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There's a local construction company in Santa Fe whose motto is "We'll Get It Right, Even If It Takes Every Dime You've Got." An apt motto for Los Alamos National Laboratory would be "Even If We Can't Get It Right, We Promise to Squander Every Dime You've Got."

Los Alamos: the place now infamous for cover-ups, theft, the attempted purchase of a 30,000-dollar car with taxpayer money, missing hard drives, ethnic prejudices, and destroyer of vice-presidential hopefuls. Now they want to line their pockets with a piece of the biodefense pie.

Los Alamos National Laboratory in Northern New Mexico marked its place in history as the birthplace of the atom bomb. To this day it remains a key nuclear weapons research, development, and production laboratory. Recently, Los Alamos has begun a comprehensive upgrade of its biological research capabilities. These efforts, under the guidance of the Chemical and Biological National Security Program, will substantially increase Los Alamos' tool box for its genome sequencing, forensics, studies on experimental organisms, and research and development on agent detection and decontamination equipment.

Until very recently, the Chemical and Biological National Security Program had been operated by the National Nuclear Security Administration, or NNSA. The NNSA is the semi-autonomous agency within the Department of Energy responsible for the 6 billion dollar annual maintenance and research and development program for the U.S. nuclear weapons stockpile. The NNSA was created in response to the espionage scandal at Los Alamos involving the scientist Wen Ho Lee.

Los Alamos is in the process of raising the walls for a biological safety level 3 facility that will house 2 biosafety level 3 labs and 1 biosafety level 2 lab. A biosafety level 4 is the highest containment, which is used for studying diseases such as Ebola. Los Alamos' biosafety level 3 facility will be the first of its kind within the Department of Energy complex. At least 9 national labs (including Los Alamos) are involved in biological research under the guidance of the Chemical and Biological National Security Program. In the past, these national labs had been conducting operations at the biosafety 2 level. If they required higher containment, work was contracted out to facilities such as those operated by the Centers for Disease.

There are two broad areas of concern that citizens and activists, including Nuclear Watch of New Mexico, have raised regarding Los Alamos' growing interest in bioresearch activities. The first has been Los Alamos' response to public concern, the public comment process through the National Environmental Policy Act, and the subsequent Environmental Assessment for the facility. The second is the precedence of locating an advanced bioresearch facility at a top-secret nuclear weapons research and design lab.

In February 2001, before Los Alamos released its draft environmental assessment, the Department of Energy's Office of Inspector General issued a report. This report found that "...the Department's biological select agent activities lacked organization, coordination, and direction. Specifically, the Department's activities lacked appropriate Federal oversight, consistent policy, and standardized implementing procedures, resulting in the potential for greater risk to workers and possibly others from exposure to biological select agents and select agent materials."

In response to this condemnation, the Energy Department issued a department-wide Notice on the handling of select agents and the adoption of the National Institutes of Health guidelines for biosafety committees. This step, however, was merely a band aid over an open sore! It did nothing to standardize basic safety routines or to establish department wide control over individual research projects at the national labs. In its investigation, the Inspector General found that scientists had been conducting studies on select agents, such as anthrax, without the knowledge of their superiors. This was particularly true at Los Alamos. The lack of system wide control within the Department of Energy was of great concern for the residents in the Santa Fe metro-area. Earlier, Inga Olson illustrated the many environmental concerns, flagrant environmental violations, and willingness to bend the rules when convenient, at Lawrence Livermore National Lab. This tendency is not an isolated case. It pervades the entire Energy Department complex in its 5 or more decades of nuclear weapons work. Los Alamos, like Livermore, has also been extremely negligent in its handling of radioactive materials. Similarly, the recent history of Los Alamos' forays into the biological sciences have also been fraught with mistakes.

To illustrate, again using the Inspector General, it was found that "the Los Alamos Industrial Hygiene and Safety Group, which included the Los Alamos Biological Safety Officer, had not conducted the required assessments and evaluations of the laboratory's biosafety program." The Inspector General's office continued by stating that "we were told by the Los Alamos responsible facility official that Los Alamos has no special procedures or specific training regarding their receipt or shipment process for select agents...[and] lacked a hazard control plan for damaged packages..." At some point just before or during the Inspector General's investigation, Los Alamos received a shipment of select agent DNA which arrived with both the outer and inner packaging crushed. Los Alamos had no procedure for handling this incident, and had the DNA contained toxins or viable organisms, it could have lead to serious contamination. Luckily, the principle investigator had the presence of mind to destroy the package.

Another incident, this time involving virulent anthrax, occurred in October 2001. A shipment arrived at Los Alamos from Northern Arizona State University. The sender failed to sterilize the bacterial samples, but did not realize the sterilization had failed until after shipment. The Los Alamos researcher, knowing full well that Los Alamos (a biosafety level 2) was not equipped to handle virulent strains of the organism, accepted the package anyway! There subsequently was an extensive cover-up beginning with the researcher who withheld information from biosafety officials at the lab, and later going up the Los Alamos Biological research division's chain of command. This event occurred during the public comment period on Los Alamos' proposal to build a biosafety level 3 facility. Yet Los Alamos never notified the public that a so-called "occurrence" had happened. A month later the Project On Government Oversight shed light on this cover-up, which instilled even greater concerns amongst the regional public about Los Alamos' commitment to safety and transparency. An internal lab investigation stated that there had been severe management failures and that Los Alamos' public image had been greatly damaged.

At the same time that the virulent anthrax incident and subsequent cover-up occurred, Los Alamos was requesting a virtual blank check. The draft Environmental Assessment released by Los Alamos asserted that the Laboratory would reserve the right to conduct research on emerging diseases, agents not categorized by the Centers for Disease Control, and genetically modified organisms. This is particularly disturbing in light of the virulent anthrax mishandling and cover-up, and Los Alamos' refusal to include plausible catastrophic events and terrorism (or rogue scientist scenario) in its risk analyses, and its refusal to include even an outline of a safety or hazard control and mitigation plan for the facility.

These events illustrate Los Alamos' blatant disregard and inability to correct safety and management problems within its bioresearch program and its failure to come clean with the local public. This is symptomatic of a culture bred in the secrecy of nuclear weapons research, design, and production, compounded by a 60 year history of coddling by the federal government. Arrogance and lack of accountability is endemic to the national laboratory system, but it is a particularly well-developed trait amongst the Golden Children who are the high priests of America's military crown jewel.

And that brings me to another point, a point that has broader relevancy to this gathering: secrecy. The co-location of a network of advanced bioresearch facilities at top-secret nuclear weapons labs is a terrible precedent. These national labs, Los Alamos and Lawrence Livermore (Oak Ridge National Lab in Tennessee is considering building a biosafety level 4 facility), have a mission to provide the Pentagon with deliverable nuclear weapons with researchers working in highly compartmentalized and secretive environments. This environment is ripe for the development of offensive weapons systems of many natures. Though there has been no evidence to suggest that the national labs have actually engaged in offensive research and development of biological weapons agents or systems, the lack of transparency at the labs only raises question marks. Without an international inspection regime that imposes transparency, how will the international community be convinced that the U.S. is not conducting offensive

bioresearch at these facilities that have a historic reputation for the development of advanced weapons and delivery systems? How can the American public be convinced that their government is adhering to international law?

According to a senior policy analyst in the Department of Energy under the Clinton Administration, there were rumors about so-called "black box" projects within the Department's bioresearch programs. By definition, these black box projects would have been highly secretive and only a few administrators and scientists would have known about them. It is a safe bet that if Congress knew about such projects, it would have been a select few. To my knowledge, no light has ever been shed on these programs. With the Department's growing role in bioresearch, there is a greater likelihood that black box programs will also increase.

Secrecy is going to grow in the coming months and years. The new Department of Homeland Security, which has already earned a reputation in the halls of Congress for being overly secretive, has inherited the Department of Energy's Chemical and Biological National Security Program lock-stock-and-barrel. Though research activities by the Chemical and Biological National Security Program will continue to be conducted at facilities located on national laboratory grounds, funding and oversight for that research will come from Homeland Security.

In an attempt to force Los Alamos, Lawrence Livermore, and the Department of Energy to better study and define the risks associated with its biosafety level 3 proposal, Nuclear Watch of New Mexico and Inga Olson's organization, Tri-Valley CARES, are considering taking legal action against the facilities. This would be done under the jurisdiction of the National Environmental Policy Act. We could request that a preliminary injunction be placed on the facility until a full environmental impact statement be prepared for the facility, along with a programmatic environmental impact statement for the entirety of the Chemical and Biological National Security Program. The programmatic study is particularly significant as it would force the Department of Energy to formally recognize that bioresearch has become a major policy goal with a substantial commitment of resources involved. The Department would further have to demonstrate the inter-relationship between the various aspects of work conducted at all the national labs in support of this program, and would have to outline future efforts. It would also be a method to get the Department to state in writing that it would never violate the Biological Weapons Convention or do any type of work that could be construed as being offensive in nature.

Ultimately, the Lawrence Livermore proposal is more aggressive than the Los Alamos project, but they represent a dangerous and synergistic trend within an institutional system that has demonstrated that international law, the environment, safety and health, transparency, and ethics are second rate citizens. The national labs have been insulated from public oversight, state regulation, and Congress. That must change now, before national security and global arms control regimes are irreparably harmed.