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## New Strategic Arms Reduction Treaty (New START)

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# Summary

The New Strategic Arms Reduction Treaty (New START), negotiated between the United States and the Russian Federation, is a follow-on agreement to the original START Treaty between the U.S. and the Russian Federation, Ukraine, Belarus, and Kazakhstan that expired in December 5, 2009. Signed by Presidents Obama and Medvedev on April 8, 2010, New START significantly advances our leadership on nuclear security while preserving strategic stability in U.S.-Russian relations.

The treaty provides for important limitations on the U.S. and Russian nuclear arsenals while ensuring a safe and reliable nuclear deterrent. It establishes a comprehensive verification regime to advance mutual trust and ensures our military has the flexibility needed to protect and defend America's security.

New START would set three central limits on U.S. and Russian nuclear arsenals:

- A maximum of **1,550 warheads** on deployed Intercontinental Ballistic Missiles (ICBMs), warheads on deployed Submarine-Launched Ballistic Missiles (SLBMs), and nuclear warheads counted for deployed heavy bombers. This is 74% lower than the 1991 START Treaty limit and 30% lower than the deployed strategic warhead limit of the 2002 Moscow Treaty.
- No more than **800 deployed and non-deployed launch vehicles**, including ICBM launchers, SLBM launchers, and heavy bombers
- Of the total deployed and non-deployed launch vehicles, no more than **700 deployed launch vehicles**, including ICBMs, SLBMs, and heavy bombers

The New START Treaty does not establish sub-limits on specific types of strategic offensive arms. Each party is free to determine its own force structure within these limitations. Each party has 7 years after the treaty enters into force to meet these limits. The treaty is to remain in force for 10 years, and it can be extended by mutual agreement for up to an additional 5 years.

The New START Treaty has strong verification mechanisms and includes on-site inspections, data exchanges, notifications, and other methods tailored to the specific requirements of this treaty. The treaty does not constrain US missile defense plans. It does prohibit future conversion of ICBM and SLBM launchers into launchers for missile defense interceptors (while specifically excluding from this ban the five ICBM launchers in California that were previously converted to missile defense interceptor launchers). The Pentagon has already stated, however, that it has no plans to carry-out any more conversions, since it would cost less to build new missile defense silos

New START consists of three parts: the main treaty text, a protocol containing ten parts, and three annexes. All three parts are legally binding. The preamble to the treaty, however, does not create any binding obligations.

On September 16, 2010, the Senate Foreign Relations Committee agreed by a bipartisan vote of 14 to 4 to report the treaty favorably to the Senate, and to recommend a resolution of advice and consent to ratification that contains 10 conditions, 3 understandings, and 13 declarations. The

committee's recommended resolution, along with the committee's analysis of the treaty, is contained in the committee's report, Executive Report 111-6.

## Major Provisions

**Article I.** Establishes the basic obligations of the parties to reduce and limit their strategic offensive arms.

**Article II.** Establishes the central limits of the treaty. Each party maintains the right to determine the composition and structure of its strategic offensive arms within the parameters of the agreement.

Both the U.S. and Russia shall reduce and limit their ICBMs and ICBM launchers, SLBMs and SLBM launchers, heavy bombers equipped for nuclear armaments, ICBM warheads, SLBM warheads, and heavy bomber nuclear armaments within 7 years after ratifying the treaty and until its expiration. The agreed-upon aggregate numbers of the covered systems cannot exceed:

- 1,550 for warheads on deployed ICBMs, warheads on deployed SLBMs, and nuclear warheads counted for deployed heavy bombers
- 800 for deployed and non-deployed ICBM launchers, deployed and non-deployed SLBM launchers, and deployed and non-deployed heavy bombers
- 700 for deployed ICBMs, deployed SLBMs, and deployed heavy bombers

The treaty does not limit the number of non-deployed warheads or non-deployed ICBMs and SLBMs.

### **Definitions (found in Part One of the Protocol):**

ICBM: A land-based ballistic missile with a range in excess of 5,500 kilometers.

SLBM: A ballistic missile with a range in excess of 600 kilometers of a type, any one of which has been contained in, or launched from, a submarine.

Deployed ICBM and SLBM: an ICBM or SLBM that is contained in or on a deployed launcher of such missiles.

Deployed launcher of ICBMs: a launcher that contains an ICBM and is not an ICBM test launcher, an ICBM training launcher, or an ICBM launcher located at a space launch facility.

Deployed launcher of SLBMs: an SLBM launcher installed on a submarine that is out of port, that contains an SLBM, and is not intended for testing or training.

\*Soft site launchers – which are any land-based launchers of ICBMs or SLBMs other than a silo launcher – when used for testing, training, or space launch, do not meet the definition of either deployed or non-deployed launchers, and thus are not covered by the treaty.

Non-deployed ICBM and SLBM: when ICBMs or SLBMs are removed from their launchers for any reason, then both the missile and launcher become non-deployed for purposes of the treaty and the change of status must be notified within 5 days of the change and noted in the treaty's database.

Heavy bomber: a bomber with a range greater than 8,000 kilometers or a bomber that can carry long range nuclear air-launched cruise missiles (ALCMs), nuclear air-to-surface missiles or nuclear bombs.

Deployed heavy bomber: any heavy bomber equipped for nuclear armaments, other than a test heavy bomber or a heavy bomber equipped for nuclear armaments located at a repair facility or production facility.

**Article III.** Establishes counting rules for the limits in Article II.

- Deployed ICBMs, deployed SLBMs and deployed heavy bombers each count as one toward the aggregate limit of 700 deployed systems.
- The number of warheads for ICBMs and SLBMs is the number of reentry vehicles on a deployed ICBM or SLBM. Each reentry vehicle, including conventionally-armed reentry vehicles on strategic missiles, is counted as one warhead and counts towards the limit of 1,550 total warheads on deployed ICBMs, SLBMs, and heavy bombers.

Reentry vehicle: the part of the front section of an ICBM or SLBM payload that can survive reentry through the dense layers of the Earth's atmosphere and that is designed for delivering a weapon to a target or for testing such a delivery.

\*Conventional reentry vehicles deployed on ICBMs are covered by the limits in START I and are also subject to this treaty. DOD has concluded that any deployment of conventionally armed ICBMs or SLBMs with a traditional trajectory, which would count under the treaty limits, would be limited to a niche capability over the duration of this treaty, and therefore could easily be accounted for under the treaty's limits while still retaining a robust nuclear triad. Both parties agreed that it is difficult for the other party to distinguish between a nuclear armed reentry vehicle and conventionally armed reentry vehicle emplaced on an ICBM. They agreed, therefore, in an agreed statement in Part Nine of the protocol, not to emplace both nuclear-armed and conventional warheads simultaneously on a front section of an ICBM or SLBM.

A single, standardized set of warhead counting rules will be used for both parties and the warhead count will reflect the number of reentry vehicles actually emplaced on each ICBM or SLBM (unlike the original START Treaty, which used attribution rules to assign the maximum number of warheads each type could carry to all of the missiles of that type, regardless of how many warheads each missile of that type actually carried). Objects such as penetration aids and inert ballast objects that may be carried on an ICBM or SLBM will not count toward the treaty's warhead limits. As a result, the treaty will allow for greater accuracy in counting each party's strategic offensive ICBMs and SLBMs.

- Each deployed heavy bomber is counted as having only one warhead, regardless of how many it can carry. This is similar to provisions in the original START Treaty.

This heavy bomber counting rule encourages greater reliance on bombers. Bombers are slow, can be recalled, and also can be shot down. Because they are not first-strike weapons, they are

considered to be stabilizing systems. Thus, for heavy bombers, the treaty makes use of an attribution rule, rather than a more exact counting rule, that “discounts” the number of warheads each bomber carries in order to encourage greater bomber reliance and promote strategic stability. Because neither the United States nor the Russian Federation maintains any nuclear armaments loaded on its deployed heavy bombers, if the counting approach adopted for deployed ballistic missiles had been applied to deployed heavy bombers, each deployed heavy bomber would ordinarily have been counted as having zero nuclear warheads.

New ICBMs, SLBMs, and mobile ICBM launchers become subject to the treaty when they first leave a production facility. A new ICBM silo launcher becomes subject to the treaty when the silo door is first installed and closed. A new SLBM launcher becomes subject to the treaty when the submarine in which it is installed is first launched from port. A new heavy bomber equipped for nuclear armaments becomes subject to the treaty when its airframe is first brought out of the shop, plant, or building in which it is assembled. Notifications on newly constructed solid-fueled ICBMs and solid-fueled SLBMs must be provided to the other party 48 hours in advance of exit. Such notifications help each side assess missile movements through national technical means of verification (e.g., overhead imagery satellites).

This article also stipulates that conversion or elimination of ICBMs, SLBMs, ICBM launchers, SLBM launchers, and heavy bombers will result in their ceasing to be subject to the treaty. (See Article VI, as well.)

- This Article specifically exempts missile defense interceptors from coverage under the treaty. A missile of a type developed and tested solely to intercept and counter objects not located on the surface of the Earth is not a ballistic missile to which the provisions of the treaty apply. Thus, missiles for defense against ballistic missile attack or for air defense are not subject to the treaty’s limitations on ballistic missiles, provided that they are developed and tested solely to intercept and counter objects not located on the surface of the Earth.

**Article IV.** Establishes basing and location restrictions for strategic offensive arms.

- Deployed launchers of ICBMs, including both mobile and silo launchers, shall be based only at ICBM bases.
- Deployed launchers of SLBMs may be installed only on ballistic missile submarines. This prohibits installing deployed SLBM launchers on surface ships or other platforms.

*Basing:* refers to a permanent facility that supports the long-term operations of a particular strategic offensive system on a permanent basis, as distinguishable from the idea of temporary stationing.

*ICBM base:* an area in which one or more basing areas and one associated maintenance facility are located (for mobile ICBM launchers), or an area in which one or more groups of silo launchers of ICBMs and one associated maintenance facility are located (for silo ICBM launchers).

There are no restrictions on where deployed mobile launchers of ICBMs may be located. Because mobile ICBMs are considered survivable when deployed in the field and therefore stabilizing, their unhampered operation while deployed in the field is permitted.

Each party is limited to 10 test heavy bombers because test heavy bombers are not subject to inspection.

**Article V.** Establishes guidelines regarding modernization and replacement of strategic offensive arms. Subject to the provisions of the treaty, modernization and replacement of strategic offensive arms are permitted.

- Parties may deploy “new types” of ICBMs, SLBMs, and heavy bombers equipped for nuclear armaments. They shall notify the other party within five days of the emergence of a new type or variant of strategic offensive arm, and shall exhibit it so that the other party may confirm that the technical characteristics of the weapon are as notified.

*“New types”*: refers to new types of ICBMs and SLBMs, and heavy bombers equipped for nuclear armaments that meet the definitions of the treaty. For ICBMs and SLBMs, they are ICBMs or SLBMs that differ from the technical characteristics of existing ICBMs or SLBMs along certain technical variables.

*“New kinds” of strategic offensive arms*: new offensive arms of strategic range that do not meet the treaty’s definitions of these existing strategic offensive arms.

When a party believes that a new kind of strategic offensive arm is emerging – i.e., one that does not meet the technical definition of an ICBM, SLBM, or heavy bomber – that party has the right to raise the question of how to deal with such weapon in the Bilateral Consultative Commission (BCC), established in Article XII.

- There is no requirement in the treaty, however, for the deploying party to delay deployment of the new system pending resolution in the BCC.

Article V, paragraph 3 affects missile defense interceptors. Parties cannot convert ICBM launchers and SLBM launchers to launchers for missile defense interceptors. Likewise, parties cannot convert launchers of missile defense interceptors to launchers for ICBMs and SLBMs. The treaty also clearly stipulates that the 5 ICBM silos at Vandenberg Air Force Base in California that were converted to carry missile defense interceptors are not affected by this prohibition and thus are not subject to the treaty. This article also protects those 5 interceptors and other U.S. missile defense interceptors from the START inspection regime. According to the Defense Department, the U.S. has no plans to use any additional ICBM launchers or any SLBM launchers to hold missile defense interceptors, so this prohibition does not interfere with current or future missile defense plans.

**Article VI.** As supplemented by Parts Three and Four of the Protocol, establishes the requirements for converting, eliminating, or other means of removing from accountability strategic offensive arms and facilities.

**Article VII.** As supplemented by Parts Two and Four of the Protocol, establishes the creation of a database and mandates specific sets of data that must be provided for documentation and verification purposes. Notifications required pursuant to this article will enable the United States to follow the travels of each Russian missile, in particular, from base to base and from silo or submarine to maintenance or repair facilities, and back.

**Article VIII.** In cases where one of the Parties determines that its actions may lead to an ambiguous situation, that party must take measures to ensure the viability and effectiveness of

the treaty and to enhance confidence, openness, and predictability concerning the reduction and limitation of strategic offensive arms.

**Article IX.** On an annual basis, parties will exchange telemetric information on up to five ICBM and SLBM launches, on a parity basis.

**Article X.** Establishes obligations regarding the use of national technical means (NTM) of verifying compliance.

*National technical means (NTM):* systems, such as reconnaissance satellites, used to collect information useful in verifying compliance with provisions of the treaty.

- Each party may use NTM at its disposal.
- Interfering with the other party's NTM of verification is prohibited.
- Using concealment measures to impede verification is prohibited.

\*The concealment prohibition does not apply to cover or concealment practices at ICBM bases or to the use of environmental shelters for strategic offensive arms, since such prohibitions would disrupt normal operations.

**Article XI.** Addresses inspection activities.

- Each party can conduct up to 18 short-notice on-site inspections each year to determine the accuracy of the other party's data and to verify compliance.
- Inspections can occur at facilities that house both deployed and non-deployed launchers and missiles.
- There are 2 types of inspections: Type One inspections, and Type Two inspections. There are also exhibitions.
- Each party can conduct up to 10 Type One Inspections and up to 8 Type Two Inspections per year. Exhibitions can be conducted as often as needed, and do not count against the limit on inspections.

Type One inspections may be conducted at bases for ICBMs (both for silo-based and mobile launchers), for ballistic missile submarines, and for heavy bombers equipped for nuclear armaments to confirm the accuracy of declared data (including data on the number of warheads on one missile or heavy bomber at each base inspected).

Type Two inspections will occur at facilities that house non-deployed or converted launchers and missiles to confirm the accuracy of declared data and to confirm the conversion or elimination of strategic offensive arms.

Exhibitions are used for two purposes: to demonstrate features of new types of strategic offensive arms that distinguish them from existing types; and to demonstrate the results of conversions and verify that such systems have not been reconverted.

**Article XII.** Establishes the Bilateral Consultative Commission (BCC) to promote the objectives and implementation of the provisions of the treaty.

**Article XIII.** Prohibits any international obligations or undertakings (including both formal written agreements and informal arrangements between governments) that would conflict with the treaty's provisions.

Parties may not transfer strategic offensive arms subject to this treaty to third parties. But this provision does not apply to any existing patterns of cooperation and obligation regarding strategic offensive arms. The U.S. maintains one existing pattern of cooperation with the United Kingdom at the time the treaty was signed, which the Russians acknowledged during the New START negotiations.

**Article XIV.** Sets rules governing entry into force, duration, and withdrawal from the treaty.

- The treaty will remain in force for 10 years unless superseded by a subsequent agreement on the reduction and limitation of strategic offensive arms.
- Upon mutual agreement, the parties may extend the treaty for up to 5 additional years.
- Each party has the right to withdraw from the treaty if it decides that extraordinary events related to the subject matter of the treaty have jeopardized its supreme interests. Should withdrawal occur, the treaty will terminate 3 months from the date of receipt by the other party of notice to withdraw.

**Article XV.** Each party may propose amendments to the treaty. Amendments to the main treaty text shall enter into force only in accordance with the same procedures governing original entry into force of the treaty. For the United States, this refers to the constitutional requirement of Senate advice and consent to ratification. Only those amendments to the Protocol and the Annexes that do not affect substantive rights or obligations under the treaty may come into force without resorting to the same procedures governing original entry into force of the treaty. This is the same mechanism utilized under the original START Treaty and its corresponding protocols and annexes.

**Article XVI.** Restates the obligation in the Charter of the United Nations to register the treaty with the United Nations.

## Committee on Foreign Relations' Recommendations

The Committee on Foreign Relations recommended that the Senate advice and consent to the ratification of the New START Treaty as submitted to the Senate on May 13, 2010, subject to 10 Conditions, 3 Understandings, and 13 Declarations. The committee did not recommend any amendments to the treaty text, nor did it recommend subjecting advice and consent to any reservations (which for a bilateral treaty has the same effect as requiring amendment of the treaty). The text and explanation of the committee's recommended resolution of advice and consent is in Executive Report 111-6

The 10 conditions recommended by the committee would be binding on the executive branch. As discussed below, a number of the 10 conditions require the President to make a certification or submit a report prior to exchanging the instruments of ratification with the Russian Federation, which under Article XIV is the means by which the treaty is to enter into force. Understandings are interpretive statements that clarify or elaborate a Party's understanding provisions of the treaty but do not alter or amend those provisions. The 3 understandings in the committee-recommended resolution address missile defense, rail-mobile ICBMs, and strategic range non-nuclear weapon systems. Pursuant to the resolution, the President would be required to include the text of each understanding in the instrument of ratification that is exchanged under Article XIV. The 13 declarations in the resolution express the intent of the Senate. Some of these declarations convey clear expectations of executive branch action. While not legally binding, the executive branch in the past has treated such declarations as requirements, and the committee recommends these declarations with the expectation that the executive branch act in accordance with them.

For comparison, the resolution which provided Senate advice and consent to the START Treaty contained 8 conditions binding on the President, and 6 declarations by the Senate. While the 1993 START II Treaty never entered into force, the Senate did provide its advice and consent to ratification, subject to 8 conditions and 12 declarations. The 2002 Moscow Treaty resolution contained 2 conditions binding on the President, and 6 declarations by the Senate.

#### **Condition 1. General Compliance**

The Committee recommends that the Senate condition its advice and consent to ratification by requiring that the President take several steps should he determine that Russia is acting or has acted in a manner that is inconsistent with the object and purpose of the New START Treaty, or is in violation of the treaty, to such an extent as to threaten the national security interests of the U.S. In such a case, the President shall consult with the Senate regarding the implications of such actions. The President shall also urgently seek to bring the Russian Federation into full compliance with its obligations. Finally, the President must promptly submit a report to the Senate detailing whether or not the U.S. should remain party to the treaty and how the U.S. will redress the impact of Russian actions on the national security interests of the U.S.

#### **Condition 2. Presidential Certifications and Reports on National Technical Means**

The Committee recommends that, prior to the treaty's entry into force, and annually thereafter, the President certify that U.S. NTM, in conjunction with the verification activities provided for in the treaty, are sufficient to ensure effective monitoring of Russian compliance with the provisions of the treaty. Each certification is to be accompanied by a report to the Senate indicating how such NTM will be utilized to ensure effective monitoring of Russian compliance.

#### **Condition 3. Reductions**

The Committee recommends that the Senate include a condition that would require the President to submit a report to the Senate if he decides, prior to the New START Treaty entering into force, to reduce U.S. nuclear forces below the levels outlined in the Moscow Treaty. The condition would prohibit the President from implementing any such reductions until submitting to the Senate a determination that such reductions are in the country's the national security interest.

#### **Condition 4. Timely Warning of Breakout**

The Committee recommends a condition that, if the President, in consultation with the Director of National Intelligence, determines that Russia intends to break out of the limits on strategic

arms, the President must immediately consult with the Senate regarding determining whether adherence to the treaty remains in the national interest of the U.S.

**Condition 5. U.S. Missile Defense Test Telemetry**

The Committee recommends a condition that, before ratifying the treaty, the President certify to the Senate that the United States is not required to provide telemetry information on the launch of any satellites, missile defense sensor targets, or missile defense intercept targets, even when such launches use the first stage of an ICBM or SLBM limited by the treaty.

**Condition 6. Conventional Prompt Global Strike**

The Committee recommends a condition that would require the President to submit, prior to entry into force of the New START Treaty, a report detailing specific information to the Senate Committees on Armed Services and Foreign Relations containing several items relating to U.S. development and deployment of conventional prompt global strike systems. If the President concludes that the deployment of conventional warheads on ICBMs and SLBMs is required at levels that cannot be accommodated within the limits specified in Article II of the treaty while sustaining a robust United States nuclear triad, then the President shall consult immediately with the Senate regarding the reasons for such determination.

**Condition 7. U.S. Telemetric Information**

The Committee recommends that, prior to agreeing to provide Russia with any telemetric information for a U.S. test launch of a prompt global strike system, the President must certify to the Foreign Relations Committee and Armed Services Committee that providing the information is either intended to demonstrate that such system is not limited by Article II of the treaty or to receive in return significant telemetry on a system not deployed by the Russian Federation prior to December 5, 2009. The President must also certify that providing the telemetric information is in the national security interest of the United States and will not undermine the effectiveness of the system in question.

**Condition 8. Bilateral Consultative Commission**

The Committee recommends that, before any meeting of the BCC to consider a proposal for additional measures to improve the viability and effectiveness of the treaty or to resolve questions related to the applicability of provisions of the treaty to a new kind of strategic offensive arm, the President should consult with the Committee regarding whether the proposal would constitute an amendment to the treaty requiring the advice and consent of the Senate pursuant to Article II, section 2, clause 2 of the U.S. Constitution.

**Condition 9. U.S. Commitments Ensuring the Safety, Security, and Performance of its Nuclear Forces**

The Committee recommends a condition expressing the sense of the Senate that the United States is committed to proceeding with a robust stockpile stewardship program and to maintaining nuclear weapons production capabilities, in order to ensure the safety, reliability, and performance of the U.S. nuclear arsenal at the New START Treaty levels. The condition includes a reporting requirement related to the President's 10-year plan on nuclear modernization, submitted pursuant to section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84).

**Condition 10. Annual Report**

The Committee recommends a condition requiring that the President submit a report to the Committees on Foreign Relations and Armed Services no later than January 31, 2012, and each year thereafter. The report is to include details on each party's reductions in strategic offensive

arms during the previous calendar year. The report is also to provide a certification that Russia is in full compliance with the terms of the treaty. In addition, the Committee recommends certification by the President that any conversion or elimination procedures that have been adopted do not result in ambiguities that could defeat the object and purpose of the treaty. The Committee also recommends that this annual report include an assessment of the treaty's transparency mechanisms and an assessment of whether a strategic imbalance exists that endangers the national security interest of the U.S.

### **Understanding 1. Missile Defense**

The Committee recommends that the Senate include in its Resolution an understanding that the New START Treaty does not impose any limitations on missile defense deployments other than the requirements in Article V, paragraph 3. Any additional New START Treaty limitations on the deployment of missile defenses may enter into force for the U.S. only with the advice and consent of the Senate. This understanding also specifies that the unilateral statement by the Russian Federation does not impose a legal obligation on the U.S.

### **Understanding 2. Rail-Mobile ICBMS**

The Committee recommends an understanding that any rail-mobile-launched ballistic missile with a range in excess of 5,500 kilometers would be an ICBM and that an ejector-launcher mechanism for launching an ICBM and the railcar or flatcar on which it is mounted would be a launcher of ICBMs. If either party should produce a rail-mobile ICBM system, the BCC would address the application of other parts of the treaty to that system.

### **Understanding 3. Strategic-range, Non-nuclear Weapon Systems**

The Committee recommends an understanding that the U.S. will not consider future, strategic-range, non-nuclear weapons systems that do not otherwise meet the definitions of the New START Treaty to be "new kinds of strategic offensive arms" subject to the treaty; that nothing in the treaty restricts U.S. research, development, testing and evaluation of strategic-range, non-nuclear weapons, including any weapon that is capable of boosted aerodynamic flight; and that nothing in the treaty prohibits deployments of strategic-range non-nuclear weapons systems.

### **Declaration 1. Missile Defense**

The Committee recommends that the Senate declare that it is the sense of the Senate: that U.S. policy, pursuant to the National Missile Defense Act of 1999, is "to deploy as soon as is technologically possible, an effective National Missile Defense system capable of defending the territory of the U.S. against limited ballistic missile attack;" that "defenses against ballistic missiles are essential for new deterrent strategies and for new strategies should deterrence fail;" and that "further limitations on the missile defense capabilities of the United States are not in the national security interest" of the U.S. The Committee further recommend that the Senate declare that the New START Treaty and the statements made by the Russian Federation do not limit in any way, and must not be interpreted as limiting, activities that the U.S. government currently plans or that might be required over the duration of the treaty to protect the U.S. pursuant to the National Missile Defense Act of 1999, or to protect U.S. Armed Forces and U.S. allies from limited ballistic missile attack, including further planned enhancements to the Ground-Based Midcourse Defense system and all phases of the Phased Adaptive Approach to missile defense in Europe.

### **Declaration 2. Defending the U.S. and Allies Against Strategic Attack**

The Committee recommends the Senate express its hope that the U.S. and Russia can move cooperatively to a less risky strategic relationship, in which case the U.S. is ready to cooperate with Russia on strategic defenses. Strategic stability can be enhanced by strategic defenses and

the U.S. remains free to construct a layered missile defense system. Finally, it states that the U.S. remains committed to improving its strategic defensive capabilities.

**Declaration 3. Conventionally Armed, Strategic-range Weapons Systems**

The Committee recommends that the Senate declare that conventionally armed weapon systems not co-located with nuclear-armed systems do not affect strategic stability between the U.S. and Russia.

**Declaration 4. Nunn-Lugar Cooperative Threat Reduction**

The Committee recommends that the Senate declare that the Cooperative Threat Reduction (CTR) program has made an invaluable contribution to the safety and security of weapons of mass destruction, including nuclear weapons and materials in Russia and elsewhere, and that the President should continue the global CTR assistance to Russia, including for the purpose of facilitating implementation of the New START Treaty.

**Declaration 5. Asymmetry in Reductions**

The Committee recommends a declaration that it is the sense of the Senate that the President regulate reductions in U.S. strategic nuclear forces to ensure the number of strategic offensive arms accountable under the New START Treaty that are possessed by Russia does not exceed the comparable number of accountable strategic offensive arms possessed by the U.S. to such an extent that a strategic imbalance endangers the national security interests of the U.S.

**Declaration 6. Compliance**

The Committee recommends that the Senate declare that the New START Treaty will remain in the interests of the U.S. only to the extent that Russia is in strict compliance with its obligations under the treaty. The executive branch must offer briefings regarding compliance issues to the Foreign Relations and Armed Services Committees before and after each meeting of the BCC.

**Declaration 7. Expansion of Strategic Arsenals in Countries Other Than Russia**

The Committee recommends including a declaration that if, during the time the treaty remains in force, the President determines that there has been an expansion of the strategic arsenal of any country not party to the treaty, jeopardizing the supreme interests of the U.S., then the President should consult immediately with the Senate to determine whether adherence to the treaty remains in the national interest of the U.S.

**Declaration 8. Treaty Interpretation**

The Committee recommends including a declaration restating conditions attached to the Intermediate-Range Nuclear Forces (INF) Treaty passed in 1988 and every subsequent resolution of advice and consent to ratification of an arms control treaty maintaining the constitutional role of the Senate in the treaty-making process.

**Declaration 9: Treaty Modification or Reinterpretation**

The Committee recommends including a declaration limiting treaty reinterpretation by the executive branch. Any agreement or understanding which in any material way modifies, amends, or reinterprets U.S. or Russian obligations under New START should be submitted to the Senate for advice and consent.

**Declaration 10. Consultations**

The Committee recommends including a declaration stating the Senate's expectation that the President will consult with the Senate prior to any action regarding extending, superseding, or withdrawing from the treaty.

### **Declaration 11. Tactical Nuclear Weapons**

The Committee recommends including a declaration calling on the President to pursue, following consultation with allies, an agreement with Russia that would address the disparity between the tactical nuclear weapons stockpiles of the U.S. and Russia, and would secure and reduce tactical nuclear weapons in a verifiable manner.

### **Declaration 12. Further Strategic Arms and Reductions**

The Committee recommends including a declaration reiterating America's commitment to Article VI of the Nuclear Non-Proliferation Treaty (NPT) regarding ending the nuclear arms race and eventual disarmament. The Committee believes it is important to stress to other nuclear weapons states that they also have an obligation under the NPT, toward which those states should take similarly concrete steps.

### **Declaration 13. Modernization and Replacement of U.S. Strategic Delivery Systems**

The Committee recommends including a declaration stating the importance to the U.S. nuclear deterrent of the triad of delivery vehicles – ICBMs, SLBMs, and bombers – and that it state the U.S. commitment to modernizing and replacing those delivery vehicles.

## **Treaty History**

On April 8, 2010, Presidents Obama and Medvedev signed Treaty 111-5, a Treaty Between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (New START). On May 13, 2010, the New START Treaty was received in the Senate, the injunction of secrecy was removed by unanimous consent, and it was referred to the Committee on Foreign Relations.

The Foreign Relations Committee held ten public hearings and two classified hearings on the New START Treaty. Between June 17, 2010 and August 6, 2010, the Armed Services Committee conducted five hearings and three classified briefings; Senators Levin and McCain each wrote to the Foreign Relations Committee with their views regarding the treaty. The Select Committee on Intelligence also held hearings on the New START Treaty; Senators Feinstein and Bond each wrote classified letters to the Foreign Relations Committee concerning their views on the treaty. On September 16, 2010, the Committee on Foreign Relations agreed by a bipartisan vote of 14 to 4 to report the New START Treaty to the Senate, and to recommend to the Senate a resolution of advice and consent to ratification with 10 conditions, 3 understandings, and 13 declarations. The resolution and committee analysis, as well as the letters to the Foreign Relations Committee from Senators Levin and McCain and other relevant letters, are included in Executive Report 111-6.

## **Previous Related Treaties**

President Reagan began negotiations on the original START Treaty in the early 1980s and negotiations culminated in the signing of the START Treaty by Presidents George H.W. Bush and Mikhail Gorbachev in July 1991. The original START Treaty limited each party to 6,000 strategic warheads attributed to 1,600 deployed delivery vehicles. The START Treaty expired on December 5, 2009.

In 1993, Presidents George H.W. Bush and Boris Yeltsin signed the START II Treaty, which would have reduced U.S. and Russian deployed strategic nuclear forces to between 3,000 and 2,500 warheads, but the treaty never entered into force because of subsequent disagreements over missile defense issues. In 1997, Presidents Bill Clinton and Boris Yeltsin agreed to a framework for a START III Treaty that would have reduced deployed arsenals to between 2,000 and 2,500 strategic warheads; however, formal negotiations never took place.

In May 2002, Presidents George W. Bush and Vladimir Putin signed the Strategic Offensive Reductions Treaty, commonly referred to as either the Moscow Treaty or SORT, which limits to between 1,700 and 2,200 the number of operationally deployed strategic warheads that each country may possess on December 31, 2012. However, the Moscow Treaty is a far simpler and shorter accord than the START Treaties and did not supersede the original START Treaty. The Moscow Treaty relied on START's verification and transparency mechanisms until the START Treaty expired in December 2009. With the START Treaty's expiration, there are no verification and transparency mechanisms to verify compliance with the Moscow Treaty's limits. The treaty officially expires on the same day its limits come into effect, on December 31, 2012, unless the two countries agree to extend it. Pursuant to Article XIV of the New START Treaty, the Moscow Treaty will be superseded by New START as of the date of the latter treaty's entry into force.

## Possible Amendments

The DPC will circulate information about possible amendments as it becomes available.

## Resources

[Text of The New Strategic Arms Reduction Treaty \(New START\), Treaty Number 111-5](#)

[Text of Senate Executive Report](#)

[Text of Resolution of Ratification](#)