

(3) The term "covered transaction" means a transaction that—

(A) is a transaction for the combination of multiple air carriers into a single air carrier;

(B) involves the transfer of ownership or control of—

(i) 50 percent or more of the equity securities (as defined in section 101 of title 11, United States Code) of an air carrier; or

(ii) 50 percent or more (by value) of the assets of the air carrier;

(C) became a pending transaction, or was completed, not earlier than January 1, 2001; and

(D) did not result in the creation of a single air carrier by September 11, 2001.

(c) If an eligible employee is a covered employee of an air carrier involved in a covered transaction that leads to the combination of crafts or classes that are subject to the Railway Labor Act, the eligible employee may receive assistance under this title only if the parties to the transaction—

(1) apply sections 3 and 13 of the labor protective provisions imposed by the Civil Aeronautics Board in the Allegheny-Mohawk merger (as published at 59 CAB 45) to the covered employees of the air carrier; and

(2) subject to paragraph (1), in a case in which a collective bargaining agreement provides for the application of sections 3 and 13 of the labor protective provisions in the process of seniority integration for the covered employees, apply the terms of the collective bargaining agreement to the covered employees, and do not abrogate the terms of the agreement.

(d) Any aggrieved person (including any labor organization that represents the person) may bring an action to enforce this section, or the terms of any award or agreement resulting from arbitration or a settlement relating to the requirements of this section. The person may bring the action in an appropriate Federal district court, determined in accordance with section 1391 of title 28, United States Code, without regard to the amount in controversy.

UNANIMOUS CONSENT REQUEST— S. 1214

Mr. HARKIN. Madam President, I ask unanimous consent that the majority leader, following consultation with the Republican leader, may proceed to the consideration of Calendar No. 161, S. 1214, the Port, Maritime and Rail Security Act; that when the measure is considered, it be under the following limitations: That a managers' substitute amendment be in order; that the substitute amendment be considered and agreed to and the motion to reconsider be laid upon the table; that the bill, as thus amended, be considered as original text for the purpose of further amendment, with no points of order waived by this agreement; that all first-degree amendments must be transportation-related; that second-degree amendments must be relevant to the first-degree amendment to which it is offered; that upon the disposition of all amendments, the bill be read the third time and the Senate vote on passage of the bill, with no further intervening action or debate.

Mr. THOMAS. Madam President, I object. All the agreements have not been made on both sides.

The PRESIDING OFFICER. The objection is heard.

Mr. HARKIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

NATIONAL CIVIC PARTICIPATION WEEK

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to consideration of Calendar No. 242, S. Res. 140.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 140) designating the week beginning September 15, 2002, as "National Civic Participation Week".

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

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

The resolution (S. Res. 140) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, will be printed in a future edition of the RECORD.)

CONGRATULATING BARRY BONDS

Mr. REID. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from consideration of S. Res. 178, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 178) congratulating Barry Bonds on his spectacular record-breaking season in 2001 and outstanding career in Major League Baseball.

There being no objection, the Senate proceeded to consider the resolution.

AMENDMENT NO. 2465

Mr. REID. Madam President, Senators FEINSTEIN and BOXER have an amendment at the desk.

I ask unanimous consent that the resolution be agreed to, the amendment to the preamble be agreed to, the preamble, as amended, be agreed to, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

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

The amendment (No. 2465) was agreed to, as follows:

AMENDMENT NO. 2465

On page 1, line 9, strike "3" and insert "an unprecedented 4".

The resolution (S. Res. 178) was agreed to.

The preamble, as amended, was agreed to.

(The resolution with its preamble, will be printed in a future edition of the RECORD.)

EXPRESSING DEEP GRATITUDE TO THE GOVERNMENT AND THE PEOPLE OF THE PHILIPPINES

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to the consideration of S. Con. Res. 91, which was introduced earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 91) expressing deep gratitude to the government and the people of the Philippines for their sympathy and support since September 11, 2001, and for other purposes.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Madam President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be laid upon the table, and that any statements relating thereto be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 91) was agreed to.

The preamble was agreed to.

(The concurrent resolution, with its preamble, is printed in today's RECORD under "Statements on Submitted Resolutions.")

CRASH OF AMERICAN AIRLINES FLIGHT 587

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to H. Con. Res. 272, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 272) expressing the sense of Congress regarding the crash of American Airlines Flight 587.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Madam President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.