

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

qualification of the tariff concession, the tariff reduction will not be implemented before the date that is 1 year after the date of termination or revocation of such antidumping or countervailing duty order with respect to all exporters of such product.

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) 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:

Section 2102(b)(4) is amended by adding at the end the following new subparagraph:

(C) to respect the Declaration on the TRIPS Agreement and Public Health, adopted by the World Trade Organization at the Fourth Ministerial Conference at Doha, Qatar on November 14, 2001.

SA 3404. Mr. KENNEDY (for himself and Mrs. 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) 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 appropriate place, insert the following new title:

TITLE _____—BUSINESS INCUBATION

SEC. _____ 01. SHORT TITLE; FINDINGS.

(a) **SHORT TITLE.**—This title may be cited as the “Linking Educators and Developing Entrepreneurs for Reaching Success Act of 2002”.

(b) **FINDINGS.**—Congress makes the following findings:

(1) Business incubators housed in academic settings provide unique educational opportunities for students, provide entrepreneurs with enhanced access to a skilled workforce, and bring a wealth of resources to business, academia, and communities.

(2) Academic affiliated incubators bridge the missions of academic institutions by bringing together education, economic development, and technology commercialization efforts.

(3) Studies have shown that incubator tenant companies have an average success rate of 87 percent, and 90 percent for technology-based incubator tenant companies. These success rates are dramatically higher than the success rates for companies in the general economy.

(4) Incubator companies are also more likely to remain in the same communities as they grow and to provide high paying jobs and benefits to their employees.

(5) Business incubators help academic institutions contribute to local goals of sustaining economic development in their surrounding communities.

(6) Education in entrepreneurship and other business formation skills is essential to business success and sustainable economic development.

(7) Studies have shown that every 50 jobs created by a business in an incubator generate another 25 jobs in that incubator’s community.

(8) Business incubators are of particular value in communities that have seen significant job displacement due to overwhelming competition from exports.

SEC. _____ 02. PURPOSE.

The purpose of this title is to encourage entrepreneurship by increasing the role for

academia in entrepreneurship by providing space and expertise in an academic setting to house and support new and emerging small businesses.

SEC. _____ 03. DEFINITIONS.

In this title:

(1) **DEGREE-GRANTING INSTITUTION.**—The term “degree-granting institution” means an institution of higher education, as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001), that awards an associate or baccalaureate degree.

(2) **INCUBATOR.**—The term “incubator” means an entity affiliated with or housed in a degree-granting institution that provides space and coordinated and specialized services to entrepreneurial businesses which meet selected criteria during the businesses’ startup phase, including providing services such as shared office space and services, access to equipment, access to telecommunications and technology services, flexible leases, specialized management assistance, access to financing, and other coordinated business or technical support services.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of Education.

SEC. _____ 04. PROGRAM AUTHORIZED.

(a) **IN GENERAL.**—The Secretary is authorized to support the establishment and development of incubators.

(b) **ALLOCATION OF FUNDS.**—From the amount appropriated under section _____ 09, the Secretary—

(1) shall reserve 80 percent of the amount to—

(A) make awards, on a competitive basis, in amounts of \$500,000 to \$750,000, to help acquire or renovate space for incubators; and

(B) make awards, on a competitive basis, in amounts of \$50,000 to \$150,000, for—

(i) developing curricula;

(ii) providing services, including—

(I) preparing corporate charters, partnership agreements, and basic contracts;

(II) assisting with patents, trademarks, and copyrights; and

(III) providing technology acquisition services; or

(iii) providing programming for entrepreneurs housed in an incubator;

(2) shall reserve 10 percent of the amount to make awards, on a competitive basis, in amounts of \$50,000 to \$150,000, for feasibility studies for determining the need for or siting of incubators; and

(3) shall reserve 10 percent for research regarding best practices for incubator programs, including the development of a benchmarking system based on uniform measures, and for dissemination of information regarding such practices.

(c) **CONTRACTS.**—The Secretary is authorized to contract with organizations with expertise in business incubation practices for the purposes of carrying out subsection (b)(3).

(d) **RECIPIENTS.**—The Secretary shall make an award—

(1) described in subsection (b)(1) to a nonprofit entity that has a strong affiliation with a degree-granting institution and manages or provides technical assistance to the degree-granting institution’s affiliated incubator, or if no nonprofit entity manages or provides technical assistance to the incubator, to the degree-granting institution managing the incubator; or

(2) described in subsection (b)(2) to a degree-granting institution, or a nonprofit municipality, city, township, or community development organization.

SEC. _____ 05. USES OF FUNDS.

Funds awarded under section _____ 04(b)(1)(B) may be used for—

(1) curriculum, training, or technical assistance developed by academic faculty with

participation from entrepreneurship experts and local government leaders;

(2) programming that contributes to a coordinated set of business assistance tools, such as developing management teams, providing workforce development, forming strategic alliances, developing capital formation networks, and developing customized plans to help entrepreneurs meet the challenges of doing business in their specific communities; or

(3) hiring staff to coordinate the activities described in paragraph (1) or (2) or for curriculum development.

SEC. _____ 06. APPLICATIONS.

(a) **IN GENERAL.**—Each entity desiring assistance under this title shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(b) **CONTENTS.**—Each application shall contain an assurance that the activities to be assisted—

(1) have the support of the municipality, city, or township in which the incubator is housed or proposed to be housed; and

(2) are consistent with the local economic development or strategic master plan.

(c) **PRIORITY.**—The Secretary shall give priority to funding applications under this title that provide strong educational opportunities to students in entrepreneurship, and that require significant collaboration between businesses, academia, and local government and economic development leaders.

(d) **CONSIDERATION.**—

(1) **IN GENERAL.**—The Secretary may give consideration to funding applications under this title that support—

(A) the building of new incubators;

(B) incubators located in economically distressed areas;

(C) incubators with successful graduation rates for tenant companies;

(D) incubators that have shown demonstrable economic benefits in their surrounding communities;

(E) incubators that work with faculty entrepreneurs or university-based research; or

(F) incubators located in rural areas, inner city areas, Indian reservations or pueblos, where the presence of an incubator may enhance and diversify the area’s economy through expanded technology commercialization.

(2) **DEFINITION OF CONSIDERATION.**—In this subsection the term “consideration” means thought and does not mean priority.

SEC. _____ 07. MATCHING FUNDS.

Each entity receiving Federal assistance under section _____ 04(b)(1) shall contribute matching funds, in an amount equal to the amount of Federal assistance received under this title, toward the costs of the activities assisted under this title. The non-Federal share required under this section may be provided in the form of in-kind contributions.

SEC. _____ 08. REPORT.

The Secretary, at the end of the third year for which assistance is provided under this title, shall prepare and submit to Congress a report that—

(1) describes the most effective or innovative additions to curricula developed under this title;

(2) contains a comparison of small business survival rates for small businesses that started up in incubators versus small businesses that did not so start;

(3) describes factors leading to the success of incubator businesses (if any);

(4) describes the best role for degree-granting institutions in business incubation; and

(5) contains a comparison of academic-affiliated incubators of specific missions and

ages supported under this title with incubators with similar missions and ages that are not supported under this title.

SEC. 09. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title \$20,000,000 for each of the fiscal years 2003, 2004, and 2005.

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) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; as follows:

On page 229, line 23, strike all through "United States," on line 25, and insert the following: "foreign investors in the United States are not accorded greater rights than United States investors in the United States,".

SA 3406. Mr. ALLEN (for himself, Mr. EDWARDS, and Mr. WARREN) 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) 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 appropriate location, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Homestead Preservation Act".

SEC. 2. MORTGAGE PAYMENT ASSISTANCE PILOT PROGRAM—

(a) **ESTABLISHMENT OF PILOT PROGRAM.**—The Secretary of Labor (referred to in this section as the "Secretary") shall establish a pilot program under which the Secretary shall award low-interest loans to eligible individuals to enable such individuals to continue to make mortgage payments with respect to the primary residences of such individuals.

(b) **ELIGIBILITY.**—To be eligible to receive a loan under the program established under subsection (a), an individual shall—

(1) be an individual who—
(A) is determined by the Secretary to be a member of a group of workers described in section 250(a)(1) of the Trade Act of 1974 (19 U.S.C. 2331);

(B) is an adversely affected worker with respect to whom a certification of eligibility has been issued by the Secretary of Labor under chapter 2 of title II of such Act (19 U.S.C. 2271 et seq.); and

(C) is receiving adjustment assistance under such chapter;

(2) be a borrower under a loan which requires the individual to make monthly mortgage payments with respect to the primary place of residence of the individual; and

(3) be enrolled in a job training or job assistance program.

(c) **LOAN REQUIREMENTS.**—

(1) **IN GENERAL.**—A loan provided to an eligible individual under this section shall—

(A) be for a period of not to exceed 12 months;

(B) be for an amount that does not exceed the sum of—

(i) the amount of the monthly mortgage payment owed by the individual; and

(ii) the number of months for which the loan is provided;

(C) have an applicable rate of interest that equals 4 percent;

(D) require repayment as provided for in subsection (d); and

(E) be subject to such other terms and conditions as the Secretary determines appropriate.

(2) **ACCOUNT.**—A loan awarded to an individual under this section shall be deposited into an account from which a monthly mortgage payment will be made in accordance with the terms and conditions of such loan.

(d) **REPAYMENT.**—

(1) **IN GENERAL.**—An individual to which a loan has been awarded under this section shall be required to begin making repayments on the loan on the earlier of—

(A) the date on which the individual has been employed on a full-time basis for 6 consecutive months; or

(B) the date that is 1 year after the date on which the loan has been approved under this section.

(2) **REPAYMENT PERIOD AND AMOUNT.**—

(A) **REPAYMENT PERIOD.**—A loan awarded under this section shall be repaid on a monthly basis over the 5-year period beginning on the date determined under paragraph (1).

(B) **AMOUNT.**—The amount of the monthly payment described in subparagraph (A) shall be determined by dividing the total amount provided under the loan (plus interest) by 60.

(C) **RULE OF CONSTRUCTION.**—Nothing in this paragraph shall be construed to prohibit an individual from—

(1) paying off a loan awarded under this section in less than 5 years; or

(ii) from paying a monthly amount under such loan in excess of the monthly amount determined under subparagraph (B) with respect to the loan.

(e) **REGULATIONS.**—Not later than 6 weeks after the date of enactment of this Act, the Secretary shall promulgate regulations necessary to carry out this section, including regulations that permit an individual to certify that the individual is an eligible individual under subsection (b).

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section, \$10,000,000 for each of fiscal years 2003 through 2007.

(g) **TERMINATION.**—The program established under this section shall terminate on the date that is 5 years after the date of enactment of this Act.

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) 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

On page 275, strike line 17 and all that follows through line 22, and insert the following:

(2) **CONDITIONS.**—A trade agreement may be entered into under this subsection only if such agreement—

(A) makes progress in meeting the applicable objectives described in section 2102 (a) and (b) and the President satisfies the conditions set forth in section 2104; and

(B) does not infringe upon the right to bear arms protected by the second amendment to the Constitution of the United States.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the infor-

mation of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Saturday, May 18, beginning at 10 a.m. at the Forest Service Region 2 auditorium, located at 740 Simms St. in Golden, CO.

The purpose of the hearing is to assess the Federal, local, and State coordination with respect to the National Fire Plan and review the existing Federal fire-related partnership programs to enhance cooperation and efficiencies with non-Federal entities.

Because of the limited time available for the hearing, witnesses may testify by invitation only. Those wishing to submit written testimony for the hearing record should e-mail it to shelleybrown@energy.senate.gov or fax it to (202) 224-4340.

For further information, please contact Kira Finkler of the committee staff at (202) 224-8164.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to inform my colleagues and the public of a hearing postponement.

The committee hearing originally scheduled for Tuesday, May 14, at 9:30 a.m. in SH-216 concerning S.J. Res. 34, a joint resolution approving the site at Yucca Mountain, NV, for the development of a repository for the disposal of high-level radioactive waste and spent nuclear fuel, pursuant to the Nuclear Waste Policy Act of 1982, will be held on Wednesday, May 22, at 9:30 a.m., in SD-106.

For further information, please contact Sam Fowler 202/224-7571 of the committee staff.

NOTICE—PERSONAL FINANCIAL DISCLOSURE

Financial Disclosure required by the Ethics in Government Act of 1978, as amended and Senate Rule 34 must be filed no later than close of business on Wednesday, May 15, 2002. The reports must be filed with the Senate Office of Public Records, 232 Hart Building, Washington, DC, 20510. The Public Records office will be open from 8:00 a.m. until 6:00 p.m. to accept these filings, and will provide written receipts for Senators' reports. Staff members may obtain written receipts upon request. Any written request for an extension should be directed to the Select Committee on Ethics, 220 Hart Building, Washington, DC 20510.

All Senators' reports will be made available simultaneously on Friday, June 14th. Any questions regarding the availability of reports should be directed to the Public Records office (224-0322). Questions regarding interpretation of the Ethics in Government Act of 1978 should be directed to the Select Committee on Ethics (224-2981).

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President,