

Prepared for Tri-Valley CAREs' August 14, 2010 Annual Strategic Planning Retreat

LOOKING BACK, PROVIDING THE FRAMEWORK FOR MOVING FORWARD

A SUMMARY ANALYSIS OF THE PAST 12 MONTHS

- Goals from our 2009 Strategic Planning Retreat
 - Program priorities over the year
- Victories enjoyed and objectives yet to be achieved

Introduction:

Overall, our activities focused on changing U.S. nuclear weapons, nuclear materials, cleanup and biodefense policies and activities – here at the Lawrence Livermore National Laboratory (LLNL, or Livermore Lab) and throughout the Department of Energy (DOE) National Nuclear Security Administration nuclear weapons complex.

In 2009/2010, Tri-Valley CAREs served as an effective “watchdog,” monitoring the DOE and, in particular, Livermore Lab activities. Our ability to influence policy is often visible. These pages contain some of the examples.

In winning on many of our issues, we used the Freedom of Information Act and other means to force public disclosure. Then, we shared the information we obtained with decision-makers and the public. To succeed, we also produced detailed analyses, comments and reports on nuclear issues to influence policy.

In addition, community organizing and public involvement activities led to many of our victories. Plus, in select situations, we pursued federal litigation to enforce our Nation's environmental and community right to know laws.

We met with members of Congress, the Obama Administrations and foreign diplomats at the UN. We held press conferences. We organized rallies. We made common cause with like-minded groups and individuals to amplify our message. Overall, we have achieved remarkable local and national progress on the issues we chose at our strategic planning retreat in 2009.

What we said we would work on coming out of last year's retreat:

Tri-Valley CAREs' Board of Directors, staff and representatives from our membership met in July 2009 to chart a 12-month path. Each participant got one “top pick” and two additional votes. There were some ties. The programs that received significant votes in 2009 were:

Rank	Program
#1 (tie)	Stop Development of Nuke Weapons/Promote Curatorship & NPT Compliance.
#1 (tie)	Promote a Green Lab in Livermore/Re-mission LLNL, Sandia, Livermore

- #2 Educate & Involve "Next Generation" of Nuke Weapons Activists/ Conduct Local & Regional Student Outreach and Organizing on Nuclear Weapons Issues
- #3 Conduct Truth Telling Campaign about the National Ignition Facility/Stop Classified Weapons Research and Plutonium Experiments at NIF
- #4 (tie) Ensure Superfund Cleanup of Pollution at LLNL Main Site and Site 300
- #4 (tie) Engage LLNL Employees, Including Work on Management Contract, Fairness and Safety Issues
- #5 (tie) Advocate with and For Sick Workers from Livermore Lab, Sandia Livermore and Other Nuclear Weapons Sites
- #5 (tie) Obtain Environmental Review of Explosives Waste Incineration at Site 300
- #6 (tie) Promote Global Nuclear Disarmament and Nonproliferation; Work with Int'l Allies
- #6 (tie) Stop Biological Weapon Agent Research at Livermore Lab/Oppose BSL-3 at LLNL Main Site
- #7 Terminate Activities With Weapons-Usable Quantities of Plutonium & Highly Enriched Uranium at Livermore Lab

Measuring our progress over the past year:

This section speaks to our "accountability" in doing strategic planning. Did we do what we said we would at the last retreat? How faithfully did we hew to the priorities we chose in expending our collective time, energy and resources over the course of the year? Did we address each one? Did we make good use of our strategic "toolbox" and employ the appropriate methods to achieve our goals? Was our work plan strategic? What did our work accomplish? How well did we do overall? Where did we fall short? Here is our look back:

Stop Development of Nuke Weapons/Promote Curatorship & NPT Compliance

- Instead of building bombs, Tri-Valley CAREs (TVC) supports a "Curatorship" approach to maintain the safety and reliability of existing weapons until they are irreversibly dismantled pursuant to our disarmament obligations under the Non-Proliferation Treaty.
- In May 2010, two TVC members attended the Non-Proliferation Treaty Review Conference. Executive Director Marylia Kelley presented on two panels for diplomats and non-governmental organizations (NGOs) during the conference to address the contradiction between the Obama Administration's stated nuclear disarmament goals and its planned build up of the U.S. nuclear weapons budget and weapons production complex. Further, TVC prepared special materials and handouts to increase foreign delegations' and international NGO leaders' understanding of U.S. nuclear weapons and policy. Through our efforts, we contributed toward strengthening the NPT regime to better stem horizontal and vertical proliferation and achieve disarmament.
- TVC and colleagues are in the midst of writing a "white paper" and an article on "Curatorship" and its relationship to the weapons budget, ratification of New START, etc.
- TVC released an analysis of the 2011 nuclear weapons budget that was not only used by our group extensively (including at DC Days), but was also used by NGOs around the country. Our

report was cited in numerous organizations' factsheets, newsletters, action alerts, and other materials.

- TVC and colleagues initiated a national "call-in week" on the nuclear weapons budget.
- TVC sent a delegation of four to the annual 2010 "DC Days," and conducted about 50 meetings with members of Congress and the Obama Administration during that week.
- Following DC Days, two members of Congress with whom we had met sent a letter to Obama urging an increase in funding for dismantlement of nuclear weapons (one of our "asks"). Nine members of Congress sent a letter to the appropriations committee opposing increases in the nuclear weapons budget (another key "ask").
- Following release of the new Obama Nuclear Posture Review, TVC was interviewed in print and on the radio (KQED) in response to our group's analysis and press release.
- TVC has been a clear voice for ratification of New START without imposition of onerous conditions, such as increasing the nuclear weapons budget in the coming years by \$180 billion for "modernization" of the complex and arsenal.
- While we have been able to influence nuclear weapons policy and the budget somewhat, we are losing ground under Obama (compared to under Bush) on the budget issue. There is a growing gap between Administration rhetoric and reality, which we are addressing. However, New START is as yet unratified as we meet this August, and the nuclear weapons budget escalation is as yet unstemmed.

Promote a Green Lab in Livermore/Re-mission LLNL, Sandia

- TVC began its own investigation of the Livermore Lab/Sandia Lab "Livermore Valley Open Campus" plan, where the lab's scientists would work alongside partners in academia and private industry to "accelerate research and commercialization of technologies". TVC was interviewed and quoted in the Wall Street Journal regarding our criteria for "green lab" and concern about "greenwashing". Recently, TVC met with (and received a briefing from) the NNSA Livermore Site Office manager and key LLNL and Sandia staff regarding the LVOC proposal.
- TVC released a major report on the nuclear weapon complex in 2009. A "green lab" future for LLNL was a core theme of the report. The report recommended, among other things, that LLNL be removed from the nuclear weapons complex by 2012. The NNSA would no longer be the "landlord" for the site under our plan.
- Following release of the report, TVC created a new fact sheet to highlight the "green lab" proposal and criteria. The fact sheet was used in presentations to the City Council and other venues.
- Outcomes include greater visibility for the issue in the community and beyond, and an increase (though not enough) in civilian science research proposed for LLNL and Sandia, Livermore.

Educate & Involve "Next Generation" of Nuke Weapons Activists/ Conduct Local & Regional Student Outreach and Organizing on Nuclear Weapons Issues

- We have participated in Las Positas College "club days" and other campus events, which has resulted in our making some new connections.
- Shortly after our last retreat, TVC participated in planning and implementing the annual "Think Outside the Bomb" conference. The group sent staff member Adrian Drummond-Cole to the event and its outreach resulted in two high school students also attending. This year, TVC co-sponsored and publicized the TOTB conference in August, but did not send a staff person.

- TVC welcomed four youth interns; one subsequently joined the Board of Directors, increasing our youth representation.
- TVC created handouts for and offered free tickets to the local premiere of “Countdown to Zero,” a documentary intended to raise awareness among youth about the compelling need for global nuclear disarmament.
- TVC has spoken in several college classes over the past year and in high school classes as well.
- TVC has updated its "for youth and students" page on its website.
- TVC's entry in the 2010 Livermore Rodeo Parade included numerous young people and kids (a majority of entrants).

Conduct Truth Telling Campaign about the National Ignition Facility/Stop Classified Weapons Research and Plutonium Experiments at NIF

- Late last year, Tri-Valley CAREs released an internal DOE NNSA Office of Field Financial Management review of NIF overhead costs that revealed that Livermore Lab management was shifting overhead from NIF to other Lab programs – to the tune of \$80 million annually and in violation of the law.
- Following our release of the internal review, in December, Marylia Kelley took copies to the Obama Administration offices with oversight authority over NNSA and to Congress. We can report that three separate federal investigations have been launched because of our work. One federal official called our office to thank us for bringing the matter to his attention.
- The fact that the NNSA has abandoned its promise of "ignition" at NIF at any specific date (it had been promised in 2003 then 2010) became a core part of the group's analysis of the NNSA fiscal year 2011 Stockpile Stewardship and Management Plan (AKA the "green book"). TVC was the only group in the country to include any analysis of what the plan said about NIF in its press and outreach materials.
- TVC pursued Freedom of Information Act requests to obtain needed information about LLNL and NNSA NIF activities.

Ensure Superfund Cleanup of Pollution at LLNL Main Site and Site 300

- TVC meets with the DOE, Livermore Lab and state and federal regulatory agencies regularly (approximately quarterly) to discuss the Superfund cleanup of the LLNL Main Site and Site 300. In fact, following our February meeting, the Environmental Protection Agency sent DOE a letter warning that failure to request adequate appropriations for cleanup may put them out of compliance with the Superfund Law.
- We have also been meeting with DOE HQ over its allocation of stimulus funds. The DOE Office of Environmental Management has \$6 billion to distribute, and we are advocating that the Superfund cleanup at LLNL receive some of the stimulus money. One result of our efforts has been a letter from four member of Congress to DOE Secretary Steven Chu supporting the allocation of stimulus funds for accelerating the LLNL cleanup.
- TVC was instrumental in opposing any change in cleanup standards for depleted uranium in soil at LLNL Site 300.
- TVC is holding a community meeting this fall (Sept. 30) on the Superfund cleanup of the off-site plume emanating from the LLNL Main Site.
- TVC pressed DOE and LLNL to hold a community meeting on the off-site plume. Recently DOE NNSA/LLNL announced its intent to hold a public meeting in October.

Engage LLNL Employees, including Work on LLC, Management Contract, Fairness and Safety Issues

- TVC has conducted advocacy on contract and related management issues in meetings in DC and locally with members of Congress and the Administration.
- TVC issued a joint press release with a recently retired LLNL weapons expert, in which he (and we) detailed the impact of the LLC on the nuclear weapons budget and planning.
- TVC co-sponsored a noon-time rally at Bechtel Headquarters in San Francisco highlighting Bechtel's role in weapons lab management.

Advocate With and For Sick Workers from Livermore Lab, Sandia Livermore and Other Nuclear Weapons Sites

- TVC's Staff Attorney Scott Yundt attend numerous community events (including recently attending two Town Hall meetings) to gather information on behalf of workers who suffered illnesses due to on the job exposures to radioactive and toxic materials, and report back this information to them.
- TVC continuously updated Sick Worker Support Group Members on important and pertinent information regarding the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) that could affect their eligibility for monetary and health care benefits.
- TVC's Staff Attorney facilitated regular meetings of the Sick Worker Support Group, in part so that TVC can inform Lab workers of any recent developments that would help them with their claims, and provide them with help with filling out their application for benefits forms.
- Additionally, we obtained, and released to the media and the public, new information about ongoing beryllium exposures at Livermore Lab and other health and safety hazards that threaten workers, the public and the environment.

Obtain Environmental Review of Explosives Waste Incineration at Site 300

- When this priority was chosen last year, TVC had submitted technical comments and participated in a public meeting regarding issuance of a permit for "burning/detonation" of explosives wastes at Site 300. Among our demands was a full Environmental Impact Report and analysis of risks involved. We had expected the decision-making to occur incrementally over the coming 12 months. Instead, the CA Department of Toxic Substances Control has not made any decisions. Our activities have been to follow up and to keep monitoring the situation.

Promote Global Nuclear Disarmament and Nonproliferation

- We released an in-depth analysis of the fiscal year 2011 budget request for nuclear weapons activities, authored by Dr. Robert Civiak, a physicist and former budget analyst for Dept. of Energy (DOE) nuclear weapons programs at the White House Office of Management and Budget. The report listed numerous recommendations for Congress, including increasing the funding proposed for dismantlement of retired warheads, reducing the funding proposed for construction of oversized factories for uranium and plutonium weapons parts, and constraining the funding proposed for unnecessary or reckless changes to the nuclear weapons stockpile (*see also stopping new nuclear weapons, above*).
- Following the release of our budget analysis and recommendations, we have already had the opportunity to use it to brief Congressman John Garamendi and others. Further, we disseminated the budget report to the media, to thousands of our members and to about 500 colleague organizations across the country.

- In choosing this priority last year, TVC discussed Obama's Prague speech and creating new opportunities to press locally for nuclear disarmament on a global scale. One such activity was gathering signatures on a petition supporting the Prague speech and calling for global nuclear disarmament "in our lifetimes". Using our newsletter, speaking engagements and our members' presence at local markets, we gathered more than a thousand signatures and initiated numerous conversations on the topic. We brought these 1,000+ signatures with us to the UN on the occasion of the NPT review conference.
- Another aim TVC discussed at last year's planning retreat was to increase our participation in the global abolition movement. Two such activities included our participation in (and workshop at) the global abolition conference and rally that preceded the NTP review conference this year, and our participation in the Abolition 2000 morning meetings each day at the UN during the review conference.

Stop Biological Weapon Agent Research at Livermore Lab/Oppose BSL-3 at LLNL Main Site

- In 2009, we filed a motion for summary judgment in the Northern District of California under National Environmental Policy Act (NEPA) aiming to halt dangerous operations at the bio-warfare agent research facility at the LLNL Main Site. In our motion, we highlighted the numerous accidents (including the release of anthrax where 5 workers were exposed) that DOE had failed to disclose to the public, and the restricted experiments that had been conducted by LLNL researchers contrary to law. We are currently awaiting a decision from the U.S. District Court for the Northern District of California. Most of our activity over the past 12 months has centered on the litigation; other activities have increased public knowledge of biodefense.

Terminate Activities with Weapons-Usable Quantities of Plutonium & Highly Enriched Uranium at Livermore Lab

- TVC has conducted ongoing advocacy on this issue with members of Congress, the Administration and local NNSA officials. Last fall, NNSA announced that it had removed 2/3 of the weapons usable quantities (Category I and II) of Special Nuclear Materials from LLNL.
- TVC has been briefed on nuclear materials and related security issues by the NNSA Livermore Site Office manager. More recently, the group held a meeting with the Defense Nuclear Facilities Safety Board when they were in town inspecting LLNL.

A few additional victories:

- In support of its program goals over the past year, TVC has pursued litigation against DOE and its NNSA for noncompliance with our Freedom of Information Act requests. We can now announce that we have substantially prevailed on the merits of our case, have received numerous documents that the government had been illegally withholding. We are in negotiations regarding our remaining claims.
- Amid an ongoing recession, TVC has kept its financial head above water, and has received continuing support from foundations and individual donors, including a new \$15k "challenge" grant. We are in the process of meeting the challenge by raising \$15k this summer from individual donors.
- The group has continued its newsletter and other outreach tools, and has substantially updated and added content to its website over the past year. This has resulted in increased "hits".

Conclusion:

At Livermore Lab and other DOE sites, the continued development, testing and production of U.S. nuclear weapons is hazardous to human health and the environment in surrounding communities. Globally, these activities also serve to promote nuclear proliferation.

We who live around U.S. nuclear weapons facilities have the fundamental moral, legal and democratic right to participate in decision-making. Moreover, the broader public at large also has a responsibility to participate in these important policy decisions. That said, it appears that the last thing DOE wants is an informed public exercising these rights. Many of DOE's most controversial program details and decisions are shrouded by techno-speak and buried in the middle of complex technical planning documents, if they are made public at all.

Tri-Valley CAREs serves as a unique watchdog and "counterweight" to the DOE in Livermore. Our meetings and events are well attended, and we continue to play an important role in catalyzing a wide range of groups to come together and influence decisions. The Livermore community, including many who work at the Livermore Lab, value the information and education services we provide. This can be seen in supportive letters to the editor, appreciative phone calls to our office and even in the receipt by our office of info from Livermore Lab employees who want to share what they know but are afraid of DOE reprisal.

Further, our ability to monitor DOE activities and influence policy can be seen in instances where DOE officials have modified decisions based on public pressure we have generated. Tri-Valley CAREs' combination of research, public education and grassroots advocacy is designed to help affected communities – here in Livermore and across the country – become better informed and exercise their rights. We help pierce through DOE's veil of secrecy and bring nuclear weapons policy to a level that the community can understand. To this end, Tri-Valley CAREs has continued to use community right to know laws to involve the public and curtail nuclear weapons.

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