A 7-member team from Tri-Valley CAREs has returned, tired but buoyed, from a whirlwind of advocacy meetings and activities in the nation’s capital.

The occasion was “DC Days,” held the last week in April and sponsored by the Alliance for Nuclear Accountability (ANA), a network of three dozen organizations located downwind and downstream of the major sites in the U.S. nuclear weapons complex. Tri-Valley CAREs has been an ANA member group since 1989.

Overall, ANA activists and allies met with 105 Obama Administration officials, members of Congress, and key committee staff dealing with nuclear weapons, nuclear power and radioactive waste policy issues. Some meetings were uplifting, others were difficult; all were important. Here are a few highlights of what we met, what we learned, and what we were able to accomplish.

Two from Tri-Valley CAREs’ team, Marylia Kelley and Roger Logan, a retired Livermore Lab weapons designer and former head of the Lab’s “directed stockpile work,” were part of the group that met for several hours with top Dept. of Energy (DOE) National Nuclear Security Administration (NNSA) officials, including Administrator Tom D’Agostino. Agenda topics ranged from Life Extension Programs for weapons to worker safety to NNSA’s thoughts about linking U.S. ratification of the Comprehensive Test Ban Treaty to its nuclear weapons projects like the National Ignition Facility.

We rejected the notion of a “deal” linking an important Treaty to funding for a mega-laser that may never achieve ignition and is not needed for weapons’ maintenance in any case. We advocated against NNSA’s “Complex Transformation” plan and its proposed new bomb plants like the Chemistry and Metallurgy Research Replacement (CMRR)-Nuclear Facility and the Uranium Processing Facility. We proposed that NNSA institute a “Curatorship” program in place of its current practice of adding militarily significant “improvements” into stockpiled nuclear warheads. We pointed out serious problems at the weapons labs, including with their management contracts, and suggested solutions. And, we listened and learned from what NNSA had to say.

Tom D’Agostino opened our meeting by citing President Obama’s speech orienting the U.S. toward a world without nuclear weapons. However, he went on from there to “shoe-horn” many old Bush Administration bomb programs into the framework of the new Administration’s goals.

To give one example, during the Bush years D’Agostino had said CMRR was important for the Reliable Replacement Warhead (RRW) program. Now, with Obama declaring RRW inconsistent with the nuclear free future he seeks, D’Agostino promoted the CMRR (and much more) for “maintaining and exercising capability.”

In other words, the NNSA still plans to build CMRR— but now it’s not so much for the bombs as for the bomb makers (to exercise their capability). The NNSA’s rhetorical shift was evident throughout our meetings. Missing was the deep change in nuclear weapons programs and policies that the country needs.

Other meetings yielded much more immediate results. Adrian Drummond-Cole represented Tri-Valley CAREs at a meeting with the Defense Nuclear Facilities Safety Board (DNFSB). He talked about a recent accident involving exploding uranium at Livermore Lab and received a promise that the board would investigate. Drummond-Cole also urged the board to assign a full-time DNFSB technical staff person to Livermore Lab, rather than the current situation in which the board conducted its oversight from across the country. On May 6, the board assigned one of its key people, Jonathan Plau, to fill the role of DNFSB “site rep” at the Lab. Plau is slated to move to Livermore in June.

Tri-Valley CAREs’ team member Janis Kate Turner’s home is located near Livermore Lab. She and her neighbors are impacted by the off-site plume of polluted groundwater emanating from the Lab’s main site. She focused her “DC Days” advocacy on radioactive waste policy and cleanup at Livermore and other weapons sites.

Rep. Ellen Tauscher is already making good on Tri-Valley CAREs’ request that she send a letter supporting the use of stimulus funds for “shovel ready” cleanup projects at Livermore Lab. Tauscher’s letter will go to Ines Triay, the head of Environmental Management at the Dept. of Energy. We will keep you, and all of our members and friends, informed of the outcome in future newsletters.

Continued on page 3
Caught... Cont. from page 4

search laboratory. Since then, the Lab has opened a Biosafety Level 3 facility, which allows researchers to have additional types of select agents that may cause serious or potentially lethal diseases, and in greater quantities (up to 50 liters).

The Lab’s planned BSL-3 activities include aerosolizing (spraying) pathogens such as plague, tularemia and Q fever, in addition to anthrax. Moreover, government documents disclose that planned experiments in the BSL-3 include genetic modification and potentially novel manipulation of viruses, prions and other agents.

According to Kelley, Livermore Lab’s expanding biological warfare research program is a legitimate community concern. She asks, “If the Lab broke the law in the past and did not tell the public the truth, what is protecting the public today?”

NIF Ceremony Masks Serious Questions

Name a nuclear weapons facility at Livermore Lab that’s $4 billion over budget, 9 years behind schedule and still plagued by unresolved technical problems. If you said, National Ignition Facility, or NIF, you would be correct. Yet, on May 29, Livermore Lab threw a huge, and very expensive, party for NIF. There were more than 3,000 invited guests, many flown in from around the country and the world. The occasion? “Completion” of the construction phase of the NIF project.

The Livermore Lab’s PR was more intense than any laser light that will travel through NIF’s 192 beam lines. Chief among the things getting lost in the flurry of photo ops and press releases was — the truth about NIF.

Tri-Valley CAREs sought to fill that gap. We created a “NIF Truth Telling Exhibit” with a 7 ft. tall NIF poster and 2 “evidence tables” piled high with documents detailing NIF’s weapons applications, plutonium use, scientific deficiencies and other key facts that would not be spoken at the NIF ceremony.

We brought our exhibit to the Lab and set it up along the fence, on the way to the NIF. We staffed it, held signs, gave interviews and offered literature to passersby throughout the day. We were present to represent the (otherwise) untold story. We have been tracking NIF since it was proposed. The NIF was conceived and budgeted as a nuclear weapons project, and it remains so today.

Marylia Kelley, the group’s Executive Director, explained, “The fusion fuel to be used in NIF is a 50-50 mix of deuterium and tritium, the radioactive hydrogen of the H-bomb. According to the Government Accountability Office, 85% of the experiments in NIF are planned for the advancement of nuclear weapons physics. This is borne out by the Dept. of Energy (DOE) fiscal year 2010 budget, which states that only 15% of NIF’s planned experiments will be made available for ‘basic science’ and ‘users’ who are not related to the DOE National Nuclear Security Administration nuclear weapons program.”

Kelley continued, “In 2005, DOE further expanded NIF’s weapons mission with a decision to add plutonium into NIF experiments. That decision ran counter to DOE’s prior pledge not to use plutonium in NIF. The DOE also decided to produce both the plutonium fission targets and the deuterium-tritium fusion targets at Livermore Lab, thus reneging on a separate promise that the targets would not be loaded in Livermore due to the associated radioactive emissions and the proximity of the community.

“The history of NIF is a history of broken promises and deception. This remains true today regarding NIF’s purpose and mission, its radioactive wastes, its airborne releases — and its scientific readiness,” she concluded.

Dr. Stephen Bodner, the retired head of lasers at the Naval Research Lab noted, “Construction projects are generally measured by three variables: time, cost and ultimate performance. The NIF has failed on all three. The performance failure is easily documented from Livermore’s own publications. The question is, do they get away with it?” (See Dr. Bodner’s analysis posted on our blog at www.trivalleycares.org.)

Christopher Paine, director of nuclear programs at the Natural Resources Defense Council, and Luciana Messina and Les Miklosy, two NIF whistleblowers formerly employed at Livermore Lab, also issued important statements. You will find their statements in our web site “press room” as part of our NIF media advisory (click into press releases). We invite you to check them out!

Annual Strategic Planning Retreat

Give Peace, Justice and the Environment a Plan

Date: Saturday, July 18.

Time: 9:45 AM - 4 PM. (Bring a potluck dish to share.)

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

Who? If you are a member, volunteer, staff or board member, the answer is you.

Interested? RSVP by phone or marylia@trivalleycares.org.

Help set goals for a respected, effective nuclear “watchdog” — Tri-Valley CAREs

2......................................................Tri-Valley CAREs Citizen’s Watch
Six national and regional groups, including Tri-Valley CAREs, recently issued a major study offering the Obama Administration a comprehensive blueprint for actions leading toward the goal of nuclear disarmament.

On April 5, President Barack Obama delivered an historic speech in Prague, Czech Republic, declaring “America’s commitment to seek the peace and security of a world without nuclear weapons.” The U.S., he said, “cannot succeed in this endeavor alone, but we can lead it, we can start it.”

Our report outlines how that vision can begin to be concretely carried out in the near-term. It provides numerous recommendations for the Obama Administration’s Nuclear Posture Review, to be completed at the end of 2009.

Our report examines U.S. nuclear weapons doctrine, strategic force structure and the supporting complex, and forges a path forward. Our resulting plan would truly transform and downsize the nuclear weapons complex, in marked contrast to both the Dept. of Energy National Nuclear Security Administration’s (NNSA) plan for so-called “Complex Transformation” and the bipartisan congressional commission’s disappointing analysis of U.S. strategic posture, released in May (see our blog at www.trivalleycares.org for more info).

Our report’s near-term recommendations include shrinking the nuclear weapons complex from eight sites to three to support a reduced stockpile of 500 warheads. Our study also calls on the government to institute other major policy shifts, including by halting all attempts to introduce new weapon designs or “improvements” into the arsenal through so-called warhead “Life Extension Programs” or any other means.

Instead, the report urges a Curatorship approach to warhead maintenance until the weapon is dismantled. The essence of Curatorship is that it hews to the weapon’s original, tested design and introduces no new military capabilities or unnecessary changes into any nuclear weapon as it awaits dismantlement.

Marylia Kelley of Tri-Valley CAREs said, “This is the forward looking plan that government agencies should be proposing — but are not. Our plan sets a reasonable path for 21st Century security on which the U.S. can and should embark.”

"Our plan takes Livermore Lab out of the nuclear weapons complex and directs it toward the energy, environmental and global climate change research that our country so desperately needs," Kelley continued. "It also ends NNSA control of the Sandia Lab in CA and the Nevada Test Site by 2012, and ends weapons work at the Kansas City Plant by 2015. As the arsenal is reduced toward 500 warheads, the Savannah River Site and then Y-12 would also cease to be part of the nuclear weapons complex.”

The report also calls for stopping the NNSA’s rush to construct new bomb plants — including a new plutonium facility at Los Alamos Lab, called the Chemistry and Metallurgy Research Replacement (CMRR); a proposed Weapons Engineering Science and Technology complex and an “annex” to the High Explosives Application Facility at Livermore Lab; a new Uranium Processing Facility at Y-12; a wholly new Kansas City Plant to manufacture non-nuclear components for bombs; and a Mixed Oxide Fuel Fabrication Facility and other projects at the Savannah River Site.

Overall, our report’s recommendations would cut NNSA spending on nuclear weapons by $2.3 billion in fiscal year (FY) 2010, compared to the recently released budget request of more than $6 billion. By 2020, our recommendations would further reduce NNSA nuclear weapons spending to around $2 billion in FY09 dollars, one-third of what it is today. These cuts would not only save the taxpayers money, they would also set the stage for (and enable) a transition to zero.

The participating groups are based near five of the eight sites in the weapons complex and together have considerable expertise in the workings of the entire complex. The national participants are the Natural Resources Defense Council and the Project on Government Oversight. The regional groups are Tri-Valley CAREs (near Livermore Lab and Sandia, CA), Nuclear Watch New Mexico (near Los Alamos Lab and Sandia, NM), JustPeace of Texas (near the Pantex Plant) and Physicians for Social Responsibility – Greater Kansas City Chapter (near the Kansas City Plant).

The report’s lead author is Dr. Robert Civiak, a physicist and former White House Office of Management and Budget examiner for the Dept. of Energy’s nuclear weapons programs.

Nuclear Weapons Complex Consolidation Policy Network

Our Plan for Shrinking the Complex from Eight Sites to Three by 2025

Lawrence Livermore National Lab
Current Activities/Capabilities:
- Nuclear Design/Engineering
- Plutonium R&D
- High Explosives R&D
- Tritium R&D
- Hydrotesting
- Weapons Env. Testing
Our Plan:
- Transferred out of weapons programs by 2012.

Kansas City Plant
Current Activities/Capabilities:
- Non-nuclear Components Production
Our Plan:
- Weapons activities end by 2015.

Y-12 National Security Complex
Current Activities/Capabilities:
- Production and Dismantlement of Secondaries
- HEU Operations
Our Plan:
- Weapons activities end by 2025.

Nevada Test Site
Current Activities/Capabilities:
- Underground Test Readiness
- High Explosives Testing
- Hydrotesting
Our Plan:
- Transferred out of weapons programs by 2012.

Savannah River Site
Current Activities/Capabilities:
- Tritium Extraction, Loading, Unloading
- Tritium R&D
Our Plan:
- Weapons activities end by 2020.

Los Alamos National Lab
Current Activities/Capabilities:
- Nuclear Design/Engineering
- Plutonium R&D and Pit Production
- Assembly/Disassembly of Secondaries
- Tritium Operations
- Some Non-nuclear Components
- High Explosives R&D
- Hydrotesting
- Weapons Env. Testing
Our Plan:
- Reduce weapons/plutonium R&D.
- Pit production capability put on cold standby.
- Replace tritium in the residual stockpile.
- Transfer high explosives R&D to Pantex.
- Reduce Weapons Env. Testing.
- Maintain capabilities for surveillance and certification.

Los Alamos - NM Site
Current Activities/Capabilities:
- Nuclear Design/Engineering
- Plutonium R&D and Pit Production
- Assembly/Disassembly of Secondaries
- Tritium Operations
- Some Non-nuclear Components
- High Explosives R&D
- Hydrotesting
- Weapons Env. Testing
Our Plan:
- Reduce weapons/plutonium R&D.
- Pit production capability put on cold standby.
- Replace tritium in the residual stockpile.
- Transfer high explosives R&D to Pantex.
- Reduce Weapons Env. Testing.
- Maintain capabilities for surveillance and certification.

Sandia National Laboratories
Current Activities/Capabilities:
- Non-nuclear Design/Engineering
- Some Non-nuclear Component Production
- Explosive Components R&D
- Major Weapons Env. Testing
Our Plan:
- End weapons activities in CA.
- Reduce weapons R & D in NM.
- Maintain capabilities for surveillance and certification.
- Manufacture more nonnuclear replacement parts for fewer weapons.

Sandia - CA
(see NM Site below)

Pantex Plant
Current Activities/Capabilities:
- Weapons Assembly/Disassembly
- High Explosives R&D and Production
- Weapons Dismantlement
- Plutonium Pit Storage
Our Plan:
- Increase weapons dismantlement.
- Increase capacity for pit storage.

Residual Capabilities in a 3-site Nuclear Weapons Complex Supporting 500 Warheads

[Note: In “Environmental Testing” the Labs subject nuclear weapons to extremes of temperature, vibration, shock and radiation to mimic the conditions of delivery to the target and ensure their performance during a nuclear war.]
Tri-Valley CAREs invites you to a... with tasty treats!

When:  Saturday, June 20, 2009 9 AM - 4 PM
Where:  Tri-Valley CAREs' office and parking lot, 2582 Old First Street, Livermore

Part of the Livermore Annual City-Wide Garage Sale

Our garage sale items will include small appliances, books, jewelry, games, small furniture items, knick knacks, collectibles, and a whole lot more.

Our home baked items will include cookies, brownies, candies, cakes, and more. Take home, or eat in with fresh tea or lemonade.

Tri-Valley CAREs asks you to donate an item to the Garage Sale or volunteer to bake a favorite treat for us to sell.

For more information, contact Tri-Valley CAREs' Outreach Director, Janine Carmona, or Board of Directors' Secretary, Mary Perner, at (925) 443-7148

Circle your calendar -- don't forget to browse and shop on Saturday, June 20.

Come support your favorite local environmental group!

www.trivalleycares.org
On Saturday, June 13, Tri-Valley CAREs will have an entry in the annual Livermore Parade. Our entry is titled: A Nuclear Weapons-Free Future for the Next Generation.

This year, we dedicate our Parade Entry to all of our children and youth – and to their aspirations for a nuclear weapons-free world.

We invite you to march in the parade with us.

We will have T-shirts, balloons & sunflowers for the children, plus great signs and banners for adults. Last year we won a 2nd Place trophy!

Let us know if you are bringing children or grandchildren. Strollers and buggies are OK.

This is a kid-friendly event. Kids of all ages are welcome, up to 100 years old.

The parade lasts from about 10 AM to 11 AM.

Our parade number and line-up spot on the parade route are yet to be assigned by the Parade Committee.

Please RSVP so that we can keep you informed as Saturday, June 13 nears.

RSVP to Marylia Kelley <marylia@trivalleycares.org> if you are able to join us.

Join us in the Parade. Have Fun and Promote Peace.

Tri-Valley CAREs • 2582 Old First St., Livermore, CA 94551 • (925) 443-7148
www.trivalleycares.org
Tri-Valley CAREs’ **Rob Schwartz** made progress in bringing needed Congressional attention to the problems faced by Livermore Lab and other workers made ill by the job exposures to toxic and radioactive materials. He also participated in key meetings with the Dept. of Energy Inspector General on beryllium contamination at Livermore Lab and with the agency’s Office of Health, Safety and Security on plutonium issues.

**Janine Carmona** focused her meetings on stopping new bomb plants at the weapons labs and other sites in the complex. She met with members and staff from key congressional committees overseeing nuclear weapons funding and policy, including **Rep. John Spratt**. One of the highlights for Tri-Valley CAREs’ **Scott Yundt** was an inspiring meeting he was able to set up in **Barbara Lee**’s office.

**Logan** called on decades of weapons expertise to detail the benefits of the Comprehensive Test Ban Treaty among other policy issues. **Kelley** divided her time between meetings with the Obama Administration, including the White House Office of Management and Budget, and the Congress, particularly the Senate.

Moreover, the Tri-Valley CAREs team utilized the recently released report, “Transforming the U.S. Strategic Posture and Weapons Complex for Transition to a Nuclear Weapons-Free World,” to support many of the policy changes advocated by ANA. Members of Congress, and their defense staff in particular, were eager to receive copies, as were key Administration officials. (See the enclosed insert for more information on the report.)

In all, your Tri-Valley CAREs team participated in nearly 70 of the 105 advocacy meetings conducted during “DC Days.” Over the coming months we will continue the work — following up on the acquaintances we made and the commitments we obtained.

While policy meetings dominated all of our daylight hours, ANA sponsored an amazing evening reception and awards ceremony to honor government officials and others for exceptional work over the past year.

Senate Majority Leader **Harry Reid** of Nevada merited an ANA award for his successful efforts to stop the Yucca Mountain high-level nuclear waste dump. Journalist **Laura Frank** received an award for her moving series of articles on sick workers and the broken compensation program that is supposed to help them. Attorney **Larry Sanders** was honored for his outstanding legal support to achieve environmental justice for communities impacted by the Dept. of Energy’s Savannah River Site and nearby nuclear power plants.

And, saving the best for last, a Bay Area environmental standout, **Kathy Setian**, netted an ANA award for his successful efforts to stop the Yucca Mountain high-level nuclear waste dump. Journalist **Laura Frank** received an award for her moving series of articles on sick workers and the broken compensation program that is supposed to help them. Attorney **Larry Sanders** was honored for his outstanding legal support to achieve environmental justice for communities impacted by the Dept. of Energy’s Savannah River Site and nearby nuclear power plants.

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**Drummond-Cole** has posted some photos from “DC Days” on our website at [www.trivalleycares.org](http://www.trivalleycares.org). We invite you to check them out.

We offer our heartfelt thanks to all of our members and friends who participated by sponsoring our Tri-Valley CAREs team. This was a true grassroots effort. We could not have done it without you!
Lab Caught Conducting Illegal Restricted Bio-Experiments

Tri-Valley CAREs recently received documents that the group had long been seeking under the Freedom of Information Act (FOIA) regarding Livermore Lab’s biological agent programs.

The records we received show that Livermore Lab violated federal regulations by conducting “restricted experiments” without the proper approval. These illegal experiments were discovered during an inspection by the Centers for Disease Control and Prevention (CDC) in August 2005. However, the information was not made public — until now.

“The Dept. of Energy and the Lab withheld these documents until we filed federal litigation under FOIA to obtain them,” explained Marylia Kelley, the group’s Executive Director. “This is a stunning example of the government covering up unclassified information because it is embarrassing. As a result, the public is denied knowledge to which it is entitled, and community health and safety are degraded.”

Restricted experiments are experiments utilizing recombinant DNA that involve the deliberate transfer of a drug resistance trait to select agents that are not known to acquire the trait naturally. Select agents, which include anthrax and plague, are biological agents and toxins having the potential to pose a severe threat to public health and safety.

Because of the dangers involved in transferring drug resistance to select agents, restricted experiments require approval from the Secretary of the Department of Health and Human Services.

Livermore Lab did not have that approval, but ran the experiments anyway.

After discovering the illegal restricted experiments, the CDC required Livermore Lab to destroy the research samples. Otherwise, the Lab may have lost CDC’s authorization for its select agent program.

These experiments were conducted around the time of an anthrax release caused by Livermore Lab in August-September 2005. The anthrax incident led to the exposure of five individuals and resulted in a $450,000 fine against the Lab. The anthrax release also laid bare a variety of errors and deficiencies within the Livermore Lab’s select agent program, including in the Lab’s response to the mishap.

It is notable that relevant details of the 2005 anthrax accident were kept from the public at the time, just as happened with the illegal actions that are coming to light now. In both instances, Tri-Valley CAREs used FOIA to uncover information that the public had a right to know all along.

“Taken together, the illegal restricted experiments and the anthrax release demonstrate that there are serious problems with Livermore Lab’s select agent program,” Kelley stated.

At the time of the violations, the Lab was only operating a Biosafety Level 2 re-

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