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January 6, 1998

The Honorable Federico Peña
Department of Energy
1000 Independence Avenue, SW
Washington, D. C. 20585

Dear Mr. Secretary:

The FY 1998 National Defense Authorization Act (FY98 NDAA) requires you to undertake an examination of and report by the end of calendar year 1998 on the preferred option for tritium production to meet the requirements of maintaining the nuclear weapons stockpile. As a practical matter, this represents a deadline extension from a requirement to make an earlier report.

I write to urge you to make full use of this extension and to delay making any decision until a more detailed examination of the policy implications of such a choice can be evaluated throughout the government. While it is important to make a timely decision on a source of tritium production for the nuclear weapons stockpile, there is no urgent requirement that should drive this decision ahead of the deadline established in the FY98 NDAA.

A major concern during the conference of the House and Senate in coming to agreement on FY98 NDAA was to ensure that the national deliberation on the tritium production issue focused tightly any potential adverse consequences to our national nuclear non-proliferation goals of mixing our commercial nuclear energy program with our defense nuclear program. Such a mixture might do severe damage to our laudable efforts to move other nations away from nuclear energy programs that can potentially contribute material to a weapons program.

Notwithstanding the earlier precedent at Hanford and despite the fact that tritium is not a so-called "special nuclear material," production of tritium for weapons purposes (as opposed to others) makes it a matter of special concern. I believe that the United States Government would be hard pressed to urge other countries to abandon similar mixed production programs if it were

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to choose now, when alternatives to such a choice exist, to embark upon a strategy the deliberately created such a mixture.

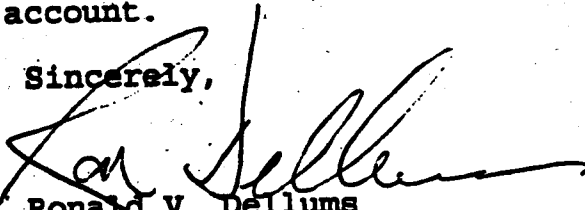
I know that many within the government have focused on the extra costs that would be borne either by constructing an accelerator for tritium production purposes, or of purchasing or leasing a reactor without gaining the influx of financial benefits from the sale of steam, power or electricity to the grid. And, of course, some are arguing that the purchase of irradiation services form a commercial operator might be the least cost option of all.

I strongly urge the Department to seek an interagency determination on the policy question of mixing commercial and defense programs. In addition, I would urge that the life-cycle costs of any option be considered in making this decision. Focusing only on the near-term costs of a budget year or even of the FYDP will run the risk that future generations of decision makers will be saddled with costly residual liabilities for clean-up that have been able to be "overlooked" in the relatively short span of federal budget making.

I urge that great weight be given, as a matter of policy, to avoiding mixing our commercial and defense programs. Such costs as may be borne by avoiding such an approach will more than be made up for by being able to work the world community more forcefully in the effort to prevent the proliferation of nuclear materials suitable for bomb making.

In undertaking the assessment required in the FY 1998 Defense Authorization Act, I strongly urge that these considerations be taken into account.

Sincerely,



Ronald V. Dellums
Member of Congress

enclosure

cc: Hon. Madeleine K. Albright, Secretary of State
Hon. John Holum, Director, Arms Control and
Disarmament Agency
Mr. Samuel R. Berger, Assistant to the President for
National Security Affairs