

*U.S. DEPARTMENT OF COMMERCE  
Office of Inspector General*

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*NATIONAL WEATHER SERVICE*

*Complaints Surrounding the Recent  
Selection Of The Assistant Administrator  
for Weather Services*

*Final Inspection Report No. IPE-16823-4/April 2004*

**PUBLIC  
RELEASE**

*Office of Inspections and Program Evaluations*



UNITED STATES DEPARTMENT OF COMMERCE  
The Inspector General  
Washington, D.C. 20230

APR 30 2004

**MEMORANDUM FOR:** Vice Admiral Conrad C. Lautenbacher, Jr. USN (Ret.)  
Under Secretary for Oceans and Atmosphere  
National Oceanic and Atmospheric Administration

**FROM:** Johnnie E. Frazier

**SUBJECT:** Complaints surrounding the recent selection of the Assistant  
Administrator for Weather Services (IPE-16823)

We have completed our inquiry into the complaints about the process used to rate applicants for the new Assistant Administrator for Weather Services. We conducted this review during March 2004, after we received a complaint that centered on two issues: (1) the individual selected was not a meteorologist even though the position was advertised as a meteorologist (occupational series 1340), and (2) after the screening panel made its recommendation of candidates to be referred to you for selection, NOAA Human Resources Management (HRM) added less experienced and unqualified candidates to this list. Our findings are as follows:

**Despite being classified under the 1340 occupational series, the Senior Executive Service (SES) position did not require a degree in meteorology.**

It is clear that the position was advertised under the 1340 occupational series, meteorologist. The U.S. Office of Personnel Management has published Qualification Standards for General Schedule positions. The basic requirements for a GS-1340 position ranging from GS-5 to GS-15 include: (1) a degree in meteorology, atmospheric science or other natural science major with a minimum number of college semester hours of credit in specified related areas of study, or (2) a combination of related education and experience, the quality of which is sufficient to demonstrate that the applicant possesses the technical knowledge and skills needed to perform work in the occupation. These educational requirements apply only to GS positions.

For SES positions, the head of each agency is responsible for establishing qualification standards (5 Code of Federal Regulations §317.401 and §317.402). The Professional and Technical Qualifications (PTQs) contained in the vacancy announcement are drawn from the duties contained in the position description. Neither the PTQs nor the vacancy announcement for this position identified any specific education requirements, including a requirement for a degree in meteorology or the natural sciences. Because the position was classified and advertised under the 1340 occupational series, some panelists and potential applicants may have misunderstood the educational requirements. Nevertheless, according to the vacancy announcement, the position does not require either specific education or a degree in



meteorology. It should be noted, however, that the first PTQ on the vacancy announcement does specify that candidates will be rated on their “broad background in physical and atmospheric sciences with demonstrated professional experience in one or more of the following: meteorology, weather research, hydrology, and/or environmental science.”

**The individual selected was rated at least well-qualified for the position**

General David Johnson, who was ultimately selected for the Assistant Administrator position, did not list a degree in meteorology among his qualifications. Nonetheless, all members of the panel of experts assembled to review the applications of candidates for the position rated General Johnson at least “well-qualified,” using the PTQs contained in the vacancy announcement. Accordingly, the screening panel found that General Johnson possessed the broad experience and knowledge necessary to perform the duties of the position as it was advertised.

**All candidates referred for selection by NOAA HRM were rated as being at least “well-qualified” by the panel**

In considering the second part of the complaint about whether additional unqualified or experienced candidates were added to the screening panel’s recommended list of candidates, we looked at how the panel operated. We found that after the five-member screening panel was selected, its members individually reviewed the applications of the seven candidates that were deemed minimally qualified by NOAA’s HRM office. The panel members then participated in a telephone conference call to discuss and rate the candidates and determine a list of “best-qualified” candidates to be referred to the selecting official. Only four members of the panel participated in the conference call; the fifth member could not participate because of a family emergency. This absent panel member submitted his ratings to NOAA HRM about one week after the panel’s conference call. Although the ratings of the individual panel members for each candidate are documented, there was no written recommendation or consensus reached by the panel of the group of “best-qualified” candidates to be referred to the selecting official.

When we interviewed NOAA’s HRM Director regarding the role he played in the selection process after the panel ratings were submitted, he recalled being told that there was some disagreement among the panel members as to who should be referred on to the selecting official. He said that the panel members were trying to differentiate between the five candidates they found as “well-qualified” and not refer all of those candidates along with the one candidate rated highly-qualified. We also spoke with each of the panel members, and they had no consistent recollection about which candidates the panel decided to refer as “best-qualified.” (See attachment for a detailed discussion of the screening panel process and the formation of the “best-qualified” list.)

Although clear consensus was not reached on a “best-qualified” list of candidates, the screening panel did not again deliberate as a group. Instead, the Director, NOAA HRM, decided to resolve what he thought was the panel’s impasse by referring to the selecting official all the “well-qualified” candidates in addition to the “highly-qualified” candidate, for a total of six candidates. Given their qualifications and the fact that the panel had deemed the

five individuals to be well-qualified, the NOAA HRM Director indicated that he saw no need to stratify the well-qualified candidates and instead decided to send all well-qualified candidates forward along with the one highly-qualified candidate.

We confirmed that all six candidates referred for selection were rated either “highly-qualified” or “well-qualified”.

### **NOAA needs to improve and comply with its Executive Resources Merit Staffing and Recruitment Plan**

We found that NOAA’s selection procedures, as outlined in its Executive Resources Merit Staffing and Recruitment Plan, are incomplete and were not always followed in the selection process for this position. In reviewing those procedures to determine whether the established process for selecting SES employees was properly followed in this case, we found that the plan calls for the screening panel members to rate/rank each applicant and to sign off on an overall final ratings form for all the candidates. The panel never signed off on that final ratings form. In addition, the NOAA plan requires that the panel identify a list of “best-qualified” candidates that are then included on an SES Selection Certificate, which is transmitted to the selecting official. The plan’s procedures, however, do not specify how the list of “best-qualified” candidates is to be documented by the panel, but it is clear in this case that that decision was not documented. Further, the plan is silent on how to resolve any disagreement among screening panel members. Likewise it is silent on whether the NOAA HRM Director, or other HRM official, has authority to unilaterally decide which candidates to refer if the panel cannot reach consensus. It should be noted that at the departmental level, Commerce’s Executive Personnel Policy Manual does indicate that the HRM manager is responsible for resolving differences.

When we checked with the Department’s HRM Director, she indicated that HRM officials normally try to get a consensus from a screening panel on the list of best-qualified candidates that is sent to the selecting official. In this instance, she believes that NOAA’s HRM office should have tried to reach a consensus by scheduling another conference call between all five screening panel members, but she said that there was nothing illegal or wrong per se with how NOAA handled the matter.

Thus, we have concluded that it would have been prudent for NOAA’s HRM Director to reconvene the panel to obtain such a consensus. However, given the small number of highly- and well-qualified candidates, it appears that the NOAA HRM Director’s decision to refer all such candidates was reasonable. He, in fact, erred on the side of caution by including all “highly-qualified” and “well-qualified” candidates on the list sent to NOAA management. As he told us, he did this since referring six candidates was not going to result in an unwieldy number of candidates for the selecting official to consider and interview.

### **Recommendations**

In the future, to avoid such problems, we recommend that NOAA more thoroughly document the decisions of its screening panels, to include drawing up a decision document that each

panel member must sign to signify that he/she concurs with the final ratings for each candidate and the “best-qualified” list to be referred to NOAA management.

We also recommend that NOAA revise its procedures, as outlined in its Executive Resources Merit Staffing and Recruitment Plan, to include instructions on what to do if a panel fails to reach a consensus on which candidates should be referred. It should clearly set forth under what circumstances the Director, NOAA HRM, has the authority to transmit to the selecting official a list of “best-qualified” candidates that differs from the screening panel’s decision. The NOAA Plan should also be reviewed to identify any inconsistencies with departmental guidance and be revised as necessary.

Please provide an action plan, within 30 calendar days, addressing NOAA’s planned actions to correct the problems identified in this memorandum. We thank the personnel in NOAA for the assistance and courtesies extended to us during our inquiry. If you have any questions or comments about our findings or recommendations, please feel free to contact me on (202) 482-4661, or Jill Gross, Assistant Inspector General for Inspections and Program Evaluations, at (202) 482-2754.

Attachment

cc: John J. Kelly, Deputy Under Secretary for Oceans and Atmosphere  
Otto Wolff, Chief Financial Officer and Assistant Secretary for Administration

**SCREENING PANEL PROCESS AND FORMATION OF  
THE "BEST-QUALIFIED" LIST OF CANDIDATES FOR  
The Assistant Administrator for Weather Services**

Background

NOAA Office of Human Resources Management (HRM) received seven applications for this position and all seven candidates were deemed by that office to be minimally qualified. The applications were then referred by HRM to a screening panel for evaluation, rating, and determination of the "best-qualified" candidates to be referred to NOAA management<sup>1</sup> for review and interviews. The panel had five members—four subject matter experts external to NOAA and one NOAA employee (the Assistant Administrator for Ocean Services and Coastal Zone Management).

Panel's Rating Process

Four of the panel members participated in a conference call on September 9, 2003, with the fifth participant sending in his ratings a week later since a family emergency made it impossible for him to take part in the conference call. The participants in the conference call agreed that one candidate [REDACTED] was deemed "highly-qualified", five candidates [REDACTED] were deemed "well-qualified" and one candidate [REDACTED] was rated as "qualified." We reviewed the individual panel members' ratings sheets to confirm these rankings. Apparently, in addition to referring the one "highly-qualified" candidate, the panel attempted to differentiate between the "well-qualified" candidates and not to refer all five candidates in the category.<sup>2</sup> Thus, the panel's "best-qualified" list consisted of something fewer than all seven candidates. Unfortunately, there is no written summary documenting what the screening panel agreed to. We spoke to each of the panel members that participated in the conference call, as well as the NOAA HRM representative, who moderated the discussion, to try and determine what the four panelists involved in the conference call agreed to. Each person we interviewed remembered a different set of names agreed to at the conclusion of the conference call. Based on our interviews, the following table is a summary of what each of the participants in the conference call remembered as being the "best-qualified" list that the panel agreed should be sent forward to NOAA management, even though they knew that the list might change when the ratings from the fifth panelist were received.

Screening Panel Member 1	[REDACTED]
Screening Panel Member 2	[REDACTED]
Screening Panel Member 3	[REDACTED]
Screening Panel Member 4	[REDACTED]
NOAA HRM Representative	[REDACTED] and could not recall the additional candidates they agreed to

<sup>1</sup> For this selection, the Deputy Under Secretary was the recommending official, and the Under Secretary for Oceans and Atmosphere was the authorizing, or selecting official.

<sup>2</sup> The seventh candidate deemed as "qualified" by the panel was not under consideration for referral.

The fifth screening panel member turned in his rating sheets to NOAA about one week after the conference call. The NOAA HRM representative prepared a final ratings sheet that summarized the individual rating sheets from all five panelists. In doing this, she found that one candidate, [REDACTED] who had not been among those deemed best-qualified by the four panel members in the conference call, moved up higher in the ratings among the "well-qualified" candidates and thus, warranted referral to management. She e-mailed this information and recommendation to the panel members on September 17, 2003. Three panelists agreed to include [REDACTED] on a "best-qualified" list, one asked for another conference call to discuss the change, and the last member was not sent the e-mail because the NOAA HRM representative did not have his e-mail address at the time. (According to our interview with that panelist, he does not recall being told of the addition of [REDACTED].) Finally, the conference call requested by one of the panel members never took place, and he did not recall, when we spoke with him, why he felt a conference call was necessary.

#### NOAA HRM Director's Development of a "Best-Qualified" List of Candidates

We interviewed NOAA's HRM Director about the selection process and screening panel's recommendation. He recalls being told by the then Acting Executive Resources Program Manager that the screening panel was in disagreement about whether to refer [REDACTED]. He told us that she indicated that the panel agreed to refer [REDACTED] and not refer [REDACTED] but that they could not agree about [REDACTED]. We interviewed the then Acting Executive Resources Program Manager (she has since changed jobs and is now working at another federal agency), and she does not remember much about the selection process. She said that she never spoke directly with any panelists, so she believes she got her impressions about a lack of consensus among the panel members from discussions she had with the HRM representative and/or e-mail messages she may have seen at the time. She does recall that the disagreement centered on [REDACTED] and whether or not he should be included on the "best-qualified" list. It appears that this characterization resulted because one of the panel members asked for a second conference call to discuss the addition of [REDACTED] to the list. No one recalls why there was not an attempt to have a second conference call to get agreement from the panel members.

Although clear consensus was not reached, the screening panel did not again deliberate as a group. Instead, the Director, NOAA HRM, decided to resolve what he thought was the panel's impasse by referring to the selecting official all the "well-qualified" candidates in addition to the "highly-qualified" candidate, for a total of six candidates. He told us that he made this decision for many reasons, including the fact that [REDACTED] was [REDACTED] at the time, two internal candidates subordinate to [REDACTED] were recommended for referral, and the referral of [REDACTED] would result in a more diverse applicant pool. He also noted that the other two well-qualified candidates consisted of the only female well-qualified applicant who is a degreed meteorologist with NWS experience [REDACTED] and [REDACTED]. Given their qualifications and the fact that the panel had deemed these three individuals to be well-qualified, the NOAA HRM Director indicated that he saw no need to stratify the well-qualified candidates and instead decided to send all highly-qualified and well-qualified candidates forward.

The Director's decision was communicated to the screening panel members in an e-mail message on September 29, 2003. One panel member told us that he felt the panel's work was rendered meaningless by this action and that the Director could have reached the same conclusion without the panel's efforts to differentiate between the qualifications of the candidates. One other panel member expressed the same opinion to us during our interviews. The SES selection certificate containing the names of six candidates for the Assistant Administrator for Weather Services was forwarded to the Deputy Under Secretary on October 2, 2003.

We conducted this review in accordance with the *Quality Standards for Inspections* issued by the President's Council on Integrity and Efficiency, and under authority of the Inspector General Act of 1978, as amended, and Department Organization Order 10-13, dated May 22, 1980, as amended.

Program evaluations are special OIG reviews that provide agency managers with information about operational issues. A primary goal of these evaluations is to encourage effective and efficient operations, and thus eliminate waste in federal programs. By asking questions, identifying problems, and suggesting solutions, OIG hopes to help managers move quickly to address issues and deficiencies uncovered during the review. Program evaluations may also highlight effective operations, particularly if they are useful for agency managers or adaptable to programs elsewhere.

Major contributors to this report were Lisa Allen and Deborah Holmes, Office of Inspections and Program Evaluations.



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