
**ANNEX
AGREED STATEMENTS**

In connection with the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms, the Parties have agreed as follows:

First Agreed Statement. The Parties agree, in the interest of the viability and effectiveness of the Treaty, not to transfer strategic offensive arms subject to the limitations of the Treaty to third States. The Parties further agree that this Agreed Statement and the provisions of Article XVI of the Treaty do not apply to any patterns of cooperation, including obligations, in the area of strategic offensive arms, existing at the time of signature of the Treaty, between a Party and a third State.

Second Agreed Statement. The Parties agree that, in the event of the emergence in the future of a new kind of arm that one Party considers could be a new kind of strategic offensive arm, that Party shall have the right to raise the question of such an arm for consideration by the Joint Compliance and Inspection Commission in accordance with subparagraph (c) of Article XV of the Treaty.

Third Agreed Statement. The Parties agree that, notwithstanding the provisions of paragraph 13 of Article V and subparagraph 4(d) of Article III of the Treaty, ICBMs of the type designated by the Union of Soviet Socialist Republics as RS-10, which is known to the United States of America as SS-11, may be deployed with no more than three reentry vehicles, provided that such reentry vehicles are not independently targetable.

Fourth Agreed Statement. The Parties agree that, in connection with the definition of the term "air-to-surface ballistic missile (ASBM)" provided for in the Annex to the Treaty on Terms and Their Definitions, hereinafter referred to as the Definitions Annex to the Treaty, the term is not intended to describe any missile that sustains flight, or any missile the payload of which sustains flight, through the use of aerodynamic lift over any portion of its flight path.

Fifth Agreed Statement. The Parties agree that the replacement of silo launchers of heavy ICBMs under the provisions of subparagraph 2(d) of Article V of the Treaty shall only take place in the case of silo launchers destroyed by accident or in the case of other exceptional circumstances that require the relocation of existing silo launchers of heavy ICBMs. If such relocation is required, the Party planning to construct the new silo launcher shall provide the other Party with the reasons and plans for such relocation in the Joint Compliance and Inspection Commission prior to carrying out such relocation.

Sixth Agreed Statement. The Parties agree that three airplanes of the type designated by the Union of Soviet Socialist Republics as 3M, which is known to the United States of America as Bison, have been converted to transport oversized cargo; are used for purposes unrelated to the Treaty; and are not reconnaissance airplanes, tanker airplanes, or jamming airplanes, and thus do not meet the definition of the term "former heavy bomber" provided for in the

Definitions Annex to the Treaty. These airplanes are not included within the totals listed in Section IV of, or Annex C to, the Memorandum of Understanding. The Parties further agree that all other airplanes of the Bison type will be considered to be former heavy bombers.

Seventh Agreed Statement. The Parties agree that, with respect to the provisions of paragraph 1 of Article XIV of the Treaty authorizing operational dispersals, such dispersals shall be conducted only for national security purposes in time of crisis when a Party considers it necessary to act to ensure the survivability of its strategic forces. The Parties further agree that, while there are no limits on the number and frequency of such operational dispersals, in practice they will occur rarely.

Eighth Agreed Statement. The Parties agree that:

- (a) With respect to paragraph 28 of Article V of the Treaty, the strategic offensive arms of each Party shall be based only within its national territory at permanent bases specified in the Treaty that are equipped to support the long-term operation of strategic offensive arms. The obligations of paragraph 28 of Article V of the Treaty shall not affect the Parties' rights under generally recognized principles and rules of international law relating to the passage of submarines or flights of aircraft, or relating to visits of submarines to ports of third States.
- (b) With respect to heavy bombers, the provisions of paragraph 28 of Article V of the Treaty shall not preclude the temporary stationing of heavy bombers outside the territory of a Party for purposes not inconsistent with the Treaty. If a Party stations heavy bombers outside its national territory for a period in excess of 30 days at any one time, it shall so inform the other Party through diplomatic channels before the end of the 30-day period, except that, if a Party has stationed more than 30 heavy bombers outside its national territory at any one time, it shall so inform the other Party within 48 hours.
- (c) The Parties have the obligation, if concerns arise under this Agreed Statement, to discuss any ambiguity and, if necessary, to provide each other with information to resolve concerns. Such discussions could occur through diplomatic channels, as well as in the Joint Compliance and Inspection Commission. The Parties do not rule out the possibility that clarifications provided in the Joint Compliance and Inspection Commission might, in certain cases, include inspections or visits.

Ninth Agreed Statement. The Parties agree that, for the purposes of subparagraph 19(a) of Article V of the Treaty, lighter-than-air aircraft such as balloons, drifting aerostats, and dirigibles shall not be flight-tested with, equipped for, or deployed with nuclear armaments.

Tenth Agreed Statement. The Parties agree that:

- (a) With respect to B-52 heavy bombers equipped for nuclear armaments other than long-range nuclear ALCMs, the United States of America will

provide no technical data or photographs of heavy bombers of the variants designated by the United States of America as, and known to the Union of Soviet Socialist Republics as, B-52C, B-52D, B-52E, and B-52F, and will conduct no exhibitions of heavy bombers of such variants pursuant to paragraph 12 of Article XI of the Treaty or pursuant to the Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Early Exhibitions of Strategic Offensive Arms Relating to the Treaty, of July 31, 1991. The Parties further agree that all such heavy bombers shall be located only at Davis-Monthan Air Force Base, which is a specified conversion or elimination facility for heavy bombers and former heavy bombers, and that each such heavy bomber shall not depart Davis-Monthan Air Force Base before it has been eliminated in accordance with the procedures provided for in the Conversion or Elimination Protocol.

- (b) Notwithstanding the provisions of paragraph 5 of Section VII of the Inspection Protocol, the conversion or elimination facility for heavy bombers and former heavy bombers at Davis-Monthan Air Force Base shall be subject to a baseline data inspection. If at any time the total number of heavy bombers and former heavy bombers that have been located at Davis-Monthan Air Force Base for more than seven days, and upon which the elimination process has not been initiated, exceeds five, this facility shall also be subject to data update inspections, which shall be counted against the quota provided for in paragraph 2 of Section VII of the Inspection Protocol.
- (c) The procedures for baseline data inspections and data update inspections of heavy bombers and former heavy bombers at the conversion or elimination facility at Davis-Monthan Air Force Base shall be as modified below:
 - (i) Inspectors shall have the right only to count B-52C, B-52D, B-52E, and B-52F heavy bombers, and to view them *in situ*, as they are found.
 - (ii) Inspectors shall have the right to inspect other heavy bombers and former heavy bombers in accordance with the procedures provided for in Section II of Annex 4 to the Inspection Protocol, but only to the extent that the condition of such airplanes allows such procedures to be carried out. A member of the in-country escort shall provide the information on the condition of such airplanes.
- (d) If the Union of Soviet Socialist Republics in the future has a conversion or elimination facility where at any time the total number of heavy bombers and former heavy bombers that have been located at such facility for more than seven days, and upon which the elimination process has not been initiated, exceeds five, such facility shall also be subject to data update inspections, in accordance with the procedures provided for in subparagraph (c)(ii) of this Agreed Statement.

Eleventh Agreed Statement. The Parties understand that the Conversion or Elimination Protocol does not provide procedures for the elimination of ICBMs for mobile launchers of ICBMs containing a stage equipped with a liquid-propellant main rocket engine or for the elimination of heavy bombers that have no tail sections. The Parties agree that such ICBMs and such heavy bombers shall not be eliminated until the appropriate procedures have been agreed within the framework of the Joint Compliance and Inspection Commission. The Parties further agree that such ICBMs and such heavy bombers may be otherwise removed from accountability in accordance with the applicable procedures provided for in Section VII or VIII of the Conversion or Elimination Protocol.

Twelfth Agreed Statement. The Parties agree that, notwithstanding the definition of the term "former heavy bomber" provided for in the Definitions Annex to the Treaty, the 37 airplanes designated by the Union of Soviet Socialist Republics as Tu-95RTs, which are known to the United States of America as Bear D, and all airplanes designated by the Union of Soviet Socialist Republics as Tu-142, which are known to the United States of America as Bear F or Bear J, depending on how a particular airplane is equipped, shall not be considered to be former heavy bombers. The Parties further agree that all airplanes formerly known to the United States of America as Bear E and now known as Bear T, which are designated by the Union of Soviet Socialist Republics as Tu-95U, shall be considered to be training heavy bombers.

Thirteenth Agreed Statement. The Parties agree that engineering models of silos may be located at the repair facility for ICBMs at Hill Air Force Base, Utah, United States of America, the number of which shall not exceed four. Such engineering models of silos shall be subject to the limitations on silo training launchers provided for in subparagraph 2(e) of Article IV of the Treaty, and they shall be specified in the Memorandum of Understanding as a separate category. Such engineering models of silos shall not be subject to inspection. The elimination of such engineering models of silos shall be carried out in accordance with procedures for silo training launchers in Section II of the Conversion or Elimination Protocol.

Fourteenth Agreed Statement. The Parties agree that, notwithstanding the provisions of subparagraph 11(a) of Article IV of the Treaty, the existing storage facilities for ICBMs located at Khrizolitovyy and Surovatikha, Union of Soviet Socialist Republics, shall be located no less than 20 kilometers from any deployment area, provided that the distance between such facilities and any restricted area or maintenance facility of an ICBM base for road-mobile launchers of ICBMs is no less than 60 kilometers. Such storage facilities shall not be re-established after they have been eliminated in accordance with the Conversion or Elimination Protocol.

Fifteenth Agreed Statement. The Parties agree that the existing training facility for ICBMs at Plesetsk, Union of Soviet Socialist Republics, shall not be subject to the locational restriction on training facilities for ICBMs, provided for in subparagraph 11(d) of Article IV of the Treaty, with respect to any existing test range. No more than 12 non-deployed mobile launchers of ICBMs may be located at this training facility for ICBMs. After its elimination in accordance with

the Conversion or Elimination Protocol, this training facility for ICBMs shall not be re-established.

Sixteenth Agreed Statement. The Parties agree that, with respect to the provisions of subparagraph 9(d) of Article III of the Treaty, each ICBM launcher or SLBM launcher existing as of the date of signature of the Treaty is capable of launching only an ICBM or SLBM of the type specified for that launcher in the Memorandum of Understanding.

Seventeenth Agreed Statement. The Parties agree that the expression "not equipped" is understood to mean, for a heavy bomber or former heavy bomber, that such an airplane is not equipped for a particular kind of armament, which shall be confirmed by the necessary distinguishing features. Each Party shall determine the distinguishing features of its heavy bombers and former heavy bombers. If the other Party considers such distinguishing features to be insufficient, it may raise the issue within the framework of the Joint Compliance and Inspection Commission.

Eighteenth Agreed Statement. The Parties agree that, as of the date of signature of the Treaty, there are no heavy bombers permanently based at Andersen Air Force Base, Guam, and that it therefore has not been specified as an air base for heavy bombers in the Memorandum of Understanding. The Parties further agree that, if in the future the United States of America permanently bases heavy bombers at Andersen Air Force Base, Guam, all applicable provisions of the Treaty will apply to that facility, including those that provide for listing the facility in Annex C to the Memorandum of Understanding, for new facility inspections and data update inspections, and for notifications concerning the visits of heavy bombers and former heavy bombers.

Nineteenth Agreed Statement. The Parties agree that, in the event either Party wishes to develop mobile space launchers and space launch boosters associated with such launchers, the question could be addressed in the Joint Compliance and Inspection Commission. Such systems would be allowed, provided that:

- (a) Mobile space launchers and the space launch boosters associated with such launchers have differences from ICBM launchers and SLBM launchers and from ICBMs and SLBMs, respectively, observable by national technical means of verification;
- (b) Mobile space launchers do not contain an ICBM or SLBM;
- (c) The numbers of mobile space launchers and space launch boosters associated with such launchers that are produced and stored do not exceed space launch requirements; and
- (d) Mobile space launchers and space launch boosters associated with such launchers are not located at an ICBM base for rail-mobile launchers of ICBMs or an ICBM base for road-mobile launchers of ICBMs.

Additional provisions relevant to such systems could also be agreed by the Parties within the framework of the Joint Compliance and Inspection Commission.

Twentieth Agreed Statement. The Parties agree that, notwithstanding the provisions of paragraph 4 of Article VII of the Treaty:

- (a) The United States of America shall have the right to refurbish and reuse, as launch canisters for ICBMs for mobile launchers of ICBMs, those launch canisters for ICBMs for mobile launchers of ICBMs that remain at a test range or ICBM base after the flight test of such ICBMs.
- (b) The Union of Soviet Socialist Republics shall have the same right, if it decides to change its existing practices for the elimination of such launch canisters.
- (c) Notification of the movement of such launch canisters from the place where the flight test occurred to a refurbishment location shall be provided through the Nuclear Risk Reduction Centers no later than five days after the completion of the movement.

Twenty-first Agreed Statement. The Parties agree that, in providing notifications in accordance with paragraph 3 of Section I of the Notification Protocol for "each change in data for categories of data contained in the Memorandum of Understanding," only one notification shall be required for each event that results in changed data, notwithstanding the number of categories of data for which data must be changed based on the occurrence of such event.

Twenty-second Agreed Statement. The Parties agree that:

- (a) Issues relating to the concurrent continuous monitoring activities in accordance with paragraph 14 of Article XI of the Treaty and continuous monitoring in accordance with paragraph 6 of Article XI of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles of December 8, 1987, hereinafter referred to as the INF Treaty, shall be agreed upon, prior to entry into force of the Treaty, within the framework of the Joint Compliance and Inspection Commission and within the framework of the Special Verification Commission. An agreement on these issues shall not affect substantive rights or obligations of the Parties under either Treaty.
- (b) For the purpose of reaching the agreement provided for in subparagraph (a) of this Agreed Statement, the Parties shall proceed as follows:
 - (i) During the period when continuous monitoring at the Votkinsk Machine Building Plant, Udmurt Autonomous Soviet Socialist Republic, Union of Soviet Socialist Republics, is conducted concurrently under the Treaty and under the INF Treaty, the Parties shall ensure the application of continuous monitoring procedures

under the Treaty and of continuous monitoring procedures under the INF Treaty. The engineering site survey provided for in the Treaty will not be conducted at the Votkinsk facility.

- (ii) In cases where continuous monitoring procedures under the Treaty and continuous monitoring procedures under the INF Treaty are identical, those procedures may be performed only once, with the results recorded, as appropriate, in the continuous monitoring report and in the inspection report.
- (iii) The Parties shall agree on a list of the specific provisions of the INF Treaty and of the Memorandum of Agreement Regarding the Implementation of the Verification Provisions of the INF Treaty, hereinafter referred to as the Memorandum of Agreement, on issues relating to pre-inspection requirements, notifications, activities beginning upon arrival at the point of entry, and general provisions related to continuous monitoring that shall be suspended upon entry into force of the Treaty at facilities inspected by means of continuous monitoring pursuant to the INF Treaty. Agreement on such a list shall not be considered to be an amendment to the INF Treaty proper and shall not have the effect of amending the INF Treaty. The provisions of the INF Treaty to be suspended may be suspended by making amendments to the Memorandum of Agreement or by being treated as "measures to improve the viability and effectiveness" of the Protocol Regarding Inspections Relating to the INF Treaty. The Parties shall also agree upon a list of the specific provisions of the Treaty that, in connection with the suspension of the above-mentioned provisions of the Protocol Regarding Inspections Relating to the INF Treaty and the Memorandum of Agreement, shall apply from the date of entry into force of the Treaty at such facilities.
- (iv) After continuous monitoring activities commence in accordance with paragraph 14 of Article XI of the Treaty, continuous monitoring activities under the Treaty and continuous monitoring activities under the INF Treaty at the Votkinsk Machine Building Plant shall be conducted by a team of no more than 30 monitors. Issues related to increasing the quota of monitors for maintenance of the perimeter and portal continuous monitoring system and replacement of monitors shall be governed by the provisions of the Inspection Protocol to the Treaty.
- (v) Equipment used for the purposes of continuous monitoring at the Votkinsk Machine Building Plant pursuant to the INF Treaty may be used for continuous monitoring pursuant to the Treaty, including after termination of continuous monitoring pursuant to the INF Treaty, if the purpose of such equipment coincides with the purpose of the equipment under the Treaty. Equipment used exclusively for the purpose of continuous monitoring at the Votkinsk facility and the use of which is not provided for under the Treaty shall be used only pursuant to the INF Treaty. Continuous monitoring equipment for

use exclusively under the Treaty may also be sent to, and installed at, the Votkinsk facility in accordance with the Treaty.

- (vi) Specific issues that may arise in connection with the concurrent application of continuous monitoring procedures under both Treaties shall be considered within the framework of the Joint Compliance and Inspection Commission and the framework of the Special Verification Commission.
- (c) Concurrent inspections under both Treaties may not be conducted at a facility subject to the Treaty and the INF Treaty. An inspection under one of the Treaties at such a facility shall be conducted no earlier than six days after an inspection has been conducted under the other Treaty at that facility.

Twenty-third Agreed Statement. The Parties agree that, for the purposes of the prohibition of paragraph 25 of Article V of the Treaty and this Agreed Statement, the term "accessible" means able to be entered by waterborne craft on the surface of the water, while submerged, or while partially submerged. The Parties further agree that the Union of Soviet Socialist Republics will not make the underground structures located in the immediate vicinity of the Ara Inlet (Kola Peninsula), the Yagel'naya Submarine Base (Kola Peninsula), and the Pavlovskoye Submarine Base (Primorskiy Krai), all of which are used for purposes unrelated to the Treaty, accessible by any waterborne craft of any displacement whatsoever.

Twenty-fourth Agreed Statement. The Parties agree that, for the purposes of subparagraph 4(b) of Article III of the Treaty, a front section of a fundamentally new design would not have the essential features that are characteristic of any existing design of a front section with multiple reentry vehicles that has been deployed or tested on any ICBM or SLBM as of the date of entry into force of the Treaty. In particular, a front section of a fundamentally new design would not have a self-contained dispensing mechanism that dispenses reentry vehicles to different aim points sequentially. In addition, an ICBM or SLBM, the final stage of which executes a procedure for dispensing reentry vehicles, would not be considered to have a front section of a fundamentally new design. The Parties further agree that the fundamentally new nature of such a design would be verifiable by national technical means of verification.

Twenty-fifth Agreed Statement. The Parties agree that, with respect to the definition of the term "variant," an ICBM or SLBM of a type, a dimension of which differs from that of another ICBM or SLBM of the same type by more than three percent, but by less than the appropriate new type criteria, shall be considered to be a variant. The Parties further agree that a Party may declare an ICBM or SLBM to be a variant if its dimensions differ by less than three percent from those of another ICBM or SLBM of the same type.

Twenty-sixth Agreed Statement. The Parties agree that, subject to the limitations provided for in subparagraphs 4(b) and 11(c) of Article IV of the

Treaty, a portion of the territory of an eliminated ICBM base may be declared to be a space launch facility after the following conditions are met:

- (a) All strategic offensive arms specified for that ICBM base and all support equipment have been removed and all silo launchers of ICBMs or fixed structures for mobile launchers of ICBMs, except those located in the portion of the territory of the ICBM base that the Party intends to subsequently declare as a space launch facility, are eliminated in accordance with the procedures provided for in the Conversion or Elimination Protocol. The provisions of that Protocol shall not apply to silo launchers of ICBMs or fixed structures for mobile launchers of ICBMs located in that portion of the territory of the base declared as a space launch facility.
- (b) All activity associated with strategic offensive arms shall cease and shall not subsequently resume at the ICBM base.
- (c) A close-out inspection shall be conducted at the ICBM base to confirm that the elimination of the base has been completed.
- (d) Such eliminated ICBM bases shall not be reestablished.
- (e) Nothing in this Agreed Statement shall affect the obligation of the Union of Soviet Socialist Republics to eliminate, no later than seven years after entry into force of the Treaty, 154 silo launchers of ICBMs of the type designated by the Union of Soviet Socialist Republics as RS-20, which is known to the United States of America as SS-18. In this regard, no SS-18 silo launchers of ICBMs among the 154 launchers to be eliminated shall be retained for use at a space launch facility.

The Parties further agree that, during a formerly declared facility inspection of the ICBM base, a portion of the territory of which has been declared as a space launch facility, the space launch facility shall not be subject to inspection.

Twenty-seventh Agreed Statement. The Parties agree that the six existing soft-site launchers located at Cape Canaveral, Florida, United States of America, shall be exempt from the provisions of paragraph 9 of Article V of the Treaty until such time that they contain or launch an ICBM or SLBM after the date of signature of the Treaty.

Twenty-eighth Agreed Statement. The Parties agree that a first stage of an ICBM or SLBM that is maintained, stored, and transported as an assembled missile without a launch canister, may be located separate from other stages of such a missile only at a production facility for such ICBMs or SLBMs; a location, specified in Annex I to the Memorandum of Understanding, where static testing of first stages occurs; a conversion or elimination facility for ICBMs or SLBMs, or, for ICBMs other than ICBMs for mobile launchers of ICBMs and for SLBMs, another location where such an ICBM or SLBM is eliminated; or an exhibition site. Such a first stage may be moved between these locations only in connection with an exhibition conducted pursuant to paragraph 11 of Article XI of the Treaty as well as in connection with the elimination of such ICBMs or SLBMs.

If, however, such a first stage is located, separate from other stages of such a missile, at a location other than these locations, all ICBMs or SLBMs of that type shall thereafter be considered, for the purposes of the Treaty, to be ICBMs or SLBMs that are maintained, stored, and transported in stages, unless otherwise agreed.

The Parties further agree that an assembled missile or first stage of an ICBM that is maintained, stored, and transported as an assembled missile in its launch canister, may be located outside its launch canister only at a production facility for such ICBMs; for first stages of such ICBMs for mobile launchers of ICBMs, locations specified in Annex I to the Memorandum of Understanding, where solid rocket motors of ICBMs for mobile launchers of ICBMs may be tested with or without nozzles attached; for other such ICBMs not subject to the limitations contained in paragraph 10 of Article IV of the Treaty, a location, specified in Annex I to the Memorandum of Understanding, where static testing of first stages occurs; a conversion or elimination facility for ICBMs, or, for ICBMs other than ICBMs for mobile launchers of ICBMs, another location where such an ICBM is eliminated; or an exhibition site. Such a first stage may be moved between these locations only in connection with an exhibition conducted pursuant to paragraph 11 of Article XI of the Treaty as well as in connection with the elimination of such ICBMs. If, however, such a missile is located outside its launch canister, or such a first stage is located separate from other stages of such a missile, at a location other than these locations, all ICBMs of that type shall thereafter be considered, for the purposes of the Treaty, to be ICBMs that are maintained, stored, and transported in stages, unless otherwise agreed.

Twenty-ninth Agreed Statement. The Parties agree that the STARS booster shall not be considered to be the Polaris A-3 SLBM since that booster has a different number of stages. The STARS booster shall be considered to be a booster used only for research and development purposes, subject to the provisions of paragraph 12 of Article VII of the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles of December 8, 1987.

Thirtieth Agreed Statement. The Parties do not exclude the possibility that the bans on ballistic missiles on waterborne vehicles other than submarines and on launchers of such missiles contained in subparagraph 18(a) of Article V of the Treaty and the ban on air-to-surface ballistic missiles contained in subparagraph 18(d) of Article V of the Treaty shall not apply to launches of ICBMs and SLBMs from waterborne vehicles other than submarines or from airplanes, other than heavy bombers or former heavy bombers, for delivering objects into the upper atmosphere or space. Should the Parties reach agreement concerning the possibility of using ICBMs and SLBMs for delivering objects into the upper atmosphere or space from waterborne vehicles other than submarines or from such airplanes, provisions concerning procedures for such launches shall be agreed within the framework of the Joint Compliance and Inspection Commission. By this Agreed Statement, the Parties do not waive any of their obligations or rights related to the non-proliferation of missiles and missile technology, stipulated in the Washington Summit Joint Statement of June 1, 1990.

Thirty-first Agreed Statement. The Parties agree that the provisions of Article X of the Treaty and of the Telemetry Protocol shall not apply to objects launched by ICBMs or SLBMs used to deliver objects into the upper atmosphere or space, after such objects either are in orbit or have achieved escape velocity.

Thirty-second Agreed Statement. The Parties agree that, notwithstanding the provisions of subparagraph 3(b) of Section I of the Throw-weight Protocol and paragraph 1 of Section III and paragraph 4 of Section VII of the Notification Protocol, the Parties shall agree, within the framework of the Joint Compliance and Inspection Commission, on the procedures for establishing the throw-weight accountability of an ICBM or SLBM of a new type in the event that a Party deploys an ICBM or SLBM of that type prior to its eighth flight test.

Thirty-third Agreed Statement. The Parties agree that, for no more than two ballistic missile submarines of the United States of America that are equipped with Poseidon SLBMs and that are modified for use as special purpose submarines, the following provisions shall apply:

- (a) Such submarines shall be permanently based only at ports that are not submarine bases specified in the Memorandum of Understanding. Such ports shall be specified in Annex I to the Memorandum of Understanding and shall not be subject to inspection.
- (b) In order to demonstrate that the launch tubes on such a submarine do not contain SLBMs, such tubes shall be opened, upon request of the Union of Soviet Socialist Republics, when such a submarine is located at the port at which it is permanently based, in accordance with the following procedures:
 - (i) After receipt of a request for the display of special purpose submarines in such a port, the special purpose submarines shall not leave port until the display is completed. If both special purpose submarines are located in the same home port when a request is made, both submarines shall be displayed, and the request shall count as one request for each such submarine.
 - (ii) Within 24 hours of the receipt of such a request, the decks of the special purpose submarine shall be cleared and all tubes shall be opened for a period of no less than 12 hours.
- (c) The Union of Soviet Socialist Republics shall have the right to make two requests per submarine each year pursuant to subparagraph (b) of this Agreed Statement. If the requested Party is unable to conduct such a display because of the absence of such submarine from the port, it shall provide notification to the requesting Party through the Nuclear Risk Reduction Centers. In such an event, the number of requests to which the requesting Party is entitled shall not be decreased.
- (d) Until they are eliminated in accordance with Section IV of the Conversion or Elimination Protocol, the 16 launchers that are on each special purpose submarine shall continue to count as 16 launchers for

such a submarine against the maximum aggregate limit of 1,600 provided for in Article II of the Treaty and to count as 160 against the 6,000 and 4,900 limits also provided therein. When all other launchers of Poseidon SLBMs have been converted or eliminated, except for test launchers and launchers at space launch facilities, the Poseidon SLBM shall be considered to be a retired type of SLBM.

Thirty-fourth Agreed Statement. The Parties agree that, with respect to the criteria contained in subparagraph (f) of the definition of the term "new type" provided for in the Definitions Annex to the Treaty:

- (a) The throw-weight of an ICBM or SLBM of a type declared to be a new type shall exceed the accountable throw-weight of an ICBM or SLBM of an existing type or of a previously declared new type by 21 percent or more. The change in the length of the first stage of an ICBM or SLBM of a type declared to be a new type shall be a change in relation to an ICBM or SLBM of the same existing type or the same previously declared new type by five percent or more.
- (b) The change in the length of the first stage of an ICBM or SLBM of a type declared to be a new type in relation to an ICBM or SLBM of an existing type or previously declared new type shall be determined in accordance with paragraph 15 of Annex J to the Memorandum of Understanding.
- (c) The throw-weight of an ICBM or SLBM of an existing type or previously declared new type shall be the accountable throw-weight of this existing type or previously declared new type, specified in the Memorandum of Understanding.
- (d) The throw-weight of an ICBM or SLBM of a type declared to be a new type shall be the greatest throw-weight demonstrated in flight tests of an ICBM or SLBM of that type to a range of no less than 11,000 kilometers for an ICBM, or a range of no less than 9,500 kilometers for an SLBM. If an ICBM or SLBM of a type declared to be a new type is not capable of being flight-tested to such a range, it shall be flight-tested to a range of no less than 10,000 kilometers for an ICBM, or a range of no less than 8,500 kilometers for an SLBM.
- (e) Should an ICBM of any type be declared to be a new type in relation to the SS-25 ICBM on the basis of an increase of 21 percent or more in throw-weight in conjunction with a change of five percent or more in the length of the first stage, the throw-weight of an ICBM of such a type declared to be a new type shall be the greatest throw-weight demonstrated in flight tests of an ICBM of that type to a range of no less than 11,000 kilometers.

Thirty-fifth Agreed Statement. The Parties agree that, if a Party provides, during any one year, telemetry data tapes for a greater number of flight tests, the other Party shall reimburse the tape-associated costs resulting from the difference in the number of flight tests. The costs associated with the purchase of the tapes and the copying of telemetric information onto the tapes, as well as

the procedure for the reimbursement, shall be subject to agreement in the Joint Compliance and Inspection Commission.

Thirty-sixth Agreed Statement. The Parties agree that, with regard to Ellsworth Air Force Base, South Dakota; Grand Forks Air Force Base, North Dakota; Minot Air Force Base, North Dakota; and Whiteman Air Force Base, Missouri, the Union of Soviet Socialist Republics may conduct no more than one inspection at each of these Air Force Bases of the United States of America at any one time.

Thirty-seventh Agreed Statement. The Parties agree that:

- (a) The limitations provided for in subparagraph 1(a) of Article IV of the Treaty shall not apply to ICBMs of retired types of ICBMs for mobile launchers of ICBMs to each of which one warhead was attributed.
- (b) The limitations provided for in subparagraphs 1(d) and 4(c) of Article IV of the Treaty shall not apply to:
 - (i) ICBMs of retired types other than ICBMs of retired types of ICBMs for mobile launchers of ICBMs;
 - (ii) SLBMs of retired types; and
 - (iii) ICBMs or SLBMs of former types.
- (c) The locational restrictions provided for in subparagraph 9(a) of Article IV of the Treaty shall not apply to ICBMs or SLBMs of former or retired types except for ICBMs of retired types of ICBMs for mobile launchers of ICBMs.
- (d) ICBMs of retired types of ICBMs for mobile launchers of ICBMs shall not be located at ICBM bases or submarine bases.
- (e) ICBMs and SLBMs of former and retired types shall not be specified in the Memorandum of Understanding except for the categories of data contained in Annex F for such retired types.
- (f) Procedures contained in the Conversion or Elimination Protocol for the elimination or removal from accountability of ICBMs for mobile launchers of ICBMs shall not apply to ICBMs of retired types of ICBMs for mobile launchers of ICBMs to each of which one warhead was attributed.
- (g) The provisions of Section IV of the Notification Protocol shall not apply to ICBMs or SLBMs of former or retired types except for ICBMs of retired types of ICBMs for mobile launchers of ICBMs to each of which more than one warhead was attributed.
- (h) Notifications concerning data with respect to launchers of ICBMs or SLBMs of a former or retired type shall be provided in accordance with

Sections I, II, and IV of the Notification Protocol and such launchers shall be subject to the limitations contained in subparagraphs 2(d) and 4(b) of Article IV of the Treaty, except as provided for in subparagraph (i) of this Agreed Statement.

- (i) The one launcher located at the Vandenberg Air Force Base, California test range, that is equipped for flight testing only the Minuteman I ICBM, shall not be subject to the provisions provided for in Articles IV and VIII of the Treaty. If this launcher is later converted to launch other ICBMs or SLBMs, it will be subject to the provisions provided for in Articles IV and VIII of the Treaty.

Thirty-eighth Agreed Statement. The Parties agree that there are no agreed provisions for establishing reference cylinders as provided for in the provisions in paragraph 23 of Section VI of the Inspection Protocol for ICBMs for mobile launchers of ICBMs containing a first stage equipped with a liquid-propellant main rocket engine. The Parties agree that such procedures will be agreed within the framework of the Joint Compliance and Inspection Commission prior to the deployment of such ICBMs.

