

I know the outcome of the 2005 BRAC is of utmost importance to both the military and the communities outside the fence. I urge my colleagues to support this bill to ensure that the proper decisions are made, and that they are made for the proper reasons.

I ask unanimous consent the text of the bill be printed in the RECORD.

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

S. 2509

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Transparent and Enhanced Criteria Act of 2002".

#### SEC. 2. ADDITIONAL SELECTION CRITERIA FOR 2005 ROUND OF DEFENSE BASE CLOSURE AND REALIGNMENT.

(a) ADDITIONAL SELECTION CRITERIA.—Section 2913 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), as added by section 3002 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1344), is further amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

"(d) ADDITIONAL CONSIDERATIONS.—The selection criteria for military installations shall also address the following:

"(1) Force structure and mission requirements through 2020, as specified by the document entitled 'Joint Vision 2020' issued by the Joint Chiefs of Staff, including—

"(A) mobilization requirements; and

"(B) requirements for utilization of facilities by the Department of Defense and by other departments and agencies of the United States, including—

"(i) joint use by two or more Armed Forces; and

"(ii) use by one or more reserve components.

"(2) The availability and condition of facilities, land, and associated airspace, including—

"(A) proximity to mobilization points, including points of embarkation for air or rail transportation and ports; and

"(B) current, planned, and programmed military construction.

"(3) Considerations regarding ranges and airspace, including—

"(A) uniqueness; and

"(B) existing or potential physical, electromagnetic, or other encroachment.

"(4) Force protection.

"(5) Costs and effects of relocating critical infrastructure, including—

"(A) military construction costs at receiving military installations and facilities;

"(B) environmental costs, including costs of compliance with Federal and State environmental laws;

"(C) termination costs and other liabilities associated with existing contracts or agreements involving outsourcing or privatization of services, housing, or facilities used by the Department;

"(D) effects on co-located entities of the Department;

"(E) effects on co-located Federal agencies;

"(F) costs of transfers and relocations of civilian personnel, and other workforce considerations.

"(6) Homeland security requirements.

"(7) State or local support for a continued presence by the Department, including—

"(A) current or potential public or private partnerships in support of Department activities; and

"(B) the capacity of States and localities to respond positively to economic effects and other effects.

"(8) Applicable lessons from previous rounds of defense base closure and realignment, including disparities between anticipated savings and actual savings.

"(9) Anticipated savings and other benefits, including—

"(A) enhancement of capabilities through improved use of remaining infrastructure; and

"(B) the capacity to relocate units and other assets.

"(10) Any other considerations that the Secretary of Defense considers appropriate."

(b) WEIGHTING OF CRITERIA FOR TRANSPARENCY PURPOSES.—Subsection (a) of such section 2913 is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph (2):

"(2) WEIGHTING OF CRITERIA.—At the same time the Secretary publishes the proposed criteria under paragraph (1), the Secretary shall publish in the Federal Register the formula proposed to be used by the Secretary in assigning weight to the various proposed criteria in making recommendations for the closure or realignment of military installations inside the United States under this part in 2005."

#### STATEMENTS ON SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 266—DESIGNATING OCTOBER 10, 2002, AS "PUT THE BRAKES ON FATALITIES DAY"

Mr. ROBERTS (for himself, Mr. BROWNBACK, and Mr. DEWINE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 266

Whereas traffic fatalities needlessly claim the lives of more than 40,000 Americans each year;

Whereas traffic crashes are the leading cause of death in the United States for people ages 6 to 28 years;

Whereas 63 percent of those killed in traffic crashes are not wearing safety belts;

Whereas roadside hazards, substandard road conditions, and obsolete roadway designs contribute to more than 15,000 highway deaths annually—nearly 1/3 of all fatal crashes;

Whereas more than 3,000,000 people are injured in traffic crashes in the United States each year;

Whereas there are more than 6,000,000 nonfatal traffic crashes in the United States each year;

Whereas deaths and injuries on highways in the United States cost society more than \$230,000,000,000 annually;

Whereas approximately 4,900 pedestrians and 750 bicyclists are killed annually in traffic related crashes;

Whereas safer driving behaviors through the use of seat belts, not drinking and driving, and obeying traffic laws need to be encouraged;

Whereas use of simple, cost-effective roadway safety improvements such as all weather signing and marking, traffic signals, skid

resistant pavements, and removal of roadside hazards would greatly reduce crashes;

Whereas continued development of ever-safer vehicles, protective equipment, and roadways would reduce traffic-related fatalities and injuries; and

Whereas cooperation between Federal, State, and local governments, private companies, and associations is essential to increasing highway safety: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates October 10, 2002, as "Put the Brakes on Fatalities Day"; and

(2) requests that the President issue a proclamation urging the people of the United States and interested groups to encourage safe driving and other roadway use.

#### SENATE CONCURRENT RESOLUTION 110—HONORING THE HEROISM AND COURAGE DISPLAYED BY AIRLINE FLIGHT ATTENDANTS ON A DAILY BASIS

Mrs. FEINSTEIN (for herself, Mrs. HUTCHISON, Mrs. BOXER, Mr. DASCHLE, Ms. CANTWELL, Ms. COLLINS, Mr. SARBANES, Mr. REID, Mr. WARNER, Mr. BAYH, Mr. BINGAMAN, Mr. MURKOWSKI, Mr. TORRICELLI, Mr. DURBIN, Mr. GRAHAM, Mr. STEVENS, Mr. DAYTON, Mr. COCHRAN, Mr. ENSIGN, Mr. REED, Mr. SPECTER, Mrs. MURRAY, Mr. BOND, Mr. CRAIG, Mr. HUTCHINSON, Mr. KERRY, Mr. DODD, Mr. CORZINE, Mr. WELLSTONE, Ms. LANDRIEU, Mr. ROCKEFELLER, Mr. WYDEN, Mr. AKAKA, Mr. HATCH, Mr. NELSON of Florida, Mr. BUNNING, Mr. SANTORUM, Mr. FEINGOLD, Mr. ALLEN, Mr. HOLLINGS, Mr. DEWINE, Mrs. CLINTON, Mrs. LINCOLN, Mr. SMITH of New Hampshire, Mr. SCHUMER, Ms. SNOWE, Mr. CLELAND, Mr. BREAUX, Mrs. CARNAHAN, Mr. DOMENICI, Ms. MIKULSKI, Mr. JOHNSON, and Mr. LIEBERMAN) submitted the following concurrent resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. CON. RES. 110

Whereas over 100,000 men and women in the United States serve as flight attendants;

Whereas flight attendants dedicate themselves to serving and protecting their passengers;

Whereas flight attendants react to dangerous situations as the first line of defense of airline passengers;

Whereas safety and security are the primary concerns of flight attendants;

Whereas flight attendants evacuate passengers from an airplane in emergency situations;

Whereas flight attendants defend passengers against hijackers, terrorists, and abusive passengers;

Whereas flight attendants handle in-flight medical emergencies;

Whereas flight attendants perform routine safety and service duties on board the aircraft;

Whereas 25 flight attendants lost their lives aboard 4 hijacked flights on September 11, 2001;

Whereas 5 flight attendants helped to prevent United Flight 93 from reaching its intended target on September 11, 2001;

Whereas flight attendants provided assistance to passengers across the United States who had their flights diverted on September 11, 2001;

Whereas flight attendants on American Airlines Flight 63 helped to subdue Richard

Reid on December 22, 2001, thereby preventing him from detonating an explosive device in his shoe intended to bring down the airplane and kill all 185 passengers and 12 crew members on board; and

Whereas flight attendants helped to prevent Pablo Moreira, a Uruguayan citizen, from breaking into the cockpit on February 7, 2002 during United Flight 855 from Miami to Buenos Aires: Now therefore be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) expresses its profound gratitude for the faithful service provided by flight attendants to make air travel safe;

(2) honors the courage and dedication of flight attendants;

(3) supports all the flight attendants who continue to display heroism on a daily basis, as they had been doing before, during, and after September 11, 2001; and

(4) shall send a copy of this resolution to a family member of each of the flight attendants killed on September 11, 2001.

Mrs. FEINSTEIN. Mr. President, I rise today to submit a concurrent resolution honoring flight attendants for the courage, dedication, and heroism they display on a daily basis as the first line of defense against trouble and terror in our skies.

From the events of September 11, we have all taken great pride in the heroism and courage displayed by rescue workers, firemen, and first responders. These were the men and women running into the burning and collapsing buildings to help those who were running out get to safety. Who knows what the death toll would have been that dreadful day without the help of these brave heroes.

Since September 11, the United States has rallied behind the courage and dedication of our troops abroad who are rooting out terrorism. American soldiers are protecting the United States from future terrorist attacks and as we all know, lives have been lost.

I cannot say enough about what the policemen, firemen, rescue workers, and the men and women of our armed services have done to protect all of us.

However, one group of American heroes that I also want to make sure receive their proper recognition are the approximately 100,000 men and women who serve as flight attendants in the United States today.

Flight attendants dedicate themselves to serving and protecting their passengers.

Flight attendants react to dangerous situations on airplanes as the first line of defense of airline passengers and the pilots in the cockpit.

Flight attendants evacuate passengers from the airplane in emergency situations.

Flight attendants have defended passengers against hijackers, terrorists, and abusive passengers.

Flight attendants handle in-flight medical emergencies.

And as we all know, many flight attendants lost their lives on September 11 as they fought with terrorists.

Clearly flight attendants do more than serve food and drinks on the plane.

They are the police, the fire department, the paramedics, and the bomb squad at 30,000 feet above ground. Just one of these responsibilities would overwhelm most people. Yet, flight attendants manage to balance these roles day in and day out.

Flight attendants have enormous responsibilities and they face tremendous dangers in flight.

To honor the dedication, courage, and commitment flight attendants made everyday, I am offering this resolution to: 1. Express the gratitude of Congress for the faithful service provided by flight attendants to make air travel safe; 2. Honor the courage and dedication of flight attendants; 3. Support flight attendants as they continue to display heroism on a daily basis; and 4. Send a copy of this resolution to a family member of each of the flight attendants killed on September 11, 2001.

In this resolution, we mention three specific instances where flight attendants have courageously intervened to save the lives of others.

We all know about the heroic passengers and crew of Flight 93 on September 11, 2001. The flight from Newark, New Jersey to San Francisco was hijacked that dreadful morning. Yet the terrorists were prevented from crashing the airplane into its intended target by brave passengers and crew. Among the crew that sacrificed their lives were five United Airlines flight attendants.

A few months later, terrorist Richard Reid tried to blow up American Airlines Flight 63. He too was stopped with the help of flight attendants as he tried to light explosives in his shoes.

Speaking of the flight attendants aboard flight 93, one passenger said, "There's no question that all of us on board owe our lives to them. [Reid] was fighting to the death."

And in February of this year, flight attendants and pilots aboard United Airlines Flight 855 prevented a passenger from breaking into the cockpit while the plan was traveling from Miami to Buenos Aires.

There are only a few examples of times when flight attendants have stepped forward to risk their lives to protect others. And unfortunately there will always be a tremendous amount of risk for the men and women who work aboard airplanes every day.

I want to point out that this resolution is the result of a letter by a flight attendant in Sacramento, California who wrote to me. I would like to insert the letter into the RECORD and read some of it aloud.

Heather Lauter-Clay, a United Airlines flight attendant, wrote,

From the deepest part of my heart, I am asking for your support in carrying a resolution to honor Flight Attendants. It would mean so much to Flight Attendants to be given the respect and support that they so deserve.

Heather, I completely agree and I am proud to offer this resolution to honor our flight attendants.

I also want to enter this note into the RECORD. It was given to me by Kristin Spivey, a United flight attendant, on my trip home over the weekend. I was especially touched by Ms. Spivey's note, which was written on an airplane cocktail napkin. The note reads:

"Senator Feinstein: I am so pleased to have you on our flight today. It has been an honor to serve you—just to meet you. Thank you for sponsoring the bill to acknowledge flight attendants' contributions on September 11th. It was very difficult to lose so many flying partners to something so senseless.

In the aftermath it was hard to go on, despite the fact that I love my job and would not give it up, because so few seemed to understand my sense of loss. It is also comforting to believe that all those onboard flight 93 died for a reason—to save many others in Washington.

You do then a great honor in remembering that. I know you can help others understand all this. Thank you for speaking for us. I know my fallen colleagues would be proud.

Kristin Spivey (D.C. based)

I think this note from Ms. Spivey makes it clear that this resolution is very important and I hope the Congress will pass this legislation soon.

To the flight attendants serving today and every day: Thank You.

I ask unanimous consent that letters of support for this resolution be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

DAVIS, CA.

DEAR SENATOR DIANNE FEINSTEIN: I am a United Airlines Flight Attendant. On September 11th, our United Family was forever changed. In the weeks and months following the tragedy, we have been mourning the loss of our colleagues and loss of ourselves. Our world as we knew it has been forever changed.

On that fateful day, the grief was immense for us. We lost 16 or our crewmembers in one hour, on one day. We were stricken with feelings of sadness, fear, confusion and panic. Many of us were stranded, away from home. As the unknown lingered, we still held onto the thoughts of what our colleagues faced in their last moments. Meanwhile, knowing that we too would soon be boarding an airplane.

As a flight attendant, we have taken an oath "to provide comfort, care and safety" to our passengers. On September 11th, our flight attendants were doing their job. All of the previous protocols that were in place for hijacking situations failed them. They died protecting their passengers in the best way that they knew how. As we know, in the last moments of flight, they were unselfishly caring for others. Flight Attendants assisted in bringing down UAL 93 by boiling water to throw on the hijackers and others were on the phones to supervisors detailing what was transpiring on the planes.

As we approach 4 months since Sept. 11th, our flight attendants are still continuing to be faced with sadness, grief, and mourning. The skies as we now know them, are a host to uncertainty. Possible terrorist threats are continually present. Airline safety is still compromised. United has laid off thousands of flight attendants and job security is wavering.

Over these past months, firefighters, policemen, postal workers and others have

been honored for their heroism and dedication to Sept 11th. Flight Attendants have not and this hurts us. We too, go to work each day, to serve and protect, knowing that we may not come home to our loved ones. We too know the importance of carrying on with our job, despite what we may encounter, even the possibility of death. Our commitment, bravery and dedication to the public have never ceased during and after the events of September 11th. Our crews of UAL 93 and UAL 175 died unsung heroes.

From the deepest part of my heart, I am asking for your support in carrying a resolution to honor Flight Attendants. It would mean so much to Flight Attendants to be given the respect and support that they so deserve. The crews of UAL 93, UAL 175, AA 11, and AA 77 died unsung heroes. The countless Flight Attendants who have been flying since Sept. 11th continually display valor, gallantry, courage, and bravery in the midst of a world that is forever changed.

Senator Feinstein, thank you for your consideration.

Sincerely,

HEATHER LAUTER-CLAY.

SENATOR FEINSTEIN: I am so pleased to have you on our flight today. It has been an honor to serve you—just to meet you. Thank you for sponsoring the bill to acknowledge flight attendants' contributions on September 11th. It was very difficult to lose so many flying partners to something so senseless. In the aftermath it was hard to go on, despite the fact that I love my job and would not give it up, because so few seemed to understand my sense of loss. It is also comforting to believe that all those onboard flight 93 died for a reason—to save many others in Washington. You do them a great honor in remembering that. I know you can help others understand all this. Thank you for speaking for us. I know my fallen colleagues would be proud.

L. KRISTIN SPIVEY,  
D.C. based.

TRANSPORT WORKERS UNION OF  
AMERICA, AFL-CIO, AIR TRANS-  
PORT LOCAL 556,

Dallas, TX, May 13, 2002.

Senator DIANNE FEINSTEIN,  
U.S. Senate, Hart Senate Building,  
Washington, DC.

DEAR SENATOR FEINSTEIN: As President of Transport Workers Union Local 556 representing the 7000+ hard working Flight Attendants at Southwest Airlines, I am writing in support of your proposed resolution honoring all Flight Attendants.

Before September 11, 2001, Flight Attendants insured the safety and comfort of airline passengers. On September 11, 2001, Flight Attendants were the first to sacrifice their lives for the safety of the aircraft and passengers. Since September 11, 2001, Flight Attendants have been first in enabling airplanes and passengers to the skies. For many Flight Attendants, their only reward since September 11, 2001 has been a "pink slip" as they were also among the first to lose their jobs in cutbacks related to the "Attack on America".

Thank you for your leadership and for sponsoring a resolution which will bring well-deserved recognition to the over 100,000 Flight Attendants in America who make me proud to wear my wings.

Respectfully,

THOM MCDANIEL,  
TWU Local 556 President.

Mrs. HUTCHISON. Mr. President, I rise today with Senator FEINSTEIN and 50 of my colleagues to submit a resolution to honor the service and profes-

sionalism of the men and women in the United States who serve as flight attendants.

A career as a flight attendant requires a deep commitment. Their schedules are unpredictable, their work hours are long and intense, and the nature of the job causes long absences from the company of family and friends. Not too many years ago, a flight attendant, or "stewardess", could be fired for getting married or becoming pregnant. Happily, those dark ages are over, thanks to the sacrifices made by generations of flight attendants who have served all of us.

Today's flight attendants are dedicated men and women who are charged with many important responsibilities. Of course, they serve food and beverages to passengers under cramped and difficult conditions. They also assist children traveling alone, as well as elderly and disabled passengers. When required, they administer first aid, including CPR and artificial respiration. Most of all, they are responsible for the safety and security of the passengers from the time the aircraft pulls away from the gate, and they are on duty until the plane arrives at its destination.

On September 11, terrorism struck the United States as hijacked aircraft were used as massive weapons of destruction. Despite being trained merely to comply with the hijackers' demands and to calm the passengers, many went above and beyond these limitations and displayed great courage. Using cell phones to relay information to ground crews, crews aboard American Airlines Flights 11 and 77 and United Airlines Flights 93 and 175 assisted law enforcement officials in identifying the hijackers and assessing the nature of the threats. Despite the ultimate loss of their lives, the crews of these flights took heroic steps trying to thwart the terrorists' intentions and prevented further destruction. It is humbling to realize that many of our lives, as well as our beloved Capitol building, may have been saved by the sacrifices of the crew of flight 93.

On October 1, another potentially disastrous event was averted on American Airlines Flight 1238 traveling from Los Angeles to Chicago, when a passenger attempted to break through the cockpit door to attack the flight crew. The cabin crew helped stop the attempt and ingeniously placed serving carts to secure the cockpit.

On December 28, 2001, quick thinking flight attendants made the difference on American Airlines Flight 63 en route from Paris to Miami, when Richard Reid, an accused al Qaeda-trained terrorist, attempted to light a powerful explosive concealed in his shoes. An alert flight attendant led the rest of the cabin crew in a successful struggle to prevent a devastating explosion. Reid was restrained and ultimately arrested, but not before several flight attendants were injured in the battle to subdue Reid.

I encourage flight attendants to continue to provide America's travelers with the service and security we need to revive our aviation industry. I urge my Senate colleagues to join with me in saluting and honoring America's flight attendants and by passing this resolution.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3402. Mr. NELSON, of Nebraska (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill H.R. 3009, to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; which was ordered to lie on the table.

SA 3403. Mr. KENNEDY (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra; which was ordered to lie on the table.

SA 3404. Mr. KENNEDY (for himself and Mr. DEWINE) submitted an amendment intended to be proposed to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra; which was ordered to lie on the table.

SA 3405. Mr. BAUCUS (for himself, Mr. GRASSLEY, and Mr. WYDEN) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra.

SA 3406. Mr. ALLEN (for himself, Mr. EDWARDS, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra; which was ordered to lie on the table.

SA 3407. Mr. GREGG submitted an amendment intended to be proposed to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 3402. Mr. NELSON of Nebraska (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill H.R. 3009, to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 3(a), insert the following new paragraph:

(8) PRODUCTS SUBJECT TO ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.—Paragraph (1)(A) shall not apply to a product that is the subject of an antidumping or countervailing duty order at the time of the agreement referred to in paragraph (1), unless the agreement provides that as a term, condition, or qualification of the tariff concession, the tariff reduction will not be implemented before the date that is 1 year after the date of the termination or revocation of such antidumping or countervailing duty order with respect to all exporters of such product.

At the end of section 3(b), insert the following new paragraph:

(4) PRODUCTS SUBJECT TO ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.—Paragraph (1) shall not apply to a product that is the subject of an antidumping or countervailing duty order at the time of the agreement referred to in paragraph (1), unless the agreement provides that as a term, condition, or