I yield back the remainder of my time.

ADDITIONAL COSPONSORS—S. 311

Mr. WARNER. Mr. President, I ask unanimous consent that Senators INOUYE, KENNEDY and FEINGOLD be added as cosponsors to S. 311.

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

ADDITIONAL COSPONSOR—S. 258 AND S. 312

Mr. WARNER. Mr. President, I ask unanimous consent that Senator FEINGOLD be added as a cosponsor of S. 258 and S. 312.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

SOLDIERS', SAILORS', AIRMEN'S AND MARINES' BILL OF RIGHTS ACT OF 1999

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 4, which the clerk will report.

The bill clerk read as follows:

A bill (S. 4) to improve pay and retirement equity for members of the Armed Forces, and for other purposes.

The Senate resumed consideration of the bill.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. I first wish to inquire of our colleague if he felt he had adequate time to conclude his remarks. If not, I think we could accommodate him. Could someone ask the Senator to return momentarily?

Mr. LEVIN. If the Senator will yield, the Senator from Illinois did indicate to me he had completed. Thank you for your concern.

Mr. WARNER. Thank you.

Mr. President, we are ready to resume. I see the Senator from Texas.

Mrs. HUTCHISON. I think the Senator from Idaho has an amendment, after which I would like to be recognized to talk about an amendment as well.

Mr. WARNER. I thank the distinguished Senator.

Mr. President, fortunately we have a flurry of activity on this bill. We have an amendment to be offered momentarily by our distinguished colleague from Idaho. There are some 21 amendments that have been made known to the managers, Mr. LEVIN and myself. And I am confident we can make some strong gains today on this bill.

The leadership—and I presume in consultation with the Democratic leader—desire a vote at the conclusion of our two luncheon caucuses today. So after further consultation with the leadership, I think they will direct me to seek from the Senate an understanding that we will vote at about 2:15 on the amendment of the Senator from Idaho.

Mr. President, before we proceed further on the bill this morning, I would like to—each day as the bill is brought up, I am going to address what I call the overnight constructive criticism that is brought to bear on this piece of legislation. And I ask unanimous consent to have printed in today's RECORD an editorial from the Washington Post, dated Tuesday, February 23, 1999, entitled ''Bad Bill in the Senate.''

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

[From the Washington Post, Feb. 23, 1999]

BAD BILL IN THE SENATE

The Senate this week is scheduled to debate a showy military pay and pension bill whose enactment many members realize would be a mistake but which no one in either party seems prepared to oppose. The Republican leadership ordered it split off from the rest of the defense authorization bill to make it the first substantive bill of the year.

The goal is to demonstrate that Republicans do indeed have a legislative agenda, and to take back from the president a defense spending issue that Republicans regard as their own. He too proposed pay and pension increases in his budget. His were already more generous, particularly as to pensions, than military personnel needs can justify. No matter; the bill, which most Democrats as well as all Republicans on the Armed Services Committee supported, is more generous still.

The services are having trouble with both recruitment and retention in a strong economy. The pay raises in the bill may well be justified in light of this, and help the services compete. The pension proposals are the problem. They would undo a hard-won reform that Ronald Reagan joined in enacting in 1986, one purpose of which was to save money, another to improve retention. The system this bill would restore was dropped because it was thought to encourage experienced people to leave the serve, not stay.

The estimated cost when fully effective is in the neighborhood of $5 billion a year. The effect, if it happens, will be to squeeze other parts of the military budget that themselves are already tighter than they should be. The current uniformed chiefs, who support the step in part as a way of boosting morale, may not regret it, but their successors will.

Last year the leaders of the Armed Services Committee cautioned against a costly pension increase until the issue could be studied. Several major studies are soon to be completed, yet, for the flimsiest political reasons, the bill is being rushed to a vote without them. A hurry-up vote on an enormously costly bill with little to back it up can't possible be good politics. It surely isn't good policy. It's especially not good defense policy. A vote in favor will make the opposite of the showing the leadership intends.

Mr. WARNER. I will not take up too much time of the Senate here today, but I welcome constructive criticism, such as forwarded by this piece and others. And I am ready to meet it head on and reply and explain exactly what it is that this Senator intends to achieve through this bill.

We are faced every day that we get up with fewer and fewer young men and women willing to sign on the dotted line and take up an initial career in the U.S. military, and it is very serious for all the services. Every day we wake up, fewer and fewer men and women who have been in the services, who have received—in many instances, pilots the most notable—an extraordinary taxpayer investment in their training, are not seeking the opportunity to remain in the services. We have to address these two ''hemorrhaging'' problems. That is the purpose for driving this bill through.

I am confident when we emerge in conclusion of this bill, and we come to the final passage, we will probably have a better shaped instrument than is before the Senate at this time, but that shaping has to take place on this floor with constructive criticism such as the editorial sets forth.

This bill was driven by the testimony of the Chairman and the members of the Joint Chiefs in September and again in January.

I ask unanimous consent to have printed in the RECORD statements of the Chairman and Members of the Joint Chiefs of Staff.

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

RETIREMENT

GEN. HENRY H. SHELTON, USA, CHAIRMAN OF THE JOINT CHIEFS OF STAFF

September 29, 1998

First, we need to fix the so-called REDUX retirement system and return the bulk of our forces to a program that covers our most senior members—that is, a retirement system that provides 50 percent of average base pay upon completion of 20 years of service.

If we fail to address these critical personnel issues, we will put at risk one of our greatest achievements for the last quarter century, the all volunteer force.

It is the quality of the men and women who serve that sets the U.S. military apart from all potential adversaries. These talented people are the ones who won the Cold War and insured our victory in Desert Storm. These dedicated professionals make it possible for the United States to accomplish the many missions we are called on to perform around the world every single day.

I assure you, Mr. Chairman, that the troops and their families appreciate this very much. But as I have noted that alone will not be enough. As we develop the Fiscal Year 2000 budget proposal, we will take a hard look on what must be done on core compensation issues such as pay and retirement to maintain the quality of the people in the military. No task is more important in my view.

January 5, 1999

The ideal here would be the full retirement system. However the triad that we referred to we consider to be very important, and the reason in our recommendation initially was to go with the 50 percent retirement with the COLA, the CPI minus 1 percent retirement with a 2 percent floor, was because the full retirement was a very expensive system to restore and we wanted to make sure that we, in fact, could have money to apply to pay reform because we think that is very important too, that we reward performance vice just longevity and put it in those mid-grades

in the enlisted force as well as the officer force where we have got retention challenges today in addition the standard across the board raise of 3.6 in '99 and 4.4 percent in '00.

Chairman, this Congress has already taken an important step in this process by supporting the 3.6 percent pay adjustment for the military in 1999, preventing the pay gap from growing any wider still. And as the President has pledged support for a 4.4 percent pay raise in the Fiscal Year 2000 budget and for adjustments in subsequent years at the ECI rate, this will at least prevent a widening of the gap.

Senator Kempthorne, there was no specific agreement on that particular issue because, as we pointed out during the session with the President, there is a number of ways that this issue can be addressed. We are currently looking at various options and what the cost of this would be, not just for a single year, for '00, for example, but across the FYDP. So we had not reached that level of specificity when we met with the President. That is currently being worked within the Department of Defense.

Senator KEMPTHORNE. Do you feel you will see efforts in that direction with the Fiscal Year 2000 budget?

General SHELTON. The President's instructions to us were to come back to him and work with OMB. That certainly, as you have heard this morning, is high on our agenda, to make sure that we apply some of the resources to those two issues, pay and retirement.

STATEMENT BY DENNIS J. REIMER, CHIEF OF STAFF, U.S. ARMY

January 5, 1999

I would also say, Mr. Chairman and members of the committee, that the soldiers are very excited about the pay and compensation package. I would urge your immediate and prompt support of the total package.

Soldiers are concerned about what they read about the pay gap. Whether it is 8.5 or 13.5 percent, they know that there is a pay gap out there. They are concerned about a retirement system that is coming into being where we promised them 40 percent of take-home pay, but they are finding out that 40 percent of their take-home pay does not equal 40 percent of their base pay.

There is no set solution, and I do not think pay and retirement benefits alone is going to solve our problem, but it is vital that we send that message out there to those soldiers that we really care about them. But it is more about making them feel good about the contributions they have made. It is more about making them feel like they are doing the things they joined the army to do.

STATEMENT OF ADMIRAL JAY L. JOHNSON, U.S. NAVY, CHIEF OF NAVAL OPERATIONS

September 29, 1998

I would offer the following waterfront perspective having just returned from the Pacific Northwest. First of all, the resilience and esprit of our men and women is probably no surprise to you, but it is most gratifying to me. But they, indeed, have very serious concerns. They are working harder with no end in sight. They are underpaid relative to what is available to them on the outside. They believe the REDUX retirement system, as you have heard, is broken, and they are, frankly, tired of being asked to do more with less. These things are on their minds as they make career decisions.

In summary, my number one short-term concern is taking care of our people, pay, retirement, OPTEMPO, stability at home, and my number one long-term concern is building enough ships and enough aircraft to recapitalize the force we know we need.

January 5, 1999

I fully support Sec Cohen's initiative calling for a 4.4% across the board pay raise, pay table reform, and restoration of the 50% retirement package. This triad of initiatives is absolutely essential in FY00 if we are to reverse the negative trends in recruiting and retention.

I must reiterate a final point: I ask that you support Sec Cohen's triad of pay and retirement initiatives as the most critical of our needs with this FY00 budget.

GENERAL REIMER

January 5, 1999

There is no set solution, and I do not think pay and retirement benefits alone is going to solve our problem, but it is vital that we send that message out there to those soldiers that we really care about them. But it is more about making them feel good about the contributions they have made. It is more about making them feel like they are doing the things they joined the army to do.

STATEMENT OF GEN. CHARLES C. KRULAK, COMMANDANT OF THE MARINE CORPS, U.S. MARINE CORPS

January 5, 1999

Our unit commanders routinely cite dissatisfaction with the 40 percent retirement pension at 20 years of service (called REDUX) as one of the foremost reasons for separations prior to retirement eligibility. Originally intended to keep our military personnel in for longer periods of time, it has had the exact opposite effect. Marines who entered the service after 1986 are, 12 yrs later, just beginning to understand the importance of their future retirement. They note the disparity between their pension benefit and the 50 percent, ''traditional'' pension at 20 yrs afforded to their predecessors, and they wonder why their service is considered less significant. They are asking themselves whether 40 percent of basic pay at the earliest retirement date is adequate compensation for the level of sacrifice our Nation demands from them and their families. Their answer is not to stay in longer, as was the goal of REDUX, their answer is to get out. Their answer is not to make the services a career. The commanders' assessments indicate that Redux considerably reduced enticements for having a military career and will increasingly become a deciding factor regarding continued service. The negative impact on retention, in turn, will degrade the stability and quality of our officer and noncommissioned officer force. Readiness will eventually suffer as more experienced personnel leave for the civilian job market and are replaced by less experienced, and in some cases less qualified, Marines.

By restoring the traditional retirement plan, preserving benefit services, pursuing the reduction of the civilian-military pay gap, and enhancing their quality of life through appropriate equipment and infrastructure repair and replacement, we can demonstrate a clear and genuine appreciation for the selfless service provided by our Marines and their families. Your support for this goal was evident in the 3.6% pay increase for 1999. As we continue in our quest to further close the civilian-military pay gap and reduce this critical readiness challenge, we need your continued support for the planned 4.4% pay raise in 2000 and the proposed replacement of the Redux retirement plan.

STATEMENT OF GEN. MICHAEL E. RYAN, CHIEF OF STAFF, USAF

January 5, 1999

For the Air Force to continue attracting and retaining quality people, we must be competitive with contemporary labor markets. Restoring the retirement system as a retention incentive is our top priority.

ADMIRAL JOHNSON

January 5, 1999

Pay and retirement benefits rank among our Sailors' top dissatisfiers. We must be able to offer our Sailors a quality of life that is competitive with their civilian counterparts. The Congressionally approved pay increase of 3.6%, which took effect Jan 1, 1999, was greatly appreciated. However, the pay gap that exists and the reduced retirement package for those who joined the Navy after August 1986 continue to hamper our recruiting and retention efforts.

I fully support Sec. Cohen's initiative calling for a 4.4% across the board pay raise, pay table reform, and restoration of the 50% retirement package. This triad of initiatives is absolutely essential in FY00 if we are to reverse the negative trends in recruiting and retention.

I must reiterate a final point: I ask that you support Sec. Cohen's triad of pay and retirement initiatives as the most critical of our needs with this FY00 budget.

In summary, my number one short-term concern is taking care of our people, pay, retirement, OPTEMPO, stability at home, and my number one long-term concern is building enough ships and enough aircraft to recapitalize the force we know we need.

GENERAL KRULAK

January 5, 1999

By restoring the traditional retirement plan, preserving benefit services, pursuing the reduction of the civilian-military pay gap, and enhancing their quality of life through appropriate equipment and infrastructure repair and replacement, we can demonstrate a clear and genuine appreciation for the selfless service provided by our Marines and their families. Your support for this goal was evident in the 3.6% pay increase for 1999. As we continue in our quest to further close the civilian-military pay gap and reduce this critical readiness challenge, we need your continued support for the planned 4.4% pay raise in 2000 and the proposed replacement of the Redux retirement plan.

PAY

GEN. HENRY H. SHELTON

September 29, 1998

In our recent efforts to balance these important and competing requirements, we have allowed the pay of our soldiers, sailors, airmen, and marines to fall well behind that of the civilian counterparts.

One can argue about how large the pay gap is depending on the base year selected, but the estimates range from 8.5 percent to 13.5 percent, and very few deny that the gap is real.

If we fail to address these critical personnel issues, we will put at risk one of our greatest achievements for the last quarter century, the all volunteer force.

It is the quality of the men and women who serve that sets the U.S. military apart from all potential adversaries. These talented people are the ones who won the Cold War and insured our victory in Desert Storm. These dedicated professionals make it possible for the United States to accomplish the many missions we are called on to perform around the world every single day.

We must begin to close the substantial gap between what we pay our men and women in uniform and what their civilian counterparts with similar skills, training and education are earning.

I assure you, Mr. Chairman, that the troops and their families appreciate this very much. But as I have noted, that alone will not be enough. As we develop the Fiscal Year 2000 budget proposal, we will take a

hard look on what must be done on core compensation issues such as pay and retirement to maintain the quality of the people in the military. No task is more important in my view.

And, as I said earlier, there are various estimates about the magnitude of the pay gap and there are several time lines that could be considered for closing that gap. But we must act soon to send a clear signal to the backbone of our officers, that their leadership and this Congress recognize the value of their service and their sacrifices, and that we have not lost sight of our commitment to the success of the all volunteer force.

III. PERSONNEL

GEN. HENRY H. SHELTON

September 29, 1998

We already see troubling signs that we are not on the path to success in that effort. Our retention rates are falling, particularly in some of our most critical skills, like aviation and electronics, the very skills that are in demand in our vibrant economy. And we are having to work harder to attract the motivated, well-educated young people we need to operate our increasingly complex systems.

So, Mr. Chairman, my recommendation is to apply additional funding to two very real, very pressing concerns. First, we need to fix the so-called REDUX retirement system and return the bulk of our force to the program that covers our more senior members—that is, a retirement program that provides 50 percent of average base pay upon completion of twenty years of service. Second, we must begin to close the substantial gap between what we pay our men and women in uniform and what their civilian counterparts with similar skills, training, and education are earning.

The President has pledged support for a 4.4 percent pay raise in the Fiscal Year 2000 budget and for adjustments in subsequent years at the ECI rate to at least prevent further widening of the pay gap.

GEN. DENNIS J. REIMER

September 29, 1998

Personnel shortfalls were having an adverse impact on current readiness, and these concerns were clearly reflected in their Unit Status Reports (USRs).

The net effect of the drawdown and change process has been too few soldiers to fill too many requirements. That left us with too many undermanned and unmanned squads and crews, and shortages in officer and noncommissioned officer positions.

Today, funding concerns have replaced manning as the number one issue for commanders.

QUALITY OF LIFE

One can argue about how large the pay gap is depending on the base-year selected, but the estimates range from 8.5 percent to 13.5 percent. Few deny that the gap is real.

Another key factor seriously affecting our force today is the different retirement system for the most junior two-thirds of the force. In 1986, Congress changed the Armed Forces retirement system to one that is increasingly perceived by our military members as simply not good enough to justify making a career of military service.

GEN. DENNIS J. REIMER

September 29, 1998

As operations continue apace, the cost of maintaining excess capacity and inefficient business practices can only be supported at the expense of readiness and quality of life.

Over the past few years, commanders have resourced BASOPS and RPM at the absolute minimum in order to protect training.

ADM. JAY L. JOHNSON

September 29, 1998

The quality of life of our Sailors is the issue that concerns me above all others. Our ability to attract and retain an all-volunteer force is increasingly being tasted in the face of the strong national economy.

If we do not reduce the workload and provide Sailors with pay and benefits competitive with their civilian counterparts, they will leave the Service.

The very nature of our operation—forward deployed with a high OPTEMPO—is also taking a toll on our people. The frustrations our Sailors are experiencing is related to the increasing amount of time they are spending at sea while deployed and at work while nondeployed.

GEN. MICHAEL E. RYAN

September 29, 1998

We are especially interested in restoring the retirement system as a retention incentive. At the same time, we need to keep pace with inflation and close the gap between the military and private sector wages. Pay and retirement are not the only reasons of concern.

GEN. CHARLES C. KRULAK

September 29, 1998

Our austere military construction program also remains seriously underfunded, allowing us to focus only on meeting our most immediate readiness needs, complying with safety and environmental standards, and maintaining our commitment to bachelor quarters construction.

At current funding levels, our plant replacement cycle exceeds 190 years, compared with an industry standard of 50 years! Our goal is to replace our physical plant every 100 years be investing one percent of the plant value in new construction. Attainment of this goal would require an additional $75 million one year by investing one percent of the plant value in new construction. Attainment of this goal would require an additional $75 each year across the FYDP. If we attempted to achieve the industry standard, it would require an additional $275 million per year. We have a family housing deficit of 10,000 units which is not corrected under the current FYDP, and there are 12,000 houses which require revitalization. The Department of Defense goal is to eliminate all substandard housing by FY10. At current funding levels, we will not attain that goal until FY15. Essential rehabilitation as required by Department of Defense guidance would necessitate an additional $940 million.

Mr. WARNER. This committee has done a conscientious effort to react to the specific directions given to us by the senior military officers of the Army, the Navy, the Air Force, and the Marine Corps.

I thank the indulgence of the Chair, and I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Idaho.

AMENDMENT NO. 9

(Purpose: To repeal the reduction in military retired pay for civilian employees of the Federal Government)

Mr. CRAPO. Mr. President, I send an amendment to the desk and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. CRAPO] proposes an amendment numbered 9.

Mr. CRAPO. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 39, between lines 8 and 9, insert the following:

SEC. 204. REPEAL OF REDUCTION IN RETIRED PAY FOR CIVILIAN EMPLOYEES.

(a) REPEAL.—(1) Section 5532 of title 5, United States Code, is repealed.

(2) The chapter analysis at the beginning of chapter 55 of such title is amended by striking out the item relating to section 5532.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the first day of the first month that begins after the date of the enactment of this Act.

Mr. CRAPO. Mr. President, this amendment is cosponsored by Senator LOTT. It is an amendment that will repeal the current statute that reduces retirement payment for regular officers of the uniformed service who choose to work for the Federal Government. The uniformed services include the Army, Navy, Air Force, Marine Corps, the Public Health Service, and the National Oceanographic and Atmospheric Agency.

If a retired officer from the uniformed services comes to work for the Senate, his or her retirement pay is reduced by about 50 percent, after the first $8,000, to offset for payments from the Senate.

The retired officer can request a waiver but the executive, legislative and judicial branches of government handle the waiver process differently on a case by case basis.

The dual compensation limitation is also discriminatory in that regular officers are covered by reservists and enlisted personnel are not covered by the limitation.

My amendment should be scored at zero because no additional discretionary funds are required to implement the change and the uniformed services retirement system is fully funded to pay retirees their full retirement benefit that they have earned.

In fact, because of this law, many of them are discouraged from seeking employment from the federal government. I have been unable to find one good reason to explain why we should want our law to discourage retired members of the uniformed services from seeking full time employment with the federal government. It deprives them of an important opportunity for employment and it deprives our government from their able expertise and service.

This amendment would fix this inequity, and give retired officers equal pay for equal work from the federal government and it would give the federal government access to a workforce that currently avoids employment with the federal government.

I hope this amendment will be accepted by all involved. I yield back my time.

Mr. WARNER. Mr. President, if I could just say a word about the amendment pending from the distinguished Senator from Idaho. I am prepared to support that amendment. It is long overdue, and I think it just removes

another one of the inequities that, regrettably, from time to time throughout history come up through our system. Those men and women who serve in the active forces for great periods of time should not be penalized when a Reserve officer or a Guard officer or others, don't have a comparable situation. So I commend the Senator.

Mr. DODD. Mr. President, I wanted to briefly explain my reasons for opposing this amendment to S. 4, the Soldiers', Sailors', Airmen's and Marines' Bill of Rights. This amendment may look alright on the surface, but it falls apart when it is closely examined. Apparently, no one has estimated how much this amendment would cost if it became law, and no one knows how we would fund the changes that this amendment would require in the pension system. I cannot in good conscience support a measure when we have not considered that basic information.

I fully support the goals of this bill and this amendment. I think that our men and women in uniform deserve good pay and benefits, but we must be responsible when we take these sorts of actions. Our uniformed personnel would be the first to tell us that. There have been no hearings on this amendment or this bill, and there is no evidence that this change in pension policy for military retirees will improve retention.

I want to focus on the issue of how we would pay for this amendment. It seems to me that a vote for this amendment is a vote to cut military procurement, research and development, military construction, or some other item in the defense budget. If it is not a vote to cut the defense budget, a vote for this amendment would have us dip into the surplus to cover the full pensions of military retirees. I would prefer to see the surplus go towards ensuring the long-term solvency of Social Security. Perhaps, though, the drafters of this amendment do not intend to find offsets in the defense budget or use the surplus. In that case, the only thing left to do to fund this amendment is to go into domestic spending. I would most certainly be opposed to that course of action. In short, none of the three possible options for funding this amendment appeals to me, and that is why I opposed it.

The PRESIDING OFFICER. The Chair recognizes the Senator from Texas.

MILITARY HEALTH CARE

Mrs. HUTCHISON. Mr. President, I am going to offer an amendment later today which I hope can become a part of the bill and will be acceptable to the managers. I have been trying to work with everyone who is concerned about the military health care issue, and I look forward to having it be a part of this bill.

Today, I, along with one of my cosponsors, Senator EDWARDS from North Carolina, will talk about what is in this very important amendment. Both Senator HAGEL and Senator HELMS are also cosponsors of this amendment.

I have just finished touring every single base in Texas—Army, Navy, Air Force—and I have talked to young enlisted people, young noncommissioned officers, recruits. I went to Lackland and I talked to people who are in their first month in the Air Force. I talked to these young people, as well as people all the way up and down the line, about their concerns. Of course, we know that we are having the biggest retention problem that we have had in the military for a long time. In fact, for every pilot we keep in the Air Force, we lose two. We are also looking at tough recruiting.

We are looking for ways to say to our military personnel, we want you to come and be a part of our armed services because we are proud of the job that our armed services do; and we are saying to the experienced people in our military, we want you to stay because we need our experienced pilots and sailors and those who are on the ground. We need every one of you to stay in.

I talked about why they aren't staying in. First and foremost is pay. We are addressing that in the military bill of rights. Second to pay is health care. Health care is part of the package that we promised to our military personnel. It is part of the package that we say we are going to give to the military, to their families and to retirees. We say we will provide for your health care now and we will provide for it when you retire. That is part of the incentive for signing up for the military.

I became very concerned and started looking at the different military health care options. It differs around the country. TRICARE, which has been adopted by much of the military, is the system that really needs fixing. TRICARE says to community doctors, we will reimburse you to serve our military personnel. In fact, we have cut back on military health care facilities in the Base Closing Commission. There are fewer health care facilities, so we reached out into the community.

The problem is the bureaucracy. Getting a claim is causing the doctors to say, ''I don't need this, I can't deal with it. It is much worse than Medicare or any other government program with which we have worked.'' Doctors are saying, ''I'm not going to serve our military personnel.''

If you are in the town of Abilene and you can't get a pediatrician for the children of the military personnel, this is a problem.

I, along with Senators EDWARDS, HAGEL and HELMS, have introduced a bill called the Military Health Care Improvement Act of 1999. This is the amendment that we are offering today. Basically, what the amendment does is require that benefits be portable across the regions established in the current system so that once you have a TRICARE coverage and you move—which we know our military personnel do every 2 or 3 years—you will be able to keep that coverage as you cross regions. That will make it much easier for our personnel to know exactly the kind of care they are getting. We would ensure that military coverage is comparable to the average coverage available to civilian Government employees, many of whom work side by side with our military personnel. We think it should be comparable.

Third, we minimize the bureaucratic red tape and streamline the claims processing. This is one of the big problems. It will not cost money to fix—and probably will save money. If we could streamline the claims processing, it will be easier for the Department of Defense, and certainly easier for the person who is getting this health care. It would increase reimbursement levels to attract and retain qualified health care providers. Now, this is an option with the Department of Defense, where they need to be able to increase the coverage. It would allow the Department of Defense to say, all right, as an incentive to get this coverage for our personnel in this area, we will increase the reimbursement levels.

Fifth, it would increase the revenues to military treatment facilities by permitting reimbursement at Medicare rates from third party payers. Now, this is something that will be very important to our military hospitals, where they can get reimbursed at the Medicare level, or they can be reimbursed by Medicare through subvention. We want them to be able to do that. That will, in fact, help our Department of Defense get the same level of reimbursement into the military hospitals that anyone going to a civilian hospital would be entitled to.

So we are very hopeful that this amendment will just be accepted by the sponsors of the bill, because you can't have a military bill of rights that says we are going to deal with the biggest issues of recruiting and retention that we have in the military without addressing health care.

I want to commend the chairman and the distinguished ranking member of the Armed Services Committee for getting this bill up and out as the very first piece of major legislation we are going to pass in this session. They are increasing the pay, and that is the key issue for most people in our military. And they are bringing the pension up to the 50-percent level. I applaud them for that.

I want to add a third element of the problems that our military are facing, and that is quality health care. We have more military families than we have ever had in the military before. Back in the old days, many of our people in the military, the personnel, were single. That is not the case today. Now most of them are married and most of them have families. So we must deal with that reality and make the military family-friendly if we are going to keep the good people of our country who want to be married and have families, which is the normal thing that we

would like for people to have the option to do.

So that is the crux of our amendment. I think it is a good amendment. I believe the Department of Defense will have a lot of latitude to work with this issue. But it must be addressed. We cannot have shoddy health care coverage that differs in different regions of the country, depending on what the military health care facilities are. If you don't have a military hospital in a city that has a military base, you have to provide for that health care. We want it to be good quality health care.

I will never forget when I was over in Saudi Arabia visiting an Air Force base with our personnel. We were talking to these fliers and asked, ''What is your biggest problem?'' One flier said, ''Senator, my biggest problem is that I called home yesterday and my wife was in tears because we have a sick baby and not a doctor in the city will serve our baby. That is the biggest problem I have.'' And I said, ''Wait a minute, that is a problem we can fix.''

That is what the amendment that I and Senator EDWARDS and Senator HAGEL and Senator HELMS are offering today. We don't want one pilot in our military in Saudi Arabia or in Turkey or in Bosnia or in Italy or anywhere else to tell us that their biggest problem is that they called home last night and their wife is in tears with a sick baby who cannot get a pediatrician to see that baby.

So that is what our amendment will do. I appreciate the distinguished chairman of the committee allowing me to talk about this amendment. I really hope that he is going to accept this amendment because this could be the third part of the improvement that he is seeking, by increasing the pay, by increasing the pensions, and health care. I hope that we can do this so that we can say truthfully to everyone that comes into a recruiting office that we are going to give you the health care, the pay, and the pension that will make this a great job, because we want you to serve our country and protect our freedom.

Thank you.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I wish to commend our colleague from Texas. I express once again the regret of the Armed Services Committee that we could not keep her on that committee. We knew the demands of Texas were perhaps matched by the Appropriations Committee, where she also has the opportunity to work with the Defense Subcommittee on Appropriations so that she is still very much involved in defense issues.

This, I hope, is an amendment that we can accept. We will be working with the Senator from Texas throughout perhaps today and tomorrow. But she is absolutely right. My constituents, as I travel among the bases, bring this to my attention wherever I go. I commend the Senator for her leadership.

Mrs. HUTCHISON. I thank the chairman. If the Senator will make me an honorary member of the Armed Services Committee, I will be there in a flash.

Mr. WARNER. The Senator can come back tomorrow. We want to hear from our colleague who is going to address this bill.

Are we agreeable on the vote at 2:15?

Mr. LEVIN. I haven't seen that yet. If you will withhold on that.

PRIVILEGE OF THE FLOOR

Mr. WARNER. Mr. President, I ask unanimous consent that Larry Slade, a fellow in Senator MCCAIN's office, be allowed access to the Chamber during the discussion of S. 4.

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

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Michigan.

Mr. LEVIN. First, relative to the amendment of the Senators from Texas and North Carolina, we understand that both of them have joined together in that amendment. We are very supportive of that effort. We think it is an important effort. Health care for themselves and mainly for their families is the number one concern of our uniformed military. This amendment would be very, very helpful.

I want to commend both Senator HUTCHISON and Senator EDWARDS for this amendment. I look forward to accepting this amendment. More important, I think the uniformed military and their families look forward to this improvement. I commend both of them. After Senator EDWARDS is recognized next, when we then go back to the amendment of the Senator from Idaho, I will have a question to ask of him.

I yield the floor at this time.

Mr. EDWARDS addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from North Carolina, Mr. EDWARDS.

Mr. EDWARDS. Mr. President, I thank my colleagues, Senator WARNER and Senator LEVIN for their comments. I rise today in support of Senator HUTCHISON's amendment. I think it is critically important that we set minimal standards for TRICARE, which provides health insurance care for all of our military personnel, their dependents, and retirees.

There are currently 6.6 million people who are enrolled in TRICARE and 350,000 who are located in North Carolina. So I want to talk briefly about why this amendment is critical not only to the country, but also to the people of North Carolina.

Comdr. Ronald Smith, who is in the Greensboro-High Point area of North Carolina, has warned me about the experiences of his soldiers with TRICARE. In all of Guilford County, which is actually one of the largest counties in the State of North Carolina in terms of population, not a single primary care manager is willing to see his soldiers or their dependents. The nearest TRICARE hospital available is Womack Army Hospital, which is almost a 2-hour drive away.

Just last week, one of his active duty female soldiers drove to another county to see one of the only two primary care providers available in that area, only to find that they would not let her leave without paying a copayment, even as an active duty member of the military.

Commander Smith tells me that local pharmacists are unwilling to fill military personnel prescriptions without up-front payment because they have had trouble getting reimbursed by TRICARE. Consequently, one second-class petty officer who recently came down with a bad case of the flu 4 days before payday was forced to take a no-interest loan in order to pay the prescriptions to treat her condition. Another active duty soldier held off on getting her blood pressure medication prescription refilled—she went without the medication for a week—because she couldn't afford the out-of-pocket expense for the medication.

All of this happens because local private physicians and pharmacist are unwilling to contract with TRICARE due to the lengthy waiting period for reimbursement and because reimbursement rates often fall below those allowed even by Medicare.

Recently in Onslow County, NC, the Onslow Hospital Authority voted unanimously to terminate the contract with TRICARE when it expires on May 1 and to renegotiate a new one. Onslow Memorial Hospital is currently owed more than $2 million in back claims from TRICARE.

Sgt. John Williams of Fayetteville, NC, recently wrote to me with his experience. His family is enrolled in TRICARE Prime. His daughter received a dermatologist consult in November from Womack Army Hospital. However, her appointments with the physician were canceled by the doctor's office three times, the last time with the explanation that the doctor had quit. In order to get an appointment with the new dermatologist, the girl had to go back through Womack. Sergeant Williams was told that if he chose to take her to a specialist at Duke of his own choice, TRICARE wouldn't pay and that a $300 charge would have to come out of his own packet.

Sabrina Williams had been waiting 81 days, at the time of Sergeant Williams' letter in January, to be seen by a dermatologist. In the meantime, the rash she was complaining of initially has spread over her entire body. She now has a second appointment with the dermatologist on March 1. Her first referral was on November 6 of last year.

As Senator HUTCHISON recognizes and as I recognize, we have to do better. Of course, I share everyone's concern about the cost of implementing this program. Indeed, I am concerned about

the cost of the whole bill. But after this TRICARE amendment, we have drafted a provision for assessing the cost of implementation within 6 months of enactment, and I am confident it will not cost much. We are aiming for increased efficiency with this, not increased costs.

I believe that the TRICARE system can be made to work if we work to make it better. This amendment takes the initial steps to addressing some of the main problems that are widely recognized by all of those participating in TRICARE.

Our service men and women deserve reliable, quality health care. We must show them that we value their commitment to our country by following through on our commitment to provide this fundamental benefit.

I urge my colleagues to support this measure. The TRICARE system has serious problems that need to be fixed. So I am proud to cosponsor Senator HUTCHISON's amendment.

Thank you. I yield the remainder of my time.

Mr. WARNER. Mr. President, we thank the Senators. Subject to concurrence by the distinguished ranking member and others, I hope we can arrive at a vote on this amendment this afternoon, with an opportunity preceding that vote with the sponsors to once again address it. I understand another Senator has indicated his desire to speak to this amendment.

So I hope we can put this up as a package and have it addressed by the Senate in the form of a vote this afternoon.

Mrs. HUTCHISON. Mr. President, if the Senator will yield, I would like to first say how much I appreciate Senator EDWARDS working with me on this amendment. This is a very important issue in North Carolina. He certainly understands it. I appreciate his statements.

I ask the chairman if we can have about 15 or 20 minutes in closing before we go to a vote once this is acceptable. Then we could hear from Senator HAGEL as well as Senator EDWARDS.

Mr. WARNER. Mr. President, that could be done. I would like to conclude the discussion on this amendment because we wish to go into recess at 12 o'clock and there are several other Senators desiring to be recognized. I thank the Senator from Texas.

At this time, Mr. President, I think it is in order—we have revised it. While we are waiting for that, it is my understanding Senator LEVIN has some questions for the Senator from Idaho.

Mr. LEVIN. Mr. President, if my good friend from Virginia will yield on this unanimous consent proposal which he is about to propound, I understand it is going to be revised.

Mr. WARNER. That is correct.

Mr. LEVIN. It has to be further amended, because we want to make sure that in the event there is a point of order—we don't know whether there will be one or not—but in the event there is a point of order, that a motion to waive that point of order would be debatable. I don't know that there will. But the Budget Committee folks are now apparently in a hearing. We can't get an answer from them as to whether or not there is an interest in making a point of order, assuming one lies. And I am not sure we even know yet whether or not a point of order lies. But we want to protect the rights of those Members.

So in order to do that, we have to protect the rights of anyone to make a point of order and to debate a motion to waive that point of order. That is being written.

Mr. WARNER. Mr. President, I assure my colleague that this is now being redrawn.

Mr. LEVIN. Mr. President, it needs to be redrawn further in order to protect the point of order and motion to debate.

Mr. WARNER. We will put that aside.

Mr. LEVIN. We can just add it. Perhaps, while we are waiting for that, I can ask our friend from Idaho a question.

The PRESIDING OFFICER. The Chair recognizes the Senator from Michigan.

Mr. LEVIN. I thank the Chair.

AMENDMENT NO. 9

Mr. LEVIN. I generally support the thrust of the Senator's amendment. But I also want to make sure that it accomplishes its goal in the Congress too.

One of the issues which has been raised is whether or not the amendment addresses the administrative cap that exists on salaries here in the Senate, and I understand there is a similar administrative cap that exists in the House as well. That is one of the issues as to whether or not changing the law here will, in effect, accomplish the purpose or then just create another inconsistency between Congress and the executive branch.

So that is one issue which perhaps the Senator can address. The other issue is just the concern that I have as a member of the Governmental Affairs Committee which is that we should give that committee an opportunity to take a look at this amendment, because there is a civil service aspect to this which they may have some feelings about and we were trying to see whether or not there is any desire on the part of either the chairman, ranking member of Governmental Affairs, or anyone else on that committee to speak on this amendment. We have been unable to ascertain that.

But taking the first question first, I am wondering whether or not the Senator would comment on the question whether or not his amendment would address the current administrative cap that exists on staff salaries here in the Senate.

The PRESIDING OFFICER. The Chair recognizes the Senator from Idaho.

Mr. CRAPO. I thank the Chair and the Senator from Michigan. I appreciate the Senator's commitment.

This amendment simply eliminates the dual compensation prohibition in the statute. It does not specifically address the administrative cap that Congress has on top of that limitation placed on those who seek employment with Congress.

It should be clarified that although it does not remove the cap that the Senate and House have administratively placed on their own circumstances, it does solve the problem for our military retirees in all other branches of Government. And with regard to the Congress, it solves the problem up to the cap that Congress has put into place, which is a significant benefit to those who now are not able to get any support from the circumstance after the first $8,000 of compensation.

I agree with what I assume to be the ranking member's concerns and would be very willing to work with them to try to address that situation with regard to the administrative cap imposed by the Senate and by the House. But we must solve these problems one step at a time, and the first step must be to eliminate the dual compensation prohibition in the statute.

Mr. LEVIN. Mr. President, I wonder if my friend from Virginia will address this issue as well. We have an administrative cap on staff salaries here in the Senate, and this amendment does not address that administrative cap. So we would be correcting one problem.

I happen to support the thrust of that, which is that we would not be putting our active duty retirees at a disadvantage compared to our Reserve retirees. But we are also creating, in a sense, another inequality because the executive branch now would have no restriction administratively, whereas we apparently will retain this administrative cap.

So I am concerned about that inequity that would be created between ourselves and the executive branch with the passage of this, and I simply want to point it out. I think the direction here is the right one. But I do think we are facing another inequity. We are creating, in effect, another equity by eliminating the executive branch statutory cap and eliminating our statutory cap, leaving in place the administrative cap that is already in there.

Mr. WARNER. Mr. President, my friend and colleague raises a very valid point, and I suggest that we address that in the course of this bill but allow this amendment to go forward, because numerically we are talking about a relatively small number of officers who, fortunately—and I underline ''fortunately''—have offered their service to the Congress in comparison to many others throughout other agencies and departments in the Government.

So I would not want the amendment by our distinguished colleague to be delayed from a vote subject to our reconsideration of this very important issue.

As you might imagine, I think it is incumbent upon primarily the two of us to consult with one of our more distinguished colleagues around here whose knowledge of the Senate and salaries gave rise to this amendment. I would certainly want his input before we tried to make any adjustment.

Why don't we leave it that we can go ahead with this amendment, and at a time convenient in the course of the deliberations on this bill we will address the other problem.

Mr. LEVIN. Mr. President, I thank my friend from Virginia for that response. I wonder if the Senator from Idaho has discussed with the persons who were involved actively in placing that administrative cap in the—relative to the issue of removing that cap, have there been any discussions and, if so, could he share those perhaps with the Senate.

Mr. CRAPO. Mr. President, no, I have not discussed removing the administrative cap with those who placed it, but I would be very willing, as I said before, to do so and to work toward that end because I agree that that is one more inequity that should be removed. I think it is an inequity that already exists and, as the chairman indicated, only applies—if this amendment passes, it only applies at the very highest levels of salary, then only to a very small number of personnel, but that inequity should also be removed, and I would be glad to work on that effort.

Mr. LEVIN. Mr. President, in a moment the chairman will be propounding a unanimous consent request which I will support.

I do want to have one caveat on it, however, and that is that the Governmental Affairs members, as far as I know, have not had an opportunity to review this. This is within their jurisdiction; it affects civil service, and I think we should alert—I am hereby alerting them that there would be a vote on this matter at 2:15—and I think that in the event that a member of that committee, or anyone else for that reason, that it is within the jurisdiction of another committee, wanted to speak on this amendment before it were adopted, I would support a request from such a member to have an opportunity to speak for a brief amount of time prior to the vote. It would require a change in the unanimous consent agreement, and I am going to support this unanimous consent agreement so we can sequence some votes at 2:15, but I do want to alert our colleagues particularly on the Governmental Affairs Committee that this is an amendment within their jurisdiction, and if any member of that committee or any other member wants to speak to it for that reason, that this is not in the jurisdiction of Armed Services but a different committee, I would support—that doesn't mean it will succeed, but I will support a modification in our unanimous consent agreement at 2:15 to permit a short period of time for such amendment.

Mr. WARNER. Mr. President, I suggest that I propound the request, then the Senator propound his amendment. And I am certain that I will agree to it.

So at this time, Mr. President, I ask unanimous consent that the vote occur on or in relation to amendment No. 9 at 2:15 today, and that no amendments be in order prior to the vote on amendment No. 9, and, further, no points of order be waived with respect to the amendment. I further ask that with respect to a motion to waive the Budget Act or portions thereof, the motion to waive be debatable.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. WARNER. Mr. President, that concludes this amendment. There are two Senators seeking recognition, and therefore I am going to yield the floor momentarily.

Mr. President, I yield the floor.

Mr. ROBERTS. Mr. President, I have some general remarks about the bill. I know that under the previous order we are to recess at 12, and I will try to make my remarks as brief as possible. I know the senior Senator from Kansas has some remarks as well.

I know there is a lot of concern about the U.S. involvement in putting troops into Kosovo. I wish to bring to the attention of my colleagues a conference report that was passed last year as part of the defense appropriations bill that says—as a matter of fact it is law—the President and the administration must come to the Congress with a report of that deployment. Senator HUTCHISON and I will be making some remarks sometime later this afternoon in regard to this provision.

I ask unanimous consent to have this page of the Conference Report printed in the RECORD.

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

MAKING APPROPRIATIONS FOR THE DEPARTMENT OF DEFENSE FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1999, AND FOR OTHER PURPOSES—CONFERENCE REPORT (H. REPT. 105–746)

SEC. 8115. (a) None of the funds appropriated or otherwise made available under this Act may be obligated or expended for any additional deployment of forces of the Armed Forces of the United States to Yugoslavia, Albania, or Macedonia unless and until the President, after consultation with the Speaker of the House of Representatives, the Majority Leader of the Senate, the Minority Leader of the House of Representatives, and the Minority Leader of the Senate, transmits to Congress a report on the deployment that includes the following:

(1) The President's certification that the presence of those forces in each country to which the forces are to be deployed is necessary in the national security interests of the United States.

(2) The reasons why the deployment is in the national security interests of the United States.

(3) The number of United States military personnel to be deployed to each country.

(4) The mission and objectives of forces to be deployed.

(5) The expected schedule for accomplishing the objectives of the deployment.

(6) The exit strategy for United States forces engaged in the deployment.

(7) The costs associated with the deployment and the funding sources for paying those costs.

(8) The anticipated effects of the deployment on the morale, retention, and effectiveness of United States forces.

(b) Subsection (a) does not apply to a deployment of forces—

(1) in accordance with United Nations Security Council Resolution 795; or

(2) under circumstances determined by the President to be an emergency necessitating immediate deployment of the forces.

(c) Nothing in this section shall be deemed to restrict the authority of the President under the Constitution to protect the lives of United States citizens.

Mr. WARNER. Mr. President, if I might interject here——

Mr. ROBERTS. I would be delighted to yield to the distinguished Senator.

Mr. WARNER. On the question of procedure, there is an order for the Senate to go into recess at 12. I ask unanimous consent that that order be extended beyond the hour of 12 to accommodate Senators. How much time would the Senator like?

Mr. ROBERTS. I should be able to finish in 15 minutes.

Mr. WARNER. Perhaps a little less maybe.

Mr. ROBERTS. Maybe 13½.

Mr. WARNER. Would 10 do?

And the Senator from Kansas, how much time does he want?

Mr. BROWNBACK. I think I could do it in 7 minutes.

Mr. WARNER. And the Senator from Louisiana?

Ms. LANDRIEU. Four minutes.

Mr. WARNER. I ask unanimous consent that the Senate stand in recess at the hour of 12:15.

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

Mr. LEVIN. Mr. President, reserving the right to object, I would want to clarify it. That would then be the sequence of the remarks?

Mr. WARNER. That is correct.

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

Mr. ROBERTS. Mr. President I rise today to voice my strong support for this legislation that is designed to provide fair compensation, improved educational opportunities, enhanced financial saving program, and a fair retirement system for the men, women and families of the Armed Forces of the United States.

America is facing a serious crisis in the recruitment and retention of key members of the military. This crisis is a very complicated issue and one that has a complex answer. I am confident that the elements of this bill, S. 4, are an integral part of the solution to these problems. But I am also confident that passage alone will not correct all of the problems we face.

Near the end of the last Congress and after talking to soldiers in the field, senior enlisted and officer leadership of the US military, I was struck with the myriad of problems facing our service members. These problems are contributing to the rapid decline in mid grade

retention and the growing inability to recruit new members of our military.

I might add that I was just out to Fort Leavenworth, KS, and the Army is 40 percent short in regard to the recruiting targets they have to have to simply accomplish their mission. That is as of last week. I came to the floor and laid out what I saw as the key components of their discontent. Rather than restate my comments of last fall, let me just highlight my key points:

1. We have significantly increased the work load on a substantially smaller military.

Since the percentage of service members that are married has grown, this increased work load has amplified the negative effect of deployments on the morale of our troops and their families. The reluctance of families to continue to tolerate these separations contributes to the loss of mid-career personnel.

2. With a significantly increased deployment schedule on a substantially smaller force, the value and importance of today's missions impacts on the willingness of the men and women to join or commit to the military as a career.

Without clearly articulated mission goals and objectives founded in the fundamental of the U.S. vital national interest, the ability to recruit and retain motivated men and women for our military will remain difficult.

3. Although the skill level required of the men and women of our military continues to grow, the pay differential between the same skilled civilian and the military continues to widen.

The current pay of many of our young military families is so low that it is not adequate to keep them off of welfare programs. The prospect of continued and frequent, long deployments coupled with the opportunity to get better pay on the ''outside'' for the same work contributes to the inability to attract and retain the skills needed for today's military.

4. We ask our military to deploy at a much higher pace than ever before, we assign missions that do not meet the ''national interest'' threshold, we pay them less than they could get for the same or similar skills as a civilian, and in many cases we ask them to live in substandard housing.

It goes without saying that the culmination of these problems contribute to the dissatisfaction with the military as a career and its attractiveness to potential recruits.

5. The members of our military are working harder, deploying more, receiving less pay than civilians are for the same job, living in inadequate housing, and now are seeing a reduction in their retirement benefits.

It is not difficult to understand that with this collection of negatives, the military is experiencing problems in retention and recruiting.

As I have stated before, S. 4 does not solve all of the problems contributing to the crisis in retention and recruiting but it does strike at the heart of many of the problems facing our military. Specifically:

It works to close the gap between civilian and military pay for similar skills. Just as importantly, it reforms the military pay tables to better reward promotion rather than longevity.

It establishes a savings program by authorizing members of the military to put up to 5% of their basic pay in a thrift savings plan—a plan already available to other federal workers. Additionally, it allows service secretaries to focus some matching funds for the thrift savings plan to certain critical skills.

It corrects the problems of the current retirement system by giving service members a choice to stay on the current retirement plan and receive $30,000 to put in a savings plan for their future or opt to return to the pre 1986 retirement system. This $30,000 has been the subject of some discussion and perhaps some misunderstanding. I will address this issue later.

It works toward getting our military family off of food stamps by giving special pay to food-stamp eligible members. I find nothing more disheartening or embarrassing than to know that our military compensation is so marginal that we have families on food stamps.

It makes significant improvements to the Montgomery GI bill. The GI bill has long been a backbone in attracting and retaining military members.

S.4 takes significant progress toward relieving the stress on our military families but there are key contributors to that stress that a bill such as this cannot address.

This bill can not address the willingness of this administration to deploy our troops on mission that are not in our vital national interest.

This bill can not address the willingness of this administration to assign them to missions where there is no clearly defined strategy or desired end state.

This bill can not address the willingness of this administration to under fund the military for the many operations they are assigned.

This bill can not address the willingness of this administration to under fund critical modernization and procurement accounts.

The net result of the administration unwillingness to address the impact on the military by the high rate of long deployments, questionable mission quality, and under funding of critical accounts is a double whammy on the men and women of the military.

They are not only deploying longer and more frequently and therefore spending much more time away from their families, but when they return to their home base, they also are faced with long hours in repairing old equipment or making preparation for the next deployment. I am told that this the real pain for many in our military families—they can't even relax with their family after a long deployment.

Mr. President, I know some of my colleagues are concerned that there has been little study to show the elements of this bill are necessary or will give a return that is proportionate to the cost of this bill. Without doubt this is a very expensive bill but the cost to national security by not correcting the problems of retention and recruitment are not even calculable.

But before I discuss the lack of hard data, let me return to the $30,000 bonus for staying on the REDUX plan.

The concern voiced by some is that military members may spend the $30,000 on short term needs or even gratification such as a new car. That certainly could happen but I am counting on the solid leadership of military commanders to educate and explain the investing opportunity that money represents to the very bright, well educated men and women of today's military.

There are already several examples of how that $30,000 could grow over a career if reasonably invested. The very fact that our members are apparently concerned about their future retirement gives me comfort that if they choose to stay on REDUX and except the bonus, most will not squander this opportunity to invest for their retirement.

Some members of Congress are not convinced that REDUX is a problem at all and does not contribute measurably to the retention problem the military faces.

They are asking: Where is the study that shows REDUX is why many members are leaving the military? Mr. President, there is no study. There is only the alarm of the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, all of the Service Chiefs, and the senior enlisted members of all of the services.

Additionally, I do not find it surprising that there is no data because the people that are affected by REDUX are just now reaching the point in their career that they are thinking about the decision to stay in the military for a career or leave. I ask the members of Congress to remember that the decision to except or reject REDUX as a retirement plan or leave the military rests solely with each military individual and not because an analysts' projection of how many will accept or reject REDUX. Our senior leaders of our military are saying REDUX is a significant part of their decision to leave.

Shall we ignore them and wait until enough service members have left to satisfy the statistician? Do not forget we are also having a exceptionally difficult time recruiting new members. Nor can we forget that while we run this data gathering experiment, critical, un-replaceable skills are walking way from military service every day in alarming numbers.

Unfortunately, we are too accustomed to working with weapons systems that we can halt production until

the wing-drop problem is fixed, or until the required testing is completed to our satisfaction. Unquestionably the men and women are the key element to all of our weapon systems but they cannot be put on hold until the retention problem is clearly defined nor can we slow retirement or withhold pay until the theorist have the problems neatly packaged.

We do not have that luxury to delay or wait for all the data to be generated with the people that are willing to defend this Nation. We have created an ''all volunteer service'' and they volunteer to join and they will go home if they perceive they are not being treated fairly or the Nation does not care that they and their families make great sacrifices to serve in the defense of our country. We can only listen to them and their leaders and make our best judgment about the right course of action to recruit and retain the people we need for today's military. S. 4 makes significant progress toward addressing the problems they tell us are contributing to the crisis in retention and recruiting facing the United States military.

I strongly support the bill and urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Kansas.

PRIVILEGE OF THE FLOOR

Mr. BROWNBACK. Mr. President, before I start, I ask unanimous consent that a member of my staff, Steve Thompson, be granted the privilege of the floor during debate and consideration of S. 4.

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

Mr. BROWNBACK. Mr. President, I am delighted to be here joining my colleague from Kansas and other Members, expressing support for S. 4, the Soldiers', Sailors', Airmen's and Marines' Bill of Rights Act of 1999.

This bill comes at a time when our services are facing increased difficulties in hiring and keeping quality personnel because of low pay, inadequate benefits, and increasingly frequent deployments. There is nobody who would say that what I just stated is untrue. Those are all true. They are all impacting our military personnel today. I join my colleague from Kansas, who serves on the Armed Services Committee, in strongly supporting this bill and saying that the first and foremost requirement of the Federal Government is to provide for the common defense and we are not providing adequately for the common defense. We have to do that. And, if we let down on that obligation because it does not show up high in the poll numbers or some other reason, we are failing our duty to this country to provide the first and foremost thing that we are required to do.

Let me remind my fellow Senators that defense spending has declined in real terms every year for the last 11 years and now comprises a lower percentage of our budget than ever before. We have seen a 19-percent decline in defense spending since 1992. Is the world that much of a safer place today? We have troops scattered everywhere around the world and we have had a 19-percent decline in defense spending since 1992. We have peacekeeping operations, we have had global contingencies in Somalia, Haiti, Bosnia, the Persian Gulf, and now we are facing deployment decisions in Kosovo. This is an extremely high operation tempo that is being maintained over this period of time, with an enormous strain on troops and on their families.

Even under adverse conditions, our troops have continued to perform their task superbly. The lower defense spending combined with an increased deployment schedule and inadequate benefits, though, have resulted in an all-time low enlistment and inability to retain quality personnel: Soldiers, sailors, airmen, and marines. America's service men and women and their families deserve a better quality of life. They put their lives on the line to protect our freedoms and the least we can do—the least we can do, I would think, is provide adequate pay, decent living conditions, and some educational opportunities.

This bill includes several provisions that will benefit our military personnel and increase retention and enlistment. It will include a 4.8-percent military pay raise. This, plus future pay raises at the employment cost index plus 0.5 percent, helps close the gap between military and civilian pay.

In addition, we have included military pay table reform that will increase pay for those personnel in midcareer points by up to about 10.3 percent. These are experienced personnel that we cannot afford to lose.

We also revised the military retirement system by allowing service personnel the option, after 15 years of service, to revert to the pre-1986 military retirement system or take a one-time $30,000 bonus if they remain under the current system. We allow Thrift Savings Plans, similar to what other Federal employees get. Our military members deserve to have the same opportunities that other Government employees have.

We also enhanced the Montgomery GI bill. This educational benefit has already sent hundreds of thousands of veterans to college and, I might add, has been a key fuel in pushing forward our economy. These educational benefits come back to the Federal Government in economic growth and opportunity and tax revenues. This is a good investment for everybody, and they will be transferable to immediate family members. But most important, this bill provides for a special subsistence allowance for enlisted personnel eligible for food stamps.

If you can imagine that, you are in the U.S. military, you are putting your life on the line and you are living on food stamps—living on food stamps. For those service members who demonstrate eligibility for food stamps, this bill provides them with a monthly allowance of $180 per month. This will keep our military personnel off food stamps and provide them with the support they need.

Mr. President, this to me is just unconscionable, that you really would put your life, your family at stake, and what are we paying you? We are not paying you enough if you can get food stamps, that you would qualify for food stamps. That is ridiculous, and we need to change it. This bill, S. 4, does change it.

I close by cautioning my fellow Members of the Senate that this may not be enough to stem the exodus of our service members. The Department of Defense and Congress must pursue additional remedies that will rectify the retention problem. This legislation takes a good first step, and I certainly urge my colleagues to support this bill.

Mr. President, I yield the floor.

Ms. LANDRIEU addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Louisiana.

Ms. LANDRIEU. Thank you, Mr. President. I rise today, along with my colleagues, in support of S. 4, the Soldiers', Sailors', Airmen's and Marines' Bill of Rights Act. Our military has the finest hardware and equipment in the world, but, as any general or admiral will tell you, the real source of America's strength is America's fighting men and women. We spend billions of dollars to train and equip our troops. I believe the investment has paid off, but we have neglected one very important aspect of this equation. As we now have an all-volunteer force, our training and weapons will be wasted if we cannot keep quality personnel in our Armed Forces.

Everyone has seen, I think, the recent press accounts about the personnel shortfalls, particularly in the Navy and Air Force. The discussion in the Washington Post about the status of the U.S.S. *Harry Truman*, our newest aircraft carrier, provided dramatic evidence of how deep this crisis has grown in our inability to man this vessel.

Fortunately, the Senate is able to act now to begin to reverse this trend. S. 4 provides us with a very significant across-the-board minimum pay increase of 4.8 percent. In addition, there will be other increases staggered on top of this targeted to specific areas of the military.

As Secretary Cohen has stated, I do not believe we can pay our troops too much, but I do believe we can pay them too little. That is the state we find ourselves in today. In a booming economy, Mr. President, with low unemployment, our well-trained soldiers and sailors can walk off a base and often double their salary for less work. It has made retention very difficult, and we are taking a great stride in alleviating the situation with S. 4.

The value of this bill is not just in the actual pay increase, it is also an

important gesture that tells our fighting men and women that their Government cares about their well-being and appreciates the very difficult task that we ask them to perform and we are hearing them loudly and clearly.

We will keep in mind that pay increases alone, however, cannot solve this problem, as many of my colleagues have said earlier this morning. The military will never be competitive with the private sector on a dollar-for-dollar basis.

My friend, Senator CLELAND from Georgia, made a similar remark in committee the other day that stuck with me. I think he was quoting someone else, but he said the armed services may recruit a soldier, but we retain a family. And that is so true.

When we talk about keeping our troops in the service, we have to remember that the quality-of-life issues for the family is really the core issue—soldiers wanting to be good spouses, soldiers wanting to be good parents, soldiers wanting to have a good quality of life for their family.

So while pay is certainly part of the equation, it also extends to housing, medical care, education benefits for spouses and children, day care, operations tempo, and a myriad of other issues that make up a family's quality of life. There is still much to do. This bill is only a beginning, but it is a good step.

One of the important steps taken in this bill—and it is quite innovative and I thank, again, the Senator from Georgia for bringing this up in committee—is that we will allow military personnel to transfer their Montgomery GI bill benefits to their spouses or dependents. For midcareer, officer or enlisted person, the knowledge that their children will have access to a quality education by enabling them to use their benefits is a smart incentive and one that is cost effective for us. It is an example of how we can tailor our benefits in a way that meets the needs of precisely the kind of people we want to retain.

I also believe it is very important for us to remember the contribution of our Guard and Reserve forces in these discussions. For this reason, I have a series of amendments that address some of the inequity between the benefits programs for our regulars and the Guard and the Reserve units.

With a leaner military, Mr. President, we cannot perform the complex missions of our military without a strong Guard and strong Reserve component. We must always keep our eyes on this reality when addressing retention issues.

I am proud of the statement that the Senate is making with this legislation. I commend our chairman and our ranking member for bringing this bill to the floor this early in this Congress. I hope that this will not be the end of our work, but rather a strong beginning, a bipartisan beginning. I look forward to working with my colleagues on the committee to make the real difference in the quality of life for America's military personnel.

I thank you, Mr. President.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until 2:15 p.m.

Thereupon, at 12:08 p.m., the Senate recessed until 2:16 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

SOLDIERS', SAILORS', AIRMEN'S AND MARINES' BILL OF RIGHTS ACT OF 1999

The Senate continued with the consideration of the bill.

AMENDMENT NO. 9

The PRESIDING OFFICER. The question occurs on agreeing to amendment No. 9 offered by the Senator from Idaho. The yeas and nays have not been ordered.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank the Chair.

The order provides that at 2:30 we will proceed to a vote. But it also provided for the opportunity for anyone to express, through an objection, such concerns as they may have. I suggest perhaps just a minute or two here before we commence. And I say to the Chair, it is our expectation this vote will go forward, but I do want to protect the rights, for 1 minute, of those who might wish to come forward.

I am informed that the Democratic caucus is still in progress; is that it? I think it has broken up now. We are ready on this side. Mr. President, I am informed that we are ready to go.

The PRESIDING OFFICER. The Chair thanks the Senator.

Mr. WARNER. I just wanted to protect the rights of others.

The PRESIDING OFFICER. The question occurs on agreeing to amendment No. 9 offered by the Senator from Idaho.

Mr. WARNER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question occurs on agreeing to amendment No. 9. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. GORTON (when his name was called). Present.

Mr. NICKLES. I announce that the Senator from Alabama (Mr. SHELBY) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 87, nays 11, as follows:

[Rollcall Vote No. 20 Leg.]

YEAS—87

Abraham	Durbin	Lugar
Akaka	Edwards	Mack
Allard	Enzi	McConnell
Ashcroft	Feinstein	Mikulski
Baucus	Fitzgerald	Moynihan
Bayh	Frist	Murkowski
Bennett	Graham	Murray
Biden	Gramm	Reed
Bingaman	Hagel	Reid
Bond	Harkin	Robb
Boxer	Hatch	Roberts
Breaux	Helms	Rockefeller
Brownback	Hollings	Roth
Bryan	Hutchinson	Santorum
Bunning	Hutchison	Sarbanes
Burns	Inhofe	Schumer
Byrd	Inouye	Smith Bob (NH)
Campbell	Jeffords	Smith Gordon H (OR)
Chafee	Johnson	Snowe
Cleland	Kennedy	Specter
Cochran	Kerrey	Thomas
Collins	Kerry	Thurmond
Conrad	Kohl	Torricelli
Coverdell	Landrieu	Voinovich
Craig	Lautenberg	Warner
Crapo	Leahy	Wellstone
Daschle	Levin	Wyden
DeWine	Lieberman	
Domenici	Lincoln	
Dorgan	Lott	

NAYS—11

Dodd	Gregg	Sessions
Feingold	Kyl	Stevens
Grams	McCain	Thompson
Grassley	Nickles	

ANSWERED ''PRESENT''—1

Gorton

NOT VOTING—1

Shelby

The amendment (No. 9) was agreed to.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I want to alert our colleagues to a fact which was not clear the last time we spoke on the subject of this amendment which we just adopted. There was not certainty as to whether that amendment would have been subject to a point of order had a point of order been made. We protected that possibility in our unanimous consent agreement in the event the Parliamentarian ruled that it would have been subject to a point of order.

In fact, we now understand that it would have been subject to a point of order, and therefore we have now another provision in the bill that is in violation of the Budget Act because it is not paid for. That is something which we should really be very conscious of as we go along here and very concerned about.

But we did protect our colleagues in the event that that was the ruling, and none of our colleagues decided to raise the point of order. But in fact it could have been raised. And we should take very serious note of any of the violations of the Budget Act as we proceed, because at some point we are going to have to pay for the amendments we add as well as the bill itself.

I thank the Chair.

Mr. ALLARD addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.