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June 22, 2015

The Honorable Ernest J. Moniz, Secretary  
U.S. Department of Energy  
1000 Independence Avenue SW  
Washington, DC 20585

Re: SEAB Task Force Comments on *Aligning the Governance Structure of the  
NNSA Laboratories to Meet 21<sup>st</sup> Century National Security Challenges*

Dear Mr. Secretary:

I served as the Chairman of the NAS committee that is the subject of the SEAB comments. I appreciate the endorsement of most of the committee's recommendations. However, although the NAS committee recommended the revitalization of the Mission Executive Council ("MEC") as a vehicle for improving coordination among the national security agencies, the comments strongly disagree on this point. The comments indicate that the DOE Laboratory Policy Council should develop strategy and supporting policy for the NNSA laboratories and that the MEC's role should be simply "to review this strategy and provide input to the Secretary of Energy."

This letter is to express my disagreement with this aspect of the comments. I should note, however, that I appreciate both that the SEAB comments endorse most of the NAS report and that I have had an opportunity for interchange with the Laboratory Task Force on this one issue on which reasonable differences remain.

The NNSA laboratories are now intended to serve as national security laboratories, rather than simply as nuclear weapons laboratories. This reflects the reality that our national security challenges are evolving and the skills of the laboratories can and should be deployed in assistance to the Intelligence Community (IC), the DHS, and DOD, in addition to DOE. The MEC was explicitly created just a few years ago "to provide a framework for the participating agencies to coordinate shared, long-term planning for the science, technology, and engineering . . . capabilities resident in . . . [DOE's] National Laboratories . . . that are of cross-cutting strategic national security interest." (The quotation is from the MEC Charter, which is reproduced as Appendix F of the NAS Report.) The charter

was signed by the Secretary of Energy, the Director of National Intelligence, the Secretary of Defense, and the Deputy Secretary of DHS. The idea was to create a forum in which each of the agencies could engage in long-term strategic planning to coordinate the development of capabilities in the laboratories that the agencies together or individually might need.

I do not find the arguments in the letter for the diminution of the role of the MEC to be convincing. The MEC was intended to be a multi-agency forum that enables the identification of critical mission needs that extend beyond those of interest to DOE and that facilitates coordination and collaboration among the agencies in their fulfillment. It was exactly because of the dissatisfaction of key IC members with the way that DOE sought to manage the engagement with the laboratories that caused the various Cabinet-level officials to agree to establish the MEC. (See Appendix G of the NAS Report for a discussion of the origins of the MEC.) The letter would unwind the solution on which they reached agreement.

The SEAB comments indicate that the MEC should be diminished to a role of commenting to the Secretary of Energy, rather than providing a forum for multi-agency engagement and advice to all the participating agencies. But I believe it is in the interest of DOE, the laboratories, and Nation's national security to facilitate the laboratories' engagement with our broad and evolving national security challenges. The partnership for strategic planning embodied in the charter of the MEC is a vehicle by which the relevant agencies can come together for advice and coordination to support the missions of all the agencies, not just DOE. I believe the retreat to DOE insularity reflected by the letter is a step backwards

The letter justifies the retreat on the basis that it might impede DOE "ownership" of the laboratories and will invite "interdepartmental mischief." I simply disagree that efforts to build a mechanism to improve collaboration and coordination among the national security agencies should be seen to threaten DOE and its prime responsibility for the laboratories. Indeed, there is no indication that the MEC has presented or threatens to present the intrusion on DOE authority that the comments fear. Moreover, the charter for the MEC explicitly states that it "creates no financial or operational commitment or obligation for any of the participating agencies." MEC Charter, Paragraph 7. In short, the charter of the MEC forecloses it from serving the "operational role" that the letter finds so objectionable. The Secretary of Energy will retain his responsibility and authority over the laboratories if the MEC continues to exist in its present form.

Finally, I note that the MEC is in place, although it needs to be revitalized. Given there is an existing vehicle to serve the central purpose of coordination, why is there a need to create something different? The MEC as currently arranged reflects an agreement among the four agencies and that agreement should not lightly be jettisoned or circumvented.

Let me be clear that I do not disagree with the recommendations in the letter for a NNSA headquarters office with responsibility for the long- and short-term health of the laboratories or for a stronger role for the Laboratory Policy Council. Stronger capacities for management of the laboratories within DOE are, in my view, completely consistent with the continued reliance on the MEC as a means for interagency coordination.

Of course, I am available to discuss the matter further if you should wish to do so.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard A. Meserve". The signature is fluid and cursive, with the first name "Richard" being more prominent.

Richard A. Meserve