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P R E S S R E L E A S E

AS LOS ALAMOS LAB MANAGEMENT AWARD LOOMS DOE HIDES FUTURE MISSIONS, FACILITIES AND PRODUCTION FROM PUBLIC; WATCHDOG GROUP APPEALS WHOLESALE REDACTION OF LAB'S PLANS

Santa Fe, New Mexico - Today, Nuclear Watch New Mexico (NWNM) is submitting an appeal to the Department of Energy's Office of Hearings and Appeals (OHA). In a partial response to a Freedom of Information Act request filed ten months ago DOE provided a fiscal year 2004 "Ten Year Comprehensive Site Plan" for the Los Alamos National Laboratory (LANL). However, the Plan is more than 40% blacked out. Current information was given, but nearly all aspects of the Lab's future were redacted. These include future missions, budgets, facilities, land use and production rates. Nuclear Watch's appeal requests the DOE OHA to order the release of an unredacted Plan. Our appeal also demands the still unfulfilled releases of the 2003, 2005 and 2006 Plans under the same FOIA request. DOE has thirty days in which to reach a decision. If negative, Nuclear Watch can then seek satisfaction in federal court.

In a democracy the public has a right to know the nature and future of critical government facilities. In the United States this right is codified and enhanced by the Freedom of Information Act. Given the overwhelming presence of the Los Alamos National Laboratory in northern New Mexico, pertinent information is of crucial importance to watchdog organizations, interested media and concerned citizens. It is vital that New Mexicans know what kind of laboratory Los Alamos really is and where taxpayer's dollars are going. However, both the Lab and the Department of Energy are obstructing the public's right to know.

Jay Coghlan, Director of NukeWatch, commented, "Why else would LANL black out its future missions, facilities and production rates from public disclosure, except that the Lab doesn't want its neighboring New Mexicans to know what it's really up to? The fact is that two-thirds of the Lab's budget is for nuclear weapons research, design, testing and production. In the DOE's own words, LANL is already the second largest production site in the nuclear weapons complex. No matter who is awarded the new management contract, the new boss will be like the old boss, and production rates at LANL are going to inevitably increase." Of particular interest are future plutonium pit production rates, calling into question whether Los Alamos will become "Rocky Flats II." The Rocky Flats Plant, the former site of plutonium pit production near Denver, ceased operations following a 1989 FBI raid investigating environmental crimes.

DOE gave Nuclear Watch no justification for the redactions in the Plan, despite FOIA's clear requirements for federal agencies to cite one or more of the Act's nine specific exemptions from public disclosure. The Plan, completed in September 2003, was designated as a "Los Alamos- Unlimited Release" document, without any classification markings whatsoever. Even with the lack of classification, DOE advertised and made this Plan available to the declared bidders for the LANL management contract, but with the condition that the bidders had to have security clearances. Almost certainly two of the bidding teams, the University of California/Bechtel Inc. and Lockheed Martin/University of Texas, were able to review the Plan and frame their bids accordingly. However, the third

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declared bidding team, Nuclear Watch/Tri-Valley CAREs, two non-profit watchdog organizations who offered a genuine alternative to Los Alamos's nuclear weapons programs, did not have access, giving its competitors an unfair advantage. DOE is scheduled to announce the winning team before December 1.

The significance of the LANL Ten Year Comprehensive Site Plans cannot be overstated. As the National Nuclear Security Administration (NNSA), the semi-autonomous nuclear weapons agency within DOE, has stated:

The site TYCSPs are the foundation for the strategic planning for the physical [nuclear weapons] complex, incorporating the programs' technical requirements, performance measures, budget and cost projections... The TYCSP:..... Facilitates assessment of the current status of the facilities and infrastructure within the NNSA complex to support the Nuclear Posture Review;... Establishes realistic planning for, and execution toward, the intended NNSA complex of the future;... Defines the high-level linkages among weapons workload and production capability with facility requirements;... [and] Provides the foundation for development of an Integrated Site Plan/Enterprise Plan for the NNSA nuclear weapons complex..." (NNSA FY06 TYCSP Guidance," December 2004.)

The "intended NNSA complex of the future" and the 2002 Nuclear Posture Review are the subjects of intense public and Congressional debate. The Review called for the development of earth-penetrating and more usable lower-yield nuclear weapons, the resumption of industrial-scale bomb production, and reducing the lead-time in which to return to full-scale weapons testing. The Review also explicitly broadened the rationale for the potential use of nuclear weapons, as well as expanding the potential targeting list from two countries to seven. In addition, draft Pentagon doctrine in March 2005 endorsed the possible use of nuclear weapons in the U.S.'s newly declared right to pre-emptive war.

The LANL Ten Year Comprehensive Site Plans are the Lab's planning mechanism for programmatic support of these policies, which clearly has regional implications such as increased plutonium pit production. However, despite explicit FOIA requirements, the Laboratory and DOE have thus far refused to make that information publicly available. As a consequence, New Mexicans can only expect that the Lab will continue to expand its nuclear weapons programs while evading the public's right to know.

With the filing of this appeal, Nuclear Watch New Mexico is taking steps to ensure that the public gets the information it needs on LANL's future. Concerning core missions, that future is unlikely to be substantially different under the management of either the University of California/Bechtel or Lockheed Martin/University of Texas.

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Nuclear Watch New Mexico's appeal and examples of wholesale redactions to the 2004 LANL Ten Year Comprehensive Site Plan are available at <http://www.nukewatch.org>.