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United States Senate

COMMITTEE ON APPROPRIATIONS
WASHINGTON, DC 20510-6025
<http://appropriations.senate.gov>

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June 19, 2012

The Honorable Rebecca Blank
Acting Secretary
U.S. Department of Commerce
14th Street and Constitution Avenue, NW
Washington, DC 20230

Dear Acting Secretary Blank:

We are responding to the Department of Commerce's proposed reprogramming of funds for the National Oceanic and Atmospheric Administration's (NOAA) National Weather Service (NWS) as detailed in the Department's May 24, 2012 letter to the Committee. We have reviewed the associated background material related to this reprogramming, and have received your June 13, 2012, letter responding to our initial concerns about the proposal. We also have consulted with the Department's Inspector General to obtain an independent validation of NWS's immediate funding needs.

We understand that NWS's Local Warnings and Forecasts (LWF) base, which pays for operations of local forecasting offices across the country, does not have enough funding to complete operations in fiscal year 2012. However, the exact shortfall cannot be verified at this time because NWS does not have a complete budget baseline detailing its true operating requirements. This lack of accounting oversight is deeply troubling. NWS is currently conducting a full budgetary analysis to create a new baseline as a response to recommendations made in NOAA's internal investigation.

Despite the current gaps in budget details from NWS headquarters, there is no indication that the immediate funding needs identified in the reprogramming proposal for LWF - which were formulated with direct input from local and regional offices - are not valid. Although this bottom-up process for identifying the shortfall is not ideal, absent a new baseline, we believe that the proposed reprogramming amounts will continue LWF operations for the remainder of the fiscal year.

The Committee remains committed to supporting NWS's critical mission of forecasting and warning about severe weather, and supporting the men and women who work every day to fulfill that mission. Therefore, we approve the reprogramming proposal to ensure that NWS forecasting operations are not disrupted. However, by July 31, 2012, the Department is directed to provide the Committee and the Inspector General with the new baseline budget for the NWS and a full assessment of the continued execution of fiscal year 2012 funding.

The Committee notes that the proposed reprogramming restores funds to NWS's Next Generation Weather Radar. However, we remain concerned about the true extent to which funds were siphoned from other NWS equipment and technology upgrades to pay for operations in previous years. Therefore, in the event that NWS's new budget baseline reveals that funds reprogrammed for LWF are in excess of true operational needs for fiscal year 2012, the Department shall restore funding to NWS equipment used as offsets in this reprogramming, starting with the Advanced Weather Interactive Processing System.

This current approval resolves NWS's operational funding for fiscal year 2012, but does not conclude the Committee's examination into NWS's long standing budget formulation and execution problems. The Committee is currently pursuing three remaining parts of this problem which include: 1) verifying NWS's true operational needs for fiscal year 2013; 2) determining the extent of any Antideficiency Act violations that may have occurred; and 3) conducting an external and independent review into the systemic budget problems at NOAA that led to this reprogramming and allowed budget problems to continue over several fiscal years. In addition to working with the Department's Inspector General, we have also been in contact with the Government Accountability Office and the Department of Justice to help resolve these outstanding issues.

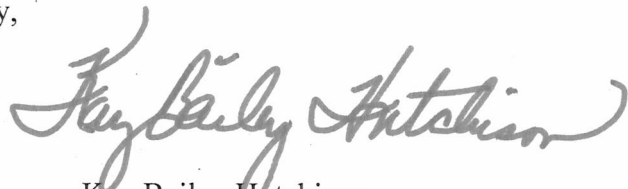
We remain dissatisfied that the Department and NOAA have not known the true operational costs to support NWS's warning and forecast base, and do not know for how long these budget problems have been occurring. Given this lack of knowledge, we have little assurance that similar budget gimmicks are not happening in other parts of NOAA. This NWS problem reinforces the Committee's suspicions that operational programs throughout NOAA, not just in the NWS, have been underfunded for years. Primarily for this reason, the Senate's fiscal year 2013 bill increases funding for NOAA's operations above the President's request, and staves off further financial hemorrhaging by relocating the satellite procurement, which is prone to dominating the agency's funding priorities, out of NOAA.

We expect the Department and NOAA to continue cooperating with the Committee as a full accounting of these problems are brought to light, and to help restore Congress's confidence in the Department's budget process.

Sincerely,



Barbara A. Mikulski
Chairwoman
Subcommittee on Commerce,
Justice, Science and Related Agencies



Kay Bailey Hutchison
Ranking Member
Subcommittee on Commerce,
Justice, Science and Related Agencies