

*Lori Cox, Chairman of RFSC*

*6/7/2010*

Dear Senators Udall and Bennet and Representatives Polis and Perlmutter,

In recent months representatives of the Rocky Mountain Peace and Justice Center have charged the Rocky Flats Stewardship Council, as the Department of Energy Local Stakeholder Organization (LSO) for Rocky Flats, with violating the Federal Advisory Committee Act (FACA). They have levied this charge with Congress, the Department of Energy and the General Services Administration. Some of the claims have been raised in meetings with staff.

The Peace Center's claim is based on the false and misguided idea that in establishing LSO's Congress included a provision declaring LSOs must comply with FACA. The authorizing legislation does not mention FACA. Moreover, by the explicit terms of the legislation, LSOs were not established as an advisory board for DOE.

DOE had reviewed the Peace Center's claims and find them baseless. DOE's memo summarizing its position is attached.

Furthermore, as a unit of local government under the Colorado Constitution and Colorado statutes, we abide by the Colorado Open Meetings Act and the Open Records Act. As then-Representative Udall will recall, DOE and members of Colorado's delegation agreed in 2005 that our complying with these state laws would ensure that we operate in an open forum, thus obviating the need to amend the legislation to require the Stewardship Council to comply with FACA.

Regards,