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## United States Senate

COMMITTEE ON COMMERCE, SCIENCE,  
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

WEBSITE: <http://commerce.senate.gov>

June 8, 2020

JOHN KEAST, STAFF DIRECTOR  
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The Honorable Peggy E. Gufstafson  
Inspector General  
Office of the Inspector General  
U.S. Department of Commerce  
1401 Constitution Avenue, NW  
Washington, DC. 20230

Dear Inspector General Gufstafson:

I write to request a further update on your progress investigating scientific integrity violations at the U.S. Department of Commerce in relation to Hurricane Dorian forecast activities, as well as potential misconduct concerning the addition of a “citizenship” question to the 2020 Census.

The U.S. Senate Committee on Commerce, Science, and Transportation will soon be considering the nomination of Michael J. Walsh, Jr., to serve as General Counsel of the Department. It is my understanding that Mr. Walsh has served in several capacities at the Department since January 2018, including as Deputy General Counsel, Chief of Staff, and currently as “Chief of Staff; Performing the Delegated Duties of the General Counsel.”

On September 1, 2019, President Trump sent a Tweet that “South Carolina, North Carolina, Georgia, and Alabama will most likely be hit (much) harder than anticipated” by Hurricane Dorian. Following this Tweet, the Birmingham, Alabama National Weather Service office issued a Tweet saying that Alabama “will NOT see any impacts from Dorian.” On September 4, 2019, President Trump displayed an altered National Hurricane Center forecast map showing the State of Alabama was part of Hurricane Dorian’s “forecast cone,” causing further confusion. Rather than clarify the matter, the National Oceanic and Atmospheric Administration (NOAA) released an unsigned statement on September 6, 2019, stating that the National Hurricane Center models “demonstrated that tropical-storm-force winds from Hurricane Dorian could impact Alabama.”

Several media reports have indicated Mr. Walsh’s involvement in drafting or facilitating the unsigned NOAA statement.<sup>1</sup> Specifically, it appears that the statement may have been drafted on the computer of the Department’s Deputy General Counsel and later reviewed or

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<sup>1</sup> See Eric Katz, *Top Commerce Officials Played Key Role in Drafting Hurricane Statement Supporting Trump*, NOAA Chief Says, Government Executive, Oct. 11, 2019, available at <https://www.govexec.com/management/2019/10/top-commerce-officials-played-key-role-drafting-hurricane-statement-supporting-trump-noaa-chief-says/160553/>.

revised by Mr. Walsh. Further information detailing Mr. Walsh's involvement in this matter would be very helpful to the Committee's consideration of his nomination.

In addition, it also appears that Mr. Walsh was involved in the attempt to add a question regarding citizenship to the 2020 Census. Specifically, media reports indicate that he was involved in efforts to claim that the citizenship question originated with the Department of Justice rather than the fact that the genesis of the question originated with Secretary Ross.<sup>2</sup> Further information regarding any inappropriate conduct in the formulation of this question and later efforts to obfuscate its origin would also be helpful to the Committee's consideration of his nomination.

I request that a briefing be provided to my staff on the status of any investigations into these matters as soon as possible and, in any event, no later than Friday, June 12, 2020. Please contact Sara Gonzalez-Rothi or Christopher Day of the Committee's staff to schedule this briefing.

Thank you in advance for your prompt assistance with this request.

Sincerely,



MARIA CANTWELL  
Ranking Member

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<sup>2</sup> Hansi Lo Wang, *Internal Emails Made Public Show Census Bureau Official Communicated With GOP on Citizenship Question*, National Public Radio, June 15, 2019, available at <https://www.kqed.org/news/11755004/internal-emails-made-public-show-census-bureau-official-communicated-with-gop-on-citizenship-question>