

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. GRASSLEY. I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

MILITARY RETIREE BENEFITS

Mr. KERREY. Mr. President, I want to take a minute, hopefully for the purpose of influencing the conferees on a vote that was taken yesterday—it passed overwhelmingly—having to do with military retiree benefits.

There are two amendments, one offered by Senator WARNER, one offered by Senator JOHNSON. I appreciate the intent of both amendments and I appreciate very much, as well, the concerns both Senators and everybody who voted for both of those amendments have for military retirees, especially as far as it might improve our capacity to recruit and retain people in the Armed Forces. I think it is a legitimate concern, and I appreciate very much that concern being expressed yesterday, especially being expressed with affirmative votes, although, as I said, I voted against both of those amendments.

I did not, during the debate yesterday, offer the reasons I voted against it, and I want to do that now. Both amendments are essentially dealing with the same situation; that is, once you reach the age of 65, you go off the TRICARE system and you go onto Medicare, as most individuals do who work for other businesses as well who end up with health care. It is not unusual today for people to leave employment to go onto Medicare after their retirement from employment.

But one amendment would allow people to buy into TRICARE; Senator JOHNSON's amendment would allow them to buy as well into the Federal Employees Health Benefits Program with a full taxpayer-paid subsidy; one was \$4.5 billion a year, the other was about \$5.5 billion a year. Senator WARNER's, in order to be able to get it in the budget, has it sunset after 2 years. It only goes for 2 years. I presume if it becomes law, we will have to extend it every couple of years.

There is a budget issue here that causes me to vote no. The budget issue has to do, first of all, with I think an inadequate amount of study given to who needs this and who does not need this. It was developed fairly quickly. It was offered fairly quickly. I think it should have been examined much more carefully, what the impact was going to be, what the real need is, what the real demand is out there; especially the second concern I have, which is that it adds to one of the biggest problems we have with our current budget, and that is the growing share of our budget that is going over to mandatory spending.

The checkpoint for Senator JOHNSON's amendment was people who were enlisted prior to 1957. In 1957, over 70 percent of our budget was appro-

priated; 70 percent of our budget went to such things as the GI bill and other kinds of investments. I benefited enormously from those investments, not just as a veteran myself, but it was most important for my own parents' generation. That is what they were doing. They were endowing their future. They were really investing in their future as a consequence of those appropriations.

This year, 66 percent of the budget is mandatory. This amendment that was put on the Defense authorization bill will make that problem worse. I could not in good faith vote for the amendment as a consequence of those two concerns, even though I recognize for some veterans, some employees, this is a problem.

Also, I want to comment on some of the things that were said during the debate. I want to comment, especially from the point of view of myself because I am military retired. I am one of the retirees who would benefit from this change in the law. I am service-connected disabled as a result of an injury in the war in Vietnam, and I have been receiving a military retirement check since I left the Navy in 1969.

I understand the recruiting difficulties. I understand we have to be competitive with the private sector. I understand we have a volunteer service today, and so forth. I think it has all been very well said. But focusing on money in this debate, we underestimate and underemphasize the importance of people joining our service because they are patriotic, because they love their country, because they want to serve their country in some meaningful way, because they believe service makes them better, they believe putting themselves on the line for somebody else isn't something that is just good for the other person, it is good for them as well. That was the benefit for me in my service.

Though I appreciate very much people coming and saying my country owes me something, I reject that idea. My country owes me nothing. If the Congress of this Nation wants to provide me with retirement, wants to provide me with medical assistance—they provided me with the GI bill and COLAs all these years—they have given me enormous benefits. They gave me a hospital I could go to, to get my care. I appreciate all that. I am grateful for all that. It makes me more patriotic than I was before.

But I do not believe as a consequence of my service that the people of the United States of America owe me anything. I want to make that point because I entered the service because it was my duty. I entered the service because I believed it was the right thing to do. I entered the service because I thought I was going to get something intangible out of it—and I did. I learned how to lead, learned how to take responsibility, learned how to do lots of things. And I learned as well what it is like to be injured, what it is

like to be injured in a nation that takes care of its veterans, that provides care. I learned what it is to suffer a little bit and to feel compassion for other people as they go through their lives and suffer as a consequence of things that were unforeseen, unexpected, unanticipated, and unavoidable.

I have talked to a lot of colleagues on the floor during this debate. They said: Oh, gosh, we can't say no to our veterans, can't say no to our military retirees.

There are times when we can. I believe, especially when we think about the budget impact that these amendments are going to have, there are times when we should. I do not believe we should fall into the trap of believing that men and women will not still join the Armed Forces of the United States of America because they love this country and they want to serve.

Yes, we need to have good pensions. Yes, we need to make certain they are not getting food stamps. Yes, we need to take care of them when they are in. But let them serve as a consequence of feeling loyal, feeling good about their country, and wanting to put themselves on the line. Let service, all by itself, be one of the motivating factors, be one of the reasons that men and women do it. And be grateful for that and reward it, applaud it, pay attention to it.

I wish, in fact, people in Hollywood as they make decisions about what they are going to put on television, what they are going to put in movie theaters, told more of the stories of the men and women who are serving today not because they are being paid well, not because there are health care benefits promised, not because of a retirement program waiting for them, but because they love their country, because they feel a patriotic desire to serve the United States of America, serve the people of the United States of America and the cause of freedom for which we stand.

It is not a cliché; it is a real thing. I am concerned, concerned with some of the debate I heard yesterday, that only the pecuniary interests were involved; that all we had to do was get the pay high enough, retirement benefits high enough, health care benefits high enough, and we would solve all of our problems.

We will not solve all of our problems if that is what we do. If we do not recognize that one of the reasons people serve is that they love their country, A, we will find ourselves falling short of recruitment and retention objectives, but, in addition to that, we will not know when the correct time is to say to that man or woman who served their country: We have to make certain we have enough money in our budget to invest in our children and their future as well.

We cannot, as we are doing, simply put more and more money in people over the age of 65. I love them. They

have served their country. They are the greatest generation ever. But this action comes on top of eliminating the earnings test, which was a \$22 billion proposal over 10. I voted for that. There were 100 of us on this floor who voted for that. It was a reasonable thing to do. But if you look at the diminishing amount of money we invest every single year through our appropriations accounts, and you look at that trend continuing to go further and further down, it gets harder and harder to say we are endowing our future the way our parents endowed the future for us.

Mr. President, I did not want anybody to suffer the illusion that I do not care about our military retirees. I do. There were good fiscal reasons why not to support the amendment, but I hope as we go into conference we do not get lulled into thinking the only thing we have to do to recruit and retain people in our Armed Forces is to provide some pecuniary reimbursement that enables them to feel they are getting rewarded in some way that is competitive with what they can get in the marketplace. I yield the floor.

Mr. STEVENS. Mr. President, I am glad to hear the Senator's statement. I inform my friend, I spent a substantial portion of the day discussing how to meet the problems associated with the feelings of so many people in the military that there were, in fact, substantial commitments made that lead on into the future as enormous costs as compared to the costs of the past.

We need to have a commission of some kind. I hope after the Senator steps down from this body that he might see fit to be one who will help take on the task of defining the commitments that were made and how we fulfill them. I say that because in the past, many of those benefits were paid out of the Veterans Affairs Department from veterans benefits. They are now coming from the Defense funds, and if they grow at the rate it appears they are going to grow, they are going to seriously hamper our ability to modernize our force and our systems and defend our country as it must be in this century.

Mr. KERREY. Mr. President, I appreciate the comments. There is no question that should be a very big concern of the conferees because Senator WARNER yesterday, when we were debating this issue, expressed his understanding that this would increase the requirement to build additional military hospitals and military health care facilities. This will shift the burden of paying for health care from Medicare over to the Defense budget.

There is no question that is the case. I say to the Senator, I remember talking to my recruiter very well. I remember the day I sat in front of a Navy recruiter and he said to me: Join the Navy; see the world. He made all kinds of promises to me. I have not sued my Government because they did not give me a chance to see the world.

I believe the Senator is right. There were some legitimate written promises

made, and if there were legitimate written promises that were made, then we ought to make certain we keep those commitments.

Sometimes it becomes much more a political rhetoric than it becomes reality. I do think, whether it is a veteran or whether it is some other American, one of the hardest things for us to do when somebody asks us for something is to say no. The Senator from Alaska has had to do that many times in his career in the Senate. "I want some of the taxpayers' money to do something" and the Senator has had to repeatedly say no.

It is not easy to do that. It is too easy for us to get caught up, when we talk about making sure we take care of our retirees, in the feeling that you just cannot say no.

I argue that the answer is you can say no, and there are times you need to say no. If you do not say no, it is going to be difficult for us to keep our force modernized and weapons systems modernized and our people who are in the services well paid.

Again, I say to my friend, the thing I fear—and I will say it directly—is we have a declining number of people who have been in the services in the Congress. I am very much aware it is easy to say: Gee, I have to do this; I wasn't in the service, I have to do this.

I had to say I did not join the Navy because they promised me health care benefits, retirement benefits, and promised me I could go to school on the GI bill. That was not the contract. It was all there.

People say: We owe you. No. I have a bigger debt to my country than my country has to me. It is a very important attitude for us to instill not just in our young people but retirees as well. We have to be very careful that in doing something we do not undercut the most important reason men and women come into the Armed Forces. We ought to praise them. We ought to recognize that and not forget it is still a very big reason people serve.

Mr. STEVENS. Mr. President, again I thank the Senator. His statement reflects the comments I made in the meetings today. I do hope we can address this subject. I find it odd that many of the people who are raising the issues and talking about the commitments that were made in the war in which Senator INOUE and I served were not alive then, but they are telling us what the commitments were. We ought to make certain we fulfill all of those commitments, but we have to have a definition of what they really were.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. STEVENS. Mr. President, for the leader, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators being permitted to speak therein for up to 10 minutes each.

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

BACKGROUND CHECKS IN 1999

Mr. LEVIN. Mr. President, last weekend, a new report was released by the Justice Department about the successes of the Brady Law. The Brady Law requires that a prospective gun purchaser undergo a criminal background check before obtaining any firearm from a federal firearms licensee. The law is intended to prevent felons, fugitives, domestic abusers, and other prohibited persons from gaining access to guns. The new information brought the number of purchase rejections up to more than half a million since enactment of the Brady Law in 1994.

According to the report, the number one reason for rejection was because the applicant either had a felony conviction or was under felony indictment. Of the approximately 200,000 purchase rejections in 1999, almost three-quarters, or 150,000 were denied for this reason. The second most common cause for rejection was a domestic violence misdemeanor conviction or restraining order, accounting for approximately 13% of rejections or 27,000 applications. Other applicants were denied the ability to purchase guns because of fugitive status, mental illness or disability, drug addiction, or state or local prohibition. In total, in 1999 alone, the Brady Law kept more than 200,000 guns off the streets and out of the hands of prohibited purchasers.

The Brady Act has been effective but its success has been undermined by a loophole in the law that allows criminals to purchase guns from non-licensed sellers. That loophole allows felons, fugitives or other prohibited persons to purchase guns at gun shows without undergoing background checks. It is a loophole often exploited by those with objectionable backgrounds, some of whose applications have already been rejected by federal, state, or local law enforcement agencies.

Congress made significant strides to reduce the level of gun violence by enacting the Brady Act, but now it's time to finish the job. Congress must close the gunshow loophole, otherwise the successes of Brady are weakened. As a reporter in my home state of Michigan said yesterday, "the same statistics that demonstrate the usefulness of the background checks that have been in place since passage of the Brady bill cry out for closure of the loopholes that allow criminals turned away by licensed dealers to purchase guns with impunity elsewhere."

I urge Congress to close the gun show loophole and stop undermining law enforcement's ability to keep guns off the