

interest. One has to be a One China policy. The second has to be peaceful reunification. The third has to be steps taken to achieve both of the foregoing.

I think the peace, security, and stability of Asia, and perhaps the world, are at stake in these discussions.

I earnestly and sincerely implore the parties, both the People's Republic of China and the Republic of China, to sit down at the table, to end these military exercises, and to resolve a peaceful reunification for the future.

I thank the Chair for your indulgence.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

THE NOMINATION OF COMDR. ROBERT STUMPF

Mr. COATS. Mr. President, I would like to address the issue concerning the procedures used by the Senate Armed Services Committee in evaluating nominations and, in particular, the nomination of Cmdr. Robert E. Stumpf.

The Senate Armed Services Committee has received considerable public criticism since the Secretary of the Navy removed Commander Stumpf from the promotion list.

The committee, and some of its members, have been the subject of numerous articles in the media relating to both substantive and procedural issues concerning this matter. Much of the material that has appeared in the media reports has been inaccurate and incomplete. Some of the material has been written by Commander Stumpf's lawyer. Others quote either Commander Stumpf, his attorney, or both.

To this point, members of the Armed Services Committee have not responded publicly on the substance of the information provided to the committee by the Navy, nor on the deliberations conducted within the executive session. This is in accordance with established committee rules and procedures, including procedures designed to protect the privacy and reputation of nominees, with appropriate regard for the rights of Commander Stumpf.

Last Thursday, Senator THURMOND, as the chairman of the Armed Services Committee, on behalf of the committee, placed a statement in the RECORD which began by reciting the chronology of events concerning the nomination of Commander Stumpf. I do not think there is any doubt or debate about the sequence of events. But I want to review those events for the RECORD.

On March 11, 1994, the President submitted various nominations for promotion in the Navy to the grade of captain (O-6), including a list containing the nomination of Commander Stumpf. On the same date, the Assistant Secretary of Defense, in the letter required by the committee on all Navy and Marine Corps nominees, advised the committee that none of the officers had been identified as potentially implicated on matters related to Tailhook.

After careful review, the list was reported favorably to the Senate on May 19, 1994, and all nominations on the list were confirmed by the Senate on May 24, 1994.

Subsequent to the Senate's confirmation of this promotion list, but prior to the appointment by the President of Commander Stumpf to the grade of captain, the committee was advised by the Department of Defense that the March 11, 1994, letter had been in error because the Navy had failed to inform the Office of the Secretary of Defense that Commander Stumpf had been identified as potentially implicated in Tailhook.

As a result, on June 30, 1994, the Armed Services Committee requested that the Navy withhold action on the promotion of Commander Stumpf until the committee had an opportunity to review the information that had not been made available to the Senate during its confirmation proceedings. It was entirely appropriate that the committee request the withholding of Commander Stumpf's promotion once it had been notified of the Navy's failure to report the potential implication of Commander Stumpf in Tailhook-related activities.

It is also worth noting that the Armed Services Committee has no capacity to investigate nominations on its own. The committee must rely solely on the information provided by the Department of Defense, which, in this case, was incomplete.

On April 4, 1995, the Navy provided the committee with the report of investigation and related information concerning Commander Stumpf. And I would note this is not all the information related to Commander Stumpf for his case. The committee is still receiving documents relating to that particular case. And subsequently, the Navy provided additional information in response to requests from the committee. And those requests are ongoing.

On October 25, 1995, the committee met in closed session, consistent with its longstanding practice, to consider a number of nominations and to further consider the matter involving Commander Stumpf. After due consideration, the committee directed the chairman and ranking member to advise the Secretary of the Navy that, and I quote:

Had the information regarding Commander Stumpf's activities surrounding Tailhook '91 been available to the committee, as required, at the time of the nomination, the committee would not have recommended that the Senate confirm his nomination to the grade of captain.

The committee also directed that the letter advise the Secretary that, and again I quote from the letter:

The committee recognizes that, in light of the Senate having earlier given its advice and consent to Commander Stumpf's nomination, the decision to promote him rests solely with the executive branch.

A draft letter was prepared, reviewed by the Senate legal counsel, made

available for review by all members of the committee, and was transmitted to the Secretary on November 13, 1995. On December 22, 1995, the Secretary of the Navy removed Commander Stumpf's name from the promotion list.

The committee met next on March 12, 1996, to review the committee's procedures for considering Navy and Marine Corps nominations in the aftermath of Tailhook. At that meeting, the committee again reviewed the proceedings concerning Commander Stumpf.

I do not think many people outside the committee fully understand the committee's procedures in handling controversial nominations. Just to make it clear, when the committee is notified by the Department of Defense that there is potentially adverse information concerning a nominee, that nomination moves to a separate, more deliberate track than those nominations about which there is no adverse information. The committee staff is required to research the information provided by the Department of Defense and to brief the members in an executive or closed session. Attendance at these executive sessions is limited to Members of the Senate and committee counsel. These restrictions are designed to minimize the number of people who may learn of information which may be very personal, sometimes inflammatory, and may involve allegations which have been found to not be substantiated.

Following a procedure developed late in the 103d Congress, the chairman and ranking member of the Personnel Subcommittee are charged with reviewing those cases prior to an executive session. In the case of Commander Stumpf, the committee followed those procedures precisely.

The committee met in executive session on October 25, 1995, to discuss a series of nominations, as I indicated. Seven Tailhook-related nominations were considered that day. For the record, those members present voted to favorably recommend two of the seven and to return five of the nominations to the executive branch at the end of the first session. The one remaining Tailhook-related individual discussed during that meeting was Commander Stumpf.

On December 22, 1995, as I earlier indicated, Secretary Dalton removed Commander Stumpf from the promotion list. Following that action by the Secretary of the Navy, a number of public articles, some written by Commander Stumpf's defense team, questioned the committee's integrity, its processes and its judgment. These allegations have been characterized by misinformation, distortions of the record, and misstatement of the facts.

Numerous articles and sources have questioned the committee's procedures related to Tailhook nominations, alleging that the prospect of confirmation of service members nominated for promotion but involved in Tailhook are "slim."

The records of the committee show that the committee has received 23 nominations of service members potentially implicated in Tailhook. Only eight of those have been rejected by the committee. To put this in perspective, the committee has confirmed 43,270 Navy and Marine Corps officers since 1992.

A published article says that "one member of the committee now maintains that there were reasons other than Tailgate for rejecting Commander Stumpf." There have been other allegations that the committee had information other than that provided by the Navy. An article in the March 1996 edition of the *Armed Forces Journal* says that Commander Stumpf and Mr. Gittins, Commander Stumpf's attorney, believe there were anonymous phone calls to the committee. These allegations imply that the committee based its conclusions concerning Commander Stumpf on information which was unknown to Commander Stumpf and the Navy.

While it is true that on occasion the committee does receive information from outside sources, since the committee does not have the capacity to independently investigate, committee procedures are to refer such information to the Department of Defense. In Commander Stumpf's case, there was no outside information provided to the committee. The committee did not consider any material other than that provided by the Navy when it determined that, as the November 13, 1995 letter to Secretary Dalton states, "Had the information regarding Commander Stumpf's activities surrounding Tailhook '91 been available to the committee as required at the time of the nomination, the committee would not have recommended that the Senate confirm his nomination to the grade of captain."

Mr. President, unfortunately, misrepresentations and misstatement of the facts related to the committee deliberations on this matter have put the Armed Services Committee at a severe disadvantage. Our policy has been to protect the confidentiality of the nominee, and we are limited in our ability to respond.

Certainly in this case, the nominee, Commander Stumpf, does not share our concern. In fact, a *Wall Street Journal* article dated March 12, 1996, stated that Commander Stumpf and his attorneys have indicated that the committee should feel free to tell the entire world whatever it is that Senators think they know about him. It is noteworthy, Mr. President, that Commander Stumpf, in a letter to the chairman of the Armed Services Committee dated March 13, 1996, requested that he be permitted to testify before the committee but in a closed hearing, not open to the public or the media.

Mr. President, I believe it is important that our Senate colleagues be advised that the committee, in reviewing nominations for promotion, carefully

examines each individual case and, among other criteria, believes the standard set forth in title X of the United States Code pertaining to the responsibilities of a commander entitled "Requirement for exemplary conduct" are applicable, and I quote from title X:

All commanding officers and others in authority in the naval service are required to show in themselves a good example of virtue, honor, patriotism, and subordination; to be vigilant in inspecting the conduct of all persons who are placed under their command; to guard against and suppress all dissolute and immoral practices, and to correct, according to the laws and regulations of the Navy, all persons who are guilty of them; and to take all necessary and proper measures, under the laws, regulations, and customs of the naval service to promote and safeguard the morale, the physical well-being, and the general welfare of the officers and enlisted persons under their command or charge.

This standard, Mr. President, is repeated verbatim in article 1131 of the U.S. Navy Regulations issued in 1990. There are similar provisions in title X which pertain to the other services, as well as other provisions relating to members of the armed services.

The committee does not take lightly these statutory and regulatory standards. Nor do they take lightly their constitutional responsibilities to provide their advice and consent on military nominations.

A number of articles that have been written have referred to Senator NUNN's involvement in the committee's deliberations and decisions. While Senator NUNN has exercised his due diligence in this case, as he does with every other matter before the Senate Armed Services Committee, I would like to state for the record that as chairman of the subcommittee on personnel of the Senate Armed Services Committee, I take responsibility for the procedures used by the subcommittee staff to review military nominations and I fully stand by those procedures used by the staff in carefully reviewing the nominations presented to the committee by the executive branch, including the procedures used to evaluate the nomination of Commander Stumpf.

I have reviewed that material in depth. I have personally and carefully evaluated the file on Commander Stumpf. I have discussed the matter at length with the staff and I have concluded that, based exclusively—exclusively on the facts presented to the committee by the Department of Defense with due regard for the statutory and regulatory standards governing the conduct of military commanders and officers, as well as long-established military precedents, that I could not recommend approval of Commander Stumpf's nomination to the committee.

Each member of the committee is, of course, free to accept or reject any recommendation, and I certainly respect those who have come to a different conclusion in this matter. Each mem-

ber is free to separately evaluate all of the material available to the committee on this nomination or any nomination. Each member is, of course, free to debate the case for or against either Commander Stumpf's nomination or any other nomination. In the final analysis, of course, each member is free to vote yea or nay on any particular case.

I am disappointed that so many in the media followed the well-intentioned but misinformed lead of those who do not know the facts of the case and the committee's deliberations. The Armed Services Committee is an important part of the institution of the Senate. Everyone in this body is hurt when the Senate Armed Services Committee is vilified and members cannot respond because of loyalty to rules and procedures put in place to protect the confidentiality of the matters before it and the nominees before its consideration.

Mr. President, I look forward to a time when respect for the privacy of an individual and respect for such a great institution as the U.S. Navy is not overridden by the desire of a journalist or an attorney or any others to take advantage of a situation to forward their own agenda.

The Secretary of the Navy has removed Commander Stumpf from the promotion list. The committee no longer has any nomination before it pertaining to Commander Stumpf. The committee has no legal authority to take any further action concerning the promotion of Commander Stumpf at this time.

As in every case in which a military nominee has been removed from a promotion list, the only process by which Commander Stumpf can be renominated for promotion is to be selected by another promotion board and be nominated by the President again, or, alternately, directly nominated by the President under his authority, granted by article 2 of the Constitution.

As I have stated before, the decision of the committee after due deliberation was that, had the information regarding Commander Stumpf's activities surrounding Tailhook '91 been available to the committee as required at the time of the nomination, the committee would not have recommended that the Senate confirm his nomination to the grade of captain. That was the committee's determination then. That is the committee's determination now. Nothing that has transpired since has altered the committee's decision.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. NUNN. Mr. President, I am pleased to join with the leaders of the Subcommittee on Personnel of the Armed Services Committee, Senator COATS and Senator BYRD, in addressing the review of the military nominations in the aftermath of Tailhook, including the nomination of Commander Robert Stumpf, U.S. Navy. Senator COATS has

addressed this matter with extreme accuracy in an absolutely factual presentation, for which I applaud him, in making that presentation.

The review of military nominations, particularly those involving adverse information, is a responsibility taken very seriously by the members of the Armed Services Committee, as the Chair well knows, being a member of that committee. This is a responsibility that the Constitution assigns to the Senate and the Senate has assigned to the Committee on Armed Services, as its, in effect, agent, to make recommendations to the full Senate. Within the committee, the responsibility of making recommendation on military nominations rests with the leadership of the Subcommittee on Personnel.

Senator COATS and Senator BYRD, as chairman and ranking member of the Subcommittee on Personnel, have fulfilled this responsibility with skill, dignity, and absolute fairness. They have provided the committee with serious, sober, and balanced recommendations on military nominations.

When the committee considered the promotion of Commander Stumpf on October 25, 1995, I listened, as other members did, with care to the presentation made by Senator COATS on behalf of himself and Senator BYRD. I found his assessment to be persuasive and I voted in favor of the recommendation of Senator COATS and Senator BYRD, that Commander Stumpf not be promoted.

The subject of Commander Stumpf's promotion has been the subject of some attention in the Department of the Navy, among those who follow Naval aviation, and in the news media. I am pleased to join Senator COATS, Senator BYRD, and others, in placing this matter in the proper perspective.

On March 13, 1996, the Armed Services Committee issued a statement concerning the committee's consideration of the promotion of Commander Stumpf, U.S. Navy.

I ask unanimous consent that statement be printed in the RECORD at this point.

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

On March 11, 1994, the President submitted various nominations for promotion in the Navy to the grade of Captain (0-6), including a list containing the nomination of Commander Stumpf. On the same date, the Assistant Secretary of Defense, in the letter required by the committee on all Navy and Marine Corps nominees, advised the committee that none of the officers had been identified as potentially implicated on matters related to Tailhook. The list was reported favorably to the Senate on May 19, 1994, and all nominations on the list were confirmed by the Senate on May 24, 1994.

Subsequent to the Senate's confirmation of the list, but prior to the appointment by the President of Commander Stumpf to the grade of Captain, the committee was advised by the Department of Defense that the March 11, 1994 letter had been in error because the Navy had failed to inform the Of-

fice of the Secretary of Defense that Commander Stumpf had been identified as potentially implicated in Tailhook. On June 30, 1994, the committee requested that the Navy withhold action on the promotion until the committee had an opportunity to review the information that had not been made available to the Senate during the confirmation proceedings.

On April 4, 1995, the Navy provided the Committee with the report of the investigation and related information concerning Commander Stumpf, and subsequently provided additional information in response to requests from the committee. On October 25, 1995, the committee met in closed session—consistent with longstanding practice—to consider a number of nominations and to consider the matter involving Commander Stumpf. The committee directed the Chairman and Ranking Member to advise the Secretary of the Navy that "had the information regarding Commander Stumpf's activities surrounding Tailhook '91 been available to the committee, as required, at the time of the nomination, the committee would not have recommended that the Senate confirm his nomination to the grade of Captain." The committee also directed that the letter advise the Secretary that: "The committee recognizes that, in light of the Senate having earlier given its advice and consent to Commander Stumpf's nomination, the decision to promote him rests solely with the Executive Branch." A draft letter was prepared, made available for review by all members of the committee, and was transmitted to the Secretary on November 13, 1995. On December 22, 1995, the Secretary of the Navy removed Commander Stumpf's name from the promotion list.

The committee met on March 12, 1996, to review the committee's procedures for considering Navy and Marine Corps nominations in the aftermath of Tailhook. At that meeting, the committee reviewed the proceedings concerning Commander Stumpf.

The committee, in considering the promotion of Commander Stumpf, acted in good faith and in accordance with established rules and procedures, including procedures designed to protect the privacy and reputation of nominees, with appropriate regard for the rights of Commander Stumpf. The Chief of Naval Operations has testified that he believes such confidentiality should be maintained. The committee made its November 13, 1995 recommendation based upon information that was made available by the Navy.

At the present time, no nomination concerning Commander Stumpf is pending before the committee, and the Secretary of the Navy has removed his name from the promotion list. The committee has been advised by the Navy's General Counsel that this administrative action taken by the Secretary of the Navy is final and that the Secretary cannot act unilaterally to promote Commander Stumpf.

The committee notes that much of the material that has appeared in the media about the substantive and procedural issues concerning this matter, is inaccurate and incomplete.

As with any nominee whose name has been removed from a promotion list, Commander Stumpf remains eligible for further nomination by the President. If he is nominated again for promotion to Captain, the committee will give the nomination the same careful consideration it would give any nominee.

Mr. NUNN. Mr. President, I believe that statement has already been alluded to by my friend from Indiana. Commander Stumpf had a distinguished military record, including decorated combat service. That record

was considered strongly by the committee in the review of his promotion.

The Navy also provided the committee with information, subsequent to his confirmation by the Senate, which raised issues about Commander Stumpf's qualifications for promotion to a higher grade.

As with almost any nomination involving such information, factual information, reasonable people can disagree on whether the information considered by the committee disqualified Commander Stumpf for promotion. I respect my colleagues, and others, who come to a different conclusion than I.

The significance of the committee's statement that has just been printed in the RECORD is that both those who support Commander Stumpf's promotion and those who do not support his promotion have agreed that the Armed Services Committee, quoting the committee, " * * * acted in good faith and in accordance with established rules and procedures, including procedures designed to protect the privacy and reputation of nominees, with appropriate regard for the rights of Commander Stumpf." That was a unanimous statement of the Armed Services Committee.

In addition, all the members of the committee agreed, "Much of the material that appeared in the media about the substance and procedural issues surrounding this matter is inaccurate and incomplete." That, too, was a unanimous opinion of the Armed Services Committee, including both those who favored the Stumpf nomination and those who did not.

The inaccurate stories, unfortunately, continue. The March 15 Washington Times asserts, for example, that there was, " * * * an effort to rescind the committee's November 1995 letter," recommending that Commander Stumpf not be promoted. That statement in the Washington Times is misleading. I was there for the whole meeting. No such motion was made or voted on. No such motion was ever made or voted on in the committee.

PROCEDURES OF THE SENATE ARMED SERVICES COMMITTEE FOR THE CONSIDERATION OF NOMINATIONS

Mr. President, before addressing issues that have been raised about the Committee's consideration of CDR Stumpf, I would like to summarize the Committee's procedures for handling Navy and Marine Corps nominations in the aftermath of Tailhook.

The Department of Defense provides the committee with a letter on all flag and general officer nominees in the Army, Navy, Air Force, and Marine Corps advising the Committee of any potentially adverse information since the individual's last confirmation.

In 1992, when the committee learned of the serious flaws in the Navy's Tailhook investigations, we established a similar requirement for Navy and Marine Corps nominees of all grades—a procedure that was supported by all members of the committee. The

then-chairman and ranking minority member of the Manpower Subcommittee, Senator GLENN and Senator MCCAIN, were instrumental in establishing that process. Had we not done so, it is doubtful we could have moved any Navy/Marine Corps nominations through the Senate in view of the serious concern in the Senate about the inability of the Navy to investigate itself and identify those who were involved in misconduct or leadership deficiencies.

In August 1993, the Department of Defense proposed that the Tailhook procedure be modified in view of the completion of the additional investigations, and the Committee concurred. Under the modified procedure, DOD notifies the Committee as to whether any nominee was identified as potentially implicated by the Department of Defense Inspector General or by the Department of the Navy. With respect to any individual so identified, DOD advises us of the status of any administrative or disciplinary action. In April 1995, Senator Thurmond, as Chairman, specifically rejected a request from the Department of the Navy to change these procedures, noting that decision would have to be made by the Committee.

It is the longstanding policy of the committee—under both Republican and Democratic chairmen—that when we consider adverse information about a nominee—whether related to Tailhook or any other matter—we do so in closed session. Senate Rule 26.5(b)(3) authorizes a closed hearing when the matters to be discussed “will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual.”

The committee’s practice of conducting nomination proceedings involving adverse information in closed session is based upon concern for the interests of the military officers whose nominations are pending before the committee. In the overwhelming majority of cases, the adverse information provided to the committee involves minor infractions which have been addressed internally by DOD and which the committee determines to be not disqualifying.

In view of the fact that adverse information about an officer considered by the committee is determined to be not disqualifying in most cases, few if any officers would want this information to be considered in a public session. In the relatively few cases where the Committee does not take favorable action, neither the Service nor the officer normally seeks to publicize the adverse information. When the committee publicly discusses the basis for rejecting a nomination, it normally is in the context of a report on systemic problems.

CONSIDERATION OF THE PROMOTION OF CDR
STUMPF

The committee’s traditional procedures for reviewing nominations in closed session, as well as the procedures for considering Navy and Marine Corps nominations in the aftermath of Tailhook, were in place when the committee considered the promotion of Commander Stumpf. As I noted earlier, the members of the committee who supported his promotion as well as those who opposed the promotion have agreed the committee followed the appropriate procedures in addressing this matter, and the letter so indicates. That opinion, apparently, is not shared by Commander Stumpf’s attorney, Mr. Charles Gittins.

Although the committee took no steps to publicize its October 25, 1995 decision to recommend that Commander Stumpf not be promoted, nor did the committee release any of the information that led the committee to recommend against his promotion, Commander Stumpf’s attorney has made repeated public comments about the committee’s consideration of Commander Stumpf’s promotion.

In the December 19, 1995, Washington Times, Commander Stumpf’s attorney, Mr. Gittins, was quoted as accusing the committee of operating on the basis of “rumor and innuendo.”

A CBS Evening News interview on January 8, 1996, quoted Commander Stumpf’s attorney as stating his client was removed from the promotion list as a result of “blackmail.”

In the January 31, 1996, Washington Times, Commander Stumpf’s attorney was quoted as stating that the decision was a result of “political pressure and threats to Navy programs.”

In a February 2 op-ed piece in the Washington Times entitled “Get the Senate Out of the Navy,” Commander Stumpf’s attorney asserted that his client was not promoted as a result of “political pressure” and that the Armed Services Committee was acting “for political advantage.”

He concluded: “Senator McCarthy may be gone, but McCarthyism lives on in the Senate.”

These statements have spawned a host of editorials, columns and letters which have painted a picture of this matter which, as noted in the statement issued by the committee on March 13—with unanimous committee approval—“is inaccurate and incomplete.”

For the last 3 months, Commander Stumpf’s counsel and advocates have argued his case in the public arena, citing only those portions of the material favorable to his cause. Material that would have given a complete picture of the basis for the committee’s recommendation has not been released, was not released by Commander Stumpf, was not released by his attorney, and has not been released by the committee, because the committee has been restrained by a self-imposed gag order. Why have we not responded? Be-

cause we play by the rules, and we do not release materials from our nomination files without a vote by the committee.

It is interesting to note that those of us who have been under attack—and I appreciate very much the statement of the Senator from Indiana—those who have been under attack have not leaked anything in self-defense or in any other way. Nothing has been leaked on the committee’s side of the issue. So it is an interesting kind of committee restraint here.

Indeed, the committee has shown remarkable restraint. As Members of the Senate know, I believe we should conduct most—not all—most nomination proceedings involving adverse information in a closed session. I discussed this matter at length in a speech I delivered on this floor on October 16, 1991, in the aftermath of the proceedings on the nomination of Justice Clarence Thomas, which was in the Judiciary Committee, not our committee.

I also believe, however, that when a nominee chooses to place his or her version of the facts in the public arena and challenges the motives and the good faith of the committee—indeed, statements like McCarthyism, and so forth—the committee must find an appropriate way to respond.

Although the committee provided a general response on March 13, the committee decided at that time to not release specific information about Commander Stumpf. There is no nomination now pending before the committee. The committee deferred to the views of the Chief of Naval Operations, Admiral Boorda, who testified in a public hearing on March 12 when I asked him a question, that they did not favor public dissemination of nomination information in this case. That is the view of the Chief of Naval Operations.

While I do not concur in that view because of the unique circumstances of this matter being handled, in effect, in a public relations matter in the public arena, since it results in a one-sided public presentation of information, I understand and respect those who believe we should not release any information when this matter is no longer pending before the committee. I deferred to that view in committee, because it was, obviously, the view of the majority.

The committee has agreed, however, that it is appropriate for Senators to identify the areas in which the statements in the media are inaccurate and incomplete.

CONSIDERATION OF COMMANDER STUMPF’S
NOMINATION IN CLOSED SESSION

Commander Stumpf’s attorney, in the December 19, 1995, Washington Times, is quoted as criticizing action of the Armed Services Committee because the committee has “operated behind closed doors” when considering his client’s case.

As I noted earlier, the committee considers adverse information in closed session. We do that all the time. That

is our normal operating procedure, and that is done in order to protect the reputation of nominees, a process that is strongly supported by the U.S. military. As far as I know, all branches of the military support that procedure, as well as the civilian leadership of the Department of Defense.

Prior to the committee's October 25, 1995, decision to recommend Commander Stumpf not be promoted, the committee received no letter from his attorney requesting that we proceed on this nomination in open session. We received no such letter, no such information, no such request, according to all the information I have received, checking with both majority staff and minority staff.

Commander Stumpf's attorney apparently made a tactical decision not to request an appearance or an open session. Having made that decision, how can he now fault the committee for reviewing the promotion in closed session in accordance with longstanding committee procedure, which we do on all nominations that have adverse information of a personal nature.

It is not clear Commander Stumpf's attorney wants this matter to be considered in public. The March 12 Wall Street Journal reported, "Commander Stumpf and his attorney say that the committee should feel free to tell the whole world whatever it is the Senators think they know about him."

That was a story for public consumption. That was a PR story. Yet, on March 13, 1996, as the committee was completing our review of Tailhook matters, the committee received a letter from Commander Stumpf faxed from his attorney's law firm, I am told, in which he asked to meet with the committee "in closed session."

Mr. President, I ask unanimous consent that the letter from Commander Stumpf, as well as Chairman THURMOND's response, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.
(See Exhibit 1.)

Mr. NUNN. Mr. President, I note that the letter I just referred to from Commander Stumpf faxed to us on March 13, 1996, was dated February 13, even though it was faxed to us on March 13. I have to assume that was a typographical error, unless there is another explanation. I am informed by the majority staff that the committee did not receive such a request until March 13 and certainly did not receive that prior to our review of Commander Stumpf's promotion in 1995.

Mr. President, just in case anyone does not understand what it means to hold a closed session, let me make it clear. It is a proceeding in which the public is excluded. The press is excluded. Virtually all staff are excluded. The hearing record is not published. Under the Senate rules, Senators are specifically prohibited from disclosing information received in a closed ses-

sion. When we hold a closed session, the committee is not free to tell the whole world what transpired before the committee.

In light of Admiral Boorda's request that the information regarding Commander Stumpf not be released to the public, and in view of Commander Stumpf's request to proceed in closed session, the committee decided during its deliberations last week to not release materials from the nomination files. While I personally believe the materials should have been released in light of the decision by Commander Stumpf's attorney to selectively release information to the public, I respected the views of others—and still do—who felt the material should not be released at that time.

Having decided on March 13 not to release the material in deference to the Navy and Commander Stumpf's privacy interests, the committee now finds itself subjected to yet another misleading story as a result of a statement in the press attributed to Commander Stumpf's attorney.

A March 19, 1996, AP wire story states that he "has no objection" if the committee releases its material on Commander Stumpf. According to the story, Commander Stumpf's attorney said, "I've told them they can release anything they want."

Mr. President, I have received no such communication from Commander Stumpf's attorney. I have been informed again by majority staff that Senator THURMOND, the chairman of the committee, has received no such communication. I assume Senator COATS and Senator BYRD have received no such communication, and they are indicating that is accurate.

I have no idea with whom the attorney, Mr. Gittins, is communicating, but it is not the Senate Armed Services Committee. Mr. President, if these press accounts accurately quote Commander Stumpf's lawyer—and I always allow that the press reports could be inaccurate—it would appear that the rules of the Senate and the committee designed to protect the privacy of nominees are being manipulated to imply a willingness to support and release information when, in fact, no such willingness has been communicated to the committee nor, as far as I know, to the Navy. I do not know what has been communicated to the Navy, but I certainly have not had any indication that Commander Stumpf's attorney has said to the Navy, "Please release the information," or, "You have our permission to release all the information."

First, counsel is quoted as criticizing the committee for having closed sessions; then the press reports that the officer whose privacy is being protected by the committee wants everything made public. Then the Chief of Naval Operations, who supports the promotion and said so in the committee, says the material should not be made public. Subsequently, the officer

requests a closed session. After the committee issues a statement reaffirming its commitment to the officer's privacy interests, his counsel is quoted as saying he told the committee again, "They can release anything they want," even though no such communication had been received by the committee.

If Commander Stumpf's attorney wants all the information related to his client released to the press, he should clearly communicate his views to the committee and the Navy. I suggest a letter would be the normal way to communicate. The Navy has full authority to release all documents related to Commander Stumpf, including the investigation into matters relating to Tailhook, the recommendations of the chain of command, and the final action taken on that investigation by the Navy. All of that can be released, and then the Senate can decide whether the committee was correct or not. The news media can then make their judgment accordingly.

PROCEDURAL CONSIDERATIONS

In the December 19, 1995, Washington Times, Commander Stumpf's attorney is quoted as stating the committee denied his client the opportunity "to face his accusers, cross-examine them and test the so-called evidence that the committee had collected."

The March 1996 Armed Forces Journal International reported that "Stumpf and Gittins asked to speak to the Senators on the committee, offered to testify, and attempted to discover what new evidence the committee had uncovered. All requests were refused."

Mr. President, I am informed again by majority staff that the committee received no letter from Commander Stumpf's counsel, prior to the committee action on October 25, 1995, requesting his client be allowed to testify before the committee, nor did counsel for Commander Stumpf submit a request to discover additional information.

The materials provided by the Navy make it clear that CDR Stumpf was well aware that the matter of his promotion was pending before the Committee. On June 30, 1995, he received the statutorily required notice from the Navy that his promotion was being delayed, and he was specifically notified that his involvement in Tailhook was under review by the Armed Services Committee.

The majority staff has advised me that the committee received one letter from CDR Stumpf's counsel, dated August 2, 1995, prior to completion of our review on October 25, 1995. That letter provided counsel's view of CDR Stumpf's military record and the proceedings involving his client in the aftermath of Tailhook. The only specific request of Chairman THURMOND set forth in the letter was to "end the delay in the SASC review." CDR Stumpf's attorney noted that he was available for discussions, but did not make any specific request regarding testimony by his client or discovery of evidence:

Should you or your staff have any questions, please do not hesitate to call. Further, I would be pleased to review with you or a member of your staff the facts as they were established at the Court of Inquiry.

From the Committee's perspective, this did not constitute a request that his client be permitted to testify at a Committee hearing, nor did it constitute a request for further information about the materials under review by the Committee.

CDR Stumpf's counsel apparently chose to proceed without submitting a specific request for a hearing, without submitting a specific request that his client be permitted to testify, and without submitting a specific request for further details about information available to the Committee. If discussions with individual members or staff raised any questions about the Committee's willingness to entertain such requests, he had the opportunity to provide an unambiguous request in writing. He did not do so. Whether his tactical decisions at the time were in the best interests of his client is not a matter for the Committee to judge.

Each one of those matters, if clearly communicated to the Committee, would have been given appropriate consideration. It is well known that nomination proceedings are not criminal trials. They are not formal evidentiary proceedings. They are designed to assess the fitness of a nominee for higher office. If counsel for a nominee believes that the informality of a nomination proceeding is inappropriate in his client's case, then it is his responsibility to bring his concerns to the attention of the Committee. If he does not do so, it is puzzling for him to now claim that his client was denied rights that he did not request when the matter was pending before the Committee.

RELIANCE ON INFORMATION PROVIDED BY THE
NAVY

Commander Stumpf's attorney is quoted in the December 19, 1995, Washington Times as stating that the committee's decision to recommend that he not be promoted was based on "rumor and innuendo and anonymous phone calls."

As the Senator from Indiana said very clearly, that is flat wrong. The committee's recommendation was based on the records of the fact-finding board that reviewed Commander Stumpf's activities relating to Tailhook—the Navy fact-finding board—as well as other documents officially transmitted to the committee by the Navy.

I am informed by the Navy that Commander Stumpf had full opportunity at the fact-finding board to testify, to present evidence, and to cross-examine witnesses.

Mr. President, that is the record that we have been primarily focusing on. The Navy has advised the committee that it has provided all of these materials to Commander Stumpf, so he knows what these materials are. The committee did not rely on rumors. The

committee did not rely on innuendo. The committee certainly did not rely on anonymous phone calls.

An "Op-ed" piece by CDR Stumpf's attorney in the February 2, 1996 Washington Times states that the Senate relies on "largely false and discredited allegations of misconduct collected by the Pentagon inspector general . . . to make their decisions on Navy promotion nominations." That is an inaccurate and incomplete description of the Committee's procedures for reviewing Navy and Marine Corps nominations in the aftermath of Tailhook. After the Navy turned the Tailhook matter over to the DoD Inspector General, the IG conducted an investigation. The results of the investigation were returned by the IG to the Navy for further proceedings, including administrative or disciplinary proceedings where appropriate. DoD/IG materials do not provide the primary source of information used by the Committee. In virtually all cases, including the case of CDR Stumpf, the Committee has relied primarily on material from the proceedings conducted by the Navy after the DoD/IG investigation, as well as related documents provided by the Navy.

It is noteworthy, however, that in at least one well known, contested nomination, many Senators placed significant reliance on information developed by the DoD Inspector General, rather than in a Navy proceeding. That was the nomination of Admiral Kelso to retire in grade, in which the military judge in a Tailhook court-martial, Captain William T. Vest, Jr., opined that Admiral Kelso observed misconduct at Tailhook, whereas the DoD Inspector General, who reviewed the judge's opinion in light of the IG's investigations, concluded that Admiral Kelso did not observe the misconduct. As one who fought hard on the Senate floor for ADM Kelso's confirmation, I do not believe that Navy and Marine Corps nominees would want the Committee to preclude consideration of such material from the DoD/IG.

Commander Stumpf's attorney, in a February 2, 1996, op-ed article, attempted to analogize his client's case to that of Adm. Joseph Prueher. According to Commander Stumpf's attorney in this February 2, 1996, op-ed piece in the Washington Times, "Just last Friday, the Senate failed to vote to confirm Adm. Joseph Prueher as Commander, U.S. Pacific Command. The reason? A few Senators, bowing to feminist pressure, decided to revisit, for the third time, Admiral Prueher's handling of a sexual harassment case while superintendent of the U.S. Naval Academy."

Mr. President, I am sure that the Navy, as well as Admiral Prueher, were just as surprised as I was to learn on February 2 from Commander Stumpf's attorney that Admiral Prueher's confirmation had not gone through. The Senate received Admiral Prueher's nomination on Wednesday, January 10;

the Armed Services Committee reported him out of committee on Friday, January 26; and the Senate unanimously confirmed him on Tuesday, January 30, 2 days before the op-ed piece appeared in the Washington Times. The date of the admiral's confirmation, January 30, was the first day the Senate was in session after the nomination was reported out of committee. That is prompt action by any standard.

Moreover, the date of Admiral Prueher's confirmation by the Senate, January 30, was 2 days before Commander Stumpf's attorney wrote in the Washington Times that the Senate was "bowing to feminist pressure."

In the same article, Commander Stumpf's attorney stated: "The Senate now fancies itself as a super selection board, reviewing de novo executive branch promotion decisions for political advantage." That opinion has been echoed by others, such as the statement in the March 1996 Armed Forces Journal International that "Cmdr. Stumpf is being sacrificed on the altar of political correctness".

As I noted earlier in my statement, Senator COATS and Senator BYRD, as leaders of the Personnel Subcommittee, have the unenviable task of taking the lead in reviewing nominations involving adverse information. I have been chairman of the Manpower Subcommittee. That is the first subcommittee I headed after I became a member of the committee. I know how hard that job is. It is one of the most important jobs, one of the most difficult jobs. I think we owe both Senator COATS and Senator BYRD a great deal of gratitude for the work they do. They have given the committee a serious, sober recommendation in each case based on the merits.

I do not believe that anyone can seriously argue that they or the committee have gained any political advantage by taking on this responsibility. If there is any political advantage attached to it, then someone is going to have to explain it to me. After being in the Senate for 24 years, I cannot think of anything that has less political advantage to it than this tough, hard, but absolutely essential job.

This is not something that the Senate grabbed. This is something that the Constitution of the United States gives to the Senate, a responsibility. We are doing our constitutional duty. If anyone does not think the Senate ought to be involved—"get the Senate out of the Navy"—then they ought to change the Constitution of the United States. This is our duty. It is our duty. As long as I am on the committee, I, for one, will continue to exercise that duty.

Mr. President, the committee has a keen appreciation for the values that differentiate military service from civilian society, the requirements of good order and discipline in the armed forces, and the standards of responsibility and accountability applicable to military commanders—including

their responsibility and accountability for the morale and welfare of their troops.

The committee also has a clear understanding that a promotion is not a reward for past service; it is a judgment on the fitness of an officer for higher levels of command and responsibility.

Mr. President, it has been the traditional practice of the Committee on Armed Services to look primarily to the statutes, regulation, and time-honored customs of military service in assessing adverse information on a nominee.

One of those standards is the affirmative obligation of commanding officers, under section 5947 of title 10, United States Code, to demonstrate "a good example of virtue, * * * to be vigilant in inspecting the conduct of all persons who are placed under their command; to guard against and suppress all dissolute and immoral practices; * * * and to take all necessary and proper measures, under the laws, regulations, and customs of the naval service, to promote and safeguard the morale, the physical well-being, and general welfare of the officers * * * under their command or charge."

Article 0802.1 of the Navy regulations makes it clear that commanding officers operate under a higher standard of responsibility, and that they are not relieved of that responsibility simply because they are not present during misconduct or a mishap:

The responsibility of the commanding officer for his or her command is absolute, except when, and to the extent to which, he or she has been relieved therefrom by competent authority or as provided in these regulations. The authority of the commanding officer is commensurate with his or her responsibility. While the commanding officer may, at his or her discretion, and when not contrary to regulations, delegate authority to subordinates for the execution of details, such delegation of authority shall in no way relieve the commanding officer of continued responsibility for the safety, well-being and efficiency of the entire command.

Article 0802.4 of the Navy Regulations places a special responsibility on commanding officers with respect to their conduct and the conduct of their subordinates:

The commanding officer and his or her subordinates shall exercise leadership through personal example, moral responsibility and judicious attention to the welfare of persons under their control or supervision. Such leadership shall be exercised in order to achieve a positive, dominant influence on the performance of persons in the Department of the Navy.

Mr. President, these are not post-Tailhook standards. These are not "politically correct" rules of the nineties foisted on the Navy by "feminist pressure." Those standards were in effect at the time of Tailhook and reflect bedrock principles of good order and discipline.

The committee also looks to the standards in section 654(a) of title 10, United States Code, which states:

(8) Military life is fundamentally different from civilian life in that—

(A) the extraordinarily responsibilities of the armed forces, the unique conditions of military service, and the critical role of unit cohesion, require that the military community, while subject to civilian control, exist as a specialized society; and

(B) the military society is characterized by its own laws, rules, customs, and traditions, including numerous restrictions on personal behavior, that would not be acceptable in civilian society.

(9) The standards of conduct for members of the armed forces regulate a member's life for 24 hours each day commencing upon entry on active duty and not ending until that person is discharged or otherwise separated from the armed forces.

(10) Those standards of conduct, including the Uniform Code of Military Justice, apply to a member of the armed forces at all times that the member has a military status, whether the member is on base or off base, and whether the member is on duty or off duty.

Those findings reflect some of the most fundamental, enduring values of military service.

Mr. President, the Armed Services Committee has reviewed Navy and Marine Corps nominations in the aftermath of Tailhook, including CDR Stump's promotion, in the context of these well-known military standards. In light of these standards, it would have been irresponsible for the Committee to ignore adverse information related to a nominee's conduct or leadership at Tailhook 91, set forth in information provided to the Committee by the Department of Defense—particularly in view of the military significance of that event.

Tailhook 1991 was designed and promoted to showcase the aviation components of the Department of the Navy. The Navy actively encouraged members to attend to enhance their professional military development.

The Navy provided significant financial, logistical, and personnel support—including featured presentations by the Secretary of the Navy, the Chief of Naval Operations, the Assistant Chief of Staff (Air Warfare), and numerous other Navy and Marine Corps officers and civilian officials. Many military personnel traveled under government orders, which paid for their transportation, food, and lodging. Over 1,700 were transported at government expense.

Tailhook 1991 was a showcase event where all officers, particularly those in command, were under an obligation to ensure that their conduct, and that of their subordinates would represent the very best in the U.S. Navy and U.S. Marine Corps. The failure of some to demonstrate appropriate standards of conduct and leadership is an appropriate consideration in assessing an officer's fitness for promotion.

Mr. President, I also reject any suggestion that the committee acted out of political motivation or as a result of outside pressures.

Mr. President, I personally talked to every Secretary of the Navy since Tailhook came up and every Chief of Naval Operations since Tailhook came

up. I have cautioned them against overreacting. I have cautioned them against denial of due process for individuals accused of inappropriate behavior. I have cautioned them against unlawful command influence. I have done that personally. I have felt it was my responsibility to counsel the Navy not to overreact and to give to their own members the kind of due process that they deserve.

During my tenure as chairman I assured every civilian and military leader of the Department of Defense and the Department of the Navy involved in nominations that the committee would carefully consider each nomination on the merits, and that they should not hesitate to recommend promotion in any case where the Navy deemed it appropriate.

The committee has ensured that when the Navy recommends promotion in a case involving a Tailhook certification, we are provided with the Navy's official information, not rumor, innuendo, or anonymous information.

When the committee has received information from the Navy bearing on an individual's conduct or leadership at Tailhook, we have considered it carefully and judiciously on a case-by-case basis.

Let us look at the facts. Since Tailhook, the committee has approved 36,839 Navy nominations, 6,431 Marine nominations, a total of 43,270 nominations in the Navy and Marine Corps since Tailhook. During that period, how many have we not recommended because of Tailhook matters? A total of 8; 8, a total of 8. You would not think that from some of the hysteria going on in some of the news coverage, particularly editorials that I have seen.

Let me repeat, the committee has approved 43,270 Navy and Marine Corps nominations and turned down only 8 since Tailhook came up. During the same period, 15 officers who were the subject of administrative action by the Navy as a result of Tailhook have been confirmed by the Senate. These figures clearly demonstrate that the committee has reviewed each of these nominations involving a Tailhook certification on the merits.

While reasonable people could come to different conclusions on those who were recommended, as well as those who were disapproved, the fact is, we have not indiscriminately rejected anyone who had been investigated in connection with Tailhook. I have personally taken the floor of the Senate to try to get nominations through and have succeeded virtually in every case, with the help of the committee and the good judgment of the Senate, that were bitterly opposed here on the floor relating the Tailhook.

I think people ought to have a little knowledge of history. I do not expect people to understand everything that has been done, but there ought to be some slight knowledge and acknowledgement of the history of how we handled this whole matter of Tailhook.

Someone ought to recall also the Secretary of the Navy decided that the Navy botched this investigation so badly that he himself, back in 1992, in a previous administration, removed the Navy from the investigative responsibilities because it had been so badly botched.

It is also important to contrast the Senate's action with the results of action taken within the executive branch. As a result of the actions taken by the Navy and Marine Corps, 39 officers have had their careers adversely affected. Twelve officers were rejected by promotion boards, another 12 who were selected by a board subsequently were removed from a promotion list within the executive branch, and another 15 officers resigned or retired before being considered for promotion after receiving adverse administrative action by the Navy. In other words, the number of officers whose careers have been adversely affected by the Navy outnumbers the officers returned by the Senate by a ratio of more than 4 to 1.

Mr. President, this Committee has a strong record of support for military nominations, even in the face of considerable criticism. We have been willing to take the political heat. We did it in the case of Admiral Kelso. We did it in the case of Admiral Mauz. We did it in the case of Admiral Prueher. We have done it in the case of 15 nominees who were confirmed even though administrative action had been taken against them as a result of Tailhook. There was no political advantage in our action, but we did it because it was the right thing to do.

OVERSIGHT, LEADERSHIP, AND RESPONSIBILITY

Mr. President, the Armed Services Committee has a vital oversight role over the Armed Forces, including matters involving nomination and promotions. The Navy failed to provide the Armed Services Committee with the information required to assess Commander Stumpf's fitness for promotion prior to the Senate's vote on his nomination. It was incumbent on this committee to conduct a review of that promotion when information was belatedly turned over to the committee.

I am informed by majority staff that, prior to the Committee's October 25, 1995, decision to recommend that Commander Stumpf not be promoted, his attorney did not raise a legal objection to the propriety of the committee's review. Although the obvious outcome of any such review would be a communication to the Secretary of the Navy regarding the merits of Commander Stumpf's promotion, counsel did not raise a legal objection to any communication from the committee to the Secretary. Counsel for Commander Stumpf was well aware of the committee's review of his client's promotion, as reflected in his August 2, 1995, letter to Senator THURMOND discussing the review and the action taken by the Secretary of the Navy to delay Com-

mander Stumpf's promotion. The letter vigorously supported the merits of his client's promotion and requested that the committee complete its review. The letter, however, did not state any legal objection to the committee's review, the action of Secretary Dalton in delaying the promotion, or to any communication from the committee to the Secretary on the merits of the promotion.

As I noted earlier, the committee's letter of November 13, 1995, specifically advised the Secretary of the Navy that:

The committee recognizes that, in light of the Senate having given its advice and consent to Commander Stumpf's nomination, the decision to promote him or not to promote him rests solely within the executive branch.

Let me repeat that, Mr. President. We made it very clear that "the decision to promote him or not to promote him rests solely within the executive branch." Mr. President, those were not idle words. We fully recognized that the Secretary of the Navy—acting under a delegation of authority from the President—has unfettered discretion under section 629 of title 10, United States Code, to remove or not remove the name of an officer from a selection board list.

On December 22, 1995, Secretary Dalton directed that Commander Stumpf's name be removed from the promotion list.

Mr. President, I would like to make my own position clear.

These are tough decisions. I do not quarrel with anyone who comes to a different conclusion. They involve subjective judgment. Different people draw the line between right and wrong in different places. Based upon the information available at the time, we made our decision. I made my judgment about right and wrong, and I made my judgment about the question of leadership. That judgment was based on the recommendation, the very thoughtful recommendation, of Senator COATS and Senator BYRD.

Others may have a different definition of right and wrong. Others may have a different definition of leadership. They have every right to their perspective. All of us have some obligation to strive for consistency in drawing the line, consistency between officers who may have been involved in similar circumstances. To draw one line for officers in the Navy and another line for officers in the Marine Corps relating to the same event, to me, is totally unacceptable.

The promotion process must ensure that all officers meet the high standards of conduct and leadership that demonstrate potential for leadership at a higher grade. This is appropriate not just for the Navy, but for the Army, Air Force, and for the Marine Corps. Does the Navy now want to set a standard for leadership lower than the Marines? Does the Navy want to set a standard of leadership lower than the Army? Does the Navy want to set a

standard of leadership lower than the United States Air Force? That is a question that the Navy leadership has to answer.

Mr. President, if the Navy's withholding of information prior to the Senate's confirmation of Commander Stumpf was the result of administrative error, then the Navy's administrative process needs review and overhaul. These administrative errors deprived Secretary Perry, the Secretary of Defense, of the information he needed to make his recommendations to the U.S. Senate and to the President. These administrative errors deprived the Armed Services Committee of the information that we needed to make a recommendation to the Senate. These administrative errors deprived the Senate of the information it needed prior to deciding whether Commander Stumpf should have been confirmed.

In closing, Mr. President, I make the following points: First, my review of the material provided to the committee by the Navy, including the record of the conduct, review, and disposition of the proceedings of the factfinding board confirms my assessment that Senator COATS' recommendation to the committee was sound, and that the committee's October 25, 1995, recommendation that Commander Stumpf not be promoted was appropriate.

Second, it was appropriate to the committee to communicate its recommendation to the Secretary of the Navy, particularly in light of the Navy's failure to provide the committee with the information it had pledged to provide prior to the committee's recommendation to the Senate that Commander Stumpf be confirmed.

Third, it was appropriate for the committee to remind Secretary Dalton that he had unfettered direct discretion to promote or not promote Commander Stumpf, which we did in the letter. If Secretary Dalton believed in December that Commander Stumpf's promotion was warranted, he could have promoted him at that time. The letter made that absolutely clear.

Fourth, the executive branch has an obligation to conduct a thorough review of adverse information with respect to all nominations, including but not limited to Tailhook. In terms of the issues of conduct and leadership bearing on the individual's fitness for promotion, the question in Commander Stumpf's case, for example, was not whether he was guilty of a crime, but whether he met the standards of leadership that would qualify him for a promotion to a higher grade.

Fifth, the executive branch must strive for consistency in its approach to military nominations, and consistency is essential for fairness. Although each proposed nomination must be judged on its own merits and its own facts, it is critical that careful attention be paid to issues of consistent treatment, particularly when adverse information is related to a single event such as Tailhook. The Navy leadership

has effectively forced 39 officers to retire or resign or has removed their names from promotion lists for Tailhook-related matters. The committee has a very difficult time justifying favorable action on other nominees whose conduct or leadership deficiencies appear to be worse than those who were not nominated or who were forced to retire or resign by the United States Navy.

Sixth, the Navy should determine whether Commander Stumpf's attorney is serious about the public release of information concerning his client. If so, the Navy should not be selective in the release of information. The Navy should make available a complete record of proceedings concerning Commander Stumpf in the aftermath of Tailhook, including the full record of proceedings, review, recommendations, and action on the fact-finding board. If they do, there will be no mystery anymore and everybody can make their own considered judgment.

Seventh, after learning that the Navy had failed to provide the committee with information about Commander Stumpf, prior to the committee's action on his nomination, the committee requested the Navy to provide "a complete description of the conduct, review and disposition of the allegations concerning Commander Stumpf". The Navy provided information to the committee in response to this request. Subsequent to the committee's October 25, 1995, meeting on Commander Stumpf's nomination, the Navy has provided the committee with additional information, including information on the review and disposition of the allegations concerning Commander Stumpf, which we asked for to begin with. The Navy needs to explain why, after failing to provide the committee with timely information prior to the confirmation of Commander Stumpf by the Senate, the Navy subsequently did not provide the committee with complete information on the review and disposition of the allegations.

Finally, Mr. President, and what I number as eighth, section 629 of title 10, United States Code, provides that "An officer whose name is removed from a list continues to be eligible for consideration of promotion". As noted in the statement issued by the committee on March 13 with respect to Commander Stumpf, quoting from the letter, "If he is nominated again for promotion to captain, the committee will give the nomination the same careful consideration it would give to any nominee".

I certainly concur in that. For my part, I would carefully consider any information that might be presented by Commander Stumpf or on his behalf. I would consider the full record of information provided by the executive branch, and I would certainly take into consideration the views of my colleagues on the Armed Services Committee on both sides of this issue, be-

fore reaching a final conclusion on the merits of such a nomination, should it be submitted to the Senate.

Mr. President, I close by saying I do not believe that the committee held Commander Stumpf responsible for the Navy's administrative errors. If Commander Stumpf is nominated in the future, I would separate these matters, and I would view the Navy's administrative errors as separate and apart from Commander Stumpf's nomination.

EXHIBIT 1

ROBERT E. STUMPF,
2616 BOUSH QUARTER,

Virginia Beach, VA, February 13, 1996.

Hon. STROM THURMOND,
Chairman, Senate Armed Services Committee,
U.S. Senate, Washington, DC.

DEAR SENATOR THURMOND: As it appears that the Committee continues to have lingering concerns about my promotion and my attendance at the Tailhook 1991 Symposium, it may be beneficial to the Committee to hear from me personally. Accordingly, I respectfully request to meet with the Committee in closed session at the earliest opportunity to address Committee questions or concerns.

Very truly yours,

ROBERT E. STUMPF,
Commander, USN.

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC, March 14, 1996.

Commander ROBERT E. STUMPF,
2616 Boush Quarter, Virginia Beach, VA.

DEAR COMMANDER STUMPF: This is in response to your letter dated February 13, 1996. It was first received by Committee via telefax on March 13, 1996.

I understand your request to appear before the Committee in closed session. However, at present there is no nomination before the Committee concerning you. Should a nomination concerning you be presented to the Committee in the future, your request will be given appropriate consideration.

Sincerely,

STROM THURMOND,
Chairman.

Mr. BYRD. Mr. President, I listened with great interest to the remarks by both Mr. COATS, the distinguished Senator from Indiana, and by Mr. NUNN, the distinguished Senator from Georgia.

First of all, with reference to the work that has been done on this particular subcommittee, I want to pay tribute to the Senator from Indiana, Mr. COATS. As far as I am concerned, between the two of us, he has done by far the major part of the work. He has shouldered the workload and he has done it professionally and with great skill and exceedingly well. I admire his courage for taking the position that he is taking on this particular issue here this evening.

Mr. President, with reference to the Senator from Georgia, I came to the Senate 38 years ago, at which time there was a very distinguished Georgian by the name of Richard Brevard Russell, who was chairman of the Senate Committee on Armed Services. I became a member of that committee 2 years after I had become a Member of the Senate, and I served with Senator Russell on that committee.

In these 38 years, Mr. President, I have seen some great chairmen of that committee, chairmen from both parties. But in my considered judgment—and I realize that I have my own flaws and I am capable of erring in my judgment—the two greatest chairmen of the Armed Services Committee in my 38 years here have been those two distinguished Senators from the State of Georgia. Senator Richard Russell was someone whom I adopted as my mentor. He never knew that, but in my own heart I admired him so greatly that I tried to follow in his footsteps and study the rules and precedents of the Senate. It was my resolution which, when adopted by the Rules Committee of the Senate and by the Senate, brought about the naming of what was then the Old Senate Office Building, the Richard Brevard Russell Building. That is how much I admired Senator Russell.

I admire this distinguished Senator from Georgia, Senator NUNN, who will be retiring from the Senate at the end of this year, no less, insofar as his skill is concerned and handling of the work of the committee. I have marveled at the organization of the committee and the organization, work, and dedication of the Senator from Georgia. I have often said to others that Senator NUNN is probably the finest chairman of the committee that we have had in the Senate.

Now, Napoleon once had a general staff officer in his army by the name of Michel Ney. Well, Marshal Ney was cut off from the rest of the army of Napoleon, and he had to fight his way through thousands of Cossacks, which he did. He came to the River Niemen and he crossed it. In so doing, he lost all of his guns, but he finally was reunited with the other units of Napoleon's army. When Napoleon heard that Ney had escaped and had returned, he was overjoyed. He said to some of the other officers, "I have 400 million francs in the cellars of the Tuileries, and I would gladly give them all for the ransom of my good companion in arms." That was the old palace in Paris, which later burned down. "I have 400 million francs in the cellars of the Tuileries, and I would gladly give them all for the ransom of my good companion in arms." That is how much Napoleon prized this officer, General Ney.

Well, I feel that way about Senator NUNN, and I am proud to be associated with him and with the distinguished Senator from Indiana in their remarks here today. I will be very brief.

I wish to associate myself with the remarks made by the distinguished Senator from Georgia, the ranking member of the Committee on Armed Services, on the matter of the promotion of Commander Robert Stumpf, U.S. Navy.

It is very clear to me that the committee has acted with great responsibility in the handling of the so-called Tailhook 1991 events, and attempted to

protect the rights of the individuals involved while working closely with the Navy and the Department of Defense to get to the bottom of the events that did occur. It is vitally important that the Navy be consistent and forthright in its consideration of the individual cases that still are pending, and take every step to insure that the lessons learned from the scandal can be absorbed and remedies can be implemented.

In the light of these considerations, it is disappointing to see the kind of recent attacks that have been leveled at the Armed Services Committee by the media, and by Commander Stumpf's attorney.

I believe that Commander Stumpf's nomination was clearly prejudiced by the incredible administrative ineptness that accompanied his nomination. According to the well-established procedures that had been put into place by the committee, in cooperation with the Navy, adverse information that was associated with Tailhook should have been forwarded to the committee when this nomination for promotion to captain was first provided to the committee. It is extremely unfortunate that only after the fact, that is, after the nomination was approved by the Senate, did the committee learn of the results of a board of inquiry into Commander Stumpf's participation at Tailhook.

The issue that is at the heart of this matter, Mr. President, is the question of consistency of standards by which we hold commanding officers in the Navy accountable for their actions. Senator NUNN has itemized in detail the standards that exist in the law and in Navy regulations, and they are engraved on the long honorable traditions of the Navy. Commander Stumpf, like all commanding officers, bears a heavy responsibility not only for his own actions, but also for the actions of the officers and men under his command. That is what this unfortunate affair is really all about.

It was William Wordsworth who said, "No matter how lofty you are in your department, the responsibility for what the lowliest assistant is doing is yours."

Frederick the Great of Prussia said, that, "The quality of the troops depends directly on that of the officers: a good colonel; a good battalion."

That is why the committee acted properly in holding up those standards as a mirror by which to judge the qualifications of commanding officers for further promotion, given what happened in the hospitality suites of the Las Vegas Tailhook convention hotel. It is not a pretty picture, and the record in the case of Commander Stumpf is complete enough, in my judgment, to call his nomination into serious question. Given the visibility of Commander Stumpf, and his professional achievements as an airman in combat in Desert Storm, and as a role model as the flight leader of the Blue

Angels Navy Demonstration Team, what we do here in terms of his promotion is all the more important. It is the job of the committee to reconcile this matter and make a considered judgment based on standards, not on personalities.

Additionally, while Senators may well differ in their judgment as to the seriousness of the charges brought against Commander Stumpf regarding his performance as a commanding officer during the Tailhook convention, the failure of the Navy to provide the committee with all pertinent information readily available to the Navy, makes the situation far worse for his nomination. We have the appearance of a coverup of vital information bearing on his nomination. How could such an administrative error have, in good faith, occurred? Clearly the information was pertinent to his nomination, in that the committee did inform the Secretary of the Navy that it would not have agreed to Commander Stumpf's promotion, had it been provided the information at the time when the Stumpf nomination was pending before the committee.

I think it is important to look further into this vital omission—and I have not spoken with the chairman of the Personnel Subcommittee about this—but it would be my hope that consideration might be given to having the DOD inspector general investigate the matter. If there is a flaw in the way in which, after all this time and furor over Tailhook, the paper trail is provided to the Committee, then it should be corrected. If there was an intention on the part of one or another element of the Navy bureaucracy that thought it was doing Commander Stumpf a favor by not providing the committee with this information, then it should be known that a great disservice was done to Commander Stumpf and to the Navy by the omission.

Mr. President, as the Senator from Georgia has pointed out, Commander Stumpf has engaged an attorney who seems to think that his client has something to gain by attacking the procedures and integrity of the Armed Services Committee. The usage of the terms "McCarthyism," "blackmail," and operating on the basis of "rumor" in describing the committee's actions in the matter are ludicrous, and further prejudice his client's case. Commander Stumpf, in my opinion, would be far better off with no attorney than with the advice he is currently getting.

The committee has decided to keep the record of the nomination confidential, but if further action is warranted, such as a resubmission by the Navy of the nomination, then I think the record should be open for all to see. Lay it all out. It should be opened entirely.

Additionally, Commander Stumpf has asked for a hearing by the committee, and I think that request should be granted if his nomination is resubmit-

ted by the Navy. But the hearing and the record should be out in the open. Let the sunshine in.

Commander Stumpf's lawyer has openly attacked the committee, there is a campaign underway to impugn the procedures of the committee. The committee has little choice but to open the record. All the facts should be on the table. Senators can judge for themselves whether the Navy's own standard of conduct for commanding officers was breached substantially enough for the nomination to be rejected.

Mr. President, fame is a vapor; popularity, an accident; riches take wings; those who cheer today may curse tomorrow; only one thing endures—character. And it is the character of the Navy here that is at stake.

I would not want to send my grandsons into an organization that I thought would destroy character. I would expect the organization to be one that would build character. And it is the character of the Navy that we are concerned about.

Mr. President, I thank again Senator NUNN, and I thank Senator COATS for the fine work that they have done. And I regret that they have been made to suffer as a result of their efforts to do the right thing by all concerned.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. EXON. Mr. President, I thank the Chair.

Mr. President, first I would like to be associated with the remarks in this regard by the chairman of the Personnel Subcommittee, my friend and colleague from Indiana, and with the statement that was made by my longtime friend and seatmate, Senator NUNN from Georgia, and, last but not least, the excellent summation just given to the U.S. Senate by a Member of this body who we all cherish and recognize for his sound leadership and common sense over the years.

Mr. President, I do not take any pleasure at all in making the remarks that I am about to make. It would have been much easier to just skip it and not say anything. But I am very much moved by the unfair attacks on the Armed Services Committee on which the four Members now in the Senate have served for a long, long time. For myself, this will be my 18th year. And I come to the floor to give my views as briefly as I can. I have no written statement, but I am speaking from my heart on this matter that I think is being glossed over.

Mr. President, I have not been happy with the majority on the committee, both Democrats and Republicans, for what I feel has been a folding like an accordion into the spotlight of pressure by the press that has been brought on this particular issue.

I take no pleasure in this, Mr. President, because as a veteran of World War II—and 2 years of that overseas—I was taken over there by the U.S. Navy, and they brought me back. I have a

very soft spot in my heart for the Navy of the United States of America. There is no better Navy anywhere—nor do I suggest there ever has been—than the men and women that make up the U.S. Navy today. And I am proud of all of them. But I wish to raise some questions and cite some examples tonight on what I feel are some holes, if you will, in some places—not a lot—but in some places in the top leadership of this Navy that have been spotted and brought out into the light with several events of the last few years.

Talking about the Navy, I am not going to go into my record with votes and the leadership positions that I have taken for the Navy in a whole series of areas. I guess the only serious difference I ever had with regard to some of the initiatives of the U.S. Navy was over the reincarnation of the battleships, which I said was nonsense at the time. It was a multimillion-dollar fiasco. We brought four battleships back into commission when we obviously did not need them. But, under the leadership of the Navy, the Congress of the United States was convinced otherwise. We are still paying for that costly mistake. But do we not all make mistakes? I think I was right on that, but I believe that event was the only time in my 18 years of service in the Armed Services Committee that I had serious disagreement with the U.S. Navy.

I emphasize again that I do not condemn the Navy as a whole. But I am here to support the outstanding efforts by Senator COATS, Senator NUNN, Senator BYRD, and others who have taken on the dragon in this case—the dragon being certain key parts of leadership of the U.S. Navy. That is not easy to do, but it is something that has to be done.

I cite, for example, that—while I think Tailhook, we can all agree, was not one of the finer moments of the great history of the U.S. Navy—it may be that it has been overshadowed, and I join with Senator NUNN in his comments. I have heard him say it. Let us not overreact to things of this nature. But we have to act. That is part of our responsibility in the Armed Services Committee.

I stood on this floor to give an example of how in Tailhook and everybody within 100 miles of Las Vegas during that weekend, that riotous weekend, I might say, of “fun loving fun,” I guess, by primarily some of the officers of this man’s Navy—and sometimes boys will be boys—leadership people should not be boys, and that is my concern and that is my major problem without condemning any of them or all of them.

I have not been one of those who sanctimoniously says it was such a terrible thing that we have to do something about it. I stood at that desk in the Chamber and provided the leadership for the Armed Services Committee with a lot of serious debate with regard to not retiring a very famous, very capable, top leadership man in the U.S. Navy, an admiral who happened to be

at Tailhook but was not involved in any of these things. And I stood there and took the advice of SAM NUNN and others of saying let us keep this in perspective. So we retired that outstanding admiral and did not take away his top-grade retirement as some in this body wished to do. So I simply give that as an example that this Senator is not consumed by Tailhook, but I am concerned about Tailhook.

I emphasize once again that we have a great Navy, but some in the leadership of that great organization have let that organization down in recent years. Let me cite one or two examples. I do not know whether they have been talked about by my friends and colleagues before or not. There certainly has been, though, a most unfortunate series, unfortunate series, Mr. President, of serious and distressing shortcomings in part of the U.S. Navy in the last few years.

Without going into any detail, I would simply cite the problems of cheating and scandal and sex at the Naval Academy in Annapolis that we finally seem to be getting turned around, but there was too much of it. I would simply say that one of the most distressing things that I ever saw practiced by certain select leadership, not everybody, was the coverup of the blowup of the *Iowa* battleship, one of those four that I referenced earlier that I thought should never have been brought back in any event.

Just so you will remember, my colleagues in the Senate, that was the case where after a high-level naval investigation of the blowup on the battleship *Iowa* that caused 130 some deaths. The Navy leadership, part of it, came forth with a program that it was the responsibility of two homosexuals. Well, it turned out later when some of us wanted proof, that the two homosexuals were not involved at all; it was a typical case of the old-boy network working very effectively in part of the coverup. They were not successful, but they almost were.

I would simply like to mention in that regard also the glossy coverup, or not so glossy coverup, that the U.S. Navy, some of its leaders, did after Tailhook was exposed in the press. We would not have had the difficulty that we are in today with Commander Stumpf nor would he have his difficulties at least to this extent were it not for the fact that key leadership in the U.S. Navy again fouled up by not following a very simple procedure that was well-known to all of the leadership of the U.S. Navy when Commander Stumpf’s nomination came up, and I am sure that Senator COATS and Senator NUNN went into that in great detail.

Then there was another serious situation with regard to the spy scandal of a marine in Moscow in our Embassy. That was a tough blow.

I simply say, Mr. President, that all of these attacks that have been made on the integrity of the Armed Services

Committee in the press are nonsense. And for rules and reasons, those of us who are knowledgeable of the full extent of this situation for the protection of the innocent and not to inflame the story are not privileged to talk about it in detail. One editorial that I read said that was McCarthyism, keeping the secret to ourselves like Joe McCarthy did. Well, those of us who have had the top secrets of the United States of America with us and live with us all the time we have been in the Senate know our responsibility and know how to live up to the commitments that we make while editorial writers are not so constrained.

I thought one of the most disgusting articles that I read on this was by the *Detroit News*. I do not know anything about the *Detroit News* except that they printed an editorial on Friday, March 15, 1996: “Commander Stumpf Gets Blacklisted.” They then go on to launch an all-out attack on Senator Carl LEVIN, who most of us on both sides of the aisle recognize as one of the most decent, most fair, sound men in the Senate. But the *Detroit News* was very critical. Let me quote from that:

Senator Levin and his aides refused to discuss Commander Stumpf’s case or the workings of the Armed Services Committee, or anything else for that matter. Citing his allegiance to striking unions, he refuses to talk to the *News* but his committee colleagues lack so handy an excuse.

CARL LEVIN is one of my best friends in the Senate. I came here with him. And for the *Detroit News* to attack that fine U.S. Senator in the manner they did is unconscionable. And many other members of the press including our own *Navy Times*, of course. The *Navy Times* in an editorial of March 11, 1996, says “Commander Stumpf is a Marked Man:”

The Senate can strike a blow for naval aviation safety right now by dropping the Tailhook “acid test” now used to block some aviator promotions.

And at the bottom of the editorial, the last paragraph:

But Tailhook was nearly 5 years ago. It’s time for the sore to heal. It’s time to abandon that list and help the men and women of naval aviation get back to the basics of safe flying.

Five years is not very long. I also cite, for the record, an excellent statement in this regard made by a nonmember of the Armed Services Committee, Senator GRASSLEY of Iowa, printed in the CONGRESSIONAL RECORD of March 13, 1996, on S. 1999.

Senator GRASSLEY goes on to say that he feels that the flagging of officers who were promoted, who were investigated, should be and should continue to be brought to the attention of the Armed Services Committee. And I agree.

That does not mean, as Senator COATS and Senator NUNN and Senator BYRD have pointed out, that we blacklist these people at all. That is not the way we work. I simply say that the

major reason that Commander Stumpf has had some trouble was, once again, the top leadership of the U.S. Navy failed to do the routine thing when they submitted Stumpf to the Armed Services Committee for us to discharge our responsibilities that we have sworn to uphold. They just forgot.

It was a legitimate error. I do not believe it was intentional, but it was another error, another shortcoming of some of the leadership of the U.S. Navy.

I simply say that the Armed Services Committee, nor any of its members, are at fault. Yet, our integrity is being questioned because of what we collectively did and thought was our duty.

Let me close, if I might, by giving my own personal view, without detailing any of the information at my disposal that, for good reasons, I am sworn to protect. I know most or all of the details, some of them sordid, about Tailhook. I happen to feel that Commander Stumpf may be being overly criticized for some things. It is true, in the opinion of this Senator, that he was not in that room at a time when an act was taking place that I think would have probably guaranteed that he not be recommended for promotion. He got out in time. But he did not do anything about anything that he saw going on.

But I simply say and emphasize once again that I am not one of those who feel that Commander Stumpf should be blacklisted, should be eliminated for consideration—and I emphasize consideration—by the Armed Services Committee in carrying out its responsibilities. My view is that circumstances following the unfortunate foul-up by the top echelon in the U.S. Navy in not giving us the information is the main reason for the problem.

But what happened after that? And this is something that I feel very strongly about. After that happened, we began to see articles appearing, although none of the authors came to see me. The old boy network took over for a top gun.

Let me emphasize that again. The old boy network took over for a top gun and dedicated themselves to seeing, as quickly as possible, that the promotion was granted.

I think—and I am very much upset with Commander Stumpf—that he did not take the first logical step that he could, should, and had the right to take, by appealing to a board that looks after these things, called the correction board. No, he bypassed that, because the other top guns and their supporters went to work by lobbying.

So it seems to me that if and when I have a responsibility to discharge, as one member, my duties as one member of the Armed Services Committee, I would not, having known what I know, interfere with Stumpf's promotion on the basis of Tailhook. Some other Members may not see it that way. But I am very much concerned about an individual that we look to, and certainly

is one of the finest performing officers that we have today in the U.S. Navy, there is no question about that, but there are other things that we look for when we go through the promotion scheme. In all likelihood, Commander Stumpf, if and when he is promoted—as I think he will be, eventually, to captain; he is very likely to become an admiral someday. There are lots of things beside your ability to fly and your courage in battle that play into the promotion role.

As much as anything else, I simply say that as far as this Senator is concerned, the hiring of a lawyer without going through the proper procedures is a step in the wrong direction and emphasizes what I am most concerned about in this particular matter, and that is that the Navy, unto themselves, with the machoism that they show time and time again, decided they were going to get the Armed Services Committee, regardless of our faithfulness, regardless of what we have done, regardless of what we will do as members of that committee in the future.

And the crowning blow, although I recognize that he has a right to do it, was a Washington Post news story of March 19 that I will submit for the RECORD. The headline is "Tailhook Figure Files Suit Over Navy Promotion." Going to the courts, hiring a lawyer to get what he wants and is probably entitled to, it seems to me was not the wise way to proceed.

I ask unanimous consent the article be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered. (See exhibit 1.)

Mr. EXON. Some will disagree with me, probably, about Commander Stumpf. But the main reason for my appearing on the floor tonight was to try to set the record straight as to the legitimate role that the Armed Services Committee has played in this matter. We played the role right by the book.

I happen to feel, when Commander Stumpf comes before us again, he may be approved. He might get my support. But I will be asking some questions about why the lawsuit, why the full-court press by some of his friends, trying to discredit, by their actions, the legitimate steps and actions and decisions made by the Armed Services Committee?

Mr. President, I think we have not heard the last of this matter. I think it is just another bungled handling of a situation by certain top leadership in the U.S. Navy, and I will simply say to Commander Stumpf that had the information been furnished to us when it was not about what happened, or that he was even at that Tailgate party 5 years ago, I would have voted to send Stumpf on through after I took a look and had a thorough briefing on what the allegations against him were. I do not think they were that serious.

But the U.S. Navy is the one that caused Commander Stumpf his prob-

lem. His friends are in the Armed Services Committee.

Mr. President, I yield the floor.

EXHIBIT 1

TAILHOOK FIGURE FILES SUIT OVER NAVY PROMOTION

A former commander of the Blue Angels squadron, who was cleared of wrongdoing in the Tailhook scandal, has accused Navy Secretary John H. Dalton of improperly blocking his promotion to captain.

In a suit filed Friday in federal court in Alexandria, Cmdr. Robert E. Stumpf said Dalton bowed to political pressure from Capitol Hill. Stumpf, stationed at Oceana Naval Air Station in Virginia Beach, asked that he be given his promotion as of July 1995.

Stumpf's was one of the most high-profile cases resulting from the 1991 Tailhook convention of Navy aviators, in which dozens of women and female officers complained of sexual harassment. A three-officer panel found that Stumpf left a Las Vegas hotel suite before a stripper performed oral sex on an officer.

The suit said Congress approved Stumpf's promotion after Dalton inadvertently failed to notify Capitol Hill of Stumpf's Tailhook connection. Dalton, pressured by the Senate Armed Services Committee, withdrew Stumpf from a promotion list in December.

The suit said federal law allows a promotion approved by Congress to be canceled only if an officer "is mentally, physically, morally or professionally unqualified."

MORNING BUSINESS

Mr. COATS. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 5 minutes each.

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

COMMENDING THE PARTICIPANTS IN THE SOUTH DAKOTA HIGH SCHOOL BOYS' BASKETBALL TOURNAMENT

Mr. DASCHLE. Mr. President, today I want to commend the hard work, competitive spirit, and teamwork recently exhibited by thousands of young people across South Dakota during the State High School Boys' Basketball Tournament.

Each year during late February and early March, towns from across the State come together in support of their high school basketball teams in district, regional, and State tournaments. This exciting period culminated last week with three teams from across South Dakota winning State championships in their respective divisions.

There is a tremendous amount of pride that each community in South Dakota feels for its high school sports teams. Having grown up in one of those communities, I know that each time a high school team is successful, its community glows with the same accomplishment. Communities like these are still proud of their young people's abilities, their hard work, and their determination to work together and achieve a common goal, both on and off the court.