

Citizen's Watch



Nuclear Weapons Funding News You Can Use Today

The Fiscal Year 2014 budget request contains \$7.87 billion for the nuclear weapons activities of the U.S. Dept. of Energy National Nuclear Security Administration (NNSA).

This represents an increase of \$1.145 billion (17%) from the comparable 2013 appropriation, after accounting for the sequester and for activities that NNSA shifted out of weapons activities into other accounts this year. For members of Congress and the public who are looking for federal budget savings, there are at least \$2 billion dollars that can and should be cut from this request.

For comparison, NNSA nuclear weapons activities were allocated less than \$4.6 billion in 2000; a funding level we pointed out was too high at the time. Adjusted for inflation, that's equal to around \$6 billion today. Thus, a \$2 billion cut now would impose only a modest reduction from the agency's 2000 funding level. Limiting FY 2014 weapons activities at NNSA to \$5.87 billion is, in our opinion, the least Congress should do.

Here are some of the NNSA nuclear weapons programs we recommend for the budget ax.

❖ **LEPs:** The agency's Life Extension Programs (LEPs) are continuing to escalate, resulting in more extreme modifications that add new military capabilities to the nuclear arsenal in increasing contradiction to the policy articulated by the President and the Nuclear Posture Review.

The FY 2014 budget request shows a nearly 80% rise in LEPs to more than \$1 billion. Included in that is \$537 million for the controversial overhaul of the B61 nuclear bomb deployed in Europe and \$73 million to begin the LEP study at Livermore Lab for the so-called "interoperable" W78/88-1 warhead to be launched from either land based silos or submarines. The B61 LEP is estimated to cost \$10.4 billion while the W78/88-1 is likely to end up in the \$28 billion range, according to sources in Washington, DC. We recommend that Congress act to constrain the LEPs, saving more than half a billion dollars this year and tens of billions over the coming decade.

❖ **Campaigns:** Additionally, the budget request contains more than \$1.7 billion for nuclear weapon campaigns. Included is a 24% rise for Advanced Certification, along with other activities tied more to bomb design than actual maintenance of the existing arsenal. We recommend carving at least another half-billion or more out of the campaigns.

❖ **NIF:** We note in particular that the budget request for the Inertial Confinement Fusion (ICF) campaign that funds the National Ignition Facility (NIF) at Livermore Lab is down only slightly, although NIF failed to reach ignition (or even come close). The FY 2014 ask for ICF is \$461 million, the lion's share of which will find its way to NIF.

Shockingly, Bay Area Representatives Zoe Lofgren and Eric Swalwell orchestrated a sign-on letter to Senator Dianne Feinstein soliciting her help to increase the NIF budget. Feinstein, who chairs the Senate subcommittee that appropriates funding for NNSA, wisely declined. We recommend instead that funding for NIF be further reduced, and that management of the mega-laser be taken away from NNSA and placed in a civilian science agency. NIF could then run as an unclassified facility for astrophysicists, geophysicists, material scientists and others to see what science the country can get for the more than \$7.5 billion spent to date. This could shift up to \$400 million out of NNSA, while cutting the NIF funding by half.

❖ **UPF:** There are genuine infrastructure upgrades needed in the nuclear weapons complex, specifically for safer and more rapid dismantlement of nuclear weapons at the Pantex Plant in TX and for the disassembly of their secondaries (the H-bomb component) at the Y-12 facility in TN. However, the NNSA's FY 2014 budget request largely ignores these important activities and, instead, seeks to lavish funds on the so-called "modernization" of new bomb production facilities in the nuclear weapons complex.

For example, the proposed Uranium Processing Facility (UPF) at Y-12 is undergoing a design change that will eliminate the facility's disassembly capability while retaining the capacity to build up to 80 new nuclear weapons secondaries each year, a production quota that is "needed" only if new designs are included in the mix. The FY 2014 budget request for UPF is \$325 million. Its overall cost is currently estimated at \$11 billion. We recommend that Congress restrain the production capacity at UPF and fence or eliminate its 2014 funding until NNSA comes up with a design that makes sense.

And so it goes. The FY 2014 request for NNSA nuclear weapons activities contains too much money for Cold War-era bomb programs and too little for 21st century programs to draw down the arsenal and de-emphasize nuclear weapons in our

Continued on Page 3...



Tri-Valley CAREs Shakes up DC!

Your Tri-Valley CAREs team linked up with activists from more than a dozen states who live around U.S. nuclear weapons facilities and dump sites, and, together, we shook our nation's capital out of some of its usual complacency.

Over four long days in April, we conducted 100 meetings with members of Congress, key committee staff, and officials at the White House, Dept. of Energy, Pentagon, Nuclear Regulatory Commission, and more.

Tri-Valley CAREs does "DC Days" each year with the Alliance for Nuclear Accountability (ANA). This spring marked ANA's 25th year of superb collaborative activism.

In meetings, we focused on exposing wasteful and dangerous projects including new bombs like the B61 and bomb plants like the UPF. We also advocated cuts for DOE boondoggles like MOX (mixed oxide plutonium fuel) and the National Ignition Facility.

In numerous meetings, your Tri-Valley CAREs team presented decision-makers with signed copies of our petition to stop the transport of plutonium bomb cores from Los Alamos to Livermore. "I really felt like I was being heard when I talked about the dangers posed by this plan," said team member Janis Turner.

We also discussed Livermore Lab's Fiscal Year 2014 budget request and handed out pie charts showing that nearly 84% of the money is for nuclear weapons activities with only 3% for science and even less for cleanup.

Your Tri-Valley CAREs team disseminated a new, updated graph by Dr. Robert Civiak that plots the increase in spending on nuclear weapons against the reductions to the arsenal to reveal the huge surge in per weapon expenses. This handout was very popular in meetings with members of Congress.

Copies of the Livermore Lab budget chart, nuclear weapons spending graph, and photos of your team in action are on our website at www.trivalleycares.org

Print Bites: All the News that Fits to Print

➡ **Winning 3rd Place:** Our entry in the annual Livermore Rodeo Parade included an atomic orange truck, "radioactive" balloons and banners to "Stop the Transport of Plutonium Bomb Cores to Livermore." Thanks go to all our volunteers who created the float and rode, walked, held banners, gave out balloons and leafleted alongside it in the parade.

➡ **San Onofre Shuttered:**

Southern California Edison announced it will permanently retire its beleaguered San Onofre Nuclear Generating Station in Orange County. The utility said its decision is due to "continuing uncertainty" about when or if the nuclear power plant "might return to service." This is a testament to the power of activism. Kudos to all who struggled to prevent San Onofre from being re-opened in the face of serious, unresolved safety questions.



➡ **NIF Pu shots:** We are suing the government in part for withholding information we requested on plans to use plutonium in experiments at the National Ignition Facility (see page 4). Last month a blog appeared on *LLNL-the-true-story.com* suggesting that the decision to use plutonium at NIF may be imminent. The blogger noted the dangers and wrote, "Tri-Valley CAREs needs be on this if they aren't already." We are! Further, we are glad to be considered by Lab employees as a "go to" on safety.

➡ **MOX news:** Despite attempts by Senator Lindsey Graham and other SC politicians to rescue the Mixed Oxide, or MOX, plutonium fuel fabrication facility at the Savannah River Site, it appears that activists' efforts to stop the plant are paying off. The Fiscal Year 2014 budget request for it is more than 25% lower than last year's appropriation, and its "outyear" funding is in doubt. As we go to press, Senator Graham is pressing the Senate Armed Services Committee, on which he serves, to authorize additional money for the coming year. Hopefully, cooler heads will prevail and none will be appropriated. We foresee the action moving to whether DOE will undertake an actual detailed, unbiased study of alternatives like immobilization or a pretend "study" of how to do MOX on the cheap. Stay tuned.

➡ **Nuclear (in)security:** The three peace activists who undertook the "Transform Now Ploughshares" action in 2012 by walking into the Y-12 nuclear weapons plant in TN were convicted last month. They face up to 20 years in prison on multiple charges including "sabotage" although their actions were nonviolent and involved symbolic acts like pouring blood. "Our actions were providing real security and exposing false security," said Greg Boertje-Obed (56). Also convicted were Sister Megan Rice (83) and Michael Walli (64). This month Boertje-Obed's words seem both prophetic and literal: On June 6, security officers at Y-12 waved through a 62-year old woman who was lost and did not belong on-site. According to news reports, she drove the length of the major thoroughfare spanning the nuclear weapons plant, passing within a stone's throw of buildings producing nuclear weapons and storing hundreds of tons of highly enriched uranium.

➡ **Community Sees Cleanup:** Tri-Valley CAREs arranged a special tour last month of Superfund cleanup areas at Livermore Lab's main site. Participants were guided by Lab technical staff. First stop was the facility where the off-site contaminated groundwater is treated. Next, we visited areas where chemical and radioactive pollutants pose unique challenges to cleanup. The group also saw an area where the Lab is using "bio-treatment" to break down volatile organic contaminants. We then toured a location where pneumatic fracturing was used to break up the subsurface to optimize access to contaminants. That process remained controversial. Throughout the tour, questions were asked and difficult issues were discussed candidly. Huge thanks to the Lab folks who made our tour possible.

Tri-Valley CAREs

Communities Against a Radioactive Environment

2582 Old First Street, Livermore, CA 94550 • (925) 443-7148 • www.trivalleycares.org



June 18, 2013

Dear Tri-Valley CAREs supporter,

We have just filed litigation under the Freedom of Information Act, the nation's key open government law. This action will force information disclosures that can stop plutonium bomb cores from being put on the road, and more!

We are your watchdog organization, embarking on this lawsuit to hold the government accountable and make sure it is not allowed to hide its plutonium plans and other dangerous projects from you. This is crucial information we all have a right to know. Yet, it will never become public without our legal action. That's why I am writing you today.

I need your support to take the next step. You and I understand that prosecuting this case is crucial. However, going head to head with the U.S. Department of Energy in federal court will not be easy or inexpensive. So I am asking for your help with the court fees, legal expenses and staff time that will be needed to win this case. Will you stand with me and make a tax-deductible donation? **Thank you.**

Together, I know we can prevail and we must. Obtaining timely information is as essential to Tri-Valley CAREs' ability to influence nuclear policy as breathing air is to life.

This will be our fifth lawsuit under the Freedom of Information Act, and we have a history of winning each and every one. Even more important, we have used the information we gained to **stop new nuclear weapons** and **prevent unsafe practices** that harm Lab workers and the 7-million residents in the surrounding Bay Area and Central Valley communities.

Our new litigation will compel the release of documents the government is trying to illegally keep secret regarding its plan to truck nuclear bomb cores back and forth between Los Alamos, NM and Livermore, CA. Additionally, our legal challenge will pry loose time-critical information about the proposed use of plutonium in the failure-ridden National Ignition Facility (increasing its radioactive emissions) and Livermore Lab's beryllium practices that have led to worker exposures. Together, **we can change these policies.**

With our amazing staff attorney, Scott Yundt, at the helm, I foresee another legal victory. As Executive Director, however, I must also ensure that we obtain the funding to support it. **May I count on you to help?**

As you know, Tri-Valley CAREs has become widely known and respected for its research, analysis, political advocacy and community organizing as well as for its litigation skills. Here are a few recent examples of our effective activities that you and others like you have made possible.

Your Tri-Valley CAREs team played a lead role in "DC Days" by helping to educate scores of new activists and participate with them in 100 meetings (**yes, 100!**) with Congress and the

(turn over)

Obama Administration. **Our recommendations are being heeded** to cut nuclear weapons programs – from new bombs and bomb plants to NIF and MOX (mixed oxide plutonium fuel).

Tri-Valley CAREs' work to halt the further development of nuclear weapons is bearing fruit this year. **Recently we:**

- Raised questions about a Livermore Lab proposal to design a so-called “interoperable” warhead with the power to launch nuclear devastation interchangeably from land and sea. Working with colleagues, and using information from a formerly secret memo that revealed U.S. Navy disagreement with the plan, we sparked the first-ever enquiry from elected officials, a key step in **preventing this warhead** from becoming reality.
- Informed decision-makers about the rising cost of overhauling the B61 nuclear bomb deployed in Europe. Estimates to create the new B61-12 bomb have risen from \$3.9 billion to \$10.4 billion. Our work helps prevent this new bomb from being developed, **servicing disarmament** and economic goals simultaneously.

Indeed, part of the incalculable “return on investment” you and I receive by supporting Tri-Valley CAREs is in creating, together, a more peaceful, just and sustainable future.

I am also excited to tell you about some of the upcoming events and public involvement activities that are crucial to creating real social and political change. **Soon we will:**

- Host a major **Hiroshima** commemoration at the gates of Livermore Lab.
- Hold an annual Strategic Planning event to democratically chart our **path forward**.
- Bring **youth** and others to speak truth to Congress about the impacts that nuclear weapons and pollution have on their lives.
- Use the documents we win in litigation to further **educate the public** and decision-makers to stop bomb cores from being put on our highways - and more!

You and I both know that Tri-Valley CAREs often succeeds against great odds. But, you may not realize how important your donation is to our continued success. We truly cannot do this work without you and others like you.

And, so, I pledge to personally donate \$1,500 over the coming 12 months, starting with a contribution of \$500 now. **Can you match my gift?** Are you in a position to offer a greater gift? Or, can you give a smaller amount? Your donation in any amount is greatly appreciated. None of us is asked to carry the burden alone. If we each give what we can, I am confident we will raise the funds necessary to win the lawsuit and carry out our other important actions.

For peace, justice and a healthy environment,



Marylia Kelley,
Executive Director

P.S. **Don't risk putting this letter aside and losing it.** Please mail your tax-deductible gift today, or go to www.trivalleycares.org and use our secure credit card donation site set up through Network for Good. Thank you for your contribution!

Tri-Valley CAREs

Respected, Effective & In the News!

CONTRACOSTA TIMES By Jeremy Thomas
Date: 06/12/2013

Livermore anti-nuclear group sues federal agencies for documents on Livermore lab

OAKLAND -- A Livermore nuclear watchdog group has sued the U.S. Department of Energy and the National Nuclear Security Administration (NNSA), accusing the agencies of repeatedly violating the Freedom of Information Act.

According to the complaint, filed Friday at the U.S. District Court in Oakland, Tri-Valley CAREs (Communities Against a Radioactive Environment) alleges the agencies withheld unclassified documents regarding operations at Lawrence Livermore National Laboratory on five occasions in 2011 and 2012. The requested records included documents related to the National Ignition Facility, the status of special nuclear materials at the lab, worker exposure to hazardous materials and the NNSA's Revised Plutonium Strategy.

The Freedom of Information Act gives federal agencies 20 days to respond to public requests; in each of the group's requests, according to the suit, the

information is overdue by between one and two years.

"It's a pattern," said Tri-Valley CAREs' staff attorney Scott Yundt. "Most of the documents we've asked for are time critical ... It means the community doesn't get to have the information necessary to make informed public comments."

Tri-Valley CAREs has filed five similar lawsuits since 1998 -- all have been successful to some degree, Yundt said. The latest suit seeks a court injunction requiring release of the information, attorney fees and a special counsel to investigate whether there is an "unlawful pattern and practice" by the DOE and NNSA of withholding information from Tri-Valley CAREs.

National Nuclear Security Administration spokesman Al Stotts said the agency would have no comment on the lawsuit. The NNSA's parent agency, the U.S. Department of Energy, did not immediately respond to a request for comment.

4 Ways to Donate to Tri-Valley CAREs

1. **Send in your check today** - Why put off until tomorrow the great activism you can support today?
2. **Donate on-line at www.trivalleycares.org** - We have a secure on-line system set up with *Network for Good*. Visit our website and use it to make a one-time contribution or to set up a regular giving program.
3. **Make a gift of stock** - Donating stock can bring you significant tax benefits. We have an *E-trade* account and can process your donation simply and easily.
4. **Make a bequest** - Include Tri-Valley CAREs in your will. The Dept. of Energy is going to leave a lasting toxic legacy. Will you leave a positive legacy so that we can continue the struggle?

Tri-Valley CAREs
2582 Old First St.
Livermore, CA 94550

YES! Here is my tax-deductible donation of

___ \$30 ___ \$50 ___ \$100 ___ \$300 ___ \$ 1000 ___ Other

Name _____ Phone _____

Address _____ Email _____

State _____ Zip _____ City _____

I am contributing \$30 or more. Please send me a commemorative Tri-Valley CAREs 30th Anniversary Canvas Tote Bag





August 6, 2013

Unfinished Business

and our most Urgent Responsibility

Banning the Bomb

at the Livermore Lab and Globally



Sixty-eight years after the United States dropped atomic bombs on the people of Hiroshima and Nagasaki, Japan, the threat of nuclear annihilation remains. Nuclear devastation could come by accident, miscalculation, madness or malevolent intent. Events like Fukushima demonstrate the dangers of nuclear technologies derived from the bomb. And, while instructions on how to “duck and cover” to survive a nuclear bomb may seem quaint, modern propaganda still blinds many to our most urgent and unfinished business: the total abolition of nuclear weapons.

We ask all who seek peace and justice to come to Livermore Lab on August 6 for a rally with musicians, speakers, Taiko drummers and more. Immediately following will be a short march and nonviolent direct action at the West Gate. We will gather at the location where U.S. nuclear weapons scientists are developing the world’s first so-called “interoperable” warhead to deliver annihilation interchangeably from land or sea.

WHAT: Hiroshima Commemoration, Rally and Action

WHEN: Tuesday, August 6, 2013, 7 AM program, 8:15 AM march

WHERE: Gather at Livermore Lab northwest corner, at Vasco & Patterson Pass Roads

PARKING: There will be parking set up along Patterson Pass Road

BART: Van pick-ups at the Dublin-Pleasanton BART Station. Must call to reserve a spot.

DETAILS: (925) 443-7148 or (510) 839-5877, www.trivalleycares.org or www.wslfweb.org

Cosponsored by American Friends Service Committee, Asian Americans for Peace & Justice, Ecumenical Peace Institute, Livermore Conversion Project, Mt. Diablo Peace & Justice Center, No Nukes Action Committee, Peace Action West, Physicians for Social Responsibility Bay Area Chapter, Tri-Valley CAREs and Western States Legal Foundation. Additional co-sponsors are welcome.

◆ Alerts 4 U ◆

Wednesday, July 3

**Letter to the Editor writing party
5:30 PM – 7 PM, Tri-Valley CAREs
2582 Old First St., Livermore
(925) 443-7148 for details**

Come and write a letter to the editor of your favorite newspaper in a friendly and supportive environment. Our suggested topic will be the Hiroshima commemoration on August 6, its meaning for today's world, and, more broadly, why nuclear disarmament is important to you. We will offer a short briefing and handouts to get you started. Or, you may choose to write on a different topic. Snacks and refreshments will be served.

Friday, July 12

**Monthly Livermore Peace Vigil
7 AM – 8 AM, Livermore Lab West
Gate, Located at Vasco Road &
Westgate Drive
(925) 443-7148 for details**

Vigil leaders are Chelsea Collonge and Marcus Page. The monthly vigils are a practice of peace. Lab workers are encouraged to stop and discuss nuclear weapons and their abolition. Additional vigil participants are welcome. Come one time, or return each month.

Saturday, July 13

**Tri-Valley CAREs Strategic Planning
9:45 AM – 4 PM, UCC in Livermore
RSVP is required: (925) 443-7148**

Tri-Valley CAREs' Board of Directors takes a leadership role in conducting the strategic planning retreat each year. To participate, you *must* RSVP. (See the box at the bottom of this page for more information).

Thursday, July 18

**Tri-Valley CAREs meets
7:30 PM – 9 PM, Livermore Library
Community Room A
1188 South Livermore Ave.
(925) 443-7148 for details**

Our monthly meetings are open to new and longtime members alike. Get the latest news on nuclear weapons and related topics, meet great people and help change the world. Snacks included.

Tuesday, August 6

**Hiroshima Day Action
Gather at 7 AM, March at 8:15 AM,
Livermore Lab, Corner of Vasco
Road & Patterson Pass Road
(925) 443-7148 for details**

This year's event will include a rally, march and nonviolent direct action. (See insert flier for details)

Nuke \$\$\$\$... *Cont. from Page 1*

national policy. No matter the rhetoric, if the money is appropriated by the U.S. Congress, the signal to the rest of the world will be: Nuclear weapons forever for us, but not for you. How do you think other countries will interpret the message?

In addition to our recommendations to Congress to rein in the excessive nuclear weapons budget, we have an urgent recommendation for members of the public, too. You have probably heard the saying, "all politics is local." Your Senators and Representative need to hear from their constituents; that is, the voters who live in their state or district, YOU.

You can contact them through the capitol switchboard at (202) 224-3121 or email them through their websites or send postal mail. The method is not as important as the communication.

Get Dr. Robert Civiak's updated graph with the FY2014 NNSA weapons activities budget request at <www.trivalleycares.org/new/MoreFundingFewerWarheads_FY14Req_CHART.pdf>

Get Our E-Alerts!

Make sure we have your correct email address by sending us an email at: scott@trivalleycares.org



The 2013 Strategic Planning Retreat

Date: Saturday, July 13, 2013

Time: 9:45 AM to 4 PM. Bring something to share for a potluck lunch.

Place: United Christian Church, 1886 College Ave., Livermore

Who Should Participate: If you are a Tri-Valley CAREs member, supporter, volunteer, staff or board member, the answer is "you." If you want to give peace a strategy - and work with us to carry it out - we welcome your participation.

What Do You Need To Do? First, RSVP. We will send you a packet with guidance on how to do strategic planning, the day's agenda, and other relevant information.

The Setting: UCC is a relaxing place in which to contemplate a "green vision" for Livermore Lab and a nuclear weapons free world for future generations. Come nurture your activist spirit and help plan the best possible path for Tri-Valley CAREs in the coming year.

RSVP is required • Space is Limited

Contact: marylia@trivalleycares.org • (925) 443-7148

Tri-Valley Communities Against a Radioactive Environment

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Litigating Your Right to Know

Tri-Valley CAREs hauled the U.S. Dept. of Energy and its National Nuclear Security Administration into federal court this month for systematically violating the Freedom of Information Act (FOIA), our country's most important open government law.

The charges stem from five separate incidents where the government willfully failed to respond to the group's information requests and illegally withheld documents the public has a right to see. The information withheld is of urgent importance to the local community and the broader public at large.

The five FOIA requests involve: proposed shipments of plutonium bomb cores back and forth between Los Alamos in New Mexico and Livermore; the Livermore Lab's plan to use plutonium in the National Ignition Facility; the Livermore Lab's security posture following the removal of special nuclear materials; the status of the High Explosives Application Facility at the Livermore main site; and recent Lab worker exposures to highly toxic beryllium.

Tri-Valley CAREs submitted the five FOIA requests in 2011 and 2012. Neither DOE

nor NNSA has provided any responsive documents to date. The law gives agencies 20 days; in each of these instances a year or more has elapsed. On June 7, the group filed its lawsuit in the federal District Court in downtown Oakland.



"As a 'watchdog' organization, we rely on FOIA to obtain documents and inform the community," said Staff Attorney Scott Yundt. "By violating the law, DOE and NNSA are robbing people of information they could use to press for policy changes that would safeguard

worker and public health and the environment."

The litigation further charges DOE and NNSA with exhibiting a "pattern and practice" of violating the law. The group's suit asks the judge to appoint a Special Counsel to investigate the pattern of abuse. The Special Counsel would then determine whether further disciplinary action is warranted and against whom.

"A positive ruling in this lawsuit could set a precedent with national implications," said Yundt. "It could force DOE and NNSA to speed up response times and provide appropriate documents to FOIA requestors across the country."

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