

the Survivor Benefit Plan advertises, that if the service member elects to join the plan, his survivor will receive 55 percent of the member's retirement pay. Unfortunately, that is not so. The reason that they do not receive the 55 percent of retired pay is that current law mandates that at age 62 this amount be reduced either by the amount of the survivor's Social Security benefit or to 35 percent of the SBP. This law is especially irksome to those retirees who joined the plan when it was first offered in 1972. These service members were never informed of the age-62 reduction until they had made an irrevocable decision to participate. Many retirees and their spouses, as our constituent mail attests, believed their premium payments would guarantee 55 percent of retired pay for the life of the survivor. It is not hard to imagine the shock and financial disadvantage these men and women who so loyally served the Nation for many years experience when they learn of the annuity reduction.

Uniformed services retirees pay too much for the available SBP benefit both, compared to what we promised and what we offer other Federal retirees. When the Survivor Benefit Plan was enacted in 1972, the Congress intended that the government would pay 40 percent of the cost to parallel the government subsidy of the Federal civilian survivor benefit plan. That was short-lived. Over time, the government's cost sharing has declined to about 26 percent. In other words, the retiree's premiums now cover 74 percent of expected long-term program costs versus the intended 60 percent. Contrast this with the Federal civilian SBP, which has a 42-percent subsidy for those personnel under the Federal Employees Retirement System and a 50-percent subsidy for those under the Civil Service Retirement System. Further, Federal civilian survivors receive 50 percent of retired pay with no offset at age 62. Although Federal civilian premiums are 10 percent retired pay compared to 6.5 percent for military retirees, the difference in the percent of contribution is offset by the fact that our service personnel retire at a much younger age than the civil servant and, therefore pay premiums much longer than the Federal civilian retiree.

Although the House conferees thwarted my previous efforts to enact this legislation into law, I am ever optimistic that this year we will prevail. I base my optimism on the fact that the National Defense Authorization Act for Fiscal Year 2001 included a sense of the Congress on increasing Survivor Benefit Plan annuities for surviving spouses age 62 or older. The sense of the Congress reflects the concern addressed by the legislation I am introducing again today.

Since I introduced S. 145, 32 of my colleagues joined as cosponsors to the bill. I hope my colleagues will speak in support of this important legislation and the Senate will adopt this amendment.

THE FIRST ENGINEER BATTALION

Mr. LIEBERMAN. Mr. President, I rise today in recognition of a military unit whose gallant service to our Nation extends over a century and a half.

The First Engineer Battalion, tracing its intrepid lineage to 1846, is the oldest Engineer Battalion in the United States Army. Having served in both the Mexican War and Civil War, they continued their valorous service to our great Nation through the Spanish American War, in Cuba, and in the Philippine Insurrection.

The First Engineer Battalion was reorganized and expanded in World War I to form the First Engineer Regiment, assigned to the First Division, fighting in every major engagement in France. They were cited by the French Government with the French Fourragere and two Croix De Guerres. Taking part in North African landings and invasions of Sicily and Normandy during World War II, they were awarded three Presidential Unit Citations, two additional Croix De Guerres with Palm, the Medaille Militaire, and the Belgian Fourragere. Earning eight campaign streamers, they distinguished themselves across two continents. They again were called to Southeast Asia in support of the "Big Red One" being awarded three Meritorious Unit Commendations, Vietnamese Cross of Gallantry with Palm, and Vietnamese Civil Action Honor Medal. Deploying to Germany as part of REFORGER exercises and to Southwest Asia as part of Desert Shield and Desert Storm they were again lauded for their actions and awarded the Valorous Unit Citation.

We cannot take lightly their dauntless and meritorious service to our Nation. Nor can we forget the valiant actions of those who served in building the necessary infrastructure for our troops under the most adverse and hazardous conditions. For over two-thirds of our Nation's history, their accomplishments, both individually and collectively, were pivotal not only to a successful combat effort, but to establishing and maintaining the legacy of which the Combat Engineers may be justifiably proud.

I join in expressing the respect, admiration, and grateful appreciation of our Nation as they gather for their annual reunion in Ashville, NC, later this month.

SBP ELIGIBILITY FOR MEMBERS OF THE ARMED FORCES SERVING ON ACTIVE DUTY

Mrs. HUTCHISON. Mr. President, on September 11, 2001, our lives were changed irrevocably. It is a day none of us will forget, a day where each of us will remember exactly where we were when we heard our nation had been attacked and our freedom had been assaulted.

We lost so many innocent civilians in New York and so many dedicated mili-

tary personnel in Washington, DC. The amendment I am introducing today deals with the military. Each of them has made a choice: to defend our Nation, its freedom, and its principles. On September 11, we were reminded of how real that sacrifice is, and how critical those contributions are.

We all witnessed the destruction of innocent people and American landmarks. These evil acts did not destroy our spirit, our faith, or our hope. And they will never destroy our freedom—because Americans are resilient, and our men and women in uniform brave.

It is why, in my career in public service, I have dedicated myself to supporting and defending these noble men and women and their families who serve our Nation in the Armed Forces. Their courage, their work, and their efforts are important, honorable, and inspiring.

We have only just started to deal with the greatest loss to our country since Pearl Harbor; only started to uncover the lasting effects of this heinous evil, and once again our military has been among those directly hit. In the months ahead we will respond and those who serve will put their lives on the line.

This is why I introduced legislation in June to ensure that all military personnel who die in the line of duty, like those who died serving their country at the Pentagon, are able to receive retirement benefits they have earned. In the military, personnel are not vested in retirement benefits unless they have served 20 years or more, or unless the services medically retire them before death. Clearly, someone who dies in the line of duty cannot fulfill either of these requirements, meaning their families do not receive their pro rata share of retirement pensions. It is horrible enough for a family to lose a loved one—it is an even greater hardship for them to not receive these earned benefits.

I think it is only right that those who die while defending our country and our principles can know that their families will be taken care of by their country. Therefore, today I am submitting an amendment to the Defense authorization bill that will ensure that the surviving spouse receives survivors' retirement benefits commensurate with the number of years their loved one has served—effective September 10, 2001.

This is the very least we can do for the families of our men and women in uniform, for the families who lost loved ones on September 11. They have made the ultimate sacrifice, and we must take care of them now. This is no different from a civilian worker's family receiving the retirement accumulated by a lost loved one.

Tragically, two of the very men who were working with me on this legislation were killed at the Pentagon on that fateful day. Gary F. Smith, the Chief of Army Retirement Services and a retired Army Lieutenant Colonel,