

(print on US IOOS/NOS/NOAA letter head with date stamped)

MEMORANDUM For: U.S. IOOS Program Office staff

From: Zdenka Willis, Director

Subject: Deepwater Horizon Oil Spill After Action Report

The Deepwater Horizon (DWH) oil spill, 2010, was a national emergency and IOOS responded quickly to help mitigate damage. During the initial response phase IOOS volunteered a variety of technical assistance without expectation or request for reimbursement. The support included the use of shore-based high frequency radar, the exploratory use of ocean gliders, and a scientist on-scene at the Incident Command Center (ICS). Shortly after the DWH well was capped, the U.S. Coast Guard (USCG), which was in charge of the ICS, determined a comprehensive observing plan was needed for the response effort and signed a Pollution Removal Funding Authorization approving the rapid acquisition of a wide range of technical services to gather information about surface and subsurface ocean conditions in the waters surrounding the spill. This authorization included specific language requesting the use and deployment of ocean gliders. At this time, gliders operated by five IOOS partners were already in various stages of experimental and exploratory deployment in the region. They quickly focused their operations in response to the USCG's request with the understanding that this work would be reimbursed by the federal government. While it remains undisputed that the USGC requested these technical services, we did not conduct even an abbreviated acquisition process. In retrospect, there was a lack of understanding that this was an essential step to take before any work could officially be put in motion. Contributing to this mistake was the complex and chaotic process of the federal government's response to this crisis and the long-hours put in by on-scene staff who worked weeks without a break. Once the emergency was over and we initiated a reimbursement process on behalf of our partners, NOAA eventually determined that we had inadvertently committed funds without authorization.

Resolving this mistake has taken several years of dedicated effort to explain to NOAA authorities how this happened, to document our partners' expenses, and finally to get approval from NOAA authorities for final reimbursements – a process called ratification or an after-the-fact reimbursement. Senior IOOS staff took additional acquisition training.

As of August 29, 2013, all IOOS partners requesting reimbursement for glider operations during the DWH have been paid and this matter is now closed. This memo completes the requirements agreed to by me to reimburse our partners.

We will avoid repeating this mistake. To avoid future unauthorized commitments, and to protect yourself and other federal employees and taxpayer dollars, please follow these rules:

- Engage your Servicing Acquisition Office early and often.
- Don't make any verbal or written commitments to contractors if not authorized to do so.
- Make sure the vendor knows you are not authorized to place orders.
- Don't pay for any items out-of-pocket and expect reimbursement.
- Don't make any changes outside the scope of the contract.

- Individuals should not give the impression that they have been given authority to make purchases if they do not have that authority.

For additional information:

- NOAA Acquisition and Grants Office <http://www.ago.noaa.gov>, 301-713-0325
- Basic instructions to make a purchase:
http://www.ago.noaa.gov/acquisition/make_purchase.html
- NOAA Acquisition Contacts;
 - National Ocean Service, Silver Spring, MD Jane Piercy, Senior Acquisition Manager: jane.piercy@noaa.gov, 301-713-3050, x161
 - NOAA Eastern Acquisition Division, Norfolk, NC
 - Michele McCoy (757) 274-4779
 - Melissa Sampson (757) 419-0554
 - Brendon Johnson (757) 274-5076
 - Marion Cavanaugh (757) 613-4210
 - Jeanette Spreemann (757) 274-9939
 - NOAA Eastern Acquisition Division, Kansas City, MO
 - Bill Becker (816) 527-6472
 - Steve Prado (816) 527-6473
 - Donita McCullough (816) 527-6471
 - NOAA Western Acquisition Division, Seattle, WA
 - Wade Hader (310) 386-4602
 - George Kelly (253) 820-9200

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MEMORANDUM For: IOOS Regional Association Executive Directors

From: Zdenka Willis, Director

Subject: Deepwater Horizon Oil Spill After Action Report

The Deepwater Horizon (DWH) oil spill, 2010, was a national emergency and IOOS responded quickly to help mitigate damage. During the initial response phase IOOS volunteered a variety of technical assistance without expectation or request for reimbursement. Your support included the use of shore-based high frequency radar, the exploratory use of ocean gliders, and a scientist on-scene at the Incident Command Center (ICS). Shortly after the DWH well was capped, the U.S. Coast Guard (USCG), which was in charge of the ICS, determined a comprehensive observing plan was needed for the response effort and signed a Pollution Removal Funding Authorization approving the rapid acquisition of a wide range of technical services to gather information about surface and subsurface ocean conditions in the waters surrounding the spill. This authorization included specific language requesting the use and deployment of ocean gliders. At this time, gliders operated by five IOOS partners were already in various stages of experimental and exploratory deployment in the region. They quickly focused their operations in response to the USCG's request with the understanding that this work would be reimbursed by the federal government. While it remains undisputed that the USGC requested these technical services, the IOOS Program Office did not conduct even an abbreviated acquisition process. In retrospect, there was a lack of understanding that this was an essential step to take before any work could officially be put in motion. Contributing to this mistake was the complex and chaotic process of the federal government's response to this crisis and the long-hours put in by on-scene staff who worked weeks without a break. Once the emergency was over and we initiated a reimbursement process on your behalf. NOAA eventually determined that we had inadvertently committed funds without authorization.

Resolving this mistake has taken several years of dedicated effort to explain to NOAA authorities how this happened, to document our partners' expenses, and necessary approvals from NOAA authorities for final reimbursements – a process called ratification or an after-the-fact reimbursement. As part of the process to authorize the fund, senior folks within the IOOS Program Office took additional acquisition training, and I needed to provide my staff and you an explanation of the events and caution us to ensure we avoid this serious issue in the future.

As of August 29, 2013, all IOOS partners requesting reimbursement for glider operations during the DWH have been paid and this matter is now closed.