

He will be sorely missed by all of us who have had the honor of working with him.

Roger, I wish you fair winds and following seas. It has been an honor to represent you in the U.S. Senate.●

#### TRIBUTE IN REMEMBRANCE OF LTC FLOYD JAMES THOMPSON

● Mr. THURMOND. Mr. President, I rise today to pay tribute to the late LTC Floyd "Jim" Thompson. He spent 9 excruciating years as a prisoner of war in Vietnam fighting for his life and our Nation. As the longest-held prisoner of war, Colonel Thompson embodies the core values of the American soldier. He survived because of his spirit, courage and determination, and will forever stand as an American hero. Colonel Thompson should be remembered for his service to our great country and the tremendous sacrifices that he made. I ask that an article by Mr. Tom Philpott be printed in the RECORD.

#### AMERICA'S LONGEST-HELD PRISONER OF WAR REMEMBERED

Army Col. Floyd "Jim" Thompson, the longest-held prisoner of war in American history, died July 16 in Key West, Fla. At age 69, his heart finally gave out, ending one of the most remarkable lives among heroes of the Vietnam War. Thompson's death came 34 years after fellow POWs thought they saw him die in Bao Cao, the nickname of a cruel prison camp in North Vietnam. It was also 25 years after Thompson saw every dream that had kept him alive in Vietnam shattered in the aftermath of our longest war, a conflict vastly different from the war against terror in Afghanistan. "I am a soldier. Period," Thompson would say if asked about the political correctness of the Vietnam War. End of argument, and an icy stare.

Through nine years of torture, starvation, and unimaginable deprivation, Thompson showed us the resiliency of the human spirit. He refused to die, and until death had a willfulness that inspired awe. He survived on dreams of returning home to a loving wife, four adoring children, and a grateful nation. When none of that squared with reality, years of bitterness followed.

The avalanche of challenges at home, Thompson believed, did not diminish his heroics or steadfast resistance before the enemy. Those who saw his strength agree that what he endured, and how, won't be forgotten. By the spring of 1968, Thompson had been held in jungle cages and dank prison cells more than four years, all of it in solitary confinement. The experience turned a 170-pound Special Forces officer into a "skelton with hair," said one POW, describing Thompson at first sight. His appearance literally frightened other Americans, most of them soldiers captured in the Tet offensive. Warrant Officer Michael O'Connor/glimpsed Thompson through a crack between wall and cell door. He was inches away, leaning against his own cell bars.

"This guy is dead, I thought," O'Connor told me for Glory Denied, my book about the Thompson saga. "As part of some cruel joke, I thought they had stuck a corpse up against the door. Then I realized he was moving." Dick Ziegler, a captured helicopter pilot, heard Thompson say he had been shot down in March 1964. Ziegler did a quick calculation, and began to cry. "Eyes sunk way back in his head, cheekbones sticking out. . . . He scared me to death. I understood then what

was waiting for me," Ziegler said. As the days passed, O'Connor heard Thompson scratching every morning against the other side of this cell wall.

"One day I asked him what he was doing. 'Standing up,' he said. Standing up! It took him half an hour. . . . Every day I heard him standing up." Months later, during a routine indoctrination session for POWs, Thompson collapsed into a violent convulsion. That amazing heart was in seizure, probably from starvation, doctors later surmised.

"A couple of us were told to carry him back to his cell," O'Connor recalled. "We didn't see him move." Guards came later and took Thompson away. The other POWs figured he was dying if not already dead.

Before leaving Vietnam in 1973, they learned he survived and his mystique grew, particularly among soldiers. His five years of solitary ended April 1, 1969, when he was tossed into a cell with three other Americans, including Lew Meyer, a Navy civilian firefighter. Meyer and Thompson began an astonishing daily exercise regime, leading to escape, Thompson's fifth attempt, in the fall of 1971. The pair avoided recapture in North Vietnam for two days. For his courage and leadership in this incident, the first observed by other POWs, Thompson would receive the Silver Star.

At home, within a year of losing her husband, Alyce Thompson saw her support structure collapsing. She decided to move her four children into the home of a retired soldier, and pose as his wife. She instructed the Army to withhold Thompson's name from POW lists. For years, the Army complied. By the time Thompson was freed, in March 1973, Navy Lt. Cmdr. Everett Alvarez had returned and been celebrated as the longest-held POW. Thompson became a backpage story except in his hometown newspaper.

At first, he didn't care. He was struggling to fulfill dreams of family and career. He and Alyce tried to save their marriage, with devastating consequences for the children. Thompson himself wasn't well-armed for that task, battling alcoholism, depression, and a deep sense of betrayal that never eased.

After losing his family, Thompson fought to save his career. Again, alcohol interfered, aggravating a nine-year professional gap with officer peers. Thompson never blamed the Army or the war for his troubles. He suffered a massive stroke in 1981, which forced him to retire. Disabled, he moved to Key West and shut himself off from family and friends. His identity as a former POW, as longest-held, made life worthwhile. He had flag poles installed in front of his condominium complex so one could fly the POW-MIA flag. A bronze plaque mounted nearby refers to Thompson, the resident hero. Bolted to the fender of his new black Cadillac are two large U.S. flags, fit for a motorcade. His license plate reads "POW."

Thompson left instructions to be cremated and, without ceremony, that his ashes be spread at sea—unless, at time of death, he had been awarded the Medal of Honor. In that case, with his sacrifices properly recognized, he wanted to be buried at Arlington National Cemetery.

Whether Jim Thompson deserves the nation's highest military honor, others will decide. Surely, for what he gave, he deserved more than he got.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MEASURES READ THE FIRST TIME

The following joint resolution was read the first time:

S.J. Res. 43. Joint resolution proposing an amendment to the Constitution of the United States to guarantee the right to use and recite the Pledge of Allegiance to the Flag and the national motto.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-8402. A communication from the President of the United States, transmitting, pursuant to law, the periodic report on the national emergency with respect to Libya that was declared in Executive Order 12543 of January 1986; to the Committee on Banking, Housing, and Urban Affairs.

EC-8403. A communication from the President of the United States, transmitting, pursuant to law, the periodic report on the national emergency with respect to Iraq that was declared in Executive Order 12722 of August 2, 1990; to the Committee on Banking, Housing, and Urban Affairs.

EC-8404. A communication from the President of the United States, transmitting, pursuant to law, a report concerning the continuation of the national emergency with respect to Iraq beyond August 9, 1990; to the Committee on Banking, Housing, and Urban Affairs.

EC-8405. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Payments for Cattle and Other Property Because of Tuberculosis" (Doc. No. 00-105-1) received on July 30, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8406. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Fee Increases for Overtime Services" (Doc. No. 00-087-2) received on July 30, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8407. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acephate, Amitraz, Carbaryl, Chlorpyrifos, Cryolite, et al.; Tolerance Revocations" (FRL7191-4) received on July 31, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8408. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fludioxonil, Pesticide Tolerance" (FRL7188-7) received on July 31, 2002; to the

Committee on Agriculture, Nutrition, and Forestry.

EC-8409. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Appeals Settlement Guidelines: Construction/Real Estate—Retainage Payable" (UIL:0460 .03-10) received on July 30, 2002; to the Committee on Finance.

EC-8410. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Paul Pekar v. Commissioner" received on July 30, 2002; to the Committee on Finance.

EC-8411. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice 2002-53, 2002 Section 43 Inflation Adjustment" received on July 29, 2002; to the Committee on Finance.

EC-8412. A communication from the Clerk of the Court, United States Court of Federal Claims, transmitting, the Report of the Review Panel relative to a private relief bill; to the Committee on the Judiciary.

### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-274. A House Concurrent Resolution adopted by the Legislature of the State of Hawaii relative to legislation to repeal the Rescission Act of 1946 and the Second Supplemental Surplus Appropriation Rescission Act of 1964, and to restore Filipino World War II Veterans' to full United States Veterans' status and benefit; to the Committee on Veterans' Affairs.

#### HOUSE CONCURRENT RESOLUTION 34

Whereas, on July 26, 1941, President Franklin Roosevelt called back to active duty Lieutenant General Douglas MacArthur, who was then serving as military adviser to the Commonwealth government in the Philippines. President Roosevelt appointed General MacArthur to command the newly formed United States Armed Forces in the Far East (USAFPE); and

Whereas, General MacArthur mobilized the entire Philippine Commonwealth Army, consisting of approximately 212,000 soldiers, into the USAFFE and reinforced approximately 10,000 American soldiers, including the 10,000-strong Philippine Scouts (who were the Filipino regulars in the American army) and the 6,000-strong Philippine Constabulary, under the command of American military forces; and

Whereas, with the destruction of the United States fleet at Pearl Harbor and the United States Air Force at Clark Field, and with the withdrawal of United States naval forces to Java, the USAFFE lost its naval and air support in the first few days of the war in the Pacific; and

Whereas, within days, Japanese troops landed in Aparri and Vigan, in Legazpi and Davao, in Lingayen, Atimonan, and Mauban, while their planes bombed military objectives and government centers. Within a few weeks, the American and Filipino forces defending Luzon were in full retreat to the stronghold where General MacArthur proposed to make a last stand—the peninsula of Bataan and the island fortress of Corregidor; and

Whereas, in the ensuing months, Japanese Imperial Forces in the Philippines focused all their military might against the USAFFE in Bataan and Corregidor; and

Whereas, on February 20, 1942, President Manuel Quezon and Vice President Sergio Osmena of the Philippine Commonwealth left Corregidor for the United States to form a government in exile. On March 11, 1942, General MacArthur left Corregidor for Australia to take over the defense of the southern Pacific area. It was upon his arrival in Melbourne that he issued his famous pledge, "I shall return"; and

Whereas, Hong Kong, Singapore, and the East Indies (Indonesia) fell before the fierce Japanese advance in the week following the attack on Pearl Harbor. The soldiers in the Philippines, under the command of Lieutenant General Jonathan Wainwright, fought on. Their valiant struggle, the only Allied resistance in East Asia during the winter and spring of 1942, slowed down the enemy and gave Australia more time to strengthen its defenses; and

Whereas, thousands of Japanese infantrymen, supported by artillery barrages and tank fire power, pounded the Filipino-American lines. Overhead, Japan's air corps soared and bombed the foxholes, hospitals, and ammunition dumps of Bataan. From the sea the enemy warships poured lethal shells on the defenders' positions. Bataan was doomed. The defenders, weakened by hunger, disease, and fatigue, fought fiercely and many died as heroes; and

Whereas, Bataan fell on April 9, 1942. Corregidor's Voice of Freedom radio station announced, "Bataan has fallen, but the spirit that made it stand—a beacon to all the liberty-loving peoples of the world—cannot fall". As many as 36,000 Filipino and American soldiers were captured by the victorious Japanese. Forced to set out on the infamous "Death March" to San Fernando, tens of thousands died from hunger, thirst, disease, and exhaustion. Survivors were crammed into boxcars and shipped to imprisonment in Capas; and

Whereas, General Wainwright and the 12,000 Filipino and American soldiers manning the rocky fortress of Corregidor continued to fight, but after the fall of Bataan, the end was in sight for them as well. On May 6, 1942, Major General William Sharp was ordered to stop future useless sacrifice of human life in the Fortified Islands, and to surrender all troops under his command in the Visayan Islands and Mindanao. Corregidor fell almost five months to the day after the attack on Pearl Harbor. Organized military resistance to the invasion of the Philippines ended that day; and

Whereas, many Filipino officers and men refused to heed the order to surrender. They fled to the hills with their arms and, with the help of the civilian population, waged a relentless guerrillas war against the invaders. The guerrillas, almost without arms at the beginning, hungry, and unclothed, gave battle to the enemy from every nook and corner of the land. For three seemingly interminable years and despite unbelievable hardships, they carried the torch of freedom; and

Whereas, it was against the backdrop of Bataan, Corregidor, and other theaters of battle, where alien soldiers under the United States flag fought bravely and fiercely, that the United States Congress amended the naturalization provisions of the Nationality Act of 1940; and

Whereas, in 1942, Congress reestablished the policy it had set forth during the first World War by providing for the naturalization of aliens honorably serving in the armed forces of the United States during the war. As part of the second War Powers Act, Congress waived the requirement of residence, literacy, and education for alien soldiers. The law allowed any alien who was inducted or who enlisted into the United States Army,

Navy, or Air Force during World War II to become a United States citizen; and

Whereas, even while the war was raging, alien soldiers in England, Iceland, and North Africa, who served in American military forces, could be naturalized as United States citizens. This naturalization was made possible because beginning in January 1943, naturalization officers were dispatched to foreign countries where they accepted applications, performed naturalization ceremonies, and swore into American citizenship thousands of alien soldiers; and

Whereas, while the Philippines was under Japanese occupation, approximately 7,000 Filipino soldiers were naturalized outside the Philippines. The great majority of Filipino soldiers in the country, however, were not even aware of these liberal naturalization benefits. The United States withdrew its naturalization officer from the Philippines for nine months and then allowed the law to lapse in 1946, so few Filipino veterans were able to exercise their rights in a timely manner—rights that had been supposedly earned on the battlefield for a lifetime; and

Whereas, although the Immigration Act of 1990 rectified this foreclosure of rights by permitting Filipino veterans of World War II to apply for naturalization and to receive benefits after May 1, 1991, it did not remedy the betrayal of Filipino veterans orchestrated forty-five years earlier by a cost-conscious country through the Rescission Act of 1946 and the Second Supplemental Surplus Appropriation Rescission Act (1946), which declared that the service performed by many Filipino veterans was not "active service" and denied them their veterans benefits after the fact; and

Whereas, while Filipino-American veterans who served honorably in an active-duty status under the command of the USAFFE or within the Philippine Army, the Philippine Scouts, or recognized guerrilla units, between September 1, 1939, and December 31, 1946, braved the same dangers and were entitled to apply for naturalization, only those persons who served in the armed forces of the United States or joined the Philippine Scouts before October 6, 1945, currently are entitled to the full-range of veterans benefits; and

Whereas, it should be the right of every Filipino-American veteran of World War II, who served honorably in an active-duty status under the Philippine Scouts, or recognized guerrilla units, to receive the full-range of veterans benefits, including a non-service disability burial allowance and pension, treatment for non-service connected disabilities at Veterans Hospitals in the United States, home loan guarantees, burial in a national or state veterans cemetery and headstones, contract national service life insurance and educational assistance for spouses and surviving spouses; and

Whereas, those who served in the armed forces of the United States or Philippine Scouts that enlisted prior to October 6, 1945, are eligible for full veterans' benefits, but others can only receive partial benefits. Those with limited benefits include veterans of the Philippine Scouts enlisted after October 6, 1945, Commonwealth Army of the Philippines enlisted between July 26, 1941 and June 30, 1946, and recognized guerrillas with service between April 20, 1942 and June 30, 1946. For these groups, monetary benefits are received in pesos in an amount equivalent to only half of the dollar value, regardless of whether the recipient resides in the Philippines or the United States; and

Whereas, Philippine veterans with military service with the Special Philippine Scouts who enlisted between October 6, 1945 and June 30, 1947, under Public Law 190, 79th Congress ("New Scouts") are not entitled to full