

Mr. NUNN. Mr. President, I know there are others who want to speak to the announcement by Senator METZENBAUM, but I would like to identify myself with all the remarks that have been so apt in describing his terrific contribution to this body. He has been a person I have voted with not very often. But I have always admired and respected and always benefited from hearing him and his views. He brings a perspective and a sense of courage and a sense of integrity to this body that will be sorely missed when he retires. But I know we are going to have him quite a while longer and we are all going to be blessed by that.

I also admire very much the priorities he has in his own life and his obvious love for his wife, Shirley, who we all know and love, and his fine family.

So I wish you, Senator METZENBAUM, the very best.

SENATOR METZENBAUM

Mr. WARNER. Mr. President, I would like to add my voice to the many voices who have spoken today on behalf of our distinguished friend and colleague from Ohio who has shown his usual capacity for great and true incredible wisdom, and made a tough decision. It is a decision all of us face at some point in time in our careers. I will not give a long speech but I want to come right directly to it.

How will I remember the Senator from Ohio? As the individual who would stay here way into the night, 2, 3, 4 o'clock in the morning. Senator NUNN and I would manage the authorization bills, check on those amendments. He was the honest broker who kept us honest. And no matter how much flexibility the managers of a bill may have from time to time, certainly in those instances where my colleague was present I think my distinguished friend, the chairman from Georgia, would agree with me we were very cautious and careful.

Also, Mr. President, the Nation is now considering a very serious issue and that is the service of gays in the military. I remember it was the Senator from Ohio who first addressed the Chamber about the importance of that subject. It was his intention to move on it last fall but we were able to persuade him that more time, more analysis had to be done. The Senator reluctantly but I think wisely acceded to that request rather than trying to have that completed last fall.

So I salute my good friend and his lovely wife, with whom I shared many happy occasions in our Senate life. I wish you well. I commend you for the strength of your wisdom to make this tough decision at this time.

Mr. METZENBAUM. Mr. President, I thank my good friend from Virginia for his very kind remarks. I am very grateful.

Mr. WARNER. I wish you luck.

SENATOR METZENBAUM

Mr. BIDEN. Mr. President, I want to speak to the Senator from Ohio for lit-

erally just 2 minutes. I have served in the U.S. Senate now going on 21 years. I have had the benefit of, in that long duration, serving with some of the great names in the U.S. Senate. I have also had the benefit of observing how lobbying groups and interest groups, left, right, and middle, influence the process, as they have a right to under our process in this body.

But I have never met in my years in the U.S. Senate, any U.S. Senator who feels as strongly about some of the most controversial issues that have come before this Nation and before this body, who nonetheless has never once in my observation been cowed by, had his opinion altered by, been intimidated by, changed his view by—any lobbying, any influence, any attempt to apply pressure.

There are very conservative Senators who would no more take on some of the conservative groups than fly. There are very liberal Senators over here, none of whom I have ever observed to be willing to take on liberal interest groups. Conservative Senators seldom ever have the courage to take on conservative interest groups; liberal Senators seldom ever take on liberal groups.

This is the only man that I have served with who is the darling of the left, who, when he thinks they are wrong whether it is a women's group, a black group, a Hispanic group—any of the groups with whom I vote mostly all the time, and he does—has looked them straight in the eye and said: You are wrong. I am against you on this. And come to the floor.

I do not know of any other Member of the Senate in the years I have been here, who has been—sometimes as strident, always as forceful, and totally with conviction—who has been willing to take on those very groups with whom he most often agrees when he thinks they are wrong on some of the most inflammatory, controversial and divisive issues in the Nation.

HOWARD—if you will excuse the personal reference—I truly admire you. You have known that for a long time. Because I think you have such incredible integrity politically. I just want to say that. I realize that is not as flowery as others have been. But I want to tell you something, it is a trait that I admire more than you will ever know. I think it is a trait the Senate is about to lose because we have a tendency to elect people, myself included, to this body, who get elected by groups—I do not mean interest groups per se—by points of view. And even when we disagree with them we are very reluctant to say so, for fear it will be used in ways unrelated to our own personal political gain or political loss; that will undercut the overall cause or it will, whatever—1,000 rationalizations.

You are the only person with whom I have served—it would not matter whether the Lord Almighty disagreed with you. It would not matter whether it was your family, whether it was—whatever. If it was a principled posi-

tion with you, you took it, you stood by it, you fell or rose on it, you made no excuses about it.

Senator METZENBAUM, that is an incredible, admirable trait in a human being whether or not they are in politics. I am lucky to have had the opportunity to serve with you and I am going to miss you a great deal for that trait above all else. I yield the floor.

RETIREMENT OF SENATOR HOWARD

METZENBAUM

Mr. DURENBERGER. Mr. President, I rise today to pay tribute to my friend and colleague HOWARD METZENBAUM.

Senator METZENBAUM and I did not always agree on all the issues. But there are few people with whom I have served in the U.S. Senate that I have admired as much as my distinguished colleague from Ohio.

I have had the pleasure of serving with HOWARD METZENBAUM on the Labor and Human Resources Committee for a considerable period of time now. And I can tell you from personal experience that there has been no stronger voice for the American worker in this body than HOWARD METZENBAUM.

HOWARD METZENBAUM knows what he believes in. And he always stands up for what he believes. He fights for the downtrodden, for minorities, for women, for the disabled, for the elderly.

Throughout his Senate career, HOWARD METZENBAUM stood tall for all Americans—for rich and poor, white and black, male and female, young and old. He was a powerful, persistent voice for justice in the U.S. Senate.

Senator METZENBAUM, I will miss serving with you. You are a great Senator, and a great American. And while we have had our differences over the years, I have only the highest respect for you.

I have learned many lessons from your outstanding record of service in the Senate—commitment to excellence, dedication to service, and belief in a cause no matter how popular or unpopular it may be.

I look forward to continuing to serve with you for the next 18 months. And I wish you the very best in your retirement.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

TV MOVIE ON ROBERT GARWOOD IS MISLEADING

Mr. MCCAIN. Mr. President, last night ABC television broadcast an entirely fictional account of the life of Robert Garwood. Robert Garwood was a Marine Corps private who, while serving in Vietnam, was either captured by or defected to the enemy in 1965. The producers of the movie, "Private Robert Garwood: The Last POW?," may have thought that they were creating a drama which had some basis in fact.

Robert Garwood who spent nearly 14 years in Vietnam, the movie adaptation of the curious life of Robert Garwood bears little resemblance to reality.

In the film, Garwood is depicted as a young Marine who, after capture by the enemy in 1965, exhibits an indomitable will to survive and return home. This fierce determination to go home leads him initially to attempt two unsuccessful escapes. Garwood is then joined in captivity by first one, and then a second American POW. They make a solemn pact with one another to do everything necessary to ensure that at least one of them returns home some day. Garwood learns to speak fluent Vietnamese in 2 months, makes himself generally useful around the camp, and attempts to avoid upsetting his captors but never to the extent that he violates the military code of conduct.

In 1967, according to this film, his Vietnamese captors cynically promise Garwood an early release. They renege on this promise. Soon after, one of Garwood's fellow prisoners succumbs to mistreatment. After the death of his close friend, Garwood is portrayed as even more determined to survive his captivity. More Americans POW's have joined Garwood by this time. Garwood is segregated from and treated differently than his fellow POW's. According to the script, this unusual arrangement exists because the enemy fears that Garwood's facility with their language would enable him to translate for his fellow POW's their guards' private discussions.

Garwood is then shown interviewing his fellow POW's, not to extract information from them or to propagandize, but to advise them not to trust their captors and on other matters related to their survival. Garwood is shown stealing food and taking other risks on behalf of his comrades. The fact that he has been observed carrying a rifle is casually dismissed in the film by the assertion that the weapon was unloaded.

The film places the blame for the death of another prisoner on all the other POW's except Garwood. Enraged by their carelessness, Garwood heaps abuse on the other POW's, strikes one of them, and promises to hold him responsible for the death of his friend.

In response, the POW's inform the Vietnamese that Garwood has been stealing food. For this crime, Garwood is marked for execution. He is spared only because a bombing raid on the camp killed the other prisoners, and Garwood is moved to a prison in North Vietnam.

In 1973, after the United States has withdrawn from Vietnam and the American POW's have been released, Garwood is shown being told that he will not be released until relations between the United States and Vietnam are normalized.

Garwood is sent to a prison camp outside Hanoi where he is required to work as a truck mechanic. In 1979, he persuades his guards to drive him into Hanoi, allow him to enter a hotel occupied by Europeans to purchase liquor, cigarettes, and candy for his guards. While there, he manages to slip a note asking to go home to an American, whose presence in Hanoi is left unexplained.

The Vietnamese are then forced to release Garwood to the Red Cross, and he returns home only to be court martialled and convicted unfairly for collaborating with the enemy and assaulting a fellow POW.

The film ends with Garwood addressing a rally of POW-MIA activists, claiming that other Americans remain imprisoned in Vietnam, and he will not rest until they too come home.

Mr. President, to say that I was outraged by this film is a gross understatement. I hardly know where to begin in identifying the lies and distortions which comprise the entire substance of this movie. Garwood's story has already been so thoroughly discredited by his fellow POW's, that I normally wouldn't bother to respond to absurd Hollywood fantasizing about the life of—and there is no other word for him—a traitor.

Two things compel me, however, to address this outrage today. First, the film's portrayal of Garwood's fellow POW's as fools, liars, unwitting killers, and informants is one of the most despicable calumnies I have ever had the misfortune to observe. Those POW's kept faith with one another and with their country. Garwood did not. They did not betray Garwood. Garwood betrayed them. This disgusting outrage cannot stand unchallenged.

The producers, director, writers, and actors, indeed, everyone associated with this movie, including Garwood who served as a consultant, should be eternally ashamed of themselves for knowingly participating in this lowly attack on the character of the brave men who served their country faithfully under difficult circumstances, and who had the misfortune of suffering for their country in the presence of Robert Garwood. That they should have to endure this new indignity is unconscionable.

Second, it has come to my attention that Garwood intends to return to Vietnam next week where, no doubt, he will again allege that he had seen other Americans in captivity in Vietnam after the war's end. Reportedly, another ABC production, "20-20," intends to film his gallant return to Vietnam.

It is important to note, Mr. President, that Garwood never offered this information to the U.S. Government or to his own attorneys until 6 years after he returned home. Nevertheless, several investigations of Garwood's allegations were undertaken by U.S. intelligence services. None of them found any evidence to substantiate his

claims. None of his life sightings have ever been corroborated by other witnesses.

Mr. President, what were the real circumstances of Robert Garwood's long residence in Vietnam? For that we must rely on the testimony provided by real heroes, the American POW's who witnessed and suffered from Garwood's betrayal.

This is what we know of Garwood's 14 years in Vietnam. On or near September 28, 1965, Pvt. Robert Garwood disappeared from Da Nang, South Vietnam. There are conflicting reports about how or when he disappeared. He was reported to have been captured in firefight with Viet Cong forces; kidnapped from a brothel; ambushed on a road outside of the Da Nang Air Force Base; got lost on a road off base and surrendered to the enemy; voluntarily joined enemy forces. We do not know, and may never know which, if any of these reports is accurate.

What we do know from the sworn testimony of returning POW's is the following: Garwood never appeared in a POW camp until several months after his disappearance; Garwood made written propaganda letters for the enemy just 3 weeks after arriving in the camp; Garwood enjoyed unexplained absences from the camp for days, weeks, and even months; he wore the uniform of the North Vietnamese Army; he accepted a Lieutenant's commission in the North Vietnamese Army; he took up arms against American forces; he refused repatriation to the United States; he carried a large hunting knife; he used a bull horn to encourage American soldiers on the battlefield to surrender; and he made radio broadcasts for the enemy which were heard by my fellow POW's held in Hanoi.

We received all of this information from returning POW's who knew Garwood, including five who were returned early in 1968 and 1969, and from South Vietnamese POW's who were released from camps where Garwood was seen. The Vietnamese have corroborated their testimony, and have steadfastly maintained that Garwood was never a POW, but a willing volunteer in their cause.

Garwood and the Vietnamese admitted that he was involved in the black market and that he was able to purchase goods at the hotel frequently because he had freedom of movement. These are unlikely circumstances for a POW.

The United States received many live sighting reports about Garwood during his postwar years in Vietnam, over 300 of them. Not a one depicted him in anything approaching a captive environment.

Even giving Garwood the benefit of every doubt, showing him extraordinary charity, would leave us with a portrayal of Garwood that stands in sharp contrast to the fairy tale broadcast on ABC last night. At best, Garwood, through his own carelessness, was captured by enemy forces; he was

quickly broken by the enemy, from fear or mental delusion, he joined forces with his captors; from fear or mental delusion, he utterly broke faith with his fellow POW's and his country; he served as an instrument of repression against his fellow POW's; he refused early release from captivity in 1967, and volunteered to remain in Vietnam after the United States withdrew from that country. He then served as a mechanic for Vietnamese forces in the North, until because of personal disappointments with his life in Vietnam, chose to make his presence known to the West, and return home in 1979.

This most charitable appreciation of Garwood is still less than flattering, and, one would think, describes actions for which Garwood should be deeply ashamed. Having said this, I know how awful imprisonment in Vietnam was. All of us reached our breaking point at one time or another. To my knowledge, no one ever broke so completely as Robert Garwood. But even though the court martial, conviction, and dishonorable discharge of Garwood were more than justified, had Garwood admitted his bad faith, had he ceased to peddle a shameless, fictitious alibi for his dishonorable conduct, in time we could learn to forgive the man if not his crimes. But such is not the case.

Some say Garwood is today mentally handicapped and easily manipulated by POW/MIA activists who wish to substantiate his claims about remaining POW's despite all evidence to the contrary. I would not know. What I do know is that he continues to dishonor the service of American POW's by lying about their and his behavior in prison. He continues to contribute to the anguish of POW/MIA families by continually lying about having seen other Americans. These efforts and others constitute an enduring betrayal of his country. And anyone who may be manipulating Garwood for their own ends is a coconspirator in this betrayal.

Now, Garwood is returning to Vietnam in an effort to prove his contention that other Americans remain prisoners there. It should be noted, Mr. President, that within 10 days of his return from Vietnam, Garwood was interviewed on two separate occasions by Congressman BEN GILMAN and former Congressman Wolff. He was asked in those interviews if he had ever seen other American POW's after the war. He responded that he had never seen an American nor spoken English for 2 years.

I could care less if Garwood wants to return to Vietnam or that the Vietnamese are willing to allow him to return. What I do care about is that any taxpayers' dollars may be used to support him in any way at all during this visit. He will, no doubt, use the occasion to reissue his lies and calumnies that have done so much harm to so many Americans. And "20-20" will be there to broadcast it.

Mr. President, I sincerely hope that anyone who witnesses that broadcast will take the time to learn the real story about Robert Garwood. Once they understand the true extent of his crimes, I hope they would take every occasion to speak out against those who would give Garwood a forum to continue his deceptions, or who would find his enduring betrayal to be appropriate material for entertainment.

The PRESIDING OFFICER (Mr. CAMPBELL). The Senator's time has expired.

Mr. MCCAIN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MCCAIN. I believe that I asked unanimous consent to address the Senate as if in morning business.

The PRESIDING OFFICER. The Senator is correct.

(The remarks of Mr. MCCAIN pertaining to the introduction of S. 1172 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

CHARLESTON, SC

Mr. THURMOND. Mr. President, as the entire Nation knows, last Friday, June 25, was a dark day for Charleston, SC. Within just a few hours, Charleston lost not only a navy shipyard which is a major employer in the area, but a navy base which has been in operation for over 200 years. Even in our worst imaginings, no one from South Carolina truly believed that this proud Navy town would be dealt such a blow.

Sunday, however, brought some good news to a community still reeling with shock. The Commission, showing a strong independent streak, voted to realign the Naval Electronics Command to Charleston. I have been advocating such a move for some time, in the firm belief that this command and its high-technology jobs offer the best potential for continued growth. This move will help to mitigate the job losses and associated economic impact of the base and shipyard closure, and I know the Commission will not regret its decision.

The Navy's recommendation to close all the Charleston facilities would have decimated the city. However, the Base Closure Commission demonstrated common sense and compassion which the Navy apparently does not possess.

Mr. President, as we say after Hurricane Hugo, disaster often brings out the best in people. In this instance, that is especially true. Faced with the threat of losing a major component of the Charleston economy and cutting proud historical ties with the Navy, the people of Charleston put forth a heroic effort to defend their naval facilities and prove the Navy wrong.

Hundreds of volunteers worked day and night to compile the facts and figures which show that Charleston has

one of the most efficient and cost-effective shipyards and navy bases in the Nation. Hundreds more donated money—even took out personal loans—to pay expenses for the rescue effort. They traveled to Washington; they met with officials in the Pentagon; they attended every hearing the Base Closure Commission held; and they took every opportunity to show the base closure commissioners how superb our facilities are and how much the community had to lose. Finally, our entire congressional delegation—even Members from the other side of the State—worked together as one unit to do everything possible to aid in the effort.

It is my firm belief that these heroic measures saved the Navy Hospital and resulted in the Navalex consolidation, and that the lion's share of the credit goes to the people of Charleston and the many volunteers who selflessly gave their time and money to defend this great city. Their commitment to the cause was nothing less than absolute, and their efforts were not lost on the members of the Base Closure Commission. All who took part in this crusade are deserving of the highest praise, and I salute them.

I would especially like to recognize my good friend, Charleston Trident Chamber of Commerce president Sis Inabinet. Her energy, creativity, and commitment were a major factor in organizing the campaign and galvanizing the volunteers. The efforts of the Charleston community were an inspiration to the entire Nation, and they have set a new standard by which other campaigns of this nature will be judged.

Mr. President, South Carolinians are strong, proud people, and I have no doubt that all those who worked so hard to save our navy facilities will now turn their efforts to responding to this tremendous loss. Just as they rebuilt after Hugo, they will work to promote tourism, retrain those who are losing jobs, and bring new enterprises into Charleston to replace that which was lost. As a matter of fact, I met with a group of workers from the shipyard just this morning. They are already making plans and looking to the future.

I have every confidence that Charleston will recover from this shock, and I pledge to do everything in my power to help overcome this blow and pave the way toward a bright future for Charleston.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

(Mr. SMITH.) Mr. President, I ask unanimous consent to speak in morning business.

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

BOBBY GARWOOD

Mr. SMITH. Mr. President, I rise today at this time to respond to the comments of my colleague, the Sen-

ator from Arizona, Senator McCANE, regarding Bobby Garwood.

I have spent the last 9 years of my life in the U.S. Congress studying the Bobby Garwood issue. For those who may not have as much knowledge on it as they might like to have, Bobby Garwood was a POW who was captured during the war, did not return in 1973 in spite of the fact the Vietnamese said all had returned. Mr. Garwood returned in 1979.

During the period of time prior to 1973, there were some charges made by some of his colleagues in the prison camps that he had collaborated with the enemy. I do not know what he did or did not do in that regard because I was not there. I am not here to defend or attack that.

What I am here to defend is the fact that this man, Bobby Garwood, is the only man in the whole Vietnam war to be charged with collaborating with the enemy and to be convicted. There were charges prepared against 10 POW's who returned, at least that I am aware of, of collaborating with the enemy. Those charges were dropped in nine cases after one charge had been brought, and that individual, unfortunately, committed suicide. It was, therefore, the position of some in the Government that it may not be a wise course to pursue collaborating with the enemy. Let us move on and get the war behind us.

Robert Garwood is the one human being, American, who spent time in Vietnam from 1973 to 1979, that we know of. He knows the prison system very well. Obviously, because he was in it. He gave a deposition to the Senate Select Committee on POW's and MIA's. It is a long deposition. I have it in my office if anyone would like to read it. It is a matter of public record.

In that deposition he indicated a lot of things, most dramatically that he saw live Americans after the war had concluded, sometime during the period of time 1973-79—approximately 1977 to be exact. Whether he did or whether he did not, anyone can form their conclusions after reviewing the information, as I have. I happen to believe Garwood, but that is a personal opinion.

He told me he saw POW's, and, after having researched this as much as I could over the past 9 years, I have concluded that Garwood is telling the truth. It does not mean he is telling the truth because I say that he is. But what I am interested in is—and, Mr. President, I want to say the word; giving Garwood a forum was mentioned in some terms of outrage—that Garwood would have a forum. Let me say I intend to be with Robert Garwood next week in Vietnam, by his side as we go through Vietnam in search of answers about our missing POW's. Frankly, what Mr. Garwood did or did not do prior to 1973 is irrelevant to me as far as what he may or may not know about living American POW's.

That is the issue. Robert Garwood offered his services to go to Vietnam at no expense to the Government. The

taxpayers are not funding his trip. They are not paying one dime of Mr. Garwood's trip. He is going to Vietnam without any expense to the taxpayers. He was invited by the Vietnamese to go. He has accepted the invitation. And he has agreed to do that and to show me, he said, where he saw living American POW's.

Some can draw their own conclusions as to whether a man would go to great lengths to do something like that if, in fact, there was not anything to it. But that is a conclusion that come will have to draw on their own.

I want to point out for the record, because the record is replete with error, Robert Garwood was never convicted of desertion. He was charged with desertion but never convicted of desertion because he was captured, shot, and wounded in the capture.

Did he collaborate with the enemy? That is the question. The court said he did and he paid the price for it. He spent 14 years in Vietnam, longer than anyone else that we know of who survived. He ate rats, snakes, caterpillars, and anything else he could to survive, and he lost 14 years of back pay was was thrown out of the service with a dishonorable discharge. So I think Mr. Garwood paid for whatever he was convicted of.

But Mr. Garwood was a very cooperative witness with our committee. He spent hours in detailed deposition under oath in which he stated that he saw live Americans on a number of occasions, once along the railroad tracks in Yen Bai; another an island on Thac Ba Lake in Vietnam, northwest of Hanoi; and also a couple of other locations.

I think that it is the responsibility of our Government to check that out. It is a detail that has not been completed, as far as I am concerned. If Mr. Garwood volunteers to go and it does not cost the taxpayers a nickel for him to go, if he is willing to go and show me or anyone else in the U.S. Government where these people were that he said he saw, if he is willing to face his accusers, the Vietnamese, and look them in the eye and say, "I saw American POW's here," and to see their response, I think that is a risk well worth taking.

I might also point out that it was the recommendation at the highest echelons of the DIA a few years ago that Robert Garwood be hired as a consultant to the U.S. Government because of his direct knowledge of not only the prison system, but his knowledge of Vietnam after 1973, that period 1973 to 1979.

So I think to some extent the comments made by the Senator from Arizona were an attack on the process of the Senate select committee. It is a detail that we could not complete. There are strong feelings and strong emotions on this issue, which I understand and respect. But not to fully investigate a live sighting report, and that is one of the best live sighting reports we have—

he is an American; he served in the war and he was retained from 1973 to 1979, and he said he saw live Americans.

It is interesting when you look at some of the things that have been done by the investigating authorities, the joint task force. I remember first coming to the U.S. Congress in 1985 and talking to the Defense Intelligence Agency about Garwood. They never really were debriefed by Garwood. When Robert Garwood came home in 1979, he was immediately, essentially, put under house arrest and charged with desertion and collaboration. Nobody from the U.S. Government made a conscientious, detailed, strong effort to debrief him on what he might or might not know about American POW's or about prison systems of Vietnam.

That was very interesting about the priorities that were here with Mr. Garwood. The priority was to charge him with desertion and collaboration. The priority was not to go after the information regarding the live sightings that Mr. Garwood ultimately indicated that he had made.

I think it certainly does not serve the families very well to not want to pursue the information. We cannot let the emotion and the anger of the war be so strong and rue us so well that we cannot see fit to investigate every single detail. To form a conclusion that Mr. Garwood is a liar without investigating is simply irresponsible. I think we have had many witnesses come before our committee, some with preposterous stories—some checked out, some did not—but our job was to check them out.

The bottom line is, when the Vietnamese invited Mr. Garwood, Mr. Garwood said, "I will go, I will go at nontaxpayer expense. I am willing to meet you or anyone else over there, Senator, to show you where I saw these people." He is willing to take me there. And so I think that is a very admirable goal to do, and I think it is a trip that is well worth taking.

I am just very concerned that, although the film last night offered an opinion, the statement that "20/20" was somehow involved in an invitation to Garwood is simply not accurate. If "20/20" chooses to go, that is their prerogative as a media outlet, as far as I am concerned. But the invitation came from the Vietnamese.

Garwood willingly accepted the invitation and has offered, again, to try to help us. So I do not think we ought to be discrediting that trip. The statement was made that we are going to give him a forum. The only forum that Robert Garwood asked for was to go to Vietnam to show us what he saw and where he saw what he saw. He never asked for any media attention whatsoever. To the contrary, he asked that there be very little, if any, media attention. He has tried to stay out of the press as much as possible.

So speaking for myself, I am the Senator on that trip. I suppose I could be accused of, or congratulated for, de-

pending on what your position is, the Senator who is responsible for participating in that trip. I am proud of it. I am proud to stand here on the floor of the U.S. Senate and say that I have a man who says he saw live Americans, who is willing to take me where he saw them, who gave several hours of depositions before this committee under oath in which he said he saw live Americans, in great detail. I am proud to accompany that individual on behalf of the families to Vietnam.

Whether Garwood was a war hero or whether he, in fact, collaborated with the enemy, is a very important issue in some definitions, in some areas of what we are talking about, but not when it comes to finding the truth about live Americans. He is a resource. He has information that he is willing to share. We should check it out.

I might say that I have several pages of the entire transcript of Garwood's court-martial. I will defend ABC's "20/20" for a minute. Many of the things in that story were portrayed accurately, according to the testimony of the trial. I think there may be some views—obviously, Mr. Garwood had a different view than some others. But I think, by and large, it was an accurate reflection of what Mr. Garwood went through in Vietnam. It did not even touch on the live POW issue, really, other than to say he was not the last man to leave Vietnam.

So, Mr. President, I am looking forward to the trip. Bobby Garwood, as I said before, was acquitted of desertion; he was found guilty of collaboration. He has indicated he has seen live POW's. He is willing to go to Vietnam to show us where they are. I think it is an honorable thing to do. If it turns out that he is wrong, that he is somehow not telling the truth, or he is using this to advance himself—for the life of me I cannot figure out how Mr. Garwood advances himself if he was a convicted collaborator who goes to Vietnam and then we find out everything he told us about live Americans was a lie. What does he gain by that other than more disgrace?

On the contrary, I think when a person who is willing to put himself on the line, as Mr. Garwood has done, that we ought to follow up on it, and that is all I am doing. I am very proud to follow up on it. I want to repeat that. I am honored to follow up on it, to be even more descriptive about it, and I think it should have been done a long, long time ago.

The DIA has not done a good job in investigating this. They have not done a good job of researching Garwood. Had it been done when it was fresh in his mind—almost 20 years ago Mr. Garwood came out. Basically, the war ended in 1973, he came out in 1979 and here we are in 1993 and now Mr. Garwood is going. And I might also add that the Government denied Garwood the opportunity to go at taxpayers' expense.

So it is about time we thoroughly investigate this information; that we stop with the emotion and the innuendoes and the untruths and the half truths and thoroughly investigate this thing. That is what we started with the select committee. We ran out of time. The Senate sunsetted the committee, which is understandable. We understood that when we started that we had a time limit, but we did not get through the rest of the investigation.

So I understand also, and have talked to many about it, there is a lot of anger out there because of a lot of information about Mr. Garwood, and I also know there is some risk for myself to be associated with that. But I do not care about the risk because the most important thing here is that we investigate, thoroughly investigate every single bit of information that Mr. Garwood told us.

I wish to recount just a couple of brief things about this because I was directly involved. I was personally involved in the DIA debriefing of Mr. Garwood several years ago and personally involved in setting those debriefings up. It was interesting because I carried his phone number around in my wallet for a couple years when the DIA did not know how to reach him, even though I offered them a phone number, which is very interesting. They could not seem to find him, and they did not want to find him because of the fact there was this stigma out there about what he did or did not do during the war.

That is not what the focus of this trip is, and it is not what the focus of Garwood should be. The focus of Garwood should be what did he see? Is what he saw accurate? And we have an obligation to investigate it.

Having said that, let me cited one specific, Thac Ba Lake. Thac Ba Lake is a manmade lake made by a Soviet dam in North Vietnam. I was told personally by the DIA that, first of all, there was no lake. We then established that there was a lake. Then I was told that there were no islands in the lake. We now find out there are dozens of islands in the lake. Then I was told there was no prison compound on the lake. Then we find out there was a prison compound on the lake. Then I was told Garwood was never there. Then I find out Garwood was there, and he was there repairing generators. Senator KERRY and I were told this point blank by the Vietnamese in a meeting last December in Vietnam, in Hanoi.

The response from the Vietnamese was that Mr. Garwood was in fact where he said he was in Thac Ba Lake, that he saw—he was repairing generators at a facility on an island in Thac Ba Lake. Now, did he see American POW's? The Vietnamese said no, he did not. He says he did. Were there prisoners there? Yes, South Vietnamese prisoners.

Amazingly, the joint task force over there doing the investigating could not find the island and could not find the

prison camp, and yet when we, Senator KERRY and I, talked to the Vietnamese, one of the Vietnamese officials there said point blank, yes, there was a prison; yes, Garwood was there; yes, he was repairing generators.

I would urge anyone who really wants to know the truth to read the documents that we have now gotten finally declassified, the documents, the internal documents, the secret documents of the DIA, CIA, and everybody else involved in these investigations. They will show you conclusively that they felt Garwood was lying because Garwood was not where he said he was, there was no such location, et cetera, et cetera, et cetera.

The fact is all those things are true. The only thing that is left in the puzzle and the most important thing is whether or not he saw live American POW's. It is the number one thing, and the most important, obviously.

The question is why should we stop and refuse to allow him to go when, in fact, he can shed light on that?

Our committee concluded, all Senators present, when we wrote our final report, that the Garwood information needed to be pursued. That was in the final report. It was the conclusion of all Senators. There were no dissents in terms of that being pursued.

I have a responsibility as one member of that committee—I happened to be the vice chairman—to pursue it, and I intend to do it. I will do it in spite of the attacks. I will do it with attacks, because that kind of criticism is not even relevant as far as I am concerned.

The issue here is what did Mr. Garwood see or not see, and I intend to investigate it. I look forward to the trip. I look forward to going with Mr. Garwood. I look forward to seeing him facing the Vietnamese, looking the Vietnamese in the eye and saying, "I saw American POW's. Now, are you telling me that you didn't keep any POW's?" I wish to see the faces, I wish to look into the eye of that Vietnamese when he looks back at Mr. Garwood and says "No, Mr. Garwood, you are a liar." And then I want to look at Mr. Garwood, and I want to see him when he says, "No, you are a liar."

And then I am going to draw my conclusions, because I am going to be there when that little meeting takes place, and I am proud to be there. As I said before and I will say it again, what Mr. Garwood did or did not do is not relevant to the families of those men. If I have a brother, a dad, or a son missing, and I know somebody out there in America, whoever he or she is, has information about that person, this country has a moral responsibility, a moral responsibility to check it out. I do not care where the source is, Mr. President.

It should have been done years ago. And to trash it now when we finally are ready to do it, to trash the opportunity now to do that after we finally have done it and get the opportunity to do it is an outrage. It is an outrage. I am

very sorry that it happened on the floor of the Senate.

I look forward to speaking out when I get back after the July 4 recess, and I will have a full report to the Senate on what I found or did not find when I got to Vietnam, and the Senate will hear exactly what that confrontation between Mr. Garwood and the Vietnamese was like and who said what and what we found out.

I thank the Chair and yield the floor.

ENERGY TAX POLICY

Mr. BAUCUS. Mr. President, in anticipation of the upcoming House-Senate conference on the budget reconciliation bill, I rise to address a critical element of any compromise; that is, the energy tax. When President Clinton originally proposed an energy tax as part of his deficit reduction package, he outlined a broad-based energy tax known as the Btu tax.

This tax had a number of competitive flaws. It would be very difficult to implement. For those reasons, it was dropped in the Senate. But the Btu tax has some real virtues, especially when compared to the transportation tax contained in the legislation we passed Friday morning.

The transportation tax is nothing more than a glorified gas tax. According to the Energy Information Administration, with the exemption of aviation fuel, approximately 90 percent of the total tax will be shouldered by the users of automobiles and trucks.

First, with the proper refinements, the Btu tax would be fair and balanced compared with the gas tax. Some of my colleagues point out that the Btu tax effectively includes a gas tax, and they are right. But the difference is a Btu tax would be paid by all energy users, from the largest corporations to the ordinary working Americans. It would be paid by drivers in the rural West, homeowners in the urban Northeast. It would also be paid by transportation industries, such as airlines and trucking companies, and service industries, like restaurants and auto shops. Despite its flaws, the Btu tax and other broad-based energy taxes do have the virtue of fairness.

Unfortunately, an isolated boost in the gas tax is both unfair and regressive. As data provided by the Department of Transportation demonstrates, the gas tax falls most heavily upon rural States like Montana, Arkansas, North Dakota, and Wyoming.

I ask unanimous consent that a copy of the chart illustrating this point be printed in the RECORD.

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

Consumption ranked by State

State:	Gallons per capita
Wyoming	987
North Dakota	707
Arkansas	677
Montana	673

Georgia	670	California	164
South Dakota	669	Pennsylvania	161
New Mexico	668	Alaska	163
Alabama	662	New Hampshire	151
Missouri	635	Maryland	156
Oklahoma	623	Illinois	151
Nevada	620	Rhode Island	146
Mississippi	616	New Jersey	135
Kentucky	613	Massachusetts	130
Nebraska	609	Hawaii	127
South Carolina	608	Connecticut	124
Indiana	602	New York	113
Vermont	586	DC	178
Idaho	580		
Tennessee	584		
Kansas	578		
Texas	578		
Iowa	572		
North Carolina	571		
Maine	569		
Delaware	559		
Virginia	556		
West Virginia	555		
Arizona	539		
Washington	534		
Minnesota	530		
Florida	521		
U.S. average	519		
Louisiana	518		
Wisconsin	514		
Michigan	509		
New Hampshire	507		
Utah	504		
Ohio	494		
Maryland	491		
Colorado	491		
New Jersey	488		
Oregon	486		
Alaska	482		
California	479		
Illinois	457		
Connecticut	467		
Pennsylvania	456		
Massachusetts	427		
Rhode Island	407		
Hawaii	369		
New York	348		
DC	282		

Cost per capita ranked by State

State:	Percent ¹
Wyoming	0.413
Arkansas	.320
Mississippi	.319
New Mexico	.318
North Dakota	.306
Montana	.306
South Dakota	.295
Alabama	.293
Oklahoma	.281
South Carolina	.278
Kentucky	.271
Georgia	.270
West Virginia	.269
Idaho	.268
Missouri	.246
Tennessee	.248
Indiana	.244
Louisiana	.241
Utah	.240
North Carolina	.236
Texas	.236
Nebraska	.233
Vermont	.231
Arizona	.230
Iowa	.223
Maine	.223
Nevada	.223
Kansas	.218
Wisconsin	.200
Virginia	.197
Florida	.196
Oregon	.196
Ohio	.194
Minnesota	.193
Washington	.191
U.S. average	.191
Michigan	.190
Delaware	.190
Colorado	.178

California	164
Pennsylvania	161
Alaska	163
New Hampshire	151
Maryland	156
Illinois	151
Rhode Island	146
New Jersey	135
Massachusetts	130
Hawaii	127
Connecticut	124
New York	113
DC	178

¹ Percent of personal income.

Mr. BAUCUS. Mr. President, I believe that every American, regardless of their State, is willing to contribute to reduce the deficit. Americans will do their fair share, but we should be very careful when drafting tax proposals to ensure that no one is asked to do more than their fair share.

In coming to an agreement on the energy tax in the conference committee, it is my hope that a fairer and more balanced formula than the gas tax can be found. Second, the Btu tax and other broad-based energy taxes have the added benefit of positively impacting the environment. A broad-based energy tax will encourage conservation, and if properly structured, can encourage the use of cleaner burning fuels that result in the reduction of environmental degradation.

Such prominent environmental groups as Friends of the Earth, American Rivers, the National Wildlife Federation, Sierra Club, and National Resources Defense Council, were solid backers of the Btu tax, and expressed support for a broad-based energy tax. A leader of a major environmental organization went so far as to say that the Btu tax would have done more to promote environmental protection "than any other single piece of environmental protection legislation."

For example, the House passed version of the Btu tax would encourage an annual reduction in greenhouse gas emissions of 25 million metric tons by the year 2000. That is the equivalent of about 20 percent of the reductions required to implement the President's commitment to return greenhouse gas emissions to 1990 levels by the end of the decade.

The gasoline tax, however, sacrifices virtually all of those environmental benefits according to the Natural Resources Defense Council. The gas tax does little to encourage conservation or fuel shifting because it has no impact on many of the largest users of energy—commercial business establishments, public institutions, and energy used for electricity generation.

Further, alternate fuels are, by and large, not available to the average driver, and the average driver generally has no other means of transportation, he or she must simply pay the tax. Again, the conservation impact is minimal.

The President originally proposed a broad-based energy tax. The House bill contains that broad-based energy tax. In conference, it is my hope that the