

Citizen's Watch



The Nuclear Weapons Lurking in the Omnibus

In mid-January the Congress passed, and the President signed, an “omnibus” appropriation, which contained twelve bills totaling \$1 trillion to fund the federal government for fiscal year (FY) 2014, which ends Sept. 30. Included in the omnibus was \$7.781 billion for the Dept. of Energy (DOE) National Nuclear Security Administration’s nuclear weapons activities.

If one looks just at the nuclear weapons activities’ “top line,” this is a reduction of only \$87 million from the President’s request of \$7.868 billion. However, that “top line” number is deceptive. A closer look reveals that Congress returned two programs totaling \$290 million to the DOE weapons account that the President’s request had moved into the nonproliferation account, in essence making his budget request for nonproliferation look bigger than it really was and the weapons account look correspondingly smaller. So, in an “apples to apples” comparison, Congress reduced the nuclear weapons activities in the President’s request by about \$377 million. However, when the omnibus is compared to the sequester-hobbled 2013 appropriation levels, the nuclear weapons funding is up more than \$800 million.

Furthermore, the devil in the omnibus is in its details. The details matter, because how the government spends money reveals the core truth of its policies. There are some victories to celebrate in the omnibus and some major challenges ahead. Let’s take a look...

No Money for “Interoperable” Warhead

This is a major win. As our readers know, stopping this new warhead that could be launched interchangeably from a land-based silo or a submarine has been one of our priorities. The omnibus provides no funding for the “interoperable” warhead. What it does is cut the President’s request for the W78/88-1 (also called the Interoperable Warhead-1) Life Extension Program (LEP) roughly in half, from \$72.7 million to \$34.7 million. The omnibus then limits that \$34.7 million solely for refurbishment of the Air Force’s land-based W78 warhead.

The omnibus follows on information we gleaned earlier in Washington, DC that (1) the pending FY2015 budget request will contain a 5-year or more delay in Livermore Lab’s effort to create the “interoperable” warhead, and (2) the Nuclear Weapons Council, a top-level DoD-DOE organization responsible for stockpile decisions, canceled its support for the “interoperable”

warhead. With these two developments, plus the language in the omnibus, we can state with certainty that the “interoperable” warhead is dead, at least for the present. In the coming year, we will monitor the W78 warhead LEP to ensure that the Livermore Lab weaponeers don’t introduce a bunch of new-design features into it.

B61-12 Bomb gets Funding

The news here is a mixed bag. Leading up to the omnibus, the House had added an extra \$23.7 million to the President’s request for the B61-12 Life Extension Program, while, under Sen. Dianne Feinstein’s leadership, the Senate had cut \$168 million, or about one-third, from the request. The omnibus provides exactly the President’s request of \$537 million. Optimists can point to the fact that the omnibus did not contain a raise. Still it is disappointing to see this new bomb get the full FY2014 funding request.

The B61-12, which is slated to combine components from 4 different B61 variants into a new design costing upwards of \$11 billion, is not a “done deal.” One bright note is that the omnibus requires DOE to provide a rigorous analysis of alternatives for all LEPs entering the engineering phase. This language expressly includes the B61-12 LEP and mandates a near-term due date for the report of April 1.

The DOE analysis must include a full description of alternatives not chosen (including simpler ones), a cost-benefit analysis, an accounting of technological risks (e.g., of putting in new-design features and creating a “Frankenbomb”), and much more. This is good news because the information gleaned can be used to advocate for a simpler LEP that merely maintains the B61 safely until it is retired.

Tri-Valley CAREs will continue its opposition to the B61-12 and when the President’s FY2015 budget request is unveiled, which is scheduled for March 4, 2014, we will redouble our efforts to stop it. Stay tuned for action alerts and more!

B83 Tradeoff Language

The omnibus places a \$40 million limit on funds to maintain the B83 nuclear bomb until the Nuclear Weapons Council confirms it will be retired by 2025 or as soon as confidence in the B61 (post-LEP) occurs. The B83 is the highest yield nuclear weapon in the current U.S. arsenal, certified at up to just over a megaton. While the B83 can and should be retired independent of what

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**THANK YOU
VERY MUCH!**

Dear friends,

As we stand between our 30th Anniversary and a New Year, I would like to pause and say THANK YOU. It our supporters' collective contributions that keep our organization and all of its work moving forward.

I am happy to say that more than 900 of you have responded to recent funding appeals with gifts ranging from several dollars to several thousand dollars, including nearly 100 on-line donations. Every contribution makes a difference to us. It is because **YOU care** that we are able to continue our effective advocacy for peace, justice and the environment.

In this newsletter, you will find evidence of our latest victories. Your participation has played an important role in each and every win. Together, we are creating a more just - and nuclear free - world.

I also want to recognize the foundations that are providing crucial support for our peace and justice work to "watchdog" the nuclear weapons complex and move us concretely toward the abolition of nuclear weapons: the Ploughshares Fund, Colombe Foundation, the New-Land Foundation, Samuel Rubin Foundation, Guacamole Fund, Aria Foundation, and A.J. Muste.

Tri-Valley CAREs' work has also been awarded technical assistance grants from the U.S. Environmental Protection Agency and a public participation grant from the Community Involvement Fund of the New Mexico Community Foundation to inform people who are affected by Livermore Lab pollution and activate their participation in cleanup decisions under the Superfund law.

Together, these contributions publish our newsletter, create reports, sponsor "town hall" meetings, host vigils, keep our office open — and so much more.

As we embark on our 31st year, I wish many blessings for all of you who have been so steadfast in your support.

Peace,

Marylia Kelley,
Executive Director

Omnibus... *Cont. from Page 1*

happens with the B61, the omnibus language is intended to at least hold DOE and DoD to their verbal pledge that they would retire the B83 as soon as they get a life-extended B61 into the stockpile.

Nuclear Infrastructure

There is some good news here. First, the omnibus is silent on any new facility to increase plutonium bomb core production at Los Alamos Lab. (We will, of course, remain vigilant when the FY2015 budget request is released.) Second, while the language in the omnibus regarding the National Ignition Facility (NIF) is less restrictive than we would like, congressional staff assured us that NIF's funding will be held to \$329 million and no more. Finally, the omnibus reduces the President's request for the Uranium Processing Facility (UPF) to produce nuclear weapons H-bomb components at Y-12 in TN by \$16 million (down from \$325 million). The omnibus further notes that DOE is considering more streamlined and cheaper alternatives. While UPF funding is still a bit over \$300 million for the year, the \$16 million dip is an important harbinger of bigger changes to come. We are confident that our opposition (with other groups) to the UPF is close to succeeding. Stay tuned for more on our efforts to stop the oversized UPF and shrink the overall nuclear weapons complex in upcoming newsletters and action alerts.



Report on Lab Plutonium Plan

We are particularly pleased that Congress has heeded our request for a cost analysis of DOE's proposal to transport plutonium bomb cores from Los Alamos on highways across three states to Livermore Lab to test their robustness in "transportation, storage or use environments." The proposal is to shake the plutonium cores (also called pits) on a vibrating table, bake them in an oven and drop them from a tower. After the tests, DOE would haul the plutonium back to Los Alamos. The omnibus directs DOE "to

submit a report... that explains the costs and benefits for a pit environmental testing capability at Lawrence Livermore National Laboratory not later than May 1, 2014." The omnibus does not specify that this report must be unclassified, but committee staff told us that they see no reason it should not be publicly available. Stay tuned!

Commission to Examine DOE Labs

A key component of the omnibus is its mandate for a new, independent commission to "review the effectiveness of the DOE laboratories." The commission is to have a broad charge that will include investigating whether the Labs are "unnecessarily redundant and duplicative..." The commission will not have the authority to close, consolidate or transform any facilities, but its recommendations could trigger a more formal process to do so. We are submitting nominees for consideration and will follow this process closely.

You will find the omnibus sections dealing with DOE nuclear weapons and related topics on our website at www.trivalleycares.org. We invite you to use this article to inform your activism. Your actions make a difference!



Plutonium Transport Petition Continues

We have collected over 3000 signatures on our petition to stop the shipment of plutonium bomb cores between Livermore Lab and Los Alamos in

New Mexico. Livermore Lab continues to push for this plan. Please download or sign it on our website at www.trivalleycares.org/new/PlutoniumOnlinePetition.html



More from your Favorite Livermore Lab Watchdogs...

Lab Management Gets Low Score... Again

You may remember when we reported on Livermore Lab management's low performance last year. Well, perhaps unsurprisingly, here we are reporting on it again, except this time no National Nuclear Security Administration (NNSA) official is going to swoop in and grant the Lab's management contractor, Lawrence Livermore National Security, or LLNS, a waiver to allow them to receive an unearned one-year extension of their management contract.

According to press reports, after then-NNSA Deputy Administrator Neile Miller received criticism for giving the unexpected waiver to LLNS last year (from groups that included Tri-Valley CAREs), she suggested that it was a one-time event. Additionally, the agency increased the threshold for achieving contract extensions, which has resulted in the Livermore Lab contractor's failure this year.

According to the recently released Performance Evaluation Report (PER) for Livermore Lab management, covering the period from October 2012 to September 2013, LLNS was downgraded for poor "Contractor Leadership," and was given only 40% of the award. Unfortunately, the PER was unduly vague as to the specific reasons behind the low evaluation.

Additionally, the PER recognized a significant lack of attention to the safety and effectiveness of program operations by Lab management. This is something we have reported on regularly, and we are glad to see it receiving formal notice in the Performance Evaluation Report.

Specifically mentioned in the PER are two incidents. First, the Department of Energy Inspector General found Livermore had not adequately protected dangerous explosive materials in the High Explosives Application Facility. The PER notes as well "other employee misconduct," but does not provide any detail.

Second, the PER specifically reduced the LLNS award fee by \$365,000 for lax oversight that resulted in an acid splash of workers at Site 300. The incident caused severe injuries and a long closure of the facility, leading to a missed cleanup milestone.

Also notable was Livermore's relatively high marks in the other four categories, all of which cleared the 80 percent mark. Most surprising was the 83 percent given for performance on its Nuclear Weapons Mission, which includes the languishing National Ignition Facility (NIF).

The PER acknowledges that NIF executed only 13 of 27 planned tier-one stockpile stewardship experiments during the period. Now that the goal of "ignition" for which NIF was named is

no longer expected, the facility more easily meets NNSA's performance expectations. In other words, while NIF is the largest single largest project by budget at Livermore Lab, the NNSA officials conducting the PER have learned to expect less and less from it due to its ongoing poor performance.

We will continue to report on Livermore's management troubles, their search for a new director to replace Parney Albright, who abruptly left during this period, and on the management contract negotiations in the coming months. To read more of the PER, check out our website at www.trivalleycares.org

Get Inside the Fence

Tri-Valley CAREs is organizing a community tour inside the classified fence at the Livermore Lab's Site 300 high explosives testing range. We are offering seats on a "first come-first served" basis.



Site 300 was established in 1955 and its mission includes open-air tests with high explosives and toxic and radioactive materials. Current operations include contained tests and open-air bomb blasts along with waste burning and storage. R&D on high explosives is also ongoing.

We are still negotiating a date and time for this community tour, along with exactly what we will see. Here is what we are asking to visit:

1. The Building 812 outdoor "firing table" where high explosives and depleted uranium were detonated.
2. The indoor contained firing facility, diagnostic equipment and test chamber.
3. Pits 3, 5, & 7 unlined dumpsites with toxic and radioactive contaminant plumes.
4. The Building 850 corrective action management unit for PCB-contaminated soil.
5. One of the canyons with underlying groundwater pollution.
6. Some of the current high explosives program activities.
7. The off-site contaminant plume and General Services Area near Corral Hollow Road.

If you are interested let us know. Call (925) 443-7148 or email marylia@trivalleycares.org. Then, we will call or email you as soon as we have confirmed a date and time. At that point, we will ask you for the information required in order for you to obtain a badge.

🔗 Print Bites: All the News that Fits to Print... *Cont. from Page 4*

🔗 **Nuclear Consequences.** Physicians for Social Responsibility published a report on the effects of even a “limited” nuclear war. The Dec. 2013 report, *Nuclear Famine*, examines a nuclear exchange between India and Pakistan involving less than 0.5% of the world’s nuclear weapons, and estimates that the climate and related consequences would put 2 billion people at risk of starvation.

🔗 **Mexico Conference.** The nuclear-armed states of the world, including the U.S., are thus far planning to be “no shows” again at the second international intergovernmental conference on the “Humanitarian Impact of Nuclear Weapons” in Nayarit, Mexico on Feb. 13-14. Last March, representatives from 128 countries met in Oslo, Norway for the inaugural conference. The U.S. and other nuclear weapons states called its humanitarian focus a “distraction.” This is unfortunate because, rather than being a distraction, the humanitarian impact of nuclear weapons and war is at the very heart of why global disarmament is necessary.

🔗 **Fukushima Litigation.** In Jan. 2014, about 1,400 people filed a joint lawsuit against three companies that manufactured Japan’s Fukushima Daiichi nuclear power plant, General Electric, Hitachi and Toshiba. The suit charges that the three manufacturers had failed to make needed safety improvements at the Fukushima plant. The plaintiffs maintain that the companies should incur financial liability for the damage caused by the nuclear meltdowns at the plant. The suit, filed in Tokyo District Court, challenges regulations that give manufacturers immunity in the event of a nuclear accident. To date only the plant operator, Tokyo Electric Power Co., has been held responsible for the damage, which is still ongoing as radiation continues to leak. Plaintiffs are seeking only about \$1 each in personal compensation.

🔗 **Los Alamos Security.** The Dept. of Energy Inspector General (IG) cited Los Alamos Lab for mismanaging the installation of a new security system at Technical Area 55, where the Lab’s major plutonium pit production facilities are located. According to the IG, the security upgrade project is about a year behind schedule and \$41 million over its previously estimated \$213 million budget.

🔗 **MOX Troubles.** As estimates for the plutonium mixed oxide (MOX) fuel fabrication facility at the Savannah River Site in SC continue to skyrocket, new information is coming to light regarding its companion project, called the waste solidification building. This facility is intended to process the plutonium

waste from the MOX plant. According to a Defense Nuclear Facilities Safety Board report, the waste solidification facility will be mothballed for at least 5-years and key “portable” equipment will not be purchased or installed during that period. Moreover, says the report, the government will not formally approve its operating safety basis documents during that 5-year period. Tri-Valley CAREs and allies around the country have called for a permanent halt to the MOX program, which is intended to process plutonium for use in civilian nuclear power plants. This latest news is one more indication that the entire MOX program is in trouble.

🔗 **Sandia Livermore Workers Get Help.** On January 6th, a class of employees from the Sandia National Laboratory-Livermore in Livermore, California, was added to the Special Exposure Cohort (SEC) under the Energy Employees Occupational Illness Compensation Program Act of 2000. Thus, all employees of the Department of Energy, its predecessor agencies, and their contractors and subcontractors who worked in any area at Sandia National Laboratory-Livermore from October 1, 1957, through December 31, 1994, and who have contracted one of the 22 cancers that the Department of Labor has identified as being radiogenic are automatically eligible for benefits in the SEC.. The survivors of these employees are likewise eligible. If you have questions about your eligibility for compensation, please contact Tri-Valley CAREs’ staff attorney Scott Yundt.



🔗 **Plutonium Volleyball.** Livermore Lab has installed a beach volleyball court, sand and all, (pictured to the left) next to its main Plutonium Facility (Building 332) inside the so-called “Superblock,” which contains the

bulk of the Lab’s nuclear materials. Beach volleyball and deadly plutonium are strange bedfellows. Indeed, Foreign Policy magazine noted the Dr. Strange-love nature of the juxtaposition and pointed out, “the plant’s scientists could be handling materials used in weapons capable of annihilating millions of people one hour, only to be playing beach volleyball the next.”

Good Friday Action at Livermore Lab

On Good Friday, **April 18, 2014** people of good will, including from all the world’s faith traditions, are invited to gather at the **Livermore Laboratory at 7 AM.** Come to the northwest corner of the nuclear weapons lab, at Vasco Road and Patterson Pass Road in Livermore, CA. This year, the keynote speaker will be Kathy Kelly. Kelly will talk about her experiences in Iraq and Afghanistan and, in particular, how war has exacerbated poverty and displacement in Afghanistan where she is currently located. The Good Friday program, still in the planning stages, will also feature liturgical dance by Carla De Sola, a

welcome and update on nuclear issues by Tri-Valley CAREs and war and peace “stations of the cross” on the way to the Lab’s west gate, where those who choose will nonviolently risk arrest.

MARK YOUR CALENDAR!

Following the program at Livermore Lab on Good Friday, there will be an action at **Lockheed Martin**, the makers of nuclear missiles and drones, in **Sunnyvale, CA between Noon and 2 PM.** Join the Pacific Life Community and others for a reflection and nonviolent action. The theme will be “Who is crucified here?” Participants will gather at the corner of North Matilda and 5th Ave. and walk to the main gate.

Epic 30th Anniversary Celebration

A diverse crowd of nearly 100 people came together at the Livermore Public Library to celebrate Tri-Valley CAREs' 30th Anniversary on December 10, 2013. It was especially joyful to see the multiple generations of members and friends, from wee toddlers to amazing seniors and everyone in-between.

The evening program opened with lively music from the local Butterfield Brothers. Congressman Eric Swalwell and the Alameda County Board of Supervisors offered special commendations to Tri-Valley CAREs. The group's Executive Director, Staff Attorney and Board President offered reflections on our past and inspiration for our future. Bay Area filmmaker, Haleh Hatami, honored us with the debut of a mini-documentary showing Tri-Valley CAREs in action. (Check trivalleycares.org to view the film, read the commendations and see some of the photos taken.)

Tri-Valley CAREs' 30th Anniversary Cookbook also debuted at the party, with many of the dishes available that evening for partygoers to sample. (See below.)

"It was amazing to meet so many people who have been involved with our organization over the years," said Alison Forrest, who joined Tri-Valley CAREs as an intern last year. "It is a testament to the group's work that so many people have maintained contact for so long. This really is a unique organization."

We want to thank all who attended and contributed to making this 30th Anniversary such a memorable event. We also received numerous thoughtful cards and letters and emails with congratulations and they were shared and much appreciated.

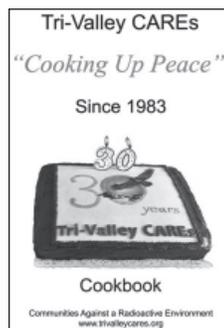
Special thanks go also to our Board of Directors and core members who prepared the many wonderful dishes that night and who conspire in "cooking up peace" with us every day. Onward, to new heights and to our next anniversary!



Tri-Valley CAREs Board Member Jo Ann Frish proudly stands besides the awards table at our 30th Anniversary Party on December 10, 2013. With Jo Ann are the new Tri-Valley CAREs Cookbooks. See below for more...

"Cooking Up Peace" - Get Our 30th Anniversary Cookbook!

Tri-Valley CAREs board member Jo Ann Frisch (*pictured above*) compiled a cookbook of our members' favorite recipes that have been enjoyed during many of our events and parties. Now you can make these delicious dishes any time your heart desires! We will mail you a cookbook for a donation of \$20 or more. Donations can be made on our website (www.trivalleycares.org), by sending a check, or by calling our office at (925) 443-7148. Please indicate that you want a cookbook when donating!



◆ Alerts 4 U ◆

Thursday, February 20

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. Our meetings are the third Thursday of each month. Circle March 20th also. See you there.

Friday, February 28

Monthly Livermore Peace Vigil
7 AM – 8 AM, Livermore Lab East
Gate, Located on Greenville Road
(925) 443-7148 for details

Vigil leaders are Chelsea Collonge and Marcus Page-Collonge. 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.

Thursday, March 6

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 supporting diplomacy with Iran. 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 served.

Tri-Valley Communities Against a Radioactive Environment
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Marylia Kelley,
contributors



Print Bites: All the News that Fits to Print



❖ **Court Closed.** Sentencing of the three “Transform Now Ploughshares” activists (pictured above) was delayed when snow shut down the federal court in Knoxville, TN on Jan. 28. Before suspending proceedings, the Judge had ruled that the three peace activists must pay nearly \$53,000 in restitution for cutting barbed wire fences, pouring blood and hanging a banner with the biblical slogan from Isaiah, “Swords into Plowshares, Spears into Pruning Hooks,” on the building that houses highly enriched uranium at the Y-12 nuclear weapons facility. However, final sentencing has been postponed until Feb. 18, 2014. The prosecution is requesting maximum prison terms for the three nonviolent protestors, Sister Megan Rice, age 83, Greg Boertje-Obed, 56, and Michael Walli, 64, who were convicted of damaging government property and sabotage. Their arrest resulted in congressional oversight hearings and a much needed inquiry into nuclear (in)security throughout the weapons complex.

❖ **Iran Diplomacy.** Western and Iranian officials recently said that a meeting will be held in New York to begin negotiations on a long-term agreement on Iran’s nuclear program. One

of the reasons cited for the New York venue was the presence of the U.N. infrastructure, similar to Geneva where the initial meetings commenced in late 2013. Those meetings led to a six-month accord wherein Iran agreed to short-term rollbacks and restrictions to its uranium enrichment program in return for a similarly short-term easing of some U.S. and European Union punitive sanctions, including on oil, rare metals and vehicles. Iranian President Hassan Rouhani has stated his desire for a “comprehensive” agreement on Iran’s enrichment program while maintaining his country’s right to the peaceful applications of nuclear energy under International Atomic Energy Agency supervision. In the U.S., a new sanctions bill, S. 1881, from Senators Mark Kirk (R-IL) and Robert Menendez (D-NJ) threatened to throw a monkey wrench into the diplomatic process. Fortunately, that bill is stalled. CA Senators Dianne Feinstein and Barbara Boxer publicly opposed it, which helped stem its momentum. And, most recently, President Obama declared in the State of the Union address, “...let me be clear: if this Congress sends me a new sanctions bill now that threatens to derail these talks, I will veto it.” That said, the road is still long and many obstacles remain. **Stay tuned.**

❖ **Clock Stalled.** The Bulletin of the Atomic Scientists opted to keep its iconic “Doomsday Clock” set at 5 minutes to midnight after a January 2014 meeting of experts concluded that the potential for nuclear annihilation remained unchanged. While lauding recent progress in securing nuclear materials, the Bulletin criticized Russia and

the United States for maintaining “outsized nuclear arsenals” and expressed concern that China, India and Pakistan seem intent on adding to their stockpiles. Further, the Bulletin pointed with alarm to the number of nations rushing to develop nuclear energy. “The international community has not come to grips with an unfortunate reality. The spread of civilian nuclear power around the world – which continues apace, despite the disaster at Fukushima – also spreads the potential for nuclear weapons states,” it concluded. The Bulletin has also, in recent years, added climate change to nuclear technologies as a threat to the earth. The “Doomsday Clock” has been reset 20 times over the past 66 years since it appeared in 1947 on the cover of the magazine’s first edition.

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