

U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

2321 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6301
(202) 225-6371
www.science.house.gov

November 28, 2012

Dr. Jane Lubchenco
Under Secretary of Commerce for Oceans and Atmosphere
and NOAA Administrator
U.S. Department of Commerce
1401 Constitution Avenue, N.W.
Washington, DC 20230

Dear Administrator Lubchenco:

The Committee has a long history of conducting oversight to ensure that travel funds are not abused.¹

Let me be clear, collaboration is a central tenet of science. The Committee understands this, and our inquiry is not meant to inhibit the travel of rank and file National Oceanic and Atmospheric Administration (NOAA) employees that is justified and necessary. That being said, this is the 21st century. Telecommunications advances allow for greater collaboration and the free exchange of thoughts and ideas by novel means.

My primary concern does not lie with the use of travel by NOAA staff and scientists, but rather the misuse of travel by senior leadership. Misuse, I should add, that comes at the expense of justified and necessary scientific exchanges.

In order to bely these concerns, and ensure that taxpayer funding is used appropriately, I wrote to you on April 26, 2012, seeking records related to the travel of NOAA senior leadership.² Additionally, Committee staff followed up numerous times and I again wrote you on October 24, 2012.³ Unfortunately, the Committee has not received a single record, nor has it received a schedule by which it can expect a NOAA response. In keeping with past practice, the Committee is willing to accommodate NOAA by accepting records on a rolling basis, but to date NOAA has not provided the Committee any indication that it is willing to comply. The only response the Committee received was a letter from the Acting Director of NOAA's Office of

¹ Letter from Rep. Brad Miller, Chairman, Subcommittee on Investigations and Oversight, Committee on Science and Technology, to Dr. Michael Griffin, Administrator, National Aeronautics and Space Administration, February 12, 2007.

² See attachment A

³ See attachment B

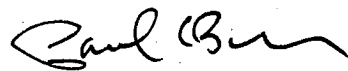
Dr. Lubchenco
November 28, 2012
Page two

Legislative and Intergovernmental Affairs acknowledging receipt of the Committee's request - seven months later.⁴ By law, NOAA must comply with citizen requests for information under the Freedom of Information Act (FOIA) within 20 working days.⁵ I shouldn't have to remind you that a Congressional Committee with jurisdiction over NOAA is afforded greater access than that of citizens under FOIA.

This level of recalcitrance mocks the notion of transparency. As NOAA continues to eschew its requirements to comply with Congressional oversight requests, the Committee's concerns are only heightened, and I must ask myself - what is NOAA trying to hide?

Please respond immediately.

Sincerely,



Rep. Paul Broun, MD
Chairman
Subcommittee on Investigations
and Oversight

Attachments

cc: Rep. Ralph Hall
Chairman
Committee on Science, Space,
and Technology

Rep. Eddie Bernice Johnson
Ranking Member
Committee on Science, Space,
and Technology

Rep. Paul Tonko
Ranking Member
Subcommittee on Investigations
and Oversight

⁴ See attachment C

⁵ 5 U.S.C. § 552 (a)(6)(A)

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April 26, 2012

Dr. Jane Lubchenco
Under Secretary of Commerce for Oceans and Atmosphere
and NOAA Administrator
U.S. Department of Commerce
1401 Constitution Avenue, N.W.
Washington, DC 20230

Dear Administrator:

Pursuant to Rules X and XI of the United States House of Representatives, the Committee on Science, Space, and Technology is delegated "the function of reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with or involving non military research and development." Committee Rule 11(a)(5) authorizes the Subcommittee on Investigations and Oversight to carry out "general and special investigative and oversight authority on all matters within the jurisdiction of the Committee on Science and Technology."

As part of this responsibility, and in light of your recent communication¹ to NOAA staff regarding the importance of ethical conduct, and the value of rooting out waste, fraud, abuse and mismanagement, the Subcommittee would appreciate your assistance with an inquiry.

In light of recent revelations of excessive and unnecessary travel by senior management at other agencies,² a number of questions have arisen relating to travel by senior NOAA management. Past Committee inquiries regarding agency travel have ensured that taxpayer's funds were appropriately spent.³ We hope that NOAA's cooperation, and response to this inquiry, will swiftly allay the Subcommittee's concerns.

Please provide the following information:

- 1: A list of all official travel taken by the following current or former NOAA employees from January 1, 2009 to April 25, 2012 – Dr. Jane Lubchenco; Ms. Mary Glackin; Dr.

¹ See attachment A

² "Panetta paid Treasury \$17,000 for trips home – Pentagon," Reuters, April 5, 2012, available at <http://www.reuters.com/article/2012/04/06/usa-defense-panetta-travel-idUSL2E8F614L20120406>

³ Letter from Rep. Brad Miller, Chairman, Subcommittee on Investigations and Oversight, Committee on Science and Technology, to Dr. Michael Griffin, Administrator, National Aeronautics and Space Administration, February 2007. See attachment B.

Administrator Lubchenco
April 26, 2012
Page two

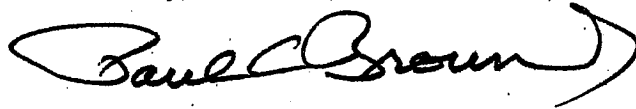
Jim Balsiger; Mr. Eric Schwaab; Dr. Kathryn Sullivan; Ms. Monica Medina; Mr. Charles Baker; Ms. Margaret Spring; Ms. Sally Yozell; Mr. William Stelle; Dr. Larry Robinson.

This list should include the name of the employee, the date of the travel, the mode of transportation, the locations and destinations of the travel, and the purpose of the travel;

2. Any and all invitations associated with this travel;
3. Any and all itineraries (including drafts) associated with this travel;
4. Any and all travel vouchers associated with this travel;
5. Any and all trip reports or justification documents associated with this travel;
6. A list of any private travel connected or associated with this official travel;
7. The amount each employee reimbursed the federal government for any of these trips.

Please provide these records by May 2, 2012. If you have any questions relating to this inquiry, please contact Mr. Tom Hammond, Staff Director, Subcommittee on Investigations and Oversight at 202-225-6371.

Sincerely,



Rep. Paul Broun, MD
Chairman
Subcommittee on Investigations
and Oversight

Attachments

cc: Rep. Ralph Hall
Chairman
Committee on Science, Space,
and Technology

Rep. Eddie Bernice Johnson
Ranking Member
Committee on Science, Space,
and Technology

Rep. Paul Tonko
Ranking Member
Subcommittee on Investigations
and Oversight

Attachment A

From: "Dr. Jane Lubchenco" <announcement@noaa.gov>

Date: April 16, 2012 11:50:05 AM EDT

Subject: Public service is a public trust



April 16, 2012

Hello everyone,

Since I arrived at NOAA a little more than three years ago, I have been tremendously impressed with the dedication and commitment of the hard-working people who comprise NOAA's 12,500-member workforce. We have accomplished much in the last three years because of your devotion to the ever-critical NOAA mission.

Today I want to call your attention to an important aspect of our public service: the linkage between each individual's conduct and our collective ability to execute our mission. When the inappropriate, unethical, wasteful, and/or illegal actions of a few individuals are not consistent with the high standards of public service, this erodes confidence, lowers morale and undermines NOAA's ability to execute our mission.

We've seen in our own and other agencies that such incidents — even when confined to one or a few individuals — can tarnish the image of an entire agency, undermine our mission, give the entire federal enterprise a black eye and negate the good we have accomplished. In short, these incidents can degrade the public trust in the federal government and in NOAA. It is incumbent upon each of us to act in a manner that protects and preserves this trust.

We share the privilege of public service. As an employee of NOAA, you are in a position of trust and held to a high standard of ethical conduct. **We must each remain vigilant in maintaining the highest standards of ethical conduct throughout NOAA — and I need your help:**

- We each create or contribute to the culture within our units. This is an ongoing process. Talk with your colleagues about the importance of ethical behavior and public trust and what that means to your actions and operations. Help renew and maintain a strong culture that brooks no tolerance for bad behavior and encourages integrity.

- The Department's Office of the Assistant General Counsel for Administration has compiled a Summary of Ethics Rules for Employees of NOAA. I expect everyone to review these guidelines and retain this handout as a reference source.
- If you see something that does not conform to high ethical standards, please speak with your colleagues and your supervisors if you feel comfortable doing so.
- If you need to obtain legal advice regarding ethics issues, *please contact an ethics official* in the Office of the Assistant General Counsel for Administration at (202) 482-5384 or e-mail your question to EthicsDivision@doc.gov.
- If you know of fraud, waste, abuse or mismanagement at NOAA, *it is your responsibility to report it* to the Department of Commerce Office of Inspector General (OIG) using one of the methods discussed on their website. The OIG Online Hotline Complaints web page also offers additional guidance on directing allegations to other agencies that may have jurisdiction over certain matters.
- As per Departmental Administrative Order (DAOs 207-10, 213-2 and 213-3), it is the obligation of every NOAA employee to cooperate fully with any Inspector General audit, inspection, evaluation or investigation, including providing requested materials.

Only by supporting and nurturing NOAA's culture of integrity and accountability, can we accomplish the great mission of science, service and stewardship that Americans trust us to carry out. I'm counting on you to help us do just that.

Sincerely,



Dr. Jane
Join me on Facebook
www.facebook.com/noaa.lubchenco

This message was generated for the Under Secretary of Commerce for Oceans and Atmosphere and NOAA Administrator by the NOAA Information Technology Center/Financial and Administrative Computing Division.

U.S. HOUSE OF REPRESENTATIVES
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TTY: (202) 226-4410
<http://science.house.gov>

February 12, 2007

Dr. Michael Griffin
Administrator
National Aeronautics and Space Administration
Two Independence Square, SW
Washington, D.C. 20546

Dear Dr. Griffin:

Pursuant to Rules X and XI of the United States House of Representatives, the Committee on Science and Technology is delegated "the function of reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with or involving nonmilitary research and development." Committee Rule 3(a)(5) authorizes the Subcommittee on Investigations and Oversight to carry out "general and special investigative and oversight authority on all matters within the jurisdiction of the Committee on Science and Technology."

As part of that responsibility, the Subcommittee is conducting further inquiries related to the transportation of personnel in Government aircraft for which NASA is responsible. This follows from the publication of the August 2005 report by the Government Accountability Office (GAO) entitled *NASA TRAVEL: Passenger Aircraft Services Annually Cost Taxpayers Millions More Than Commercial Airlines* (GAO-05-818). In reviewing the data GAO collected for the purpose of producing that report, a number of questions relating to trips made by your predecessor, Sean O'Keefe, have arisen.

To address these questions, we request that you produce for the Committee the following records, as further defined in the attached Appendix, related to Administrator O'Keefe's travel and the policies that regulated the use of NASA assets to support such travel.

1. Records related to trips taken by Sean O'Keefe that were paid for or reimbursed by NASA, by any form of conveyance;
2. Records relating to the preparation, maintaining and/or alteration of Administrator O'Keefe's schedule between October 1, 2002 and October 31, 2004. This specifically includes invitations, requests for speaking engagements and any other event where the Administrator would be required to travel. Further, this specifically includes records demonstrating when the decision was made to accept an invitation and records detailing the subsequent arrangements for travel made by the Administrator or other NASA staff;

3. Records relating to the arrangement for and use of invitational travel orders by Laura O'Keefe, Keith Cowing, Kathy Sawyer, Warren Leary and Traci Watson;
4. For travel that was determined not to comply with the requirements of Office of Management and Budget Circular A-126 aboard aircraft employed by NASA for personnel transportation, all records that relate to the collection of reimbursements as described in the Circular;
5. Records describing the evolution of NASA Procedural Requirements 7900.3, "Aircraft Operations Management"; and
6. Records justifying the use of a "multiplier" of 2.5 when calculating the value of in-transit salary costs for the purposes of comparing cost of commercial air travel against the cost of operating NASA aircraft.

Also, please provide copies of all submissions made by NASA to the General Services Administration that were required by OMB Circular A-126, Section 10(c) for the years 1996-2006. Further, for any NASA travel authorization system reviewed by OMB between 1996-2006, please submit a copy of OMB's subsequent determination as to that system's acceptability.

Please deliver two copies of the requested records to the offices of the Committee on Science and Technology in Room B-374 of the Rayburn House Office Building by 5 p.m. on Wednesday, February 28, 2007. If your staff has any questions or needs further information, please contact James Paul, Investigations and Oversight Subcommittee staff, at (202) 226-3639.

Thank you for your assistance in this matter.

Sincerely,



BRAD MILLER

Chairman

Investigations and Oversight
Subcommittee

cc: Rep. James Sensenbrenner, Jr.
Ranking Member
Investigations and Oversight Subcommittee

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COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY2321 RAYBURN HOUSE OFFICE BUILDING
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October 24, 2012

Dr. Jane Lubchenco
Under Secretary of Commerce for Oceans and Atmosphere
and NOAA Administrator
U.S. Department of Commerce
1401 Constitution Avenue, N.W.
Washington, DC 20230

Dear Administrator Lubchenco:

On April 26, 2012, I wrote you with a request for information relative to travel by senior National Oceanic and Atmospheric Administration (NOAA) management. In light of revelations earlier this year of excessive and unnecessary travel by senior management at other agencies,¹ in addition to allegations of similar incidents at NOAA, my inquiry was an effort to ensure that taxpayers' funds were spent appropriately.

Despite multiple communications from the Subcommittee seeking a response, NOAA has not produced a single record, nor has it indicated a reasonable schedule for replying to the Subcommittee's request, which was originally sent almost six months ago. As a result, far from dispelling the Subcommittee's concerns, your delay in responding to the Subcommittee's request only amplifies them, and lends more credibility to the possibility that NOAA senior management engaged in unnecessary or inappropriate travel.

For your reference, I have once again listed below the requests for information from my April 26 letter, and I urge you to address this request as a priority.

Please provide the following information:

1. A list of all official travel taken by the following current or former NOAA employees from January 1, 2009 to April 25, 2012 – Dr. Jane Lubchenco; Ms. Mary Glackin; Dr. Jim Balsiger; Mr. Eric Schwaab; Dr. Kathryn Sullivan; Ms. Monica Medina; Mr. Charles Baker; Ms. Margaret Spring; Ms. Sally Yozell; Mr. William Stelle; Dr. Larry Robinson. This list should include the name of the employee, the date of the travel, the mode of transportation, the locations and destinations of the travel, and the purpose of the travel;

¹ "Panetta paid Treasury \$17,000 for trips home – Pentagon," Reuters, April 5, 2012, available at <http://www.reuters.com/article/2012/04/06/usa-defense-panetta-travel-idUSL2E8F614L20120406>.

Administrator Lubchenco
October 24, 2012
Page two

2. Any and all invitations associated with this travel;
3. Any and all itineraries (including drafts) associated with this travel;
4. Any and all travel vouchers associated with this travel;
5. Any and all trip reports or justification documents associated with this travel;
6. A list of any private travel connected or associated with this official travel;
7. The amount each employee reimbursed the federal government for any of these trips.

Please provide these documents by November 2, 2012. Given that my original letter to you requesting this information was in the spring of this year, your staff has had ample time to pull together the records I requested. If you and your staff are unable to meet this second deadline, I would appreciate hearing from you directly as to the reasons for your inability to respond to a congressional request.

If your staff has any questions about this inquiry, please direct them to contact Mr. Tom Hammond, Staff Director, Subcommittee on Investigations and Oversight at 202-225-6371.

Sincerely,



Rep. Paul Broun, MD
Chairman
Subcommittee on Investigations
and Oversight

cc: Rep. Ralph Hall
Chairman
Committee on Science, Space,
and Technology

Rep. Eddie Bernice Johnson
Ranking Member
Committee on Science, Space,
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Rep. Paul Tonko
Ranking Member
Subcommittee on Investigations
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April 26, 2012

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and NOAA Administrator
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1401 Constitution Avenue, N.W.
Washington, DC 20230

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As part of this responsibility, and in light of your recent communication¹ to NOAA staff regarding the importance of ethical conduct, and the value of rooting out waste, fraud, abuse and mismanagement, the Subcommittee would appreciate your assistance with an inquiry.

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³ Letter from Rep. Brad Miller, Chairman, Subcommittee on Investigations and Oversight, Committee on Science and Technology, to Dr. Michael Griffin, Administrator, National Aeronautics and Space Administration, February 2007. See attachment B.

Administrator Lubchenco

April 26, 2012

Page two

Jim Balsiger; Mr. Eric Schwaab; Dr. Kathryn Sullivan; Ms. Monica Medina; Mr. Charles Baker; Ms. Margaret Spring; Ms. Sally Yozell; Mr. William Stelle; Dr. Larry Robinson.

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Please provide these records by May 2, 2012. If you have any questions relating to this inquiry, please contact Mr. Tom Hammond, Staff Director, Subcommittee on Investigations and Oversight at 202-225-6371.

Sincerely,



Rep. Paul Broun, MD

Chairman

Subcommittee on Investigations
and Oversight

Attachments

cc: Rep. Ralph Hall
Chairman
Committee on Science, Space,
and Technology

Rep. Eddie Bernice Johnson
Ranking Member
Committee on Science, Space,
and Technology

Rep. Paul Tonko
Ranking Member
Subcommittee on Investigations
and Oversight

Attachment A

From: "Dr. Jane Lubchenco" <announcement@noaa.gov>

Date: April 16, 2012 11:50:05 AM EDT

Subject: Public service is a public trust



April 16, 2012

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Today I want to call your attention to an important aspect of our public service: the linkage between each individual's conduct and our collective ability to execute our mission. When the inappropriate, unethical, wasteful, and/or illegal actions of a few individuals are not consistent with the high standards of public service, this erodes confidence, lowers morale and undermines NOAA's ability to execute our mission.

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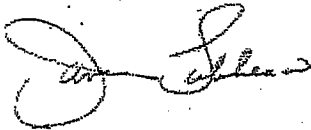
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- As per Departmental Administrative Order (DAOs 207-10, 213-2 and 213-3), it is the obligation of every NOAA employee to cooperate fully with any Inspector General audit, inspection, evaluation or investigation, including providing requested materials.

Only by supporting and nurturing NOAA's culture of integrity and accountability, can we accomplish the great mission of science, service and stewardship that Americans trust us to carry out. I'm counting on you to help us do just that.

Sincerely,



Dr. Jane
Join me on Facebook
www.facebook.com/noaa.lubchenco

This message was generated for the Under Secretary of Commerce for Oceans and Atmosphere and NOAA Administrator by the NOAA Information Technology Center/Financial and Administrative Computing Division.

BART GORDON, TENNESSEE
CHAIRMAN

RALPH M. HALL, TEXAS
RANKING MEMBER

U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON SCIENCE AND TECHNOLOGY

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<http://science.house.gov>

February 12, 2007

Dr. Michael Griffin
Administrator
National Aeronautics and Space Administration
Two Independence Square, SW
Washington, D.C. 20546

Dear Dr. Griffin:

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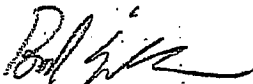
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5. Records describing the evolution of NASA Procedural Requirements 7900.3, "Aircraft Operations Management"; and
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Also, please provide copies of all submissions made by NASA to the General Services Administration that were required by OMB Circular A-126, Section 10(c) for the years 1996-2006. Further, for any NASA travel authorization system reviewed by OMB between 1996-2006, please submit a copy of OMB's subsequent determination as to that system's acceptability.

Please deliver two copies of the requested records to the offices of the Committee on Science and Technology in Room B-374 of the Rayburn House Office Building by 5 p.m. on Wednesday, February 28, 2007. If your staff has any questions or needs further information, please contact James Paul, Investigations and Oversight Subcommittee staff, at (202) 226-3639.

Thank you for your assistance in this matter.

Sincerely,



BRAD MILLER

Chairman
Investigations and Oversight
Subcommittee

cc: Rep. James Sensenbrenner, Jr.
Ranking Member
Investigations and Oversight Subcommittee



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Washington, D.C. 20230
OFFICE OF LEGISLATIVE AFFAIRS

Attachment C

NOV 8

Chairman Paul Broun, MD
Subcommittee on Investigations and Oversight
House Committee on Science, Space and Technology
2321 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Broun:

Thank you for your letter regarding a request for information relative to travel by senior National Oceanic and Atmospheric Administration (NOAA) management.

We are currently in the process of addressing this and several other document requests; we will produce those documents once we are confident that they are fully responsive to the Committee's request.

Sincerely,

Amanda Hallberg Greenwell
Acting Director, Office of Legislative and
Intergovernmental Affairs

