

AAG Washington Monitor

Senate Bill Could Undermine the National Weather Service

On April 14, Senator Rick Santorum (R-PA) introduced a bill which would limit the National Oceanic and Atmospheric Administration's (NOAA) ability to provide weather data, primarily through the National Weather Service (NWS). The legislation, "The National Weather Service Duties Act of 2005" (S.786), is intended to prohibit federal forecasters from competing with their commercial counterparts, including AccuWeather and the Weather Channel. AccuWeather is based in Pennsylvania, Santorum's home state. There is concern that the bill is so vague that it would be difficult for NOAA to determine what data they would be able to release.

Barry Myers, Executive Vice President at AccuWeather, recently asserted that the NWS should be focused on producing the emergency forecasts that can save people's lives and property, not on providing regular weather data. The counter-arguments, however, are that taxpayers should benefit from the ongoing NWS work that they fund and that limiting NWS data releases would be detrimental to scientists (including many geographers), educators, students, emergency managers, and other users. The AAG will soon be sending correspondence to Senate Commerce, Science, and Transportation Committee Chairman Ted Stevens (R-AK) asserting the importance of public data access. It is expected that Stevens' committee will consider restructuring NOAA this year, and Santorum's bill could be thrown into that mix.

As a backdrop to the debate that could play out over S.786, NOAA administrator Conrad Lautenbacher announced on May 16 that the 2005 hurricane season is forecast to be above normal. The administration is expecting between seven and nine hurricanes, three to five of which

could be major storms at category three or higher on the Saffir-Simpson scale.

House Version of Higher Ed Act Includes Questionable "Academic Bill of Rights"

As Congress continues its consideration of the Higher Education Act (please see my column from last month), one issue that has drawn considerable attention in the scientific and university communities is the inclusion of language in the primary House bill (H.R. 609, Section 103) that mirrors parts of the "Academic Bill of Rights" (ABOR). The ABOR is essentially a policy statement founded on the view that Democrats and liberals greatly outnumber Republicans and conservatives in faculty positions. The American Association of University Professors (AAUP) endorses the principle that no ideological tests should be applied to hiring and promotion decisions in the academy but asserts that the ABOR is "an improper and dangerous method for the principle's implementation."

The ABOR is essentially a statement that calls upon universities to maintain political pluralism and diversity. It seeks to impose requirements related to hiring, firing, and promotion of professors and grading of curricula and reading lists offered to students. The ABOR also applies standards on the selection of speakers brought to campus for school-sponsored events and activities. It is the brain trust of David Horowitz, a former leftist turned conservative activist, who is the founder of an organization called Students for Academic Freedom. He has been touring the country, encouraging state legislatures to pass the ABOR.

Section 103 of H.R. 609 focuses primarily on the rights and protections of students and is entitled "Student Speech and Association Rights." The companion Senate legislation has yet to be drafted

and it's unclear whether similar ABOR language will end up in the Senate bill or what will happen when the final bills face the Senate-House conference. (This is essentially the process by which the two houses of Congress resolve the differences in similar bills). The AAG will be monitoring this issue closely this year.

Nominations Announced to Key Interior Posts

On May 10, President Bush announced his intention to nominate Mark A. Limbaugh to serve as Assistant Secretary of the Interior for Water and Science, a position that requires Senate confirmation and oversees the United States Geological Survey. Limbaugh currently serves as Deputy Commissioner at the Bureau of Reclamation and Interior Secretary Gale Norton noted, "With Mark's continued leadership, I have extreme confidence that Americans will be well served by the Department's work on both water and science issues."

Limbaugh previously held positions as Executive Director of the Payette River Water Users Association and as Watermaster of Water District 65 in Payette, Idaho. He has also served as a board member of the U.S. Committee on Irrigation and Drainage and as President and Director of the Family Farm Alliance. Limbaugh is a former commercial family farmer. He holds a bachelors degree in accounting from the University of Idaho and has worked as a CPA.

Tom Weimer, who has held the Water and Science position on an acting basis, will soon be nominated by the White House to serve as Assistant Secretary of the Interior for Policy, Management, and Budget. Weimer will also face Senate confirmation. ■

John Wertman
jwertman@aag.org

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