changed cannot be over-emphasized. The wording in all MAU dictation is carefully thought out, discussed, peer reviewed often times, and results from correct interpretations of the data. Any dictation signed out by the MAU Unit Chief or his designee should not be changed in any manner without the proper notification and consent of the AE.

In my opinion, SSA * * * chose to ignore this longstanding practice, a practice that everyone else adheres to.

It is clear that SSA * * * does not understand the scientific issues involved with the interpretation and significance of explosives and explosives residue composition. He therefore should realize this deficiency and differentiate between his personal opinions and scientific fact. An expert's opinion should be based upon objective, scientific findings and be separated from personal predilections and biases.

In order to identify a given material, it is necessary for the examiner to acquire sufficient data using acceptable scientific techniques/protocols and instrumentation to specifically identify it. If that level of data is not acquired or does not exist, then complete identification is not possible and words such as ''consistent with'' or ''similar to'' are used. This is nothing new. It is taught in our colleges and universities. It is a standard set by MAU based on experience/background, education, discussions, research and peer review of the analytical procedures in place. By rewording AE dictation, SSA * * * places an examiner in the position where he/she would be required to advise the court that the report overstates the findings and therefore is incorrect.

A FBI Laboratory report is evidence. Often times the report itself is entered into evidence during the trial proceedings. The fact that SSA * * * did make unauthorized changes in these reports could have resulted in serious consequences during legal proceedings and embarrassment to the Laboratory as well as the entire FBI.

In conclusion, SSA * * * committed errors which were clearly intentional. He acted irresponsibly; he should be held accountable; he should be disciplined accordingly. The problems regarding AE alterations by SSA * * * are verified. All of the AE dictation furnished to SSA * * * by SSA WHITEHURST has been reviewed. The causes, reasons and events which led to the occurrence of the errors has been discussed. The appropriate administrative action, in my opinion, should be that SSA * * * be given a letter of censure.

DEPARTMENT OF JUSTICE,
FEDERAL BUREAU OF INVESTIGATION,
Washington, DC, November 8, 1995.

FBI Director Louis J. Freeh today released the following statement:

The FBI looks forward to working with the Blue Ribbon Panel named today. The FBI will assist the panel in every manner possible to ensure an objective review of our examinations and policies.

Over the past several years, Special Agent Frederic J. Whitehurst has raised a variety of concerns about forensic protocols and procedures employed in the FBI Laboratory. The FBI has vigorously investigated his concerns and is continuing to do so. The FBI alone has reviewed more than 250 cases involving work previously done by the Laboratory. To date, the FBI has found no evidence tampering, evidence fabrication or failure to report exculpatory evidence. Any finding of such misconduct will result in tough and swift action by the FBI.

The FBI Laboratory conducts over one million examinations per year and our experts testify hundreds of times annually in state and federal courts of law. At trials, FBI Laboratory examinations are constantly subject to extraordinarily vigorous challenge through cross-examination and the presentation of expert testimony by defense witnesses.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from Virginia.

Mr. ROBB. Thank you, Mr. President.

BALANCE THE BUDGET

Mr. ROBB. Mr. President, leadership often involves seizing the moment. And right now the moment is a realbut rapidly fleeting chance to actually balance the Federal budget. For those of us who have long been dedicated to stopping the Federal Government from spending more than it takes in, the moment is now. While we're away from Washington during the recess, I hope that we will use this time to prepare ourselves for serious work on the budget when we return. We cannot let another opportunity to do what's right pass us by.

I recognize the fear on both sides. The President is understandably reluctant to embrace a necessary change in the Consumer Price Index because of its effect, however minimal, on benefits for a large and vocal segment of the population. The Republican Party is reluctant to scale back its calls for a massive tax cut because of a similar effect on an equally vocal segment of their supporters.

But simple math dictates that both must occur if we are truly interested in balancing the budget and keeping it in balance over the long term. And the reality is that entitlements have got to be curbed, and the resulting savings have got to go to reducing the deficit, not tax cuts.

The Speaker of the House has taken a bold step by expressing a willingness to surrender tax cuts until the budget is balanced. I hope the President will meet this bold step by expressing his willingness to reconsider an adjustment in the CPI, or some other means to accomplish the same goal.

As meetings take place over the course of the congressional recess, I would encourage both sides to use as a starting point the Centrist Coalition budget developed last year by a bipartisan group of Senators, including myself.

The Centrist plan, known also as the Chafee-Breaux plan, was the only budget in the Senate last year that received bipartisan support. In fact, the Centrist plan received 46 votes. And to me, that seems like a logical place to start.

Our plan used conservative economic assumptions, a rational reduction in the Consumer Price Index, and a modest tax cut. We did not have, within our coalition, universal agreement on all aspects of the plan. Personally, I have always wanted to postpone even modest tax cuts until we actually achieve balance. But, I believe it provides a reasonable roadmap now of how to get from here to a budget that balances. I hope that this plan will help guide congressional and White House negotiators during their upcoming budget talks.

With that, Mr. President, I hope all of our colleagues come back fully reenvigorated and ready to start producing some results.

I yield the floor.

The PRESIDING OFFICER. Who seeks time?

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

COL. JOHN BOYD

Mr. GRASSLEY. Mr. President, I am very sad to report that Air Force Col. John Boyd died in West Palm Beach, FL, on March 9, 1997.

He was 70 years old.

He passed away after a long and difficult fight with cancer.

His remains were laid to rest today in Arlington Memorial Cemetery.

John was a native of Erie, PA. But John came to Iowa to go to college.

Iowa is where his Air Force career began.

He won an athletic scholarship to the University of Iowa and enrolled in the Air Force ROTC program.

After graduating in 1951, he went to flight school. He earned his wings and began flying the F–86 Saber jet.

Then he went to Korea with one goal: shoot down a MiG.

Fortunately, for everyone concerned, that conflict came to an end before his wish came true.

But to John that was one of the biggest disappointments of his life.

Mr. President, I am proud that John Boyd was educated in Iowa.

He was a great American who dedicated his life to public service.

I would like to honor him by speaking briefly about some of his most important accomplishments.

First and foremost, John Boyd was a legendary Air Force fighter pilot.

But John was no ordinary jet jockey. He applied his vast intellect to understand the dynamics of air combat maneuvering at which he excelled.

To do that, though, he had to teach himself calculus so he could work the formulas to quantify the problem.

This was the problem he saw.

Why did the heavier and slower American F–86 achieve near total domination of the superior MiG–15 encountered in Korea?

John wanted an answer to the question.

After doing some truly original and pioneering work, he began advancing a theory.

His tactical ''Aerial Attack Study'' became the bible for air-to-air combat training.

It was instrumental in the creation of the Fighter Weapons School at Nellis Air Force Base, NV.

That's the Air Force equivalent of the Navy's ''Top Gun'' program.

John being John, he never slacked off. He kept right on working and developing his theory of aerial combat.

He wanted to take it to a higher plane.

And he did.

It culminated in the Energy Maneuverability Theory.

This was a very important piece of work.

John Boyd's Energy Maneuverability Theory was seminal in the development of two of our premier fighters: first the F–15 and then the F–16.

That theory helped to shape the design of those two very important airplanes.

So, Mr. President, John Boyd was truly a giant in the field of air warfare.

When I first met John in early 1983, he was applying his genius in an entirely different field.

He had retired from the Air Force and had set up shop over in the Pentagon.

He was given a small consulting contract and a cubbyhole-size office to go with it.

His Pentagon cubbyhole was the birthplace of some very important ideas.

That's when I met John Boyd. He was just beginning his reform crusade.

He was the leader of the Military Reform Movement.

At that point in time, I was wrestling with the Reagan administration's plan to pump up the defense budget.

I was searching for an effective strategy to freeze the defense budget.

Cap Weinberger was the Secretary of Defense, and he kept asking for more and more money.

The DOD budget was at the $210 billion level that year.

But Cap Weinberger had plans to push it first to $300, then $400, and finally to $500 billion.

The money sacks were piled high on the steps of the Pentagon.

It seemed like there was no way to put a lid on defense spending—that is until John Boyd walked in my office.

To this day, I don't know how he got there. Ernie Fitzgerald may have introduced us. I don't quite remember.

But John had a secret weapon.

His secret weapon was Chuck Spinney.

Chuck was an analyst in the Pentagon's office of Program Analysis and Evaluation, or PA&E.

He had a briefing entitled ''Plans/Reality Mismatch.''

John's plan was to use Spinney's material to expose the flaws in Weinberger's plan to ramp up the defense budget.

So I asked DOD for Mr. Spinney's briefing but ran smack into a stone wall.

At first, the bureaucrats tried to pretend it didn't exist.

For example, Dr. Chu, Spinney's boss, characterized Spinney's briefing as nothing more than: ''Scribblings and writings gathered up and stapled together.''

Well, that didn't wash. It just added fat to the fire.

DOD could no longer suppress the truth.

The Wall Street Journal and Boston Globe had already published major reports on Spinney's briefing. A number of other newspapers had it and were ready to roll.

The press knew this was a substantial and credible piece of work.

John's behind-the-scenes maneuvering finally led to a dramatic hearing that was held in the Senate Caucus Room in February 1983.

It was an unprecedented event.

It was the only joint Armed Services/Budget Committee hearing ever held.

In a room filled with TV cameras and bright lights, Spinney treated the committee to a huge stack of his famous spaghetti charts.

This was Spinney's bottom line: The final bill of Weinberger's 1983–87 defense plan would be $500 billion more than promised. It was devastating.

Mr. Spinney's outstanding performance won him a place on the cover of Time Magazine on March 7, 1983.

And it effectively put an end to Weinberger's plan to pump up the defense budget.

Two years later, my amendment to freeze the defense budget was adopted by the Senate.

If John Boyd hadn't come to my office and told me about Chuck Spinney, the hearing in the Senate Caucus Room might not have taken place.

And if that hearing hadn't happened like it did, I doubt we would have succeeded in putting the brakes on Weinberger's spending plans.

The Plans/Reality Mismatch hearing was just one episode in the history of the military reform movement, but it is the one that brought me and John together.

There were many others. John was always the driving force behind the scenes, giving advice, planning the next move, and always talking with the press.

John Boyd always set an example of excellence—both morally and professionally.

Mr. President, since John died, there have been several articles published about some of his exploits.

There was a truly beautiful obituary—if such a thing exists—in the March 13 issue of the New York Times.

It describes John's vast contributions to air warfare.

Second, there is a more colorful piece, which will appear in the March 24 issue of U.S. News and World Report.

That one is written by Jim Fallows and is entitled ''A Priceless Original.''

Mr. Fallows describes some of John's important contributions against the backdrop of his unusual character traits.

Then, there is the letter from the Marine Corps Commandant, General Krulak.

General Krulak describes John as ''an architect'' of our military victory over Iraq in 1991.

That's an oblique reference to John's ''Patterns of Conflict'' briefing. This piece of work had a profound impact on U.S. military thought.

It helped our top military leadership understand the advantages of maneuver warfare. Those ideas were used to defeat Iraq.

And finally, Col. David Hackworth has devoted his weekly column to John Boyd. It is entitled: ''A Great Airman's Final Flight.''

I ask unanimous consent to have these reports printed in the RECORD.

Mr. President, we have lost a great American—a true patriot. I will miss him.

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

[From the New York Times, Mar. 13, 1997]

COL. JOHN BOYD IS DEAD AT 70; ADVANCED AIR COMBAT TACTICS

(By Robert McG. Thomas, Jr.)

Col. John R. Boyd, a legendary Air Force fighter pilot whose discovery that quicker is better than faster became the basis of a far-reaching theory that helped revolutionize American military strategy, died on March 9 at a hospital in West Palm Beach, Fla. He was 70 and had lived in Delray Beach.

The cause was cancer, his family said.

To combat pilots of the late 1950's, it was always high noon in the skies above the Nevada desert. A pilot, a crack instructor at Nellis Air Force Base, perhaps, or a hotshot Navy flier passing through would get on the radio to call him out and within minutes Colonel Boyd would have another notch in his belt.

They did not call him 40-second Boyd for nothing. From 1954 to 1960 virtually every combat pilot in the country knew that Colonel Boyd, a former Korean War pilot who helped establish the Fighter Weapons School at Nellis, had a standing offer: take a position on his tail, and 40 twisting, turning seconds later he would have the challenger in his own gun-sights or pay $40. Colonel Boyd never lost the bet in more than 3,000 hours of flying time.

A high school swimming champion who won an athletic scholarship to the University of Iowa, Colonel Boyd, a native of Erie, Pa., had superior reflexes and hand-eye coordination, but what made him invincible in mock combat was something else.

At Nellis he taught himself calculus so he could work out the formulas that produced his repertory of aerial maneuvers and led to his 1960 report, ''Aerial Attack Study,'' the bible of air-to-air combat.

His combat experience was limited to a few missions in Korea, but they were enough to produce a breakthrough insight. Wondering why the comparatively slow and ponderous American F–86's achieved near total domination of the superior MIG–15's, he realized that the F–86 had two crucial advantages: better visibility and a faster roll rate.

This, in turn, led Colonel Boyd to develop what he called the OODA Loop, to denote the repeated cycle of observation, orientation, decision and action that characterized every encounter. The key to victory, he theorized, was not a plane that could climb faster or higher but one that could begin climbing or change course quicker—to get inside an adversary's ''time/cycle loop.''

The fast-cycle combat theory, expanded by Colonel Boyd into a lecture he later delivered hundreds of times, has since been widely applied to fields as diverse as weapons procurement, battlefield strategy and business competition.

One implication of the theory was that the best fighter plane was not necessarily the one with the most speed, firepower or range. Colonel Boyd, who enrolled at Georgia Tech

after his Nellis tour, was helping a fellow student with his homework over hamburgers and beer one night when he had an insight that led to a way to quantify his ideas. The resulting Energy Maneuverability Theory, which allows precise comparisons of maneuverability, is now a standard measure of aerial performance.

Assigned to the Pentagon in 1964, Colonel Boyd became an important figure in a movement that started in response to $400 hammers and other headline excesses of Defense Department spending and soon expanded to question the need for many hugely expensive weapons systems.

Although he had allies in the Pentagon, Congress and business, Colonel Boyd's ideas often went against the grain of a military-industrial bureaucracy devoted to the procurement of the most advanced, most expensive and (not coincidentally, he felt) most profitable planes.

Although his design ideas helped give the F–15 a big, high-visibility canopy, his major triumph was the F–16, a plane lacking many of the F–15's high-tech, expensive features, but which is far more agile and costs less than half as much, allowing for the purchase of many more of them for a given expenditure.

Top Air Force officers were so opposed to the concept of producing a plane that did not expand on the F–15's cutting edge technology that Colonel Boyd and some civilian allies developed it in secret.

The plane was hailed for its performance in the Persian Gulf war, a war whose very strategy of quick, flexible response was based largely on ideas Colonel Boyd had been promoting for years.

Colonel Boyd, who maintained that the lure of big-money defense contracts invariably perverted weapons assessment, was so personally fastidious that during his years in the Pentagon he became known as the Ghetto Colonel because he lived in a basement apartment.

He carried his notion of propriety to such an extreme that when he retired in 1975 and began some of his most productive work, as a Pentagon consultant, he insisted that his family live on his retirement pay. Initially offering to work full time without pay, he was persuaded to accept one day's pay every two-week pay period, because he had to be on the Pentagon payroll to have access to the building, before retiring in 1988.

He is survived by his wife, Mary; three sons, Stephen, of Springfield, Va., Scott, of Burke, Va., and Jeff, of Delray Beach, Fla.; two daughters, Kathryn, of Delray Beach and Mary Ellen Holton of Centerville, Va.; a brother, H.G. Boyd of Pompano Beach, Fla.; a sister, Marion Boyd of Erie, and two grandchildren.

[From Inside the Pentagon, Mar. 13, 1997]

LETTER TO THE EDITOR

TO THE EDITOR: I was deeply saddened to learn of the passing of Colonel John Boyd, USAF (Ret.). How does one begin to pay homage to a warrior like John Boyd? He was a towering intellect who made unsurpassed contributions to the American art of war. Indeed, he was one of the central architects in the reform of military thought which swept the services, and in particular the Marine Corps, in the 1980's. From John Boyd we learned about competitive decision making on the battlefield—compressing time, using time as an ally. Thousands of officers in all our services knew John Boyd by his work on what was to be known as the Boyd Cycle or OODA Loop. His writings and his lectures had a fundamental impact on the curriculum of virtually every professional military education program in the United States—and on many abroad. In this way he touched so many lives, many of them destined to ascend to the very highest levels of military and civilian leadership.

Those of us who knew John Boyd the man knew him as a man of character and integrity. His life and values were shaped by a selfless dedication to Country and Service, by the crucible of war, and by an unrelenting love of study. he was the quintessential soldier-scholar—a man whose jovial, outgoing exterior belied the vastness of his knowledge and the power of his intellect. I was in awe of him, not just for the potential of his future contributions, but for what he stood for as an officer, a citizen, and as a man.

As I write this, my mind wanders back to that morning in February, 1991, when the military might of the United States sliced violently into the Iraqi positions in Kuwait. Bludgeoned from the air nearly round the clock for six weeks, paralyzed by the speed and ferocity of the attack, the Iraqi army collapsed morally and intellectually under the onslaught of American and Coalition forces. John Boyd was an architect of that victory as surely as if he'd commanded a fighter wing or a maneuver division in the desert. His thinking, his theories, his larger than life influence, were there with us in Desert Storm. He must have been proud at what his efforts wrought.

So, how does one pay homage to a man like John Boyd? Perhaps best by remembering that Colonel Boyd never sought the acclaim won him by his thinking. He only wanted to make a difference in the next war . . . and he did. That ancient book of wisdom—Proverbs—sums up John's contribution to his nation: ''A wise man is strong, and a man of knowledge adds to his strength; for by wise guidance you will wage your war, and there is victory in a multitude of counsellors.'' I, and his Corps of Marines, will miss our counsellor terribly.—Proverbs 24:5–6

Sincerely,

C.C. KRULAK,
General, U.S. Marine Corps,
Commandant of the Marine Corps.

EDITOR'S NOTE: Col. John Boyd, who retired from the Air Force in 1975, died March 9 at age 70. A fighter pilot of legendary ability, Boyd was the author of several pivotal explorations of warfighting theory, including ''Destruction and Creation'' (1976), ''Patterns of Conflict'' (1981), and ''Conceptual Spiral'' (1991).

While still in the Air Force, Boyd was largely responsible for the early design of the F–15 and F–16 fighters, and contributed significantly to the design of the A–10 close air support aircraft. His ''energy maneuverability theory'' is still in use in designing aircraft for maximum performance and maneuverability.

Boyd is probably best known for developing the concept of the ''OODA Loop,'' short for ''observe, orient, decide, act''—effectively a guide to anticipating enemy moves in a fast-paced battle and heading them off at the pass. The term was widely used during the 1991 Persian Gulf war in reference to the U.S. force's ability to get ''inside'' Iraq's decision-making cycle.

Boyd is considered the father of the Air Force's original ''fighter mafia'' and, after his retirement, a key leader of the military reform movement in the 1980s.

[From U.S. News & World Report, March 24, 1997]

A PRICELESS ORIGINAL

(By James Fallows)

True originality can be disturbing, and John Boyd was maddeningly original. His ideas about weapons, leadership, and the very purpose of national security changed the modern military. After Boyd died last week of cancer at age 70, the commandant of the Marine Corps called him ''a towering intellect who made unsurpassed contributions to the American art of war.'' Yet until late in his life, the military establishment resisted Boyd and resented him besides.

Boyd was called up for military service during the Korean War and quickly demonstrated prowess as an Air Force fighter pilot. More important, he revealed his fascination with the roots of competitive failure and success. U.S. Planes and pilots, he realized, did better in air combat than they should have. In theory, the Soviet-built MiG they fought against was far superior to the F–86 that Boyd flew. The MiG had a higher top speed and could hold a tighter turn. The main advantage of the F–86 was that it could change from one maneuver to another more rapidly, dodging or diving out of the MiG's way. As the planes engaged, Boyd argued, the F–86 could build a steadily accumulating advantage in moving to a ''kill position'' on the MiG's tail.

Boyd extended his method—isolating the real elements of success—while maintaining his emphasis on adaptability. In the late 1950s, he developed influential doctrines of air combat and was a renowned fighter instructor. In the 1960s, he applied his logic to the design of planes, showing what a plane would lose in maneuverability for each extra bit of weight or size—and what the nation lost in usable force as the cost per plane went up. Within the Pentagon, he and members of a ''Fighter Mafia'' talked a reluctant Air Force into building the F–16 and A–10—small, relatively cheap, yet highly effective aircraft that were temporary departures from the trend toward more expensive and complex weapons.

Warrior virtues. After leaving the Air Force as a colonel in 1975, Boyd began the study of long historical trends in military success through which he made his greatest mark. He became a fanatical autodidact, reading and marking up accounts of battles, beginning with the Peloponnesian War. On his Air Force pension, he lived modestly, working from a small, book-crammed apartment. He presented his findings in briefings, which came in varying lengths, starting at four hours. Boyd refused to discuss his views with those who would not sit through a whole presentation; to him, they were dilettantes. To those who listened, he offered a worldview in which crucial military qualities—adaptability, innovation—grew from moral strengths and other ''warrior'' virtues. Yes-man careerism, by-the-book thought, and the military's budget-oriented ''culture of procurement'' were his great nemeses.

Since he left no written record other than the charts that outlined his briefings, Boyd was virtually unknown except to those who had listened to him personally—but that group grew steadily in size and influence. Politicians, who parcel out their lives in 10-minute intervals, began to sit through his briefings. The Marine Corps, as it recovered from Vietnam, sought his advice on morale, character, and strategy. By the time of the gulf war, his emphasis on blitzkrieglike ''maneuver warfare'' had become prevailing doctrine in the U.S. military. As a congressman, Dick Cheney spent days at Boyd's briefings. As defense secretary, he rejected an early plan for the land war in Iraq as being too frontal and unimaginative—what Boyd would have mockingly called ''Hey diddle diddle, straight up the middle''—and insisted on a surprise flanking move.

John Boyd laughed often, yet when he turned serious, his preferred speaking distance was 3 inches from your face. He brandished a cigar and once burned right through the necktie of a general he had buttonholed.

He would telephone at odd hours and resume a harangue from weeks before as if he'd never stopped. But as irritating as he was, he was more influential. He will be marked by a small headstone at Arlington Cemetery and an enormous impact on the profession of arms.

[From King Features Syndicate, Mar. 18, 1997]

DEFENDING AMERICA, A GREAT AIRMAN'S FINAL FLIGHT

(By David H. Hackworth)

Col. John R. Boyd of the United States Air Force is dead.

Future generations will learn that John Boyd, a legendary fighter pilot, was America's greatest military thinker. He's remembered now by all those he touched over the last 52 years of service to our country as not only the original ''Top Gun,'' but as one smart hombre who always had the guts to stand tall and to tell it like it is.

He didn't just drive Chinese fighter pilots nuts while flying his F–86 over the Yalu River during the Korean War, he spent decades causing the top brass to climb the walls and the cost-plus, defense-contractor racketeers to run for cover.

He was not only a fearless fighter pilot with a laser mind, but a man of rare moral courage. the mission of providing America with the best airplane came first, closely followed by his love for the troops and his concern for their welfare. Many of the current crop of Air Force generals could pull out of their moral nose dive by following his example.

After the Korean War, he became known as ''40-Second'' Boyd because he defeated opponents in aerial combat in less than 40 seconds. Many of his contemporaries from this period say he was the best fighter pilot in the U.S. Air Force.

Not only was he skilled and brave, but he was also a brain. The Air Force recognized this and sent him to Georgia Tech, not to be a ''rambling wreck,'' but to become a top graduate engineer. It was there that he developed the fighter tactics which proved so effective during the Vietnam War, and the concepts that later revolutionized the design of fighter aircraft and the U.S.A.'s way of fighting wars, both in the air and on the ground.

He saved the F–15 from being an 80,000-pound, swing-wing air bus, streamlining it into a 40,000-pound, lean and mean fixed-wing fighter, which Desert Storm proved still has no equal.

Boyd was also a key player in the development of the F–16, probably the most agile and maneuverable fighter aircraft ever built, and costing half the price of the F–15. The top brass didn't want it. To them, more expensive was better. Boyd outfoxed them by developing it in secret.

Chuck Spinney, who as a Pentagon staffer sweated under Boyd's cantankerous, demanding tough love says, ''The most important gift my father gave me was a deep belief in the importance of doing what you think is right—to act on what your conscience says you should act on and to accept the consequences. The most important gift Boyd gave me was the ability to do this and survive and grow at the same time.''

Boyd never made general—truth-tellers seldom do in today's slick military because the Pentagon brass hate the truth, and try to destroy those who tell it. They did their best to do a number on John. But true to form, he always out-maneuvered them.

Norman Schwarzkopf is widely heralded as the hero of Desert Storm, but in fact, Boyd's tactics and strategy were the real force behind the 100-Hour War. Stormin' Norman simply copied Boyd's playbook, and the Marines were brilliant during their attack on Kuwait.

As USMC Col. Mike Wyly tells it, Boyd ''applied his keen thinking to Marine tactics, and today we are a stronger, sharper Corps.''

His example inspired many. He affected everyone with whom he came in contact. He trained a generation of disciples in all the services, and they are carrying on his good work, continuing to serve the truth over self.

For those who know, the name Boyd has already become a synonym for ''doing the right thing.'' His legacy will be that integrity—doing the hard right over the easy wrong—is more important than all the stars, all the plush executive suites and all the bucks.

God now has the finest pilot ever at his side. And He, in all His wisdom, will surely give Boyd the recognition he deserves by promoting him to air marshal of the universe.

For sure, we can all expect a few changes in the design of heaven as Boyd makes it a better place, just as he did planet earth.

The PRESIDING OFFICER. The Senator from Kentucky.

ANTITRUST IMPLICATIONS OF THE COLLEGE BOWL ALLIANCE

Mr. MCCONNELL. Mr. President, Senator BENNETT of Utah, Senator THOMAS and Senator ENZI of Wyoming, and I have been working on a matter that we wish to discuss with our colleagues in the Senate for the next few moments. Senator THOMAS needs to leave so he is going to lead off.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. I thank the Chair.

● Mr. President, I rise today to speak about the college football Bowl Alliance. I am concerned that under the Bowl Alliance structure, athletic excellence is not being recognized in postseason I–A college football play.

Fresh in the minds of Wyoming football fans is the last game of regular season play when the nationally ranked Cowboys played against No. 5-ranked Brigham Young University for the Western Athletic Conference [WAC] championship title. Both teams went into the game believing the winner would be selected for major postseason bowl action. UW and BYU delivered a terrific conference championship game. BYU won 28–25 over Wyoming in overtime play. It was the first WAC title game won in overtime. Unfortunately, neither WAC team was invited to a major New Year's bowl.

The 1996 selections to the New Year's bowl games shed revealing light on the college football Bowl Alliance. Invitations to the most lucrative major bowls games—the Orange Bowl, the Sugar Bowl, and the Fiesta Bowl—were largely sent to high-profile, highly marketable teams instead of worthy teams. Many sports fans were disappointed at the postseason New Year's bowl matchups. I am concerned about the closed selection process that has developed and the impact the Bowl Alliance structure will have on I–A collegiate football.

The Bowl Alliance operates outside the purview of the National Collegiate Athletics Association [NCAA]. The Bowl Alliance was created in 1993 when the Atlantic Coast Conference, the Big East Conference, the Big 12 Conference, the Southeastern Conference and Notre Dame came together and took it upon themselves to provide and acquire teams to participate in the major bowl games. These Bowl Alliance conferences have contracts with the television networks and large corporate sponsors—Federal Express, Tostitos, and Noika. Champions from each alliance conference are automatically guaranteed a berth in one of the major bowl games. The nonalliance conferences remaining out in the cold are the Western Athletic Conference [WAC], the Big West Conference, Conference USA, the Mid American Conference and the 11 Independent teams.

The Bowl Alliance claims its purpose is to create optimal matchups and identify and national champion. Considering the 1996 selections for the bowl games, I question if quality matchups is the true goal. Last season, TV viewers saw No. 20 Texas lose to No. 7 Penn State 38–15 in the Fiesta Bowl. Texas' record was 8–4. The Orange Bowl showcased No. 9 Virginia Tech losing to No. 6 Nebraska 41–21.

Appearance in a Bowl Alliance game pays well. Each participating team takes approximately $8,000,000 back to its school. In addition, the teams get the national visibility and prestige that leads to strong athletic recruitment. Conferences outside the alliance have a remote chance of participating in one of the Alliance Bowls. Over time it will hurt the quality of the nonalliance teams who will have difficulty in recruitment. The Alliance Bowl structure will make the alliance teams stronger and relegate the nonalliance teams to a second-tier status.

The alliance ensures its monopoly through the use of the at-large rule. Although the champions of the self-selected Alliance Bowl conferences automatically appear in one of the major bowl games there are two remaining at-large spots. It is questionable as to whether those two spots are truly at-large and open to any high-quality team that can play their way into one of the spots. A team from the WAC was deserving of one of those at-large spots last year, but the invitation never came.

I am concerned for the future of the athletes and schools in the nonalliance conferences. That is why I joined with Senators MITCH MCCONNELL, ROBERT BENNETT, and MIKE ENZI in writing to the Department of Justice [DOJ] and the Federal Trade Commission [FTC] to request an investigation of the Bowl Alliance. We suspect possible violations of the Sherman Antitrust Act. In 1996, the eight Alliance Bowl participants, including the Rose Bowl participants, went home with a total of $68 million. The 28 teams that played in the minor bowl games shared a pot of