job fairs, student activities, and agency exhibits: Now, therefore, be it

Resolved, That the Senate—

(1) commends public servants for their outstanding contributions to this great Nation;

(2) salutes their unyielding dedication and spirit for public service;

(3) honors those government employees who have given their lives in service to their country;

(4) calls upon a new generation of workers to consider a career in public service as an honorable profession; and

(5) encourages efforts to promote public service careers at all levels of government.

APPOINTMENT OF SHIRLEY ANN JACKSON AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

APPOINTMENT OF ROBERT P. KOGOD AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. FRIST. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of H.J. Res. 19 and H.J. Res. 20 and the Senate proceed to their immediate consideration en bloc.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will state the resolutions by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 19) providing for the appointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution

A joint resolution (H.J. Res. 20) providing for the appointment of Robert P. Kogod as a citizen regent of the Board of Regents of the Smithsonian Institution.

There being no objection, the Senate proceeded to consider the joint resolutions en bloc.

Mr. FRIST. I ask unanimous consent that the joint resolutions be read a third time and passed, the motions to reconsider by laid upon the table en bloc, and any statements be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The joint resolutions (H.J. Res. 19) and (H.J. Res. 20) were read the third time and passed.

Mr. FRIST. Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for up to 60 minutes with the first half of the time under the control of the Democratic leader or his designee and the last half under the control of the minority leader or his designee.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. BYRD. Mr. President, what is the question before the Senate?

The ACTING PRESIDENT pro tempore. The Senate is currently in a period of morning business, with time equally divided between the majority and minority leader.

Mr. BYRD. Mr. President, how much time might I have under the order?

The ACTING PRESIDENT pro tempore. The minority controls 30 minutes, the first 30 minutes of the period of morning business.

Mr. BYRD. Mr. President, I ask that I may proceed to speak out of order for as long as I need to speak and that it not be over 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SOCIAL SECURITY

Mr. BYRD. Mr. President, from the book of Matthew, chapter 7, verses 25, 26, and 27 of the King James version of the Bible, I read as follows:

And the rain descended and the floods came and the winds blew and beat upon the house, and it fell not for it was founded upon a rock. And everyone that heareth these sayings of mine, and doeth them not, shall be likened unto a foolish man, which built his house upon the sand. And the rain descended, and the floods came, and the winds blew, and beat upon that house; and it fell; and great was the fall of it.

Mr. President, 70 years ago the Social Security Program was founded upon a rock. It was designed to shelter workers in their old age and to withstand the storms that can wipe away their savings. For 70 years, the Social Security Program has stood as a protector of workers and families. It is their safeguard against economic peril.

Social Security provides the essential support for 405,000 West Virginians. In every county across the State, men and women, workers and retirees, their spouses and their children rely on their monthly Social Security check, and it comes as regularly as the mail man runs.

And so it is with great trepidation that they listen to apocalyptic tales about Social Security's future. It is difficult to understand, and perhaps incomprehensible to comprehend, how workers could spend their lifetime contributing to the Social Security Program only to find that the benefits promised to them may not be available when they retire. Demographic projections show that the next generation of workers cannot support the retirement and disability benefits promised to this generation of workers. The Social Security trustees warned us that this demographic storm would erode the rock upon which the retirement security of workers has been built. Soon the rain will descend. Soon the floods will come. Soon the winds will blow. Our challenge is to keep that house from falling. And our challenge is great.

It is within this context that President Bush has proposed changing the scope of the Social Security Program, adding personal accounts to wean workers from the traditional program. He offers the opportunity for higher returns in the financial markets in exchange for workers relinquishing a portion of their benefits guaranteed under the current system. Be careful.

Needless to say, the outcry to such a proposal has been deafening. In the State of West Virginia, thousands and thousands of constituents are contacting my office—phone calls, e-mails, letters—in opposition to the President's Social Security plan. These people fear that personal accounts are a scheme to take away their Social Security benefits. They fear it is an effort to crack open Social Security and break it apart, piece by piece. I, too, fear such efforts. Feeding that fear is the secret that permeates the administration's plans.

The X factors are multifarious, impacting every worker and every employer who pays into the Social Security Program, every future retiree and every future disabled worker who expects one day to receive Social Security benefits.

My constituents are right to be leery of a scheme to privatize Social Security, particularly when efforts to learn more about Social Security's reforms are being stonewalled. We cannot get that information. If we knew the answers, if we knew for certain the retirement security of our constituents would be protected, that would be one thing, but this proposal for personal accounts seems a lot like the kind of telephone scams we hear about when folks are told they have won a prize and then are asked for their bank account number. Hold on here.

We are all enticed by the idea of ensuring the solvency of Social Security, but what are workers being asked to give up? No one in the administration, no one in the White House is willing to tell. Hear me when I say I will oppose this plan as well as any plan where the costs are undefined and the benefit cuts so uncertain.

Four months of high-publicity tours and photo-ops by President Bush and members of his Cabinet all across America, including stops in West Virginia, have yielded little new information about how the President's plan would affect workers' benefits. We do not know. We have not been told. We cannot get the answers. We ask for the

plan, we ask for the details, and nothing happens. What level of benefit cuts is the President advocating? How much of their guaranteed benefits is the President asking workers to relinquish? On this subject the White House has been evasive. The White House has been equivocating.

What about the volatility of the financial markets? Recent news reports serve as a vivid reminder that the stock market has severe ups and downs. What happens when it comes time to retire and a worker discovers that he or she does not have enough saved to ensure a decent, respectable living? What guarantee would the administration support to ensure a minimum benefit from each individual account? The White House will not respond to this question. There is not a sound to be heard by way of answering that question. What are the costs of the President's Social Security plan? The White House Budget Office has $754 billion, but the Vice President says trillions of dollars. How about that? How can this administration reconcile mounting debt and its own warnings about the need to limit the further growth of deficits with a plan that requires borrowing trillions of dollars more? Again, the White House has no response to the question.

This week, the Senate Finance Committee began hearings on the President's plan. I hope these hearings will yield more information. Our senior citizens need answers to these questions.

I sent a letter to this President earlier this year urging him to send a detailed legislative proposal to the Congress. Send it up, a detailed legislative proposal. I have asked questions of the Secretary of the Treasury at Appropriations Committee hearings as recently as this week. The Congress and the people have been patient in waiting for answers, but still no answers come forth. Honesty and candor are now required. We cannot legislate on rumors and guesses. The ducking and the dodging on the part of the administration serve only to fuel speculation that it is hiding something—yes, hiding something—from the public or, worse, seeking to cut benefits surreptitiously.

Fortunately, any legislation submitted by the President to change Social Security will require 60 votes to pass the Senate; that is, as long as the nuclear option has not descended upon the Senate, as long as the filibuster is still around. Any legislation submitted by the President to change Social Security will require 60 votes to pass the Senate. Long live the filibuster. It may be needed to protect Social Security. The danger of the nuclear option becomes crystal clear as we contemplate the momentous debate on Social Security which looms just down the road, just up ahead.

Only the Senate, here in this forum, only the Senate has the ability to insist on its right to unlimited debate. I hope the Senators will stop, look, and listen. Only the Senate, may I repeat, has the ability to insist on its right to unlimited debate. Let's maintain that right. It has been there for 217 years. Its roots go back to the English Bill of Rights to which William III and Mary subscribed on February 13, 1689, 100 years before our own Republic began, the Bill of Rights, enacted on December 16 in Parliament. The Bill of Rights guaranteed freedom of speech in commons, and our own Constitution in section 6, article I, guarantees that right which cannot be questioned in any other place. Retain it, maintain it, keep it, hold it, collapse it to thy breast.

Only the Senate has the ability to insist on its right to unlimited debate. No Social Security legislation will fly through this Senate without thorough scrutiny, unless the nuclear option is employed. Senators can insist and Senators will insist on the time they need to probe the details of the President's plan and to extract answers to their questions. The Senate will have the opportunity to amend, the Senate will have the opportunity to debate, and then, if it desires, the Senate will have the opportunity to amend and debate some more. And then some more. The threat of a filibuster means that no legislation will be enacted into law without bipartisan support in this Senate, which means that no benefits will be cut, no taxes will be increased, and no radical change codified without adequate debate.

The Senate will require a compromise if and when Social Security reforms are ever enacted, fulfilling its role exactly as the Founding Fathers envisioned. Yes, yes, that is why we have a Senate. Thank God for the Great Compromise which was agreed to on July 16, 1787. Praise God for that Great Compromise. But for it, the Presiding Officer would not be sitting at the desk. But for it, I would not be standing here. But for it, this might never have been a Republic. That is why we have a Senate with its rules for unlimited debate—Lord, God, keep it, save it, collapse it to thy heart—to forge compromise and to ensure moderation in the laws enacted.

To those who advocate chipping away at that rule, limiting Senators' right to debate in regard to judicial nominees, hear me when I say the crucial need for keeping those rules strong in order to encourage compromise and moderation is right before us as the Senate proposes to debate changes in Social Security. Hear me out there in the Plains, in the prairies, across the rivers from the Atlantic to the Pacific. We ought to engage in a genuine effort to end the rumors and help the public understand exactly what is being asked of them with regard to their Social Security benefits—your benefits.

I urge this administration to lay its case before the American people. Come on, open up, lay the case before the American people. Tell us what your plan is. Give us the details of your plan. The last thing we need at this late point with the Social Security storm looming on the horizon is to find another house has been built upon the sand.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. MURKOWSKI). Without objection, it is so ordered.

Mr. DOMENICI. Madam President, how much time remains on the minority side?

The PRESIDING OFFICER. The minority's time is now expired.

Mr. DOMENICI. Madam President, do I understand that the Senator from New Mexico has up to 10 minutes at this point in morning business?

The PRESIDING OFFICER. The Senator has up to 30 minutes, if he would like.

Mr. DOMENICI. Thank you very much.

JUDICIAL NOMINATIONS

Mr. DOMENICI. Madam President and fellow Senators, I want to start by submitting a couple of editorials from papers in the State of New Mexico.

First of all, I want to start with an editorial from a paper in New Mexico called the Santa Fe New Mexican. I do not want to editorialize too much about this paper, but I think it is fair to say this is not a conservative newspaper. I believe it is fair to say it is a pretty liberal paper. It is probably even more than mildly liberal, very liberal. But I was impressed by their grasp of this issue and a statement that was in their editorial.

Madam President, I ask unanimous consent that these editorials be printed in the RECORD.

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

[Santa Fe New Mexican (New Mexico), Feb. 24, 2003]

BINGAMAN SHOULD LEAD DEMS' FILIBUSTER RETREAT

As legendary prizefighter Joe Louis said of an upcoming opponent reputed to be fast on his feet: ''He can run, but he can't hide.''

Senate Democrats, along with the Republican majority, fled Washington last week as their way of honoring Presidents' Day. The annual recess suspended their filibuster against a federal judgeship vote. The Dems are making an unwarranted stand, and an unseemly fuss, over the nomination of Miguel Estrada to the U.S. Court of Appeals for the D.C. Circuit.

The filibuster—protracted talking under senatorial privilege—had consumed a week of debate about Estrada before the senators left town. Now they're gravitating back to the Potomac, and the Dems can hide no longer. Resumption of their verbose balking will make them look ridiculous—at a time when the nation needs statesmen to stand up