

words, first-year women—often occurred too late in the semester to be effective. In other words, the Academy didn't get around to giving them self-defense training before they were raped or sexually assaulted there.

The Fowler panel, which is a document I commend to all of my colleagues as being both incisive and insightful in its own right, and the example of what an outside panel can accomplish in a brief period of time, stated other than the reassignment of recent Academy leadership and retiring the immediate past superintendent in lower grade, the Air Force has not held any member of the Academy leadership accountable for a decade of ineffective action or, in many cases, inaction concerning sexual assaults and the culture that tolerated them.

While the record is not complete, the evidence before the panel shows the highest levels of leadership had information about serious problems at the Academy, yet failed to take effective action. It may be impossible to ever fully know what the Air Force leadership knew or suspected about sexual assault problems in the past 10 years, nonetheless the panel uncovered substantial information showing Air Force headquarters had serious and repeated indicators of a problem. If the Air Force headquarters did not act on this information or did so tepidly, it should be held accountable for avoiding its responsibility and accepting sexual misconduct as an unavoidable condition at the Air Force Academy.

By contrast, when the general counsel of the Air Force, who had led a review of a working group and a report issued by the same, stated that, in the words of the Fowler panel, despite the considerable evidence of long-term knowledge by the Air Force and the persistence of sexual misconduct problems at the Academy, the working group, headed by the Air Force general counsel, concluded that "there was no systemic acceptance of sexual assault at the Academy or institutional avoidance of responsibility." In other words, nobody was responsible for all of these atrocities occurring over the previous 10 years, probably longer but not reported or documented before that time. Nobody in positions of command at the Air Force Academy or the Air Force itself is responsible for any of this, and the Fowler report clearly documents instances time after time over that decade where the top command knew, was informed, and failed to act, failed to follow through, replace, failed to communicate, failed to even hold meetings as frequently as required, failed time after time in a myriad of ways to assume the responsibility that they had for the young lives that had been entrusted to them by their families and who were recommended for those appointments by Members of this body and the House of Representatives, who placed their faith and trust in that institution, and not just let down, they were abused, their lives were emotion-

ally devastated, their careers at the Air Force Academy were, in many instances, destroyed, and the perpetrators of these violent crimes, these rapes and sexual assaults, have gone untouched, unsanctioned, and now are pervasive throughout the Air Force itself.

It is so bad, in fact, that in one survey taken by the panel, over 20 percent, over one-fifth of those cadets the Air Force surveyed didn't believe women belonged at the Air Force Academy. The Air Force Academy has been accepting women since 1973—in other words, since before those cadets were born.

How did they conclude, based on the history, since the time they came into consciousness, that women who are an integral part of the Air Force Academy "did not belong" there? How could they not belong any more or less than male cadets?

The panel concluded, as one of them said, the culture at the Air Force Academy is infected. This is not a matter of misguided young adults. In fact, I know from my experience, as I am sure my colleagues have had approximately the same experience, the young men and women who we nominate for appointment to the Air Force Academy, or any of the service academies, are extraordinary young men and women. At least in my State of Minnesota they have to compete with other extremely well-qualified young men and women, and they are selected only after a careful review process. They have to have distinguished careers in high school with their curricula. I have not seen and I would not nominate anybody who has had problems with sexual misconduct or problems in understanding their responsibilities at such an academy to be inclusive, to be honorable, and that they report any violations cited by a commission of these kinds of actions.

According to the panel, what has happened—and I would concur from my own brief experience—is that the culture is infecting those cadets with the wrong ideas, with the wrong views, and with the notion that they can commit those acts with no consequence, that those who are the victims are the ones who are going to be punished, and the honor code notwithstanding, they should just look the other way or ignore what they see happening.

What a terrible climate to create at this institution which is paid for with taxpayer dollars and which is producing men and women who we are going to rely on to pilot Air Force planes and defend this Nation for years to come.

As I said, the very distinguished chairman of the Senate Armed Services Committee, Senator WARNER, deserves such enormous credit for spiriting this inquiry on the part of our committee. He has scheduled another hearing tomorrow where the Secretary of the Air Force and the general counsel of the Air Force are scheduled to

testify. I look forward to that hearing so we can get answers to some of these unresolved questions, answers that better be found by the time this matter has been concluded, because, otherwise, I have serious questions whether the Air Force Academy is in a fit position to continue to receive the young men and women of this country and whether, despite the new leadership, it is so systemically "infected," to use the panel's word, with these cultural biases that it is simply not fit to continue to provide training, especially the training of moral conduct and leadership, that these young men and women deserve and which our Nation requires.

To be continued, I will report to my colleagues on my impressions after that hearing, after receiving that report.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

ORDERS FOR TUESDAY, SEPTEMBER 30, 2003

Mr. MCCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9:15 a.m., Tuesday, September 30. I further ask that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day and the Senate then proceed to executive session for two votes on judicial nominations as provided under the previous order; provided that following the second vote the Senate begin a period for morning business until 11:30 a.m. with the first half of that time under the control of Senator HUTCHISON or her designee and the remaining time be under the control of the minority leader or his designee; provided further that at 11:30 a.m. the Senate resume consideration of H.R. 2765, the DC appropriations bill. I further ask consent that the Senate recess from 12:30 to 2:15 for the weekly party lunches.

Mr. REID. No objection.

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

PROGRAM

Mr. MCCONNELL. Madam President, for the information of all Senators, tomorrow the Senate will immediately proceed to executive session to vote on two judicial nominations. The first vote will be on the nomination of Marcia Crone to be a United States District Judge for the Eastern District of Texas. The second vote will be on the nomination of Ronald White to be