UT Watch is a student-based watchdog group for the University of Texas at Austin.

We promote campus democracy, affordable education, and genuine access to higher education for all Texans.

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Visit UTNukeFree.org, for updates on our campaign against UT's proposed bid to manage Los Alamos. UT Nuke Free began as a website created by Iconmedia and UT Watch, but has since grown into a coalition of UT students, alumni, and faculty, religious and peace organizations, state legislators and other concerned citizens of Texas.

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Just say No to Los Alamos!

Why the UT Interests in Nukes?

A look into some liabilities in managing Los Alamos National Laboratory and alleged benefits to the University of Texas

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Prepared by UT Watch
www.utwatch.org
the university should not be a factory
**Los Alamos is a Bomb Lab**

Los Alamos opened in 1943 under the name "The Manhattan Project" explicitly to develop an atomic bomb. In its 60 year history, Los Alamos hasn’t changed. In fact, its mission has grown tremendously. The current federal budget for nuclear arms far surpasses Cold War figures.

As the key US producer of the plutonium pit - the core component of a nuclear weapon - Los Alamos is vital to the nation’s nuclear weapons complex. In 2003, the lab produced its first certifiable plutonium pit in more than ten years, with plans to eventually produce 50 to 500 a year.

Since 1992, new weapons development has taken place under the "Stockpile Stewardship" program, intended only for maintaining the existing stockpile. In one instance, *The Bulletin of Atomic Scientists* reported that Los Alamos had added the B61 "mod-11" gravity bomb to the US arsenal in the spring of 1997.

Los Alamos also conducted a high-level briefing in July of 1992 entitled "Potential Uses for Low-Yield Nuclear Weapons in the New World Order." The briefing called for studying a new class of "low-yield" nukes intended for actual use. To this end, Los Alamos has already begun research on a new generation of weapons commonly referred to as “mini-nukes.”

**Technology Transfer**

The following information is adapted from the current Los Alamos National Laboratory-University of California contract (Online at [http://labs.ucop.edu/internet/comix/contract/LANL/lanl_k.doc](http://labs.ucop.edu/internet/comix/contract/LANL/lanl_k.doc)):

The Los Alamos Contractor simply manages the patents and copyrights for the laboratory, not for itself. The Contractor loses access to patents upon termination of contract, and all profits are given to the Laboratory, not the Contractor.

Section I.081(i), p.182:
"In the event of termination or upon the expiration of this Contract...the Contractor shall transfer title, as one package, to the extent the Contractor retains title, in all patents and patent applications, licenses, accounts containing royalty revenues from such license agreements, including equity positions in third party entities, and other Intellectual Property rights which arose at the Laboratory, to the successor contractor."

Section I.081(h)(1), p. 181-182:
"Royalties or other income earned or retained by the Contractor as a result of performance of authorized technology transfer activities herein shall be used by the Contractor for scientific research, development, technology transfer, and education at the Laboratory."

The Contractor, however, may be allowed access to copyright material to publish in "academic, technical or professional journals, symposia, proceedings, or similar works" (I.080(d)(1), p. 166). The contract also outlines stringent rules in which the Contractor would be able to assert copyright (I.080(e), p. 167-172); for instance, the work would have to be unclassified - but roughly 40 percent of work at Los Alamos is classified, according to the 2000 UCORP Report ([http://bartok.ucsc.edu/peter/labs/DOE.html](http://bartok.ucsc.edu/peter/labs/DOE.html)).
Economic Impacts

The UT System has touted perceived economic benefits to UT and to the state of Texas from management of Los Alamos through a process called Technology Transfer. This process takes commericialable research produced at public institutions like Los Alamos, bring it to the market, and usually results in substantial private profits for the local economy. However, the argument that UT would gain from technology transfer at Los Alamos does not hold up for two reasons.

First, the University of California currently operates Los Alamos on a “no loss/no gain” contract, meaning that expenses incurred from lab operation are reimbursed by the federal government through the Dept. of Energy. Alternately, all profits derived from lab operations and research are reinvested in the lab itself. Thus, if UT were to manage the lab, then it would most likely be doing so as a “public service,” much the same as UC currently does.

Secondly, the Los Alamos lab is not geographically located within the state of Texas. As a result, although the lab creates jobs for the communities surrounding Los Alamos, UT management will not lead to significant job increases for Texans. In much the same way, current lab employees work for the UC System but the majority are not from California.

Conversely, the UT research labs in Texas, such as those in San Antonio, Austin, and Galveston, are plugged into their local Texas communities economically, providing for commercialization of technologies. Much of this research is both explicitly and implicitly conducted by the UT System. Thus, UT operates the facility, hires UT employees and determines revenue, cost and profit decisions.

New Bombs, Same Lab

The Department of Energy (DOE) funds a majority of the lab's budget, although there are some projects funded by the Department of Defense and Homeland Security. However, these numbers are not reported to the general public. According to the DOE funding request for the 2005 fiscal year, total weapons projects account for $1.396 billion - roughly 79 percent - of the lab's $1.8 billion DOE budget. Total science projects comprise a mere $59.8 million, or 3.4 percent of the DOE budget.

Between the 2004 and 2005 fiscal years, funding for total science projects decreased by $12.5 million whereas funding for total weapons projects increased by $125.7 million. Between the 2003-05 fiscal years, funding for total science projects decreased by $15.1 million whereas funding for total weapons projects increased by $148.9 million.
The Role of the Manager

The University of California (UC) has managed Los Alamos since its inception in 1943. According to former UC President Richard Atkinson, this responsibility has proven to be a “drain” on UC System resources – in other words, a liability.

This “drain” on UC comes in the form of free tuition for the children of lab employees to attend UC schools. It also includes hefty settlements and fines that the UC has paid to the state of New Mexico and whistleblowers for management failures and environmental problems.

For the UT System, this story will not likely change. UT has already allocated $500,000 in February 2004 to study a potential bid on Los Alamos. By the time bid preparation is over later this year, UT may also spend up to $6 million.

Furthermore, the hazardous waste problems associated with the lab and unanticipated management difficulties, as well as the resulting lawsuits and settlements, would not disappear once UT received a management contract. These costs are uncertain and separate from recurring lab operating costs. Ultimately, they could end up plaguing UT’s budget and its reputation.

Any institution seeking to manage Los Alamos should seriously weigh the liabilities associated with management, but for UT, these liabilities would be particularly severe. The Texas Legislature has repeatedly cut appropriations to the UT System, and these cuts have recently left UT searching for new sources of revenue. UT can’t afford new and unnecessary cost burdens.

Lax Security

According to news sources such as 60 Minutes, Vanity Fair, National Public Radio, and the independent Government Accountability Office (GAO), security at DOE labs, especially Los Alamos, is surprisingly lax. Since radioactive waste is stored at Los Alamos, security is of utmost importance to protect against terrorists interests in deploying a "dirty bomb" comprised of radioactive materials and conventional explosives.

Richard Levernier, a senior Dept. of Energy nuclear security specialist, was in charge of testing the security at nuclear weapons facilities from 1995 until 2001. According to a Vanity Fair article in November of 2003, his mock terrorist squads, or “black hats”, would simulate an attack on Los Alamos and nine other facilities. Their goal was to “penetrate a given weapons facility, capture its plutonium or highly enriched uranium, and escape.” Levernier reported that, “In more than 50 percent of our tests of the Los Alamos facility, we got in, captured the plutonium, got out again, and in some cases didn't fire a shot, because we didn't encounter any guards.” This occurred even though the lab’s security personnel were warned of the attack drill months in advance.

In a statement to 60 Minutes earlier this year, Levernier said, "Overall, the test results that I was responsible for showed a 50 percent failure rate. If you understand the consequences associated with the loss of that kind of material, it would make the World Trade Center event of Sept. 11 pale in comparison."
Environmental Concerns

President George H. W. Bush placed a moratorium on plutonium pit - the core component of a nuclear weapon - production in 1991 after the end of the Cold War. However, in April of 2003, Wired News reported that Los Alamos produced the first new certifiable plutonium pit in 14 years. Now Los Alamos is the one facility in the country that manufactures these pits.

Furthermore, pit production requires the creation of radioactive wastes. Los Alamos is already a radioactive waste dump. There are currently over 2,000 contaminated sites at the laboratory.

According to the Los Alamos Study Group, Los Alamos’ Area G site (the largest Los Alamos radioactive and hazardous waste dump) contains “enough buried radioactive and chemical wastes to fill 1.4 million 55 gallon drums -- plus 60,000 drums worth of temporarily-stored waste." Area G is also “expected to receive 54,000 drums worth more waste each year, mostly from nuclear weapons production and testing."

The risks associated with this waste are already apparent. Abnormal levels of plutonium have been discovered leaking into the Rio Grande River, which borders the laboratory.

This could be as result of the so-called “kick and roll” method of waste disposal where barrels of waste were simply rolled over a canyon according to Joni Arends of Concerned Citizens for Nuclear Safety, as reported by the Environment and Energy Publishing, LLC Greenwire on July 9, 2004. Although the method is no longer practiced, its effects continue to linger and the Rio Grande is now contaminated.

Fines

As a non-profit, educational institution, the University of California is technically exempt from all fines levied by the State of New Mexico and the U.S. government. However, regardless of its official status, UC has paid significant fines, settlements and compensations.

In the summer of 2002, multiple cases of undocumented expenditures and loss of equipment were exposed at Los Alamos. The UC System later "chose to reimburse the Government" a total of $370,000 for unreported expenditures, according to a report released the following year by Deputy Secretary of the Dept. of Energy Kyle McLlarrow and Director of the National Nuclear Security Administration Linton Brooks. Some of the expenses were later found to include a $30,000 Ford Mustang.

The UC System also forked over $930,000 to Glenn Walp in a settlement after he revealed cases of "mismanagement, security breaches, and fraud at the troubled Los Alamos," reported a Washington Post article in August of 2003.

Frequent incidents of mismanagement, lax security, and environmental violations are enough to taint any administration. Literally tens to hundreds of security violations and worker accidents happen every year at Los Alamos. Following an incident known as the CMR Explosion, an independent investigation found that Los Alamos suffered over 900 worker accidents between 1993 and 1997.

If such incidents were to continue under UT management, it would pay with its budget and reputation. *Money spent on Los Alamos problems translates to money not spent on education.*
Same Access, Regardless of Management

Although in the past, management may have brought increased research opportunities to UC, it has been lab policy to compete nationally for the best scientists without preference for the manager for quite some time. Actually, UT students and faculty would benefit the school gained more access to the actual "science" projects at the lab. But many UC and UT graduate students, faculty, and administrators concur that access to the lab would not be affected by a change in the Los Alamos management contract.

According to the Chronicle of Higher Education on November 7, 2003, "[Former University of California President Richard] Atkinson has repeatedly said he believes UC scientists would receive similar access to Los Alamos, regardless of its manager. Sheldon Landsberger, a professor of mechanical engineering at the University of Texas at Austin, concurs. Many of his students work at the lab. 'We get funded from Los Alamos, and we're not a part of the University of California,' he says."

UT Physics professor and associate dean for research and facilities Peter Riley told the Daily Texan on April 13, 2004, "I don't see very many benefits that would arise. I see a lot of difficulties, and the difficulties outweigh the benefits." Riley has also researched at Los Alamos as a UT-Austin professor.

Riley also added, "I do have concerns of UT taking over operations at the lab. I think it would be a big undertaking. I'm not sure we are well-equipped to do this."

Fellow physics professor Roger Bengston stated, "I have interacted with people at Los Alamos on a variety of scientific topics. I cannot imagine that these interactions would be facilitated by UT holding the contract to manage Los Alamos."

Both professors questioned the prestige Los Alamos would bring to UT. They believe UT-Austin would still enlist outstanding graduate students and professors without managing the lab.

The UC Faculty Jendresen report, 1989:
With some exceptions of "special programs," report found that "It does not appear that the contractual relationship makes a critical difference in enhancing the access of University of California faculty and students, as compared with their colleagues from other institutions."

The UC Faculty UCORP report, 1996:
"Two principles appear clear regarding UC's mission of teaching and research: (1) because the relationship to the National Laboratories is for public service, UC should not receive preferential treatment with respect to access to Laboratory research facilities or funds; and (2) There is no identifiable reason why all existing collaborations, whether research or teaching, should not continue whether the Laboratories are managed by UC or another entity."

The UCORP report also found that:
"a) The University will best serve the state, the nation and the world by devoting its energies to its primary missions of teaching and research; b) A request from the national government to continue to operate the DOE National Laboratories is not a sufficient justification to do so; c) Ideally, UC might work toward a physical and administrative separation of classified research at Lawrence Livermore and Los Alamos National Laboratories, turning over responsibility for classified work to another entity, while maintaining responsibility for non-classified research. Although a laudable goal, based on our review, UCORP believes that this option is neither practical nor feasible; d) UCORP believes that were the UC academic faculty to consider the issues to the extent that UCORP itself did, the UC faculty would conclude, as UCORP has, that the best option for the University is to move towards terminating its management of Lawrence Livermore and Los Alamos National Laboratories."