

EC-1211. A communication from the Acting General Counsel, National Endowment for the Arts, transmitting, pursuant to law, the report of a nomination for the position of Chairman, received on February 24, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC-1212. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Fifth Annual Report for the Temporary Assistance for Needy Families (TANF) Program, received on February 12, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC-1213. A communication from the Secretary of the Interior, transmitting, pursuant to law, the report of a rule entitled "Subsistence Management Regulations for Public Lands in Alaska (Direct Final Rule) (1018-AI88)" received on February 11, 2003; to the Committee on Energy and Natural Resources.

EC-1214. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Abandoned Mine Land Reclamation Notices (1029-AB99)" received on February 24, 2003; to the Committee on Energy and Natural Resources.

EC-1215. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, the report of the Energy Information Administration's Performance Profiles of Major Energy Producers 2001 being released electronically on the World Wide Web at <http://www.eia.doc.gov/emeu/perfpro/>, received on February 14, 2003; to the Committee on Energy and Natural Resources.

EC-1216. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, the Energy Information Administration's (EIA) report entitled "Emissions of Greenhouse Gases in the United States 2001"; to the Committee on Energy and Natural Resources.

EC-1217. A communication from the Assistant Secretary, Land and Minerals Management, Engineering and Operations Division, Mineral Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oil and Gas and Sulphur Operations in the Outer Continental Shelf-Oil and Gas Drilling Operations (1010-AC43)" received on February 14, 2003; to the Committee on Energy and Natural Resources.

EC-1218. A communication from the Assistant Secretary, Land and Minerals Management, Engineering and Operations Division, Mineral Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Notice of Final Rule (NFR) Oil and Gas and Sulphur Operations in the Outer Continental Shelf- Document Incorporated by Reference—American Petroleum Institute's Specification 2C for Offshore Cranes (API Spec 2 C) (RIN1010-AC82)" received on February 14, 2003; to the Committee on Energy and Natural Resources.

EC-1219. A communication from the Chairman of the Council, Council of the District of Columbia, transmitting, pursuant to law, the report on D.C. Act 14-571 "Health Organizations RBC Amendment Act of 2002" received on February 14, 2003; to the Committee on Governmental Affairs.

EC-1220. A communication from the Chairman of the Council, Council of the District of Columbia, transmitting, pursuant to law, the report on D.C. Act 14-572 "Uniform Interstate Enforcement of Domestic Violence Protection Orders Act of 2002" received on February 14, 2003; to the Committee on Governmental Affairs.

EC-1221. A communication from the Chairman of the Council, Council of the District of Columbia, transmitting, pursuant to law, the report on D.C. Act 14-569 "Disposal of District Owned Surplus Real Property Temporary Amendment Act of 2002" received on February 14, 2003; to the Committee on Governmental Affairs.

EC-1222. A communication from the Chairman of the Council, Council of the District of Columbia, transmitting, pursuant to law, the report on D.C. Act 14-570 "Exclusive Right Agreement Time Period Temporary Amendment Act of 2002" received on February 14, 2003; to the Committee on Governmental Affairs.

EC-1223. A communication from the Chairman of the Council, Council of the District of Columbia, transmitting, pursuant to law, the report on D.C. Act 14-576 "Draft Master Plan for Public Reservation 13 Approval Act of 2002" received on February 14, 2003; to the Committee on Governmental Affairs.

EC-1224. A communication from the Chairman of the Council, Council of the District of Columbia, transmitting, pursuant to law, the report on D.C. Act 14-573 "Investments of Insurers Act of 2002" received on February 14, 2003; to the Committee on Governmental Affairs.

EC-1225. A communication from the Chairman of the Council, Council of the District of Columbia, transmitting, pursuant to law, the report on D.C. Act 14-575 "Surname Choice Amendment Act of 2002" received on February 14, 2003; to the Committee on Governmental Affairs.

EC-1226. A communication from the Chairman of the Council, Council of the District of Columbia, transmitting, pursuant to law, the report on D.C. Act 14-574 "Housing Production Trust Fund Affordability Period Temporary Amendment Act of 2002" received on February 14, 2003; to the Committee on Governmental Affairs.

EC-1227. A communication from the Chairman of the Council, Council of the District of Columbia, transmitting, pursuant to law, the report on D.C. Act 14-568 "Insurance Compliance Self-Evaluation Privilege Act of 2002" received on February 14, 2003; to the Committee on Governmental Affairs.

EC-1228. A communication from the Chairman of the Council, Council of the District of Columbia, transmitting, pursuant to law, the report on D.C. Act 14-490 "Carl Wilson Basketball Court Designation Act of 2002" received on February 14, 2003; to the Committee on Governmental Affairs.

EC-1229. A communication from the Chief Financial Officer, Export-Import Bank of the United States, transmitting, pursuant to law, the Management Report required by the Chief Financial Officers Act of 1990; to the Committee on Governmental Affairs.

EC-1230. A communication from the Assistant Secretary for Administration, Department of Transportation, transmitting, pursuant to law, the report of the inventories of commercial positions in the Department of Transportation; to the Committee on Governmental Affairs.

EC-1231. A communication from the Deputy Director, Trade and Development Agency, transmitting, pursuant to law, the report of the United States Trade and Development Agency (USTDA) Annual Financial Audit to Congress; to the Committee on Governmental Affairs.

EC-1232. A communication from the Secretary of Labor, transmitting, pursuant to law, the 2002 Annual Report on Performance and Accountability; to the Committee on Governmental Affairs.

EC-1233. A communication from the Director, Office of Personnel Management, Workforce Compensation and Performance Service, Office of Personnel Management, trans-

mitting, pursuant to law, the report of a rule entitled "Administratively Uncontrollable Overtime (3206-AJ57)" received on February 24, 2003; to the Committee on Governmental Affairs.

EC-1234. A communication from the Director, United States Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Retirement Coverage and Service Credit Elections Available to Current and Former Nonappropriated Fund Employees" received on February 14, 2003; to the Committee on Governmental Affairs.

EC-1235. A communication from the Deputy Associate Administrator, Office of Acquisition Policy, General Service Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2001-12 (FAC 2001-12)" received on February 20, 2003; to the Committee on Governmental Affairs.

EC-1236. A communication from the Director, Office of General Counsel and Legal Policy, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled "Post-Employment Conflict of Interest Restrictions; Revisions of Departmental Component Designations (3209-AA07)" received on February 24, 2003; to the Committee on Governmental Affairs.

EC-1237. A communication from the Director, Office of Personnel Policy, Department of the Interior, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary-Indian Affairs, received on February 24, 2003; to the Committee on Indian Affairs.

EC-1238. A communication from the Regulations Coordinator, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Health Insurance Reform; Security Standards (CMS-0049-F) (0938-A157)" received on February 14, 2003; to the Committee on Finance.

EC-1239. A communication from the Deputy General Counsel, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Recognition of Organizations and Accreditation of Representatives, Attorneys, and Agents (2900-AI93)" received on February 24, 2003; to the Committee on Veterans' Affairs.

EC-1240. A communication from the Deputy General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Fisher Houses and Other Temporary Lodging (2900-AL13)" received on February 24, 2003; to the Committee on Veterans' Affairs.

EC-1241. A communication from the Deputy General Counsel, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Loan Guaranty: Implementation of Public Law 107-103 (2900-AL23)" received on February 24, 2003; to the Committee on Veterans' Affairs.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CAMPBELL, without amendment:  
S. Res. 64. An original resolution authorizing expenditures by the Senate Committee on Indian Affairs.

#### EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was reported on February 20, 2003, during the recess of the Senate, pursuant to a unanimous consent agreement of February 13, 2003:

By Mr. LUGAR, from the Committee on Foreign Relations: Treaty Doc. 107-8—The Moscow Treaty (Exec. Rept. No. 108-1)

TEXT OF COMMITTEE RECOMMENDED  
RESOLUTION OF RATIFICATION

*Resolved, (two thirds of the Senators present concurring therein),*

SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO CONDITIONS AND DECLARATIONS.—The Senate advises and consents to the ratification of the Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions (T. Doc. 107-8, in this resolution referred to as the “Moscow Treaty” or “Treaty”), subject to the conditions in section 2 and declarations in section 3.

SEC. 2. CONDITIONS.—The advice and consent of the Senate to the ratification of the Moscow Treaty is subject to the following conditions, which shall be binding on the President:

(1) REPORT ON THE ROLE OF COOPERATIVE THREAT REDUCTION AND NONPROLIFERATION ASSISTANCE.—Recognizing that implementation of the Moscow Treaty is the sole responsibility of each party, not later than 60 days after the exchange of instruments of ratification of the Treaty, and annually thereafter on February 15, the President shall submit to the Committee on Foreign Relations and the Committee on Armed Services of the Senate a report and recommendations on how United States Cooperative Threat Reduction assistance to the Russian Federation can best contribute to enabling the Russian Federation to implement the Treaty efficiently and maintain the security and accurate accounting of its nuclear weapons and weapons-usable components and material in the current year. The report shall be submitted in both unclassified and, as necessary, classified form.

(2) ANNUAL IMPLEMENTATION REPORT.—Not later than 60 days after exchange of instruments of ratification of the Treaty, and annually thereafter on April 15, the President shall submit to the Committee on Foreign Relations and the Committee on Armed Services of the Senate a report on implementation of the Treaty by the United States and the Russian Federation. This report shall be submitted in both unclassified and, as necessary, classified form and shall include—

(A) a listing of strategic nuclear weapons force levels of the United States, and a best estimate of the strategic nuclear weapons force levels of the Russian Federation, as of December 31 of the preceding calendar year;

(B) a detailed description, to the extent possible, of strategic offensive reductions planned by each party for the current calendar year;

(C) to the extent possible, the plans of each party for achieving by December 31, 2012, the strategic offensive reductions required by Article I of the Treaty;

(D) measures, including any verification or transparency measures, that have been taken or have been proposed by a party to assure each party of the other party's continued intent and ability to achieve by December 31, 2012, the strategic offensive reductions required by Article I of the Treaty;

(E) information relevant to implementation of this Treaty that has been learned as a result of Strategic Arms Reduction Treaty (START) verification measures, and the status of consideration of extending the START verification regime beyond December 2009;

(F) any information, insufficiency of information, or other situation that may call into question the intent or the ability of either party to achieve by December 31, 2012, the strategic offensive reductions required by Article I of the Treaty; and

(G) any actions that have been taken or have been proposed by a party to address concerns listed pursuant to subparagraph (F) or to improve the implementation and effectiveness of the Treaty.

SEC. 3. DECLARATIONS.—The advice and consent of the Senate to the ratification of the Moscow Treaty is subject to the following declarations, which express the intent of the Senate:

(1) TREATY INTERPRETATION.—The Senate reaffirms condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe (CFE) of November 19, 1990 (adopted at Vienna on May 31, 1996), approved by the Senate on May 14, 1997, relating to condition (1) of the resolution of ratification of the Intermediate-Range Nuclear Forces (INF) Treaty, approved by the Senate on May 27, 1988.

(2) FURTHER STRATEGIC ARMS REDUCTIONS.—The Senate encourages the President to continue strategic offensive reductions to the lowest possible levels consistent with national security requirements and alliance obligations of the United States.

(3) BILATERAL IMPLEMENTATION ISSUES.—The Senate expects the executive branch of the Government to offer regular briefings, including consultations before meetings of the Bilateral Implementation Commission, to the Committee on Foreign Relations and the Committee on Armed Services of the Senate on any implementation issues related to the Moscow Treaty. Such briefings shall include a description of all efforts by the United States in bilateral forums and through diplomatic channels with the Russian Federation to resolve any such issues and shall include a description of—

(A) the issues raised at the Bilateral Implementation Commission, within 30 days after such meetings;

(B) any issues related to implementation of this Treaty that the United States is pursuing in other channels, including the Consultative Group for Strategic Security established pursuant to the Joint Declaration of May 24, 2002, by the Presidents of the United States and the Russian Federation; and

(C) any Presidential determination with respect to issues described in subparagraphs (A) and (B).

(4) NONSTRATEGIC NUCLEAR WEAPONS.—Recognizing the difficulty the United States has faced in ascertaining with confidence the number of nonstrategic nuclear weapons maintained by the Russian Federation and the security of those weapons, the Senate urges the President to engage the Russian Federation with the objectives of—

(A) establishing cooperative measures to give each party to the Treaty improved confidence regarding the accurate accounting and security of nonstrategic nuclear weapons maintained by the other party; and

(B) providing United States or other international assistance to help the Russian Federation ensure the accurate accounting and security of its nonstrategic nuclear weapons.

(5) ACHIEVING REDUCTIONS.—Recognizing the transformed relationship between the United States and the Russian Federation and the significantly decreased threat posed to the United States by the Russian Federation's strategic nuclear arsenal, the Senate encourages the President to accelerate United States strategic force reductions, to the extent feasible and consistent with United States national security requirements and alliance obligations, in order that the reductions required by Article I of the Treaty may be achieved prior to December 31, 2012.

(6) CONSULTATIONS.—Given the Senate's continuing interest in this Treaty and in continuing strategic offensive reductions to

the lowest possible levels consistent with national security requirements and alliance obligations of the United States, the Senate urges the President to consult with the Senate prior to taking actions relevant to paragraphs 2 or 3 of Article IV of the Treaty.

EXECUTIVE REPORTS OF  
COMMITTEES

The following executive reports of committees were submitted:

By Mr. WARNER for the Committee on Armed Services.

Army nomination of Col. Steven J. Hashem.

Mr. WARNER. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nomination of Richard M. \* Norris.

Air Force nomination of Joseph P. Dibeneditto.

Air Force nomination of John C. Landreneau.

Navy nomination of Waymon J. Jackson.  
Air Force nomination of Charles N. Davidson.

Air Force nomination of Thomas R. Unrath.

Army nominations beginning Thomas W. Shea and ending Thomas W. Yarborough, which nominations were received by the Senate and appeared in the Congressional Record on February 11, 2003.

Army nominations beginning Robert J. Kincaid and ending Rodney L. Thomas, which nominations were received by the Senate and appeared in the Congressional Record on February 11, 2003.

Army nomination of Bradley J. Jorgensen.

Army nominations beginning Theresa S. Gonzales and ending Anthony S. Thomas, which nominations were received by the Senate and appeared in the Congressional Record on February 11, 2003.

Army nominations beginning Ronald E. Ellyson and ending Sheldon Watson, which nominations were received by the Senate and appeared in the Congressional Record on February 11, 2003.

Army nominations beginning David J. Cohen and ending Michael J. Zapor, which nominations were received by the Senate and appeared in the Congressional Record on February 11, 2003.

Army nominations beginning Brad A \* Blankenship and ending Eugene K \* Webster, which nominations were received by the Senate and appeared in the Congressional Record on February 11, 2003.

Army nominations beginning Sheila R \* Adams and ending Ammon \* Wynn III, which nominations were received by the Senate and appeared in the Congressional Record on February 11, 2003.

Army nominations beginning Mary C \* Adamschallenger and ending David A \* Wright, which nominations were received by the Senate and appeared in the Congressional Record on February 11, 2003.

Army nominations beginning Tedd S \* Adair II and ending Rebecca A \* Yurek, which nominations were received by the Senate and appeared in the Congressional Record on February 11, 2003.