Barnhart told The Washington Times yesterday—her first interview since Mr. Bush selected her last summer to run the nation's largest retirement program.

''The use of highly charged, incendiary rhetoric doesn't accomplish this,'' she said.

Mrs. Barnhart spoke approvingly of Mr. Bush's plan, saying it's important to restore faith in the program and give people more control over their retirement funds.

''The most important message that I want to send out is that benefits are not going to be affected. Regardless of what proposal you look at in terms of reform, I want to reassure retirees and near-retirees that they will not have a reduction in benefits,'' she said.

Democratic leaders have been escalating their attacks on Mr. Bush's Social Security reform plan in recent weeks, believing that the issue will motivate older Americans to vote in larger numbers against Republican congressional candidates this fall.

''It is indisputable that the Bush Social Security Commission's privatization proposals include drastic cuts in guaranteed Social Security benefits,'' said Sen. Jon Corzine, New Jersey Democrat, who has been leading the attacks in the Senate.

Until yesterday, the White House had not directly struck back at its critics, and Mrs. Barnhart's surprisingly strong remarks signaled that the administration now believes it should respond to the Democrats' mounting political offensive.

Mrs. Barnhart declined to compare the Social Security benefits with what workers would get under Mr. Bush's plan to let workers voluntarily invest part of their payroll taxes in stock and bond mutual funds.

''These are highly technical issues that our actuarial analysts can answer,'' she said.

But when asked about questions of financial risk and safety that Democrats are raising about Mr. Bush's investment plan, she revealed that her own federal pension was fully invested in stocks.

''I'm a federal employee. I participate in the Thrift Savings Plan. I went into the stock fund,'' she said. The government's popular Thrift Savings Plan lets federal employees invest their retirement funds in stock and bond funds.

Such stock funds are ''widely diversified to lower risks'' and government bond funds posed no risk, she said. The president's commission on Social Security, which proposed three different plans to implement Mr. Bush's reforms, examined the Thrift Savings Plan as a possible model to follow.

Mrs. Barnhart said that she thinks that ''we can look at the Thrift Savings Plan'' as the basis for a larger retirement for the general public.

''I don't think there is any question that people, particularly younger people, would have more control over their investments in the future,'' she said of the administration's proposed reforms.

U.S. SENATE,
Washington, DC, June 12, 2002.

Hon. JO ANNE BARNHART,
Commissioner, Social Security Administration, Baltimore, MD.

DEAR COMMISSIONER BARNHART: I am writing with respect to statements attributed to you in an article published in the Washington Times on June 8 on the topic of Social Security.

According to the article, you ''criticized Democrats for using false charges and 'incendiary rhetoric' to stir up political fears over President Bush's plan to reform the retirement system.'' The article quoted you as saying. ''The most important message that I want to send out is that benefits are not going to be affected.''

I am very concerned about this last statement, which is simply not accurate. President Bush's Social Security Commission proposed privatization plans that call for deep cuts in guaranteed benefits. The Social Security Administration's own actuaries have calculated that the cut for many current workers would exceed 25 percent, and cuts would exceed 45 percent in the future (see page 75 of the actuaries memo on the report, dated January 31, 2002). These cuts would apply even to those who choose not to invest in privatized accounts. The cuts would be even deeper for those who do make such investments.

I recognzie that, after stating simply that ''benefits are not going to be affected'' you seemed to back off and provide assurances only to retirees and near-retirees. However, the Commission's plan relies on significant infusions of general revenues none of which have been provided for in the President's budget. If and when these revenues fail to materialize, retiree benefits clearly could be at risk. While, in the short-term, I hope that Congress somehow would find the resources to protect current retirees, over time the threat of further benefit cuts for retirees seems very real. In addition, based on the text of the Commission's report describing Model 1, it appears that some near-retirees would have their guaranteed benefits reduced if they participate in the program of privatized accounts.

I understand that reasonable people can disagree about the merits of privatization and believe it is importannt that the debate on Social Security's future be conducted without excessive rhetoric on either side. I have tried not to engage in attack language in the discussion so far, and I am hopeful that other parties will adopt a similar approach. The future of Social Security is too important to be decided by misleading claims or partisan politics.

Sincerely,

JON CORZINE.

Mr. CORZINE. I hope we continue this dialog in a thoughtful, balanced matter.

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

The PRESIDING OFFICER (Mr. BAYH). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CRAIG. Mr. President, I believe we are in morning business, is that not correct?

The PRESIDING OFFICER. That is correct.

HOMELAND SECURITY

Mr. CRAIG. Mr. President, this morning I want to speak to a couple of issues that I think are important to this body and certainly to the citizens of our country. First and foremost, I want to speak of a meeting that occurred at the White House yesterday that I had the good fortune to be a part of, a meeting of the President and the joint leadership, Democrat and Republican, of the House and Senate. We met with President Bush, the Vice President, and Governor Ridge to talk about the President's decision to create a new Cabinet-level Department of Homeland Security and his decision to send to the Congress a proposal that would allow us to work with him in the shaping of legislation to ultimately create that agency.

I saw the current Presiding Officer on television the other night speaking to this issue. I was pleased that he, too, like I, agree that a time has come in our country that we need to recognize the extraordinary global terrorism threat that has been brought to our doorstep and to the doorstep of most American citizens, and the need to recognize that the mechanisms of our Government to combat this threat have in part failed—or certainly the mechanisms are not in tune with the current threat in a way that they can effectively connect all of the dots to draw the necessary conclusions of the magnitude of the threat by those who bring it to our doorstep.

As a result of that, the President, in a very forward-looking way, having assumed the leadership of this great country, has brought to us an opportunity to work with him to make a decision that I think will be historic for our country, a decision to create a new department that I believe, when completed and effectively run, will make all Americans safer. It will give our country, through this department, the ability to protect our borders, to collate and analyze intelligence and information about ongoing threats, to expedite decisions at all government levels, and to take immediate action when the conclusion of the event or the risk that might occur warrants it.

The new department eliminates what has become a patchwork of agencies and lines of authority that were designed for a threat of an era ago. What worked in cold war and post-cold-war environments does not fit, or is apparently not fitting the current threat that this Nation recognizes.

This department, in my opinion, is not a step toward big government. Big government is when the Federal authorities needlessly take over functions better left to State and local governments.

The Presiding Officer is a former Governor. He understands so well the importance of State government and State law enforcement authorities. What we want to have happen is an improvement of those relationships as they relate to the threat.

My Governor, Dirk Kempthorne of Idaho, was once a U.S. Senator. As a Senator, he had greater clearance than he now has as a Governor. In other words, he had a right to know, under the law and by his title, more about the security risk in our country than he does as a Governor today. That is wrong. Governors in the role they must play as law enforcement officers within their States and directors of law enforcement communities within their States have to know. I use as an example the opportunity to create a seamless relationship between Federal intelligence and Federal law enforcement and State law enforcement. In my

opinion, this is not the creation of a bigger government. This is called getting smart and getting it right at a time when our country demands it.

This proposal, however, which I think the President offers is the direct opposite of what some might call big government. Our Founding Fathers said it clearly when they stated within the Constitution the responsibility of the Federal Government to provide for the security of the citizens of this country. That was the foremost charge of a Federal Government's responsibility under the Constitution.

I think our President has recognized that oh so well ever since 9–11 and now brings to us an opportunity and a challenge to create this new department that, in my opinion, will not bloat government. Personnel and offices will remain relatively at current levels. In fact, due to consolidation, it is possible we might even see over time a slight reduction. The challenge is now ourselves. The challenge is to set aside that which is mine or that which is yours—it is called turf here on Capitol Hill—and to recognize that this is a time to act and to act promptly.

I was extremely pleased to see the bipartisan character and feeling of the meeting at the White House yesterday with TOM DASCHLE, TRENT LOTT, DICK GEPHARDT, and DENNY HASTERT—all of these leaders talking in a bipartisan mode about a timeline of importance. I think we all recognize that Leader GEPHARDT said: Why not 9–11–02? Why not on the anniversary of this tragic time in America when we began to rethink and realign our efforts that we should make available to the American people a new department, a new government, a new shaping of government. Well, I hope we can do 9–11–02. But if we are to do it, it means we have to burn the midnight oil a bit. It clearly means we have to roll up our sleeves and go to work. And it also means that the Senate and the House operate differently than they are historically at least expected to operate. We have done it in the past, and we can do it again. And we should do it now.

I hope Leader DASCHLE and Leader LOTT, in recognizing this, can bring the Senate together in a way unprecedented at least in modern times to get the job done—to get it done in a quick but thorough fashion, to do the necessary and proper reviews that bring about for this country a new shaping of government that we hope in the end will make us a safer, more secure place, and in that process not infringe upon or in any way lessen the rights and the freedoms of the citizens of this great country.

NUCLEAR WASTE POLICY

Mr. CRAIG. Mr. President, I want to speak about a need of this Senate to act and act soon. I am speaking about a provision within the Nuclear Waste Policy Act of 1982 that required a procedure by which this country would ultimately step forward in determining a permanent storage site for high-level nuclear waste. It is known here as Yucca Mountain in the State of Nevada. It has been a high-profile issue, one that has been given a great deal of debate over the last good number of years, but one that has come again to the floor of the Senate in which we must make a decision to make one step forward in a review and licensing process to determine whether the site of Yucca Mountain in the State of Nevada is capable of handling and effectively storing for 10,000 years the high-level nuclear waste of this country.

In the Nuclear Waste Policy Act of 1982, we established what is known as an expedited procedure for consideration of the resolution approving the President's selection of the nuclear waste site. Now the President has selected, because the NEPA process through the Department of Energy has determined that it is now time to go to the Nuclear Regulatory Commission for their review and their determination as to whether the site ought to be licensed. So the time is at hand, as was seen in 1982 under this act.

The expedited procedure under the Nuclear Waste Policy Act, as amended, specifically provides that once an approval resolution is on the calendar—and that means the authorizing committee has acted and sent it forward, as it has—the law says very specifically that any Senator may move to proceed to its consideration. And the motion to proceed is privileged and nondebatable.

Under current practices, measures normally reach this floor through agreement to a unanimous consent request by the majority leader. It is critically important for the operation and the procedure of this Senate on a daily basis that the majority leader of the Senate set the agenda. But there is always the provision, because we are all equal in the Senate under the Constitution, that sometimes the majority leader may not set the agenda the way the majority of the Senate would want it set. And, of course, that can be objected to and a vote to proceed.

But what we are talking about here is recognition of a special procedure—unprecedented, or at least certainly one that does not establish the precedent of the normal decorum of the Senate. If unanimous consent cannot be obtained, as we know now, the Senate has taken care of that procedure by simply allowing the rule or the decision to be tested.

The Nuclear Waste Policy Act provides special statutory authority to make exceptions to the contemporary practice to which I have just spoken.

Let me say that again. The Nuclear Waste Policy Act provides a special statutory authority to make exception to contemporary practice. In other words, it is not to establish a precedent. It is not to override the majority leader, as some would like to have it thought today and are certainly arguing. It is in fact the law of the country and not the rules of the Senate to which we are speaking. It is one of four statutes adopted since the 100th Congress that expressly allow any Senator to offer a motion to proceed to an item of approval or disapproval. Those statutes are not redundant to Senate rules and do not upset contemporary practice regarding motions to proceed to other legislation on the Senate calendar.

Exercising a Senator's right under the statutory authority in the Nuclear Waste Policy Act should be considered extraordinary, and not a general assault on the normal prerogatives of the majority leader.

When the Senate passed the Nuclear Waste Policy Act, it envisioned a circumstance in which a leader might be unwilling to propound a motion to proceed. It appears that may be what is happening on the floor of the Senate. Thus, the law expressly permits someone else to act so Congress can work its will before a statutory deadline passes.

Finally, let me say this: If a leader will not propound a motion to proceed, he cannot contend his leadership prerogatives will be violated if someone else moves the procedure. You can't contend that you have been violated if in fact that is the law of the land. And that is the law of the land.

The very procedure I have outlined is expressly stated in the Nuclear Waste Policy Act. Agreement with such a position gives the leader absolute and unilateral authority to veto power over consideration of any legislation, if in fact that can be argued. But at times, when TRENT LOTT was majority leader of the Senate, that was challenged, and a majority of the Senate stayed with the leader when it dealt with contemporary legislation of the moment and the setting of the calendar outside the statutes of the Federal Government within the rules of the Senate.

I wanted to speak about that briefly this morning because I know that is now being talked about amongst us Senators as we ultimately come to a time, prior to late July, when we must address this issue for the sake of the country, for the sake of ratepayers, certainly for the sake of the future of the energy sources of our country, and especially for nuclear-generated energy.

It is important to understand, and I will be to the Chamber speaking out about this issue more as we develop it. I would hope that the majority leader or the authorizing committee chairman who brought the resolution forward would act as they should under the rules to establish a time and a date certain when this Senate can debate and act responsibly on this most critical national environmental issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I compliment the Senator from Idaho for