

## AMENDMENTS SUBMITTED &amp; PROPOSED

SA 251. Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. WYDEN, and Mr. HARKIN) proposed an amendment to the resolution of ratification for Treaty Doc. 107-8, The Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions, Signed at Moscow on May 24, 2002.

SA 252. Mr. LEVIN (for himself, Mr. FEINGOLD, Mr. AKAKA, and Mr. KENNEDY) proposed an amendment to the resolution of ratification for Treaty Doc. 107-8, supra.

SA 253. Mr. FEINGOLD proposed an amendment to amendment SA 252 proposed by Mr. LEVIN (for himself, Mr. FEINGOLD, Mr. AKAKA, and Mr. KENNEDY) TO THE RESOLUTION OF RATIFICATION FOR TREATY DOC. 107-8, SUPRA.

SA 254. Mr. AKAKA proposed an amendment to the resolution of ratification for Treaty Doc. 107-8, supra.

SA 255. Mr. KERRY proposed an amendment to the resolution of ratification for Treaty Doc. 107-8, supra.

SA 256. Mr. LEVIN (for himself, Mr. DASCHLE, Mr. AKAKA, and Mr. NELSON, of Florida) proposed an amendment to the resolution of ratification for Treaty Doc. 107-8, supra.

SA 257. Mr. FRIST (for Mr. LAUTENBERG) proposed an amendment to the concurrent resolution S. Con. Res. 13, condemning the selection of Libya to chair the United Nations Commission on Human Rights, and for other purposes.

## TEXT OF AMENDMENTS

**SA 251.** Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. WYDEN, and Mr. HARKIN) proposed an amendment to the resolution of ratification for Treaty Doc. 107-8, The Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions, Signed at Moscow on May 24, 2002; as follows:

At the end of section 3, add the following new declaration:

(7) STAND-DOWN FROM ALERT STATUS OF FORCES COVERED BY TREATY.—Noting that the Administration has stated that “[t]he first planned step in reducing U.S. operationally deployed strategic nuclear warheads will be to retire 50 Peacekeeper ICBMs, remove four Trident Submarines from strategic service, and no longer maintain the ability to return the B-1 to nuclear service,” the Senate—

(A) encourages the President, within 180 days after the exchange of instruments of ratification of the Treaty, to initiate in a safe and verifiable manner a bilateral stand-down from alert status of all United States and Russian Federation nuclear weapons systems that will no longer be operationally deployed under the Treaty, but which the United States and the Russian Federation may keep operationally deployed under the Treaty until December 31, 2012; and

(B) expects a representative of the executive branch of the Government to offer regular briefings to the Committee on Foreign Relations and the Committee on Armed Services of the Senate regarding—

(i) the alert status of the nuclear forces of the United States and the Russian Federation;

(ii) any determination of the President to order a stand-down of the alert status of United States nuclear forces; and

(iii) any progress in establishing cooperative measures with the Russian Federation to effect a stand-down of the alert status of Russian Federation nuclear forces.

**SA 252.** Mr. LEVIN. (for himself, Mr. FEINGOLD, Mr. AKAKA, and Mr. KENNEDY) proposed an amendment to the resolution of ratification for Treaty Doc. 107-8, The Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions, Signed at Moscow on May 24, 2002; as follows:

At the end of section 2, add the following new condition:

(3) NOTICE AND CONSULTATIONS PRIOR TO WITHDRAWAL OR EXTENSION.—(A) Prior to taking any action relevant to paragraphs 2 or 3 of Article IV of the Treaty, and except as provided in subparagraph (B), the President shall—

(i) provide not less than 60 days advance notice of such action to the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(ii) consult with the Senate on such action.

(B) The President may waive a requirement in subparagraph (A) if the President—

(i) determines that national security needs prevent the President from meeting the requirement; and

(ii) submits to the committees of the Senate referred to in subparagraph (A) a written notice of the waiver, including a description of the national security needs and the reasons justifying the waiver.

In section 3, strike declaration (6).

**SA 253.** Mr. FEINGOLD proposed an amendment to amendment SA 252 proposed by Mr. LEVIN (for himself, Mr. FEINGOLD, Mr. AKAKA, and Mr. KENNEDY) to the resolution of ratification for Treaty Doc. 107-8, The Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions, Signed at Moscow on May 24, 2002; as follows:

At the end of the proposed condition, add the following:

(C) Prior to taking any action relevant to paragraphs 2 or 3 of Article IV of the Treaty, the President shall obtain the approval of two thirds of the Senators present.

**SA 254.** Mr. AKAKA proposed an amendment to the resolution of ratification for Treaty Doc. 107-8, The Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions, Signed at Moscow on May 24, 2002; as follows:

At the end of the last sentence of condition 1 in section 2, strike the period and insert the following: “, and shall include—

“(A) an estimate of the funding levels required in the fiscal year following the year of the report to implement all Cooperative Threat Reduction programs and other non-proliferation programs relevant to the Treaty and ensure that nuclear weapons, materials, technology, and expertise in the Russian Federation are secure from theft and diversion; and

“(B) a description of any initiatives proposed by the President to address any matter covered by subparagraph (A) in order to improve the implementation or effectiveness of the Treaty.”.

**SA 255.** Mr. KERRY proposed an amendment to the resolution of ratification for Treaty Doc. 107-8, The Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions, Signed at Moscow on May 24, 2002; as follows:

At the end of section 2, add the following new condition:

(3) ANNUAL REPORTS ON MONITORING CAPABILITIES.—(A) Not later than 60 days after the exchange of the instruments of ratification of the Treaty, and annually thereafter on May 1, the President shall submit to the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate an estimate, prepared by the Director of Central Intelligence, on the capability of the United States to monitor the compliance of the Russian Federation with the requirements of the Treaty.

(B) Each estimate shall meet the requirements of a national intelligence estimate under section 103(b)(2)(A) of the National Security Act of 1947 (50 U.S.C. 403-3(b)(2)(A)), and shall include—

(i) an estimate, for each strategic nuclear weapons system of the Russian Federation, of the confidence of the United States, whether low, medium, or high, in the capability of the United States to monitor the deployed warheads on such system;

(ii) an assessment of the capability of the United States to monitor the compliance of the Russian Federation with the requirements of the Treaty—

(I) under the verification measures of the verification regime under the Treaty on the Reduction and Limitation of Strategic Offensive Arms, with Annexes, Protocols, and Memorandum of Understanding, signed at Moscow on July 31, 1991 (START Treaty); and

(II) after the verification regime expires upon termination of the START Treaty; and

(iii) additional mechanisms to ensure United States monitoring of the compliance of the Russian Federation with the requirements of the Treaty, including—

(I) further agreements between the United States and the Russian Federation;

(II) mutual data exchanges between the United States and the Russian Federation;

(III) improvements in the transparency of strategic offensive reductions under the Treaty;

(IV) improvements to existing monitoring technologies; and

(V) other appropriate mechanisms.

(C) Each estimate shall be submitted in both classified and unclassified form.

**SA 256.** Mr. LEVIN (for himself, Mr. DASCHLE, Mr. AKAKA, and Mr. NELSON of Florida) proposed an amendment to the resolution of ratification for Treaty Doc. 107-8, The Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions, Signed at Moscow on May 24, 2002; as follows:

In section 2, in paragraph (2)(F), strike “; and” and insert a semicolon.

In section 2, redesignate paragraph (2)(G) as paragraph 2(H).

In section 2, after paragraph (2)(F), insert the following new subparagraph:

(G) with respect to the strategic offensive reductions described pursuant to subparagraph (B) for a calendar year, a listing of—

(i) the total number of each type of strategic offensive nuclear warhead that will be in the nuclear weapons stockpile of the United States during the calendar year, and the total number of each type of strategic offensive nuclear weapon that will be operationally deployed by the United States during the calendar year;

(ii) the number and type of nuclear warheads in the United States that were dismantled during the previous calendar year; and

(iii) to the extent possible, the total number of each type of strategic offensive nuclear warhead that will be in the nuclear

weapons stockpile of the Russian Federation during the calendar year, and the total number of each type of strategic offensive nuclear weapon that will be operationally deployed by the Russian Federation during the calendar year.

**SA 257.** Mr. FRIST (for Mr. LAUTENBERG) proposed an amendment to the concurrent resolution S. Con. Res. 13, condemning the selection of Libya to chair the United Nations Commission on Human Rights, and for other purposes; as follows:

On page 8, strike line 21 and insert "(10) objects"

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, March 6, 2003, at 9:30 a.m., in open session to receive testimony on the Defense authorization request for fiscal year 2004 and the future years Defense program.

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

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, March 6, 2003, at 9:30 a.m. on Spectrum.

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

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, on Thursday, March 6, at 10 a.m., to receive testimony on energy use in the transportation sector.

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

##### COMMITTEE ON FOREIGN RELATIONS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, March 6, 2003, at 9:30 a.m., to hold a hearing on "An Agreed Framework for Dialogue" with North Korea.

#### Agenda

##### Witnesses

Panel 1: The Honorable Dr. Ashton B. Carter, Co-Director, Preventive Defense Project, Harvard University, Cambridge, MA; Dr. Arnold Kanter, Principal, The Scowcroft Group, Washington, DC; and Mr. Robert J. Einhorn, Senior Advisor, International Security Program, CSIS, Washington, DC.

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

##### COMMITTEE ON THE JUDICIARY

Mr. FRIST. Mr. President, I ask unanimous consent that the Com-

mittee on the Judiciary be authorized to meet to conduct a markup on Thursday, March 6, 2003, at 9:30 a.m., in Dirksen Room 226.

#### Agenda

##### I. Nominations

Timothy M. Tymkovich to be U.S. Court of Appeals Judge for the Tenth Circuit; J. Daniel Breen to be US District Judge for the Western District of Tennessee; Thomas A. Varlan to be US District Judge for the Eastern District of Tennessee; William H. Steele to be US District Judge for the Southern District of Alabama; and Humberto S. Garcia to be US Attorney for the District of Puerto Rico.

##### II. Committee Business

Committee Rules Subcommittee Organization

##### III. Bills

S. 253, A bill to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns. [Campbell/Leahy/Hatch/Grassley/DeWine/Kyl/Sessions/Craig/Cornyn/Graham/Feinstein/Schumer/Edwards].

S. 113, A bill to exclude United States persons from the definition of "foreign power" under the Foreign Intelligence Surveillance Act of 1978 relating to international terrorism. [Kyl/Hatch/DeWine/Schumer/Chambliss].

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

##### COMMITTEE ON VETERANS' AFFAIRS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Thursday, March 6, 2003, for a joint hearing with the House of Representatives' Committee on Veterans' Affairs, to hear the legislative presentation of the Military Order of the Purple Heart, the Paralyzed Veterans of America, Jewish War Veterans, Blinded Veterans Association, the Non-Commissioned Officers Association.

The hearing will take place in room 345 of the Cannon House Office Building at 10 a.m.

The PRESIDING OFFICER. With objection, it is so ordered.

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. FRIST. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, March 6, 2003, at 2:30 p.m., to hold a closed hearing.

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

##### SUBCOMMITTEE ON EMPLOYMENT, SAFETY, AND TRAINING

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions, Subcommittee on Employment, Safety, and Training be authorized to meet for a hearing on "The Workforce Investment Act: The Admin-

istration's Approach to Reauthorization" during the session of the Senate on Thursday, March 6, 2003, at 10 a.m., in SD-430.

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

##### SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia be authorized to meet on Thursday, March 6, 2003, at 9:30 a.m., for a hearing entitled "Evaluating Human Capital at the National Aeronautics and Space Administration" to examine the status of NASA's workforce and consider proposed personnel flexibilities to assist the agency in achieving this mission.

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

##### SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. FRIST. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Armed Services Committee be authorized to meet during the session of the Senate on Thursday, March 6, 2003, at 2 p.m., in open session to receive testimony on Department of Defense Installation and Environmental Programs, in review of the Defense authorization request for fiscal year 2004.

Witnesses: Honorable Hansford T. Johnson, Acting Secretary of the Navy; Mr. Raymond F. DuBois, Jr., Deputy Under Secretary of Defense (Installations and Environment); Honorable Mario P. Fiori, Assistant Secretary of the Army (Installations and Environment); and Honorable Nelson F. Gibbs, Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

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

##### SUBCOMMITTEE ON WATER AND POWER

Mr. FRIST. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power, Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, March 6, at 2:30 p.m., to receive testimony on S. 212, a bill authorizing the Secretary of the Interior to cooperate with the High Plains States in conducting a hydrogeologic characterization, mapping, modeling, and monitoring program for the High Plains aquifer and for other purposes; and S. 220 and H.R. 397, bills to reinstate and extend the deadline for commencement of construction of a hydroelectric project in the State of Illinois.

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

#### PRIVILEGE OF THE FLOOR

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that Joshua