

significance of the 100th anniversary of Korean immigration to the United States.

S. RES. 253

At the request of Mr. SMITH of Oregon, the name of the Senator from Illinois (Mr. DURBIN) was added as a co-sponsor of S. Res. 253, a resolution reiterating the sense of the Senate regarding Anti-Semitism and religious tolerance in Europe.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KENNEDY (for himself, Mr. REED, and Mr. BINGAMAN):

S. 2508. A bill to preserve the effectiveness of medically important antibiotics by restricting their use as additives to animal feed; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, it is with great pleasure that I join my distinguished colleagues, Senator JACK REED and Senator JEFF BINGAMAN, in introducing "The Preservation of Antibiotics for Human Treatment Act of 2002." This important legislation will protect the health of millions of Americans by preserving the effectiveness of antibiotics.

We rely on antibiotics to protect our health from deadly infections and to help safeguard the nation's security from the threat of bioterrorism. Yet we are squandering the effectiveness of these precious medications by using them indiscriminately as additives to animal feed.

Study after study has shown that the practice of using antibiotics to promote growth and fatten livestock erodes the effectiveness of these important pharmaceuticals. Mounting scientific evidence shows that this non-therapeutic use of antibiotics in agricultural animals can lead to development of antibiotic-resistant bacteria that can be transferred to people, making it harder to treat dangerous infections.

In July 1998, the National Academy of Sciences, in a report prepared at the request of the United States Department of Agriculture and the Food and Drug Administration, concluded "there is a link between the use of antibiotics in food animals, the development of bacterial resistance to these drugs, and human disease." In 1997 and again in 2000, the World Health Organization recommended that antibiotics used to treat humans should not also be used to promote animal growth, although such antibiotics could still be used to treat sick animals.

In January 2001, a Federal inter-agency task force on antibiotic resistance concluded that "drug-resistant pathogens are a growing menace to all people, regardless of age, gender, or socio-economic background. If we do not act to address the problem . . . [d]rug choices for the treatment of common infections will become increasingly limited and expensive—and, in some cases, nonexistent."

Major medical associations have taken a stand against antibiotic use in animal agriculture. In June 2001, the American Medical Association adopted a resolution opposing nontherapeutic use of antibiotics in animal agriculture. Medical professional organizations that have taken a similar position include the American College of Preventive Medicine, the American Public Health Association, and the Council of State and Territorial Epidemiologists. I ask for unanimous consent to include a letter of endorsement for our legislation from the American Public Health Association in the RECORD.

Most developed countries in the world, with the exception of the United States and Canada, restrict the use of antibiotics for growth promotion in raising livestock. In July 1999, the European Union banned the use for animal growth promotion of remaining human-use antibiotics still in use to promote animal growth. Prior to that action, individual European countries, including the United Kingdom, Denmark, Finland, and Sweden, had banned the use in animal feed of specific antibiotics.

The Preservation of Antibiotics for Human Treatment Act of 2002 will protect the health of Americans by phasing out the non-therapeutic use in livestock of medically important antibiotics, unless their manufacturers can show that they pose no danger to the public health. The Act requires this same tough standard of new applications for approval of animal antibiotics. The Act does not restrict use of antibiotics to treat sick animals or to treat pets and other animals not used for food.

In October 2000, FDA found that one class of antibiotics posed such a grave danger to the public health that they issued an order to withdraw these drugs from animal use. Yet, over 18 months later, tons of these drugs are still being used, because their manufacturer has refused to comply with FDA's order. The Act takes immediate action to implement the decision of FDA to withdraw these drugs from our food supply.

The National Academy of Sciences has found that eliminating the use of antibiotics as feed additives would cost each American consumer not more than \$5 to \$10 per year. Nonetheless, the legislation recognizes that there may be economic costs to farmers in making the transition to antibiotic-free farming practices. For this reason, the Act provides for Federal payments to farmers to defray their costs in switching to antibiotic-free husbandry practices, with a preference given to family farms.

Antibiotics are one of the crown jewels of modern medicine. If we squander their effectiveness, the health of millions of Americans will be put at risk. The most vulnerable among us, children, the elderly, persons with HIV/AIDS, are particularly endangered by

resistant infections. I urge my colleagues to support this needed legislation to protect the health of all Americans and preserve the effectiveness of antibiotics.

I ask unanimous consent that a letter of support and an analysis of the bill be printed in the RECORD.

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

AMERICAN PUBLIC
HEALTH ASSOCIATION,
Washington, DC, May 1, 2002.

Hon. EDWARD M. KENNEDY,
Chairman, Senate Committee on Health, Education, Labor and Pensions, Dirksen Senate Office Building, Washington, DC.

DEAR MISTER CHAIRMAN: On behalf of the 50,000 members of the American Public Health Association, I am writing to express our strongest support for the Preservation of Antibiotics for Human Treatment Act of 2002. The Act proposes to withdraw certain antibiotics used in healthy food animals to enhance their growth, as well as a class of antibiotics related to the anthrax drug Cipro and used in poultry. These withdrawals will help prevent transmission of antibiotic resistant bacteria in food.

It is common to add antibiotics to the feed of cattle, pigs, and poultry to speed their growth. But it also speeds the development of antibiotic resistant bacteria on farms, that can then contaminate the meat and cause food-borne illnesses for which treatment options are then limited. The evidence of harm to public health resulting from this practice has only grown. It is time for Congress to make the health of consumers a priority and put an end to this practice.

According to the Centers for Disease Control and Prevention, there are 1.4 million cases of Salmonella infection in the U.S. each year. Most of these infections are acquired from food, and many of them are resistant to five or more antibiotics. The Salmonella found in commercial meat and poultry products has already become resistant to a number of the most commonly used antibiotics. Your bill would phase out each of these drugs as a feed additive for healthy animals.

The bill also calls for withdrawal of a precious class of antibiotics now used to treat pneumonia in poultry. Since the approval of the fluoroquinolone antibiotics in 1995, Campylobacter, the most common food-borne infection, has developed resistance, and FDA has called for the drug's withdrawal in poultry. APHA has gone on record supporting the FDA's action.

We are pleased to support this important piece of legislation, and will work with you to see that it is passed. Please contact Natalie Raynor for further information.

Sincerely,

MOHAMMAD N. AKHTER,
Executive Director.

THE PRESERVATION OF ANTIBIOTICS FOR HUMAN TREATMENT ACT OF 2002 BACKGROUND

The widespread use of antibiotics beginning in the 1940's provided, for the first time in history, effective treatments for infectious diseases. These miracle drugs have saved countless lives, but they are losing their effectiveness. Antibiotics that once had the power to cure dangerous infections are now often useless, because microbes have become resistant to all but the newest and most expensive drugs, and some "superbugs" are impervious to any weapons in the medical arsenal. Resistance to antibiotics takes a heavy toll on patients across the Nation.

The World Health Organization estimates that 14,000 Americans die every year from drug-resistant infections. This means that one American dies from a resistant infection every 38 minutes.

It seems scarcely believable that these precious medications could be fed by the ton to chickens and pigs, but that's exactly what's happening in farms all over America. Over 20 million pounds of antibiotics are fed to farm animals every year. That's more than is used in all of medicine. These precious drugs aren't even used to treat sick animals. They are used to fatten pigs and speed the growth of chickens. The result of this rampant overuse is clear: meat contaminated with drug-resistant bacteria sits on supermarket shelves all over America. Every family is potentially at risk. The most vulnerable among us, children, the elderly, persons with HIV/AIDS, are particularly endangered by resistant infections.

At a time when the Nation is relying on antibiotics and other medications to protect our homeland's security from the grave threat of bioterrorism, we can no longer squander these precious weapons in the fight against disease by feeding them indiscriminately to livestock.

PROVISIONS OF THE LEGISLATION

The Preservation of Antibiotics for Human Treatment Act of 2002 will protect the health of Americans by phasing out the non-therapeutic use in livestock of medically important antibiotics, unless their manufacturers can show that they pose no danger to the public health. The Act requires this same tough standard of new applications for approval of animal antibiotics.

The Act does not restrict use of antibiotics to treat sick animals or to treat pets and other animals not used for food.

In October 2000, FDA found that one class of antibiotics posed such a grave danger to the public health that they issued an order to withdraw these drugs from animal use. Yet, over 18 months later, tons of these drugs are still being used, because their manufacturer has refused to comply with FDA's order. The Act takes immediate action to implement the decision of FDA to withdraw these drugs from our food supply.

The Act provides for Federal payments to farmers to defray their costs in switching to antibiotic-free husbandry practices, with a preference given to family farms.

Mr. REED. Mr. President, I rise today to join my colleagues, Senator KENNEDY of Massachusetts and Senator BINGAMAN of New Mexico, in introducing this timely and important legislation. The Preservation of Antibiotics for Human Treatment Act of 2002 will address a critical public health concern facing our nation.

There has been mounting scientific evidence that the overuse in animal husbandry of certain antibiotics is increasing the resistance to those antibiotics of bacteria that cause human disease. In farming, the drugs are often added to the feed of healthy animals to promote growth and productivity.

In 1997 and again in 2000, the World Health Organization recommended that antibiotics used to treat humans should not be used to promote animal growth, though the drugs could still be used to treat sick animals. Most developed countries, other than the United States and Canada, restrict the use of antimicrobials in growth promotion.

In July 1998, the National Academy of Sciences concluded in a report that

there is a link among the use of antibiotics in food animals, the development of bacterial resistance to these drugs and human disease.

Our legislation will require that an animal drug in the fluoroquinolone class of antibiotics, such as ciprofloxacin, and another critical drug, such as penicillin and tetracycline, will be considered unsafe as an additive in animal feed unless the drug's manufacturer can demonstrate that use in animal feed of the drug does not pose a harm to human health. In addition, the legislation will require that the Food and Drug Administration refuse to approve a veterinary drug application for any antimicrobial drug critical to human health care. For drugs that are currently added to animal feed, the legislation will require that the drug's use be phased out over the next two years.

It should be noted that three large commercial poultry producers have recently volunteered to significantly reduce or stop the use of antibiotics in their healthy chickens. In addition, the New York Times reported in February that the industry is stopping the use of a particular drug that is related to Cipro, which is used to treat anthrax in humans. The Times reported as well that some corporate consumers including McDonalds, Wendy's and Popeye's are refusing to buy chicken treated with that drug.

Some will be concerned that our legislation may impose a heavy burden on family farmers. As a means to reduce any burden, the legislation will also authorize payment to producers of livestock or poultry that substantially reduce their nontherapeutic use of antimicrobials in animal feed. Family-owned and family-operated farms or ranches will get priority in the awarding of these payments. And while we understand the concerns of those farmers, we anticipate that the legislation will be a significant step in helping the public health system maintain an effective arsenal against serious diseases, including anthrax, sepsis, strep and salmonella, many of which result in serious illness or death in both children and adults.

By Mrs. HUTCHISON (for herself, Mr. BINGAMAN, Mr. LOTT, Mr. STEVENS, Mr. INOUE, Mrs. FEINSTEIN, Mr. BUNNING, Mr. CRAIG, Ms. COLLINS, Mr. SHELBY, and Mr. SMITH of New Hampshire):

S. 2509. A bill to amend the Defense Base Closure and Realignment Act of 1990 to specify additional selection criteria for the 2005 round of defense base closures and realignments, and for other purposes; to the Committee of Armed Services.

Mrs. HUTCHISON. Mr. President, I rise today to offer legislation that addresses an issue of great concern to our Nation's current and future security as well as to hundreds of communities across our country.

We have endeavored to reduce the excess infrastructure of our armed forces four times in the past 15 years through the appointment of a BRAC commission whose charter was to recommend the elimination or realignment of unneeded bases. Four times these commissions have made recommendations to the President resulting in the closure of 106 major bases. I would like to agree that in each instance, the best decision was made and the military is now better off without these facilities; however, this is not the case. Mistakes have been made.

While most of these selections were proper, some have resulted in significant, unintended consequences. Staggering costs to clean up the environmental liabilities left behind is one such example. At the former Navy Station Long Beach, CA, post-closure clean up costs have consumed hundreds of millions of dollars more than had been anticipated. The final cost of closing that base remains unknown. How can the savings of closing this base be cited when even seven years later the costs continue to grow?

The lack of facilities now available to properly train our remaining forces is another. When justifying the closure of Reese Air Force Base in 1995, the commission's report stated that "the Air Force has a surplus of undergraduate pilot training facilities." However, only five years later, this service had a shortage of over 1,200 pilots. To make up for that shortfall, the Air Force was compelled to hastily establish another training base, at tremendous cost to the taxpayer.

The severe economic impact that small, rural communities have endured is yet another unintended consequence. The '95 commission's decision to convey Fort Chaffee to the local community was scandalous. How was a small, rural community like Barling, AR supposed to turn a post like Chaffee, pockmarked with over 700 World War II-era buildings, each contaminated with lead paint and Asbestos, into an economic asset to the community? They couldn't. While the closure of Chaffee may have saved the Pentagon money, it saddled a small town with an expensive, environmentally hazardous burden.

I am convinced the root cause of these regrettable selections was vague and inefficient criteria which the commissions used in their efforts to select candidates for closure or realignment. To ensure we do not repeat these mistakes, I have worked closely with a number of my colleagues, particularly Senator BINGAMAN, to develop legislation that would refine the minimum criteria the commission must consider. Among the new criteria are: the impact on homeland security; the effects on co-located Federal agencies; and lessons learned in the previous rounds of closures. This measure also promotes greater transparency by requiring the weighting of these criteria be published well before a commission recommends any base for closure.

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. BROWNBAC, 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