

**Ranking Member John Thune**  
**Questions for the Record**  
**Nomination of Bruce Andrews to be**  
**Deputy Secretary of Commerce**  
**Senate Committee on Commerce, Science, and Transportation**  
**Hearing on June 11, 2014**

1. NTIA IANA Functions

Mr. Andrews, a number of this Committee's members have called for the Committee to hold a hearing on NTIA's proposed transition of the IANA functions to the multi-stakeholder community. I think this topic is important, and would support such a hearing.

**Would the Department be willing to testify as it did in the House to discuss specifically some of the valid concerns that exist regarding the proposed transition? If confirmed, what role—if any—do you expect to play in overseeing the proposed transition?**

*The Department is committed to a transparent and open process for a successful transition, including active engagement with Congress. We work closely with the committee and the Department would be responsive to an invitation from the Committee to provide a witness at a hearing who can best respond to questions the committee may have.*

*Assistant Secretary Strickling has to date testified on this topic twice, conducted two briefings for the Committee, and provided detailed answers to written questions. In all of those instances, NTIA has laid out a clear framework to ensure a successful transition, including that it will not accept a proposal that replaces the NTIA role with a government-led alternative, as well as agreeing to provide regular updates to Members on this important topic. If confirmed, I will be working closely with NTIA to ensure that the open Internet remains an engine for economic and social opportunity at home and abroad.*

2. FirstNet – Independent Authority

Mr. Andrews, the Spectrum Act establishes FirstNet as an “independent authority within NTIA.” **What is the Department of Commerce's interpretation of what it means for FirstNet to be an “independent authority” within NTIA?**

*The Middle Class Tax Relief and Job Creation Act of 2012 (Act) establishes FirstNet as an independent authority within NTIA, and thus FirstNet is both part of NTIA and independent of it with respect to program-related decisions not expressly assigned to NTIA under the Act. Both the Department of Commerce and NTIA have their own express substantive roles under the Act, and the Act's placement of FirstNet within NTIA will continue to result in a close, but independent, working relationship with NTIA, as well as the Department, to jointly achieve the critical goals of FirstNet's mission.*

### 3. First Net - Management

Building a network is incredibly complicated, and will require empowering FirstNet's experts to do what they do best.

**What assurances can you give those concerned about the potential for bureaucratic micromanagement by the Department that FirstNet is being given sufficient latitude to operate effectively?**

*FirstNet is one of the most unique and high-profile initiatives in the Department's portfolio. The Department is fully committed to leveraging its resources to ensure FirstNet can achieve its vital mission for public safety. The Department has provided assistance to FirstNet to help it navigate the complexities of federal procurement and hiring requirements and taken steps to streamline these processes for FirstNet whenever possible to enable it to acquire the services and staff it needs to successfully fulfill its challenging task to build a nationwide broadband network for public safety. If confirmed, I will work closely within the Department to ensure that we provide FirstNet the tools it needs to successfully do its job.*

### 4. NOAA Satellites

Mr. Andrews, you note in your response to the Committee Questionnaire that the Department has a number of very important, but also operationally challenging programs, and you listed NOAA satellites as one of these programs.

**If confirmed, what will you do to ensure that the NOAA satellite programs are meeting established milestones and making efficient use of taxpayer dollars?**

*If confirmed, I will work with the NOAA Administrator to provide oversight of the NOAA satellite programs to help ensure they continue to meet their milestones and make efficient use of taxpayer dollars. The NOAA satellite programs are on schedule and within budget, and we remain committed to strengthening and increasing robustness of these programs.*

*NOAA is the program lead for these programs and works very closely with NASA to implement the necessary requirements for weather forecasting. The NASA – NOAA partnership is strong and provides government oversight to the contractors. DOC provides programmatic and budgetary, as well as management, oversight. Frequent reviews of the satellite programs are conducted by government entities, such as the Government Accountability Office and the Department of Commerce Inspector General, and independent groups comprised of aerospace experts, which provide guidance and help ensure that these programs remain on track and within budget. We will continue to work with, and welcome, reviews by these groups.*

## 5. Use of Commercial Satellite Data

**Given the impending gap in weather satellite coverage by US polar orbiting satellites, POES and JPSS, as well as the coming gap in COSMIC constellation for Radio Occultation (RO) data, do you see any legal barriers or other impediments for the Department of Commerce and NOAA to acquiring commercial satellite data that can be provided in time to fill these gaps and meet all technical standards and specs of NOAA and possibly save taxpayer dollars?**

*No, we do not see any legal barriers to the Department of Commerce and NOAA acquiring commercial satellite data to help fill data needs, as long as funding is provided and the data meet the key requirements for cost, data policy, and reliability, and are compliant with the Federal Acquisition Regulations.*

*NOAA already engages in commercial data buys, such as for Synthetic Aperture Radar (SAR) imagery from commercial sources in Canada and Europe to support ice detection and monitoring for the National Ice Center. Ocean color data was purchased from a hosted U.S. government sensor called SeaWiFS (Sea-Viewing Wide Field-of-view Sensor) aboard the Orbview II satellite, which was operated by GeoEye Inc. This data was used operationally to monitor harmful algal blooms in U.S. coastal waters. In addition, NOAA purchases the U.S. National Lightning Data Network from Vaisala. National Weather Service offices use this data to support severe weather warnings. Furthermore, NOAA partners with private industry to design, build, and operate its space and ground systems.*

## 6. Commercial Satellite Data – FY 2015

**Are you aware of the FY 2015 CJS bill report language that requires Commerce and NOAA within 120 days of enactment to provide a plan to procure commercial satellite data to the Appropriations Committee? Do you see any significant barriers to achieving that deadline?**

*Yes, I am aware of the FY 2015 CJS bill report language that requires the Department of Commerce and NOAA within 120 days of enactment to provide a plan to procure commercial satellite data to the Appropriations Committee. We are actively working on such a plan and will engage the Office of Management and Budget to achieve this deadline.*

## 7. Commercial Space Environmental Data Service Companies

**Are you aware of the efforts of a number of commercial space environmental data service companies to develop, launch and operate commercial weather satellites for providing weather data as a service – similar to your monthly cell-phone service -- to both government and commercial entities worldwide? What would be your plan to take advantage of these commercial services—that will also create US jobs and economic development—in accordance with the requirements of the National Space Policy?**

*Yes, I am aware of the efforts of commercial space environmental data service companies to develop, launch, and operate commercial weather satellites. We will seriously analyze these upcoming commercial services to see if they could possibly help fill any data needs.*

*As the primary customer for these data purchases, the National Weather Service has 16 long-standing criteria for data quality. The National Weather Service purchases instrumentation and data from vendors that can demonstrate that they can meet those criteria. However, there are currently no viable, proven commercial entities which can provide the mission-critical data that is required to ensure that lives and property of the American public are not put at risk from severe weather. The downstream economic benefits garnered off the foundational data of the United States commercial weather enterprise are very real and quite considerable. There are over 300 private weather companies today that use those data as feedstock. There is no other weather enterprise that takes that model of a private innovation platform in the data as a public good and produces the private sector value-added economic activity downstream. We need to carefully evaluate the intended and unintended consequences that might come from monetizing the data stream.*

## 8. Sources of Satellite Data

**If you knew that there are technically viable, economically attractive and timely solutions available to close and mitigate vital weather satellite data gaps – that would readily meet the rigorous technical standards and specifications of the US Government through NOAA -- would you seek out those solutions whether they came from commercial, academic or public/private partnership sources?**

*As stated above, yes, we would seriously analyze any technically viable solutions to help mitigate weather satellite data gaps, provided they would meet the requirements set by the National Weather Service.*

## 9. Office of Inspector General Recommendations

**The U.S. Department of Commerce Office of Inspector General (OIG) is tasked with seeking to improve the efficiency and effectiveness of the Department's programs and operations. In your current role, how do you implement recommendations or address any issues identified by the OIG?**

*Every day the Department's bureaus work with American businesses, communities, and private citizens to spur innovation, promote trade and investment, foster use of data, and ensure production of critical environmental products and services -- and we are committed to do so in the most effective and efficient way possible.*

*The Department's senior leaders work closely with the Office of Inspector (OIG) to understand the challenges they have identified, and how to address the issues they have raised. For example, the Chief Financial Officer and Assistant Secretary for Administration (CFO/ASA) are working on improving our oversight process and internal controls at both the bureau and Department levels. The Deputy Secretary plays a key role as the Chief Operating Officer of the Department in overseeing the operations of the Department. If confirmed, making sure the Department has the proper controls in place to support effective and efficient operations will be a top priority for me.*

## 10. Office of the Inspector General – Contracts and Funds

Recently, the OIG issued a report (OIG-14-001-A) following a review of 43 time-and-materials and labor-hour contracts, which found that contracting and program officials did not properly award and administer contracts and task orders for work permitted. The OIG also found that potential monetary benefits to the Department, in the form of potential savings from eliminating unsupported costs and from funds put to better use, totaled \$170 million. We are in challenging financial times and we need to ensure taxpayer funds are being used efficiently and judiciously.

**A) In your current position within the Office of the Secretary (where the review was located), how do you work to ensure contracts are properly awarded and administered?**

*The Department has built acquisition metrics that are used for data centric decision making and oversight. The metrics are calculated daily and reviewed on a monthly basis at our acquisition council chaired by the CFO/ASA, Senior Procurement Executive and attended by the Bureau Procurement Officials (BPsO). The CFO/ASA is working on improving our oversight process and internal controls at both the bureau and Department levels through an acquisition review board for acquisitions over \$75 million. If confirmed, I will work with the CFO/ASA and others when appropriate to ensure the Department's senior management is appropriately responding to management issues raised by the Department's Office of Inspector General.*

**B) If confirmed, how would you work address generally unsupported costs and funds put to better use identified by the OIG or by the Department?**

*As Chief Operating Officer, I would work with the Department's senior managers to consider OIG reports and findings throughout the year as we build budgets and execute programs. If the OIG identifies unsupported costs and funds put to better use, we will consider those findings at each opportunity.*