Oversight of the Condition and Regulation of the Insurance Industry... The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ROBERTS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, September 22, 2004, at 9:30 a.m., on pending committee business.

AGENDA

2. S. 2393, A bill to improve transportation security, Robert Chamberlin/Chris Bertram/Sam Whitehorn/Gael Sullivan;
4. S. 2188, Public Safety Spectrum Protection Act, Bill Bailey/James Assey/Rachel Welch;
5. S. 2643, Wireless 411 Privacy Act, Bill Bailey/Paul Martino/James Assey/Rachel Welch;
7. S. 2145, The Spy Block Act, Paul Martino/James Assey/Rachel Welch;
8. S. 2647, National Ocean Policy and Leadership Act, Drew Minkiewicz/Margaret Spring;
9. S. 2489, Coastal and Ocean Mapping Integration Act, Drew Minkiewicz/Margaret Spring;
12. Nomination of Jon D. Leibowitz, PN 1898, of Maryland, to be a Commissioner of the Federal Trade Commission, Pablo Chavez/Ken Nahigian/Virginia Pounds/David Strickland/Cathy McCullough; and
13. Nominations for Promotion in the U.S. Coast Guard, PNs 1917, 1918, 1919, 1876, 1856, Drew Minkiewicz/Virginia Pounds/Amy Frenkel.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. ROBERTS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 22, 2004, at 2 p.m., to hold a nomination hearing.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. ROBERTS. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, September 22, 2004, at 9:30 a.m. in room 485 of the Russell Senate Office Building to conduct a business meeting on pending Committee matters, to be followed immediately by an oversight hearing on the Contributions of Native American Code Talkers in American Military History...

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

COMMITTEE ON THE JUDICIARY

Mr. ROBERTS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Wednesday, September 22, 2004, at 9:30 a.m., on “A Counter-Terrorism Legislation and Proposals, including the USA Patriot Act and the SAFE Act” in the Dirksen Senate Office Building Room 226.

Witness List:
Panel I: The Honorable Larry Craig, United States Senator, R-ND, and the amendment sponsors or their designees; that upon the use or yielding back of the time on that amendment without further intervening action or debate the Senate proceed to a vote with respect to the amendment; that upon disposition of the Reed-Sarbanes amendment all time be yielded back to the committee and amendments be agreed to, the bill, as amended, be read a third time, and the Senate vote on passage of the bill, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Reserving the right to object, and I will have to object because there is objection on our side, we are prepared to pass the Rail Safety Act, S. 2273, without amendment, but I am not at liberty to agree to taking up the bill in the context that was suggested by my good friend from Nevada. Therefore, I object.

The PRESIDING OFFICER. The objection is heard.

Mr. MCCONNELL. Mr. President, consistent with what I just said, I am going to propose a unanimous-consent agreement to which I am sure my good friend will then object. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 536, S. 2273, the rail safety bill.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Yes, I object.

The PRESIDING OFFICER. The objection is heard.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2005

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 709, S. 2826, the District of Columbia appropriations bill; that the bill be read a third time; that the Appropriations Committee then be discharged from further consideration of H.R. 4850, the House-passed DC appropriations bill, and the Senate proceed to its consideration.

I further ask unanimous consent that all after the enacting clause of H.R. 4850 be stricken; the text of S. 2826 be inserted in lieu thereof; the bill, as amended, be read a third time and passed; and the motion to reconsider be laid upon the table.

I ask unanimous consent that the Senate insist on its amendments, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on behalf of the Senate.

Finally, I ask unanimous consent that S. 2826 then be returned to the calendar.

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

Mr. DEWINE. Mr. President, I thank the Senator from Louisiana, Ms. LANDRIEU, the ranking member on the DC Appropriations Subcommittee, for her hard work and efforts in helping to
The sobering fact is that, as the seat of the Federal Government, and as a symbol of our democracy, the District of Columbia faces increased risks of terrorist attacks. Therefore, the bill includes security funding, including resources to complete a Unified Communications Center, which will be the center for coordinated multi-agency response to regional and national emergencies. The bill also continues to provide funds to reimburse the city for increased police, fire, and emergency personnel costs associated with events that occur in the District because of the presence of the Federal Government.

I take this opportunity to recognize the city’s leadership in improving the financial condition of the District. Recently, the District received a vote of confidence from Wall Street when its bonds were upgraded two steps from “BBB+” to “A”. Despite this good news about the city’s short-term financial performance, I am well aware that the city faces a long-term economic structural imbalance which represents a gap between the District’s ability to raise revenue at reasonable tax rates and its ability to provide services of reasonable quality to its residents.

I recognize that the structural imbalance is driven by expenditure requirements and revenue restrictions which are mostly beyond the control of the District’s leadership. Clearly, the city’s revenue capacity would be larger without Federal property or the income of non-Federal residents, such as its inability to tax Federal property or the income of non-residents.

I agree that the city faces a troubling problem in the long-term. I want to help close the financial gap and help ensure the long-term economic health of our Nation’s capital. This is a Federal enclave, established by the Constitution, and it must live by the constraints imposed on it by the Federal Government. The Federal Government must recognize the costs it places on the city and the burden it places on the city’s infrastructure, all the while limiting the ability of the city to raise revenue. Indeed, many of the problems facing the District result from it being the seat of the Federal Government.

This bill takes two small steps to begin to address the structural imbalance. First, we are providing $4 million to assist the city with its annual operating payment to the Washington Metropolitan Transit Authority, commonly referred to as the “Metro”.

The District’s share of the Metro operating subsidy is $206 million. Whereas the State governments of Maryland and Virginia both help subsidize the Metro, the District does not have a State to help share the burden of this cost. In addition, many Federal workers use the Metro system to travel between Federal buildings throughout the workday.

Second, the bill provides $10 million for a combined sewer overflow system. The current system was constructed in 1890 and overflows 60 to 70 times each year, dumping raw sewage into the Anacostia River. Clearly, the Federal Government places a heavy burden on this system and should help share the cost of upgrading it. I believe these small Federal contributions for infrastructure are important, but clearly the Federal Government must do more to help eliminate this structural imbalance that it has helped create.

I again thank Senator LANDRIEU. She and I share the same concerns for the children and residents who live in the District of Columbia, as well as the millions of visitors who come here every year to see America’s seat of government. She and I have worked as close partners in writing this bill. Together, we have put together a bill that focuses on improving the well-being of the District’s children and protecting the safety of all who live and work here. I thank the Senator from Louisiana, and I turn to her now for her remarks.

Ms. LANDRIEU. Mr. President, I am pleased to join Chairman DeWine in presenting the bipartisan fiscal year 2005 District of Columbia Appropriations bill to the Senate. The bill totals $560 million, which is an increase of $18.3 million from fiscal year 2004. The chairman and I moved this bill through the full Appropriations Committee on Tuesday, September 21 by a near-unanimous vote with no controversial amendments. During our 3-year chairmanship and ranking membership of the D.C. subcommittee, we have met many policy and partisan challenges and remained great friends. This year is truly an achievement of the chairman’s bipartisan lead of this bill. We continue to marry our interests in strengthening education and child welfare in the District.

Great communities need great schools. This bill includes $26 million for public education, in support of the committee’s goal to improve education in the District. Fifty years after the landmark Brown v. the Board of Education decision of the Supreme Court, 3 years after enactment of the significant No Child Left Behind Act, we are still working to shape the two-sided face of public education, excellence and failure, into a more equal experience for children. The District’s schools have been mired in years of changing superintendents, management, and oversight challenges. A new superintendent has been hired, Dr. Clifford Janey, we are excited about his energy to reform and improve and want to support his efforts as strongly as possible. This bill includes certain tools to, hopefully, contribute to Dr. Janey’s work.

In our public schools we must recognize and reward excellence. We must acknowledge and eliminate failure. This bill directs a total of $7 million for a new incentive program for public education improvement in both traditional public schools and public charter schools. These grants will be...
awarded to the principal of high performing or significantly improved public schools to reward their good work. A reward is a powerful incentive to build on success and meet some of the areas which can make their school thrive - could be anything from a specialized librarian, new books, and bonuses for excellent teachers, or even to support sports and recreation with a new basketball court. It is entirely up to the principal to decide. In addition, the bill includes $5 million to support the very successful D.C. program to reconstitute the schools designated as in need of improvement by the standards of the No Child Left Behind Act. The Transformation School Initiative has successfully breathed new life into 15 of the lowest performing public schools in the District with innovative ways to reinvigorate teachers, reinvest parents, and get kids exciting about going to school and excited about learning. We are very pleased to support these programs and are thrilled with the results. With 41 charters granted to charter schools per capita. As such, we strongly support the notion of charters and equal partner in this endeavor.

The buildings in which children learn and where they live matter. This year, the bill fortifies the environment where strong, accountable, academically excellent charter schools flourish. This bill includes language which will encourage public schools to convert to charter schools. The 1996 School Reform Act allows for traditional public schools to petition to convert to a public charter school, if the teachers and parents in the community want a more responsive and engaging school. However, until now, no school, Paul Junior High, has exercised that option. We are not trying to say that every public school should be a charter school, but we support if the community of a particular school sees a benefit to taking a charter school and can gain a majority consensus of that community, a conversion is possible.

In addition, we toughen oversight of chartering boards to better screen applications and strengthen oversight of the charter schools that do exist. This will make a stronger public charter school community, and should not create any additional bureaucracy which would tamp down reform. Finally, we included language which will improve access to facilities for charter schools, which can be their greatest challenge. The bill includes language which will improve access to facilities for charter schools, which can be their greatest challenge. The buildings in which children learn are just as critical as the other tools available to make these kids a success. Under the kind leadership of Chairman DeWine, we have also invested in the welfare of the most vulnerable children in the District, those in the custody of the abuse and neglect welfare system. Just in the last week, the District has suffered the loss of another child to the system, Angel Fleming, who was put in foster care system. Just in the last week, the District has suffered the loss of another child to the system, Angel Fleming, who was put in temporary foster care. This bill invests in, there is $13 million for cleaning up the Anacostia River and providing recreation for the entire region and $5 million for transportation improvements.

I want to thank the mayor of the District, Anthony Williams, the entire council, particularly the Chair Linda Cropp, and the D.C. Delegate to Congress ELEANOR HOLMES NORTON for their many contributions and advice in developing this bill. I want to thank my great partners for Chairman DeWINE and I to ensure the bill meet the needs of the District. I appreciate the chairmen’s consideration and our ability to work together on this bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 4850), as amended, was read the third time and passed, as follows:

This bill includes language which will improve access to facilities for charter schools, which can be their greatest challenge. The buildings in which children learn are just as critical as the other tools available to make these kids a success.

The bill (S. 2830), as ordered, was read a third time. The bill (H.R. 4850), as amended, was read the third time and passed, as follows:

Mr. McCONNELL. I ask unanimous consent that S. 2830 is at the desk. I ask its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The legislative clerk read as follows:

A bill (S. 2830) to amend part A of title IV of the Social Security Act to promote healthy marriages and responsible fatherhood, and for other purposes.

Mr. McCONNELL. Mr. President, I understand that S. 2830 is at the desk. I ask its first reading.

The PRESIDING OFFICER. The sponsor of the bill is Mr. DeWINE, Mrs. HUTCHISON, Mr. BROWNBACK, Mr. STEVENS, Ms. LANDRIEU, Mr. DUBIN, and Mr. INOUYE on the part of the Senate.

MEASURE READ THE FIRST TIME—S. 2830

Mr. McCONNELL. Mr. President, I ask unanimous consent that S. 2830 is at the desk. I ask its first reading.

The PRESIDING OFFICER. The sponsor of the bill is Mr. DeWINE, Mrs. HUTCHISON, Mr. BROWNBACK, Mr. STEVENS, Ms. LANDRIEU, Mr. DUBIN, and Mr. INOUYE on the part of the Senate.

RESPONDING TO CONDITIONS IN BURMA UNDER THE ILLEGITIMATE RULE OF THE STATE

Mr. McCONNELL. I ask unanimous consent the Foreign Relations Committee be discharged from further consideration of S. Res. 431 and the Senate