

Senate. We would be unnecessarily hurting our transportation community by linking two unrelated issues just to use leverage to get this extension passed.

Mr. MCCAIN. Mr. President, will the majority leader yield for one question?

Mr. FRIST. Let me yield to the Senator from Connecticut and then the Senator from Arizona, or either one.

Mr. MCCAIN. Mr. President, I just have a brief question for the majority leader. In case he missed the morning Washington Post, it says that the independent commission investigating the September 11, 2001, attacks will have to consider scaling back the scope of its inquiry and limiting public hearings unless Congress agrees by next week to give the panel more time to finish its work, its chairman. Governor Keane, a Republican chairman, said that their ability to conduct their investigation will be impaired permanently and severely unless Congress acts by next week.

Mr. FRIST. In response to the Senator's question, I have not read the article today, but I am glad he pointed it out. Let's do it by next week and not hurt 5,000 people with an unrelated issue trying to use leverage that he knows we have no alternative to deal with on the floor of the Senate.

I am glad he pointed it out. Let's deal with it next week. He knows I am working to deal with it, which shows it does not have to be dealt with today and hurt 5,000 people.

Mr. MCCAIN. The majority leader is incorrect. This article was last Friday, talking about this week, the chairman of the panel talking about this week.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. I thank the Chair and the leader.

My friend from Arizona is right. That is the first thing I wanted to point out that it was February 20, 1 week ago, in the Washington Post that Governor Keane made those statements.

I will give a quote from him:

Every week that goes by makes the extension less valuable. When you have to work toward the earlier deadline, you have to start cancelling things and you can't go over things quite as clearly as you might like.

This is last Friday. He says:

Congress comes back into session next week and we really need to hear something by then.

We all know we would not be here doing this if the leadership in the House at one point had not said quite clearly that they were not going to let this extension pass, notwithstanding the fact that the Commission requested it, the President has accepted the extension, and it is pretty clear to me, Senator FRIST, the leader, the Democratic leadership, all support the extension.

Unfortunately, the nature of the presses that often breaks down here, the only way one can get done what one really thinks is necessary in the national interest is to stand up and say, stop.

Of course, we do not want to put those 5,000 families at a disadvantage even temporarily, but we do not have an alternative.

Mr. FRIST. Will the Senator yield?

Mr. LIEBERMAN. Yes.

Mr. FRIST. Is it the contention of both the Senators that the Commission right now has had to shut down this week because we have not allowed this extension?

Mr. LIEBERMAN. No, not at all.

Mr. FRIST. Is that what the Senator from Arizona is basically implying, that the Commission has cut back this week or if it is not settled today that the Commission has been compromised?

Mr. MCCAIN. Could I respond by again repeating what was in last week's Washington Post: The independent Commission will have to consider scaling back the scope of its inquiry, limiting public hearings, unless the Congress agrees by next week—that is this week—to give the panel more time.

They may not have to shut down but certainly their ability to conduct their investigation, according to the chairman of the Commission, Mr. Keane, former Governor of New Jersey, a Republican, says would be impaired.

Every week that goes by makes the extension less valuable, and when they have to work toward the earlier deadline they have to start cancelling things and cannot go over things quite as clearly as they might like. There is a certain urgency, obviously, to Governor Keane's plea that we act this week.

Mr. FRIST. Mr. President, let me go ahead, because I had asked that we further explore the only option I see, and again I think we ought to at least address that. If we do what the Senator from Arizona has proposed, 4,600 employees cannot show up for work, are not going to be paid and are going to be hurt if we accept their proposal. So I ask that they consider the proposal which I mentioned a few minutes ago, I said we would be hotlining, and to take the bill that was passed out of the Intelligence Committee yesterday, that does exactly what they want, what I want, which is to extend the Commission, and pass that as a free-standing bill. So as majority leader, I am prepared to get this bill done this minute.

#### EXTENSION OF FINAL REPORT DATE OF NATIONAL COMMISSION ON TERRORIST ATTACKS UPON THE UNITED STATES

Mr. FRIST. I ask unanimous consent that the Senate now proceed to the consideration of S. 2136, a bill to extend the 9/11 Commission. I further ask unanimous consent that the bill be read the third time and passed and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. MCCAIN. Reserving the right to object, and I will not object, that is the bill that was passed through the Intelligence Committee yesterday; is that correct?

Mr. FRIST. That is correct.

Mr. MCCAIN. I do not object.

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

The bill (S. 2136) was read the third time and passed, as follows:

S. 2136

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. EXTENSION OF NATIONAL COMMISSION ON TERRORIST ATTACKS UPON THE UNITED STATES.

(a) FINAL REPORT DATE.—Subsection (b) of section 610 of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107-306; 6 U.S.C. 101 note; 116 Stat. 2413) is amended by striking "18 months" and inserting "20 months".

(b) TERMINATION DATE.—Subsection (c) of that section is amended—

(1) in paragraph (1), by striking "60 days" and inserting "30 days"; and

(2) in paragraph (2), by striking "60-day period" and inserting "30-day period".

(c) ADDITIONAL FUNDING.—Section 611 of that Act (6 U.S.C. 101 note; 116 Stat. 2413) is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) by inserting after subsection (a) the following new subsection (b):

"(b) ADDITIONAL FUNDING.—In addition to the amounts made available to the Commission under subsection (a) and under chapter 2 of title II of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108-11; 117 Stat. 591), of the amounts appropriated for the programs and activities of the Federal Government for fiscal year 2004 that remain available for obligation, not more than \$1,000,000 shall be available for transfer to the Commission for purposes of the activities of the Commission under this title."; and

(3) in subsection (c), as so redesignated, by striking "subsection (a)" and inserting "this section".

#### ORDER OF PROCEDURE

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I ask unanimous consent to proceed as if in morning business for 15 minutes.

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

Mr. GREGG. Mr. President, I ask unanimous consent to modify my unanimous consent to have the Senator from Missouri proceed for 5 minutes followed by myself for 15.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Missouri.

#### EXTENSION OF TEA-21

Mr. BOND. Mr. President, I thank my colleague from New Hampshire for his request.

Before the distinguished minority assistant leader leaves the Chamber, I want to say I appreciate the good work of the majority leader and the minority to try to resolve this roadblock.