

U.S. HOUSE OF REPRESENTATIVES
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August 6, 2007

The Honorable Conrad C. Lautenbacher
Under Secretary of Commerce for Oceans and Atmosphere
and NOAA Administrator
Department of Commerce
1401 Constitution Avenue, NW
Washington, D.C. 20230

Dear Administrator Lautenbacher:

According to the report of the assessment team you dispatched to the Tropical Prediction Center (TPC) on July 2, 2007, the "lack of effective supervisory oversight from NOAA [National Oceanic and Atmospheric Administration], NWS [National Weather Service], NCEP [National Center for Environmental Prediction], and TPC [Tropical Prediction Center] management has contributed significantly to long-standing problems at the center,... (including the rushed appointment of the current TPC director)...."¹ In his testimony before the Subcommittees on Energy and Environment and Investigations and Oversight on July 19, TPC Director X. William Proenza made the following statements about his appointment to his position:

"Chairman LAMPSON. ...Did you apply or seek, in any manner, the position of Director of the Hurricane Center?

"Mr. PROENZA. No.

"Chairman LAMPSON. I understand that it was D.L. Johnson who first approached you about the possibility of your taking the position.

"Mr. PROENZA. Yes.

"Chairman LAMPSON. Who offered you the position, and when was that made?

"Mr. PROENZA. Conrad Lautenbacher, December 1, 2006.

"Chairman LAMPSON. And you began as Director of the Center when?

¹ Report of the Tropical Prediction Center Assessment Team, July 13, 2007. p. 6.

"Mr. PROENZA. I entered on duty on January the 3rd. I was put on paper as the Hurricane Center Director on the 7th of January."²

As Chairman Lampson noted in his opening statement, the current controversy at the Center leads to questions about your decision to appoint Mr. Proenza to be its director, and whether you or your management team gave him the support necessary to confront a difficult management situation. Previously, we have requested – although we have not received – all NOAA records "relating to the decision to transfer Dr. Proenza from his position in the National Weather Service (NWS) Southern Region Office to the position as Director of the Tropical Prediction Center of the National Center for Environmental Prediction (NCEP)."³ We are writing to expand that request to all records encompassing the entire process for selecting the replacement for Dr. Max Mayfield as TPC Director. Therefore, please provide the following records (as defined in the Attachment to this letter):

1. All records related to the preparation and issuance of a vacancy announcement for the position of Director of the Tropical Prediction Center;
2. All records related to applications received for the TPC directorship in response to the vacancy announcement;
3. All records relating to evaluation of potential candidates for the TPC directorship; and
4. All records of communications between and among any or all of the following persons relating to the selection of a new TPC Director:
 - Yourself
 - Jack Kelly, Deputy Administrator, NOAA
 - Scott Rayder, NOAA Chief of Staff
 - David L. Johnson; former Director, NWS
 - John Jones, former Deputy Director, NWS
 - Dr. Louis Uccellini, Director, NCEP
 - Eduardo Ribas, Director, Workforce Management Office, NOAA
 - David Sampson, Deputy Secretary, Department of Commerce
5. All records related to the preparation of and delivery to Mr. Proenza of the notifications required by 5 U.S.C. 3395(2), relating to transfer of a career member of the Senior Executive Service.

² Preliminary transcript of the July 19 hearing, pp. 67-68.

³ Letter from Reps. Gordon, Dingell, Lampson, Stupak and Miller to Admiral Lautenbacher, July 12, 2007.

6. All records relating to concerns about Mr. Proenza's statements and actions as TPC Director, including those received from the persons at the White House, the Office of Management and Budget, the Department of Commerce, NOAA, NWS and NCEP.

We also request further information regarding a "NOAA Proenza Plan," as described in an electronic mail message to you from NWS Director Johnson on April 21, 2007, and discussed with you by Chairman Miller during our July 19 hearing. Please submit the following:

7. All records relating to a meeting on April 19, 2007, concerning the "Proenza Plan," of the following participants:
 - NWS Director Johnson
 - Scott Rayder, NOAA Chief of Staff
 - Eric Webster, Director of NOAA Legislative Affairs
 - Anson Franklin, Director NOAA Office of Communications
 - Eduardo Ribas, NOAA Workforce Management Office
8. All records related to the so-called "Eddie's scenarios" discussed in that meeting.
9. All records relating to the preparation and delivery of the "draft" resulting from that meeting, as described in an electronic mail message from D.L. Johnson to you on April 21, 2007.
10. All records relating to a "memo to Bill" described in an electronic mail message from Jack Kelly to D.L. Johnson on April 22, 2007.
11. All records relating to the items described in an electronic mail message from Jack Kelly to D.L. Johnson on April 22, 2007, to include:
 - "performance agreement in line with NOAA and DOC objectives"
 - "complete Mid year review"
 - "'ethics' refresher training"
 - "a plan in case none of the above results in changes"
12. All records relating to the five points in the "Proenza Plan" you listed in testimony to the Subcommittees on July 19: a performance plan, confirmation of the chain of command; a mid-year review, ethics and media training and access to budget information.
13. All records relating to the "legal" review of all of the materials developed as part of the "Proenza Plan."

14. All records from the period April 21, 2007 to July 9, 2007 that relate to the continuing development or execution of any or all elements of the so-called "Proenza plan," as described in items 7-12 above.
15. All records relating to the response now in preparation by Deputy Under Secretary Kelly and scheduled for delivery to you on July 31, 2007, to the Tropical Prediction Center Assessment Team report.

Delivery of these records should begin no later than Friday, August 10, 2007, and be completed by Friday, August 17. Copies should be provided to representatives of both the relevant Majority and Minority staffs of the Committee on Science and Technology. If your staff has any questions or needs additional information, please contact Dr. Dan Pearson (225-8772), Dr. Jean Fruci (225-8844) or James Paul (226-3639) of the Committee staff.

Thank you for your assistance in this matter.

Sincerely,


NICK LAMPSON
Chairman
Subcommittee on Energy and Environment


BRAD MILLER
Chairman
Subcommittee on Investigations
and Oversight

cc: Rep. Bob Inglis
Ranking Member
Subcommittee on Energy and
Environment

F. James Sensenbrenner, Jr.
Ranking Member
Subcommittee on Energy and
Environment