

the law in reaching decisions. He once told an interviewer, "If you follow your conscience instead of the Constitution, you've got 1,000 constitutions, not one. A judge must decide cases quite often in a way that he doesn't like to decide them at all."

Of course, Chief Justice Burger wasn't ignoring the role of one's conscience in interpreting the Constitution, for that is an important part of deciding cases. To him, the role of a jurist's conscience was to ensure that he followed the law as written, regardless of personal or political beliefs.

Warren Burger will stand in history as one of our great Supreme Court Chief Justices. He served during a time of swift social change in our Nation, and will long be remembered for the balance, moderation, and consistent thoughtfulness he brought to the Court and to the administration of justice in general.

#### TRIBUTE TO GEN. CARL E. MUNDY, JR., U.S. MARINE CORPS COMMANDANT

Mr. HEFLIN. Mr. President, as most of my colleagues know, Gen. Carl E. Mundy, Jr., Commandant of the U.S. Marine Corps since 1991, will soon be retiring.

I have had the personal pleasure of knowing General Mundy as a close friend and fellow Marine for several years. He has enjoyed an outstanding career and has compiled an impeccable record with the Marine Corps.

I like to think of General Mundy as a native son of Alabama. He was born in Atlanta, but moved to the State Capital of Montgomery as a young boy. He graduated from Sidney Lanier High School and went on to attend Auburn University. Following his graduation from Auburn, he received his commission as a second lieutenant and began his illustrious military career.

As I have said on previous occasions, I know my Senate colleagues from Georgia disagree with me over the issue of General Mundy's state of allegiance. I suppose we can correctly say that he was born in Georgia but that Alabama is proud to consider him an adopted son.

General Mundy is a highly decorated officer and a graduate of the Marine Corps Command and Staff College and the Naval War College. He is a recipient of the Legion of Merit, the Bronze Star, the Purple Heart, two Navy commendation medals, and the Vietnamese Cross of Gallantry.

Carl Mundy rose through the ranks from his early service in the Second Marine Division, aboard the aircraft carrier *Tarawa* and the cruiser *Little Rock*, to become a member of the Joint Chiefs of Staff as the Marine Corp's top soldier. In between, he served numerous tours of duty in Vietnam, including stints as operations officer and executive officer of the Third Battalion, 26th Marines, and Third Marine Division. He was also an intelligence officer with

the Third Marine Amphibious Force Headquarters.

Prior to being named as a brigadier general in 1982, General Mundy served as aide de camp to the Assistant Commandant of the Marine Corps; as commanding officer, Second Battalion, Fourth Marines, Third Marine Division; as chief of staff, Sixth Marine Amphibious Brigade; and as commanding officer, Second Marines, Second Marine Division and 36th and 38th Marine Amphibious Units.

He quickly climbed the Marines' career ladder, advancing to major general in April 1986 and lieutenant general in March 1988. He was the commanding general of the U.S. Atlantic Fleet Marine Force when he became commandant 4 years ago after the retirement of his also-renowned predecessor, Gen. Al Gray.

Among the most endearing qualities of General Mundy—one of which most of his colleagues and subordinates are not fully aware—is that of his family life. I know he has a loving wife Linda, a wonderful daughter, Betsy, and that he has had a great influence on his sons, who have followed in his footsteps. Like their father, both Carl III and Timothy graduated from Auburn University and now serve as Marine Corps officers. They have both adopted his unyielding dedication to the Marines. General Mundy lives and breathes the Marine Corps, both in the field and at home.

In living and breathing the Marine Corps for many years, Gen. Carl E. Mundy, Jr., has served his country with great distinction, pride, and honor. He has been an outstanding commandant who has guided the Marines through some difficult times. On behalf of the Senate, we thank him and wish him a long, happy, and healthy retirement. At the same time, we hope that we have not seen the end of his public service. "Semper Fidelis."

I have a copy of an article which appeared in the summer 1994 edition of Auburn Magazine entitled "First Among The Few." It gives a detailed account of General Mundy's life and career and captures the essence of this consummate Marine and military leader. I ask unanimous consent that this article be printed in the RECORD.

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

[From the Auburn Magazine, Summer 1994]

FIRST AMONG THE FEW  
(By Mary Ellen Hendrix)

"Semper Fidelis." Always faithful. He wanted to drop out of high school to go fight in Korea. Why stay in school? After all, he'd known he wanted to be a Marine ever since he was five years old and the Japanese bombed Pearl Harbor. He'd grown up absorbing the aura of a nation which hailed its Marines for bravery in a world blanketed by war. Wake Island, Guadalcanal, Iwo Jima. The names echoed in the movies the youth's father carried his only son to see. John Wayne may have glamorized the boy's dreams on the big screen, but the real stories of real Marines became the genesis of the young patriot's tunnel-visioned goal.

By the time Carl E. Mundy, Jr. reached high school, Korea was the war of the day and the would-be Marine determined he would trade his schooling for defending his country. His mother, who was from a family of 13 children, and his father, who was one of seven, determined otherwise. They had not achieved college degrees; they were adamant that their only child continue his schooling. The two generations struck a deal—one year of college, then the younger Mundy could choose his own path.

If Mundy couldn't go to Korea, he tried for the next closest thing—military school at The Citadel. Before his senior year in high school, however, his parents had moved from western North Carolina to Montgomery, Alabama.

"The Citadel was enormously expensive," Mundy said. "Auburn was land-grant, in-state, 60 miles up the road; I could work for my meals and be a dorm counselor to cut down on college expenses. So, initially, coming to Auburn was an economic move. But it only takes your first 10 days at Auburn to realize there's nowhere else like it, and that's where you really wanted to be in the first place. I quickly became a very happy rat on the plains of Auburn. After one year of college, the war ended and Auburn was a pretty good place, so I stuck around."

Mundy left Auburn in 1957 with a degree in business administration and an ROTC commission as a second lieutenant. Thirty-seven Marine years later, Mundy has completed his third year as Commandant of the Marine Corps over a total active force of nearly 174,000. A four-year appointment, the command of the service branch carries with it a seat on the Joint Chiefs of Staff.

Mundy's office in the Navy Annex less than a mile down the road from the Pentagon is elegant—stately, as one would expect. The grown-up boy with a dream of being a Marine climbed single-mindedly to the pinnacle of the Corps, and the weighty charge fits him well. Sabers and silver and family portraits mingle with the fine furnishings and flags—and an Auburn football presented to Mundy from Coach Bowden last year.

"I had a lot of fun while I was at Auburn," reminisced Mundy with a smile, "and managed also to graduate. It was a formative time an education in values and an education in friendships, many of which persist today. There was a spirit at Auburn that said much to me about loyalty to an institution, which is very much a part of being a Marine."

"The Southern values I had grown up with, patriotism if you choose to call it that, loyalty to friendships, honesty, all those things were well manifested at Auburn. Those four years helped me form and reinforce my own views of the future."

Mundy's four years on the plains were filled with activities he loved squeezed amongst his classes—the Marine Corps reserve, ROTC, commanding the Auburn Rifles, Chewacla, Phi Kappa Tau (which he called his second fraternity because ROTC was his first), drilling on the parade field. "I have always been fascinated by and bound toward military life," he said. "That was reflected in my readings, studies, associations, and role models. Vince Dooley was one of those role models and still is a good friend. He was a senior when I was a freshman and, of course, was a campus hero. He went into the Marine Corps for his two years, came back as a lieutenant, and was my reserve platoon commander at Auburn my senior year."

Thus, Mundy crafted a Marine life of his own at Auburn—and away from Auburn during the summers when he attended training sessions. Once he graduated, he said, "the Marine Corps was nothing but excitement and absolute joy and fulfillment." (He also

married in 1957 the former Linda Sloan of Waynesville, North Carolina, whom he had known since fourth grade.) Talking about his career now, more than 35 years later, Mundy still carries that same purity of admiration for his Marine Corps, even under the potentially disillusioning clouds of post-Cold War military downsizing and D.C. politics.

This consummate Marine, naturally a team player, downplays his individual accomplishments. But even a glance at his resume impresses. After early assignments with the 2nd Marine Division, he pulled duty abroad the aircraft carrier *Tarawa* and the cruiser *Little Rock*, then served as an instructor at Marine Basic School and as Officer Selection Officer.

Vietnam was "his" war, and he served there 1966-67 as operations officer and executive officer of the 3rd Battalion, 26th Marines, 3rd Marine Division, and as an intelligence officer in the Headquarters, III Marine Amphibious Force. In the mid-seventies he was among the troops evacuating Saigon. Most of Mundy's decorations resulted from his time in Vietnam—two of them, a Bronze Star and Purple Heart, from an engagement at Conthien. He was wounded in the leg when a mortar shell hit his base near Khe Sanh; after an aid-station patch-up and a little limping, he was on his way.

"I was a battalion operations officer in those days," he said. "I remember some nights nearly being overrun up around Conthien. There were a few tight moments there, but that comes to all of us who experience combat. Wehn someone is shooting at you, or incoming artillery rounds are hitting around you \* \* \* there are many, many brave men who performed very well who still wished their mama was right there with them from time to time.

"Combat has been characterized as days and hours of sheer boredom broken by moments of sheer terror. And that's probably right. Vietnam was an infantry war, a jungle war, at close range. You usually saw the people you were shooting at, and they saw you, and sometimes you would physically engage them.

"Close combat is an adrenaline endeavor. It's win or lose, kill or be killed."

Mundy doesn't shy away from the grim realities. "We train people how to kill because that is our business. As unappealing as that may be to those who say it's revolting to think of killing another human being—and, indeed, it is—that is why you have us. We train people, if you will, in the art of killing. That means we train gun crews, machine gunners, riflemen; we train you how to fight with a bayonet, in hand-to-hand combat, all those things. But there is no way of conditioning somebody to kill somebody else. At that point, it becomes an instinctive, kill-or-be-killed situation.

After Vietnam, Mundy's climb through the ranks paralleled his breadth of assignments, including: Commanding Officer, 2nd Battalion, 4th Marines, 3rd Marine Division; Chief of Staff, Sixth Marine Amphibious Brigade; and Commanding Officer, 2nd Marines, 2nd Marine Division, and 36th and 38th Marine Amphibious Units.

After promotion to brigadier general in 1982, he served as personnel procurement director; Commanding General, Landing Force Training Command, U.S. Atlantic Fleet; and as Commanding General, 4th Marine Amphibious Brigade. After promotion to major general in 1986, he was Director of Operations at Marine Headquarters before being named lieutenant general in 1988.

Following were assignments as Deputy Chief of Staff for Plans, Policies and Operations at Headquarters and Operations Deputy to the Joint Chiefs of Staff; Commanding General of the Fleet Marine Force Atlantic,

the II Marine Expeditionary Force, the Allied Command Atlantic Marine Striking Force, and designation to command Fleet Marine Forces which might be employed in Europe; and promotions to general and present duties in 1991.

By the time of Desert Storm, Mundy was providing forces instead of fighting with them. Among the troops sent to the desert was one of Mundy's three children, Tim, "to the chagrin of the older brother and the father who sat back and watched the baby of the family go off to war."

Mundy's other children are Betsy and Carl, III (Sam). Sam and Tim are both captains in the Marine Corps, with Sam selected for promotion to major in the next year. Also like their father, they're both Auburn graduates; Sam is the Class of 1983 and Tim 1987.

One of the wars Mundy fights these days is a war of numbers. "I think the biggest challenge I have or will face is being able to maintain a viable Marine Corps in the face of the drawdowns that we have experienced in the U.S. forces," the Commandant said. "The amount the American taxpayer is spending on defense right now is the lowest it has been in 45 years; percentage-wise, defense expenditures are pre-World War II."

Mundy arrived to the Commandancy on the heels of the Pentagon's Base Force proposal, which he called "a rather unanalytical decision to take about 25 percent off the top of all the services." He immediately went about proving the analysts wrong, overseeing a bottom-up review of his sacred Corps which asked the key question, "What do we have to do?"

They had to do a lot as it turned out. They had to train, they had to guard the 140 embassies and consulates around the world, etc. "We built ourselves from the bottom up," said Mundy. "Then I went to see General Powell, the Secretary of Defense, and took it to the Congress and said, 'You're cutting the Marine Corps too dramatically.' That worked."

Mundy's review concluded that the Corps needed about 177,000 Marines to continue its duties. They now stand at approximately 174,000, a cut of about 22,000 since Mundy took over in 1991. While that number is much better than the original target of 159,000, he still feels the strain on his budget and his people. "Out of every dollar, 77 cents is spent to pay or take care of people. When you're trying to operate on 23 cents out of every dollar, it's very difficult to maintain equipment, training, and facilities and to take care of Marines and their families to the degree that you'd want."

The full seriousness of Mundy's statement comes through especially in light of events in recent years. Last year Mundy ordered a flight suspension for 48 hours to review safety and training procedures after a series of fatal mishaps with six Marine helicopters and a fighter jet that resulted in the deaths of 12 servicemen.

In addition to taking care of equipment and training, Mundy has attempted to deal with supporting Marine families—which was his intent with last year's media-labeled "singles only" order. The directive's focus, he said, was to counsel new recruits on the stress of deployment, which averages 12 months of the first four years of active duty, and to help the young Marines assess their readiness for marriage. The order, which was reversed, initially would have capped married incoming Marine recruits to about five percent.

But the Commandancy is no stranger to politics, and Mundy recognizes and deals with that part of his job. Even the political hornet's nest of gay rights in the military is met with a philosophy of historical perspective. "The military services are a microcosm

of society," he said. "The nation, at the present time, is focused on a number of issues that pervade the military as well. We've faced societal changes, integration, for example, in the military that have worked out fine. In fact, the Armed Forces are way ahead of society in general in terms of cultural diversity.

Whatever the politics of the day, Mundy's motive of management has always been the good of the Corps. He cares fiercely for his people and defends their mission. "The Marine Corps consumes in total about five percent of the Department of Defense budget. You don't save anything by taking down the number of Marines and you lose a lot. We are the force of economy in all of our arsenal.

"The Marine Corps has long been a crisis response force. It can fight in major land operations but, by and large, we send smaller organizations of Marines around the world to take care of the brush fires, if you will."

With the many "hot spots" in the world—Haiti, Somalia, Bosnia, North Korea, etc.—the Marines don't seem slowed down by the lack of a Cold War. When asked whether intervention for humanitarian reasons really makes a long-term difference, Mundy said, "In some cases I would answer 'yes,' in some 'we hope so,' and in one or two 'probably no.' After a typhoon swept through Bangladesh in 1992, we swung some Marines who were on their way back from the Gulf War through there and did some nation building. We helped them re-establish their nation. Yes, that is a very worthwhile involvement of military forces.

"That generally was a focused, specific goal. Panama has returned to a relatively stable situation, and, in five years, we'll be passing over the Panama Canal to that government. In Somalia, if you get outside Mogadishu, which is the center of the clan conflict, you'll find crops are growing and people aren't starving where before they were. So the intervention there will have to be measured in a longer period of time as we watch what occurs with the various factions in Mogadishu.

"You can only help so much and then the leadership has to be seized by the nation itself. So, there are some true success stories and some that were not as successful."

Although Mundy's term runs out in July 1995, he said his plans are only to "make it until July of '95. This is a consuming job, and I owe it to you and everybody else who pays my salary to focus on this job until the finish line." In a job in which one would expect every day to be a new crisis, he said there is a routine of sorts. "I wear two hats. I wear the hat of a service chief, as the Marine Commandant, and my responsibilities are to recruit, train, organize, and equip the Marine Corps. I also wear a hat as the Marine member of the Joint Chiefs of Staff, which is a national security position as an advisor to the Secretary of Defense and the President."

The Joint Chiefs meet two to four times a week and take priority over other duties. Any crises, Mundy said, result from national security situations such as the Haitis, Koreas, Bosnias, or Somalias. "In my day-to-day job as a service chief, the crises tend to be much fewer."

Having entered his final year as a Marine, Mundy still shuns talking about any personal glories when asked to reflect on his career. "I have never really focused upon an image, a legacy. If I could be remembered well by the people with whom I've served and as a good Commandant, that would be good enough for me. I'd just like to be remembered as a good Marine."