

**MINUTES**  
**of the**  
**LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE**  
**August 8, 2008**  
**LANL Foundation**  
**1112 Plaza Del Norte, Espanola**

The meeting of the Los Alamos National Laboratory (LANL) Oversight Committee was called to order at 10:10 a.m. on Friday, August 8, 2008, by Senator Phil A. Griego, co-chair.

**Present**

Rep. Roberto "Bobby" J. Gonzales, Co-Chair  
Sen. Phil A. Griego, Co-Chair  
Rep. Thomas A. Anderson  
Sen. Richard C. Martinez  
Sen. William H. Payne  
Rep. Jane E. Powdrell-Culbert  
Rep. Debbie A. Rodella  
Rep. Nick L. Salazar

**Absent**

Sen. William E. Sharer

**Advisory Members**

Sen. Carlos R. Cisneros  
Sen. Dianna J. Duran  
Rep. Ben Lujan  
Rep. Jeannette O. Wallace

Sen. Mary Jane M. Garcia  
Sen. John T.L. Grubestic

**Staff**

Gordon Meeks  
Tim Crawford

**Friday, August 8**

The chair congratulated the LANL Foundation on its new offices and facility and thanked the staff for hosting the committee meeting.

**Welcome**

Susan Herrera, chief executive officer of the foundation, welcomed the committee to the Center for Educational and Non-Profit Leadership.

**Los Alamos National Laboratory Mission**

Terry Brunner, state director for U.S. Senator Jeff Bingaman, read a statement from Senator Bingaman to the committee. The senator regretted his inability to attend in person, but thanked the committee for its interest and attention to the lab. The letter said that for 50 years, LANL has been a crown jewel in the nation's defense establishment. While the lab has had military defense as its primary mission, it nevertheless employs multidisciplinary teams of

scientists who work on various cutting edge technologies on behalf of the nation, including environmental remediation, fuel cells development, reconnaissance systems and oil exploration technologies, the latter falling under the category of "work for others". His statement said the human genome project was a great example of this "work for others". He stated that the fiscal year (FY) 2008 budget for Department of Energy (DOE) expenditures in New Mexico was \$4.5 billion and for FY09, the request before Congress is \$4.2 billion. Included under this budget are the operation of three federal facilities: the Waste Isolation Pilot Plant (WIPP), Sandia National Laboratories and LANL. Senator Bingaman said New Mexico is the largest state recipient of DOE's \$25 billion budget. The next closest is Tennessee with only \$2.5 billion. He pointed out that DOE's overall funding to New Mexico is comparable to the total state government budget.

The statement went on to say that the FY08 budget for LANL was about \$2.2 billion; \$1.8 billion of that amount (81 percent) of the lab's total budget came from the DOE. Of the \$1.8 billion from DOE, the vast majority of the funding, \$1.4 billion, went to maintenance of the nuclear stockpile. The balance of \$300 million in the lab's budget for 2007 came from contract "work for others".

The statement said that Congress is not yet far enough along in this year's budget process to know the funding levels for FY09. However, DOE's budget for LANL is \$1.8 billion, of which \$1.4 billion is to maintain the nuclear stockpile. In other words, funding has remained at about the same levels from FY08 through FY09. Senator Bingaman said that this steady level of funding for nuclear stockpile work suggests that LANL's opportunity for diversification lies primarily in its ability to work for other federal departments and private entities.

He did say that the lab has a long history of applying its unique talent to non-nuclear weapons issues. He pointed out that, often, the lab's research leads to spin-off businesses. He exemplified this by referring to Metallicum, a new small specialty metals plant using nanoparticle technology developed at Los Alamos to make unique alloys of titanium for medical implants and even golf clubs.

He emphasized that the "work for others" program rests on the foundation laid by the weapons program at the laboratory. "You cannot have one without the other," he said. He said in the past few years, Congress has had a difficult time getting agreement on how to fund LANL and that the difficulties are grounded in questions over the nation's long-term nuclear deterrent. To settle on a course for the future, Congress mandated several studies about nuclear deterrent, and they will be ready for the next administration's consideration, he said. During these deliberations, a strong scientific work force needs to be maintained, his statement said. That work force and the diversification of the lab's mission go hand-in-hand. He mentioned that even though 63 percent of the lab's budget is for maintaining the nuclear stockpile, LANL will have to begin to ramp up its non-nuclear weapons work.

He described several new research areas within the department to help LANL diversify its mission. They include technologies to lessen dependence on oil and reduce greenhouse gas

emissions such as advanced battery systems for hybrid vehicles, computer chips and biotechnology, solar systems and genetically engineered plants and non-proliferation. He concluded that maintaining the lab's high-quality scientific work force is critical to its ability to compete for funding that is not directly related to the lab's traditional nuclear weapons mission. The National Nuclear Security Administration's listing of LANL as a potential site to conduct PIT manufacturing for nuclear weapons could result in an adjustment of the skills mix from a scientific work force into one that emphasizes manufacturing. This could negatively affect the lab's ability to compete for new funding in areas that stress the quality of science.

Questions and comments from the committee addressed:

- É LANL's renewable energy budget;
- É LANL's budget for training the surrounding community's work force;
- É potential reduction in LANL's FY09 budget;
- É whether the continuing resolution will maintain the current spending levels;
- É the budget for construction of a PIT manufacturing facility;
- É LANL as the driver of northern New Mexico's economy;
- É LANL's work on hybrid vehicle technology;
- É the budget for cleanup of legacy wastes;
- É opposition to making LANL the PIT manufacturing site; and
- É proprietary aspect of research.

Minutes of the June meeting were approved without opposition.

### **Public Comment**

Joni Arends, Concerned Citizens for Nuclear Safety, told the committee her organization feels that cleanup of legacy wastes should be LANL's priority. She asked the committee to support a memorial that calls upon LANL and Congress to make cleanup the lab's priority.

She also talked to the committee about the seismicity of the LANL site geology. She referred to the 1995 seismic report that earthquakes of 4.6 and 4.7 are not unusual. She said that if a PIT manufacturing facility is constructed there, it should be built to the best available standards, at least meeting the standard of a 50 percent increase in the probability of earthquakes of high magnitude.

### **Tour of Meeting Facility**

Ms. Herrera gave the committee a guided tour of the new LANL foundation office building and facilities for conferences, seminars and training that are available by the foundation for community groups free of charge.

### **LANL Foundation Support for Early Childhood Development Program**

Ms. Herrera thanked the committee and the legislature for its support of the foundation. She then gave a presentation on one of the foundation's programs, "Birth to Three", created in Silver City by Vicky Johnson. She showed a film about the program in which mothers are

supported by volunteers in child-rearing and early education. The film exhibited how home visitations are organized to help disadvantaged mothers provide basic early childhood care. The program is staffed by volunteers and professionals, including nurses. Fourteen foundations support the program, which provides free children's books and personalized counseling sessions in the parent's home. Results of the program include an immunization rate that has increased to 90 percent in the Gila area. The film emphasized the dramatic improvement of right brain development by children who have received the services of this program.

Ms. Herrera told the committee that this kind of investment is more important than most because the most critical stage of childhood is early childhood when the brain is being formed. It costs less up front to "do it right", i.e., raising a child with good child-rearing techniques, than to pay for it later in law enforcement and public health programs for adults. She said the First Born Program needs a broader base of educational support, which the LANL Foundation can provide. She told the committee that the program has reached 40 percent of the eligible population in the Rio Arriba County and Taos county region. She said the Rand Corporation is performing an evaluation of the program, and preliminary data suggest a positive outcome. The Kellogg Foundation is looking at the program for potential funding. This is the second year of involvement by the LANL Foundation.

Questions and comments from the committee included:

- É several of the legislators congratulating the foundation and Ms. Herrera for their work;
- É a \$2 million appropriation to the Children, Youth and Families Department for a match of the foundation's money to the Birth to Three Program;
- É the potential to duplicate the program in other parts of the state;
- É hospitals' involvement as fiscal agents and coordinators;
- É the cost-effectiveness of the program;
- É compliments to Ms. Herrera; and
- É the visionary board of directors of the LANL Foundation.

### **LANL Foundation Education Support Programs**

David Cockerham, superintendent of Espanola Public Schools, and Bobbie Gutierrez, superintendent of Santa Fe Public Schools, testified to the committee on the benefits of the LANL Foundation support for their school programs. They said they are very grateful to the New Mexico congressional delegation for its support of the creation of the foundation in 1997. This has resulted in an additional \$2 million going to schools in northern New Mexico through the foundation. This goes a long way in the foundation's mission to "enhance the vitality of the region". This funding has gone to several innovations such as the Math and Science Academy, which has served teaching staff this year. Test scores have increased between 25 and 35 percent in the classrooms of teachers that have gone through the program. Similarly, in the Reading First Program, first through third grade test scores have increased. The Science Program in Espanola has resulted in an increase in academic scholarships being awarded to Espanola students. The foundation has also made it possible for every school in Espanola to have a fully equipped

computer lab. The goal is to get a laptop for every student. The LANL Foundation has made it possible to equalize disadvantaged school students with affluent school districts. The staff of Espanola Public Schools were recognized for taking the initiative and making this a bottom-up program.

In the Santa Fe Public Schools, the LANL Foundation has supported programs that include counseling enhancements, one-to-one tutoring, a day reporting program for suspended students, anger management training, support for kids with little or no parental support, academic enhancements in science and math curriculum, improvements in the test scores of the Sierra Academy, a waiting list of students to get into both the "Project lead the way" (a college engineering preparatory program) and the Allied Health Program at the community college, the Santa Fe Teachers Institute, the summer professional development program, the Santa Fe Science Initiative and the Teen Parents Program.

Questions and comments from the committee addressed:

- É LANL Foundation matching the LANL Employee Scholarship Fund;
- É history of foundation funding;
- É number of staff members in different schools trained by foundation investments;
- É the need for contract modification to include the LANL Foundation funding; and
- É the counties that are eligible for LANL Foundation support.

At this point in the proceedings, a draft memorial was distributed to the committee by Ms. Herrera, and the committee was asked to endorse the memorial asking Congress to modify LANL's contract to include money for the foundation. The memorial was adopted by the committee.

### **Office of Nuclear Workers Advocacy**

Loretta Valerio, director of the Office of Nuclear Workers Advocacy, thanked Speaker Lujan for his support and explained to the committee that the office assists workers and their survivors who have been denied their claims of support for illnesses associated with their work. The office opened in 2007 and has assisted 200 clients since then. Thirty-five of those clients have subsequently been awarded their claims as a result of the assistance they received from the Office of Nuclear Workers Advocacy. She said it is a very complicated process, and workers that are eligible have been employed by Sandia National Laboratories, LANL or the uranium mining industry.

Former State Representative Harriett Ruiz told the committee that only diseases with certain causes are eligible for compensation under the law.

Sylvia Rodriguez, Ms. Valerio's assistant, was introduced also and explained to the committee the definition of "special exposure cohort", which is the criteria for eligibility for assistance. This cohort is basically the population of workers who worked between 1943 and 1975 in areas where radiation was present and contracted at least one of 22 cancerous diseases.

The new eligibility provisions went into law last year after lobbying by former Representative Ruiz.

The committee asked questions and made comments about:

- É the burden of proof being on the claimant;
- É eligibility of workers with illnesses that resulted from toxic chemicals in the course of their work as opposed to radiation exposure;
- É "dose reconstruction" agency is where claims are being denied;
- É the example of an ill claimant who lives in Truchas;
- É eligibility of Department of Defense workers;
- É accuracy of tests for beryllium exposure;
- É radiogenic cancer;
- É compliments and plaudits to Ms. Valerio;
- É values of the claims won by the Office of Nuclear Workers Advocacy;
- É contact information;
- É cooperativeness of physicians; and
- É uniqueness of the office (the only governor-appointed workers' advocate in the nation).

The committee adjourned at 2:15 p.m.