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1d

JOINT DRAFT TEXT MODIFICATIONS
REQUIRED TO CODIFY AGREED PROVISIONS

- Unresolved major issues are addressed in new Protocol (to be drafted)
 - Commitment to continue negotiations on unresolved issues
 - Goal of reaching further agreement before Interim Agreement expires (October 3, 1977)
 - Backfire and cruise missiles of less than intercontinental range not limited for time being
 - Mobile ICBMs permitted and counted
 - Deployment could be delayed
 - Non-transfer and non-circumvention issues postponed
- Modifications to current Joint Draft Text (attached)
 - Delete reference to Backfire
 - Limit air-to-surface ballistic missiles, not air-to-surface missiles
 - Delete Soviet proposed ban on SLCMs
 - Delete non-circumvention and non-transfer articles

also:

 - Insert cruise missile definition
 - Codify ban on ALCMs on aircraft other than heavy bombers
 - Accept ban on ASBMs on aircraft other than heavy bombers, but allow side to designate certain of its aircraft as heavy bombers (e.g., C-5A for air mobile ICBMs)
- Other bracketed text in JDT
 - Other unresolved issues should be negotiable prior to signing of executive agreement including heavy ICBM definition, MIRV verification.



Attachment: Modified Joint Draft Text
(only pages 4, 5, 13, 14, 18 and 19 are modified)

DECLASSIFIED

AUTHORITY RAC NLF-PSA-20-7-3-0
9/7/04
BY HR NLF, DATE 7/1/09

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SALT TWO

JOINT DRAFT TEXT

OF 13 NOVEMBER 1975

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Joint Draft Text (Ad referendum to
Chiefs of Delegations). This
version contains proposals for
changes in bracketed language as of
November 13, 1975

Agreement* Between
The United States of America
and
The Union of Soviet Socialist Republics
on the
Limitation of Strategic Offensive Arms

The United States of America and the Union of Soviet Socialist
Republics, hereinafter referred to as the Parties,

Conscious that nuclear war would have devastating consequences for
all mankind,

Proceeding from the Basic Principles of Relations Between the
United States of America and The Union of Soviet Socialist Republics
of May 29, 1972,

Attaching particular significance to the limitation of strategic
arms and determined to continue their efforts begun with the Treaty
on the Limitation of Anti-Ballistic Missile Systems which entered
into force on October 3, 1972 and which is of unlimited duration,
and the Interim Agreement on Certain Measures with Respect to the
Limitation of Strategic Offensive Arms which entered into force on
October 3, 1972 and which will remain in force until October 3, 1977,

Convinced that the additional measures limiting strategic offensive
arms provided for in this Agreement will contribute to the improvement
of relations between the Parties, help to reduce the risk of outbreak
of nuclear war and strengthen international peace and security,

Mindful of their obligations under Article VI of the Treaty on
the Non-Proliferation of Nuclear Weapons,

Guided by the principle of equality and equal security,

*At the suggestion of the U.S. side, the term "Agreement" is used
in the Joint Draft Text without prejudice to the form of the
document which shall be decided by the Governments.

(Footnotes designated by an asterisk are formally agreed by the
sides to be included in the JDT; footnotes designated by a +
sign are for informational purposes.

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Recognizing that the strengthening of strategic stability meets the interests of the Parties and the interests of international security,¹

Reaffirming their desire to take measures for the further limitation and for the reduction of strategic arms, having in mind the goal of achieving general and complete disarmament,

Declaring their intention to undertake in the near future negotiations to limit further and to reduce strategic offensive arms,

Have agreed as follows:

-
- ¹This designation throughout the text indicates a U.S. proposal.
²This designation throughout the text indicates a Soviet proposal.
+Agreed in the Drafting Working Group on August 7.

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ARTICLE I+

Each Party undertakes, in accordance with the provisions of this Agreement to limit strategic offensive arms quantitatively and qualitatively, to exercise restraint in the development of new types of strategic offensive arms, and to adopt other measures provided for by this Agreement.

This Article was agreed in the Drafting Working Group on October 31 and reaffirmed by the US in Plenary on November 5.

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ARTICLE II+

For the purposes of this Agreement:

1. [An]¹ intercontinental ballistic missile (ICBM) launcher[s]² [is]¹ [are]² [any]¹ land-based [device which can be used]¹ [launchers]² for launching [ICBMs. ICBMs are strategic]² [a]¹ ballistic missile[s]² capable of a range in excess of the shortest distance between the northeastern border of the continental part of the territory of the United States of America and the northwestern border of the continental part of the territory of the Union of Soviet Socialist Republics, that is a range in excess of 5,500 kilometers.

2. [A]¹ submarine-launched ballistic missile (SLBM) launcher[s]² [is]¹ [are]² [any device which is]¹ [launchers of ballistic missiles,]² installed on [a]¹ nuclear-powered submarine[s]² [and which can be used for launching a ballistic missile, or any device which is installed on any submarine, regardless of type, and which can be used for launching a ballistic missile of a type first flight-tested since 1965 or a ballistic missile of a type installed in nuclear-powered submarines made operational since 1965]¹ [, as well as launchers of ballistic missiles first flight-tested since 1965, installed in any submarine, regardless of type]².

3. Heavy bombers [consist of the following types of aircraft however configured: currently]¹ [are nuclear weapon delivery aircraft:]² for the [United States]¹ [U.S.]², B-52 and B-1 [aircraft]¹; [currently]¹ for the [Soviet Union]¹ [USSR]², Tupolev [(Bear)]¹ [-95]² and Myasishchev [(Bison)]¹ and Tupolev variable-geometry wing (Backfire) aircraft. Types of aircraft to be included as heavy bombers in the future shall include aircraft with]¹ [; and for both sides, new aircraft being or to be developed, having]² [capabilities]¹ [characteristics]² similar or superior [to those of the types of aircraft listed above]¹ [to the characteristics of the aforementioned nuclear delivery heavy bombers]². [This determination shall be the subject of consultation on a case-by-case basis.]¹ [Inclusion of such aircraft among the systems being limited shall be decided on a case-by-case basis by consultations between the Parties, including consultations within the framework of the SCC]²

4. [An air-to-surface ballistic missile (ASBM) is any ballistic missile of this type capable of a range in excess of 600 kilometers and]¹ [air-to-surface missiles with a range over 600 kilometers are any missiles of this type,]² installed in a [heavy]²⁺⁺ bomber or on its external mountings. ***

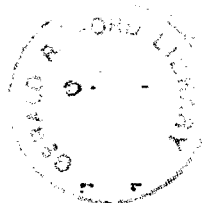
5. [A multiple independently-targetable reentry vehicle (MIRV) system is any dispensing mechanism, together with its reentry vehicles, which is capable of releasing two or more independently-targetable reentry vehicles from a ballistic missile. Reentry vehicles are considered to be independently targetable if both the down-range and cross-range separations of their aim points can be controlled independently.]¹ [Land-based ICBM launchers and SLBM launchers with missiles equipped with MIRVs are such launchers containing missiles equipped with front ends consisting of two or more reentry vehicles that are independently targetable to separate targets by means of devices installed in the front end (in a self-contained dispensing mechanism) or on

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[] heavy brackets denote deletion.

* Insert: "any of a Party's aircraft types which the Party designates as heavy bombers and..". This would allow the U.S. to designate an aircraft type which would not otherwise be considered a heavy bomber, so that it can be equipped with ASBMs.

** This same deletion must also be made where this language appears in paragraphs III.1, III.3, III.4, and VI.2(c).



reentry vehicles, which are based on the use of electronic or other computers in combination with devices which after separation from the booster rocket provide the front end or reentry vehicles with maneuvering and aiming capabilities by means of jet (rocket) engines or aerodynamic systems, or by means of other devices for aiming the reentry vehicles.}]²

[6. An ICBM, SLBM, or ASBM equipped with a MIRV system is any ICBM, SLBM, or ASBM with a booster which is of a type that has been flight-tested one or more times with a MIRV system.*

7. A heavy ICBM is any ICBM which has a volume or throw-weight greater than that of the largest non-heavy ICBM deployed by either Party prior to the date of signature of this Agreement.]]^{1**}

*Paragraph 8 (now 6) proposed by the U.S. side is rejected by the USSR Delegation on instructions of the Soviet Government as unacceptable.
**The Soviet side believes that the question of including definitions in the text of the Agreement can be considered further upon reaching a mutual understanding on the substance of the formulations of the definitions. (This footnote may no longer be applicable because of July 9 tabling in Plenary of revised definitions by Soviets.)

+On October 8 in Plenary the U.S. presented a revised formulation for this Article. The U.S. and the Soviets tabled their proposals for Article II on October 10 in the Drafting Working Group. The Soviets accepted the introductory phrase in the Drafting Working Group on October 21, and on October 23 agreed to replace "i.e.," with "that is". The bracketing is not yet formally agreed. The U.S. and Soviets introduced revised formulations of paragraph 1 and the U.S. introduced a revised formulation for paragraph 2 in the Drafting Working Group on November 11.

++The Soviets inserted the word "heavy" in Plenary on August 15.

* Insert: "8. A cruise missile is any nuclear-armed, unmanned, self-propelled guided missile which sustains flight through use of aerodynamic lift over most of its flight path."



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ARTICLE III

1.+ [From October 3, 1977,]¹ each Party undertakes to limit [land-based]² ICBM launchers, SLBM launchers, heavy bombers, and [ASBMs]¹ [air-to-surface missiles of any type with a range in excess of 600 kilometers when heavy bombers are equipped with them,]² to an aggregate number not to exceed 2,400.

2. Within the aggregate number provided for in paragraph 1 of this Article and subject to the provisions of this Agreement each Party shall be free to determine the composition of this aggregate.

3.+ For each [heavy]² bomber equipped for [ASBMs]¹ [air-to-surface missiles of any type with a range in excess of 600 kilometers]², the aggregate number provided for in paragraph 1 of this Article shall include the maximum number of such missiles for which such bomber is equipped for one operational mission.

4.+++ A heavy bomber equipped only for [ASBMs]¹ [air-to-surface missiles of any type with a range in excess of 600 kilometers]² shall not itself be included in the aggregate number provided for in paragraph 1 of this Article.

[5. The Parties undertake to consider as subject to the aggregate limitation provided for in paragraph 1 of this Article all land-mobile ballistic missile launchers compatible with launching an ICBM.]¹

+The removal of brackets in this paragraph was agreed in the Drafting Working Group on August 21. The Soviets introduced these changes in Plenary on August 15, in the Drafting Working Group on August 18 and reaffirmed them in Plenary on August 19.

++The Soviets inserted the bracketed word "heavy" in Plenary on August 15 and in the Drafting Working Group on August 18. The other changes in this paragraph were agreed in the Drafting Working Group on August 21.

+++The substitution of "for" for "with", for consistency with paragraph 3, was agreed in the Drafting Working Group on August 25.

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ARTICLE IV

1. The Parties undertake not to start construction of additional fixed [land-based]² ICBM launchers.

2. The Parties undertake not to relocate [existing]¹ fixed ICBM launchers.+

[3.]¹[2.]² The Parties undertake not to convert [land-based]² launchers for [non-heavy]¹ [light]² ICBMs or for [land-based]² ICBMs of older types deployed prior to 1964, into [land-based]² launchers for heavy ICBMs of types deployed after that time.

[4.]¹[3.]² The Parties undertake in the process of modernization and replacement not to increase [the original* internal length or the original* internal diameter]¹ [the dimensions]² of [land-based]² ICBM silo launchers by more than [15]¹ [10-15]² percent. [In the event both these dimensions are increased, the sum of such increases, each expressed as a percentage of the original* dimension, shall not exceed 15 percent.]¹

[2]¹[4.]² ++ The Parties undertake:

- (a) not to supply [fixed land-based]² ICBM launcher deployment fields [, units or bases]¹ with [missiles]¹ [ICBMs]² in excess of a number consistent with normal deployment, maintenance, training and replacement requirements;
- (b) not to provide storage facilities for or to store ICBMs [in excess of normal deployment requirements]² at [launch sites of fixed land-based]² ICBM [launch sites]¹ [launchers]²;
- (c) not to develop, test, or deploy systems for rapid reload of [fixed land-based]² ICBM launchers.

[5. The Parties undertake not to develop, test, or deploy an ICBM having a volume or throw-weight greater than that of the largest heavy ICBM deployed by either Party on the date of signature of this Agreement.]¹

[6.]¹ [5]² The Parties undertake not to have under construction at any time SLEM launchers [, mobile ICBM launchers, bombers equipped for ASBMs]¹ or heavy bombers in excess of numbers consistent with a normal construction schedule.++

*The U.S. side has indicated that the word "original" in the U.S. draft text refers to the dimensions of an ICBM silo launcher as of May 26, 1972 or the date on which such launcher becomes operational, whichever is later.

+At Plenary on November 12 Semenov tabled language for paragraph 2. Removal of brackets has not been formally agreed.

++The U.S. on September 24 in the Drafting Working Group tabled new language for this paragraph and associated agreed statement:



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"The Parties agree that normal deployment requirements as provided for in Article IV, paragraph 7, means the deployment of only one missile for each launcher. Paragraph 7 notwithstanding, no changes shall be required in existing deployment or storage practices, or in storage facilities, at soft launch sites for ICBMs of older types deployed prior to 1954."

In a Chief of Delegation meeting on November 11 the Soviets tabled a new proposal for this paragraph and proposed that the negotiating record reflect the common understanding of the sides to the effect that normal deployment requirements shall mean the deployment of one missile at each fixed land-based ICBM launcher. Semenov confirmed these proposals at Plenary on November 12. The removal of brackets has not yet been formally agreed.

++On October 10 the bracketing for this paragraph was agreed in the Drafting Working Group.

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ARTICLE V

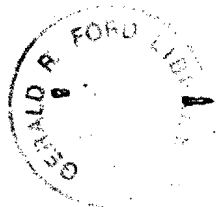
1. Within the aggregate number provided for in Article III each Party undertakes to limit [launchers for ICBMs and SLBMs equipped with MIRV systems and ASBMs equipped with MIRV systems]¹ [the number of land-based ICBM and SLBM launchers with missiles equipped with multiple independently-targetable reentry vehicles]² to an aggregate number not to exceed 1,320.

2. Within the aggregate number provided for in paragraph 1 of this Article and subject to the provisions of this Agreement, each Party shall be entitled to determine the composition of this aggregate including the types and number of those launchers.

[3. The Parties undertake to consider ICBM and SLBM launchers and ASBMs as subject to the aggregate number provided for in this Article pursuant to the provisions of the Protocol to this Agreement, which Protocol shall be considered an integral part of this Agreement.]

*Paragraph 3 proposed by the American side and the provisions of the Protocol mentioned therein are rejected by the USSR Delegation on instructions of the Soviet Government as unacceptable.

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ARTICLE VI

1. The limitations provided for in this Agreement shall apply to those arms which are:

- (a) operational*;
- (b) in the final stage of construction;
- (c) in reserve, storage or mothballed;
- (d) undergoing overhaul, repair, conversion or modernization.

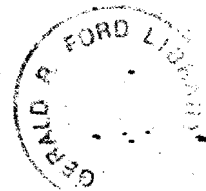
2. Those arms in the final stage of construction are:

- (a) SLBM launchers on submarines which have begun sea trials;
- (b) [mobile ICBM launchers and]¹ heavy bombers after they have been brought out of the shop, plant or other facility where their final assembly has been performed;
- (c)+ [ASEMs]¹ [air-to-surface missiles of any type with a range in excess of 600 kilometers]² after a [heavy]² bomber equipped for such missiles has been brought out of the shop, plant or other facility where its final assembly or conversion for the purpose of equipping it for such missiles has been performed.

3. The arms subject to the limitations provided for in this Agreement shall continue to be subject to these limitations until they are dismantled, are destroyed or otherwise cease to be subject to these limitations under procedures agreed upon in the Standing Consultative Commission.++

* The U.S. side proposes that it be agreed in the negotiating record that all fixed ICBM launchers either operational or under active construction on May 26, 1972 shall be considered operational as of October 3, 1977, unless dismantled or destroyed under SCC Procedures. +The Soviets inserted the bracketed word "heavy" in Plenary on August 15 and in the Drafting Working Group on August 18. The substitution of "for" for "with" in the two places that it appears, for the purpose of consistency was agreed in the Drafting Working Group on August 25. The U.S. suggested the deletion of "to be" for stylistic reasons and the Soviets agreed to this on August 28. ++Agreed in the Drafting Working Group on August 14.

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ARTICLE VII+

1. The limitation provided for in Article III of this Agreement shall not apply to [land-based]² ICBM and SLBM test and training launchers or to space vehicle launchers for exploration and use of outer space. [land-based]² ICBM and SLBM test and training launchers are [land-based]² ICBM and SLBM launchers used only for testing or training.*

2. The Parties agree that:

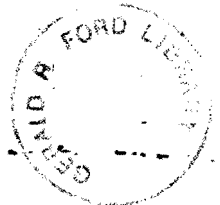
- (a) there shall be no significant increase in the number of [land-based]² ICBM or SLBM test and training launchers or in the number of such launchers for [land-based]² heavy ICBMs;
- (b) construction or conversion of [land-based]² ICBM launchers at test ranges shall be undertaken only for purposes of testing and training;
- (c) there shall be no conversion of [land-based]² ICBM test and training launchers or of space vehicle launchers into [land-based]² ICBM launchers subject to the limitation provided for in Article III of this Agreement.**

*The sides agree that the negotiating record reflects the common understanding that the term "testing" as used in Article VII includes research and development.

**The sides have agreed on the following Agreed Statement:

The Parties agree that the term "significant increase" in subparagraph 2(a) of Article VII means an increase of 15 percent or more. The Parties also agree that any new [land-based]² ICBM test and training launchers which replace [land-based]² ICBM test and training launchers at test ranges will be located only at test ranges.

+The U.S. proposed revised language for this Article along with an associated Agreed Statement in the Drafting Working Group on October 21. The Soviets accepted all proposed U.S. language for this Article in Plenary on October 29, with the removal of "land-based" dependent on resolution of paragraph 1 of Article II. The U.S. recorded agreement on this Article in Plenary on November 5. The Soviets agreed with the U.S. proposal for the form of the Agreed Statement and the common understanding in the Drafting Working Group on October 31. In the Drafting Working Group on October 31 editorial changes were agreed to in the second sentence of the first paragraph of this Article. The bracketing in this Article was agreed in the Drafting Working Group on October 31. The U.S. stated in Plenary on November 5 that it might be desirable for the sides to designate current test ranges, and the location of future test ranges in the SCC, while stating in the subsequent Chiefs of Delegation meeting that agreement on Article VII is not contingent on this suggestion.



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ARTICLE VIII

[Within the limits of the aggregate number provided for in Article III, paragraph 1, each Party undertakes to limit SLBM launchers on submarines of a new type to a number not to exceed 240.]²

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ARTICLE IX

[The Parties undertake not to equip any type of airplane, helicopter or other aircraft, other than heavy bombers, with air-to-surface missiles with a range in excess of 600 kilometers, and not to use transport airplanes as delivery vehicles for nuclear weapons or convert them for these purposes.]²¹

* Insert: "ballistic and cruise"

+The Soviets submitted revised language for this Article in Plenary on August 15:

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ARTICLE X+

Each Party undertakes not to develop, test or deploy: 50787

(a) [land-based]¹ cruise missiles [capable]¹ of intercontinental range, [that is, a range in excess of 5,500 kilometers, or launchers for such missiles]¹;

[(b) sea-based cruise missiles with a range exceeding 600 kilometers;]²

[(b)]¹[(c)]² ballistic missiles [capable of ranges in excess of]¹ [with a range in excess of]² 600 kilometers [for installation]¹ [to be installed]² on waterborne vehicles other than submarines [, or launchers for such missiles]¹;++

[(c)]¹[(d)]² fixed ballistic and cruise missile launchers for emplacement on the ocean floor, on the seabed, or on the beds of internal waters and inland waters, or in the subsoil thereof, or mobile launchers of such missiles, which move only in contact with the ocean floor; the seabed, or the beds of internal waters and inland waters. [, or missiles specially designed for such fixed and mobile launchers]¹;*+++

[(d)]¹[(e)]² systems [, including fractional orbital missiles,]¹ for placing nuclear weapons or any other kind of weapons of mass destruction into [earth]¹ orbit [around the earth or fractional orbital missiles;]²;*+++

[(E) multiple, independently-targetable reentry vehicles for air-to-surface missiles].²

*The sides have agreed on the following Agreed Statement:

The Parties agree that the obligations provided for in subparagraph [(c)]¹ [(d)]² of Article X shall apply to all areas of the ocean floor and the seabed, including the seabed zone referred to in Articles I and II of the 1971 Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof.

+The removal of brackets in this Article has not yet been formally agreed.

++In connection with this proposal, the US stated in Plenary on September 9, "The ban on ballistic missiles on waterborne vehicles other than submarines is not intended to affect the current practices of either side for transporting ballistic missiles."

+++In the Drafting Working Group on October 10 the Soviets accepted the U.S. revised language for this subparagraph except for the reference to missiles, and proposed a common understanding which was accepted by the U.S. on October 14 and refined by the sides on October 16 and October 21. The form of the common understanding was changed to an Agreed Statement in the Drafting Working Group on October 31. The US orally amended its currently bracketed language for missiles on the seabed to add the words "specially designed" in the Drafting Working Group on October 16 and made a formal proposal to this effect in the Drafting Working Group on October 21. On October 29 at a Chief of Delegation meeting the U.S. agreed to include cruise missile launchers in this provision and confirmed this in the Drafting Working Group orally on October 31 and formally on November 4. This was reaffirmed by the U.S. in Plenary on November 5.



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+++The Soviets changed their language for this proposal in Plenary on August 29 to include fractional orbital missiles. In ensuing bilaterals both Minister Semenov and General Trusov stated that this phrase is synonymous with FOBs. The U.S. first tabled language on this proposal in Plenary on August 5 on the condition that it be broadened to include FOBs. .

The U.S. tabled revised language for this paragraph in the Drafting Working Group on September 30 and on October 23 in the Drafting Working Group added "any" before, and "kind of" after the word "other". On October 3 in the Drafting Working Group and in Plenary on October 22 the U.S. stated its proposal would not require the dismantling or destruction of existing launchers.

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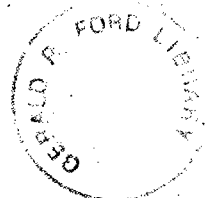
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ARTICLE XI

Subject to the provisions of this Agreement, modernization and replacement of strategic offensive arms may be carried out.

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ARTICLE XII⁺

Strategic offensive arms which would be in excess of the numbers specified in this Agreement as well as strategic offensive arms prohibited by this Agreement shall be dismantled or destroyed [within twelve months after expiration of the Interim Agreement on Certain Measures with Respect to the Limitation of Strategic Offensive Arms of May 26, 1972]² under procedures agreed upon in the Standing Consultative Commission.

⁺The removal of brackets has not been formally agreed. The changes in this Article were tabled by the Soviets in Plenary on August 19.

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ARTICLE XIII⁺

[In order to ensure the viability and effectiveness of this Agreement, each Party undertakes not to take actions which could lead to the provisions of this Agreement being weakened or circumvented through a third state or third states, or in any other manner.]²

+The Soviet proposed revised language for this Article in Plenary on August 22.¹³ In addition, in the bilaterals Minister Semenov made the following additional proposal in connection with this Article.

"Mr. Ambassador,

On instructions of its Government, the USSR Delegation today tabled a new proposal for Article XIII.

The USSR Delegation has been instructed by the Soviet Government, in tabling the new proposal for Article XIII, to propose that the U.S. side make a statement to the effect that in connection with the agreement to be concluded it not only will not build up nuclear systems which, due to their geographical deployment, are capable of reaching the territory of the Soviet Union, but will also undertake measures to reduce them."

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ARTICLE XIV

[[Each Party undertakes not to transfer strategic offensive arms to other states, and not to assist in their development, in particular, by transferring components, technical descriptions or blueprints for these arms.]²]

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ARTICLE XV

Each Party undertakes not to assume any international obligations which would conflict with this Agreement.

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ARTICLE XVI*

[The Parties undertake to begin active negotiations at an early date after the entry into force of this Agreement, but not later than 1977, with the objective of achieving the further limitation and the reduction of strategic arms at the earliest possible date. The Parties also agree upon the objective of concluding negotiations well in advance of 1985 on an agreement to replace this Agreement upon its expiration.]¹

[The Parties declare that they will continue to act in a spirit of cooperation aimed at reducing the risk of war and limiting armaments. No later than 1980-81 they will begin negotiations on the question of further limitations and possible reductions of strategic arms.]²

* Minister Semenov in bilaterals on August 29, stated he was under instructions to propose the following statement:

"Mr. Ambassador,

The Soviet side, acting in the spirit of a constructive and businesslike approach, proposes that under Article XVI of the joint draft the sides assume an obligation to begin in 1977, after entry into force of the agreement, negotiations on further limitations and possible reductions of strategic arms to take effect both before expiration of the agreement being worked out, and during the period after 1985.

In this connection, I have been instructed to state that at these negotiations the Soviet side will also raise the questions of forward-based nuclear systems and existence of nuclear weapons in third countries."²

In Plenary on September 3, the Soviets repeated the substance of this proposal. In a Chiefs of Delegation meeting on September 10 and in Plenary on September 11 the U.S. tabled new language for this Article consistent with the Soviet proposal while rejecting any agreement that FBS be included on the agenda of the negotiations covered by this Article. In Plenary on September 11, Ambassador Johnson stated that the US does not agree to the inclusion of "forward-based nuclear systems and nuclear weapons in third countries" in the terms of reference for the negotiations which are the subject of the U.S. Proposal for Article XVI.

ARTICLE XVII

1. For the purpose of providing assurance of compliance with the provisions of this Agreement, each Party shall use national technical means of verification at its disposal in a manner consistent with generally recognized principles of international law.

2. Each Party undertakes not to interfere with the national technical means of verification of the other Party operating in accordance with paragraph 1 of this Article.

3. Each Party undertakes not to use deliberate concealment measures which impede verification by national technical means of compliance with the provisions of this Agreement. This obligation shall not require changes in current construction, assembly, conversion or overhaul practices. [Each Party shall use its best efforts to avoid measures and practices which result in unintentionally impeding verification by national technical means of compliance with the provisions of this Agreement.]¹

¹The removal of brackets in the paragraph has not been agreed. On August 8 the U.S. tabled in Plenary a proposal for paragraph 3 of Article XVII with an associated Agreed Statement.

At a Chief of Delegation meeting on August 28 the U.S. indicated it might be able to accept the Soviet first sentence for paragraph 3 of this Article on the condition of an acceptable accompanying agreed statement and on September 10 at a Chief of Delegation meeting tabled a new proposal for an agreed statement. This proposal was tabled in the Drafting Working Group on September 30 and revised on October 10 as follows:

"Deliberate concealment measures as referred to in Article XVII, paragraph 3 are those measures, including measures associated with testing, which hide or mislead, or which otherwise deliberately hinder verification by national technical means of compliance with the provisions of this Agreement."

On September 24 in the Drafting Working Group the Soviets tabled a proposed agreed statement to be associated with the first sentence of this paragraph modifying it on October 3 in the Drafting Working Group and on October 14 tabled two proposed revisions as follows:

"Deliberate concealment measures, as referred to in Article XVII, paragraph 3, are special measures for hiding or concealing, carried out deliberately to hinder or impede verification of compliance with the provisions of this Agreement by national technical means operating in accordance with paragraph 1 of the above article."

"Deliberate concealment measures as referred to in Article XVII, paragraph 3, are special measures for hiding or concealing, which deliberately hinder verification of compliance with the provisions of this Agreement by national technical means."



ARTICLE XVIII

1. To promote the objectives and implementation of the provisions of this Agreement, the Parties shall use the Standing Consultative Commission established by the Memorandum of Understanding Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Regarding the Establishment of a Standing Consultative Commission of December 21, 1972.

2. Within the framework of the Standing Consultative Commission, with respect to this Agreement, the Parties will:

(a) at the first session following the entry into force of this Agreement, and twice annually thereafter, exchange information on the numbers by category of their strategic offensive arms limited by this Agreement;¹

(b) (e)² agree upon procedures and dates for dismantling or destruction of strategic offensive arms in cases provided for by the provisions of this Agreement, and agree upon¹ [as well as]² procedures [and dates which would provide criteria for inclusion in the limitations of this Agreement or]¹ [for]² removal [therefrom of strategic offensive arms limited by this Agreement during the course of replacement or conversion]¹ [of such arms from the aggregate numbers when they otherwise cease to be subject to the limitations provided for in this agreement]². [Notification of dismantling or destruction, replacement, and conversion activities shall be given twice annually. Such notification shall include actions completed in the last six months, currently underway, and to be taken over the next six months];¹

(c) (e)² consider questions concerning compliance with the obligations assumed and related situations which may be considered ambiguous;

(d) (b)² [direct inquiries as appropriate, and]² provide [information]² on a voluntary basis [such information as]¹, including by way of reply to these inquiries, that]² either Party considers necessary to assure confidence in compliance with the obligations assumed;

(e) (c)² consider questions involving unintended interference with national technical means of verification;

(f) (d)² consider possible changes in the strategic situation which have a bearing on the provisions of this Agreement;

(g) (f)² consider as appropriate, possible proposals for further increasing the viability of this Agreement [including proposals for amendments in accordance with the provisions of this Agreement]¹;

(h) consider, as appropriate, proposals for further measures limiting strategic arms;¹



- (i) consider, on a case-by-case basis, verification issues associated with systems, including new types, deployed pursuant to modernization and replacement as permitted by Article XI.]¹

+The Soviets tabled in Plenary their proposal for paragraph 2 of Article XVIII on July 6. The removal of brackets in this paragraph was agreed to in the Drafting Working Group on August 28. The Soviets originally proposed in the Drafting Working Group following the ABII order precisely with U.S.-proposed subparagraph (a) included in brackets in the subparagraph on voluntary exchange of information. On August 28 the Soviets in the Drafting Working Group agreed to include U.S. proposed subparagraph (a) in a separate bracketed subparagraph. And on August 29 Ambassador Johnson gave to Minister Semenov in a private meeting a new U.S. proposal for subparagraph (b). On September 4 in the Drafting Working Group the sides exchanged texts which included the agreed bracketing. The U.S. included its new formulation of subparagraph (b) in this document. On September 5 the U.S. tabled this formulation in Plenary. The Soviets introduced new language for their subparagraphs (b) and (c) in a Chief of Delegation meeting on September 10, in Plenary on September 11 and in the Drafting Working Group on September 12. U.S. interpreters believe that "direct" is a better translation than "address" of the first word of the Soviet proposal for subparagraph (d)/(b) and that "as appropriate" can be substituted for "as necessary" to be consistent with the translation in subparagraphs (e)/(b) and (h). The bracketing is not yet formally agreed.



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ARTICLE XIX

[Either Party may propose amendments to this Agreement. Agreed amendments shall enter into force in accordance with the procedures governing the entry into force of this Agreement.]¹

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ARTICLE XX

1. [This Agreement shall enter into force on the day of the exchange of appropriate documents in accordance with the constitutional procedures of each Party. Its provisions will become effective on October 3, 1977, except that specific provisions not inconsistent with the Interim Agreement, as agreed by the Parties, will become effective upon entry into force of this Agreement. This Agreement shall remain in force until December 31, 1985, unless replaced earlier by an Agreement further limiting strategic offensive arms.]¹⁺ [This Agreement shall be subject to approval in accordance with the established procedures of each Party.

The Agreement shall enter into force on the day of the exchange of appropriate documents and will cover the period from October 3, 1977, to December 31, 1985.]^{2*}

2. Each Party shall, in exercising its national sovereignty, have the right to withdraw from this agreement if it decides that extraordinary events related to the subject matter of this Agreement have jeopardized its supreme interests. It shall give notice of its decision to the other Party six months prior to withdrawal from the Agreement. Such notice shall include a statement of the extraordinary events the notifying Party regards as having jeopardized its supreme interests.

Done at _____ on _____ in two copies, each in the English and Russian languages, both text being equally authentic.

For the United States of
America

For the Union of Soviet
Socialist Republics

*The US side reserves its position concerning the content of the entry into force provisions.

+On September 5 in bilaterals Ambassador Johnson gave to Minister Semenov new U.S. language for the paragraph 1 of this Article and the U.S. tabled this language in Plenary on September 9. The JDI footnote as a result is no longer applicable.

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[Protocol* to the Agreement Between the
United States of America
and the
Union of Soviet Socialist Republics
on the
Limitation of Strategic Offensive Arms

The United States of America and the Union of Soviet Socialist Republics, hereinafter referred to as the Parties,

Having agreed on an aggregate limitation on launchers for ICBMs and SLBMs equipped with MIRV systems and ASBMs equipped with MIRV systems,

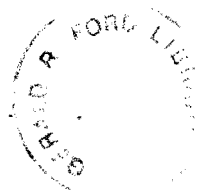
Have agreed as follows:

1. The Parties undertake to consider as subject to the aggregate limitation provided for in Article V of the Agreement Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Strategic Offensive Arms (the Agreement):

- (a) fixed ICBM launchers the construction of which was initiated after July 1, 1970 and fixed ICBM launchers converted after July 1, 1973, through changes in length or diameter or through other modifications, so as to permit the deployment on such launchers of missiles equipped with MIRV systems;
- (b) SLBM launchers converted through changes in length or diameter or through other modifications, so as to permit the deployment on such launchers of missiles equipped with MIRV systems;
- (c) SLBM launchers on all submarines of a given class if a missile equipped with a MIRV system has been deployed on an SLBM launcher on any submarine of the same class;

* The provisions of the Protocol proposed by the U.S. side are rejected by the USSR Delegation on instructions of the Soviet Government as unacceptable.

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- (d) all other launchers on which ICBMs or SLBMs equipped with MIRV systems are deployed and all ASBMs equipped with MIRV systems.

2. With respect to the conversion of launchers for, and bombers equipped with, missiles not equipped with MIAV systems to launchers for, and bombers equipped with, missiles equipped with MIRV systems, the limitation provided for in Article V of the Agreement shall apply to:

- (a) fixed ICBM launchers when conversion begins;
- (b) mobile ICBM launchers when such launchers are first brought out of the conversion facility;
- (c) SLBM launchers when the first submarine of a class carrying such launchers first goes to sea after conversion;
- (d) ASBMs when a bomber equipped with such missiles is first brought out of the conversion facility.

3. A missile launcher, or ASBM, subject to the aggregate limitation of Article V of the Agreement shall continue to be subject to such limitation until, pursuant to procedures agreed upon in the Standing Consultative Commission, such launcher, or the bomber equipped with such ASBM, is destroyed or dismantled or converted to a missile launcher or bomber which is not capable of launching a missile equipped with a MIRV system.

(Other agreed provisions necessary to insure adequate verification by national technical means of the aggregate limitation on launchers for missiles equipped with MIRV systems.)

4. This Protocol shall be considered an integral part of the Agreement.

Done at _____ on _____ in two copies, each in the English and Russian languages, both texts being equally authentic.

For the United States of
America

For the Union of Soviet
Socialist Republics¹

~~SECRET~~

