

1995 SESSION

ENROLLED

HOUSE JOINT RESOLUTION NO. 446

Memorializing the President of the United States, the Secretary of Defense, and the Secretary of the Navy to advance in rank posthumously Rear Admiral Husband E. Kimmel, USN, to the rank of Admiral on the list of retired naval officers.

Agreed to by the House of Delegates, February 4, 1995
Agreed to by the Senate, February 21, 1995

WHEREAS, Admiral Husband E. Kimmel was Commander-in-Chief of the U.S. Pacific Fleet at the time of the surprise Japanese attack on Pearl Harbor on December 7, 1941; and

WHEREAS, at the time of the attack, Admiral Kimmel was serving in a temporary appointment, but following the attack was retired as Rear Admiral, his permanent grade; and

WHEREAS, in 1944, a Naval Court of Inquiry found that no offense had been committed nor serious blame incurred on the part of Admiral Kimmel and specifically approved the judgments and actions of Admiral Kimmel under the circumstances prior to and during the attack; and

WHEREAS, in 1946, a joint committee of the Congress investigating the Pearl Harbor attack specifically found that there had been no dereliction of duty by Admiral Kimmel; and

WHEREAS, the Officer Personnel Act of 1947 permitted previously retired officers, with the approval of the President and the advice and consent of the Senate, to be advanced to the rank of Admiral on the retired list of naval officers; and

WHEREAS, when this provision of the Officer Personnel Act of 1947 was implemented, Rear Admiral Kimmel's name was not submitted by the Navy Department to the President for advancement to the rank of Admiral; and

WHEREAS, under the provisions of the Officer Personnel Act, advancement is at the discretion of the President; and

WHEREAS, on October 20, 1990, the officers and trustees of the United States Naval Academy Alumni Association unanimously adopted a resolution urging the Secretaries of Defense and the Navy to submit Admiral Kimmel's name to the President with the recommendation that the President nominate Admiral Kimmel for posthumous advancement to the rank of Admiral on the list of retired naval officers; and

WHEREAS, on December 8, 1990, the Pearl Harbor Survivors Association unanimously adopted a similar resolution; and

WHEREAS, on October 22, 1991, 37 retired senior naval officers—including two former Chairmen of the Joint Chiefs of Staff, four former Chiefs of Naval Operations, 27 other full Admirals, three Vice Admirals and one Rear Admiral—signed a letter urging the President to nominate Admiral Kimmel for posthumous advancement; and

WHEREAS, on October 4, 1994, the recently retired Chief of Naval Operations reversed his earlier position in opposition to the advancement of Admiral Kimmel and wrote to the Secretary of the Navy urging that the case of Admiral Kimmel be reopened; and

WHEREAS, distinguished historians continue to argue that Admiral Kimmel should be advanced posthumously to the rank of Admiral; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the President of the United States, the Secretary of Defense, and the Secretary of the Navy be requested to take the necessary action to advance posthumously Rear Admiral Husband E. Kimmel to the rank of Admiral on the list of retired naval officers; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates transmit copies of this resolution to the President of the United States, the Secretary of Defense, the Secretary of the Navy, and the members of the Virginia Congressional Delegation so that they may be apprised of the sense of the General Assembly of Virginia.

ENROLLED

HJ446ER