Washington Update
June 25, 2012

Thanks to Lewis-Burke Associates for their assistance with this Washington Update.

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1. House Appropriations Subcommittee Investigates Multi-year Mismanagement of National Weather Service Funding

On June 21, the House Commerce, Justice, Science (CJS) Appropriations Subcommittee held a hearing to investigate alleged mismanagement of funds appropriated to the National Weather Service (NWS) within the National Oceanic and Atmospheric Administration (NOAA). Dr. Jane Lubchenco, Under Secretary of Commerce for Oceans and Atmosphere and NOAA Administrator, and Dr. Kathryn Sullivan, Assistant Secretary of Commerce for Environmental Observation and Prediction, Deputy Administrator, and Acting Chief Scientist, appeared before the subcommittee to report on the findings of an investigative team that was appointed late last year to examine evidence of financial mismanagement and violation of appropriations law, which was first raised in November 2011.

Below are some notable points from the hearing:

- The investigative team concluded that NWS has been operating under an unsustainable funding structure, which was not known to the NOAA leadership. That structure will be fixed in future budgets to ensure that accounting tricks, like those uncovered in the review, do not happen again.
- To ensure NWS has the funding it needs to provide its core weather prediction and warning services and to avoid NWS employee furloughs, NOAA is asking Congress to approve a $35.5 million reprogramming package for fiscal year (FY) 2012. This proposal would move $29.9 million from NWS programs (the NOAA NextGen Weather Program and the NOAA Weather Radio Improvement Program were named explicitly), $4.1 million from non-NWS programs (primarily research accounts), and $1.5 million from prior year de-obligations. According to Dr. Lubchenco’s testimony, “The reductions identified are largely targeted toward research, postponing procurements of spare parts, deferring enhancements to weather systems, and accelerating reductions proposed in the FY 2013 budget.” Interestingly, these include many of the same programs that were the victim of the illegal reprogramming activities.
- Members of the Subcommittee, especially Chairman Frank Wolf (R-VA), expressed their longtime support for NWS, many noting that if they had only known about the actual funding needs of the agency, the Subcommittee could have taken appropriate action.
• Given the general tone of the hearing, it appears likely that NOAA will be granted the authority to reprogram funding in FY 2012. The Senate CJS Subcommittee approved the package on June 20.

According to Dr. Lubchenco’s prepared statement, the investigative team provided its findings to NOAA leadership on May 11. While the report found evidence of reprogramming funds in FY 2010 and 2011 without congressional notification, the team did not find evidence that these actions jeopardized NWS’s life-saving weather forecasting and warning activities, nor did the team find evidence of personal financial gain or fraud. However, as Dr. Lubchenco testified, the actions of the “two or three” individuals involved represent “gross misconduct” of duty.

According to the investigative team’s report, the NWS employees involved used a variety of “clever and undetectable” mechanisms to cover up the transfer of funds. As a result, funding appropriated by Congress for programs such as the Advanced Weather Interactive Processing System (AWIPS), the Weather Surveillance Radar 1988 Doppler program, and the Weather Radio Improvement Program were repurposed to supplement funding in the Local Warnings and Forecasts budget, primarily to address salary shortfalls. The team could not determine the full amount of funding moved between accounts or if such actions occurred prior to FY 2010. As a result, NOAA will be contracting with an outside organization to conduct a full audit.

The Subcommittee website has not yet posted a transcript or video of the hearing. However, a copy of Dr. Lubchenco's testimony is attached.

2. Commerce Secretary Resigns, Rebecca Blank to Serve as Acting Secretary

Deputy Secretary of Commerce Rebecca M. Blank assumed the role of Acting Secretary of Commerce on June 11, when former Secretary John Bryson announced he would take a medical leave of absence to focus on resolving health issues. This Wednesday, Bryson announced he would officially resign as Secretary, ending his eight month tenure as Secretary of Commerce.

This is the second time Blank has served as Acting Secretary of Commerce. From August through October 2011, between the end of Secretary Gary Locke’s tenure and the beginning of Secretary John Bryson’s term, Blank was elevated into the role. During that time, she worked to promote the Obama administration’s efforts to improve the economy.

As Deputy Secretary, Blank has functioned as Commerce’s chief operating officer, overseeing issues of management, policy and strategic planning for the department’s 12 bureaus. Blank will likely serve as Acting Secretary until the President appoints and the Senate confirms a new Secretary of Commerce.
You can find Acting Secretary Blank’s biography here: http://www.commerce.gov/about-commerce/commerce-leadership/rebecca-blank.

3. NRC Releases Report Making Ten Recommendations For Research Universities

On June 14, the National Research Council released a new report titled Research Universities and the Future of America: Ten Breakthrough Actions Vital to Our Nation’s Prosperity and Security, as requested by Congress as a follow-up to the 2005 landmark study on U.S. competitiveness, Rising Above the Gathering Storm. The new report highlights ten categories of recommendations and strategic actions that the nation should take over the next decade to maintain top U.S. research institutions.

The all-star committee that wrote the report, drawn from business, government, and academia, agreed that research universities are critical to our prosperity and the future of our nation, but noted that the world is changing and that we cannot guarantee the U.S universities will always remain on top. "The talent, innovative ideas and new technologies produced by U.S. research universities have led to some of our finest national achievements, from the modern agricultural revolution to the accessibility of the World Wide Web," said Chad Holiday Jr., chair of the report committee, chairman of the board of Bank of America, and former chair and CEO of DuPont. "Especially in these tough economic times, the nation cannot afford to defer investment in our best asset for building prosperity and success in the future."

Overall, recommendations in the report looked to ways to improve the efficiency and effectiveness of research at the nation's universities, as well as strengthening the "research pipeline." The ten categories of recommendations include: (1) federal action; (2) state action; (3) strengthening partnerships with business; (4) improving university productivity; (5) a strategic investment program; (6) full federal funding of research; (7) reducing regulatory burdens; (8) reforming graduate education; (9) STEM pathways and diversity; and (10) international students and scholars.


A video of the release event for the report is available here: http://www.windrosemmedia.com/windstream/nas/nrc/.

4. AAAS / NSF Workshop Explores Scientists as Advocates
An two-day workshop convened last October by the American Association for the Advancement of Science (AAAS), and funded by the National Science Foundation (NSF), brought scientists and other experts together to explore issues related to advocacy in science. Advocacy is an area that continues to generate controversy within the scientific community.

AAAS has released the summary from that workshop, along with a 'Code of Conduct for Advocacy in Science,' which was developed by Nick Steneck, Director of the Research Ethics and Integrity Program of the Michigan Institute for Clinical and Health Research and one of the workshop. The summary and code of conduct are available here: http://www.aaas.org/news/releases/2012/0522advocacy.shtml.

As a reminder, the UCAR Office of Government Affairs works to help scientists engage more effectively with government institutions. If you are interested in advocacy on behalf of your own work, field of study, or the larger atmospheric sciences community, we would be delighted to assist you. In addition to guidance, we have a number of resources we can offer to help you strengthen the quality of your advocacy. Please do not hesitate to reach out.