

**NOMINATION OF BARRY LEE MYERS
TO BE UNDER SECRETARY OF COMMERCE
FOR OCEANS AND ATMOSPHERE; AND
ADMINISTRATOR, NATIONAL OCEANIC AND
ATMOSPHERIC ADMINISTRATION (NOAA),
DEPARTMENT OF COMMERCE**

HEARING

BEFORE THE

**COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION
UNITED STATES SENATE**

ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

NOVEMBER 29, 2017

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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

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**NOMINATION OF BARRY LEE MYERS
TO BE UNDER SECRETARY OF COMMERCE
FOR OCEANS AND ATMOSPHERE; AND
ADMINISTRATOR, NATIONAL OCEANIC AND
ATMOSPHERIC ADMINISTRATION (NOAA),
DEPARTMENT OF COMMERCE**

WEDNESDAY, NOVEMBER 29, 2017

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, DC.

The Committee met, pursuant to notice, at 10:39 a.m. in room SR-253, Russell Senate Office Building, Hon. Dan Sullivan, presiding.

Present: Senators Thune [presiding], Sullivan, Wicker, Inhofe, Young, Nelson, Cantwell, Schatz, Blumenthal, Markey, Udall, Booker, Duckworth, Peters, and Cortez Masto.

**OPENING STATEMENT OF HON. DAN SULLIVAN,
U.S. SENATOR FROM ALASKA**

Senator SULLIVAN. The hearing will come to order.

Good morning. Today we will consider the nomination of Barry Lee Myers to serve in the important position of Under Secretary of Commerce for Oceans and Atmosphere. If confirmed, Mr. Myers would serve as the Administrator of the National Ocean and Atmospheric Administration, commonly known as NOAA, under the Department of Commerce, and oversee what some describe as our Nation's environmental intelligence agency.

Thank you, Mr. Myers, as well as your family for your willingness to serve our Nation.

NOAA has a vital mission that protects life, property, and commerce through environmental science and observation from the sun down to the depths of the ocean. NOAA provides the American people with daily weather forecasts, severe storm warnings, fisheries science and management, and ocean mapping and science.

In my home State of Alaska, we are particularly dependent upon NOAA's services. Alaska is the super power of seafood, as I have mentioned to many of my colleagues here, accounting for almost 60 percent of all domestic landings and more than 600,000 jobs, making the fishery industry our largest private employer, more than oil and gas.

NOAA is the agency responsible for oversight of America's fisheries, and I will be among those working closely with the Under

Secretary of Commerce for Oceans and Atmosphere to ensure a continuing bright future for this very important segment of the U.S. economy.

NOAA is also responsible for charting our waters, providing accessible, timely, and accurate weather forecasting and studying and helping keep clean our unique and treasured oceans and natural resources, all missions of extreme importance to the country and to my state as well.

The Administrator of NOAA oversees these vital functions of the agency, as well as laying out its strategic and operational future with respect to the National Weather Service, the National Oceans Service, the National Marine Fisheries Service, the National Environmental Satellite Data and Information Service, the Office of Oceanic and Atmospheric Research, and the Office of Marine and Aviation Operations, which includes NOAA's uniformed service, the NOAA Corps.

Mr. Myers comes to the position of being nominated as a well-qualified candidate, having dedicated an entirety of his career to the weather forecasting industry. Since 1964, Mr. Myers has worked at the global weather forecasting and media company, AccuWeather, which provides commercial weather forecasting products and services to newspapers, radio, and television stations, government agencies, companies, and third party websites.

In 2007, he became the CEO of AccuWeather, leading the organization to experience its largest global web and mobile app audience growth in its history.

In addition to his current role at AccuWeather, he is a recognized national and international authority on weather forecasting, having testified before Congress on issues pertaining to weather forecasting no less than four times in his career. In fact, Mr. Myers testified before this Committee's Subcommittee on Oceans, Atmosphere, Fisheries, and the Coast Guard in 2013 at a hearing entitled "Forecasting Success: Achieving U.S. Weather Readiness for the Long Term."

From 2009 to 2016, Mr. Myers also served on NOAA's Environmental Information Services Working Group, Science Advisory Board, and in 2016, he was elected as a fellow of the American Meteorological Society, one of the few non-scientists ever to be elected as a fellow to this prestigious organization.

While Mr. Myers' experience in the weather industry is undeniably extensive, some have raised issues of concern about his nomination on the grounds that his educational background lies in business and law rather than science or that NOAA's mission expands well beyond its weather forecasting mission. I am sure that my colleagues will ask questions relating to some of these issues.

Given Mr. Myers' proven track record of leadership, if confirmed, he is well positioned to perform the role of NOAA Administrator, and I want to thank him again for his desire to serve our country.

Additionally, at the end of the last Congress, the NOAA Sexual Assault, Harassment, and Assault Prevention Act, of which I was the lead sponsor with many of my colleagues on this Committee, was passed into law. We are approaching one year of passage and the deadline for the establishment of many provisions within the law. If confirmed, I look forward to working with Mr. Myers for up-

dates on where the agency stands and any noted improvement to the culture of NOAA related to this important issue of sexual harassment and assault prevention that is now finally getting the attention it deserves in the Congress.

Once again, I would like to thank Mr. Myers for testifying today and for your willingness to serve our country.

[The prepared statement of Senator Sullivan follows:]

PREPARED STATEMENT OF HON. DAN SULLIVAN, U.S. SENATOR FROM ALASKA

Good morning. Today we will consider the nomination of Barry Lee Myers to serve in the important position of Under Secretary of Commerce for Oceans and Atmosphere. If confirmed, Mr. Myers would serve as the Administrator of the National Oceanic and Atmospheric Administration (NOAA) under the Department of Commerce and oversee what some describe as our Nation's environmental intelligence agency. Thank you Mr. Myers, as well as your family, for your willingness to serve the Nation.

NOAA has a vital mission that protects life, property, and commerce through environmental science and observation from the sun down to the depths of the ocean. NOAA provides the American people with daily weather forecasts, severe storm warnings, fisheries science and management, and ocean mapping and science.

In my home state of Alaska, we are especially dependent on NOAA's services. Alaska is the superpower of seafood, accounting for over 50 percent of total domestic landings and more than 60,000 jobs—making the fisheries industry our largest private employer. NOAA is the agency responsible for the oversight of America's fisheries, and I will be among those working closely with the Under Secretary of Commerce for Oceans and Atmosphere to ensuring a bright future for this important segment of the U.S. economy.

NOAA is also responsible for charting our waters, providing accessible, timely, and accurate weather forecasting, and studying our unique and treasured oceans and natural resources—all missions of extreme importance to Alaska and the Nation.

The Administrator of NOAA oversees these vital functions of the agency, as well as laying out its strategic and operational future with respect to the National Weather Service, the National Ocean Service, the National Marine Fisheries Service, the National Environmental Satellite, Data and Information Service, the Office of Oceanic and Atmospheric Research, and the Office of Marine and Aviation Operations, which includes NOAA's uniformed service, the NOAA Corps.

Mr. Myers is a well-qualified nominee to serve as NOAA Administrator, having dedicated the entirety of his career to the weather forecasting industry. Since 1964, Mr. Myers has worked at the global weather forecasting and media company AccuWeather, which provides commercial weather forecasting products and services to newspapers, radio and television stations, government agencies, companies, and third-party websites. In 2007, he became the CEO of AccuWeather, leading the organization to experience its largest global web and mobile audience growth in its history.

In addition to his current role at AccuWeather, he is a recognized national and international authority on weather forecasting having testified before Congress on issues pertaining to weather forecasting no less than four times in his career. In fact, Mr. Myers testified before this Committee's Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard in 2013 at a hearing entitled, "Forecasting Success: Achieving U.S. Weather Readiness for the Long Term."

From 2009 to 2016, Mr. Myers also served on NOAA's Environmental Information Services Working Group Science Advisory Board, and in 2016, he was elected as a Fellow of the American Meteorological Society, perhaps one of the only non-scientists to be elected as a fellow to this prestigious organization.

While Mr. Myers' experience in the weather industry is undeniably extensive, some have raised concerns about his nomination on the grounds that his educational background lies in business and law rather than science or that NOAA's mission expands well beyond its weather forecasting mission. Given Mr. Myers' proven track record of leadership, if confirmed, he is well positioned to perform well in this important role.

Additionally, at the end of last Congress, the NOAA Sexual Harassment and Assault Prevention Act, which I was the lead sponsor of, was passed into law. We are approaching one year since passage and the deadline for the establishment of many provisions within the law. Once he is confirmed, I will look to Mr. Myers for updates

on where the agency stands, and any noted improvements to the culture of the agency related to this important issue.

Once again, I would like to thank you for testifying today and for your willingness to serve the Nation in this important post.

With that, I turn to the Ranking Member for any remarks he might have.

Senator SULLIVAN. I now turn to the Ranking Member for any remarks he might have. Senator Nelson.

**STATEMENT OF HON. BILL NELSON,
U.S. SENATOR FROM FLORIDA**

Senator NELSON. Thank you, Mr. Chairman. May I submit a number of letters that have been written with regard to the nominee for the record?

Senator SULLIVAN. Without objection.
[The information referred to follows:]

NATIONAL WEATHER SERVICE EMPLOYEES ORGANIZATION
October 12, 2017

Hon. JOHN THUNE,
Chairman,
Committee on Commerce, Science, and
Transportation,
Washington, DC.

Hon. BILL NELSON,
Ranking Member,
Committee on Commerce, Science, and
Transportation,
Washington, DC.

RE: *Nomination for Under Secretary of Commerce For Oceans and Atmosphere
(NOAA Administrator)*

Dear Chairman Thune and Ranking Member Nelson:

We are writing to express our opposition to the nomination of Mr. Barry Myers, an attorney and CEO of AccuWeather, Inc., as NOAA Administrator. As you know, this position has traditionally been filled by a pre-eminent scientist, and by that standard alone, Mr. Myers is wholly unqualified for the job.

In addition to his lack of scientific qualifications and his absence of any background in oceans, research, fisheries, environmental satellites, which constitute a majority of NOAA's programs and budget, Mr. Myers' nomination would present a host of conflicts of interests. As NOAA Administrator, he would be in a position to fundamentally alter the nature of weather services that NOAA provides the nation, to the benefit of his family-owned business.

According to the *Washington Post*, "Barry Myers, the CEO of AccuWeather, which has long held a narrow interpretation of the NWS mission with respect to the services it should provide."¹ This would be a fundamental policy shift, as the NWS has spent the past several years re-tooling its operations in order to provide increased "decision support services" to the American public.

In 2005, at AccuWeather's behest, Senator Santorum introduced legislation that would have prohibited the National Weather Service from providing any product or service that "is or could be provided by" a private sector weather company (such as AccuWeather), other than severe weather warnings. Instead of issuing its routine forecasts and data sets to the public, the Act would have required that those products be disseminated "through a set of data portals designed for volume access by commercial providers of products or services" instead.² In other words, the NWS would have been prohibited from providing routine forecasts, products and services, other than a severe weather warning, to the general public or emergency managers or the media, but would have been required to provide these products to "commercial providers" so that they could market, for a profit, a taxpayer funded and government produced service.³ Congress thought so little of this proposed legislation

¹Jason Samenow, *Storm brewing over National Weather Service television studio*, WASH. POST (April 28, 2015), https://www.washingtonpost.com/news/capital-weather-gang/wp/2015/04/28/storm-brewing-over-national-weather-service-television-studio/?utm_term=.bcee1c1d39f6

²See, Section 2 of National Weather Service Duties Act of 2005, S. 786.

³For an in depth explanation of the impact of the bill, see Timothy Noah, *Santorum's Mighty Wind: The Accuweather Protection Act of 2005*, SLATE, (Aug 2, 2005); http://www.slate.com/articles/news_and_politics/chatterbox/2005/08/santorums_mighty_wind.html; Vince Stricherz, *Plan to privatize most forecasting would cripple weather service, expert says*, UNIVERSITY OF

that it did not receive a single sponsor. However, should Mr. Myers be approved as NOAA Administrator, he will be able to order the National Weather Service to do precisely what his company was unable to accomplish through legislation.

This was not the only example in which Mr. Myer's company sought to capitalize on the National Weather Service. In 2005, it was caught using the URL name "nationalweatherservice.org"—which brought visitors to the AccuWeather website instead. AccuWeather was forced to cease using this deceptive domain name.⁴ It was also recently revealed that under Myer's leadership, AccuWeather's mobile application had been secretly sending its user's location information to a third-party company that markets location data for advertising purposes.⁵ A CEO whose company engages in such deceptive practices should not be entrusted with the responsibility to head such an important Federal agency, whose work is only worthwhile to the American public to the extent it can be trusted.

Mr. Myer's appointment as NOAA Administrator would present a host of additional ethics and conflicts issues. For example, in 2015 Mr. Myers announced that his company has formed a joint venture with a commercial weather media company *owned by the China Meteorological Administration*, to provide forecasts in China. This joint venture is the only company sanctioned by the Meteorological Law of China to distribute the China Meteorological Administration's weather information and forecasts via AccuWeather.⁶ He is literally in business with the Chinese government.

In addition to AccuWeather, the Myers' family also owns "The Weather Prophets Fund, LLC," a weather-based hedge fund. In an article describing this venture, Joel Myers, founder of AccuWeather, was quoted as explaining how weather based hedge funds could profit from inside information that his brother would be in a position to supply:

For example, an investment manager could benefit from knowing just five minutes ahead of time that the National Weather Service in Silver Spring, MD, is about to reclassify a Category 3 storm into a more powerful Category 4 storm, he said. That could cause a spike in the price of natural gas futures on which the manager could capitalize, Mr. Myers said.⁷

The employees of the National Weather Service and of the other NOAA line offices represented by NWSEO hope that the Committee will carefully scrutinize this sordid record and ultimately reject this nomination.

Sincerely yours,

RICHARD J. HIRN,
General Counsel and Legislative Director.

CENTER FOR BIOLOGICAL DIVERSITY * CLIMATE HAWKS VOTE *
CLIMATE TRUTH.ORG EARTHJUSTICE * FRIENDS OF THE EARTH * GREENPEACE
USA * HIP HOP CAUCUS * LEAGUE OF CONSERVATION VOTERS * MARINE
CONSERVATION INSTITUTE * NATURAL RESOURCES DEFENSE COUNCIL *
OCEANA PACIFIC ENVIRONMENT * POWER SHIFT NETWORK * SIERRA CLUB
October 23, 2017

Dear Senator,

We are writing to express our concern about the nomination of Barry Myers, the chief executive of AccuWeather, to become the next Administrator of the National Oceanic and Atmospheric Administration (NOAA). Mr. Myers has no scientific credentials or experience with many critical parts of NOAA's mission relating to oceans and coasts; has supported efforts to privatize many functions of the National Weath-

WASHINGTON TODAY (May 16, 2005), <http://www.washington.edu/news/2005/05/16/plan-to-privatize-most-forecasting-would-cripple-weather-service-expert-says/>

⁴Timothy Noah, *Santorum's Mighty Wind, Part 2: If you can't lick them, spoof them*, SLATE, (Sept. 27, 2005), http://www.slate.com/articles/news_and_politics/chatterbox/2005/09/santorum_runs_mighty_wind_part_2.html

⁵<https://hackernoon.com/advisory-accuweather-ios-app-sends-location-information-to-data-monetization-firm-83327c6a4870>

⁶Lauren Dodillet, *JV Brings Accuweather Tech to China*, CHINA BUSINESS REVIEW, (May 28, 2015), <http://www.chinabusinessreview.com/jv-brings-accuweather-tech-to-china/>

⁷David Hoffman, *Weather Forecasting Gaining Respect in Hurricanes' Wake*, INVESTMENT NEWS, (Oct. 3, 2005), <http://www.investmentnews.com/article/20051003/SUB/510030723/weather-forecasting-gaining-respect-in-hurricanes-wake>

er Service (NWS)¹ which would adversely affect its vital public safety mission; and has personal and family financial conflicts of interests with the work of NWS.² We would urge that questions be posed to Mr. Myers to ascertain whether he has the qualifications necessary to do this important job, and whether the American public could be confident, if confirmed, that he would use his public office to advance the important science, conservation, and public safety mission of the agency. As the Nation grapples with the catastrophic impacts of this year's hurricane season, it seems particularly unwise to support a candidate for NOAA Administrator who has no government experience, and who has previously supported limiting the capabilities of NOAA.

Science is the bedrock of NOAA's mission. Eleven out of twelve previous NOAA Administrators, appointed by Republican and Democratic presidents alike, have all held PhDs. We acknowledge that Mr. Myers, a lawyer by training, is an accomplished businessman. We are concerned, however, that he both lacks a scientific background and has no experience with the many of the critical high impact issues that comprise NOAA's work.

NOAA is the agency that is responsible for countless issues related to our Nation's oceans and coasts, from marine commerce to fisheries management to coastal restoration. NOAA's role in ensuring that we have sustainable seafood and fish populations, and healthy coasts and oceans cannot be understated.

Almost 40 percent of the country's population lives in coastal shoreline counties. These counties contribute \$6.6 trillion to the U.S. economy.³ Countless communities rely on NOAA to support the productivity and sustainability of our coasts and oceans through science-based programs. An Administrator does not need to be an expert in all NOAA's programs related to oceans and coasts, but Mr. Myers appears to have little or no experience with any of them. We urge you to ask Mr. Myers about his approach to and commitment to NOAA's coastal and ocean programs in detail.

In the one area that Mr. Myers has a background, weather forecasting, his background is troubling. Mr. Myers has long advocated for essentially privatizing and monetizing for private benefit some of the important work of the National Weather Service. It is important to remember that NOAA was created in 1970 to bring together smaller agencies that all focused on the oceans and the atmosphere to provide a wide range of services to the public using shared and leveraged resources and tools. All of NOAA's important ocean conservation and fisheries management work relies on shared data collection networks of satellites, ships, buoys, and sensors around the globe, and on shared research capabilities. Mr. Myers has continued to voice the position over the years that the private sector should take over many of these functions, and has frequently chided NOAA officials when they develop new products or tools that can help the public or public officials plan and prepare for severe weather or flooding events. This view about the role of government science and government services is disturbing and would also be deeply disturbing if applied more broadly across NOAA's oceans, fisheries, climate, and science portfolios. We hope you will explore Mr. Myers intentions and obtain commitments from him, should he be confirmed, that he will not interfere with or disable NOAA's vital missions.

Mr. Myers' past support for limiting access to public data is particularly concerning given that NOAA's mission is to answer scientific questions and "to share that knowledge and information with others."⁴ For example, the agency's "Tides & Currents" website⁵ provides coastal communities with the data and analyses they need to deal with present-day coastal flooding made worse by sea level rise. Data from Tides & Currents and NOAA's other scientific efforts are collected at Climate.gov, the most comprehensive and authoritative public source available of raw climate data, trends, and record-breaking extremes. Climate.gov helps inform public understanding of climate change, arms educators with credible and up-to-date information, and feeds into science-based decision making at all levels of government.

¹ Barry Myers and his brother Joel have previously supported legislation that would heavily restrict NWS's ability to make its data publicly available, restricting its availability to corporations. See *this* Washington Post story and *this* 2005 Lawrence-Journal World article; the legislation is S. 786 of the 109th Congress. (All accessed 10/12/2017.)

² Barry is currently CEO of Accuweather, a company that uses NWS data in its commercial products. One of his brothers, Joel Myers is the president and founder of the company. His other brother, Evan Myers, is COO of Accuweather. All three, and Accuweather itself, are members of the American Weather and Climate Industry Association, the weather industry trade association. (All accessed 10/12/2017.)

³ <http://www.noaa.gov/oceans-coasts> Accessed 10/12/17

⁴ <http://www.noaa.gov/our-mission-and-vision>

⁵ https://tidesandcurrents.noaa.gov/sea_level_info.html

We urge that you ask Mr. Myers for a firm commitment to maintain the quality and public accessibility of Climate.gov and all of NOAA's other important public information and data sites and services.

Finally, we are also concerned that if Mr. Myers were confirmed as NOAA Administrator he would have profound conflicts of interest. AccuWeather is a privately held family company. Every decision Mr. Myers would make about NOAA's organization, budget, management, and capabilities would have the potential to enrich his family's company, in the short term and the long term. We support NOAA's mission of science, service and stewardship and believe that its activities should be administered in the public interest.

We urge the Senate to carefully consider all the issues surrounding this nominee to protect the critical work all Americans expect and need from NOAA.

Sincerely,

Center for Biological Diversity
Climate Hawks Vote
ClimateTruth.org
Earthjustice
Friends of the Earth
Greenpeace USA
Hip Hop Caucus

League of Conservation Voters
Marine Conservation Institute
Natural Resources Defense Council
Oceana
Pacific Environment
Power Shift Network
Sierra Club

OCEAN CONSERVANCY
Washington, DC, November 27, 2017

Hon. JOHN THUNE,
Chair,
Committee on Commerce, Science, and
Transportation,
U.S. Senate,
Washington, DC.

Hon. BILL NELSON,
Ranking Member,
Committee on Commerce, Science, and
Transportation,
U.S. Senate,
Washington, DC.

Dear Chairman Thune and Ranking Member Nelson:

We are writing to express our thoughts on the nomination of Barry Myers to become the next Administrator of the National Oceanic and Atmospheric Administration (NOAA), an agency that has enormous impact on the ocean and coastal environment for which Ocean Conservancy advocates and on which people and economies depend.

The public discussion surrounding Mr. Myers' nomination has focused largely on two areas of concern that are not directly related to oceans and coasts: Mr. Myers' views on privatizing functions of the National Weather Service, and his relationship with AccuWeather. Ocean Conservancy agrees these questions deserve close scrutiny by members of the U.S. Senate before Mr. Myers receives confirmation. But Ocean Conservancy would like to highlight an entirely separate line of questioning that we believe is also deserving of scrutiny: Mr. Myers' views on the ocean and coastal issues facing our Nation.

Mr. Myers has an extensive background in the weather forecasting business, but on matters of ocean and coastal science and management he has no known publicly-expressed policy positions or expertise. Ocean and coastal science and management are enormous responsibilities carried by the NOAA Administrator and the American people deserve to know where Mr. Myers stands on these issues. The U.S. Senate, on behalf of all Americans, should examine Mr. Myers' beliefs, policy views, commitment to science, and his governing philosophy on important ocean and coastal matters before consenting to his confirmation.

In our view, here are key questions that should be posed to Mr. Myers:

- *NOAA's budget*—What is Mr. Myers' view on NOAA's overall budget levels? Does he support cutting programs like Sea Grant and the Coastal Zone Management Grants as the administration proposed in its 2018 budget?
- *NOAA's conservation responsibilities*—Does Mr. Myers support and commit to carry out NOAA's statutory responsibilities implementing the full suite of conservation laws, including the Magnuson-Stevens Fishery Conservation and Management Act, Endangered Species Act, Marine Mammal Protection Act, Coastal Zone Management Act, and National Marine Sanctuaries Act? Does he agree that management and conservation under those laws are part of NOAA's core mission?

- *Fisheries management*—Does Mr. Myers agree that overfishing should not be allowed and that depleted fisheries should be rebuilt? Does he agree that fisheries management decisions should be based on the best available science? Will he commit to opposing any actions that would undermine these core conservation tenets?
- The role of science at NOAA—Does Mr. Myers support NOAA’s current policies and principles on scientific integrity, including those outlined under NOAA administrative order 202–7350? Does he see a need to change those policies? Does Mr. Myers believe that NOAA-funded scientists should ever be excluded from advisory boards akin to the policies recently implemented by Administrator Pruitt at the EPA?
- *Climate change*—Does Mr. Myers concur with and stand behind the conclusion reached by NOAA scientists that climate change is happening, and that human-caused greenhouse gas emissions are largely responsible? Does he consider climate change to be a pressing problem facing the ocean, fisheries, and our coastal communities?
- *Ocean acidification*—Does Mr. Myers agree that ocean acidification is a real problem that poses an immediate economic threat to ocean and coastal industries across the U.S.? Does he support the work of the NOAA Ocean Acidification Program as authorized under the Federal Ocean Acidification Research and Monitoring (FOARAM) Act?
- *Regional coordination on ocean management*—Is Mr. Myers committed to supporting continued implementation of Northeast and Mid-Atlantic Ocean Plans and other regional, state/federal-coordinated ocean management efforts?
- *Marine sanctuaries and monuments*—What are Mr. Myers’ views on protected areas like National Marine Sanctuaries and Marine National Monuments as a tool for ocean conservation? Does he agree that our Nation’s federally-designated ocean protected areas should remain protected?
- *Arctic*—Is Mr. Myers committed to continuing and building weather, sea, and ice monitoring and forecasting capabilities in the Arctic Ocean off Alaska? What will he do to ensure that NOAA fulfills its mandates to protect marine mammals and other protected marine resources in the Arctic Ocean given the ongoing interest in offshore drilling in those waters? Is Mr. Myers committed to continuing coordinated work with other Federal agencies and tribes in the Arctic?
- *Marine debris*—Does Mr. Myers agree that marine debris is a pressing problem facing the health of our ocean? Does he support the work of NOAA’s marine debris program as well as that of corporations, NGOs, and countless citizens, to reduce such pollution at its source and clean up what is already there? Does he consider this is a priority?
- *Gulf of Mexico restoration*—How does Mr. Myers plan to keep the multi-billion dollar oil spill restoration efforts in the Gulf of Mexico on track? In Mr. Myers’ view, what would “success” look like for NOAA when it comes to Gulf of Mexico restoration?

This list of questions is a long one, but it’s not exhaustive. There are many more questions on important ocean and coastal issues that could and should be asked.

With Texas still recovering from the impacts of Hurricane Harvey, and Florida and the Caribbean—especially Puerto Rico—still reeling from Hurricanes Irma and Maria, NOAA’s relevance to our lives has never been more apparent.

NOAA’s responsibilities are diverse and absolutely crucial to a functioning country. NOAA not only safeguards America’s fisheries and protects iconic marine wildlife—it also conducts research that keeps our communities safe and our ocean healthy. And from tsunami and hurricane warnings to fisheries management, to the daily weather forecasts you check on your phone, NOAA plays a critical role in the lives of Americans from the coast to the heartland.

It is imperative that the Senate thoroughly vet and examine Myers’ positions on the full array of issues for which Mr. Myers would be responsible if confirmed as NOAA Administrator. On behalf of Ocean Conservancy, our members, and our supporters, please consider these important ocean and coastal questions as you question the nominee and consider his confirmation.

Sincerely,

JANIS SEARLES JONES,
Chief Executive Officer,
 Ocean Conservancy.

Senator NELSON. NOAA is one of the most popular agencies in the Federal Government. It directly impacts the daily lives of millions. NOAA is an agency most people are aware of because of weather forecast and warnings, and these warnings are distributed free of charge through the National Weather Service.

When Irma was barreling toward Florida, it was the National Weather Service employees, including our very significant professional accumulation at the National Hurricane Center, who provided the forecast to Florida's local governments and emergency managers by using all of the assets that NOAA has, plus additional assets.

But NOAA's mission does not just stop there. And I want to commend NOAA because their accuracy continues to improve. The addition of the G-4, flying at 45,000 feet over the hurricane, dropping that sonde, or instrumented package, has improved the accuracy of hurricane forecasts by 15 percent. But now, at even greater accuracy are the turbo props that fly into the hurricane dropping not just sondes, but now a sonde about this long, and once it gets out of the fuselage of the aircraft, it suddenly sprouts wings and its motor starts. It then flies as a UAV on the inner wall of the hurricane, giving additional data that we have never been able to have before.

What NOAA provides is absolutely fantastic, but the mission does not stop there. It is responsible for sustainably managing our Nation's fisheries, something you, Mr. Chairman, are quite interested about with all of the fishing that occurs in Alaskan waters. It ensures that our ships get in and out of ports. It protects critters and corals and habitats, and it tries to help our coastal communities adapt to the future.

So as we have this meeting today, NOAA is carrying out cutting-edge climate research—providing coastal communities with flood warnings and working all over to mitigate the harmful effects of climate change and specifically, in a place like Florida, not only climate change but also the effects of harmful algae blooms and coral bleaching.

And by the way, I did not tell you, Mr. Chairman, when I was with the Coast Guard up in Alaska, I ran into a bunch of NOAA employees up there that are doing critical research in the Arctic habitat.

Now, Mr. Myers, I mention all of this to make a point that it is going to be important that you truly understand the importance of the role NOAA plays in all of our daily lives. You have been the CEO of AccuWeather. I have talked to you extensively in private about your role. I commend you for your knowledge about the national weather program, and I commend you for your successful business background.

Naturally, as I raised in our private conversations, I am concerned about potential conflicts of interest. In 2005, you were behind a bill sponsored by Senator Santorum of Pennsylvania that would have prohibited the Weather Service from offering a product or a service, "that is or could be provided by the private sector," a provision that naturally, from your position previously as the head of AccuWeather, would have directly benefited AccuWeather. If the bill had passed, Americans' access to free and potentially life-

saving government weather forecasts would have been placed at risk because if that bill had passed, the government would be prohibited from offering a product or service, quote—your quote—that is or could be provided by the private sector. End of quote.

Now, that is a conflict. I talked to you in private about this. You assured me that you were going to remove yourself from anything having to do with AccuWeather, that even in family conversations over the holidays, that your brother, who would be running AccuWeather, would not discuss the business with you, that there would be a concrete wall that you would set up between your family's business, your former business, and the business of the U.S. Government.

NOAA has always put protecting lives and properties of Americans ahead of personal commercial interests. It is obviously a concern to me as I expressed to you, and I want you to get it out on the record today. It is a concern that your past history with the Senator Santorum bill suggests that you might do otherwise. I want you to clear that up in this record. And with your family connections, your brothers at AccuWeather, obviously there is the concern about potential conflicts of interest. I would like you to address that directly, unequivocally for the record here today.

We have been through part of this in another sphere. The airlines would like to privatize air traffic control. That is not going to happen. The airlines would like to be in control of the air traffic control of this country, including all military air traffic control. That is not going to happen, but there is an effort to do that.

There has been in the past the effort by Senator Santorum, which you supported, to privatize, in other words, to replace, assets of the National Weather Service that could not put out a product if there was a commercial product. If it is an enhancement of a commercial product, that is an additional thing from the perspective of this Senator as the Ranking Member of this Committee.

So we must be sure that you will not have a conflict of interest with a company owned by your brothers, previously run by you. So we want to know how can Weather Service employees and the public trust that you will truly refrain from involving yourself in NOAA decisions that affect your family's company? These are the same things that I asked you in our private conversations. And I want you to be as direct here as you were with me in our private conversations. These are questions that should be put to rest before you leave today and done in a way that your answers are clear to everyone.

Mr. Myers, what we need is a NOAA Administrator who will do what is the very best for the American people. While I sincerely hope that person is you, clearly it is my responsibility to see that you come forth to hear more on how you plan to avoid those conflicts and how you plan to safeguard the critical mission of NOAA.

Thank you, Mr. Chairman.

Senator INHOFE. A point of inquiry, Mr. Chairman. I see that the Senator from Pennsylvania is here. Is he here for the purpose of introducing the—

Senator SULLIVAN. Yes, and that is happening right now.

So thank you, Senator Nelson.

I now want to recognize Senator Toomey for an opening statement to introduce the nominee. Senator Toomey.

**STATEMENT OF HON. PAT TOOMEY,
U.S. SENATOR FROM PENNSYLVANIA**

Senator TOOMEY. Thank you very much, Chairman Sullivan, Ranking Member Nelson, members of the Committee. It is an honor for me to introduce Barry Myers before this Committee.

Barry Myers is a highly respected and well-qualified Pennsylvanian, and if confirmed, I think he will serve as an outstanding Administrator of NOAA. His leadership experience in the private sector and his institutional knowledge that he gained while working as an advisor to the agency will both enable him to effectively manage NOAA's diverse responsibilities and functions which, as we all know, include weather forecasting, fishery management, coastal conservation, and atmospheric and oceanic research.

Specifically, Barry has a deep understanding and appreciation of weather forecasting through his work at AccuWeather, headquartered in State College, Pennsylvania. And this expertise is, of course, very important because one of the primary functions of NOAA is to oversee the National Weather Service and support research to improve the modeling of weather events and natural disasters.

Barry has extensive experience managing AccuWeather. As the Chairman noted, he has served as the CEO of AccuWeather since September 2007. I should point out that AccuWeather provides outstanding weather forecasting services to media outlets, to governments, to businesses, in addition to operating a website and mobile apps for general public use. Under Barry's leadership, AccuWeather has become one of the world's most widely viewed and most accurate weather forecasting services.

He also has experience advising the Federal Government, as I mentioned, an institutional knowledge of NOAA while serving in several advisory roles. He served on NOAA's Environmental Information Services Working Group for over 7 years, advised the Director of the National Weather Service during two international conferences on meteorology, and has testified repeatedly before committees of Congress.

It is also worth pointing out that Mr. Myers has tremendous respect of his peers in the weather community. He recently received two very prestigious awards from the American Meteorological Society. I think the Chairman also alluded to those two awards.

So, Mr. Chairman, I will close by saying it is an honor for me to be able to introduce a great Pennsylvanian, Barry Myers, to the Committee today. He is an accomplished leader who I believe will advance NOAA's role in oceanic and atmospheric observation, measurement, management, and forecasting. I believe he will be able to increase effective communications between NOAA and the private sector and continue U.S. excellence in weather forecasting, among the other important roles that NOAA plays. If confirmed, I am confident that Barry Myers will be a very successful Administrator.

I want to thank you, Mr. Chairman, for having this hearing. Members of the Committee, thank you for allowing me to introduce him.

[The prepared statement of Senator Toomey follows:]

PREPARED STATEMENT OF HON. PAT TOOMEY, U.S. SENATOR FROM PENNSYLVANIA

- Thank you Chairman Thune, Ranking Member Nelson, and Members of the Committee
- Honor to introduce Barry Myers before the Committee
- Barry Myers is well qualified to serve as the next Administrator of NOAA
- He has leadership experience while at AccuWeather
 - NOAA oversees the National Weather Service
- He has a deep knowledge and professional experience with weather forecasting and modeling
 - NOAA supports atmospheric research to improve forecasting and detect natural disasters
 - Manages our Nation's environmental satellites
- He has a deep understanding of NOAA while serving the agency in several advisory positions

Leadership at AccuWeather

- Has served as CEO of AccuWeather since September 2007
 - Previously held other leadership positions, including Executive VP, General Counsel, and CFO
- AccuWeather provides weather forecasting services to media outlets, governments, and businesses, in addition to operating a free website and mobile apps for average consumers
- Under Barry's leadership, AccuWeather has become one of the world's most viewed and most accurate weather forecast services

Experience advising Federal Government

- Served on NOAA's Environmental Information Services Working Group for over 7 years
- Advised the Director of the National Weather Service during two international conferences (2001, 2008)
- Testified before Senate and House committees on private and government weather forecasting

Respect of peers in weather community

- Received two awards from the American Meteorological Society, nation's top meteorological organization
- Awarded in 2015 for his leadership in the weather industry and fostering strong cooperation between private and government weather services
- Elected as a Fellow in 2016 for his contributions to the atmospheric and oceanic sciences
 - An honor typically reserved for highly accomplished scientists

Closing

- It is an honor to introduce Barry Myers to the Committee today
- Individual who will
 - Improve U.S. weather modeling
 - Improve coordination between NOAA and the private sector
- If confirmed, I believe Barry will succeed in his new position with NOAA
- Look forward to his testimony
- Thank Chairman Thune and Members of the Committees

Senator SULLIVAN. Thank you, Senator Toomey, very much for that outstanding introduction.

Senator Nelson has one additional comment.

Senator NELSON. Mr. Chairman, I have a conflict that I have to go to see another Senator, and I would ask that Senator Schatz stand in as the Ranking Member.

Senator SULLIVAN. Without objection.

Mr. Myers, welcome again. The floor is yours for your opening statement, sir.

**STATEMENT OF BARRY LEE MYERS,
TO BE UNDER SECRETARY OF COMMERCE FOR
OCEANS AND ATMOSPHERE; AND ADMINISTRATOR,
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(NOAA), DEPARTMENT OF COMMERCE**

Mr. MYERS. Chairman Sullivan, Senator Schatz—and I would like to thank Senator Toomey. He will not hear me thank him, but for his gracious opening. Honorable members of the Committee, thank you for the privilege of allowing me to appear today and answer your questions about my nomination.

As noted, we have met before. I have worked with many of you over the past 4 years in support of the weather bill signed in April by the President that addressed important operational and research issues. I was privileged to testify before this committee in those regards.

And if confirmed, I pledge to carry out the wishes of Congress with vision, accountability, and effective management for the public good. I will ensure that the agency is staffed with top management, top scientists, and talented, experienced and capable people.

If confirmed, I promise to work with you on the issues that matter for the agency, the Congress, and the Nation.

Despite hardship, I have lived the American dream. My family started with little in Philadelphia, Pennsylvania. During my early life, my father was a union shop steward at an RCA factory making radar units for the war effort. After the war, he started a small business.

When I was 16, my mother had surgery that threatened her life and our family finances, as we had no health insurance. When I was 19, my father, burdened by mother's illness and health costs, committed suicide and left our family deeply in debt. Our house was foreclosed, and we were evicted. Only our uncle's charity kept a roof over our heads. We survived with the help of government surplus food. In fact, I still remember those huge blocks of cheese and large jars of peanut butter that we received off the back of a distribution truck.

My brothers and I worked hard, secured student loans, earned scholarships, and later started a company around a kitchen table. That company, AccuWeather, a science and technology company, is now the world's leader at what it does, serving weather information to about 2 billion devices in the hands of people everywhere on Earth.

When I was asked to serve as NOAA Administrator, I saw the opportunity as a way to repay my country. I have traveled the world and while opportunity certainly exists elsewhere, mine is truly an American story.

Some have asked about my ability to serve because I have had the success and I own a partial interest in this company. They are right to ask.

The answer is that my wife and I will resign from every company, board, and organization that could be in conflict with my new role. We have also agreed to sell all of our ownership interests, shares and options, in AccuWeather and all related companies.

There will be a complete separation. That is the only way I would do this. I will have no allegiance elsewhere. If confirmed, I will be joining a new team—I will be joining the NOAA team. My interests will be solely those of the American people and the Nation about which I am so passionate.

I started my college career as a meteorology student but left school to help my father in his business before he died. I returned as a student in economics and business administration and then went on to law school. After that, I spent 2 years in post-doctoral work at Penn State's Center for Air Environment Studies while also working on a master's degree in organizational behavior and management science.

I have a passion for science. I lead a successful company based on science. I know how to bring people together to accomplish great things. Science integrity has been a core value for me and the central component in the success of the company that I have led. If I am confirmed, it will always be in the headlights of NOAA moving forward.

Wherever I go, I hear what you hear. We need better weather models. We need better research to operations. We need to ensure continuity and cost control of our satellite programs. We need scientifically enhanced management of our fisheries. We need to address our seafood trade imbalance. We need efficient science-based processes for permitting and environmental review. We need to serve our ports' charting and research needs, but we have aging vessels and tight fiscal environments. We need to ensure quality weather and climate research and its availability to all. We need to improve tornado and hurricane warnings. We need initiatives in licensing emerging commercial data sources. We need to work cooperatively with the research and academic communities and the weather industry. These are my priorities. I believe they are your priorities.

Science is nonpartisan, and I believe together we can make great strides in each of these areas through quality management, strategic partnerships, and leveraging the talent, expertise, and passion of the NOAA team.

I have the experience, the know-how, and the ability to do the job for which I have been nominated and I believe do it well.

Thank you again for inviting me here today. I am eager and excited at the prospect of working with you to make NOAA, in the words of the National Research Council, second to none. Thank you.

[The prepared statement and biographical information of Mr. Myers follow:]

PREPARED STATEMENT OF BARRY LEE MYERS TO BE UNDER SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE; AND ADMINISTRATOR, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA), DEPARTMENT OF COMMERCE

Chairman Thune, Ranking Member Nelson, honorable members of the Committee, thank you for the privilege of allowing me to appear today to answer your questions about my nomination.

We've met before. I worked with many of you over the past four years to support the Weather Bill, signed in April by the President, that addressed such important issues as: improved tornado and hurricane warnings, research to operations, data from commercial satellites, seasonal and inter-annual forecasts, hurricane hunter plane backup, and the reauthorization of the tsunami program.

I was privileged to testify before this committee in those regards.

If confirmed as NOAA Administrator, I pledge to carry out the wishes of Congress with vision, accountability and effective management—for the public good. I will ensure that the agency is staffed with top management and scientists and with talented, experienced and capable people.

If confirmed, I promise to work with you on the issues that matter for the agency, the Congress, and the Nation.

Despite hardship, I have lived the American dream. I started with little, in Philadelphia, Pennsylvania. During my early life my father, unable to serve in the military during World War II due to a childhood disability, was a union shop steward at an RCA factory making radar unit for the war effort and after the war, later started a small business.

When I was 16, my mother had surgery that threatened her life and our family finances; as we had no health insurance. When I was 19, my father, burdened by my mother's illness and health costs, committed suicide and left the family deeply in debt. Our house was foreclosed; and we were evicted. Only our uncle's charity kept a roof over our heads. We survived with the help of government surplus food. I still remember those huge blocks of cheese and giant jars of peanut butter that we received from the back of a distribution truck.

My brothers and I worked hard, secured student loans and earned scholarships, and later started a company around a kitchen table. That company—AccuWeather, a science and technology company—is now the world's leader at what it does, serving weather information to about 2 billion devices in people's hands, virtually everywhere on earth.

When I was asked to serve as NOAA Administrator, I saw the opportunity as a way to repay my country and "pay it forward" to help others. I have travelled the world, and while opportunity exists elsewhere, mine is truly an American story.

Some have asked about my ability to serve because I have had this success and I own a minority interest of this company. They are right to ask.

The answer is that I have agreed with the Office of Government Ethics that my wife and I will resign from every company, board and organization that could be in conflict with my new role. We have also agreed to sell *ALL* of our ownership interests—shares and options—in AccuWeather and all related companies.

There will be a complete separation from the company. It is the only way I would do this. My Ethics Agreement goes beyond the usual legal requirements. As a result, I will have no allegiance elsewhere.

If confirmed, I will be joining a new team—I will be joining the NOAA Team.

My interests will be solely those of the American people, and the Nation I feel so passionately about, because of the opportunities I have had.

I started my college career as a meteorology student, but left school to help my father in his business before he died. I returned as a student in economics and business administration and then went to law school. After that I spent two years in post-doctoral work at Penn State's Center for Air Environment studies as both a Pennsylvania Science and Engineering Fellow and a U.S. Public Health Service Air Pollution Fellow.

I am not a scientist, but I have a passion for science and I am a leader of scientists.

I lead a successful company full of scientists and engineers. I know how to bring people together to accomplish great things.

I believe this is why I was honored over the past two years by the world's pre-eminent, scientific, meteorologic and hydrologic organization—the American Meteorological Society—first, in their words "For outstanding, highly principled leadership of the American weather industry over five decades and *fostering strong cooperation between private sector and government weather services*".

As I said, those are their words, not mine.

And then the next year that organization awarded the high honor normally reserved for highly accomplished scientists—being named a Fellow of the American Meteorological Society.

Scientific integrity has been a core value for me and the central component in the success of the company I have led. It will always be in the headlights of NOAA moving forward, if I am confirmed.

I will provide the vision, leadership, and strategies to do that at NOAA. Wherever I go, I hear what you hear:

We need better weather models.

We need better research to operations.

We need to ensure continuity and cost-control of our satellite programs. We need scientifically-enhanced management of our fisheries.

We need to address our seafood trade imbalance.

We need efficient science-based processes for permitting and environmental review.

We need to serve our port and research needs, but we have aging vessels in a tight fiscal environment.

We need to ensure quality weather and climate research and its availability to all.

We need to improve tornado and hurricane warnings.

We need initiatives in licensing emerging commercial data sources.

We need to work cooperatively with the research and academic communities and the weather industry.

These are my priorities. I believe these are your priorities.

Science is non-partisan and I believe together we can make great strides in each of these areas through quality management, strategic partnerships, and leveraging the talent, expertise and passion of the NOAA team.

I have the experience, know-how and ability to do the job for which I have been nominated—and do it well.

Thank you again for inviting me here today. I look forward to answering your questions. When we are done, I request your support.

I am eager and excited at the prospect of working with you to make NOAA—in the words of the National Research Council—Second to None.

A. BIOGRAPHICAL INFORMATION

1. Name: (Include any former names or nicknames used): Barry Lee Myers.
2. Position to which nominated; Under Secretary for Oceans and Atmosphere and Administrator of the National Oceanic and Atmospheric Administration (NOAA), Department of Commerce
3. Date of Nomination: October 11, 2017.
4. Address (List current place of residence and office addresses):
 Residence: Information not released to the public.
 Office: AccuWeather, Inc., 385 Science Park Road, State College, PA 16803.
5. Date and Place of Birth: July 20, 1943; Philadelphia, Pennsylvania.
6. Provide the name, position and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).
 Spouse: Holly Ellen Myers, Director of Executive Projects, AccuWeather, Inc.
 Children: Carla Franklin Myers, 47; Joseph Franklin Myers, 42; Rebekah Franklin Myers, 40.
 Stepchildren: Erik Anderson Larson, 28; Blair Ainsley Larson, 25.
7. List all college and graduate degrees. Provide year and school attended.
 - The Pennsylvania State University, Smeal College of Business, Master of Science, (ABD) Management Science and Organizational Behavior, 1972
 - Boston University School of Law, J.D., 1970
 - The Pennsylvania State University, Smeal College of Business, B.S., Economics and Business Administration, 1967
8. List all post-undergraduate employment, and highlight all management-level jobs held and any non managerial jobs that relate to the position for which you are nominated.

- AccuWeather, Inc., 1964 to present. Chief Executive Officer [previously Executive Vice President, General Counsel and CFO]; Member of the Board of Directors and Secretary of the Corporation
- Boutique law practice specializing in land use and development, real estate, and environmental law, 1970–1990
- The Pennsylvania State University, Smeal College of Business, Graduate School Faculty, 1974–1990
- The Pennsylvania State University, Smeal College of Business, Associate Professor of Business Law (Tenured), 1978–1990
- The Pennsylvania State University, Program Committee of the Graduate Program in Regional Planning, 1973–1982
- The Pennsylvania State University, Center for the Study of Environmental Policy, 1972–1980
- The Pennsylvania State University, Smeal College of Business, Assistant Professor of Business Law, 1973–1978
- The Pennsylvania State University, Smeal College of Business, Lecturer in Business Law, 1972–1973
- The Pennsylvania State University and the Pennsylvania Health Research Institute, Center for Air Environment Studies, Pennsylvania Science and Engineering Fellow, 1971–1972
- The Pennsylvania State University, Center for Air Environment Studies, U.S. Public Health Service Air Pollution Fellowship, 1970–1971

9. Attach a copy of your resumé.
See attached Curriculum Vitae.

10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last ten years.

- Environmental Information Services Working Group, National Oceanic and Atmospheric Administration Science Advisory Board (SAB), May 2009–December 2016.
- Advisor to Dr. John L. Hayes, Director of the National Weather Service, at World Meteorological Organization Meetings; Geneva, Switzerland—June 2008

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution within the last ten years.

Please see OGE Form 278e for information related to positions at AccuWeather, Inc., and its subsidiaries and related companies:

- AccuWeather Acquisition Sub, Inc.
- AccuWeather Holdco Inc.
- AccuWeather Canada, Inc.
- AccuWeather Enterprise Solutions, LLC
- AccuWeather International, LLC
- AccuWeather Intl., LLC
- AccuWeather Sales and Service, LLC
- Sky Motion Research, ULC, Canada
- MWX Services, Inc. (dissolved 2017)
- Perfect Date, Inc. (dissolved 2017)
- Locator IP, LP, and its General Partner Mirror Management Two, LLC
- User-Centric IP, LP, and its General Partner Mirror Management One, LLC

Member of the Board, American Weather and Climate Industry Association
Founding Member, Huafeng/AccuWeather, Joint Venture, Beijing, China, 2015
Consultant, Westside Village I LLC

12. Please list each membership you have had during the past ten years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religious organization, private club, or other membership organization. Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or handicap.

- Economic Club of New York, 2011–present
- Chamber of Business and Industry for Centre County, CEO Group Member, 2008–present
- American Weather and Climate Industry Association (Board Member, Government Relations Officer), 1990–present
- American Meteorological Society, 2001–present
- International Association of Broadcast Meteorologists, 2001–present
- National Weather Association, 2001–present
- American Bar Association, 1968–present
- The Pennsylvania State University Alumni Association, life member
- Centre County Bar Association, Centre County, PA, 1976–present
- Pennsylvania Bar Association, 1975–present
- Pennsylvania Supreme Court, Member of the Bar, 1975–present
- Supreme Judicial Court of Massachusetts, Member of the Bar, 1980–present
- United States Supreme Court, Member of the Bar, 1980–present

To the best of my knowledge and belief, none of the organizations listed restrict membership on the basis of sex, race, color, religion, national origin, age, or handicap.

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt.

I have never been a candidate for nor have I held an elected public office. As discussed above, from May 2009 through December 2016 I was on the Environmental Information Services Working Group of the National Oceanic and Atmospheric Administration Science Advisory Board (SAB).

14. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$500 or more for the past ten years. Also list all offices you have held with, and services rendered to, a state or national political party or election committee during the same period.

I have not held any offices with or rendered services to a state or national political party or election committee in the last 10 years. To the best of my knowledge and belief, the following are my applicable political contributions:

| Date | Recipient | Amount |
|------------|---|---------|
| 4/11/2007 | Friends of John Peterson | \$800 |
| 9/29/2007 | Friends of John Peterson | \$1,000 |
| 6/27/2008 | Friends of Glenn Thompson | \$1,000 |
| 9/30/2009 | Friends of Glenn Thompson | \$500 |
| 3/03/2011 | Bob Brown (Montana Gubernatorial Candidate) | \$500 |
| 1/31/2012 | Romney for President, Inc. | \$1,000 |
| 10/10/2016 | Friends of Pat Toomey | \$500 |
| 10/10/2016 | Friends of Glenn Thompson | \$500 |
| 10/21/2016 | Donald J. Trump For President, Inc. | \$500 |

15. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

See attached CV. Highlights include:

- Elected Fellow of the American Meteorological Society, American Meteorological Society 96th Annual Meeting, New Orleans, January 2016
- The Kenneth C. Spengler Award for 2015, American Meteorological Society 95th Annual Meeting, Phoenix, January 2015, “For outstanding highly principled leadership of the American weather industry over five decades and fostering strong cooperation between private sector and government weather services.”
- Grant from the General Electric Foundation and the U.C.L.A. Graduate School of Management to participate in the conference of “Business in Its Environment” held at the U.C.L.A. Graduate School of Management, Los Angeles, July/August 1976
- Pennsylvania Science and Engineering Fellow, Center for Air Environment Studies, The Pennsylvania State University and the Pennsylvania Health Research Institute, 1971–1972

- U.S. Public Health Service Air Pollution Fellowship, Center for Air Environment Studies, The Pennsylvania State University, 1970–1971
- Beta Gamma Sigma (Business Administration Honor Society), 1976–present
- Omicron Delta Epsilon (Economics Honor Society), 1967–present
- Pi Gamma Mu (Social Science Honor Society), 1966–present

16. Please list each book, article, column, or publication you have authored, individually or with others. Also list any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.

See full CV.

Speeches

- 2017 AMS Washington Forum, “Environmental Data Paradigm: The Future of Foundational Weather Data that Drives the Enterprise,” Panelist; Washington, D.C.—May 4, 2017
- National Academy of Sciences’ Board on Atmospheric Sciences and Climate workshop, Speaker; Washington, D.C.—December 2016
- B20/G20 Summit, U.S. Delegate; Hangzhou, China—August/September 2016
- Testimony Before the House Committee on Science, Space and Technology, Subcommittee on Environment; Private Sector Weather Forecasting; Capitol Hill, Washington, D.C.—June 2016
- Global Innovator Conference 2015 and APEC Young Entrepreneurs’ Summit—Keynote speaker; Beijing, China—September 2015
- Publishers Insiders Summit, Keynote Interview; Chicago, IL—May 2015
- Media Insider Conference, Key Note Speaker; Key Largo, FL—April/May 2015
- C-Suite Conference, Speaker; Marina Del Rey, CA—November 2014
- Licensing Executives Society, Speaker; San Francisco, CA—October 2014
- Multichannel On-Demand Summit, Speaker; New York City, NY—June 2014
- Licensing Executives Society (LES)—IP 100 Forum Panelist; Chicago, IL—May 2014
- Testimony before the Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard; Committee on Commerce, Science, and Transportation; United States Senate; A Hearing on: *Forecasting Success: Achieving U.S. Weather Readiness for the Long Term*—December 12, 2013
- Testimony Before the Subcommittee on Environment of the Committee on Science, Space and Technology, *Restoring U.S. Leadership in Weather Forecasting*—May 23, 2013
- Millersville College—American Meteorological Society Chapter, Keynote Speaker—May 3, 2013
- Mobile Marketing Association (MMA) SM2, Speaker; New York City, NY—October 1–2, 2012
- American Meteorological Society—Status of the NOAA FYB Budget Request Session Panelist; Washington, D.C.—April 12, 2012
- “Status of the NOAA FY13 Budget Request”—Speaker, American Meteorological Society Washington Forum; Washington, D.C.—April 10, 2012
- “Entrepreneurship—My Story; Delta Sigma Pi at Smeal College, Speaker; The Pennsylvania State University, University Park, PA—April 2, 2012
- “Coordinating Severe Weather Warnings Between the Public and Private Sectors”, Speaker, National Weather Service Partners Meeting; New Orleans, LA—January 26, 2012
- “Welcome Speech”, AWCIA event at the American Meteorological Society; New Orleans, LA—January 2012
- “Mobile Weather: Opportunity and Challenge”, Speaker, American Meteorological Society Summer meeting; Boulder, CO—August 2011
- “Wireless Weather Services—National Weather Service and Weather Enterprise Roles” Speaker, Forum of Wireless Weather Services; Washington, D.C.—June 28, 2011
- “Entrepreneurship—Our Story”—Speaker, Young Presidents Organization; State College, PA—March 3, 2010
- “Welcome Speech—American Cancer Society”; State College, PA—August 2, 2008

- “Beyond Climatology—Looking Toward the Future,” Speaker, Weather Derivatives Seminar; New York City, NY—October 23, 2007
- National Council of Industrial Meteorologists Annual Meeting presenter; San Antonio, TX—January, 15, 2007
- The Weather Coalition panelist regarding the future course of the industry-academic-government relations; San Antonio, TX—January 15, 2007
- “Welcome Speech—Annual CWSA Reception at AMS”; San Antonio, TX—January 14, 2007
- “The Impact of Legislation on Broadcast Meteorologists” Speaker, National Weather Association Annual Meeting; St. Louis, MO—October 17, 2005
- “Weather and Climate Enterprise Panel Discussion.” American Meteorological Society Corporate Forum; Washington, D.C.—March 15, 2004
- Press Conference with Congressman John Peterson (R-PA) regarding the Punxsutawney Weather Center; Washington, D.C.—December 17, 2004
- “Discriminatory Information and Competitive Practices of the National Weather Service.” The Annual Meeting of the Commercial Weather Services Association; Kansas City, MO—July 20, 2002
- “The Fair Activities Inventory Reform Act of 1998, OMB Circular A-76 and other Federal Law as it relates to Policies and Practices of the National Weather Service,” AMS Corporate Forum; Washington, D.C.—March 3-4, 2002
- “The Policy Implications of International Treatment of Meteorological Data and Its Impact on Forecasts, Warnings, and Commercial Weather Industry Development,” World Federation of Scientists, 26th Session of the International Seminars on Planetary Emergencies & Associated Meetings; Erice, Italy—August 19-25, 2001
- “The Latest Information on International Weather Data Exchange” Commercial Weather Services Association Conference; Washington, D.C.—May 19, 1998
- Forum on International Weather Data Exchange, U.S. Delegation member; Paris, France—May 14, 1998
- “Single Source and Accreditation for Public Warnings Under WMO Resolution 40” Forum on International Data Exchange; Paris, France—May 14, 1998
- “North American Perspective on WMO Resolution 40.” Forum on International Data Exchange; Long Beach, CA—February 2, 1997
- “Testimony of the Commercial Weather Services Association.” Co-presenter. Subcommittee on Energy and Environment, U.S. House of Representatives; Washington, D.C.—February 21, 1995
- “Round Table Discussion on Conference Results and Recommendations.” Conference on the Economic Benefits of Meteorological and Hydrological Services. World Meteorological Organization; Geneva, Switzerland—September 23, 1994
- “Specific Investigations of Social and Economic Benefits Obtained from Services and Customers in Specific Sectors: Chairman of the Session.” Conference on the Economic Benefits of Meteorological and Hydrological Services. World Meteorological Organization; Geneva, Switzerland—September 22, 1994
- “Benefits for End Users Derived from NMHS’s and the Private Sector Collaborating to Provide Services to Meet their Needs: Round Table Discussion.” Conference on the Economic Benefits of Meteorological and Hydrological Services. World Meteorological Organization; Geneva, Switzerland—September 22, 1994
- “Benefits to End Users of NMHS/Private Sector Collaboration: The U.S. Model and Its Implications.” Conference on the Economic Benefits of Meteorological and Hydrological Services. World Meteorological Organization. Keynote Speaker; Geneva, Switzerland—September 22, 1994
- Specific Investigations of Social and Economic Benefits Obtained from Services to Customers in Specific Sectors: Chairman of the Session. Conference on the Economic Benefits of Meteorological and Hydrological Services. World Meteorological Organization; Geneva, Switzerland—September 21, 1994
- “Legal Problems and Solar Development.” The Sound of Progress. Penn State Radio—June 1, 1979
- “Community Legal Concerns Related to Solar Development.” The Sound of Progress. Penn State Radio—November 3, 1978
- “Solar Technology and Legal Problems.” The Sound of Progress. Penn State Radio—September 12, 1978

- “Planning, the Environment and the Law.” Man-Environment Relations Club. The Pennsylvania State University—December 6, 1977
- “The Taking Issue of Land Use Controls.” Zoning and Community Land Use Management Techniques In-Service Education. A Continuing Education Program sponsored by the College of Agriculture. The Pennsylvania State University—September 9, 1977
- “Legal Problems in Solar Energy.” Annual National Meeting of the American Business Law Association; Miami Beach, FL—August 25, 1977
- “Energy Implications of Major Oil Company Divestiture.” State of the Weather/Shape of the World. WPSX—July 19, 1977
- “Problems with the Federal Flood Insurance Program.” State of the Weather/Shape of the World. WPSX—February 17, 1977
- The Environment, The Law and You.” Eco-Action Meeting; University Park, PA—October 25, 1976
- “Technology, Energy and Social Concerns and Impacts.” Chairman of the Session. Conference on Business and its Environment; U.C.L.A. Graduate School of Management, Los Angeles, CA—July 28, 1976
- “Flood Controls.” State of the Weather/Shape of the World. WPSX—July 21, 1976
- “Flood Insurance: The Legal Tide Rises Again.” Mid-Atlantic Regional Meeting of The American Business Law Association; University of Delaware, Newark, DE—April 2, 1976
- “Legal Controls in Flood-Prone Communities.” Natural Disasters Seminar Series; The Pennsylvania State University—October 3, 1974
- “National Environmental Policy Act.” State of the Weather/Shape of the World. WPSX—October 23, 1973
- “Federal Land Use Planning Legislation.” Participant in Environmental Workshop. Center for the Study of Environmental Policy; The Pennsylvania State University—October 16, 1973
- “Legal Aspects of Land Use Controls in Flood Prone Areas.” Pine Creek Task Force, Pennsylvania Department of Environmental Resources—October 10, 1973
- “Environmental-Legal Problems in the Pine Creek Watershed.” Pine Creek Task Force, Pennsylvania Department of Environmental Resources—July 11, 1973
- “Land Use Doctrines and Environmental Problems.” Department of Geography Graduate Seminar; The Pennsylvania State University—January 19, 1973
- “Federal Flood Insurance.” State of the Weather/Shape of the World, WPSX—November 27, 1972
- “Environmental-Legal Problems in the Pine Creek Watershed.” State of the Weather/Shape of the World, WPSX—November 15, 1972
- “Motivating Business Organizations to Attach Their Air Pollution Problems.” Air Pollution Seminar Series, Center for Air Environment Studies, Institute for Science and Engineering; The Pennsylvania State University—November 6, 1971
- “Private Legal Remedies for Air Pollution Problems.” Air Pollution Seminar Series, Center for Air Environment Studies, Institute for Science and Engineering; The Pennsylvania State University—May 4, 1971

Publications

- International Seminar on Nuclear War—26th Session—2001, Climate Changes—Global Monitoring of the Planet *The Policy Implications of International Treatment of Meteorological Data and its Impact on Forecasts, Warnings, and Commercial Weather Industry Development*, World Scientific Publishing Co. Pte. Ltd; Singapore; River Edge, NJ; London
- Washington Post, Letter to the Editor, *Weathering Disasters*, August 17, 2001
- Levin, J. and Barry Lee Myers. 1987. Systematic Design of Earth Science Instructional Modules Utilizing Real-Time Databases. *The Earth Scientist*. (Fall)
- Abrams, E., Levin, J., and Barry Lee Myers. 1987. Classroom Information Databank for Science Educators. *Proceedings National Science Supervisors Association Science Leadership Institute*
- Barry Lee Myers & Myers, J. N. 1985. “New Technology and the Presentation of Weather.” *RTNDA Communicator*. December

- Barry Lee Myers & Myers, J. N. 1984. "Reliable Forecast: A Must for Efficient Cost-Effective Snow Removal." *The Pennsylvania Township News*. Vol. 35, No. 9, September, pp 26–30
- Barry Lee Myers, 1982. "The Private Forecaster's Role in Snow Fighting." *Public Works Journal*, vol. 112, No. 11, pp. 54–56, November
- Barry Lee Myers, 1978. "Pennsylvania: Prime Target for Uninsured Flood Loss." Department of Public Information, The Pennsylvania State University
- Barry Lee Myers, and J. K. Rubin. 1978. "Complying with the Flood Disaster Protection Act." *Real Estate Law Journal*, Vol. 7 (2), pp 114–131
- Barry Lee Myers, 1978. "The Common Law of Solar Access: An Insufficient Protection for Users of Solar Energy." *Real Estate Law Journal*, Vol. 6, (Spring), pp. 320–322. Reprinted in *Solar Engineering*, and *Ecolibrium* (Fall)
- Barry Lee Myers, 1978. "Solar Access in Residential Developments." *The Practical Lawyer*, Vol. 24, No. 2, (March), pp. 13–20
- Barry Lee Myers, 1978. "The American View on Awarding Attorney's Fees—The Alaskan Pipeline Cases." *Business Law—Issues and Concepts*. pp. 69–78
- Barry Lee Myers, 1977. "Legal Problems in Solar Energy Use: A Look Back at the Right to Light." *Selected Papers of the American Business Law Association National Proceedings*. pp. 504–518
- Barry Lee Myers, 1976. "Flood Insurance: The Legal Tide Rises Again or what Happens When You Put a Wolf in Sheep's Clothing." *Law and the Management Process: Recent Legal Developments and Teaching Methods*. pp. 67–79
- Barry Lee Myers, 1976. "Flood Disaster Protection Act of 1973." *American Business Law Journal*, Vol. 13, (Winter), pp. 315–333
- Barry Lee Myers, 1976. "American Land Planning Law—Review of the Five Volume Work by Norman Williams, Jr." *American Business Law Journal*, Vol. 14, (Fall), pp. 277–279
- Barry Lee Myers, 1976. *Flood Insurance: The Legal Tide Rises Again or What Happens When You Put a Wolf in Sheep's Clothing*. The Center for the Study of Environment Policy. The Pennsylvania State University. March
- Barry Lee Myers, & Myers, J. N. 1974. "How Users Benefit from Private Weather Forecasts." *Rural and Urban Roads*. vol. 12, No. 6, June, p. 17
- Barry Lee Myers, 1974. *Selected Legal Issues Associated with Planning Land Uses in a Riverine Area*. The Center for the Study of Environmental Policy. The Pennsylvania State University. April
- Barry Lee Myers, & Myers, J. N. 1974. "Rain or Snow, It Pays to Know." *Public Works Magazine*. January, pp. 48–50
- Barry Lee Myers, et al. *Legal Problems Associated with Planning Land Uses in a Riverine Area*, University Park, Pa: The Center for the Study of Environmental Policy. 207 pp. March
- Barry Lee Myers, & Myers, J. N., 1973. "Snow Warning, How Private Meteorologists Help." *Cities and Villages*. Columbus, Ohio. Vol. 21, No. 12, December, pp. 9–10. Reprinted in *Ohio County Engineering News*, February
- Barry Lee Myers, & Myers, J. N. 1972. "How Private Meteorologists Help." *The Pennsylvania*, October, p. 25. Reprinted in *Cities and Villages*, Vol. 21, No. 12, December, pp. 9–10. Reprinted in *Ohio County Engineering News*, February, 1973

17. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date and subject matter of each testimony.

- Testimony before the U.S. House Committee on Science, Space and Technology, Subcommittee on Environment, *Private Sector Weather Forecasting: Assessing Products and Technologies*, June 8, 2016
- Testimony before the U.S. Senate Committee on Commerce, Science, and Transportation, Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, A Hearing on: *Forecasting Success: Achieving U.S. Weather Readiness for the Long Term*, December 12, 2013
- Testimony before the U.S. House Committee on Science, Space and Technology, Subcommittee on Environment, *Restoring U.S. Leadership in Weather Forecasting*, May 23, 2013

- Co-presenter before the U.S. House Committee on Science, Subcommittee on Energy and Environment, *Testimony of the Commercial Weather Services Association*, February 21, 1995

18. Given the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

My entire life's work has provided the background that affirmatively qualifies me for appointment to the position as NOAA Administrator. I come with a deep immersion in science, although I am not a scientist. I am one of the few, and possibly the only, non-scientist to be made a Fellow of the American Meteorological Society (AMS). And I have been honored by the AMS separately for "outstanding, highly principled leadership of the American weather industry over five decades and *fostering strong cooperation between private sector and government weather services.*" (emphasis added).

My life's work has been in the American weather enterprise: (1) as an advisor to NOAA, the National Weather Service, the United Nation's World Meteorological Organization, and (2) as the leader of the preeminent global weather company—AccuWeather. I also served as a tenured professor in the nationally recognized Smeal College of Business at Penn State and served on the faculty of the Environmental Resource Management Program and the Graduate Program in Regional Planning. So I have a very well rounded view of the academic/research community, the government agencies, and the weather industry in the private sector.

The weather components of NOAA make up about 60 percent of the agency budget. But I am also familiar with the ocean, and especially the fisheries issues, and I am ready to bring my corporate leadership skills to solving the Nation's issues in this area.

After having been the Executive Vice President and General Counsel of AccuWeather for many decades, and a stint as Chief Financial Officer, I was promoted to Chief Executive Officer just ten years ago, and since that time the company has almost quadrupled in size and gone from a national household word to a global brand reaching an estimated two billion devices in people's hands around the world. This was done by assembling a team of leaders who understand the challenges and were prepared to address them. This is the approach I plan to take with NOAA—especially focusing on two major initial problems—reduction of the international trade imbalance in our fisheries (ranging from an annual deficit of \$11 to \$17 billion depending on source) and having the best weather model in the world. There are also other priorities such as (1) renewed emphasis on ocean observing and data collection systems and analysis to contribute both to our marine environment and short and annual and inter-annual weather forecasting and (2) implementing the Weather Research and Forecasting Improvement Act.

I was a prime player in working with Congress over four years to see HR 353 turned into law this year as the Weather Research and Forecasting Improvement Act (P.L. 115–25), which I believe is a Congressional blueprint for improving tornado and hurricane warnings (as well as other objectives). Having strongly supported the enactment of P.L. 115–25, I feel qualified to carry out its mandate and restore America to the world leader in weather forecasting.

The question asks why I wish to serve, there are two answers. First, I believe I come to the agency with much knowledge of its strengths and areas for improvement. I know many of the people in the agency and I believe I will bring strong directed leadership that will enhance the value the agency brings to the Nation.

Second, and on a personal note, after my father died in 1963, my brothers and I had to make our own way in the world. His estate was bankrupt and our mother had to declare bankruptcy also. We were tossed out of our home by a foreclosure and for a time supplemented our meager income with surplus government food off the back of a truck at a food distribution point. I still remember the giant blocks of cheese and the big jars of peanut butter.

By the availability of scholarships and government loans, attending, what was a low cost state school at the time (Penn State), the three of us developed the American dream. We provided the hard work and skill, and our country provided the opportunities that only America can. My brothers and I went from eating government surplus cheese to building the world's premiere and best known weather and media company. I am so proud of what we have done.

AccuWeather as a business gives back to the Nation every day. We work every day to save lives and protect property. I am proud of this legacy, all inspired by a love of weather which we all endorsed at an early age and worked, regularly 70

and 80 hour weeks, to make happen. I feel driven to use my lifetime of business experience to give back to the Nation that helped my family when we really needed it.

19. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency has proper management and accounting controls, and what experience do you have in managing a large organization?

I believe the prime responsibility is to ensure that the wishes of Congress are carried out, as defined in statute and in the approved appropriations, through accountability and proper, efficient, and effective management. In the private sector I have always worked closely with the Senate and the House; as the head of NOAA I believe transparency and accountability are essential.

My plan is to staff the top management positions with talented, experienced and capable executives and scientists from the private sector and from government who are able and willing to carry out the visions discussed above.

I am used to managing a diverse company with customers in virtually every country in the world, working with the government meteorological services of many nations, and making weather information available on demand in over a 100 languages and dialects. I believe I am up to the challenge of not just managing NOAA but identifying and solving challenges faced by the agency in both weather, water and our fisheries.

20. What do you believe to be the top three challenges facing the department/agency, and why?

See my discussion above:

1. Addressing Fisheries Trade Imbalance—It is reported that this imbalance is between \$11 and \$17 billion per year. Righting this ship would be a major plus for the Nation.
2. American Weather Model Superiority—The American weather models must be the best in the world for both protection of lives and property and also for national security.
3. Carrying out P.L. 115–25—This Act focuses on the improvement of forecasting—tornadoes, hurricanes, and annual and inter-annual forecasts. This is a new paradigm to include the academic/research community and the American weather industry in solving NOAA and national weather issues and must be effectively implemented. I fought to see this bill enacted into law and wish to see it effectively implemented.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts.

I have retirement accounts through my former employer, The Pennsylvania State University. I also have Individual Retirement Accounts (IRAs) not related to a business associate, client, or customer.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association or other organization during your appointment? If so, please explain. No.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

In connection with the nomination process, I have consulted with the Office of Government Ethics and Department of Commerce agency ethics officials to identify any potential conflicts of interest. Any potential conflicts of interest be resolved in accordance with the terms of my ethics agreement. I understand that my ethics agreement has been provided to the Committee. I am not aware of any potential conflict of interest other than those that are the subject of my ethics agreement and I have pledged to eliminate promptly.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last ten years, whether for yourself: on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated. None.

5. Describe any activity during the past ten years in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy.

I met with Senators and Congressmen, and testified, in support of the passage of P.L. 115–25.

6. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.

Any potential conflicts of interest will be resolved in accordance with the terms of my ethics agreement. I understand that my ethics agreement has been provided to the Committee. I am not aware of any potential conflict of interest other than those that are the subject of my ethics agreement and they will be resolved quickly.

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, professional association, disciplinary committee, or other professional group? If yes:

- a. Provide the name or agency, association, committee, or group;
- b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;
- c. Describe the citation, disciplinary action, complaint, or personnel action;
- d. Provide the results of the citation, disciplinary action, complaint, or personnel action.

No.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? If so, please explain. No.

3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain.

AccuWeather has been involved in routine civil and administrative actions, such as contracts disputes and employee claims for unemployment compensation, workers compensation, and other personnel matters.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain. No.

5. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain. No.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination. None.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by congressional committees? Yes.

2. Will you ensure that your department/agency does whatever it can to protect congressional witnesses and whistle blowers from reprisal for their testimony and disclosures? Yes.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Yes.

4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so? Yes.

CURRICULUM VITAE OF BARRY LEE MYERS

Education

The Pennsylvania State University, Smeal College of Business, Master of Science, (ABD) Management Science and Organizational Behavior, 1972

Boston University School of Law, J.D., 1970

The Pennsylvania State University, Smeal College of Business, B.S., Economics and Business Administration, 1967

Admitted to the Bar: Massachusetts 1970, Pennsylvania 1975, United States Supreme Court 1980

Professional & Academic Positions

AccuWeather, Inc., 1964–present Chief Executive Officer [previously Executive Vice President, General Counsel and CFO]; Member of the Board of Directors and Secretary of the Corporation

American Meteorological Society Weather and Climate Commission Steering Committee—January 2012 to January 2015

Huafeng/AccuWeather Joint Venture: Beijing, China—Founding Member—2015
National Oceanic and Atmospheric Administration Science Advisory Board (SAR)—Environmental information Services Working Group—May 2009 to December 2016

Advisor to Dr. John L. Hayes, Director of the National Weather Service, at World Meteorological Organization Meetings; Geneva, Switzerland—June 20–23, 2008

Advisor to General John T. Kelly, Jr., Director of the National Weather Service, at World Meteorological Organization Meetings; Geneva, Switzerland—June 11–13, 2001

Boutique law practice specializing in land use and development, real estate, and environmental law, 1970–1990

The Pennsylvania State University, Smeal College of Business, Graduate School Faculty, 1974–1990

The Pennsylvania State University, Smeal College of Business, Associate Professor of Business Law (Tenured), 1978–1990

The Pennsylvania State University, Program Committee of the Graduate Program in Regional Planning, 1973–1982

The Pennsylvania State University, Center for the Study of Environmental Policy, 1972–1980

The Pennsylvania State University, Smeal College of Business, Assistant Professor of Business Law, 1973–1978

Pine Creek Task Force, Pennsylvania Department of Environmental Resources, 1973–1978

Centre Regional Consciousness Group, Center Regional Planning Commission, 1974–1977

U.S. Department of the Interior, Bureau of Outdoor Recreation, Program Evaluator, 1976

National Science Foundation, Special Consultant on Federal Coal Leasing Practices, 1973–1974

The Pennsylvania State University, Smeal College of Business, Lecturer in Business Law, 1972–1973

The Pennsylvania State University and the Pennsylvania Health Research Institute, Center for Air Environment Studies, Pennsylvania Science and Engineering Fellow, 1971–1972

The Pennsylvania State University, Center for Air Environment Studies, U.S. Public Health Service Air Pollution Fellowship, 1970–1971

Professional Affiliations

Economic Club of New York, 2011–present

Chamber of Business and Industry for Centre County, CEO Group Member, 2008–present

American Weather and Climate Industry Association (Board Member, Government Relations Officer), 1990–present

American Meteorological Society, 2001–present

International Association of Broadcast Meteorologists, 2001–present

National Weather Association, 2001–present

American Bar Association, 1968–present

American Business Law Association, 1971–1990

American Legal Studies Association, 1975–1990

Beta Gamma Sigma (Business Administration Honor Society), 1976–present

Centre County Bar Association, Centre County, PA, 1976–present

National Panel of Arbitrators of the American Arbitration Association, 1977–1992

Omicron Delta Epsilon (Economics Honor Society), 1967–present

Pennsylvania Bar Association, 1975–present

Pennsylvania Supreme Court, Member of the Bar, 1975–present

Pi Gamma Mu (Social Science Honor Society), 1966–present

Supreme Judicial Court of Massachusetts, Member of the Bar, 1980–present
 United States Supreme Court, Member of the Bar, 1980–present
 Who's Who in America—various editions Who's Who in American Law—various editions
 Who's Who in Executives and Professionals—various editions Who's Who in Finance and Industry—various editions
 Who's Who Registry of Global Business Leaders—various editions Who's Who Worldwide—various editions

Special Activities

Environmental Information Services Working Group (EISWG) of the Sciences Advisory Board to the National Oceanographic and Atmospheric Administration (NOAA); Silver Spring, MD—December 12–13, 2016
 Space-based Environmental Intelligence Event, American Astronautical Society and the American Meteorological Society; Washington, D.C.—December 2016
 National Academy of Sciences' Board on Atmospheric Sciences and Climate workshop, Speaker; Washington, D.C.—December 2016
 The Economic Club of NY Event Featuring Michael Bloomberg; New York City, NY—December 2016
 Google Zeitgeist Meeting; Scottsdale, AZ—September 2016
 B20/G20 Summit, U.S. Delegate; Hangzhou, China,—August/September 2016
 American Meteorological Society Summer Community Meeting—July 2016
 Testimony Before the House Committee on Science, Space and Technology, Subcommittee on Environment; Private Sector Weather Forecasting; Capitol Hill, Washington, D.C.—June 2016
 BDT Roundtable Event with Commerce Secretary Pritzker; Washington, D.C.—June 2016
 The Economic Club of NY Meeting; New York City, NY—June 2016
 The U.S.-China Business Council Meeting; Washington, D.C.—May 2016
 Environmental Information Services Working Group (EISWG) of the Sciences Advisory Board to the National Oceanographic and Atmospheric Administration (NOAA); Silver Spring, MD—May 2016
 American Meteorological Society Washington Forum; Washington, D.C.—April 2016
 American Meteorological Society Annual Meeting; New Orleans, LA—January 2016
 Environmental Information Services Working Group (EISWG) of the Sciences Advisory Board to the National Oceanographic and Atmospheric Administration (NOAA); Silver Spring, MD—December 9–10, 2015
 Global Innovator Conference; Beijing, China—2015
 APEC Young Entrepreneurs' Summit; Beijing, China—2015
 The U.S.-China Business Council Gala; Washington, D.C.—December 2015
 Fortune Global Forum 2015; San Francisco, CA—November 2015
 Google Zeitgeist Meeting; Scottsdale, AZ—October 2015
 National Weather Service (NWS) Fall Strategy Meeting; Washington, D.C.—October 2015
 U.S. Corporate Leadership Reception and Dinner with President Xi of the People's Republic of China; Seattle, WA—September 2015
 The U.S. China Business Council Meeting; Washington, D.C.—August 2015
 The U.S.-China Business Council Annual Meeting; Washington, D.C.—June 2015
 Media Insider Conference, Key Note Speaker; Key Largo, FL—April/May 2015
 National Association of Broadcasters; Las Vegas, NV—April 2015
 Digital Content Next Conference; Miami, FL—January 2015
 American Meteorological Society Annual Meeting; New Orleans, LA—January 2015
 The U.S.-China Business Council Annual Meeting; Washington, D.C.—December 2014

Environmental Information Services Working Group (EISWG) of the Sciences Advisory Board to National Oceanographic and Atmospheric Administration (NOAA); Silver Spring, MD—December 2–3, 2014

C-Suite Conference, Speaker; Marina Del Rey, CA—November 2014

Points of Light Dinner, Guest of Neal Bush; Washington D.C.—October 2014

Economic Club of New York Meeting; New York—October 2014

Licensing Executives Society, Speaker; San Francisco, CA—October 2014

Google Zeitgeist Meeting; Scottsdale, AZ—September 2014

American Meteorological Society Summer Community Meeting; State College, PA—August 2014

Multichannel On-Demand Summit, Speaker; New York City, NY—June 2014

The U.S.-China Business Council Annual Meeting; Washington, D.C.—June 2014

Licensing Executives Society (LES)—IP 100 Forum Panelist; Chicago, IL—May 2014

Environmental Information Services Working Group (EISWG) of the Sciences Advisory Board to the National Oceanographic and Atmospheric Administration (NOAA); Silver Spring, MD—April 2014

National Association of Broadcasters; Las Vegas, NV—April 2014

American Meteorological Society Forecast Improvement Group Meeting; Washington, D.C.—April 2014

American Meteorological Society Washington Forum; Washington, D.C.—April 2014

American Meteorological Society Enterprise Steering Committee Meeting; Atlanta, GA—February 2, 2014

American Meteorological Society—Commission on the Weather and Climate Enterprise (CWCE) meeting; Atlanta, GA—February 2014

American Meteorological Society Annual Meeting; Atlanta, GA—February 2014

Environmental Information Services Working Group (EISWG) of the Sciences Advisory Board to the National Oceanographic and Atmospheric Administration (NOAA); Silver Spring, MD—December 17–18, 2013

Testimony before the Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard; Committee on Commerce, Science, and Transportation; United States Senate; A Hearing on: *Forecasting Success: Achieving U.S. Weather Readiness for The Long Term*—December 12, 2013

The U.S.-China Business Council Annual Meeting; Washington, D.C.—December 4, 2013

Licensing Executives Society (LES); Philadelphia, PA—September 23, 2013

Google Zeitgeist Conference; Scottsdale, AZ—September 15–17, 2013

American Meteorological Society Summer Community Meeting; Boulder, CO—August 12–15, 2013

Testimony before the Subcommittee on Environment of the Committee on Science, Space and Technology, *Restoring U.S. Leadership in Weather Forecasting*—May 23, 2013

National Association of Broadcasters; Las Vegas, NV—April 8–13, 2013

Weather Policy Priorities—113th Congress; Washington, D.C.—January 31, 2013

American Meteorological Society—Commission on the Weather and Climate Enterprise (CWCE) meeting; Austin, TX—January, 2012

American Meteorological Society Annual Meeting; Austin, TX—January 2013

Environmental Information Services Working Group (EISWG) of the Sciences Advisory Board to the National Oceanographic and Atmospheric Administration (NOAA)—Silver Spring, MD—December 12–13, 2012

OMMA Premium Display Conference; New York City, NY—November 8, 2012

Google Zeitgeist Conference; Scottsdale, AZ—October 14–17, 2012

Mobile Marketing Association (MMA) SM2, Speaker; New York City, NY—October 1–2, 2012

Economic Club of New York meeting; New York—September 24, 2012

American Weather Enterprise—Briefing; Washington, D.C.—September 27, 2012

American Meteorological Society & UCAR Geosciences Congressional Visit Days; Washington, D.C.—September 11–12, 2012

Environmental Information Services Working Group (EISWG) of the Sciences Advisory Board to the National Oceanographic and Atmospheric Administration (NOAA); Silver Spring, MD—May 1–2, 2012

National Association of Broadcasters; Las Vegas, NV—April 16–18, 2012

American Meteorological Society Washington Forum: Toward a Weather, Water and Climate-Ready Nation; Washington, D.C.—April 10–12, 2012

American Meteorological Society—Status of the NOAA FY 13 Budget Request Session Panelist; Washington, D.C.—April 12, 2012

American Meteorological Society—Commission on the Weather and Climate Enterprise (CWCE) meeting; Washington, D.C.—April 9, 2012

American Meteorological Society—NWS Partners Meeting; New Orleans, LA—January 26, 2012

American Meteorological Society—Commission on the Weather and Climate Enterprise (CWCE) meeting; New Orleans, LA—January 2012

American Meteorological Society Annual Meeting; New Orleans, LA—January 2012

American Weather and Climate Industry Association; New Orleans, LA—January 2012

Federal Reserve Bank of New York Meeting of Select Business Leaders; New York—November 15, 2011

Environmental Information Services Working Group (EISWG) of the Sciences Advisory Board to the National Oceanographic and Atmospheric Administration (NOAA); Silver Spring, MD—November 2011

Google Zeitgeist Conference; Scottsdale, AZ—September 25–28, 2011

Economic Club of New York meeting; New York—September 19, 2011

Environmental Information Services Working Group (EISWG) of the Sciences Advisory Board to the National Oceanographic and Atmospheric Administration (NOAA); Boulder, CO—August 2011

American Meteorological Society Summer Meeting; Boulder, CO—August 2011

National Weather Service Forum on Mobile Weather; Silver Spring, MD—June 2011

The U.S.-China, Business Council Annual Meeting; Washington, D.C.—May 31, 2011

National Association of Broadcasters; Las Vegas, NV—April 2011

Environmental Information Services Working Group (EISWG) of the Sciences Advisory Board to the National Oceanographic and Atmospheric Administration (NOAA); Silver Spring, MD—April 2011

American Meteorological Society Annual Meeting; Seattle, WA—January 2011

American Weather and Climate Industry Association; Seattle, WA—January 2011

Environmental Information Services Working Group (EISWG) of the Sciences Advisory Board to the National Oceanographic and Atmospheric Administration (NOAA); Sausalito, CA—November 2010

Google Zeitgeist Conference; Scottsdale, AZ—September 12–14, 2010

Environmental Information Services Working Group (EISWG) of the Sciences Advisory Board to the National Oceanographic and Atmospheric Administration (NOAA); State College, PA—August 9, 2010

American Meteorological Society Summer Meeting; State College, PA—August 9–11, 2010

Environmental Information Services Working Group (EISWG) of the Sciences Advisory Board to the National Oceanographic and Atmospheric Administration (NOAA); Silver Spring, MD—April 19–20, 2010

National Association of Broadcasters Conference; Las Vegas, NV—April 11–14, 2010

American Meteorological Society 2010 AMX Public-Private Partnership Forum; Washington, D.C.—April 6–7, 2010

American Meteorological Society Annual Meeting; Atlanta, GA—January 17–22, 2010

American Weather and Climate Industry Association; Atlanta, GA—January 17, 2010

NOAA Stakeholder Workshop; Washington, D.C.—December 2, 2009

Environmental Information Services Working Group (EISWG) of the Sciences Advisory Board to the National Oceanographic and Atmospheric Administration (NOAA); Silver Spring, MD—November 18, 2009

National Weather Service “Family of Services” Meetings: Washington, D.C.—June 25, 2009

Media Conference—Advertising 2.0; New York City, NY—June 10, 2009

National Association of Broadcasters Conference; Las Vegas, NV—April 20–22, 2009

Guest appearance on “To the Best of My Knowledge” hosted by Dr. Graham Spanier, President of Penn State University, on WPSU-TV & FM and Pennsylvania Cable Network—February 24, 2009

Commercial Weather Services Association Annual Meeting; Phoenix, AZ—January 11, 2009

American Meteorological Society Annual Meeting; Phoenix, AZ—January 11–14, 2009

Pennsylvania Bar Institute Continuing Legal Education Course, “Building Green” Online Seminar—December 27, 2008

Pennsylvania Bar Institute Continuing Legal Education Course, “Top Ten Steps To Enforcing a Restrictive Covenant” Online Seminar—September 28, 2008

United Nations World Meteorological Organization Meetings; Geneva, Switzerland—June 19–26, 2008

Group M 24/7 Summit; New York City, NY—June 3, 2008

American Meteorological Society Corporate Forum; Washington, D.C.—April 22–23, 2008

National Association of Broadcasters Conference; Las Vegas, NV—April 12–16, 2008

Commercial Weather Services Association Annual Meeting; New Orleans, LA—January 18, 2008

American Meteorological Society Annual Meeting; New Orleans, LA—January 18–21, 2008

Pennsylvania Bar Institute Continuing Legal Education Course, “E-Discovery”; Mechanicsburg, PA—November 14, 2007

Weather Derivatives Seminar; New York, NY—October 23, 2007

Pennsylvania Bar Institute Continuing Legal Education Course, “Saving the Assets of an Individual Entering a Nursing Home After the Deficit Reduction Act” Online Seminar—October 20, 2007

Pennsylvania Bar Institute Continuing Legal Education Course, “Social Security Benefits Primer” Online Seminar—September 23, 2007

Pennsylvania Bar Institute Continuing Legal Education Course, “The Legislative Process,” Mechanicsburg, PA—September 27, 2007

Pennsylvania Bar Institute Continuing Legal Education Course, “E-Discovery” Online Seminar—September 10, 2007

Pennsylvania Bar Institute Continuing Legal Education Course, “Search Engines Beyond Google” Webinar June 12, 2007

American Meteorological Society Corporate Forum; Washington, DC—March 22–23, 2007

American Meteorological Society Annual Meeting; San Antonio, TX—January 14–17, 2007

Commercial Weather Services Association Annual Meeting; San Antonio, TX—January 14, 2007

National Council of Industrial Meteorologists Annual Meeting presenter; San Antonio, TX—January 15, 2007

The Weather Coalition panelist regarding the future course of the industry-academic-government relations; San Antonio, TX—January 15, 2007

Pennsylvania Bar Institute Continuing Legal Education Course, “De-mystifying the Insurance Industry—How Policies are Written, Placed and Interpreted” Online Seminar—August 28, 2006

Pennsylvania Bar Institute Continuing Legal Education Course, "Fundamentals of Estate" Online Seminar—August 14, 2006

Pennsylvania Bar Institute Continuing Legal Education Course, "LLCs, LPs, S Corps & C Corps: Choosing the Best Business Entity for Maximum Results" Online Seminar—August 14, 2006

Pennsylvania Bar Institute Continuing Legal Education Course, "How to Mediate a Business Dispute" Online Seminar—August 6, 2006

American Meteorological Society Corporate Forum; Washington, D.C.—March 9–10, 2006

American Meteorological Society, the Symposium on the Public/Private Sector Partnership; Atlanta, GA—January 31, 2006

American Meteorological Society, the Symposium on the Public/Private Sector Partnership, Committee on Weather Analysis and Forecasting Panelist; Atlanta, GA—January 31, 2006

National Weather Association Annual Meeting; St. Louis, MO—October 15–17, 2005

Private Sector Service Providers and NOAA regarding JOOS Implementation; Washington, D.C.—September 21, 2005

Private Sector Service Providers and NOAA regarding JOOS Implementation Panelist; Washington, D.C.—September 21, 2005

Pennsylvania Bar Institute Continuing Legal Education Course, "Avoiding and Resolving Disputes with Minority Shareholders" Online Seminar—August 22, 2005

Pennsylvania Bar Institute Continuing Legal Education Course, "Business Method Patents" Online Seminar—August 17, 2005

Pennsylvania Bar Institute Continuing Legal Education Course, "Insurance coverage in the 21st Century" Online Seminar—August 17, 2005

Pennsylvania Bar Institute Continuing Legal Education Course, "Advanced Cross Examination"; Mechanicsburg, PA—August 29, 2005

Workshop on the Future of U.S. Weather Prediction Research; University of Colorado, Boulder, CO—July 26–28, 2005

American Meteorological Society Corporate Forum; University of Maryland, MD—March 30–31, 2005

Inauguration Ceremony for President George W. Bush; Washington, D.C.—January 20, 2005

American Meteorological Society Annual Meeting; San Diego, CA—January 9–14, 2005

Commercial Weather Services Association Annual Meeting; San Diego, CA—January 9, 2005

Press Conference with Congressman John Peterson (R-PA) regarding the Punxsutawney Weather Center; Washington, D.C.—December 17, 2004

Pennsylvania Bar Institute Continuing Legal Education Course, "Panel Discussion: Law and Medical Malpractice Issues"; Mechanicsburg, PA—October 22, 2004

Pennsylvania Bar Institute Continuing Legal Education Course, "The Good, the Bad and the Ugly: How the Media Shapes Clients: Perception of the Practice of Law" Online Seminar—October 22, 2004

Pennsylvania Bar Institute Continuing Legal Education Course, "Handling the Workers' Comp Case" Online Seminar—September 24, 2004

NRCC Santorum Trust; Washington, D.C.—September 22, 2004

NRCC Republican Senatorial Inner Circle, Republican National Convention; New York City, NY—August 29–September 1, 2004

Pennsylvania Bar Institute Continuing Legal Education Course, "Greatest Trials Ever Held"; Mechanicsburg, PA—August 20, 2004

Pennsylvania Bar Institute Continuing Legal Education Course, "Lawsuits about Lawsuits" seminar—August 31, 2004

Presidential Dinner honoring President George W. Bush; Washington, D.C.—July 21, 2004

Commercial Weather Services Association Annual Meeting; Washington, D.C.—July 15–16, 2004

National Republican Congressional Committee, Business Advisory Council, Honorary Chairman from Pennsylvania; Washington, D.C.—June 23, 2004

American Meteorological Society 33rd Conference on Broadcast Meteorology; New Orleans, LA—June 14–17, 2004

NOAA Stakeholder forum; Washington, D.C.—April 16, 2004

National Law Journal, “Eye of the Storm” profile on In-House Counsel—April 5, 2004

American Meteorological Society Corporate Forum; Washington, D.C.—March 14–16, 2004

American Meteorological Society Corporate Forum, “Weather and Climate Enterprise Panel Discussion” panelist; Washington, D.C.—March 14–16, 2004

American Meteorological Society Annual Meeting; Seattle, WA—January 10–15, 2004

Joint Session of Congress featuring speaker The Honorable Tony Blair, Prime Minister of the United Kingdom—July 17, 2003

American Meteorological Society Corporate Forum, Weather and Climate Enterprise Panel Discussion; Washington, D.C.—March 15, 2003

American Meteorological Society Annual Meeting; Long Beach, CA—February 10–14, 2003

Swearing in Ceremonies of the 108th Congress; Washington, D.C.—January 7, 2003

Pennsylvania Bar Institute Continuing Legal Education Course, “Workplace Investigation of Sexual Harassment Claims”; Mechanicsburg, PA—December 9, 2002

Pennsylvania Bar Institute Continuing Legal Education Course, “Malpractice Avoidance Seminars”; Huntingdon, PA—November 19, 2002

NOAA Strategic Planning Process, Stakeholder Workshops: Washington, D.C.—September 23, 2002

NOAA COOP Modernization Partners’ Forum; Rockville, MD—September 18 2002

Pennsylvania Bar Institute Continuing Legal Education Course, “Power to Persuade”; Mechanicsburg, PA—August 6, 2002

Pennsylvania Bar Institute Continuing Legal Education Course, “Sexual Harassment Case”; Pittsburgh, PA—July 30, 2002

Commercial Weather Services Association Annual Meeting; Kansas City, MO—July 20, 2002

National Research Council, “Public—Private Partnerships in the Provision of Weather and Climate Services” Open Session; Boulder, CO—June 27, 2002

Pennsylvania Bar Institute Continuing Legal Education Course, “Use of Trust in Estate Planning”; State College, PA—May 3, 2002

Pennsylvania Bar Institute Continuing Legal Education Course, “Buying & Selling a Business”; State College, PA—April 23, 2002

American Meteorological Society Corporate Forum: Washington, D.C.—March 4–6, 2002

Pennsylvania Bar Institute Continuing Legal Education Course, “Trials of the Century”; Pittsburgh, PA—November 13, 2001

National Research Council Workshop; Washington, D.C.—November 5, 2001

Centre County Bench Bar Day; Bellefonte, PA—October 12, 2001

National Research Council Committee on Partnerships in Weather and Climate Services; Washington, D.C.—August 29, 2001

World Federation of Scientists, 26th Session of the International Seminars on Planetary Emergencies & Associated Meetings; Invited Speaker—Global Weather Data and Information; Erice, Italy—August 19–25, 2001

Commercial Weather Services Association Annual Meeting; Washington, D.C.—June 8, 2001

United Nations World Meteorological Organization meeting; Geneva, Switzerland—June 11–13, 2001

Centre County Bar Association, Continuing Legal Education “What Every Lawyer Needs to Know About Employment Contracts, Non-compete Clauses and Confidentiality Agreements”; State College, PA—January 17, 2001

Internet World Fall 2000; New York City, NY—October 26, 2000

Radio-Television News Directions Association, Annual National Meeting; Minneapolis, MN—September 12–13, 2000

Pennsylvania Bar Institute Continuing Legal Education Course, “Representing Residential Landlords and Tenants”; Lewisburg, PA—July 11, 2000

Commercial Weather Services Association Annual Meeting; Washington, D.C.—June 27, 2000

Pennsylvania Bar Institute Continuing Legal Education Course, “Franchising Practice and Pitfalls”; Mechanicsburg, PA—June 8, 2000

Pennsylvania Bar Institute Continuing Legal Education Course, “Buying and selling a Business”; Williamsport, PA—December 17, 2000

Pennsylvania Bar Institute Continuing Legal Education Course, “Speaking to Win”; Mechanicsburg, PA—November 18, 1999

Pennsylvania Bar Institute Continuing Legal Education Course, “Bad Faith Claims in Pennsylvania”; Mechanicsburg, PA—September 9, 1999

Commercial Weather Services Association Annual Meeting; Washington, D.C.—June 29, 1999

Workshop on International Meteorological Cooperation: Addressing Issues and Challenges for the Future; Dallas, TX—January 9–10, 1999

Pennsylvania Bar Institute Continuing Legal Education Course. “Internet for Lawyers”; Mechanicsburg, PA—September 15, 1998

Pennsylvania Bar Institute Continuing Legal Education Course, “New PA Rules of Evidence”; Scranton, PA—August 12, 1998

Commercial Weather Services Association Annual Meeting; Washington, D.C.—May 19, 1998

Forum on International Weather Data Exchange, U.S. Delegation member; Paris, France—May 14, 1998

Happy Valley Viewpoint, 1450 WMAJ; State College, PA—April 13, 1998

Pennsylvania Bar Institute Continuing Legal Education Course, “Trial Tactics”; Pennsylvania—August 29, 1997

Pennsylvania Bar Institute Continuing Legal Education Course, “Drafting & Enforcing Executive Employment Contracts”; Pennsylvania—August 12, 1997

Pennsylvania Bar Institute Continuing Legal Education Course, “The Disciplinary Board-1 Received a Letter: How Should . . .”; Pennsylvania—April 16, 1997

Inc. Magazine’s Seventh Annual Conference on Customer Service Strategies; Orlando, FL—March 11–12, 1997

Forum on International Data Exchange; Long Beach, CA—February 2, 1997

Pennsylvania Bar Institute Continuing Legal Education Course, “Internet: Hip or Hype?”; Pennsylvania—August 22, 1996

Pennsylvania Bar Institute Continuing Legal Education Course, “Sexual Harassment”; Harrisburg, PA—July 24, 1996

Pennsylvania Bar Institute Continuing Legal Education Course, “Mergers and Acquisitions”; Pittsburgh, PA—June 6, 1996

Commercial Weather Services Association Annual Meeting; Washington, D.C.—May 14, 1996

Commercial Weather Services Association Board of Directors Meeting; Washington, D.C.—May 13, 1996

Pennsylvania Bar Institute Continuing Legal Education Course, “Recent Development in Federal Practice For Business Lawyers.”; Harrisburg, PA—December 7, 1995

Interplan; New York, NY—November 1–3, 1995

Commercial Weather Services Association Board of Directors Meeting; Washington, D.C.—September 12, 1995

Pennsylvania Bar Institute Continuing Legal Education Course, “Effective Writing for Lawyers”; Philadelphia PA—August 30, 1995

Commercial Weather Services Association, OMB Presentation; Washington, D.C.—June 8, 1995

Commercial Weather Services Association Annual Meeting; Washington, D.C.—May 16, 1995

National Science Teachers Association Annual Meeting; Philadelphia, PA—March 1995

Regional Climatic Centers Meeting—January 4, 1995

World Meteorological Organization Conference on the Economic Benefits of Meteorological and Hydrological Services; Geneva, Switzerland—September 19–23, 1994

Pennsylvania Bar Institute Continuing Legal Education Course, “Legal Negotiation”; Pittsburgh, PA—July 20, 1994

Commercial Weather Services Association Annual Meeting; Washington, D.C.—June 2, 1994

American Meteorological Society Annual Meeting; Nashville, TN—January 24–27, 1994

World Meteorological Organization International Programme Committee Meeting; Geneva, Switzerland—January 10–11, 1994

Radio-Television News Directors Association Annual Meeting; Miami Beach, FL—September–October 1993

National Weather Service Family of Services Annual Meeting; Washington, D.C.—August 31, 1993

Commercial Weather Services Association Annual Meeting, “Commercialization of Weather Services and Products”; Washington, D.C.—June 4, 1993

National Science Teachers Association Annual Meeting; Kansas City, MO—April 1993

American Meteorological Society Meeting; Anaheim, CA—January 20, 1993

National Science Teachers Association Annual Meeting—November 1992

Radio-Television News Directors Association Annual Meeting; San Antonio, TX—September 1992

Commercial Weather Services Association Annual Meeting; Washington, D.C. July 17, 1992

American Meteorological Society Meeting; Atlanta, GA—January 7, 1992

Commercial Weather Services Association Annual Meeting; Washington, D.C.—June 28, 1991

National Science Teachers Association Annual Convention; Boston, MA—March 1991

West Chester University Satellite in Education Conference; West Chester, PA—March 1991

Commercial Weather Services Association Annual Meeting; Washington, D.C.—June 28, 1990

National Science Teachers Association Annual Convention; Atlanta, GA—April 1990

National Association of Broadcasters Annual Convention; Atlanta, GA—April 1990

Association for Supervision and Curriculum Development National Conference; San Antonio, TX—March 1990

National Business Aircraft Association Annual Convention; Atlanta, GA—October 1989

Commercial Weather Services Association Annual Meeting (formerly APWRC); Washington, D.C.—June 16, 1989

National Association of Broadcasters Convention; Las Vegas, NV—April 29–May 2, 1989

National Science Teachers Association Annual Convention; Seattle, WA—April 1989

American Meteorological Society Meeting; Anaheim, CA—January 31, 1989

West Chester University Satellite in Education Convention; West Chester, PA—November 1988

Radio-Television News Directors Association, Annual Convention; Las Vegas, NV—November 1988

American Association of Weather Observers. Annual Convention; State College, PA—October 1988

National Business Aircraft Association, Annual Convention; Dallas, TX—October 1988

National Association of Broadcasters, Annual Convention; Washington, D.C.—September 1988

National Science Teachers Association, Annual Convention; St. Louis, MO—April 1988

Commercial Weather Services Association Annual Meeting (formerly APWRC); Washington, D.C.—March 11, 1988

National Science Supervisors Association, Annual Convention—August 1987

National Science Teachers Association, Annual Convention; Washington, D.C.—March 1987

Pennsylvania Science Teachers Association, Annual Convention; Valley Forge, PA—November 6, 1986

Radio-Television News Directors Association, Annual Convention; Salt Lake City, UT—August 1986

National Videotext Conference; New York, NY—1986

National Association of Broadcasters Annual Convention; Las Vegas, NV—April 1986

Federal High-Tech Conference; Boston, MA—November 1985

Radio-Television News Directors Association, Annual National Meeting; Nashville, TN—September 1985

American Business Law Association, Annual National Meeting; Portland, OR—August 13–16, 1985

Radio-Television News Directors Association, Annual National Meeting; San Antonio, TX—December 1984

National Association of Broadcasters, Annual Meeting; Las Vegas, NV—April 1983

National Association of Broadcasters, Annual Meeting; Dallas, TX—April 1982

American Business Law Association, 57th Annual National Meeting; San Francisco, CA—August 12–15, 1980

Pennsylvania Bar Institute Conference; Hattisburg, PA—March 28, 1980

American Business Law Association—Mid-Atlantic Region, Annual Meeting; Ocean City, MD—March 2, 1979

Anglo-American Business Law Conference, Annual Meeting; Ocean City, MD—March 22–24, 1979

American Business Law Association, Mid-Atlantic Region, Annual Meeting—March 1978

American Business Law Association, Annual National Meeting; Miami Beach, FL—August 21–25, 1977

American Business Law Association—Mid-Atlantic Region, Annual Meeting; University of Maryland, College Park, MD—March 10–11, 1977

Pennsylvania Bar Association and Pennsylvania Bar Institute, Pennsylvania Civil Practice and Procedure Institute; University Park, PA—October 27, 1976

American Business Law Association, 53rd Annual National Meeting; Michigan State University, East Lansing, MI—August 22–26, 1976

General Electric Foundation—U.C.L.A. Graduate School of Management, Annual Conference on Business and Its Environment, U.C.L.A.; Los Angeles, CA—July 25–August 5, 1976

American Business Law Association—Mid-Atlantic Region, Annual Meeting; University of Delaware, New Newark, DE—April 1–2, 1976

Northeastern Regional Business Law Association, Annual Meeting; New York, NY—January 31, 1976

American Business Law Association, 52nd Annual Meeting; University of Nevada, Reno, NV—August 17–21, 1976

American Society of Planning Officials, 40th Annual National Planning Conference; Chicago, IL—May 10–16, 1974

American Law Institute and American Bar Association, Annual Conference on Land Use Control Law; San Diego, CA November 13–17, 1973

The Zoning Game—Land Use Control Conference; University Park, PA—September 9, 1973

Speeches

- 2017 AMS Washington Forum, "Environmental Data Paradigm: The Future of Foundational Weather Data that Drives the Enterprise," Panelist; Washington, D.C.—May 4, 2017
- National Weather Service Fall Strategy Meeting; Silver Spring, MD—October 2015
- Global Innovator Conference 2015 and APEC Young Entrepreneurs' Summit—Keynote speaker; Beijing, China—September 2015
- Publishers Insiders Summit, Keynote Interview; Chicago, IL—May 2015
- Millersville College—American Meteorological Society, Keynote Speaker—May 3, 2013
- "Status of the NOAA FY13 Budget Request"—American Meteorological Society Washington Forum; Washington, D.C.—April 10, 2012
- "Entrepreneurship—My Story"; Delta Sigma Pi at Smeal College, The Pennsylvania State University, University Park, PA—April 2, 2012
- "Coordinating Severe Weather Warnings Between the Public and Private Sectors", National Weather Service Partners Meeting; New Orleans, LA—January 26, 2012
- "Welcome Speech", AWCIA event at the American Meteorological Society; New Orleans, LA—January 2012
- "Mobile Weather: Opportunity and Challenge", American Meteorological Society Summer meeting; Boulder, CO—August 2011
- "Wireless Weather Services—National Weather Service and Weather Enterprise Roles" Forum of Wireless Weather Services; Washington, D.C.—June 28, 2011
- "Entrepreneurship—Our Story"—Young Presidents Organization; State College, PA—March 3, 2010
- "Welcome Speech—American Cancer Society"; State College, PA—August 2, 2008
- "Even Children Can Contribute to the Make-A-Wish Foundation," Bellefonte Area Middle School; Bellefonte, PA—June 13, 2008
- "A Property Owners View of Proposed Changes to the West End," State College Borough Planning Commission Meeting; State College, PA—December 5, 2007
- "Beyond Climatology—Looking Toward the Future," Weather Derivatives Seminar; New York City, NY—October 23, 2007
- "Welcome Speech—Annual CWSA Reception at AMS": San Antonio, TX—January 14, 2007
- Presentation—National Council of Industrial Meteorologists Annual Meeting; San Antonio, TX—January 15, 2007
- "The Impact of Legislation on Broadcast Meteorologists," National Weather Association Annual Meeting; St. Louis, MO—October 17, 2005
- "Weather and Climate Enterprise Panel Discussion." American Meteorological Society Corporate Forum; Washington, DC—March 15, 2004
- "Discriminatory Information and Competitive Practices of the National Weather Service," The Annual Meeting of the Commercial Weather Services Association; Kansas City, MO—July 20, 2002
- "The Fair Activities Inventory Reform Act of 1998, OMB Circular A-76 and other Federal Law as it relates to Policies and Practices of the National Weather Service," AMS Corporate Forum; Washington, D.C.—March 3-4, 2002
- "The Policy Implications of International Treatment of Meteorological Data and Its Impact on Forecasts, Warnings, and Commercial Weather Industry Development," World Federation of Scientists, 26th Session of the International Seminars on Planetary Emergencies & Associated Meetings; Erice, Italy—August 19-25, 2001
- "NWSEO Opposition to Commercial Weather Industry Activity," Commercial Weather Services Association Conference—June 8, 2001
- "The Latest Information on International Weather Data Exchange," Commercial Weather Services Association Conference; Washington, D.C.—May 19, 1998
- "Single Source and Accreditation for Public Warnings Under WMO Resolution 40" Forum on International Data Exchange; Paris, France—May 14, 1998
- "North American Perspective on WMO Resolution 40" Forum on International Data Exchange; Long Beach, CA—February 2, 1997

- "Computer Services Sales Tax," Pennsylvania House of Representatives, Finance Committee Public Hearing, Special Task Force on Pennsylvania's Business and Job Climate; Pittsburgh, PA—August 14, 1995
- "Testimony of the Commercial Weather Services Association." Co-presenter, Subcommittee on Energy and Environment, U.S. House of Representatives; Washington, D.C.—February 21, 1995
- "Round Table Discussion on Conference Results and Recommendations." Conference on the Economic Benefits of Meteorological and Hydrological Services, World Meteorological Organization; Geneva, Switzerland—September 23, 1994
- "Specific Investigations of Social and Economic Benefits Obtained from Services and Customers in Specific Sectors: Chairman of the Session." Conference on the Economic Benefits of Meteorological and Hydrological Services, World Meteorological Organization; Geneva, Switzerland—September 22, 1994
- "Benefits for End Users Derived from NMHS's and the Private Sector Collaborating to Provide Services to Meet their Needs: Round Table Discussion." Conference on the Economic Benefits of Meteorological and Hydrological Services, World Meteorological Organization; Geneva, Switzerland—September 22, 1994
- "Benefits to End Users of NMHS/Private Sector Collaboration: The U.S. Model and Its Implications." Conference on the Economic Benefits of Meteorological and Hydrological Services, World Meteorological Organization. Keynote speaker; Geneva, Switzerland—September 22, 1994
- Specific Investigations of Social and Economic Benefits Obtained from Services to Customers in Specific Sectors: Chairman of the Session. Conference on the Economic Benefits of Meteorological and Hydrological Services, World Meteorological Organization; Geneva, Switzerland—September 21, 1994
- "Teaching Business and Society Courses." Panel Discussant. American Business Law Association Annual National Meeting—August 15, 1985
- "Legal Problems and Solar Development." The Sound of Progress. Penn State Radio—June 1, 1979
- "Law School Opportunities for CBA Students." Business Administration Student Council—April 2, 1979
- "Problems and Techniques in Teaching the Uniform Commercial Code to College Students." Panel Discussant. Anglo-American Business Law Conference—March 22, 1979
- "Community Legal Concerns Related to Solar Development." The Sound of Progress. Penn State Radio—November 3, 1978
- "Solar Technology and Legal Problems." The Sound of Progress. Penn State Radio—September 12, 1978
- "Planning, the Environment and the Law." Man-Environment Relations Club. The Pennsylvania State University—December 6, 1977
- "The Taking Issue of Land Use Controls." Zoning and Community Land Use Management Techniques In-Service Education. A Continuing Education Program sponsored by the College of Agriculture. The Pennsylvania State University—September 9, 1977
- "Legal Problems in Solar Energy." Annual National Meeting of the American Business Law Association; Miami Beach, FL—August 25, 1977
- "Energy Implications of Major Oil Company Divestiture." State of the Weather/Shape of the World. WPSX—July 19, 1977
- "Problems with the Federal Flood Insurance Program." State of the Weather/Shape of the World. WPSX—February 17, 1977
- "The Environment, The Law and You." Eco-Action Meeting; University Park, PA—October 25, 1976
- "Technology, Energy and Social Concerns and Impacts." Chairman of the Session. Conference on Business and its Environment; U.C.L.A. Graduate School of Management, Los Angeles, CA—July 28, 1976
- "Flood Controls." State of the Weather/Shape of the World. WPSX—July 21, 1976
- "Flood Insurance: The Legal Tide Rises Again." Mid-Atlantic Regional Meeting of The American Business Law Association; University of Delaware, Newark, DE—April 2, 1976
- "Legal Controls in Flood-Prone Communities." Natural Disasters Seminar Series; The Pennsylvania State University—October 3, 1974

"Zoning and the Law." State of the Weather/Shape of the World. WPSX—March 24, 1974

"National Environmental Policy Act." State of the Weather/Shape of the World. WPSX—October 23, 1973

"Federal Land Use Planning Legislation." Participant in Environmental Workshop. Center for the Study of Environmental Policy; The Pennsylvania State University—October 16, 1973

"Legal Aspects of Land Use Controls in Flood Prone Areas." Pine Creek Task Force, Pennsylvania Department of Environmental Resources—October 10, 1973

"Environmental-Legal Problems in the Pine Creek Watershed." Pine Creek Task Force, Pennsylvania Department of Environmental Resources—July 11, 1973

"Land Use Doctrines and Environmental Problems." Department of Geography Graduate Seminar; The Pennsylvania State University—January 19, 1973

"Federal Flood Insurance." State of the Weather/Shape of the World, WPSX—November 27, 1972

"Environmental—Legal Problems in the Pine Creek Watershed." State of the Weather/Shape of the World. WPSX—November 15, 1972

"Motivating Business Organizations to Attach Their Air Pollution Problems." Air Pollution Seminar Series, Center for Air Environment Studies, Institute for Science and Engineering; The Pennsylvania State University—November 6, 1971

"Private Legal Remedies for Air Pollution Problems." Air Pollution Seminar Series, Center for Air Environment Studies, Institute for Science and Engineering; The Pennsylvania State University—May 4, 1971

Honors and Prizes Awarded

Elected Fellow of the American Meteorological Society; American Meteorological Society 96th Annual Meeting; New Orleans, LA—January 10, 2016

The Kenneth C. Spengler Award for 2015, American Meteorological Society 95th Annual Meeting; Phoenix, AZ—January 8, 2015

Grant from the General Electric Foundation and the U.C.L.A. Graduate School of Management to participate in the conference of "Business in Its Environment" held at the U.C.L.A. Graduate School of Management; Los Angeles, CA—July 26–August 4, 1976

Pennsylvania Science and Engineering Fellow, Center for Air Environment Studies; The Pennsylvania State University and the Pennsylvania Health Research Institute—1971–1972

Publications

International Seminar on Nuclear War—26th Session—2001, Climate Changes—Global Monitoring of the Planet *The Policy Implications of International Treatment of Meteorological Data and its Impact on Forecasts Warnings, and Commercial Weather Industry Development*, World Scientific Publishing Co. Pte. Ltd; Singapore; River Edge, NJ; London

Washington Post, Letter to the Editor, Weathering Disasters, August 17, 2001

Henszey, B.N.; Barry Lee Myers; Phalan, RT.; Bagby, J.W.; Sharp, J.M. (co-authors), 1991. *Introduction to Basic Legal Principles, A Student Study Guide*

Abrams, E.; Levin, J.; Palmer, A.; Withum, F. and Barry Lee Myers, 1991. *On-Line With Accu-Weather: Teacher's Guide and Student Worksheets*, 2nd Edition. Kendall/Hunt, Dubuque, IA

Abrams, E.; Levin, J.; Palmer, A.; Withum, F. and Barry Lee Myers. 1991. *On-Line With Accu-Weather: Instructional Modules and Student Worksheets*, 2nd Edition. Kendall/Hunt, Dubuque, IA

Abrams, E.; Levin, .T.; Palmer, A.; Withum, F. and Barry Lee Myers. 1989. *On-Line With Accu-Weather: Teacher's Guide and Student Worksheets*, 2nd Edition. Kendall/Hunt, Dubuque, IA

Abrams, E.; Levin, J.; Palmer, A.; Withum, F. and Barry Lee Myers. 1989. *On-Line With Accu-Weather: Instructional Modules and Student Worksheets*. 2nd Edition. Kendall/Hunt, Dubuque, IA

Levin, J., and Barry Lee Myers. 1987. Real-Time Databases for the Classroom. *Pennsylvania Science Teachers*

Association Exchange (Fall)

- Levin, J. and Barry Lee Myers. 1987. Systematic Design of Earth Science Instructional Modules Utilizing Real-Time Databases, *The Earth Scientist*. (Fall)
- Abrams, E., Levin, J., and Barry Lee Myers. 1987. Classroom Information Databank for Science Educators. *Proceedings National Science Supervisors Association Science Leadership Institute*
- Henszey, B.N. and Barry Lee Myers and Phalan, R.T. (co-authors), 1986. *Introduction to Basic Legal Principles. A Student Study Guide*
- Barry Lee Myers & Myers, J. N. 1985. "New Technology and the Presentation of Weather." RTNDA Communicator. December
- Barry Lee Myers & Myers, J. N. 1984. "Reliable Forecast: A Must for Efficient Cost-Effective Snow Removal." *The Pennsylvania Township News*. Vol. 35, No. 9, September, pp 26–30
- Barry Lee Myers, 1983. *Legal Environment of Business—Lesson Report Manual*. The Pennsylvania State University. Second edition
- Barry Lee Myers, 1983. *Legal Environment of Business—A Correspondence Study Course*. The Pennsylvania State University. Second edition
- Henszey, B.N. and Bany Lee Myers and Phalan, R.T. (co-authors), 1983. *Basic Legal Principles—Instructors Manual*
- Henszey, B.N. and Barry Lee Myers and Phalan, R.T. (co-authors), 1982. *Introduction to Basic Legal Principles. A Student Study Guide*. Second edition
- Barry Lee Myers. 1982. "The Private Forecaster's Role in Snow Fighting." *Public Works Journal* vol. 112, No. 11, pp. 54–56, November
- Barry Lee Myers. 1980. *Legal Environment of Business—Lesson Report Manual* The Pennsylvania State University,
- Barry Lee Myers. 1980. *Legal Environment of Business—A Correspondence Study Course*. The Pennsylvania State University
- Henszey, B.N. and Barry Lee Myers and Phalan, R.T. (co-authors), 1979. *Introduction to Basic Legal Principles, A Student Study Guide*
- Barry Lee Myers. 1979. "55 MPH Speed Limit Isn't the Answer." *Centre Daily Times*, March
- Barry Lee Myers, 1978. "Pennsylvania: Prime Target for Uninsured Flood Loss." Department of Public Information, The Pennsylvania State University
- Barry Lee Myers, and J. K. Rubin. 1978. "Complying with the Flood Disaster Protection Act." *Real Estate Law Journal*, Vol. 7(2), pp 114–131
- Barry Lee Myers, 1978. "The Common Law of Solar Access: An Insufficient Protection for Users of Solar Energy." *Real Estate Law Journal*, Vol. 6, (Spring), pp. 320–322. Reprinted in *Solar Engineering*, and *Ecolibrium* (Fall)
- Barry Lee Myers, 1978. "Guaranteeing a Place in the Sun." *Centre Daily Times*. May
- Barry Lee Myers, 1978. "Solar Access in Residential Developments." *The Practical Lawyer*, Vol. 24, No. 2, (March), pp. 13–20
- Barry Lee Myers, 1978. "The American View on Awarding Attorney's Fees—The Alaskan Pipeline Cases." *Business Law Issues and Concepts*. pp 69–78
- Land, F.P. and Barry Lee Myers and Huffimire, M., (editors) 1977. *Selected Papers of American Business Law Association Regional Proceedings*. Mid-Atlantic Business Law Association
- Henszey, B. N. and Barry Lee Myers and Phalan, R.T. (co-authors), 1977. *Introduction to Basic Legal Principles*. (Textbook)
- Myers, Barry Lee. 1977. "Should the Big Oil Companies Be Broken Up?" *Business and its Environment*
- Barry Lee Myers, 1977. "Legal Problems in Solar Energy Use: A Look Back at the Right to Light." *Selected Papers of the American Business Law Association National Proceedings*. pp. 504–518.
- Henszey, B. N. and Barry Lee Myers (co-authors). 1977, "Evaluation of 'New' Teaching Methods for the Basic Business Law Course." *American Business Law Journal*, Vol. 15 (Spring). pp. 132–143
- Barry Lee Myers, 1977. Guest Column, "Big Flood Loss Target." *Centre Daily Times*, May

- Barry Lee Myers, 1976. "Flood Insurance: The Legal Tide Rises Again or what Happens When You Put a Wolf in Sheep's Clothing." *Law and the Management Process: Recent Legal Developments and Teaching Methods*. pp, 67-79
- Barry Lee Myers, 1976. "Flood Disaster Protection Act of 1973." *American Business Law Journal*. Vol. 13, (Winter), pp. 315-333
- Barry Lee Myers, 1976. "American Land Planning Law—Review of the Five Volume Work by Norman Williams, Jr." *American Business Law Journal*, Vol. 14, (Fall), pp. 277-279
- Barry Lee Myers, 1976. *Flood Insurance: The Legal Tide Rises Again or What Happens When You Put a Wolf in Sheep's Clothing*. The Center for the Study of Environment Policy. The Pennsylvania State University. March
- Staff Editor, *American Business Law Journal*. 1976-1980
- Barry Lee Myers & Myers, J. N. 1974. "How Users Benefit from Private Weather Forecasts." *Rural and Urban Roads*. vol. 12, No. 6, June, p. 17
- Barry Lee Myers, 1974. *Selected Legal Issues Associated with Planning Land Uses in a Riverine Area*, The Center for the Study of Environmental Policy. The Pennsylvania State University. April
- Barry Lee Myers & Myers, J. N. 1974. "Rain or Snow. It Pays to Know." *Public Works Magazine*. January, pp 48-50.
- Barry Lee Myers, et al. *Legal Problems Associated with Planning Land Uses in a Riverine Area*, University Park, PA: The Center for the Study of Environmental Policy. 207 pp. March
- Barry Lee Myers & Myers, J. N., 1973, "Snow Warning, How Private Meteorologists Help." *Cities and Villages*. Columbus, Ohio. Vol. 21, No. 12. December, pp. 9-10. Reprinted in *Ohio County Engineering News*, February
- Barry Lee Myers & Myers, J. N. 1972. "How Private Meteorologists Help?" *The Pennsylvanian* October, p. 25. Reprinted in *Cities and Villages*, Vol. 21, No. 12, December, pp 9-10. Reprinted in *Ohio County Engineering News*. February, 1973

Senator SULLIVAN. Thank you, Mr. Myers, for that opening statement.

I want to note at the outset Mr. Myers has received over 40 letters of support, including letters from Dr. Conrad Lautenbacher, a former NOAA Administrator; Dr. Elizabeth Weatherhead, a co-recipient of the 2007 Nobel Prize; and Mark Abbott, President and Director of the Woods Hole Oceanographic Institution, among others. I ask unanimous consent that they be included in the record for this hearing. Without objection.

[The letters referred to follow:]

QUANTUM SPATIAL, INC.
St. Petersburg, FL, September 8, 2017

Hon. JOHN THUNE,
Chairman,
Committee on Commerce, Science, and
Transportation,
United States Senate,
Washington, DC.

Hon. DAN SULLIVAN,
Chairman,
Subcommittee on Oceans, Atmosphere,
Fisheries, and Coast Guard,
Committee on Commerce, Science, and
Transportation,
United States Senate,
Washington, DC.

Hon. BILL NELSON,
Ranking Minority Member,
Committee on Commerce, Science, and
Transportation,
United States Senate,
Washington, DC.

Hon. GARY PETERS,
Ranking Minority Member,
Subcommittee on Oceans, Atmosphere,
Fisheries, and Coast Guard,
Committee on Commerce, Science, and
Transportation,
United States Senate,
Washington, DC.

Dear Chairman Thune, Chairman Sullivan, Ranking Member Nelson and Ranking Member Peters:

As the Chief Executive Officer of Quantum Spatial, Inc., I want to express our support for the President's nomination of Rear Admiral (Ret.) Tim Gallaudet to be

the next Deputy Administrator of the National Oceanic and Atmospheric Administration (NOAA). Quantum Spatial, a contractor to NOAA for its coastal mapping mission, is the Nation's largest independent geospatial data firm with offices and facilities throughout the United States.

Dr. Gallaudet, until his retirement, was a Rear Admiral in the U.S. Navy whose most recent assignment was Oceanographer of the Navy and Commander of the Navy Meteorology and Oceanography Command. During his 32 years of service, Dr. Gallaudet has had experience in weather and ocean forecasting, hydrographic surveying, developing policy and plans to counter illegal, unregulated, and unreported fishing, and assessing the national security impacts of climate change. Dr. Gallaudet has led teams of Navy Sailors and civilians performing such diverse functions as overseeing aircraft carrier combat operations, planning and conducting humanitarian assistance and disaster response efforts, assisting Navy SEAL Teams during high visibility counter-terrorism operations, and developing the Navy's annual \$52 billion information technology, cyber security, and intelligence budget. Dr. Gallaudet holds a bachelor's degree from the U.S. Naval Academy and master's and doctoral degrees from Scripps Institution of Oceanography, all in oceanography. Admiral Gallaudet's multi-faceted background makes him uniquely suited to be NOAA's next Deputy Administrator. With its mission to understand, predict, and share information about changes in climate, weather, ocean, and coasts and to conserve and manage our Nation's vast coastal and marine ecosystems and resources, NOAA will thrive under his leadership.

Along with our strong endorsement of Admiral Gallaudet's nomination, Quantum Spatial notes that the Administration has not yet nominated the next NOAA Administrator. Various press reports have identified Mr. Barry Lee Myers as the leading candidate for this important position. Mr. Myers, an active member of the American Meteorological Society, is currently the Chief Executive Officer (CEO) of AccuWeather, Inc. in State College, Pennsylvania. Prior to becoming The AccuWeather CEO in 2007, Mr. Myers was the company's Executive Vice President and General Counsel. Since 1990, Mr. Myers has been a member of the Board of Directors of the American Weather and Climate Industry Association, the weather industry's trade association, serving as the industry's chief federal-relations officer. Mr. Myers was an original member of NOAA's Environmental Information Services Working Group (EISWG).

EISWG advises the NOAA Science Advisory Board on the condition and capabilities of improving communications among the various public, private, and academic entities engaged in environmental information issues.

Mr. Myers with his expertise in the private sector weather industry, and Admiral Gallaudet with expertise in ocean and coastal matters that relate to science and national security would give NOAA a very powerful leadership team. Quantum Spatial urges the Administration to nominate the next NOAA Administrator as quickly as possible and for the Senate to confirm both the NOAA Administrator and Deputy Administrator appointments at the first available opportunity. It is important that NOAA have its complete leadership team on board as soon as possible, particularly as this Nation faces a very active hurricane season at the present time along with all of the consequences of such storms—such as storm surge, coastal flooding issues, etc.

Thank you for the opportunity to express these views and we look forward to a speedy and productive confirmation process for the new leadership team at NOAA.

Sincerely

ROBERT HICKEY,
Chief Executive Officer,
Quantum Spatial, Inc.

September 12, 2017

Hon. JOHN THUNE,
Chairman,
Committee on Commerce, Science, and
Transportation,
United States Senate,
Washington, DC.

Hon. DAN SULLIVAN,
Chairman,
Subcommittee on Oceans, Atmosphere,
Fisheries, and Coast Guard,
Committee on Commerce, Science, and
Transportation,
United States Senate,
Washington, DC.

Hon. BILL NELSON,
Ranking Minority Member,
Committee on Commerce, Science, and
Transportation,
United States Senate,
Washington, DC.

Hon. GARY PETERS,
Ranking Minority Member,
Subcommittee on Oceans, Atmosphere,
Fisheries, and Coast Guard,
Committee on Commerce, Science, and
Transportation,
United States Senate,
Washington, DC.

Dear Chairman Thune, Chairman Sullivan, Ranking Member Nelson and Ranking
Member Peters:

On behalf of the National Association of Marine Laboratories (NAML), I wish to express NAML's strong support for the President's nomination of Rear Admiral (Ret.) Tim Gallaudet to be the next Deputy Administrator of the National Oceanic and Atmospheric Administration (NOAA). NAML, first established in 1985 with nearly a dozen separate marine laboratories, has grown into a network of over 100 institutions operated by universities, non-profit organizations, and local, state, and Federal governments that focus on the ocean, coasts and Great Lakes.

Starting with his degrees in oceanography from a world-class institution and culminating in his time as Oceanographer and Navigator of the Navy, Admiral Gallaudet's multi-faceted background makes him uniquely suited to be NOAA's next Deputy Administrator. With his mission to understand, predict, and share information about changes in climate, weather, ocean, and coasts and to conserve and manage our Nation's vast coastal and marine ecosystems and resources, NOAA will thrive under his leadership.

Along with NAML's endorsement of Admiral Gallaudet's nomination, NAML is concerned that the Administration has not yet nominated the next NOAA Administrator. Various press reports have identified Mr. Barry Lee Myers as the leading candidate for this important position, Mr. Myers, an active member of the American Meteorological Society, is currently the Chief Executive Officer (CEO) of AccuWeather, Inc. in State College, Pennsylvania. Prior to becoming The AccuWeather CEO in 2007, Mr. Myers was the company's Executive Vice President and General Counsel. Since 1990, Mr. Myers has been a member of the Board of Directors of the American Weather and Climate Industry Association, the weather industry's trade association, serving as the industry's chief federal-relations officer. Mr. Myers was an original member of NOAA's Environmental Information Services Working Group (EISWG). EISWG advises the NOAA Science Advisory Board on the condition and capabilities of improving communications among the various public, private, and academic entities engaged in environmental information issues.

Mr. Myers with his expertise in the weather industry, and Admiral Gallaudet with expertise in ocean and coastal matters that relate to science and national security would give NOAA a very powerful leadership team. We want to strongly encourage the Administration to nominate the next NOAA Administrator as quickly as possible and for the Senate to confirm both the NOAA Administrator and Deputy Administrator appointments at the first available opportunity. It is important that NOAA have its complete leadership team on board as soon as possible, particularly as this Nation is in the midst of a very active hurricane season that requires the observational and predictive capabilities required to protect the lives and livelihoods of millions of citizens facing the consequences (storm surge, coastal flooding) of these powerful storms.

Thank you for the opportunity to express these views and we look forward to a speedy and productive confirmation process for the new leadership team at NOAA.
Sincerely

MICHAEL P. DELUCA,
President,
National Association of Marine Laboratories.
Senior Associate Director,
Office of Research,
New Jersey Agricultural Experiment Station,
Rutgers University.
Manager,
Jacques Cousteau National Estuarine Research Reserve.
Director,
New Jersey Aquaculture Innovation Center.

cc: Honorable Cory Booker
Honorable Robert Menendez

October 24, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senators Thune, Nelson, and Members of the Committee:

As past co-chairs of the Environmental Information Services Working Group (EISWG) of the NOAA Science Advisory Board, we are very pleased to provide this letter of support for the nomination of Barry Lee Myers for Under Secretary of Commerce for Oceans and Atmosphere and NOAA Administrator.

For seven years (2009–2016), Mr. Myers served as an active member of the EISWG where we worked closely on numerous topics impacting NOAA, such as satellites, weather, oceans, and research. Therefore, we know well and value Mr. Myers' deep level of knowledge of the weather enterprise and commitment to NOAA.

During Mr. Myers' tenure on the EISWG, we provided guidance to NOAA leadership on areas such as climate services, how NOAA might better engage and strengthen partnerships with the private sector, and the significant need and opportunity for open data. While these topics were addressed in formal reports, EISWG's portfolio extended to all of the NOAA line offices and focused on considering how to best deliver NOAA's vast and valuable environmental information resources to the Nation for improved decision making.

Our work with Mr. Myers illustrated that he has a broad level of knowledge of NOAA science and operations and understands the important contributions of the private and academic sectors to NOAA's programs. We are pleased to provide this letter of support and are available if you should need any additional information.

Sincerely,

NANCY COLLETON,
Past EISWG Co-Chair (2009–16)
President,
Institute for Globe Environmental Strategies.
WALTER F. DABBERDT, PHD,
Past EISWG Co-Chair (2009–16),
NCAR Associate Director Emeritus,
Vaisala Chief Science Officer (ret.).

October 25, 2017

Hon. JOHN THUNE, Chairman,
 Hon. BILL NELSON, Ranking Member,
 Committee on Commerce, Science, and Transportation,
 United States Senate,
 Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

We the undersigned endorse the nomination of Barry Lee Myers for the NOAA Administrator position. We believe he possesses the strategic vision and executive leadership skills to strengthen NOAA's critical contributions to the Nation.

For over twenty (20) years, we have worked with Mr. Myers during our tenures as Directors of the National Weather Service (NWS) and we have worked with him in other capacities for over thirty (30) years. We have found him to be open to, and have a keen sense for, the great potential of science and technology to benefit and strengthen their impact on society. Furthermore, he has been a strong advocate for the synergies that could be gained from partnerships among the public, private, and academic sectors. He has played a leading role, working with us directly, and also collaboratively through the American Meteorological Society, in forging a strong and productive partnership among the weather industry, the research community, and NWS in support of the needs of the Nation, not just the sector in which he worked. His efforts were always focused on capitalizing on science, technology, and people to improve the safety of Americans when hurricanes, tornadoes and other severe weather threaten.

We recognize, as does he, the mission of NOAA spans considerably more than just NWS—including oceans, coasts, fisheries and climate. Through our experience working with Mr. Myers, we have seen a person capable of leading a large enterprise underpinned by complex science and technologies required to meet demanding mission needs. We have seen a leader who assembles challenges, inspires, and listens to a team with the necessary skill sets to produce strong and successful results. His success at AccuWeather, a science and technology based company, speaks for itself.

At a time when the impacts of adverse weather and climate, and concerns over the world's environment and the Nation's fisheries are significant; competing budget needs are stressing government agencies; and the American people are demanding more efficiency from their Federal Government, we know Mr. Myers brings the kind of needed leadership, vision, business acumen, organizational management, and fierce determination to lead NOAA and advance its critical contributions to the Nation.

This is a unique opportunity for the Nation. We urge his confirmation.

Sincerely,

Signatories.

Elbert (Joe) Friday, Jr., PhD
 Colonel, USAF (Ret)
 Director, NWS 1988–1997
 Director, NOAA Research 1997–1998
 Director, Board on Atmospheric Sciences and Climate, National Academy of Sciences 1998–2003
 Professor Emeritus, The University of Oklahoma
 Past President, Honorary Member, and Fellow of the American Meteorological Society

John J. (Jack) Kelly
 Brig Gen, USAF (ret)
 Director, NWS 1998–2004
 Deputy Under Secretary of Commerce, Oceans and Atmosphere, 2004–2007

David L. Johnson
 Brig Gen, USAF (ret)
 Director, NWS 2004–2007

John L. (Jack) Hayes, PhD
 Colonel (ret)
 Director, NWS 2007–2012
 Deputy Director, NOAA Research 2005–2006
 Deputy Director, National Ocean Service 2004–2005

WEATHERCALL SERVICES, LLC
October 30, 2017

Hon. JOHN THUNE, Chairman,
 Hon. BILL NELSON, Ranking Member,
 Committee on Commerce, Science, and Transportation,
 United States Senate,
 Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

It is my great pleasure to endorse the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration. He possesses the strategic vision, business management and executive leadership skills to help strengthen NOAA and improve its critical services to the Nation.

As the founder and CEO of a small company that disseminates critical National Weather Service warnings to the public and industry, I urge you to vote to approve the nomination of Barry Lee Myers. The American economy is inextricably linked to weather. Thus far, we have had a series of NOAA Administrators whose experiences have been in academic and research areas of the earth sciences.

While not a scientist, Mr. Myers has led one of the most successful private companies in the Weather Enterprise and brings a wealth of experience on the business side of meteorology that NOAA has never seen before. Our American Weather Enterprise, which I collectively include NWS as part of, is in need of a serious change in direction and vision from "business as usual". I know Mr. Myers has the skills and experience to accomplish this.

Barry Myers will be an outstanding leader for NOAA. I urge his confirmation.

Sincerely,

VALERIE E. SANDERS,
President / Meteorologist,
 WeatherCall Services, LLC.

October 30, 2017

Hon. JOHN THUNE, Chairman,
 Hon. BILL NELSON, Ranking Member,
 Committee on Commerce, Science, and Transportation,
 United States Senate,
 Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

It is my pleasure to endorse the nomination of Mr. Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration.

I have known Barry, personally and professionally for almost 30 years. I know him to be a man of the utmost integrity, professional competence and dedication to the services of our atmospheric and oceanic science to our fellow citizens, society, the U.S. economy and the world. Barry has been a innovative and passionate leader in the broad weather, oceanic, climate "enterprise" which encompasses all the sectors critical to the advances of the service of science to society, the academic, private and public sectors.

I served on the National Research Council committee, which wrote the landmark "Fair Weather" report of 2003. The vision of that report is in the process of being realized through the growing "effective partnerships in weather and climate services". Barry Myers is a known and highly respected leader in a core sector of that partnership.

I believe Barry Myers, together with the leadership team of dedicated, preeminent scientists within NOAA, academia, other agencies and the private sector will be a champion for NOAA and its largest division, our National Weather Service whose core mission for the American people is the protection of the lives and property.

This past year we have seen the tragic human and economic impacts of historic floods, hurricanes, drought, wildfires, heat and more. Our ability as a coordinated weather/climate enterprise to increase forecast accuracy, response, preparation and recovery on time scales from minutes to decades is more important than ever, as we have seen.

NOAA leadership is drawn from the best talent from all sectors of our economy. Experienced and tested leadership for the scientific services is needed in the challenging years ahead.

I believe Barry Myers is a first class choice to be our next NOAA Administrator. He is a proven successful leader who can bridge barriers and organization "turf" which have at times limited the rapid progress and change needed to continue the preeminence of U.S. Science in the atmospheric, oceanic and hydrologic sciences.

I urge his confirmation by the United States Senate.

Respectfully submitted,

ROBERT RYAN,
CCM (*Certified Consulting Meteorologist*),
Retired NBC4 Chief Meteorologist,
Honorary Member, Fellow and Past President,
American Meteorological Society.

MIKE SMITH ENTERPRISES, LLC
Wichita, KS, November 6, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

It is my great pleasure to endorse the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration. He possesses the strategic vision, business management and executive leadership skills to help strengthen NOAA and improve its critical services to the Nation.

I have known Barry since the Reagan Administration. We have worked together to strengthen the *entire* weather enterprise: to create better forecasts, warnings and atmospheric data for the Nation at large. There is no doubt in my mind that NOAA will benefit from Barry's creative leadership.

Mike Smith Enterprises, LLC is a commercial weather company based in Wichita that provides a number of services to groups large and small across the Nation.

Barry Myers will be an outstanding leader for NOAA. I urge his confirmation.

Sincerely,

MICHAEL R. SMITH,
President/Owner,
Mike Smith Enterprises, LLC.

AMERICAN WEATHER AND CLIMATE INDUSTRY ASSOCIATION
Edmond, OK, November 6, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

It is my great pleasure to endorse the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration. He possesses the strategic vision, business management and executive leadership skills to help strengthen NOAA and improve its critical services to the Nation.

I have known Barry Myers and have been aware of his achievements for more than 35-years. In the eighties and nineties, a period when rapid technological growth fueled an insatiable demand for value added weather information, AccuWeather, under Barry's direction, levered raw, nearly meaningless weather and environmental data being made available into easy-to-understand, colorful, and valuable end-user products. As this same technology evolution overtook media, and as the weather became news on a daily basis, he helped to cause weather to be the single most accessed piece of information watched, listened for, or selected on radio,

television, the wired web, and mobile devices. For much of this history, I was able to watch Barry brilliantly orchestrate servicing this demand. While Barry has no formal meteorological degree, yet clearly, he understands weather. As America's weather industry developed and matured during those years, Barry came to appreciate the value each sector represented within the Enterprise, but more importantly, he recognized their value and affinity of each sector to each other. Since 1990, Barry has served as a member of the Board of Directors of the AWCI, the weather industry's trade association serving as the industry's chief federal-relations office. More recently, he has served as a member of the Environmental Information Services Working Group (EISWG), to provide ongoing advice to the National Weather Service on improving communications among the sectors (public, private and academic). Through Barry's promotion, former NWS directors have appointed key weather industry individuals as advisors on U.S. delegations to the World Meteorological Organization, allowing joint groups to advance national and international issues. Barry's efforts have resulted in prominent AWCI companies jointly supporting NOAA/NWS budgets. In many ways with Barry's direct involvement, Enterprise sectors have extended greater cooperation resulting in a higher level of clarity on sector roles for the first time in decades. Because of these achievements and for his unwavering belief that a strong and unified Enterprise is good for all sectors, Barry Myers is recognized as an expert in weather information exchange and public/private relationships in the weather field.

Everyone ends up somewhere, but few end up somewhere on purpose. I am an avid believer in "the butterfly effect". It happens all of the time, and because of Barry Myers, it has happened to America's Weather and Climate Enterprise.

In our case, Barry has nudged us, perhaps just above a perceptible level. This nudging has caused sector leaders to pause, to consider path changes, to analyze new ideas, and contemplate new directions, and envision new efforts and applications, which not only impacted sector leaders, but impacted those whom they impacted, then in turn those that they impacted, and so on . . . essentially, multiple levels of "generations" of impacts have been made for the benefit of our Enterprise. How naive we are when we discount and ignore those internal feelings to make a difference, to suggest that thought, promote that idea, to advance mutual support. We all lose, forever. Thankfully for America's Weather Enterprise, that was not the case with Barry Myers.

AWCI members are businesses that have a significant impact on how weather information is collected, disseminated and enhanced to provide custom services to weather-sensitive businesses as well as the general public. AWCI members build weather sensors, implement government weather programs, broadcast weather presentations, disseminate raw government and privately-owned weather data, generate weather products and services, and provide specialized services to a wide variety of markets.

We are the "value-added provider" or extension to the Government supplied weather data because we assimilate and tailor the information for specific uses. Our member corporations employ from 2-1000+ employees and cover a wide spectrum of capabilities and sizes. I have been the president of this organization since the late 1990s. I have been a professional meteorologist, rendering professional services since 1972.

Barry Myers will be an outstanding leader for NOAA. I urge his confirmation.

Sincerely,

STEVEN A. ROOT,
Certified Consulting Meteorologist,
AMS Fellow,
President,
 AWCI.

WEATHER DECISION TECHNOLOGIES, INC.
 Norman, OK, November 6, 2017

Hon. JOHN THUNE, Chairman,
 Hon. BILL NELSON, Ranking Member,
 Committee on Commerce, Science, and Transportation,
 United States Senate,
 Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

It is my great pleasure to endorse the nomination of Barry Lee Myers for Under Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration. He possesses the strategic vision, business management and executive leadership skills to help strengthen NOAA and improve its critical services to the Nation.

I have known Mr. Myers for more than a decade as he and I have, in parallel, grown our weather information companies. We have had a long partnership and he has always been a professional and a visionary for his company and for the entire Weather Enterprise.

As background, I am the President and CEO and a co-founder of Weather Decision Technologies, Inc. a Norman, Oklahoma based company with ~90 employees. I am a Fellow of the American Meteorological Society and have been on a number of committees for that Society.

Bany Myers will be an outstanding leader for NOAA. I urge his confirmation.

Sincerely,

MICHAEL D. EILTS,
President and CEO,
 Weather Decision Technologies, Inc.

November 6, 2017

Hon. JOHN THUNE, Chairman,
 Hon. BILL NELSON, Ranking Member,
 Committee on Commerce, Science, and Transportation,
 United States Senate,
 Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

It is my great pleasure to endorse the nomination of Bany Lee Myers for Under Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration. He possesses the strategic vision, business management and executive leadership skills to help strengthen NOAA and improve its critical services to the Nation.

During his tenure as CEO of AccuWeather, he has been a true leader of the American weather industry. He is also a champion in promoting stronger partnership among government agencies, private companies, and the academic community to improve weather forecasting for the Nation and the world, which can be partially reflected in his congressional testimony in support for the Weather Research and Forecasting Innovation Act of 2017.

On a personal level, I witness through our numerous exchanges that he has a deep respect for science and scientists; he has been always welcoming to me, prompt in response, and respectful to my advice and scientific reasonings. He certainly shares with us in the academics the same vision on the need for building a national numerical weather prediction system second to none, the need for enhanced observations such as from satellites for monitoring and predicting severe and hazardous weather, the need for sustained and enhanced Federal government investment.

I currently, reside in State College, Pennsylvania, which is in close proximity to AccuWeather, the world largest weather company that Mr. Myers leads. Professionally, I am a tenured full professor in the Department of Meteorology and Atmospheric Sciences with a joint appointment in the Department of Statistics at the Penn State University. I also direct the Penn State Center for Advanced Data Assimilation and Predictability Techniques (ADAPT). My research focuses on the fundamental understanding of atmospheric predictability, the underlying dynamics and uncertainties that limit the accuracy of prediction at different scales, and the design of advanced data assimilation techniques with innovative uses of radar and satellite observations that have led to significant improvements in the analysis and forecast of severe weather and tropical cyclones. I have authored over 200 peer-reviewed

publications and has served on evaluation panels or advisory committees for numerous government agencies and societies, as well providing expert advice for several weather-related private businesses.

In closing, I personally believe that Barry Myers will be an outstanding leader for NOAA. I urge his confirmation.

Sincerely,

FUQING ZHANG, PH.D.,
Professor, Department of Meteorology and Department of Statistics,
Director, Center for Advanced Data Assimilation and Predictability Techniques,
 The Pennsylvania State University.

Elected fellow of the American Meteorological Society (AMS)

Recipient of the AMS Clarence Meisinger Award, 2009

Recipient of the AMS the Banner Miller Award. 2015

Disclaimer: The titles, Awards and affiliations listed above is for my professional identification. The endorsement expressed in this letter is my own and does not necessarily reflect the views of Penn State University or AMS.

VIEUX & ASSOCIATES, INC.
 November 7, 2017

Hon. JOHN THUNE, Chairman,
 Hon. BILL NELSON, Ranking Member,
 Committee on Commerce, Science, and Transportation,
 United States Senate,
 Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

It is my great pleasure to endorse the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration. He possesses the strategic vision, business management and executive leadership skills to help strengthen NOAA and improve its critical services to the Nation.

I served with Mr. Myers for three years on the NOAA Environmental Information Services Working Group (EISWG) and was impressed with his clarity of thought and care for our Nation. Protecting life and property is his top priority.

As a woman-owned Oklahoma S-corporation, our firm serves clients by providing radar-based rainfall estimates and advanced hydrologic modeling software and services. Municipalities, including Washington, D.C., St. Louis, Cincinnati, Miami-Dade, Houston, Los Angeles, and East Bay Municipal Utility District have benefited from our service. Recently, we leveraged our products and services, along with those of NOAA, to enhance our newest software, a flood management common operating picture for the City of Austin.

Barry Myers will be an outstanding leader for NOAA. I urge his confirmation.

Sincerely,

JEAN E. VIEUX,
President/CEO,
 Vieux & Associates, Inc.

GEOOPTICS, INC.
 Pasadena, CA, November 7, 2017

Hon. JOHN THUNE, Chairman,
 Hon. BILL NELSON, Ranking Member,
 Committee on Commerce, Science, and Transportation,
 United States Senate,
 Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

It is my great pleasure to endorse the nomination of Barry Lee Myers for Under Secretary of Commerce for Oceans and Atmosphere and Administrator of the National Oceanic Atmospheric Administration (NOAA). He possesses the strategic vision, business management and executive leadership skills to help strengthen NOAA and improve its critical services to the Nation.

Barry possesses a background uniquely tailored to serve as the NOAA Administrator. He excelled for many years as an all-star professor at a leading business school while also accumulating comprehensive knowledge of meteorology gained from long term involvement with the leading commercial weather company of our time. He then went on to prove his outstanding leadership and management capabilities as the AccuWeather CEO.

Based on my experience as a former NOAA Administrator from 2001–2008, and now involved in leading an environmental data enterprise, I view Barry as an ideal candidate for this assignment. I urge his confirmation!

Sincerely,

CONRAD C. LAUTENBACHER, JR PH.D.,
Vice Admiral USN, retired,
 CEO, GeoOptics, Inc.

RADIOMETRICS CORPORATION
Boulder, CO, November 7, 2017

Hon. JOHN THUNE, Chairman,
 Hon. BILL NELSON, Ranking Member,
 Committee on Commerce, Science, and Transportation,
 United States Senate,
 Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

It is my great pleasure to endorse the nomination of Barry Lee Myers for Under Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration. He possesses the strategic vision, business management and executive leadership skills to help strengthen NOAA and improve its critical services to the Nation.

I have seen Barry's leadership contributions to the AWCIA. He brings valuable leadership skills and an excellent view of government-private partnerships that will make the NOAA mission more successful.

Radiometrics manufactures state-of-the-art atmospheric instruments to improve short term weather forecasts located in Boulder, Colorado.

Barry Myers will be an outstanding leader for NOAA. I urge his confirmation.

Sincerely,

DICK ROCHESTER,
CEO,
 Radiometrics Corporation.

NATIONAL WEATHER FORECASTING, LLC
Lodi, NJ, November 8, 2017

Hon. JOHN THUNE, Chairman,
 Hon. BILL NELSON, Ranking Member,
 Committee on Commerce, Science, and Transportation,
 United States Senate,
 Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee:

It is my utmost and sincere pleasure to endorse the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration. He possesses the strategic vision, business management and executive leadership skills to help strengthen NOAA and improve its critical services to the Nation.

National Weather Forecasting worked closely with Mr. Myers on government relations issues as members of the American Weather and Climate Industry Association (AWCIA). We look forward to his leadership at NOAA. No one is better suited to understand the challenges to forge greater collaboration between the private and public sectors.

My company, in business for 32 years, is based at Teterboro Airport in northern N.J., just outside NYC in northern N.J. An excellent location for business. We provide private weather consulting to a range of clients in the tri state area here in NJ, NY and CT (also eastern PA). Our specialty is storm forecasting for DPW's, Highway Departments, School Districts, Large Companies such as Johnson & John-

son Headquarters and many others. We pride ourselves in providing an excellent and accurate weather consulting service to our client base.

Barry Myers will be an outstanding leader for NOAA. I urge his confirmation.

Sincerely,

DANIEL VENTOLA,
President,
National Weather Forecasting, LLC.

ATMOSPHERIC & SPACE TECHNOLOGY RESEARCH ASSOCIATES, LLC
November 13, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

It is my great pleasure to endorse the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration. He possesses the strategic vision, business management and executive leadership skills to help strengthen NOAA and improve its critical services to the Nation.

In a time of shrinking budgets and increased accountability, NOAA faces a number of important challenges in the next few years. While he is not the scientist that some at NOAA had been hoping for, Barry Myers is a successful businessman who can be expected to bring much needed discipline and focus to NOAA. Mr. Myers is an experienced manager of scientists and engineers, and as such he is well qualified to lead NOAA. His experience with commercial weather data and his understanding that the commercial sector can do things faster, better and cheaper will help NOAA leverage the capabilities of the private sector in a way they have been reluctant to do. Barry Myers brings executive leadership of the highest caliber, and I believe he will be good for NOAA, and good for the country.

ASTRA is a Small Business located in Boulder, CO. We are one of the leading U.S. commercial organizations providing space weather services and products. We have developed a new model of the upper atmosphere that is being transitioned to the USAF Joint Space Operations Center (JSpOC) at Vandenberg AFB. We have developed and flown a number of Cubesats, with several others currently under construction for NASA, NSF and the DoD. We have also developed and deployed an instrument for monitoring conditions in the ionosphere that can degrade and disrupt GPS signals and UHF satellite communications for both the DoD and commercial providers. Two of these systems are about to be deployed on NOAA buoys in the Pacific, and we have an array of systems distributed across Alaska. We recently provided GPS receivers to NOAA to permit tidal measurements in Alaska.

ASTRA is a proud member of the American Commercial Space Weather Association (ACSWA), an association dedicated to improving America's competitive edge in space. We represent about 20 small businesses in this sector, and have frequent interactions with NOAA personnel.

I believe Bany Myers will be an outstanding leader for NOAA, and I urge his confirmation.

Sincerely,

DR. GEOFF CROWLEY, PH.D.,
President and Chief Scientist,
ASTRA LLC.

MICHIGAN TECHNOLOGICAL UNIVERSITY
Houghton, MI, November 13, 2017

Hon. DEBBIE STABENOW,
 United States Senate,
 Washington, DC.
 ATTN: Matt Van Kuiken, Chief of Staff

Dear Senator Stabenow:

The President has recently nominated Mr. Barry Lee Myers to be the next Administrator of the National Oceanic and Atmospheric Administration (NOAA). Michigan Tech, through its Great Lakes Research Center, partners with NOAA on a variety of issues such as the use of autonomous subsurface technology, autonomous subsurface vehicle development and deployment, regional observing systems, aerosol chemistry, and the impact of warming waters on the coastal food chain.

Michigan Tech believes it is important for NOAA to have its entire leadership team in place as quickly as possible. As such, we are pleased to offer our support for the nomination of Barry Myers to be the next NOAA Administrator.

Mr. Myers, an active member of the American Meteorological Society, is currently the Chief Executive Officer (CEO) of AccuWeather, Inc. in State College, Pennsylvania. Prior to becoming The AccuWeather CEO in 2007, Mr. Myers was the company's Executive Vice President and General Counsel. Since 1990, Mr. Myers has been a member of the Board of Directors of the American Weather and Climate Industry Association, the weather industry's trade association, serving as the industry's chief federal-relations officer. Mr. Myers was an original member of NOAA's Environmental Information Services Working Group (EISWG). EISWG advises the NOAA Science Advisory Board on the condition and capabilities of improving communications among the various public, private, and academic entities engaged in environmental information issues.

Mr. Myers with his expertise in the weather sector, and Admiral Gallaudet (now confirmed and sworn in as NOAA's Deputy Administrator) with his expertise in ocean, coastal, and Great Lakes matters would give NOAA a very powerful leadership team. We understand that Mr. Myers' nomination is pending before the Senate Commerce, Science, and Transportation Committee. We hope the Committee will consider Mr. Myers' nomination favorably and the Senate will act expeditiously to confirm him.

Thank you for the opportunity to express these views and to register our support for the new leadership team proposed for NOAA.

Sincerely,

GLENN D. MROZ,
President.

MICHIGAN TECHNOLOGICAL UNIVERSITY
Houghton, MI, November 13, 2017

Hon. GARY PETERS,
 United States Senate,
 Washington, DC.
 ATTN: Eric Feldman, Chief of Staff

Dear Senator Peters:

The President has recently nominated Mr. Barry Lee Myers to be the next Administrator of the National Oceanic and Atmospheric Administration (NOAA). Michigan Tech, through its Great Lakes Research Center, partners with NOAA on a variety of issues such as the use of autonomous subsurface technology, autonomous subsurface vehicle development and deployment, regional observing systems, aerosol chemistry, and the impact of warming waters on the coastal food chain.

Michigan Tech believes it is important for NOAA to have its entire leadership team in place as quickly as possible. As such, we are pleased to offer our support for the nomination of Barry Myers to be the next NOAA Administrator.

Mr. Myers, an active member of the American Meteorological Society, is currently the Chief Executive Officer (CEO) of AccuWeather, Inc. in State College, Pennsylvania. Prior to becoming The AccuWeather CEO in 2007, Mr. Myers was the company's Executive Vice President and General Counsel. Since 1990, Mr. Myers has been a member of the Board of Directors of the American Weather and Climate Industry Association, the weather industry's trade association, serving as the industry's chief federal-relations officer. Mr. Myers was an original member of NOAA's

Environmental Information Services Working Group (EISWG). EISWG advises the NOAA Science Advisory Board on the condition and capabilities of improving communications among the various public, private, and academic entities engaged in environmental information issues.

Mr. Myers with his expertise in the weather sector, and Admiral Gallaudet (now confirmed and sworn in as NOAA's Deputy Administrator) with his expertise in ocean, coastal, and Great Lakes matters would give NOAA a very powerful leadership team. We understand that Mr. Myers' nomination is pending before the Senate Commerce, Science, and Transportation Committee. We hope the Committee will consider Mr. Myers' nomination favorably and the Senate will act expeditiously to confirm him.

Thank you for the opportunity to express these views and to register our support for the new leadership team proposed for NOAA.

Sincerely,

GLENN D. MROZ,
President.

PERFERO ADVISORY LLC
14 November, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

It is my great pleasure to endorse the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration. He possesses the strategic vision, business management and executive leadership skills to help strengthen NOAA and improve its critical services to the Nation.

I worked with Barry in his capacity as CEO of AccuWeather while in my capacity as President & COO of a satellite-based commercial weather data services company, GeoOptics. His approach to professional relationships is direct and above board. His contributions to the national and international "weather enterprise" were insightful, valuable and prescient.

Today, I am an advisor and consult to large and small engineering, aerospace and critical infrastructure companies—throughout the U.S. and around the globe. I live just outside Philadelphia in Gladwyne, Pennsylvania in the 2nd Congressional District of Pennsylvania.

Barry Myers will be an outstanding leader for NOAA and for our country. I urge his confirmation.

Sincerely,

JONATHAN P. KIRCHNER,
Managing Director,
Perfero Advisory LLC.

November 14, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

It is my great pleasure to endorse the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as Administrator of the National Oceanic Atmospheric Administration. He possesses the strategic vision, business management and executive leadership skills to help strengthen NOAA and improve its critical services to the Nation.

I have known Barry Myers for over 15 years from his hard and diligent work within the American Meteorological Society—Weather, Water and Climate Enterprise. There are few that fight as hard as Barry to make sure that the entire enter-

prise has the tools to be the best at forecasting, research and keeping our Nation weather ready! Barry has fostered connections from the government to private sector on the value of weather, climate and water information. Additionally, Barry has been instrumental in educating policy makers on the needs of everything from ocean data to improved weather satellites. I am proud to say, I have had the opportunity to work on committees alongside Barry that address those needs and concerns. Barry is a great leader, but he is also a big supporter of those like myself in the weather and climate user community. As a local television meteorologist in Washington, D.C., I feel confident that Barry will protect what works, but also look for innovative ways to inform the public of natural disasters. Barry Myers will be an outstanding leader for NOAA. I urge his confirmation.

Sincerely,

VERONICA JOHNSON,
*Broadcast Meteorologist,
 Show Host & Producer,*
 WJLA-TV ABC7 & NewsChannel8,
 Washington, D.C.

November 16, 2017

Hon. JOHN THUNE, Chairman,
 Hon. BILL NELSON, Ranking Member,
 Committee on Commerce, Science, and Transportation,
 United States Senate,
 Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

I'm writing to express my support for Barry Myers' nomination for Undersecretary for Oceans and Atmosphere at the Department of Commerce. As the former Oceanographer of the Navy, President of the Consortium for Ocean Research and Education (CORE) and having served on several NOAA FACA committees, I believe that Barry Myers is well qualified to lead the National Oceanic and Atmospheric Administration (NOAA).

Mr. Myers successfully created, led and nurtured AccuWeather to become the world's largest weather corporation comprising thousands of scientists and engineers. I have successfully led scientists and research initiatives in Washington, D.C. and believe that Mr. Myers has the expertise and skills necessary to lead and inspire NOAA scientists that provide environmental forecasts at the core of NOAA's mission.

NOAA has traditionally struggled with transferring research to operations. Throughout his career, Mr. Myers has successfully worked to forge strategic partnerships with NOAA, the private sector and academia. Effectively managing this three-legged stool is critical for the agency's success and I believe that Mr. Myers private sector experience will provide a much-needed focus on innovation and return on investment for the U.S. taxpayer.

Data and knowledge transfer is a critical task as NOAA observes, researchers and forecasts environmental conditions from the bottom of the ocean to the surface of the sun. However, Federal science agencies have also traditionally fell short with regards to delivering timely information to businesses and the public. This is a strength that Mr. Myers will bring to NOAA demonstrated by the success AccuWeather has achieved in sharing weather forecasts to two billion mobile devices every day.

As you know, satellite procurement issues have plagued NOAA and many wet-side programs that are important to our Rhode Island and our Nation have suffered as funds have been diverted to pay for cost overruns. Consequently, I believe that Mr. Myers provides a unique opportunity to get NOAA's "dry-side" house in order that will ultimately benefit the entire agency.

Finally, Mr. Myers is assembling a very strong policy team, including RDML Gallaudet, who will manage NOAA's wet-side programs. I hope that you can support Mr. Myers nomination to lead NOAA so that the agency can successfully provide the data, products and services to protect lives and property in Rhode Island and across the Nation.

Sincerely,

RADM RICHARD WEST,
 (USN-Ret), Coventry, Rhode Island.

UNIVERSITY OF COLORADO AT BOULDER
November 16, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

I fully endorse the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration. I have known Mr. Myers for almost twenty-five years and understand his character, insight, knowledge of the weather, water and climate enterprise to be a strong fit for the challenging job offloading NOAA to more productively serve this country.

Mr. Myers has the intellectual breadth and depth to deal with the wide range of weather, coastal, satellite, climate and fishery issues that face this nation. He is a visionary in his ability to identify unique solutions and paths forward. He was one of the first to fully explore providing weather information on cell phones-now a part of every day life, but laughed at when he first proposed it. His company, AccuWeather, introduced UV forecasts before the National Weather Service did. He has a long history of successfully identifying both problems and challenges and addressing them with solutions that are often ahead of his time.

Repeatedly, Mr. Myers has exhibited strong principles and respect for this country's constitution and values. Because of his deep insights on the subject, he has often been asked to address the appropriate roles for public, private and academic sectors in public fora. He led the American Climate and Weather Industry Association's committee on Federal relations. He served on the Advisory Committee, along with the head of the NOAA's National Weather Service and the head of NOAA's Office of Oceanic and Atmospheric Research on the American Meteorological Society's Forecast Improvement Group, when I led this effort. Mr. Myers has always been professional, constructive and firm in his desire to lead this country into a stronger and more resilient place as leaders of weather forecasting.

Throughout his career, Mr. Myers has displayed a broad range of interests including law, weather, climate, federal-private relationships and technological innovation. I trust that he will bring much needed leadership to the position. His experience both as a lawyer and as CEO of AccuWeather will assure that the country's needs be appropriately and effectively addressed on the important issues of weather, water and climate.

As a joint recipient of the 2007 Nobel Peace Prize for climate change, I have interacted with Mr. Myers on important issues to address climate research and climate impacts, including coastal flooding and severe weather. His expertise extends far beyond numerical weather prediction. He is well respected for his intelligence, principles and foresight on important issue related to weather forecasting and environmental observations.

I have great confidence that Mr. Myers is prepared for the challenges and responsibilities he will face in his future role leading NOAA.

I fully support his nomination and I urge his confirmation.

Sincerely,

ELIZABETH C. WEATHERHEAD, PH.D.,
Senior Scientist,
University of Colorado at Boulder.

AMERICAN SPORTFISHING ASSOCIATION
Alexandria, VA, November 17, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senator Thune, Senator Nelson and Committee Members:

On behalf of the American Sportfishing Association, I would like to express our support for the nomination of Mr. Barry Myers to be the Under Secretary of Commerce for Oceans and Atmosphere, more commonly referred to as the Administrator of the National Oceanic and Atmospheric Administration (NOAA).

ASA represents over 800 recreational fishing businesses from tackle and apparel manufacturers to angling and conservation groups. NOAA is an agency with which we have substantial involvement and interest. Among the activities the agency provides are fisheries data and science, nautical charts and accurate weather and ocean forecasts. A well-managed and responsive NOAA is important to our industry, conservation, and the angling community. Approximately 11 million Americans are saltwater anglers, many of who fish in the EEZ or for stocks for which NOAA has lead management authority. U.S. recreational fishing in salt water is responsible for creating over \$63 billion in annual economic activity, and approximately 439 thousand American jobs.

Those 11 million American anglers and countless communities depend on NOAA to conduct sound science, accurately count and forecast fisheries populations and trends, and provide service. It is important to have timely environmental information that is responsive to constituent needs. It is important to have a NOAA that designs, builds and operates environmental observing systems within cost and schedule—a requirement that has proven elusive far too often in the past. Our industry needs a NOAA that is transparent, and welcomes citizen/customer input and feedback. Finally, in an era of tight budgetary constraints, it is important to have a NOAA that is run efficiently, innovates and focuses on improving products and output.

As an individual with significant entrepreneurial and management experience, Barry Myers has the requisite knowledge, skills and abilities to lead and direct an agency with an annual budget of almost \$6 billion and which employs approximately 12,000 people and supports countless contractors and grantees across the Nation. Mr. Myers is a manager who has the talent to take five NOAA line offices and get them to operate as one unified agency. He has the private sector track record that proves he understands technology modernization, lowering the cost of doing business, and making products and services responsive to the marketplace. He has significant experience in transitioning research into operations and service, and stewardship. Frankly, this is an area in which NOAA could improve under his leadership. For example, NOAA fisheries science and research is too often divorced from the needs of Fisheries Service Regional Directors and Fishery Management Councils. Data needed to manage recreationally important fisheries is often accorded low priority and unavailable. As an example of the need to bring innovation into the agency; the agency's current system for estimating angler harvest relies on residential telephone surveys and is moving to "snail mail" instead of taking advantage of the revolution in mobile technology, long after the Nation has moved on. Mr. Myers experience shows that he understands how to modernize science and services through using smart phones and electronic data. NOAA's atmospheric programs fully employ and integrate measurements and data from many non-NOAA sources several times a day in the running of supercomputer models and issuing forecasts. Yet, with NOAA fisheries science, the agency continues to resist using data from fishermen, cooperative observers and universities. It insists on using its own data, but then states that independent data from NOAA Fisheries Vessels are not available, because ship time is unfunded. Again, Mr. Myers' experience shows that he understands that data quality standards can be created that allow the use of measurements from many non-Federal sources.

Some groups have told the Committee that Mr. Myers nomination is unacceptable because he lacks a doctorate in science. Like many leaders in American industry, he instead holds a business degree, a Juris Doctor degree, and has substantial real world experience in managing a P&L statement and in making changes in products and services to compete effectively in the marketplace. In fact, Mr. Myers led and grew an environmental technology company that employs many employees who have the same academic degrees as NOAA scientists. He has substantial experience

working with NOAA as a customer and partner, and has been recognized by the American Meteorological Society. The issue shouldn't be whether Mr. Myers has the specialized knowledge to design and engineer a microwave sounder for NOAA's next generation of polar-orbiting satellites, or is he trained in calculating maximum sustainable yield (Or summer flounder. The qualification issue should be does he understand as a leader the value of such systems and data and what difference they make in NOAA products, whether to the accuracy of a weather forecast or in determining sustainable fishing levels.

We believe that Barry Myers is well qualified to lead NOAA. He is the type of leader who will seek to modernize programs and question continuing to do business the old-fashioned way, just because that is how it has always been done. He deserves the Committee's support.

With warm regards, I am
Sincerely,

SCOTT B. GUDES,
Vice President, Government Affairs,
American Sportfishing Association.

CARMEL RESEARCH CENTER/PLASMA LABORATORY
Santa Monica, CA, November 17, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senators Thune, Nelson, and Members of the Committee,

It is my great pleasure to endorse the nomination of Barry Lee Myers for Under Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration. He possesses the strategic vision, business management and executive leadership skills to help strengthen NOAA and improve its critical services to the Nation.

We have long been aware of the supportive role of Mr. Myers working effectively through the American Meteorological Society, developing partnerships in the Weather Enterprise with other companies, academic and research institutions and an unwavering support for the National Weather Service. Numerous times he went to Congress to advocate for NOAA and NWS. His efforts were always focused on societal benefits based on science and technology to improve people's safety.

The Carmel Research Center's Space Plasma Laboratory is made up of a unique combination of physicists, computer scientists, and technologists. These teams work together to push the forefront of science and technology and often times with NOAA. Among the many areas of research conducted at CRC are Space Weather and Solar Wind studies. At CRC we have teams of scientists working in several states in AK, CA, CO, KS, and MA studying the Heliosphere.

CRC is a proud member of the *American Commercial Space Weather Association* (ACSWA), an association dedicated to improving America's competitive edge in space. ACSWA represents about 20 small businesses in this sector, and have frequent interactions with NOAA scientists and other personnel.

I believe that Barry Myers is highly qualified to lead NOAA. I urge his confirmation.

Sincerely,

DR. DEVRIE S. INTRILIGATOR,
Director.

ROFFER'S OCEAN FISHING FORECASTING SERVICE, INC.
West Melbourne, FL, November 17, 2017

Hon. JOHN THUNE, Chairman,
 Hon. BILL NELSON, Ranking Member,
 Committee on Commerce, Science, and Transportation,
 United States Senate,
 Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

I am endorsing the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration. He possesses the strategic vision, business management and executive leadership skills to help strengthen NOAA and improve its critical services to the Nation. I will be willing to assist him while in office.

I have known Barry for many years and I believe that he will be an outstanding leader for NOAA. I support his confirmation.

Sincerely,

MITCHELL A. ROFFER, PH.D.,
President.

SPACE ENVIRONMENT TECHNOLOGIES
Pacific Palisades, CA, November 17, 2017

Hon. JOHN THUNE, Chairman,
 Hon. BILL NELSON, Ranking Member,
 Committee on Commerce, Science, and Transportation,
 United States Senate,
 Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

It is my great pleasure to endorse the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration. He possesses the strategic vision, business management and executive leadership skills to help strengthen NOAA and improve its critical services to the Nation.

Our company, Space Environment Technologies, and our association, the American Commercial Space Weather Association, have had the pleasure of working with Mr. Myers during the past decade in areas where tropospheric weather and space weather overlap. We believe Mr. Myers will be a strong advocate for the NOAA community, including oceans and space weather, in addition to tropospheric weather based on his experience in building a premier weather company in the U.S.

Space Environment Technologies (SET), as NOAA's first Weather Ready Nation (WRN) Ambassador for space weather, is the foremost global provider of commercial space weather data products and services. The USAF, NOAA, NASA, NSF, research universities, and commercial aerospace organizations are SET's customers. For example, SET has led the development effort on a variety of tasks including:

- the NOAA GOES-R EXIS and XRS instrument algorithms;
- the USAF AFRL SBIR that developed a U.S. Dst real-time and forecast index for use by USAF Space Command operational systems;
- the SET-generated solar irradiance indices' forecasts out to 72 hours, which SET provides operationally to the USAF in support of daily updates to the NORAD satellite catalog;
- the NASA NAIRAS global radiation model operational inputs development;
- the NASA SBIR program called ARMAS making real-time aircraft radiation dose rate measurements; and
- the NASA RADIANT project assimilating ARMAS data into NAIRAS to create the "weather" of aviation radiation along a flight path for use by operational air traffic.

Barry Myers will be an outstanding leader for NOAA and we urge his confirmation.

Sincerely,

W. KENT TOBISKA,
President,
Space Environment Technologies.

THE WEATHER GROUP
Atlanta, GA, November 17, 2017

Hon. JOHN THUNE, Chairman,
Committee on Commerce, Science, and
Transportation,
United States Senate,
Washington, DC.

Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and
Transportation,
United States Senate,
Washington, DC.

Dear Chairman Thune and Ranking Member Nelson,

It is my great pleasure to endorse the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration (NOAA).

At The Weather Channel, we partner closely with NOAA, the National Weather Service, FEMA, Department of Defense, and other federal, state, and local agencies. Each month, 45 percent of American households watch The Weather Channel for vital information to protect their families in times of severe weather. For seven years in a row, Harris Poll has ranked The Weather Channel as the most trusted news network in America. None of this would be possible without our close partnership with NOAA. Each day, our meteorologists rely on the satellite data, robust computer models, surge flood forecasts, local alerts, and local insights of NOAA and the National Weather Service. We often bring members of these agencies on our air and share scientific insights as weather patterns develop.

We have to innovate constantly to compete in the changing media landscape. Our partnership with NOAA is vital and I welcome fresh thinking in that relationship. Over the past few years, I have come to know Barry Myers as a tough but fair competitor. I respect his long-standing dedication to the weather enterprise. He will bring strong executive leadership and a business-savvy point of view to NOAA. This injection of new ideas will strengthen NOAA as it provides vital information and services to America.

Barry Myers will be an outstanding leader for NOAA. I urge his confirmation.

Sincerely,

DAVE SHULL,
Chief Executive Officer,
The Weather Group.

AMERICAN TUNABOAT ASSOCIATION
San Diego, CA, November 20, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

On behalf of the American Tunaboat Association (ATA), this is to endorse the nomination of Mr. Barry Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic and Atmospheric Administration (NOAA).

The ATA represents the owners of America's premier purse seine tuna fishing fleet, and the largest U.S. distant water fishery anywhere on the globe. Although somewhat variable, the U.S. purse seine fleet catches tuna with a landed value of approximately half a billion dollars a year.

Many of our current members are descendants of the pioneers who developed purse seine fishing. Supply from their vessels and the vessels of their fathers before them fueled our country's tuna canning industry, which has brought U.S. consumers affordable, high quality protein for almost 80 years now.

The ATA represents all the large U.S. flag purse seine vessels fishing in the Pacific Ocean, where ATA members' vessels fish pursuant to three international Conventions. In the eastern Pacific, there is the Convention establishing the IATTC. In the west, where the bulk of the U.S. fleet has operated in recent years, there are both the Treaty on Fisheries between the United States and certain Pacific Island States (popularly known as the South Pacific Tuna Treaty), as well as the Convention establishing the Western and Central Pacific Fisheries Commission (WCPFC).

Many U.S. flag purse seine tuna lands their catch at Pago Pago, in the Territory of American Samoa, where the tuna industry accounts for approximately 80 percent of the private sector economy, and where the tuna processing sector is the largest private employer in the Territory.

The U.S. purse seine fleet operates in a very competitive international environment, and, we believe that our fleet endures an unnecessarily heavy regulatory burden, made worse by rules which are not always science based or implemented in a manner that establishes a level playing field. This situation is exacerbated by an over-zealous enforcement of the U.S. regulations by NOAA legal authorities.

ATA believes that Mr. Myers has the background and leadership ability to effectively fulfill NOAA's dual responsibilities in this arena: ensuring sustainable fisheries, while at the same time protecting the legitimate interests of the U.S. fishermen. Simply put, we are certain that Mr. Myers will do what he can to maximize U.S. fishing opportunities while ensuring the sustainability of our fisheries.

Also, because the U.S. purse seine fishery is largely managed internationally, as noted earlier, we are convinced that Mr. Myers will ensure that U.S. negotiators will help our fleet in these international negotiations.

Thank you for considering our views. For the reasons elaborated in this letter, we urge you to support Mr. Myers' confirmation.

Sincerely,

BRIAN HALLMAN,
Executive Director.

BLUE WATER FISHERMEN'S ASSOCIATION
Boston, MA, 20 November 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Chairman Thune, Ranking Member Nelson and Members of the Committee,

On behalf of the Blue Water Fishermen's Association (BWFA), this is to endorse the nomination of Mr. Barry Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic and Atmospheric Administration.

BWFA's membership is comprised of U.S. Atlantic pelagic longline fishermen, seafood dealers and other associated shoreside enterprises dependent on the harvest of Atlantic highly migratory species of fish including swordfish and tunas. Our fishermen operate broadly throughout the north Atlantic, Caribbean and Gulf of Mexico, in U.S. waters and on the high seas. Our shoreside members are primarily based in the New England, Mid-Atlantic, South Atlantic and Gulf of Mexico regions.

These small, mostly family-owned businesses operate in an intensely competitive environment dominated by imports that are typically produced at an unfair competitive advantage over U.S. producers that must bear the substantial costs of multiple layers of domestic and international regulations.

We believe Mr. Myers's strategic vision, business management experience and executive leadership skills will serve him well to both improve and balance NOAA's dual responsibilities to ensure the sustainability of U.S. fisheries while providing U.S. small fishing businesses with a fair and reasonable opportunity to compete.

Further, because our fishery is managed internationally by the International Commission for the Conservation of Atlantic Tunas (ICCAT), we believe Mr. Myers recognizes the critical need to ensure that our U.S. negotiators possess the requisite expertise and commitment to putting first the interests of the U.S. and its fisheries. NOAA's fishery conservation and management program is the most comprehensive and effective in the world, and while we are proud to be a part of that success, U.S. fishermen must be rewarded, not punished, for performing at the apex of global sustainability.

Thank you for considering our views. We are convinced Mr. Myers will prove to be a highly effective leader for NOAA and its fishery management regime. We urge you to support his confirmation.

Sincerely,

JACK DEVNEW,
President.

NORTHEAST SEAFOOD COALITION
Gloucester, MA, November 20, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

On behalf of the Northeast Seafood Coalition (NSC), this letter is to endorse the nomination of Mr. Barry Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic and Atmospheric Administration.

NSC is the leading voice for the Federal northeast multispecies (groundfish) fishery. NSC members are small family-owned businesses that operate along the northeast coast. These businesses represent the core of coastal economies throughout the region.

As a multispecies fishery, our fishermen operate under what is among the most intense and complex regulatory regimes in the U.S. This regime must account for the dynamics of 20 distinct but interrelated fish stocks in three distinct and highly dynamic management areas that encompass the Gulf of Maine, Georges Bank and Southern New England/Mid-Atlantic ecosystems.

In our region, NOAA science has struggled to accurately measure the abundance of fish stocks while fisheries management has been guided by management that has served the “weakest link” in the complex. These realities have prevented the over-fishing of weak stocks while leaving many healthy stocks in the water underutilized.

Our fishermen have also struggled—just to survive. Many have not.

We believe Mr. Myers will bring a fresh and much needed perspective and approach to strengthening the science underlying the management of our fishery, along with a commitment to achieving the sustainability of not only these fish stocks, but also the fishing businesses that rely upon a well-managed fishery. His leadership of NOAA will serve our Nation and its fisheries well in this respect.

Thank you for considering our views. We urge you to support his confirmation.

Sincerely,

JACKIE ODELL,
Executive Director,
Northeast Seafood Coalition.

CENTER FOR SPORTFISHING POLICY
Baton Rouge, LA, November 21, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senator Thune, Senator Nelson and Committee Members:

On behalf of the Center for Sportfishing Policy (Center) and America’s 11 million marine recreational anglers, I write to express our support for the nomination of Barry Myers to be the Administrator of the National Oceanic and Atmospheric Administration (Under Secretary of Commerce for Oceans and Atmosphere).

The Center for Sportfishing Policy (Center) is a coalition of the leading individual, institutional and corporate advocates for marine recreational fishing. For years, partners of the Center have worked together to build non-profit and industry partnerships that responsibly advocate for sound conservation and maximizing opportunities for saltwater anglers at the Federal level. To that end, we have a strong inter-

est in the leadership and direction of NOAA. As an office of NOAA, the National Marine Fisheries Service is responsible for the stewardship of our Nation's natural marine resources. A well-managed and responsive NOAA is important to conservation, to our industry, and to America's fishing families. Further, it has an impact on the Nation as marine recreational fishing generates 440,000 jobs and contributes more than \$63 billion to the U.S. economy each year.

As you know, recreational fishing stakeholders have long advocated for an updated Federal fisheries management system that uses modern data collection methods to better manage our public marine resources and the public's access to those resources. It is imperative that NOAA set regulations based on sound science using accurate and timely environmental information to best serve its constituents and our natural resources. An essential element to successful operations at NOAA is a welcoming atmosphere for stakeholder input through which anglers can build trust in the Federal fisheries management system—an element that has been lacking since the creation of the agency.

It is important to our industry and to anglers that the next NOAA Administrator has the skills and willingness to modernize the technology used in fisheries data collection, and Mr. Myers' extensive business background proves he is prepared for such a job. Mr. Myers has the potential to greatly improve the operations at NOAA through his expertise in technology modernization and designing products and services responsive to the marketplace.

He would bring a refreshing perspective to the agency and the National Marine Fisheries Service—an office in prior administrations which resisted using modern management techniques and outside data sources to the detriment of America's 11 million saltwater anglers. Mr. Myers' real life experiences demonstrate he has the capability of bringing NOAA and NOAA Fisheries science into the 21st century, and he is deserving of the Committee's support.

We appreciate your consideration of Mr. Barry Myers to be the next Administrator of NOAA.

Sincerely,

JEFFERSON ANGERS,
President.

UNIVERSITY OF CALIFORNIA, SAN DIEGO UCSD
La Jolla, CA, November 21, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Chairman Thune and Ranking Member Nelson,

Thank you for your consideration and confirmation of Scripps Institution of Oceanography alum, Rear Admiral Timothy Gallaudet, USN (Ret). I have closely followed Tim's career and had the honor of working with him when he was Oceanographer of the Navy. I very much appreciate your Committee's careful consideration of his nomination and support for his confirmation. I write to urge the same consideration for the confirmation of Barry Lee Myers as Under Secretary of Commerce for Oceans and Atmosphere and Administrator of the National Oceanic and Atmospheric Administration (NOAA).

Scripps scientists are major partners in executing NOAA's ocean observing programs essential for accurate forecasting of hurricanes and typhoons, phenomena such as El Niño and La Niña, drought, and monsoons. Our scientists provide a range of science, services and observations to various NOAA line offices. Among other things, we provide observations critical for satellite data calibration and validation to NESDIS, train fisheries stock assessment professionals for NMFS, and host the Southwest region geodesy program for NOS. We also have the honor of hosting the Southwest Fisheries Science Center on our campus.

I recently had the pleasure of speaking with Mr. Myers. He shared his vision for NOAA, stressed the importance he places on science, and conveyed his interest in NOAA's extramural collaborators. With his background, he brings subject matter expertise, leadership, and demonstrated management experience. Our nation faces growing challenges in understanding and mitigating risk from extreme events. The recent hurricanes, rapid shift from drought to flooding in the West, and stressed marine ecosystems and their living marine resources all call attention to the importance of NOAA. I strongly encourage your Committee's continued focus on the re-

sources NOAA needs to continue to execute its missions, including excellent leadership and management.

I very much appreciate your attention to this request.

Sincerely,

MARGARET LEINEN,
Director,
Scripps Institution of Oceanography.

Cc: Senator Diane Feinstein
Senator Kamala Harris

WOODS HOLE OCEANOGRAPHIC INSTITUTION
Woods Hole, MA, November 22, 2017

Hon. JOHN THUNE, Chairman,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Chairman Thune, Ranking Member Nelson and Members of the Committee:

I support the appointment of Mr. Barry Myers to the position of Administrator of the National Oceanic and Atmospheric Administration (NOAA). Mr. Myers' decades of experience at the nexus of science and technology, and the public and private sectors, has provided him with experience that will help him guide the broad science enterprise and management mandates under NOAA's jurisdiction.

My decades working in the ocean sciences, including at the nexus of ocean and atmospheric science, has convinced me of the need to integrate across the Earth sciences. NOAA is uniquely positioned as an agency that has the science and management mandates to expand its leadership in this area. However, to be successful it will need to draw more heavily on the expertise of its private and academic sector partners. This is where I believe Mr. Myers' experience will be of benefit, encouraging new approaches and elevating awareness of the importance of NOAA and its mission to the economic and national security interests of the Nation.

Mr. Myers' experience in the weather sector, complemented by that of Deputy Administrator Rear Admiral Timothy Gallaudet USN (Ret.) in the ocean sciences, offers a knowledgeable and balanced leadership team that will serve the interests of NOAA and the Nation well. I encourage the Committee's approval of Mr. Myers' nomination.

Sincerely,

MARK R. ABBOTT,
President and Director.

TRUWEATHER SOLUTIONS LLC
Reston, VA, November 22, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

It is my great pleasure to endorse the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration. Barry possesses the strategic vision, business management and executive leadership skills to help strengthen NOAA and improve its critical services to the Nation.

The Nation's weather industry is at a crossroads, where the advancements in Science and Technology (S&T), especially within the National Weather Service (NWS) and NESDIS, are outpacing NOAA's ability to transition them into operations in a timely manner. This is not a criticism of NOAA or the NWS, but rather

a reflection of a slow government program and procurement system that has become a chokepoint in unleashing S&T trapped in our Nation's labs and academia. The chokepoints do impact the Nation's economy and competitiveness around the world.

The work NOAA does is important, and NOAA must receive robust funding to focus on science Research and Development (R&D) that the private sector cannot or will not do; and to produce the best warnings and advisories possible, in line with the government responsibility to protect life and property. That said, NOAA must evolve and implement policies that are private sector friendly to encourage more private investment in commercializing R&D. NOAA must also find ways to incentivize the private sector in ways that can accelerate improvements in weather observation and forecast systems, backed by private investment, to improve our Nation's weather S&T to better serve the Nation's first responders, homeland security forces and weather sensitive businesses.

There is no easy path to implementing the policies and changes required to ensure the Nation's future weather service needs are met. We are entering an era where hyper weather precision and accuracy will become paramount as weather sensitive Unmanned Autonomous Systems, such as driverless cars, trucks, buses and drones, become more prominent on our roads and in our skies. I am confident that Barry Myers has the perfect mix of skills and experience to guide NOAA during this very important period of transformation where public and private entities must find ways to work together and accommodate the interests of all parties.

My experience and expertise include over 28 years of government service, including 24-years in the Air Force and four years as a NWS Senior Executive leading the Science and Technology Directorate. I built and led several large weather organizations in the Air Force and oversaw an annual \$130M budget in the NWS where I was exposed to important S&T advancements in the Nation's labs and Universities that could not find its way into operations. I founded TruWeather Solutions, a Service Disabled Veteran Owned Small Business with offices in Virginia and New York in August 2015. Our mission is to unleash pent-up S&T and transition it directly into commercial operations to improve social decisions.

I bring a very balanced perspective regarding weather industry challenges as a former senior weather leader in the Department of Defense and in NOAA, and now in building a business in the private sector. It is my humble opinion that during these transformational times, Barry Myers will be an outstanding leader for NOAA. I urge his confirmation.

Sincerely,

COL (RET.) DONALD H. BERCHOFF, USAF,
Chief Executive Officer,
TruWeather Solutions LLC.

SOUTHERN SHRIMP ALLIANCE
Tarpon Springs, FL, November 22, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

On behalf of the Southern Shrimp Alliance (SSA), this is to endorse the nomination of Mr. Barry Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration.

SSA serves as the national voice for the shrimp fishermen and associated shore-side businesses in all eight shrimp producing states throughout the southeast and Gulf of Mexico regions.

We believe Mr. Myers's strategic vision, business management experience and executive leadership skills will serve to strengthen NOAA including its highly effective fishery management regime.

SSA has enjoyed a markedly constructive partnership with NOAA for many years, working to ensure the proper conservation and management of our fishery. Today our shrimp stocks are healthy—neither overfished nor subject to overfishing. Further, our bycatch of protected species has been substantially reduced and is properly managed to be in full compliance with all applicable requirements.

Under Mr. Myers' leadership, we believe this highly successful partnership will continue to ensure that the U.S. shrimp fishery is the most sustainable fishery in the world.

That said, no other U.S. fishery has been more unfairly or severely impacted by illegal imports than the U.S. shrimp fishery. Illegal schemes to evade U.S. trade laws including antidumping duties have for many years denied our fishermen a fair price for their catch and have defrauded the U.S. Treasury and taxpayers out of huge sums of uncollected anti-dumping duties.

Similarly fraudulent schemes to evade FDA rules to prevent the importation of shrimp contaminated with banned antibiotics continue to deny U.S. consumers the assurance that the imported shrimp they feed their families is safe.

Once again, SSA enjoys a highly constructive partnership with NOAA and other Federal agencies to combat these sources of fraud in the shrimp import supply chain. We are confident that Mr. Myers is committed to continue these efforts including the need to implement the Seafood Import Monitoring Program (SIMP) with respect to shrimp imports in a timely manner. The statements by Secretary Ross and other Administration officials make it clear to us that restoring the best interests of the U.S. fishing industry in the realm of U.S. trade policy is a priority, and that this partnership will grow even stronger under Mr. Myers' leadership.

Overall, we believe Mr. Myers' experience and skills will enable him to be a highly successful NOAA Administrator and that his leadership will serve to further strengthen NOAA fisheries policies and programs. We urge you to support his confirmation.

Thank you for your consideration of our views.

Sincerely,

JOHN WILLIAMS,
Executive Director.

BUNGALOW MEDIA + ENTERTAINMENT
November 22, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

It is my great pleasure to endorse the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration. He possesses the strategic vision, business management, and executive leadership skills to help strengthen NOAA and improve its critical services to the Nation.

I've known Barry for a number of years now, having served on the Board of Directors of Accuweather. I can tell you without reservation that Barry possesses the skills and even more importantly the integrity necessary to serve our great country. Barry also works tirelessly at any endeavor. Additionally, Barry is very unusual in that he maintains all of the professional skills combined with the common sense that is vital for a position that is evolving so quickly.

I have lived in New York City my entire life and have been an entertainment executive at a wide array of companies including Viacom, New Line Cinema, AOL, as well as a number of private equity backed production companies including my current company, Bungalow Media+ Entertainment. Over this time, I've been involved in many large, branded film franchises including Lord of the Rings, Austin Powers, and The Mask among others and have come to recognize how important communication skills are when dealing with large branded initiatives. Barry is very much equipped to excel at the communication necessary to make his appointment a success.

Barry Myers will be an outstanding leader for NOAA. I support his confirmation wholeheartedly.

Sincerely,

ROBERT FRIEDMAN,
CEO,
Bungalow Media + Entertainment.

THE CEO PERSPECTIVE GROUP
New York, NY, November 22, 2017

Hon. JOHN THUNE, Chairman,
 Hon. BILL NELSON, Ranking Member,
 Committee on Commerce, Science, and Transportation,
 United States Senate,
 Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

I endorse the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as Administrator of the National Oceanic Atmospheric Administration. Barry would bring a wealth of experience, expertise, judgment and concern for people to the position. Since becoming CEO, he's led AccuWeather to prominence—combining innovation, vision, pragmatism, energy and quest for information. He's shown he has the experience, skills, ability to build relationships to succeed.

Everyone is cognizant of weather problems, but with a personal history of 5 tornadoes, 3 hurricanes and several blizzards be assured that I want someone leading NOAA who understands challenges, how to prepare and prevent problems. Barry is that person—he will seek out the information if he doesn't have it. He has a diverse staff, whom he seeks to develop—taking them to Economic Club and other events. Like other successful CEOs Barry has started preparing for the future, including obtaining commitments from potential staff.

Lending weight to my comments, note that prior to starting the CEO Perspective Group (an elite advisory firm comprised of international CEOs, Gerry Ferraro and myself), I worked at two Federal agencies, was special advisor on testing to the State Department and was detailed for a year to President Calter's Reorganization Project for Law Enforcement, Police and Investigative Agencies. Thus understand the rigors of government service and what is needed to transition and succeed. For 30 years, I've assessed and advised top executives, winning awards from the *Wall Street Journal*, CNN and others, including "legendary" and "Best for CEO Evaluation and Coaching." Per <https://www.ceoperspective.com> I know leaders—and Barry is excellent.

As a board director of the bipartisan Women's Campaign Fund for ten years and advisory board of Respectability.org, I understand better than most bipartisan challenges. Many colleagues and clients don't understand why Barry would want to leave a thriving business, but I do understand his desire to be of service.

While I cannot speak to issues facing NOAA and Commerce, I do have unique insights and expertise into leadership of a Federal agency. I am confident that he will be an excellent leader and a credit to the Commerce Department and NOAA. I urge Barry be rapidly confirmed.

Regards,

DEE A. SODER, PH.D.,
Founder and Managing Partner.

CONSORTIUM FOR OCEAN LEADERSHIP
Washington, DC, November 22, 2017

Hon. JOHN THUNE,
 Chairman,
 Committee on Commerce, Science, and
 Transportation,
 United States Senate,
 Washington, DC.

Hon. BILL NELSON,
 Ranking Minority Member,
 Committee on Commerce, Science, and
 Transportation,
 United States Senate,
 Washington, DC.

Dear Chairman Thune, Ranking Member Nelson and Members of the Committee:

In response to President Trump's nomination of Mr. Barry Myers to be Under Secretary for Oceans and Atmosphere, Department of Commerce, I encourage your thoughtful consideration of who and what the Nation needs at the top of our leading ocean and atmosphere agency, and the impressive experience that the proposed leadership brings to the table. Representing the 90-plus academic, research, and industrial ocean science and technology members of the Consortium for Ocean Leadership (COL), I appreciate the president taking necessary steps to fill this critical leadership role, and trust that Congress will advance highly qualified and appropriate professionals such as Mr. Myers in a bipartisan, non-politicized manner after careful examination.

When considering some of the needs of the position, one must only look to history to see that science management experience is a fundamental requirement. Mr. Myers' leadership of AccuWeather is a testament to his ability to develop and guide a scientific enterprise, and proof of his competency to inspire and lead scientists providing highest quality environmental products and services. It is also indicative of his ability to translate research, data, and information to operations, which relies on effective collaborations between industry, government, and academia. Public-private partnership building skills are and will be key to NOAA's success, and Mr. Myers has demonstrated great success in doing just that. Lastly, Mr. Myers' experience in delivering environmental information to the public in an understandable and actionable manner (as evidenced by more than two billion mobile phone AccuWeather app users), should only enhance the broad set of NOAA's products that utilize extensive observations, research, geophysical models, and predictions from the ocean floor to the atmospheric ceiling. The U.S. should be leading the world in the accuracy and efficacy of all oceanographic and meteorological decision-making products, and I am confident that with Mr. Myers at the helm, the extraordinary NOAA team can lead our Nation to that precipice in the coming months. Any political appointee taking over an agency has a lot to learn, and Mr. Myers will undoubtedly surround himself with scientists whose deep knowledge of issues across NOAA's spectrum, just as he has done in the private weather enterprise. This will allow him to get up to speed and ensure science-based management underlies all decision making.

Mr. Myers' extensive knowledge of the weather enterprise at NOAA will be well balanced by proven scientific leaders in every aspect of NOAA's mission, to include the Deputy Administrator—Rear Admiral (Ret.) Tim Gallaudet, with PhD in oceanography and proven operational proficiency in oceanography and meteorology. Having met recently with Mr. Myers to discuss ocean concerns, I am convinced that he and his leadership team will bring fresh perspectives to the agency, and will only enhance products and services that enable our Nation to understand and protect coastal and marine infrastructure, ecosystems and resources while growing our marine economy through sustainable and innovative practices. NOAA supports our Nation's healthy and resilient communities through its robust ocean science, management, and technology portfolio that includes education, fisheries management, and the research and tools (*e.g.*, satellites, ships, buoys, autonomous vehicles, high performance computing and networks) needed to observe and forecast our changing ocean environment.

Our nation's security, safety, economic prosperity, and human health demand a healthy and productive ocean and ocean science community. Mr. Myers certainly understand this, and I look forward to his successful, non-politicized leadership of NOAA as they support this demand to the fullest extent possible. COL looks forward to working with him to his end. Like others, the ocean science and technology community is interested in learning Mr. Myers priorities and goals for the agency, and we know you will confirm that those priorities are in the best interest of our Nation and our ocean. I applaud your efforts in this regard, and I stand ready to support you however I may during the confirmation process.

Sincerely,

JONATHAN W. WHITE,
Rear Admiral, USN (Ret.),
President & CEO,

Consortium for Ocean Leadership.

Cc:

Honorable Ted Cruz; Chairman, Subcommittee on Space, Science, and Competitiveness

Honorable Edward Markey; Ranking Minority Member; Subcommittee on Space, Science, and Competitiveness

Honorable Dan Sullivan; Chairman, Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard

Honorable Gary Peters; Ranking Member, Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard

November 24, 2017

Hon. JOHN THUNE, Chairman,
 Hon. BILL NELSON, Ranking Member,
 Committee on Commerce, Science, and Transportation,
 United States Senate,
 Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

I am pleased to support the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration. While I do not know Mr. Myers well, I have been impressed with his interest and understanding of the key fisheries issues facing this country. I understand that fisheries issues are not the only issues that a NOAA Administrator will be required to deal with, but these issues are often the most difficult to understand for incoming Administrators.

I am pleased and impressed that Mr. Myers has taken the time to meet with former Congressional staff and industry representatives to discuss fisheries issues that are important to this Nation. I am not aware of other previous Administrators taking the time to do this prior to their confirmation. To me, this signifies that Mr. Myers already understands the importance of the domestic seafood industry and also understands that he needs to be familiar with these issues even before he is confirmed.

In addition, I think that Mr. Myers's business background will be a positive addition to the team at the Department of Commerce and will be helpful in understanding and addressing the needs of the domestic seafood industry.

As a former staffer for the House of Representatives' Natural Resources Committee dealing with fisheries and ocean policy, I have worked with a number of Administrators of NOAA and I believe that Barry Myers can be an outstanding leader for NOAA. I urge the Committee to vote to favorably report his confirmation.

Sincerely,

DAVE WHALEY,
Independent Consultant for Fisheries and Ocean Policy.

PACIFIC SEAFOOD PROCESSORS ASSOCIATION
 November 27, 2017

Hon. JOHN THUNE, Chairman,
 Hon. BILL NELSON, Ranking Member,
 Committee on Commerce, Science, and Transportation,
 United States Senate,
 Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee:

The Pacific Seafood Processors Association (PSPA) endorses the nomination of Barry Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration (NOAA). Our members find that Mr. Myers brings leadership experience, a vision for innovation, and a commitment to science that will advance our fisheries and seafood priorities.

PSPA is a non-profit trade association representing nine seafood processing companies in Alaska and around the U.S. Alaska's sustainable commercial fisheries land approximately 60 percent of U.S. production, including pollock, salmon, crab, cod, halibut, and whiting. PSPA members facilitate market access for seafood products domestically and around the world. With operations including 3 at-sea processing vessels and 31 facilities in 18 Alaskan coastal communities, our members support local economies, bolster the rural tax base, and provide thousands of jobs in both urban and rural locations.

Sustaining the productivity of U.S. commercial fisheries requires a consistent commitment to core fisheries science and management programs at NOAA. In meeting with Mr. Myers, our members discussed the value of NOAA's work in carrying out stock surveys and assessments, working with fisheries management councils to advance fisheries sustainability, supporting domestic and export-oriented market access, and providing life-saving meteorological data to fishermen and their communities. On all these points, Mr. Myers appreciated the value of NOAA's key contributions and noted the value of good working relationships between NOAA and our fisheries and the seafood industry as a whole.

Mr. Myers understands the value of science, innovation, and technology in advancing both public welfare and the operational success of ocean-dependent businesses. His experience and perspective will be an asset to NOAA as it carries out its critical missions. We look forward to working with Mr. Myers in his leadership role at NOAA.

Thank you for this opportunity to comment.
Sincerely,

GLENN REED,
President,
Pacific Seafood Processors Association.

UNITED STATIONS RADIO NETWORKS
November 27, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

It is my great pleasure to endorse the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration. He possesses the strategic vision, business management and executive leadership skills to help strengthen NOAA and improve its critical services to the Nation.

I have had the honor of knowing and working with Barry and AccuWeather for over 15 years and have always found him to be very smart, engaging, honest, thoughtful and caring individual in all of my dealings with him.

My role at USRN is to oversee a national radio network and I have done that now for over 20 years. USRN is a full service radio network that creates, produces and syndicates audio programming and services to over 6,000 radio stations in the USA. We also sell advertising and sponsorships to Fortune 500 companies that need national media coverage. We are headquartered in New York City and have been successfully operating in this business for over 35 years.

Barry Myers will be an outstanding leader for NOAA. I urge his confirmation.
Sincerely,

JAMES M. HIGGINS,
President and COO,
United Stations Radio Networks.

MIDLAND RADIO CORPORATION
Kansas City, MO, November 27, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senators Thune, Nelson, and Members of the Committee,

Please accept our endorsement of the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic and Atmospheric Administration. He possesses the strategic vision, business management and executive leadership skills to lead NOAA and improve its critical services to the Nation.

Mr. Myers has proven himself to be an insightful and decisive supporter of the commercial weather enterprise, of which we are an integral part. As America's leading manufacturer of NOAA All Hazards weather alert radios, Midland Radio Corporation is dedicated to supporting "The Voice of the National Weather Service", NOAA Weather Radio. We are certain Mr. Myers will provide the vision and leadership that will improve, expand, and re energize the NOAA Weather Radio Network, the vital first link in America's emergency warning system.

Based upon his solid support of the commercial weather enterprise, we endorse Barry Myers as the new leader of NOAA.
Sincerely,

DAN SCHWARTZ,
Chief Operating Officer,
Midland Radio Corporation.
BRUCE THOMAS,
Chief Meteorologist,
Midland Radio Corporation.
BRUCE JONES,
Meteorologist,
Midland Radio Corporation.

NATIONAL COALITION FOR FISHING COMMUNITIES
Washington, DC, November 27, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee,

We the undersigned fishing companies, organizations, and vessels are writing in support of Barry Myers' confirmation as the next NOAA Administrator and Under Secretary of Commerce for Oceans and Atmosphere.

As CEO of AccuWeather, Mr. Myers has a proven record of success, working alongside scientists. He is a recipient of the prominent American Meteorological Society's Leadership award and is an AMS fellow. Mr. Myers served on the Environmental Information Services Working Group of NOAA's Science Advisory Board for 5 different heads of NOAA's National Weather Service, under presidents of both parties.

NOAA employs some of the Nation's best scientists, but it has been plagued with ongoing mismanagement, as documented in the press, including:

- Abuses of power and misuse of funds at NOAA's Office of Law Enforcement that led to the appointment of a Special Master to review the case, the return of collected fines, and the demotion and reassignment of NOAA employees.
- Issues associated with the NOAA's Bigelow, a NOAA research vessel. Over the past few years the vessel has missed several critical survey trips due to a range of issues including incorrect paint and foreign engines so complicated that engineers had to be flown in from Europe to repair them.
- NOAA has been criticized for years over data accuracy and credibility in regards to collection, management and use of fisheries data that is used for management of fisheries, commercial, recreational, cultural and scientific purposes.
- The National Weather Service is reported to be on the "brink of failure" due to budget and hiring issues left unresolved for the past 5 years.

Several experts in the field have publicly articulated the need for better management at the agency:

"No NOAA administrator has been willing to make the substantial, but necessary, changes. Is it possible that an outsider from the private sector might consider a fresh approach?"

—Cliff Mass, *Atmospheric scientist, University of Washington*

"I think Barry would bring very practical, pragmatic expertise and management acumen to NOAA."

—David Titley, *Former NOAA COO under President Obama; Professor of Meteorology, Penn State University*

While science remains one of the most vital elements of NOAA, new leadership with strong proven managerial experience is needed to right the ship after years of mismanagement.

For these reasons, I strongly support the nomination of Barry Myers as NOAA Administrator and Under Secretary of Commerce for Oceans and Atmosphere, and ask you to vote to confirm his nomination.

Thank you for considering this request.

Respectfully submitted,

Marc Agger
Owner, Agger Fish Corp
Board Member, Monkfish Defense Fund
Brooklyn, NY

Warren Alexander, President
Atlantic Shellfish, Inc.
Cape May, NJ

Bob Blais, Contoller
Seatrade International
New Bedford, MA

Scott Bode, COO
Pier Fish Co.
New Bedford, MA

Bonnie Brady, Executive Director
Long Island Commercial Fishing Association
Montauk, NY

Dewey Destin, Owner
Dewey Destin's Seafood Restaurants
Destin, FL

Greg DiDomenico, Executive Director
Garden State Seafood Association
Trenton, NJ

Wayne Dunbar
Pamlico County Fishermen's Association
Pamlico, NC

Roy Enoksen, President
Ronald Enoksen, Vice President
Eastern Fisheries, Inc.
Nordic Fisheries, Inc.
New Bedford, MA

Brent Fulcher, Owner
Fulcher Trawling
New Bern, NC

Chris Fulcher, President
Fulcher's Point Pride Seafood, *Oriental, NC*
Bay City Crab Company, *Aurora, NC*
Fulcher's Seafood, *Oriental, NC*
Diamond Shoal Seafood, *Hatteras, NC*
Crystal Seas Seafood, *Bayboro, NC*
Shellfish Express, *Oriental, NC*

Joe Gilbert, Owner
Empire Fisheries
Empire Scallop
Invictus Fisheries
Milford, CT

Mike Goto, Auction Manager
United Fishing Agency
Honolulu, HI

Jim Gutowski, President
Fisheries Survival Fund
Members in CT, MA, ME, NC, NY, VA

Richard Canastra, Co-Owner
BASE New Bedford Auction
New Bedford, MA

Daniel Cohen, President
Atlantic Capes Fisheries
Cape May, NJ

Jim Cook, Vice President
POP Hawaii
Honolulu, HI

Don Cross, Owner
Pamlico Packing Co., Inc.
Grantsboro, NC

Jeffrey W. Davis, CEO
Blue Harvest Fisheries
New Bedford, MA
Newport News, VA

Wayne Heikkila, Executive Director
Western Fishboat Owners Association
American Fishermen's Research Foundation
Astoria, OR
Members in AK, CA, HI, OR, WA

Gary Jarvis
Executive Director, Destin Charter Boat Association
Owner, JackaCudas Seafood & Sushi, Brotulas
Seafood & Steamer, Cuvee' Kitchen & Bar,
Sunset Bay Café
Destin, FL

Bob Jones, Executive Director
Southeastern Fisheries Association
Tallahassee, FL

David Krebs, President
Ariel Seafoods
Destin, FL

Jim Lovgren, Board Member
Fisherman's Dock Co-Op
Point Pleasant,

Tim Malley, Director
Blue Water Fishermen's Association
Barnegat Light, NJ

Heather Mann, Director
Midwater Trawlers Cooperative
Newport, OR

Sean Martin, President
Hawaii Longline Association
Honolulu, HI

Ken Melanson, Chairman & CEO
Northern Wind
New Bedford, MA

Cameron Miele, CEO
Kathryn Marie Scalloping Co., LLC
Hunter Scalloping Co., LLC
New Bedford, MA

Ed Mullis, General Manager
B&C Seafood, Inc.
Newport News, VA

Robert Nagle, Vice President
John Nagle Co.
Boston, MA

Robert Newberry, Chairman
Delmarva Fisheries Association
Chestertown, MD
Members in MD, VA

Gerry O'Neill, Owner
Cape Seafood
Western Sea Fishing
Gloucester, MA

Dan Occipinti, General Counsel
Pacific Seafood
Clackamas, OR

Erik Orman, President
Tempest Fisheries
New Bedford, MA

Ernie Panacek, General Manager
Viking Village
Barnegat Light, NJ

Diane Pleschner-Steele, Executive Director
California Wetfish Producers Association
Monterey, CA

William Polumbo, President
Palombo Fishing Corp., *Newport, RI*
International Marine Industries, *Newport, RI*
Boston Wholesale Lobster Corp., *Lynn, MA*

Laura Foley Ramsden, Owner
Foley Fish
Boston, MA

F/V Perseverance
F/V Sea Angles
F/V Gaston Bell
F/V Annie Elizabeth
F/V Nancy Elizabeth
F/V Elise G
F/V Charisma
F/V Gannet
F/V Golden Nuggett

Jeff Reichle, Chairman
Lunds Fisheries, Inc.
Cape May, NJ
Affiliated companies:
Sun Coast Calamari, Inc., *Oxnard, CA*
Port Hueneme Ice, LLC, *Port Hueneme, CA*
Cape May Ice, Inc., *Cape May, NJ*
Cape Clam, Inc., *Cape May, NJ*
Cape Trawlers, Inc., *Cape May, NJ*
Cumberland Freezers, LLC, *Bridgeton, NJ*

Eric Reid, General Manager
Seafreeze, Ltd.
North Kingstown, RI

Rob Ross, Executive Director
California Fisheries and Seafood Institute
Sacramento, CA

Glenn Skinner, Executive Director
North Carolina Fisheries Association
Morehead City, NC

Lori Steele, Executive Director
West Coast Seafood Processors Association
Portland, OR
Members in CA, OR, WA

John Williams, President
Atlantic Red Crab Co.
New Bedford, MA

Vessels
F/V Virginia Wave
F/V Virginia Queen
F/V Virginia Dare
F/V Miss Crockett
F/V Virginia Clipper
F/V Ashley Gail
F/V Christina
F/V Alexa
F/V Kathy Ann
F/V Lady Deborah
F/V Chaz's Toy
F/V Christina Ann
F/V Papa's Girl
F/V Chasity Brooke

F/V Miss Madeline
F/V Mt. Vernon
F/V Permits
F/V Scombrus One
F/V Shakari
F/V Squid Light
F/V Squid Light Too
F/V Western Explorer

NATIONAL MARINE MANUFACTURERS ASSOCIATION
November 27, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senator Thune, Senator Nelson and Committee Members:

On behalf of the National Marine Manufacturers Association (NMMA) and America's 11 million saltwater recreational anglers, I write to express our support for the

nomination of Barry Myers to be the Administrator of the National Oceanic and Atmospheric Administration (Under Secretary of Commerce for Oceans and Atmosphere).

By way of background, NMMA is the leading recreational marine industry trade association in North America, representing 1,400 boat, engine, and accessory manufacturers. NMMA members collectively produce more than 80 percent of the recreational marine products sold in the United States with direct expenditures on recreational boating of \$37 billion annually. The U.S. marine manufacturing industry is comprised of nearly 35,000 businesses that provide over 650,000 jobs. To that end, we have a strong interest in the leadership and direction of NOAA. As an office of NOAA, the National Marine Fisheries Service is responsible for the stewardship of our Nation's marine fishery resources. A well-managed and responsive NOAA is important to conservation, to our industry, and to America's fishing families. Further, it has an impact on the Nation as marine recreational fishing generates 440,000 jobs and contributes more than \$63 billion to the U.S. economy each year.

As you know, recreational fishing stakeholders have long advocated for an updated Federal fisheries management system that uses modern data collection methods to better manage our public marine resources and the public's access to those resources. It is imperative that NOAA set regulations based on sound science using accurate and timely scientific information to best serve its constituents and our natural resources. An essential element to successful operations at NOAA is a welcoming atmosphere for stakeholder input through which anglers can build trust in the Federal fisheries management system—an element that has been lacking since the creation of the agency.

It is important to our industry that the next NOAA Administrator has the skills and willingness to modernize the technology used in fisheries data collection, and Mr. Myers' extensive business background proves he is prepared for such a job. Mr. Myers has the potential to greatly improve the operations at NOAA through his expertise in technology modernization and designing products and services responsive to the marketplace.

He would bring a refreshing perspective to the agency and the National Marine Fisheries Service—an office in prior administrations which resisted using modern management techniques and outside data sources to the detriment of America's 11 million saltwater anglers. Mr. Myers' real life experience demonstrate he has the capability of bringing NOAA and NOAA Fisheries science into the 21st century, and he is deserving of the Committee's support.

We appreciate your consideration of Mr. Barry Myers to be the next Administrator at NOAA.

Sincerely,

THOMAS DAMMRICH,
President,

National Marine Manufacturers Association.

ACT | THE APP ASSOCIATION
Washington, DC, November 27, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senators Thune, Nelson, and Members of the Committee,

It is my great pleasure to endorse the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere (NOAA) and as the Administrator of the National Oceanic Atmospheric Administration. He possesses the strategic vision, business management, and executive leadership skills to help strengthen NOAA and improve its critical services to the Nation.

ACT | The App Association represents approximately 5,000 small business app makers and connected device companies across the globe, and in every state and Congressional district. Our member companies leverage the connectivity of mobile devices from phones to cars, refrigerators, and smart factories, producing innovations that enhance our lives. The app economy is now valued at about \$143 billion and represents the user interface for \$8 trillion in international trade annually. But despite these big numbers, small enterprises drive this powerful engine—they need accurate weather modeling and information to make their products even better.

During Mr. Myers' time at AccuWeather, our industry saw an exponential growth in the use of weather data by mobile applications to provide consumers vital information. Now part of a \$143 billion industry, mobile apps rely on weather not only to let people know if it's raining outside, but also to predict how the weather impacts shipping, staffing, safety, and energy conservation. We see Mr. Myers' experience with both the public and private sector elements of NOAA's jurisdiction as vital for the future of data in our connected world.

We look forward to working with Mr. Myers and urge his confirmation.

Sincerely,

MORGAN REED,
President,
ACT | The App Association.

NATIONAL FISHERIES INSTITUTE
December 13, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senators Thune and Nelson:

The National Fisheries Institute ("NFI") supports the nomination of Mr. Barry Myers to be the Under Secretary of Commerce for Oceans and Atmosphere and Administrator of the National Oceanic Atmospheric Administration ("NOAA").

NFI has been the Nation's leading advocacy organization for the seafood industry for 71 years. NFI member companies represent every facet of the fishing world and every link in the seafood supply chain. From responsible aquaculture, to a marketplace supporting free trade, to ensuring consumers have the facts on the sustainability and health benefits of fish and shellfish, NFI and its members support and promote sound science-based public policy.

If confirmed, Mr. Myers will lead a post essential to seafood harvesters, processors, distributors, retailers, and restaurants—and the consumers who depend on these companies for billions of seafood meals every year. NFI is heartened to see that Mr. Myers supports the science-based fishery management approach that has made the United States a global leader in sustainable seafood. His successful business background, too, suggests an understanding of the vital importance of considering all private sector views when engaged in the sensitive task of regulating complex industry sectors. NFI appreciates and supports his call for expanding the Nation's seafood production, including through responsible growth in aquaculture.

Given the Administrator's central role in formulating policies that have an impact on commercial seafood businesses across the nation, it is essential to fill this position now. NFI urges the Senate to swiftly confirm Mr. Myers.

Should you have any questions, you may contact me at jconnelly@nfi.org.

Sincerely,

JOHN CONNELLY,
President.

MYSTIC AQUARIUM
December 15, 2017

Hon. JOHN THUNE, Chairman,
Hon. BILL NELSON, Ranking Member,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Senators Thune, Nelson and Members of the Committee:

Please consider my support for the nomination of Barry Lee Myers for Under-Secretary of Commerce for Oceans and Atmosphere and as the Administrator of the National Oceanic Atmospheric Administration.

The important mission of NOAA includes the conservation of marine mammals and ocean habitats, which are central to our mission and we look forward to working Mr. Myers on these matters. We appreciate his strategic, executive leadership

skills and believe this expertise and perspective will strengthen NOAA and serve as a productive basis for what we can do together with NOAA for good of our shared interests.

From our headquarters in Mystic, Connecticut, we carry out a nationwide mission of inspiring people to care for and protect our ocean planet through conservation, education and research. We are long-serving partners with NOAA on marine mammal rescue, to which we bring a large and highly-experienced expert staff of scientists and veterinarians. Our educational work extends from the aquarium itself to field sites around New England and the country, where we partner with multiple schools and institutes on the scientific, technological, engineering, and mathematical topics comprised by ocean conservation.

There is much work to do on these matters that will benefit from a swift confirmation of Mr. Myers.

Sincerely,

STEPHEN M. COAN, PHD,
President and CEO.

Senator SULLIVAN. I am going to begin by recognizing Chairman Thune for accommodating his schedule to begin the questioning of Mr. Myers. Mr. Chairman.

**STATEMENT OF HON. JOHN THUNE,
U.S. SENATOR FROM SOUTH DAKOTA**

The CHAIRMAN. Thank you, Mr. Chairman. I appreciate you and Senator Inhofe pinch hitting and chairing today, and Senator Schatz and the other members of the Committee.

And, Mr. Myers, thank you for being here and for your willingness to serve in this important position.

I just have one quick question. I will have a couple questions I will submit for the record.

Earlier this Congress, the Weather Research and Forecasting Innovation Act, which Senator Schatz and I introduced in the Senate, was signed into law. And one of my top priorities in this law was a requirement to designate a warning coordination meteorologist within each weather forecast office for outreach and communication at the local level. In my conversations with communities and stakeholders in South Dakota, I repeatedly heard that this position provides one of the most valued services. For example, during the Sturgis bike rally, which is a big event annually in South Dakota where the population not only more than doubles, it increases by many multiples, having established relationships with local emergency managers is paramount to the safety of our citizens as the weather in the Black Hills can rapidly change.

If confirmed, do you commit to the full implementation of the weather bill, including using warning coordination meteorologists to improve outreach and communications with local communities?

Mr. MYERS. Senator, thank you. Yes, I do.

The CHAIRMAN. I would also like to have you, if you get the opportunity, to visit some rural weather forecast offices such as the one in Aberdeen, South Dakota just to see how difficult it is to provide severe weather forecasts in parts of the country that do not have reliable cell phone service. Would you be interested in coming out and visiting one of those offices?

Mr. MYERS. I would be very interested.

The CHAIRMAN. Good. Hopefully we can work to make that happen.

Mr. Chairman, I have a couple of other questions that I will submit for the record. But I appreciate, Mr. Myers, you being here, and we will look forward to moving your nomination along in the process.

Mr. MYERS. Thank you very much.

Senator SULLIVAN. Thank you, Chairman Thune.

I am going to begin with my questions.

Mr. Myers, I know that you appreciate the importance of cooperation between the Executive Branch and Congress. These confirmation hearings give us an opportunity to underscore that point. If confirmed, will you pledge to work collaboratively with this Committee and its members and to provide thorough and timely responses to our requests for information and our requests for you to appear before this Committee?

Mr. MYERS. Yes, I will.

Senator SULLIVAN. I also want to just address—Senator Nelson highlighted the issue of conflicts of interest. You, I think, did a very strong job in your opening statement about what you intend to do, if confirmed. But let me just ask you more directly. If confirmed, will you strictly abide by all applicable conflict of interest regulations, rules, laws, and the appearance of conflicts?

Mr. MYERS. Yes, I will.

Senator SULLIVAN. Let me begin by an issue. I really enjoyed our meeting that we had a couple of weeks ago. As I mentioned in my opening statement, I think it is clear, as Senator Nelson mentioned, NOAA is a beloved agency. It is a very important agency to the entire country. Nowhere is this more important than in the great State of Alaska where NOAA's missions impact so many elements of my state. And NOAA's missions—they have entire offices that are directly focused on Alaska because we are so big and have so many important elements of the NOAA mission. Yet, much of NOAA staffing and infrastructure for Alaska-based missions are not located in Alaska. And you and I have talked about this at some length.

For example, by law, the NOAA research ship *Fairweather* is home ported in Ketchikan, Alaska. That is in the law, but it actually resides in Oregon.

I am very interested in the issue of ocean debris. We had a bill that has passed out of the Senate, and is hopefully going to be moved out of the House, the Save Our Seas bill that is focused on ocean debris where NOAA plays a huge role. And this bill would even expand that role. I met with the head of the NOAA ocean debris program who is based here on the East Coast this summer and met with the head of the Alaska director for the NOAA ocean debris program. I was surprised to realize that that person was not even based in Alaska.

No other Senator would tolerate such a situation where an executive agency focuses exclusively on their State's weather and NOAA-related issues and are not even based in that state. To be the most effective and cost effective to the taxpayer, NOAA staff and assets who work solely on Alaska issues must be in Alaska. The previous administration did little to work with me on this. I would like your commitment to help to restore the agency's pres-

ence as appropriate, when they are working on Alaska issues, to be in Alaska.

Will you commit that, if confirmed, you will undertake a comprehensive review of this staff and asset movements out of my state on Alaska issues to come back to Alaska and offer a detailed plan and timeline working with me and my office for moving these staff positions and assets back to Alaska?

Mr. MYERS. Senator Sullivan, thank you very much for that question.

The discussion that you and I had was very informative, enlightening, and interesting to understand so many assets that serve Alaska are not in Alaska.

Senator SULLIVAN. Exclusively serve Alaska.

Mr. MYERS. I do commit to looking at this and doing a complete review and certainly reporting back to you and the Committee on those issues.

Senator SULLIVAN. Thank you.

You mentioned in your opening statement the issue of seafood trade. I have appreciated Secretary Ross' emphasis on trying to do something about the seafood trade deficit. The agencies under NOAA's purview have a lot to do with it. Will you work with me and other seafood exporters to reduce barriers that put us at a competitive disadvantage with regard to other countries? I know it is a priority of the Secretary. I just want to get your commitment on that.

Mr. MYERS. Yes, you have my commitment.

Senator SULLIVAN. One other area that again impacts Alaska, but it impacts the whole country is on the issue of hydrographic surveying. There are a lot of parts of my state that still rely on charts and data collected back in the 1800s when Russia was still in charge of Alaska. There is a potential to address the backlog of hydrographic surveying in Alaska and throughout the entire country through partnerships with the private sector, but there is needed leadership for this to happen.

Will you work with this Committee to aggressively reduce the charting backlog and increase the use of public-private partnerships to achieve this goal in terms of upgrading our hydrographic surveying around the country?

Mr. MYERS. Yes, I will, Senator.

Senator SULLIVAN. Great. Thank you.

Senator Schatz.

**STATEMENT OF HON. BRIAN SCHATZ,
U.S. SENATOR FROM HAWAII**

Senator SCHATZ. Thank you, Mr. Chairman.

Mr. Myers, thank you for your willingness to serve.

I have three questions. The first two should be quick.

Can you assure me that as NOAA Administrator, you will support the agency's climate research portfolio and advocate for sufficient levels of funding to advance research relating to climate change?

Mr. MYERS. Yes.

Senator SCHATZ. Can you assure me that as NOAA Administrator, you will comply with NOAA's scientific integrity policy and defend the rights of your scientists?

Mr. MYERS. Yes, I will. I am familiar with that policy, Senator. Senator SCHATZ. Thank you very much.

I want to flesh out this question around conflicts of interest. I know you have been expecting this question.

So my understanding—and tell me if I am getting any of the facts wrong—is that you and your wife will resign and divest—makes sense—but that your brothers will continue to own more than 90 percent of AccuWeather, and a son-in-law will continue to work at the company as a high level executive, and a nephew will still be on the Board of Directors.

Now, it is a family company and you cannot force your family to divest because you are going to go and do another thing. And as I read both the Code of Federal Regulations and the statute around this, what you are doing seems to be compliant with the law in the strictest possible terms, but the challenge here—right—is that your divestiture after 90 days allows you to then make decisions as NOAA Administrator that could benefit AccuWeather.

And so the question is what is the scope of your recusal not just in legal terms, but how do you view this problem—right—which is that you built this thing from scratch and now NOAA and AccuWeather have this sort of—I do not know—cooperation sort of relationship where you depend on each other, you are sort of scuffling with each other sometimes, but you are absolutely enmeshed? Right? And then some of the people who are closest to you are also going to be on the other side of this wall. So I am just trying to figure out as a person how you are going to sort all this out in your new role?

Mr. MYERS. Senator Schatz, thank you very much for that question.

I think that any business executive that has close ties to a company, has worked at a company for a long time, has led the company, whether they may be relatives or they may be very close longtime friends, has the same issue coming into government that I have. I have made it clear that I will divest, as you had described. I have made it clear to my brothers. In fact, jokingly I explained to them that we may see each other at Thanksgiving dinner and we can talk about football and family things, but we cannot talk about NOAA. And people who know me I think know that I am very principled in these regards, and I am very serious about it.

I also know what the legal requirements are. I do not believe legally I could favor one company over another without violating a whole host of Federal statutes, regardless of whether that company was one to which I had relatives or not.

Senator SCHATZ. Can you give me an example of—because part of this is you were in a role or you are currently in a role and then you may be in a new role. So the question becomes, you know, thinking about the Santorum legislation or any of the other instances in which AccuWeather and NOAA do not see eye to eye, can you think of an instance in which you were playing a role as CEO of AccuWeather and took a position which would not be consistent with your potential position as NOAA Administrator? In

other words, where would you have to say, well, that was different and now I am the NOAA Administrator and I represent the public and the government, and therefore, I am going to have to be at odds with my former employer?

Mr. MYERS. I do not know if I can bring up a specific instance. I have worked with NOAA, as was described, for many years. I have served on their advisory boards. I have worked with the NOAA Administrator. I have worked with the heads of every manager of the National Weather Service since about 1988.

Senator SCHATZ. What about the Santorum bill? Is that an example where your view may have to change because of the role that you may be stepping into?

Mr. MYERS. Well, let me explain, if I can, a little bit about the Santorum bill to put it in some context.

Recognizing that it occurred half a generation ago and circumstances I think in the weather field were significantly different at the time, people say I was trying to privatize the National Weather Service. I never advocated for that, and I never have. My advocacy was always a level playing field.

The words that are in the Santorum bill actually came from a 1991 National Weather Service policy that was published in the *Federal Register*. It was their words. It was not the Senator's words. In fact, I can read it to you, it said that it, "will not compete with the private sector when a service is currently provided or can be provided by commercial enterprises unless otherwise directed by applicable law." That was the National Weather Service policy that in 2004 they withdrew.

Senator SCHATZ. Right, but let us just be clear about what that would mean as a practical matter for NOAA. It would mean you cannot provide free stuff that a private company is currently charging for. That is what it means to be competing with the private sector. And what NOAA does is—obviously, AccuWeather is not going to get into the satellite business. Right? But the question is in terms of the dissemination of weather data. NOAA has the capability of distributing information for free where private sector enterprises may want to value-add or do different things to the interface to make it more user friendly. But it does not seem to me there should be any prohibition on the government providing the data that it collects for free.

My time is up here. But this is my question. Right? You are a smart lawyer. You are an accomplished business person. You are not going to come into this hearing unprepared to answer this question, and you are not going to come into a confirmation process without having run the traps. But my question sort of remains that, dispositionally and maybe even ideologically, you have not made the transition all the way to the government and representing NOAA and representing the public first. And I think that is going to be a transition, but I would encourage you to think through not just whether you are compliant with the CFR and U.S. Code and what the ethics people tell you, but understanding this new role really is different than the old role and you may have to rethink some of your most fundamental assumptions.

Thank you for the extra time.

Senator SULLIVAN. Senator Markey.

**STATEMENT OF HON. EDWARD MARKEY,
U.S. SENATOR FROM MASSACHUSETTS**

Senator MARKEY. Thank you, Mr. Chairman.

Mr. Myers, the scientists in the Federal Government are increasingly paranoid that because the President has pulled out of the Paris Agreement and that NOAA is such a central provider of information on this subject, that they are very fearful that they are going to be punished.

So I guess my question to you is, given the 13 Federal agencies that unveiled the fourth national climate assessment on November 3, and that that report comprehensively describes that humans are the main cause of rising global temperatures and creating the warmest period in the history of human civilization.

So my question to you is, do you agree that humans are the main cause of climate change? Yes or no, sir.

Mr. MYERS. Thank you, Senator, for that question.

I have read the reports and I have no reason to disagree with them.

Senator MARKEY. So does that mean you agree with them?

Mr. MYERS. I agree with the reports. They are based on quality peer-reviewed research, which is something that I strongly support.

Senator MARKEY. So you agree that humans are the main cause of climate change? Is that what you are saying?

Mr. MYERS. That is what I am saying.

Senator MARKEY. OK, good.

Will you commit to continuing to support the work of NOAA's scientists, which they have done for the national climate assessment?

Mr. MYERS. Yes, Senator, I do. And I was on the graduate faculty at Penn State for many years. I know what quality research looks like. I know what peer-reviewed research looks like. And scientists should be free to operate in that kind of an environment, and they need to subject their research, obviously, to peer review so that other scientists can weigh in on it. But once that process is completed, that information should be made available to all.

Senator MARKEY. Will you commit to continuing all of the critical climate science that NOAA undertakes?

Mr. MYERS. Yes, I will certainly within the budget that is allocated by Congress.

Senator MARKEY. Will you commit to not reassign NOAA scientists working on climate change?

Mr. MYERS. Senator, I am not sure if I can quite answer that question because I do not know what the circumstances of any given person may be from a personnel standpoint, an interest standpoint, or a needs standpoint. But I will not do it based upon their science conclusions.

Senator MARKEY. Will you commit to not preventing NOAA scientists from speaking publicly about their work on climate change science or retaliating against those scientists who do?

Mr. MYERS. Again, as long as the work that they are talking about is the peer-reviewed research that they have done that is accepted as quality science, they should be free to talk about that.

Senator MARKEY. So let us talk about the budget cuts then that you referred to. The President's proposed budget cut proposes big

cuts to NOAA, including a \$250 million cut from NOAA's coastal research programs, as well as eliminating grants that help communities plan and implement severe weather warnings. These cuts would make these communities even more vulnerable than they already are. Do you support these cuts?

Mr. MYERS. I understand the nature of the cuts. I understand why they were done. I think Secretary Ross has been clear about the fact that many of these are very good programs that suffered from these cuts but the line had to be drawn somewhere and those lines were drawn where they were drawn. And as a member of the administration, certainly I will appropriately carry out the budget that is allocated by Congress.

Senator MARKEY. What would your plan be for maintaining NOAA's services for communities experiencing sea level rise in light of those massive proposed cuts?

Mr. MYERS. Senator, I am not sure that I can give you a firm answer at this time not knowing what resources may be at the disposal of NOAA to assist with those communities. Clearly sea level rise in a number of places is a concerning issue.

Senator MARKEY. Well, obviously coastal communities are at great risk, and most of the people on this Committee represent coastal communities. For example, NOAA's Office of Coastal Management received requests for coastal resilience grants this year in excess of \$135 million, which fund flood protection, habitat restoration to reduce storm impacts. So it is unacceptable that the Administration is proposing these deep cuts because it is clear that the public does need this funding in the years ahead. So you will be given the responsibility of basically making decisions that ultimately cannot meet the needs of these communities. You do understand that that will be an impossibility on your job?

Mr. MYERS. Senator, I understand that the job is going to be very challenging and that these are some of those challenging issues that will have to be dealt with.

Senator MARKEY. "Challenging" is a euphemistic way of describing the overwhelming challenge that the planet is going to face but especially the coastal communities in America. Boston is the fourth most vulnerable city in the United States to climate change and the eighth most vulnerable in the world. So obviously, a dramatic cutback in these funds is going to have a dramatic impact on the future of our city.

Thank you, Mr. Chairman.

Senator SULLIVAN. Senator Hassan.

**STATEMENT OF HON. MAGGIE HASSAN,
U.S. SENATOR FROM NEW HAMPSHIRE**

Senator HASSAN. Thank you, Mr. Chairman.

And good morning, Mr. Myers. Congratulations on your nomination.

If confirmed, it will be your responsibility to serve the public interests, not just the private interests of a company's bottom line. Americans deserve access to the lifesaving forecasts and other weather information provided to the public by NOAA. As the CEO of AccuWeather, you advocated for keeping NOAA's taxpayer-funded data from the public. AccuWeather backed a bill in 2005 that

would have banned Federal meteorologists from providing services that competed with private companies like yours.

Do you still believe that NOAA should refrain from making weather and forecasting products available to the public, including those such as emergency first responders, farmers, and small businesses?

Mr. MYERS. Senator Hassan, thank you very much for that question and for your good wishes.

I would like to state that I actually never advocated those things, and in fact, if anything, I have advocated the opposite. I have spoken many times in advocacy of free and open data from NOAA, that it should be available to all, that there should always be a level playing field for all of U.S. citizens and U.S. companies.

The concern from 1991 through I think 2004 was a different environment. In fact, the policy that the National Weather Service had in 1991 assisted, I believe, in helping create the greatest weather enterprise on earth here in the United States. The nature of that policy is gone, and everybody is operating quite well in a new environment. And I support and have talked about it many times that all—all—National Weather Service data should be made available. In fact, it is not actually available and—

Senator HASSAN. Because my time is limited, what I am going to suggest is that I will submit the background articles we have that indicate that you appeared by reports—and they may be inaccurate reports—to take a different position in 2005. And I will ask you to comment on that for the record because I would like to touch on this issue in a slightly different way.

I was Governor of New Hampshire, and when we had severe weather events where potentially lifesaving decisions were made based on the free information provided by the National Weather Service out of Gray, Maine, I would rely on that information. During severe weather events, we would have numerous calls daily with the Weather Service to get up-to-the-date forecast information. I cannot stress the importance of having this information available on a minute-to-minute basis so that resources could be most efficiently allocated throughout New Hampshire. And I should add sometimes we would learn that we did not need as many resources, and we could deploy them to another state if a storm, for instance, shifted its path a little bit.

So can you commit to me that, if confirmed, the National Weather Service will continue to have this relationship with Governors and emergency management officials and, if possible, expand resources and this free information to be made available to states when asked?

Mr. MYERS. Senator, yes, I will.

Senator HASSAN. Thank you.

I also wanted to follow up on an issue that is very important to those of us who represent coastal states. We in New England recognize the importance of sustainable fisheries, but we have serious concerns about the costs that hardworking fishermen, who are already subsisting on the margins, are forced to bear right now for monitoring programs. If confirmed, how will you ensure sustainable fisheries and reduce the cost burden placed on our fishermen so that they can be able to afford to fish for generations to come?

Mr. MYERS. Thank you, Senator, for that question.

Yes, I understand that in some cases it may cost \$500 a day to have somebody on a boat doing those duties. But one of the things that I think certainly would be helpful is trying to understand the nature of technology and whether or not some of these things cannot be done in a much more modernized way.

Senator HASSAN. Thank you very much.

I yield the remainder of my time. Thank you, Mr. Chair.

Senator SULLIVAN. Senator Cortez Masto.

**STATEMENT OF HON. CATHERINE CORTEZ MASTO,
U.S. SENATOR FROM NEVADA**

Senator CORTEZ MASTO. Thank you.

Mr. Myers, thank you and thank you for your willingness to serve. I appreciate you being here.

The Western Regional Climate Center, a partnership with the Desert Research Institute in Reno, Nevada, is one of six regional climate centers in the United States that delivers high quality climate data services in conjunction with NOAA and national climate and weather partners. The WRCC serves as a focal point for coordination of applied climate activities in the west, including drought and climate monitoring and conduct applied research on the impacts of climate variability and climate extremes in the western United States.

Do you know if NOAA and the staff of the WRCC are under any administration guidelines or edicts discouraging the mention of global climate change when discussing and conducting climate research? Are you aware of any administration guidelines prohibiting that?

Mr. MYERS. Senator, I am not, no.

Senator CORTEZ MASTO. Would you ever condone any such guidance?

Mr. MYERS. Guidance that said certain words could not be used in describing—

Senator CORTEZ MASTO. Correct, that global climate change could not be used when discussing and conducting climate research.

Mr. MYERS. No, I would not agree with that.

Senator CORTEZ MASTO. OK.

As NOAA serves as co-chair of the Aquatic Nuisance Species Task Force, how will you enforce its focus on aquatic invasive species issues given that warming water temperatures will have severe impacts not only to Lake Tahoe's ecosystems and economies, but nationwide?

Mr. MYERS. Senator, I am not sure if I can provide a quick answer to that question. I would certainly be pleased to get back to you on that in some greater detail.

Senator CORTEZ MASTO. Thank you. I appreciate that. And so can I get your commitment to work closely with the various stakeholders in Nevada like those working hard to maintain Lake Tahoe in its pristine condition and to address needed scientific engagement on combating the effects of climate change or other concerns like ecosystem restoration and invasive species?

Mr. MYERS. Yes.

Senator CORTEZ MASTO. Thank you.

As part of its evolve initiative, the National Weather Service plans to retrain and refocus its field workforce to provide impact-based decision support services to both core partners such as the media and local governmental entities and its general partners such as local hospitals and school districts and the general public. These efforts include webinars, briefings, providing spot forecasts, utilizing social media, preparedness, education, and development of specialized forecasts.

Do you support the, quote, evolution of the National Weather Service in this direction?

Mr. MYERS. Senator, thank you for that question.

Yes, I do. AccuWeather was actually one of the first signers of the Weather Ready Nation Initiative, and serving on the Environmental Information Services Working Group as a group advising the NOAA Science Advisory Board, I actually over the years have significantly supported the whole concept of doing this kind of IDSS initiative especially with local and State emergency management agencies.

Senator CORTEZ MASTO. Thank you.

In testimony before the House Science Committee in June of 2016, you urged the National Weather Service to focus on its core mission of sharing data, support for developing models, and severe weather warnings. You also claimed that the best public forecast came from the private sector.

Should the National Weather Service curtail or terminate issuance of its public forecasts?

Mr. MYERS. I have not advocated that they do that. I think that they need to certainly examine all their programs, but they do a significant service. In fact, AccuWeather and other companies in the field deliver the National Weather Service public forecasts every day to millions of Americans.

Senator CORTEZ MASTO. So the National Weather Service should not curtail or terminate issuance of its public forecasts?

Mr. MYERS. I am not advocating that.

Senator CORTEZ MASTO. Great. And you would not remove these forecasts from the agency's website, *weather.gov*. Correct?

Mr. MYERS. Not at all.

Senator CORTEZ MASTO. Recently my colleagues in the House have requested information relating to the National Weather Service's operations and workforce analysis.

Will you commit to a fully transparent process and completely fulfill information requests from Congress so that they can be assured that any and all proposed decisions stemming from the operations and workforce analysis are, indeed, supported by evidence?

Mr. MYERS. Senator, yes, I will. In fact, I was one of the people who was interviewed for that analysis.

Senator CORTEZ MASTO. Thank you.

And then finally, I just want your comment on this. You are familiar with the Weather Profits Fund, LLC?

Mr. MYERS. Yes, I am.

Senator CORTEZ MASTO. Is that one that you are divesting all interest and ownership in or any involvement with?

Mr. MYERS. I do not have any interest or ownership in it.

Senator CORTEZ MASTO. Fantastic.

So in an article describing this venture, your brother, Joel Myers, was quoted as explaining how weather-based hedge funds could profit from inside information. And it was quoted and it said, “for example, an investment manager can benefit from knowing just 5 minutes ahead of time that the National Weather Service in Silver Spring, Maryland is about to reclassify a category 3 storm into a more powerful category 4 storm,” he said. That could cause a spike in the price of natural gas futures on which the manager could capitalize, Mr. Myers said. And there is concern that now you were the brother that would provide that inside information.

Can you address that article and address that concern?

Mr. MYERS. Senator, yes, I can. Actually that comment was made in conjunction with the concern that insider information could and was being used by people within the agency, not people outside of the agency. In fact, the National Weather Service has taken the unusual step in 2000 of issuing a letter but never formulated it into a policy that no employee of the government could invest in such futures. There not being any policy that actually stopped that, and there has been an ongoing concern just as there is in the U.S. Department of Agriculture’s crop reports, that there be an uniform release mechanism for all information to the public uniformly all at once and that no employee of any government agency should be able to leak that information elsewhere.

AccuWeather had no way to gain access to any such information, and there is no way I can imagine that I would have any way to do that. The people creating that information, the agency, have it first, and those are the people that need to be under some sort of a policy, I believe, to ensure uniform release as most other government agencies have.

Senator CORTEZ MASTO. Thank you. I notice my time is up. Thank you.

Senator SULLIVAN. Senator Inhofe.

**STATEMENT OF HON. JIM INHOFE,
U.S. SENATOR FROM OKLAHOMA**

Senator INHOFE. Thank you, Mr. Chairman.

First of all, we have lots of problems, and this administration is going to be addressing a lot of these problems. You know, I look at the deficit. It is something that we are going to have to do something about. We are going to have to get our heads together, and we are going to have to do it. I have 20 kids and grandkids that I do not want to hand these burdens off to. And so I would hope that you, in the position that I hope that you will be confirmed for—and I believe you will—would go along with doing everything we can to be as frugal as possible in running the administration that you would be involved in.

Would you do that?

Mr. MYERS. Yes, I will, Senator.

Senator INHOFE. Would you also be willing to listen to qualified scientists on every subject, including climate change?

Mr. MYERS. Yes, I will, Senator.

Senator INHOFE. After listening to the introduction by Senator Toomey, I cannot imagine anyone would question your qualifications for this office, and you definitely have it.

My State of Oklahoma has a couple unique things that are not prevalent in some of the other states. For one thing, we are in what we refer to as "tornado alley." I have been in aviation now for 60 years and I am still very active in it, and I know a lot of people who will not even fly through southern Kansas, northern Texas, and the State of Oklahoma. So we are special. We have special needs in that respect.

Have you thought about how you can look at some of the areas of the country that might need a little bit more attention than some of the rest of them? In our case, it happens to be in two areas. One is tornados and the other drought.

Mr. MYERS. Senator, thank you for that question, and I am well aware of your prowess as a pilot.

AccuWeather has offices actually in Edmond, Oklahoma and next door in neighboring Wichita, Kansas to deal with severe weather, and tornados present a unique problem especially to the United States, which is a country that has more tornados than any other country on Earth. And you are right in the middle of that.

Protecting lives and property is a critical mission that NOAA has, and improving tornado warnings and tornado warning lead time is critically important. The latest statistics show that in fact some of the lead times have decreased, and I am very concerned, if confirmed, to assure that that trend will be going in the other direction. It is critically important.

The issues of drought, of rainfall are also critically important in those states in the Midwest, and I am well aware of what those problems and issues are. And I believe that NOAA and the National Weather Service, certainly focusing on the weather bill that was passed, have a mission to look at the seasonal and sub-seasonal forecasting to assist farmers in that regard.

Senator INHOFE. Well, that is one of the areas that I am really interested in. I have been on the Senate Armed Services Committee for many years. I have served as Ranking Member on that. NOAA's polar and geostationary weather satellites currently enable the most accurate forecast in history. I mean, I have watched some of our tornados that have taken place like in Moore, Oklahoma where we would have the information. It is so much more now than it was 10 years ago, 20 years ago where the prediction is much, much more accurate. And so that takes care of that problem that we are having. I know that that is going to continue to improve, and under your leadership, you have the background to do that.

But so far as the national security is concerned, programs rely on the NOAA satellite data, including global cloud imagery used for planning and executing daily combat missions. Are you aware of that contribution that is being made of that technology to defending our nation?

Mr. MYERS. Yes, I am.

Senator INHOFE. And this is something that I would like to have you really concentrate on because it is an area where we are dependent upon that. It is a matter of saving lives. I think you and I have talked about that, and I think it is a very important part

of your mission. And I am hoping that you will particularly be engaged in that work.

Mr. MYERS. I pledge to do so, Senator.

Senator INHOFE. I look forward to working with you.

Thank you, Mr. Chairman.

Senator SULLIVAN. Senator Wicker.

**STATEMENT OF HON. ROGER F. WICKER,
U.S. SENATOR FROM MISSISSIPPI**

Senator WICKER. Thank you, Mr. Chairman.

Mr. Myers, I look forward to working with you on a number of issues of importance to my constituents and to the populace in general.

One of those would be the full implementation of the Coastal Act. The Coastal Act was signed into law July 6, 2012 and has still not been fully implemented. The problem that the Coastal Act addresses is this issue after a hurricane loss of determining whether that loss should be paid as a wind claim or a water claim under the flood insurance program. The Coastal Act was designed to lower the costs of FEMA's National Flood Insurance Program by better discerning wind versus water, particularly in cases where there is nothing left but a slab. There is data out there that can be used, and I think it is high time we got this bill fully implemented.

In that regard, I have introduced the Coastal Implementation Act of 2017 to make technical changes to the Act which would be necessary for NOAA to implement the law.

So I simply ask you, have you had time to familiarize yourself with this since we chatted earlier? And will you prioritize implementation of the Coastal Act so that coastal property owners can be assured of fair compensation after storms?

Mr. MYERS. Senator Wicker, thank you for that question.

Yes, I am familiar with the Act, and I am also familiar with the Federal Flood Insurance Act. In fact, AccuWeather has testified in many of those cases in the past that were very difficult to discern whether it was wind or water damage for homeowners. And so I applaud the fact that there is such an Act now, and its implementation is and should be a prime concern.

Senator WICKER. Well, very good. There is information out there that we gather that we think can divide up these losses in a fair way, and we can use that information. So thank you.

Let me switch then to the issue of aquaculture. And we know a little about aquaculture in my State of Mississippi because we produce more inland farm-raised catfish than all of the other states put together.

I am working on an aquaculture bill that would expand and enhance marine aquaculture. And, of course, NOAA will and does play a key role in this industry already but can really play a vital role as we expand this to what it can be for the United States and catch up with other nations there.

So as NOAA Administrator, will you work with me on my legislation to enhance aquaculture and advance the cause of marine aquaculture in the United States?

Mr. MYERS. Yes, I will, Senator.

Senator WICKER. Great.

And then let me just ask you to comment, if you will, about unmanned systems. I am going to ask you, if you are confirmed—and I am sure you will be—to work with me on a bill to encourage the use of unmanned maritime systems by NOAA to meet your mission priorities. Will you work with me on legislation to move these unmanned system technologies forward?

Mr. MYERS. I would be happy to.

Senator WICKER. Thank you. I look forward to working with you. Thank you, Mr. Chairman.

Senator SULLIVAN. Thank you, Senator Wicker.
Senator Udall.

**STATEMENT OF HON. TOM UDALL,
U.S. SENATOR FROM NEW MEXICO**

Senator UDALL. Thank you, Mr. Chairman.

Mr. Myers, NOAA's mission relies on the use and production of good science that is shared with the public, and the agency has demonstrated its commitment to good science by developing its own scientific integrity policy. The purpose of the scientific integrity policy is to strengthen scientists, decisionmakers, and the public's confidence in quality and reliable NOAA science and to demonstrate the agency's commitment to a culture of scientific excellence.

And I think you can probably answer this one in a yes or no format. You stated in your written testimony that scientific integrity has been a core value and central component in the success of the company you have led. Do you see a need to change the current scientific integrity policies at NOAA?

Mr. MYERS. I am familiar with the scientific integrity policy, and I believe it is a good one. I am not in a position right now to say whether I would suggest ways to improve it or not, but I certainly support the entire concept of scientific integrity underlying the work that is done.

Senator UDALL. And will you commit to maintaining a culture at the agency that respects the integrity of rigorously researched and tested scientific findings and that does not compromise scientific research and findings based on political and other non-scientific concerns?

Mr. MYERS. Yes.

Senator UDALL. I mean, one of the things that I think is so important in these agencies that have scientists is that they are career people. They have spent a lot of time. They are real resource. You do not intend to really disrupt that culture. Do you?

Mr. MYERS. I have no intent to disrupt the culture. I support quality, peer-reviewed science. I have supported it in academia, and I would support it at NOAA. So, no, I have no reason to do that.

Senator UDALL. Focusing right now on climate change research, will you commit to not undermine the agency's research on climate change?

Mr. MYERS. I have no reason to undermine any research, Senator, and certainly not that.

Senator UDALL. Thank you very much.

Let me ask you a little bit. Will you commit to support and carry out NOAA's statutory responsibilities implementing the full suite of

conservation laws, for example, the Endangered Species Act, the Marine Mammal Protection Act, and the National Marine Sanctuaries Act?

Mr. MYERS. Yes, I will.

Senator UDALL. And will you commit to support and advocate for NOAA's missions and not to interfere with or undermine those missions?

Mr. MYERS. Yes, I will.

Senator UDALL. Thank you very much, Mr. Chairman. Appreciate it.

Senator INHOFE [presiding]. Senator Cantwell.

**STATEMENT OF HON. MARIA CANTWELL,
U.S. SENATOR FROM WASHINGTON**

Senator CANTWELL. Thank you, Mr. Chairman.

Mr. Myers, we had a chance to talk about salmon, and obviously, in the Pacific Northwest, they are not only an economy, they are a part of our culture. Today there are 28 salmon stocks listed as endangered species under the Endangered Species Act in Washington, Oregon, California, and Idaho. A critical program in supporting the Pacific salmon fishery is the Pacific Coast Salmon Recovery Fund. The Trump administration budget would propose completely eliminating that fund. In addition, the largest commercial salmon fishery in the world, Bristol Bay, is something that would threaten with Pebble Mine our salmon. An assessment found by EPA that the mine poses a direct threat at \$1.5 billion of sockeye salmon and threatens 20,000 jobs.

So with these actions and also proposing fisheries science and management slashing of \$24 million, I have a feeling this administration is not as robustly supporting of fisheries science as we think that we need to have for good management and job creation.

So I like the fact that you are giving good short answers. So do you support eliminating the Pacific Coastal Salmon Recovery Fund?

Mr. MYERS. Senator, thank you for that question.

I was certainly not involved in the decision, but I understand that Secretary Ross has explained that hard decisions were made, and the line had to be drawn somewhere even with regard to top quality programs. I would certainly be interested in finding out more, if confirmed, as to how these decisions were made and what the future is with regard to these concerns and issues.

Senator CANTWELL. So that is an undecided? Is that what that is? Is that an undecided?

Mr. MYERS. I do not know that it was an undecided, Senator.

Senator CANTWELL. Do you support the Pacific Coast Salmon Recovery Fund?

Mr. MYERS. Well, as I understand it, as you said, the funding for that has not been recommended in the budget. So as I say, I think the concern is that we have a quality program that is currently not being funded.

Senator CANTWELL. Do you support cuts in stock assessments?

Mr. MYERS. Yes, I do.

Senator CANTWELL. You support cuts in stock assessments?

Mr. MYERS. No. I am sorry. I thought you said catch stock assessments. I am sorry.

Senator CANTWELL. Do you support the Administration's cuts in stock assessment?

Mr. MYERS. I am not intimately familiar with what they have done in terms of that. I would be happy to get back to you on that.

Senator CANTWELL. Yes, please do. This is very important.

Do you support the proposed Pebble Mine?

Mr. MYERS. Again, Senator, I am not intimately familiar with it. I know what the issue is, but I do not have the details of it.

Senator CANTWELL. Maybe you can come back and give us something on that. It is critically important. I know a lot of people are asking you about weather because of your background, but to me NOAA is about fish, and it is very important that we get these policies right.

I also want to ask you about a different conflict of interest issue, which is NOAA's role in oil spills and what you have to do. The Oil Pollution Act of 1990 is the bedrock of what oil spill prevention and response is. As the NOAA Under Secretary, you will have a leading role in ensuring that the law is executed and polluters pay.

As you know, Commerce Secretary Ross is still a shareholder in Diamond Shipping Group, a shipping company that operates 33 medium-range tankers that move petroleum and other products between international ports. Along with this role that you will have as Under Secretary, Secretary Ross oversees the large areas of response. Do you think Secretary Ross has a conflict of interest due to the ownership of Diamond Shipping and the authorities granted to him under the Oil Pollution Act of 1990? And if you do not know an answer here and you want to get back to me, that is OK too.

Mr. MYERS. Yes, I do not know an answer, and I would be happy to get back to you, Senator.

Senator CANTWELL. So what I am looking for is protection of a robust economy that is around our waters for fishing, and obviously, when oil spills happen, they damage those fisheries. I believe the Secretary is conflicted here. I think they keep changing their story as to whether he is involved or not involved. While you have a similar issue that you are trying to address here this morning, I am interested in what we are going to do to make sure that there are not conflicts here and that we know that someone is going to be aggressive in protecting our fisheries. So you can get back to me on those answers. I appreciate it.

Mr. MYERS. Thank you, Senator.

Senator CANTWELL. Thank you.

Senator INHOFE. Senator Duckworth.

**STATEMENT OF HON. TAMMY DUCKWORTH,
U.S. SENATOR FROM ILLINOIS**

Senator DUCKWORTH. Thank you.

I would like to return, Mr. Myers, to the discussion a little bit on sciences. As you know, science is the bedrock of NOAA for executing its mission. 11 out of the 12 previous NOAA administrators appointed by both Republican and Democratic Presidents have all held PhDs in a science-related field. You are a lawyer by training and an accomplished businessman, but I am concerned that your

background and experience lacks any scientific expertise that has benefited most of your predecessors. However, I have been very encouraged by your answers today and the answers you gave me in our multiple meetings that we have had about your support for science.

So I would like to ask you a couple questions briefly about how you will recommend NOAA approach its scientific work and whether you will surround yourself with scientists and allow them to do their jobs. Do you agree that scientific work at NOAA should be free of political agendas and any bias from senior management?

Mr. MYERS. Yes.

Senator DUCKWORTH. Do you agree that scientists and not political appointees should determine the direction of scientific work at NOAA?

Mr. MYERS. Yes.

Senator DUCKWORTH. Do you agree that science should be accessible to the public and published freely?

Mr. MYERS. The only clarification I have to that is that quality science that is peer-reviewed and meets the quality assurances that is generally considered appropriate in scientific fields, yes.

Senator DUCKWORTH. Do you agree that as a taxpayer-funded agency that the taxpayers should have access to the scientific results as a result of the work of scientists at NOAA?

Mr. MYERS. Yes, they should.

Senator DUCKWORTH. Thank you.

Mr. Myers, our military leaders have made it very clear that climate change is a national security issue that is exacerbating conflicts around the world. In fact, even in my own National Guard unit in Illinois, our commander of the Illinois Army National Guard actually gave a speech to us when I was a young officer saying that it does not matter if you believe in climate change or not, but the icecaps are melting and the Russians are going to get access to the polar reaches and we will have to defend, that drought is causing large population migrations in Africa and that will mean eventually greater U.S. involvement from the resulting conflict.

So I am alarmed that instead of heeding our military's sound logic regarding the interconnectedness of these issues, the Trump administration has done everything it can to prevent the Executive Branch from even talking about climate change. And this is reflected in the dramatic cuts, 32 percent, from NOAA's Climate Change Office.

How do you reconcile these observations? Do you support robust investments in climate change research, as well as action on climate change, and do you agree with our military leaders that human-caused climate change is indeed a national security threat?

Mr. MYERS. Senator, thank you for that question.

And I believe that actually General Mattis during his confirmation hearing addressed that same issue and indicated that climate change was a national security concern that was having effects with regard to our bases and other activities around the world.

And I also agree with you that if ice is melting, ice is melting, and one's opinion about it is really not relevant. It is a fact.

And so I fully support the ability, as I said, of scientists to do their work unfettered. That disinformation needs to be then made

available. Science should take us wherever it takes us, and we cannot dispute the facts once they are in front of us, and we need to act upon them.

Senator DUCKWORTH. Thank you.

A concern that I have with NOAA—this sort of touches on my colleague's mentioning that NOAA is just beyond weather. The National Weather Service's satellite budget is growing in dominance in terms of NOAA's overall budget, and as vital as that is, I would like to know how someone such as yourself who has dedicated your entire career to working on weather issues will deal with all of the other needs within NOAA that are non-weather related. How will you ensure, for example, that we have a modern fleet of satellites without neglecting other parts of the agency's mission as that fleet of satellites continues to be more expensive and requires greater resources?

Mr. MYERS. Thank you, Senator, for that question.

Certainly the satellite programs are a challenge. We have the best satellite program I believe in the world, and we have plans to continue to maintain it as such, which I support. But we are fortunate that we have new companies that are starting to come into the space with low orbit satellites that are smaller that do different or complementary missions, and we need to look at all those for solutions to the burgeoning costs of these things. But we definitely need to make sure that we ensure that we are getting the kind of data that we need to populate our weather models and do our weather forecasting because that is critically important.

And I fully agree with you that NOAA is a huge agency, and yes, my background is mostly in the weather side or so-called dry side of the agency. But if you look at the agency in terms of fisheries, oceans, coasts, planes and boats, buoys, weather—and I could go on and on. It is a huge agency with a huge portfolio of many diverse but somewhat interrelated aspects. And I hope to bring quality management and new ideas, new technology to all of it.

Senator DUCKWORTH. Will you ask for more funding for those programs if they need it?

Mr. MYERS. As needed as time goes by, of course I will.

Senator DUCKWORTH. Thank you.

I yield back.

Senator SULLIVAN [presiding]. Senator Peters.

**STATEMENT OF HON. GARY PETERS,
U.S. SENATOR FROM MICHIGAN**

Senator PETERS. Thank you, Mr. Chairman.

Mr. Myers, I will join my colleagues in welcoming you to the Committee, and I certainly do appreciate your willingness to serve the public as well. Thank you for your willingness to serve. And I certainly also appreciate the time we spent together in my office discussing many of these issues, some that you just outlined in great depth.

But I would like to hear today your thoughts on NOAA's cybersecurity and what steps you would take to protect data from foreign intrusion. In addition to being on this committee, I also serve on the Homeland Security Committee. I also serve on the Armed Services Committee. National security is something I think

a great deal about, and I think without question probably our number one national security risk are potential cyber attacks and not only potential, the ones that we have already received and will continue to get.

And my question to you, sir, is that last year NOAA upgraded its data dissemination infrastructure allowing faster data streaming speeds while improving the agency's cybersecurity. And as part of this shift, NOAA notified AccuWeather, your company, and other commercial weather providers the agency would no longer allow companies a physical link to NOAA's data assets in private industry, an agreement that was previously called the family of services which afforded companies, including AccuWeather, preferential treatment basically. NOAA's action to decouple the physical connection was taken at the direction of the National Security Council to provide faster and more secure data and specifically to protect the data from cybersecurity threats.

Your company, AccuWeather, was the only company to voice opposition to this improvement. And I understand you met with then Secretary of Commerce Pritzker to ask that she would intervene on your behalf, reverse the upgrade, and allow AccuWeather to continue to retain a physical link to NOAA's data despite some very clear cybersecurity risks associated with that.

So my question is, what steps will you take to uphold and to strengthen NOAA's management of cybersecurity threats?

Mr. MYERS. Senator, thank you very much for that question and maybe an opportunity to clarify something.

Actually the family of services is available to anyone. It is a paid connection. And most of the major companies in the weather industry had connections, and in fact, it is the only time I can remember every single company signed a letter of protest about an action taken by the National Weather Service.

Part of the reason for that, as it turned out, was that the explanation I think that was afforded to the companies that were connected that were being terminated at the time was not sufficient. But once we understood the national security issue that was involved—and it took a while to somewhat tease that out—we understood what was going on.

There was concern with regard to the new delivery mechanism because 95 percent of the public receives its information now in the United States with regard to weather through companies that are in the weather industry, and even delays of a few seconds in a tornado situation could be critical. So the industry was rightfully concerned about the issue of timeliness. We were not concerned about the issue of security nor the mechanism, and in fact, the current mechanism is what it is and it seems to be working. And we have worked with the government on that and other issues as changes take place. But I think it was quite a reasoned position to take at the time knowing what we knew and not knowing what we did not know.

Senator PETERS. And so knowing what you know now because you said your concern was timing not security, you do believe that security, especially cybersecurity, is of critical importance. And what steps do you plan to undertake, if confirmed?

Mr. MYERS. Senator, I fully agree that cybersecurity is a huge challenge and critically important. It is something we as a company and other companies address daily. It is something clearly that NOAA needs to address in the most effective way possible.

I believe actually NOAA is a national defense agency for a whole variety of reasons, some of which were mentioned previously in terms of the relationship with the military and the security of the Nation. So I fully support the need for robust cybersecurity.

Senator PETERS. Mr. Myers, we also had a chance to speak about marine sanctuaries when you were in my office, and we talked about Alpina, Michigan which is home to the Thunder Bay National Marine Sanctuary. I had an opportunity to show you some photographs of that wonderful sanctuary and the map of the sanctuary.

The Great Lakes also have a Wisconsin Lake Michigan sanctuary moving through the designation process and a nominated sanctuary in Lake Erie. The Thunder Bay sanctuary, as you and I talked about, draws hundreds of thousands of visitors annually, has revitalized coastal communities, certainly a very important part of NOAA's mission, I believe.

So I just want to get your commitment on the record and your thoughts about supporting and maintaining our current list of national marine sanctuaries.

Mr. MYERS. Thank you, Senator, for that. And I also want to thank you for the assurance that I could see a sanctuary in a glass-bottom boat and I was not going to have to dive.

No, I think that the sanctuary program has been a very good program, and I do support it. I know there are several others that are pending. I do not know the details on those, but agree that it is a quality program.

Senator PETERS. Thank you.

Senator SULLIVAN. Mr. Myers, I have just a few follow-up questions. One is, if confirmed—and I think that is highly likely. I think you have done an outstanding job in this hearing today, and you are very well qualified. Can I get your commitment to come to Alaska? We have a lot of NOAA services that I have explained to you in our meeting and then in this hearing today. I would welcome your commitment to do that.

Mr. MYERS. Well, Senator, thank you for that. I many times tell people I have visited every state in the Lower 48 and I have never been to Alaska or Hawaii. I would love to have the opportunity.

Senator SULLIVAN. Well, I think the Ranking Member and I want you to change that record. So if confirmed, can you commit to coming not just to Alaska but to Hawaii as well?

Mr. MYERS. Yes, I will.

Senator SULLIVAN. Great.

I think one thing you will see in Alaska is the size. Right? If you superimpose my state on the Lower 48, you will see Ketchikan, Alaska would be right around where St. Petersburg, Florida is and the Aleutian Island chain would be where San Diego is. That is the kind of territory we are talking about covering and that NOAA has responsibility for. And yet, Alaska has 3 percent of the weather capability found in the Lower 48. This is a serious safety concern for my constituents, many of whom live in extremely remote areas of

the country. We have few roads, making air and maritime transportation necessary for daily life. Therefore, timely, accurate, and accessible weather forecasts from the National Weather Service are essential.

In some cases, however, Alaskan air carriers have had to purchase weather data, which the National Weather Service is required by law to provide. Further, many Alaskans who travel to remote areas to hunt and fish rely on twice-a-day, broadband weather transmissions to help them determine if it is safe to travel that day.

We recently learned or heard that these radio transmissions, which are such a critical lifeline and safety line in Alaska, will no longer be reported with no plan to have a replacement program. This would be very devastating to my constituents.

Will you commit to helping enhance the weather reporting capabilities in Alaska, if confirmed, and take a look at this issue upon confirmation on the canceling of this very important and I think quite cost effective program for NOAA and my constituents?

Mr. MYERS. Senator Sullivan, thank you for the question.

I will be happy to look at it. I am not familiar with it at this time, but clearly your state is presented with challenges because of its size and population spread and these are special concerns that need to be considered.

Senator SULLIVAN. Great. Thank you.

Well, given our hope to place you on our next markup, the hearing record will remain open through Wednesday, December 6. During this time, Senators are asked to submit any questions for the record for you, Mr. Myers. Upon receipt, we respectfully ask that you submit written answers as expeditiously as possible to the Committee but no later than Monday, December 11.

Again, I want to thank you for appearing today, for your desire to serve your country and give back to your country, as you noted very movingly in your opening statement.

This hearing is now adjourned.

[Whereupon, at 12:10 p.m., the hearing was adjourned.]

A P P E N D I X

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. JOHN THUNE TO
BARRY LEE MYERS

Question 1. Section 405 of the of the Weather Research and Forecasting Innovation Act of 2017 (hereinafter, the Weather Act) specifically requires warning coordination meteorologists to increase NOAA's impact-based decision support services, including by liaising with users of products and services of the National Weather Service (NWS) and collaborating with State, local, and tribal governments. If confirmed, how would you seek to increase the NWS's deployment of impact-based decision support services?

Answer. I actively supported this legislation including this provision. I will serve as a blueprint to guide the agency. I am advised NOAA has taken preliminary steps to address the efficiency and effectiveness of its impact-based decision support services by commissioning a study on this topic. If confirmed as NOAA Administrator, I will review the recommendations of this new study to ensure that deployment of impact-based decision support services align with the core mission of the agency, coordinate with state, local and tribal governments, and best serve the American people.

Question 2. As you know, one of my priorities in the Weather Act is promoting research and forecasting for seasonal and subseasonal weather conditions. These forecasts are of vital importance to the vibrant agricultural economy in my state of South Dakota and help weather-dependent businesses make long-term decisions and avoid costs and even disasters. If confirmed, do you commit to ensuring these seasonal forecasts are a high priority for NOAA going forward?

Answer. Yes. Seasonal and subseasonal weather forecasts are an emerging and important new area for the National Weather Service mission. Increasing our ability to forecast weather events, from short-term events such as tornadoes to long term events such as drought, will improve our ability to protect American lives and property and enhance the national economy.

Question 3. The Senate Commerce Committee has jurisdiction over the United States Coast Guard, and in my role as Chairman I have continued to monitor the situation where Mexican citizens are illegally harvesting red snapper in U.S. waters off of Texas. The Coast Guard interdicts and seizes many of these launchas, but no civil penalties have been issued by NOAA to punish and stop this behavior. I am, however, aware of NOAA moving forward with a negative certification of Mexico resulting in restriction of some port access and services in the area. Will you continue to monitor this situation and keep me informed on discussions with Mexico to dissuade these bad actors from harvesting such a valuable fish in U.S. water?

Answer. Yes. I share your concern about poaching and how it impacts our ability to sustainably manage our fisheries. According to some Coast Guard numbers, illegal fishing along the U.S.-Mexico border costs the country over \$11 million in revenue each year. I understand that red snapper is a key fish that is targeted in these launchas, which hurts not only our commercial fishermen, who then have to compete with cheaper fish on the marketplace, but also our recreational fishermen whose seasons are limited as we attempt to rebuild the stock that is illegally depleted. I will keep you informed as we investigate opportunities to curtail these incursions on our commerce.

Question 4. Two years ago, in December 2015, the Committee first requested technical drafting assistance (TDA) from NOAA about the Fishing Capacity Reduction Program, specifically related to necessary authority. I have not received the requested TDA to date, despite numerous follow-up requests. I would like to know what authority would be required for NOAA to make individual loans under the program and what authority NOAA would need to refinance Capacity Reduction loans. If confirmed, can you commit to providing the requested TDA within two months of your confirmation?

Answer. Given that a priority of mine is reducing the seafood trade deficit, I am interested in finding ways to help our commercial fisheries maximize their sustainable harvests. I share the Committee's interest in helping to put fishing businesses on a level playing field with other businesses getting Federal loans and I will work expeditiously to understand the delay and work to provide the technical drafting guidance you seek.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. ROGER F. WICKER TO
BARRY LEE MYERS

Question 1. Would you agree that exploring emerging technology like smartphone apps for estimating angler catch is something NOAA Fisheries should be considering for managing saltwater recreational fisheries?

Answer. Yes. I understand there is concern with the methods that NOAA employs to estimate recreational landings because it appears that newer technology is available that could lead to more effective and timely catch count. It is difficult to effectively manage what cannot be accurately counted. It is in the best interest for all that NOAA pursue technologies to provide fishery managers with better, more reliable and real-time data to improve our recreational fishery management. Many of these technologies already exist in everyday use on mobile devices that utilize wireless communications and GPS locational technologies. I look forward to applying my private sector experience in developing mobile weather applications to facilitate these technologies for our recreational fisheries.

Question 2. What is the long term plan for NOAA to recapitalize or modernize the aging G-IV hurricane chase aircraft? Would you consider leasing a previously owned aircraft that could represent a more cost efficient option?

Answer. If confirmed, I will support the Weather Research and Forecasting Innovation Act, to acquire back-up capabilities that are currently provided by the G-IV aircraft. As part of this back-up capability all aspects of fulfilling this need from intra-governmental aircraft sharing MOUs to supplemental data from UAVs and public private partnerships should be considered. Additionally, refurbishment or replacement should be considered. Options to ensure no lapse in this critical component of the hurricane observing network needs to be the goal.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. DEAN HELLER TO
BARRY LEE MYERS

Question 1. As a rancher in Nevada, I check the weather every single day. I need to know about precipitation, soil moisture and temperature, changes in dewpoint, and other conditions.

Detailed weather data from NOAA is something Nevada ranchers and farmers—from Winnemucca to Ely and Elko—rely on every day to make decisions that will impact their yields for that year.

But there are some in the commercial weather industry who want to limit access to this data so it can be monetized.

Taxpayer dollars fund the collection of this data—and taxpayers should have full access to it.

Will you commit to continue collecting the weather data that allows ranchers and farmers to make informed decisions?

Answer. Yes. Weather data which is paid for with Taxpayer dollars should be available to all citizens.

Question 2. Will you commit to not limiting the National Weather Service from releasing forecast information to the public?

Answer. Yes. Weather forecasts which are funded by Taxpayer dollars should be available to all citizens.

Question 3. Will you commit that you will not hand over any National Weather Service data exclusively to a third party that could result in limited public access or a paywall for accessing weather data?

Answer. Yes. Weather data which is paid for with Taxpayer dollars should be available to all citizens.

Question 4. Will you commit that private companies will not receive weather data or forecasts before the general public has access to it?

Answer. Yes. All government weather data and forecasts should be made available to all—citizens and companies alike—through uniform release mechanisms which make the information available to all simultaneously.

Question 5. Another important NOAA program in Nevada is the Western Regional Climate Center.

The research they do touches on Lake Tahoe, water conservation in Nevada, monitoring smoke from fires, drought monitoring, and wind energy assessments.

Will you commit to supporting this program and the other centers?

Answer. NOAA's Regional Climate Centers are an important tool that helps NOAA pursue research in its climate portfolio. If confirmed, I will support NOAA's mission, which includes climate, weather, and ocean research.

RESPONSE TO WRITTEN QUESTION SUBMITTED BY HON. SHELLEY MOORE CAPITO
TO BARRY LEE MYERS

Question. NOAA has a large and significant presence in West Virginia, and we are very proud of the investment NOAA has made in my state—specifically in Fairmont, West Virginia. This facility serves as the primary backup facility for all of NOAA's emergency contingency operations. We would like to do more, and feel we have the people and the capabilities to do so. For example, WV plays a role, and can do more, in the realm of high performance computing.

Most recently, the West Virginia facility serves as the Consolidated Backup Facility for the GOES-R, now GOES-16, satellite mission that launched in November 2016 and was so vital in forecasting operations for the most recent hurricanes, including Hurricane Marie as it neared Puerto Rico last week. Will you commit to working with me to strengthen NOAA's partnership in Fairmont?

Answer. Yes. I understand that NOAA's facility in Fairmont has a quality reputation and is a linchpin in the I-79 Technology Park. If confirmed, I would appreciate the opportunity to visit the facility and investigate opportunities to strengthen NOAA's partnership in Fairmont.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BILL NELSON TO
BARRY LEE MYERS

Question 1. If NOAA elects to buy a greater percentage of data from the private sector to supplement the agency's weather data as you have advocated for in the past, how do you suggest balancing commercial weather companies' concerns about sharing proprietary models and data with NOAA's mandate to provide the American public and foreign partners with all available information to protect life and property—information that has been bought with taxpayer dollars?

Answer. My position has been that this is an area that needs to be studied as I support the NOAA mandate to provide the American public with all available information to protect life and property. Information supported by taxpayer dollars—whether created within the government or purchased from outside sources—needs to be made available according to applicable law and regulations to everyone freely and openly. Keeping data behind locked doors and away from American citizens through restrictive licenses is problematic. The Weather Research and Forecast Innovation Act signed this year opens the door for NOAA to work through this issue for the benefit of the Nation.

Question 2. In the past, you have said that sunny day forecasts should not be provided by the National Weather Service because they do not protect life and property. However, there are numerous examples of life or death situations that occur on sunny days. For example, sunny day flooding in Miami Beach can cause serious damage to property, and rip currents and swell size can be a matter of life and death for the thousands of people that use Florida's beaches. Furthermore, twelve senior citizens died from heat exhaustion in a nursing home after Hurricane Irma. This was on a sunny day. Free and accessible sunny day forecasts are critical to life and property. Can you make an assurance that, if you are confirmed, the National Weather Service will continue to freely provide all sunny-day forecast products it currently issues?

Answer. I think the question above is blending the "sunny day" forecast issue with life and property concerns. I agree that life and property concerns are paramount and within the mission of NOAA. Some of my past references about "sunny day" forecasts related to situations where staff was being pulled away from life and property tasks to handle routine matters. That is always a balance that needs to favor life and property protection.

Question 3. Can you commit to protecting current resources and funding for the National Weather Service's impact-based decision support services (IDSS)?

Answer. If confirmed, I will support further development of the National Weather Service's IDSS, which is an interpretative service provided to help core partners, such as emergency personnel and public safety officials, make decisions when weather, water and climate impacts the American people. This is part of the NWS Weather Ready Nation (WRN) initiative that I was a major contributor and support of prior to launch.

Question 4. The National Weather Service has an obligation to the taxpayers to provide products and services to protect life and property. Please list and describe any products or services that the National Weather Service currently provides that you believe fall outside of this obligation.

Answer. The National Weather Service provides life-saving forecasts and warnings every day. They carry out one of the core missions of NOAA. I support all of their core missions in (1) data creation and gathering including remote sensing from space, (2) numeric weather prediction (modeling), (3) severe weather warnings for water, tornadoes, hurricanes, snow, etc. (4) seasonal and sub-seasonal forecasting (5) climate prediction, to name a few. Outside of the obligation are special taxpayer funded value added forecasts for specific businesses and industries, for example. As the weather industry continues to evolve and advance, this will benefit NOAA and NWS and the Nation. We have the best weather services for our citizens of any nation on earth, and through cooperation between government and the private sector that will continue to be the case.

Question 5. In recent years, AccuWeather has registered a number of website domains that mimic official U.S. Government weather domains. When people go to those official-sounding domains, they are redirected to the AccuWeather website. For example, "nationalweatherservice.org" and "weatheralerts.org" were registered by AccuWeather. In the case of "nationalweatherservice.org," the National Weather Service requested that AccuWeather stop using that particular domain name, but AccuWeather refused. To this day, that site still redirects people to the AccuWeather site.

Answer. AccuWeather has never posed as a government entity, in fact it has the strongest weather brand in the world. Its website is also free to the public. At the outset of the Internet in the 1990s all companies, usually through their technical service and computer departments, and many government agencies, scrambled to create and secure domain names that they thought would be important. It was somewhat the "wild west" and many people went to significant lengths to secure variations of words and names. Additionally, there were at the start of the Internet only four domains .com, .net, .gov, and .edu. Back then the .gov designation was for government sites, and the other domains were for others to use. Additionally, many URLs and brand or trademarks did not align. And many people had URLs that sounded or looked similar to other brands or organizations. AccuWeather has always been sensitive to those concerns. And over the many years since those days has policed issues to ensure common sense in the use of URL and also trademark alignment. Today, in 2017, there are an unlimited number of domains. As a result, there are now dozens of "nationalweatherservice" domains currently in use or available for sale on the internet, such as "nationalweatherservice.network." These are totally unrelated to AccuWeather or the National Weather Service, and the number will only be expected to grow. I was not the AccuWeather CEO in the 1990s at that time and did not always know about the many URL domains we had or that others registered. However, on January 3, 2003, upon the request of the NWS, I was informed of this URL that had the name "national" "weather" and "service" in lower case letters and all run together as one long word with the .org URL suffix. In full cooperation with NWS I required the servers at AccuWeather be changed so that "nationalweatherservice.org" would no longer point to an AccuWeather site, and it was "mothballed," in cooperation with NWS and as NWS had requested. In 2005 I was advised by the NWS that the URL was functional again and ordered it terminated again. Until your question, it was assumed that it continued to be inactive. However, upon inquiry this week, it was discovered that on or about June 20, 2016 the company made server upgrades which updated all of the Domain Name Servers. This inadvertently reactivated the mothballed domain. That is why your staff thought it to be active. It has once again been deactivated. If you plug in that domain it will not go to AccuWeather. Such non-prompted domains usually generate little or no traffic. Although these actions under the Internet domain registration protocols were permissible, AccuWeather was responsive and cooperative with NWS when the issue was raised. In fact AccuWeather has always worked well with the NWS as to intellectual property concerns. For example, two years ago, at my behest, AccuWeather licensed two very important tornado warning observer reporting patents to NWS free of charge, for the good of the public. The URL issue above was

a minor unintended event. However, this situation, and your questions, have alerted me to an intellectual property issue relative to NOAA as to what actions were, and are, taken to protect the NWS brands and URLs, as a company would have done. This is an area I plan to have reviewed at NOAA, if confirmed.

Question 5A. What was AccuWeather's intent in registering these official-sounding websites and redirecting the traffic?

Answer. See answer to main question above.

Question 5B. Do you agree that this could be confusing to the general public—especially when someone is seeking official information on a hurricane or other severe weather event?

Answer. See answer to main question above.

Question 5C. If confirmed, what types of actions will you take to ensure that private weather forecasting services do not use websites to confuse people seeking emergency weather warnings?

Answer. See answer to main question above.

Question 6. Will you commit to standing up to climate deniers?

Answer. NOAA is an agency that must adhere to an information policy based on transparent, defensible, and reproducible scientific studies acquired through the well-established scientific method and peer-review process. Any and all research that adheres to required academic and Federal peer review standards should be disseminated.

Question 6A. Further, will you commit to continuing NOAA's important work on climate science?

Answer. Yes.

Question 6B. Lastly, will you commit to preserving the funding and resources that NOAA currently needs for climate research and outreach?

Answer. If confirmed, it is my intention to continue NOAA's scientific climate research and outreach within the funding authorized by Congress.

Question 7. For many residents of Florida, climate change and sea level rise are not theories—they are something they live with every day. Residents of Miami Beach and many other parts of South Florida, for example, now have to deal with street flooding during minor storms and King Tides. What do they need to do to prepare, and how can NOAA help them?

Answer. There is no disputing the observed sea-level rise, and the South Florida region has been experiencing an increase roughly six times the global average. NOAA can assist through the continued research on the causes and projections on sea level rise. NOAA's duty to the taxpayers is to continue to further the understanding and predictability of these processes, both anthropogenic and natural. In addition, NOAA's flood inundation capability may play an additive role here.

Question 8. In pre-hearing questions, you noted that, before publishing any scientific studies, NOAA must ensure that the data and research adhere to high standards of scientific quality. Do you think that NOAA currently adheres to high standards of scientific quality?

Answer. To the best of my knowledge I believe NOAA as an organization adheres to this policy, yes. I agree with, and support NOAA's scientific integrity policy NAO 202735D.

Question 8A. What is your opinion of NOAA's current peer review process?

Answer. While peer-review processes at any organization are not perfect, it is the most robust method for vetting scientific research. NOAA's use of OMB's "Final Information Quality Bulletin for Peer Review", which employs methods recommended by the National Academy of Sciences is a rigorous process.

Question 8B. If confirmed, do you plan to change or allow change to either NOAA's peer review process or scientific integrity policies?

Answer. If confirmed, I have no present plans to change either the process or peer review policy.

Question 9. By flying into and above storms, hurricane hunter aircraft collect critical data for NOAA's forecasts. Although these aircraft are critical to NOAA's forecasting capabilities, they are aging and there is no backup capability. Earlier this year Congress passed H.R. 353 requiring a backup capability for the hurricane hunters. However, there have been multiple emergency repairs this season. For example, in September, the main cabin door on the Gulfstream started leaking at forty-five thousand feet and the aircraft had to make an emergency landing during reconnaissance for Hurricane Maria. In light of the deteriorating condition of the current G-IV Hurricane Hunter and its inability to reliably perform its critical mis-

sion, if confirmed, do you commit to not only expediting the process for the backup plan but also replacing the current G-IV aircraft with a newer model?

Answer. The Weather Research and Forecasting Innovation Act requires this, and I do commit to providing this plan as fast as possible if confirmed. As part of this plan, all aspects to fulfilling this back-up capability from supplemental data to refurbishment or replacement should be considered.

Question 10. In 2016, NOAA published its plan for the recapitalization of its research vessel fleet. Some of these vessels are almost 50 years old, and two of NOAA's vessels were recently taken out of commission for extensive repairs. What will you do to ensure that NOAA's recapitalization plan stays on track and its vessels are able to continue carrying out their vital research missions?

Answer. I share your concern regarding the aging fleet of NOAA's vessels. These vessels have been instrumental to so many of the agencies' missions. I am aware of the Final Report of the NOAA Independent Review Team on NOAA Fleet Recapitalization (October 1, 2016) and personally met with the co-chair, Dick West, RADM, United States Navy (ret). If confirmed, I would work to implement it within available budget resources.

Question 11. An important part of setting annual catch limits in fisheries is the collection of fishery dependent data, but the collection of this data in recreational fisheries—through dockside interviews, mail-in questionnaires, etc.—has been challenging. As a result, lower recreational catch limits are set at more precautionary levels to make sure overfishing is prevented. In your view, what are the reasons accurate recreational fishing data collection is such a challenge and what will you do to improve it?

Answer. Garnering accurate recreational fishing data is a challenge, particularly in Florida where there are thousands of docks and points of access for recreational fishermen and The Commission on Saltwater Recreational Fisheries Management published statistics that show that there are 4,878,000 recreational saltwater anglers in Florida, more than any other state. Commercial and for-hire data is much more robust and with the use of electronic reporting these sectors have been able to minimize uncertainty and therefore maximize their harvests. The ability to more accurately and timely estimate or measure recreational landings will require the use of technologies such as applications on mobile devices. Facilitating the development, implementation and certification of these technologies will be a priority, should I be confirmed.

Question 12. One of the most important provisions in the last Magnuson-Stevens Act reauthorization was to require fishery management councils to set annual catch limits in all fisheries that cannot, by law, exceed the levels recommended by their scientific and statistical committees. The result has been that many fisheries have returned to healthier levels than we have seen for a long time. What are your views on the importance of science-based annual catch limits and accountability measures in sustainable fishery management?

Answer. Science-based catch limits and accountability measures have been, and will continue to be, key components in the rebuilding of many of our fish stocks. Accurate data is a critical core input to these approaches.

Question 12A. Are you committed to basing management decisions on the best available science?

Answer. Yes, science needs to guide management decisions.

Question 13. To save lives and property, it is essential to have accurate, accessible forecasts. This is the core function of the National Weather Service. As of July, however, the National Weather Service had over six hundred vacant positions out of a workforce of over four thousand. If confirmed, what will you do to address the employment vacancies?

Answer. I understand there are vacancies throughout the agency, but NWS appears to be the most challenged in this regard. If confirmed, I will take into account the recent National Weather Service Operations Workforce Analysis (OWA) performed by McKinsey & Co. and independently evaluate the situation, to ensure we recruit, hire, train, and retain a robust and highly skilled workforce that can most effectively accomplish the NOAA mission and within the budget limits as appropriated by Congress.

Question 13A. Will you commit to exempting weather service public safety employees from any hiring delay or freeze?

Answer. If confirmed, I will study the reports mentioned above to better understand the cause of these delays, and the most efficient process to mitigate them in the future.

Question 14. In your response to pre-hearing questions on the weather satellite system, you state, “NOAA will need to understand and manage the risks to these programs and potential rescheduling options to ensure that it is cost-effective in meeting long term programmatic requirements.” If you are confirmed, will you commit to providing a strategy, in writing, on how you plan to address managing the risks to these programs (for example, the JPSS and GOES programs) while ensuring that there is no gap in satellite coverage?

Answer. If confirmed, I will have the agency develop and provide a strategy, and look forward to working with you and your staff to ensure we have continuity of observations, while taking into consideration opportunities to reduce risk, save resources and advance capabilities.

Question 15. In 2017, the NESDIS Independent Review Team found that without accelerating the launches of JPSS-3/4 (the Polar Follow-On program) there is a high probability of a gap in coverage from our Polar-orbiting operational environmental satellite constellation. However, the administration has proposed reducing funds for the Polar Follow-on program. In light of this, how will you work to ensure there is no gap in coverage?

Answer. I appreciate the difficulties and challenges associated with NOAA’s satellite programs and their budgets. In recent years, NOAA satellites have accounted for roughly 40 percent of the agency’s overall budget while simultaneously trying to balance other important portfolios. My understanding is that the President’s FY18 budget includes funding to develop PFO/JPSS-3 and JPSS-4 instruments and spacecraft buses that are copies of JPSS-2. If confirmed, I look forward to reviewing this plan and working with Congress to avoid a gap in coverage.

Question 16. Between NOAA’s cancellation of the COSMIC-2B program and the so far unsuccessful commercial weather satellite data pilot program, there is concern that NOAA may be facing a gap in critical radio occultation data. How do you plan to mitigate this gap?

Answer. My understanding is that NOAA is pushing forward with the second round of the commercial weather data pilot program. If confirmed, I look forward to overseeing this program. Radio Occultation data has proven an important observing system and its data feeds into our numerical weather models.

Question 16A. Further, if the commercial weather satellite data pilot program continues to prove unsuccessful, how would you suggest using the money allocated for that program in a more effective manner?

Answer. The Weather Act provides specific funding for the commercial weather data pilot program for the next four years. As this program continues, it will be important to monitor its progress and make further decisions at the appropriate time.

Question 17. The CDARS program within NESDIS supports the space-based components of both the Argos and the Search and Rescue Satellite Aided Tracking Systems (SARSAT). However, the existing constellation of satellites supporting the Argos and SARSAT systems is operating well past its design life. It is necessary to fully fund the CDARS program to deliver updated Argos and SARSAT instruments into space by 2021, but the President requested only \$500,000 for the program—a minuscule amount compared to the \$49 million needed to run the program. Without a substantial increase in funding, we are in danger of major coverage gaps for the Argos and the SARSAT systems. How do you plan to mitigate these gaps in the face of a severely reduced budget?

Answer. My understanding is that the President’s Budget Request for Fiscal Year 2018 provides funding for the CDARS program. The CDARS program provides an important mission for NOAA, and I look forward to working with you to continue this program.

Question 18. Scientific literature states national marine sanctuaries and other protected areas are essential to maintaining the health of the oceans. This includes the health of fish populations that American fisheries depend upon. Even though all of the United States’ marine sanctuaries, monuments, and other protected areas make up less than 1 percent of the EEZ, these areas have been singled out by the current administration to open them up to oil and gas development—an activity that has repeatedly proven to be detrimental to the environment. In addition, opening up marine sanctuaries to oil and gas development is in direct contravention of the extensive public review process where local stakeholders determine which activities are allowed to occur in their sanctuaries. If confirmed, what will you do as NOAA Administrator to maintain the size and integrity of the U.S.’ existing marine protected areas?

Answer. If confirmed, I will uphold the statutory responsibilities of the agency. I understand that marine protected areas provide significant ecological and economic benefits. I will support the transparent, and inclusive processes to establish

such areas through the essential fish habitat protocols in the Magnuson-Stevens Act and the National Marine Sanctuaries Act.

Question 19. Two new sites—Wisconsin-Lake Michigan and Mallow Bay-Potomac River (MD)—are in the public process for being considered sanctuaries. Both sites were nominated and supported by Republican governors in partnership with their local communities with strong letters of bipartisan support. Will you support the current community-driven efforts to expand sanctuaries and designate new ones to conserve critical natural, cultural, and historic resources for future generations?

Answer. I understand that the pending sites are going through the proper rule-making procedures. If confirmed, I will support the National Marine Sanctuaries Program and those local communities interested in expanding it.

Question 20. NOAA has a role in the Department of Interior's offshore oil and gas leasing decisions. How will you ensure that, in the face of pressure from the administration to fulfill the directives under Executive Order 13795, NOAA applies the highest scientific standards and takes into account the most accurate and up-to-date scientific information available on the impacts of seismic and oil and gas activities on marine mammals, habitat, and fisheries in its permitting decisions?

Answer. I have previously stated and continue to affirm my intentions to adhere to NOAA's legal obligations with respect to its important role in conducting environmental review of offshore energy development. I also believe that more can be done to leverage the extramural research community, particular in areas such as underwater acoustic impacts on marine life. If confirmed, I look forward to making progress in this area.

Question 21. In response to Question C.3 on your Committee Questionnaire, you stated that "AccuWeather has been involved in routine civil and administrative actions, such as contracts disputes and employee claims for unemployment compensation, workers compensation, and other personnel matters." The response did not, however, provide any detail on the substance of these actions. On February 23, 2017, Bloomberg reported that the Department of Labor brought an administrative action against AccuWeather (OFCCP v. AccuWeather, Inc., Dep't of Labor A.L.J. No. 2017-OFC-11) alleging that AccuWeather, in its capacity as a government contractor, denied access to Department of Labor inspectors seeking data on a sexual orientation bias complaint. Please provide a copy of the complaint, any responses filed by AccuWeather, and a detailed summary of the current status or disposition of this case.

Answer. This is a matter working through a legal process. As such, I am not in a position to comment on or provide disclosures from the company. I can state that the government was not denied access, rather there was a jurisdictional dispute that had to first be resolved. Once that was resolved they were given full cooperation. I can also state that AccuWeather has denied any liability in this case. The case is not yet resolved. AccuWeather is proud of its LBGTQ policies and related positive actions and support which go back many decades.

Question 22. How have you handled any allegations of workplace harassment as CEO of AccuWeather? NOAA has recently ordered the Ship Reuben Lasker to return to port immediately to initiate an investigation into allegations of inappropriate harassing behavior aboard the ship. If confirmed, how would you handle an investigation of this nature as the Administrator of NOAA?

Answer. Such complaints are handled by the company's Human Resources Department and General Counsel's office. In my past role as General Counsel I did handle such complaints. Such situations are inappropriate and have no place in the workplace. Clear policies and swift action are needed. I will fully implement Subtitle C-Sexual Harassment and Assault Prevention at the National Oceanic and Atmospheric Administration S. 2943.

Question 23. The Southeast Fishery Science Center in Florida has experienced recurring coastal flooding problems in recent years. This flooding is only likely to get worse over time, as a result of increasing sea level rise. Most recently, the Center incurred \$1.3 million in damage as a result of Hurricane Irma and will require significant repairs to become fully operational once more. Given the important role it plays in the sustainable management of fisheries off Florida's coasts, what, in your view, is the long-term solution to the coastal flooding problems Florida's Southeast Fishery Science Center faces?

Answer. I share your concern about damage to NOAA's facilities as a result of sea level rise and also this year's hurricanes, and improving the resilience of NOAA's coastal infrastructure. I am not familiar with the specific circumstances of the Southeast Fishery Science Center but, if confirmed, I will be interested in working with you on solutions.

Question 24. Despite having the second longest coastline in the U.S., no NOAA research vessels are homeported in Florida. This absence severely limits NOAA's research and operational capabilities. Recently, the Senate Commerce Committee voted to pass S. 1129, which requires that NOAA complete a strategic plan for the construction or acquisition of the facilities needed to allow for an oceanographic research vessel to be homeported in St. Petersburg, Florida. In light of this, if confirmed, would you direct NOAA to homeport a new, existing, or reactivated research vessel in St. Petersburg, Florida?

Answer. I am aware of the Final Report of the NOAA Independent Review Team on NOAA Fleet Recapitalization (October 1, 2016) and personally met with the co-chair, Dick West, RADM, United States Navy (ret). I understand there is a large amount of oceanographic expertise in Florida, including the University of South Florida in St. Petersburg. Consequently, I will consider homeporting a research vessel there, should that be a consideration in the strategic plan.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARIA CANTWELL TO
BARRY LEE MYERS

Oil Spills

Question 1. The National Oceanic and Atmospheric Administration (NOAA) has a leading role under the Oil Pollution Act of 1990. What do you envision NOAA's role is before, during, and after an oil spill occurs?

Answer. NOAA's programs have important responsibilities with respect to oil spill response. Prior to a spill, NOAA conducts environmental review under several different authorities including the Endangered Species Act, Marine Mammal Protection Act, and Magnuson-Stevens Act (for essential fish habitat). During a spill, NOAA assists with projecting the trajectory of the spill, declaring fishery disasters, and advising on impacts of various response strategies with respect to trust natural resources. After the spill, NOAA assists with the Natural Disaster Response Assessment. If confirmed, I will maintain these and other required roles with respect to the Oil Pollution Act and related statutes.

Question 2. Commerce Secretary Ross is still a shareholder in Diamond S. Shipping Group, as well as other shipping companies. Diamond S. Shipping operates 33 medium range tankers that move petroleum and other products between international ports. In Secretary Ross' current position he plays a role in a number of key oil spill response activities including damage liability determinations. Do you think Secretary Ross has a conflict of interest due to his ownership of Diamond Shipping and the authorities granted to him under the Oil Pollution Act of 1990? Do you think Secretary Ross should recuse himself from all oil spill related Commerce business? What will you do to ensure NOAA's oil spill activities are kept separate from the Secretary's office?

Answer. I am not aware of the specific circumstances of the Diamond S. Shipping Group. It is always important to avoid conflicts of interest.

Pacific Coastal Salmon Recovery Fund and Bristol Bay, Alaska

Question 3. Healthy salmon populations are critical to our economy and culture in Washington State, and throughout the Pacific Northwest. Today, there are 28 salmon stocks listed under the Endangered Species Act in Washington, Oregon, California and Idaho. A critical program in supporting the Pacific salmon fishery is the Pacific Coast Salmon Recovery Fund. The Trump Administration's proposed budget would have completely eliminated the fund. Do you support eliminating funding for the Pacific Coast Salmon Recovery Fund? Why or why not? If you support elimination of this funding what is your specific plan to ensure NOAA's continued support of protecting, restoring, and conserving Pacific salmon and steelhead? Do you generally support funding for salmon management and restoration? How will you ensure that NOAA meets its obligation to treaty tribes with salmon fishing rights if funding is cut?

Answer. I do support funding for salmon management and restoration. I appreciate the economic and cultural benefits that salmon provides and while a good program, the PCSRF was indeed targeted for elimination in the FY2018 budget request and was targeted for elimination in a previous budget under President Obama before subsequent amendment. As Secretary Ross testified, the current budget environment requires a line to be drawn somewhere, and unfortunately several quality programs including PCSRF fell below the line. If confirmed, I look forward to learning more about the program and other opportunities to protect, restore and support salmon habitat in the development of future budget requests.

Question 4. A 2014 assessment by the EPA found that the proposed mine poses a direct threat to the \$1.5 billion Bristol Bay sockeye fishery and the over 20,000 American jobs that it supports. Do you support the Pebble Mine? How would the proposed Pebble Mine impact the fisheries that NOAA manages?

Answer. I understand that Bristol Bay may be the world's most productive fishery, with over 40 million sockeye salmon returning to Bristol Bay's rivers every year. I support a transparent inclusive environmental review based on the best available information. The threats to essential fish habitat should be considered and I will support NOAA's role in that process.

Question 5. The Trump Administration's budget also proposes slashing funding for fisheries, science, and management by \$24.5 million. This funding provides support for reef fish stock assessments, cooperative research for fisheries data collection, the National Catch Share Program, and interjurisdictional fisheries grants. During your nomination hearing and in your pre-hearing answers, you said you support President Trump's FY 2018 NOAA Budget proposal. How will NOAA be able to make science-based fishery management decisions without adequate funding for stock assessments? Why do you support these cuts? If you support these cuts what is your specific plan to ensure NOAA's ability to conduct stock assessments will not be compromised?

Answer. Stock assessments are the lifeblood of our fishery management system and have been supported by industry, environmental groups and both sides of the aisle in Congress. Given an overall allocation that reduces NOAA by 16 percent, I view the comparatively low 4–5 percent reduction as an indication that the Administration supports fishery science and management. If confirmed, stock assessments will continue to be a top priority and it will need to be managed within the budget challenges.

Fisheries

Question 6. Do you support our Nation's conservation laws, including the Magnuson-Stevens Fishery Conservation and Management Act, Endangered Species Act, Marine Mammal Protection Act, Coastal Zone Management Act, and the National Marine Sanctuaries Act?

Answer. Yes.

Question 7. Do you commit to carry out NOAA's statutory responsibilities implementing all of those laws?

Answer. Yes.

Question 8. Do you believe that conservation under those laws are part of NOAA's core mission and core responsibilities and is worthy of fully funding?

Answer. Conservation is a core mission of NOAA, and one that is shared with states and localities. If confirmed, I would continue to support NOAA's conservation programs within the appropriated funding levels.

Question 9. If others in the administration ever proposed actions that violated any of these laws (like overfishing in violation of the Magnuson-Stevens Act), how would you react? What specific steps would you take to meet NOAA mandates under the Magnuson-Stevens Act?

Answer. If confirmed I would uphold the spirit and intent of the Magnuson-Stevens Act and I would advise others of the responsibilities as NOAA sees them.

Question 10. Do you agree that overfishing should never be allowed?

Answer. Ending overfishing is one of the main goals of the Magnuson-Stevens Act and I support that law.

Question 11. Do you agree that depleted fisheries should be rebuilt?

Answer. The Magnuson-Stevens Act requires that fisheries be rebuilt and I support that law.

Question 12. Do you agree that fisheries management decisions should be based on the best available science?

Answer. Yes, as per national standard 2.

Question 13. Will you commit to opposing ANY actions that would undermine these core conservation principles of the Act?

Answer. If confirmed I would uphold the spirit and intent of the Magnuson-Stevens Act.

Fisheries Enforcement

Question 14. Over the past decade the number of Mexican lanchas illegally fishing for U.S. target species, such as red snapper, has exponentially increased. Illegal fishing along the U.S. Mexico border costs the United States over \$11 million in revenue each year. In 2013 and 2014 combined, 1,525,715 lbs of red snapper was

poached from U.S. waters by Mexican lanchas. The Coast Guard has the responsibility to board and interdict these vessels. However, once interdicted any determinations to document the case or pursue civil penalties against the mariners solely resides with NOAA. Historically, NOAA has chosen not to document or pursue civil penalties against these mariners. Additionally, the Department of Justice will only pursue criminal penalties against these mariners if there is a documented history of illegal fishing. Why isn't NOAA documenting or pursuing civil penalties against mariners who are illegally fishing targeted species in U.S. waters? Current actions are clearly not effectively deterring illegal fishing in our waters. What is your plan to fix this?

Answer. I share your concern about this poaching and how it is impacting our ability to sustainably manage our fisheries. These illegal landings hurt not only our commercial fishermen, who then have to compete with cheaper fish on the marketplace, but also our recreational fishermen whose seasons are limited as we attempt to rebuild the stocks that have been illegally depleted.

I am not aware of why NOAA has not pursued documenting and pursuing penalties. I will keep you informed as I investigate opportunities, including enforcement, port restrictions and trade sanctions, to curtail these incursions on our commerce. I look forward to working with Congress to level the playing field for our domestic commercial sector while also improve access for our recreational fishermen.

Question 15. In the 2018 NOAA Blue Book, NOAA requested a one million dollar reduction in funding for fisheries enforcement. NOAA is already struggling to take appropriate actions to deter illegal fishing. How will you be able to reduce illegal fishing without adequate funding to support this mission?

Answer. I share your concern regarding fisheries enforcement. I am not aware of the basis for the reduction. If confirmed, I will look for opportunities to leverage partnerships with other agencies and develop and deploy new technologies that could reduce the cost of enforcement.

The National Weather Service

Question 16. This year the United States is enduring one of its most costly years for extreme weather—a near-record 16 billion-dollar weather disasters have ravaged the Nation. Compounding these effects are the obstacles the National Weather Service has faced trying to fill a growing number of vacant forecaster positions. There are currently nearly 700 unfilled positions at the National Weather Service and a report from the Government Accountability Office showed staff vacancies increased 57 percent from 2014 to 2016. In addition, the Trump Administration proposed a 6 percent cut in funding to the National Weather Service and prevented 216 jobs from being filled prior to the 2017 hurricane season due to a government wide hiring freeze. What is your plan to restore staffing to adequate levels? Do you support these proposed budget cuts or types of hiring freezes? How will you be able to restore staffing with these obstacles?

Answer. I understand there are vacancies throughout the agency, but NWS appears to be the most challenged in this regard. If confirmed, I will take into account the recent National Weather Service Operations Workforce Analysis (OWA) performed by McKinsey & Co. and identify the cause of these delays, and the most efficient process to mitigate them in the future. Additionally, if confirmed, I will ensure we recruit, hire, train, and retain a robust and highly skilled workforce that can most effectively accomplish the NOAA mission and within the budget limits as appropriated by Congress.

Question 17. Reliable, accurate, and publically available weather modeling and forecasts are critical in saving lives and protecting our country's infrastructure. I am concerned that we continue to rely on the European model during extreme forecasts. Even the nightly news compares the "U.S. model" to the European one. In your role at NOAA what is your plan to bring U.S. weather prediction and forecasting up to the level it needs to be to protect Americans?

Answer. NOAA's weather models have been bested in many circumstances by other models in the world, most notably the European weather model. To improve NOAA's numerical weather prediction capabilities, we must ensure that we are focusing the appropriate resources toward making substantial improvements. I believe the Weather Research and Forecasting Innovation Act provides a framework for the United States to substantially enhance our focus on improving weather models and forecasts, including research-to-operations, outreach to harness the innovations occurring at universities and within private industry. I am committed to making America's work in this area, second to none.

Question 18. There is a significant gap in Doppler radar coverage in Central Washington state. This gap presents a number of challenges, including restricting

first responders ability to accurately forecast and respond to wildfires in the region. What can NOAA do to help close this gap in Doppler coverage in Central Washington?

Answer. If confirmed, I will work with the Committee to explore the ways we can address these gaps in coverage. Gaps in radar coverage are well known and are problematic, not just from the aspect of beam overshoot, which can miss low-level phenomena like tornadic circulation, snow and sleet (all of which can be missed within the radar beam radial sweep), but also from general topographic blocking in mountainous terrain. Additional radars, managed by local TV stations and airports, do exist. Whether or not they are able to fill the gaps or are able to provide data to the quality and reliability that is needed would be something that should be explored. There may also be a need in industry to have radar data for purposes beyond protection of life and property of the general public. Public-private partnerships and possibly shared-cost models might be an option. Additionally, there may be non-radar related sampling and observing methods to mitigate some of these issues. If confirmed, I would employ an approach to assess all reasonable and appropriate options to eliminate the gaps that leave taxpayers exposed to severe weather threats.

Question 19. Do you view the National Weather Service supercomputing capacity as sufficient for both NWS and OAR activities? Why or why not? How does this capacity compare to our international counterparts?

Answer. The NOAA HPC resources are less than both UKMO and ECMWF. Additionally, whereas ECMWF and UKMO only focus on their global modelling system, NWS runs a broad suite of models from space weather to global to tropical and regional models.

Question 20. Do you support climate modeling and forecasting? Do you support budget cuts to climate programs in NOAA, and throughout the Administration?

Answer. I support research in climate change causation and prediction. In difficult budgetary situations, we must look to ensure funding for many programs under NOAA's portfolio. While some programs have received reduced growth or reductions compared to recent years, it is my intent to continue the research of all NOAA portfolio areas, including climate programs.

Conflicts of Interest

Question 21. You stated that you, "Will not participate personally and substantially in any particular matter that to your knowledge has a direct and predictable effect on your spouse's compensation or employment with AccuWeather." How can you effectively perform the job of Under Secretary while also having to remove yourself whenever the issue at hand could potentially impact the financial holdings of your family?

Answer. My spouse will be resigning from the company simultaneously with me and therefore such conflict will be eliminated. I will follow the advice and guidance of the ethics officials from the Department of Commerce/NOAA to ensure that I comply with all ethics laws and regulations.

Question 22. Once a political appointee is confirmed, the recusal processes relies heavily on self-accountability. How will you ensure transparency with the public and Congress when potential conflicts of interest arise? Will do you document your recusals or conflicts of interest that arise and make them available immediately to Congress?

Answer. I will rely upon the guidance from the Office of Government Ethics or other agencies with jurisdiction for their guidance. I will follow the advice and guidance of the ethics officials from the Department of Commerce/NOAA to ensure that I comply with all ethics laws and regulations.

Question 23. The fact that your brother can still stay in senior management at a private weather company, while you hold a top position that oversees the public National Weather Service, and those two positions are perfectly compatible, is troubling to say the least. How and what is your specific plan to divest from issues within NOAA that might bring about financial gain to your wife, not to mention issues that would benefit your brother? Can you explain to me how you can serve the American people competently while also having to maintain impartiality?

Answer. As mentioned above, my wife will be leaving the company when I do. No one person can dissolve all personal relationships when they move from the private sector to the public sector—friends and relatives. Many successful people in business have deep relationships across a variety of businesses and industries. That does not mean they cannot serve. There are Federal statute and guidelines as to conflicts and recusals. Quality people of character should be expected to comport with dignity and appropriate decorum. I will follow the advice and guidance of the ethics officials

from the Department of Commerce/NOAA to ensure that I comply with all ethics laws and regulations.

Question 24. Do you have any intention of returning to AccuWeather after serving as the Under Secretary of Commerce for Oceans and Atmosphere?

Answer. No.

Budget

Question 25. This year NOAA awarded \$1.4 million in Coastal Resilience Grant funding to the Washington Department of Fish and Wildlife. In your answers to my pre-hearing questions you responded that you supported the Trump Administration's 16 percent cut to the NOAA budget. The proposed cuts include complete elimination of the Coastal Resilience Grant Fund. Why do you support termination of the Coastal Resilience Grant Program, a program that directly supports efforts to protect life and property from coastal hazards? What is your plan to ensure NOAA will continue to support states' participation in the National Coastal Zone Management program? How will you be able to enact your plan without adequate funding?

Answer. If confirmed as Administrator, it would be my role to understand the valuable programs that NOAA employs and set priorities for those that are central to NOAA's core mission. One factor to consider when formulating a budget is the ability to offset cuts through partnerships with state and local governments or external groups. If confirmed, I would be an advocate for working with the Administration and Congress to support adequate funding to meet NOAA's mission needs.

Question 26. The President's Budget would also result in complete elimination of the John H. Prescott Marine Mammal Rescue Assistance Grants program. I introduced a bill last Congress that reauthorizes the grant program. My bill had bipartisan support. This is the only Federal funding source for the stranding network. NOAA's FY18 Blue Book states "Eliminating funding for this program will also decrease data and resources from the stranding network, which helps NOAA establish links between marine mammal health and the condition of coastal ecosystems." Why do you support the termination of a grant program, like the Prescott Marine Mammal Rescue Grant program, that is noncontroversial and has bipartisan congressional support? How will NOAA be able to carry out its mission "to conserve and manage coastal and marine ecosystems and resources" without this critical funding?

Answer. Given the budget allocation, certain valuable programs, including the Prescott Marine Mammal Rescue Assistance Grants, fell below the line of programs that the agency could afford. I look forward to learning more about these priorities to help inform future budget requests.

Question 27. In your role as Under Secretary of Commerce for Oceans and Atmosphere you will be charged to make decisions and act in the best interest of the public and NOAA. Your unwavering support for the Trump Administration's unprecedented 16 percent cut to NOAA in the Fiscal Year 2018 budget does not indicate to me that you are in support of what is best for NOAA. Under the President's proposed budget there are offices within NOAA which would be subjected to over a 30 percent cut. What will you do in your role as the Under Secretary to prevent NOAA from being whittled away and advocate for funding? How will you convey to the Administration that adequately funding NOAA is a paramount priority and in the best interest of the public?

Answer. If confirmed as Administrator, it would be my role to understand the valuable programs that NOAA employs and set priorities for those that are central to NOAA's core mission. One factor to consider when formulating a budget is the ability to offset cuts through partnerships with state and local governments or external groups. If confirmed, I would be an advocate for working with the Administration and Congress to support adequate funding to meet NOAA's mission needs.

Ocean Acidification

Question 28. In Washington state, shellfish populations plummeted about a decade ago, putting thousands of family wage jobs at risk. Luckily, NOAA, UW and OSU scientists determined that ocean acidification was impacting juvenile oysters, and developed solutions to mitigate that impact, saving an industry in my state. Without NOAA's scientists, it's entirely possible that Washington's shellfish industry and thousands of jobs would have been wiped out before we even knew what was happening. Do you agree that ocean acidification is happening, and that it's a real problem? Do you support ocean acidification research and Federal support for ocean acidification monitoring in the IOOS network, including NANOOS?

Answer. Ocean acidification is being measured and is a problem, particularly at higher latitudes where it has impacted the shellfish industry. I support ocean acidification research and leveraging the IOOS regions and assets to advance monitoring and forecasting.

Question 29. Do you agree that ocean acidification poses an active economic threat to coastal communities across the U.S.?

Answer. Yes, there have been recorded impacts of acidification on the shellfish industry.

Question 30. Do you support the work of the NOAA Ocean Acidification Program as authorized under the Federal Ocean Acidification Research and Monitoring (FOARAM) Act?

Answer. Yes.

Revitalizing the Economy of Fisheries in the Pacific Act

Question 31. The fishing industry is crucial to Washington state's coastal economy. Last Congress, I spearheaded the Revitalizing the Economy of Fisheries in the Pacific Act (Pacific REFI Act) which was intended to put fishing businesses on a level playing field with other businesses receiving Federal loans. However, NOAA has not implemented the Act's provisions. Why hasn't NOAA implemented this Act? Do you think fishermen should receive the same interest rates on Federal loans as other businesses? Should there be barriers for them to refinance these loans to current rates? What will you do to afford groundfish fishermen the flexibility they need to grow their businesses and help spur economic activity in communities all along our coast? Will you supply the technical support required to fully implement the REFI Pacific Act? If so, when?

Answer. I have been informed of the general aspects regarding the Pacific REFI Act and failure to implement it. My understanding is that NOAA issued a proposed rule on August 6, 2015 to refinance the loan; however, it required an appropriation to implement. I share your belief that fishermen should be able to have comparable access to financial markets. I am not aware of the reasons why the technical support you referenced has not been provided but, if confirmed, I will place a high priority addressing the matter.

Mukilteo Fisheries Research Station

Question 32. The current Mukilteo Fisheries Research Station in Washington has been at the forefront of marine research in the Pacific Northwest for decades. In its current state the facility is nearly unusable with rusted walls, rotting ceilings, and a sinking foundation, and is in need of major repair. The facility has been condemned, yet is still used by a handful of scientists who need access to laboratory facilities. Do you agree that NOAA has an obligation to maintain this and other similar facilities? Can you promise me that you'll advocate for much needed funding for this NOAA research facility?

Answer. I share your concern that NOAA's scientists should have the tools needed to successfully execute its mission, including habitable research facilities. If confirmed, I commit to working with you to find solutions to this and other matters pertaining to backlogged maintenance and repairs of NOAA facilities.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. AMY KLOBUCHAR TO BARRY LEE MYERS

Question 1. Marine Sanctuaries are a useful way to help preserve our natural resources and boost tourism. The 13 national marine sanctuaries encompass more than 600,000 square miles, including large areas on the Great Lakes. When exploring new potential sanctuary sites, it is important that towns and businesses near the proposed sanctuary get to provide feedback, especially when commerce or marine navigation could be affected. Mr. Myers, what steps would you take to ensure local viewpoints are considered in the Marine Sanctuary designation process?

Answer. I agree that the National Marine Sanctuaries Program is a useful way to help preserve our natural resources and boost tourism. One of the reasons is the active role afforded to local communities with respect to their management. If confirmed, I would continue to support the program and role that State and local communities have with respect to the designation process to ensure their voices are heard.

Question 2. The Port of Duluth is the largest port on the Great Lakes, hosting approximately 1,000 vessels and handling an average of 35 million short tons of cargo per year. The port's continued success depends on the safe navigation of vessels. The National Oceanic and Atmospheric Administration (NOAA) operates the Physical Oceanographic Real-Time System (PORTS) service that provides real-time weather updates to mariners and promotes safe and efficient navigation within U.S. waters. Mr. Myers, will you commit to support NOAA's PORTS service?

Answer. Yes, if confirmed, I will continue to support the PORTS program. I understand the data provided by this program increases the safety and efficiency of the participating ports.

Question 3. What role do you believe NOAA plays in promoting maritime safety and efficiency?

Answer. There are several programs within NOAA that have an important role in supporting maritime safety and efficiency. In addition to PORTS, NOAA is responsible for maintaining accurate hydrographic maps. Naturally, the maritime forecasts provided by the National Weather Service are of great importance to the mariners. If confirmed, I will continue to support these and other important roles.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. RICHARD BLUMENTHAL TO
BARRY LEE MYERS

Ethics

Question 1. Have you signed an ethics agreement in relation to the position for which you have been nominated?

Answer. Yes.

Question 2. Who is charged with enforcing your ethics agreement?

Answer. This is a legal question under Federal law which I am not qualified to answer. I will follow the advice and guidance of the ethics officials from the Department of Commerce/NOAA to ensure I comply with my ethics agreement.

Question 3. What are the ramifications for failure to comply with the divesture deadlines in your ethics agreement?

Answer. This is a legal question under Federal law which I am not qualified to answer. I will follow the advice and guidance of the ethics officials from the Department of Commerce/NOAA to ensure I comply with my ethics agreement.

Question 4. Do you have any family members that work at AccuWeather? If so, please list any spouse, sibling, child and step-child who is employed by AccuWeather, Inc. or affiliated entities.

Answer. My wife Holly Myers, and my brothers Joel N. Myers and Evan A. Myers.

Question 5. In your prepared testimony to the Committee, you state, "I have agreed with the Office of Government Ethics that my wife and I will resign from every company, board and organization that could be in conflict with my new role." Where is your wife's agreement memorialized?

Answer. I do not know that there is specific memorialization in a document, but I have pledged that this will occur.

Question 6. In your ethics agreement, you state, "I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on my spouse's compensation or employment with AccuWeather, Inc." Can you affirm that your wife will resign from AccuWeather, Inc. immediately upon your confirmation, if confirmed?

Answer. Yes. My wife will resign from AccuWeather coincident with my date of resignation. I will follow the advice and guidance of the ethics officials from the Department of Commerce/NOAA to ensure I comply with my ethics agreement.

Question 7. Please list the company, board, and organization positions where your wife holds a position that she will resign, per your written testimony.

Answer. My wife holds the position of "Manager of Executive Projects" for AccuWeather, Inc.

Question 8. Are there any laws related to conflicts of interest that prevent you from working on interests that benefit your brother? If so, please list them.

Answer. This is a legal question under Federal law which I am not qualified to answer. I will follow the advice and guidance of the ethics officials from the Department of Commerce/NOAA to ensure I comply with my ethics agreement.

Question 9. Are the interests of your brothers imputed to you under Federal ethics laws?

Answer. Not to my knowledge. The relationship has been disclosed to the Office of Government Ethics and there has been no indication of any such issue. I will follow the advice and guidance of the ethics officials from the Department of Commerce/NOAA to ensure I comply with my ethics agreement.

Question 10. Should the interests of your brothers be imputed to you?

Answer. Not to my knowledge. I will follow the advice and guidance of the ethics officials from the Department of Commerce/NOAA to ensure I comply with my ethics agreement.

Question 11. Will you seek any ethics waivers during your tenure? If so, please list any waivers you will seek.

Answer. None of which I am currently aware. I will follow the advice and guidance of the ethics officials from Department of Commerce/NOAA and if a waiver is necessary, I will make the waiver publically available.

Question 12. Are you subject to any exemptions from ethics laws that allow you to work on matters that affect AccuWeather? If so, please list any exemptions.

Answer. None of which I am currently aware.

Privatization of NOAA services

Question 13. Are you familiar with the Weather Service Duties Act, S. 786, as introduced in the 109th Congress?

Answer. Yes.

Question 14. Did you support this legislation, as introduced?

Answer. I supported this in principle (see explanation of the issues below).

Question 15. Did you engage in any lobbying efforts for this legislation?

Answer. I do not recall if the company engaged a lobbyist at that time or not.

Question 16. Did you take any steps to advocate for this legislation? If so, please specify what actions you took.

Answer. I was interviewed by the press and others as to the background of the issues related to the legislations (see explanation as to the issues below)

Question 17. Would the Weather Service Duties Act have incurred a financial benefit on AccuWeather, Inc.?

Answer. It would have maintained the status quo as existed in the 1991 NWS policy.

Question 18. Has your view on this legislation changed since its introduction? If so, please explain how your view has changed.

Answer. The situation more than half a generation ago was much different than today. By way of brief background, it was in fact the NOAA policy from 1991, published in the *Federal Register*, that itself stated “NWS will not compete with the private sector when a service is currently provided or can be provided by commercial enterprises, unless otherwise directed by applicable law.” It was this policy that NOAA revoked in 2003. The National Research Council in its Fair Weather Report in 2003 states that House and Senate reports regularly admonished the NWS to avoid competing with the private sector. In January 2004 both houses of Congress were concerned about this issue to the extent that they placed the following language in the joint appropriation report, “The conferees urge NOAA and NWS to take maximum advantage of capabilities and services that already exist in the commercial sector to eliminate duplication and maximize the accomplishment of the core mission of the NWS.” It was following those concerns that S 786 was introduced to place the 1991 NOAA Policy, then recently revoked, back into law. It did not move forward, but the government and weather industry have now spent a decade working well together, in large part through my leadership, to have the best weather information sources to the public of any county on Earth. I have always supported the free and open access of all government weather data to the public—both private citizens and businesses alike—through uniform release mechanisms to everyone at the same time so that no one person or business had any advantage. I continue strongly to support that position.

Consumer protection

Question 19. Are you familiar with the website nationalweatherservice.org?

Answer. Yes.

Question 20. What would one find at that website?

Answer. The link should go to Network Solutions, the domain name provider.

Question 21. Does AccuWeather own the rights to nationalweatherservice.org?

Answer. Yes. (see explanation below).

Question 22. Can you explain the rationale for a website named nationalweather-service.org directing consumers to a for-profit enterprise controlled by your family, instead of to the National Weather Service, which is a government service that provides information relatively free?

Answer. AccuWeather has never posed as a government entity, in fact it has the strongest weather brand in the world. Its website is also free to the public. At the outset of the Internet in the 1990s all companies, usually through their technical service and computer departments, and many government agencies, scrambled to create and secure domain names that they thought would be important. It was somewhat the “wild west” and many people went to significant lengths to secure

variations of words and names. Additionally, there were at the start of the Internet only four domains .com, .net, .gov, and .edu. Back then the .gov designation was for government sites, and the other domains were for others to use. Additionally, many URLs and brand or trademarks did not align. Now, in 2017, there are an unlimited number of domains. As a result, there are now dozens of “nationalweatherservice” domains currently in use or available for sale on the internet, such as “nationalweatherservice.network.” These are totally unrelated to AccuWeather or the National Weather Service, and the number will only be expected to grow. I was not CEO in the 1990s and at that time and did not always know about the many URL domains we had. However, on January 3, 2003, upon the request of the NWS, I was informed of this and required the servers at AccuWeather be changed so that “nationalweatherservice.org” would no longer point to an AccuWeather site, and it was “mothballed,” in cooperation with NWS and as NWS has requested. In 2005 I was advised by the NWS that the URL was functional again and ordered it terminated again. Until your question, it was assumed that continued to be the case. However, upon inquiry this week, it was discovered that on or about June 20, 2016 the company made server upgrades which updated all of our Domain Name Servers. This inadvertently reactivated the mothballed domain. It has again been ordered to be inactivated. Such non-prompted domains usually generate little or no traffic. Although these actions under the Internet domain registration protocols were permissible, AccuWeather was responsive and cooperative with NWS when the issue was raised. In fact AccuWeather has always worked well with the NWS as to intellectual property concerns. For example, two years ago the company licensed two important tornado warning observer reporting patents to NWS free of charge for the good of the public. It seems that actions were not taken to protect the NWS brand or URL, as a company would have done, in the earlier days of the internet. This is an area I plan to have reviewed at NOAA, if confirmed.

Question 23. Do you believe this is a fair and honest practice by the owner of nationalweatherservice.org to maintain a site that sends consumers to a business site?

Answer. See above.

Mobile app tracking

Question 24. In August, several organizations, including the *Washington Post*, detailed how consumers with an AccuWeather app were still being tracked on mobile devices even if they chose the “opt out” option to ensure their privacy. Did an AccuWeather app track consumers without their consent?

Answer. This issue is currently under legal review to ensure compliance is at the appropriate levels and therefore I am not able to comment on the details of the matter. I can tell you that AccuWeather privacy disclosure policies I believe addressed and disclosed these issues and has since been strengthened to disclose even more about how mobile devices work. There have been some recent news stories that suggest many people do not realize that mobile devices themselves, unrelated to the software or apps, receive and transmit information even when people use the device “opt out” features. When the issue came to our attention we promptly disabled all known features and third party code we were able to tie to these issues.

Question 25. Did AccuWeather or any AccuWeather vendor profit from the sale of location tracking information?

Answer. Please see answer above.

Question 26. What do you say to Americans concerned about your ability to run a significant agency when your company and one of its partners mishandled consumer privacy?

Answer. Please see answer above. In addition, AccuWeather does not believe it has mishandled consumer privacy. I would add that NOAA may or may not know how these technical issues operate on mobile device and mobile websites and the agency may possibly have the same issues as private companies face. I will bring a cutting edge understanding of these issues and insure that NOAA is considering all such concerns as well.

Experience

Question 27. You certainly are knowledgeable of weather. And NOAA has a big role to play in that area. But NOAA—the agency you have been nominated to lead—does much more than weather. NOAA handles many other areas that are critical to Connecticut. You note in your testimony that NOAA’s budget is 60 percent “weather components.” Please list the “components” to which you refer that support your statement, as some argue that the non-weather-related functions, which fall outside of your weather-related experience, are a much more significant part of NOAA’s activities than what you contend.

Answer. The budgets for NWS and NESDIS together make up roughly 60 percent of NOAA's overall budget. NOAA budget allocation is a function of the cost of the programs, and does not necessarily reflect the relative importance and criticality of the non-weather-related functions to the taxpayers and U.S. economy.

Question 28. NOAA has many responsibilities outside of weather-related duties. Aside from your general familiarity with weather, what experience do you have in oceans policy?

Answer. No one comes to this agency with full knowledge in all of its diverse areas, just as no CEO of a business comes to a business with full knowledge of all the diverse areas of a major company. If confirmed, I plan to ensure we have the executive and scientific leadership in all areas of the agency who bring the expertise to the decision making process needed in every area.

Question 29. What experience do you have in fisheries policy?

Answer. No one comes to this agency with full knowledge in all of its diverse areas, just as no CEO of a business comes to a business with full knowledge of all the diverse areas of a major company. If confirmed, I plan to ensure we have the executive and scientific leadership in all areas of the agency who bring the expertise to the decision making process needed in every area.

Question 30. What experience do you have in coastal protection issues?

Answer. No one comes to this agency with full knowledge in all of its diverse areas, just as no CEO of a business comes to a business with full knowledge of all the diverse areas of a major company. If confirmed, I plan to ensure we have the executive and scientific leadership in all areas of the agency who bring the expertise to the decision making process needed in every area.

NOAA budget

Question 31. NOAA has an annual budget of about \$5.5 billion. In May, the president released his proposal for next year's budget. That proposal cuts the resources of NOAA by nearly 16 percent—or \$1 billion. The funding will slash investments in weather modeling, forecasting, tsunami warnings, tornado detection, aquaculture and research. What steps have you taken to study the president's proposed budget for Fiscal Year 2018?

Answer. I have read the NOAA Blue Book and have been briefed by the line offices at NOAA.

Question 32. Are there any cuts in the president's proposed budget for Fiscal Year 2018 that you oppose?

Answer. I support the President's budget and share Secretary Ross's belief that good programs were cut, as cuts needed to fall somewhere in light of the emphasis on areas such as national security. Should I be confirmed, I look forward to learning more about congressional priorities to help in the development of future budget requests.

Question 33. Do you agree with the president's decision to cut funding for SeaGrant?

Answer. I understand that SeaGrant is a valuable program that unfortunately fell below the line where tough decisions had to be made to fit within the budget allocation. See answer above.

Question 34. Is it responsible to cut NOAA's budget in Fiscal Year 2018?

Answer. It is responsible for the President to put forward a budget that includes spending reductions given the difficult fiscal environment our Nation faces.

Business relationship with China

Question 35. In 2014—by all reputable accounts—hackers, possibly in coordination with the Chinese government, broke into NOAA's network. It's clear they were there maliciously, they disrupted NOAA satellites for days, and they compromised key data used for weather forecasts, disaster planning, emergency management, aviation and shipping, and sought other kinds of "environmental intelligence." What the Chinese were able to access was probably priceless—and their intrusion was very harmful to the United States. The following year, in 2015, your company, AccuWeather, announced a 20-year "groundbreaking joint venture" with the Chinese government, making AccuWeather the sole distributor of certain weather products in the country—as I understand this surpasses anything any other competitor, like the Weather Channel, has an agreement to do. Are you concerned about the 2014 incident and the extent to which some in China would go to hack NOAA?

Answer. I am concerned with any hack of any government or private sector systems or servers. Such intrusions are dangerous and criminal. I have not been briefed on the 2014 incident, what data was hacked, or why. If confirmed, I will

want to know what actions have been taken to ensure our critical NOAA servers and systems, and the related data, are secure.

Question 36. What questions did you ask of your Chinese counterparts in your negotiations leading up to the 2015 deal?

Answer. I did not personally ask specific questions about this incident as I did not have any detailed information about the incident. Our company did discuss computer security issues. We also sought and received assistance from our government including former and present Secretaries of Commerce, a former NOAA Administrator, and the U.S. Minister for Commercial Affairs of the U.S. Department of Commerce at the U.S. Embassy in Beijing, among others, who were well aware of the nature of the possible business relationship involved. Also please note, that the Chinese Meteorological Administration works cooperatively with our government and uses computer systems from American companies.

Question 37. Are you confident your business counterparts had nothing to do with the 2014 hacking?

Answer. See answer above.

Question 38. How would you characterize your relationship with China today?

Answer. AccuWeather has a Joint Venture there and the reports I have received indicate it is a good relationship.

Question 39. Should Americans be concerned that your family's company has a close relationship with China, which could very well have been involved in efforts to hack an agency that you have been nominated to lead?

Answer. No. See answers above.

Question 40. Are you committed to preventing any similar hacking or cyber attacks ever happening to NOAA again?

Answer. Yes. See answer to Answer 35 above.

Fisheries

Question 41. NOAA oversees critical fishery management plans. Connecticut's fishermen rightly complain these plans are outdated and fail to reflect changes in fish stocks due to global warming, thus hurting Connecticut's fishermen. Do you agree that the existing quota system needs to be overhauled to better reflect the changing geographic distribution of fish stocks?

Answer. I appreciate your concern with regards to black sea bass (and other species) migrating northward while much of the quota for the species remains in the hands of fishermen in the mid-Atlantic. I want to ensure we have sustainable, efficient and profitable commercial fisheries. If confirmed, I look forward to finding an equitable solution in accordance with MSA national standards.

Question 42. Will you work to ensure that the fishery management measures you approve appropriately balance the need to promote conservation with the needs of fishermen in my state to make a living?

Answer. Yes, to the maximum extent practicable, I will work to ensure that conservation and management measures are followed per the guidelines of National Standard 8 which take into account the importance of fishery resources to fishing communities.

Question 43. You mention in your testimony the ongoing trade imbalance in this country. How do you plan to address this issue?

Answer. I support implementation of the Seafood Import Monitoring rule to level the playing field for our domestic commercial fishermen and to ensure that imported seafood is legally caught and not misrepresented. If confirmed, I also plan to work with the NOAA's Office of Aquaculture to help promote a robust and sustainable domestic aquaculture industry and would like to achieve regulatory relief for fishermen working in sustainable fisheries.

Human-caused climate change

Question 44. Do you agree with each of the following statements included in the U.S. Global Change Research Program's recent Climate Science Special Report?

Question 44a. "Human-caused climate change has made a substantial contribution to [sea level rise] since 1900, contributing to a rate of rise that is greater than during any preceding century in at least 2,800 years." (page 10)

Answer. Yes, I have stated that quality peer reviewed science such as was recently published in the CSSR, shows the anthropogenic component of climate change is contributing to sea-level rise.

Question 44b. "The magnitude of climate change beyond the next few decades will depend primarily on the amount of greenhouse gases (especially carbon dioxide) emitted globally." (page 11)

Answer. I have stated that quality peer reviewed science such as was recently published in the CSSR, shows the anthropogenic component of climate change is in great measure the CO₂ contribution.

Question 44c. “There is broad consensus that the further and faster the Earth system is pushed towards warming, the greater the risk of unanticipated changes and impacts, some of which are potentially large and irreversible.” (page 11)

Answer. I do not dispute this finding.

Question 44d. “The world’s oceans are currently absorbing more than a quarter of the CO₂ emitted to the atmosphere annually from human activities, making them more acidic (very high confidence), with potential detrimental impacts to marine ecosystems.” (page 28)

Answer. I do not dispute this finding.

Question 44e. “The rate of acidification is unparalleled in at least the past 66 million years.” (page 28)

Answer. I do not dispute this finding and note this quote in the report (same page) is quantified as “medium confidence”. The report defines “medium confidence” as “suggestive evidence (a few sources, limited consistency, models incomplete, methods emerging, etc.), competing schools of thought.”

Question 44f. “This assessment concludes, based on extensive evidence, that it is extremely likely that human activities, especially emissions of greenhouse gases, are the dominant cause of the observed warming since the mid-20th century. For the warming over the last century, there is no convincing alternative explanation supported by the extent of the observational evidence.” (page 10)

Answer. I do not dispute this finding.

Question 44g. “Many lines of evidence demonstrate that human activities, especially emissions of greenhouse gases, are primarily responsible for the observed climate changes in the industrial era, especially over the last six decades.” (page 36)

Answer. It is referenced in Chapter 3 (pages 116–119), that more than half of the warming since 1951, when using a 1901–1960 baseline, cannot be explained by our present understanding of natural variability.

Question 44h. “[T]here are no suggested factors, even speculative ones that can explain the timing or magnitude and that would somehow cancel out the role of human factors.” (page 37)

Answer. In the context of the full paragraph on page 37, which states that “any explanations for the observed changes in climate must be grounded in understood physical mechanisms, appropriate in scale, and consistent in timing and direction with the long-term observed trends”, I would agree with this statement.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BRIAN SCHATZ TO
BARRY LEE MYERS

Question 1. NOAA and the NWS provide impact based decision support services or IDSS to a wide range of stakeholders including federal, state and local government agencies and officials, emergency managers, schools and universities, hospitals, and other large institutions. Do we have your commitment to continue providing IDSS services to these partners who value them, and to maintain funding for them?

Answer. The National Weather Service’s impact-based decision support services (IDSS) are characterized by NWS as forecast advice and interpretative services NWS provides to core partners such as emergency personnel and public safety officials when there are special impacts. The program is built on working closely with those partners using science, technology and development of deep relationships with such core partners. Core partners also include members of the weather industry and the weather media who provide specialized services and public distribution of public and private information and also relates to the Weather Ready Nation initiative. This program operating philosophy was being further developed through public comment last year (2016). Accordingly, more experience and evaluation of the program in practice is needed to fine tune and target the program to develop the greatest value for the Nation from the program concept.

Question 2. Please provide details of your divestiture plan.

Answer. The plan is in process. A committee of AccuWeather outside Board Members has been appointed to facilitate a complete purchase of all interests in the company.

Question 3. Will you pledge to disclose any meetings that you have AccuWeather representatives or agents regarding any official business during your tenure at NOAA, if confirmed?

Answer. I will work out a method to track any one on one meetings I might have with AccuWeather executives that relate to official business of NOAA.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. EDWARD MARKEY TO
BARRY LEE MYERS

Question 1. One of the many programs NOAA's National Ocean Service harbors is the Office of National Marine Sanctuaries. The Gerry E. Studds Stellwagen Bank National Marine Sanctuary, off the coast of Massachusetts, is one of the world's premiere whale watching destinations and generates \$24 million per year in New England. Marine Sanctuaries like this one are community-driven and provide for the conservation and stewardship of our Nation's natural, cultural, and historic resources while allowing for multiple uses. The Office of National Marine Sanctuaries serves as the trustee for a network of underwater parks encompassing more than 600,000 square miles of marine and Great Lakes waters. a. Do you commit to supporting the National Marine Sanctuary System?

Answer. I agree that the National Marine Sanctuaries Program is a useful way to help preserve our natural resources and boost tourism. One of the reasons is the active role afforded to local communities with respect to their management. If confirmed, I would continue to support the program and role that State and local communities have with respect to the designation process to ensure their voices are heard.

Question 2. In your testimony to the House Science, Space, and Technology Committee in June 2016, you said "industry presents the best public facing forecasts and information." Yet AccuWeather has posed as a government entity by buying the domain name "nationalweatherservice.org" and redirecting it to "accuweather.com." The National Weather Service has asked AccuWeather to stop using the domain name because it could confuse people looking for the National Weather Service's free weather forecasts. However, AccuWeather has not complied.

Answer. AccuWeather has never posed as a government entity, in fact it has the strongest weather brand in the world. Its website is also free to the public. At the outset of the Internet in the 1990s all companies, usually through their technical service and computer departments, and many government agencies, scrambled to create and secure domain names that they thought would be important. It was somewhat the "wild west" and many people went to significant lengths to secure variations of words and names. Additionally, there were at the start of the Internet only four domains .com, .net, .gov, and .edu. Back then the .gov designation was for government sites, and the other domains were for others to use. Additionally, many URLs and brand or trademarks did not align. And many people had URLs that sounded or looked similar to other brands or organizations. AccuWeather has always been sensitive to those concerns. And over the many years since those days has policed issues to ensure common sense in the use of URL and also trademark alignment. Today, in 2017, there are an unlimited number of domains. As a result, there are now dozens of "nationalweatherservice" domains currently in use or available for sale on the internet, such as "nationalweatherservice.network." These are totally unrelated to AccuWeather or the National Weather Service, and the number will only be expected to grow. I was not the AccuWeather CEO in the 1990s at that time and did not always know about the many URL domains we had or that others registered. However, on January 3, 2003, upon the request of the NWS, I was informed of this URL that had the name "national" "weather" and "service" in lower case letters and all run together as one long word with the .org URL suffix. In full cooperation with NWS I required the servers at AccuWeather be changed so that "nationalweatherservice.org" would no longer point to an AccuWeather site, and it was "mothballed," in cooperation with NWS and as NWS had requested. In 2005 I was advised by the NWS that the URL was functional again and ordered it terminated again. Until your question, it was assumed that it continued to be inactive. However, upon inquiry this week, it was discovered that on or about June 20, 2016 the company made server upgrades which updated all of the Domain Name Servers. This inadvertently reactivated the mothballed domain. That is why your staff thought it to be active. It has once again been deactivated. If you plug in that domain it will not go to AccuWeather. Such non-prompted domains usually generate little or no traffic. Although these actions under the Internet domain registration protocols were permissible, AccuWeather was responsive and cooperative with NWS when the issue was raised. In fact AccuWeather has always worked well with the

NWS as to intellectual property concerns. For example, two years ago, at my behest, AccuWeather licensed two very important tornado warning observer reporting patents to NWS free of charge, for the good of the public. The URL issue above was a minor unintended event. However, this situation, and your questions, have alerted me to an intellectual property issue relative to NOAA as to what actions were, and are, taken to protect the NWS brands and URLs, as a company would have done. This is an area I plan to have reviewed at NOAA, if confirmed.

Question 3. Senator Wicker and I worked with the previous administration to stop illegal, unreported, and unregulated (IUU) fishing by making a strong seafood traceability rule. NOAA established the Seafood Import Monitoring Program which will go into effect on January 1, 2018. IUU fishing undermines honest fishermen and businessmen, threatens consumer health, and creates misleading data on the health of our oceans. The Seafood Import Monitoring Program establishes reporting and recordkeeping requirements to prevent IUU caught and/or misrepresented seafood imports of certain species. Do you commit to fully supporting and assigning sufficient resources to the enactment of this rule?

Answer. I support implementation of the rule to ensure a level playing field for our domestic commercial fishermen. This is an important and large undertaking that will require setting priorities and efficient protocols to ensure it is successful.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. CORY BOOKER TO
BARRY LEE MYERS

Question 1. What is your opinion of President Trump's 2018 proposed budget for NOAA? Do you support cutting programs like Sea Grant and the Coastal Zone Management Grants, as the administration proposed?

Answer. Given NOAA's budget allocation, some valuable programs such as Sea Grant and CZMA grants fell below the line of what could be afforded. These are two such valuable programs. I look forward to understanding more about these and other budget priorities in the development of future presidential budget formulations.

Question 2. In your written testimony you recognized the need for scientifically-enhanced management of our fisheries. Can you expand on what you meant by this statement?

Answer. I support the locally developed annual catch limits and management decisions that are supported by the regional councils and the scientific and statistical committees. I also believe technology can be used to understand measures of fish stocks and landings in real time to enhance accuracy in stock count and catch in virtual real time.

Question 2a. Do you agree that fisheries management decisions should be based on the best available science?

Answer. Yes, as per national standard 2.

Question 2b. Do you agree that overfishing should not be allowed and that depleted fisheries should be rapidly rebuilt?

Answer. Yes, ending overfishing is one of the main goals of the Magnuson-Stevens Act and I support that law.

Question 2c. Will you commit to opposing any actions that would undermine these core aspects of sustainable fisheries management?

Answer. If confirmed, I will uphold the letter and spirit of the Magnuson-Stevens Act and any Congressional changes to that or other laws.

Question 3. Do you agree that ocean acidification, driven by increased carbon dioxide emissions, is a major problem that poses an immediate economic threat to ocean and coastal industries across the U.S.?

Answer. I understand that ocean acidification has had economic impacts including to the shellfish industry.

Question 3a. Do you support the work of the NOAA Ocean Acidification Program, and will you oppose any cuts to the budget for this program?

Answer. I will support ocean acidification research, monitoring and forecasting with funds appropriated by Congress.

Question 4. What are your views on protected areas like National Marine Sanctuaries and Marine National Monuments as a tool for ocean conservation?

Answer. I understand that marine protected areas provide significant ecological and economic benefits. I will support the transparent, and inclusive processes to establish such areas through the essential fish habitat protocols in the Magnuson-Stevens Act and the National Marine Sanctuaries Act.

Question 4a. Do you agree that our Nation's federally-designated ocean protected areas should remain protected?

Answer. If confirmed, I will uphold the statutory responsibilities of the agency. I believe that marine protected areas should be established and maintained through community-led and science-based protocols.

Question 5. Do you agree that marine debris is a pressing problem facing the health of our ocean?

Answer. Yes.

Question 5a. Do you support the work of NOAA's Marine Debris Program to reduce such pollution at its source and clean up what is already there, and will you oppose any cuts to the budget for this program?

Answer. I share your concern that marine debris adversely impacts marine life by entangling marine birds, marine mammals and other sea life. I understand that it also degrades to the molecular level with potential impacts to the world's ocean food supply. If confirmed, I will implement funds as appropriated by Congress.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TOM UDALL TO
BARRY LEE MYERS

Question 1. Consistent and reliable weather information is vital to public safety, national security, and our economy. National Weather Service employees work tirelessly to serve our communities. For example, in my home state of New Mexico and much of the Western U.S., we have faced natural disasters such as severe wildfires. Weather Service employees have provided specialized forecasts tailored to help firefighters safely and effectively extinguish those fires. In summary, the Weather Service is a public good. Can you explain why it's important for the Weather Service to continue to provide baseline forecasts? And, are there other benefits of having government-provided forecasts available to the public?

Answer. Protecting life and property and the enhancement of the national economy is part of NOAA's core mission. These forecasts are vital to the work of firefighters that you reference, as well as many others across the Nation. NOAA should continue to provide the foundational forecasts that Americans rely on each and every day. I have always supported the free and open information availability from NOAA for all members of the public.

Question 2. The space-based weather monitoring programs at NOAA National Environmental Satellite, Data, and Information Service (NESDIS) are critical to national defense, support one third of the U.S. economy, and, as Hurricane Harvey, Irma and Maria have made startlingly clear, provide critical warnings that save lives and protect property. To continue to protect this vital function for the nation, sufficient funding is needed to ensure NOAA space systems are developed in time to reduce the risk of weather data gaps. Will you as Administrator protect our Nation's critical weather satellite assets, including comprehensive planning to minimize gaps in coverage? Do you support the Polar Follow-On Program? Finally, do you intend to fully fund these programs, NESDIS and Polar Follow-On, going forward?

Answer. Yes, I support our Nation's weather satellite programs and support continued satellite monitoring, as this data is important for our numerical weather models. It is my understanding that the President's FY18 budget request includes funding to develop PFO/JPSS-3 and JPSS-4 instruments and spacecraft buses that are copies of JPSS-2. If confirmed, I will develop and provide a strategy, and look forward to working with you to ensure we have continuity of observations, while taking into consideration opportunities to reduce risk, save resources and advance capabilities.

Question 3. NOAA's core missions are to understand and predict changes in the Earth's climate, weather, oceans and coasts; to share that knowledge and information with the public; and to conserve and manage our coastal and marine resources. Thus, the mission and portfolio of NOAA is incredibly broad and complex. While you do have extensive experience in the weather industry, how will you set priorities for the many other facets of NOAA, from space weather to fisheries? With no formal scientific background or experience, how will you set priorities for its \$500 million research portfolio?

Answer. NOAA is an environmental forecasting agency that funds many different research portfolios to support its missions. If confirmed, I look forward to leveraging NOAA's intramural scientific expertise, with external stakeholders in academia and industry to understand the full scope of research opportunities. I will work with NOAA's Science Advisory Board, the Executive Offices of the President and the Sec-

retary of Commerce to establish priorities for NOAA moving forward and will continue to support the highest quality research that NOAA conducts. No one comes to this agency with full knowledge in all of its diverse areas, just as no CEO of a business comes to a business with full knowledge of all the diverse areas of a major company. If confirmed, I plan to ensure we have the executive and scientific leadership in all areas of the agency who bring the expertise to the decision making process needed in every area.

Question 4. Our oceans are filled with items that do not belong there, including huge amounts of consumer plastics, metals, rubber, paper, textiles, derelict fishing gear, vessels, and other lost or discarded items. NOAA's marine debris program states that "marine debris is one of the most widespread pollution problems facing the world's ocean and waterways." Do you agree that marine debris is a pressing problem facing the health of our ocean? Do you support the work of NOAA's marine debris program, in collaboration with corporations, NGOs, and countless citizens, to reduce such pollution at its source and clean up what is already there? Do you consider this a priority at NOAA?

Answer. Yes, marine debris is a problem. And as time goes on it not only poses the gross scale problem of snaring birds, mammals and sea life, but as it degrades to the molecular level, could pose a health risk to the world's ocean food supply. I support the work of NOAA's Marine Debris Program and if confirmed, I will implement funds as appropriated by Congress.

Question 5. What is your view on NOAA's overall budget levels? Do you support cutting programs like the Sea Grant, the Coastal Zone Management Grants or any other program that the administration proposed to cut in its 2018 budget?

Answer. Given the budget allocation, certain valuable programs, including Sea Grant and CZMA grants, fell below the line of programs that the agency could afford as priorities toward national security were prioritized. I look forward to learning more about these administration and congressional priorities to help inform future budget requests. I am a strong advocate for critical NOAA programs.

Question 6. What is your view on protected areas, such as the National Marine Sanctuaries and Marine National Monuments, as a tool for ocean conservation? Do you agree that our Nation's federally-designated ocean protected areas should remain protected?

Answer. I understand that marine protected areas provide significant ecological and economic benefits. I will support the transparent, and inclusive processes to establish such areas through the essential fish habitat protocols in the Magnuson-Stevens Act and the National Marine Sanctuaries Act.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. GARY PETERS TO
BARRY LEE MYERS

Question 1. Several times during the hearing you were asked about scientific integrity and maintaining transparent scientific review process. You repeatedly emphasized a need for "quality" data, "quality" science, scientists remaining uncensored, and a focus on the peer-review process. Different scientific disciplines have varying standards for what is deemed "quality," and often data and science coming from Federal agencies undergo a thorough agency review before submission for peer-review. How will you ensure the agency review process does not become a barrier to publicly sharing data and science produced by Federal scientists?

Answer. In references to "quality", I refer both to the standards of the respective scientific disciplines as well as Federal guidance and policies such as the Office of Management and Budget's Information Quality Guidelines (IQGs) and the Bulletin on Peer Review. The IQGs contemplate varying complexities of review depending upon the nature of the research, with highly influential scientific assessments requiring the most extensive review process. I support this flexible approach to scientific review.

Question 2. For some scientific fields, the peer-review process is not necessarily needed in its entirety to ensure "quality" data. How do you define "quality data" and "quality science"? And do you plan to follow the standards of practice for the various scientific disciplines that fall under NOAA?

Answer. As stated in my previous answer, there are existing Federal policies that govern the development and usage of information by Federal agencies. If confirmed, I will continue to apply these policies to NOAA's science.

Question 3. According to NOAA, for the past four years, we have experienced the warmest years on record with each year breaking the preceding year's record. We are on track for 2017 to be just as warm. Previous assistant secretaries in this posi-

tion have played a major role in driving the administration's priorities related to climate science. What do you believe is NOAA's role in measuring and addressing the impacts of climate change?

Answer. At its core, NOAA is an environmental measurement and forecasting agency. NOAA's role is to observe and measure the many aspects of our environment through its vast and extensive observing networks. As the climate changes it is NOAA's role to provide climate data and analysis that informs decision makers.

Question 4. How will you build capacity throughout NOAA and the National Weather Service to better integrate social and behavioral sciences into response plans, improve the communication of scientific information, and increase our understanding of the social dynamics and needs of vulnerable subpopulations to help prevent weather-related injuries, fatalities, and damage?

Answer. Our ability to observe and forecast weather continues to improve, but there are still nearly 6,000 people killed and over 400,000 injured every year in weather-related incidents. Having improved physical science alone will not reduce fatalities and injuries when extreme weather strikes. Studies have shown a need to integrate social and behavioral sciences into weather-related incident response in order to improve communication amongst meteorologists, emergency managers and the public. The Impact-Based Decision Support Services (IDSS) is helping to make strides in incorporating social and behavioral science to better communicate the physical science. The National Weather Service's impact-based decision support services (IDSS) are characterized by NWS as forecast advice and interpretative services NWS provides to core partners such as emergency personnel and public safety officials when there are special impacts. The program is built on working closely with those partners using science, technology and development of deep relationships with such core partners. Core partners also include members of the weather industry and the weather media who provide specialized services and public distribution of public and private information and also relates to the Weather Ready Nation initiative. This program operating philosophy was being further developed through public comment last year (2016). Accordingly, more experience and evaluation of the program in practice is needed to fine tune and target the program to develop the greatest value for the Nation from the program concept.

Question 5. When we met earlier this month, you stated that NOAA and private weather companies each has a defined "swim lane" that each should stay in when regarding the role of each is providing weather forecast services and products. Closely mimicking website domains—as AccuWeather seems to have done with NOAA websites—seems to blur the lines between NOAA's public role and the role of private companies. Could you elaborate on what you believe belongs in NOAA's "lane" and what companies are allowed to privatize?

Answer. As to the website domain issue please see the detailed addendum to this list of questions at the very end. NOAA's role in providing critical weather warnings and forecasts lies at the core of its mission. NOAA should continue to provide the foundational forecasts that protect life and property. As the private weather industry continues to evolve, they should focus on adding additional value. Companies in our society are free to use government and other data in all areas, not just weather, to innovate and create new or similar products and services as the government. This helps the growth of the economy, the creation of jobs, and in the weather field has resulted in the best weather information available anywhere on Earth, to the American public and the free carriage of government weather information to the public with no additional distribution costs to the government.

Question 6. Who do you think should be allowed to issue emergency weather watches and warnings?

Answer. I believe it is in the best interest for NOAA to continue to provide watches and warnings. Social science research has shown that the public often wants secondary confirmation from an additional source before they act. Weather companies fill this role in issuing both government watches and warnings and their own watches and warnings and analysis.

Question 7. Would you agree that NOAA should have absolute authority to communicate weather watches and warning to emergency managers and the public in order to reduce confusion and maintain safety?

Answer. NOAA should be the official Federal Government source to provide watches and warnings to the state and local government emergency management community. Many state and local government emergency management agencies use weather industry input from weather companies or actually employ private sector meteorologists to be on their payroll to provide the secondary source confirmation and analysis. This has proved to be a most effective approach.

Question 8. Like many across the Nation, I was grateful for the recent successful launch of JPSS-1. The observations from JPSS-1—now NOAA-20—will provide critical observations on ice cover, harmful algal blooms, and flooding. I cannot fathom the Administration's decision to gut funding for the follow-on to the JPSS program. If confirmed, you will lead the agency that is primarily responsible for these satellite programs. Given the administration's lack of support for NOAA's satellite programs, how will you support continued progress in developing and launching the remainder of the polar orbiting satellites—JPSS-2 through 4?

Answer. I understand the difficulties and challenges associated with NOAA's satellite programs and their budgets. In recent years, NOAA satellites have accounted for roughly 40 percent of the agency's overall budget while simultaneously trying to balance other important portfolios. My understanding is that the President's FY18 Budget request allows for continued development of the program while also initiating a program re-plan for the Polar Follow-On program. If confirmed, I look forward to reviewing this plan and working with Congress to ensure a gap in coverage is avoided.

Question 9. The National Weather Service employs thousands of people to process data, run models, and produce weather forecasts that are critical to keeping Americans prepared and safe. The staff of the National Weather Service are dedicated to providing critical information to emergency managers and the public, often working around the clock during natural disasters like the recent string of hurricanes. Recent reporting by the Government Accountability Office shows 11 percent of positions at NOAA are unfilled. According to media reports, this thread-bare staffing has lowered morale across the agency. How will you ensure that the National Weather Service is adequately staffed and can maintain all of its field offices, ensuring that field offices even in remote and rural areas remain open?

Answer. I understand that NWS has experienced staffing issues for a number of years. As NWS continues to evolve, it must remain efficient and effective to serve the American people. I applaud NWS for initiating the Operations and Workforce Analysis study and look forward to reviewing its recommendations on how NWS can better protect lives and property.

Question 10. What will you do to reduce the unfilled positions at NOAA?

Answer. As stated above, I will review the Operations and Workforce Analysis study recommendations which are part of NWS' Evolve Initiative. I will also work with my counterparts at the Department of Commerce to better understand the staffing issues.

Question 11. I appreciated your response to my questions about NOAA data and the need for improved cybersecurity protocols during your confirmation hearing, thank you. As part of your answer, you referenced a 2016 letter sent by private weather companies to NOAA, outlining concerns with the proposed transition away from Family of Services and toward IDSS. Please provide the Committee with a copy of that letter.

Answer. Attached as separate PDF. Addendum on website labeling: AccuWeather has never posed as a government entity, in fact it has the strongest weather brand in the world. Its website is also free to the public. At the outset of the Internet in the 1990s all companies, usually through their technical service and computer departments, and many government agencies, scrambled to create and secure domain names that they thought would be important. It was somewhat the "wild west" and many people went to significant lengths to secure variations of words and names. Additionally, there were at the start of the Internet only four domains .com, .net, .gov, and .edu. Back then the .gov designation was for government sites, and the other domains were for others to use. Additionally, many URLs and brand or trademarks did not align. Now, in 2017, there are an unlimited number of domains. As a result, there are now dozens of "nationalweatherservice" domains currently in use or available for sale on the internet, such as "nationalweatherservice.network." These are totally unrelated to AccuWeather or the National Weather Service, and the number will only be expected to grow. I was not CEO in the 1990s and at that time and did not always know about the many URL domains we had. However, on January 3, 2003, upon the request of the NWS, I was informed of this and required the servers at AccuWeather be changed so that "nationalweatherservice.org" would no longer point to an AccuWeather site, and it was "mothballed," in cooperation with NWS and as NWS has requested. In 2005 I was advised by the NWS that the URL was functional again and ordered it terminated again. Until your question, it was assumed that continued to be the case. However, upon inquiry this week, it was discovered that on or about June 20, 2016 the company made server upgrades which updated all of our Domain Name Servers. This inadvertently reactivated the mothballed domain. It has again been ordered to be inactivated. Such non-prompted

domains usually generate little or no traffic. Although these actions under the Internet domain registration protocols were permissible, AccuWeather was responsive and cooperative with NWS when the issue was raised. In fact AccuWeather has always worked well with the NWS as to intellectual property concerns. For example, two years ago the company licensed two important tornado warning observer reporting patents to NWS free of charge for the good of the public. It seems that actions were not taken to protect the NWS brand or URL, as a company would have done, in the earlier days of the internet. This is an area I plan to have reviewed at NOAA, if confirmed.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MAGGIE HASSAN TO
BARRY LEE MYERS

Question 1. What is your plan to assure cost growth control for the National Environmental Satellite, Data, and Information Service (NESDIS)? As the NESDIS budget has continued to increase, the National Weather Service (NWS) has been relatively flat.

Answer. I understand that over the years NESDIS has experienced significant growth in its budget, and now represents roughly 40 percent of NOAA's budget. If confirmed, I will review NOAA's satellite acquisition management processes to ensure that NOAA is being as efficient and effective as possible. I also understand that NOAA is currently reviewing its satellite system architecture. I look forward to reviewing this report. In addition, longer term, the value of private satellite data and information will need to be considered.

Question 2. What will you do to ingest more cutting-edge research into NOAA operations from academia? What are the obstacles you see and how will you address this in your goal of making the U.S. number one in weather modeling and tapping the deep reservoir of talent at America's research universities?

Answer. Research at NOAA must remain a priority and focus in order to improve our operational products and services. For instance, the Weather Act supported weather research both at NOAA as well as its cooperative institutes that partner with universities, to produce high quality environmental research. These types of collaborations are essential to ensuring robust research that can increase NOAA's operational skill. One of the Nation's leaders in this field Dr. Fuqing Zhang from Penn State and I have discussed this topic for several years and he gave a strong endorsement to my nomination.

Question 3. NOAA Administrator Conrad Lautenbacher, during President George H. W. Bush's Administration, had a goal of 50 percent intramural research and 50 percent extramural to research universities and other research organizations. While he did not achieve this ratio, he did partner with other entities to address research needs and developed programs like the U.S. Integrated Ocean Observing System (IOOS) that relied on trusted academic partners. As Administrator, would you adopt a similar balanced approach to extramural and intramural research?

Answer. I share Admiral Lautenbacher's approach to balancing intramural and extramural research as I believe that the academic research model can be an efficient, effective and flexible mechanism to answering key research questions facing the agency. I will look to utilize the full suite of funding mechanisms to access the expertise of the academic community, such as prioritizing the National Ocean Partnership Program to leverage other agency and private sector funds. He is aware of my dedication to these goals and has endorsed my nomination.

Question 4. Which areas in NOAA's research portfolio do you think should be opened to more academic input and collaboration, and which should remain intramural?

Answer. Competitive extramural programs have the potential to achieve greater performance than non-competitive intramural programs, though extramural grant-making is not always the most effective approach to support operations. I have personally met with leading scientists and scientific organizations that are partners with NOAA's programs and have heard that NOAA can and should do more to leverage the extramural community. If confirmed, I would both evaluate the allocation of spending within NOAA's research portfolio and look for opportunities to support more extramural research.

Question 5. What is your position on a "Weather" National Academy Decadal Survey? Do you think the country needs one? The Earth Observing decadal survey (representing the space-based atmospheric community) works well because it gets a great deal of input from critical communities. You signed on to the declaration of

The Weather Enterprise Consensus Building Conference in 2013 to create a Weather Commission. Would you now support such a Commission or Weather Decadal?

Answer. NOAA has benefited from many reports analyzing its operations and mission over the years. The National Academy of Public Administration, the National Academy of Sciences, the Government Accountability Office, and others (most of which I have contributed to) have produced important reports that have helped guide the agency forward. If confirmed, I will examine the need for such a Decadal Survey dedicated to weather and work with Congress on the issue.

Question 6. In 2005, you (Mr. Myers) supported the “National Weather Service Duties Act”, which had it passed, would have effectively prohibited the National Weather Service from dissemination of weather data to the public. As the Administrator of NOAA, you will oversee vast data holdings representing many years of collection of invaluable data about our earth and oceans. These holdings include not only data collected by NOAA for the management of our fisheries, atmosphere, weather, climate, nautical charting etc. but NOAA also holds all data collected through the National Science Foundation and other Federal agencies. This data, as a matter of policy and scientific rigor, have always been made freely available.

Answer. I did not advocate prohibiting the National Weather Service from dissemination of weather data to the public. I have, in fact, always supported the opposite—the free and open access of all government weather data to the public—both private citizens and businesses alike—through uniform release mechanisms to everyone at the same time so that no one person or business had any advantage. I continue strongly to support that position. The situation more than half a generation ago was much different than today. By way of brief background, it was in fact the NOAA policy from 1991, published in the *Federal Register*, that itself stated “NWS will not compete with the private sector when a service is currently provided or can be provided by commercial enterprises, unless otherwise directed by applicable law.” It was this policy that NOAA revoked in 2003. The National Research Council in its Fair Weather Report states that House and Senate reports regularly admonished the NWS to avoid competing with the private sector. In January 2004 both houses of Congress were concerned about this issue to the extent that they placed the following language in the joint appropriation report, “The conferees urge NOAA and NWS to take maximum advantage of capabilities and services that already exist in the commercial sector to eliminate duplication and maximize the accomplishment of the core mission of the NWS.” It was following those concerns that S 786 was introduced to place the 1991 NOAA Policy, then recently revoked, into law. It did not move forward, but the government and weather industry have now spent a decade working well together, through the leadership of myself and others, to have the best weather information sources available to the public of any country on Earth.

Question 7. One of NOAA’s critical missions is the collection of hydrographic (seafloor mapping) data to assure safe navigation for the vessels the fuel the U.S. economy. Can you explain how you will ensure that NOAA retains the ability to collect and disseminate these critical data?

Answer. I share your concern regarding the importance of hydrographic mapping. The President’s FY18 Budget continues to support the collection of hydrographic data by NOAA’s programs. If confirmed, I will continue to work to maintain this capability.

Question 8. NOAA has had a long history of partnering with the academic community in number of research areas using various mechanisms including Cooperative Institutes. How do you see NOAA’s relationship with the academic sector evolving under your administration?

Answer. Cooperative Institutes are one of several approaches used by NOAA’s programs to leverage the academic research community. In my conversations with the oceanographic community, I have heard that another extramural funding mechanism—the National Oceanographic Partnership Program (NOPP)—is underutilized. If confirmed, I will look at reenergizing NOPP as a means of further leveraging the capabilities of the academic community

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. CATHERINE CORTEZ MASTO
TO BARRY LEE MYERS

Invasive Species

Question 1. As a follow-up to our conversation during your hearing, please provide a full response to this question I raised: As NOAA serves as co-chair of the Aquatic Nuisance Species Task Force (FACA), how will you enhance its focus on aquatic

invasive species issues given warming water temperatures will have severe impacts not only on Lake Tahoe ecosystems and economies, but nationwide?

Answer. I share your concern regarding climate and its interaction with invasive species. Invasive species can present a significant risk to both biodiversity and economic activity, particularly in coastal ecosystems where NOAA's programs frequently operate. If confirmed, I would support NOAA's full participation in the Aquatic Nuisance Species Task Force.

National Weather Service Consolidation

Question 2. In July 2016, the NWS briefed the Deputy Secretary of Commerce on a preliminary plan to close two-thirds of the Nation's 122 forecast offices at night and on weekends, including the Las Vegas and Elko Forecast offices, and consolidate the responsibility to issue severe weather warnings at the remaining forecast offices. However, Congress has previously rejected a similar consolidation plan when it prohibited the NWS from implementing any "plan to consolidate, regionalize, or reduce service hours at weather service forecast offices" as part of the FY 2006 State, Justice and Commerce Appropriations Act. If confirmed, would you move ahead to reduce 24/7 operations at any of the forecast offices?

Answer. The work of the National Weather Service is vital to protecting life and property through its critical weather forecasting capabilities. As NWS continues to evolve to serve the American people, it will be my duty, if confirmed, to ensure that operations are efficient and effective. I look forward to reviewing the recommendations from the recent Operations and Workforce Analysis study and working with Congress to chart the most appropriate path forward. And I look forward to being briefed in detail by the National Weather Service as to their plan and rationale. In any event, the quality of severe weather warnings must be un-degraded and constantly improved, regardless of office configurations.

Climate Change Perspective

Question 3. Your company, AccuWeather, states on its website that "there can be little doubt that human beings influence the world's climate." Do you agree with the statement that you believe that the climate is changing?

Answer. Yes.

Question 4. Do you believe human activity is a primary cause of climate change?

Answer. While it is difficult to assign exact values to each cause of climate change, I recognize that humans do have a significant impact through non-sustainable deforestation, development, increased greenhouse gas emissions, and other global activities. Many of these are set forth in the CSSR report issued on November 3, 2017.

Question 5. Do you believe climate change is a cause for the increasing number of extreme weather events across the globe?

Answer. The nexus between climate change and extreme weather events is currently being explored by scientists around the world. While it is extremely difficult to find climate signals in individual extreme weather events, it will be important for NOAA to continue its monitoring and observing networks so that we can better understand and analyze data trends that will help inform these answers. For example, will changes in climate mean more or fewer hurricanes, more intense or less intense hurricanes, hurricanes in new and different locations, or in similar locations but with varying intensities for the past at some locations and not others.

Question 6. Will you protect the role of NOAA in continuing robust climate research?

Answer. Yes, If confirmed, it is my intention to continue all areas of NOAA's research portfolios.

Question 7. On that same webpage, it states: "we urge all scientists and members of the public to engage in the global climate change discussion." Does that seem to comport with the Administration you are trying to join, where budgets are being cut to study our climate?

Answer. In difficult budgetary situations, we must look to ensure funding for many programs under NOAA's portfolio. While some programs have received reduced growth or reductions compared to recent years, it is my intent to continue the research of all NOAA portfolio areas.

National Weather Service "Evolve"

Question 8. During the hearing, I asked you about the "Evolve" initiative. While you noted support for core partners, such as emergency managers, you were not as clear about your interest or intent to provide such services to other public entities such as the media and other outreach. So I would like to get a specific response from you on this question again in writing: As part of its "Evolve" initiative, the

National Weather Service plans to retrain and refocus its field workforce to provide “impact-based decision support services” to both core partners, such as the media and local governmental entities, and its general partners, such as local hospitals and schools districts and the general public. These efforts include webinars, briefings, providing spot forecasts, utilizing social media, preparedness education, development of specialized forecasts, pre-event planning exercises, and on-site deployments of NWS forecasters. Do you support the “evolution” of NWS services in this direction?

Answer. Yes. As NWS continues its Evolve initiative, it is my intent to include all relevant stakeholders in these discussions and include all relevant participation when and as appropriate.

Question 9. If not, will you as NOAA Administrator curtail or terminate this aspect of the NWS’s “Evolve” initiative?

Answer. It is not my intent to terminate NWS’ Evolve initiative.



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