

115TH CONGRESS
2D SESSION

S. 3662

To limit the availability of funds to extend the implementation of the New START Treaty, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 28, 2018

Mr. COTTON introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To limit the availability of funds to extend the implementation of the New START Treaty, and for other purposes.

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 “Stopping Russian Nu-
5 clear Aggression Act”.

6 **SEC. 2. LIMITATION ON AVAILABILITY OF FUNDS TO EX-**
7 **TEND THE IMPLEMENTATION OF THE NEW**
8 **START TREATY.**

9 (a) FINDINGS.—Congress makes the following find-
10 ings:

1 (1) The New START Treaty provides that
2 “[w]hen a Party believes that a new kind of stra-
3 tegic offensive arm is emerging, that Party shall
4 have the right to raise the question of such a stra-
5 tegic offensive arm for consideration in the Bilateral
6 Consultative Commission”.

7 (2) Russian Federation President Vladimir
8 Putin stated in a March 1, 2018, public speech
9 that—

10 (A) “I will speak about the newest systems
11 of Russian strategic weapons that we are cre-
12 ating . . . we have embarked on the develop-
13 ment of the next generation of missiles.”;

14 (B) “We started to develop new types of
15 strategic arms that do not use ballistic trajec-
16 tories at all when moving toward a target.”;

17 (C) “One of them is a small-scale heavy-
18 duty nuclear energy unit that can be installed
19 in a missile like our latest X-101 air-launched
20 missile In late 2017, Russia successfully
21 launched its latest nuclear-powered missile at
22 the central training ground. During its flight,
23 the nuclear-powered engine reached its design
24 capacity and provided the necessary propul-
25 sion.”;

1 (D) “[i]n December 2017, an innovative
2 nuclear power unit for this unmanned under-
3 water vehicle completed a test cycle that lasted
4 many years . . . [t]he tests that were con-
5 ducted enabled us to begin developing a new
6 type of strategic weapon that would carry mas-
7 sive nuclear ordnance”;

8 (E) “[b]y the way, we have yet to choose
9 names for these two new strategic weapons, the
10 global range cruise missile and the unmanned
11 underwater vehicle. We are waiting for sugges-
12 tions from the Defense Ministry”;

13 (F) “A real technological breakthrough is
14 the development of a strategic missile system
15 with fundamentally new combat equipment—a
16 gliding wing unit, which has also been success-
17 fully tested . . . [w]e called it the Avangard”;
18 and

19 (G) “I want to specifically emphasize that
20 the newly developed strategic arms—in fact,
21 new types of strategic weapons—are not the re-
22 sult of something left over from the Soviet
23 Union. Of course, we relied on some ideas from
24 our ingenious predecessors. But everything I
25 have described today is the result of the last

1 several years, the product of dozens of research
2 organizations, design bureaus and institute.”.

3 (3) During the House Armed Services Com-
4 mittee hearing on April 12, 2018, Secretary of De-
5 fense James Mattis was asked whether Russia
6 should honor the terms of the treaty and limit its
7 new strategic offensive arms under the New START
8 Treaty as it requires and he stated, “Sir, I believe
9 they should.”.

10 (4) At a Senate Foreign Relations Committee
11 Hearing on September 18, 2018, Under Secretary of
12 State for Arms Control and International Security
13 Andrea Thompson stated, “The value of any arms
14 control agreement is derived from our treaty part-
15 ners maintaining compliance with their obligations
16 and avoiding actions that result in mistrust and the
17 potential for miscalculation. Russia continues to vio-
18 late a series of arms control obligations that under-
19 mine the trust the United States can place in trea-
20 ties.”.

21 (5) At a Senate Foreign Relations Committee
22 Hearing on September 18, 2018, Deputy Undersec-
23 retary of Defense for Policy David Trachtenberg
24 stated that—

1 (A) “The bottom line is that arms control
2 with Russia is troubled because the Russian
3 Federation apparently believes it need only
4 abide by the agreements that suit it. As a re-
5 sult, the credibility of all international agree-
6 ments with Russia is at risk”; and

7 (B) “Any decision on extending the treaty
8 will, and should be, based on a realistic assess-
9 ment of whether the New START treaty re-
10 mains in our national security interests in light
11 of overall Russian arms control behavior”.

12 (b) LIMITATION.—Notwithstanding any other provi-
13 sion of law, no funds authorized to be appropriated or oth-
14 erwise made available for fiscal year 2019 or any subse-
15 quent fiscal year may be obligated or expended to extend
16 the implementation of the New START Treaty beyond the
17 current expiration date in 2021 unless the President cer-
18 tifies to the appropriate congressional committees that—

19 (1) extending the New START Treaty is in the
20 national security interest of the United States; and

21 (2) the Russian Federation has—

22 (A) agreed to include all covered Russian
23 systems under the limits set by the New
24 START Treaty; and

1 (B) in accordance with paragraph (a)(12)
2 of the resolution advising and consenting to the
3 ratification of the New START Treaty, adopted
4 in the Senate on December 22, 2010 (Treaty
5 Document 111–5), entered into an agreement
6 with the United States to address the disparity
7 between the nonstrategic (tactical) nuclear
8 weapons stockpiles of the Russian Federation
9 and of the United States by securing and re-
10 ducing in a verifiable manner Russian tactical
11 nuclear weapons.

12 (c) DEFINITIONS.—In this section:

13 (1) APPROPRIATE CONGRESSIONAL COMMIT-
14 TEES.—The term “appropriate congressional com-
15 mittees” means—

16 (A) the Committee on Foreign Relations
17 and the Committee on Armed Services of the
18 Senate; and

19 (B) the Committee on Foreign Affairs and
20 the Committee on Armed Services of the House
21 of Representatives.

22 (2) NEW START TREATY.—The term “New
23 START Treaty” means the Treaty between the
24 United States of America and the Russian Federa-
25 tion on Measures for the Further Reduction and

1 Limitation of Strategic Offensive Arms, signed at
2 Prague, April 8, 2010, and entered into force Feb-
3 ruary 5, 2011.

4 (3) COVERED RUSSIAN SYSTEMS.—The term
5 “covered Russian systems” means the following sys-
6 tems:

7 (A) The heavy intercontinental missile sys-
8 tem known as “Sarmat”, or otherwise identi-
9 fied.

10 (B) An air-launched nuclear-powered
11 cruise missile known as “X-101”, or otherwise
12 identified.

13 (C) An unmanned underwater vehicle
14 known as “Status 6”, or otherwise identified.

15 (D) The long-distance guided flight
16 hypersonic weapons system known by
17 “Avangard”, or otherwise identified.

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