

Congress of the United States

House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

2321 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6301

September 11, 2019

(202) 225-6375
www.science.house.gov

The Honorable Wilbur Ross
Secretary of Commerce
1401 Constitution Ave NW
Washington, DC 20230

Dear Secretary Ross,

We write to request information related to the Department of Commerce's (Commerce) involvement in the National Oceanic and Atmospheric Administration's (NOAA) actions surrounding claims that Hurricane Dorian would impact Alabama. It appears that in an attempt to support President Donald Trump's incorrect tweet asserting that Alabama would be "hit (much) harder than anticipated" by Hurricane Dorian¹, Commerce officials may have taken a number of steps to pressure NOAA into supporting the President's assertions.

As this story unfolds in the press, a number of actions stand out as a troubling politicization of crucial weather information. These include:

- A directive issued to NOAA staff² forbidding them from speaking out in contradiction of President Trump's erroneous tweet and September 4 video, which contained an altered NOAA projection of Hurricane Dorian³;
- A September 6 public statement⁴ rebuking the NWS Birmingham's tweet that attempted to set the record straight regarding the risk posed to Alabamans by Hurricane Dorian⁵;

¹ President Donald Trump, "In addition to Florida - South Carolina, North Carolina, Georgia, and Alabama, will most likely be hit (much) harder than anticipated. Looking like one of the largest hurricanes ever. Already category 5. BE CAREFUL! GOD BLESS EVERYONE!" Twitter, September 1, 2019, accessed here:

<https://twitter.com/realdonaldtrump/status/1168174613827899393>

² Andrew Freedman, Colby Itkowitz, and Jason Samenow, "NOAA staff warned in Sept. 1 directive against contradicting Trump," *Washington Post*, September 7, 2019, accessed here:

https://www.washingtonpost.com/politics/noaa-staff-warned-in-sept-1-directive-against-contradicting-trump/2019/09/07/12a52d1a-d18f-11e9-87fa-8501a456c003_story.html

³ The White House, "President @realDonaldTrump gives an update on Hurricane #Dorian," Twitter, September 4, 2019, accessed here: <https://twitter.com/WhiteHouse/status/1169300628000124929>

⁴ Jason Samenow, Andrew Freedman, and Matthew Cappucci, "NOAA backs Trump on Alabama hurricane forecast, rebukes Weather Service for accurately contradicting him," *Washington Post*, September 6, 2019, accessed here: <https://www.washingtonpost.com/weather/2019/09/06/noaa-backs-president-trump-alabama-hurricane-forecast-rebukes-weather-service-office-that-accurately-contradicted-him/>

⁵ NWS Birmingham, "Alabama will NOT see any impacts from #Dorian. We repeat, no impacts from Hurricane #Dorian will be felt across Alabama. The system will remain too far east. #alwx" Twitter, September 1, 2019, accessed here: <https://twitter.com/NWSBirmingham/status/1168179647667814400>

- Your alleged threat to fire NOAA political officials if they did not fall in line with the White House’s misleading statements.⁶

We are deeply disturbed by the politicization of NOAA’s weather forecast activities for the purpose of supporting incorrect statements by the President.⁷ As the operational face of weather forecasting in the United States, the NWS protects countless lives and property every year through its accurate and timely forecasts, watches, and warnings. These forecasts, watches and warnings are based on the best available science and communicated via the dedicated professional forecasters located at the 122 weather forecasts offices around the nation. It is essential that these forecasts remain free of political influence and suppression. We commend the dedicated forecasters in Birmingham and elsewhere in the nation for their efforts to ensure their communities had the most accurate weather information possible in the face of a devastating storm and encourage them to continue doing this life-saving work.

We are committed to supporting the activities of the NWS and its dedicated staff. During your Senate confirmation hearing, you committed to allowing federal scientists to “be free to communicate data clearly and concisely” and that you would “not interfere with the release of factual scientific data.”⁸ However, actions by you that were described in the New York Times article would, if accurate, be inconsistent with the values of scientific integrity.

Please provide answers to the following questions no later than September 20, 2019:

1. Did any employee, agent, representative, or any other person in any capacity affiliated with either the Executive Office of the President (EOP) or the Department of Commerce direct a NOAA representative to send the September 1, 2019 agency-wide directive? If so, who issued the direction?
2. Did any employee, agent, representative, or any other person in any capacity affiliated with either the EOP or Commerce suggest specific language to NOAA to include in the September 1 agency-wide directive? If so, please share all earlier drafts of the statement.
3. What NOAA officials were involved with drafting the September 6, 2019 public statement from NOAA regarding NWS Birmingham’s tweet?
4. Did any employee, agent, representative, or any other person in any capacity affiliated with either the EOP or Commerce direct or otherwise suggest that a NOAA representative send the September 6 public statement? If so, who issued the direction?
5. Were any Commerce and/or EOP officials involved in drafting the September 6 statement? Please share all earlier drafts of the statement.

⁶ Christopher Flavelle, Lisa Friedman and Peter Baker, “Commerce Chief Threatened Firings at NOAA After Trump’s Dorian Tweets, Sources Say,” *New York Times*, September 9, 2019, accessed here: <https://www.nytimes.com/2019/09/09/climate/hurricane-dorian-trump-tweet.html>

⁷ Matthew Cappicci and Andrew Freedman, “President Trump showed a doctored hurricane chart. Was it to cover up for ‘Alabama’ Twitter flub?” *Washington Post*, September 4, 2019, accessed here: <https://www.washingtonpost.com/weather/2019/09/04/president-trump-shows-doctored-hurricane-chart-was-it-cover-up-alabama-twitter-flub/>

⁸ Committee on Commerce, Science, and Transportation, U.S. Senate. “Nomination of Wilbur L. Ross, Jr. to be Secretary of the Department of Commerce,” January 18, 2017. <https://www.congress.gov/115/chrq/shrg25974/CHRG-115shrg25974.pdf>

6. Did any Commerce officials issue any threats (employment-related or otherwise) to NOAA officials related to the September 6 statement and/or the NOAA/NWS response to Hurricane Dorian? If so, what was the nature of those threats?
7. Are you aware of any threats or other undue influence exerted by EOP officials to NOAA officials related to the September 6 statement and/or the NOAA/NWS response to Hurricane Dorian? If so, what was the nature of those threats or undue influence?

Please also provide the following materials to the Committee no later than September 20, 2019.

1. All documents (including comments, notes, emails, legal or other memoranda, telephone logs, letters, text messages, meeting minutes and calendars, slides and presentations) that relate to the formulation and issuance of the September 6 public statement from NOAA, including tweets.
2. A record of phone calls, teleconferences and meetings held between Commerce and NOAA for the duration of September 1-September 9, 2019.
3. Please provide copies of all written communications between the EOP and Commerce from September 1 through September 9 referring or related to the President's tweet about Hurricane Dorian on September 1 at 7:51 am, the NWS Birmingham tweet on September 1 at 8:11 am, the September 4 Oval Office briefing on Hurricane Dorian, and/or the September 6 public statement from NOAA that disavowed the NWS Birmingham's tweet.
4. Please provide copies of all written communications between Commerce officials and NOAA from September 1 through September 9 related to the President's tweet about Hurricane Dorian on September 1 at 7:51 am, the NWS Birmingham tweet on September 1 at 8:11 am, the September 4 Oval Office briefing on Hurricane Dorian, and/or the September 6 public statement from NOAA that disavowed the NWS Birmingham's tweet.

Pursuant to Rule X of the U.S. House of Representatives, the Committee on Science, Space, and Technology is delegated full legislative and oversight jurisdiction over the National Weather Service as well as oversight jurisdiction over all laws, programs, and Government activities relating to nonmilitary research and development."^[1]

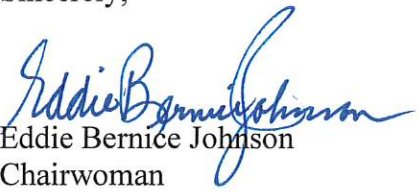
Please produce two sets of the requested records in a searchable electronic format. One set should be delivered to the Majority Staff of the Science Committee in Room 2321 of the Rayburn House Office Building and one set should be delivered to the Minority Staff in Room 394 of the Ford House Office Building. We request that you provide the requested records as soon as possible, but no later than 5:00 PM on September 20.


We also request a briefing with Department of Commerce employees who may have been involved in any directives to NOAA related to the September 6 statement. A date for the briefing must be agreed upon by September 16, 2019. The briefing must occur before September 30. Julie Kay Roberts, Michael Walsh Jr., and Earl Comstock should be present and available for the briefing.

^[1] Rule X, Organization of Committees, U.S. House of Representatives

Thank you for your attention to these matters. Please have your staff contact Ms. Janie Thompson at 202-225-6375 with any questions.

Sincerely,


Eddie Bernice Johnson
Chairwoman
Committee on Science, Space & Technology


Mikie Sherrill
Chairwoman
Subcommittee on Investigation & Oversight
Committee on Science, Space & Technology

Cc:

FRANK LUCAS
Ranking Member
Committee on Science, Space & Technology