

Statement of
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Before the

Subcommittee on Environment
Science, Space, and Technology Committee
U.S. House of Representatives

Hearing on

“Private Sector Weather Forecasting:
Assessing Products and Technologies”

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Good morning, Chairman Bridenstine, Ranking Member Bonamici, and Members of the Subcommittee. My name is Barry Myers and I am the CEO of AccuWeather, Inc. headquartered in State College, PA. and has U.S. offices in Kansas, Oklahoma, New York. I am honored to be invited to participate in today's hearing to examine the advancement and progress that has been made by the private sector in weather forecasting.

The United States of America has the best weather information available to its citizens, and its business and industrial sectors, of anywhere on Earth.

Some believe that the reduction in weather-related deaths in the United States since the late 1950s, when the American Weather Industry was at its beginning, through the joint work of the weather industry, the academic research community, and the government weather services – that perhaps as many as one to two million American lives have been saved.

It is the foundation of “free and open” access to information that has brought about the environment that fostered the world's most robust weather industry.

It is built on the concept that if information the government had is freely available in real time, all the rest can be left to innovative

entrepreneurs, who would find ways to make a viable industry and serve the public.

This has allowed transition from a government agency “doing it all,” at the end of World War II, to massive infusion of weather into every American’s life through companies like AccuWeather, The Weather Channel, WeatherBug, and others - and a growing global presence by American companies, as the preferred suppliers of weather to the world.

In fact, a tax-paying industry - creating probably tens of thousands of direct and related jobs - was born. Back then the public relied almost 100% on weather forecasts from the government and now it is believed 95% of the public get their weather information from the weather industry. A complete reversal.

It has been a transition of work from the government to the private sector involving no government contracts, no industry subsidies, no special data deals, and no cost to the government beyond acquisition of the information for its own needs and the sharing the data and products it has. The weather industry has always paid for the cost to connect to the government information access ports, to transport the information to its own facilities, and to process and analyze it, and build new products and services

on that foundation. This is an investment I would estimate to be in the hundreds of millions of dollars.

How many in this room have a mobile device, phone or tablet on their person, in their briefcase, in their home, and/or at work? How many of your spouses and children have such devices? I would wager that virtually every such device and every computer and smart television has instant access to weather information.

Weather is at every American's fingertips. How it got there and how is it refreshed almost second by second, 24/7, is the success story of the private sector weather industry.

This result did not occur by the American Weather Industry acting alone. It was, and continues to be, the interactive and cooperative approach of the weather industry, the academic research community, NOAA and its National Weather Service, that has led to this result.

American weather companies are now becoming the focal point for weather information in many of the countries around the world. The number one mobile weather source in Europe is an American one - AccuWeather. We estimate that AccuWeather information is on about 1.5 billion or more devices globally.

It is American business leadership, academic research, and government leadership, that are propelling this American weather phenomenon. It is similar to the industry founded on the GPS satellites. The United States government created the satellites, placed them in orbit, maintains the system, and makes it freely accessible to anyone with a GPS receiver. Companies take that capability and make all kinds of products for the public marketplace.

American constitutional principles – and enshrined in such laws as The Paperwork Reduction Act and in guidelines such as OMB Circular A-130 - that the information the U.S. government collects and acquires, and that information that it generates, belongs to the people and should be available free and openly, has created this world leadership and American success story.

It is a foundation of free and open access to the information that leads the world as a model for other nations and the principle that has brought about the environment for the world's most robust weather industry to develop. It is the weather equivalent of the "GPS system" from which the public receives innovative weather information.

One small example can be seen in an event a few years ago when a tornado formed during a February night in Mississippi. In an area outside of

any NWS warning, outside of any siren sounding, a tornado struck a manufacturing facility staffed with 88 people. The plant was totally destroyed.

The dead and dying were not taken to local hospitals. There were no dead and dying.

AccuWeather had warned this facility 22 minutes in advance, and all the staff members were sheltered underground when the tornado hit.

This is not just a tribute to our severe warning systems and capability, but to the foundational data information from the National Weather Service that we knew we understood and could rely on.

This was not an AccuWeather success alone -- it was a joint success of AccuWeather, the academic community, and the National Weather Service. And it is but one examples illustrating that NWS need not do everything to keep American's safe. Others can share the load.

But, we could not do our part of this job, if NWS had not done its part, and had we all not cooperated in how we all do our jobs.

This one example, is multiplied many times every day, and is all based on the open and free data concept.

And the Big Data / Open Data push from the Department of Commerce for opening up all information the government holds, foretells even more promise for our citizens.

These are concepts that have been universally held by all administrations and Congresses in the past over many decades.

Reports like *The Fair Weather Report* from the National Research Council in 2003 and the more recent National Academy of Sciences study from 2012 entitled *Weather Services for the Nation: Becoming Second to None*, also support these concepts and point out the value of the private sector weather industry, its needs, and its contributions.

This success requires honesty of data, transparency of data, and following the scientific method thereby enabling all in the science to have the data, not just output and products, in complete and real time form.

While talking about open and free data on a big data scale, it is becoming more and more apparent that a “contra undercurrent” is at work within NOAA that portends to disrupt the fabric of the nation’s weather enterprise that it serves, by violating the concept of free and open data. This needs to be discussed, studied and resolved by the wider scientific and business community – not just by NOAA acting on its own in a one-by-one fashion as each situation arises.

The privatization of data sources – not a bad business trend in itself – poses a danger when government agrees to licensing provisions that keep data, and even output, captive within the government and yet incorporated into weather products and services in ways that – the American Weather Industry, will no longer be able to discern. This is anti-science.

Privatization does not need to mean keeping data secret within the government and not shared with its private sector partners.

There is a difference between privatized data sources and secret data. There is a difference between Privatization and “Secretization.”

With privatization of data from private satellite launches, from mesonets, and other sources coming on line, we need to have government license arrangements that conform to the spirit and intent of the nation’s free and open data philosophy.

NOAA having secret data under the guise of restrictive licensing is the wrong path. Licenses are what two or more parties agree for them to be, and the new data sources coming on line want government contracts to support their companies. That is understandable, but the government has the contracting ability to be king-maker and certainly has the ability to get good deals that do not damage the weather success the nation enjoys.

The 24/7/365 distribution of core foundational data is one of the most important things that the National Weather Service does and one that the entire Weather Enterprise relies on the agency to do successfully. For example, if it begins to use secret data in the development of its weather forecast models and flood inundation mapping, it will render one of its main functions to the community moot. America's Weather Industry and the academic research community needs to understand the data that is used to make forecasts, predict floods, scientifically test models, and ensure protection of the public from tornadoes, hurricanes and other hazards.

Business models can be constructed where only some, or the majority of private data, could be reserved for commercial purposes, and the government could buy data along with redistribution rights.

Too many people are talking about this as getting data from private sources or not getting data from private sources. That is talking in absolutes of "Yes" or "No," not logical business arrangements to achieve necessary outcomes for the nation.

It is bucking up against the need to get to all the data and information that NWS has. And it runs the risk of undermining the very scientific basis that is the core of the agency.

Not having all the data available in real time, in the weather field, is the antithesis of good science.

“Secretization” is not good science, neither is it good for the economy.

If the NWS is just at its core, a mixture of publicly accessible data and secret data, it diminishes its own mission and thereby calls itself and its need, into question.

Deals that the NWS makes trying to support budding sources of data or models must do no harm to the best weather information infrastructure any nation has.

We need to develop creative solutions and more cooperative approaches to being more transparent, not less, and ensure we are embracing free and open data in all situations. We must stay true to the core tenets and principles that have empowered the success of the American weather community.

If the core erodes, the agency’s existence will be endangered, and that will not serve the nation’s needs. It would be like impairing the functioning of the GPS system, and needing to go back to paper maps in your car.

The weather industry is a critical piece of the nation's weather value chain, as the National Academy report points out and it needs to be supported and nurtured by NOAA for the good of the nation.

New data sources and modeling are good, but they are also a result of the National Weather Service not advancing fast enough in these areas – with focus on social science messaging and general public forecasts.

The best public facing forecasts and information comes from the weather industry and the best atmospheric research is in the academic research community. The nation should be proud of that.

The nation should also support the core missions of NOAA and our National Weather Service. We need quality shared data, support for the development of top notch models, and the best severe weather warnings. Core mission focus is needed for success.

Mr. Chairman and Members of the Subcommittee, thank you again for inviting me to participate today. I would be pleased to answer any questions you may have about my remarks.

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Barry Lee Myers is the Chief Executive Officer of AccuWeather, Inc., a position he has held since late 2007. AccuWeather is an American iconic brand in weather known around the world.

He previously served as the company's Executive Vice President and General Counsel.

Recognized as an expert in public/private relationships in the weather and weather media industry worldwide, (although not himself a meteorologist), Mr. Myers has served as special advisor to three separate directors of the National Weather Service and is a Fellow of the American Meteorological Society (AMS).

He has been an invited speaker at the World Meteorological Organization (the United Nations body that coordinates international weather information) and at the World Federation of Scientists, on the topics of weather data exchange and public-private sector relationships in the weather field.

Mr. Myers was involved in advocating for language applying to real-time government data in The Paperwork Reduction Act, and worked with the author of OMB Circular A-130 to further support this concept. This portion of the statute serves as confirmation of the American concept of the free and open availability of weather and other government information (agricultural data, health data, census data) and related government analysis.

He currently serves on the Environmental Information Services Working Group (EISWG) for the NOAA Science Advisory Board. Mr. Myers also served on the steering committee of the AMS Commission on the Weather and Climate Enterprise. He serves on the Boards of the Weather Coalition and of the American Weather and Climate Industry Association.

During Mr. Myers' tenure as CEO, AccuWeather has become the leading force in weather on mobile devices on a global basis. AccuWeather is now believed to be the largest mobile weather provider worldwide, being accessible on an estimated 1.5 billion devices and in January became the only private company authorized in China to do business as a weather provider in the digital media space there.

Mr. Myers holds a B.S. in economics and business administration from the Smeal College of Business at Penn State, and M.S. (ABD) in management science and organizational behavior also from the Smeal College of Business and a Juris Doctor from the Boston University School of Law. He is currently still admitted to practice before the courts of the Commonwealth of Pennsylvania and the United States Supreme Court.

For almost two decades Mr. Myers served as a tenured Associate Professor on the graduate faculty of the Smeal College of Business and as a faculty member of the Graduate Program in Regional Planning and developed the first of its kind senior level course on Environmental law.

He has testified before Congressional committees numerous times, has delivered hundreds of speeches, and had scores of published articles in refereed and popular journals.