



The Deputy Secretary of Energy
Washington, DC 20585

March 27, 2006

MEMORANDUM FOR ALL DEPARTMENTAL ELEMENTS

FROM: CLAY SELL *Clay Sell*

SUBJECT: Correspondence to the Defense Nuclear Facilities
Safety Board

Two important principles in the Secretary's drive to improve management of the Department are line accountability and clear roles and responsibilities. It is incumbent on all of us to review ongoing practices and policies to ensure they comply with those principles.

In that light, I have reviewed the guidance promulgated by my predecessor on August 6, 2003, mandating coordination with the Defense Nuclear Facilities Safety Board staff prior to signing any correspondence to the Board (copy attached). The policy set forth in that memorandum inadvertently blurs the distinction between line responsibility and accountability and the role of external reviewers such as the Defense Nuclear Facilities Safety Board. By implication (and by the practice of some) this notice could suggest a Board veto over line actions. Such blurring of responsibilities weakens the independence and effectiveness of the Defense Nuclear Facilities Safety Board and weakens line responsibility. To avoid perpetuating possible confusion, the requirement to coordinate with the Board staff prior to submission of correspondence is rescinded.

Departmental elements will continue to cooperate closely with the Defense Nuclear Facilities Safety Board. In preparing correspondence and responses to Board requests, it is entirely appropriate to consult with the Board where there are questions about the meaning of the request. But departmental elements should not "pre-clear" responses with the Board nor allow Board staff to become enmeshed in the internal drafting and review process. This guidance does not alter the Department's policy of providing the Board an opportunity to comment on formal directives within the Board's area of competence.





The Deputy Secretary of Energy
Washington, DC 20585

August 6, 2003

MEMORANDUM FOR LINTON F. BROOKS
UNDER SECRETARY FOR NUCLEAR SECURITY/
ADMINISTRATOR FOR NATIONAL
NUCLEAR SECURITY ADMINISTRATION

ROBERT G. CARD
UNDER SECRETARY FOR ENERGY, SCIENCE, AND
ENVIRONMENT

FROM: KYLE E. MCCLARROW

A handwritten signature in black ink, appearing to read "KEM", written over the printed name Kyle E. McClarrow.

SUBJECT: Correspondence with the Defense Nuclear Facilities Safety Board

It has been brought to my attention that the DNFSB has expressed concerns with the completeness and accuracy of the information provided to them in recent correspondence signed by the Secretary. Needless to say, this is not only embarrassing to the Secretary, but potentially damaging to the credibility of the Department.

For example, in one case discussed with me, a DNFSB site representative had concerns with correspondence that had already been dispatched to the Board. He had inadvertently been omitted from the coordination on the package.

We must preclude even the slightest possibility for inaccuracies in future correspondence to the Board. Toward that end, I am directing you to personally ensure that all field organizations' procedures related to DNFSB correspondence include mandatory coordination with their respective DNFSB site representative.

cc:

B. Cook, EH-1
J. Mangeno, NA-1
M. Whitaker, DR-1