

Choice of Los Alamos Director Stirs Critics

Appointment of Los Alamos alumnus is in lab tradition but causes reaction because of his testimony on Hill last year

The naming of Department of Energy official Donald M. Kerr as new director of the Los Alamos Scientific Laboratory (LASL) created a backlash. Kerr was criticized by arms control advocates last summer for congressional testimony they saw as conflicting with Administration policy on a comprehensive test ban treaty (CTBT). His appointment revived that criticism and the White House is reported to have been actively displeased by the choice of Kerr, 40, for the Los Alamos post.

Kerr's selection has also raised the temperature of the debate over the University of California's management of the Los Alamos and Livermore nuclear weapons laboratories (*Science*, 18 May 1979). California Governor Edmund G. Brown, Jr., who recently proposed that the weapons program be separated from the university, on 4 June sent a telegram to President Carter which concluded, "Consistent with your Inaugural commitment to achieve nuclear arms limitation, I call upon you to direct your appointee, Secretary [of Energy] James Schlesinger, to reject the nomination of Dr. Donald Kerr as Director of Los Alamos Laboratory. The nation's security as well as the fate of humanity depends on the quality of the people you place in charge of our nuclear future."

Newspaper stories earlier had reported that opponents of the Kerr appointment had appealed to President's Science Adviser Frank Press to intercede and had won a sympathetic hearing, but the critics had been unable to come up with an alternative candidate acceptable to Schlesinger. Press declined to comment "at this time" when *Science* inquired about the matter.

Despite the furor, Kerr's appointment does not appear to have been seriously threatened at any point. This is attributed to the firm backing of Schlesinger, and to the method of appointment of weapons lab directors. They are in effect employees of the University of California rather than federal officials and thus insulated from political pressures.

Under the terms of the contract with

the University of California, appointments of the two lab directors are formally made by the UC regents on the recommendation of the university president. The choice then must be approved by the DOE secretary. The university administration apparently was informed that Schlesinger had approved Kerr's appointment within an hour or so after being notified of Brown's protesting telegram to Carter.

Before the appointment was announced Kerr was rumored to be favored by DOE for the job and one newspaper columnist referred to Kerr as Schlesinger's "handpicked" choice. John Deutch, a DOE assistant secretary who has been nominated for the agen-

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cy's second spot as under secretary, denies unequivocally that Schlesinger or he exerted pressure on behalf of Kerr and declares that two or three other candidates on a short list that were considered by the regents search committee were "equally acceptable" to Schlesinger, though their appointments ultimately did not work out.

Kerr's controversial testimony, which dealt primarily with maintenance of the reliability of the nation's nuclear weapons stockpile, was presented last August at House Armed Services subcommittee hearings on the effects of a comprehensive test ban (CTB) on U.S. national security. Kerr was acting assistant secretary for weapons programs at the time. He is now a deputy assistant secretary in

the office of energy technology. Kerr was criticized not only for the content of his remarks, but also for failing to have them cleared by an interagency White House group as is regarded as mandatory on sensitive nuclear policy matters. Kerr's explanation was that he was unable to attend the group's meeting on short notice and also that he spoke from notes and, in part, summarized previous testimony (*Science*, 22 September 1978).

The burden of his testimony is indicated by this comment toward the conclusion of his prepared remarks:

In sum, the Nation's nuclear stockpile and capability could be maintained under a CTB of limited duration provided we pursued a vigorous safeguards program during the period of the ban and resumed testing on the expiration of a treaty. But a total cessation of testing in the long run would inevitably result in a steady decline of our nuclear deterrent and risk a steadily growing asymmetry between United States and Soviet military forces.

Asked by *Science* about his testimony and whether he would put things differently now, Kerr says that the heart of the issue on which he testified was "the question of what technical risks we are willing to assume to reap political benefits." He said that if he were asked the same questions today by Congress he would take the same stand on the issue.

Kerr observed that what was not noted in his testimony was a reply in which he said, "The effects of degradation of the U.S. nuclear weapons capability under a [comprehensive test ban] can't be assessed in isolation from the political and military factors. So, the judgment there is one where our views would have to be combined with those of Defense, State, ACDA, and others in the Government."

"A decision to stop testing would have to be made in the broad context of national security, including nonproliferation, SALT, and our relations with our allies."

Kerr was asked to comment on criticism that weapons lab directors have exerted undue influence on weapons policy, especially with Congress, and have sometimes been accused of campaigning

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Doves Attack SALT II

Arms treaties with the Soviet Union are customarily attacked from the right as giving too much away, and the SALT II agreement has been no exception. But this time the arms control lobby is also unhappy with the treaty, in particular with the concessions the President has had to make in hope of getting the Senate to ratify the treaty.

Carter decided the proceed with development (though not deployment) of the MX missile, a mobile land-based missile designed to be less vulnerable than the present Minuteman. The Federation of American Scientists, a leading arms control pressure group, considers the MX a wasteful and unnecessary project bound to end up as the "ABM of the 1980's."

"The general course of the SALT process is wearing out the patience of its most loyal supporters," the Federation has announced. "In time, if the SALT process is not more productive than it is now, Federation members may move toward a policy of 'buy only what you need' and withdraw their support from comprehensive SALT treaties that seem to cost more than they are worth."

The Arms Control Association is also distressed about the MX missile, which it does not believe is the best possible solution to the problem of Minuteman silo vulnerability. The association is less tepid than is the Federation of American Scientists about the SALT II treaty, the benefits of which it considers more than miniscule. But the ACA too believes the SALT process holds room for improvement: rather than another 7-year negotiation process with unchecked technological momentum and expensive bargaining chips, it might be better to seek a series of limited and specific amendments to the SALT II treaty.

The Committee on the Present Danger, which is no dove, has not yet announced its position on the SALT II treaty, although it has hitherto been critical of specific provisions. The committee favors the MX missile, depending on its mode of basing, a decision which Carter has not made. A spokesman for the committee says it makes no linkage between its position on SALT II and the MX. The committee does not oppose the SALT process or the principle of arms control.

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for initiatives which did not jibe with official policy.

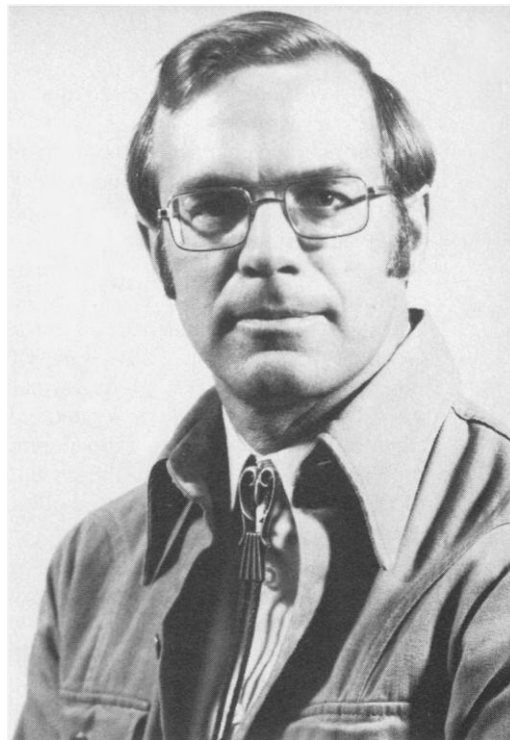
Discussing the directors' role Kerr said that he had "observed it" in the actions of his predecessors Norris Bradbury and Harold Agnew. "It is clear that the lab directors have had great influence. I hope that would continue [because] they are one of the best sources of technical opinion. However, the lab directors do have a responsibility to make sure they realize what their role is. Their job is to carry out a program for the government, not to undermine U.S. policy." Kerr says he realizes that he will "occupy an influential position as lab director," but that he will also "be responsible to act so as not to embarrass the government."

The conflict between Kerr's testimony and Administration policy on testing was focus of a report in the Federation of American Scientists newsletter last October. Asked for a reaction to Kerr's appointment to the Los Alamos post FAS director Jeremy J. Stone observed that, "The Carter Administration, which has already been roundly criticized for not getting itself together, gives the impression in the Kerr appointment that it actually rewards insurrection."

Sensitivity to Kerr's remarks was particularly high at the time because negotiations with the Soviets on a comprehensive test ban were in progress. Kerr's comments apparently were sufficiently at odds with the Administration position to have prompted Soviet negotiators in Geneva to request a clarification.

In this country, the Kerr testimony drew an immediate response from Senator Edward M. Kennedy (D-Mass.), who said the testimony "undercut" the President's policy; and Kennedy also challenged Kerr's analysis by citing a letter written by three physicists with long experience in nuclear weapons affairs. They were Norris Bradbury, former director of Los Alamos, J. Carson Mark, a longtime head of its theoretical division, and Richard Garwin of IBM, a veteran adviser on the nuclear weapons program. The letter in general attested to the continued operability of the nuclear stockpile without testing.

In terms of policy, the major point at issue was the duration of a test ban treaty. The Administration was deeply concerned about the relation of a test ban to international measures to control the proliferation of nuclear weapons. The Administration was convinced that chances for adherence by nonnuclear countries to nonproliferation measures would be greatly improved if the super-



Donald Kerr

powers demonstrated good faith in the matter of controlling nuclear arms by concluding a comprehensive treaty banning all nuclear testing. The shorter the duration of the treaty, the less favorable the potential impact on nonproliferation was judged to be.

An unlimited test ban was regarded as the most desirable from a nonproliferation standpoint and the Administration was reported to be leaning toward such a ban at the end of 1977. Arguments by DOE and the Department of Defense apparently caused the Administration to move away from an unlimited ban. As DOD assistant secretary for international security affairs David E. McGiffert, for example, testified at the August hearings, "I think the input of the Department of Energy and the Department of Defense, including the Joint Chiefs, has contributed to a much better understanding of the stockpile reliability program over roughly the last 7 to 9 months, and that, in turn, has indeed affected people's perspective on treaty duration."

Arms control advocates are alarmed at the effect this process is having not only on nonproliferation efforts but on long-term test ban prospects. They see DOE and DOD advocacy of the necessity of testing as not only threatening CTBT negotiations but even as undermining the limited test ban now being observed.

Perhaps because of the timing of his testimony and the notice it attracted, some arms control proponents see Kerr as deserving a major share of responsibility for the Administration's changing its negotiating stand on a comprehensive

ban by reducing its proposed duration from 5 years to 3.

This accounts in part for the sharpness of the reaction to Kerr's appointment to the LASL post. Critics of the weapons establishment argue that weapons lab directors, with their access to information and claim to technical expertise, have exerted a strong influence on nuclear weapons policy, especially with Congress. The charge is that, historically, the directors have taken a maximalist line on nuclear weapons development and paid only lip service to the view that decisions on weapons policy should be made in a broad policy context.

Governor Brown's telegram relies on such an analysis in a key paragraph when he says, "The Director of Los Alamos Laboratory will have a significant impact on your ability to obtain ratification of the Comprehensive Test Ban Treaty. This individual, however, otherwise undistinguished, will have the ear of Congress and the respect of the public by virtue of his position as Laboratory Director. In this light your approval of Dr. Kerr's appointment does not make sense."

The appointment of Kerr continues the practice of appointing weapons lab directors from inside, with the variation

chose to take the Los Alamos job. Kerr is not particularly well known, however, in the weapons R & D community outside Los Alamos and that includes working scientists at Livermore. The Los Alamos director's post now pays \$80,000 a year, topping both the \$49,000-a-year California governor's salary and UC president's pay which is in the low \$60,000's. The director's salary was raised from \$63,000 after it was found during the search for a new director that pay for comparable posts in industry was much higher, making it virtually impossible to recruit from industry. Former Los Alamos director Harold Agnew is said to be receiving a multiple of his old salary at his new job as president of General Atomic in San Diego.

To one more detached but knowledgeable observer who has known Kerr since early in his Los Alamos career, the new director is a satisfactory choice. The appraisal is interesting because Cornell physicist Hans Bethe is known as an arms control advocate. Last year, for example, he read and concurred with the Bradbury-Garwin-Mark letter which was made public through the Federation of American Scientists.

Bethe, a major figure in the wartime development of the atomic bomb who

Bethe says his view of Kerr is that "on the whole he had done a good job," and "I am quite happy with the appointment." Bethe says that he realizes that Kerr's testimony last year caused a stir. Bethe indicated that he disagrees with Kerr but feels that he "is entitled to his opinion."

Bethe notes that Kerr's appointment has met a mixed reaction at Los Alamos. Some divisions at the lab are devoted exclusively to weapons R & D; others are purely scientific. "The latter would have preferred to have someone with more standing in science," says Bethe. The weapons divisions feel that the primary reason for the existence of the lab is weapons work and they feel that they have won.

Bethe acknowledges that weapons lab directors can exercise strong influence on nuclear weapons policy. Some directors have had a broad grasp of policy and technical issues and have been particularly effective. Bethe says he thinks Kerr "has that capability." Alluding to Kerr's testimony of last summer Bethe says wryly that perhaps "his candor is a little too great." Bethe recalls that Kerr's predecessor, Harold Agnew, "was outspoken. Probably Kerr will be too."

Bethe goes on to say, "I will presumably differ with Kerr" on some policy issues, but "I believe he is a competent person who will speak his mind. The only worry I have is the same as the scientific divisions. Will he give enough emphasis to the work of these divisions?" On that score Bethe says he is "rather optimistic."

As an arms control advocate who nevertheless accepts the Kerr appointment, Bethe seems placed near the center of the spectrum of informed opinion about the role of weapons labs and their managers. Governor Brown, who opposes the Kerr appointment, brings to the matter a narrower perspective focusing on the UC-labs link and Kerr's public performance as a DOE spokesman. Because of Brown's presumed presidential aspirations, any challenging communication to Carter from Brown will be examined for its political yield.

It is evident, however, that the Kerr appointment will be an issue in the coming regents' decision on Brown's proposal to sever the university from weapons work. Informed vote-counters expect that the regents will elect to continue the university role as contractor for the labs, but there also seems little doubt that the issue will remain a hot one and that the Kerr appointment adds fuel to the fire.—JOHN WALSH

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that Kerr, who was for 10 years a Los Alamos staff member, has spent the past 3 years in the DOE's Washington hierarchy. His predecessors as Los Alamos directors were Bradbury, who succeeded J. Robert Oppenheimer in 1945, and Harold Agnew, who took over from Bradbury in 1971 and resigned effective 1 March.

In the university announcement of Kerr's appointment UC president David S. Saxon was quoted as saying "We are fortunate to have found for the directorship of LASL a person who has had experience with the Department of Energy, but knows the laboratory well." Thus Kerr's career pattern seems to have counted significantly in the choice.

Deutch gave high marks to Kerr for his work at DOE and described himself as "distracted" at losing him from the agency—Kerr apparently could have moved up to Deutch's post of assistant secretary for energy technology, but

has maintained touch with the nation's nuclear weapons program, has known Kerr since the former was a member of a Los Alamos group testing the optical effects of high-altitude events. This was long after the ban on atmospheric testing went into effect and only nonnuclear testing was permitted. What was involved was the release of barium into the higher atmosphere, and Bethe says that Kerr came up with a new method of distributing barium and observing it. Bethe says that Kerr, who earned his doctorate in plasma physics from Cornell, is "a good experimental physicist, no question."

The group was a strong one, says Bethe, and when its leader retired, Kerr became group leader. He moved up fast in the Los Alamos hierarchy to become an alternate division leader before moving on to Washington, thus acquiring upper-level management experience at the lab.