52 in Viet-
nam, a challenging and dangerous as-
signment that kept him in harm’s way.
His courage and commitment to our
nation was more than evident during these
tumultuous years as he con-
ducted more than 90 combat patrols in
hostile waters off the coast of South
Vietnam. One example of his valor and
heroism is quoted from Commander
Coastal Division Fourteen on 21 De-
cember 1967, “On the night of 4 August
1967 the patrol craft in the area adja-
cent to the one you were patrolling
came under enemy fire. Disregarding
your own safety, you directed your pa-
trol craft to within 300 yards of the
beach and bombarded the enemy posi-
tion with intense .50 caliber and 81mm
mortar fire. During this exchange your

CONGRESSIONAL RECORD—SENATE
June 29, 2001

the MIS immediately come to mind.
Less known but equally deserving of
recognition are the sacrifices of the ci-
villian mise on the homefront, who con-
tinued to support the war effort while
enduring the prejudice of fellow citi-
zens as well as the wholesale violation
of their civil rights by the U.S. Govern-
ment.

This new memorial honors the valor
and sacrifice of the hundreds of brave
men who fought and died for their
country, and it also speaks to the faith
and perseverance of 120,000 Japanese
Americans and nationals, who solely
on the basis of race, regardless of citi-
zenship or loyalty, without proof or
justification, were denied their civil
rights in what history will record as
one of our Nation’s most shameful
acts. This memorial commemorates
the resiliency of the human spirit over
crime, and in a larger context speaks to
justice confronted by Japanese Ameri-
cans, and for the leader of Japan.

Our country appreciates the decades
of friendship the United States and
Japan have shared. Often, we probably
do not recognize as we should the value
of our bilateral relationship with
Japan. On many occasions, we get
bogged down in trade disputes. But ul-
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