

Senator Cotton's Intermediate-Range Nuclear Forces Treaty Preservation Act of 2017

Introduced: February 16, 2017

Senate sponsors of [S.430](#): Senators Tom Cotton (R-Arkansas), Ron Johnson (R-Wisconsin), Marco Rubio (R-Florida), and John Barrasso (R-Wyoming).

Summary of the Proposed Legislation:

The U.S. has accused Russia of testing and deploying ground-launched cruise missiles (GLCMs) in violation of the 1987 Intermediate-Range Nuclear Forces (INF) Treaty. The treaty, negotiated by President Ronald Reagan and which remains in force, prohibits the U.S., Russia, and 11 other former Soviet states from testing and deploying all nuclear and conventional ground-launched ballistic and cruise missiles with ranges of 500 to 5,500 kilometers.

In response to Russia's violations of the treaty, Republican lawmakers introduced the Intermediate Range Nuclear Forces (INF) Treaty Preservation Act of 2017. The proposed legislation includes a number of provisions intended to pressure Russia into compliance with the INF treaty, including:

- Establishing a program of record for a dual-capable road-mobile ground-launched cruise missile system within INF ranges, with the goal of testing the system within one year.
- Seeking additional missile defense assets in the European theater.
- Facilitating the acquisition and transfer of missile systems with INF ranges to allied countries.
- Limiting funds for the extension of the New Strategic Armament Reduction Treaty (New START) beyond its expiration in 2021.
- Limiting funds for the Open Skies Treaty.
- Conducting a policy review to determine whether Russia's RS-26 ballistic missile is countable under New START and in violation of the INF Treaty.

Problems with the bill:

Although the proposed legislation is called the INF Treaty Preservation Act, it is more likely to undermine the INF treaty than preserve it.

Program of Record

- Developing a cruise missile within INF Treaty ranges, if tested or deployed, would place the United States out of compliance with the agreement. This response would more likely jump-start an arms race than bring Russia into compliance.
- Deploying a new treaty-prohibited cruise missile would undermine strategic stability and place our European allies at risk. In addition, it would not provide any substantive military utility beyond existing conventional and nuclear systems - long-range ballistic missiles, air-launched cruise missiles, etc. - that are fully capable of holding key targets at risk and protecting European allies.

- Joint Chiefs of Staff Vice Chairman General Selva stated that “it is premature to identify any particular systems” to develop in response to Russia’s INF violation. Instead, according to General Selva, “We must continue to engage Russia, both directly and together with our allies, to pressure Russia to return to full and verifiable compliance.”
- The Pentagon objects to the proposal. The [Statement of Administration Policy](#) on the House version of the defense authorization bill stated, “This provision unhelpfully ties the Administration to a specific missile system, which would limit potential military response options.” In addition, according to the administration, it “would also raise concerns among NATO allies and could deprive the Administration of the flexibility to make judgments about the timing and nature of invoking our legal remedies under the treaty.”

Missile Defense

- The NATO ballistic missile defense system currently being implemented in Europe (the European Phased Adaptive Approach or EPAA) has already caused tensions between NATO and Russia, as well as within the alliance. Seeking additional missile defense assets in the European theater is likely to exacerbate the problem without increasing American or allied security.

New START

- Limiting funds for the extension of New START beyond 2021 would remove caps on Russia’s strategic launchers and deployed nuclear warheads, as well as important transparency measures that significantly improve our knowledge about Russia’s nuclear arsenal.

Open Skies Treaty

- Restricting funds for the Open Skies Treaty would further reduce trust and transparency between the two countries, and negatively impact American intelligence capabilities.

Transfer of INF Missile Systems

- Facilitating the acquisition and transfer of missile systems within INF ranges to allies, while not a strict violation of the INF treaty, would violate the spirit of the agreement, and could incentivize Russia to continue its violations. No European allies have yet to publicly indicate that they would accept such missile systems.