



The Four Winds

National Weather Service Employees Organization

Four Congressmen Seek Impoundment Act Ruling on NWS Vacancies

(August 2, 2019) Four Members of Congress, led by Rep. Jamie Raskin (D-MD), have requested that the Comptroller General initiate a formal inquiry whether the National Weather Service has violated the Impoundment Control Act by its failure to fill hundreds of positions, despite full funding and explicit direction from Congress to do so.

The Impoundment Control Act prohibits the Executive Branch from failing to spend funds that Congress has appropriated for a specific purpose, without first submitting a “rescission” request to Congress and obtaining an affirmative vote from Congress to forgo expenditure of funds. Under the Act, Congress can ask the Comptroller General for a formal ruling whether an agency has violated the Act. If the Comptroller General finds that the Administration should have but failed to submit a “rescission” request to Congress, the agency must expend the funds unless Congress approves the rescission within 45 days. If the agency does not comply, the Act authorizes the Comptroller General to bring suit against agency officials in Federal court to compel them to comply.

Last year, the NWS reported to the House and Senate Appropriations Committees that there were 381 vacant funded positions as of March 31, 2018. During a May 2019 hearing before the House Science Committee, the NWS conceded that the number of funded vacant positions has grown to 429, an increase of 48 vacancies over the course of 14 months.

In their letter to the Comptroller General, Representative Raskin and his colleagues noted that Congress has explicitly directed the NWS to fill these vacancies, but it refuses to do so. In its Report accompanying the FY 19 Appropriations Act, the Senate Appropriations Committee wrote:

The Committee is very concerned with the continued number of NWS employee vacancies. Given the importance of the NWS mission to protect the lives and property of our Nation’s citizens, extended

vacancies are unacceptable – particularly when the Committee has provided more than adequate resources and direction to fill vacancies expeditiously for the past several fiscal years. . . NWS is directed to continue to fill all vacancies as expeditiously as possible.

The House Appropriations Committee wrote in its Report accompanying the FY 19 NWS appropriations that:

This Committee expects the National Weather Service to continue to hire in 2019, and to have additional FTEs on board by the end of the fiscal year. The Committee expects that budget requests from the National Weather Service include funds necessary to pay for staff, yet the Committee consistently hears of staffing and management challenges within NWS.

In its FY 19 budget proposal, the Administration formally sought authority to eliminate 355 positions in the NWS, including 248 front-line forecasters – 20% of all forecasters in the NWS’s 122 forecast offices nationwide. Congress soundly rejected these proposed reductions, but the Administration has again proposed the same cuts in its pending FY 20 budget proposal. The Comptroller General has previously ruled that an agency may not forgo expenditure of funds in the anticipation that Congress might approve a budget reduction.

In their letter, Rep. Raskin and his colleagues noted that:

The failure of the National Weather Service to fill its vacant positions (the overwhelming majority of which are classified as “emergency/essential”) has harmed the public. . . Service assessments following twelve major storms that occurred between 2008 and 2017 found that the ability of the NWS to protect lives during these major events was compromised due to already inadequate staffing in operational forecast units.

In a May 2017 report, the Government Accountability Office concluded that the vacancy rate in NWS operational units had reached a point where NWS employees are “unable at times to perform key tasks.” The GAO also found that NWS “staff experienced stress, fatigue and reduced morale resulting from their efforts to cover for vacancies” due to lack of time off and a loss of training. NWS managers admitted to the GAO “that employees are fatigued and morale is low” and that employees “were demoralized because they had to cover the workload for multiple vacancies.”

The three other House members who joined Representative Raskin in submitting the inquiry to the Comptroller General are Don Beyer (D-VA); Conor Lamb (D-PA) and Dan Lipinski (D-IL), all members of the House Science Committee, which has jurisdiction over the NWS. Rep. Raskin represents the district which includes the NWS headquarters in Silver Spring, MD.

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No one cares more for National Weather Service employees than National Weather Service employees.

No one works harder for National Weather Service employees than National Weather Service employees.

We are NWSEO.