

I felt I should add some research to address issues raised in discussions with Topic Selection Committee (TSC) members. Some of this is intended to clarify or modify the wording Ben and I forwarded to Dave Arnett earlier this month. Because there is a lot of pretty technical evidence, I used a somewhat counter-intuitive structure. I first name the questions then give a brief summary of my conclusions, followed by the analytical evidence that justifies it.

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First Issue: Should reductions be limited to ‘deployed nuclear weapons?’

Conclusion: If the TSC wants the Aff to be able to read a true disarmament Affirmative, then the wording should probably be more expansive. This is because a deployed weapon is one that is ready for use. Weapons placed in inactive storage do not fall into this category, but would have to be eliminated under a disarmament/abolition policy.

I should add that this is a problem any resolution that intends to provide disarmament as a Kritik-friendly Aff option. If the object of action is defined as ‘nuclear weapons,’ the Aff would be extra topical if it eliminated the entire stockpile, including the part in Department of Energy custody. The explosive assemblies – pits – may be stored at the Pantex plant or some other facility disassembled. This is fissile material, not nuclear weapons. This is why an FMCT is considered an indispensable step towards disarmament; **any abolition regime would have to deal with both fissile material and nuclear weapons.**

I can think of two simple ways of dealing with this:

- 1) Include ‘elimination’ as well as ‘reduction/restriction’ as an option in the unilateral reduction portion of any topic intended to allow very deep cuts or abolition.
- 2) Include a different objection of action: ‘the stockpile’ is an all-inclusive term that includes both material and weapons. ‘Arsenal’ is another option, but I have not seen a good definition card yet.

Two additional considerations: members may recall the original paper submitted by Arnett; the word ‘deployed’ was added partly to preclude restrictions on hypothetical future weapons systems. If the TSC rejects this term, it should substitute another limiting term that serves this function in our¹ opinion. Since the term ‘extant’ is used in another part of the resolution, perhaps it could be used without complicating T debates further. Another option is ‘active’ or ‘operational’ weapons – I saw these terms used quite often, but the relevant agent (Department of Defense) seems to prefer ‘deployed.’

The question of whether a ‘nuclear weapon’ is a nuclear explosive device mated to a delivery system, or merely the explosive part has significant practical implications for the Aff’s ability to craft bilateral agreements with Russia. It is directly related to the START rules for counting warheads.

Some TSC members may react to the nitty-gritty of the warhead counting debate by attempting to remove bilateral negotiation entirely from the topic. In my judgment that would be an error. Since it is a part of the Obama arms control agenda, and START I is currently U.S. law, it will enter into the debates on one side or another inevitably. I also think that limiting the Aff to unilateral cuts is problematic; because it cedes this ground to the Negative and is inconsistent with the position of the mainstream arms control community (this will be discussed and evidenced below).

¹ I refer to Ben Thorpe, Dave Arnett and myself.

Analysis

“Deployed nuclear forces” technically refers to any weapon in Department of Defense custody, including in its storage facilities. Weapons controlled by DOE are not included in this phrasing, and that may include the entire strategic reserve stored at Pantex (technically the largest part of the stockpile, see SIPRI).

Joint Chiefs of Staff 1989

JCS Pub 1-02 “The Military Dictionary”

deployed nuclear weapons – (DOD) 1. When used in connection with transfer of weapons between the Department of Energy and the Department of Defense, this term describes those weapons transferred to and in the custody of the Department of Defense. 2. Those nuclear weapons specifically authorized by the Joint Chiefs of Staff to be transferred to the custody of the storage facilities carrying or delivery units of the armed forces.

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According to the Defense Department, the term ‘nuclear weapon’ refers to a complete assembly capable of use in combat. I think this distinguishes it from fissile material, even if that material is merely a disassembled weapon core because it is not a ‘complete assembly.’

Joint Chiefs of Staff 1989

JCS Pub 1-02 “The Military Dictionary”

nuclear weapon – (DOD, NATO) **A complete assembly** (i.e., implosion type, gun type, or thermonuclear type), **in its intended ultimate configuration, which upon completion of the prescribed arming, fusing and firing sequence is capable of producing the intended nuclear reaction and release of energy.**

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This evidence has intent to define, and comes from an authoritative source, but isn’t legal or regulatory. I do think it is consistent with the think tank evidence below. It explains why Ben and I initially used the term ‘nuclear weapons’ and the term ‘arsenal’ in the stem. We thought that would let the debaters establish whether the topic ought to include delivery systems as well as warheads, or warheads alone. I believe the evidence in this paper establishes definitively that US and international law have not established a clear distinction between nuclear explosives (warheads) and delivery systems.

Los Alamos 09

<http://www.lanl.gov/natlsecurity/nuclear/stockpile/>

WHAT'S IN A STOCKPILE?

The **stockpile**, also called the nuclear **arsenal**, refers to a country's supply of readily available nuclear weapons. The **term nuclear weapons refers to the explosive warheads and the bombs and missiles** that can deliver them to enemy targets.

I cannot find a statutory definition of “nuclear weapon.” US law uses the term ‘device’ instead, which I think might create some ‘dirty word’ K/CP problems. I am not a lawyer, so perhaps another researcher with better skills at searching USC and the Code of Federal Regulations should be deputized to address this.

US Code 2007

50 USC Sec. 1701 01/03/2007 -EXPCITE-

CHAPTER 35 - INTERNATIONAL EMERGENCY ECONOMIC POWERS

"(12) Nuclear explosive device. - The term 'nuclear explosive device' means any device, whether assembled or disassembled, that is designed to produce an instantaneous release of an amount of nuclear energy from special nuclear material (as defined in section 11(aa) of the Atomic Energy Act of 1954 [42 U.S.C. 2014(aa)]) that is greater than the amount of energy that would be released from the detonation of one pound of trinitrotoluene (TNT).

Defense Department documents distinguish between deployed forces – which are existing (as opposed to future forces) and reserve forces in storage

Rumsfeld 2002 (Annual Report to Congress)

http://www.dod.mil/execsec/adr2002/pdf_files/chap7.pdf.

Strike Capabilities. Non-nuclear strike capabilities include advanced conventional weapons systems, offensive information operations, and Special Operations Forces. **Deployed nuclear strike capabilities include the three legs of the existing strategic triad and theater-based, nuclear-capable dual-role aircraft. Nuclear-armed sea-launched cruise missiles, removed from ships and submarines under the 1991 Presidential Nuclear Initiative, are maintained in a reserve status.**

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Recently, DoD has started to use the term ‘operationally deployed forces,’ which does not appear to be distinct from the Joint Chiefs’ ‘deployed nuclear weapons’ definition above. I think weapons under T&E (‘testing and evaluation’) probably do not count as ‘operational,’ but I cannot find any evidence to support that claim in context. I can supply definitions of ‘operation’ and ‘operating forces’ from the Joint Chiefs publication if desired.

Rumsfeld 2002 (Annual Report to Congress)

http://www.dod.mil/execsec/adr2002/pdf_files/chap7.pdf.

With respect to nuclear forces, once the planned warhead reductions are completed, the New Triad will include about **one-third of the operationally deployed warheads** of the current strategic nuclear force. It will retain a vital role in deterring Weapons of Mass Destruction (WMD) threats, assuring allies of U.S. security commitments, holding at risk an adversary’s assets and capabilities that cannot be countered through non-nuclear means, and dissuading potential adversaries from developing large-scale nuclear, biological, chemical, or conventional threats.

As other elements of the New Triad are developed and integrated, they could assume tasks now assigned exclusively to nuclear forces. Under such circumstances the required number of operationally deployed nuclear weapons might be further reduced.

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It seems likely that the Office of the Secretary of Defense was trying to exclude weapons in storage from the definition of deployed forces (the Joint Chiefs included stored weapons in 89, see above)

Rumsfeld 2002 (Annual Report to Congress)

http://www.dod.mil/execsec/adr2002/pdf_files/chap7.pdf.

The United States will also maintain an ability to augment the operationally deployed force to meet unanticipated or surprising potential contingencies.

This augmentation would be accomplished by moving the required number of individual warheads from storage to an operational unit. This capability

is also an important tool to assure allies and friends and dissuade potential competitors. It will allow the United States to augment its operational forces over weeks, months and years to meet any potential contingencies.

Depending on the time available, the United States could also pursue diplomatic, political, and economic measures to improve conditions.

Some TSC members may be reluctant to allow the Aff to cut delivery systems. I think this is not that threatening. This is not something we can avoid debating. If the Aff only cuts the warheads, it inevitably affects the delivery mechanisms anyway. If the Aff only claimed advantages from the delivery system cuts, the Neg could easily CP them out by cutting the delivery systems, but not the nuclear explosive components.

No plausible interpretation would allow the Aff to *only* cut the delivery systems. A ballistic missile with no nuclear explosive is self-evidently not a nuclear weapon. Technically, it probably isn't a weapon at all – the US uses ballistic missiles with their warhead 'buses' removed to launch satellites, as do Russia and China.

The link between restricting nuclear explosive components and nuclear delivery systems goes all the way back to 60's and continues in the START regime (see below). This evidence refers to the intent of the treaty signatories.

NPT text

<http://www.un.org/events/npt2005/npttreaty.html>

Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a Treaty on general and complete disarmament under strict and effective international control...

Example: START counts destroying heavy bombers as reducing the number of warheads they usually carry

START II treaty text

<http://www.dod.mil/acq/acic/treaties/start2/text.htm>

1. For the purposes of this Treaty, the number of warheads attributed to each deployed heavy bomber shall be equal to the number of nuclear weapons for which any heavy bomber of the same type or variant of a type is actually equipped, with the exception of heavy bombers reoriented to a conventional role as provided for in paragraph 7 of this Article. Each nuclear weapon for which a heavy bomber is actually equipped shall count as one warhead toward the limitations provided for in Article I of this Treaty. For the purpose of such counting, nuclear weapons include long-range nuclear air-launched cruise missiles (ALCMs), nuclear air-to-surface missiles with a range of less than 600 kilometers, and nuclear bombs.

2. For the purposes of this Treaty, the number of nuclear weapons for which a heavy bomber is actually equipped shall be the number specified for heavy bombers of that type and variant of a type in the Memorandum of Understanding on Warhead Attribution and Heavy Bomber Data Relating to the Treaty Between the United States of America and the Russian Federation on Further Reduction and Limitation of Strategic Offensive Arms, hereinafter referred to as the Memorandum on Attribution.

First Issue, Sub-controversy: writing in disarmament - 'stockpile' vs. 'deployed nuclear weapons' – the evidence and background information

SIPRI publishes technical documents on global nuclear arsenals used by the arms control community. SIPRI breaks down the total count into 'operational,' 'active' and 'inactive' storage, and 'total' nuclear stockpiles. You can see a handy table if you paste the URL.

SIPRI 2006 (Shannon n. Kile, Vitaly Fedchenko and Hans M. Kristensen)

World Nuclear Forces Appendix 13A.

From <http://www.sipri.org/contents/expcon/worldnuclearforces.html>

None of the five legally recognized nuclear weapon states, as defined by the 1968 Non-Proliferation Treaty (NPT), appears to be planning to disarm its nuclear arsenal in the foreseeable future.² Russia and the USA are in the process of reducing their operational nuclear forces as a result of two bilateral treaties—the 1991 Strategic Arms Reduction Treaty (START I Treaty) and the 2002 Strategic Offensive Reductions Treaty (SORT). In the USA, implementation of the 2001 Nuclear Posture Review (NPR) has begun on all aspects of the nuclear postures. This includes a reduction by 'almost half' of the total stockpile by 2012 and the development of new ballistic missiles, strategic submarines, long-range bombers, new or modified nuclear weapons, nuclear weapon production facilities, nuclear command and control systems, and modified nuclear war plans. Similarly, Russia has announced its plan to reduce mainly land-based strategic missiles but also to retain for another decade, rather than dismantling, intercontinental ballistic missiles (ICBMs) equipped with multiple, independently targetable re-entry vehicles (MIRVs). A new ICBM, a new class of strategic submarines and a new cruise missile are being introduced. Tables 13A.2 and 13A.3 show the composition of the **deployed nuclear forces** of the USA and Russia, respectively.

Table 13A.1. World nuclear forces, by number of deployed warheads, January 2006 **The total US stockpile, including reserves, contains c. 10 000 warheads. In addition, 5000 plutonium cores (pits) are in storage as a strategic reserve, while another 7000 pits make up most of 34 tons of weapon-grade plutonium declared in excess of military needs. The total Russian stockpile contains roughly 16 000 warheads, of which 10 100 are in storage and/or awaiting dismantlement.**

As of January 2006, the USA maintained an estimated stockpile of approximately 5500 **active or operational nuclear warheads, consisting of more than 5000 strategic and 500 non-strategic warheads. Another 215 warheads are spares. More than 4200 inactive warheads are in reserve, for a total stockpile of about 10 000 warheads. Of the current US stockpile, more than 4000 warheads are expected to be retired for dismantlement by 2012 as a result of the 2004 Nuclear Weapons Stockpile Plan. Most of these warheads will come from the large reserve of inactive warheads, while a smaller number will come from warheads removed from operational status as a result of SORT implementation.** This will leave a stockpile of nearly 6000 warheads.

The total US stockpile contains the deployed or operational warheads, as well as the 'responsive force' and the strategic reserve stored in Texas. These are distinct categories.

SIPRI 2006 (Shannon n. Kile, Vitaly Fedchenko and Hans M. Kristensen)

World Nuclear Forces Appendix 13A.

From <http://www.sipri.org/contents/expcon/worldnuclearforces.html>

The **total US stockpile** of roughly 10 000 warheads is organized in **two categories:** active and inactive warheads. The active category includes intact warheads with all components that are either **deployed** on operational delivery systems or are part of the 'responsive force' of reserve warheads that can be deployed on operational delivery systems in a relatively short time. The inactive category includes warheads that are held in long-term storage as a reserve with their limited life components (tritium) removed. As SORT and the 2004 Nuclear Weapons Stockpile Plan are implemented over the next six years, the 'responsive force' will contain roughly three times as many warheads as there are operationally deployed warheads. In addition to the 10 000 active and inactive warheads, the USA keeps about 5000 plutonium cores (pits) in storage at the Pantex Plant in Texas as a strategic reserve.

² This line supports my concern, articulated elsewhere, the disarmament requires more than cutting deployed forces

Whether to limit the total stockpile or deployed warheads is a key division in the literature that separates moderate arms control advocates from more dovish advocates who favor eventual disarmament. This is probably a core controversy given the Topic Paper. Obviously, true nuclear disarmament would require eliminating non-deployed weapons. A topic that limits the Aff to reducing ‘deployed weapons’ probably excludes unilateral disarmament Affs.

Sloss 1999 (Assistant Director of the U.S. Arms Control and Disarmament Agency from 1976 to 1978 and U.S. ambassador to the Seabed Treaty Negotiations, formerly Fellow of the Center for Strategic and International Studies in Washington and the International Institute for Strategic Studies)
Strategic Forum 89 Number 156, January 1999

<http://www.ndu.edu/inss/strforum/SF156/forum156.html>

Two broad perspectives divide on several issues that constitute the heart of the current nuclear dialogue: 1. The size of the future stockpile While there are several variants, generally the Alphas [editor’s note: Sloss is referring to ‘doves’ who advocate deep cuts] advocate reductions in the total nuclear stockpile to a few hundred weapons over 10-15 years The Betas [editor’s note: these are more ‘hawkish’ but still pro-reduction advocates] would retain deployed strategic weapons at START III levels (i.e., 2,000-2,500 deployed weapons) for at least some time.³ There is a significant difference between the two views on what to limit. The Alphas would attempt to reduce and limit total weapons, while acknowledging that verification and control would be extremely difficult. The Betas believe that, for the foreseeable future, limits on total inventories, while desirable, are probably not practical due to verification difficulties. Furthermore, the Betas are more concerned about the dangers of demilitarizing large stocks of fissile material in Russia with limited accountability.

2. The importance of nuclear infrastructure Alphas believe that infrastructure should be reduced as the stockpile is reduced so as to leave no temptation or capability for rearmament. They see no requirement for production facilities or design capabilities for weapons the nation should not design or build. Betas place high priority on a robust infrastructure. The NDU/LLNL study talks about a total force posture that includes infrastructures. In this view the total posture becomes more important as forces are reduced. Infrastructure is seen as both an element of deterrence and as a necessary hedge for a very uncertain future. The view recognizes that maintaining hedges can lead to unwanted competition. It advocates discussions among nuclear states to develop mutual understandings as to what might be an appropriate hedge posture.⁴

3. How best to promote strategic stability The Alpha View is driven by the conviction that the United States and Russia must set an example by reducing their nuclear arms and de-legitimizing nuclear weapons to the extent possible. Alphas place emphasis on traditional arms control. In addition, they are strong supporters of less traditional measures, such as cooperative threat reduction and de-alerting of strategic forces. The Beta View is skeptical of traditional arms control as a means for enhancing strategic stability. It emphasizes the development of a strengthened strategic dialogue among nuclear states and the sharing of warning data with Russia. The Betas strongly oppose de-alerting, doubting that it solves any strategic problem and fearing reductions in the readiness of U.S. nuclear forces.

³ Since SORT already goes below this number, it’s safe to say that the ‘floor’ is now the SORT level of 1,700-2,200

⁴ Although it might seem arbitrary to include FMCT in the bilateral portion of the topic, this evidence establishes the logic of including it: it constitutes a check against a break-out of a deep-cuts regime. The deeper the cuts, the more important restricting the production capabilities of the states (smaller arsenal size makes each break-out weapon that much more significant).

Second Issue: Do we want to allow changes in all declaratory policies?

Conclusion: I do not think we really have multiple declaratory policies. I have yet to find a T card that makes the argument that we have country-specific declaratory policies. The ambiguities of US declaratory policy basically relate to whether certain contingencies or circumstances are covered by our NPT commitment not to use nuclear weapons against non-nuclear states. Even so, if this is a significant concern the TSC could easily add a qualifier/limiter after carefully evaluating its definition – global and general are two obvious examples.

Analysis:

Declaratory policy is general; the negative can advance a defensible T argument that “declaratory policy” without a qualifier or clarifying (narrowing) term such as “global” or “general” refers to the overall US position on use/non-use. US officials are very careful when they make statements about when their country would use nuclear weapons. The congressional document the Topic Paper authors sent out cites all the authoritative statements of declaratory policy since the Cold War. None of them contain provisions, exceptions or conditions for a specific country. Since those statements define our current declaratory policy, there is strong contextual support for requiring generalized changes, and thus excluding one-country-only security assurance Affirmatives.

Sloss 1999 (Assistant Director of the U.S. Arms Control and Disarmament Agency from 1976 to 1978 and U.S. ambassador to the Seabed Treaty Negotiations, formerly Fellow of the Center for Strategic and International Studies in Washington and the International Institute for Strategic Studies)
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Declaratory policy also retains a Cold War flavor. Official descriptions of the roles and missions of nuclear weapons have changed little. In public statements nuclear weapons remain an important element in deterrence, not just against old threats from Russia and China but new threats from potential proliferators. While current policy focuses on deterring nuclear attacks and threats, a window has been left open to deter chemical and biological threats. The administration has resisted pressures from many non-nuclear states and the arms control community to declare an unambiguous policy of "no first use," and it has been cool to ideas for further de-alerting of nuclear forces.

Third Issue: How much is added if we include new bilateral negotiations with Russia?

Conclusion: I think that if this portion of the topic is worded to require reductions in either deployed forces or total stockpiles, it will be fairly limited. Follow-on to START and limitations on tactical nuclear weapons are the core subjects of this literature. Since unilateral cuts in tactical nuclear weapons are topical under any wording, I think adding bilateralism is a good thing for the community. Unilateral tactical nuclear cuts are not advocated in the literature in isolation. Nearly every advocate for the unilateral reduction/withdrawal plan that was written into the Europe topic (2003-2004) actually advocated the negotiation CP.

As far as I know, the other issues on the US-Russian arms control agenda are either non-proliferation (Iran, North Korea, India) oriented or assistance-oriented.

Starting from the premise that bilateral negotiated de-alert is a competitive CP against unilateral de-alert, it is not possible to entirely exclude bilateral de-alerting from debate. This is true even if the Aff chooses not to argue that unilateral de-alerting causes Russian reciprocation.

Probably the most defensible way to argue in favor of bilateral de-alert given the wordings being discussed is to argue that is a declaratory policy *and* a bilateral agreement (the wording does include 'one or more'). But it is not a reduction in deployed forces unless it is technically/physically the same thing as cuts.

It is not possible, for physical and technical reasons, to allow bilateral deep cuts without allowing some kind of de-alerting. In fact, it is not really possible to allow unilateral deep cuts without allowing some amount of de-alerting. The normal means process of reducing warheads – either unilaterally under the Stockpile Plan or bilaterally under the SORT involves taking weapons out of the operationally deployed force and rendering them inactive. First, the delivery system and the explosive are disconnected. Then the explosive components either go into the 'responsive force' of weapons kept ready for redeployment on a short-term basis, or into long-term storage in the 'reserve,' or are used as spares. This is remarkably similar to de-alerting measures. As near as I can tell the only distinction between status quo reductions and de-alerting proposals is that the latter affect the entire deployed force.

To prevent the Aff from exclusively de-alerting bilaterally, without reducing the size of the deployed arsenal, the TSC could use a wording for this portion of the topic that uses the word 'reduce.' De-alerting does not reduce the size of the arsenal, only the speed with which it can be used. If an Affirmative explicitly – rather than implicitly - combined de-alerting with START follow-on, but tried to avoid the START debate, the Negative could always use the logical exclusion CP and reductions bad DAs.

Analysis:

Contextually, de-alerting and reductions in the size of the deployed force are distinct. You can clearly de-alert without cutting deployed forces, and vice versa.

Sloss 1999 (Assistant Director of the U.S. Arms Control and Disarmament Agency from 1976 to 1978 and U.S. ambassador to the Seabed Treaty Negotiations, formerly Fellow of the Center for Strategic and International Studies in Washington and the International Institute for Strategic Studies)

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The new realities are reflected in a series of concrete actions: sharply lower budgets for nuclear missions; **substantial reductions in deployed nuclear forces; reductions in the alert status** of strategic bombers and theater nuclear weapons; and reorganization and reorientation (and renaming) of several Cold War agencies such as the former Strategic Air Command. The United States has also ceased nuclear testing and the manufacture of nuclear weapons. The nuclear relationship with Russia has undergone a metamorphosis from confrontation to cooperation, although elements of distrust and suspicion remain. Under the so-called Nunn-Lugar legislation, a series of measures have been taken to reduce the possibility that Russia will export nuclear weapons and knowledge, while improving the safety of those weapons that still remain in its stockpile The legacy of the Cold War is a stockpile of more than 5,000 strategic weapons, deployed on missiles and bombers. Such high levels remain because the Russian Duma (parliament) has failed to ratify the START II Treaty, which would reduce strategic forces further, and the United States has been unwilling to make reductions without reciprocity from the Russians. Future acquisition planning is directed at extending the life of current weapons systems as far as possible into the future.

It is difficult to distinguish between implementation measures for deep cuts and de-alerting measures. De-alerting means increasing the amount of time it takes to launch an armed weapon. For this reason, many of the measures involve physically separating weapon components from delivery systems.

IPPNW 2002 (International Physicians for the Prevention of Nuclear War)

<http://www.ippnw.org/ResourceLibrary/DealertingFAQ.pdf>

What are some of the ways to de-alert nuclear weapons?

- **Store warheads separately from their delivery systems. This requires secure storage areas and containers.** Complete de-alerting of all warheads by this method may therefore take some time.
- Pin open the switches used to fire missile motors;
- Remove the pneumatic mechanisms that open missile silo covers;
- **Remove the guidance systems** of missiles;
- Block land-based missile silo covers;
- **Remove the tritium bottles** from warheads;
- Insert an explosion-neutralizing wire in the hollow core of the plutonium "pit." Such "pit stuffing," which can be made irreversible, makes it physically impossible for the weapons to explode.

That is precisely how START II deals with systems prior to dismantlement, and how it distinguishes between conventional versions of nuclear-capable systems or platforms
START II treaty text

<http://www.dod.mil/acq/acic/treaties/start2/text.htm>

10. Each Party shall locate storage areas for heavy bomber nuclear armaments no less than 100 kilometers from any air base where heavy bombers reoriented to a conventional role are based.

This isn't just academic, since the way the US reduced its arsenal under the Bush Administration was effectively the same as de-alerting; it rendered the weapons it cut from the deployed force 'inactive' by separating them from delivery systems. Earlier administrations stored the START warheads separately from their tritium (see IPPNW above) in the strategic reserve.

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World Nuclear Forces Appendix 13A.

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