

Citizen's Watch



Tell Congress to Hold the LYNE Stop Trump's "More Usable" Warheads

The Trump Administration is pushing ahead with the development of a new, dangerous and more usable nuclear warhead. **With your help, we can stop it!**

As described in the President's Nuclear Posture Review and fiscal 2019 budget, the new nuke will be a submarine-launched "low yield" variant to sit atop Trident D5 missiles. According to Trump it will make a U.S. strike more "credible." In actuality, it lowers the threshold for nuclear use and makes nuclear war more likely.

Representatives Adam Smith (D-WA), Ted Lieu (D-CA), John Garamendi (D-CA), and Earl Blumenauer (D-OR), along with Senator Ed Markey (D-MA), have responded by introducing a bicameral bill, the Hold the LYNE – Low Yield Nuclear Explosive – Act. This crucial piece of legislation, if passed, would prohibit any funds from being used for the research, development, production or deployment of this new warhead.

Here is where you come in. **Together we will "Hold the LYNE"** by increasing the number of co-sponsors on the bill in the House of Representatives. Your immediate phone calls, emails and letters are needed to accomplish this. Further, your member of Congress may be holding local "town halls" and other meetings you can attend and publicly request his/her co-sponsorship.

The bill's title is H.R. 6840, the Hold the LYNE Act. Here are three ways you can support this crucial legislation and prevent nuclear war before it starts:

1. Make a phone call to your member of Congress. If you already have a relationship with a particular staff person, call that person. Or, you can use the Capitol Switchboard at (202) 224-3121. Here is a sample script:

"Hello. My name is xxx, and I am a constituent from (be sure to say your city). I'm calling to urge Rep. xxx to **co-sponsor H.R. 6840**, the Hold the LYNE Act to prohibit funding for a dangerous, low yield, submarine-launched warhead that will reduce the threshold for nuclear use and make nuclear war more likely. This issue is very important to me. I would like to be kept

informed about whether Rep. xxx becomes a co-sponsor. Thank you."

2. Send an email or letter to your member of Congress.

You can email a staff person you know. Or, go to your Representative's website. Each office has instructions for writing a letter. Postal mail takes longer, so email if you can. You may use the same script as above, or write something like this:

"Dear Rep. xxx: I write as a constituent to ask you to **co-sponsor H.R. 6840**, the Hold the LYNE Act. This is a crucial piece of legislation that will prohibit the research, development, production or deployment of a new, low-yield,

submarine-launched nuclear warhead that will sit atop Trident D5 missiles. This warhead would lower the threshold for nuclear use and make an all-out nuclear exchange more likely. As the only country to have used these horrific weapons in war, the United States should be leading the world toward their elimination, not developing new variants that make future nuclear use more likely. Please add your name to H.R. 6840, the Hold the LYNE Act, today. And, keep me informed of your decision. Sincerely, (Your name and postal address as well as your email address)."

3. Attend a public "town hall" or other event with your member of Congress. First, get called on. Then, brevity will be key. Be prepared with a short clear message. State your name and that you are a constituent from (say your city). Say you would like to ask him/her to co-sponsor the H.R. 6840, the Hold the LYNE Act, to prohibit a new low-yield submarine-launched nuclear warhead. Say this issue is important to you. Be sure to give your contact information to the staff person and say you would like to be kept informed.

4. Bonus action. Write a Letter to the Editor. Go to Tri-Valley CAREs Facebook page and share our alert. Or, take another action...

Note: You can print a copy of H.R. 6840, the Hold the LYNE Act, and also see who has cosponsored so far at www.congress.gov - If your member of Congress is already on the bill, call to say "thank you."



Good News and Next Steps

We were pleased that every DNFSB Board Member raised concerns about DOE Order 140.1 at the August 28 hearing, and that, following the hearing, Safety Board Members unanimously voted to send the September 17 letter referenced above raising key concerns and asking DOE to suspend the Order so that DNFSB could “collaborate with [DOE] on what revisions would be appropriate.”

The Safety Board is currently working on internal “Red Line Strike Out” editing advice on Order 140.1, which it will provide to DOE. Additionally, DNFSB plans to hold two more public hearings on the Order. The first one is scheduled for November 28th in Washington, DC and the second will be held early next year in New Mexico near the Los Alamos National Lab.

The final Energy and Water appropriation for Fiscal Year (FY) 2019 included language that requires DOE to provide a briefing for the House and Senate Appropriations Committees to explain the Order, including how DOE is responding to concerns from DNFSB and the public, and how DOE is carrying out implementation of the Order.

We also expect, and will encourage, the House and Senate Armed Services Committees to raise issues regarding Order 140.1 as part of their consideration of the FY 2020 National Defense Authorization Act.

Tri-Valley CAREs will continue to play a leading role in highlighting the dangers of Order 140.1 at opportunities such as the two pending DNFSB hearings. We will continue to advise members of Congress and administration officials on policy and budget. Our efforts will help persuade policymakers to act to ensure that DNFSB can effectively carry out its statutory mandate to provide much needed safety investigations and oversight at Livermore Lab and throughout the nuclear weapons complex.

❖ Print Bites ❖ *All the News that Fits to Print*

❖ **Community Involvement in Cleanup.** Under the Superfund law, a Community Involvement Plan (CIP) is a crucial part of the overall remedy for heavily polluted sites, including at Livermore Lab. Indeed, the CIP is intended to be the strategy that enables public participation throughout the decades-long process of cleaning up hazardous wastes that have leaked into the environment. Livermore Lab’s Main Site and the Site 300 high explosives testing range are both active Superfund cleanup sites. They have a smorgasbord of commingled toxic and radioactive contaminants in soils, multiple groundwater aquifers and some surface waters. The cleanups could take until 2080. If thorough cleanups don’t occur, the existing pollution will threaten our future generations’ access to clean air, land and water.

Recently, the Department of Energy released an updated CIP covering the Livermore Lab Main Site and Site 300. This document will determine how – and if – residents in the communities surrounding these polluted sites will be brought into the decision-making process. Our analysis finds it is flawed in important ways that will prevent significant segments of the populations surrounding the sites from learning about the Superfund cleanup and participating in decisions. In particular, we were troubled to read that the Lab’s CIP contains zero commitment to translate materials into Spanish or assist Spanish speakers to provide testimony at public hearings and meetings. Tri-Valley CAREs made recommendations to improve the CIP, which are available on our website.



❖ **Bomb Blasts.** This summer, scores of community members from Tracy, Livermore and surrounding towns demonstrated the true power of grassroots democracy at the San Joaquin Valley Air Pollution Control District’s Public Hearing on the proposal to increase the size of open-air toxic bomb blasts at Site 300 near Tracy, CA. More than 80 people,

representing all ages and backgrounds came together to challenge the Air District’s preliminary decision to grant Livermore Lab a permit to detonate bomb tests with up to 1,000-pounds of exotic high-explosive compounds and 121 hazardous contaminants in each blast on an outdoor “firing table.” Since the hearing, Tri-Valley CAREs submitted a detailed comment to the Air Board, which is available on our website. We will keep you posted as to the next steps in the Air Board’s decision making process.

❖ **Cali leads the way.** On August 28, 2018, Assembly Joint Resolutions 30 and 33 both passed the Senate, having previously passed the Assembly. Our members played a big role in this major victory! Assembly Joint Resolution 30 (AJR 30), introduced by Cecilia Aguiar-Curry (D-Winters), urges the U.S. Congress to pass legislation to restrict the President’s ability to launch a nuclear first strike on his sole authority. No checks or balances are presently in place. Assembly Joint Resolution 33 (AJR 33), introduced by Monique Limon (D-Santa Barbara), puts the State of California on record in support of the Treaty on the Prohibition of Nuclear Weapons, adopted by 122 countries at the UN last year. AJR 33 calls on the U.S. to undertake a series of key disarmament measures - and to sign the Treaty. Its historic passage by the California legislature will speed other states (and even more cities!) to pass similar resolutions. With these votes, and with 12% of the country’s population, California has risen to lead toward a safer, saner and nuclear weapons-free future for all life. Well played, Cali!

Getting Strategic

Tri-Valley CAREs board members, staff, interns and representatives from our membership met in September to review our commitments from last year's strategic planning retreat and plan our program priorities for the coming year.

The group looked carefully at strategic opportunities and potential threats anticipated in the coming year, balanced against Tri-Valley CAREs' current strengths and weaknesses, and then voted on which program areas should rise to the top. The following are our strategic priorities for 2018/2019...

1st Place: SAFEGUARD COMMUNITY HEALTH AND SAFETY

This is about achieving a publicly accepted, comprehensive cleanup under the Superfund law of toxic and radioactive contamination in soil, groundwater and some surface waters at the Livermore Lab Main Site and Site 300. This priority also encompasses preventing bigger bomb blasts from being conducted in the open air at Site 300.

2nd Place: STOP NEW NUCLEAR BOMBS AND BOMB PLANTS

This is about preventing the development of new and modified nuclear weapons – and the new factories that would produce them, including the new W80-4 warhead for a new Long-Range Stand Off weapon and the novel-design Interoperable Warhead-1. This priority also addresses the low-yield “more usable” sub-launched nuke and industrial-scale plutonium bomb core production.

3rd Place: INVESTIGATE LIVERMORE LAB FACILITIES

This is about “watchdog” activities to investigate key nuclear facilities at Livermore Lab. With this priority, Tri-Valley CAREs will use right-to-know laws and other means to: 1) monitor whether Livermore is gearing up for another attempt to conduct plutonium bomb core “shake and bake” experiments at its hardened engineering test building (B334) and similar initiatives; 2) seek new information on earthquake deficiencies in the Lab's main plutonium facility (B332) and vulnerabilities in its tritium facility (B331) and; 3) whether the Lab is pursuing enhanced readiness to conduct nuclear-yield tests in Nevada in order to certify novel warhead designs.

4th Place: PROMOTE GLOBAL NUCLEAR DISARMAMENT

This is about contributing to the global abolition of nuclear weapons. Under this priority, Tri-Valley CAREs will focus on progress toward entry into force of the UN Treaty on the Prohibition of Nuclear Weapons. This priority also addresses our participation as a non-governmental organization at the UN in proceedings such as the Preparatory Committee Meeting on the nuclear Non-Proliferation Treaty and other similar instruments of international and humanitarian law.

5th Place: SAFEGUARD WORKER HEALTH AND SAFETY

This is about justice for Livermore Lab, and Sandia, Livermore, workers exposed to toxic and radioactive materials. With this priority we will also act to preserve ongoing worker health and safety measures, including by fortifying the Defense Nuclear Facilities Safety Board (See article on Page 4).



Do you, or someone you know, have a passion for environmental justice and empowering communities to create positive change? Tri-Valley CAREs is looking to hire a Bilingual Community Organizer to build community capacity and empower residents in western San Joaquin County to better involve them in environmental decision making. Call us at 925-443-7148 for more info and application instructions.

◆ Alerts 4 U ◆

Thursday, November 15

Tri-Valley CAREs meeting
7:30 – 8:30 PM, TVC Office
4049 1st St. Suite 139A, Livermore
(925) 443-7148 for details

Come join us for the last Tri-Valley CAREs' monthly meeting of 2018. Our meetings are always a great chance to get issue updates, celebrate our progress and successes, meet new friends, and discuss upcoming events. We will meet in the First Floor Conference Room. Snacks and refreshments served.

Tuesday, November 27

#Giving Tuesday
All day

Started in response to the rampant consumerism of Black Friday, Giving Tuesday is an international day of Non-Profit giving. Tri-Valley CAREs appreciates all you can give to support our very important mission. Donations made online will receive a 50% match from CHEF! (See Insert for more)

You can also donate by check, mailed to us at:
4049 1st St. Suite 139A, Livermore, CA 94551

Thursday, December 6

Member Appreciation & Holiday Party
5:00 – 8:00 PM, Livermore Library, Community Rooms A & B
1188 South Livermore Ave.
(925) 443-7148 for details

Drop in for great food, drink, friends, music and fun! We want to say “thank you” for all you have done do to promote peace, justice and a healthy environment throughout the year. It's time to celebrate. The party is drop-in, so simply come on by! Please note that there is no Tri-Valley CAREs regular monthly meeting in December on the third Thursday, instead, you are invited to the party on December 6!

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Safety Board Imperiled by Trump Agency Order

The federal Defense Nuclear Facilities Safety Board (DNFSB) plays a crucial role in providing safety investigations and oversight for activities at Livermore Lab and many other facilities throughout the nuclear weapons complex. Recently, the Trump Administration's Dept. of Energy (DOE) issued a new Order that puts the role and effectiveness of the Safety Board at extreme risk.

The DOE Order appears to be crafted specifically to gut the Safety Board's ability to perform its job. Tri-Valley CAREs led efforts to address this challenge, and we have some good news to report.

The Challenge: DOE Order 140.1

The challenge to DNFSB effectiveness is contained in DOE Order 140.1, "Interface with the Defense Nuclear Facilities Safety Board," issued in May 2018. Order 140.1 governs the relationship between DOE (including the National Nuclear Security Administration, NNSA) and DNFSB. This Order limits access to information, people, and operations at key facilities and it significantly curtails the Safety Board's oversight authority, thus endangering nuclear site workers and the public. The Order was issued by DOE with very little input from DNFSB, no input from the key stakeholders at sites or other members of the public, and virtually no input from Congress.

Many analysts, including lawmakers and government officials, believe that



Order 140.1 is at odds with the Atomic Energy Act enabling legislation that first created DNFSB. In fact a September 17, 2018 letter sent from DNFSB to the Secretary of Energy (and copied to key members of Congress) states that, "DOE Order 140.1 wrongly attempts to diminish the Board's ability to perform its statutory mandate." The DNFSB letter goes on to list major concerns that include hindering or thwarting DNFSB access to key facilities, key people (including site contractors), and pre-decisional documents and deliberative processes. The letter also objects to the Order's redefining of public health and safety to include only the health and safety of individuals located beyond the site boundaries of DOE locations.

How We Responded

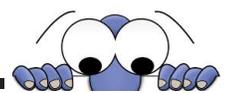
In August, Tri-Valley CAREs worked with the Alliance for Nuclear Accountability (ANA) in developing a fact sheet describing the key role of DNFSB at highlighted nuclear weapons sites, and a press release critiquing DOE

Order 140.1. Tri-Valley CAREs and ANA also sent a letter to the Secretary of Energy requesting that Order 140.1 be rescinded, or at a minimum, that hearings about the Order be held at each site where DNFSB conducts oversight.

Additionally, Kathy Crandall Robinson, our group's DC-based senior policy consultant, offered testimony on the Order at DNFSB Headquarters in Washington, DC on August 28. Tri-Valley CAREs also raised concerns about Order 140.1 on Capitol Hill. We met with key members of Congress who serve on committees that provide oversight and funding for the DNFSB.

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