



Los Alamos Study Group

Nuclear Disarmament • Environmental Protection • Social and Economic Justice

Press Advisory 1/13/02; embargoed until Tuesday 1/14/02 at 9:00 am

NM Environmental Organizations Ask State to Halt Illegal Nuclear Waste Disposal at Los Alamos, Close Dump

Contact: Lydia Clark or Greg Mello, 505-982-7747

SANTA FE – Tomorrow at 9:00 am a letter from 27 New Mexico environmental organizations will be delivered to Secretary Pete Maggiore of the New Mexico Environment Department (NMED), requesting him to close “Area G,” northern New Mexico’s only operating nuclear waste disposal site. The letter will be delivered to Secretary Maggiore’s office on the 4th floor of the Harold Runnels Building, at the corner of Alta Vista St. and St. Francis Drive.

For a copy of the full text of the letter, please call. Copies will be available tomorrow morning as well.

This letter complements the 1,900 “letter-cans” from individuals already delivered to Governor Johnson, which requested closure of Area G as well as public hearings on the broader issue of contamination at Los Alamos and whether it will ever be cleaned up (see next headline, below). These letters were delivered on cans of food dressed up to look like little waste drums; each participant paid \$3.00 to deliver this message in such a noticeable way. (The food cans have been taken, after each delivery, to the Food Depot, where they serve a few of New Mexico’s poor – a group of folks which has not noticeably benefitted from the activities that make the nuclear waste.)

Another 125 such letter-cans will be delivered to Secretary Maggiore tomorrow.

The legal and technical issues outlined in the letter are discussed in two attachments found on subsequent pages of this press advisory, and background material on the landfill is available at www.lasg.org.

On July 12, 2001 the New Mexico Attorney General’s office requested closure of this site. There has been no response from state environmental officials.

The organizations requesting closure are:

Albuquerque San Jose Community Awareness Council, Inc.
Albuquerque Peace & Justice Center
Amigos Bravos
Center for Biological Diversity - New Mexico Office
Citizen Action of Albuquerque
Citizens for Alternatives to Radioactive Dumping
Concerned Citizens for Nuclear Safety
El Rio Arriba Environmental Health Association
Forest Guardians
First Nations North and South Forest Guardians
Gila Resources Information Project
Green Party of NM
Los Alamos Study Group

Native Forests Network
Natural Resources Defense Council
Nizhoni School for Global Consciousness
New Mexico Conservation Voters Alliance
New Mexico Toxics Coalition
Nuclear Watch of New Mexico
1000 Friends of New Mexico
Resting in the River
Southwest Energy Institute
Southwest Organizing Project
Southwest Research & Information Center
Tonantzin Land Institute
Water Information Network
Wild Watershed

In A Related Matter

Eight environmental organizations (call if you want the list) requesting public hearings on the cleanup plan for Los Alamos National Laboratory were rebuffed by Secretary Pete Maggiore on 12/12/01. NMED has never held a public hearing on the cleanup plan, on which somewhere between \$550 and \$750 million of federal funds has so far been spent. Little actual cleanup, observers agree, has been accomplished. On 12/21/01, NMED opened a “public comment” period on this year’s version of the plan, adding the proviso that NMED was not actually obligated, in so many words, to read the comments received. The document or documents opened for comment, which are available on the Hazardous Waste Bureau web site, are no more intelligible than the letter announcing the “comment period.” Further information can be found at www.lasg.org.

*****Page 1 of 3, attachments now follow *****

Letter from Organizations to Secretary Maggiore, December 15, 2001

Attachment 1: Background Concerning LANL's "Area G" Nuclear Landfill

Prepared by the Los Alamos Study Group

According to DOE, Area G is slated to annually receive 44,000 drums' worth of nuclear waste for permanent disposal.³ While actual disposal rates are at present about only 43% of this amount, the rate of waste generation and disposal is expected to increase as LANL begins its planned production of plutonium "pits," the cores of nuclear weapons, and as ambitious nuclear weapons testing programs come on line at Los Alamos.⁴

Area G lies in LANL's Technical Area (TA-) 54, and is 63 acres in size. It contains at least 39 disposal pits and more than 209 shafts, which together cover most of the site. When it is completely filled, LANL anticipates dedicating four more sites to permanent nuclear waste disposal, three in TA-54 and one on another mesa, in TA-67.

Historically, Area G has been a disposal site for dangerous wastes of all types, including a wide range of toxic chemicals, pesticides, PCBs, transuranic (TRU) wastes of the kind now destined for WIPP, spent nuclear fuel and components of small nuclear reactors, and other radioactive wastes of every description. Both liquids and solids have been disposed at the site. LANL claims to have only disposed of radioactive, and not chemical wastes, at the site since April, 1985, although the New Mexico Environment Department (NMED) has fined LANL for the subsequent disposal of hazardous waste at the site, and LANL's own inventory of wastes disposed lists "chemical waste of unknown nature and concentration" for every pit used between 1985 and 1992 (see note 5, next page).

Beneath the mesa surface, plumes of hazardous waste vapors and radioactive tritium have mingled to cover much of the site. These plumes are close to permanent springs and surface water, which are located immediately adjacent to and below Area G, in Pajarito Canyon. A recent deep test well drilled at the site ("R-22") shows traces of two man-made radionuclides (tritium and technetium-99). Small amounts of plutonium and other radionuclides have been documented in water- and wind-born sediment leaving the site, and in the bodies of burrowing animals.

While Area G is likely to retain most of its buried waste for many centuries, waste will escape through a number of processes. The infiltration of rain and snowmelt, which percolates unimpeded through the waste, is enhanced by the greater permeability of waste relative to the surrounding tuff and will be accelerated by future waste subsidence. Infiltration is also enhanced by impervious structures built on the portions of the surface. Liquid and vapor transport through the fractured rock beneath the site, which varies from one place to another in an unknown and unknowable manner, cannot be predicted. Contaminants will also leave the site through wind erosion, and through the cumulative actions of plant roots and burrowing animals, both of which deposit radionuclides at the surface. These natural processes, while small in any given year, will have a cumulatively large effect over the course of centuries. Human intrusion, both intentional and inadvertent, cannot be ruled out, and could lead to massive breaches of containment. The rate of leakage is unknown; what *is* known is that the leakage will eventually be total.

In addition to the waste permanently disposed, Area G now stores some 46,000 drums' worth of TRU waste destined for WIPP. DOE hopes to ship all this waste, along with newly-generated TRU waste, over the next three decades. In 1994, DOE estimated that the nuclear waste at Los Alamos contained about 610 kilograms of plutonium. Most of this is at Area G. The fraction of this plutonium that is "permanently" buried is unknown, since early LANL and DOE disposal records are sketchy, but it is likely that hundreds of kilograms are so buried, making Area G a sort of unpermitted "WIPP site."

³See <http://www.lasg.org/gfrm_a.html> for a summary of official DOE disposal projections and maps of future LANL disposal sites from its Site-Wide Environmental Impact Statement (LANL SWEIS, 1999). All other background information cited in this letter is from DOE and LANL sources; most of it can also be found at the above web site and related pages.

⁴According to the LANL "Comprehensive Site Plan 2000," more than \$5 billion in new nuclear weapons facilities are being planned for LANL, many of which will create additional nuclear waste (see <<http://www.lanl.gov/csp2000/>>). As of this writing, this web site has been taken down by LANL; its content is available at the Los Alamos Study Group office.

Letter from Organizations to Secretary Maggiore, December 15, 2001

Attachment 2: Summary of the Regulatory History of LANL's "Area G" Nuclear Landfill Prepared by the Los Alamos Study Group

On November 19, 1980, almost exactly twenty-one years ago, LANL began the application process for permitting its existing and planned hazardous waste disposal sites on Mesita del Buey, including Areas G, H, and L, under the Resource Conservation and Recovery Act (RCRA) and, later, the New Mexico Hazardous Waste Act. The disposal area for which LANL sought its first permit included *all* of what is called "Technical Area 54" (TA-54), which contains Areas G, H, and L and other sites, along with expansion space for all the disposal sites.

That permitting process has never come close to being completed; nor has it been conducted in the manner required by law, with opportunity for public comment.

In its initial application, LANL filed what is known as a "Part A" notification of hazardous waste activity, a simple application no more than a few pages in length, which purported to cover all hazardous waste activity at LANL. Despite the deficiencies subsequently uncovered by inspectors (which included the total absence of any plan for closure of the sites, or for any ground-water monitoring whatsoever), "interim status" – a kind of temporary, standardized, stripped-down operating permit – was granted to LANL for its active hazardous waste disposal sites, including Area G in its entirety (63 acres).

This "interim status" lasted for five years, despite enforcement actions first initiated by the U.S. Environmental Protection Agency (EPA) and the New Mexico State Environmental Improvement Division (now the Environment Department, or NMED) beginning in June of 1983 and then, with somewhat greater effect, in May of 1984.

By May 1, 1985, LANL's complete application for an operating permit ("Part B") for these disposal sites was due. But instead of submitting a permit application, which would have required expensive monitoring provisions, as well as stricter requirements on disposal that would have halted the use of unlined pits, LANL withdrew its "Part A" application for Area G, ending interim status for that site.

The loss of interim status normally should have triggered RCRA closure requirements, including public hearings on closure, but LANL had been allowed to operate without an approved closure plan for Area G, and so there was no plan to implement. ***Right up to the present day, no serious closure plan for Area G has ever been submitted, none has been approved, none has been implemented, and no public hearings on the future of this site have ever been held.***

Without an approved permit or even interim status, LANL was required to close the site by an early date certain, following a process set forth in federal regulations. Even starting from scratch, without a closure plan, all closure activities were to be completed and certified within 420 days (from 5/1/85); if a closure plan were in place, closure was to be complete within 270 days after the last truckload of hazardous waste was received at the site.

Under RCRA, hazardous waste disposal sites must either be fully permitted for operation under legally-binding, agreed-upon guidelines that protect public health, workers, and the environment, or else they must be formally closed. A central thrust of RCRA was, and remains, to make sure that there is no third option.

Any approved closure plan for Area G must by law include a number of protections for citizens and the environment, including commitments to long-term monitoring, financial assurance, creation of an accurate waste inventory, and careful selection of closure options. Such closure options range from long-term containment in place to removal of some or all of the waste.

Although LANL claimed in 1985 to have ceased disposal of chemical waste at Area G, later investigation by a LANL contractor,⁵ and still later enforcement action by NMED, revealed that chemical wastes were at times disposed at Area G well into the 1990s – if indeed sporadic, inadvertent, hazardous waste disposal has ever fully stopped.

Disposal of nuclear waste at Area G continues today, with no plan to stop and no external regulation.

⁵IT Corporation for LANL, 1992, "Operable Unit 1148 Data Report." This document attempts to inventory wastes disposed at Areas J, H, L, and G by disposal pit and time period.



Los Alamos Study Group

Nuclear Disarmament • Environmental Protection • Social and Economic Justice

Press Advisory 1/18/02; embargoed until Monday 1/21/02 at 4:30 pm

Press conference and public meeting Monday, 4:30 pm in the State Capitol Rotunda

NM Environment Department Plan Postpones Lab Cleanup Indefinitely

**NMED rebuffs request for public hearing from watchdog groups, claims formal public comment not required on billion-dollar “cleanup;”
Bush Administration gearing up to cut future cleanup funds next month**

New nuclear waste disposed on site to dwarf waste “cleaned up” in decades ahead, as unpermitted landfill continues to operate and nuke programs grow; 27 NM environmental groups urge closure of landfill; NMED silent on nuke dump issue

Contact: Lydia Clark or Greg Mello, 505-982-7747

SANTA FE—The Study Group will host an informational press conference and public meeting in the State Capitol Rotunda on Martin Luther King Day, Monday, January 21, at 4:30 pm regarding the status of continued nuclear waste disposal and cleanup at Los Alamos National Laboratory (LANL). Maps of contaminated sites, areal photos, and other information will be available.

The New Mexico Environment Department (NMED) has issued its latest revision of its plan for cleaning up more than 1,000 contaminated sites at LANL under state and federal hazardous waste laws, and Monday is the last day offered by the NMED for public comment.

Unfortunately, this “plan,” like the ones that preceded it, contains no cleanup standards, virtually no cleanup schedules, no maps of the site, no indication of what contaminants are present and in what quantities, and perhaps above all it offers no end to the continued large-scale disposal of further nuclear waste at Los Alamos.

It does, however, offer a schedule for reports, as it has largely done for the past 10 years. This approach will ensure that scarce federal funds will continue to be exhausted on lab overhead, speculative investigations of little or no practical import, and paper studies. Requests for reports are, for all practical purposes, almost unenforceable, since it is impossible for third parties (like judges) to objectively gauge the quality of a given report.

So far, between \$550 million and \$750 million has been spent on the “cleanup,” with only minor progress to show. Total costs are expected to easily exceed \$1 billion, but since no cleanup goals or standards have been formulated, final budget figures are meaningless. Management reforms, such as clear goals and competitive bidding, are necessary to use available funds efficiently.

In early February the Bush Administration is expected to announce significant cuts in cleanup funds nationwide. Therefore there is every reason to expect that Los Alamos, with which New Mexico has no binding agreements requiring cleanup, may experience significant cleanup funding cuts in the coming years. Plans which postpone cleanup far into the future may be not funded at all. The NMED plan does not just defer cleanup, however: it provides no mandate for cleanup, period.

In this, the NMED plan appears to facilitate Department of Energy (DOE) and LANL plans,

under which many or even most sites are to be left essentially “as-is.” What little cleanup is being done is on a “voluntary” basis, i.e. with little or no formal oversight.

As was the case for predecessor “cleanup plans,” there will apparently be no public hearing. NMED has in fact never held a public hearing on its proposed remedies for Los Alamos, which has some 26 chemical and nuclear landfills. These landfills contain more than 18 million cubic feet of waste.

Eight environmental organizations petitioned NMED Secretary Maggiore for a hearing in November; their request was rebuffed by him on December 12.

The opportunity for public comment on the current “plan” was provided by NMED in a cryptic one-page letter sent out just before the Christmas holidays, but recipients were warned that, in NMED’s view at least, there was no actual requirement on the part of the agency to take public comment into account. That informal comment period ends on Monday.

The sketchy “plan,” available at <http://www.nmenv.state.nm.us/hwb/pubnotice.html> or in the office of the NMED Hazardous Waste Bureau, turns out to be incomprehensible to all but specialists in this particular process, effectively precluding informed public comment.

Perhaps the most serious omission in NMED’s current plan is any requirement for final closure for LANL’s “Area G” nuclear waste landfill. In a report issued in 2000, DOE estimated that some 37,000 cubic meters of waste would be generated in the LANL “cleanup” program over the next 70 years, all of which would be re-buried on-site at “Area G.” **Meanwhile some 520,000 cubic meters of newly-generated radioactive waste (i.e. about 36,000 55-gallon drums’ worth annually) would also be added to “Area G” – fourteen times as much as was “cleaned up” from other parts of the lab, for several decades to come. Under current “cleanup” plans, then, LANL gets a lot “dirtier,” not “cleaner.”**

“After years of questionable technical and regulatory decisions, made in close collaboration by LANL and NMED officials with no formal input from the public, the situation has become absurd,” said Study Group Director Greg Mello. “We think the first step needed is to have a formal public hearing so that the basic facts regarding the situation can be understood and placed on the record. This does not seem like too great a request. Concurrently, we should stop adding to the burden of uncontained nuclear and chemical waste already held by the Pajarito Plateau. This, many of us strongly believe, has long been required by law in the case of Area G in particular.

“One of the next steps would be for all of us question some of the programs that are expected to generate all this waste. Realistically, this won’t happen as long as there is an open hole in the ground where the waste can be put. Los Alamos has become a haven for “dirty” programs that no one else will accept, just as laboratory managers told us years ago it would. Are some of these programs really needed? Many knowledgeable observers doubt it.

“And we need, at long last, to discuss environmentally-sound remedies, both for the waste we have and the waste we truly and inevitably must generate, as contaminated buildings are torn down and the site prepared for future generations, who will inherit what we leave here.”

“It’s fitting that we discuss these matters on Martin Luther King Day,” Mello added. The weapons of mass destruction that are promoted, designed, tested, and built here also do violence to the land. Both are linked to our acceptance of violence in our society and to our inability to pay for the opportunities our children deserve. In today’s dollars, we’ve spent over \$47 billion at Los Alamos. What kind of economic and social development – what kind of real security – do we have to show for it? We are now spending more on nuclear weapons at Los Alamos than we’ve ever spent before – annually, it’s roughly about 30 times what we spend on cleanup. To quote Dr. King, these priorities suggest our nation is ‘approaching spiritual death.’ We can change this situation. All we have to do is to ask, clearly for once, for something better.”

****ENDS****



Los Alamos Study Group

Nuclear Disarmament • Environmental Protection • Social and Economic Justice

For Immediate Release March 4, 2002

Forum To Be Held on Future of Local Nuke Dump

Contact: Lydia Clark, Greg Mello, or Blake Trask at 505-982-7747

ON WEDNESDAY, MARCH 6, 2002, FROM 7:00 TO 8:30 PM, THERE WILL BE A FORUM ON THE FUTURE OF THE "AREA G" NUCLEAR WASTE DUMP, AT THE MESA PUBLIC LIBRARY IN LOS ALAMOS, LOCATED AT THE CORNER OF CENTRAL AVENUE AND OPPENHEIMER DRIVE, JUST PAST FULLER LODGE).

The forum will be hosted by the Sierra Club Pajarito Chapter, which is trying to decide whether to endorse closure of the dump, which is operated by the University of California (UC) for the Department of Energy (DOE). The NM Sierra Club is highly likely to follow the recommendation of its Pajarito Chapter in this matter.

The "Area G" nuclear waste disposal site is located one mile west of White Rock, NM, at Los Alamos National Laboratory (LANL). It contains about 11 million cubic feet of chemical and nuclear waste in "permanent" disposal. DOE estimates that its disposal of radwaste at this site will continue at a rate of about 271,000 cubic feet per year for at least the next seven decades. This would amount to about 2.8 million drums' worth of nuclear waste; that's about 110 drums' worth per day, 365 days per year, for 70 years. PCBs are also still being disposed there. Of the waste to be added, less than 7% is to be from the lab "cleanup;" the rest is all to be brand-new waste, primarily from nuclear weapons design and component manufacturing.

This ongoing program of waste disposal helps provide some context for the current debates over the "cleanup" budget for Los Alamos. **Under the best of circumstances, far more waste will be added to the environment over the life of the cleanup program than will be removed from the environment.**

"While some actual, physical cleanup has been done in the LANL 'cleanup' program, its primary purpose is to substitute, forestall, and ultimately to prevent such actual cleanup in most cases, while providing a degree of cover for elected officials, including those senators who fund the weapons programs that generate the new waste. Our senators and other officials can sincerely support 'cleanup,' but the fact is that very little cleanup has been done to date. Very little is planned. 'Cleanup' is being accompanied by continued disposal on a scale far greater than what is 'cleaned up.' At Los Alamos, 'cleanup' is mostly a sham," said Greg Mello, Study Group Director.

The existing landfill footprint at Area G cannot come close to accommodating all the proposed new waste, so four new radwaste landfills are also currently planned at Los Alamos National Laboratory (LANL). Three are on the same mesa as Area G, which will just about fill it up completely. The fourth, which is to be much larger, is to be located to the south, closer to Bandelier National Monument.

Photos and maps of the dump and proposed expansion sites are available at <http://www.lasg.org>, under "Visit Area G."

The Attorney General's office has written (on 7/13/01) that Area G is being operated illegally and must close, but there has been no follow-up to this letter to date. LANL has recently written that Area G is nearly full, and will need to build the first of the new disposal sites in about five years.

This is not **storage**. It is **disposal**. Please do not be misled by LANL public relations employees, who are willing to talk about the storage of waste on the surface of Area G, but are

reluctant to discuss what has been, and still is being, disposed below the surface.

Meanwhile, more than 2,000 citizens have purchased letter-cans as part of the Study Group's "Can-Paign" asking for Area G to be closed, and their letter-cans have been delivered to Governor Johnson's office, each one looking like a small nuclear waste drum. Twenty-seven environmental organizations have also petitioned the NM Environment Department (NMED) to close the dump. Governor Johnson and the NMED have made no substantive response to date to these requests.

DOE officials have recently told the Study Group that DOE will not, at present, consider any alternatives to the uncontained, on-site disposal of nuclear waste in unlined shallow pits and shafts.

The waste being disposed is so-called "low-level" nuclear waste, but this misleading moniker conceals the fact that some of it contains plutonium, that some of it is so radioactive that it cannot be transported on public highways in **any** kind of container, that some of it contains lots of tritium and tritiated water, and so on.

Area G already contains a wide range of wastes, including spent nuclear fuel, old nuclear reactors, tens or possibly hundreds of kilograms of plutonium, and a wide variety of chemical contaminants, some of which have spread through the mesa. The nearby vegetation already contains small amounts of tritium; traces of plutonium have already begun to wash off the dump surface into arroyos draining the site. A deep well just east of the site already shows the presence of technetium, a LANL contaminant. Springs far the east, next to the Rio Grande, have begun to display sporadic perchlorate ion contamination, also from the lab.

It is not believed that these groundwater contaminants are from the dump -- not yet -- but **the eventual total loss of containment from the earthen trench walls, and the sandy fill on top of the waste is certain.** The question is not "whether," but rather "when." What is the shape of the "loss curve" -- very slow and gradual, or punctuated by intrusions, or rather more steep?

Aside from the waste now being buried, Area G is essentially a historic "WIPP site," at which the same waste now being shipped to WIPP was once permanently buried. Much of that early disposal remains, and unless there is a formal closure process, that waste will stay there until it leaks out. It is all only a few feet below the surface; it is buried in a sandy-like matrix; and it has no lasting containment or barriers whatsoever.

But the greatest unwholesomeness emanating from the site may be political or ideological in nature.

"There would seem to be little prospect of negotiating real cleanup of any of the other 27 dump sites at LANL, or of most of the 1,000 + other contaminated sites, as long as unregulated, uncontained nuclear waste disposal continues at the same facility, using burial technology that is essentially unchanged from the 1940s," suggested Mello.

"There is more at stake here than just an evening full of boring environmental acronyms. Can our government run rough-shod over environmental laws? Can we operate a huge dump for ultra-long-lived nuclear waste right next to a tourist destination for most of the rest of this century? Isn't this waste to be made in the pell-mell pursuit of more and better weapons of mass destruction, the very possession of which the U.S. has long agreed to renounce? Does this make sense at all? If we New Mexicans will swallow another 2.8 million drums' worth of nuclear waste -- **waste that has not yet been generated** -- what hope is there that we will exercise an appropriate degree of sovereignty in other matters?

"It is up to us whether we wish to extend our permission to turn even **one** of our beautiful mesas into little more than a container for nuclear waste, perched near and above the Rio Grande!"

ENDS



Los Alamos Study Group

Nuclear Disarmament • Environmental Protection • Social and Economic Justice

Senator Bingaman, Where Do You Stand?

Key Vote on President's Nuclear Posture Review Looms

5/6/02

On Wednesday, May 8, more or less, the Senate Armed Services Committee, of which Senator Bingaman is a member, must make a serious decision about the future of U.S. nuclear weapons policy.

It is one of those moments when what may seem like a small choice will have big consequences.

The question before Senator Bingaman and the rest of the Committee is basically this: should the United States develop and build new or modified kinds of nuclear weapons, and construct the new factories needed to produce them? Some weapons contractors and life-long nuclear weapons advocates claim that these new kinds of nuclear weapons could more adroitly destroy some of the new targets they think we should attack with nuclear weapons, in the new wars they think we should have.

It is by no means coincidental that the contractors in question will be paid, and paid unsparingly, to develop these weapons.

In fact, these proposed new weapons would not be any more "useful" than the ones we already have. When all the analysis is done – and it has been done, if the senators care to look – the bottom line is this: there are only so many ways to blow up things and people. The so-called "new" designs are just versions of the same old ones, being promoted by many of the same old Cold War hawks, as it turns out. The so-called "robust nuclear earth-penetrating weapon" is not very different, either in design or potential effects, from a weapon the United States fielded for a few years in the 1950s. Everything is about this proposal is "retro."

"Ah yes," the proponents say, "you are basically right. That is exactly why we may need to resume nuclear testing in the future, in order to certify the performance of the *really special* new weapons that are, if our calculations prove correct, are just a little bit better."

Hello.

Senators, please pay attention. While nuclear testing is not needed for many nuclear weapon modifications, your endorsement of the *idea* of new weapons commits you and the nation to a course of action that will be difficult to control.

Just under the surface of the vote this week, still other questions brood, even more momentous. Nuclear weapons are a kind of weapon of mass destruction. Are they legitimate weapons of war? Is planning for their likely use – let's not kid ourselves about this – a net gain in security, or a loss?

And then there is another question: should this country abide by the treaties it has signed and ratified, in particular the Nuclear Nonproliferation Treaty (NPT), in which we promised to negotiate nuclear disarmament in return for a binding international norm against nuclear proliferation? Or is searching for the "winning weapon" more important now?

The senators won't vote explicitly on these questions, of course. But if they give a green light to new nuclear weapons and new factories, the answers will be plain enough. Then, once solidified in obligations to contractors and employees – set in concrete, as they say – it will be very

hard for anyone to change them.

Getting “buy-in,” with modest projects at first, is the strategy *within* the nuclear strategy that is being proposed. Surely the senators understand this. Or do they?

These proposals would implement a central part of the Bush Administration’s “Nuclear Posture Review.” This strategy insists on new nuclear weapons capabilities, which is to be integrated with military planning and targeting around the world. For the first time, nuclear weapons would become a part of day-to-day planning for battles against non-nuclear adversaries. These so-called “nuclear strike” capabilities would be integrated with proposed new missile defenses, and both of these with conventional “power projection” forces. To support this “new triad” of military force, it says we need a “revitalized [nuclear weapons production] infrastructure that will provide new capabilities in a timely fashion to meet emerging threats.”

Up to now, the senators have been somewhat in the dark, or in denial, about the purpose of the huge infrastructure upgrades they are starting to authorize. Now that the purpose of this “revitalized infrastructure” has been made crystal clear, will they authorize it? Much of the funding is already in place; funding has been growing since 1995. And in the highly-militarized mental environment of post-9/11 Washington, much of it seems beyond debate.

All that’s needed now is the authorization to proceed, in whole, or in part. That’s where Senator Bingaman and his colleagues come in.

Throughout his career, Senator Bingaman has used his position to support virtually every nuclear weapons project that has been put before him, and then some. On September 25 of last year, only a few days after the 9/11 tragedy, he introduced a floor amendment that aimed at increasing the nuclear weapons budget by a whopping \$339 million, \$492 million above the Bush request. The bill failed, but it sent the desired signal. The final nuclear weapons budget was close to what Senator Bingaman proposed.

Now the Senator must again choose the level of support he gives to weapons of mass destruction. And this time it is a little different – *crucially* different. Will he utter a clear policy that provides direction to the labs, which for so long have been providing their *own* direction? Will he passively endorse new nuclear military capabilities, or will he actively and effectively seek to prohibit them? Will he ask for specific line item control for prototyping and field testing, lest Congress lose control over weapons development altogether? Or will he insert some vague language that seems, on the surface, to satisfy everyone, but which meanwhile allows weapons development to proceed without embarrassing publicity? Senator Bingaman, you have to choose.