

107TH CONGRESS
1ST SESSION

S. 1285

To provide the President with flexibility to set strategic nuclear delivery system levels to meet United States national security goals.

IN THE SENATE OF THE UNITED STATES

JULY 31, 2001

Mr. CORZINE introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To provide the President with flexibility to set strategic nuclear delivery system levels to meet United States national security goals.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION. 1. SHORT TITLE.**

4 This Act may be cited as the “Strategic Arms Flexi-
5 bility Act of 2001”.

6 **SEC. 2. FINDINGS.**

7 The Congress makes the following findings:

8 (1) Reducing the levels of strategic nuclear
9 weapons around the world is in the national security
10 interest of the United States.

1 (2) The strategic arms reduction treaty referred
2 to as the START I Treaty, signed in 1991 and en-
3 tered into force in 1994, commits the United States
4 and Russia to a limitation of approximately 6,000
5 strategic nuclear weapons each.

6 (3) The strategic arms reduction treaty referred
7 to as the START II Treaty, signed in 1993, ratified
8 by the United States in 1996 and by Russia in
9 2000, and scheduled to be implemented by 2007,
10 limits each country to 3,000–3,500 strategic nuclear
11 weapons.

12 (4) The nuclear force levels permitted the
13 United States under the START II Treaty are suffi-
14 cient to allow the United States to meet its strategic
15 requirements as determined by the most recent Nu-
16 clear Posture Review and the Single Integrated Op-
17 erating Plan.

18 (5) Section 1302 of the National Defense Au-
19 thorization Act for Fiscal Year 1998 (Public Law
20 105–85), enacted on November 18, 1997, prohibits
21 the retirement or dismantlement of United States
22 strategic nuclear delivery systems below the START
23 I levels until the START II Treaty enters into force.

24 (6) The original purpose of the prohibition
25 under section 1302, to encourage Russia to ratify

1 the START II Treaty, was achieved when the Rus-
2 sian Duma approved it on April 2000.

3 (7) In 1999, Congress amended section 1302 to
4 allow the President flexibility to retire four Trident
5 ballistic missile submarines as provided by the
6 START II Treaty, but not other strategic nuclear
7 delivery systems such as missiles and bombers, be-
8 fore that treaty enters into force.

9 (8) Unless additional flexibility is granted the
10 President, the Department of Defense will spend
11 more than \$700,000,000 through 2007, when the
12 START II Treaty is implemented, to retain 50
13 Peacekeeper missiles that have been determined to
14 be superfluous to maintenance of the United States
15 nuclear deterrent.

16 (9) President George W. Bush has called for re-
17 ductions in the United States strategic arsenal below
18 the START II levels and for removing nuclear weap-
19 ons from high alert status.

20 (10) Repeal of the limitation under section
21 1302 would give the President the flexibility to set
22 strategic nuclear weapons delivery system levels to
23 meet overall national security goals and the require-
24 ments of the next Nuclear Posture Review.

1 **SEC. 3. REPEAL OF LIMITATION ON RETIREMENT OR DIS-**
2 **MANTLEMENT OF STRATEGIC NUCLEAR DE-**
3 **LIVERY SYSTEMS.**

4 Section 1302 of the National Defense Authorization
5 Act for Fiscal Year 1998 (Public Law 105–85) is re-
6 pealed.

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