

**SENATE RESOLUTION 290—EXPRESSING THE SENSE OF THE SENATE REGARDING THE DESIGNATION OF JUNE 24, 2002 THROUGH JULY 24, 2002 AS FRENCH HERITAGE MONTH (LE MOIS DE L'HERITAGE FRANCAIS)**

Mr. SMITH of New Hampshire submitted the following resolution; which was considered and agreed to:

S. RES. 290

Whereas millions of Americans trace their ancestry to France, Quebec, Acadia, or other French speaking parts of the world;

Whereas the United States shares a common border with Canada, a country with which we have also shared a long history of cordial relations and prosperous trade;

Whereas brave French settlers helped establish New France in the 16th century;

Whereas King Louis XVI, the Marquis De LaFayette, and other brave Frenchmen made immeasurable contributions in our War for Independence;

Whereas Alexis de Tocqueville's classic book "Democracy in America" has taught and inspired generations of American students;

Whereas French Major Charles Pierre L'Enfant helped design the city plan of the capital of this Nation;

Whereas the people of the United States share with the French people a common love for liberty;

Whereas the Statue of Liberty was presented as a gift from France to the people of New York, and was created by sculptor Fred-eric-Auguste Bartholdi;

Whereas the United States and France have fought together against Nazism, Fascism, Communism, and Imperialism;

Whereas the pride and work ethic of the Franco-American community has contributed greatly to the prosperity and culture of this Nation: Now, therefore, be it

*Resolved*, that it is the sense of the Senate that—

(1) June 24, 2002 through July 24, 2002, encompassing the celebration of La Fete St. Jean Baptiste and the commemoration of Bastille Day, be designated as French Heritage Month (Le Mois De L'Heritage Francais); and

(2) appropriate observances should be held during this period throughout the country by public and private groups and institutions.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 3966. Mr. INOUE submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table.

SA 3967. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3968. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3969. Mr. SMITH, of New Hampshire (for himself, Ms. CANTWELL, Mr. GRASSLEY, Mr. DAYTON, Mr. REED, Mr. CRAIG, Ms. LANDRIEU, Mr. HARKIN, Mrs. BOXER, and Ms. MIKULSKI) proposed an amendment to the bill S. 2514, supra.

SA 3970. Mr. DURBIN submitted an amendment intended to be proposed by him to the

bill S. 2514, supra; which was ordered to lie on the table.

SA 3971. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3972. Mr. LOTT submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

**TEXT OF AMENDMENTS**

**SA 3966.** Mr. INOUE submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 100, between lines 3 and 4, insert the following:

**SEC. 503. INCREASED GRADE FOR HEADS OF NURSE CORPS.**

(a) ARMY.—Section 3069(b) of title 10, United States Code, is amended by striking "brigadier general" in the second sentence and inserting "major general".

(b) NAVY.—The first sentence of section 5150(c) of such title is amended—

(1) by inserting "rear admiral (upper half) in the case of an officer in the Nurse Corps or" after "for promotion to the grade of"; and

(2) by inserting "in the case of an officer in the Medical Service Corps" after "rear admiral (lower half)".

(c) AIR FORCE.—Section 8069(b) of such title is amended by striking "brigadier general" in the second sentence and inserting "major general".

**SA 3967.** Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

**SEC. 1065. AUTHORITY TO MAKE PAYMENT TO HARRIET TUBMAN HOME, AUBURN, NEW YORK.**

(a) AUTHORITY.—(1) The Secretary of Defense may, out of any amounts available for obligation, make a payment to the Harriet Tubman Home in Auburn, New York, in the amount of \$11,750.

(2) The amount specified in paragraph (1) is the amount of widow's pension that Harriet Tubman should have received from January 1899 to March 1913 under various laws authorizing pension for the death of her husband, Nelson Davis, a deceased veteran of the Civil War, but did not receive, adjusted for inflation since March 1913.

(b) USE OF AMOUNTS.—The Harriet Tubman Home shall use any amounts received paid under subsection (a) for purposes of—

(1) preserving and maintaining the Harriet Tubman Home; and

(2) honoring the memory of Harriet Tubman.

**SA 3968.** Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, line 24, increase the amount by \$1,000,000.

On page 13, line 15, reduce the amount by \$1,000,000.

**SA 3969.** Mr. SMITH of New Hampshire (for himself, Ms. CANTWELL, Mr. GRASSLEY, Mr. DAYTON, Mr. REED, Mr. CRAIG, Ms. LANDRIEU, Mr. HARKIN, Mrs. BOXER, and Ms. MIKULSKI) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 125, between lines 13 and 14, insert the following:

**SEC. 554. WEAR OF ABAYAS BY FEMALE MEMBERS OF THE ARMED FORCES IN SAUDI ARABIA.**

(a) PROHIBITIONS RELATING TO WEAR OF ABAYAS.—No member of the Armed Forces having authority over a member of the Armed Forces and no officer or employee of the United States having authority over a member of the Armed Forces may—

(1) require or encourage that member to wear the abaya garment or any part of the abaya garment while the member is in the Kingdom of Saudi Arabia pursuant to a permanent change of station or orders for temporary duty; or

(2) take any adverse action, whether formal or informal, against the member for choosing not to wear the abaya garment or any part of the abaya garment while the member is in the Kingdom of Saudi Arabia pursuant to a permanent change of station or orders for temporary duty.

(b) INSTRUCTION.—(1) The Secretary of Defense shall provide each female member of the Armed Forces ordered to a permanent change of station or temporary duty in the Kingdom of Saudi Arabia with instructions regarding the prohibitions in subsection (a) immediately upon the arrival of the member at a United States military installation within the Kingdom of Saudi Arabia. The instructions shall be presented orally and in writing. The written instruction shall include the full text of this section.

(2) In carrying out paragraph (1), the Secretary shall act through the Commander in Chief, United States Central Command and Joint Task Force Southwest Asia, and the commanders of the Army, Navy, Air Force, and Marine Corps components of the United States Central Command and Joint Task Force Southwest Asia.

(c) PROHIBITION ON USE OF FUNDS FOR PROCUREMENT OF ABAYAS.—Funds appropriated or otherwise made available to the Department of Defense may not be used to procure abayas for regular or routine issuance to members of the Armed Forces serving in the Kingdom of Saudi Arabia or for any personnel of contractors accompanying the Armed Forces in the Kingdom of Saudi Arabia in the performance of contracts entered

into with such contractors by the United States.

**SA 3970.** Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

[The amendment was not available for printing. It will appear in a future edition of the RECORD.]

**SA 3971.** Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill add the following new Title (and renumber accordingly):

TITLE XXXIII—NATIONAL URBAN SEARCH AND RESCUE TASK FORCE AUTHORIZATION

**SEC. 3301. SHORT TITLE.**

This title may be cited as the "National Urban Search and Rescue Task Force Assistance Act of 2002".

**"SEC. 3302. FINDINGS AND PURPOSE.**

(a) FINDINGS.—The Congress finds that—  
(1) the Federal Emergency Management Agency (FEMA) established the National Urban Search and Rescue Response System in 1989 pursuant to requirement in the Earthquakes Hazards Reduction Act of 1977 which directed FEMA to provide adequate search and rescue capacity in the event of an earthquake.

(2) once the President has issued a major disaster declaration following a request by a governor, FEMA may activate up to three task forces that are closest to the disaster and additional task forces may be activated as necessary;

(3) each task force must be able to deploy all personnel and equipment within six hours of activation and are expected to be able to sustain themselves for the first 72 hours of operations;

(4) each task force must be capable of deploying at least 62 fully trained individuals, with each position staffed three deep to ensure the availability of at least two alternatives available in reserve for each position for a total of 186 members in each task force;

(5) task forces are supported by Incident Support Teams which provide technical assistance to state and local emergency managers, coordinate the activities of multiple task forces and provide logistical support;

(6) in fiscal year 2001, FEMA provided \$7,200,000 to the task forces for training and equipment, allocated according to need;

(7) in fiscal year 2001, FEMA provided some \$6,000,000 for upgrading the capability of six task forces to respond to disaster resulting from the use of weapons of mass destruction, including the capacity to search and provide assistance in an environment with chemical, biological, or radiological contamination;

(8) there currently are 28 task forces throughout the United States;

(9) since the terrorist attacks of September 11, 2001, the need for fully equipped and trained task forces is obvious;

(10) by noon of September 12, 2001, eight task forces were working valiantly with the courageous New York firefighters to address the aftermath of the terrorist attacks on the World Trade Center, four task forces responded to the attacks on the Pentagon, and 25 of 28 task forces were deployed over a three-week period;

(11) each task force is currently in need of additional training and support equipment with each task force being deployed with some 80,000 lbs. of search, rescue and support equipment valued at some \$1,800,000;

(12) each task force is supported by some \$150,000 per year in operating costs with needs of approximately \$1,500,000 to maintain optimum operational efficiency;

(13) many task forces have inadequate transportation to ensure a timely response to disasters, including acts of terrorism;

(14) the cost of maintaining FEMA's Incident Support Teams as part of the search and rescue task forces is \$5,000,000 per year;

(15) the Federal Government needs to ensure that each task force is adequately trained and equipped to perform urban search and rescue functions in all environments, including the aftermath from acts of terrorism involving weapons of mass destruction;

(16) the Federal Government needs to ensure that each task force has adequate equipment to meet all operational needs and staff support.

(17) the Federal Government needs to ensure that each task force has the capability to put two full teams in the field to meet any disaster or act of terrorism;

(18) the Federal Government needs to ensure that designated task forces have the capability to deploy internationally to provide search and rescue functions vital to our interests and those of our allies; and

(19) while these task forces were originally created for earthquake response, these highly capable task forces have an expanding and vital role in responding to acts of terrorism, including those involving weapons of mass destruction.

(b) PURPOSE.—The purpose of this act is to provide the needed funds, equipment and training to ensure that all urban search and rescue task forces have the full capability to respond to all emergency search and rescue needs arising from any disaster, including acts of terrorism involving a weapon of mass destruction.

**SEC. 3303. DEFINITIONS.**

For purposes of this title, the following definitions apply:

(1) The term "Director" shall mean the Director of the Federal Emergency Management Agency.

(2) The term "urban search and rescue task force" shall be any of the 28 urban search and rescue task forces currently designated by FEMA.

(3) The term "urban search and rescue equipment" means any equipment, determined by the Director, as necessary to respond to any emergency, designated as a disaster by the President of the United States, including any emergency for which the proximate cause is a terrorist act, including biological, nuclear/radioactive, or chemical terrorism.

**SEC. 3304. ASSISTANCE.**

(a) ELIGIBLE ACTIVITIES.—The Director may provide one or more grants to each urban search and rescue task force for:

(1) operational costs in excess of the funds provided under subsection (b) of this section;

(2) the cost of all needed urban search and rescue equipment;

(3) the cost of equipment needed to allow a task force to operate in an environment contaminated by weapons of mass of destruction, including chemical, biological, and nuclear/radioactive contaminants;

(4) the cost of training, including training for operating in an environment contaminated by weapons of mass destruction, including chemical, biological, and nuclear/radioactive weapons;

(5) the cost of transportation;

(6) the cost of task force expansion; and

(7) the cost of Incident Support Teams, including the cost to conduct appropriate task force readiness evaluations.

(b) COST OF OPERATIONS.—The Director shall provide not less than \$1,500,000 for operational costs to each urban search and rescue task force in each fiscal year.

(c) PRIORITY FOR FUNDING.—The Director shall prioritize all funding under this section to ensure that all urban search and rescue task forces have the capacity, including all needed equipment and training, to deploy two separate task forces simultaneously from each sponsoring agency.

**SEC. 3305. GRANT REQUIREMENTS.**

The Director shall establish such requirements as necessary to award grants under this Act.

**SEC. 3306. TECHNICAL ASSISTANCE FOR COORDINATION.**

The Director may award no more than four percent of the funds appropriated for any fiscal year under section 3309 for technical assistance to allow urban search and rescue task forces to coordinate with other agencies and organizations, including career and volunteer fire departments, to meet state and local disasters, including those resulting from acts of terrorism involving the use of a weapon of mass destruction including chemical, biological, and nuclear/radioactive weapons.

**SEC. 3307. ADDITIONAL TASK FORCES.**

The Director is authorized to establish additional urban search and rescue teams pursuant to a finding of need. No additional urban search and rescue teams may be designated or funded until the first 28 teams are fully funded and able to deploy simultaneously two task forces from each sponsoring agency with all necessary equipment, training and transportation.

**SEC. 3308. PERFORMANCE OF SERVICES.**

For purpose of ensuring the effectiveness of the urban search and rescue task forces assisted under this Act, the Director may use the authority under section 306 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, as amended (42 U.S.C. 5149), to incur any additional obligations as determined necessary by the Director.

**SEC. 3309. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated \$160,000,000 for fiscal year 2003 of which each task force is to receive not less than \$1,500,000 for operational costs (including the costs of basic search and rescue equipment), and there is authorized to be appropriated such sums as necessary for all subsequent fiscal years.

**SA 3972.** Mr. LOTT submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title X, add the following:

**SEC. 1024. TRANSFERS OF NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES.**

(a) TRANSFERS BY SALE.—The Secretary of the Navy is authorized to transfer vessels to foreign countries on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761) as follows:

(1) TAIWAN.—To the Taipei Economic and Cultural Representative Office in the United States (which is the Taiwan instrumentality designated pursuant to section 10(a) of the Taiwan Relations Act), the KIDD class guided missile destroyers KIDD (DDG 993), CALLAGHAN (DDG 994), SCOTT (DDG 995), and CHANDLER (DDG 996).

(2) TURKEY.—To the Government of Turkey, the OLIVER HAZARD PERRY class guided missile frigates ESTOCIN (FFG 15) and SAMUEL ELIOT MORISON (FFG 13).

(3) MEXICO.—To the Government of Mexico, the NEWPORT class tank landing ship FREDERICK (LST 1184).

(b) CONSTRUCTION WITH OTHER TRANSFER AUTHORITY.—The authority to transfer vessels on a sale basis under paragraph (1) or (2) of subsection (a) is in addition to the authority to transfer the vessels referred to in the such paragraph under section 1011(b) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1210).

(c) REQUIREMENT FOR PROVISION IN ADVANCE IN AN APPROPRIATIONS ACT.—Authority to transfer vessels on a sale basis under subsection (a) is effective only to the extent that authority to effectuate such transfers, together with appropriations to cover the associated cost (as defined in section 502 of the Congressional Budget of 1974 (2 U.S.C. 661(a))), are provided in advance in an appropriations Act.

(d) NOTIFICATION OF CONGRESS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to Congress, for each naval vessel that is to be transferred under this section before January 1, 2003, the notifications required under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2331j) and section 525 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 (Public Law 105-118; 111 Stat. 2413).

(e) COSTS OF TRANSFERS.—Any expense incurred by the United States in connection with a transfer authorized by this section shall be charged to the recipient.

(f) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a shipyard located in the United States, including a United States Navy shipyard.

(g) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under this section shall expire at the end of the two-year period beginning on the date of the enactment of this Act.

**NOTICES OF HEARINGS/MEETINGS**

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. BINGAMAN. Mr. President, would like to announce for the information of the Senate and the public that the Committee on Energy and Natural Resources has scheduled a field hearing in Albuquerque, NM, to exam-

ine the impacts of drought on Reclamation projects in New Mexico, particularly the Rio Grande and Pecos River basins.

The hearing will take place on Tuesday, July 2, at 2:00 p.m. at a location to be announced.

Those wishing to submit written statements on the subject matter of this hearing should address them to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510.

For further information, please call Mike Connor at 202-224-5479.

**COMMITTEE ON INDIAN AFFAIRS**

Mr. INOUE. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, June 26, 2002, at 10:00 a.m. in Room 628 of the Dirksen Senate Office Building to conduct an oversight hearing on the status of the dialogue between the U.S. Department of the Interior and American Indian and Alaska Native leaders on various alternatives for the reorganization of the Department of the Interior to improve the Department's management of tribal trust funds.

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

**COMMITTEE ON INDIAN AFFAIRS**

Mr. INOUE. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, July 10, 2002, at 10:00 a.m. in Room 485 of the Russell Senate Office Building to conduct an oversight hearing on Native American Elder Health Issues.

Those wishing to additional information may contact the Indian Affairs Committee at 224-2251.

**PRIVILEGES OF THE FLOOR**

Mr. DORGAN. Mr. President, on behalf of Senator CANTWELL, I ask unanimous consent that Darlene Iskra, a legislative fellow in her office be granted floor privileges during the consideration of S. 2514.

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

Mr. LEVIN. Mr. President, I ask unanimous consent that James Clapsaddle of the Air Force, a legislative fellow in Senator CARNAHAN's office, be granted the privilege of the floor for the duration of the debate on S. 2514.

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

Mr. LEVIN. I ask unanimous consent that Pat Manners, a fellow in Senator JEFFORD's office, be given the privilege of the floor during the pendency of S. 2514.

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

Mr. KENNEDY. Mr. President, I ask unanimous consent that my military fellow, Craig Faller, be afforded privileges of the floor for the duration of S. 2514.

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

**MEASURE READ THE FIRST TIME—H.R. 4931**

Mr. REID. Madam President, I understand that H.R. 4931 is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill the first time.

The legislative clerk read as follows:

A bill (H.R. 4931) to provide that the pension and individual retirement arrangement provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall be permanent.

Mr. REID. I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

**FRENCH HERITAGE MONTH**

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 290, which was submitted earlier today by Senator SMITH of New Hampshire.

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

The legislative clerk read as follows:

A resolution (S. Res. 290) expressing the sense of the Senate regarding the designation of June 24, 2002, through July 24, 2002, as French Heritage Month (Le Mois De L'Heritage Francais).

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

Mr. SMITH of New Hampshire. Madam President, today is June 24, St. Jean Baptiste Day, or St. John the Baptist Day, a day of recognition and remembrance.

Today is also the first day of "French Heritage Month" in many States. This month also encompasses Bastille Day.

I believe that we should also recognize the contributions of French Americans at the national level. This resolution will do just that.

Many of my constituents in New Hampshire are of French descent. New Hampshire also, along with many other States, shares a common border with Quebec. Our French-Canadian partners have been great allies and partners in trade. Millions of Americans trace their ancestry to France, Quebec, Acadia or other French-speaking parts of the world.

Many of my fellow Granite Staters are proud of their French heritage, as well they should, because the French heritage brings with it the virtues of liberty and freedom; virtues that helped us win our war for independence.

King Louis XVI, the Marquis De LaFayette, and other brave Frenchmen made immeasurable contributions in our war for independence.

After we won our independence, Alexis De Toqueville fell in love with our young country, and his writings on our fledgling democracy are still read by American students today.

French Maj. Charles Pierre L'Enfant helped design the city plan of our Nation's Capital.