

Armed Services be authorized to meet during the session of the Senate on Monday, September 23, 2002, at 2:30 p.m., in open session to continue to receive testimony on U.S. policy on Iraq.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions, Subcommittee on Public Health, be authorized to meet for a hearing on "Hispanic Health: Problems with Coverage, Access, and Health Disparities" during the session of the Senate on Monday, September 23, 2002, at 2 p.m., in SD-430.

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

ORDERS FOR TUESDAY, SEPTEMBER 24, 2002

Mr. REID. Mr. President, in the morning it is my understanding that we are going to open at 9:30 and go to the 45 minutes and 15 minutes that Senators BYRD and LIEBERMAN have on the cloture. Is that right?

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Mr. President, following consultation with Senators BYRD and LIEBERMAN, I ask unanimous consent that at 9:30, or as soon as the prayer and pledge are completed, Senator SARBANES be recognized for 5 minutes; that Senator DORGAN be recognized for 5 minutes; Senator WELLSTONE be recognized for 5 minutes; Senator CANTWELL for 5 minutes; Senator MURRAY for 5 minutes. Then, at approximately 9:55, Senator LIEBERMAN would be recognized for 5 minutes on his own time; Senator JEFFORDS would be recognized at approximately 10 a.m. for 5 minutes; Senator BOXER would be recognized for 5 minutes following that; then Senator STABENOW would be recognized for 5 minutes; following that, Senator BYRD would be recognized for whatever time is remaining; and that Senator LIEBERMAN would have 10 minutes remaining and he and Senator THOMPSON would close the debate.

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

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:25 a.m., Tuesday, September 24; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date; the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the Homeland Security Act under the previous order; further, that the live quorum with respect to the cloture motions filed earlier today be waived and that the Senators have until 1 p.m. to file first-degree amendments notwithstanding the recess of the Senate.

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

PROGRAM

Mr. REID. Mr. President, the next rollcall vote will occur at about 10:30 tomorrow morning on the Byrd amendment to the Homeland Security Act regarding orderly transition. Following this vote, there will be a period for morning business until 12:30 for tributes to Senator STROM THURMOND. The Senate will recess from 12:30 to 2 p.m. for the weekly party conferences. Then at 2 p.m., the Senate will resume consideration of the Homeland Security Act with 15 minutes of debate on the Lieberman-McCain amendment regarding a September 11 commission prior to a vote at approximately 2:15 p.m.

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

Mr. REID. I very much appreciate the courtesy of the Republican leader. He is going to be the final speaker today and rather than having me wait until he completes his statement, he was very courteous, as he always is, to allow me to do the wrap-up now.

ORDER FOR ADJOURNMENT

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order following the statement of the Republican leader.

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

SPECIAL COMMISSIONS

Mr. LOTT. Mr. President, let me begin tonight with a quote from Federalist Paper No. 37, January 11, 1789, by James Madison.

It is misfortune, inseparable from human affairs, that public measures are rarely investigated with that spirit of moderation which is essential to a just estimate of their real tendency to advance or obstruct the public good.

James Madison believed then it would always be very hard to investigate events and do it in such a way, in moderation and without partisanship, that the public would be able to find out what really happened and then determine what should be done in the future to keep it from happening again—to advance the good or obstruct the bad.

Another quote goes from an anonymous source goes something along the lines of: If God had created a commission to establish Heaven and Earth, we wouldn't be here today.

Mr. President, my own experiences with commissions over 30 years in Congress have not been good. I view Congressional commissions as an abdication of responsibility. What are we for? Why do we have an Armed Services Committee, an Intelligence Committee, a Governmental Affairs Committee, or a Foreign Affairs Committee?

It seems to me that we in Congress should do the work of reviewing the

laws and overseeing the agencies and the various departments. Are they serving the public the right way? In a responsible way? Or is there an abdication of responsibility and duty by the various administrations in charge of running our government?

One of the reasons I have never supported BRAC, the various base closure commissions, is that when we create those commissions we are basically saying: We do not have the courage to do it; do not let us know what is going on; shove it off on a commission and let them do it.

But in the past closing excess bases had always been handled without a commission after every previous war. However, about 20 or 25 years ago Congress started to say: No, we cannot do that, we will not do it.

In the past after previous wars how was the military scaled down? Pentagon officials and other administration officials—after World War I, after World War II, after the Korean war—would send recommendations to the Congress regarding excess capacity and bases they felt were no longer needed. And unless Congress blocked it, the bases were closed. I bet every State in the Nation still has bases left over from World War II. In my own State, we had bases in Hattiesburg, in Greenville, MS, and Greenwood, MS. Some of the finest airport runways in our State are the very sturdy concrete runways that were built during World War II for air training facilities.

Congress simply acted and then the administration acted. Then powerful members of Congress started saying: No, you cannot close my base; close someone else's base. That is what ultimately led to the creation of commissions.

I have no doubt about the integrity and the good intentions of Senator LIEBERMAN and Senator MCCAIN with their proposal to create an independent commission to investigate September 11, 2001. How did that attacks happen, where were the failures, and how can we avoid repeating them. I know these two men. They are men of good faith that feel so strongly about our country they want this to be a positive thing. They envision some commission of grand pooh-bahs and gray eminences that will assemble and give us the benefit of their great wisdom, men and women who have been in the Government, been in the intelligence community, been in Congress, and thus could do the country a great service.

Mr. President, the track record of that happening is unfortunately very poor. As with all commissions, there are fundamental problems with this commission. Of course, we are now in the second iteration of how this commission would be set up and I presume there will be a third and a fourth. I presume the House will have yet a different version after they go through their iterations of a commission. And then the Administration has concerns that will have to be addressed as well.