

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.

Army nominations beginning David W Garcia and ending Terry E Raines, which nominations were received by the Senate and appeared in the Congressional Record on February 11, 2003.

Army nominations beginning Donovan G Green and ending Daniel M Williams, which nominations were received by the Senate and appeared in the Congressional Record on February 11, 2003.

Marine Corps nomination of Karl G. Hartenstine.

Marine Corps nomination of Leland W. Suttee.

Marine Corps nomination of Carlos D. Sanabria.

Marine Corps nomination of John W. Bradway, Jr.

Marine Corps nomination of Kathleen A. Hoard.

Marine Corps nomination of Jeffrey A. Fultz.

Marine Corps nomination of Eric R. McBee.

Marine Corps nominations beginning Christopher J. Ambs and ending Douglas E. Weddle, which nominations were received by the Senate and appeared in the Congressional Record on February 11, 2003.

Marine Corps nominations beginning Robert E. Cote and ending Frank L. White, which nominations were received by the Senate and appeared in the Congressional Record on February 11, 2003.

Marine Corps nominations beginning Charles W. Anderson and ending Jerry B. Schmidt, which nominations were received by the Senate and appeared in the Congressional Record on February 11, 2003.

Marine Corps nominations beginning Douglas M. Finn and ending Ronald P. Heflin, which nominations were received by the Senate and appeared in the Congressional Record on February 11, 2003.

Marine Corps nominations beginning Calvin L. Hynes and ending Charles S. Morrow, Jr., which nominations were received by the Senate and appeared in the Congressional Record on February 11, 2003.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CRAIG:

S. 433. A bill to provide for enhanced collaborative forest stewardship management within the Clearwater and Nez Perce National Forests in Idaho, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CRAIG (for himself and Mr. CRAPO):

S. 434. A bill to authorize the Secretary of Agriculture to sell or exchange all or part of certain parcels of National Forest System land in the State of Idaho and use the proceeds derived from the sale or exchange for National Forest System purposes; to the Committee on Energy and Natural Resources.

By Mr. CRAIG (for himself and Mr. CRAPO):

S. 435. A bill to provide for the conveyance by the Secretary of Agriculture of the Sandpoint Federal Building and adjacent land in Sandpoint, Idaho, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEAHY (for himself, Mr. GRASSLEY, and Mr. SPECTER):

S. 436. A bill to amend the Foreign Intelligence Surveillance Act of 1978 to improve the administration and oversight of foreign intelligence surveillance, and for other purposes; to the Committee on the Judiciary.

By Mr. KYL (for himself and Mr. MCCAIN):

S. 437. A bill to provide for adjustments to the Central Arizona Project in Arizona, to authorize the Gila River Indian Community water rights settlement, to reauthorize and amend the Southern Arizona Water Rights Settlement Act of 1982, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER (for himself and Mrs. CLINTON):

S. 438. A bill to withdraw Federal land in Finger Lakes National Forest, New York, from entry, appropriation, disposal, or disposition under certain Federal laws; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BUNNING:

S. 439. A bill to amend the Social Security Act and the Internal Revenue Code of 1986 to provide additional safeguards for Social Security and Supplemental Security Income beneficiaries with representative payees, to enhance program protections, and for other purposes; to the Committee on Finance.

By Mrs. BOXER:

S. 440. A bill to designate a United States courthouse to be constructed in Fresno, California, as the 'Robert E. Coyle United States Courthouse'; to the Committee on Environment and Public Works.

By Mrs. BOXER:

S. 441. A bill to direct the Administrator of General Services to convey to Fresno County, California, the existing Federal courthouses in that county; to the Committee on Environment and Public Works.

By Ms. LANDRIEU:

S. 442. A bill to provide pay protection for members of the Reserve and the National Guard, and for other purposes; to the Committee on Finance.

By Mr. CORZINE (for himself and Mr. LAUTENBERG):

S. 443. A bill to authorize the Secretary of the Interior to establish a program to inventory, evaluate, document, and assist efforts to preserve surviving United States Life-Saving Service stations; to the Committee on Energy and Natural Resources.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 444. A bill to authorize the Secretary of the Army to carry out a project for flood damage reduction and ecosystem restoration for the American River, Sacramento, California, and for other purposes; to the Committee on Environment and Public Works.

By Ms. LANDRIEU:

S. 445. A bill to amend title 10, United States Code, to revise the age and service requirements for eligibility to receive retired pay for non-regular service; to the Committee on Armed Services.

By Mr. BOND:

S. 446. A bill to suspend the duty on triethyleneglycol bis(2-ethyl hexanoate); to the Committee on Finance.

By Ms. LANDRIEU:

S. 447. A bill to amend the Higher Education Act of 1965 to require institutions of higher education to preserve the educational status and financial resources of military personnel called to active duty; to the Committee on Health, Education, Labor, and Pensions.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CAMPBELL:

S. Res. 64. An original resolution authorizing expenditures by the Senate Committee on Indian Affairs; from the Committee on Indian Affairs; to the Committee on Rules and Administration.

By Mr. HATCH (for himself and Mr. LEAHY):

S. Res. 65. A resolution authorizing expenditures by the Committee on the Judiciary; to the Committee on Rules and Administration.

By Ms. COLLINS (for herself and Mr. FEINGOLD):

S. Con. Res. 8. A concurrent resolution designating the second week in May each year as "National Visiting Nurse Association Week"; to the Committee on the Judiciary.

By Mr. VOINOVICH (for himself and Mr. DEWINE):

S. Con. Res. 9. A concurrent resolution recognizing and congratulating the State of Ohio and its residents on the occasion of the bicentennial of its founding; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 3

At the request of Mr. SANTORUM, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 3, a bill to prohibit the procedure commonly known as partial-birth abortion.

S. 50

At the request of Mr. JOHNSON, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 50, a bill to amend title 38, United States Code, to provide for a guaranteed adequate level of funding for veterans health care, and for other purposes.

S. 54

At the request of Mr. SCHUMER, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 54, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals.

S. 59

At the request of Mr. INOUE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 59, a bill to amend title 10, United States Code, to permit former members of the Armed Forces who have a service-connected disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces are entitled to travel on such aircraft.

S. 85

At the request of Mr. LUGAR, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 85, a bill to amend the Internal Revenue Code of 1986 to provide for a charitable deduction for contributions of food inventory.

S. 87

At the request of Mrs. CLINTON, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 87, a bill to provide for homeland security block grants.

S. 104

At the request of Mr. HOLLINGS, the name of the Senator from Wisconsin