

Calendar No. 218

111TH CONGRESS
1ST SESSION

S. 2727

[Report No. 111–100]

To provide for continued application of arrangements under the Protocol on Inspections and Continuous Monitoring Activities Relating to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms in the period following the Protocol's termination on December 5, 2009.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 4, 2009

Mr. LUGAR (for himself, Mr. KYL, Mr. CORKER, Mr. KERRY, and Mr. KAUFMAN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

NOVEMBER 20, 2009

Reported by Mr. KERRY, without amendment

A BILL

To provide for continued application of arrangements under the Protocol on Inspections and Continuous Monitoring Activities Relating to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms in the period following the Protocol's termination on December 5, 2009.

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 “START I Treaty In-
5 spections and Monitoring Protocol Continuation Act of
6 2009”.

7 **SEC. 2. AUTHORITY TO ACCORD PRIVILEGES AND IMMUNI-**
8 **TIES.**

9 For the purpose of facilitating continued application
10 of the arrangements provided for in the Protocol on In-
11 spections and Continuous Monitoring Activities Relating
12 to the Treaty Between the United States of America and
13 the Union of Soviet Socialist Republics on the Reduction
14 and Limitation of Strategic Offensive Arms, signed at
15 Moscow July 31, 1991 (“the Protocol”), in the period fol-
16 lowing the Protocol’s termination on December 5, 2009,
17 the President is authorized to accord to eligible officials
18 of the Russian Federation the privileges and immunities
19 provided for in Article II, paragraph 7 of the Protocol,
20 subject to the provisions of this Act.

21 **SEC. 3. CONDITIONS OF PRIVILEGES AND IMMUNITIES.**

22 (a) **ELIGIBILITY.**—An official of the Russian Federa-
23 tion shall be eligible to be accorded privileges and immuni-
24 ties pursuant to section 2 only if the official has been in-
25 vited by the United States Government after December

1 5, 2009, to perform within the territory of the United
2 States an inspection or continuous monitoring activity
3 consistent with the procedures established in the Protocol.

4 (b) LIMITATION ON SCOPE.—Consistent with Article
5 II, paragraph 7 of the Protocol, any privileges and immu-
6 nities accorded to an official of the Russian Federation
7 pursuant to section 2 shall be in order to allow such offi-
8 cial to exercise the official’s functions effectively for the
9 purpose of performing an inspection or continuous moni-
10 toring activity consistent with the procedures established
11 in the Protocol and not for the personal benefit of such
12 official.

13 (c) DURATION.—Consistent with Article II, para-
14 graph 7 of the Protocol, any privileges and immunities ac-
15 corded pursuant to section 2 may be accorded for the en-
16 tire time the official of the Russian Federation is within
17 the territory of the United States, and thereafter with re-
18 spect to acts previously performed in the exercise of the
19 official functions of such official.

20 (d) OBLIGATIONS.—Consistent with Article II, para-
21 graph 7 of the Protocol, an official of the Russian Federa-
22 tion accorded privileges and immunities under section 2
23 shall, for the duration of such official’s stay in the United
24 States and without prejudice to such privileges and immu-
25 nities, be obligated—

1 (1) to respect the laws and regulations of the
2 United States;

3 (2) not to interfere in the internal affairs of the
4 United States; and

5 (3) not to engage in any professional or com-
6 mercial activity for personal profit.

7 **SEC. 4. TERMINATION OF AUTHORITY.**

8 The authority provided under section 2 shall termi-
9 nate on June 5, 2010, or on the date of the entry into
10 force of an agreement between the United States and the
11 Russian Federation that supersedes the Protocol, which-
12 ever occurs earlier.

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