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Description of document: Department of Commerce (DOC) 2020 Presidential Transition Team Briefing Book

Requested date: 01-January-2021

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Source of document: FOIA Request
Immediate Office of the Secretary FOIA Officer
FOIA Officer, Office of the Secretary, Office of Privacy and Open Government
1401 Constitution Avenue, NW, Room 61013
Washington, DC 20230
eFOIA@doc.gov
[FOIAonline](#)

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April 5, 2022

RE: FOIA request DOC-IOS-2021-000601

This letter is in response to your request for information submitted to the U.S. Department of Commerce's (Department's) Freedom of Information Act (FOIA) Office via FOIAonline. According to our records, we received your request on January 1, 2021, and assigned to it tracking number DOC-IOS-2021-000601. We are responding under the FOIA to your request for:

“...A digital/electronic copy of the transition briefing document(s) (late 2020) prepared by the Dept of Commerce for the incoming Biden Administration...”

After a search of the Agency records, we are providing you with the results of our search. One record constituting 590 pages have been found and are now being released to you under the FOIA.

I trust that this fully satisfies your request. If you need any further assistance or would like to discuss any aspect of your request, please do not hesitate to contact the FOIA Public Liaison:

Nicholas J. Cormier
Deputy Program Director
Office of Privacy and Open Government
Email: eFOIA@doc.gov

Please refer to your FOIA request tracking number, DOC-IOS-2021-000601, when contacting us.

In addition, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS

College Park, Maryland 20740-6001
e-mail at ogis@nara.gov
Telephone at 202741-5770; toll free at 1 877-684-6448; facsimile at 202-741-5769

You have the right to appeal this FOIA determination. An appeal must be received within 90 calendar days of the date of this response letter.

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Address your appeal to the following office:

Assistant General Counsel for Employment, Litigation, and Information
U.S. Department of Commerce
Office of the General Counsel, Room 5896
1401 Constitution Ave., NW
Washington, D.C. 20230


An appeal may also be sent by e-mail to FOIAAppeals@doc.gov or by FOIAonline, if you have an account in FOIAonline, at <https://foiaonline.regulations.gov/foia/action/public/home#>. The appeal should include a copy of the original request and initial denial, if any. All appeals should include a statement of the reasons why you are appealing the determination.

The appeal letter, the envelope, and the e-mail subject line should be clearly marked "Freedom of Information Act Appeal." The e-mail, FOIAonline, and office mail are monitored only on working days during normal business hours (8:30 a.m. to 5:00 p.m., Eastern Time, Monday through Friday). FOIA appeals posted to the e-mail box, FOIAonline, or the office after normal business hours will be deemed received on the next normal business day. If the 90th calendar day for submitting an appeal falls on a Saturday, Sunday or legal public holiday, an appeal received by 5:00 p.m., Eastern Time, the next business day will be deemed timely.

Thank you for your cooperation and patience.

Sincerely,

**ROBERTA
PARSONS**

 Digitally signed by ROBERTA
PARSONS
Date: 2022.04.05 15:50:12
-04'00'

Bobbie Parsons

FOIA Officer, Immediate Office of the Secretary
Office of Privacy and Open Government

Department of Commerce Overview Briefing Book

for the 2020 Presidential
Transition Team

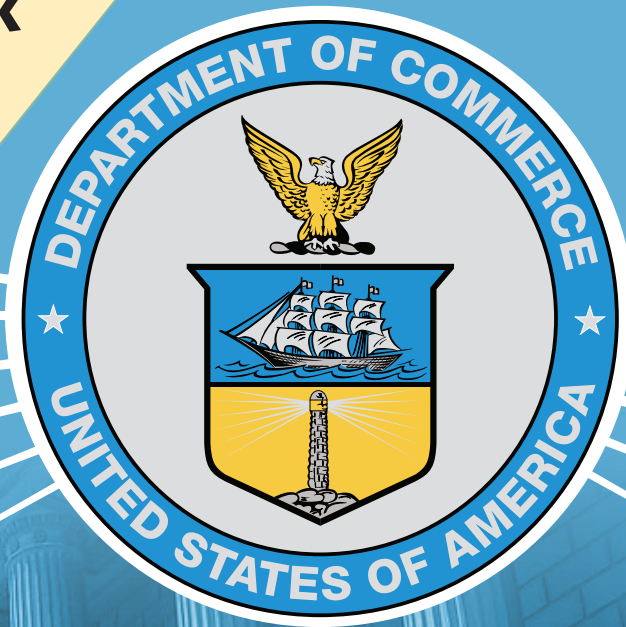




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**U.S. Department of Commerce
Contact Information for T20 Transition Leads**

Chairs, Department of Commerce Transition 2020 (T20) Activities	
Wynn Coggins (Chair) Deputy Assistant Secretary for Administration <u>wcoggins@doc.gov</u> 202-215-2049	1401 Constitution Avenue NW, Suite 58032 Washington DC 20230
Jennifer Lane (<i>Back-Up</i>) Acting Chief Counsel for Industry and Security <u>jlane@doc.gov</u> 202-322-2588	1401 Constitution Avenue NW, Suite 5898C Washington DC 20230
Harry Knight (Co-Chair) Acting Director Office of Performance Excellence <u>hknight@doc.gov</u> 202-495-9476	1401 Constitution Avenue NW, Suite 4858 Washington DC 20230



Section 1-1 - Contact Information for Agency Transition 2020 (T20) Team

Office of the Secretary (OS) T20 Leads			
Office	Name and Title	Email and Telephone	Physical Address
Deputy Secretary	Jennifer Lane Acting Chief Counsel for Industry and Security	jlane@doc.gov 202-322-2588	1401 Constitution Avenue NW, Suite 5898C Washington DC 20230
Office of the General Counsel (OGC)	John Guenther Associate Deputy General Counsel	jguenther@doc.gov 202-482-8247	1401 Constitution Avenue NW Washington DC 20230 Guenther – Room 5717 DiGiacomo – Room 5717
	Brian DiGiacomo Chief, Employment and Labor Law Division	bdigiaco@doc.gov 202-482-5393	
Office of the Chief Financial Officer and Assistant Secretary for Administration (CFO/ASA)	Wynn Coggins Deputy Assistant Secretary for Administration	wcoggins@doc.gov 202-215-2049	1401 Constitution Avenue NW, Washington DC 20230 Coggins – Suite 58032 Knight – Suite 4858
	Harry Knight Acting Director Office of Performance Excellence	hknight@doc.gov 202-495-9476	
Office of Public Affairs	Areaka Foye-McFadden Deputy Director	Afoy-mcfadden@doc.gov 202-482-1526	1401 Constitution Avenue NW, Room 5413 Washington DC 20230



Section 1-1 - Contact Information for Agency Transition 2020 (T20) Team

Office of Human Resources Management	Paula Patrick Deputy Chief Human Capital Officer	ppatrick@doc.gov 202-309-4086	1401 Constitution Avenue NW, Suite 50003 Washington DC 20230
Office of Facilities and Environmental Quality	Lisle Hannah Acting Director	lhannah@doc.gov 202-482-2226	1401 Constitution Avenue NW, Suite 2865 Washington DC 20230
Office of Privacy and Open Government	Catrina Purvis Director	Cpurvis@doc.gov 202-482-3463	1401 Constitution Avenue NW, Suite 52012R Washington DC 20230
Office of the Chief Information Officer (OCIO)	Andre Mendez Chief Information Officer	AMendes@doc.gov 202-482-3801	1401 Constitution Avenue NW Washington DC 20230 Room 38014
	Terri Ware Acting Director, Office of Management and Business Operations	tware@doc.gov 202-482-2451	
Office of Legislative and Intergovernmental Affairs (OLIA)	Anthony Foti Performing the non-exclusive duties of the Assistant Secretary for Legislative and Intergovernmental Affairs	afoti@doc.gov 202-482-1148	1401 Constitution Avenue NW, Room 5422 Washington DC 20230
Office of White House Liaison (OWHL)	Anthony LaBruna Director	alabruna@doc.gov 202-482-1094	1401 Constitution Avenue NW, Room 50037 Washington DC 20230
Office of Policy and Strategic Planning (OPSP)	David Langdon Senior Policy Advisor	dlangdon@doc.gov 202-482-3308	1401 Constitution Avenue NW Room 4861 Washington DC 20230



Section 1-1 - Contact Information for Agency Transition 2020 (T20) Team

Office of the Executive Secretariat (ExecSec)	Tanika Hawkins Acting Director of Administration	thawkins@doc.gov 202-482-2066	1401 Constitution Avenue NW, Room 5517 Washington DC 20230
Enterprise Services	Kurt Bersani Acting Deputy Director	kbersani@doc.gov 202-482-6122	1401 Constitution Avenue NW, Suite A-242 Washington DC 20230
Office of the Inspector General (OIG)	Peg Gustafson Inspector General for Administration	pgustafson@oig.doc.gov 202-482-4661	1401 Constitution Avenue NW, Room 7099C Washington DC 20230
	Roderick Anderson Deputy Inspector General for Administration	randerson@oig.doc.gov 202-482-4661	
Office of Budget	Mike Phelps Director	mphelps@doc.gov 202-482-1169	1401 Constitution Avenue NW, Suite C-300 Washington DC 20230
	ASchiller@doc.gov Deputy Director	ASchiller@doc.gov 202-395-3080	
Office of Financial Management	Steve Kunze Deputy Chief Financial Officer	skunze@doc.gov 240-702-3074	1401 Constitution Avenue NW, Suite D-200 Washington DC 20230 Kunze – D-203 Hoofnagle – D-208 Alston – D-200
	Holden Hoofnagle Director, Office of the Secretary Financial Management	Hhoofnagle@doc.gov 202-740-2570	
	Gordon Alston Director, Financial Reporting, Policy, Internal Controls & Travel	GAlston@doc.gov 202-482-0753	



Section 1-1 - Contact Information for Agency Transition 2020 (T20) Team

Bureau T20 Leads			
Office	Name and Title	eMail and Telephone	Physical Address
Bureau of Economic Analysis (BEA)	Lucas Hitt Chief, Communications Division	Lucas.hitt@bea.gov 301-278-9223	Bureau of Economic Analysis 4600 Silver Hill Road, Room 8K122 Suitland MD 20746
Bureau of Industry and Security (BIS)	Jeremy Pelter Acting Deputy Under Secretary for Industry and Security	Jeremy.Pelter@bis.doc.gov 202-482-6117	1401 Constitution Avenue NW Room 3894 Washington DC 20230
Economic Development Administration (EDA)	Dennis Alvord Deputy Assistant Secretary for Economic Development	dalvord@eda.gov 202-482-5081	1401 Constitution Ave NW Room 78006 Washington DC 20230
Census	Laura Furgione Chief Administrative Officer	laura.furgione@census.gov 301-763-0264	U.S. Census Bureau 4600 Silver Hill Road Room 8H140 Suitland MD 20746
International Trade Administration (ITA)	Tu-Trang Phan Director for Policy Coordination and Planning and Senior Advisor to the Deputy Under Secretary	Tu-trang.phan@trade.gov 202-482-0480	1401 Constitution Ave NW, Room 3860 Washington DC 20230



Section 1-1 - Contact Information for Agency Transition 2020 (T20) Team

Minority Business Development Agency (MBDA)	Edith J. McCloud Associate Director for Management	emccloud@mbda.gov 202-482-4095	1401 Constitution Ave NW, Washington DC 20230
	Roberto Lopez Chief Administrative Officer	rlopez@mbda.gov 202-374-4201	McCloud – Room 5089 Lopez – Room 5092
National Institute of Standards and Technology (NIST)	Jason Boehm Director Program Coordination Office	jason.boehm@nist.gov 301-975-8678	100 Bureau Drive Stop 1060 Gaithersburg MD 20899
	Heather Evans Senior Program Analyst	heather.evans@nist.gov 301-975-4525	
National Oceanic and Atmospheric Administration (NOAA)	Ben Friedman Deputy Under Secretary for Operations	Benjamin.Friedman@noaa.gov 202-482-3193	1401 Constitution Avenue NW, Suite 58014 Washington DC 20230
	Michael Weiss Deputy Chief of Staff	Michael.Weiss@noaa.gov 202-482-3193	
National Telecommunications and Information Administration (NTIA)	Jim Wasilewski Deputy Chief of Staff and Director of Congressional Affairs	jwasilewski@ntia.doc.gov 202-482-2476	1401 Constitution Avenue NW, Room 4898 Washington DC 20230
	Maggie Mitchell Director of Administration and Chief Financial Officer	mmitchell@ntia.doc.gov 202-482-3757	



Section 1-1 - Contact Information for Agency Transition 2020 (T20) Team

National Technical Information Service (NTIS)	Greg Capella Acting Director of NTIS	gcapella@ntis.gov 703-605-6532	5301 Shawnee Road, Third Floor Alexandria VA 22312
United States Patent and Trademark Office (USPTO)	Coke Stewart Senior Policy Advisor	Coke.stewart@uspto.gov 571-272-7004	600 Dulany Street Madison Building Alexandria VA 22314 Stewart – Madison Building East, Room MDW10D75 Covey – Madison Building East, Room MDW08D81
	Will Covey Deputy General Counsel	will.covey@uspto.gov 571-272-7004	



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U.S. Department of Commerce Overview

Mission: The Department of Commerce creates the conditions for economic growth and opportunity.

History and Enabling Legislation: The Department of Commerce was originally established by Congressional Act on February 14, 1903 as the Department of Commerce and Labor (32 Stat. 826; 5 U.S.C. 591) and was subsequently renamed the U.S. Department of Commerce by President William H. Taft on March 4, 1913 (15 U.S.C. 1512). The defined role of the new Department was “to foster, promote, and develop the foreign and domestic commerce, the mining, manufacturing, and fishery industries of the United States.”

Locations: The Department is headquartered in Washington, D.C., at the Herbert Clark Hoover Building, 1401 Constitution Ave NW. The Department also has field offices in every state and territory, the largest of which is the multi-bureau campus and laboratories in Boulder, Colorado. The Department also maintains trade offices in more than 86 countries worldwide.

Employees: As of September 30, 2020, the Department had approximately 41,000 permanent employees. The Department's workforce includes uniformed service officers in the NOAA Commissioned Officer Corps, diplomats who are Foreign Commercial Service Officers, badged law enforcement officers in BIS, and civil service employees who manage the Department's diverse programs and deliver our services directly to American businesses and citizens. Five employees of the Department have received the Nobel Prize for work they performed at NIST.

Budget Authority: The Department's FY 2020 enacted budget authority was approximately \$15.2 billion.

Headquarters Offices and Bureaus: The Department's headquarters offices and 11 component bureaus listed below implement over 225 budgeted programs and activities.

- Office of the Secretary (OS)
- Office of Inspector General (OIG)
- Bureau of Industry and Security (BIS)
- Bureau of Economic Analysis (BEA)
- Census Bureau (Census)
- Economic Development Administration (EDA)
- International Trade Administration (ITA)
- Minority Business Development Agency (MBDA)
- National Institute of Standards and Technology (NIST)
- National Oceanic and Atmospheric Administration (NOAA)
- National Telecommunications and Information Administration (NTIA)
- National Technical Information Service (NTIS)
- U.S. Patent and Trademark Office (USPTO)



Primary Mission Essential Functions (PMEFs): The Department of Homeland Security designated the following Department of Commerce programs that need to be continuous or resumed within 12 hours after an emergency event and maintained for up to 30 days or until normal operations can be resumed:

PMEF 1 – (BIS) Prevent export control violations: Prevent national security export control violations.

PMEF 2 – (NOAA) Provide Satellite Imagery: Collect and provide the Nation with critical intelligence data, imagery, and other essential information for predictive environmental and atmospheric modeling systems and space-based distress alert systems by operating NOAA-controlled satellites, communications equipment, and associated systems.

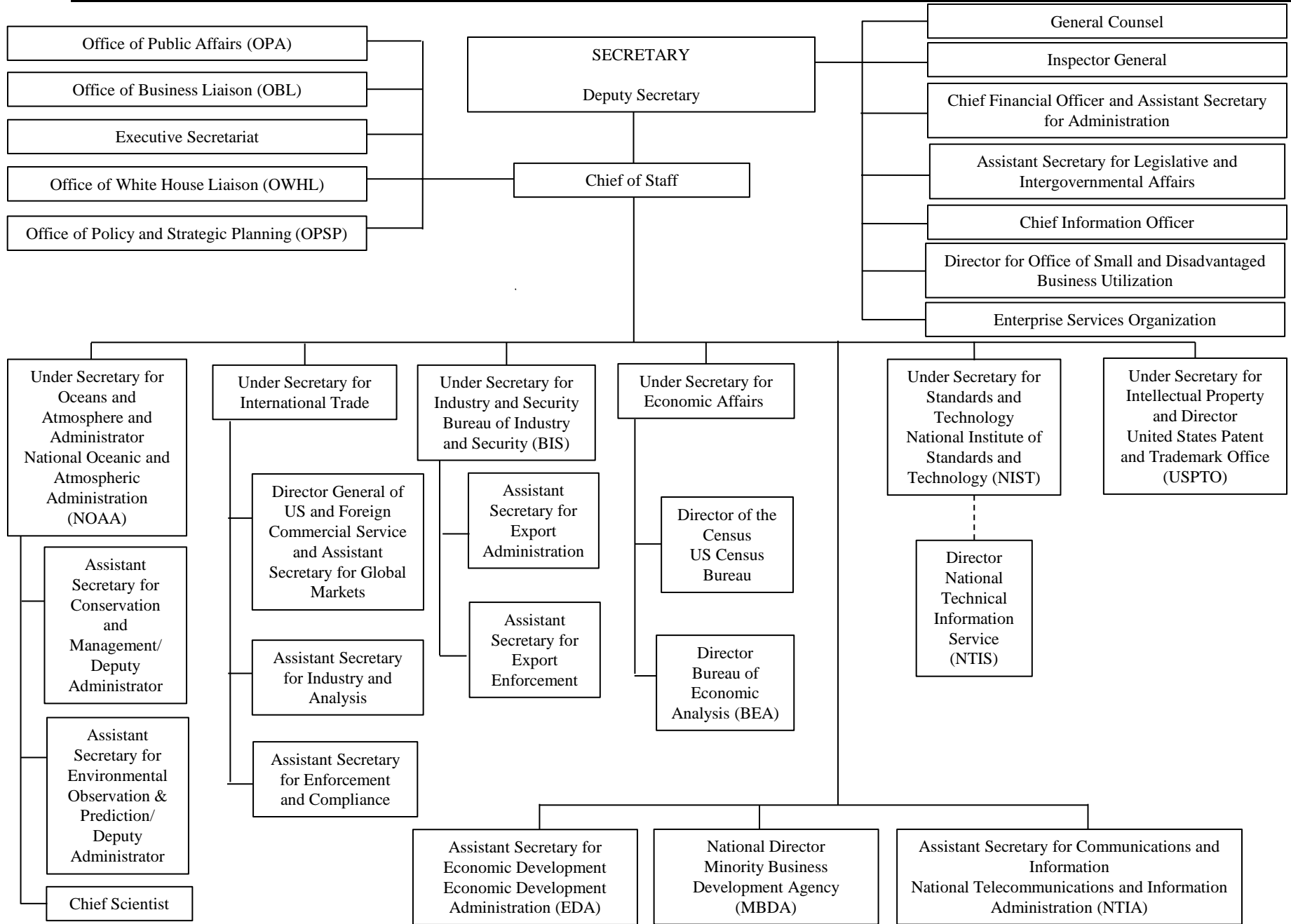
PMEF 3 – (NOAA) Provide Meteorological Forecasts: Provide the Nation with forecasts, warnings, environmental data, and expertise critical to public safety, disaster preparedness, all-hazards response and recovery, the national transportation system, safe navigation, and the protection of the Nation’s critical infrastructure and natural resources.

PMEF 4 - (NTIA) Maintain Operational Federal Communications: Ensure the continuity of operations and reconstitution of critical communications and information systems and services by (a) fulfilling NTIA’s statutory responsibility as the President’s principal adviser on telecommunications and information policy regarding cybersecurity and national security decisions arising in the context of operational and incident response; (b) managing Federal use of the radio frequency spectrum; (c) overseeing root zone change and related requests pertaining to U.S. affiliated top-level domains to guarantee stable and security operations; and (d) ensuring the First Responder Network Authority’s ability to manage the contract to build and operate the Nationwide Public Safety Broadband Network (NPSBN) and provide wireless services to public safety users.

Website: The Department’s Internet address is <https://www.commerce.gov/>

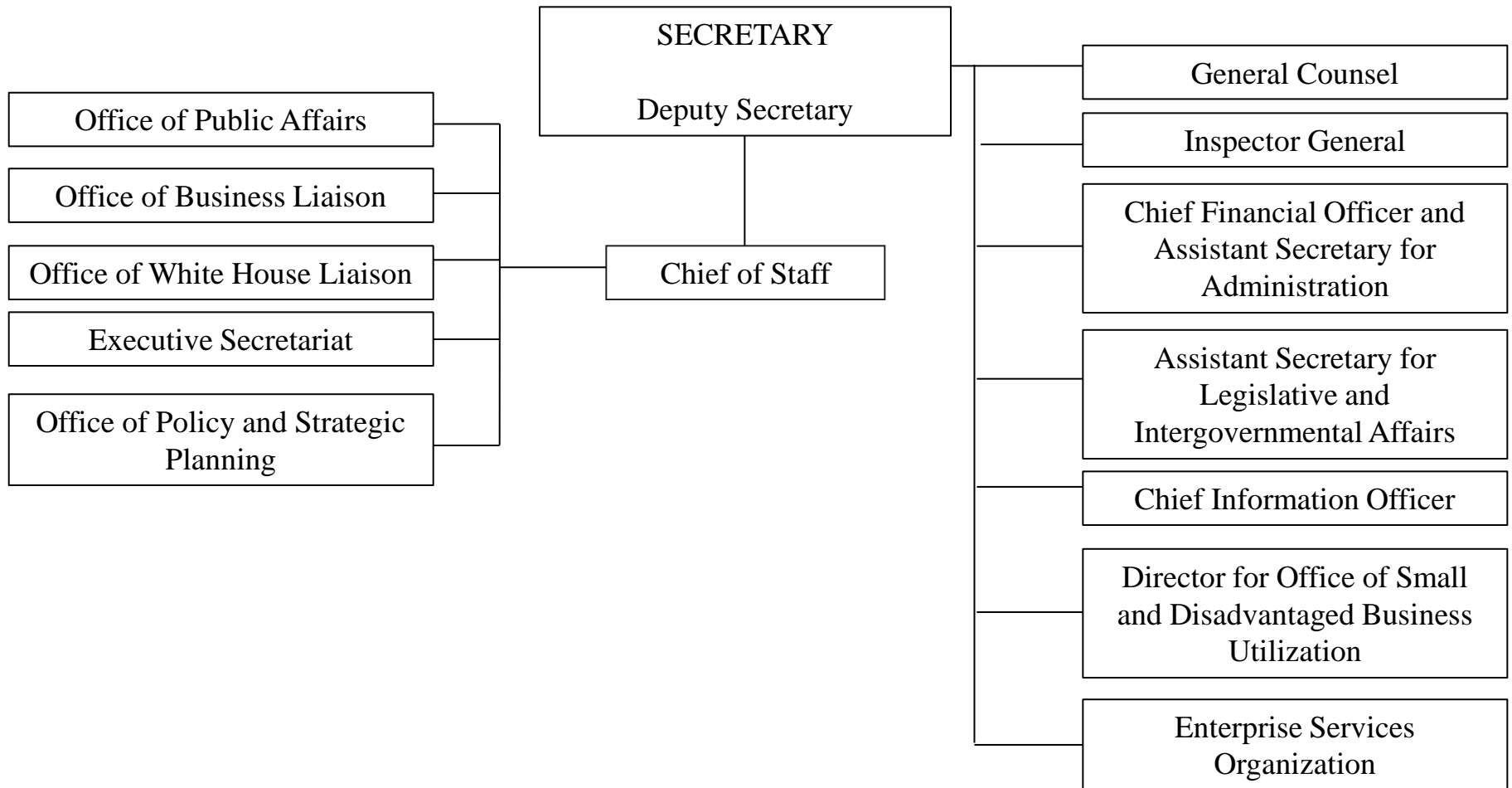


U.S. Department of Commerce





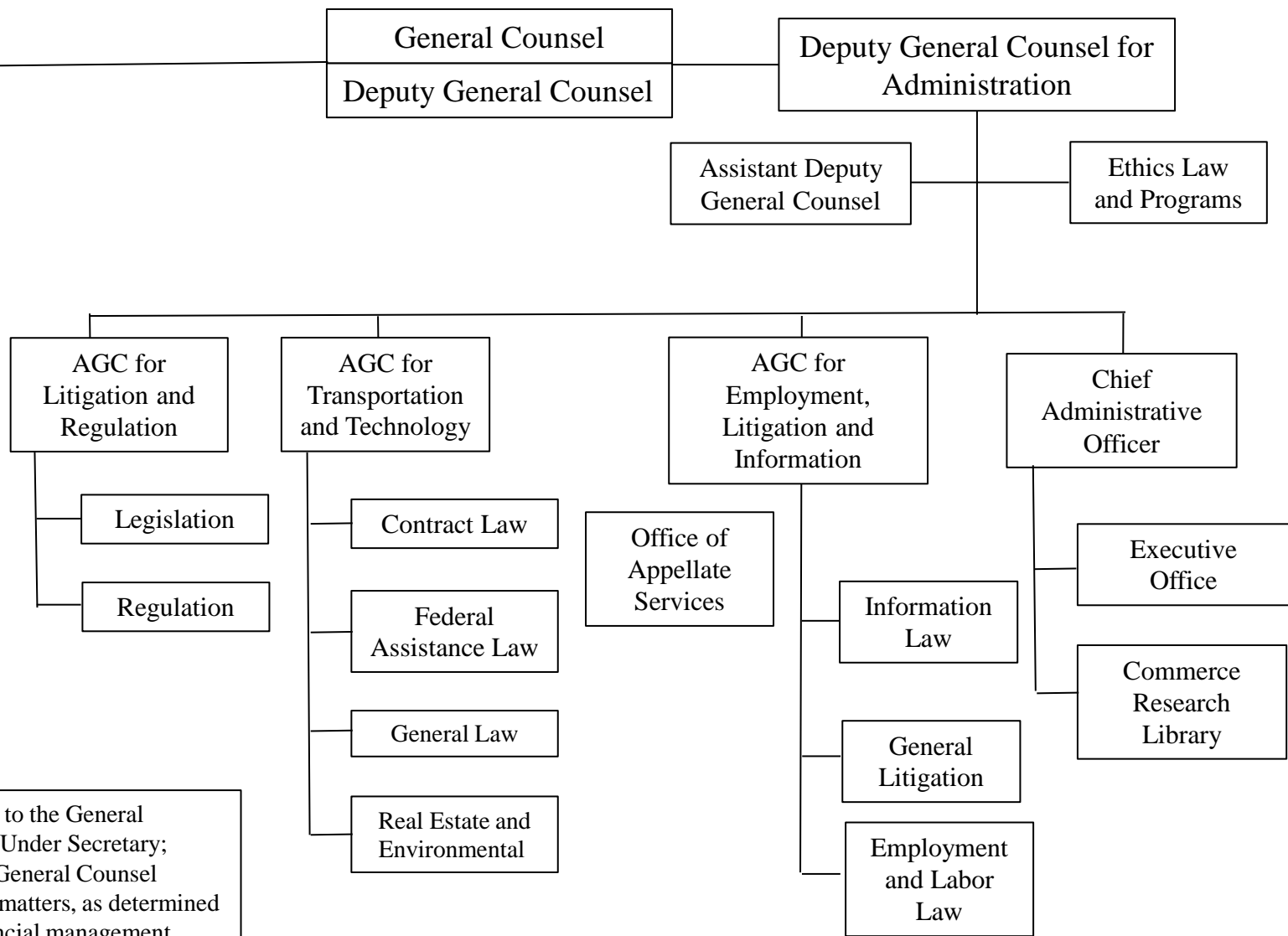
Office of the Secretary (OS)





Office of General Counsel

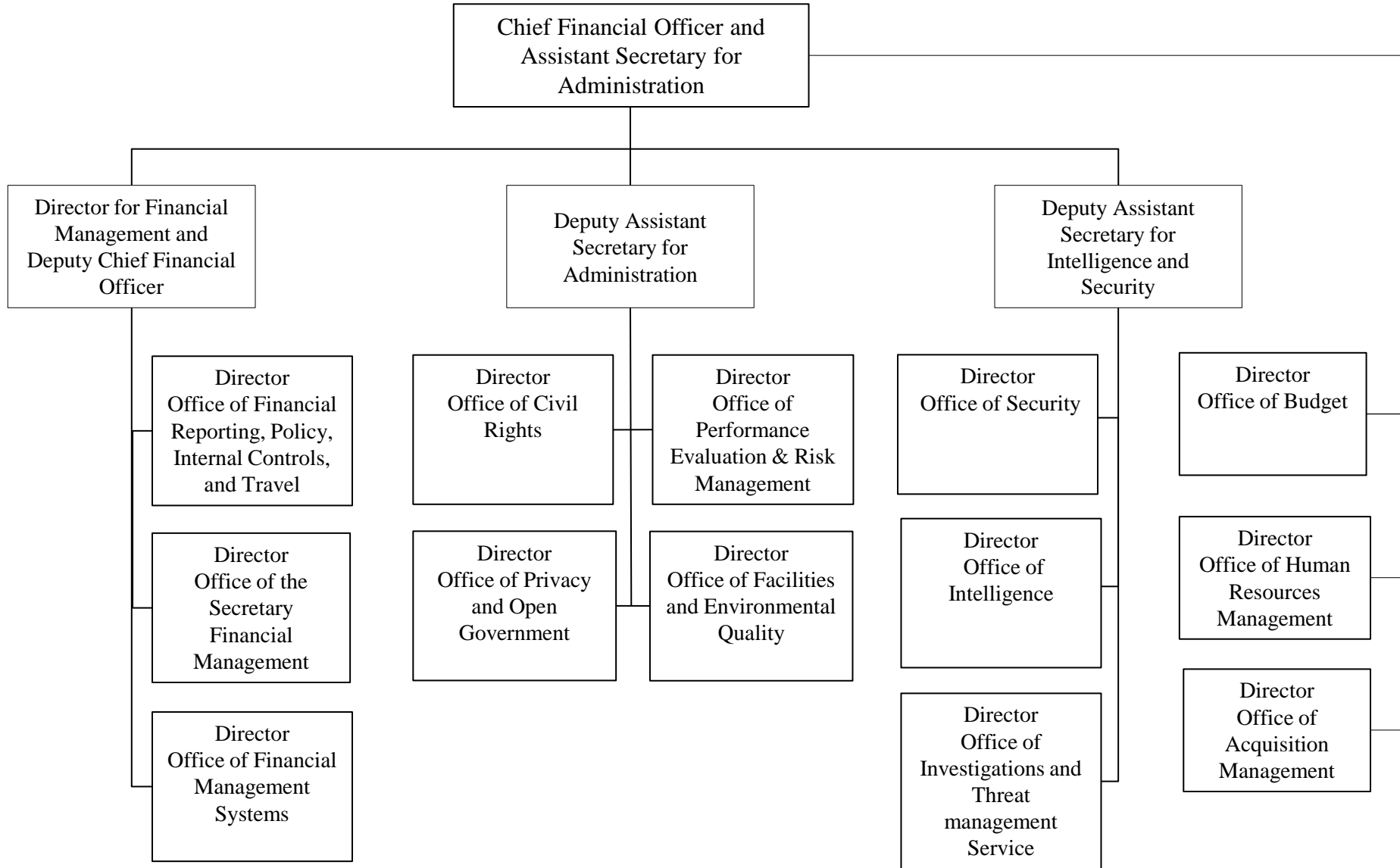
- Chief Counsels**
 Economic Affairs
 Economic Development
 Int'l Commerce
 FirstNet
 Industry & Security
 MBDA
 NIST
 NTIA
 Trade Enforcement & Compliance
 CLDP
General Counsels*
 NOAA
 PTO



*NOAA GC reports dually to the General Counsel and to the NOAA Under Secretary; USPTO GC reports to the General Counsel regarding policy and other matters, as determined by the Secretary, with financial management, budgeting, and personnel decisions of the USPTO GC being the responsibility of USPTO by statute.



Chief Financial Officer & Assistant Secretary for Administration

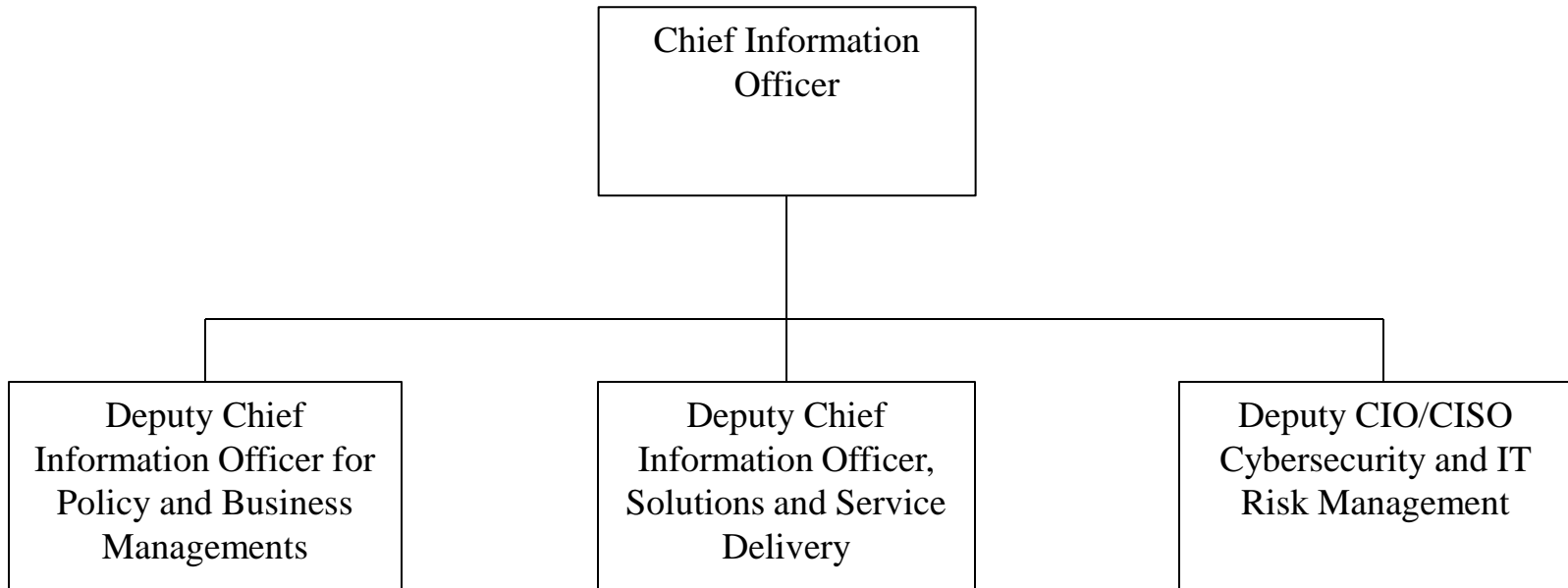


Differences from effective DOO dated 1/5/2011

1. New DAS for Intelligence and Security
2. Reorganized reporting structure of subcomponent offices
3. Eliminated DAS for Resource Management

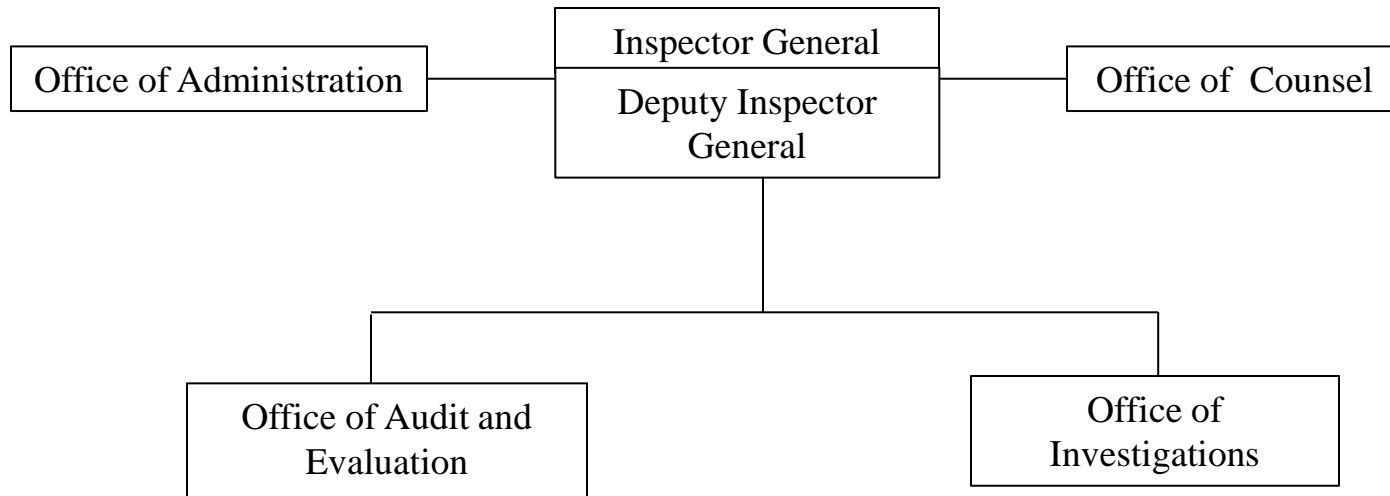


Chief Information Officer



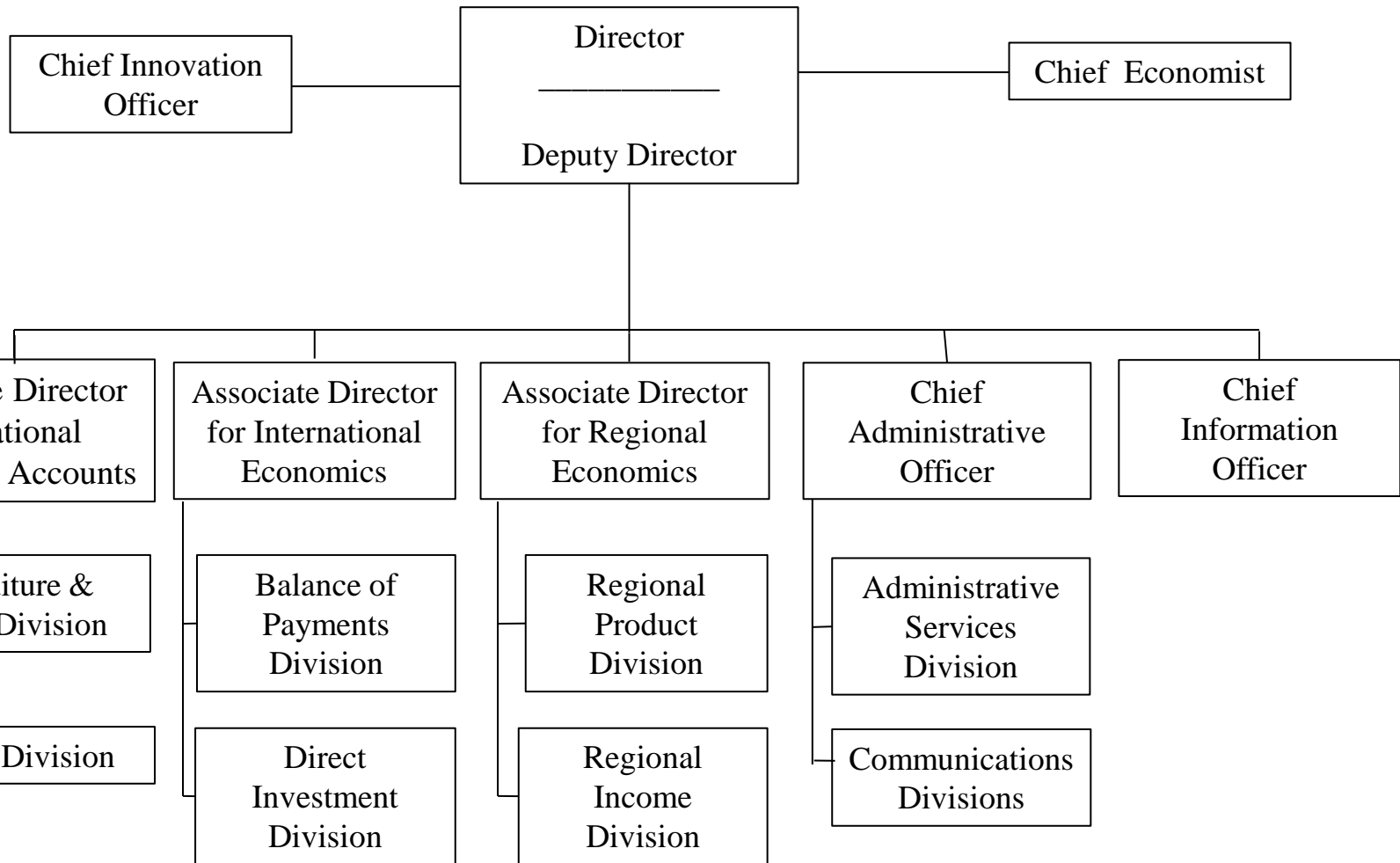


Office of the Inspector General





Bureau of Economic Analysis

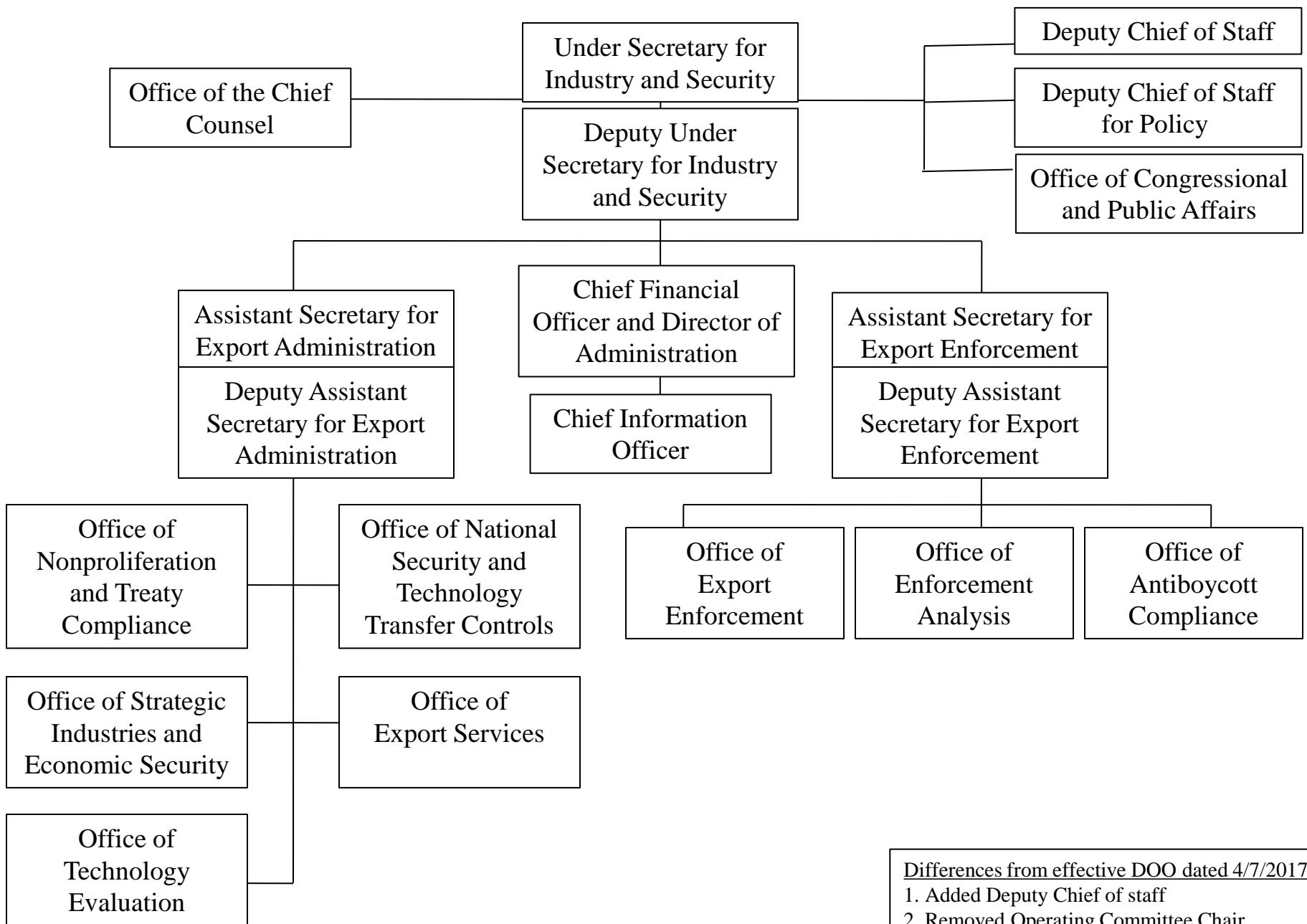


Differences from effective DOO dated 5/19/2017

1) Two division name changes under Associate Director for National Economic Accounts



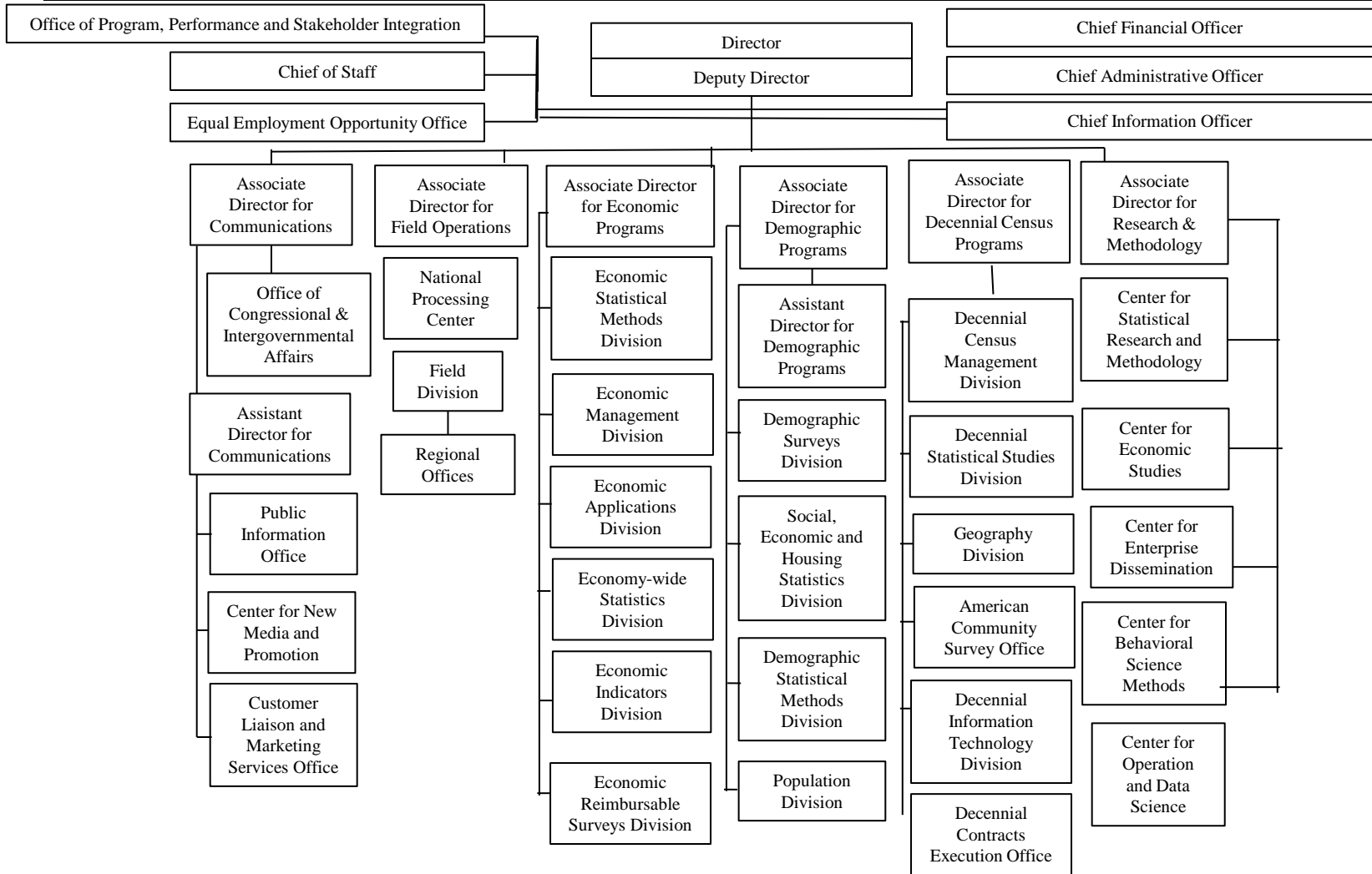
Bureau of Industry and Security



Differences from effective DOO dated 4/7/2017
1. Added Deputy Chief of staff
2. Removed Operating Committee Chair



Census Bureau

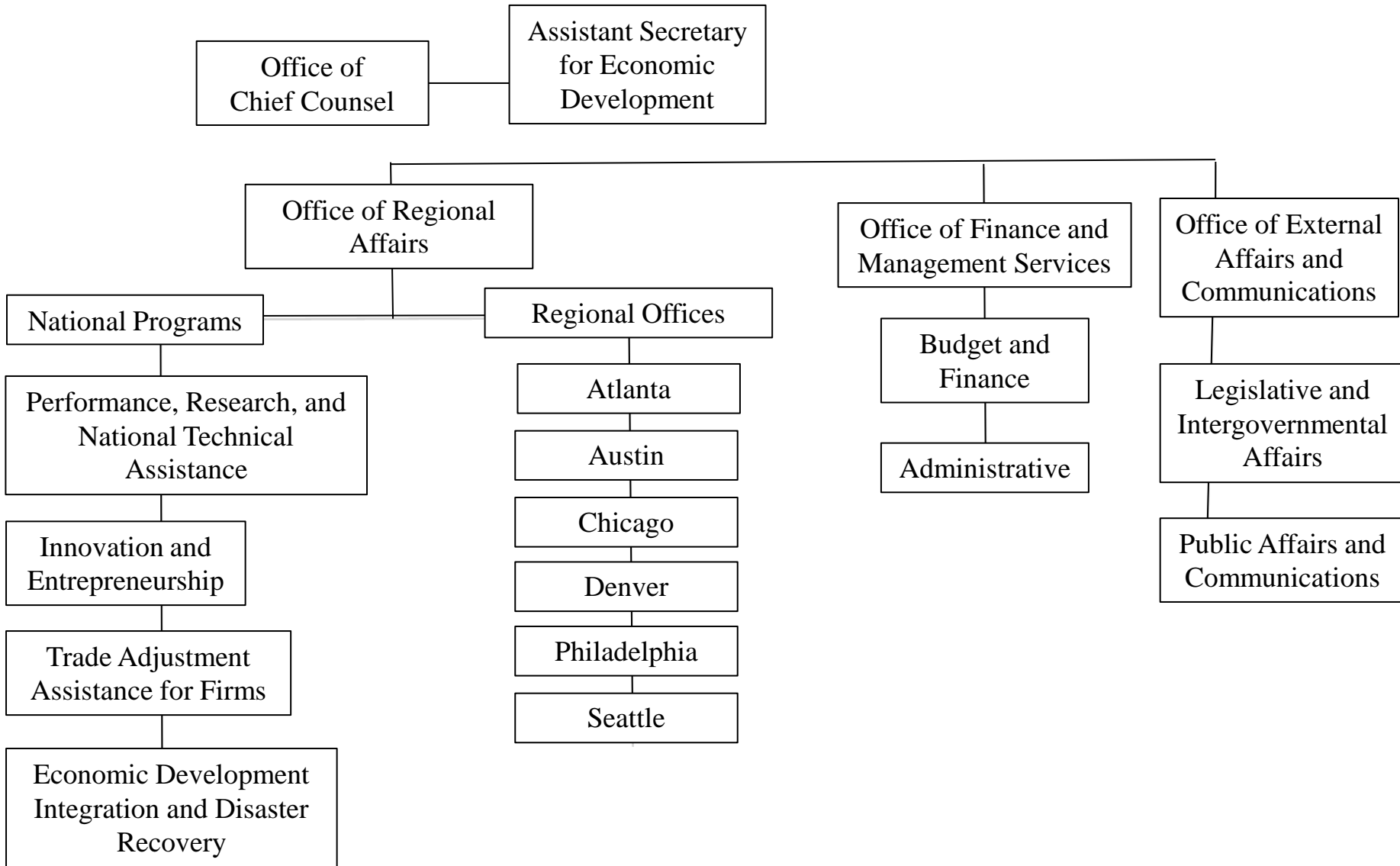


Differences from effective DOO dated 5/19/2017

1. CFO, CAO, and CIO moved to top with no sub-division info
2. Program Performance and Stakeholder Integration added to top
3. All Assistant Directors removed
4. Sub-division changes made to Associate Director for Economic Programs Division, Associate Director for Decennial Census Programs Division, and Associate Director for Research and Methodology Division

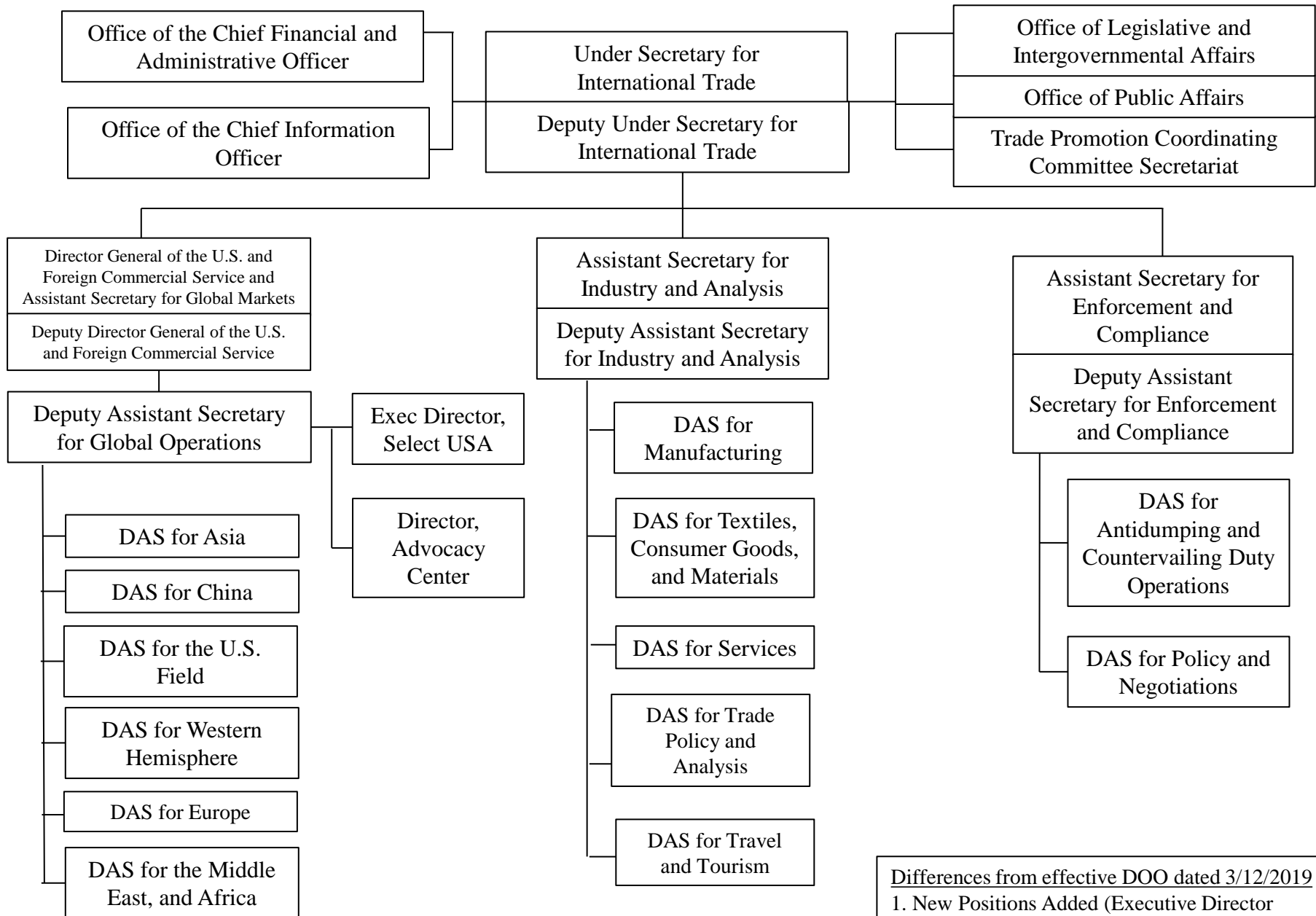


Economic Development Administration





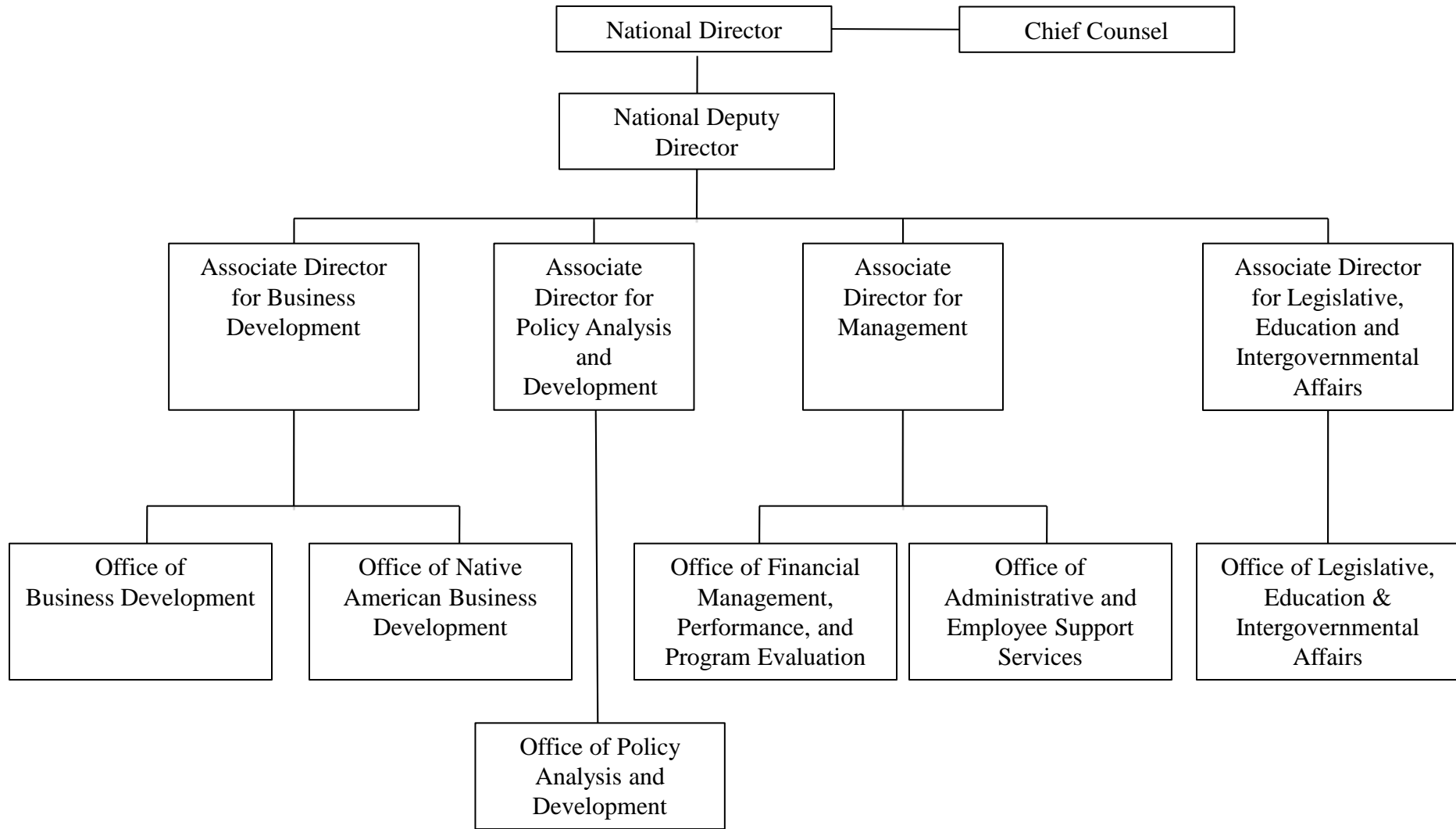
International Trade Administration



Differences from effective DOO dated 3/12/2019
 1. New Positions Added (Executive Director Select USA and Advocacy Center Director)



Minority Business Development Agency

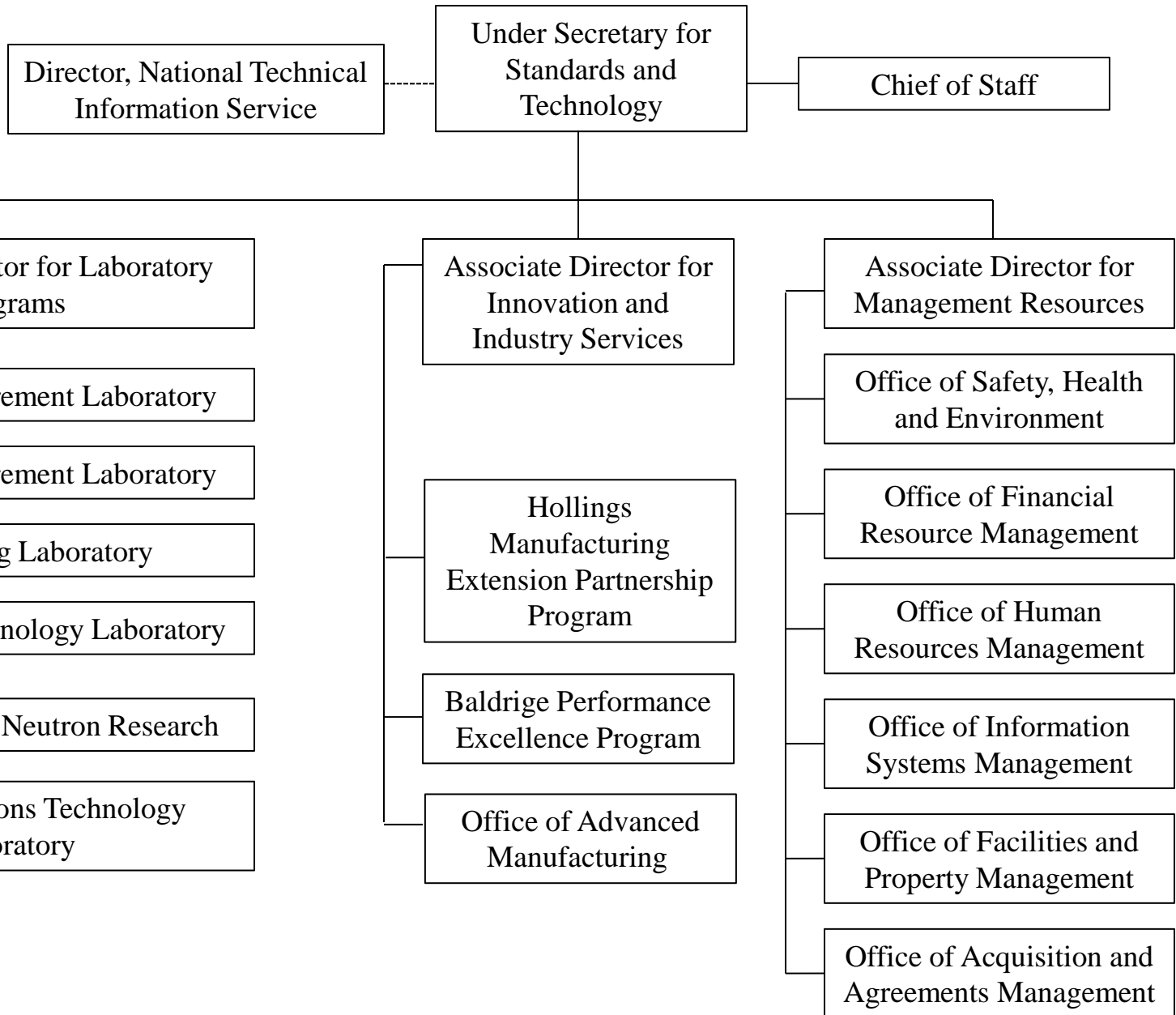


Differences from effective DOO dated 6/29/15

1. Removed Office of Information Technology, Research, and Innovation
2. Added Associate Director for Policy Analysis and Development



National Institute of Standards and Technology





National Oceanic & Atmospheric Administration

Under Secretary for Oceans & Atmosphere
and NOAA Administrator

General Counsel

Deputy Assistant
Secretary for
International Fisheries

Assistant Secretary for
Conservation & Management/
Deputy Administrator

Federal Coordinator for
Meteorology

Assistant Secretary for
Environmental Observation &
Prediction/Deputy Administrator

Deputy Assistant
Secretary for Oceans
and Atmosphere

NOAA Chief Scientist

Chief of Staff

Deputy Under Secretary
for Operations

Acquisition and Grants Office

Chief Administration Officer

Chief Financial Officer

Chief Information Office

Human Capital Services Office

Inclusion and Civil Rights Office

Deputy Assistant
Secretary for
Environmental
Observation and
Prediction

Deputy Chief of Staff

International Affairs

Legislative &
Government Affairs

Communications

Military Affairs

Education

Executive Secretariat

Assistant
Administrator,
National Marine
Fisheries Service

Assistant
Administrator,
National Ocean
Service

Assistant
Administrator,
Oceanic &
Atmospheric
Research

Assistant
Administrator,
National
Environmental
Satellite, Data &
Information
Services

Assistant
Administrator,
National Weather
Service

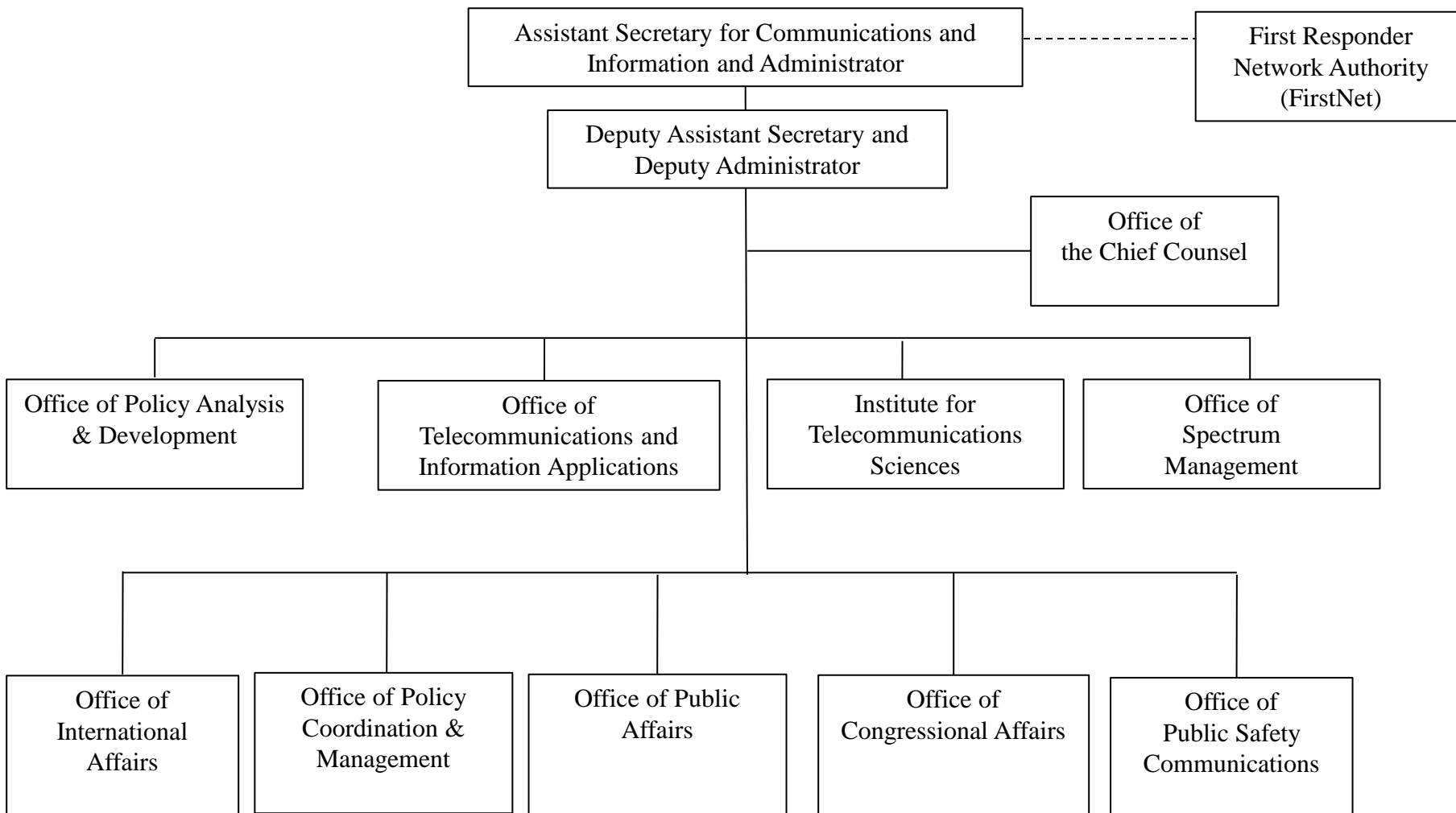
Director, NOAA
Commissioned
Officer Corps and
Director, Office of
Marine and Aviation
Operations

Differences from effective DOO dated 5/4/15

1. Changes to sub-divisions of Deputy Under Secretary for Operations
2. Added Deputy Chief of Staff and Executive Secretariat
3. Added two new Deputy Assistant Secretaries not listed in DOO



National Telecommunications and Information Administration

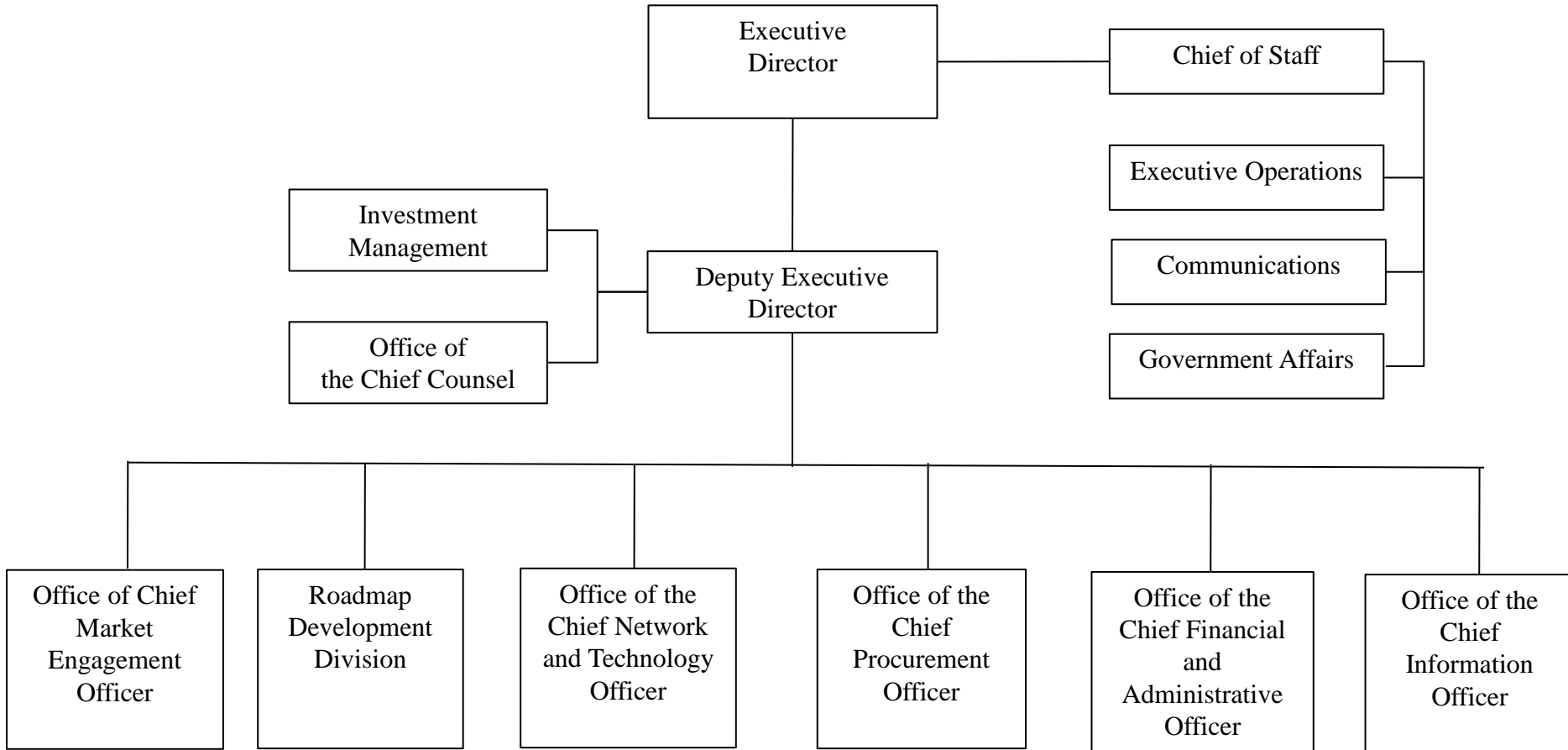


Differences from effective DOO dated 9/17/12

1. Office of Public Affairs added as a sub-division

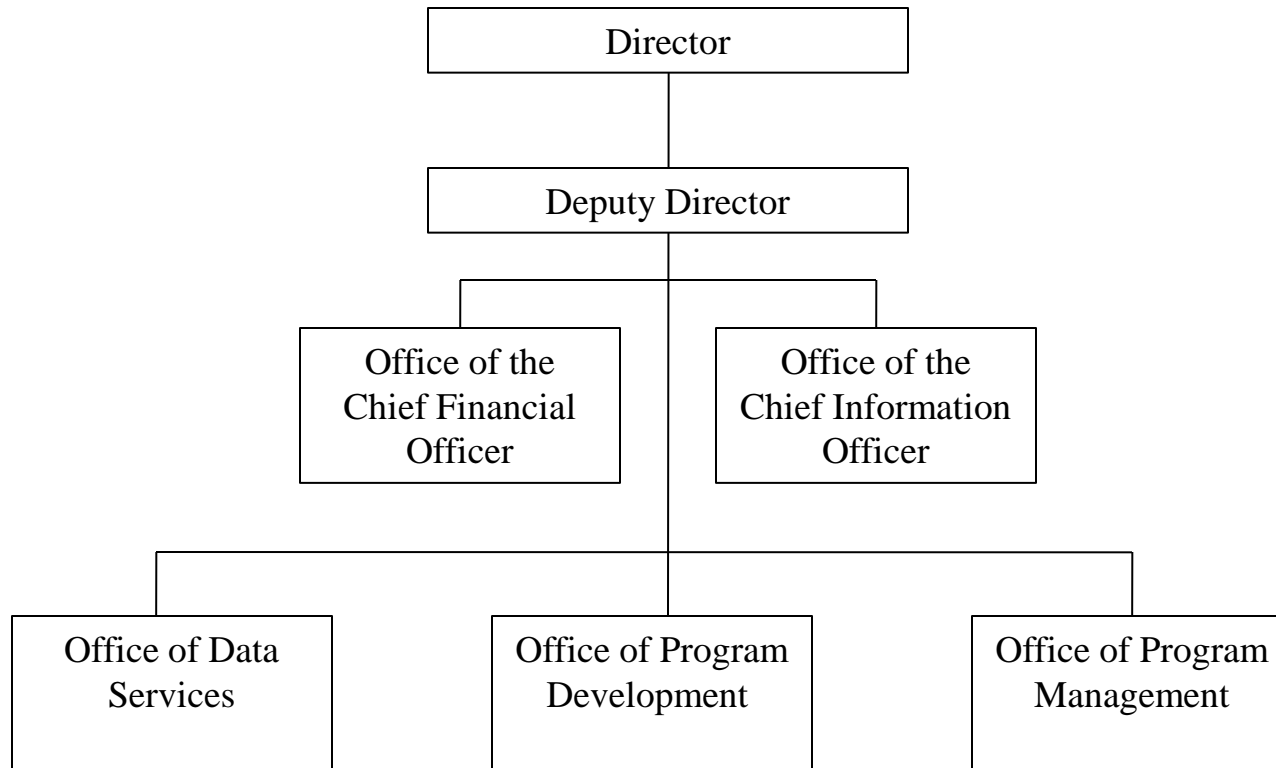


NTIA - First Responder Network Authority



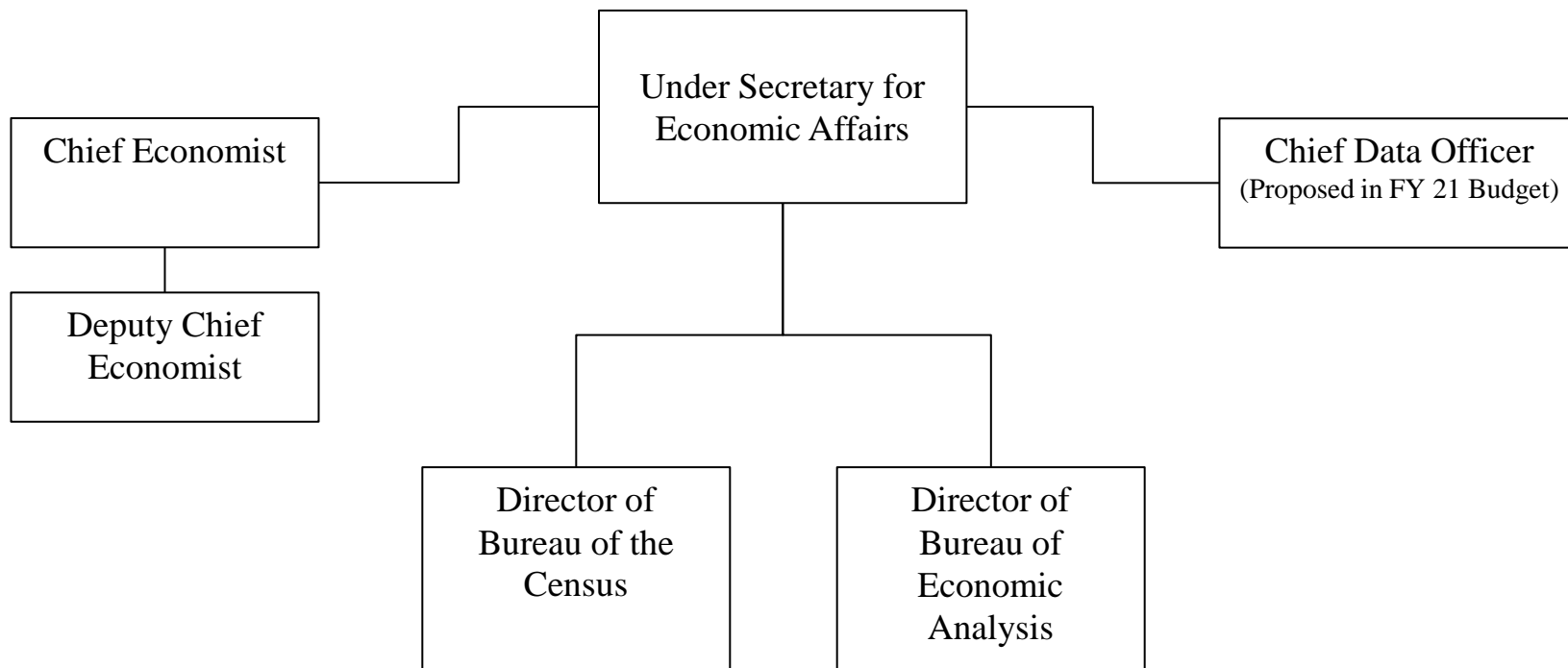


National Technical Information Service





Office of Under Secretary for Economic Affairs

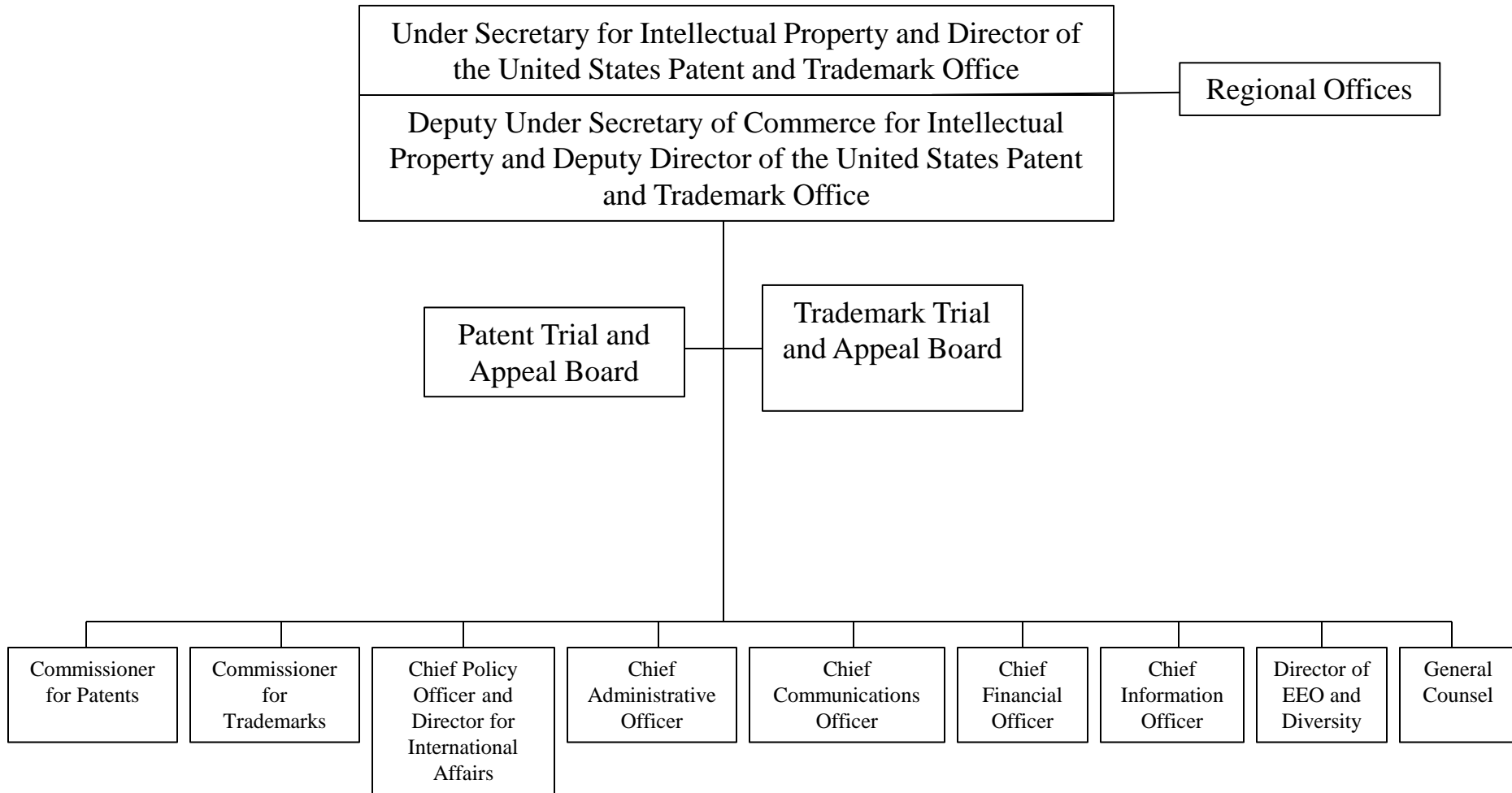


Differences from effective DOO dated 1/29/2019

1. Added the Chief Economist and Deputy Chief Economist positions that are listed in the DOO but not show on the chart
2. Added Chief Data Officer position that complies with the Foundations for Evidence-Based Policymaking Act of 2018 and is proposed in FY 21 Budget.



United States Patent and Trademark Office



Differences from effective DOO

1. Patent and Trademark Advisory Committees removed
2. Several additional sub-divisions added



Senior Political Leadership Positions

Politically Appointed Leadership Position Title	Type of Appointment
Office of the Secretary (OS)	
Secretary of Commerce	PAS
Deputy Secretary	PAS
Chief of Staff	NC
Assistant Secretary for Legislative and Intergovernmental Affairs	PAS
Director, Policy and Strategic Planning	NC
General Counsel	PAS
Chief Financial Officer and Assistant Secretary for Administration	PAS
Deputy Assistant Secretary for Intelligence and Security	NC
Office of the Inspector General (OIG)	
Inspector General	PAS
Bureau of Industry and Security (BIS)	
Under Secretary for Industry and Security	PAS
Assistant Secretary for Export Administration	PAS
Assistant Secretary for Export Enforcement	PAS
Census Bureau	
Director of the Census	PAS - Term Appointment
Economic Development Administration (EDA)	
Assistant Secretary for Economic Development	PAS
International Trade Administration (ITA)	
Under Secretary for International Trade	PAS
Assistant Secretary for Enforcement and Compliance	PAS
Assistant Secretary for Industry and Analysis	PAS
Director General of the United States and Foreign Commercial Service and Assistant Secretary for Global Markets	PAS
Deputy Assistant Secretary for Services	NC
Deputy Assistant Secretary for U.S. Operations (Global Markets)	NC
Deputy Assistant Secretary for Manufacturing (Industry and Analysis)	NC
Deputy Assistant Secretary for Textiles, Material Goods, and Apparel	NC
Deputy Assistant Secretary for Travel and Tourism	NC
Deputy Assistant Secretary for Policy and Negotiations	NC
Executive Director for Advocacy	NC
Executive Director for SelectUSA	NC
Minority Business Development Agency (MBDA)	
National Director	NC



Senior Political Leadership Positions

(Continued)

Politically Appointed Leadership Position	Type of Appointment
National Institute of Standards and Technology (NIST)	
Under Secretary for Standards and Technology	PAS
National Oceanic and Atmospheric Administration (NOAA)	
Under Secretary for Oceans and Atmosphere and NOAA Administrator	PAS
Assistant Secretary for Observation and Prediction, Deputy Administrator	PAS
Assistant Secretary for Oceans and Atmosphere, Deputy Administrator	PAS
Chief Scientist	PA
Deputy Assistant Secretary for International Fisheries	NC
General Counsel	NC
National Telecommunications and Information Administration (NTIA)	
Assistant Secretary for Communications and Information and NTIA Administrator	PAS
Under Secretary for Economic Affairs (OUSEA)	
Under Secretary for Economic Affairs	PAS
U.S. Patent and Trademark Office (USPTO)	
Under Secretary for Intellectual Property and Director, USPTO	PAS
Deputy Under Secretary for Intellectual Property and Deputy Director, USPTO	NC

Presidential Appointments with Senate Confirmation (PAS): PAS positions require a congressional hearing and a confirmation vote of the full Senate under the Appointments Clause of the U.S. Constitution. The Department of Commerce has 22 PAS positions. These positions include the Secretary, Deputy Secretary, six Under Secretaries, 11 Assistant Secretaries, General Counsel, Director of the Census, and Inspector General. The Director of the Census is appointed to a five-year term. Under the customs of etiquette in the U.S., persons who are appointed by the President and confirmed by the Senate are accorded the title “*The Honorable*” as a prefix to their name. However, this title should not be used to refer to oneself.

Presidential Appointments (PA): PA positions do not require a congressional hearing and a confirmation vote. The Department has only one PA position, the Chief Scientist at NOAA.

Noncareer Appointments (NC): NC Positions are Senior Executive Service (SES) positions that are politically appointed.



Section 2-1 d - Senior Political Leadership Biographies



Secretary of Commerce

Wilbur Ross

Wilbur L. Ross, Jr. was sworn in by Vice President Mike Pence as the 39th Secretary of Commerce on February 28, 2017. Secretary Ross is the principal voice of business in the Trump Administration, ensuring that U.S. entrepreneurs and businesses have the tools they need to create jobs and economic opportunity.

Secretary Ross is the former Chairman and Chief Strategy Officer of WL Ross & Co. LLC and has over 55 years of investment banking and private equity experience. He has restructured over \$400 billion of assets in the airline, apparel, auto parts, banking, beverage, chemical, credit card, electric utility, food service, furniture, gypsum, homebuilding, insurance, marine transport, mortgage origination and servicing, oil and gas, railcar manufacturing and leasing, real estate, restaurant, shipyard, steel, textile and trucking industries. Secretary Ross has been chairman or lead director of more than 100 companies operating in more than 20 different countries.

Named by Bloomberg Markets as one of the 50 most influential people in global finance, Secretary Ross is the only person elected to both the Private Equity Hall of Fame and the Turnaround Management Hall of Fame. He previously served as privatization adviser to New York City Mayor Rudy Giuliani and was appointed by President Bill Clinton to the board of the U.S.-Russia Investment Fund. President Kim Dae-jung awarded Secretary Ross a medal for helping South Korea during its financial crisis and, in November 2014, the Emperor of Japan awarded him the Order of the Rising Sun, Gold and Silver Star.

As a philanthropist, Secretary Ross has served as Chairman of the Japan Society, Trustee of the Brookings Institution and Chairman of its Economic Studies Council, International Counsel Member of the Musée des Arts Décoratifs in Paris, Trustee of the Blenheim Foundation, President of the American Friends of the Rene Magritte Museum in Brussels and Director of the Palm Beach Civic Association. He also was an Advisory Board Member of Yale University School of Management.

Secretary Ross is a graduate of Yale University and Harvard Business School (with distinction). He and his wife Hilary Geary Ross have four children, Jessica Ross, Amanda Ross, Ted Geary and Jack Geary.



Deputy Secretary of Commerce

Karen Dunn Kelley

Karen Dunn Kelley was confirmed by the U.S. Senate as the Deputy Secretary of the U.S. Department of Commerce on November 28, 2018.

Deputy Secretary Kelley is the Department's chief operations officer and day-to-day manager of a budget of \$11.4 billion, 12 operating units, and 47,000 employees. She is the principal deputy to the Secretary of Commerce and a member of the President's Management Council.

Prior to her confirmation as Deputy Secretary, Ms. Kelley served as the Under Secretary for Economic Affairs, overseeing the Department's statistical programs through the U.S. Bureau of the Census and the Bureau of Economic Analysis.

Deputy Secretary Kelley has 35 years of experience in the financial investment sector with experience managing people, strategy, budgets, operations, public relations, and thought leadership across the globe.

Before joining the U.S. Department of Commerce, Ms. Kelley served as Senior Managing Director of Investments at Invesco, a U.S.-based investment firm that manages more than \$800 billion in assets worldwide, with responsibility for overseeing Invesco's Global Core Equity, Quantitative Strategies, Asset Allocation, and Solutions teams.

She was a member of the Women's Bond Club of New York and a founding member of the Invesco Women's Network.

Ms. Kelley served on the board of several organizations in Pittsburgh, Pennsylvania, including Carlow University, Magee Women's Research Institute, and Shady Side Academy.

Deputy Secretary Kelley holds a B.S. Degree, Magna Cum Laude, from Villanova University, College of Commerce and Finance. She is married to Dr. Joseph L. Kelley, a physician. The couple have been married 31 years and have three children.



Section 2-1 d - Senior Political Leadership Biographies



Office of the Secretary

Chief of Staff performing the non-exclusive duties of the General Counsel

Michael J. Walsh Jr.

Michael J. Walsh, Jr. is the Chief of Staff of the U.S. Department of Commerce. Secretary Ross has also delegated the duties of the General Counsel to him. Mr. Walsh joined the Department as the Deputy General Counsel from O'Melveny & Myers LLP, where he was a partner specializing in representing companies and their officers and directors in complex securities and ERISA class actions, shareholder derivative cases, internal and regulatory investigations, and SEC enforcement actions. He also served as the pro bono partner for his firm's Washington, DC Office. Mr. Walsh received his J.D. from Columbia Law School and his B.A. from Boston College.



Office of the Secretary

Performing the non-exclusive duties of the Assistant Secretary for Legislative and Intergovernmental Affairs

Anthony Foti

Anthony Foti is performing the non-exclusive duties of the Assistant Secretary for Legislative and Intergovernmental Affairs at the United States Department of Commerce. In this capacity, Anthony is the principal liaison with the Administration, the United States Congress, Tribes and state and local governments. He is also responsible for coordinating and overseeing the Department's legislative activity, which entails working closely with the Appropriations, Oversight, and Authorization committees in the House and Senate to ensure Department priorities are considered throughout the legislative and oversight process. Mr. Foti routinely advises the Secretary of Commerce and other senior leadership in the Department on legislative matters and congressional relations. Finally, Mr. Foti also leads the confirmation process for all presidential nominees who require Senate approval to serve in the Department.

Before joining the Department of Commerce, Anthony previously served as the Chief of Staff to United States Congressman Dennis Ross of Central Florida. Prior to that, Anthony served for over a decade as senior policy advisor at the law firm of Akin Gump Strauss Hauer & Feld. He was also the District Director for United States Congressman Bill Paxon of Buffalo, New York.

Anthony received his undergraduate degree in Economics from the University at Buffalo and is currently pursuing his master's degree in National Defense and Strategic Studies at the United States Naval War College, with an anticipated graduation in the Fall of 2020.

Anthony, his wife and two children live in Alexandria, VA.



Office of the Secretary
**Director of Policy and Strategic
Planning**
Robert B. Blair

Mr. Blair is the Director of the Office of Policy and Strategic Planning within the Office of the Secretary of Commerce. Mr. Blair works with other senior Department leaders to set the Department's policy priorities and develop and implement plans to achieve them. Mr. Blair focuses especially on telecommunications; semiconductors and other technologies; export control policy; and reopening the economy following the COVID-19 pandemic.

Mr. Blair previously served as United States Special Representative for International Telecommunications Policy. In this capacity, Mr. Blair led the strategic prioritization of United States efforts to promote a secure and reliable global communications system and served as a liaison to industry, non-governmental, and international stakeholders. Mr. Blair was also Senior Advisor to the Chief of Staff of the White House, supporting Presidential decision-making and policy coordination on matters relating to foreign policy, intelligence, and national security.

Before joining the White House, Mr. Blair was the Associate Director for Defense Programs at the Office of Management and Budget, where he oversaw approximately \$1.3 trillion of projects, programs, and activities at the Departments of Defense, State, and Veterans Affairs; the intelligence community; and other agencies implementing defense and foreign policy activities.

Mr. Blair served 14 years on the staff of the Appropriations Committee of the House of Representatives. He was the staff director of the Defense appropriations subcommittee, overseeing nearly \$700 billion of defense and intelligence programs. Before that, he was the staff director of the Energy and Water subcommittee, where he managed our nation's investments into energy research and development, nuclear weapons, and water infrastructure. His first assignment on the Committee was as a professional staff member on the Foreign Operations subcommittee, where he focused on development and humanitarian assistance.

Mr. Blair began his federal service as a Peace Corps Volunteer in the Central African Republic. He grew up in Illinois and holds degrees from Cornell University, Tufts University, and the Fletcher School of Law and Diplomacy. He has received the Meritorious and Superior Honor Awards from the Department of State, and the Decoration for Distinguished Civilian Service from the Department of the Army. Mr. Blair lives in Virginia with his wife and three children.



Section 2-1 d - Senior Political Leadership Biographies



Office of the Secretary

Chief Financial Officer and Assistant Secretary for Administration

Thomas F. Gilman

Thomas F. Gilman was nominated by President Donald J. Trump to be the Chief Financial Officer and Assistant Secretary for Administration of the U.S. Department of Commerce. He was confirmed by the U.S. Senate in January 2019. In that capacity, Mr. Gilman holds a dual role in overseeing all financial and management functions for the multi-billion-dollar budget as well as the administrative and personnel functions for its approximately 47,000 employees.

Prior to joining the government, Mr. Gilman had a 40+ year career as a senior executive and entrepreneur within the global automotive industry. Mr. Gilman has unique experience having worked in automotive manufacturing, automotive retailing, automotive financial services, and automotive supply. Mr. Gilman spent 22 years at Chrysler Corporation and 5 years at Chrysler Financial where he served as CFO. During that time, Chrysler Financial achieved four years of double-digit growth and 16 consecutive quarters of record profits. In 1998, Mr. Gilman helped lead the Daimler-Benz/Chrysler Corporation merger.

Following the merger, Mr. Gilman joined the Asbury Automotive Group in 2001, where he oversaw their Initial Public Offering on the NYSE in 2002. In 2006, Mr. Gilman joined Cerberus Capital Management as a Senior Advisor, where he oversaw multiple deals and operations in the automotive finance industry, including the acquisitions of GMAC, Chrysler Financial, and Chrysler. Upon completion of the Chrysler acquisition, Mr. Gilman returned to Chrysler Financial and became the Chairman and CEO. Mr. Gilman successfully navigated Chrysler Financial through the TARP government program, ultimately repaying its 1.5-billion-dollar obligation to the Treasury Department with interest and within six months.

In 2011, Mr. Gilman helped manage the sale of Chrysler Financial to TD Bank Group. He created a North American auto lending platform, TD Auto Finance, and became its President and CEO and an Executive Vice President of TD Bank Group in Toronto, Canada. In 2014, Mr. Gilman founded Automotive Capital Services which was sold in January 2018.

Mr. Gilman speaks four languages, has lived in the US, Canada, Mexico, Brazil, and the U.S. Virgin Islands, and has conducted business in 21 countries. He holds a B.S. Degree in Finance from Villanova University.



Office of the Secretary

Deputy Assistant Secretary for Intelligence and Security

John Castello

John was most recently the Senior Director and Lead, Task Force Two at U.S. Cyberspace Solarium Commission, and was appointed as the Senior Advisor to the Director of the Cybersecurity and Infrastructure Security Agency.

He formerly served as the Director of Strategy, Policy, and Plans for the National Protection and Programs Directorate at the Department of Homeland Security (DHS), formerly serving as the Senior Advisor to the Assistant Secretary for Cybersecurity and Communications. Before joining DHS, he served as a Congressional Innovation Fellow for majority staff in the U.S. House of Representatives Committee on Oversight and Government Reform.

During his time on the Hill, he helped investigate the 2015 cyber breach of the Office of Personnel Management and helped oversee federal IT security. Previously, he was a research analyst at Defense Group Inc., where he concentrated on Chinese cyber espionage, information warfare, and intellectual property theft.

Costello is a U.S. Navy veteran, serving under the National Security Agency and U.S. Cyber Command. He is fluent in Chinese Mandarin, graduating with honors from the Defense Language Institute. He also holds degrees from the University of Maryland University College and Santa Fe College.

John's insights have appeared in Wired, Wall Street Journal, New York Times, Reuters, and Jamestown China Brief. His previous research has focused on state conflict and stability in cyberspace, Chinese cyber operations, and the intersection of cybersecurity, critical infrastructure, and national security.



Office of the Inspector General

Inspector General

Peggy Gustafson

Peggy E. (Peg) Gustafson was sworn in as the Inspector General of the U.S. Department of Commerce on January 9, 2017. Ms. Gustafson was nominated by the President in March 2016 and confirmed by the Senate on December 10, 2016. Ms. Gustafson will lead a team of auditors, investigators, attorneys, and support staff responsible for reviewing and improving the Department's business, scientific, economic, and environmental programs and operations.

Before assuming her new post, Ms. Gustafson was the Inspector General of the U.S. Small Business Administration, a position she had held since October 2009. She previously served as General Counsel to Claire McCaskill (D-MO), where she advised the Senator on government oversight issues and helped write two bills that have significantly strengthened the federal offices of Inspectors General: the *Inspector General Reform Act of 2008* and the legislation that strengthened the office of Special Inspector General for the Troubled Asset Relief Program.

During her tenure as Chair of the Legislation Committee for the Council of Inspectors General on Integrity and Efficiency (CIGIE), Ms. Gustafson worked with lawmakers on legislation to ensure the continued independence of Inspectors General, including the *Inspector General Empowerment Act of 2016*, which passed Congress and was signed into law in December 2016.

From 1999-2007, Ms. Gustafson served as General Counsel in the Missouri State Auditor's Office. In that capacity she worked closely with the auditors on issues of the scope of their duties, the auditors' need to access records, and all other legal issues arising in the course of the audits. Ms. Gustafson also served as an assistant prosecuting attorney for Jackson County, Missouri, serving as the Chair of the Insurance Fraud Task Force, and as an assistant county counselor for Jackson County.

A native of Chicago, Illinois, she received her B.A. from Grinnell College in Grinnell, Iowa in 1989, and her Juris Doctor from Northwestern University in Chicago in 1992.



Section 2-1 d - Senior Political Leadership Biographies



Bureau of Industry and Security

Acting Under Secretary for Industry and Security

Cordell Hull

Cordell Hull serves as the Acting Under Secretary for Industry and Security. Through his leadership of the Department of Commerce's Bureau of Industry and Security, Mr. Hull advances the Department's national security, foreign policy, and economic objectives by ensuring an effective export control and treaty compliance system and promoting continued U.S. strategic technology leadership.

Mr. Hull oversees an export control program regarding civilian and military dual-use technology, including the Department's export control policy, licensing, and enforcement components. He also participates in the Committee on Foreign Investment in the United States, which reviews certain inbound foreign investments for national security risk.

Before joining the Bureau of Industry and Security, Mr. Hull served at the Department as a Deputy General Counsel and concurrently performed the duties of the Assistant Secretary for Legislative and Intergovernmental Affairs. He also served in several senior-level positions in the U.S. House of Representatives, including as General Counsel to the Permanent Select Committee on Intelligence. For the decade before entering government service, he practiced law in Washington, D.C.

He received his B.A. from the University of Minnesota and his law degree from the Catholic University of America's Columbus School of Law.



Bureau of Industry and Security
Export Enforcement, Performing the
Non-exclusive Functions and Duties
of the Assistant Secretary for
Export Enforcement

Lee Smith

P. Lee Smith is Performing the Non-exclusive Functions and Duties of the Assistant Secretary for Export Enforcement. In this role, he is the senior appointed enforcement official within the Bureau of Industry and Security (BIS). Mr. Smith is responsible for enforcing National Security objectives through his leadership of over 130 federal agents located in 23 locations within and 7 locations outside the United States. Through agents and analysts, Mr. Smith promotes the foreign policy objectives of the United States. In particular, these National Security and foreign policy objectives focus on stopping the proliferation of Weapons of Mass Destruction and missile delivery systems, diversion of Commerce controlled goods to terrorists or state sponsors of terror, and preventing commodities from being used for unauthorized military end-use. Mr. Smith also administers and enforces the Antiboycott Laws under the Export Administration Act.

Previously, Mr. Smith served as the Deputy Assistant Secretary for Policy & Negotiations for Enforcement and Compliance in the U.S. Department of Commerce's International Trade Administration. In that role, Mr. Smith oversaw programs and policies regarding the enforcement and administration of U.S. Antidumping Duty and Countervailing Duty (trade remedy) laws and actively assisted U.S. industry and businesses combat unfair foreign trade practices. Mr. Smith worked with offices in his jurisdiction to improve foreign market access for U.S. exporters and investors; ensure compliance by foreign governments with U.S. trade agreements; address potentially unfair application of trade remedies by foreign governments on behalf of U.S. businesses; coordinate enforcement efforts related to multilateral subsidies; and administer suspension agreements



Economic Development Administration

Performing the non-exclusive duties of the Assistant Secretary for Economic Development

Dana Gartzke

Dana Gartzke is performing the non-exclusive duties of the Assistant Secretary for the Department of Commerce. Mr. Gartzke is responsible for fulfilling the agency's mission of leading the federal economic development agenda.

During his tenure at EDA, Mr. Gartzke has worked to focus the agency on fulfilling President Trump's economic agenda by advancing critical priorities, including Opportunity Zones; disaster recovery and resiliency; infrastructure; and workforce development.

Prior to joining EDA, Mr. Gartzke was the Vice-President for the Alliance of Health Care Sharing Ministries, where he was responsible for the association's legislative and administrative affairs in Washington D.C. and various state capitals.

Mr. Gartzke also served for 22 years on Capitol Hill as Chief of Staff to three members of Congress in the U.S. House of Representatives. He has deep experience in such committees as Appropriations, Armed Services, Science and Technology, Financial Services, and Natural Resources. Prior to the Hill, Mr. Gartzke spent 15 years in the private sector as a design engineer and program manager for various programs at Harris Corporation serving key customers such as DoD, NASA, JPL, NSA, and FAA.

Mr. Gartzke received his B.S. degree in Electrical Engineering from the University of South Florida, a M.B.A. degree from Florida Tech, was awarded the renowned "Program on Negotiation" certificate from Harvard Law School in 2014, and earned a Business Development certificate from Auburn University. In 2012 he was added to the bipartisan "Stennis Congressional Fellow" Class.



Section 2-1 d - Senior Political Leadership Biographies



U.S. Census Bureau
Census Bureau Director
Dr. Steven Dillingham

Dr. Steven Dillingham was sworn in as the 25th Census Bureau Director on January 7, 2019.

Dillingham has more than 25 years of statistical, research, senior management, and legal experience in the federal government. Dillingham previously served as Director of the Bureau of Justice Statistics and the Bureau of Transportation Statistics. Both agencies support national surveys in partnership with the Census Bureau.

Before joining the Census Bureau, Dillingham served as Director of the Peace Corps Office of Strategic Information, Research, and Planning. Other federal service includes directing research and planning for the Department of Justice Trustee Program and directing surveys for the Office of Personnel Management. He was a career member of the Federal Senior Executive Service.

In addition, Dillingham was the Deputy Director for the National District Attorneys Association and Administrator of the American Prosecutors Research Institute. Dillingham has served on the faculties of the University of South Carolina and George Mason University. He is a Senior Certified Professional with the Society for Human Resource Management.

Dillingham earned his B.A. at Winthrop University, received his J.D., M.P.A., and Ph.D. from the University of South Carolina, and completed his M.B.A. at George Washington University and LL.M. at Georgetown University.



Section 2-1 d - Senior Political Leadership Biographies



International Trade Administration

Deputy Under Secretary for International Trade performing the non-exclusive duties of the Under Secretary

Joseph C. Semsar

Joseph C. Semsar is Deputy Under Secretary for International Trade, Performing the non-exclusive functions and duties of the Under Secretary for International Trade. In this role, he plans, determines, and coordinates policy; directs the International Trade Administration; and is responsible for all activities of ITA. He coordinates all issues concerning international trade policy and promotion, trade law enforcement, trade agreements compliance, investment, and global competitiveness and directs the development of trade policy recommendations and positions.

Prior to joining the International Trade Administration, Mr. Joe Semsar served as the Chief of Staff to the Deputy Secretary of Commerce. In this role, he was actively engaged in all aspects of running the 47,000 employee Department, including both interagency and intra-agency management, oversight, and policy initiatives. He served as the Deputy Secretary's primary advisor on the Administration's trade agenda, encouraging free and fair trade, addressing trade barriers, ensuring trade enforcement, as well as advising on export controls, Entity List filings, actions under the Committee on Foreign Investment in the United States, and Section 232 cases. Mr. Semsar also engaged in high-level commercial bi-lateral dialogues and served as a senior advisor for the Department's engagement in the Administration's Prosper Africa trade and investment initiative.

Prior to his tenure at Commerce, Mr. Semsar served at the United States Office of Personnel Management's Office of the Director as the Deputy Chief of Staff and Acting Communications Director.

Before joining the Administration, Mr. Semsar worked for Deloitte Consulting LLP's Federal Practice, serving a diverse array of clients. He is a Teach for America former staff member and corps member alumnus, where he earned a Teacher of the Year award.

Mr. Semsar holds a Master of Public Administration degree from the University of Pennsylvania's Fels Institute of Government and Bachelor of Arts degree from Clemson University.



Section 2-1 d - Senior Political Leadership Biographies



International Trade Administration

Assistant Secretary for Enforcement and Compliance

Jeffrey I. Kessler

Jeffrey I. Kessler was confirmed unanimously by the U.S. Senate on April 3, 2019 and assumed his position as Assistant Secretary of Commerce for Enforcement and Compliance on April 11, 2019. In his role, Mr. Kessler administers U.S. antidumping and countervailing duty laws, works to ensure foreign compliance with trade agreements, supports the negotiation and implementation of international trade agreements to open foreign markets, and administers the Foreign Trade Zones program – all with the goal of promoting U.S. jobs and economic growth.

Prior to joining the Department of Commerce, Mr. Kessler worked as an international trade attorney in private practice. In that capacity, Mr. Kessler advised leading global companies and U.S. industry associations on a wide range of high-profile, cutting-edge international trade, investment, and market access issues. Mr. Kessler was also involved in litigating several precedent-setting World Trade Organization cases, with successful challenges to foreign country trade practices that restrict billions of dollars of international trade per year, as well as successful defenses of U.S. trade practices.

Mr. Kessler also assisted U.S. companies and industry associations – especially those in innovative, IP-intensive industries – to decipher and navigate foreign trade and investment barriers. Mr. Kessler earned a BA magna cum laude from Yale University, an MA from the University of Chicago, and an JD and MA from Stanford University, where he was an Articles Editor of the Stanford Law Review and a John M. Olin Law and Economics fellow.

Mr. Kessler is a member of the American Bar Association and a Term Member of the Council on Foreign Relations. Mr. Kessler resides in Arlington, Virginia with his wife Bethany and their two daughters, Lucy and Diana.



International Trade Administration
Assistant Secretary for Industry and
Analysis

Nazak Nikakhtar

Nazak Nikakhtar was nominated by President Donald J. Trump to become the Assistant Secretary for Industry and Analysis and was confirmed by the U.S. Senate on March 19, 2018. Ms. Nikakhtar serves as the Department's primary liaison with U.S. industry and trade associations to help address industry concerns and support American competitiveness. As the Department's lead on the Committee on Foreign Investment in the United States (CFIUS), she plays a key role in shaping U.S. investment policy and addressing national security threats. She also advises the Secretary on trade and economic issues impacting the global competitiveness of U.S. businesses, heading the division that conducts trade policy research and analysis on manufacturing, services, e-commerce, privacy and cybersecurity, emerging technologies, and economic trends that impact the International Trade Administration's mission.

Ms. Nikakhtar previously worked in private practice as a partner at the international trade law firm of Cassidy Levy Kent LLP, where she represented clients in international trade law matters, including antidumping and countervailing duty proceedings, export controls, trade agreements, customs matters, trade policy, and World Trade Organization (WTO) dispute settlement proceedings. She also served as an adjunct professor at Georgetown University Law Center.

During her previous tenure at the International Trade Administration, Ms. Nikakhtar worked at ITA's China/Non-Market Economy Office. In that position, Ms. Nikakhtar led numerous complex antidumping cases, advised on legal and regulatory matters related to the enforcement of U.S. trade laws, and participated in bilateral negotiations on trade issues between the United States and China. She received several award medals from the Department for her work on cutting-edge trade policy issues. Ms. Nikakhtar also served at the U.S. Department of Commerce's Bureau of Industry and Security as an industry analyst, where she performed statistical analyses for the U.S. government's defense industrial base surveys.

Ms. Nikakhtar received her Bachelor of Arts degree from the University of California, Los Angeles, and her Juris Doctor and Master of Economics degrees from Syracuse University. She served as the Editor-in-Chief of the Syracuse Journal of International Law and Commerce, and as a judicial extern for the Honorable Ronald S.W. Lew in the U.S. District Court for the Southern District of California.



International Trade Administration

**Assistant Secretary for Global
Markets and Director General of the
United States and Foreign
Commercial Service**

Ian Steff

Ian Steff is the Assistant Secretary for Global Markets and Director General of the United States and Foreign Commercial Service. He oversees about 1,400 trade and investment professionals based in over 100 U.S. cities and 70 markets around the world. He manages a \$300 million budget and a broad portfolio of ITA initiatives aimed at increasing competitiveness of U.S. manufacturers and service providers. He is among those senior officials responsible for executing the Administration's plans to foster growth in U.S. jobs, exports, and investments.

Before joining the U.S. Department of Commerce, Steff served as the state of Indiana's first Chief Innovation Officer under then-Governor Pence and subsequently Governor Holcomb. He was Executive Vice President for the Indiana Economic Development Corporation and the state's senior advisor for science, technology, and advanced manufacturing. Steff oversaw Indiana's strategy regarding science and technology economic development and was directly responsible for the implementation of the Governor's billion-dollar innovation and entrepreneurship initiative. He worked to expand investments and public-private partnerships in information technology, life sciences, composite materials, nanotechnology, energy storage, and the Internet of Things. He served on the Board of Battery Innovation Center, Dean of Engineering's Advisory Council at Purdue University, Vice Chancellor for Research's Advisory Board at IUPUI, and the Institute for Advanced Composites Manufacturing Innovation Board.

He also worked for the Semiconductor Industry Association (SIA) for nearly a decade. At the SIA, he was vice president of global policy and technology partnerships. He was Executive Chairman the Board of the United States Information Technology Office in Beijing, a member of the Executive Committee of the International Technology Roadmap for Semiconductors, and the Advisory Board of Rochester Institute of Technology's School of Microelectronics.

Steff started his professional career as a member of the Ways and Means trade staff. Steff graduated Magna Cum Laude from American University where he possesses a B.A. in International Studies. He also completed graduate work at the National Defense University in Washington, D.C., and received a M.A. in International Science and Technology Policy from the George Washington University.



International Trade Administration

Deputy Assistant Secretary for Services Industry and Analysis

James M. Sullivan

James M. Sullivan was named Deputy Assistant Secretary for Services in July 2017. In this role, Mr. Sullivan directs the U.S. Department of Commerce's efforts to strengthen the global competitiveness of U.S. services firms, which account for 80 percent of the nation's private sector economy. His primary areas of focus include the financial, digital and internet, supply chain, and professional and business services industries.

Prior to joining Commerce, Mr. Sullivan was cofounder and president of TKOUT, a SaaS (software-as-a-service) provider of on-demand ordering solutions to ICT (information and communication technology) and digital media companies. Before that, he served as managing director and general counsel of Clover Investment Group, a private equity firm focused on lower middle-market hospitality and technology businesses. Previously, from 1999 to 2006, he practiced law in Washington, D.C., as a member of the white-collar defense teams at Morrison & Foerster and DLA Piper.

Mr. Sullivan earned his BA in political science from the College of the Holy Cross, his JD from the Catholic University of America, and his MBA from Georgetown University. He is a member of the bars of the District of Columbia and the State of New York.



Section 2-1 d - Senior Political Leadership Biographies



International Trade Administration

Deputy Assistant Secretary for U.S. Field Operations, Global Markets

Ana Guevara

Ana M. Guevara was appointed Deputy Assistant Secretary for U.S. Field Operations at the U.S. Department of Commerce's International Trade Administration (ITA) in January 2019. She oversees approximately 275 trade professionals based in more than 100 U.S. cities, focused on assisting U.S. businesses to export their goods and services to foreign markets.

Ms. Guevara is a respected leader in both the public and private sectors, with extensive experience in international trade and development. Previously, she served at the US Agency for International Development as the Senior Advisor for Trade and Economic Growth; at the World Bank as the US representative on the Board of Directors; and at ITA as Deputy Assistant Secretary for Service Industries. Ms. Guevara has also served at two Fortune 50 companies as a Vice President. She received her B.A. in public and international affairs from the George Washington University.



International Trade Administration

**Deputy Assistant Secretary for
Manufacturing Industry and
Analysis**

Christopher Abbott

Biographical information not currently available.



International Trade Administration

Deputy Assistant Secretary for Textiles, Consumer Goods, and Materials Industry and Analysis

Lloyd E. Wood III

Lloyd Wood was appointed the Deputy Assistant Secretary (DAS) for Textiles, Consumer Goods, and Materials (TCGM) in February 2019. As DAS, he oversees programs and strategies to designed to boost U.S. jobs and exports by improving the global competitiveness of a wide range of U.S. manufacturing industries, including textiles, apparel, footwear, travel products, consumer goods, chemicals, metals, building products, and forest products.

Wood leads a staff of industry trade specialists and economists who: provide market intelligence and data analysis that enables industry and government agencies to make better informed strategic decisions about trade and related business activities work closely with U.S. industries to represent their views in the development of trade policy, as well as for trade agreement negotiations, implementation, and enforcement execute programs that promote U.S. exports by identifying and working to eliminate non-tariff barriers, particularly with respect to regulations, standards and testing

Prior to joining the International Trade Administration, Wood consulted or worked for organizations representing domestic textile interests, including the National Council of Textile Organizations; the U.S. Industrial Fabrics Institute and Narrow Fabrics Institute divisions of the Industrial Fabrics Association International; and the American Manufacturing Trade Action Coalition.



International Trade Administration

Deputy Assistant Secretary for Travel and Tourism Industry and Analysis

Phil Lovas

Phil Lovas began serving as U.S. Department of Commerce Deputy Assistant Secretary for Travel and Tourism in August 2018. Prior to joining, Commerce, he served as Regional Advocate for the U.S. Small Business Administration's Office of Advocacy covering Arizona, California, Hawaii and Nevada. While there, he worked with small business owners and proponents advocating against overly burdensome federal rules and regulations.

In the private sector, for nearly 15 years he worked in the hotel industry as a franchise developer establishing franchises throughout the western United States for Cendant, InterContinental Hotels Group and Red Lion Hotels.

Phil also served five years as a state representative in the Arizona legislature beginning in February 2012. During his time in the legislature, he chaired the Rules, Ethics and Insurance committees. Phil and his wife Corinne have three children and they live in Peoria, Arizona.



International Trade Administration

Deputy Assistant Secretary for Policy and Negotiations Enforcement and Compliance

Joseph A. Laroski

Joseph Laroski is Deputy Assistant Secretary for Policy & Negotiations. He joined the U.S. Department of Commerce, International Trade Administration, in May 2017. Prior to this, Mr. Laroski served as Counsel in the International Trade Practice Group in King & Spalding's Washington, DC office. His practice drew upon his extensive experience in trade negotiation and international dispute settlement to assist clients in the removal of market access barriers to exporting goods and services. He provided trade policy advice on a wide variety of matters, including U.S. legislation, trade remedies, and the negotiation of international agreements.

From 2008 to 2012, Mr. Laroski served as Associate General Counsel in the Office of the U.S. Trade Representative, Executive Office of the President (USTR), where he was responsible for legal matters involving Customs, Labor, and Technical Barriers to Trade. He served as lead counsel for the United States in numerous dispute settlement proceedings before the World Trade Organization (WTO), including the successful US challenges to the Chinese application of antidumping and countervailing duty measures on US grain-oriented electrical steel products and Chinese subsidies for indigenous Chinese-branded products. Mr. Laroski also served as the U.S. lawyer in the negotiation of the Sanitary and Phytosanitary Measures, Technical Barriers to Trade, Labor, and Regulatory Coherence chapters to the Trans-Pacific Partnership free trade agreement negotiations. He coordinated the U.S. government response to anti-subsidy proceedings in Australia, China, Peru, and the European Union.

Prior to joining USTR, he counseled foreign government officials, domestic and foreign corporations, and industry associations on U.S. laws and international rules governing cross-border trade, with a particular focus on handling antidumping and countervailing duty litigation before the U.S. Department of Commerce, U.S. International Trade Commission, U.S. Court of International Trade, U.S. Court of Appeals for the Federal Circuit, and the WTO.

From 1998 to 1999, he served as law clerk to Senior Judge Dominick L. DiCarlo on the U.S. Court of International Trade. His law degree is from Fordham University School of Law in 1997. He later earned his LL.M degree (with distinction) in International and Comparative Law from Georgetown University Law Center in 1998 and previously received his undergraduate diploma from Georgetown's Edmund A. Walsh School of Foreign Service in 1994.



International Trade Administration
Executive Director, Advocacy Center
Global Markets

José E. V. Cunningham

José E. V. Cunningham is the Executive Director at the International Trade Administration's (ITA) Advocacy Center. In this role he directs a terrific team at the intersection of business and foreign policy, where commercial diplomacy efforts are required to let U.S. business compete fairly. The team's mission is to coordinate U.S. Government resources and authority in order to level the playing field on behalf of U.S. business interests as they compete against foreign firms for specific public international contracts, both commercial and defense sales. The Advocacy Center also has commercial service liaisons to five Multinational Development Banks to assist U.S. firms and advocate on their behalf when they compete for Bank tenders and Requests for Proposals. Our advocacy is provided to engage U.S. Government support for exports, create new jobs, counter foreign governments' advocacy and political pressure, and encourage transparency and fairness in the tender process.

Prior to his tenure at Commerce, José served as Chief Marketing & Business Development Officer at three AmLaw 100 law firms - Nixon Peabody LLP, Crowell & Moring LLP, and Shaw Pittman LLP - where he worked, inter alia, on international trade policy, trade law enforcement, trade agreements compliance, and investment issues. At the law firms he led global teams responsible for uncovering significant opportunities to better serve clients, achieving differentiation, and unlocking additional value.

He began his professional career as an analyst for the U.S. Department of Defense and went on to work as a U.S. Department of State Foreign Service Officer. He attended the University of California at Los Angeles, Cambridge University (England), the University of Southern California, the University of Vienna (Austria), and George Washington University.

Before joining the Trump Administration, he served nearly six years as elected Chairman of the DC Republican Party, Chairman of the Washington, DC delegation to 2016 Republican National Convention in Cleveland, OH, and a member of the Republican National Committee (RNC). He is a competitive Masters swimmer, and has proudly served as co-chair of the Legal Marketing Association's global Diversity & Inclusion Committee.



Minority Business Development Agency

National Director

David J. Byrd

David J. Byrd was appointed as the National Director of the U.S. Department of Commerce, Minority Business Development Agency (MBDA) on June 15, 2020. Mr. Byrd is the 18th National Director of the agency. In his role he oversees the development and implementation of Agency initiatives, policy agenda, and federal grant programs.

Prior to accepting the fourth presidential appointment of his career, Mr. Byrd served as Deputy Assistant Secretary, Office of Policy Development, at the U.S. Department of Housing and Urban Development. In the latter part of 2016, Mr. Byrd served on the Trump Presidential Transition Team where he had dual responsibilities. He served as a “talent scout” identifying potential candidates for executive appointments to the new Administration while also serving as Co-Leader of the HUD Agency Action Team, organizing the blueprint for HUD policy and personnel infrastructure.

As CEO/Founder of Byrd’s Eye, LLC, Mr. Byrd led a consulting firm that offered government relations, political consulting, executive and life skills coaching services to a wide variety of clients. He is also a Certified Professional Life Coach. Mr. Byrd founded his company in November 2003 and, after a five-year return to public service, restarted his company in 2011.

Mr. Byrd served as Deputy Chief Administrative Officer for Prince George’s County, MD, from April 2006 to January 2011. Mr. Byrd’s responsibilities included governmental operations and public infrastructure, environmental services, economic development, and internal support services. In this position, he was the county’s principal member to DCWater, the region’s world class water utility, serving as Vice Chair of that institution’s board.

Prior to his county government service, he served as Chief of Staff to the Maryland Lt. Governor. As Chief of Staff, Mr. Byrd directed the day-to-day operations of the Lt. Governor’s office and championed the Lt. Governor’s political, policy, and personnel agenda.

In 2002, Mr. Byrd was Associate Commissioner for External Affairs at the Social Security Administration. He developed strategic relationships with national advocacy organizations and created the framework for the roll out of the President’s Initiative on Social Security Reform.



Section 2-1 d - Senior Political Leadership Biographies



National Institute of Standards and Technology Under Secretary for Standards and Technology and NIST Director

Dr. Walter G. Copan

Dr. Walter G. Copan was confirmed by Congress as Under Secretary of Commerce for Standards and Technology and NIST Director on October 5, 2017. He has had a distinguished and diverse career as a science and technology executive in large and small corporations, U.S. government, nonprofit and other public-sector settings.

Dr. Copan formerly served as president and CEO of the IP Engineering Group Corporation, providing services in intellectual property strategy, technology commercialization and innovation. Until June 2017, he was founding CEO and chairman of Impact Engineered Wood Corporation. He is a founding board member of Rocky Mountain Innovation Partners and served with the National Advisory Council to the Federal Laboratory Consortium for more than 5 years.

Dr. Copan served as managing director of Technology Commercialization and Partnerships at DOE's Brookhaven National Laboratory where he led the creation and implementation of a new technology transfer mechanism, "Agreement for Commercializing Technology" and initiated the DOE's new Small Business Innovation Research – Technology Transfer program. Dr. Copan was executive vice president and chief technology officer at Clean Diesel Technologies, Inc., where he spearheaded the company's transformation, growth and listing on NASDAQ as well as the company's subsequent merger. Dr. Copan also served at the DOE's National Renewable Energy Laboratory (NREL) as Principal Licensing Executive, Technology Transfer.

Dr. Copan began his career at the Lubrizol Corporation (now part of the Berkshire Hathaway Group). He has a Ph.D. in physical chemistry from Case Western and held leadership positions at Lubrizol in research and development, strategy, business unit management, venture capital, mergers, acquisitions and strategic alliances in the U.S. and abroad.

Dr. Copan is a patent holder, has authored numerous professional publications and presentations, and has served on the boards of many organizations, including the Licensing Executives Society (LES) USA and Canada, where he recently served as regional vice president for LES USA. He has contributed to the U.S. National Academy of Sciences, the Council on Competitiveness, the World Intellectual Property Organization and the United Nations on innovation, technology transfer, energy and economic development matters.



National Oceanic and Atmospheric Administration
Assistant Secretary for Observation and Prediction,
Deputy Administrator performing the non-exclusive
duties of the Under Secretary of Commerce for
Oceans and Atmosphere/NOAA Administrator

Dr. Neil Jacobs

Dr. Neil Jacobs is the Assistant Secretary of Commerce for Environmental Observation and Prediction, performing the non-exclusive duties of Under Secretary of Commerce for Oceans and Atmosphere. In this role, Dr. Jacobs is responsible for the strategic direction and oversight of over \$3.4 billion in annual spending, supporting NOAA's broad portfolio of sea, air, land, and space observing platforms as well as the critical infrastructure for the assimilation and exploitation of environmental data. Previously as the Chief Atmospheric Scientist at Panasonic Avionics Corporation, he directed the research and development of both the aviation weather observing platform and weather forecast model programs. He was previously the Chair of the American Meteorological Society's Forecast Improvement Group and served on the World Meteorological Organization's aircraft-based observing systems expert team.

Dr. Jacobs holds a bachelor's degree in mathematics and physics from the University of South Carolina and masters and doctoral degrees in atmospheric science from North Carolina State University.



Section 2-1 d - Senior Political Leadership Biographies



National Oceanic and Atmospheric Administration

Assistant Secretary of Commerce for Oceans and Atmosphere and Deputy NOAA Administrator

Tim Gallaudet

Rear Admiral Gallaudet is the Assistant Secretary of Commerce for Oceans and Atmosphere and Deputy Administrator of the National Oceanic and Atmospheric Administration (NOAA). From 2017-2019 he served as the Acting Undersecretary of Commerce for Oceans and Atmosphere and NOAA Administrator. Before these assignments, he served for 32 years in the US Navy, completing his service in 2017 as the Oceanographer of the Navy. In his current position, Rear Admiral Gallaudet leads NOAA's Blue Economy activities that advance marine transportation, sustainable seafood, ocean exploration and mapping, marine tourism and recreation, and coastal resilience. He also directs NOAA's support to the Administration's Indo-Pacific Strategy, oversees NOAA's Arctic research, operations, and engagement, and is leading the execution of the NOAA science and technology strategies for Artificial Intelligence, Unmanned Systems, 'Omics, Cloud, and Citizen Science.

Gallaudet chairs or co-chairs several interagency bodies, including the Coordinating Board for the Committee on the Marine Transportation System (CMTS), the US Coral Reef Task Force, the Alaska Mapping Executive Committee, and the Ocean Resources Management Subcommittee (ORM) under the White House Ocean Policy Committee (OPC), of which he is also a member. Other committees on which he serves include the National Science and Technology Council's (NSTC) Select Committee on Artificial Intelligence, the NSTC Committee on STEM Education, the Policy Coordination Committees (PCCs) under the National Security Council (NSC) on Pacific Island Countries, the Arctic, and Maritime Security, and the Executive Steering Group of the National Space Based Positioning, Navigation, and Timing (PNT) Executive Committee.

His top priority at NOAA has been people. He has been a vocal champion for NOAA's diversity and inclusion, leader development, coaching, facilitating, new supervisor training, and awards programs. As acting Administrator, he directed the establishment of NOAA's mentoring program, the agency's sexual assault and harassment prevention and response program, and the establishment of NOAA's workplace violence prevention director.

Rear Admiral Gallaudet has a bachelor's degree from the U.S. Naval Academy and a Master's and Doctorate Degree from Scripps Institution of Oceanography, all in oceanography.



**National Oceanic and Atmospheric
Administration**

Chief Scientist

Dr. Ryan Maue

Dr. Ryan Maue is the Chief Scientist of NOAA and acts as the senior scientist for the agency providing direction for science and technology priorities. Previously in the private sector, he worked as a research meteorologist on a variety of weather data projects including model analysis, forecast mapping and mobile application development. His research specialties include hurricane climatology, numerical weather prediction verification, and extratropical cyclone evolution.

Dr. Maue holds bachelor's degrees in history and atmospheric science from the University of Michigan and masters and doctoral degrees in meteorology from Florida State University.



National Oceanic and Atmospheric Administration
Deputy Assistant Secretary for International Fisheries

Andrew J. Lawler

As the Deputy Assistant Secretary for International Fisheries, Andrew J. (Drew) Lawler engages in high-level development and negotiation of NOAA international fisheries policy at fisheries bilateral and multilateral meetings with foreign nations and in various external activities and meetings as the Deputy Assistant Secretary and NOAA Administrator deem appropriate. He will provide general policy guidance on various aspects of NOAA's international fisheries work, such as sustainable management of fisheries, the protection of marine resources, supporting the export of U.S. fisheries products, and combating illegal, unreported and unregulated (IUU) fishing.

Prior to serving as Deputy Assistant Secretary, Mr. Lawler launched nine magazines over a 35-year period. His career in international trade began 30 years ago when he launched and served as CEO and publisher of the first of three magazines to help U.S. businesses grow their exports and global footprint. In addition, Mr. Lawler was a publisher for a saltwater sport fishing magazine for 15 years, and he launched a saltwater fishing trade show that is now in its tenth year. Concurrently, Mr. Lawler's interest in agriculture led him to launch a media company that serves America's cattle ranchers.

Mr. Lawler is a graduate of the University of Southern California with a degree in public relations from the Annenberg School of Communications and Journalism. He has served on a number of boards and is currently on the Board of Trustees at Northrise University in Zambia.



National Oceanic and Atmospheric Administration

General Counsel

John Luce

John Luce was appointed as the NOAA General Counsel on July 23, 2018. He advises the leadership of NOAA on legal matters that may arise in the conduct of NOAA's missions. He leads a team of over 140 legal professionals in Washington, DC, Silver Spring, MD and six regional sections. In December 2019 he also assumed the duties of NOAA Chief of Staff. In this role, he provides direct support to the Under Secretary of Commerce for Oceans and Atmosphere in administering the overall operations of NOAA.

John came to NOAA from the Department of Homeland Security and the U.S. Coast Guard where he served as Chief of the General Law Division, Chief of Staff to the Judge Advocate General, and Chief of the Claims and Litigation Division. He also previously served as an admiralty trial attorney at the U.S. Department of Justice and a Senior Appellate Government Counsel at the Office of Military Justice.

John graduated with from the U.S. Coast Guard Academy and received his J.D. from the George Washington University Law School.



**National Telecommunications and Information
Administration**

**Deputy Assistant Secretary of Commerce for
Communications and Information performing
the non-exclusive duties of the Assistant
Secretary**

Adam Candeub

Adam Candeub is the Deputy Assistant Secretary of Commerce for Communications and Information performing the non-exclusive duties of the Assistant Secretary. He joined NTIA as Deputy Assistant Secretary in April 2020. Prior to his NTIA appointment, he was professor of law at Michigan State University College of Law, joining the faculty in 2004, and he also served as director of its Intellectual Property, Information, and Communications Law Program.

His earlier government service includes work at the Federal Communications Commission in its Media Bureau and Wireline Competition Bureau, Competitive Pricing Division. He was an associate at Jones, Day, Reavis, and Pogue. He holds J.D. magna cum laude from Penn Law and B.A. magna cum laude from Yale University. Immediately following law school, he clerked for Chief Judge J. Clifford Wallace, U.S. Court of Appeals for the Ninth Circuit. While in law school, Professor Candeub was an articles editor for the University of Pennsylvania Law Review. He received a Fulbright Fellowship in 2010-11 to teach and research internet law at the University of Rijeka, Croatia. He is widely published in the areas of communications regulation and antitrust.



U.S. Patent and Trademark Office
Under Secretary of Commerce for
Intellectual Property and USPTO
Director

Andrei Iancu

In his role as the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office (USPTO), Andrei Iancu provides leadership and oversight to one of the largest intellectual property offices in the world, with more than 13,000 employees and an annual budget of roughly \$3.5 billion. He also serves as the principal advisor to the Secretary of Commerce on domestic and international intellectual property policy matters.

Prior to joining the USPTO, Mr. Iancu was the Managing Partner at Irell & Manella LLP, where his practice focused on intellectual property litigation. Mr. Iancu appeared in a variety of high-profile matters in front of the USPTO, U.S. district courts, the Court of Appeals for the Federal Circuit, and the U.S. International Trade Commission. He has represented clients across the technical and scientific spectra, including those associated with medical devices, genetic testing, therapeutics, the internet, telephony, TV broadcasting, video game systems, and computer peripherals.

Mr. Iancu has also taught patent law at the UCLA School of Law and has written and spoken publicly on a variety of intellectual property issues. Prior to his legal career, Mr. Iancu was an engineer at Hughes Aircraft Company.

Throughout his career, many organizations have recognized Mr. Iancu for his work. Among his legal community accolades, the Daily Journal, California Lawyer magazine, Los Angeles Business Journal, Chambers USA, Best Lawyers in America, and many others have acknowledged his expertise in commercial litigation and intellectual property law. Mr. Iancu has also been the recipient of the Patent and Trademark Office Society 36th Annual Rossman Award, the Hughes Aircraft Malcolm R. Currie Innovation Award, and the Melville B. Nimmer Copyright Award.

Mr. Iancu holds a Juris Doctor from the UCLA School of Law. He also has a Master of Science in mechanical engineering and a Bachelor of Science in aerospace engineering, both from UCLA.

Mr. Iancu was born in Bucharest, Romania. He has lived in the United States since the age of 12. He and his wife, Dr. Luiza C. Iancu, have two children, Ariella, and Robert.



U.S. Patent and Trademark Office

Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the USPTO

Laura Peter

Laura Peter is the Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office (USPTO). She is the principal advisor to the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, and responsible for all agency operations. This includes oversight for the four USPTO Regional Offices, managing roughly 13,000 employees, and executing the policies, priorities, and programs for an annual budget of roughly \$3.5 billion.

Prior to joining the USPTO, Ms. Peter was the Deputy General Counsel of A10 Networks, a publicly traded IT company where she oversaw daily legal matters related to commercial agreements, litigation, and intellectual property (IP) portfolio development. In 2014, she helped shepherd the company through its initial public offering.

Recognized by World IP Review as one of the most “Influential Women in IP,” Ms. Peter has practiced IP law for over 20 years. Previously, she was Vice President and General Counsel of Immersion Corporation, where she led all aspects of the company's legal issues, including its IP portfolio. She was also Assistant General Counsel and Director of Intellectual Property at Foundry Networks, where she built a successful patent portfolio and litigation program. She began her career as a commercial and IP litigator at Townsend, Townsend and Crew (now Kilpatrick Townsend & Stockton LLP).

Ms. Peter received a Bachelor of Science in industrial engineering from Cornell University and a master's in public policy from the University of Chicago. She also holds a Juris Doctor from Santa Clara University School of Law and a Master of Law degree in international business law from King's College London.



Budget Overview

Executive Summary

The Department of Commerce requested \$11.7 billion in total budgetary resources for Fiscal Year (FY) 2021. The Department received \$20.9 billion in total budgetary resources in FY 2020 and \$15.8 billion in FY 2019.

The three major parts to the Department’s total budget are:

1. Amounts appropriated in the annual Commerce, Justice, Science, and Related Agencies Appropriations Act, which total \$7.9 billion in our FY 2021 President’s Budget (PB) request.
2. On top of that, another \$3.8 billion in the FY 2021 PB consists of United States Patent & Trademark Office (USPTO) spending authority (\$3.7 billion) and National Technical Information Service (NTIS) spending authority (\$100 million).
3. Disaster/emergency supplemental funding for emergent requirements (e.g. FY 2020 CARES Act).

	FY 2019	FY 2020	FY 2021 PB
Appropriated by Congress	\$11.4 B	\$15.2 B	\$7.9 B
USPTO Spending Authority (fee funded)	\$3.4 B	\$3.7 B	\$3.7 B
NTIS Spending Authority (fee funded)	\$0.1 B	\$0.1 B	\$0.1 B
Disaster/Emergency Supplemental	\$0.9 B	\$1.9 B	N/A
Total Budgetary Resources	\$15.8 B	\$20.9 B	\$11.7 B

Total Budgetary Resources Breakdown by Bureau (\$ in Millions)

Department of Commerce (DOC) Bureaus	FY 2019	FY 2020	FY 2021 PB
Departmental Management	63.0	82.0	135.3
Office of the Inspector General	32.7	33.0	35.5
Economic Development Administration	304.0	333.0	31.6
Bureau of Economic Analysis	101.0	108.0	111.9
Bureau of the Census	3,821.4	7,558.3	1,672.0
International Trade Administration	484.0	510.3	474.4
Bureau of Industry and Security	118.1	127.7	137.7
Minority Business Development Agency	40.0	42.0	10.3
National Oceanic and Atmospheric Administration	5,426.3	5,353.4	4,626.4
U.S. Patent and Trademark Office ¹	3,341.8	3,643.3	3,693.3
National Institute of Standards and Technology	985.5	1,034.0	737.5
National Telecommunications and Information Administration	39.5	40.4	72.2
National Technical Information Service ¹	145.5	110.0	100.0
Rescission/proposed cancellation	-12.0	-22.0	-146.6
Disaster/Emergency Supplemental	896.0	1,908.0	
Total Budget Resources	\$15,786.8	\$20,861.6	\$11,691.5

1. Discretionary Appropriations shown with exception of USPTO and NTIS. USPTO and NTIS amounts reflect spending authority. Otherwise USPTO and NTIS would equal zero. As a result, this chart does not align with the “Change in Budget (Discretionary Resources) FY 2020 to FY 2021 President’s Budget” chart.



Section 2-1 e – Budget Overview

Change in Budget (Discretionary Resources) FY 2020 to FY 2021 President’s Budget (PB) (\$ in Millions)

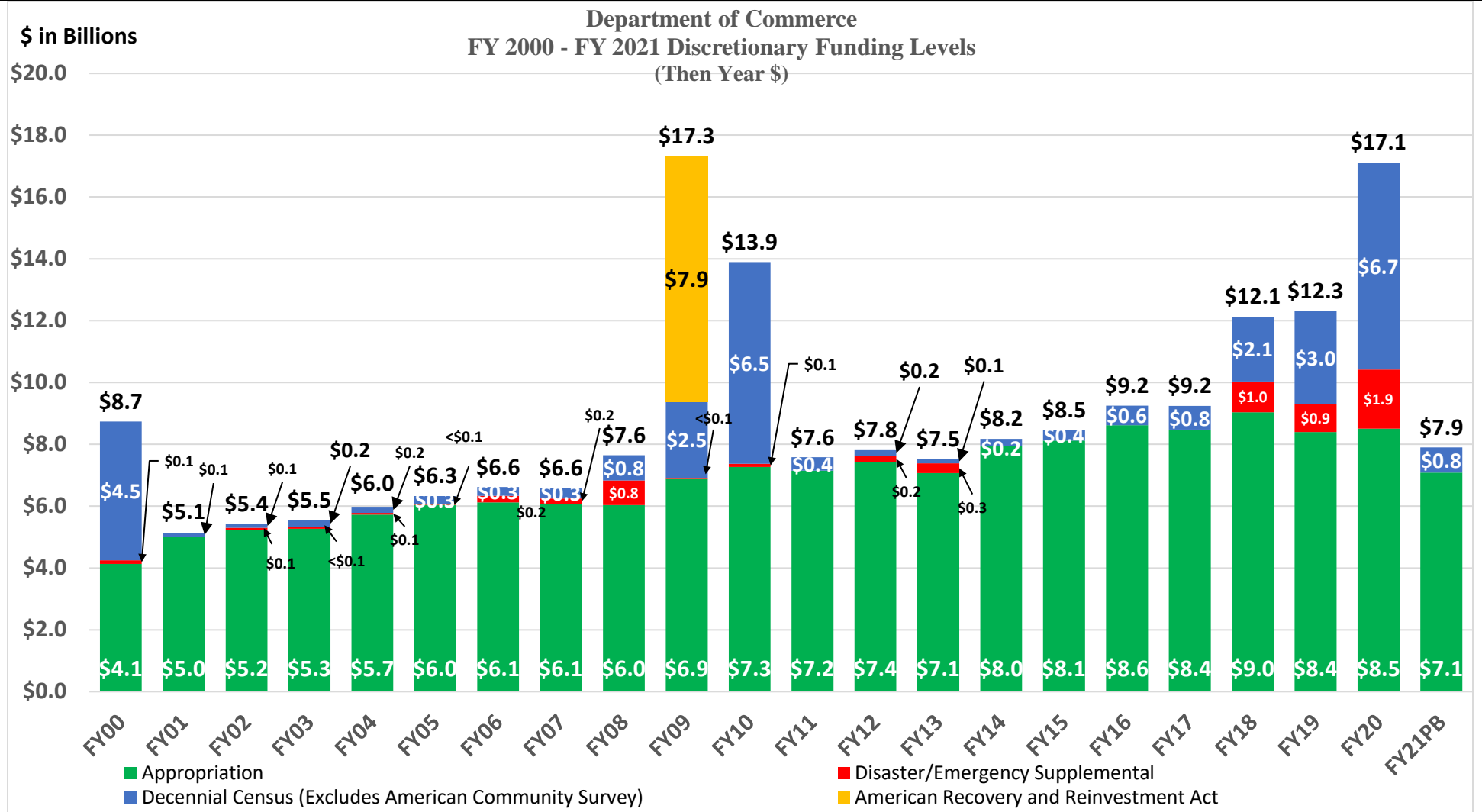
Department of Commerce Bureaus	FY 2020	FY 2021 PB	Change		Notes
			\$	%	
Departmental Management	82.0	135.3	+53.3	+65%	FY21 reflects \$15 million for Space Commerce, a \$17.1 million increase for the Business Application Solution program, and a \$9.2 million programmatic transfer from Working Capital Funding to Salaries & Expenses appropriation. Other programs and inflation adjustments of \$12 million
Office of the Inspector General	33.0	35.5	+2.5	+8%	FY21 reflects \$1 million for increased oversight of DOC programs and \$1.5 million for inflationary adjustments.
Economic Development Administration	333.0	31.6	-301.4	-91%	FY21 again proposes elimination of EDA with a reduction to grants of \$293 million and Operations \$9 million (reductions not supported by Congress in FY20).
Bureau of Economic Analysis	108.0	111.9	+3.9	+4%	FY21 increase reflects one new position for chief data officer and inflationary adjustments.
Bureau of the Census	7,558.3	1,672.0	-5,886.3	-78%	FY21 reflects the completion and ramp down of the 2020 Decennial Census. The Bureau will release data used to redistrict congressional seats and make Federal funding decisions.
International Trade Administration	510.3	474.4	-35.9	-7%	FY21 reflects Administration again proposing reduction in Global Markets (reduction not supported by Congress in FY20).
Bureau of Industry and Security	127.7	137.7	+10.0	+8%	FY21 reflects an increase of \$1.046 million within Export Administration to support the Export Control Reform Act of 2018 and \$3.954 million with Export Administration to fund \$1.312 million for the Enhanced Computer Evidence Program and \$2.642 million in Initiatives to Address China and Emerging Technologies.
Minority Business Development Agency	42.0	10.3	-31.7	-75%	FY21 again proposes MBDA as policy oversight office without business centers (proposal not supported by Congress in FY20).
National Oceanic and Atmospheric Administration	5,353.4	4,626.4	-727	-14%	FY21 decrease reflects several program changes: NOAA Grants (-\$507.7 million); planned decreases to Satellites (-\$87.2 million); one-time adjustment to Facility Maintenance/Construction activities (-\$35.2 million); proposed reductions to North East At Sea Fish Monitors and North Pacific Fish Observers (-\$11.2 million), and National Weather Service (NWS) Workforce (-\$15 million); and proposed terminations including the National Centers for Coastal Ocean Science (-\$37.1 million) and Cooperative Fish Enforcement Program (\$18.5 million).
National Institute of Standards and Technology	1,034.0	737.5	-296.5	-29%	FY21 reflects decreases of \$146.9 million for the proposed elimination of the Hollings Manufacturing Extension Partnership (MEP), \$102 million in Laboratory Programs, and \$57.8 million in one-time funding for construction projects; it also includes an increase of \$9 million for Manufacturing USA.
National Telecommunications and Information Administration	40.4	72.2	+31.8	+79%	FY21 reflects increases of \$24.9 million for IT Spectrum Modernization, \$2 million and 6 positions in support of the Information and Communications Technology Services (ICTS)—Executive Order 13873, May 2019, and inflationary adjustments.
Rescission/proposed cancellation	-22.0	-146.6			
Total Budget	\$15,200.3	\$7,898.1	-\$7,302.2	-48%	

Note: The FY2021 Budget Request reflects the following policies by the Administration: Elimination of EDA, NIST MEP, and Extramural Grants (NOAA and NIST), and the transformation of MBDA into policy oversight office with the closure of all business centers



Budget Historical Perspective (FY 2000 to FY 2021 PB)

DOC Total Budget Appropriations (\$ in Billions)





- In FY 2009, we saw a confluence of large investments, with urgent preparations for the 2010 Decennial Census¹ (\$2.5 billion) occurring at the same time American Recovery and Reinvestment Act (ARRA) funds (\$7.9 billion, of which \$1.0 billion was for the 2010 Decennial Census) were appropriated to DOC. The largest ARRA program funded was \$4.7 billion for NTIA’s Broadband Technology Opportunities Program, which extended broadband access across the country.
- In FY 2010, peak operations of 2010 Decennial Census occurred, with funding of \$6.5 billion².
- FY 2011 through FY 2013 was around \$7.5-\$7.8 billion. In FY 2013, the Department of Commerce was impacted by budget sequestration, which occurred as a result of the Budget Control Act (BCA) of 2011.
- Starting in FY 2014 and continuing through today (FY 2020), DOC’s resources have grown each year, because of several government-wide budget agreements that adjusted the impacts of the BCA of 2011.
- In FY 2018, the Department’s resources increased by \$2.9 billion above FY 2017. The largest piece of this increase was a \$1.3 billion increase for the Census to fund its final year of operational development and the 2018 End to End Census Test. Disaster funding accounted for the next largest increase, providing \$600 for Economic Development Assistance Programs for Hurricanes and \$200 million for Fisheries Disaster Assistance. The other large increase in 2018 was \$133 million for NOAA Aircraft Recapitalization, comprised of \$12 million for a new King Air to replace an aging asset and \$121 million to support the acquisition of a new high-altitude jet for hurricane reconnaissance. Smaller increases were spread across multiple programs and made investments in buildings and infrastructure.
- In FY 2019, \$3.015 billion funded the ramp up of the 2020 Census, including the opening of the 248 Area Census Offices, recruitment and hiring, and the Partnership program.
- In FY 2020, \$17.1 billion was enacted reflecting the major operations for self-response and Non-Response Follow-Up activities of the 2020 Decennial Census (\$6.7 billion) and DOC received supplemental funding in the CARES Act (\$1.9 Billion).
- FY 2021 Budget requests \$7.9 billion, a \$7.3 billion decrease from FY 2020 enacted levels which is primarily due to the ramp down and completion of the 2020 Decennial Census (\$-5.9 billion), and proposals to reduce or eliminate grant programs across the Department.

¹ \$2.5 billion = Demographic Statistical Programs (\$2.7 billion) minus American Community Survey (\$0.2 billion)

² \$6.5 billion = Demographic Statistical Programs (\$6.7 billion) minus American Community Survey (\$0.2 billion)



Section 2-1 e – Budget Overview



FY2010-FY2021 President's Budget (House Marks)
Department of Commerce

(Net Appropriations in Millions/Excludes Supplemental Appropriations)

	FY 2010	FY 2011	FY 2012	FY 2013 Sequestration	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 President's Budget Request	FY 2021 House Mark
Departmental Management (DM):													
Salaries & Expenses	58.000	57.884	57.000	51.972	55.500	56.000	58.000	58.000	63.000	63.000	61.000	96.134	73.080
Herbert C. Hoover Building (HCHB) Renovation and Modernization	22.500	14.970	5.000	1.998	4.000	4.500	19.062	4.000	45.130	---	1.000	1.123	1.123
<u>Department of Commerce Nonrecurring Expenses Fund</u>	---	---	---	---	---	---	---	---	---	---	20.000	38.038	20.000
Departmental Management Appropriation:	80.500	72.854	62.000	53.970	59.500	60.500	77.062	62.000	108.130	63.000	82.000	135.295	94.203
Office of Inspector General (OIG):	27.000	26.946	26.946	26.801	30.000	30.596	32.000	32.744	32.744	32.744	33.000	35.520	35.520
Economic Development Administration (EDA):													
Salaries and Expenses	38.000	37.924	37.500	34.835	37.000	37.000	39.000	39.000	39.000	39.000	40.500	31.593	42.000
<u>Economic Development Assistance Programs (EDAP)</u>	<u>255.000</u>	<u>245.508</u>	<u>220.000</u>	<u>183.416</u>	<u>209.500</u>	<u>213.000</u>	<u>222.000</u>	<u>237.000</u>	<u>262.500</u>	<u>265.000</u>	<u>292.500</u>	---	<u>314.000</u>
Economic Development Administration Appropriation:	293.000	283.432	257.500	218.251	246.500	250.000	261.000	276.000	301.500	304.000	333.000	31.593	356.000
Bureau of Economic Analysis (BEA):	97.255	97.060	96.000	93.321	99.000	100.000	109.000	107.300	99.000	101.000	107.990	111.855	111.855
Bureau of the Census (CENSUS):													
Current Surveys and Programs	281.214	281.291	274.138	257.500	273.932	268.642	270.000	270.000	266.000	270.000	274.000	279.268	288.403
<u>Periodic Censuses and Programs</u>	<u>6,943.517</u>	<u>868.428</u>	<u>614.198</u>	<u>584.053</u>	<u>671.068</u>	<u>819.358</u>	<u>1,100.000</u>	<u>1,200.000</u>	<u>2,548.000</u>	<u>3,551.388</u>	<u>7,284.319</u>	<u>1,392.709</u>	<u>1,392.709</u>
Bureau of the Census Appropriation	7,224.731	1,149.719	888.336	841.553	945.000	1,088.000	1,370.000	1,470.000	2,814.000	3,821.388	7,558.319	1,671.977	1,681.112
International Trade Administration (ITA):	446.765	440.667	455.561	438.492	460.561	462.000	483.000	483.000	482.000	484.000	510.250	474.407	531.428
Bureau of Industry and Security (BIS):	100.342	100.342	101.000	93.646	101.450	102.500	112.500	112.500	113.500	118.050	127.652	137.664	137.664
Minority Business Development Agency (MBDA):	31.500	30.339	30.339	27.472	28.000	30.000	32.000	34.000	39.000	40.000	42.000	10.281	52.000
National Oceanic and Atmospheric Administration (NOAA):	4,741.424	4,588.851	4,895.611	4,744.320	5,316.542	5,443.470	5,769.680	5,677.381	5,910.967	5,426.298	5,353.675	4,626.407	5,454.068
U.S. Patent and Trademark Office (USPTO) [Non-Add]:	---	---	-1.000	---	-2.000	-2.000	-2.000	-2.000	-1.000	-1.500	-2.000	-2.000	-2.000
National Institute of Standards and Technology (NIST):													
Scientific and Technical Research and Services (STRS)	515.000	497.376	567.000	579.771	651.000	675.500	690.000	690.000	724.500	724.500	754.000	652.027	789.000
Industrial Technology Services (ITS)	194.600	182.861	128.443	133.574	143.000	138.100	155.000	153.000	155.000	155.000	162.000	25.252	170.000
<u>Construction of Research Facilities (CRF)</u>	<u>147.000</u>	<u>69.860</u>	<u>55.381</u>	<u>55.970</u>	<u>56.000</u>	<u>50.300</u>	<u>119.000</u>	<u>109.000</u>	<u>319.000</u>	<u>106.000</u>	<u>118.000</u>	<u>60.244</u>	<u>85.000</u>
NIST, Appropriation	856.600	750.097	750.824	769.315	850.000	863.900	964.000	952.000	1,198.500	985.500	1,034.000	737.523	1,044.000
National Telecommunications and Information Administration (NTIA):	19.999	40.568	45.568	42.748	46.000	38.200	39.500	32.000	39.500	39.500	40.441	72.203	45.500
National Technical Information Service (NTIS) [Non-Add]	45.984	48.853	66.310	85.298	109.659	175.202	183.602	145.500	170.000	145.500	110.000	100.000	100.000
RESCISSIONS of Unobligated Balances:¹	-129.000	---	---	---	---	---	---	-33.000	-10.000	-12.000	-22.000	-146.644	-10.000
TOTAL Appropriation, Department of Commerce	13,790.116	7,580.875	7,609.685	7,349.889	8,182.553	8,469.166	9,249.742	9,205.925	11,128.841	11,403.480	15,200.327	7,898.081	9,533.350
	N/A	-45%	<1%	-3%	11%	4%	9%	<1%	21%	2%	33%	-48%	-37%

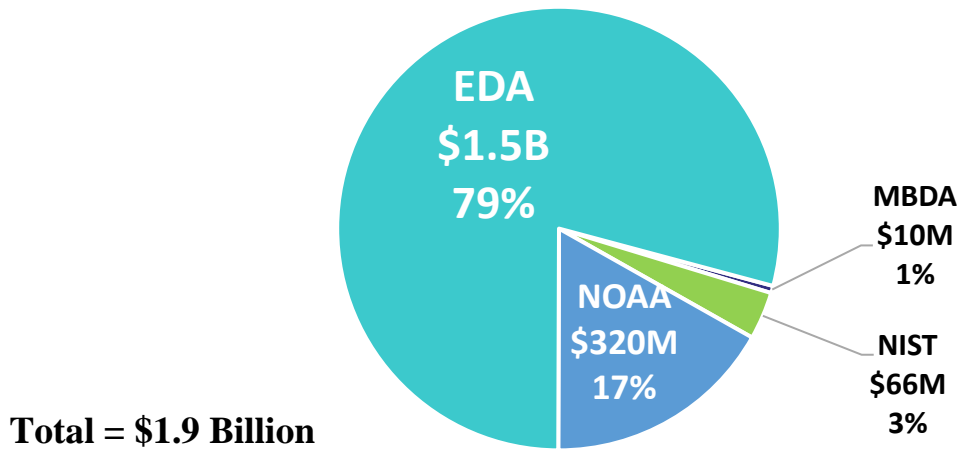
Totals may not add due to rounding

¹ Rescissions from prior year balances are as follows: In FY 2010, \$129M rescission is from CENSUS CS&P; in FY 2017, the \$33M rescission is comprised of \$10M from the EDA EDAP account, \$14M from the EDA EDAP account, and \$9M from the EDA EDAP account; in FY 2019, the \$12M rescission is comprised of \$10M from EDA's EDAP account and \$2M from NIST's Industrial Technology Services; in FY 2020, the \$22M is comprised of \$17M from EDA's EDAP account and \$5M of funding from NOAA's Fisheries Enforcement Asset Forfeitures; the FY 2021 President's Budget Request proposes \$146.644M in cancellation of unobligated balances consisting of \$38M from EDA EDAP account, \$88.644M from CENSUS PC&P account, and \$20M from NIST's Industrial Technology Services. The FY 2021 House Mark includes a \$10M rescission from NOAA Fisheries Enforcement Asset Forfeitures.



Top 5 Current Budget Issues

Budget Issue 1 - FY 2020 Coronavirus Aid, Relief, and Economic Security (CARES) Act, 116-136:



A summary by bureau of DOC CARES Act funding as reported to Congress in the Department’s CARES Act Implementation Plan, Section 15011 Pandemic Response Accountability Committee (PRAC) Report, dated June 2020:

National Oceanic and Atmospheric Administration (NOAA) CARES Act

Funding Line Item	National Oceanic and Atmospheric Administration (NOAA) Fisheries Assistance
Total Amount (\$Millions)	\$300 million
Proposed Use of Funding	NOAA Fisheries allocated \$300 million in fisheries assistance funding provided by Sec. 12005 of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to coastal states, territories, and Tribes with impacted fishery participants. Funding to remain available until September 30, 2021.
Funding Release Plan	It will vary; however, NOAA expects that Sec. 12005 funding will be disbursed more quickly than fishery disaster assistance funds because the CARES Act language does not require the Secretary of Commerce to declare a fishery disaster. The CARES Act also allows the funds to be awarded on a “rolling basis,” which will enable NOAA Fisheries to execute the funds more nimbly in partnership with the states, tribes, and territories.



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<p>Mechanism for Distribution</p>	<p>NOAA Fisheries allocated funds appropriated by Sec. 12005 to states, Tribes, and territories.</p> <p>NOAA Fisheries will obligate allocated funds to Commissions via non-competitive sole source awards. NOAA Fisheries will obligate allocated funds to Puerto Rico and U.S. Virgin Islands via non- competitive sole source awards.</p> <p>Commissions will work with states/Tribes/territories to identify eligible recipients and develop state/Tribal/territory-specific spend plans (i.e., how each state will ensure recipients had a 35% loss in revenue)¹.</p> <p>Once spend plans are approved by NOAA, states/Tribes/territories would provide their Commission with their list of eligible recipients and the respective amounts. Some states/territories/Tribes may choose to execute disbursement of funds themselves.</p> <p>Commissions would issue funds directly to the identified recipients.</p>
<p>Eligibility Criteria for Funds</p>	<p>Each state/Tribe/territory will be required to determine how they will verify which fishery participants meet the requirements described in Sec. 12005(b)(1)-(2) within their spend plans (i.e., economic revenue losses greater than 35 percent as compared to the prior five year average or negative impacts to subsistence, cultural, or ceremonial fisheries).</p> <p>States, Tribes, and territories have the discretion to determine whether marine bait and tackle operations and marine gear and vessel suppliers are eligible for Sec. 12005 assistance in their spend plans, consistent with the requirements of the CARES Act. Businesses farther down the supply chain—including vessel repair businesses, restaurants, or seafood retailers—are not considered “fishery-related businesses” for the purposes of this funding.</p>
<p>Staffing and Resource Needs to Execute</p>	<p>Up to 2 percent may be used for administration and oversight activities.</p>

¹ For certain U.S. territories/states, NOAA Fisheries would work directly with the territory/state to identify eligible recipients and spend plans. Once such spend plans are approved, NOAA Fisheries would award the allocated funds directly to the territory/state for disbursement to identified recipients.



National Institute of Standards and Technology (NIST) CARES Act

Funding Line Item	Scientific and Technical Research and Services (STRS) – Laboratory Programs
Total Amount (\$Millions)	\$6 million
Proposed Use of Funding	<p>Funds will be used internally to cover costs associated with COVID-19 response. Most of the funds will be used to support internal research to assure accurate testing for the SARS-CoV-2 virus. Various commercial and lab developed assays exist for the detection of COVID-19 caused by the SARS- CoV-2 virus. These have been rapidly developed for the emerging needs of public health. NIST will compare existing SARS-CoV-2 viral genome sequences with the targeted regions of the various assays. Synthetic RNA/DNA constructs will be designed to test the effect of the expected mutations on assay sensitivity. The deliverables would be dissemination of the findings in a timely manner through publications to inform and ensure accurate diagnostic testing. Additionally, NIST will participate in the Quality Control for Molecular Diagnostics (QCMD) [http://www.qcmd.org/] “RESPIRATORY SPECIAL: QCMD Coronavirus Outbreak Preparedness External Quality Assessment (EQA) Pilot Study” to develop a research grade SARS-CoV-2 viral reference material in order to assure more accurate testing of the virus.</p> <p>Additional funds will be used to cover unanticipated costs incurred by NIST in response to COVID-19 (ex. contract to provide staffing to the Central Utility Plant in Gaithersburg; expanded janitorial cleaning; financial penalties from cancelled conferences; etc.)</p>
Funding Release Plan	Anticipate consistent expense rate over the next 2-6 months. 100% obligation by the end of 6 months.
Mechanism for Distribution	Federal labor costs and contract support
Eligibility Criteria for Funds	N/A
Staffing and Resource Needs to Execute	Existing staff



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Funding Line Item	Industrial Technology Services (ITS) – Manufacturing USA
Total Amount (\$Millions)	\$10 million
Proposed Use of Funding	NIST is working closely with the NIST National Institute for Innovation in Manufacturing Biopharmaceuticals (NIIMBL) institute on biopharmaceutical manufacturing for high impact projects to prevent, prepare for, and respond to the COVID-19 pandemic, including development and advanced manufacturing of medical countermeasures and biomedical equipment and supplies.
Funding Release Plan	100% in 90 days
Mechanism for Distribution	Cooperative Agreement
Eligibility Criteria for Funds	Existing Institute
Staffing and Resource Needs to Execute	Existing Staff

Funding Line Item	ITS – Hollings Manufacturing Extension Partnership (MEP)
Total Amount (\$Millions)	\$50 million
Proposed Use of Funding	<p>Except for a small percentage that will be used to cover administrative costs and labor costs associated with support of FEMA Manufacturing Supply Chain efforts, the funding will be used to support MEP centers in their effort to provide services to small manufacturers in response to CoVID-19. NIST will also continue to coordinate with other parts of the Department of Commerce, in an “All of Commerce” effort to create the greatest synergy in our work on behalf of the nation’s manufacturing sector.</p> <p>Examples of the kinds of services and projects the MEP National Network will provide, include:</p>



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	<ol style="list-style-type: none"> 1. Utilize MEP Center staff across the country to reach out directly to all new, present and past manufacturing clients to assess their needs; 2. Leverage the National Network to scout for manufacturers to produce critically needed medical equipment and supplies (masks, swabs, tubes, sanitizer, etc.); 3. Create assessment and inquiry to ask companies if they would be willing to pivot their capabilities to support critical needs; 4. Employ NIST guidance in areas relating to both community resilience regarding disasters, as well as cybersecurity supply chain risk management that can be applied when addressing the potentially wide spectrum of impacted manufacturing supply chains; 5. Employ each MEP Center to work within economic development ecosystems to be a resource to help manufacturers recover from the business realities of workforce and supply chain interruptions; 6. Design and create a national supply chain recovery portal to help the smaller and rural manufacturers address coronavirus implications to include worksheets for manufacturers to assess supply chain risk; 7. Develop a “Roadmap to Resiliency” Toolkit and Bootcamp; 8. Provide clearing house assistance to help the smallest manufacturers navigate resources from other state agencies, Department of Commerce Bureaus, SBA, SBDC, OSHA, PTAC and other local resources to make sure information is specifically tailored to their needs as suppliers. The MEP manufacturing experts will provide assistance with understanding of smaller or rural manufacturers’ insurance coverage scenarios; connecting with SBA’s disaster low interest loans and helping them locate the information needed to complete the loan application.
Funding Release Plan	100% in less than 90 days
Mechanism for Distribution	Cooperative Agreement
Eligibility Criteria for Funds	Existing MEP Centers
Staffing and Resource Needs to Execute	Existing staff, although overtime will be required due to unfilled staffing slots in NIST grants office.



Economic Development Administration (EDA) CARES Act

Funding Line Item	Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Recovery Assistance, Division B, Title II of Pub. L. 116- 136.																																																																	
Total Amount (\$Millions)	Under the CARES Act, Congress provided EDA with \$1,500,000,000, to remain available until September 30, 2022, to prevent, prepare for, and respond to the coronavirus pandemic. Up to 2 percent, or \$30 million, is dedicated for salaries and expenses, and \$3 million is dedicated to DOC’s Office of Inspector General.																																																																	
Proposed Use of Funding	Through its Economic Adjustment Assistance (EAA) program, EDA will provide grants to communities impacted by the coronavirus pandemic with immediate and long-term economic recovery assistance. EDA grants will support a wide range of economic planning and technical assistance, innovation, capitalization and recapitalization of Revolving Loan Funds (RLF), and construction and non-construction assistance across the nation.																																																																	
Funding Release Plan	From date of publication of the Notice of Funding Opportunity (NOFO): <table border="1" style="margin-left: 40px;"> <thead> <tr> <th></th> <th style="text-align: center;"><u>OBLIGATION</u></th> <th colspan="2" style="text-align: center;"><u>CUMULATIVE</u></th> <th></th> </tr> <tr> <th></th> <th style="text-align: center;"><u>TIME</u></th> <th style="text-align: center;"><u>AMT</u></th> <th style="text-align: center;"><u>OBL</u></th> <th style="text-align: center;"><u>%</u></th> </tr> </thead> <tbody> <tr> <td></td> <td>60 days</td> <td style="text-align: right;">\$77,000,000</td> <td style="text-align: right;">\$77,000,000</td> <td style="text-align: right;">5%</td> </tr> <tr> <td></td> <td>90 days</td> <td style="text-align: right;">\$250,000,000</td> <td style="text-align: right;">\$327,000,000</td> <td style="text-align: right;">22%</td> </tr> <tr> <td></td> <td>6-months</td> <td style="text-align: right;">\$300,000,000</td> <td style="text-align: right;">\$627,000,000</td> <td style="text-align: right;">43%</td> </tr> <tr> <td></td> <td>9-months</td> <td style="text-align: right;">\$250,000,000</td> <td style="text-align: right;">\$877,000,000</td> <td style="text-align: right;">60%</td> </tr> <tr> <td></td> <td>12-months</td> <td style="text-align: right;">\$200,000,000</td> <td style="text-align: right;">\$1,077,000,000</td> <td style="text-align: right;">73%</td> </tr> <tr> <td></td> <td>18-months</td> <td style="text-align: right;">\$130,000,000</td> <td style="text-align: right;">\$1,207,000,000</td> <td style="text-align: right;">82%</td> </tr> <tr> <td></td> <td>24-months</td> <td style="text-align: right;">\$130,000,000</td> <td style="text-align: right;">\$1,337,000,000</td> <td style="text-align: right;">91%</td> </tr> <tr> <td></td> <td>27-months</td> <td style="text-align: right;"><u>\$130,000,000</u></td> <td style="text-align: right;"><u>\$1,467,000,000</u></td> <td style="text-align: right;">100%</td> </tr> <tr> <td></td> <td><i>S&E</i></td> <td style="text-align: right;">\$30,000,000</td> <td style="text-align: right;">\$1,497,000,000</td> <td></td> </tr> <tr> <td></td> <td><i>OIG</i></td> <td style="text-align: right;"><u>\$3,000,000</u></td> <td style="text-align: right;">\$1,500,000,000</td> <td></td> </tr> <tr> <td></td> <td>TOTAL</td> <td style="text-align: right;">\$1,500,000,000</td> <td></td> <td></td> </tr> </tbody> </table>		<u>OBLIGATION</u>	<u>CUMULATIVE</u>				<u>TIME</u>	<u>AMT</u>	<u>OBL</u>	<u>%</u>		60 days	\$77,000,000	\$77,000,000	5%		90 days	\$250,000,000	\$327,000,000	22%		6-months	\$300,000,000	\$627,000,000	43%		9-months	\$250,000,000	\$877,000,000	60%		12-months	\$200,000,000	\$1,077,000,000	73%		18-months	\$130,000,000	\$1,207,000,000	82%		24-months	\$130,000,000	\$1,337,000,000	91%		27-months	<u>\$130,000,000</u>	<u>\$1,467,000,000</u>	100%		<i>S&E</i>	\$30,000,000	\$1,497,000,000			<i>OIG</i>	<u>\$3,000,000</u>	\$1,500,000,000			TOTAL	\$1,500,000,000		
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Mechanism for Distribution	The majority of the supplemental funding will be distributed out of EDA’s six regional offices, which are responsible for reviewing the eligibility and merit of applications.																																																																	



<p>Eligibility Criteria for Funds</p>	<p>Eligible applicants, per the EAA program include:</p> <ul style="list-style-type: none"> a. District Organizations; b. Indian Tribes or a consortium of Indian Tribes; c. State, county, city, or other political subdivisions of a state, including a special purpose unit of a state or local government engaged in economic or infrastructure development activities, or a consortium of political subdivisions; d. Institutions of higher education or a consortiums of institutions of higher education; or e. Public or private non-profit organizations or associations acting in cooperation with officials of a political subdivision of a state. <p>Project Eligibility:</p> <ul style="list-style-type: none"> • To be eligible for funding, applicants must explain clearly in their application how the proposed project would “prevent, prepare for, and respond to coronavirus” or respond to “economic injury as a result of coronavirus.” <p>Match / Cost Share Requirements:</p> <ul style="list-style-type: none"> • EDA generally expects to fund at least 80%, and up to 100%, of eligible project costs.
<p>Staffing and Resource Needs to Execute</p>	<p>Human Resources Considerations</p> <ul style="list-style-type: none"> • Using special hiring authority granted EDA under the CARES Act, at least 70-80 new term hires throughout EDA’s six regional offices and Headquarters.



Minority Business Development Agency (MBDA) CARES Act

Funding Line Item	Minority Business Development
Total Amount (\$Millions)	\$10 million
Proposed Use of Funding	To educate, train and advise minority business enterprises concerning the impact of and recovery from the COVID-19.
Funding Release Plan	30 days: 70% 60 days: 100%
Mechanism for Distribution	Non-competitive Grant Supplementals (70%) Non-competitive Grants (30%)
Eligibility Criteria for Funds	MBDA Business Centers Minority Chambers of Commerce
Staffing and Resource Needs to Execute	Existing Staff



Budget Issue 2 - The United States Mexico Canada Agreement, PL 116-113 (USMCA):

Public Law 116-113, the United State-Mexico-Canada Agreement Implementation Act (USMCA), provides \$16 million in emergency appropriations for National Oceanic and Atmospheric Administration (NOAA). Please reference P.L. 116-113, NOAA Section of Title IX, page 88.

Of the \$16 million provided, \$8 million is for cooperation with the Government of Mexico to combat illegal, unreported, and unregulated fishing and to enhance the implementation of the Seafood Import Monitoring Program pursuant to 16 U.S.C. 1826 and 1829, during fiscal years 2020 through 2023.

The remaining \$8 million is provided to carry out section 3 of the Marine Debris Act (33 U.S.C. 1952) during fiscal years 2020 through 2023 in the North American region. These funds will be used to undertake efforts to reduce the adverse impacts of lost and discarded fishing gear on living marine resources and navigation safety, including—

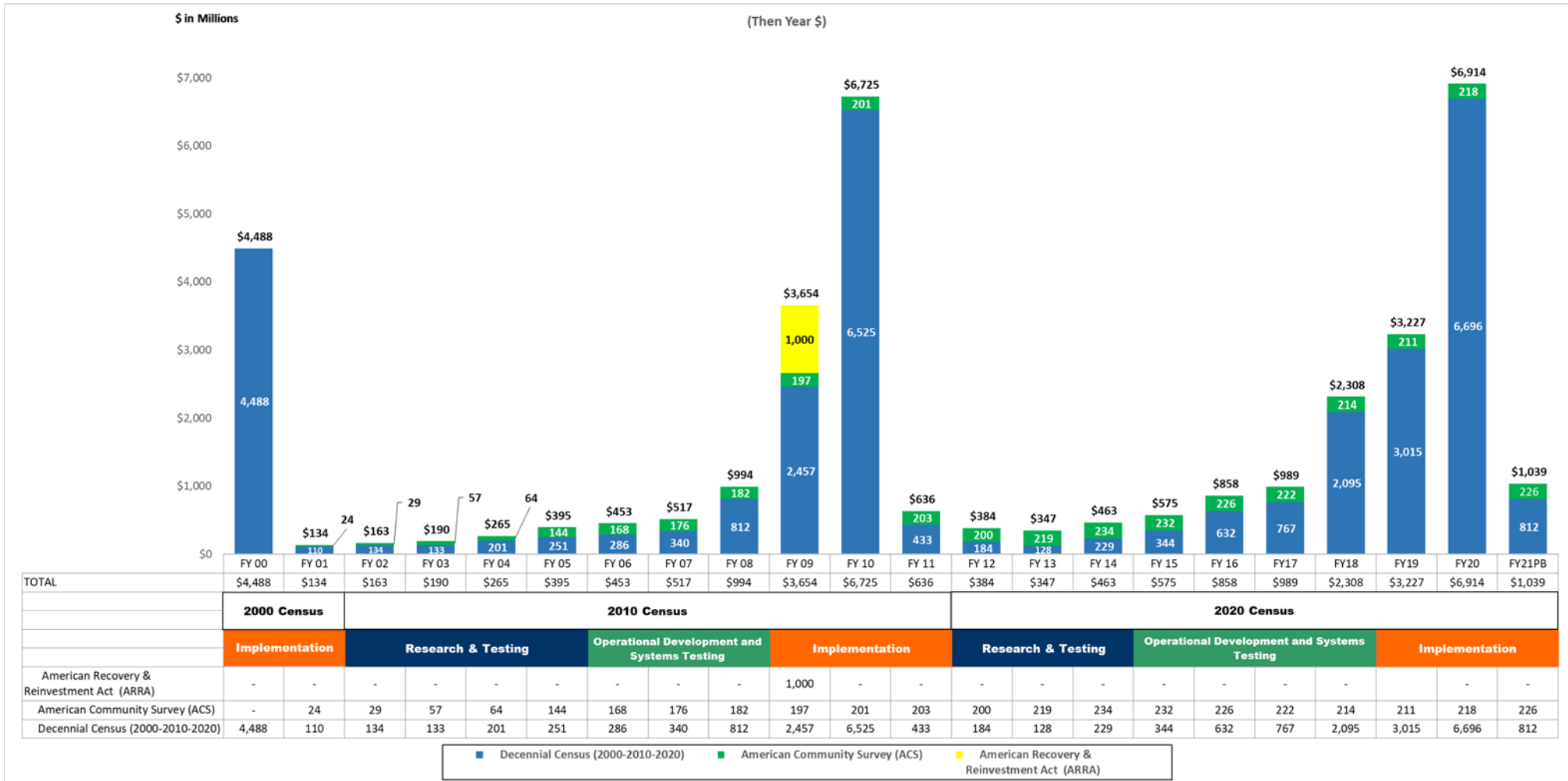
(A) research and development of alternatives to gear posing threats to the marine environment and methods for marking gear used in certain fisheries to enhance the tracking, recovery, and identification of lost and discarded gear; and

(B) the development of effective nonregulatory measures and incentives to cooperatively reduce the volume of lost and discarded fishing gear and to aid in gear recovery



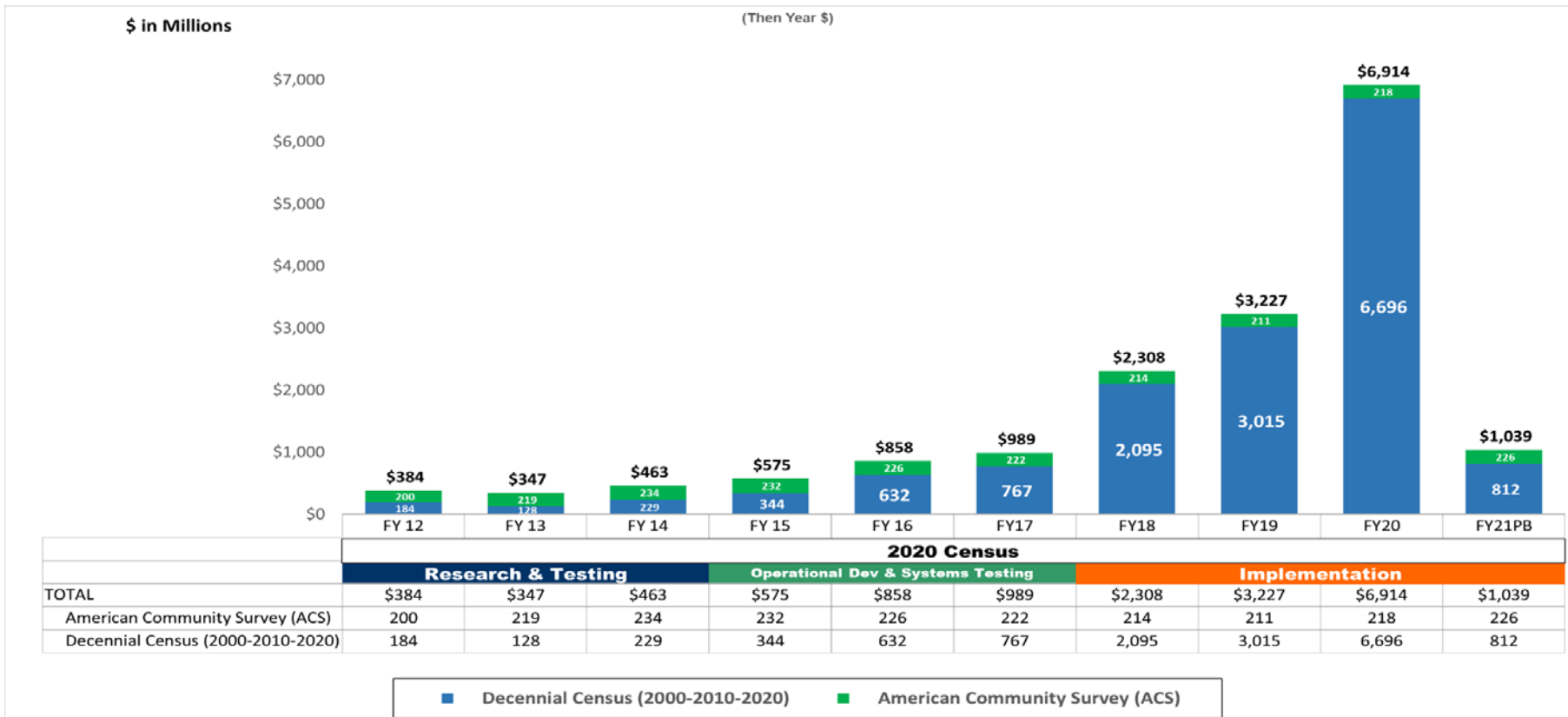
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Budget Issue 3 - Historical Summary Decennial Census 2000-2021





Budget Issue 4 - 2020 Decennial Census



The above chart details the gradual funding ramp-up of the 2020 Decennial Census with an estimated life cycle cost of \$15.624 billion. As illustrated the funding has steadily increase, from FY 2012 through FY 2019. In FY 2018, the Omnibus provided \$2.095 billion which includes \$50 million in contingences and advance funding in support of FY 2019 activities of \$1.023 billion.

In FY 2019, the Consolidated Appropriations Act provided \$3.015 billion to support the first field operations and deployment of the Area Census Offices. In FY 2020, the Consolidated Appropriations Act provided \$6.696 billion which includes \$669 million in contingences to support the execution of field infrastructures openings and nationwide onboarding of hundreds of thousands of staff to begin major field enumeration of the Decennial Census. In FY 2021 President’s Budget proposes \$812 million for the completion and support the ramp down of IT and human capital post-enumeration operations and the release of data used to fulfill the Constitutional mandate of apportionment and redistricting data to the States. Finally, the chart also summarizes the American Community Survey funding from FY 2012 through FY 2021 used for census design and data collection.



Section 2-1 e – Budget Overview

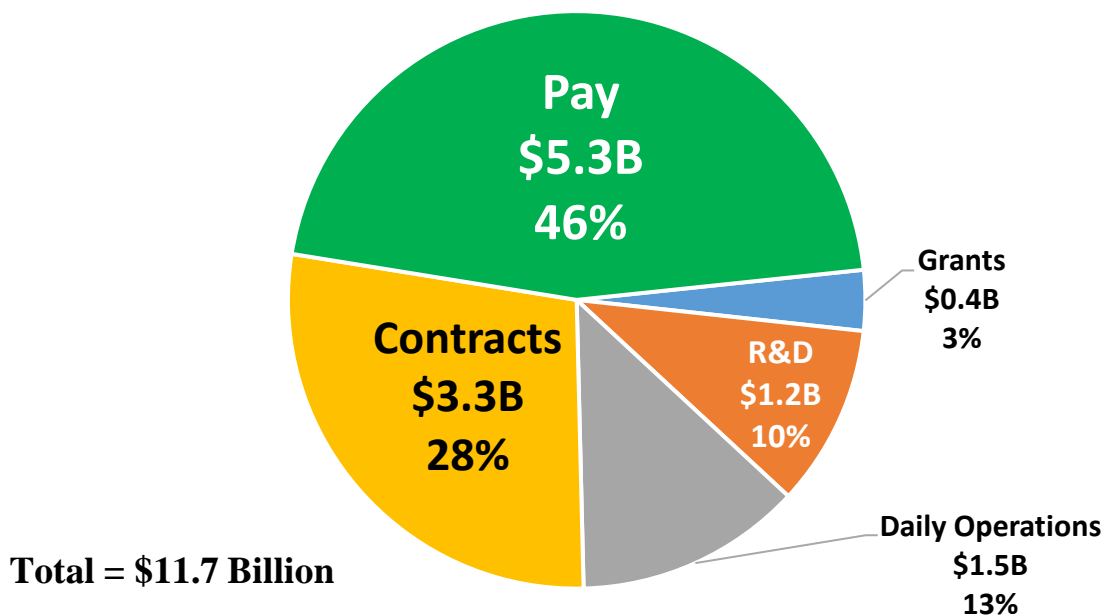
Budget Issue 5 - Commerce NOAA Weather Satellites

		(\$ in thousands/then year \$)	FY 2016	FY 2017	FY2018	FY 2019	FY 2020	FY 2021 President's Budget
Satellite Programs	GEO	Geostationary Operational Environmental Satellites - R (GOES-R)	871,791	752,784	518,532	408,380	304,056	334,500
	POLAR	Joint Polar Satellite System (JPSS)	808,966	787,246	775,777	548,035		
		Polar Follow On (PFO)	370,000	328,900	419,000	329,956		
		Polar Weather Satellites (PWS)					745,000	657,835
	SPACE WEATHER	Space Weather Follow On (SWFO)	1,200	5,000	8,545	27,000	64,000	108,115
	OTHER SPACE MISSIONS	Constellation Observing System for Meteorology, Ionosphere, and Climate-2 (COSMIC-2) / Global Navigation Satellite System Radio Occultation (GNSS-RO)	10,100	8,100	6,100	5,892	5,892	5,892
		Cooperative Data and Rescue Services (CDARS) (Previously SIDAR)	500	500	21,650	26,539	11,350	14,400
		Satellite Programs Total	2,073,215	1,890,632	1,749,604	1,345,802	1,130,298	1,120,742



Commerce Resource Categories FY 2021 Total Budgetary Resources -- \$11.7 Billion

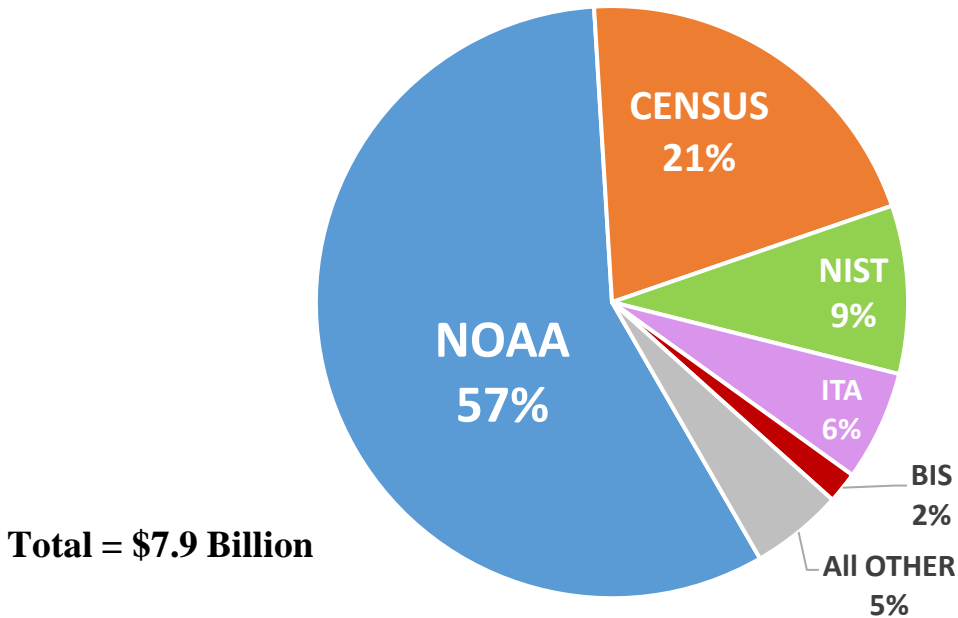
- **\$5.3 Billion** -- Pay (not including training, travel, rent, etc.) makes up 46% of the total budget
- **\$3.3 Billion** -- Contracts make up 28% of the budget
- **\$1.5 Billion** -- Daily Operations (Travel/Transportation, Rental Payments, Communications, Printing, Supplies, Equipment, Lands & Structures, Insurance Claims & Indemnities, and Investments & Dividends) account for 13% of the budget
- **\$1.2 Billion** – Research and Development (R&D) make up 10% of the budget
- **\$0.4 Billion** -- Grants represent 3% of the budget





DOC Bureaus by Budget/Spending Authority

Top 5 Bureaus as % of FY 2021 President's Budget Request (Budget Authority)

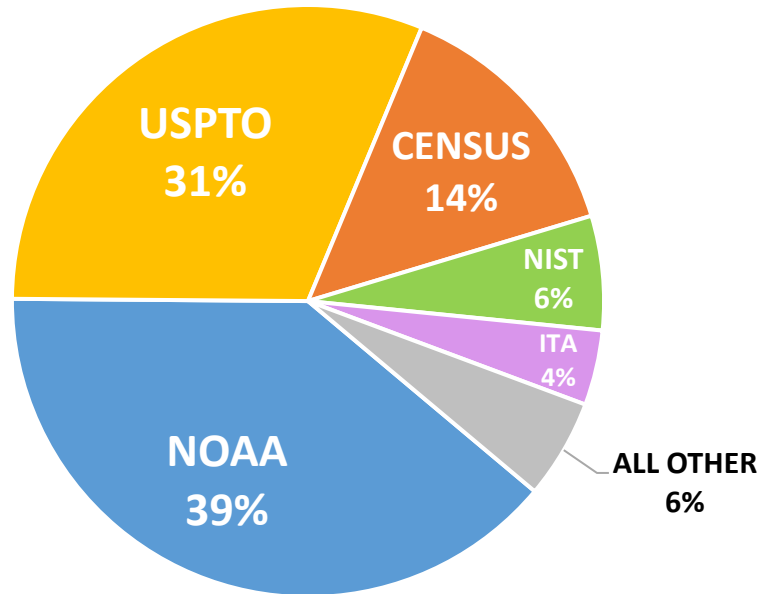


Note: USPTO and NTIS are excluded

Department of Commerce (DOC) Bureaus	FY 2021 PB	%
(\$ in Millions)		
National Oceanic and Atmospheric Administration	4,625.1	57.4%
Bureau of the Census	1,668.4	20.7%
National Institute of Standards and Technology	740.3	9.2%
International Trade Administration	485.5	6.0%
Bureau of Industry and Security	137.7	1.7%
Departmental Management	135.3	1.7%
Bureau of Economic Analysis	111.9	1.4%
National Telecommunications and Information Administration	72.2	0.9%
Office of the Inspector General	44.4	0.6%
Economic Development Administration	31.6	0.4%
Minority Business Development Agency	10.3	0.1%
Rescission	-146.6	
Total Budget Resources	\$7,914.1	100%



DOC Bureaus as % of FY 2021 President's Budget Request (Spending Authority)



Total = \$11.7 Billion

Department of Commerce (DOC) Bureaus	FY 2021 PB	%
(\$ in Millions)		
National Oceanic and Atmospheric Administration	4,625.1	39.0%
U.S. Patent and Trademark Office	3,693.3	31.2%
Bureau of the Census	1,668.4	14.1%
National Institute of Standards and Technology	740.3	6.2%
International Trade Administration	485.5	4.1%
Bureau of Industry and Security	137.7	1.2%
Departmental Management	135.3	1.1%
Bureau of Economic Analysis	111.9	0.9%
National Technical Information Service	100.0	0.8%
National Telecommunications and Information Administration	72.2	0.6%
Office of the Inspector General	44.4	0.4%
Economic Development Administration	31.6	0.3%
Minority Business Development Agency	10.3	0.1%
Rescission	-146.6	
Total Budget Resources	\$11,709.4	100%



Workforce Demographics and Federal Viewpoint Survey (FEVS)

Workforce Size and Distribution

The Department had about **41,000 permanent employees** as of 30 September 2020. However, during the 2020 Census, the Department hired many temporary employees. As of September 30, 2020, DOC had about **13,000 temporary employees**.

- The chart on the below left side shows that the Department’s three largest bureaus account for 84% of the total permanent workforce.
- The Department’s headquarters, which is comprised of the Office of the Secretary (OS) and the Office of Inspector General (OIG), accounts for about 3% of the total permanent workforce.
- The Department’s other five smaller bureaus (BIS, EDA, ITA, MBDA, and NTIA) account for only 6% of the Department’s total permanent workforce.

The table below shows the number of permanent federal employee actually onboard at the end of FY 20 compared to the number of positions authorized in the FY21 President’s Budget, which includes filled and unfilled positions.

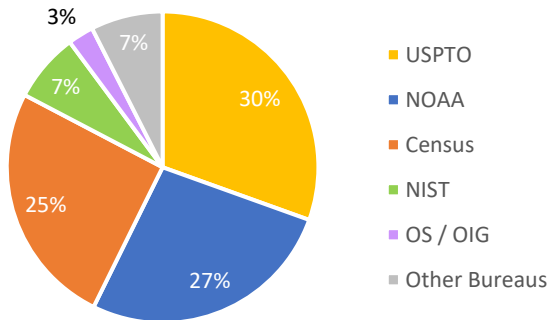
Department of Commerce (DOC) Bureaus	Onboard Employees FY 20 Actual	Authorized Positions FY 21 Pres. Budget
Bureau of the Census	10,401	16,182
U.S. Patent and Trademark Office	12,497	14,018
National Oceanic and Atmospheric Administration	10,989	12,046
National Institute of Standards and Technology	2,934	3,008
International Trade Administration	1,400	1,531
Departmental Management	921	1,116
Economics and Statistics Administration	460	539
Bureau of Industry and Security	361	474
National Telecommunications and Information Administration	497	322
Office of the Inspector General	178	201
Economic Development Administration	262	99
National Technical Information Service	40	60
Minority Business Development Agency	45	50
Totals	40,986	49,646

Except for the far-right column in the table above and the pie chart on the right side of the next page, all other workforce demographic information presented in this workforce overview section analyzes only permanent federal employees onboard.

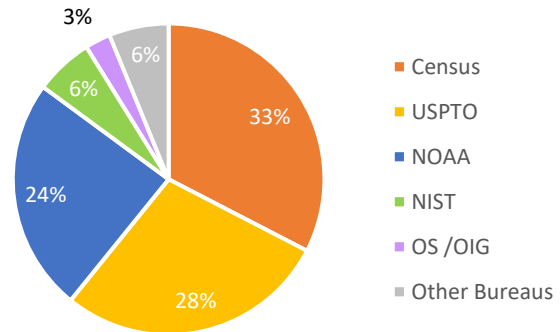


Section 2-1 f – Workforce Demographics and FEVS

**Onboard Employees by Bureau
FY 20 Actual**



**Authorized Positions by Bureau
FY 21 President's Budget**

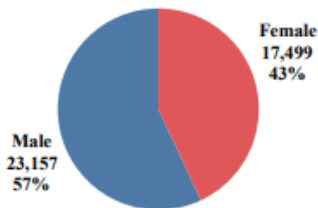


Workforce Demographics

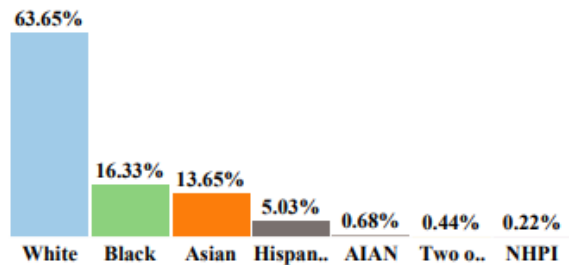
The Office of Human Resource Management (OHRM) and Office of Civil Rights (OCR) track and report on workforce demographic data on a quarterly basis. Data monitored includes inclusion rates, people with disabilities, pay grades, mission critical occupations, gender, race/ethnicity, age groups, retirement eligibility, and veterans hires.

Among the Department’s permanent workforce, **40% of employees are in a pay grade of GS-13 or higher**. The Department’s permanent workforce includes 414 Senior Executives, 2,452 GS-15's, 8,044 GS-15's and 5,374 GS 13's. The following charts illustrate various demographic breakdowns.

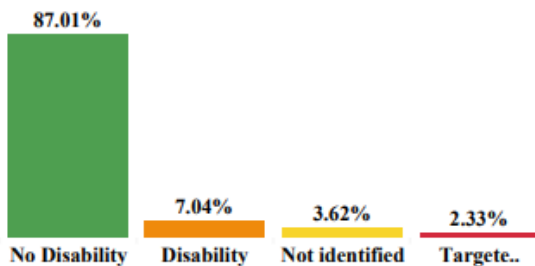
Gender (by count and % of total)



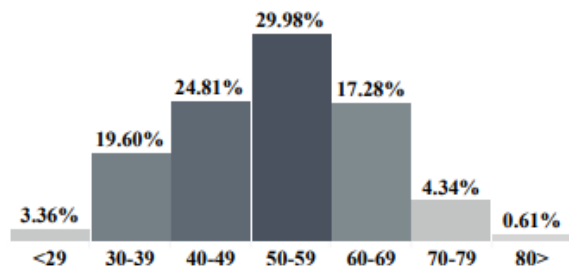
Race/Ethnicity (by % of total)



Disability (by % of total)



Age Groups (by % of total)

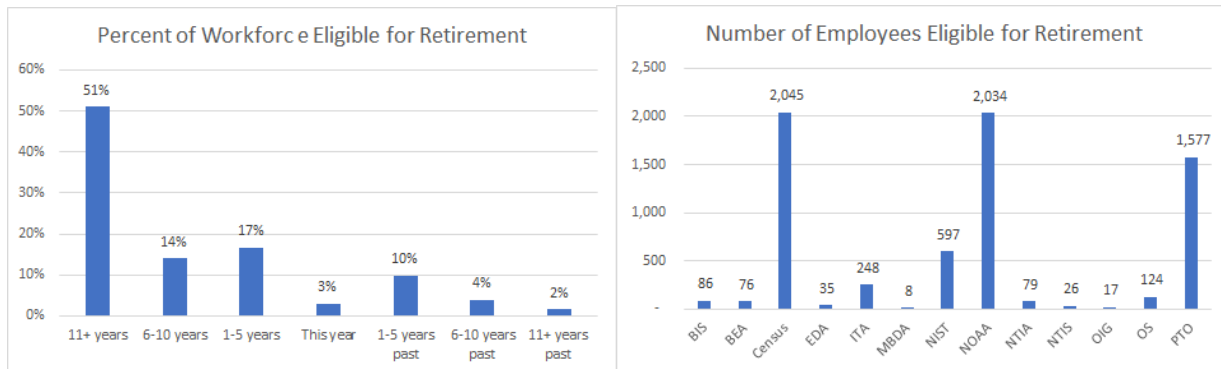


Data source: <https://datainsight.hrconnect.treas.gov/>



Retirement Eligibility

Approximately 19% of the entire DOC workforce is currently eligible for retirement. Additionally, 17% will be eligible within 1-5 years. More than 20% of BIS and NTIS’s workforce are currently eligible for retirement (BIS 24% and NTIS 35%).



Mission Critical Occupations

64% of all DOC positions are a job series that is considered a mission essential occupation (MCO). The table below shows all current DOC MCOs listed by job series number and name.

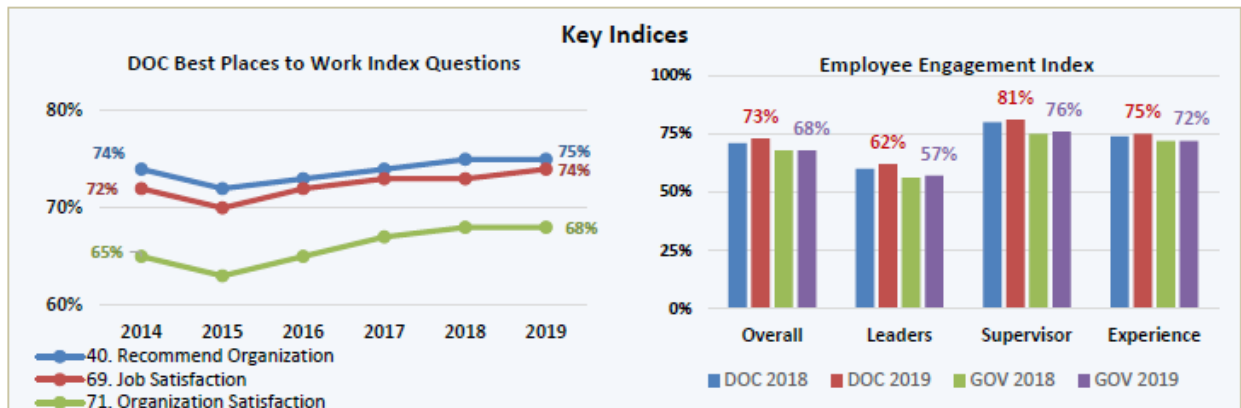
0110 – Economist
0201 – HR Specialist
0301 – Miscellaneous Administration and Program Management
0343 – Management Program Analyst
0482 – Fishery Biologist
0500 - Accounting and Budgeting Group (Professional & Administrative series) includes 0501, 0505, 0510, 0511, 0560
0800 Engineering and Architecture Group (Professional series) includes 0801, 0803, 0804, 0806, 0808, 0810, 0819, 0830, 0840, 0850, 0854, 0855, 0858, 0861, 0871, 0893, 0896
0905 – General Attorney
1101 – General Business and Industry
1102 – Contract Specialist
1140 – Trade Specialist
1224 – Patent Examiner
1301 – Physical Scientist or General Physical Science
1310 – Physicist
1315 – Hydrology
1320 – Chemistry
1340 – Meteorologist
1360 – Oceanography
1529 – Mathematical Statistician
1530 – Statistician
1550 – Computer Science
1801 – General Inspections, Investigations and Compliance
2210 – IT



Federal Employee Viewpoint Survey (FEVS)

The Federal Employee Viewpoint Survey (FEVS) is conducted annually by the Office of Personnel Management (OPM). The FEVS measures employees’ perception of whether, and to what extent, conditions characterizing successful organizations are present in their agencies. The FEVS allows employees to share their viewpoints on their work experiences, agency, and leadership. The results provide agency leaders insight into areas where improvements have been made, as well as areas where improvements are needed. The FY 2019 FEVS was administered to Commerce employees between May 20 and July 1, 2019. The survey was restricted to non-political, non-seasonal, full- or part-time, permanent employees who were onboard since at least October 2018. DOC’s response rate for 2019 was 54%. Results were made available to the public at <https://www.commerce.gov/hr/practitioners/human-capital/fevs>.

For 2019, the Partnership for Public Service ranked the Department of Commerce (DOC) overall the **4th best large agency** to work out of 17 large federal agencies assessed. This ranking is based on three questions having to do with how likely employees are to recommend their organization, overall job satisfaction, and overall organizational satisfaction. Based on these results 75% of DOC employees would recommend Commerce as a good place to work, 74% are satisfied with their job, and 68% are satisfied with the Department of Commerce organization.



The top 3 most positively rated areas were:

- 96% were willing to put in the extra effort to get the job done
- 91% think they work they do is important
- 91% of supervisors spoke with employees about their performance in the last 6 months

The top 3 most negatively rated areas were:

- 31% have sufficient resources to get their job done
- 30% of employees feel that pay raises depend on how well employees perform
- 28% felt their workloads were reasonable



Response to FEVS Employee Engagement Index (EEI) Scores

To comply with the *President’s Management Agenda Cross-Agency Priority Goal 3: Improve Performance Management and Engagement* memorandum issued October 2018, DOC identified 48 bottom 20% sub-units to improve by 20% by 2020, based on the 2018 FEVS Employee Engagement Index (EEI) scores. Since then, bureaus have conducted analyses of results, shared results with senior leaders and employees, and taken steps to meet the 2020 goal. Approximately 75% of the 48 sub-units improved in the 2019 FEVS EEI scores, of which 61% of improvements were five percentage points or higher. Approximately 15% of all identified sub-units have met or surpassed their 2020 goal. Below are the overall bureau FEVS EEI scores and changes since 2018.

Bureau	2019 EEI Score	Percentage Point Change from 2018 EEI Score
BEA	82	-2
NIST	75	+2
EDA	75	+2
USPTO	75	No change
OS	73	No change
CENSUS	72	+3
NTIS	71	+1
NOAA	71	+2
NTIA	70	-1
ITA	68	+2
BIS	66	-5
OIG	57	-1
MBDA	53	-6

Human Capital Client Services (HCCS) Serviced Bureaus

The HCCS provides customer-focused, efficient, and flexible human resources (HR) service delivery employees in OS, ITA, NTIA, EDA, and MBDA. Their service covers approximately 3,467 or 9% of DOC employees including many domestic field offices across the U.S. Of the 3,467 positions serviced by HCCS, 83% are in a mission critical occupation series. HCCS is responsible for the employee life cycle with emphasis on strategic human capital supported by the Office of Employment and Compensation (OEC) and Office of Workforce Relations (OWR). NOAA, NIST, and the Census Bureau each have their own HR services office. The NIST HR services office covers NTIS and the Census Bureau HR services office covers BEA.

Workforce Diversity and Inclusion

The Department is committed to providing equal opportunity to all applicants and employees, while fostering and supporting a diverse workforce where all employees feel included, valued, and critical to the DOC mission. Policies are in place to cover: Anti-Harassment, Equal Employment Opportunity (EEO), and Reasonable Accommodation. Additional programs provided by the OCR include: Special Emphasis Programs, First Generation Professionals Initiative, Sign Language Services, Limited English Proficiency Program, Minority Serving Institution Program, Inclusion is on US, and EEO Awards.



Authorities, DOOs, and DAOs

Authorities

The Secretary of Commerce. The principal organizational components and officers of the Department are established either by statute or Reorganization Plan, or by the Secretary. The Secretary determines the functions to be carried out by the principal organizational components and the authorities exercised by the principal officers of the Department. These are normally prescribed by the Secretary in Department Organization Orders (DOOs). Unless a DOO expressly provides to the contrary, delegations of Secretarial authority constitute only a sharing of that authority, and coequal authority is reserved by the Secretary.

The Office of the Secretary (OS) is the general management arm of the Department and provides the principal support to the Secretary in formulating policy and in providing advice to the President. It provides program leadership for the Department's functions and exercises general supervision over the operating units. It also directly carries out program functions as may be assigned by the Secretary, and provides, as determined to be more economic or efficient, administrative, and other support services for designated operating units.

Secretarial Officers have Department-wide functions or perform special program functions on behalf of the Secretary.

Program Secretarial Officers are the Secretary's principal assistants on program management matters, each being responsible for a particular program area of the Department. This responsibility may include policy direction and general supervision over an assigned operating unit charged with carrying out programs, or direct supervision by serving as the head of a primary operating unit.

Operating Units (i.e., Bureaus and Components)

The operating units of the Department are organizational entities outside the Office of the Secretary charged with carrying out specified substantive functions (i.e., programs) of the Department. The heads of some operating units are Program Secretarial Officers; in other cases, they are officers who report to and are responsible to a Program Secretarial Officer or directly to the Secretary or Deputy Secretary, as may be specified. The operating units are the components of the Department through which most of its substantive functions are carried out.

The authority of the Department's 11 bureaus to carry out their programs and activities has been delegated to the heads of the bureaus by the Secretary or provided in legislation.

For Department management purposes, each operating unit is designated as being in one of the following two organizational classes:

Primary Operating Units are organizations assigned broad substantive functions of the Department. The Secretary delegates directly to the heads of these units the authority necessary



Section 2-2 a – Authorities, DOOs, and DAOs

to carry out the functions of their units. Heads of primary operating units are the operating general managers of the Department.

Constituent Operating Units are organizations assigned limited substantive functions, or functions supporting a primary operating unit. Heads of these units may receive delegations of authority directly from the Secretary, or carry out their responsibilities under authorities delegated through a Secretarial Officer, subject to the latter's direct supervision.

Departmental Directives System

The Departmental Directives System is the primary system for establishing the basic management structure, organizational arrangements, and administrative instructions of the Department of Commerce.

Departmental Operating Orders (DOOs) DOOs are used to prescribe the basic management structure and organizational arrangements of the Department of Commerce. DOOs are issued for each Secretarial Officer, Departmental Office, and Operating Unit of the Department of Commerce.

Departmental Administrative Orders (DAOs) Department Administrative Orders (DAOs) document and mandate continuing policies, standards, requirements, and procedures prescribed by the Office of the Secretary for Department-wide application or for application to two or more major program areas of the Department. DAOs cover substantive program matters as well as administrative management, legal, or special staff functions.

Links

<https://www.osec.doc.gov/opog/dmp/default.html>



Department Management Council (DMC)

Purpose

The Department Management Council (DMC) is a body of senior career Departmental leaders representing DOC bureaus and offices who are charged with:

1. Operational oversight and management of the Department of Commerce serving as a governing body for developing proactive cross-bureau solutions and as a leadership forum to drive solutions.
2. Providing authority and leadership over top operational and management challenges that create the conditions under which the Department may effectively carry out its mission.
3. Strategic communications to provide important Department information to the bureaus, and for communicating information and implementing DMC decisions across their organizations.
4. Addressing issues and challenges impacting and related to the Department's workforce and developing and implementing strategies to remedy them.

Structure and Membership

The DMC consists of two chairpersons (Co-Chairs) who preside over DMC meetings. The Deputy Secretary serves as one Co-Chair. The other Co-Chair is a voting DMC member, selected and voted on by the DMC and endorsed by the Deputy Secretary who serves as Co-Chair for a one-year term.

The voting membership of the DMC is comprised of one top career official from each bureau as selected by each bureau's leadership, unless otherwise selected by the Deputy Secretary. The non-voting membership is comprised of the Chief Financial Officer and Assistant Secretary for Administration (CFO/ASA), the Deputy Assistant Secretary for Administration (DASA), the Executive Director of Enterprise Services Organization (ESO) and one representative each from the Department Office of the Chief Information Officer (OCIO) and the Department Office of the General Counsel (OGC).

Principal Responsibilities

The DMC facilitates the overall operational direction of the Department, as well as informing and advising political leadership on Departmental strategic initiatives. The DMC identifies and remedies immediate and longer-term management challenges, seeks opportunities for continuous improvement, and guides strategy implementation.

Primary areas of leadership focus include:

1. Major shared Department-wide investments, including the Working Capital Fund, as well as financial management oversight.



Section 2-2 b – Department Management Council (DMC)

2. Strategic human capital and civil rights, including workforce management, employee engagement, HR reform efforts and governance, and diversity and inclusion.
3. Input to and implementation of the Commerce Strategic Plan and related strategic priorities.
4. Department-wide Enterprise Services implementation and oversight.
5. Operations of the primary corporate executive councils (CFO, CIO, PHRM, BPO).
6. Managing the Department's top risks and management challenges, including regular risk management reviews.
7. Oversight of significant shared capital assets, such as Herbert C. Hoover Building renovations, footprint, and re-capitalization of strategic assets.
8. Oversight of day-to-day operational improvements, such as hiring, grants, and acquisitions.
9. Lapse in appropriations process and procedures including safety, security, and care of co-workers during times of duress.
10. IT portfolio, including cybersecurity and modernization.
11. Oversight of the President's Management Agenda (PMA) implementation.

Summary of Major Organizational Improvement Initiatives

- Implementation of Enterprise Shared Services in the realm of IT, HR, and Acquisitions
- Enterprise IT System modernizations such as Business Application System (BAS)
- Workforce Employee Engagement including Federal Employee Viewpoint Survey
- Enterprise Risk Management including Department Risk Profile
- Implementation of Talent Acquisitions Software and Hiring as a Solution

Strategic Partnerships

To address management challenges, enable continuous improvement, and guide strategy implementation, the DMC works closely with key stake holders across the bureaus and Departmental Offices and engages with key councils and governance boards:

- Chief Financial Officer Council
- Chief Information Officer Council
- PHRM Council
- Bureau Procurement Officials
- Enterprise Services Governance Board



CXO and Other Councils

Key Internal Governance and Coordination Forums

Senior politically appointed leaders within the Department’s headquarters use the following councils and forums to coordinate and communicate management issues.

Bureau Heads – Typically on a weekly or bi-weekly basis, the Secretary or Deputy Secretary will convene a meeting of all bureau heads to manage both policy and operations management issues.

All Political Appointees – The Secretary or Deputy Secretary may host regular meetings of all political appointees across the Department to discuss the Administration’s policy issues.

Chief Executive Officer (CXO) Councils Meeting – Each C-level mission support office within the Department’s headquarters heads a council of their bureau counterparts. These councils include the Chief Financial Officer Council, Chief Information Officer Council, Chief Acquisitions Officer Council, and Principal Human Resource Manager Council.

Cross-bureau Functional Councils – Policy Council, Performance Excellence Council, Commerce Data Governance Board, Risk Management Council, Web Advisory Council, Grants Administration Council, etc.

- The **Policy Council** is headed by the politically appointed Director, Office of Policy and Strategic Planning within the Office of the Secretary. It is an important venue for bridging the headquarters senior leadership-level with the bureau policy staff-level to coordinate both short-term and longer-term policy issues,
- The **Performance Excellence Council (PEC)** The PEC is headed by the Director of Performance Excellence and includes representatives from all Bureau and many subcomponent operating units. The PEC is the primary venue to coordinate the Department’s organizational performance management requirements and coordinate other governance functions prescribed in Departmental Administrative Order (DAO) 202-960. https://www.osec.doc.gov/opog/dmp/daos/dao202_960.html

Chiefs of Staff (COS) – The Secretary, Deputy Secretary, and each Bureau Head have a Chief of Staff, as do may heads of component operating units across the Department. A key function of Chiefs of Staff is to coordinate actions regarding executive policy decisions and actions across their organization. Therefore, relationships, interactions, and communications among the various COSs is a critical coordination forum that key political leadership will use. Specifically, the Secretary’s COS has unique Departmental governance prescribed in Departmental Operating Order (DOO) 15-20. https://www.osec.doc.gov/opog/dmp/doos/doo15_20.html



DOC Strategic Planning Process and Timeline

Executive Summary

Federal law, the Government Performance Results Modernization Act of 2010, and White House Office of Management and Budget (OMB) policy mandates that all Departments must publish a new Strategic Plan by February one year after the President’s term begins. This Strategic Planning process is the Secretary's and his or her senior political leadership team’s first opportunity to formulate priorities and set the direction for the Department during the Administration’s term in office.

The Department’s Strategic Plan must adhere to a standardized framework established by OMB. This framework sets five-year strategic goals (broad themes), strategic objectives (focus on measurable impacts), specific strategies describing how to achieve the strategic objectives, and performance indicators to measure progress toward achieving the strategic objectives. Although the framework and timing are standardized, the planning process itself is flexible enough to accommodate Department leaders’ management styles and approach to planning.

At Commerce, strategic planning is led by the Department’s top political leadership and facilitated by the Department’s Office of Performance Excellence career staff in collaboration with the Office of Policy and Strategic Planning (OPSP) politically appointed staff. Both offices reside within the Office of the Secretary.

Federal-wide strategic planning is typically coordinated through the President’s Management Council (PMC) which is attended by all Cabinet agency Deputy Secretaries. Planning adheres to a standardized timeline that should provide sufficient time for the Administration’s to set its top priorities and for the Department’s senior political leadership (i.e. Secretary, Deputy Secretary, Undersecretaries, and other Bureau Heads) to be appointed and assume their official duties.

White House OMB Mandated Timeline for the FY 2022-2026 Strategic Plan

Due Date	Department’s Deliverable to OMB
June 4, 2021	Initial Strategic Plan drafts that include draft strategic goals, strategic objectives, mission statement, Learning Agenda, Capacity Assessment, and Agency Priority Goal (APG) impact statements
September 2021	Full Strategic Plan draft, full Learning Agenda / Capacity Assessment drafts, draft FY 22/23 APG impact and achievement statements, draft FY 23 Annual Performance Plan, and draft FY 23 Annual Evaluation Plan
November 2021	OMB provides feedback to Agencies on September 2021 deliverables
December 2021	Final Strategic Plan, Learning Agenda, Capacity Assessment for clearance
January 14, 2022	Final FY 22/23 APGs, FY 21/23 Annual Performance Plan / Report (APPR), and FY 23 Annual Evaluation Plan for clearance.
February 2022	Publicly publish final Strategic Plan, final FY 22-23 APGs, final FY 21/23 APPR, and final FY 23 Annual Evaluation Plan



Planning Process and Content

Strategic planning should be a highly engaging process that connects the Department's leadership with our workforce, our mission, and the Administration's priorities. The planning process considers current macro-level trends and input from key stakeholders. The Department must consult with OMB and Congress during the planning process. The Strategic Plan should serve as a roadmap to guide executive decisions about the resources needed, including human capital, acquisitions, information technology, and other mission support functions.

The planning process enables critical discussion about how the Department can address national problems, needs, challenges, risks, and mission-related opportunities. The Strategic Plan also provides context for decisions about bureau priorities, programs, and budget planning. While bureaus and subcomponents within the Department may develop their own strategic plans, such plans should align with the Department's 2022-2026 Strategic Plan, which is considered the official strategic plan by the White House and Congress.

The strategic objectives set forth in the Department's Strategic Plan are the primary unit for strategic analysis and decision-making. They describe the outcome or management impact the Department is trying to achieve during the next five years. While most strategic objectives are mission-oriented, some will focus on improving internal operations. During the Department's strategic planning process senior bureau leaders will be identified to lead each strategic objective. These Strategic Objective Leaders will work with their staff and other stakeholders to develop more detailed action plans to achieve the strategic objective.

In addition to the strategic goals, strategic objectives, strategies, and performance indicators, all Department Strategic Plans must also contain some additional content. First, the Strategic Plan must contain typically four to five Agency Priority Goals (APGs) which are like a strategic objective except that they are two-year sprints on a more narrowly focused mission area. Second, plans must now include information describing specific efforts the Department will take to improve the use of data, evidence, and learning to improve results.

Implementation and Progress Review

The Government Performance Results Modernization Act of 2010 and White House Office of Management and Budget (OMB) policy identify each Department's Deputy Secretary as the agency's Chief Operating Officer (COO). As COO, the Deputy Secretary is responsible for supporting the Secretary with managing the implementation of the Strategic Plan. Each Strategic Objective Leader should work to ensure the Department is on track and adjust the strategies if the operating environment changes or as needed. Periodically, each Strategic Objective Leader should provide a progress update to the Deputy Secretary. OMB also requires a formal assessment of progress for each year that typically takes place during March through June. During this process, called the Annual Strategic Review (ASR), each Strategic Objective Leader assesses their strategic objective as: noteworthy progress, on track, or focus for improvement.



Communication

The official release of the Department’s new Strategic Plan is a critical tool for communicating the Administration's priorities to the public and our workforce. The February release date is purposely chosen to coincide with the release of the President’s Budget. The Office of Public Affairs should assist with developing a communications plan to launch the new Strategic Plan.

Typically, this communications plan will include external engagement such as: press releases, website updates, stakeholder events, videos, media interviews, etc. The communications plan will also include internal workforce engagement including banners, hard copies of the full plan, hard copies of a summary pamphlet, broadcast emails, and a town hall events.

Links

Government Performance Results Modernization Act of 2010 -
<https://www.govinfo.gov/content/pkg/PLAW-111publ352/pdf/PLAW-111publ352.pdf>



FY 2018-2022 Strategic Plan Summary

Strategic Goals and Strategic Objectives

The Department has one overarching goal: **Helping the American Economy Grow**. Each of the Department's five strategic goals advances our mission and supports this goal:

Strategic Goal 1 – Accelerate American Leadership

Objective 1-1 Expand Commercial Space Activities

Objective 1-2 Advance Innovation

Objective 1-3 Strengthen Intellectual Property Protection

Strategic Goal 2 – Enhance Job Creation

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U.S. DEPARTMENT OF COMMERCE STRATEGIC PLAN | 2018–2022



HELPING THE AMERICAN ECONOMY GROW

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Secretary's Message

I'm excited to present the U.S. Department of Commerce's 2018–2022 Strategic Plan. It sets out the priorities I've established for the Department and informs the public about our important work.

The Department of Commerce has one overarching purpose: **Helping the American Economy Grow.**

American workers and businesses operate in a rapidly changing and increasingly competitive world. To address these challenges, we have developed bold new strategies to accelerate and promote U.S. economic growth and opportunity.



Knowing that innovation is a key driver of economic advancement, we are placing an increased emphasis on the commercial opportunities of space exploration and aquaculture, while our scientists are conducting foundational research in areas ranging from artificial intelligence to quantum computing. Our patent professionals are also working to improve the protection of intellectual property so that creators can profit from their inventions.

U.S. businesses must export more, and our workers deserve a level playing field. Enforcing our trade laws to ensure that trade is free, fair, and reciprocal is a top priority of the Department. We are also joining with all federal agencies in cutting red tape that drives up costs and puts American workers and businesses at a disadvantage.

To maintain America's leadership in next-generation technologies, we are making important advances in data, cybersecurity, and encryption technology. Our economists and statisticians are improving Commerce data that American businesses and communities use to plan investments and identify growth opportunities. Every level of the Department will be engaged to ensure that we conduct the most accurate, secure, and technologically-advanced decennial census in history.

Finally, teams across the Department are working to keep Americans safe by predicting extreme weather events earlier and more accurately, preventing sensitive technology from getting in the hands of terrorists, rogue regimes, and strategic competitors, and deploying a nationwide public safety broadband network that allows better coordination among first responders.

Thank you to every employee at the Department and to our industry and government partners for your dedication to our mission.

Thank you,

A handwritten signature in black ink that reads "Wilbur Ross".

Wilbur Ross
U.S. Secretary of Commerce

Commerce Overview



Mission

The Department of Commerce creates the conditions for economic growth and opportunity.

Employees

As of January 2018, the Department had approximately 47,000 employees.

History and Enabling Legislation

The Department of Commerce was originally established by Congressional Act on February 14, 1903 as the Department of Commerce and Labor (32 Stat. 826; 5 U.S.C. 591) and was subsequently renamed the U.S. Department of Commerce by President William H. Taft on March 4, 1913 (15 U.S.C. 1512). The defined role of the new Department was “to foster, promote, and develop the foreign and domestic commerce, the mining, manufacturing, and fishery industries of the United States.”

Location

The Department is headquartered in Washington, D.C., at the Herbert Clark Hoover Building, which is located on eight acres of land covering three city blocks. The Department also has field offices in every state and territory and maintains offices in more than 86 countries worldwide.

Headquarters Offices and Bureaus

- Office of the Secretary (OS)
- Office of Inspector General (OIG)
- Bureau of Industry and Security (BIS)
- Bureau of Economic Analysis (BEA)
- Census Bureau (Census)
- International Trade Administration (ITA)
- Minority Business Development Agency (MBDA)
- National Institute of Standards and Technology (NIST)
- National Oceanic and Atmospheric Administration (NOAA)
- National Telecommunications and Information Administration (NTIA)
- National Technical Information Service (NTIS)
- U.S. Patent and Trademark Office (USPTO)





Strategic Goal 1

Accelerate American Leadership

The United States leads the world in research, invention, and innovation. To strengthen our leadership, we are supporting the growth of commercial space activities, investing in foundational research, and protecting intellectual property (IP) to ensure creators can be rewarded for their inventions. The ripple effect of developing and commercializing space and emerging technologies will help ensure American leadership and prosperity for decades to come.

Strategic Objective 1.1

Expand Commercial Space Activities

The scientific discoveries resulting from space exploration have created new industries and technologies that improve our lives, our economy, and our national security. Technological advancement of commercial space activities has created profitable opportunities. However, current government regulations are an impediment to the commercial space sector. We will advocate for the industry to ensure the United States remains the leader in space commerce.

Strategies

- **Expand the Office of Space Commerce.**
The Office of Space Commerce is the lead federal agency for the advancement of commercial space activities. It acts as an industry advocate within government, promoting commercial space opportunities, and coordinating space commerce policy issues within the Department while maintaining close cooperation with the National Space Council. We will elevate the Office of Space Commerce to have direct line of reporting to the Secretary, giving it a stronger voice to advocate for the U.S. commercial space industry.
- **Actively participate in the National Space Council to advance American leadership in commercial space activities.**
Through close coordination with the commercial space sector, we will learn what government actions and policies are needed for the industry to flourish. We will promote a robust and responsive U.S. industry that is the world leader in space commerce.
- **Support American companies operating in space.**
We will focus on regulatory reform needed for the U.S. commercial space industry to lead human creativity and advancement in space, and remain the preferred destination for commercial space business activity.



Performance Indicators

- Office of Space Commerce action plan milestones achieved on time
- Number of major national space policy decision processes, events, and industry engagements
- Number of tools (e.g., workshops, reports, requirements) developed by the Office of Space Commerce to facilitate commercial space entry into the marketplace

Strategic Objective 1.2 Advance Innovation

Economists agree that innovation drives economic growth, creates jobs, raises wages, and helps Americans lead better lives. The United States has long led the world in innovation and technological advancement. To ensure that our country remains the global leader, we must innovate more and faster than the rest of the world. As a department, we are conducting foundational research and creating standards in areas such as quantum computing, artificial intelligence (AI), advanced manufacturing, and self-driving cars. We work closely with industry to create the necessary conditions for innovation in the public and private sectors. We are managing radio spectrum for the latest advances in wireless technology and helping federal agencies meet critical data priorities through joint venture partnerships.

Strategies

- **Promote research, applications, and standards for quantum computing.**

Enabled by precision measurement and control of subatomic phenomena, quantum science will underpin the next generation of advances in computing, energy storage, and advanced materials. Scientists at the National Institute of Standards and Technology (NIST) are harnessing unique and emergent properties of a broad class of quantum phenomena and accelerating the development of the building blocks of quantum applications.

- **Promote research, applications, and standards for artificial intelligence.**

AI promises advances such as driverless cars, smart buildings, automated health diagnostics, and improved security monitoring. Yet, there is widespread concern about reliability. As a trusted, rigorous, non-regulatory research organization, NIST will develop AI data standards and best practices, and deliver tools that address performance and reliability concerns, thereby accelerating innovation.

- **Enhance precision measurements and standards to drive innovation in advanced manufacturing.**

By using more reliable measurement tools and bringing laboratory precision to the factory floor, U.S. industry will produce next-generation technology. NIST will continue to prioritize measurement research in manufacturing processes and advanced materials.



- **Strengthen the competitiveness of America's manufacturing base through technology development and deployment.**

The competitiveness of U.S. manufacturers will be boosted by partnerships that increase investments in technology development and build new connections throughout the supply chain. NIST will continue to partner with industry; universities; and federal, state, and local governments to accelerate the transfer of manufacturing technology and expertise to help manufacturers overcome shared technical challenges. We will also help communities and regions better identify and position assets to help manufacturers succeed.

- **Lead the development of measurements and standards to facilitate digital commerce, wireless technologies, and autonomous vehicles.**

The “internet of things” will connect all kinds of devices, generate a wealth of data, and enable major advances. However, robust interoperability and security are critical to success. NIST will develop new standards and guidelines to relieve network congestion and device interference, increase cybersecurity, and facilitate interoperability.

- **Ensure spectrum is available for federal government and commercial services.**

Radio spectrum is a valuable, finite resource necessary to efficiently carry out critical federal government functions (i.e., national security) and foster growth in the commercial wireless industry. Through advanced spectrum research, measurement, and assessment, the National Telecommunications and Information Administration will make spectrum available for mission-critical government services in the most efficient and effective manner, while also making more spectrum available to industry.

- **Promote effective sharing of spectrum for multiple uses.**

Using cutting-edge research and technology—and in close consultation with stakeholders—we will develop and refine plans for how spectrum is shared between government and industry to support the latest advances in wireless technology.

Performance Indicators

- Number of businesses using NIST research facilities
- Citation impact of NIST publications
- International adoption of NIST Quantum SI standards
- Percentage of spectrum assignments transitioned on time, based on approved plans



Strategic Objective 1.3

Strengthen Intellectual Property Protection

Maintaining a strong, high-quality, and balanced IP system lies at the core of innovation. IP protection promotes innovation because it permits a return on investment. The U.S. Patent and Trademark Office (USPTO), in coordination with agencies across the Department, works to protect IP both in the United States and abroad by providing strong and effective rights, and encouraging the development of follow-on innovation. We will continue to achieve the highest quality of patent and trademark examination to maintain industry confidence in their validity and durability.

Strategies

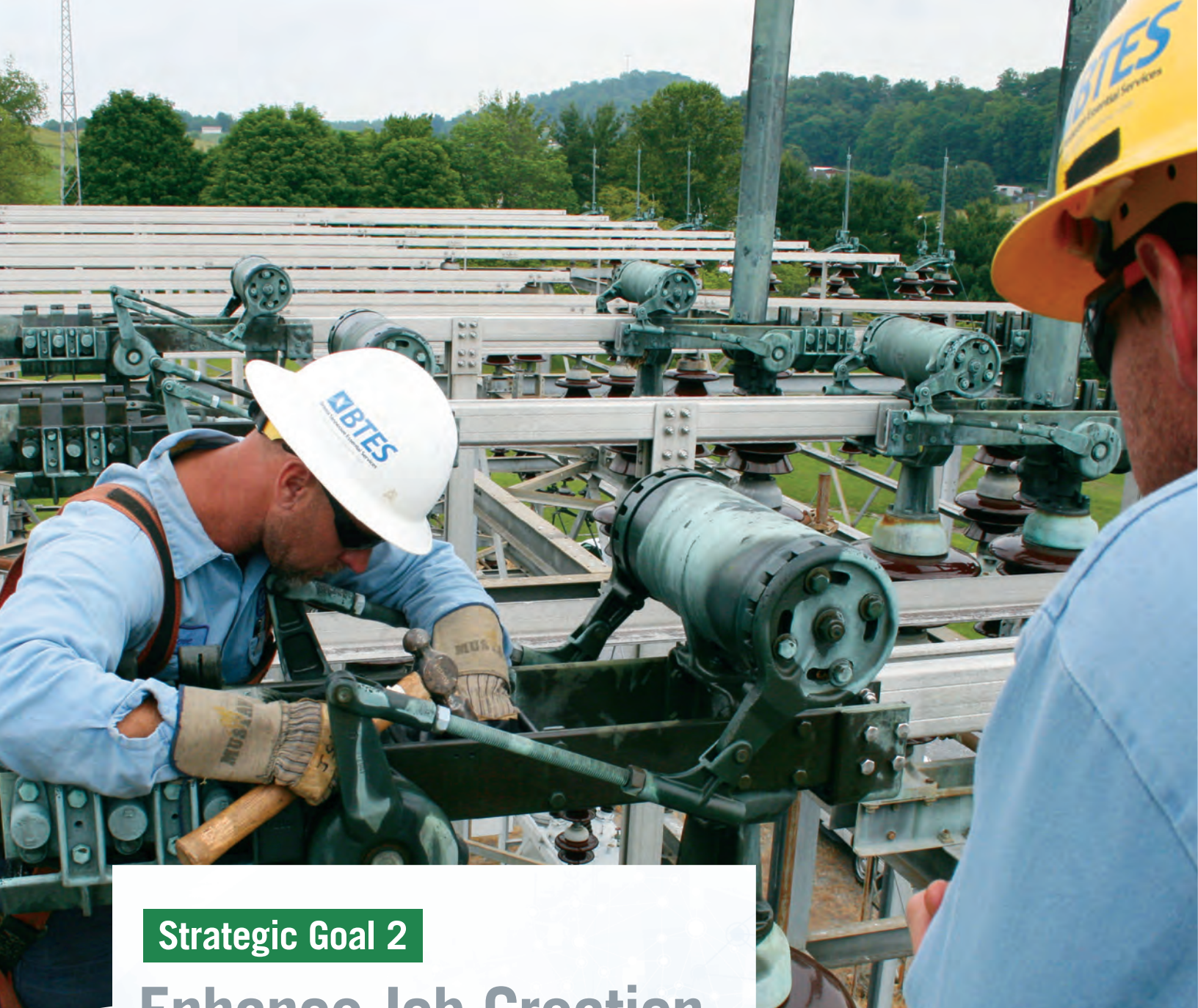
- **Strengthen the protection of intellectual property.**
American innovators and creators need enforceable IP rights to profit from their innovation and creativity. Our IP system needs to be efficient and cost-effective. USPTO, the International Trade Administration, and the Minority Business Development Agency work with innovators, creators, businesses, and universities to increase the effectiveness of the U.S. IP system domestically and abroad.

- **Optimize patent and trademark quality and timeliness.**
A critical component of creating jobs and investment is the protection of IP through the timely issuance of quality patents and trademark registrations. USPTO will improve and optimize patent processing timelines through process improvements and by aligning examination capacity with projected demand.



Performance Indicators

- **Accelerate Patent Processing** – By September 30, 2019, the USPTO will reduce patent pendency to less than 15 months for first action pendency and less than 24 months for total pendency from end of fiscal year 2017 results of 16.3 months and 24.2 months, respectively **(APG) ★**
- Number of minority businesses receiving information on intellectual property protection
- Number of people, including foreign government officials and U.S. stakeholders, trained on best practices to protect and enforce intellectual property



Strategic Goal 2

Enhance Job Creation

Job creation is fundamental to our mission. American workers thrive when they are free to develop our abundant natural resources, leverage broadband, use secure digital technology, and are not burdened by excessive regulations. We create these conditions and facilitate job creation through increased exports and foreign direct investment (FDI). Exports and FDI are proven job generators. Exported goods and services supported 10.7 million well-paying U.S. jobs in 2016. In 2015, majority-owned U.S. affiliates of foreign companies directly employed 6.8 million Americans. Our work also facilitates community efforts to attract investment and use the internet to create economic opportunity.

Bristol Tennessee Essential Services



Strategic Objective 2.1

Increase Aquaculture Production

Aquaculture is the fastest growing form of food production in the world. Marine aquaculture in the United States contributes to seafood supply, supports commercial fisheries, and has great growth potential. We will help it grow faster by reducing regulatory burden and driving aquaculture research. A strong U.S. marine aquaculture industry will serve a key role in U.S. food security and improve our trade balance with other nations.

Strategies

- **Provide a one-stop shop for federal approval of marine aquaculture permits.**

We will work with the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, other federal agencies, and coastal states to streamline federal marine aquaculture permitting. This will create a more predictable and timely permit review process, and allow businesses to begin operation more rapidly, thus accelerating the growth of the U.S. seafood industry.

- **Support research to advance marine aquaculture.**

In collaboration with industry, we will support research to advance commercial-scale marine aquaculture production. We will implement pre-competitive commercial scale demonstration facilities in collaboration with—and co-funded by—industry and coastal seafood communities. These pilot programs will facilitate the commercial viability of marine aquaculture production. The National Oceanic and Atmospheric Administration (NOAA) will use aquaculture research to remove production bottlenecks related to siting, disease, genetics and genomics, hatchery seed stock, and feed availability.



Performance Indicators

- Reduction in time to review, consult, or approve permits
- Percentage of target research advances accomplished

Strategic Objective 2.2 Reduce and Streamline Regulations

Regulations that are unnecessary and burdensome are harmful to the economy. They increase the time and cost of doing business, and therefore increase prices and kill jobs. When it takes years for federal agencies to approve new plants and facilities, it takes years before people are working there. If infrastructure development is delayed, public service is reduced and access needed for private-sector growth is reduced. Accelerating the development of new manufacturing plants and equipment, and infrastructure improvements are fundamental to our mission. We will be at the forefront of federal efforts to reduce regulations and shorten the timeframe for federal review of projects.

Strategies

- **Review agency regulations and remove or modify rules that unnecessarily burden businesses and economic growth.**

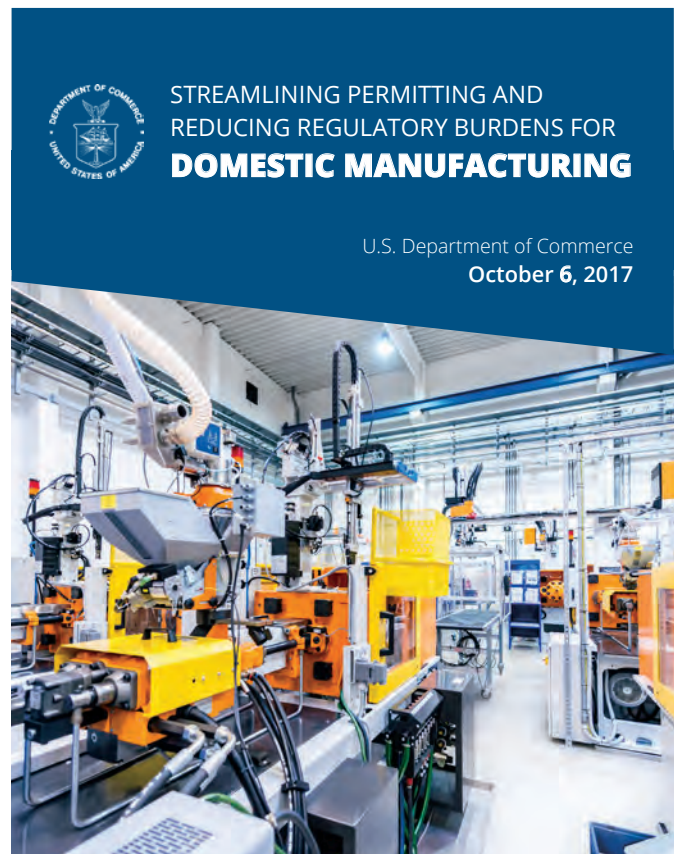
Excessive business regulations add to the cost of doing business, raising prices, and reducing wages. We are supporting the implementation of Executive Order 13771 by reviewing regulations to identify and modify or repeal rules that add burden and costs without adding much value.

- **Review and streamline permitting processes while achieving statutory objectives.**

Inefficient and cumbersome permitting approval processes create lengthy and uncertain timelines for new energy and infrastructure projects, thus harming the economy and preventing job growth. We are working to remove overreaching, and duplicative regulatory burdens on permitting processes.

- **Facilitate a One Federal Decision timeline.**

Before construction can begin on a major project, it typically must comply with numerous federal statutes overseen by multiple federal agencies. This can be a lengthy and cumbersome process to navigate causing time delays and cost increases. We will support the execution of Executive Order 13807, which directs one lead agency to coordinate permitting timetables for all federal reviews and authorizations, and holds all participating agencies accountable for adhering to timetables.



Performance Indicators

- Number of deregulatory actions issued that address recommendations by the Regulatory Task Force
- Total cost savings from deregulatory actions

Strategic Objective 2.3

Strengthen Domestic Commerce and the U.S. Industrial Base

To be competitive, U.S. businesses must capitalize on technology and proven best practices. Through locations across the country, the Department provides services crucial to deploying connectivity, data, and information to businesses and communities. By expanding broadband access, we facilitate e-commerce in rural areas. We provide increasing amounts of economic, scientific, and social data to drive informed business decisions. Decades of successful fisheries management will be employed to reduce America's \$14 billion seafood trade deficit. The Department strengthens and protects the U.S. manufacturing and defense industrial base to ensure economic viability and national security. Our business assistance programs help build community and regional capacity for economic development.

Strategies

- **Expand broadband infrastructure and access, and promote digital commerce and internet governance.**

We act as a trusted partner with the public and private sectors to assess and help meet local broadband needs in underserved areas of our country. By advocating for market-driven policies and multistakeholder initiatives, we help reduce regulatory barriers and support online commerce, greater employment opportunities, and improved quality of life.

- **Increase the understanding and use of Commerce data in partnership with industry.**

Relevant economic, demographic, patent, and weather data are a vital competitive advantage for U.S. business. We will enhance our understanding of businesses' evolving information needs and develop new data and information products to continue growing that advantage. We will increase awareness of Commerce data and partner with the private sector to increase its capacity to scale and deliver data services, thus improving the public's ability to visualize and leverage our data.

- **Build trust in digital commerce through strong encryption standards.**

The economic potential of e-commerce and the internet cannot be realized without data security. We will continue to advocate for robust encryption,



and lead internationally with the National Institute of Standards and Technology's (NIST) cryptographic standards development, including standards for the "internet of things," lightweight devices, and quantum computing environments.

- **Amplify the economic value of recreational and commercial fisheries.**

NOAA will ensure that fisheries and their habitats are managed to optimize sustainable commercial harvest and recreational opportunities while conserving marine resources for future generations. We will ensure U.S. fishermen are not disadvantaged by illegal or unregulated fishing, unfair trade practices by other nations, or deceptive labeling of seafood products.

- **Promote and support a strong and sustainable manufacturing and defense industrial base.**

We protect and enhance the competitive position of U.S. businesses in an increasingly global environment. The Bureau of Industry and Security will utilize our unique authority to conduct surveys and assessments of defense-related technologies, and to monitor economic and trade issues vital to the U.S. industrial base.

- **Build community and regional capacity for entrepreneurship and innovation.**

Sustained, locally-driven investment in community assets needed by businesses will result in high-quality jobs, greater investments, and increased prosperity. We will support local efforts to create and implement viable strategies to build community and regional capacity for job growth.

Performance Indicators

- Projected economic impact of broadband projects
- Time-to-market for new information products and services
- Fish Stock Sustainability Index (FSSI)
- Number of industrial base surveys, data, and analysis distributed to federal agencies and critical sectors



Strategic Objective 2.4 Increase U.S. Exports

Exporting provides clear economic benefits to businesses, workers, and communities. However, compared to other industrialized nations, U.S. firms under-export and are under-represented in foreign markets. Exports accounted for only 12 percent of U.S. gross domestic product (GDP) in 2016 compared to 16 percent for Japan, 28 percent for the United Kingdom, and 46 percent for Germany. Of the U.S. companies that do export, 58 percent exported to only one market in 2015. Strengthening export capabilities is a crucial strategy to reduce the \$505 billion trade deficit our country experienced in 2016. With offices and expertise in 108 U.S. locations and 78 foreign markets, the Department is uniquely positioned to help U.S. companies overcome the challenges of exporting their goods and services.

Strategies

- **Reduce the costs and complexities of exporting to enable more U.S. companies to become successful exporters.**

Many small and medium-sized business are unable to dedicate the resources required for international expansion. By engaging with foreign governments, the International Trade Administration (ITA) helps U.S. companies navigate the complexities of exporting. We also are focusing on lowering the burden for U.S. goods crossing borders into World Trade Organization member countries. We work with communities and regions to build the capacity to support the export-related needs of businesses.

- **Connect more U.S. companies—especially small and medium-sized businesses—to foreign markets and prescreened buyers.**

Many U.S. companies, especially small firms, have limited access to reliable and affordable information about business opportunities overseas. ITA helps U.S. businesses close deals internationally by providing actionable market intelligence, information on the mechanics of exporting, market entry strategies, guidance on overcoming barriers, and information on trade financing options. Recognizing that companies need to move fast in a global and digital economy, we will enable U.S. companies to access this information and exporter services through self-service options on our websites. We will also help communities and regions identify and better prepare their assets to help businesses export successfully.



- **Advocate for the selection of U.S. firms in foreign government procurements through Commerce-led interagency efforts.**

Worldwide competition for large-government contracts is fierce, with many contracts resulting in billions of dollars in sales. With global infrastructure investment expected to reach \$90 trillion during the next 15 years, we will advocate globally for the selection of U.S. suppliers in foreign government procurement opportunities. We will provide dedicated advocacy support to U.S. companies competing for foreign civilian and defense government procurements.

- **Address government actions and policies that impede exports of U.S. goods and services.**

By working with U.S. industry and our global network of experts, ITA tracks and aggressively addresses foreign government policies and practices that could create trade barriers that impede U.S. exports. We engage foreign governments and U.S. industry in support of international standards as alternatives to country-specific technical regulations. For example, NIST's Notify U.S. service enables U.S. stakeholders to report proposed foreign government technical regulations that may impede U.S. exports or violate trade agreement obligations.

Performance Indicators

- Number of trade assistance clients assisted
- Percentage of trade assistance clients that achieved their export objectives
- Percentage of clients highly likely to recommend trade assistance services
- Annual dollar value impact of clients receiving trade assistance
- Number of advocacy cases resulting in a signed contract for a U.S. business



Strategic Objective 2.5

Increase Inward Investment Into the United States

According to United Nations' statistics on global FDI, the United States was the world's largest recipient of foreign investment from 1985–2016. However, the U.S. share of global FDI declined from nearly 40 percent in 1999 to 24 percent in 2016. Working with economic development organizations across the country, we advocate for the United States as the world's premier investment destination. ITA's SelectUSA program is the only federal program dedicated to facilitating high-impact business investment into the United States.

Strategies

- **Advocate globally for the United States as the premier destination for investment.**

Our domestic and global network brings together foreign investors and U.S. economic development organizations. We conduct investment promotion events overseas and domestically to demonstrate the United States' competitiveness and desire for high-impact international business investment. Our signature investment promotion event, the SelectUSA Investment Summit, is our nation's highest-profile event dedicated to attracting FDI.

- **Provide tailored assistance to investors and states and localities to facilitate increased investment in U.S. communities.**

Historically, individual U.S. regional, state, and local economic development organizations have had to compete directly with large-scale efforts by other nations to attract business investment. Now we help investors connect to the right people at the local level and navigate the federal regulatory system. We assist communities and regions in developing strategies to attract FDI and provide a platform to extend investment promotion globally.



- **Lead coordination of investment promotion across the U.S. government and key partners.**

Successful efforts to attract FDI require coordination among federal, state, and local agencies. With the National Economic Council, SelectUSA chairs the Interagency Investment Working Group of more than 20 agencies that work to promote business investment in the United States.

Performance Indicators

- Number of investment clients assisted
- Dollar value of Written Impact Narratives (WINs) which the ITA facilitated

Strategic Goal 3

Strengthen U.S. Economic and National Security

Economic security is national security. America is safer when important technology and essential products are produced domestically. Today, our nation's economic prosperity and security are challenged by competitors and adversaries that engage in illegal trade practices, steal intellectual property (IP), and engage in cybercrime. Extreme weather, such as the six Category 4 or higher hurricanes experienced in the United States during 2017, also challenges economic security. We operate on multiple fronts to protect Americans and the U.S. economy. We enforce compliance with trade laws, provide cybersecurity tools to thwart cybercrime, share accurate weather information, and are deploying a first-responder broadband network that will protect lives and property.

Strategic Objective 3.1

Enforce the Nation's Trade Laws and Security Laws

American businesses thrive when they compete internationally on a level playing field. We work to level the field by enforcing U.S. trade laws and ensuring that foreign governments comply with international agreements. We make our nation safer by enforcing rules that limit exports of U.S. technology that can be used in weapons, and by monitoring foreign investment that may present a risk to U.S. national security. By working with foreign governments to enforce IP rights, the competitive advantage of our innovators is protected abroad.

Strategies

- **Enforce U.S. trade laws to defend American manufacturers, workers, and farmers from unfair trade.**

Foreign companies have an unfair advantage when their products are subsidized by governments or sold at prices below their cost of production. By enforcing the U.S. antidumping and countervailing duty laws, the International Trade Administration (ITA) defends U.S. companies and workers against dumped and unfairly-subsidized imports. Violations reported by businesses will be investigated and more cases will be self-initiated by the Department.

- **Monitor and ensure compliance with trade agreements.**

To ensure fair treatment in foreign markets, the United States has negotiated more than 250 trade agreements. Using our global presence, and with increased collaboration with the private sector and other agencies, we closely monitor compliance with these agreements and hold our trading partners accountable for their obligations.

- **Protect sensitive American technology and uphold sanctions through a strong export control system.**

Some U.S. technologies used for civilian purposes have military applications. Our national security will be enhanced by obtaining consensus among international partners on export controls, strengthening outreach to affected businesses, focusing on emerging technologies, and enforcing penalties for violations.



U.S. Department of Commerce
Bureau of Industry and Security

Export Compliance Guidelines

The Elements of an Effective Export Compliance Program

- **Assess foreign direct investment impacts on national security.**

The Committee on Foreign Investment in the United States (CFIUS) reviews foreign acquisitions of U.S. businesses to determine if they pose a risk to U.S. national security. The Bureau of Industry and Security ensures that there are no unresolved national security issues when transactions are approved. ITA serves as the coordinating agency for the Department's participation on CFIUS, while also providing economic and market analysis. These roles will expand as foreign investment in the United States increases.



- **Improve international intellectual property protections.**

IP rights violations by foreign companies result in substantial losses to U.S. industries and jobs. Through its new regional offices, the U.S. Patent and Trademark Office (USPTO) is increasing domestic outreach on IP rights. With ITA and our IP attachés, USPTO also works with foreign governments to address inadequate protections and violations.

Performance Indicators

- **Remove Foreign Trade Barriers** – ITA will facilitate fair competition in international trade for U.S. firms and workers by improving the number of trade barriers reduced, removed, or prevented by 10 percent annually in fiscal years 2018 and 2019 **(APG)** ★
- Number of trade agreement compliance cases resolved successfully
- Number of actions that result in a deterrence or prevention of a violation of export controls, and cases which result in a criminal and/or administrative charge
- Percentage of prioritized countries for which intellectual property country teams have made progress



Strategic Objective 3.2

Enhance the Nation's Cybersecurity

Cybersecurity is necessary for our nation and the world to fully realize the benefits of the 21st-century digital economy. Ensuring the security of our interconnected global networks, and the devices and data connected to those networks, is one of the defining challenges of our era. Threats arise across the digital ecosystem, from cybercriminals seeking financial gain, nation-states seeking to steal trade secrets and undermine national security, and terrorists aiming to foster mayhem. With our unique perspective on the economy and deep technical expertise, we play a leading role in meeting this challenge.

Strategies

- **Provide industry and government with robust technical standards and cybersecurity best practices.**

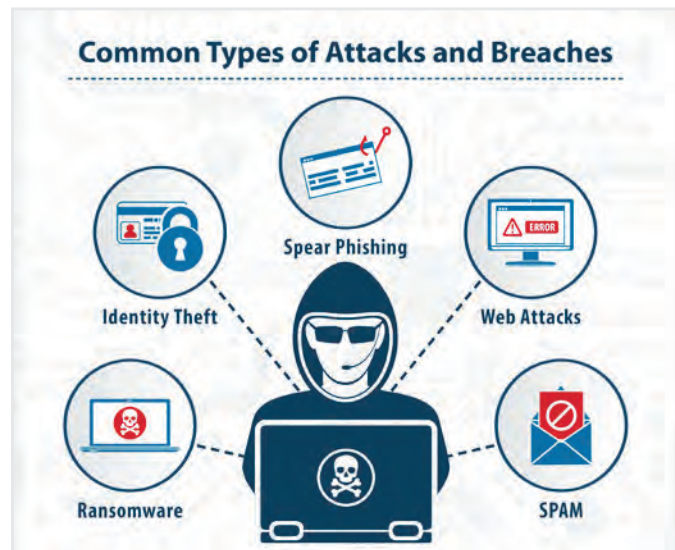
By evolving the Framework for Improving Critical Infrastructure Cybersecurity in collaboration with the private sector, the National Institute of Standards and Technology (NIST) will leverage its significant programmatic expertise to continually update our cybersecurity standards and guidelines. We will continue to champion the importance of the framework as the policy of the federal government and as a tool for the private sector, and will continue to work through private-sector and international engagement to increase its adoption and utilization.

- **Drive cybersecurity policy in government and industry.**

We will collaborate both inside and outside the federal government to leverage our expertise, open and transparent processes, and research capabilities to create policies that are technically-informed, promote economic growth, and sustain cybersecurity as technology evolves. By anticipating issues and developments, and taking preemptive action to address them, we will take a proactive stance on cybersecurity.

- **Convene stakeholders to develop and drive adoption of cybersecurity best practices.**

We will identify cybersecurity business challenges that could benefit from public-private collaboration, and work with stakeholders to create cooperative



solutions. The National Cybersecurity Center of Excellence (NCCoE) at NIST and the National Telecommunications and Information Administration's stakeholder engagement efforts will contribute to this strategy.

Performance Indicators

- Number of collaborators on NCCoE projects
- Number of resources (e.g., guidance document) derived from the Framework for Improving Critical Infrastructure Cybersecurity
- Number of companies and organizations exposed to NCCoE produced cybersecurity practice guides and other products

Strategic Objective 3.3

Reduce Extreme Weather Impacts

Severe weather and water events have an enormous impact on our nation's economy. To reduce the economic impact of these events, we are enhancing our prediction capabilities through better data gathering and modeling technology. Additionally, we are improving our ability to provide expert, timely, and actionable weather information to emergency managers, water resource managers, and other government agencies at the state, local, and tribal levels. We will also work with commercial partners to achieve these improvements faster and at a lower cost to taxpayers.

Strategies

- **Evolve the National Weather Service to deliver better forecasts, earlier warnings, and clearer communication of high-impact weather and water events.**

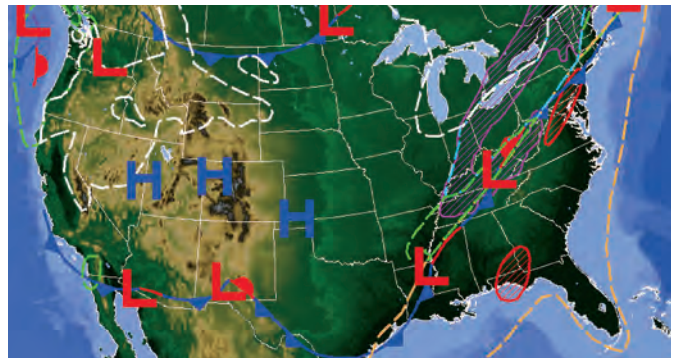
We will leverage new models, technology, and processes to ensure the most efficient and consistently accurate forecasts, watches, warnings, and outlooks. We will work with public safety partners to ensure that they are better able to utilize our forecasts in their emergency management and response plans.

- **Strengthen partnerships with America's weather industry and other members of the weather, water, and climate enterprise.**

We will increase our use of data from commercial observations and facilitate development of private value-added data products. The quality of the Department's research and information dissemination efforts will be enhanced through meteorological community participation in modeling and the National Oceanic and Atmospheric Administration (NOAA) Big Data Project.

- **Deploy the next generation of satellites, aircraft, ocean-going ships, and observation and data gathering systems.**

We will enhance our long-term observation capabilities and infrastructure that directly inform understanding of weather variability, extreme events, and ecosystem processes. New technologies will be implemented using innovative public and private partnerships.



- **Develop and deploy next-generation environmental observation and modeling systems to make informed planning, resources management, and investment decisions.**

Next generation weather and environmental models will be created using high-performance computing and assimilation of state-of-the-science data sources. Faster, more accurate, and longer-range forecasts will be delivered to protect life and property, and inform business and community decisions.

Performance Indicators

- **Mitigate Flood Impacts** – By September 30, 2019, NOAA's National Weather Service will improve decision support services by demonstrating a new flood inundation mapping capability serving 25 million people (i.e., 8 percent of the U.S. continental population) residing in flood-vulnerable freshwater basins and delivering an enhanced excessive rainfall outlook product that extends the lead time of high risk predictions from two to three days **(APG)** ★
- American Customer Satisfaction Index rating

Strategic Objective 3.4

Deploy Public Safety Broadband

The First Responder Network Authority (FirstNet) was created to implement the 9/11 Commission recommendation to give public safety providers 21st-century communication tools to help save lives, solve crimes, and keep our communities and emergency responders safe. We will build a public safety broadband network designed to be reliable, functional, and secure. More than 60,000 public safety agencies will be able to take advantage of expanded coverage and capacity. For the first time, public safety communications will be based on commercial standards. This will bring the benefits of lower costs, consumer-driven economies of scale, and rapid evolution of advanced communication capabilities.

Strategies

- **Deploy, maintain, and operate a nationwide public safety broadband network.**
Deployment and management of a single, interoperable, nationwide network at the local, state, and national level will be executed through a unique public-private partnership. This mission-critical communications system will enable better public safety coordination and more efficient operations.

Performance Indicators

- Percentage of public safety adoption targets achieved
- Percentage of planned coverage achieved





Strategic Goal 4

Fulfill Constitutional Requirements and Support Economic Activity

“We the People” is America’s source of strength. As mandated in Article 1, Section 2 of the U.S. Constitution, every 10 years, we conduct a nationwide count of every person living in the United States. Data from the next census in 2020 will be used to allocate seats in the U.S. House of Representatives among the states. The demographic and housing data from the 2020 Census will also help the federal, state, local, and tribal governments make better decisions about how they spend taxpayer money. These data sets, along with others developed by the Department, support research by the private sector and academic institutions, and inform critical business decisions across all sectors of the economy.



Strategic Objective 4.1

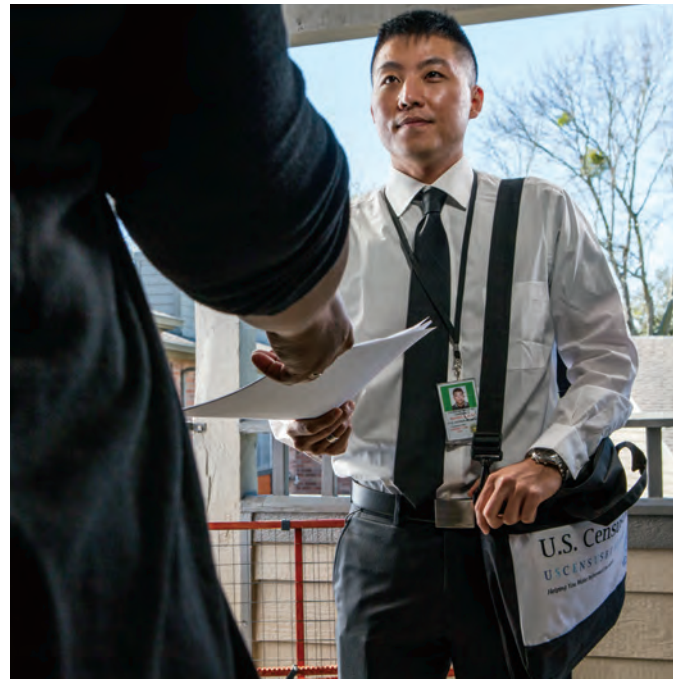
Conduct a Complete and Accurate Decennial Census

Data from the decennial census play a critical role in U.S. commerce and the economy by providing information on the population and demographics of our country. By providing updated counts of population, housing, and other key demographic data, results from the 2020 Census will guide reapportionment of representation in the U.S. Congress and help states in redrawing the boundaries of all congressional and state legislative districts for the coming decade. The 2020 Census results will also be used to reset benchmarks for national, local, and small area counts for other government surveys, in addition to many public and private data sets.

Strategies

- **Incorporate innovative methods and technologies in the decennial census.**

The Census Bureau will conduct the most automated and technologically-advanced decennial census in history. This will be the first census to introduce and promote internet self-response, to introduce telephone call centers as a mode of response, to use aerial imagery to update maps and addresses for the entire country, to automate field procedures, and to use administrative records to increase accuracy and reduce workload. We are keenly aware of and are closely monitoring the challenges, risks, and costs associated with this technology transition; however, we believe these technologies will improve efficiency, and reduce costs to taxpayers. The innovations will serve as a solid foundation for future decennial censuses.



Performance Indicators

- **Prepare to conduct a complete and accurate Decennial Census** – The Census Bureau will prepare for a complete and accurate 2020 Decennial Census U.S. population count by conducting the 2018 end-to-end census test and analyzing and incorporating the results, initiating in-field address canvassing by September 30, 2019, and designing for optimal self-response with a nationwide target of 60.5 percent **(APG)** ★

Strategic Objective 4.2

Provide Accurate Data to Support Economic Activity

World economies are driven by innovation, emerging technologies, intellectual property—and data. Creating a robust economy requires an enormous amount of data, and we are the nation’s preeminent producer of public data. More than 30 million U.S. business enterprises; 325 million Americans; and 93,000 tribal, state, and local governments rely on our data to make informed decisions. The information and data we produce shape fiscal and monetary policy and operational decisions that improve the nation’s social and economic conditions. Annually, more than \$1 trillion in federal funds are distributed to states and localities, in whole or in part, using data produced by the Department.

Strategies

- **Promote the American Community Survey.**

The annual release of detailed social, economic, and housing data from the American Community Survey—which replaced the decennial census’ long form in 2005—will be used for a myriad of important decisions. People increasingly depend on Census Bureau population and income data to make decisions on business locations and investments in real estate. Communities rely on our data to measure the demand for housing, predict future needs, and identify trends.

- **Provide a timely and accurate portrait of the nation’s economy.**

We are the world’s most trusted, impartial source of comprehensive data about the U.S. economy. Every five years the Census Bureau conducts an Economic Census and Census of Governments, in addition to more than 100 other surveys conducted monthly, quarterly, or annually. From these censuses and surveys 13 economic indicators are produced, serving as the foundation for gross domestic product (GDP). Produced by the Bureau of Economic Analysis, GDP data is ranked as one of the three most influential economic measures that affect U.S. financial markets. We are committed to reducing the burden of responding to surveys and are moving toward 100 percent internet response for the Economic Census and the Census of Governments.



- **Develop new data products and services that capture the dynamic U.S. economy.**

Given the speed of economic shifts and technological advances in the 21st century, new statistics are needed to accurately report on the economy. We continually explore the development of new economic statistics and data services to provide a timely, in-depth, and accurate picture of the U.S. economy and its role in the global marketplace. We will leverage big data and data from non-traditional sources to take full advantage of these new resources.

Performance Indicators

- Release American Community Survey estimates on schedule
- Key milestones for the Economic Census and Census of Governments
- Release economic indicators on time
- Accuracy of GDP Index
- Milestones met in releasing new economic indicators



Strategic Goal 5

Deliver Customer-Centric Service Excellence

We cannot meet our performance targets in Strategic Goals 1 through 4 without quality, timely human resources, information technology (IT), and acquisition services. Success also requires a workforce that is passionate about delivering value to the American public. Federal agencies have been mandated to increase the cost-effectiveness of services and improve human capital management. We are responding with strategies to improve service and efficiency, and engage employees by better aligning their time and efforts to the Department's priorities.

Strategic Objective 5.1

Engage Commerce Employees

Employee engagement is the emotional commitment employees have to the organization and its goals. The level of employee engagement at the Department will profoundly affect implementation of this plan. It is a function of two factors, feeling that the work is important and knowing that the work is making a positive difference. Therefore, aligning staff allocation and performance plans to the strategic plan is a critical success factor, as is involving employees in initiatives that improve service to the public and reduce non-value-added bureaucracy. All employees should know their work matters.

Strategies

- **Align human capital with the new strategic plan.**
As priorities change and technology provides the opportunity to improve approaches to doing work, the allocation of staff among units and functions can become outdated and waste resources. Employee engagement suffers when staff perceives that they are excess capacity. We will assess our staff allocation to improve alignment with our strategic priorities.
- **Improve talent management.**
Effective talent management ensures that an organization has the right skill sets for current work and is acquiring skills for emerging needs. It requires strategic recruitment, training, accountability, and systematic implementation of talent management plans. Our new Human Capital Operating Plan will include action plans and milestones for improvement in talent management and a governance process for monitoring progress.
- **Improve the customer experience.**
When Americans complain about government, they usually are complaining about how long it takes to get things done and how complicated processes are. Government employees have similar complaints about mission-support processes such as recruitment and hiring. Many of the best government employees join federal agencies to serve, but they can become disillusioned because of red tape. We will participate in the federal government-wide initiative to improve customer experience with the aim of better customer satisfaction ratings and improved scores on the annual Federal Employee Viewpoint Survey.



Performance Indicators

- Customer satisfaction/experience ratings
- Scores on the Federal Employee Viewpoint Survey
- Reductions in staffing levels and costs
- Percentage of mission performance indicator targets met

Strategic Objective 5.2

Accelerate Information Technology Modernization

Modernization of federal IT is a high priority. Legacy IT systems and fragmented technical approaches are costly to taxpayers and compound the challenges of managing cybersecurity risks. IT modernization also creates opportunities for significant acquisition savings through economies of scale. We will leverage American innovation through the increased use of commercial technology and move to a cost-effective and secure infrastructure.

Strategies

- **Modernize and consolidate information technology.**

We are developing action plans to maximize secure use of commercial cloud computing, modernize and manage applications, and securely maintain legacy systems. Technology modernization will allow us to shift resources from supporting back-office functions to improving the customer experience. Relevant network security policies and architectures are being updated to focus on both network and application security. Incident detection and prevention capabilities are being modernized to address the latest threats and respond to vulnerabilities.

- **Utilize strategic sourcing to enable future network architectures.**

Ongoing government-wide procurement management efforts are shifting the federal government toward a consolidated IT model. We will employ strategic sourcing contract vehicles to acquire IT products and services that leverage the government's buying power through volume pricing. Capabilities will be consolidated to replace or augment existing bureau-specific technologies to reduce costs, facilitate maintenance, improve functionality, and enhance cybersecurity.



Performance Indicators

- Information technology cost savings
- Percentage of milestones for information technology modernization met on schedule

Strategic Objective 5.3

Consolidate Functions for Cost Savings

Federal agencies are required to “create a lean, accountable, more efficient government that works for the American people.” We are at the vanguard of the effort to deliver mission-support services in a new and efficient way. The Enterprise Services organization will achieve economies of scale, standardized processes, and reduced transactional burden across bureaus. Risks associated with the new delivery model have been designated for close monitoring at the Department level.

Strategies

- **Continue deploying enterprise service models for purchasing and human resource functions when demonstrated cost savings exist.**

A study of mission-support services across the Department reported dissatisfaction with the cost, timeliness, and quality of some services. In response, select mission-support services are being moved from individual bureaus to Enterprise Services. This will allow bureau staff to focus on mission rather than back-office and support work. Services will continue to transition in instances where significant costs savings and improved service have been demonstrated through analysis, tests, and the experience of other agencies. Quality and timeliness of consolidated services will be monitored on an ongoing basis to ensure that improvement is sustained and within service-level standards.

Performance Indicators

- Trends in cost savings
- Compliance with service-level standards

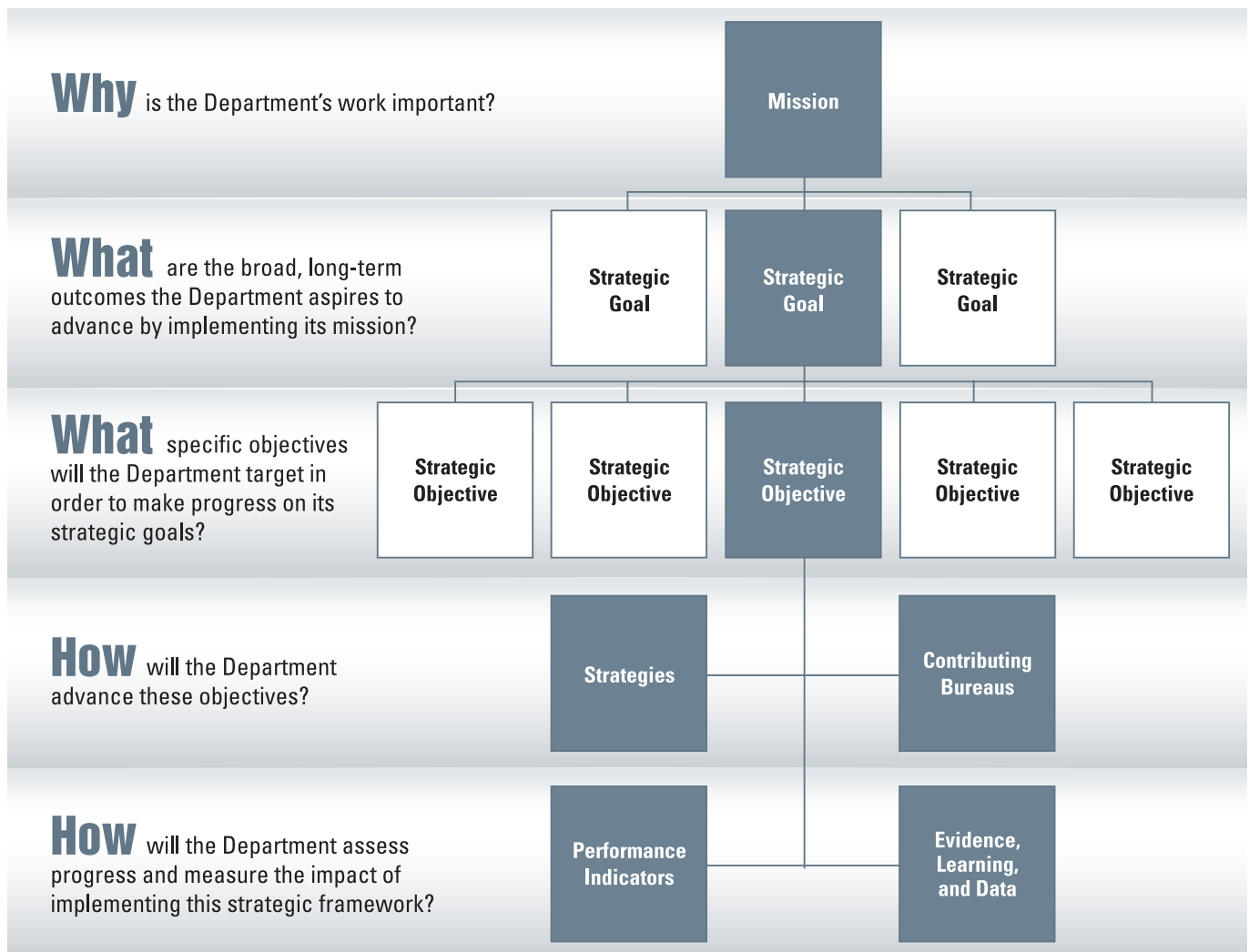


Performance Management Framework

The Department uses a systems-based management framework that aligns and integrates leadership, strategic planning, employee engagement, process management, business information, and customer input into feedback loops that produce continuous learning and improvement. We encourage every employee to be empowered to participate in performance management. We use performance indicators, enterprise risk management, and program evaluation to increase evidence to support the

Department's budget formulation and decision-making. This structure complies with guidance from the Office of Management and Budget and the GPRA Modernization Act of 2010.

The infographic below illustrates the standardized structure of our strategic plan and helps readers understand the purpose, logic, and terminology that comprise each strategic goal.



Governance

The Department's Executive Management Team (EMT) oversees the governance of the five strategic goals and will periodically assess progress for each of the strategic objectives. Our Performance Management Team and Performance Excellence Council serve as a critical connection between the EMT's governance of our strategic plan and bureau staff who implement the plan's diverse strategies, programs, and improvement efforts. Annually, we will conduct a formal strategic review of each strategic objective's progress. We will also publicly report performance within our Annual Performance Report and Annual Performance Plan.



Terms and Definitions

Strategic Goal – Includes the goal statement and goal overview. The highest-level statement of aim or purpose that is included in the strategic plan. This plan's strategic goals articulate clear statements of what the Department wants to advance within its mission.

Strategic Objective – Includes the objective statement and the objective overview. This plan's 17 strategic objectives are the primary unit for strategic analysis and decision-making. Strategic objectives reflect the outcome or management impact the Department is trying to achieve.

Strategy – Represents key approaches, initiatives, and tactics that will be pursued to advance the related strategic objective.

Agency Priority Goal – Strategic objectives may include an Agency Priority Goal (APG). An APG is a near term result or achievement that the Department wants to accomplish within approximately 24 months. APGs are limited in number and reflect the top near-term performance improvement priorities of the Department. **APGs are identified in this plan with a gray star. ★**

Performance Indicator – A key performance measure used to track progress toward achieving a strategic objective. The Department will measure and monitor the trend for these indicators.

Evidence – The information used to formulate goals, objectives, and strategies in this plan. Evidence can be quantitative or qualitative and may include, but is not limited to, performance measurement, research studies, evaluations, statistical data series, and data analytics.

Appendix B Evidence, Learning, and Data

We strive to instill a data-driven and learning culture into our organizational DNA. The Department uses a four-pronged approach to increase organizational learning and the use of evidence in decision-making:

- Make more data available and accessible;
- Develop and execute annual evidence agendas;
- Foster increased cross-bureau collaboration; and
- Leverage regular forums to review evidence.

During the initial development phase of our strategic plan, we initiated an environmental scanning effort to identify major macro-level trends that could inform the development of our new objectives and strategies. We also leveraged the Department's 2017 enterprise risk profile, Government Accountability Office High Risk List, and Inspector General Top Management and Performance Challenges reports to ensure top risks are appropriately considered during strategy formulation.

The information below summarizes valuable sources of learning and collaboration. Also listed below are key data sets the Department uses for research, analyses, and evaluation. Data that are accessible via an **Application Programming Interface (API)** are emphasized in bold.

Goal 1 – Accelerate American Leadership

We will learn where customers and stakeholders desire improvement through assessments by the National Academies of Science and close consultation with the commercial space industry and other groups such as the Patent Public Advisory Committee, Trade Public Advisory Committee, and Commerce Spectrum Management Advisory Committee.

- Our Office of Space Commerce provides information via <http://www.space.commerce.gov/>
- NIST shares information about standards via <https://www.nist.gov/standardsgov>
- USPTO provides patent data using an **API** via <https://developer.uspto.gov/>

Goal 2 – Enhance Job Creation

Expansion of customer relationship management (CRM) capabilities across the Department has great potential to improve evidence. We use CRM systems to analyze critical success factors when we assist businesses. The information helps us learn how to improve our services. We also can facilitate program evaluation by matching CRM data with program administrative data, statistical business survey data, and the economic indicators and other authoritative economic data produced by BEA and the Census Bureau. We continue to reference our 2015 ITA-Census research paper as a best practice: *Statistics on the International Trade Administration's Global Markets* <https://www2.census.gov/ces/wp/2015/CES-WP-15-17.pdf>

- BEA provides key economic indicators and data using an **API** via <https://www.bea.gov/API/docs/>
- The Census Bureau provides economic data using an **API** via <https://www.census.gov/developers/>
- ITA's Data Service Platform shares export information using an **API** via <https://developer.export.gov/>

Goal 3 – Strengthen U.S. Economic and National Security

Input from business associations and other key stakeholders, including the Trade Policy Staff Committee and Information Security and Privacy Advisory Board, provide critical insights and learning to help us ensure our public safety and security policies, standards, services, and processes are achieving their intended outcomes. Our internal research teams include economists and scientists who produce valuable data for external and internal security-related analyses.

- BEA provides trade balance of payments data via <https://www.bea.gov/international/>
- BIS shares export control data via <https://www.bis.doc.gov/data-portal>

- NIST's Cybersecurity Framework information is provided via <https://www.nist.gov/cyberframework>
- NOAA weather data and research is among the most accessed of all government sites via <https://www.weather.gov/> and <http://research.noaa.gov/>
- Information about FirstNet is available via <https://www.firstnet.gov/>

Goal 4 – Fulfill Constitutional Requirements and Support Economic Activity

Citizen engagement is vital for successful execution of the next decennial census, American Community Survey, American Housing Survey, Economic Census, and other surveys and analyses. We work directly with state data centers; census information centers; the 2020 Census Advisory Committee; the National Advisory Committee on Racial, Ethnic and Other Populations; the Census Scientific Advisory Committee; and other stakeholders to evolve our operations and provide the best data possible to fuel our economy and bolster American democracy.

- In addition to the previously referenced API, the Census Bureau shares data via the American FactFinder application <https://factfinder.census.gov/>, shares geospatial data via the Topologically Integrated Geographic Encoding and Referencing (TIGER) application <https://tigerweb.geo.census.gov/>, and recently launched a new data experience tool <https://data.census.gov/>
- In addition to the previously referenced API, BEA shares data via an Interactive Data Application <https://www.bea.gov/itable/>

Goal 5 – Deliver Customer-Centric Service Excellence

Development of this goal took into consideration reform plans for human capital resources and their alignment to programs and priorities, grade structure for functions, and layers in the management structure. We also used information from the federal Chief Financial Officer and Performance Improvement Officer councils to benchmark our Departmental mission-support functions against government-wide data on mission support processes. These analyses coupled with tests of quality and costs are particularly critical in assessing the value of our recently implemented enterprise services delivery model.

- We consider the Office of Personnel Management Federal Viewpoint Survey results via <https://www.fedview.opm.gov/>
- We analyze the General Services Administration benchmarking mission-support data via <https://benchmarks.gsa.gov/>
- We contribute to the Office of Management and Budget information technology benchmarking data via <https://www.itdashboard.gov/>



Appendix C

Summary of Contributing Bureaus by Strategic Objective

Strategic Goal	Strategic Objectives	Office of the Secretary	BEA	BIS	Census	ITA	MBDA	NOAA	NTIA	NIST	NTIS	USPTO
Goal 1 – Accelerate American Leadership	1.1 – Expand Commercial Space Activities	●						●	●			
	1.2 – Advance Innovation	●						●	●	●	●	●
	1.3 – Strengthen Intellectual Property Protection	●				●	●		●	●		●
Goal 2 – Enhance Job Creation	2.1 – Increase Aquaculture Production	●						●				
	2.2 – Reduce and Streamline Regulations	●	●	●	●	●	●	●	●	●	●	●
	2.3 – Strengthen Domestic Commerce and the U.S. Industrial Base	●	●	●	●	●	●	●	●	●	●	●
	2.4 – Increase U.S. Exports	●	●		●	●	●			●		
	2.5 – Increase Inward Investment Into the United States	●	●			●	●					
Goal 3 – Strengthen U.S. Economic and National Security	3.1 – Enforce the Nation’s Trade Laws and Security Laws	●		●		●		●				●
	3.2 – Enhance the Nation’s Cybersecurity	●						●	●	●		
	3.3 – Reduce Extreme Weather Impacts	●						●		●		
	3.4 – Deploy Public Safety Broadband	●					●		●	●		
Goal 4 – Fulfill Constitutional Requirements and Support Economic Activity	4.1 – Conduct a Complete and Accurate Decennial Census	●			●							
	4.2 – Provide Accurate Data to Support Economic Activity	●	●		●		●	●			●	
Goal 5 – Deliver Customer-Centric Service Excellence	5.1 – Engage Commerce Employees	●	●	●	●	●	●	●	●	●	●	●
	5.2 – Accelerate Information Technology Modernization	●	●	●	●	●	●	●	●	●	●	●
	5.3 – Consolidate Functions for Cost Savings	●	●	●	●	●	●	●	●	●	●	●





U.S. DEPARTMENT OF COMMERCE

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Audit, Internal Controls, and Risk Management

Executive Summary

Within the Office of the Secretary, the Chief Financial Officer/Assistant Secretary for Administration oversees Department-wide audit, internal controls, and enterprise risk management (ERM) functions. The Department has policies and procedures for audits, ERM, and both financial and non-financial internal controls.

These important functions keep the Secretary of Commerce, senior leadership, Congress, and the public informed about problems or deficiencies relating to the Department's activities. When necessary, they recommend corrective actions or risk mitigations.

The Department's leadership is responsible for establishing and maintaining effective internal control and financial management systems that meet the objectives of the Federal Manager's Financial Integrity Act (FMFIA). Additionally, the Department's must comply with policies mandated in the following White House Office of Management and Budget (OMB) Circulars:

- A-11, Preparation, Submission, and Execution of the Budget
- A-123, Management's Responsibility for Enterprise Risk Management and Internal Control
- A-136, Financial Reporting Requirements

OMB Circular No. A-123 requires all agencies to coordinate ERM capabilities with the strategic planning and strategic review processes established by the GPRA Modernization Act of 2010, and the internal control processes required by FMFIA and Government Accountability Office (GAO)'s Green Book. Part 6 of OMB Circular A-11 further describes the relationship between the ERM framework and its integration with the federal performance framework. This includes the consideration of enterprise risks during the development of agency Strategic Plans and strategies to mitigate risks as part of the annual strategic review assessments. This integrated governance structure aims to improve mission delivery, reduce costs, and focus corrective actions towards key risks.

Independent Financial Audit Process and 2019 Results

Each year, the Department of Commerce receives an opinion from an independent public accounting firm that performs an audit of the Department's fiscal year consolidated annual financial statements. This audit is performed in accordance with U.S. generally accepted audit standards, standards applicable with Government Auditing Standards, and OMB Audit Requirements for Federal Financial Statements. The 2019 auditor was KPMG LLP.

The KPMG opinion is included in the Department's FY2019 Agency Financial Report (AFR). For the twenty-first year in a row, the opinion was "unmodified," indicating that the Department's financial statements are prepared in all material respect and complying with the applicable framework. While the 2019 assessment indicated that the Department was operating



Section 2-4 a - Audit, Internal Controls, and Risk Management

effectively with no material weaknesses in the design or operation of the internal controls, KPMG did identify three significant deficiencies related to the following items:

- Additional improvements needed in information technology general controls.
- Further improvement needed in controls over accounting for internal use of software.
- Improvement needed in controls for prepaid expenses.

The Department's programs and operations are also audited by the Government Accountability Office (GAO) and the Office of Inspector General (OIG).

Government Accountability Office (GAO)

GAO is an independent, nonpartisan agency that works for Congress. Often called the "congressional watchdog," GAO examines how taxpayer dollars are spent and provides Congress and federal agencies with objective, reliable information to help the government save money and work more efficiently.

GAO High Risk list: The GAO High Risk List is a list of programs and operations that are considered 'high risk' due to their vulnerabilities to fraud, waste, abuse, and mismanagement, or that need transformation. The list also outlines recommended steps to take for improvement. It is issued every 2 years at the start of each new session of Congress and has led to more than \$350 billion in financial benefits to the federal government in the past 13 years. In 2019, the rankings for more than half of the 35 areas on the list remained largely unchanged with three regressing. Ratings for seven areas improved and two were able to come completely off the list due to significant progress. The following high-risk areas, identified by GAO, impact the Department of Commerce:

- Mitigating Gaps in Weather Satellite Data
- Improving the Management of IT Acquisitions and Operations
- 2020 Decennial Census
- Ensuring the Effective Protection of Technologies Critical to U.S. National Security Interests
- Pension Benefit Guaranty Corporation Insurance Programs

Commerce Office of the Inspector General (OIG)

Under the Inspector General Act of 1978, as amended, the OIG seeks to improve the efficiency and effectiveness of the Department's programs and operations and works to detect and deter waste, fraud, and abuse. OIG monitors and tracks the use of taxpayer dollars through regular audits and reviews that involve employees, management officials, and affected departmental programs and operations. The findings from these audits, help the Department improve its programs and operations as well as prevent or detect fraud, waste, or abuse.

Top Management Challenges: The OIG is required to report annually on the most serious management and performance challenges facing the Department's programs and activities. There are typically about 8 challenges identified. Action plans and updates on these challenges are provided in the Department's Annual Performance Plan and Report (APPR).



OIG Hotline: The OIG maintains a Hotline for receiving allegations of fraud, waste, abuse, and gross mismanagement in the Department's programs or operations. Allegations may be reported through the Hotline 24 hours a day, seven days a week by DOC employees, contractors, or the public. Submissions to the OIG Hotline can be made via and online form, telephone, or mail.

Enterprise Risk Management (ERM)

The Department was one of the first Cabinet level agencies to establish an Enterprise Risk Management (ERM) function. The primary deliverable of the ERM function is the development of a high-risk list of Commerce programs. The Department has an ERM council with representatives from every bureau and the GAO / OIG Audit Liaison functions for the Department. The Department and its operating units work collaboratively to identify and manage risks across the Department.

The Enterprise Risk Management team also serves as the Department's main point of contact for GAO and IG engagements. This team establishes the policies and procedures for GAO and IG audit liaisons and conducts any necessary follow-up or coordination on the performance, resolution and disposition of audits and reviews conducted throughout the Department.

Internal Controls

The Federal Managers' Financial Integrity Act (FMFIA) requires agencies to establish internal control and financial systems that provide reasonable assurance that the three objectives of internal control are achieved:

- Effectiveness and efficiency of operations.
- Compliance with applicable laws and regulations.
- Reliability of financial reporting.

In the federal government, the Five Standards for Internal Control are: 1. Control Environment, 2. Risk Assessment, 3. Control Activities, 4. Information and Communications, and 5. Monitoring.

Financial Internal Controls: Managed within CFO/ASA, the Office of Financial Management (OFM) is responsible for maintaining financial internal controls.

Non-Financial Controls: Managed within CFO/ASA, For example, Property inventory systems, records managements, and physical security. Non-Financial Internal Control Management is a component of the Department's ERM function.



Links

OMB Circular A-11 - <https://www.whitehouse.gov/wp-content/uploads/2018/06/a11.pdf>
OMB Circular A-123 - <https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2016/m-16-17.pdf>
OMB Circular A-136 - <https://www.whitehouse.gov/wp-content/uploads/2019/06/OMB-Circular-A-136.pdf>
Office of Financial Management Website - <https://www.commerce.gov/ofm>
Federal Manager's Financial Integrity Act (FMFIA) - https://obamawhitehouse.archives.gov/omb/financial_fmfi1982
GAO High Risk List - <https://www.gao.gov/products/GAO-19-157sp>
OIG Top Management Challenges - <https://www.oig.doc.gov/Pages/Top-Management-Challenges.aspx>



Assessing Organizational Progress and Performance

Executive Summary

The Deputy Secretary is the Chief Operating Officer (COO) for the Department of Commerce (DOC) and is responsible for the success of the Department's efforts to improve results and reduce costs. The GPRA Modernization Act of 2010 states that the COO "shall provide overall organization management to improve agency performance and achieve the mission and goals of the agency through the use of strategic and performance planning, measurement, analysis, regular assessment of progress, and use of performance information to improve the results achieved." The law requires the COO with advising and assisting the head of the agency in these efforts, with support from the Performance Improvement Officer (PIO).

Assessing organizational progress and performance data across the Department follows Federal performance management laws and standardized framework established by the White House Office of Management and Budget (OMB). This Federal Performance Framework requires the use key performance indicators (KPIs) to measure the Department's progress on the Strategic Objectives (SOs) listed in the Commerce Strategic Plan, Agency Priority Goals (APGs), Bureau programs, management operations, and other leadership initiatives. Per OMB Circular A-11, COOs assume the following roles and responsibilities:

1. Set clear and ambitious goals to improve results and reduce costs.
2. Designate and empower a goal leader responsible for driving progress for each strategic objective and Agency Priority Goal.
3. Conduct data-driven reviews, at least every quarter, to accelerate progress, performance, and efficiency improvements on priority goals.
4. Identify and implement actions that improve results, enhance efficiency, manage risk and reduce waste.
5. Ensure internal and external transparency of performance information that increases accountability, results, and cost-effectiveness.
6. Establish a performance, program management, and evidence culture within the agency that inspires continuous improvement/learning, sets priorities, and challenges managers and employees at all levels to focus on better outcomes and lower-cost ways to operate.

The Performance Excellence Office within the Office of the Secretary (OS) supports the Deputy Secretary/COO with these performance assessment efforts and coordinates data-driven review meetings where key findings are presented and discussed with senior leadership and if needed OMB.

Agency Priority Goal Reviews

Agency Priority Goals (APGs) were created by the Office of Management and Budget (OMB) in Memorandum M-10-24 and later codified in statute by the GPRA Modernization Act of 2010 (GPRAMA) and required by law per Executive Order 13576. APGs are specific, challenging goals that can be accomplished in a two-year period. APGs tend to be developed in areas that are



Section - 2-4 b Assessing Organizational Progress and Performance

considered high priority and have the most opportunity for improvement. APGs allow agencies to regularly communicate their impacts publicly, show responsible stewardship of taxpayer dollars, and highlight the use of performance management to deliver results.

Each CFO Act agency must select a small number of APGs, identify responsible officials, and review progress on a quarterly basis. Quarterly review meetings between the COO and relevant bureau Goal Leaders are required by law and outlined in detail in OMB Circular A-11 Section 200. Agency leadership must set APGS that reflect agency missions and priorities, review and report on progress quarterly, make sure program leaders are course correcting when needed, and promote a culture of using data and evidence to make decisions and monitor progress.

The Department currently has five APGs for FY 2020-2021:

- 1. Conduct a Complete and Accurate 2020 Decennial Census**
- 2. Increase the Economic Impact of U.S. Trade**
- 3. Mitigate Flood Impacts by Demonstrating Improved Decision Support Services to Emergency Managers**
- 4. Rural Wireless Broadband for Public Safety**
- 5. Space Situational Awareness**

Cross-Agency Priority Goal Reviews

Cross-Agency Priority (CAP) Goals were also created by OMB. CAP Goals are used by each Administration to codify specific Federal government-wide goals established in the President's Management Agenda (PMA). The Deputy Secretary/COO is also responsible for assessing progress of any CAP Goals the Department may be tasked to lead or contribute to. The periodicity for these assessments is determined by OMB and each Administration. They are typically done on a quarterly or semiannual basis. CAP Goal progress is often a topic on the agenda of Presidential Management Council (PMC) meetings.

Annual Strategic Reviews

Every year from March through May, the Department conducts its Annual Strategic Review (ASR) for the Deputy Secretary/COO. The ASR formally assesses progress on each Strategic Objective as: On Track, Noteworthy Progress, or Focus for Improvement. The Performance Excellence Office within the Office of the Secretary (OS) leads this assessment in coordination with each Strategic Objective leader and their staff.

The ASR process is supported by performance measures and/or milestones and integrates Enterprise Risk Management (ERM) information to identify vulnerabilities/risks, mitigating actions, issues, and evidence related to the Strategic Objective. It fosters learning and informs revisions to strategies and performance indicators. The ASR process concludes with a meeting between the Deputy Secretary and senior leadership to review the Strategic Objective assessments and Department-wide summary of findings. This is followed up with a meeting between Commerce senior leadership and the Office of Management and Budget (OMB) where the ASR results are reviewed and discussion on specific key topics takes place.



Section - 2-4 b Assessing Organizational Progress and Performance

In addition to the ASR, the Deputy Secretary may convene progress review meetings at any time with Strategic Objective leaders, particularly during the first year of a new Strategic Plan when action plans are established and initiated.

Organizational Assessments

Pursuant to 5 CFR 430.404(a)(5), each bureau within the Department is provided an annual assessment of overall organizational performance. This assessment compares appropriate bureau performance measures to individual Senior Executive Service (SES) performance plans each year.

Rating/reviewing officials and Performance Review Boards (PRB) consider organizational assessments when appraising senior employee performance. This data is used to make recommendations for SES annual performance-based pay adjustment and bonus recommendations.

Two updates occur during this process (Set 1 and Set 2). Set 1, includes preliminary year-end data to allow the Office of Human Resources Management (OHRM) to start the SES performance evaluation processes. Set 2 includes final year-end data for PRBs, appointing authorities, and Departmental Executive Review Board (DERB) consideration. Set 2 also includes metric-based justifications in support of the modal SES and SL/SL ratings and are submitted to OPM annually every Spring.

The Deputy Secretary/COO is responsible for assuring that SES performance expectations support progress on agency strategic objectives, performance goals, and indicators. This process ensures organizational progress is tied properly to senior leaders' performance ratings and is key to driving accountability within the Department.

Links

OMB Circular A-11 - <https://www.whitehouse.gov/wp-content/uploads/2018/06/a11.pdf>
FY 2020-2021 APGs - https://www.performance.gov/commerce/APG_commerce_1.html



Reporting Progress and Performance

Executive Summary

The Department of Commerce is a premier Federal statistical agency and leads the way in how data is made more accessible and useful to the American public. Reporting organizational performance data across the Department follows Federal performance management laws and the standardized framework established by the White House Office of Management and Budget (OMB). This Federal Performance Framework requires the use key performance indicators (KPIs) to measure the Department's progress on the Strategic Objectives (SOs) listed in the Commerce Strategic Plan, Agency Priority Goals (APGs), Bureau programs, management operations, and other leadership initiatives.

Currently, the Department publicly reports the progress on nearly 150 performance indicators on an annual basis. Annual targets are set for each of these performance indicators. The variance between actual results and the target are reported along with the five-year historical trend. The detailed data for all these performance indicators is include in the Department's annual Congressional Budget Justification.

The Performance Excellence Office within the Office of the Secretary (OS) leads these performance reporting efforts and reports key findings to senior leadership, OMB, and the public. Transparent public reporting of programmatic results fosters accountability and incentivizes improvements in the efficiency and effectiveness of operations.

Annual Performance Plan and Report (APPR)

In 2010, the Government Performance and Results Modernization Act (GPRAMA) was passed to build on a framework began by the 1993 Government Performance and Results Act (GPRA). The intent of this law is to promote improved service delivery, return on investment, measurable outcomes, data-driven decision making, transparency and accountability, frequent monitoring of data on progress, and effective internal management of the government.

According to the GPRAMA, the Department's Annual Performance Plan (APP) should define the level of performance to be achieved during the fiscal year in which the plan is submitted and the next fiscal year (i.e., set the targets for each for these two years). The APP must cover each program activity set forth in the budget. The Annual Performance Report (APR) reports on progress made towards achieving the goals and objectives described in the Strategic Plan. The APPR is delivered in draft form to OMB in September and the final APPR is delivered to Congress every February with the Congressional Budget Justification. This approach improves the public's accessibility to the APPR and reduces any internal duplicative reporting timelines.



Quarterly Agency Priority Goal (APG) Updates

Every quarter, the GPRAMA and OMB policy requires the Department to report publicly the status of the Agency Priority Goals. This update is posted on the performance.gov website.

Annual Financial Report (AFR)

The AFR is an overview of how the Department manages resources and provides information on accomplishments and future plans. The AFR also reports on the Department's end of fiscal year financial position. This includes financial statements, notes on the financial statements, a report of the independent auditors, and a performance summary. The AFR is published on the Department's Office of Financial Management (OFM) website every year in November. The AFR is governed by OMB Circulars A-136 and A-11.

Commerce Performance Data Pro

At the beginning of FY 2020, the Department of Commerce launched Commerce Performance Data Pro, a website that provides the public an interactive online tool for learning more about the Department, its strategic objectives, and the progress Commerce is making. Commerce Performance Data Pro allows the public to easily understand how the Department impacts their daily lives by exploring Commerce Impact Stories and interacting with the Citizen's View Dashboards, charts, key performance indicators, and featured datasets. Users can interact with performance data, monitor efforts to strengthen the U.S. economy, and learn more about efforts to improve many critical services.

Additionally, Commerce Performance Data Pro uses metadata to assign the Department's key performance indicators to Strategic Objectives, Program Activities, and Bureaus to provide insight into how the Strategic Plan is executed. The website enables data analysis through interactive charts and graphs. The standard dashboards and charts reveal patterns and trends that make key insights obvious to viewers. The site's analytic capabilities, interactive open data, and ease of use directly supports the Department's increased use of program impact and performance data in decision-making.

Links

Commerce Performance Data Pro – <https://performance.commerce.gov/>

OMB Circular A-11 – <https://www.whitehouse.gov/wp-content/uploads/2018/06/a11.pdf>

OMB Circular A-136 - <https://www.whitehouse.gov/wp-content/uploads/2019/06/OMB-Circular-A-136.pdf>



Internal Communications

Senior politically appointed leaders within the Department’s headquarters have a variety of channels and ways to communicate management issues and engage with the workforce. The Office of Public Affairs is responsible headquarters internal communications policy and for developing and executing a robust centrally coordinated internal communication plan. Strong internal communications drive mission execution, organizational results and build a culture of high employee morale, collaboration, and innovation through increased employee engagement with the Department’s strategic plan and the celebration of related strategic achievements.

“Broadcast” Emails - The Department has multiple email distribution lists that are categorized by purpose and geographic location. Broadcast emails cover topics that range from heritage recognition month messages, upcoming events, employee or bureau recognition, training announcements, library events, policy updates, leave guidance, and building closures. These emails are sent from: broadcast@doc.gov

“All Hands” Emails - All Hands emails are typically sent out Department-wide on topics that specifically impact the building, security, or general operations. For example, All Hands emails are sent out when things like construction, special events, or evacuation drills may impact DOC employees. These emails are sent from: all_hands@doc.gov

In-person Events - For important in-person events, the HCHB Auditorium has 486 fixed seats plus room for additional temporary seats in the orchestra pit. This includes Secretarial speeches, swearing in ceremonies, award ceremonies, guest lecturers, and employee town halls. The HCHB Lobby and Commerce Research Library are smaller venues often used for in person events, celebrations, and training sessions. The Census Bureau, USPTO, NOAA, and NIST campuses also have auditoriums and additional conference facilities. Traditionally, the Office of the Secretary hosts all Senior Executives from across the Department for an in-person leadership and training event one time each year.

Intranet - Commerce Connection is the Department’s intranet website (i.e., internal network) website available to DOC employees when logged into the secure network using their PIV card. It contains information such as standard forms, links to the Commerce Learning Center for trainings, staff directories, commonly asked questions, event calendars, etc. Commerce connection is accessed via this link: <https://connection.commerce.gov/>

Electronic Kiosks - Three electronic kiosks are in the HCHB. They are in the main lobby, near the 14th Street tunnel entrance, and in the Secretary’s diplomatic receiving area.

Building Public Address System - The HCHB has an audio announcement system that is typically used to announce emergencies such as fire alarms, shelter in place, or evacuate the building instructions.



Section 2-5 a – Committees with Jurisdiction Over the Department

Committees with Jurisdiction Over Department of Commerce Priorities

Note: All listed members of Congress reflect committee leadership and make-up in the 116th Congress. Rosters and chairs and ranking members (and staff) will likely be somewhat to significantly different in the 117th Congress.

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Senate and House Appropriations Committees

Senate Committee on Appropriations

Senator Richard Shelby (R-AL), Chair

Senator Patrick Leahy (D-VT), Ranking Member

Key staff members: Shannon Hines, Staff Director (Republican)
202-224-7257; shannon_hines@appro.senate.gov

Chuck Kieffer, Staff Director (Democratic)
202-224-7363; Charles_kieffer@appro.senate.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 114th Congress:

Issues:

- 5G Deployment
- Broadband Deployment, Adoption, and Mapping
- Public Safety/NG911
- Spectrum Management
- Telecom Supply Chain Risk Management

Legislation:

- S. __, the “Commerce, Justice, Science, and Related Agencies Appropriations Act, 2021”
- S. 2584, the “Commerce, Justice, Science, and Related Agencies Appropriations Act, 2020”

Subcommittee on Commerce, Justice, Science and Related Agencies

Senator Jerry Moran (R-KS), Chair

Senator Jeanne Shaheen (D-NH), Ranking Member

Key staff members: Matt Womble, Professional Staff Member (Republican)
202-224-5202; matt_womble@appro.senate.gov

Blaise Sheridan, Professional Staff Member (Democrat)
202-224-7363; blaise_sheridan@appro.senate.gov

Allen Cutler, Professional Staff Member (Republican)
202-224-5202; allen_cutler@appro.senate.gov

Hamilton Bloom, Clerk (Republican)
202-224-5202; Hamilton_bloom@appro.senate.gov

Jean Toal Eisen, Clerk (Democratic)
202-224-5202

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:



Section 2-5 a – Committees with Jurisdiction Over the Department

Hearings:

- March 5, 2020 Review of the FY2021 Budget Request for the U.S. Department of Commerce.
- February 26, 2019: FY20 Budget Hearing. The Secretary was asked questions about the measures the Department was taking to ensure the Census Enterprise Data Collection and Processing program does not endanger other data collection activities and the American Community Survey (cost of the program and problems with making it a voluntary survey).

Issues:

- Broadband programs
- Internet governance
- Spectrum
- Cybersecurity
- Annual Budget
- Puerto Rico GDP
- EEI filing requirement for shipments to/from Puerto Rico
- NOAA's major satellite programs, including GOES-R Series and PWS
- Fisheries
- Fisheries Surveys
- Pacific Salmon Treaty
- Enforcement
- North Atlantic Right Whales
- Observers
- COVID related Fishery Disasters
- Fishery Disasters
- Sea Grant Amberjack and Red Snapper studies
- Coastal resilience and inundation
- Vortex-SE (tornado field study in the Southeast)
- Radars (current and new technology)
- NWS staffing and hiring
- deep sea coral technology
- marine and aircraft facilities for NOAA research vessels



Section 2-5 a – Committees with Jurisdiction Over the Department

House Committee on Appropriations

Rep. Nita Lowey (D- NY-17), Chair

Rep. Kay Granger (R-TX-12), Ranking Member

Key staff members: Anne Marie Chotvacs, Staff Director (Republican)
202-225-3481; Annemarie.chotvacs@mail.house.gov

Shalanda Young, Staff Director (Democratic)
202-225-2771; Shalanda.young@mail.house.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 114th Congress:

Hearings:

- Understanding the Changing Climate System, and the Role of Climate Research (2019-02-26)
- National Oceanic and Atmospheric Administration's Budget Request for Fiscal Year 2020 (2019-03-27)

Issues:

- 2020 Census funding
- Broadband Deployment, Adoption, and Mapping
- Intermediary Protection/Online Censorship
- Internet Governance
- Public Safety/NG911/FirstNet
- Spectrum Management
- Telecom Supply Chain Risk Management
- NOAA's major satellite programs, including GOES-R Series and PWS
- NOAA facilities
- Fisheries
 - Fisheries Surveys
 - Pacific Salmon Treaty
 - Enforcement
 - North Atlantic Right Whales
 - Observers
 - Covid related Fishery Disasters
 - Fishery Disasters
- Coastal resilience and inundation
- Climate research
- Deep sea coral technology
- HPC and cloud computing
- Vortex-SE (tornado field study in the Southeast)
- Marine and aircraft facilities for NOAA research vessels



Section 2-5 a – Committees with Jurisdiction Over the Department

Legislation:

- H.R. 7617, the “Defense, Commerce, Justice, Science, Energy and Water Development, Financial Services and General Government, Homeland Security, Labor, Health and Human Services, Education, Transportation, Housing, and Urban Development Appropriations Act, 2021”
- H.R.7667, the “Commerce, Justice, Science, and Related Agencies Appropriations Act, 2021”
- H.R.7668, the “Financial Services and General Government Appropriations Act, 2021”
- H.R. 1158, the “Consolidated Appropriations Act, 2020”
- H.R. 3055, the “Commerce, Justice, Science, and Related Agencies Appropriations Act, 2020”

Subcommittee on Commerce, Justice, Science, and Related Agencies

Rep. Jose Serrano (D-NY-15), Chairman

Rep. Robert Aderholt (R-AL-04), Ranking Member

Key staff members: T.J. Lowdermilk, Professional Staff Member (Democratic)
202-225-3351; tj.lowdermilk@mail.house.gov

Stephanie Gadbois, Clerk (Republican)
202-225-3481; stephanie.gadbois@mail.house.gov

Robert “Bob” Bonner, Clerk (Democratic)
202-225-3351; robert.bonner@mail.house.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Hearings:

- March 10, 2020 Department of Commerce Budget Request for FY2021
- April 30, 2020 Oversight Hearing: 2020 Census Preparation
- April 3, 2020 Department of Commerce Budget Request for FY 2020

Issues:

- Annual Budget
- Global Market business unit staffing (e.g., USEACs)



Senate Authorizing Committees

Senate Committee on Banking, Housing, and Urban Affairs (ITA, BIS)

Senator Mike Crapo (R-ID), Chair

Senator Sherrod Brown (D-OH), Ranking Member

Key staff members: John O'Hara, Chief Counsel, National Security Policy (Republican)
202-224-5744; john_ohara@banking.senate.gov

Gregg Richard, Staff Director (Republican)
202-224-6142; Gregg_richard@banking.senate.gov

Colin McGinnis, Policy Director (Democratic)
202-224-2315; colin_mcginnis@banking.senate.gov

Jimmy Guiliano, Professional Staff Member (Republican)
James_guiliano@banking.senate.gov

Phil Rudd, Senior Legislative Assistant (Democratic)
Phil_rudd@banking.senate.gov

Elisha Tuku, Chief Counsel (Democratic)
202-224-7391; Elisha_tuku@banking.senate.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Hearings/Markups:

- July 22, 2020: Economic Policy Subcommittee Hearing on U.S.-China: Winning the Economic Competition
- June 4, 2020: Full Committee Hearing on the Crisis in Hong Kong: A Review of U.S. Policy Tools
- July 18, 2019: Full Committee Hearing on Export Control Reform Implementation: Outside Perspectives
- June 4, 2019: Full Committee Hearing on Confronting Threats From China: Assessing Controls on Technology and Investment, and Measures to Combat Opioid Trafficking

Issues:

- Export Control Reform Act of 2018 implementation
- Emerging/critical technologies
- Hong Kong
- Xinjiang
- Huawei
- ZTE
- Nominees



Section 2-5 a – Committees with Jurisdiction Over the Department

Subcommittee on National Security and International Trade and Finance (BIS, ITA)

Senator Ben Sasse (R-NE), Chair

Senator Mark Warner (D-VA), Ranking Member

Key staff members: Patrick Lehman, Subcommittee Staff Director (Republican)
202-224-7391; Patrick_lehman@sasse.senate.gov

Craig Radcliffe, Tax and Banking Counsel
Craig_radcliffe@warner.senate.gov



Section 2-5 a – Committees with Jurisdiction Over the Department

Senate Committee on Budget (All of DOC)

Senator Mike Enzi (R-WY), Chair *Retiring*

Senator Bernie Sanders (I-VT), Ranking Member

Key staff members: Doug Dziak, Staff Director (Republican)
202-224-0642; doug_dziak@budget.senate.gov

Warren Gunnels, Staff Director (Democratic)
202-224-0642; warren_gunnels@budget.senate.gov



Section 2-5 a – Committees with Jurisdiction Over the Department

Senate Committee on Commerce, Science and Transportation (All of DOC)

Senator Roger Wicker (R-MS), Chair

Senator Maria Cantwell (D-WA), Ranking Member

Key staff members: John Keast, Staff Director (Republican)
202-224-1251; john_keast@commerce.senate.gov

Steven Wall, General Counsel (Republican)
202-224-1251; steven_wall@commerce.senate.gov

Crystal Tully, Deputy Staff Director (Republican)
202-224-1251; crystal_tully@commerce.senate.gov

David Strickland, Staff Director (Democratic)
202-224-0411; David_strickland@commerce.senate.gov

John Beezer, Senior Advisor (Democratic)
202-224-0411; john_beezer@commerce.senate.gov

Mary Guenther, Professional Staff Member (Democratic)
202-224-0411; mary_guenther@commerce.senate.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:
Hearings:

- Ensuring U.S. Global Leadership on the Final Frontier (2019-03-13)
- Fishery Failures: Improving the Disaster Declaration and Relief Process (2019-09-25)
- Feeding America: Making Sustainable Offshore Aquaculture a Reality (2019-10-16)
- Space Missions of National Importance: Planetary Defense, Space Weather Protection, and Space Situational Awareness (2020-02-12)
- Building a Stronger and More Resilient Seafood Sector (2020-07-29)

Issues:

- Cybersecurity
- Internet governance
- FirstNet Oversight
- Broadband
- Spectrum
- Privacy
- NG 911
- Internet of Things (including UAS and connected vehicles)
- NTIS Elimination
- 5G Deployment and Security
- Broadband Deployment, Adoption, and Mapping
- Cybersecurity
- Digital Economy (privacy, intermediary protection/online censorship)



Section 2-5 a – Committees with Jurisdiction Over the Department

- Internet Governance
- Public Safety/NG911/FirstNet
- Spectrum Management
- Telecom Supply Chain Risk Management
- Nominees
- 07/30/20 – A/S Nikakhtar witness for hearing “The China Challenge: Realignment of U.S. Economic Policies to Build Resiliency and Competitiveness”
- Pacific Island Countries pilot project
- Minority Business
- CARES Act Implementation
- Sea Grant
- Implementation of the Weather Act (PL 115-25 & 115-423)
- Soil Moisture observing/Seasonal weather prediction/drought
- Space Weather (hearing 2/20)
- Hurricanes
- Spectrum
- Artificial Intelligence
- Scientific Integrity
- Marine debris
- Ocean and coastal observations
- Coral
- Fisheries
 - Aquaculture
 - Fisheries Disasters
 - CARES Act Implementation
- NOAA’s major satellite programs

Legislation:

- S. 3717, the “Spectrum IT Modernization Act”
- S. 3189, a bill to use proceeds from spectrum auctions to support supply chain innovation and multilateral security
- S.1822, the “Broadband Deployment Accuracy and Technological Availability (DATA) Act”
- S. 1046, the “Advancing Critical Connectivity Expands Service, Small Business Resources, Opportunities, Access, and Data Based on Assessed Need and Demand (ACCESS BROADBAND) Act”
- S. 4234, the “Ensuring Public Safety’s Access to Airwaves Act”
- S. 4066, the “Platform Accountability and Consumer Transparency (PACT) Act”
- S. 1914, the “Ending Support for Internet Censorship Act”
- S. 4320, the “Coronavirus Response Additional Supplemental Appropriations Act, 2020” (related to possible inclusion of broadband and related provisions)
- S. 4021, the “Accelerating Broadband Connectivity (ABC) Act of 2020”
- S. 3701, the “Supporting Connectivity for Higher Education Students in Need Act”
- S. 4131, the Accessible, Affordable Internet for All Act”



Section 2-5 a – Committees with Jurisdiction Over the Department

- S. 151, the “Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act”
- S. 2881, the “5G Spectrum Act”
- S. 893, the “Secure 5G and Beyond Act”
- S. 1625, the “United States 5G Leadership Act”
- S. 1611, the “Developing Innovation and Growing the Internet of Things (DIGIT) Act”
- S. 1968, the “SPECTRUM NOW Act”
- S. 1228, the “Preventing Illegal Radio Abuse Through Enforcement (PIRATE) Act”
- S. 1289, the “Measuring the Economic Impact of Broadband Act”
- S. 1294, the “Broadband Interagency Coordination Act”
- S.4208 Minority Business Resiliency Act of 2020 - the bill proposes to permanently authorize the Minority Business Development Agency and provide additional funding for the agency to assist minority businesses affected by COVID-19.
- S. 910 Sea Grant Reauthorization
- S. 914 Coordinated Ocean Observations and Research Act of 2020
- S. 1982 Save Our Seas Act 2.0
- S. 1069 Digital Coast Act
- S. 2346 Fishery Failures: Urgently Needed Disaster Declarations Act
- S. 494 American Fisheries Advisory Committee Act
- S. 906 Driftnet Modernization and Bycatch Reduction Act (passed the Senate)
- S. 1730 Living Shorelines Act
- S.933 BLUE GLOBE Act

Subcommittee on Communications, Technology, Innovation and the Internet (NTIA, NIST)

Senator John Thune (R-SD), Chair

Senator Brian Schatz (D-HI), Ranking Member

Key staff members: Reed Cook, Professional Staff Member (Republican)
202-224-1251; reed_cook@commerce.senate.gov

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John Branscome, Staff Director (Democratic)
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Shawn Bone, Communications Counsel (Democratic)
202-224-9340; shawn_bone@commerce.senate.gov

Subcommittee on Manufacturing, Trade, and Consumer Protection (NTIA, NIST)

Senator Jerry Moran (R-KS), Chair

Senator Richard Blumenthal (D-CT), Ranking Member



Section 2-5 a – Committees with Jurisdiction Over the Department

Key staff members: Chapin Gregor, Deputy Policy Director (Republican)
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Narda Jones, Senior Adviser, Technology Policy (Democratic)
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Subcommittee on Science, Oceans, Fisheries, and Weather (NIST, NOAA, NTIS)

Senator Cory Gardner (R-CO), Chair

Senator Tammy Baldwin (D-WI), Ranking Member

Key staff members: Fern Gibbons, Deputy Policy Director (Republican)
202-224-1251; fern_gibbons@commerce.senate.gov

Ellen Beares, Subcommittee Policy Director (Republican)
202-224-1251; ellen_beares@commerce.senate.gov

Sara Gonzalez-Rothi, Counsel (Democratic)
202-224-0411; sara_gonzalez-rothi@commerce.senate.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Hearings:

- On April 30, 2019, Dr. Charles Romine, Director of the NIST Information Technology Laboratory testified before the Senate Committee on Commerce, Science, and Transportation, Subcommittee on Security. The purpose of the hearing was to discuss "[Strengthening the Cybersecurity of the Internet of Things \(IoT\)](#)."
- On January 15, 2020, Dr. Walter G. Copan, Under Secretary of Commerce for Standards and Technology and Director of NIST testified before the Senate Committee on Commerce, Science, and Transportation. The hearing entitled "[Industries of the Future](#)" was focused on how the United States can maintain its global economic edge through its leadership in the Industries of the Future.

Issues:

- Face Recognition
- Forensics
- Artificial Intelligence
- Manufacturing
- Technology Transfer
- Public Safety Communications
- 5G
- Privacy
- Cybersecurity



Section 2-5 a – Committees with Jurisdiction Over the Department

- Fisheries
 - Aquaculture
 - Fisheries Disasters
 - CARES Act Implementation
- NOAA Corps
- CARES Act implementation
- Sea Grant
- Implementation of the Weather Act (PL 115-25 & 115-423)
- Earth Prediction Innovation Center (EPIC)
- Ocean Exploration
- Ocean acidification
- Sanctuaries
- Marine debris
- Ocean and coastal observations
- Digital Coast
- Coral
- NOAA's major satellite programs

Legislation:

- **S 2525 GEAR Act Guaranteeing Equipment Safety for Firefighters Act of 2019** Shaheen (Introduced 7/2020) Senate Commerce. NIST testing to ensure safety of Firefighter gear in elevated temperatures.
- **S 2775 HACKED Act** Wicker (Introduced 11/2019) Senate Commerce Improving the Cyber Workforce in the US.
- **S 3712 Cyber LEAP Act** Wicker (Introduced 05/2020) Senate Commerce This bill requires the Department of Commerce to establish national cybersecurity grand challenges to achieve high-priority breakthroughs in cybersecurity
- **S893 5G and Beyond Act** Cornyn (Became Law 116-129 03/2020) Senate Commerce. This bill requires the President, in consultation with relevant federal agencies, to develop a strategy to secure and protect U.S. fifth and future generations (5G) systems and infrastructure.



Section 2-5 a – Committees with Jurisdiction Over the Department

Senate Committee on Energy and Natural Resources (NOAA)

Senator Lisa Murkowski (R-AK), Chairwoman

Senator Joe Manchin (D-WV), Ranking Member

Key staff members: Brian Hughes, Staff Director (Republican)
202-224-4971; brian_hughes@energy.senate.gov

Lucy Murfitt, Chief Counsel (Republican)
202-224-4971; lucy_murfitt@energy.senate.gov

Rena Black, Staff Director (Democratic)
202-224-4971; renae_black@energy.senate.gov

Sam Fowler; Chief Counsel (Democratic)
202-224-4971; sam_fowler@energy.senate.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Issues:

- Fisheries and coastal ecosystems
- Indigenous issues in Alaska



Section 2-5 a – Committees with Jurisdiction Over the Department

Senate Committee on Environment and Public Works (EDA, NOAA)

Senator John Barrasso (R-WY), Chair

Senator Tom Carper (D-DE), Ranking Member

Key staff members: Richard Russell, Staff Director (Republican)
202-224-6176; Richard_russell@epw.senate.gov

Matt Leggett, Chief Counsel (Republican)
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Brian Clifford, Deputy Staff Director (Republican)
202-224-6176; brian_clifford@epw.senate.gov

Mary Frances Repko, Staff Director (Democratic)
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Michal Freedhoff, Oversight Director (Democratic)
202-224-8832; michal_freedhoff@epw.senate.gov

Laura Gillam, Senior Policy Adviser (Democratic)
202-224-8832; laura_gillam@epw.senate.gov

Key issues/legislation the committee has dealt with relevant to DOC in the 116th Congress:
Hearings:

- *Oversight Hearing on the U.S. Army Corps of Engineers' Management of the 2019 Missouri River Basin Flooding (2019-04-17)*

Legislation:

- S.4075 – Revolving Loan Fund De-Federalization (Language was also included as a part of EDA's budget submission)
- S. 898/S. 403 IMAGINE ACT Cicilline/Whitehouse (Introduced 5/2020-2/2019) Senate Environment and Public Works/ House Science, Transportation and Infrastructure/Energy and Commerce. This bill encourages the use of innovative construction materials and techniques to accelerate the deployment, extend the service life, improve the performance, and reduce the cost of domestic transportation and water infrastructure projects.

Issues:

- Flooding (EPW oversees USACE)
- Hurricanes

Subcommittee on Clean Air and Nuclear Safety (NOAA)

Senator Mike Braun (R-IN), Chair

Senator Sheldon Whitehouse (D-RI), Ranking Member



Section 2-5 a – Committees with Jurisdiction Over the Department

Key staff members: Payne Griffin, Subcommittee Staff Director (Republican)
202-224-6176; payne_griffin@braun.senate.gov

Dan Dudis, Counsel (Democratic)
Dan_dudis@whitehouse.senate.gov

Subcommittee on Transportation and Infrastructure (NOAA, EDA)

Senator Shelley Moore Capito (R-WV), Chair
Senator Ben Cardin (D-MD), Ranking Member

Key staff members: Travis Cone, Subcommittee Staff Director (Republican)
202-224-6176; travis_cone@capito.senate.gov

Shannon Frede, Legislative Assistant (Democratic)
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Subcommittee on Fisheries, Water, and Wildlife (NOAA)

Senator Kevin Cramer (R-ND), Chair
Senator Tammy Duckworth (D-IL), Ranking Member

Key staff members: Micah Chambers, Legislative Director (Republican)
Micah_chambers@cramer.senate.gov

Radha Adhar, Senior Policy Adviser (Democratic)
Radha_adhar@duckworth.senate.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Issues:

- Coastal zones management
- Ocean resiliency
- ESA issues
- Fisheries management
- Indigenous issues



Section 2-5 a – Committees with Jurisdiction Over the Department

Senate Committee on Finance (ITA, EDA, ESA)

Senator Chuck Grassley (R-IA), Chair

Senator Ron Wyden (D-OR), Ranking Member

Key staff members: Kolan Davis, Staff Director (Republican)
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Nasim Fussell, Chief Counsel, International Trade (Republican)
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Joshua Sheinkman, Staff Director (Democratic)
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Jayme White, Chief Advisor for International Competitiveness and Innovation (Democratic)
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Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Issue:

- Section 232
- Trade policy
- AD/CVD
- Uranium suspension agreement
- Tomatoes suspension agreement
- Sugar suspension agreement
- Nominees

Subcommittee on International Trade, Customs, and Global Competitiveness (ITA)

Senator John Cornyn (R-TX), Chair

Senator Bob Casey (D-PA), Ranking Member

Key staff members: Andrew Siracuse, Counsel (Republican)
Andrew_siracuse@cornyn.senate.gov

Livia Shmavonian, Senior Policy Adviser (Democratic)
Livia_shmavonian@casey.senate.gov



Section 2-5 a – Committees with Jurisdiction Over the Department

Senate Committee on Foreign Relations (BIS, ITA)

Senator Jim Risch (R-ID), Chair

Senator Bob Menendez (D-NJ), Ranking Member

Key staff members: Chris Socha, Staff Director (Republican)
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Scott Richardson, Senior Counsel (Republican)
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Jessica Lewis, Staff Director (Democratic)
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Andy Olson, Deputy Staff Director (Republican)

Andrew Keller, Deputy Staff Director/Chief Counsel (Democratic)

Sarah Arkin, Policy Director (Democratic)

David Fite, Senior Professional Staff Member (Democratic)
202-224-4651; david_fite@foreign.senate.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 114th Congress:

Issues:

- Hong Kong
- Xinjiang
- Transfer of Categories I-III items from the U.S. Munitions List to Commerce Control List



Section 2-5 a – Committees with Jurisdiction Over the Department

Senate Committee on Homeland Security and Government Affairs (Census, BEA)

Senator Ron Johnson (R-WI), Chair

Senator Gary Peters (D-MI), Ranking Member

Key staff members: Gabrielle Singer, Staff Director (Republican)
202-224-4751; gabrielle_singer@hsgac.senate.gov

Scott Wittmann, Senior Professional Staff Member (Republican)
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Josh McLeod, Senior Professional Staff Member
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Patrick Baily, Chief Counsel, Governmental Affairs (Republican)
202-224-4751; Patrick_bailey@hsgac.senate.gov

Joe Folio, Chief Counsel (Republican)
202-224-4751; joe_folio@hsgac.senate.gov

Dave Weinberg, Staff Director (Democratic)
202-224-2627; David_weinberg@hsgac.senate.gov

Lena Chang, Governmental Affairs Director (Democratic)
202-224-2627; lena_chang@hsgac.senate.gov

Alan Kahn, Senior Investigative Counsel (Democratic)
202-224-2627; alan_kahn@hsgac.senate.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Document requests:

- Deemed export licensing information
- Section 232 OIG Management Alert
- Political Appointee Travel Issue OIG Report
- EB-5 Visas
- Senior Official OIG Report

Issues:

- Section 232
- Chinese talent recruitment programs
- 2020 Census
- Privacy
- Cybersecurity
- Manufacturing
- Artificial Intelligence
- 5G Deployment and Security
- Telecom Supply Chain Risk Management



Section 2-5 a – Committees with Jurisdiction Over the Department

Senate Committee on Indian Affairs (MBDA/Census)

Senator John Hoeven (D-ND), Chair

Senator Tom Udall (D-NM), Ranking Member *Retiring*

Key staff members: Mike Andrews, Staff Director/Chief Counsel (Republican)
202-224-2251; mike_andrews@indian.senate.gov

Brandon Ashley, Deputy Staff Director (Republican)
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Jennifer Romero, Staff Director/Chief Counsel (Democratic)
202-224-2251; Jennifer_romero@indian.senate.gov

Kim Moxley, Senior Policy Adviser (Democratic)
202-224-2251; kim_moxley@indian.senate.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Issues:

- Accessing capital in Indian country
- Minority Business

Hearings:

- February 14, 2018: The Senate Committee on Indian Affairs held an oversight hearing entitled, “Making Indian Country Count: Native Americans and the 2020 Census”. Ron Jarmin, Associate Director for Economic Programs, Performing the Non-Exclusive Functions and Duties of the Director provided testimony.
- April 10, 2020: Building out Indian Country: Tools for Community Development.
- June 18, 2020: Census Bureau staff provided a briefing on 2020 Census Operational Updates to the Senate Committee on Indian Affairs staff House Natural Resources Committee and the Native American Congressional Caucus staff were also invited to attend.

Legislation:

- S. 212 Indian Community Economic Enhancement Act of 2019 which, among other things, moves the Office of Native American Business Development (currently in MBDA) to the Office of the Secretary, prescribes duties of the Director of the Office, and authorizes \$2.0 million for Office operations.



Section 2-5 a – Committees with Jurisdiction Over the Department

Senate Committee on Judiciary (PTO/NTIA)

Senator Lindsey Graham (R-SC), Chair

Senator Dianne Feinstein (D-CA), Ranking Member

Key staff members: Richard DiZinno, Chief Counsel, National Security/Crime (Republican)
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Zach Somers, Chief Investigative Counsel (Republican)
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Heather Vachon, Chief Clerk (Republican)
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Rita Jochum, Deputy Staff Director/Chief Counsel (Republican)
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Heather Sawyer, Staff Director/Chief Counsel (Democratic)
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Tona Boyd, Chief Counsel (Democratic)
202-224-7703; tona_boyd@judiciary-dem.senate.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Document Requests:

- No FEAR Act Report 3/30/18, 3/31/19, 3/31/20
- 2018-2022 Strategic Plan, August 22, 2018
- Patent Quality Report, May 15, 2019
- SUCCESS Act Report: October 31, 2019
- Sens. Tillis/Leahy Letter Requesting Study on State Sovereign Immunity, 2020
- SJC/HJC Letter on COVID-19 response, Fee Collections, and Telework Transition, 2020

Hearings:

- September 26, 2019 Inventor Diversity for Economic Advancement (IDEA) Act IDEA Markup
- September 19, 2019: Inventor Diversity for Economic Advancement (IDEA) Act
- June 27, 2019: Markup of Prescription Drug bill
- May 14, 2019: 5G - National Security Concerns, Intellectual Property Issues, and the Impact on Competition and Innovation



Section 2-5 a – Committees with Jurisdiction Over the Department

- May 7, 2019: Intellectual Property and the Price of Prescription Drugs: Balancing Innovation and Competition
- June 28, 2018: Mark Up of S. 2823 Music Modernization Act
- April 18, 2018: Oversight of the USPTO
Markup of CASE Act

Issues:

- Patent litigation reform
- Trade secrets legislation
- Counterfeiting
- Patents for Humanity legislation
- Drug patents-related issues
- International trademark agreements/Lisbon Agreement
- International copyright agreements - Beijing Treaty on performers' rights and Marrakesh Treaty on increased access to print materials for those with print disabilities
- Copyright office restructuring
- America Invents Act implementation
- Privacy
- Internet governance
- Trademarks
- Copyright Policy
- USPTO operations
- Intellectual Property/DMCA
- Intermediary Protection/Online Censorship

Legislation:

- S.3398, the “Eliminating Abusive and Rampant Neglect of Interactive Technologies (EARN IT) Act of 2020”

Subcommittee on Intellectual Property

Senator Thom Tillis (R-NC), Chair

Senator Chris Coons (D-DE), Ranking Member

Key staff members: Brad Watts, Chief Counsel, Subcommittee on Intellectual Property
(Republican; Tillis)
202-224-6342, Brad_Watts@tillis.senate.gov

Erica Songer, Chief Counsel, Subcommittee on Intellectual Property
(Democratic; Coons)
202-224-5042, Erica_songer@judiciary-dem.senate.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Issues:

- Patents
- Trademarks
- Copyright



Section 2-5 a – Committees with Jurisdiction Over the Department

- Trade Secrets
- Oversight as it relates to intellectual property

Hearings:

- July 28, 2020: How Does the DMCA Contemplate Limitations and Exceptions Like Fair Use?
- June 2, 2020: Is the DMCA's Notice-and-Takedown System Working in the 21st Century?
- March 10, 2020: Copyright Law in Foreign Jurisdictions: How are other countries handling digital piracy?
- December 10, 2019: Oversight of Modernization of the United States Copyright Office
- December 3, 2019: Fraudulent Trademarks: How They Undermine the Trademark System and Harm U.S. Consumers and Businesses
- February 11, 2019: The Digital Millennium Copyright Act at 22: What is it, why was it enacted, and where are we now
- October 19, 2019: Promoting the Useful Arts: How can Congress prevent the issuance of poor quality patents?
- September 11, 2019: Innovation in America: How Congress can make our patent system STRONGER
- July 30, 2019: Oversight of the U.S. Copyright Office
- June 11, 2019: The State of Patent Eligibility in America: Part III
- June 5, 2019: The State of Patent Eligibility in America: Part II
- June 4, 2019: The State of Patent Eligibility in America: Part I
- April 30, 2019: World IP Day
- April 3, 2019: Trailblazers and Lost Einsteins: Women Inventors and the Future of American Innovation
- March 13, 2019: Oversight of the USPTO
- February 27, 2019: Examining the 2019 Annual Intellectual Property Report to Congress

Senate Committee on Small Business and Entrepreneurship (ESA, ITA)

Sen. Marco Rubio (R-FL), Chair

Sen. Ben Cardin (D-MD), Ranking Member

Key staff members: Meredith West, Staff Director (Republican)
202-224-5175; meredith_west@sbc.senate.gov

Susan Eckerly, Senior Adviser (Republican)
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Sean Moore, Staff Director (Democratic)
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Kevin Wheeler, Deputy Staff Director (Democratic)
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Section 2-5 a – Committees with Jurisdiction Over the Department

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Hearings:

- March 13, 2019, Dr. Charles Romine, Director of the NIST Information Technology Laboratory testified before the Senate Committee on Small Business and Entrepreneurship. The title of his hearing was "[Cyber Crime: An Existential Threat to Small Business.](#)"
- July 23, 2020: Capital Access for Minority Small Businesses: COVID-19 Resources for an Equitable and Sustainable Recovery

Issues:

- Access to Capital
- SBIR/STTR
- 8 (a)
- Minority Business
- Contracting/Procurement
- Cybersecurity
- Manufacturing

Legislation:

- S. 3548 CARES ACT - Congress authorized \$10 million in supplemental funding for the current MBDA business centers and minority chambers of commerce for education, training, and advising small and minority business enterprises in their recovery from the effects of the COVID-19 crisis



Section 2-5 a – Committees with Jurisdiction Over the Department

House Authorizing Committees

House Committee on the Budget (All of DOC)

Rep. John Yarmuth (D-KY), Chair

Rep. Steve Womack (R-AR), Ranking Member

Key staff members: Ellen Balis, Staff Director (Democratic)
202-226-7200; Ellen.Balis@mail.house.gov

Becky Relic, Staff Director (Republican)
202-226-7270; Becky.Relic@mail.house.gov



Section 2-5 a – Committees with Jurisdiction Over the Department

House Committee on Energy and Commerce (NTIA, MBDA, ITA)

Rep. Frank Pallone (D-NJ), Chair

Rep. Greg Walden (R-OR), Ranking Member

Key staff members: Jeff Carroll, Staff Director (Democratic)
202-225-2927; jeff.carroll@mail.house.gov

Mike Bloomquist, Staff Director (Republican)
202-225-3641; mike.bloomquist@mail.house.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Issues:

- 5G Deployment and Security
- Broadband Deployment, Adoption, and Mapping
- Cybersecurity
- Digital Economy (privacy, intermediary protection/online censorship)
- Internet Governance
- Public Safety/NG911/FirstNet
- Spectrum Management
- Telecom Supply Chain Risk Management
- SelectUSA

Legislation:

- H.R. 6624, the “Utilizing Strategic Allied Telecommunications Act of 2020”
- H.R. 451, the “Don’t Break Up the T-Band Act of 2019”
- H.R. 7310, the “Spectrum IT Modernization Act”
- H.R. 1328, the “Advancing Critical Connectivity Expands Service, Small Business Resources, Opportunities, Access, and Data Based on Assessed Need and Demand (ACCESS BROADBAND) Act”
- H.R. 6814, “Supporting Connectivity for Higher Education Students in Need Act”
- H.R.7022, the “Rural Broadband Acceleration Act”
- H.R. 4998, the “Secure and Trusted Communications Networks Act of 2019”
- H.R. 2, the “Moving Forward Act” (includes broadband-related provisions)
- H.R. 6800, the “HEROES Act” (included broadband-related provisions)
- H.R. 748, the “Coronavirus Aid, Relief, and Economic Security (CARES) Act” (broadband-related provisions)
- H.R. 4855, the "Clearing Broad Airwaves for New Deployment (C-BAND) Act"
- H.R. 4229, the "Broadband Deployment Accuracy and Technological Availability Act"
- H.R. 4227, the "Mapping Accuracy Promotes Services (MAPS) Act"
- H.R. 5000, the “Studying How to Harness Airwave Resources Efficiently (SHARE) Act of 2019”
- H.R. 4461, the "Network Security Information Sharing Act of 2019"
- H.R. 2881, the "Secure 5G and Beyond Act of 2019"
- H.R. 4500, the "Promoting United States Wireless Leadership Act of 2019"



Section 2-5 a – Committees with Jurisdiction Over the Department

- H.Res. 575, expressing the sense of the House of Representatives that all stakeholders in the deployment of 5G communications infrastructure should carefully consider and adhere to the recommendation of “The Prague Proposals”
- H.R. 3676, the “Measuring the Economic Impact of Broadband Act of 2019”
- H.R. 3375, the “Stopping Bad Robocalls Act”
- H.R. 583, the “Preventing Illegal Radio Abuse Through Enforcement (PIRATE) Act”
- H.R. 2760, the “Next Generation 9-1-1 Act of 2019”

Subcommittee on Communications and Technology (NTIA)

Rep. Mike Doyle (D-PA), Chair

Rep. Bob Latte (R-OH), Ranking Member

Key staff members: Alex Hoehn-Saric, Chief Counsel (Democratic)
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A.J. Brown, Counsel (Democratic)
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Kate O’Connor, Chief Counsel (Republican)
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Evan Viau, Professional Staff Member (Republican)
202-225-3641; evan.viau@mail.house.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:
Hearings:

Issues:

- Spectrum
- Privacy
- Data security
- Internet governance
- Broadband
- FirstNet

Subcommittee on Consumer Protection and Commerce (ITA, NTIA)

Rep. Jan Schakowsky (D-IL), Chair

Rep. Cathy McMorris Rodgers (R-WA), Ranking Member

Key staff members: Daniel Greene, Staff Director (Democratic)
202-225-2927; daniel.greene@mail.house.gov



Section 2-5 a – Committees with Jurisdiction Over the Department

Tim Kurth, Chief Counsel (Republican)
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Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Issue:

- Internet of Things

House Committee on Financial Services (BIS)

Rep. Maxine Waters (D-CA), Chair

Rep. Patrick McHenry (R-NC), Ranking Member

Key staff members: Charla Ouertatani, Staff Director (Democratic)
202-225-4247; charla.ouertatani@mail.house.gov

Stephen Cote, Staff Director (Republican)
202-225-7502; stephen.cote@mail.house.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Hearing:

- June 19, 2019: Subcommittee on National Security, International Development, and Monetary Policy Hearing on Promoting Economic Growth: Exploring the Impact of Recent Trade Policies on the U.S. Economy

Issues:

- Defense Production Act
- Trade Policy

Subcommittee on National Security, International Development and Monetary Policy

Rep. Emanuel Cleaver (D-MO), Chair

Rep. French Hill (R-AR), Ranking Member

Key staff members: Danielle Lindholm, National Security Director (Democratic)
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Phil Poe, Professional Staff Member (Republican)
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Subcommittee on Diversity and Inclusion

Rep. Joyce Beatty (D-OH-03), Chair

Rep. Ann Wagner (R-MO-02), Ranking Member



Section 2-5 a – Committees with Jurisdiction Over the Department

Key staff members: Erica Miles, Staff Director/Subcommittee on Diversity and Inclusion/
(Democrat)
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Lauri Ng, Counsel (Democrat)
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Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Hearing:

- July 7, 2020: *Subcommittee on Diversity and Inclusion - Access Denied: Challenges for Women- and Minority-Owned Businesses Accessing Capital and Financial Services During the Pandemic*

Issues:

- Minority Business
- Access to Capital

Legislation:

- H.R. 1432- The bill designates the Minority Business Development Agency as the Minority Business Development Administration.
- H.R. 6321- “Protections and Assistance for America's Consumers, States, Businesses, and Vulnerable Populations Act of 2020” provides MBDA with \$3 billion to support the implementation of the “Initiative to Build Growth Equity Funds for Minority Businesses.”
- H.R. 6348 - The bill requires MBDA to award a grant to fully implement the Initiative to Build Growth Equity Funds for Minority Businesses, which provides equity capital to invest in minority- and women-owned businesses.
- H.R. 7844 - Authorizes the Director MBDA to provide grant assistance for nonprofit economic development organizations to provide services for low- and moderate-income individuals who are aspiring entrepreneurs or seeking employment.
- H.R. 6869 -The bill establishes and provides funding for the Minority Business Development Agency, to award grants to facilitate support for minority businesses during COVID-19.



Section 2-5 a – Committees with Jurisdiction Over the Department

House Committee on Foreign Affairs (BIS, ITA)

Rep. Eliot Engel (D-NY), Chair

Rep. Michael McCaul (R-TX), Ranking Member

Key staff members: Jason Steinbaum, Staff Director (Democratic)
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Tim Mulvey, Communications Director (Democratic)
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Brendan Shields, Staff Director (Republican)
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Leslie Shedd, Communications Director (Republican)
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Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Hearings:

- March 26, 2019: Oversight and Investigations Subcommittee Hearing on Proposed Small Arms Transfers: Big Implications for U.S. Foreign Policy

Issues:

- Export Control Reform Act of 2018 implementation
- Military Civil Fusion
- Hong Kong
- Xinjiang
- Huawei
- ZTE
- Transfer of categories I-III items from the U.S. Munitions List to Commerce Control List
- Championing America Business through Diplomacy Act
- HFAC RM Michael McCaul (TX) legislation to abolish U.S. & Foreign Commercial Service within Commerce/ITA and transfer to State (H.R. 7408; H.R. 7549)



Section 2-5 a – Committees with Jurisdiction Over the Department

House Committee on Judiciary (PTO)

Rep. Jerry Nadler (D-NY), Chair

Rep. Jim Jordan (R-OH), Ranking Member

Key staff members: Perry Apelbaum, Staff Director/Chief Counsel (Democratic)
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Betsy Ferguson, Senior Counsel (Republican)
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Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Hearings:

- June 26, 2019: Oversight of the U.S. Copyright Office
- May 22, 2018: Oversight of the USPTO
- January 26, 2018 - Field Hearing in NY on Music Policy Issues

Issues:

- Patent litigation reform
- Trade secrets legislation
- Counterfeiting
- Patents for Humanity legislation
- Drug patents-related issues
- International trademark agreements/Lisbon Agreement
- International copyright agreements - Beijing Treaty on performers' rights and Marrakesh Treaty on increased access to print materials for those with print disabilities
- Copyright office restructuring
- America Invents Act implementation
- Privacy
- Internet governance
- Trademarks
- Copyright Policy
- USPTO operations

Subcommittee on Courts, Intellectual Property and the Internet (PTO)

Rep. Hank Johnson (D-GA), Chair

Rep. Martha Roby (R-AL), Ranking Member

Key staff members: Jamie Simpson, Chief Counsel (Democratic)
202-225-5741; jamie.simpson@mail.house.gov



Section 2-5 a – Committees with Jurisdiction Over the Department

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Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Hearings:

- November 19, 2019: The Patent Trial and Appeals Board and the Appointments Clause: Implications of Recent Court Decisions
- July 18, 2019: Counterfeits and Cluttering: Emerging Threats to the Integrity of the Trademark System and the Impact on American Consumers and Businesses
- May 9, 2019: Oversight of the USPTO
- March 27, 2019: Lost Einsteins: Lack of Diversity in Patent Inventorship and the Impact on America's Innovation Economy
- April 18, 2018: Safeguarding Trade Secrets in the United States

Subcommittee on Antitrust, Commercial, and Administrative Law (PTO)

Rep. David Cicilline (D-RI), Chair

Rep. Jim Sensenbrenner (R-WI), Ranking Member

Key staff members: Slade Bond, Chief Counsel (Republican)
202-226-7680; slade.bond@mail.house.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Issues:

- IP
- Antitrust
- China antitrust environment, international enforcement

Hearings:

- July 29, 2020: Online Platforms and Market Power, Part 6: Examining the Dominance of Amazon, Apple, Facebook, and Google



Section 2-5 a – Committees with Jurisdiction Over the Department

House Committee on Natural Resources (NOAA)

Rep. Raul Grijalva (D-AZ), Chair

Rep. Rob Bishop (R-UT), Ranking Member

Key staff members: David Watkins, Staff Director (Democratic)
202-225-6065; david.watkins@mail.house.gov

Parish Braden, Staff Director (Republican)
202-225-2761; parish.braden@mail.house.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Issues:

- Working waterfronts
- North Atlantic Right Whales
- Habitat Restoration and Protection
- Corals
- Offshore Wind
- Oil and Gas Development
- Endangered Species Act
- Enforcement
- IUU Fishing
- Seafood Import Monitoring Program
- Fisheries Disasters
- Salmon conservation (e.g., Pebble Mine and Central Valley Program biop)
- International Capacity Building and Human Rights Abuses
- Reauthorization of the Magnuson-Stevens Fishery Conservation & Management Act

Legislation:

- H.R. 3596 Keep America's Waterfronts Working Act

Subcommittee on Oversight and Investigations (NOAA)

Rep. TJ Cox (D-CA), Chair

Rep. Louie Gohmert (R-TX), Ranking Member

Key staff members: Vic Edgerton, Staff Director (Democratic)
202-225-6065; vedgerton@mail.house.gov

Meghan Holland, Counsel (Republican)
202-225-2761; meghan.holland@mail.house.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Hearings:

- Examining Opportunities to Improve Prevention and Response of Sexual Assault and Sexual Harassment (2020-02-27)



Section 2-5 a – Committees with Jurisdiction Over the Department

Issues:

- SASH

Subcommittee on Water, Oceans, and Wildlife (NOAA)

Rep. Jared Huffman (D-CA), Chair

Rep. Tom McClintock (R-CA), Ranking Member

Key staff members: Matt Muirragui, Staff Director (Director)
202-225-6065; matthew.muirragui@mail.house.gov

Rachel Gentile, Professional Staff Member (Democratic)
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Bill Ball, Subcommittee Staff Director (Republican)
202-225-2761; William.ball@mail.house.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Hearings:

- Examining the Threats to the North Atlantic Right Whale (2019-03-07)
- Legislative Hearing (2019-05-08)
- National Oceanic and Atmospheric Administration's FY 2020 Budget Request (2019-05-21)
- Legislative Hearing (2019-07-25)
- Oversight of NOAA's Report on Illegal, Unreported, and Unregulated Fishing (2019-11-14)
- Hearing on Legislation Regarding Ocean Issues (2020-01-14)

Issues:

- Magnuson-Stevens reauthorization
- Estuarine protection
- Sanctuaries
- Coastal resilience and inundation
- Red Snapper fisheries
- Sea Grant
- NOAA Corps
- Digital Coast
- Corals
- Fisheries Disasters
- Aquaculture
- Climate Change
- North Atlantic Right Whales

Legislation:

- H.R. 3115 Living Shorelines Act of 2019



Section 2-5 a – Committees with Jurisdiction Over the Department

- HR 737 Shark Fins Elimination Act of 2019
- HR 205 Protecting and Securing Florida’s Coastline Act of 2019
- HR 1218 American Fisheries Advisory Committee Act
- HR 1240 Young Fishermen’s Development Act
- HR 1237 Coast Research Act of 2019
- HR 1568 SAVE Right Whale Act
- HR 1979 Driftnet Modernization and Bycatch Reduction Act
- HR 3548 BLUE GLOBE Act

Subcommittee on Indigenous Peoples of the United States (All of DOC as it relates to Indian Affairs at the Department)

Rep. Ruben Gallego (D-AZ), Chair

Rep. Paul Cook (R-CA), Ranking Member

Key staff members: Chris Kaumo, Staff Director (Democratic)
202-226-6065; chris.kaumo@mail.house.gov

Chris Fluhr, Subcommittee Staff Director (Republican)
202-225-2761; chris.fluhr@mail.house.gov

Ken Degenfelder, Senior Professional Staff Member (Republican)
202-225-2761; ken.degenfelder@mail.house.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Issues:

- All matters on Native Americans, including Native Alaskans and Native Hawaiians
- Arctic and climate issues



Section 2-5 a – Committees with Jurisdiction Over the Department

House Committee on Oversight and Government Reform (Census, ESA)

Rep. Carolyn Maloney (D-NY), Chair

Rep. James Comer (R-KY), Ranking Member

Key staff members: Dave Rapallo, Staff Director (Democratic)
202-225-5051; dave.rapallo@mail.house.gov

Mark Marin, Staff Director (Republican)
202-225-5074; mark.marin@mail.house.gov

Courtney French, Senior Counsel (Democratic)
202-225-5051; Courtney.french@mail.house.gov

Dan Flores, Senior Counsel (Republican)
202-225-5074; Daniel.flores@mail.house.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Hearings:

- On June 4, 2019, Dr. Charles Romine, Director of the NIST Information Technology Laboratory testified before the House Committee on Oversight and Reform. The title and purpose of this hearing was "[Facial Recognition Technology: Ensuring Transparency in Government Use.](#)"
- On January 15, 2020, Dr. Charles Romine, Director of the NIST Information Technology Laboratory testified before the House Committee on Oversight and Reform. The hearing was entitled "[Facial Recognition Technology \(Part III\): Ensuring Commercial Transparency & Accuracy](#)". The purpose of the hearing was to examine the various ways that private sector entities use facial recognition technology; the potential transparency, privacy, accuracy, ownership, and security implications involved in its use and the partnerships these companies develop with government entities; and the possible legislative solutions that can be implemented to avoid these risks.
- July 29, 2020 Counting Every Person: Safeguarding the 2020 Census Against the Trump Administration's Unconstitutional Attacks
- February 12, 2020 Hearing with Census Director Steven Dillingham
- January 9, 2020 Reaching Hard-to-Count Communities in the 2020 Census
- July 24, 2019 Beyond the Citizenship Question: Repairing the Damage and Preparing to Count 'We the People' in 2020
- May 28, 2019 Getting Counted: The Importance of the Census to State and Local Communities
- March 14, 2019 Full Committee: Commerce Secretary Wilbur L. Ross Jr.

Issues:

- Face Recognition
- Cybersecurity
- Disclosure Avoidance



Section 2-5 a – Committees with Jurisdiction Over the Department

- 2020 Census Information

Legislation:

- H.R. 1668 IOT Cyber Improvement Act – Kelly (Introduced 6/2019) House Science/Oversight and Reform. This bill requires the National Institute of Standards and Technology (NIST) and the Office of Management and Budget (OMB) to take specified steps to increase cybersecurity for Internet of Things (IoT) devices. IoT is the extension of Internet connectivity into physical devices and everyday objects.
- S. Con. Res 31 introduced by Senator Brian Schatz (D-HI) recognizing the importance and significance of the 2020 Census and encouraging individuals, families, and households across the United States to participate in the 2020 Census to ensure complete and accurate count. It has been agreed to in the Senate and was referred to House Oversight and Reform Committee.

House Committee on Science, Space, and Technology (NOAA, NIST)

Rep. Eddie Bernice Johnson (D-TX), Chair
Rep. Frank Lucas (R-OK), Ranking Member

Key staff members: Dick Obermann, Chief of Staff (Democratic)
202-225-6375; richard.obermann@mail.house.gov

Josh Mathis, Staff Director (Republican)
202-225-6371; josh.mathis@mail.house.gov

Daneil Dziadon, Professional Staff Member (Republican)
202-225-6371; daniel.dziadon@mail.house.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:
Hearing:

- An Examination Of Federal Flood Maps In A Changing Climate (2020-02-27)

Issue:

- Implementation of the Weather Act (PL 115-25 & 115-423)
- Scientific Integrity
- Earth Prediction Innovation Center (EPIC)
- Ocean Exploration
- Flooding
- Fire Weather
- Space Weather
- NWS Operations, Staffing, and Hiring
- NOAA's major satellite programs
- Broadband programs
- Spectrum

Subcommittee on Energy (NOAA, NIST)



Section 2-5 a – Committees with Jurisdiction Over the Department

Rep. Lizzie Pannill Fletcher (D-TX), Chair
Rep. Randy Weber (R-TX), Ranking Member

Key staff members: Adam Rosenberg, Subcommittee Staff Director (Democratic)
202-225-6375; adam.rosenberg@mail.house.gov

Hillary O'Brien, Professional Staff Member (Republican)
202-225-6371; Hillary.obrien@mail.house.gov

Subcommittee on Environment (NOAA)

Rep. Mike Sherrill (D-NJ), Chair
Rep. Roger Marshall (R-KS), Ranking Member

Key staff members: Priyanka Hooghan, Staff Director (Democratic)
202-225-6375; priyanka.hooghan@mail.house.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:
Hearings:

- A Review of the NOAA FY2020 Budget Request (2019-04-30)
- The Future of Forecasting: Building a Stronger U.S. Weather Enterprise (2019-05-16)
- Field Hearing: Weathering the Storm: Improving Hurricane Resiliency through Research (2019-07-22)
- A Task of EPIC Proportions: Reclaiming U.S. Leadership in Weather Modeling and Prediction (2019-11-20)
- Space Weather: Advancing Research, Monitoring, and Forecasting Capabilities (2019-10-23)

Issues:

- Climate change
- Oceanic and atmospheric research
- National Weather Service
- Flooding
- Hurricanes
- NOAA's major satellite programs
- National Centers for Environmental Information

Legislation:

- **Coastal and Ocean Acidification Stressors and Threats (COAST) Act ([HR 1237](#))**, which amends and reauthorizes FOARAM.
- **Ocean Acidification Innovation Act ([HR 1921](#))**, which amends FOARAM to authorize Federal agencies to establish prize competitions relating to ocean acidification.
- **Coastal Communities Ocean Acidification Act ([HR 1716](#))**, which amends FOARAM and directs NOAA to conduct coastal community vulnerability assessments related to ocean acidification.



Section 2-5 a – Committees with Jurisdiction Over the Department

- **National Estuaries and Acidification Research (NEAR) Act ([HR 988](#))**, which provides for a National Academies of Science study examining the impact of ocean acidification and other stressors in estuarine environments.

Subcommittee on Research and Technology (NIST, NOAA)

Rep. Barbara Comstock (R-VA), Chair

Rep. Dan Lipinski (D-IL), Ranking Member

Key staff members: Dahlia Sokolov, Staff Director (Democratic)
202-225-6375; dahlia.sokolov@mail.house.gov

Brystol English, Professional Staff Member (Democratic)
202-226-6375; brystol.english@mail.house.gov

Jennifer Wickre, Senior Policy Advisor (Republican)
202-225-6371; jennifer.wickre@mail.house.gov

Cate Johnson, Professional Staff Member (Republican)
202-225-6371; catherine.johnson@mail.house.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:
Hearings:

- On December 5, 2019, Dr. Scott Weaver, Director, National Windstorm Impact Reduction Program testified before the House Committee on Science, Space, and Technology Subcommittee on Research and Technology and Subcommittee on Environment. The hearing, entitled "[Calm Before the Storm: Reauthorizing the National Windstorm Impact Reduction Program](#)" was focused on reviewing the activities of NWIRP.
- On September 10, 2019, Ms. Susan Ballou, Program Manager, Forensic Science Research Program testified before the House Committee on Science, Space, and Technology. The purpose of the hearing was to review the "[Progress and Future Needs of Forensic Science](#)".
- On June 25, 2019, Dr. Charles Romine, Director of the NIST Information Technology Laboratory testified before the House Committee on Science, Space and Technology, Subcommittee on Investigations & Oversight and Subcommittee on Research & Technology. The title and purpose of this hearing was "[Election Security: Voting Technology Vulnerabilities](#)."
- On May 21, 2019, Jason Averill, Chief of the Materials and Structural Systems Division testified before the House Committee on Science, Space, and Technology, Subcommittee on Investigations and Oversight. The title of this hearing was "[The Need for Resilience: Preparing America's Transportation Infrastructure for Climate Change](#)."
- On April 9, 2019, Dr. Walter G. Copan, Under Secretary of Commerce for Standards and Technology and Director of NIST testified before the House Committee on Science, Space and Technology, Subcommittee on Research and Technology. The purpose of the hearing was to review the [NIST Fiscal Year 2020 Budget Request](#).



Section 2-5 a – Committees with Jurisdiction Over the Department

- On March 26, 2019, Mr. Michael Molnar, Director of the NIST Office of Advanced Manufacturing testified before the House Committee on Science, Space and Technology, Subcommittee on Research and Technology and Subcommittee on Energy. The title of his hearing was "[Revitalizing American Leadership in Advanced Manufacturing](#)."
- On March 11, 2020, Dr. Walter G. Copan, Under Secretary of Commerce for Standards and Technology and Director of NIST testified before the House Committee on Science, Space, and Technology Subcommittee on Research and Technology. The hearing was entitled "[Reauthorization of the National Institute of Standards and Technology](#)" and was focused on highlighting NIST's plans and accomplishments in critical technology areas.
- On February 11, 2020, Rodney Petersen, Director of the National Initiative for Cybersecurity Education (NICE) testified before the House Committee on Science, Space, and Technology Subcommittee on Research and Technology. The hearing was entitled "[More Hires, Fewer Hacks: Developing the U.S. Cybersecurity Workforce](#)" and focused on exploring the challenges faced by organizations in both the public and private sectors in recruiting skilled cybersecurity professionals and discussed the strategies to expand and diversify the cybersecurity workforce pipeline to meet the demand.

Issues:

- NIST Reauthorization
- Artificial Intelligence
- 5G
- Face Recognition
- Forensics
- Cybersecurity
- International Standards
- Manufacturing
- Technology Transfer
- Materials
- Public Safety Communications
- Voting
- Climate Research
- National Weather Service

Legislation:

- **HR 1668 IOT Cyber Improvement Act** Kelly (Introduced 6/2019) House Science/Oversight and Reform. This bill requires the National Institute of Standards and Technology (NIST) and the Office of Management and Budget (OMB) to take specified steps to increase cybersecurity for Internet of Things (IoT) devices. IoT is the extension of Internet connectivity into physical devices and everyday objects.
- **HR 2051 Sustainable Chemistry R&D Act** Lipinski (passed House 10/2019 Senate Received 12/2019) House Science and Senate Commerce) This bill directs the Office of Science and Technology Policy to convene an interagency entity under the National Science and Technology Council with the responsibility of coordinating federal programs and activities in support of sustainable chemistry.



Section 2-5 a – Committees with Jurisdiction Over the Department

- **HR 4368 Justice in Forensic Algorithms Act** Takano (Introduced 09/2019) House Science/ Judiciary Committee. To prohibit the use of trade secrets privileges to prevent defense access to evidence in criminal proceedings, provide for the establishment of Computational Forensic Algorithm Standards, and for other purposes.
- **HR 4355 Identifying Outputs of Generative Adversarial Networks (DeepFakes)** Gonzalez (passed House 12/2019) House Science/Senate Commerce. This bill directs the National Science Foundation (NSF) and the National Institute of Standards and Technology (NIST) to support research on manipulated or synthesized media, including the output of generative adversarial networks. A generative adversarial network is a software system designed to be trained with authentic inputs (e.g., photographs) to generate similar, but artificial, outputs (e.g., deepfakes).

Subcommittee on Investigations Oversight (NOAA)

Rep. Bill Foster (D-IL), Chair

Rep. Ralph Norman (R-SC), Ranking Member

Key staff members: Janie Thompson, Staff Director (Director)
202-225-6375; janie.thompson@mail.house.gov

Thomas Connally, Counsel (Republican)
202-225-6371; Thomas.connally@mail.house.gov

Subcommittee on Space and Aeronautics (NOAA)

Rep. Kendra Horn (D-OK), Chair

Rep. Brian Babin (R-TX), Ranking Member

Key staff members: Pam Whitney, Staff Director (Democratic)
202-225-6375; pamela.whitney@mail.house.gov

Tom Hammond, Senior Policy Advisor (Republican)
202-225-6371; tom.hammond@mail.house.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Issues:

- NASA
- NOAA satellites
- CRSRA/OSC



Section 2-5 a – Committees with Jurisdiction Over the Department

House Committee on Transportation & Infrastructure (EDA, NOAA)

Rep. Pete DeFazio (D-OR), Chair

Rep. Sam Graves (R-MO), Ranking Member

Key staff members: Kathy Dedrick, Staff Director (Democratic)
202-225-4472; kathy.dedrick@mail.house.gov

Paul Sass, Staff Director (Republican)
202-225-9446; paul.sass@mail.house.gov

Key issues/legislation the committee has dealt with relevant to DOC in the 116th Congress:

Issues:

- Broadband Deployment/Dig-Once

Legislation:

- H.R. 6491 – Rural Broadband
- H.R. 2, the “Moving Forward Act” (includes broadband-related provisions)
- H.R. 7205, the “Nationwide Dig Once Act of 2020”
- H.R. 2692, the “Broadband Conduit Deployment Act of 2019”

Subcommittee on Economic Development, Public Buildings, and Emergency Management (EDA)

Rep. Dina Titus (D-NV), Chair

Rep. John Katko (R-NY), Ranking Member

Key staff members: Aaron Davis, Professional Staff Member (Democratic)
202-225-4472; aaron.davis@mail.house.gov

Johanna Hardy, Subcommittee Staff Director (Republican)
202-225-3014; johanna.hardy@mail.house.gov

Subcommittee on Water Resources and Environment (NOAA)

Rep. Grace Napolitano (D-CA), Chair

Rep. Bruce Westerman (R-AR), Ranking Member

Key staff members: Navis Bermudez, Professional Staff Member (Democratic)
202-225-4472; navis.bermudez@mail.house.gov

Ian Bennett, Subcommittee Staff Director (Republican)
202-225-4360; ian.bennett@mail.house.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Hearings:



Section 2-5 a – Committees with Jurisdiction Over the Department

- The Cost of Doing Nothing: Maritime Infrastructure Vulnerabilities in an Emerging Arctic (2019-05-08)
- National Oceanic and Atmospheric Administration's FY 2020 Budget Request (2019-05-22)

Issues:

- Coastal zone management
- Aquatic and invasive species
- Water Resources Development Act
 - Willamette Basin Allocation Biological Opinion

Legislation:

- Water Resources Development Act of 2020

Subcommittee on Coast Guard and Maritime Transportation (NOAA)

Rep. Sean Patrick Maloney (D-NY), Chair

Rep. Bob Gibbs (R-OH), Ranking Member

Key staff members: Dave Jansen, Subcommittee Staff Director (Democratic)
202-225-4472; dave.jansen@mail.house.gov

John Rayfield, Staff Director (Republican)
202-226-3552; john.rayfield@mail.house.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Issues:

- Oil spill response and restoration
- Marine debris

Legislation:

- H.R. 3969 - Save Our Seas 2.0 Act



Section 2-5 a – Committees with Jurisdiction Over the Department

House Committee on Ways and Means (ITA, ESA)

Rep. Richard Neal (D-MA), Chair

Rep. Kevin Brady (R-TX), Ranking Member

Key staff members: Brandon Casey, Staff Director (Director)
202-225-3625; brandon.casey@mail.house.gov

Gary Andres, Staff Director (Republican)
202-225-4021; gary.andres@mail.house.gov

Randy Gartin, Chief Tax Counsel (Republican)
202-225-4021; randell.gartin@mail.house.gov

Sean Clerget, Oversight Counsel (Republican)
202-225-4021; sean.clerget@mail.house.gov

Key issues/hearings the committee has dealt with relevant to DOC in the 116th Congress:

Issues:

- Section 232
- Trade Policy
- AD/CVD
- Uranium suspension agreement
- Tomatoes suspension agreement
- Sugar suspension agreement

Subcommittee on Trade (ITA)

Rep. Earl Blumenauer (D-OR), Chair

Rep. Vern Buchanan (R-FL), Ranking Member

Key staff members: Keigan Mull, Trade Counsel (Democratic)
202-225-6649; keigan.mull@mail.house.gov

Angela Ellard, Staff Director/Chief Counsel, Trade (Republican)
202-225-4021; angela.ellard@mail.house.gov



Federal Advisory Committee Act (FACA)

The Federal Advisory Committee Act (FACA) of 1972 (Public Law 92-463) was established to recognize the importance of seeking advice and assistance from our Nation's citizens. Federal Advisory Committees provide advice that is relevant, objective, and open to the public; act promptly to complete their work; comply with reasonable cost controls and recordkeeping requirements; and require government oversight through creation of the Committee Management Secretariat.

The Department of Commerce has approximately 60 Federal Advisory Committees listed below. They are established and operated based in compliance with FACA requirements. More detailed information on each DOC Advisory Council can be found on the Office of Privacy and Open Government website: <https://www.osec.doc.gov/opog/FACA/default.html>.

Bureau	Advisory Committee Name
Bureau of Economic Analysis	American Workforce Policy Advisory Board
	Bureau of Economic Analysis Advisory Committee
	Federal Economic Statistics Advisory Committee
Bureau of Industry and Security	Emerging Technology Technical Advisory Committee
	Information Systems Technical Advisory Committee
	Materials Technical Advisory Committee
	Regulations and Procedures Technical Advisory Committee
	Sensors and Instrumentation Technical Advisory Committee
	Transportation and Related Equipment Technical Advisory Committee
Bureau of the Census	Bureau of the Census Scientific Advisory Committee
	Census Bureau National Advisory Committee on Racial, Ethnic, Other Populations
Economic Development Administration	National Advisory Council on Innovation and Entrepreneurship
International Trade Administration	Advisory Committee on Supply Chain Competitiveness
	Civil Nuclear Trade Advisory Committee
	Department of Commerce Trade Finance Advisory Council
	Environmental Technologies Trade Advisory Committee
	Industry Trade Advisory Committee on Aerospace Equipment
	Industry Trade Advisory Committee on Automotive Equipment and Capital Goods
	Industry Trade Advisory Committee on Chemicals, Pharmaceuticals, Health Science Products and Services
	Industry Trade Advisory Committee on Consumer Goods
	Industry Trade Advisory Committee on Customs Matters and Trade Facilitation
	Industry Trade Advisory Committee on Digital Economy



Section 2-5 b – Federal Advisory Committees

International Trade Administration	Industry Trade Advisory Committee on Energy and Energy Services
	Industry Trade Advisory Committee on Forest Products, Building Materials, Construction, and Nonferrous Metals
	Industry Trade Advisory Committee on Intellectual Property Rights
	Industry Trade Advisory Committee on Small and Minority Business
	Industry Trade Advisory Committee on Standards and Technical Trade Barriers
	Industry Trade Advisory Committee on Steel
	Industry Trade Advisory Committee on Textiles and Clothing
	President's Advisory Council on Doing Business in Africa
	President's Export Council
	Renewable Energy and Energy Efficiency Advisory Committee
	United States Advanced Manufacturing Council
	United States Investment Advisory Council
	United States Travel and Tourism Advisory Board
	Industry Trade Advisory Committee on Services
Minority Business Development Agency	President's Advisory Commission on Asian Americans and Pacific Islanders
National Institute of Standards and Technology	Advisory Committee on Earthquake Hazards Reduction
	Board of Overseers of the Malcolm Baldrige National Quality Award
	Information Security and Privacy Advisory Board
	Judges Panel of the Malcolm Baldrige National Quality Award
	Manufacturing Extension Partnership Advisory Board
	National Construction Safety Team Advisory Committee
	Visiting Committee on Advanced Technology
	Civilian Innovation Advisory Board
National Oceanic Atmospheric Administration	Advisory Committee on Commercial Remote Sensing
	Hydrographic Services Review Panel
	Marine Fisheries Advisory Committee
	National Sea Grant Advisory Board
	NOAA Science Advisory Board
	Ocean Exploration Advisory Board
	United States Integrated Ocean Observing System Advisory Committee
National Telecommunications and Information Administration	Commerce Spectrum Management Advisory Committee
National Technical Information Service	National Technical Information Service Advisory Board



Section 2-5 b – Federal Advisory Committees

Office of the Under Secretary for Economic Affairs	Advisory Committee on Data for Evidence Building
U.S. Patent and Trademark Office	National Medal of Technology and Innovation Nomination Evaluation Committee



External Communications and Media

Executive Summary

The Department's Office of Public Affairs (OPA), within the Office of the Secretary, coordinates all official public affairs communications and media activities across the Department of Commerce (DOC). The Director of Public Affairs is the principal adviser to the Secretary on all public affairs and strategic communications matters. The Director is also responsible for the overall public information and speechwriting program of the Department, including policy oversight of the public affairs press staffs in the operating units; and serves as the primary liaison for the Department with other government agencies on strategic public affairs and communications matters.

The Department uses traditional external communication methods such as official press releases, speeches, op-eds, and fact sheet articles. During FY 2020, DOC issued about 112 official press releases, coordinated 46 Secretarial speeches, and published 12 op-eds. Through OPA, the Secretary also has access to an onsite video broadcast studio with the capability to produce audiovisual materials.

OPA also maintains the Department Headquarters' official website and social media accounts. Although the DOC bureaus and many subcomponent programs have their own official websites and social media accounts, OPA coordinates these activities and accounts via the bureau public affairs offices and the DOC Web Advisory Council. Within the Commerce.gov website, OPA manages the DOC public blog that contains information about DOC programs, priorities initiatives, and a variety of "guest" topics. OPA delivers this digital content via opt-in email distribution lists.

Although the Department maintains an official presence on most major social media platforms, two accounts get the most engagement is achieved via Twitter and Facebook. The DOC Twitter account (@CommerceGov) has about 392,000 followers. Each month DOC adds approximately 3,200 new followers to Twitter and posts/reposts anywhere from eight to sixteen times per day. The Department's Facebook page with over 65,000 followers and a The Department's YouTube channel has almost 3,000 subscribers and is updated anywhere from one to four times per month.

In addition to the Department's official Twitter account, the Secretary typically has his/her own official "Secretary of Commerce" Twitter account that is maintained by OPA. For example, Secretary Ross's official Twitter account (@SecretaryRoss) had about 105,400 followers as of October 2020. This account posted tweets from one to 6 times per day and gained about 1,500 new followers each month. These posts are thoroughly vetted by OPA beforehand going public.



Department’s Websites

The Department’s official website: commerce.gov gets over 35,000 site visits per month. While this is the Department Headquarters’ official website, DOC has about 400 different unique website domains that have their traffic tracked on the GSA’s website: analytics.usa.gov. According to this website which tracks traffic across more than 3,000 unique federal executive branch website domains, DOC regularly has the 2nd most viewed websites in total across all tracked federal government websites. The NOAA National Hurricane Center website nhc.noaa.gov is the topmost viewed DOC website in the Department, with nearly million visits in the last 30 days (as of October 15, 2020). The table below show the Department’s top 20 most-visited websites during a 30-day period.

- The DOC Headquarters website: commerce.gov ranks **33rd** in number of site visits across all DOC website domains during October 2020.

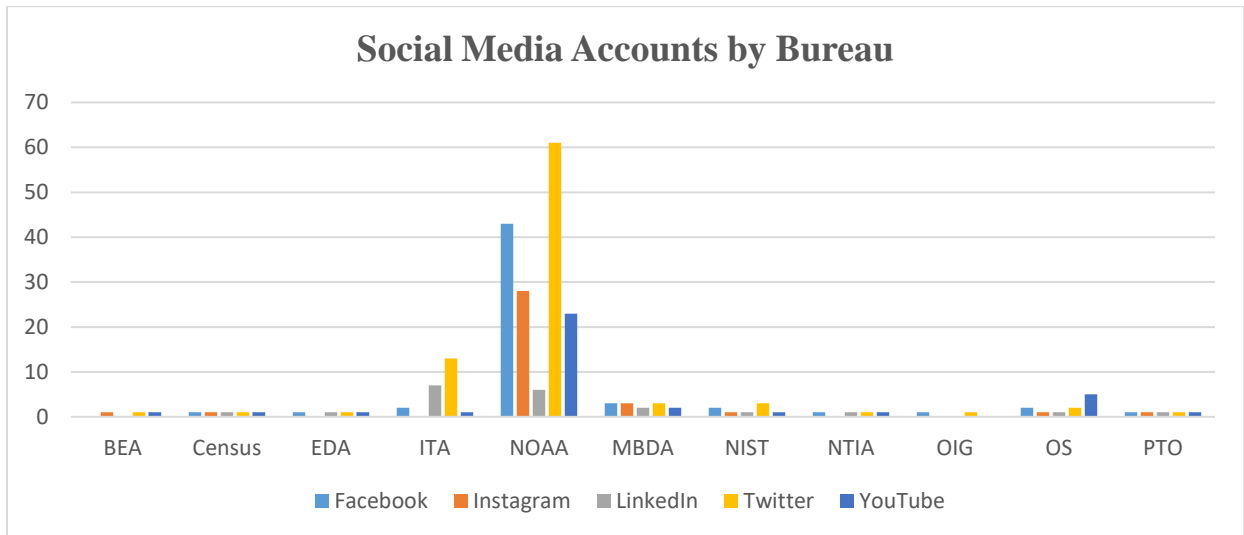
Top 20 DOC Website Domains Listed by Most Site Visits	Site Visits (30 Days)	Users (30 Days)
nhc.noaa.gov	49,812,519	9,669,505
forecast.weather.gov	41,489,958	9,155,544
weather.gov	16,653,166	6,331,229
census.gov	5,212,798	3,812,940
aviationweather.gov	3,168,709	898,737
2020census.gov	2,872,431	2,425,924
uspto.gov	2,682,286	1,229,362
ndbc.noaa.gov	2,405,038	694,668
star.nesdis.noaa.gov	2,364,812	787,497
water.weather.gov	1,664,110	695,133
oceanservice.noaa.gov	1,642,295	1,430,336
mobile.weather.gov	1,631,156	231,762
my.uspto.gov	1,267,886	437,223
nist.gov	1,115,647	904,152
wrh.noaa.gov	1,078,206	325,519
marine.weather.gov	1,052,987	407,828
wpc.ncep.noaa.gov	1,050,512	516,592
spc.noaa.gov	1,050,048	384,156
time.gov	815,965	337,897
nvd.nist.gov	657,537	462,132



Department’s Social Media Accounts

Across the entire Department of Commerce, 237 active social media accounts exist. Twitter and Facebook are the most used, with 88 active Twitter accounts and 68 active Facebook accounts. The two most active offices within DOC are within the National Oceanic and Atmospheric Administration (NOAA). They are the National Ocean Service and Oceanic and Atmospheric Research offices, respectively. Together they make up 37% of the DOC social media accounts. In fact, NOAA, manages 68% of all the active social media accounts within the Department. The chart below shows the number of DOC social media accounts.

The U.S Department of Commerce uses the social media accounts to deliver (i.e., post) information that is also published on the “News” section of the Commerce.gov website. For example, the DOC Blog’s “Commerce this Week” website post is also shared via social media posts. Also, bureau social media posts are often amplified by being “reshared” via the DOC Headquarters’ social media accounts.



Department’s Social Media Followers

Across all the Department’s social media accounts, the distribution of followers is very similar to the trend that exists for DOC website traffic. Specifically, the Department’s weather-related content get the most followers, site visits, and users. NOAA has the largest number of social media followers across the Department’s 11 bureaus accounts for most of the Department’s public communications reach.

- The DOC Headquarters Twitter account **ranks 4th in number of followers** across all DOC bureau and program Twitter accounts.
- The DOC Headquarters Facebook account **ranks 10th in number of followers** across all DOC bureau and program Facebook accounts.



Section 2-5 c - External Communications and Media

The following chart shows the top 20 DOC bureaus and offices listed by most Facebook followers and Twitter followers as of October 15, 2020.

Top 20 DOC Bureaus and Offices Listed by Most Followers	Facebook Followers	Twitter Followers
NOAA National Hurricane Center	1,766,083	44,400
NOAA National Weather Service	926,565	2,900,000
NOAA	647,796	1,100,000
NOAA National Prediction Center	343,640	94,000
NOAA Satellites	269,790	1,500,000
Census Bureau	217,463	116,600
NOAA Fisheries Service	79,028	50,500
NIST	73,327	63,600
NTIS	73,305	4,049
DOC Headquarters	65,542	390,000
NOAA NCEI	57,601	53,400
USPTO	53,829	54,900
EDA	46,567	16,500
ITA	43,928	40,300
MBDA	28,882	10,200
NOAA NWS Climate Prediction Center	26,621	18,900
NOAA Research	25,880	76,600
NTIA	561	15,000
BIS	N/A	1,999
BEA	N/A	19,500

Twitter: Approximately **7 million** total number of followers across DOC official accounts.

Facebook: Approximately **5 million** total number of followers across DOC official accounts.

Instagram: Approximately **1.5 million** total number of followers across DOC official accounts.

LinkedIn: Approximately **275,000** total number of followers across DOC official accounts.

YouTube: Approximately **100,000** total number of followers across DOC official accounts.



Links

Website: <https://www.commerce.gov/>

Blog: <https://www.commerce.gov/news/blog>

Press Releases: <https://www.commerce.gov/news/press-releases>

RSS Feed: <https://www.commerce.gov/rss>

Twitter: <https://twitter.com/commercegov>

Facebook: <https://www.facebook.com/Commercegov/>

LinkedIn: <https://www.linkedin.com/company/u-s-department-of-commerce/mycompany/>

YouTube: <https://www.youtube.com/channel/UCDk7XARReoJChTwu1WojgRQ>

Instagram: <https://www.instagram.com/commercegov/>



Senior Leadership Succession Summary

Senior Leader Position Title (Type of Political Appointment)	Designated Succession Career Official	Career Official's Current Title
Office of the Secretary (OS)		
Deputy Secretary (PAS)	Wynn Coggins	Deputy Assistant Secretary for Administration
Assistant Secretary for Legislative and Intergovernmental Affairs (PAS)	Mike Phelps	Director for the Office of Budget
General Counsel (PAS)	John Guenther	Associate Deputy General Counsel
Chief Financial Officer and Assistant Secretary for Administration (PAS)	Steve Kunze CFO Duties	Deputy Chief Financial Officer
	Jennifer Lane ASA Duties	Acting Chief Counsel for Industry and Security
Executive Secretary (NC)	Lisle Hannah	Acting Director Office of Facilities and Environmental Quality
Director of Public Affairs (NC)	Areaka McFadden	Deputy Director of Public Affairs
Office of the Inspector General (OIG)		
Inspector General (PAS)	Peggy Gustafson	Inspector General
Bureau of Industry and Security (BIS)		
Under Secretary for Industry and Security (PAS)	Jeremy Pelter	Acting Deputy Under Secretary for Industry and Security
Assistant Secretary for Export Administration (PAS)	Matthew Borman	Deputy Assistant Secretary for Export Administration
Assistant Secretary for Export Enforcement (PAS)	Kevin Kurland	Acting Deputy Assistant Secretary for Export Enforcement
Census Bureau		
Director of the Census (PAS term)	Steven Dillingham	Director of the Census
Economic Development Administration (EDA)		
Assistant Secretary for Economic Development (PAS)	Dennis Alvord	Deputy Assistant Secretary for Economic Development
International Trade Administration (ITA)		
Under Secretary for International Trade (PAS)	Diane Farrell	Acting Deputy Under Secretary for International Trade
Assistant Secretary for Enforcement and Compliance (PAS)	Christian Marsh	Deputy Assistant Secretary for Enforcement and Compliance
Assistant Secretary for Industry and Analysis (PAS)	Anne Driscoll	Deputy Assistant Secretary for Industry and Analysis



Senior Leadership Succession Summary

(Continued)

Senior Leader Position Title (Type of Political Appointment)	Designated Succession Career Official	Career Official's Current Title
Director General of the United States and Foreign Commercial Service and Assistant Secretary for Global Markets (PAS)	Dale Tasharski	Deputy Director General of the United States and Foreign Commercial Service
Minority Business Development Agency (MBDA)		
National Director (NC)	Edith McLeod	Associate Director of Management
National Institute of Standards and Technology (NIST)		
Under Secretary for Standards and Technology and NIST Director (PAS)	James Olthoff	Associate Director for Laboratory Programs
National Oceanic and Atmospheric Administration (NOAA)		
Under Secretary for Oceans and Atmosphere and NOAA Administrator (PAS)	Ben Friedman	Deputy Under Secretary for Operations
Assistant Secretary for Observation and Prediction, Deputy Administrator (PAS)	Stephen Volz	Assistant Administrator for the National Environmental Satellite, Data, and Information Service
Assistant Secretary for Oceans and Atmosphere, Deputy Administrator (PAS)	Paul Doremus	Deputy Assistant Administrator for Operations at National Marine Fisheries Service
National Telecommunications and Information Administration (NTIA)		
Assistant Secretary for Communications and Information and NTIA Administrator (PAS)	Douglas Kinkoph	Acting Deputy Assistant Secretary for Communications and Information
Undersecretary for Economic Affairs (OUSEA)		
Under Secretary for Economic Affairs (PAS)	Mary Bohman	Acting Director and Deputy Director for the Bureau of Economic Analysis
U.S. Patent and Trademark Office (USPTO)		
Under Secretary for Intellectual Property and Director USPTO (PAS)	Andrew Hirshfeld	Commissioner for Patents

(PAS) = Presidential Appointments with Senate Confirmation

(NC) = Noncareer Appointments



Office of the Secretary

Deputy Assistant Secretary for Administration

Wynn Coggins

Succession: Acting Deputy Secretary

Wynn Coggins is the Deputy Assistant Secretary for Administration where she supports the management, mission-enabling and administrative functions for the U.S. Department of Commerce. Ms. Coggins also serves as the Acting Executive Director for Enterprise Services, responsible for overseeing human resource, information technology, and acquisition shared-service solutions across the Department.

Prior to these roles, Ms. Coggins served as the Chief of Staff and principal advisor to the Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office (USPTO), supporting the implementation and execution of the operations, policies, priorities, and programs for the agency. Prior to her Chief of Staff role, she served as the USPTO Deputy Chief Administrative Officer responsible for supporting the development and delivery of all administrative functions for the agency related to strategic leadership, management, policy and oversight support for human resources, performance management, customer experience, recruitment and hiring, union relations, space and facilities, security and Agency-wide human capital and telework programs.

Ms. Coggins has been a frequent public speaker on topics related to human capital, Intellectual Property, and advocacy for expanding entrepreneurship and STEM opportunities to underrepresented groups. Ms. Coggins co-founded the USPTO's Network of Executive Women.

Ms. Coggins received an undergraduate degree in Civil Engineering from Clemson University and a Master of Science in Information Systems Technology with a concentration in Information Resources Management from The George Washington University School of Business and Public Management. She also received a Certificate of Advanced Public Management from The Maxwell School of Syracuse University.



Office of the Secretary

Director for the Office of Budget

Michael E. Phelps

Succession: Acting Assistant Secretary for Legislative and Intergovernmental Affairs

Michael E. Phelps serves as Director for the Office of Budget at the Department of Commerce. He oversees planning and directing the formulation of enterprise Departmental budgets exceeding \$9.2 billion annually. He leads a staff of 18 Budget and Program Analyst in developing, integrating, justifying, and defending the Department's resource requests to the Office of Management and Budget and to the Congress. He directs management and execution of resources supporting DOC priorities, as directed by the Secretary and Congress.

Mr. Phelps enlisted in the U.S. Air Force in 1975, serving 4 years as an accounting and finance specialist before returning to college and earning a commission as a second lieutenant in 1982 through the Reserve Officer Training Corps program. His subsequent 33-year military career spanned all levels of Air Force Financial Management and Comptrollership—he served in command and staff capacities, including assignments as an Accounting & Finance Officer, Budget Officer, Plans Staff Officer, Executive Officer, Squadron Commander, and Military Assistant to the Assistant Secretary of the Air Force for Financial Management and Comptroller.

Achieving the rank of Colonel, in his final Air Force assignment he served as Director, Financial Management and Comptroller, at Headquarters Air Combat Command (ACC) at Langley Air Force Base, Hampton, VA. As Chief Financial Officer and Principal Financial Advisor to the Commander of ACC, he provided hands-on leadership, strategic guidance and oversight for the management and execution of \$54 billion in appropriated dollars for ongoing operations, research and development, testing and engineering, military construction, and investments. He was responsible for a financial network of 1,100 Financial Managers collectively engaged in formulating, justifying, and executing ACC's \$5.8B annual operating budget, in supporting 105,000 military and civilian personnel deployed worldwide.

Mr. Phelps received his BS in Business Administration and Management and his Master of Public Administration, both from Troy State University. While on active duty, he completed progressive Air Force leadership development through Squadron Officer School, Professional Military Comptroller School, Air Command and Staff College, and Air War College.



Office of the Secretary

Associate Deputy General Counsel

John Guenther

Succession: Acting General Counsel

John K. Guenther is the Associate Deputy General Counsel. In that capacity he currently supervises the three Assistant General Counsels whose offices are responsible for providing all non-programmatic legal services to the Department, as well as the Department's Ethics Program and the Office of the General Counsel's Chief Administrative Officer. Since December 2019 he has also been delegated the duties of Chief Human Capital Officer and Director for Human Resources Management, reporting to the Office of the Chief Financial Officer and Assistant Secretary for Administration. John joined OGC's Employment and Labor Law Division (ELLD) in January 2000, after receiving his J.D. from the Georgetown University Law Center. From 2005 to 2008 he supervised ELLD's Headquarters and Census Teams. In 2008, he was recognized as the Department's Attorney of the Year for his efforts representing Commerce before the Nuclear Regulatory Commission, local government, and others, following a plutonium spill at NIST's Boulder Labs. In January 2009, John was appointed Deputy Chief of ELLD, and in May 2018 he was appointed ELLD's Chief. He has been the Associate Deputy General Counsel since March 2020. Before law school John spent several years teaching English at Indiana University, Bloomington, where he was also responsible for the university's Title VII and Title IX training and ran the office of Student Mediation Services. A native of Washington, D.C., John received his B.A. from Kenyon College and a M.A. from Indiana University. He is a member of the Maryland state bar.



Office of the Secretary

Deputy Chief Financial Officer

Steve Kunze

Succession: Acting Chief Financial Officer

Stephen Kunze serves as the Deputy Chief Financial Officer and Director for Financial Management within the Office of the Chief Financial Officer and Assistant Secretary for Administration (OCFO/ASA). In this role, he is responsible for financial management and accounting throughout the Department, for preparation of the Department's annual consolidated financial statements, and for development and implementation of a Department-wide integrated financial system. His responsibilities include promulgating financial management policy throughout the Department and for ensuring the Department's compliance with financial management laws and regulations, including the Chief Financial Officers' Act, the Government Management Reform Act, the Government Performance and Results Act and the Federal Financial Management Improvement Act. Mr. Kunze is also responsible for the Office of Secretary budget operations.

Mr. Kunze came to the Department of Commerce from the National Highway Traffic Safety Administration where he served as the Chief Financial Officer. From 2011 through 2015, Mr. Kunze served as the Chief Financial Officer for the Natural Resources Conservation Service (NRCS) in the Department of Agriculture. Prior to that, Mr. Kunze was the Deputy Chief Financial Officer for the National Institute of Standards and Technology (NIST). Stephen joined the federal government with IRS in 1987 as a Presidential Management Intern in the Chief Financial Officer's organization. Stephen was later nominated to the Excellence in Government Fellows program, an intensive results-oriented leadership program, in 1996 and is an active member of their Senior Fellows program.

Stephen received a B.A. in Political Science from Providence College and his master's in Public Affairs from Indiana University in Bloomington Indiana.



Office of the Secretary

Acting Chief Counsel for Industry and Security

Jennifer Lane

**Succession: Acting Assistant Secretary for
Administration**

Jennifer S. Lane is the Acting Chief Counsel for Industry and Security. In this role Ms. Lane manages the Office of the Chief Counsel for Industry and Security (OCC/IS) which is charged with providing legal services in support of the national security, foreign policy, and economic objectives of the Bureau of Industry and Security.

Prior to joining OCC/IS, Ms. Lane held several positions within the Department. Ms. Lane served as the career Senior Advisor to the Deputy Secretary providing advice on all Departmental program and mission support operations (HR, IT, Budget, and program oversight). While serving as a senior advisor, Ms. Lane served as the Chair for the Talent Acquisition Advisory Board, a governing and oversight body for the Department's enterprise-wide Talent Acquisition solution selected to transform the Department's recruitment and hiring processes.

Ms. Lane also previously served as Senior Counsel for the Assistant General Counsel for Administration and Transactions within the Department's Office of General Counsel (OGC) where she was coordinated legal services on multiple Departmental strategic initiatives. She was selected as the OGC Attorney of the Year in 2019.

Ms. Lane previously served as an Assistant General Counsel at the U.S. Trade and Development Agency (USTDA) where she provided transactional legal services on infrastructure development projects in emerging markets. While at USTDA, Ms. Lane also served as Acting Chief of Staff where she provided strategic counsel to the Agency's Director and staff on a range of management, programmatic, and personnel issues.

Ms. Lane received a Bachelor of Arts from the University of Virginia and her J.D. from the Howard University School of Law.



Office of the Secretary

**Acting Director Office of Facilities and Environmental
Quality**

Lisle Hannah

Succession: Acting Executive Secretary

Lisle Hannah is the Acting Director for the Office of Facilities and Environmental Quality. In this role, she supports the administrative and facilities management functions for the U.S. Department of Commerce. She leads policy for real property, personal property and fleet management, and environmental, energy and sustainability.

Prior to this role, Ms. Hannah was the Director of Facilities for AmeriCorps where she directed a complete transformation of the state offices to align them with new goals. She served as the Director of the Office of Administrative Services at the United States Patent and Trademark Office (USPTO) where she was a key advisor for administrative operations functions, including security and emergency management, leasing, asset management, conference services, and environmental health and safety. She led construction and operational management activities including stakeholder communications, cost and change management, and schedules.

Ms. Hannah received an undergraduate degree in Interior Design from Hood College. She completed the Federal Executive Institute's Leadership for a Democratic Society LDS-436, the Executive Master Class through Partnership for Public Service, and certification as a Facility Manager.



Office of the Secretary
Deputy Director of Public Affairs
Areaka McFadden

Succession: Acting Director of Public Affairs

Areaka McFadden serves as Deputy Director for Public Affairs in the Office of the Secretary. In this role, Ms. McFadden is responsible for supporting the Director in creating and executing strategies to build informed public support for the Department’s mission and strategic goals. She provides guidance and policy oversight for internal and external communications for the Department.

Ms. McFadden oversees the bureau communication offices to coordinate the execution of marketing/public relations strategies that allows the agency to cultivate and enhance meaningful relationships with targeted, high-level external stakeholders, including the media and key influencers.

Ms. McFadden manages the budget and day-to-day operations for the Office of Public Affairs and its staff. She identifies and allocates resources and initiates programs consistent with the Administration’s priorities and goals. Ms. McFadden also develops key performance measures and metrics that align with the Department’s strategic goals, assessing the effectiveness, efficiency, timeliness, communications, and outreach priorities.

During Ms. McFadden’s tenure at the U.S. Department of Commerce she has covered a wide range of issues from international trade to environmental, telecommunications, and export control regulations. She leads several working groups and communicates the Administration’s latest changes in policies, initiatives, and decisions to bureau communication teams.

Ms. McFadden is a native of the Washington, DC metropolitan area. She is a proud 28-year public servant to the American people and currently resides in Maryland with her husband and twin daughters.



Office of Inspector General

Inspector General

Peggy Gustafson

Succession: Inspector General

Peggy E. (Peg) Gustafson was sworn in as the Inspector General of the U.S. Department of Commerce on January 9, 2017. Ms. Gustafson was nominated by the President in March 2016 and confirmed by the Senate on December 10, 2016. Ms. Gustafson will lead a team of auditors, investigators, attorneys, and support staff responsible for reviewing and improving the Department's business, scientific, economic, and environmental programs and operations.

Before assuming her new post, Ms. Gustafson was the Inspector General of the U.S. Small Business Administration, a position she had held since October 2009. She previously served as General Counsel to Claire McCaskill (D-MO), where she advised the Senator on government oversight issues and helped write two bills that have significantly strengthened the federal offices of Inspectors General: the *Inspector General Reform Act of 2008* and the legislation that strengthened the office of Special Inspector General for the Troubled Asset Relief Program.

During her tenure as Chair of the Legislation Committee for the Council of Inspectors General on Integrity and Efficiency (CIGIE), Ms. Gustafson worked with lawmakers on legislation to ensure the continued independence of Inspectors General, including the *Inspector General Empowerment Act of 2016*, which passed Congress and was signed into law in December 2016.

From 1999-2007, Ms. Gustafson served as General Counsel in the Missouri State Auditor's Office. In that capacity she worked closely with the auditors on issues of the scope of their duties, the auditors' need to access records, and all other legal issues arising in the course of the audits. Ms. Gustafson also served as an assistant prosecuting attorney for Jackson County, Missouri, serving as the Chair of the Insurance Fraud Task Force, and as an assistant county counselor for Jackson County.

A native of Chicago, Illinois, she received her B.A. from Grinnell College in Grinnell, Iowa in 1989, and her Juris Doctor from Northwestern University in Chicago in 1992.



Bureau of Industry and Security

Acting Deputy Under Secretary for Industry and Security

Jeremy Pelter

Succession: Acting Under Secretary for Industry and Security

Jeremy Pelter serves as the Acting Deputy Under Secretary for Industry and Security. As Acting Deputy Under Secretary, Mr. Pelter manages the daily operations of the Bureau of Industry and Security (BIS) and advises the Under Secretary of Industry and Security on a broad range of management and policy issues.

Prior to joining BIS, Mr. Pelter served as the Senior Advisor to the Deputy Secretary of Commerce, advising the Deputy Secretary on issues related to policy and program implementation. Mr. Pelter entered the career senior executive service as the Chief Financial Officer and Director of Administration for the Economics and Statistics Administration (ESA). Before the Department of Commerce, Mr. Pelter served at the U.S. Small Business Administration (SBA) in several financial and operational positions. Additionally, Mr. Pelter was an inaugural Fellow of the White House Leadership Development Program, supporting trade policy. Prior to his federal career, Mr. Pelter worked in the non-profit sector in the Washington, D.C. metropolitan area.

Mr. Pelter earned his BA in Political Science from Indiana University and his MS in Management from the University of Maryland, University College. He holds certificates in Public Leadership and Program Management from the Brookings Institution and American University, respectively.



Bureau of Industry and Security

Deputy Assistant Secretary for Export Administration

Matthew Borman

Succession: Acting Assistant Secretary for Export Administration

Matthew S. Borman currently serves as the Deputy Assistant Secretary of Commerce for Export Administration. In this position, Mr. Borman is responsible for implementing the Bureau of Industry and Security's (BIS) controls on the export of dual-use and military items for national security, foreign policy, nonproliferation, and short supply reasons. In addition, he oversees BIS's programs to ensure that industrial resources are available to meet national and economic security requirements, BIS's implementation of the Chemical Weapons Convention, and BIS's implementation of the Additional Protocol to the US-IAEA Agreement. Prior to his appointment as Deputy Assistant Secretary, Mr. Borman served as Acting Chief of the Enforcement and Litigation Division of the Office of Chief Counsel for Export Administration.

As division chief, he was responsible for providing legal advice to the Export Enforcement unit of BIS, including the adjudication of administrative enforcement actions. Mr. Borman entered the Commerce Department in 1992 as an attorney in the Office of Chief Counsel for Export Administration. As an attorney in that office, Mr. Borman was responsible for a variety of matters, including attempts to revise the Export Administration Act, Congressional, General Accounting Office and Office of Inspector General investigations and studies, Freedom of Information Act requests, and export control cooperation with other countries.

Mr. Borman received his B.A. in History from Northwestern University, his M.A. from Northeastern University, and his J.D. from New York University School of Law.



Bureau of Industry and Security

Acting Deputy Assistant Secretary for Export Enforcement

Kevin Kurland

Succession: Acting Assistant Secretary for Export Enforcement

Kevin J. Kurland is currently the Acting Deputy Assistant Secretary for Export Enforcement, Deputy Chief of Staff-Policy to the Under Secretary for Industry and Security, and the Director of the Office of Enforcement Analysis (OEA) in the Department of Commerce's Bureau of Industry and Security (BIS).

OEA monitors and evaluates export transactions to ensure compliance with the Export Administration Regulations by conducting end-use checks, analyzing export transactions to develop investigative leads and support enforcement cases, and liaison with the Intelligence Community to provide intelligence support during review of license and related export transactions. He also served as a member of the White House Task Force on Export Control Reform from 2009-2017.

Mr. Kurland previously served BIS as Acting Chief of Staff for Export Administration from 2009-2011, Director of the Office of Technology Evaluation from 2006-11, and Director of the Treaty Compliance Division from 2002-06. Prior to joining BIS in 1997, he worked as an international trade analyst at Graham & James, LLC.

Mr. Kurland holds an M.A. in Comparative Regional Studies Europe from The American University and a B.A. in International Relations from Syracuse University.



Bureau of the Census

Director of the Census

Steven Dillingham

Succession: Director of the Census

Dr. Steven Dillingham was sworn in as the 25th Census Bureau Director on January 7, 2019.

Dillingham has more than 25 years of statistical, research, senior management, and legal experience in the federal government. Dillingham previously served as Director of the Bureau of Justice Statistics and the Bureau of Transportation Statistics. Both agencies support national surveys in partnership with the Census Bureau.

Before joining the Census Bureau, Dillingham served as Director of the Peace Corps Office of Strategic Information, Research, and Planning. Other federal service includes directing research and planning for the Department of Justice Trustee Program and directing surveys for the Office of Personnel Management. He was a career member of the Federal Senior Executive Service.

In addition, Dillingham was the Deputy Director for the National District Attorneys Association and Administrator of the American Prosecutors Research Institute. Dillingham has served on the faculties of the University of South Carolina and George Mason University. He is a Senior Certified Professional with the Society for Human Resource Management.

Dillingham earned his B.A. at Winthrop University, received his J.D., M.P.A., and Ph.D. from the University of South Carolina, and completed his M.B.A. at George Washington University and LL.M. at Georgetown University.



Economic Development Administration
Deputy Assistant Secretary for Economic Development

Dennis Alvord

Succession: Acting Assistant Secretary for Economic Development

Dennis Alvord serves as EDA's Deputy Assistant Secretary for Economic Development and Chief Operating Officer and is responsible for enterprise-wide operations and program execution. Mr. Alvord concurrently performed the duties of the Assistant Secretary and the Deputy Assistant Secretaries of Economic Development and Regional Affairs from April 2017 through March 2019.

Active in the Department, he was elected as Co-Chair of the Department Management Council, comprised of senior executives from all of Commerce's principal operating units. Previously, as Senior Advisor to the Deputy Secretary, he worked on a broad portfolio of department-wide management, operations, program and policy issues and co-chaired the Department of Commerce's 2016-17 Presidential Transition, coordinating efforts across the Department and with the White House and President Elect's Transition Team.

Preceding his Senior Advisor role, he led start-ups as Executive Director of Business USA, a government-wide, multiagency customer service initiative that promoted and improved access to business assistance resources, and as Executive Director of the Department of Commerce's Commerce Connect initiative, which simplified access to the Department's business solutions.

Before joining the federal government, Mr. Alvord worked as a manager in the infrastructure finance group of an environmental and transportation consulting practice. Mr. Alvord holds a Master of Public Administration from George Washington University, and a Bachelor of Arts in political science from the State University of New York College at Cortland. He is a recipient of the 2015 President's Award for Customer Service.



International Trade Administration

Acting Deputy Under Secretary for International Trade

Diane Farrell

Succession: Acting Under Secretary for International Trade

Diane Farrell is the Acting Deputy Under Secretary for International Trade. In that role, she oversees the daily operations of the International Trade Administration (ITA), which has an annual budget of \$483 million with approximately 2,100 trade and investment professionals—based in more than 100 U.S. cities and 70 markets around the world.

She most recently served as the Deputy Assistant Secretary for Asia, where she was the principal advisor to the Assistant Secretary for Global Markets on all matters concerning international economics, trade, investment, and commercial policy programs and agreements with respect to Asia. In this role, she also oversaw planning and execution of Commerce commercial diplomacy and export promotion strategies at United States Missions in Region Asia.

Previously, Ms. Farrell worked at the U.S. India Business Council (USIBC). As Executive Vice President, she oversaw business advocacy policy and government relations. Prior to joining USIBC, Ms. Farrell served on the Board of Directors at the Export Import Bank of the United States (U.S. Exim Bank). A Presidential appointee, confirmed by the U.S. Senate, she was responsible for voting on transactions in excess of \$10 million as well as significant policy matters. Her portfolio responsibilities included small business, India, Southeast Asia, and portions of Latin America. In addition, she was named a member of the White House Business Council. During her tenure at U.S. Exim Bank, India transactions expanded and diversified as aircraft sales and conventional and green energy projects, among others, led to India becoming the second largest country by U.S. dollar allocation in the bank's overall portfolio.

Before serving at U.S. Exim Bank, Ms. Farrell was elected as the First Selectwoman in Westport, Connecticut. A strong mayor form of government, she managed multi-million-dollar budgets within the Consumer Price Index and maintained the town's AAA bond rating at a time when significant infrastructure investment was taking place. She oversaw the construction of schools, a municipal wastewater treatment plant, affordable housing, and other necessary facilities. She also served as Chairwoman of the Southwestern Connecticut Regional Planning Agency Metropolitan Planning Organization that was responsible for federally funded transportation infrastructure in a vital commercial corridor. As a select member of the National League of Cities Transportation and Infrastructure Steering and Policy Committee, she helped set policy goals for transportation and infrastructure initiatives in support of cities and towns across the United States. Ms. Farrell holds a B.A. from Wheaton College Norton, Massachusetts with a degree in American Government.



International Trade Administration

Deputy Assistant Secretary for Enforcement and Compliance

Christian Marsh

Succession: Acting Assistant Secretary for Enforcement and Compliance

Chris Marsh serves as Principal Deputy Assistant Secretary at the International Trade Administration of the U.S. Department of Commerce. Chris previously served as Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, led Enforcement & Compliance's efforts to administer the U.S. trade remedy laws that protect U.S. industries and workers from unfair pricing by foreign companies and unfair subsidization of foreign companies by their governments. In this capacity, he oversaw an organization consisting of more than 170 staff in seven offices who conduct and enforce hundreds of trade remedy actions each year.

Chris worked in the international trade remedy field for more than 20 years, having spent much of it serving in various capacities with Import Administration, including four years as Director of the Office of Accounting.

Prior to being named Deputy Assistant Secretary, Chris was a partner at ITR, LLC, a private sector consultancy specializing in litigation support for trade remedy proceedings. In this capacity, he worked on behalf of both U.S. and foreign companies in antidumping and countervailing duty proceedings before Import Administration, the European Commission, and China's Ministry of Commerce, and in dispute settlement proceedings at the World Trade Organization. During his career, Chris has also served as a Senior Manager in Grant Thornton's consulting practice and as a manager in the tax and audit practices at Price Waterhouse Coopers.

Chris was born and raised in Denton, Texas. He is a Certified Public Accountant and a member of the American Institute of Certified Public Accountants. He received his B.A. in Economics from Harvard University in Cambridge, Massachusetts. Chris lives in Arlington, Virginia, with his wife, Peggy, and sons, Malcolm and Charlie.

Chris departed from ITA in December 2016 and returned December 2017 to serve as PDAS of E&C.



International Trade Administration

Deputy Assistant Secretary for Industry and Analysis

Anne Driscoll

Succession: Acting Assistant Secretary for Industry and Analysis

Anne Driscoll was appointed as the Principal Deputy Assistant for Industry and Analysis (I&A) in December 2016.

Ms. Driscoll oversees programs aimed at increasing the global competitiveness of U.S. of manufacturers and service providers. She manages over 200 professionals who provides unique sectoral and analytical expertise that underpins USG objectives on competitiveness, trade policy, and trade promotion. I&A makes data, analytical tools, and market intelligence easily accessible to U.S. businesses and government agencies to enable informed decision-making on complex trade issues to help and level the playing field for U.S. firms. I&A's sectoral and analytical capabilities support trade negotiations, combat Chinese industrial policy, execute required sector reviews for issues such as Section 201 cases, Section 232 exclusion cases, Committee on Foreign Investment in the United States (CFIUS) cases, and Free Trade Zone approval requests, and advance USG priority programs such as the U.S.-EU and U.S.-Swiss Privacy Shield.

Ms. Driscoll joined the Department in 1988, where she has held several positions dealing with U.S. trade relations with Latin America. As Director of the Office of Latin America and the Caribbean she managed a team of country specialists on matters pertaining to U.S.-Latin American trade policy, market access and trade compliance issues, and implementation of regional free trade agreements. She directed the Commerce Department's participation in the U.S.-Brazil CEO Forum and both the U.S.-Argentina and U.S.-Brazil Commercial Dialogues.

Various assignments in the Department include serving as Policy Advisor to the Under Secretary for International Trade, Chief Operating Officer of Select USA, and a Management Analyst at the National Institute of Standards and Technology. She was awarded the Department of Commerce's Gold Medal Award for her work in support of the NAFTA negotiations. She has also been twice awarded the International Trade Administration's Bronze Medal Award.

Ms. Driscoll graduated from Saint Anselm College in New Hampshire with a B.A. in Economics and received a master's degree in International Affairs from Columbia University in New York City. Prior to joining the Department of Commerce, she held various positions in banking and served as a Peace Corps Volunteer in Zaire, Africa.



International Trade Administration

Deputy Director General of the United States and Foreign Commercial Service

Dale Tasharski

Succession: Acting Director General of the United States and Foreign Commercial Service and Assistant Secretary for Global Markets

As the Deputy Director General of the U.S. and Foreign Commercial Service, Dale Tasharski serves as the chief operating officer of the U.S. government's premier export promotion agency, managing a network of more than 225 domestic and overseas trade offices, and a staff of more than 1400 trade professionals.

Dale previously served as the Deputy Assistant Secretary for Europe. In that role, he directed the Department's efforts to formulate trade policy and solve market access issues facing U.S. firms seeking to sustain and expand their business operations in Europe and Eurasia. In addition to overseeing a network of 29 Commercial Service field offices at U.S. embassies and consulates across the region, his responsibilities included developing and recommending policies, strategies, and programs to advance U.S. economic and commercial interests throughout Europe and Eurasia, as well as with the European Union.

Dale is a career Senior Foreign Service Officer with the personal rank of Minister-Counselor and 34 years of experience bringing U.S. and global businesses together. He has served in several positions overseas, in the U.S. field, and in headquarters. Before his current assignment in Washington, he was Minister-Counselor for Commercial Affairs at the U.S. Embassy in Berlin, Germany, as well as Regional Senior Commercial Officer for central Europe (2012-17). Prior assignments included Commercial Counselor at the U.S. Embassy in New Delhi, India (2006-11), Senior Commercial Officer at the U.S. Embassy in Dublin, Ireland (2002-06), and Senior Advisor for Commercial Service Officer career development and overseas assignments in Washington, DC (1999-2002). Prior to this, he served in Commercial Attaché positions in Tokyo, Japan (1995-99) and Warsaw, Poland (1990-94). Dale began his career as an international trade specialist in the Commerce Department's field offices in Greensboro, North Carolina (1985-86) and Nashville, Tennessee (1986-90).

He holds a bachelor's degree with Highest Honors in International Studies from the University of North Carolina at Chapel Hill (1983), and a Master's in Public and International Affairs from the University of Pittsburgh (1986).



Minority Business Development Agency

Associate Director of Management

Edith McLeod

Succession: Acting National Director

On September 27, 1999, Ms. McCloud became the first career Senior Executive Service manager to serve at MBDA in over 10 years. In this capacity she services as the agency's top executive during the transition of political administrations and directs the daily operations of the Office of Financial Management, Performance and Program Evaluation as well as the Office of Administrative and Employee Support Services.

In her position as Associate Director for Management, Ms. McCloud serves as the principal advisor to the MBDA Director and Deputy Director on management policy and practices and as liaison and coordinator of the various administrative functions of the Agency. The programs and activities under her control have a major impact on the overall operations of the Agency and its mission of fostering the growth and development of the Nation's minority-owned businesses.

Ms. McCloud brings to her position an extensive background in management policy coordination, program planning and evaluation, management analysis and review, budget and fiscal management and information resources management. She is responsible for developing the requirements for MBDA and for compliance under the Government Performance and Results Act; the Chief Financial Officers Act; the Information Technology Management Reform Act; the Federal Managers' Financial Integrity Act and the Freedom of Information Act. Ms. McCloud actively contributes to a corporate Commerce approach to management by participating in the Department Management Council. Her exceptional collaborative skills help the department develop goal-oriented performance.

Prior to her MBDA appointment, Ms. McCloud served for nearly two years as Executive Director, Howard University Small Business Development Center in Washington DC, and as Interim General Manager at the Washington DC Convention Center, where, for over 15 years, she held several senior management positions.

Ms. McCloud is a BA and MBA graduate of Howard University and currently resides in Bowie, Maryland. She was the recipient of a Presidential Rank Award in 2016.



National Institute of Standards and Technology

Associate Director for Laboratory Programs

James Olthoff

Succession: Acting Under Secretary for Standards and Technology and NIST Director

Dr. Olthoff provides direction and operational guidance for NIST's scientific and technical laboratory programs and serves as principal deputy to the Under Secretary of Commerce for Standards and Technology and NIST Director, among other duties.

Dr. Olthoff's position prior to ADLP was serving as the Director of Physical Measurement Laboratory (PML) where he was responsible for the maintenance, development, and dissemination of the U.S. national measurement standards. He also managed the full suite of NIST calibration services in dimensional, electromagnetic, ionizing radiation, mechanical, optical, thermodynamic, and time and frequency metrology. Dr. Olthoff joined the Applied Electrical Measurements Group at NIST (then the National Bureau of Standards) as a Research Physicist in 1987. In 2014, he was named PML Director after having served four years as PML's Deputy Director. Dr. Olthoff served as Deputy Laboratory Director of NIST's Electronics and Electrical Engineering Laboratory (2007-2010), Division Chief of Quantum Electrical Metrology Division (2003-2007), Division Chief of the Electricity Division (2000-2003), and in several supervisory and research positions.

Dr. Olthoff received his undergraduate degrees in physics and mathematics from Calvin College in 1980, and his Ph.D. in physics from the University of Maryland in 1985 in atomic, molecular and optical physics. He then held a two-year appointment at the Johns Hopkins School of Medicine before arriving at NIST. During his research career, Dr. Olthoff authored or co-authored more than 120 publications and co-authored or edited four books.

As part of his role in leading the U.S. measurement infrastructure, Dr. Olthoff has filled high-profile positions representing NIST and the United States within the international metrology community. Currently, Dr. Olthoff is the U.S. representative to the International Committee on Weights and Measures (CIPM) which oversees the International System (SI) of Units. Dr. Olthoff's previous international metrology responsibilities have included serving as the Chair of the Sistema Interamericano de Metrologia (SIM) Quality System Task Force (QSTF), representing SIM on the Joint Committee of the Regional Metrology Organizations (JCRB), and representing the U.S. on the SIM Council and SIM General Assembly. Dr. Olthoff currently serves as the President of the Board of the NCSL International, the U.S. representative to IMEKO, and the SIM Technical Committee Chair.



National Oceanic and Atmospheric Administration

Deputy Under Secretary for Operations

Ben Friedman

Succession: Acting Under Secretary for Oceans and Atmosphere and NOAA Administrator

Benjamin Friedman serves as the Deputy Under Secretary for Operations at NOAA. As the agency's Chief Operating Officer, he is responsible for the day-to-day management of the national and international operations for oceanic and atmospheric services, research and coastal and marine stewardship.

This is Ben's third position with NOAA, having previously served as Deputy General Counsel for the agency and Chief of the Office of General Counsel Enforcement Section. He brings more than 12 years of federal management and leadership experience.

Ben previously served as Assistant General Counsel for the Department of Commerce, where among other duties he oversaw employment, labor, litigation, and oversight matters for the Department and its bureaus. Prior to joining the Department of Commerce, he spent 16 years as a federal prosecutor with the Department of Justice, including four years in the Organized Crime and Racketeering Section and 12 years at the US Attorney's Office for the District of Columbia. While with the US Attorney's Office, he was responsible for managing two different trial sections and served as a Special Assistant to the US Attorney. Before joining the Justice Department, he was a clerk to Judge Pierce Lively on the Sixth Circuit Court of Appeals.

Ben is a 1989 graduate of Vanderbilt University with a B.S. in Molecular Biology and a 1993 graduate of Emory University Law School and the Emory School of Theology, where he earned a master's in theological studies. He is a native of Nashville, Tennessee, but has called Washington DC home for the last 22 years.



National Oceanic and Atmospheric Administration

Assistant Administrator for the National Environmental Satellite, Data, and Information Service

Stephen Volz

Succession: Acting Assistant Secretary for Observation and Prediction and Deputy Administrator

Dr. Volz has more than 30 years of professional experience in aerospace. As the head of NESDIS, he sets the strategic vision and implementation objectives for the Nation's civilian operational earth observing satellite fleet. Within NOAA he serves as the Co-Chair of the NOAA Observing Systems Council and is a member of the NOAA Executive Council. He is a leader in the international Earth observation community, serving as the NOAA Principal to the Committee on Earth Observation Satellites (CEOS) and to the Coordination Group for Meteorological Satellites (CGMS). He has also served as the NOAA and US Principal to the Executive Committee (ExCom) of the international Group on Earth Observations (GEO). In each of these roles Dr. Volz leads efforts to coordinate global satellite-based observations among international space agency partners and interested users of remote sensing earth observation data to further the development of a Global Earth Observation System of Systems, and to meet the global weather and environmental monitoring and forecasting efforts.

Prior to coming to NOAA, Dr. Volz worked at NASA Headquarters in the Earth Science Division, and at the Goddard Space Flight Center in satellite design, development, test and operations, including work on the Cosmic Background Explorer (COBE), among others. Dr. Volz worked in industry at Ball Aerospace and Technologies Corporation from 1997–2002, where he was the Project Manager for the Space Infrared Telescope Facility superfluid helium cryostat and other flight projects.

Dr. Volz has doctorate and master's degrees in physics from the University of Illinois at Urbana-Champaign, and a bachelor's in Physics from the University of Virginia.



National Oceanic and Atmospheric Administration

Deputy Assistant Administrator for Operations at National Marine Fisheries Service

Paul Doremus

Succession: Acting Assistant Secretary for Oceans and Atmosphere and Deputy Administrator

Dr. Doremus holds two leadership roles: As NOAA Fisheries' Chief Operating Officer, he oversees the agency's financial and administrative functions; establishes the organization's strategic direction and aligns its business units; leads its human resource and performance evaluation functions; ensures the agency has effective and efficient infrastructure for its mission, ranging from fleet and facilities to information technology and communications; and oversees its international affairs, seafood inspection, aquaculture, and law enforcement functions. Dr. Doremus also leads NOAA's strategic initiative to expand U.S. seafood production, primarily through aquaculture. In response to rising global demand for seafood and limited supplies from wild capture fisheries, he is working across government, industry, and the nonprofit sectors to provide a predictable regulatory environment and a robust research infrastructure for US-based aquaculture.

Before coming to NOAA Fisheries, Dr. Doremus was the Assistant Administrator for NOAA's Office of Program Planning and Integration. In this position, he was responsible for NOAA's long-term strategic plan, NOAA-wide strategy implementation, and corporate performance evaluation methods and measures. Before joining NOAA, Dr. Doremus served as Director of the Program Office for the National Institute of Standards and Technology (NIST). His prior work experience and academic background center on corporate strategy and performance management; portfolio planning and evaluation; science, technology, and environmental policy; and economics and political science. He received his B.A. in Political Science from the Pennsylvania State University and his Ph.D. in Government from Cornell University.



**National Telecommunications and Information
Administration**

**Acting Deputy Assistant Secretary for Communications
and Information**

Douglas Kinkoph

**Succession: Acting Assistant Secretary for
Communications and Information
and NTIA Administrator**

Doug Kinkoph is Acting Deputy Assistant Secretary of Commerce for Communications and Information. Kinkoph joined the Department of Commerce in 2010 and has served in several roles, working on issues including spectrum management, broadband, and public safety communications.

While serving as head of the Office of Telecommunications and Applications, Kinkoph created the agency's BroadbandUSA program, which works to promote broadband deployment and adoption across communities nationwide. He also oversaw a \$4 billion broadband grant program that funded the deployment of broadband infrastructure, public computer centers, sustainable adoption of broadband service, and statewide broadband planning.

Before joining the Department of Commerce, Kinkoph held multiple executive roles in the communications industry as well as in the public and private sectors as a telecommunications policy expert. He served as Vice President of Operations at Soundpath Conferencing where he was responsible for all sales, marketing, and customer service operations. His private sector experience also includes serving in senior regulatory and policy roles at XO Communications, Nextlink, and LCI.

Kinkoph earned his M.A. in Administration from Central Michigan University and his B.S. in Telecommunication Management from Ohio University.



Bureau of Economic Analysis
Acting Director and Deputy Director
Mary Bohman

Succession: Acting Under Secretary for Economic Affairs

Mary Bohman is the Acting Director and Deputy Director of the Bureau of Economic Analysis.

Dr. Bohman works with BEA's executive team to expand the agency's statistical programs and to shape the highest priority research projects in furthering BEA's mission.

Dr. Bohman is collaborating with BEA's researchers to bolster the impact and the effectiveness of BEA research. And, she has led the way in crafting a strategy to position BEA to be an employer of choice for the years to come.

Before joining BEA, Dr. Bohman spent more than 20 years with the Department of Agriculture in numerous positions, leaving her mark on research involving international trade, farm competitiveness, and data-driven policymaking.

At the Agriculture Department, Dr. Bohman was the administrator of USDA's Economic Research Service, where over a seven-year period she led initiatives to strengthen the quality of the agency's research and statistics, increase accountability through the development of metrics, and boost employee engagement through improved communications.

She was named a Fellow of the Agricultural & Applied Economics Association, the group's most prestigious honor, in recognition for her outstanding contributions to the agricultural economics profession.

Dr. Bohman received a doctorate from the Department of Agricultural Economics at the University of California, Davis, and earned a bachelor's degree from Georgetown University's School of Foreign Service.



United States Patent and Trademark Office

Commissioner for Patents

Andrew Hirshfeld

Succession: Acting Under Secretary for Intellectual Property and Director USPTO

Drew Hirshfeld is the Commissioner for Patents. He manages and leads the patent organization as its chief operating officer. He is responsible for managing and directing all aspects of the organization which affect administration of patent operations, examination policy, patent quality management, international patent cooperation, resources and planning, and budget administration.

During his time as Commissioner, Mr. Hirshfeld has led the Patent business unit by emphasizing both transparency and collaboration. He has managed efforts to ensure the consistency and reliability of patent grants. Mr. Hirshfeld has further played a lead role to ensure that the examining corps is provided with updated examination guidance and training.

Prior to serving as Commissioner for Patents, Mr. Hirshfeld held the positions of Deputy Commissioner for Patent Examination Policy and Chief of Staff to the Under Secretary of Commerce for Intellectual Property and Director of the USPTO. Mr. Hirshfeld began his career in 1994 as a Patent Examiner, he became a Supervisory Patent Examiner in 2001, and was promoted to the Senior Executive Service in 2008 as a Group Director in Technology Center 2100.

Mr. Hirshfeld received a Bachelor of Science from the University of Vermont, and a J.D. from Western New England College School of Law.



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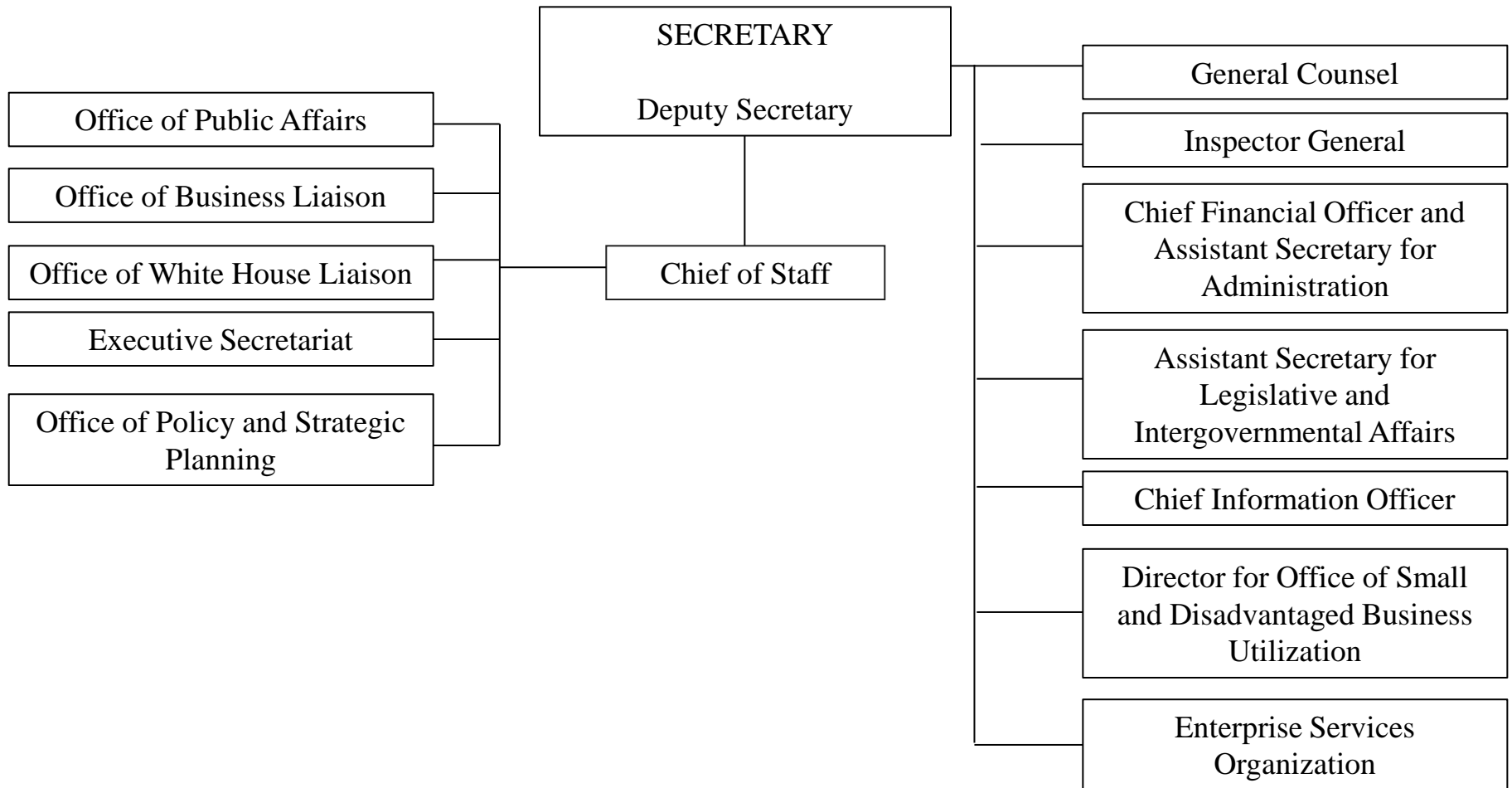
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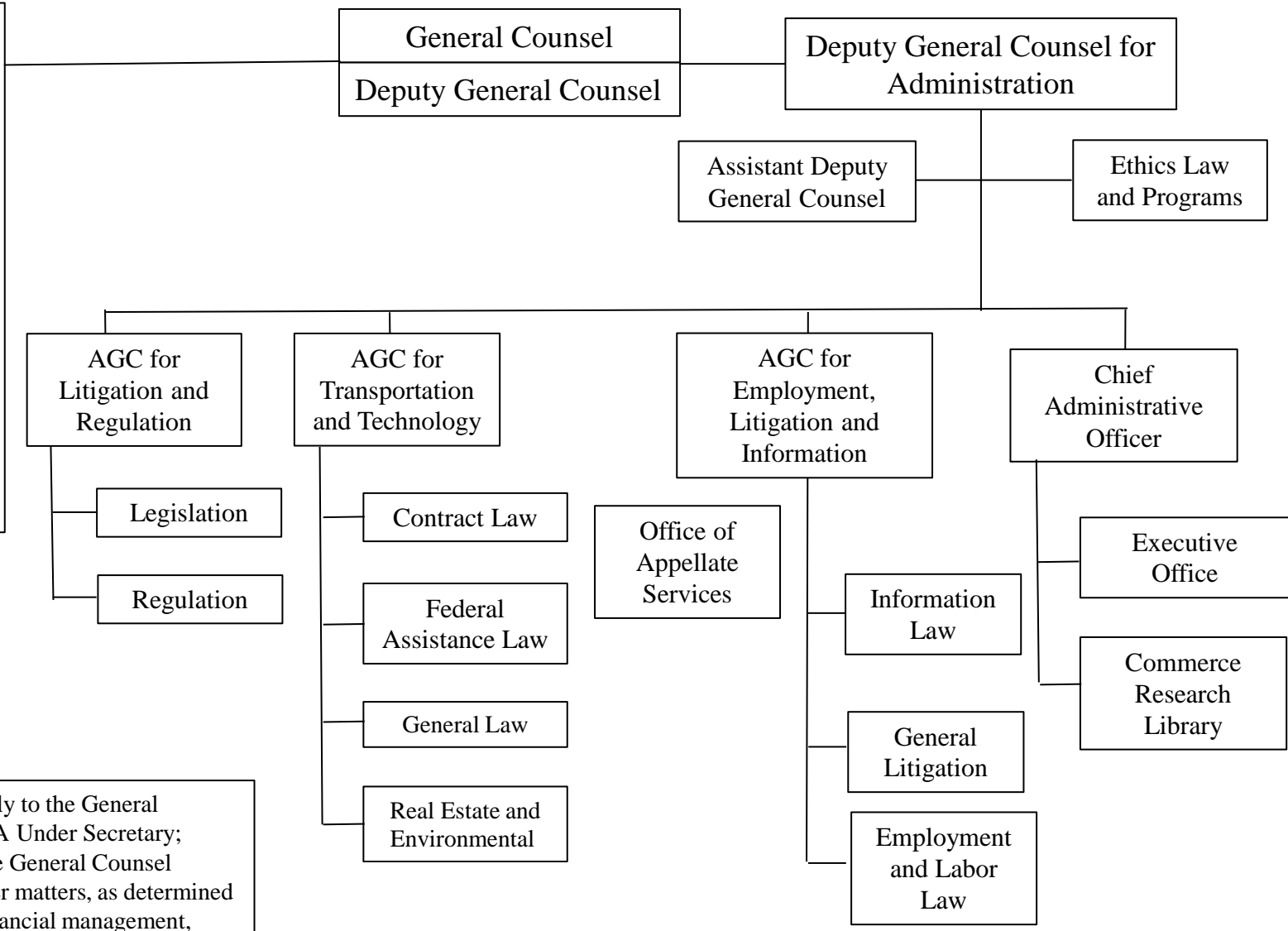
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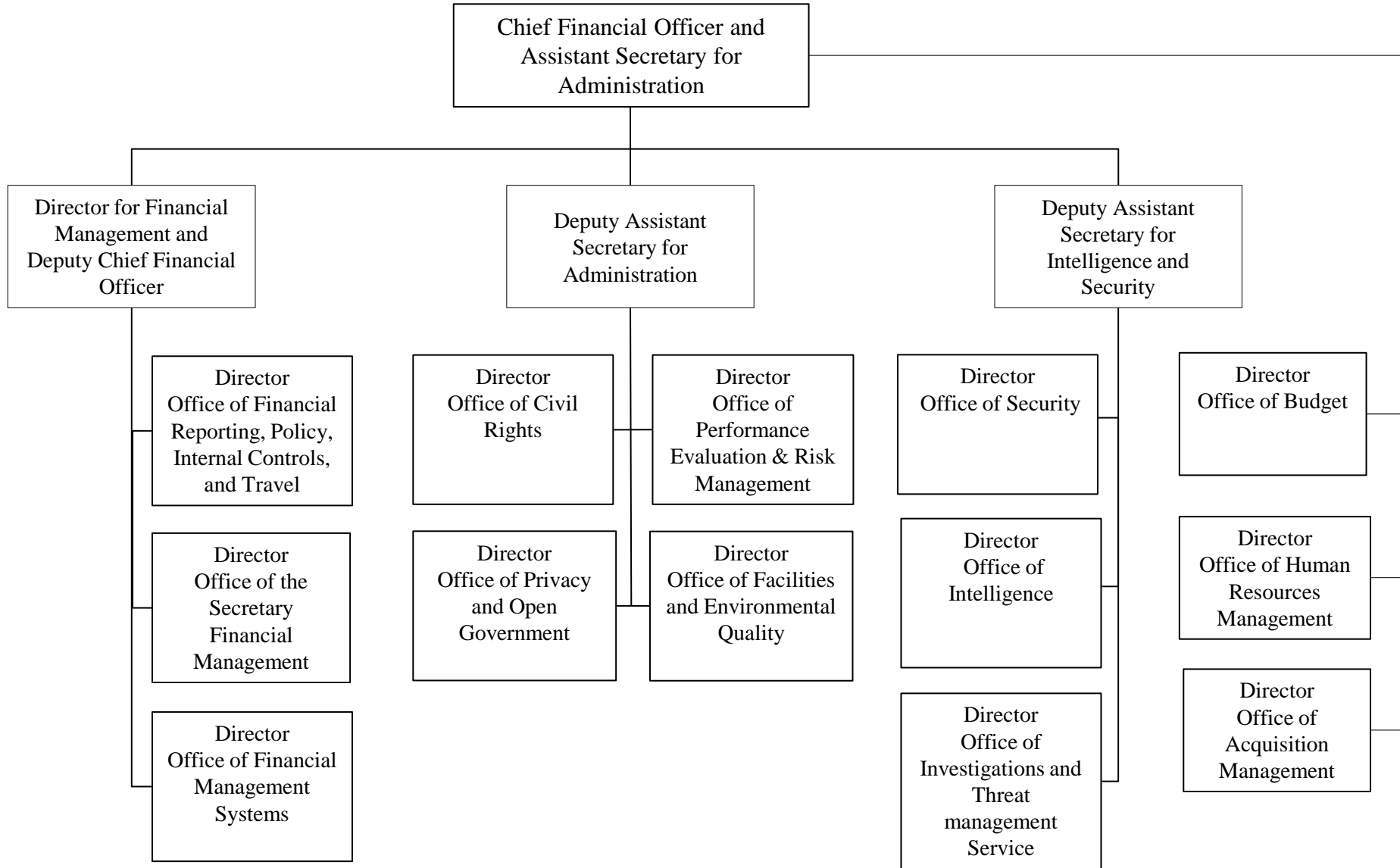
- Chief Counsels**
 Economic Affairs
 Economic Development
 Int'l Commerce
 FirstNet
 Industry & Security
 MBDA
 NIST
 NTIA
 Trade Enforcement & Compliance
 CLDP
General Counsels*
 NOAA
 PTO



*NOAA GC reports dually to the General Counsel and to the NOAA Under Secretary; USPTO GC reports to the General Counsel regarding policy and other matters, as determined by the Secretary, with financial management, budgeting, and personnel decisions of the USPTO GC being the responsibility of USPTO by statute.



Chief Financial Officer & Assistant Secretary for Administration

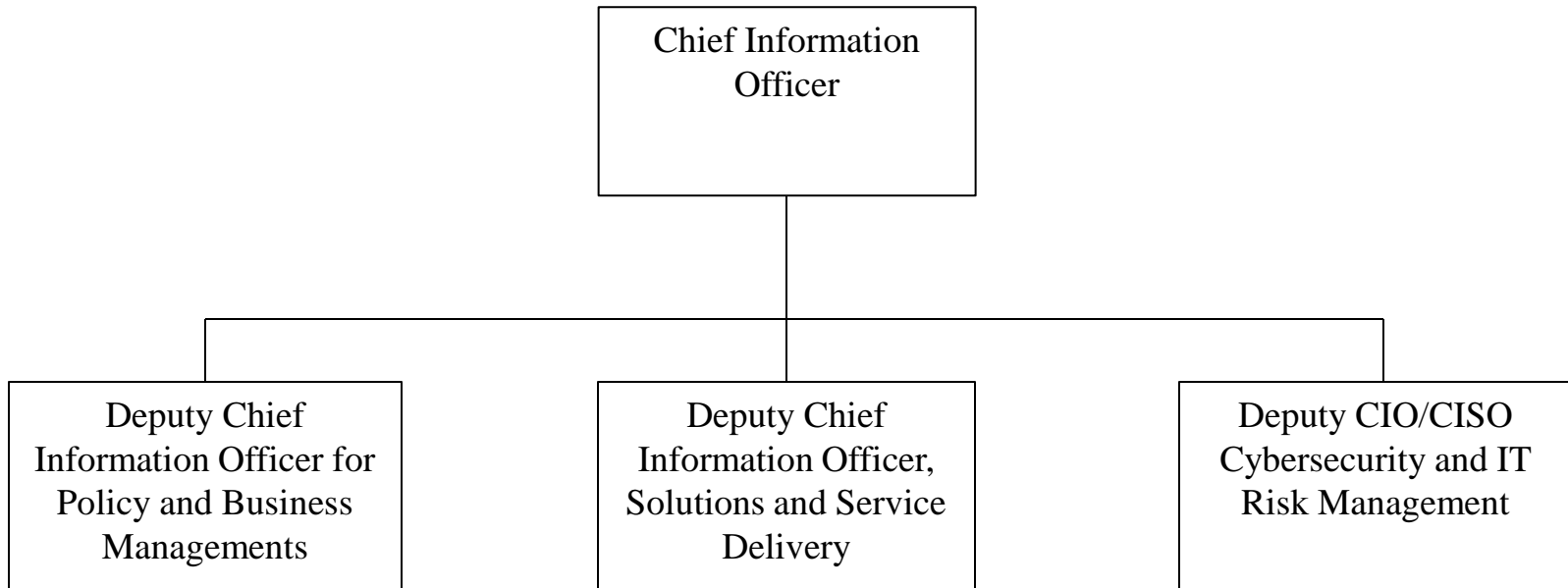


Differences from effective DOO dated 1/5/2011

1. New DAS for Intelligence and Security
2. Reorganized reporting structure of subcomponent offices
3. Eliminated DAS for Resource Management

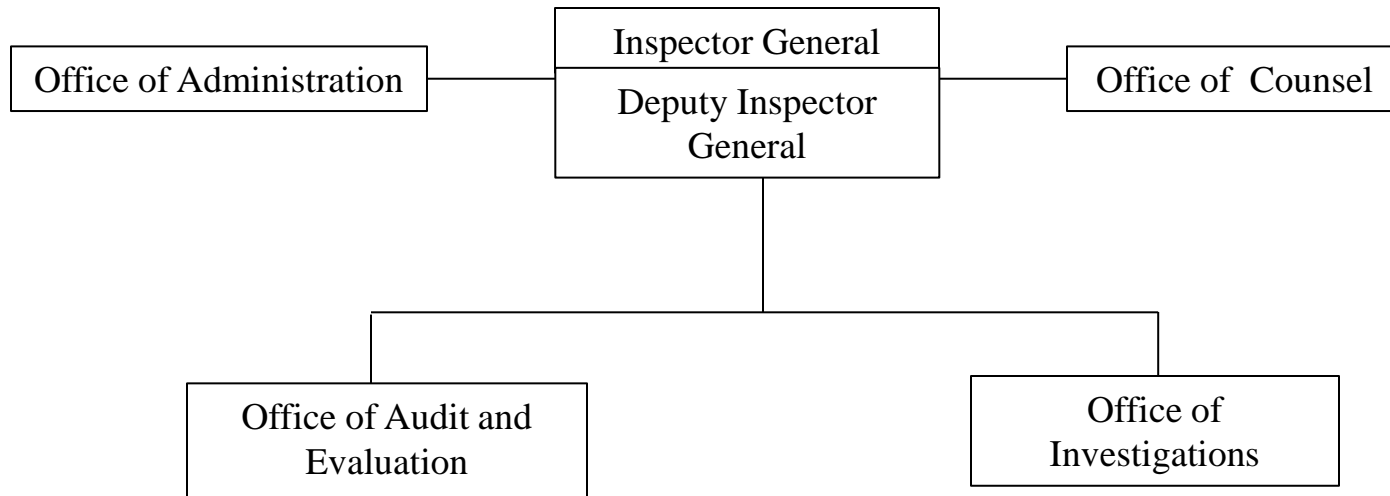


Chief Information Officer





Office of the Inspector General





Secretary of Commerce

Wilbur Ross

Wilbur L. Ross, Jr. was sworn in by Vice President Mike Pence as the 39th Secretary of Commerce on February 28, 2017. Secretary Ross is the principal voice of business in the Trump Administration, ensuring that U.S. entrepreneurs and businesses have the tools they need to create jobs and economic opportunity.

Secretary Ross is the former Chairman and Chief Strategy Officer of WL Ross & Co. LLC and has over 55 years of investment banking and private equity experience. He has restructured over \$400 billion of assets in the airline, apparel, auto parts, banking, beverage, chemical, credit card, electric utility, food service, furniture, gypsum, homebuilding, insurance, marine transport, mortgage origination and servicing, oil and gas, railcar manufacturing and leasing, real estate, restaurant, shipyard, steel, textile and trucking industries. Secretary Ross has been chairman or lead director of more than 100 companies operating in more than 20 different countries.

Named by Bloomberg Markets as one of the 50 most influential people in global finance, Secretary Ross is the only person elected to both the Private Equity Hall of Fame and the Turnaround Management Hall of Fame. He previously served as privatization adviser to New York City Mayor Rudy Giuliani and was appointed by President Bill Clinton to the board of the U.S.-Russia Investment Fund. President Kim Dae-jung awarded Secretary Ross a medal for helping South Korea during its financial crisis and, in November 2014, the Emperor of Japan awarded him the Order of the Rising Sun, Gold and Silver Star.

As a philanthropist, Secretary Ross has served as Chairman of the Japan Society, Trustee of the Brookings Institution and Chairman of its Economic Studies Council, International Counsel Member of the Musée des Arts Décoratifs in Paris, Trustee of the Blenheim Foundation, President of the American Friends of the Rene Magritte Museum in Brussels and Director of the Palm Beach Civic Association. He also was an Advisory Board Member of Yale University School of Management.

Secretary Ross is a graduate of Yale University and Harvard Business School (with distinction). He and his wife Hilary Geary Ross have four children, Jessica Ross, Amanda Ross, Ted Geary and Jack Geary.



Deputy Secretary of Commerce

Karen Dunn Kelley

Karen Dunn Kelley was confirmed by the U.S. Senate as the Deputy Secretary of the U.S. Department of Commerce on November 28, 2018.

Deputy Secretary Kelley is the Department's chief operations officer and day-to-day manager of a budget of \$11.4 billion, 12 operating units, and 47,000 employees. She is the principal deputy to the Secretary of Commerce and a member of the President's Management Council.

Prior to her confirmation as Deputy Secretary, Ms. Kelley served as the Under Secretary for Economic Affairs, overseeing the Department's statistical programs through the U.S. Bureau of the Census and the Bureau of Economic Analysis.

Deputy Secretary Kelley has 35 years of experience in the financial investment sector with experience managing people, strategy, budgets, operations, public relations, and thought leadership across the globe.

Before joining the U.S. Department of Commerce, Ms. Kelley served as Senior Managing Director of Investments at Invesco, a U.S.-based investment firm that manages more than \$800 billion in assets worldwide, with responsibility for overseeing Invesco's Global Core Equity, Quantitative Strategies, Asset Allocation, and Solutions teams.

She was a member of the Women's Bond Club of New York and a founding member of the Invesco Women's Network.

Ms. Kelley served on the board of several organizations in Pittsburgh, Pennsylvania, including Carlow University, Magee Women's Research Institute, and Shady Side Academy.

Deputy Secretary Kelley holds a B.S. Degree, Magna Cum Laude, from Villanova University, College of Commerce and Finance. She is married to Dr. Joseph L. Kelley, a physician. The couple have been married 31 years and have three children.



Office of the Secretary

**Chief of Staff performing the non-
exclusive duties of the General
Counsel**

Michael J. Walsh Jr.

Michael J. Walsh, Jr. is the Chief of Staff of the U.S. Department of Commerce. Secretary Ross has also delegated the duties of the General Counsel to him. Mr. Walsh joined the Department as the Deputy General Counsel from O'Melveny & Myers LLP, where he was a partner specializing in representing companies and their officers and directors in complex securities and ERISA class actions, shareholder derivative cases, internal and regulatory investigations, and SEC enforcement actions. He also served as the pro bono partner for his firm's Washington, DC Office. Mr. Walsh received his J.D. from Columbia Law School and his B.A. from Boston College.



Office of the Secretary

**Performing the non-exclusive duties
of the Assistant Secretary for
Legislative and Intergovernmental
Affairs**

Anthony Foti

Anthony Foti is performing the non-exclusive duties of the Assistant Secretary for Legislative and Intergovernmental Affairs at the United States Department of Commerce. In this capacity, Anthony is the principal liaison with the Administration, the United States Congress, Tribes and state and local governments. He is also responsible for coordinating and overseeing the Department's legislative activity, which entails working closely with the Appropriations, Oversight, and Authorization committees in the House and Senate to ensure Department priorities are considered throughout the legislative and oversight process. Mr. Foti routinely advises the Secretary of Commerce and other senior leadership in the Department on legislative matters and congressional relations. Finally, Mr. Foti also leads the confirmation process for all presidential nominees who require Senate approval to serve in the Department.

Before joining the Department of Commerce, Anthony previously served as the Chief of Staff to United States Congressman Dennis Ross of Central Florida. Prior to that, Anthony served for over a decade as senior policy advisor at the law firm of Akin Gump Strauss Hauer & Feld. He was also the District Director for United States Congressman Bill Paxon of Buffalo, New York.

Anthony received his undergraduate degree in Economics from the University at Buffalo and is currently pursuing his master's degree in National Defense and Strategic Studies at the United States Naval War College, with an anticipated graduation in the Fall of 2020.

Anthony, his wife and two children live in Alexandria, VA.



Office of the Secretary
**Director of Policy and Strategic
Planning**
Robert B. Blair

Mr. Blair is the Director of the Office of Policy and Strategic Planning within the Office of the Secretary of Commerce. Mr. Blair works with other senior Department leaders to set the Department’s policy priorities and develop and implement plans to achieve them. Mr. Blair focuses especially on telecommunications; semiconductors and other technologies; export control policy; and reopening the economy following the COVID-19 pandemic.

Mr. Blair previously served as United States Special Representative for International Telecommunications Policy. In this capacity, Mr. Blair led the strategic prioritization of United States efforts to promote a secure and reliable global communications system and served as a liaison to industry, non-governmental, and international stakeholders. Mr. Blair was also Senior Advisor to the Chief of Staff of the White House, supporting Presidential decision-making and policy coordination on matters relating to foreign policy, intelligence, and national security.

Before joining the White House, Mr. Blair was the Associate Director for Defense Programs at the Office of Management and Budget, where he oversaw approximately \$1.3 trillion of projects, programs, and activities at the Departments of Defense, State, and Veterans Affairs; the intelligence community; and other agencies implementing defense and foreign policy activities.

Mr. Blair served 14 years on the staff of the Appropriations Committee of the House of Representatives. He was the staff director of the Defense appropriations subcommittee, overseeing nearly \$700 billion of defense and intelligence programs. Before that, he was the staff director of the Energy and Water subcommittee, where he managed our nation’s investments into energy research and development, nuclear weapons, and water infrastructure. His first assignment on the Committee was as a professional staff member on the Foreign Operations subcommittee, where he focused on development and humanitarian assistance.

Mr. Blair began his federal service as a Peace Corps Volunteer in the Central African Republic. He grew up in Illinois and holds degrees from Cornell University, Tufts University, and the Fletcher School of Law and Diplomacy. He has received the Meritorious and Superior Honor Awards from the Department of State, and the Decoration for Distinguished Civilian Service from the Department of the Army. Mr. Blair lives in Virginia with his wife and three children.



Office of the Secretary (OS)

Mission

The mission of the Department of Commerce is to create the conditions for economic growth and opportunity. The Department works with businesses, universities, communities, and the nation’s workers to promote job creation, economic growth, sustainable development, and improved standards of living for Americans. The Office of the Secretary (OS) develops and implements policy affecting U.S. and international activities as well as the internal goals and operations of the Department. OS serves as the primary liaison with the executive branch, legislative affairs, and private-sector groups and acts as the management and administrative control point for the Department.

Locations and Workforce Demographic Trends

Overall Workforce: 893 federal employees^{1 2}

Headquarters: Washington DC, 767 federal employees as of August 31, 2020.

Field Offices: 10 field offices outside of Washington DC, ~ 126 federal employees as of August 31, 2020.

Historical Total Staffing Levels (Positions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President’s Budget
205	218	219	209	331

Budget Trend – Appropriations (\$ in Millions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President’s Budget
\$62.0	\$108.1	\$63.0	\$82.0	\$135.3

Principal Responsibilities

The Office of the Secretary, also known as Departmental Management (DM) released its FY 2021 President’s Budget request on February 28, 2020, the Administration’s scheduled President’s Budget release date. The DM objective is to develop and provide policies and

¹ This includes workforce supporting the Working Capital Fund and the Advances and Reimbursements accounts.

² This includes 97 federal employees in the Immediate Office of the Secretary.



procedures for administrative planning, oversight, coordination, direction, and guidance to ensure implementation of the Department's mission. DM's FY 2021 request includes \$135.3 in direct appropriations and \$370.4 million in Working Capital Fund and Advances & Reimbursements projects:

- **Salaries and Expenses** (282 positions and \$96.1M)
- **Herbert C Hoover Building Renovation and Modernization** (5 positions and \$1.1M)
- **Nonrecurring Expenses Fund** (44 positions and \$38.0M)
- **Working Capital Fund** (725 positions and \$260.4M)
- **Advances & Reimbursements** (60 positions and \$110.1M)

Of note, DM's FY 2021 Budget includes funding for the Office of Space Commerce, which focuses on various sectors of the space commerce industry. The request includes funding for a Continuity of Operations (COOP) and Continuity of Government (COG) location for both classified and unclassified environments.

In addition, this budget continues critical investments in Commerce's Business Applications Solution (BAS) project. Funding is requested to continue Phase I Implementation Activities to support administrative management systems (financial management, acquisition, property), enterprise data warehouse and business intelligence reporting solutions across Commerce.

For more information about the specific initiatives in the FY 2021 DM President's Budget, please see our budget summary at: https://www.commerce.gov/sites/default/files/2020-02/fy2021_dm_congressional_budget_justification.pdf

The Office of the Secretary is comprised of four main operating units including:

Immediate Office of the Secretary's - mission is to support operations to foster, promote, and develop the foreign and domestic commerce of the United States. This has evolved, as a result of legislative and administrative actions, to encompass broadly the responsibility to foster, serve and promote the nation's economic development and technological advancement. Staff within this office provide mission enabling services that range from strategic planning, communications and policy to the budget, operations and administrative support to the Secretary, Deputy Secretary, Chief of Staff, Executive Secretariat, Office of Business Liaison, Office of Legislative and Intergovernmental Affairs, Office of Policy and Strategic Planning, and the Office of Public Affairs. The Immediate Office of the Secretary also manages and convenes several intra-departmental councils that are used to manage overall operations and ensure consistent execution across the entire enterprise.

A key initiative within the Office of the Secretary is to expand the Office of Space Commerce, which focuses on various sectors of the space commerce industry, including satellite navigation (GPS), commercial remote sensing, space transportation and entrepreneurial activities. Additional funding will enable the Office to respond to current and future National Space Policy Directives, specifically, the direction for Commerce to ensure the continued provision of and improvement on space situational awareness data and services, as well as new directives to streamline regulations and promote commercial use of space.



Office of the Chief Financial Officer and Assistant Secretary for Administration (OCFO/ASA) - leads the management of the Department's financial and administrative functions including budget, acquisition, financial management, human resources, civil rights, security, privacy and open government, and facilities. OCFO/ASA establishes and monitors implementation of Departmental policies and procedures for administrative functions affecting program operations in Commerce's operating units and coordinates implementation of Government-wide and Departmental reforms. It ensures the accountability for the Department's various corporate resources, provides service to our direct customers, assists bureaus in servicing their customers, and guides the Departmental policy-making process from a management perspective.

The CFO/ASA office is engaged in the revamping of human resources services to the Department through a Talent Acquisitions full-service recruitment and hiring solution, supported by a technology platform consisting of application tracking, onboarding, and cognitive recruitment tools. Talent Acquisitions will deliver Software as a Service and Hiring as a Service to participating bureaus.

Office of the Chief Information Officer (OCIO) - leads the management of information resources throughout the Department, ensuring that the Department's programs make full and appropriate use of its Information Technology (IT). OCIO implements Government-wide and Departmental policies, programs and activities in all aspects of IT management, including IT security and providing analysis, design, development, support, and oversight for Department automated systems for administration and provides Department-wide coordination and technical support for the development and operation of IT resources, including telecommunications. Its mission is to provide the IT leadership, vision, and guidance necessary to advance the Department's mission and strategic plan, improve management effectiveness, and deliver superior results to our customers and the citizens of the United States.

Office of General Counsel (OGC) - which provides legal advice, guidance and services on matters involving Departmental programs and components and supervises the development of the Department's legislative program and the delivery of effective legal services for the growing needs of major programs. The General Counsel is appointed by the President, by and with the advice and consent of the Senate, and is the chief law officer of the DOC and legal adviser to the Secretary, the Undersecretaries, the Assistant Secretaries, and other officers of the Department, including Bureau heads. The General Counsel and the Deputy General Counsel direct the operation of 12 offices that report directly to the General Counsel and oversee the legal work of five bureau legal offices.^{3, 4}

³ These legal offices, which include National Oceanic and Atmospheric Administration, US Patent and Trademark Office, National Telecommunications and Information Administration, Economic Development Administration (EDA), and FirstNet, receive their funding and positions from their bureaus appropriations and are part of the bureaus' reporting lines, but receive their legal policy guidance from the General Counsel.

⁴ The Chief Counsel for EDA reports directly to the Deputy General Counsel; however, positions supporting the legal efforts of EDA are embedded within EDA.



Strategic Partnerships, Key Stakeholders, and Interagency Groups

The Office of the Secretary engages closely with the White House and particularly the Office of Management and Budget (OMB). Specifically, the Deputy Secretary represents the Department as a member of the President’s Management Council (PMC). The Department is also highly engaged with the OMB Performance Improvement Council (PIC) to coordinate the Department’s strategies and progress reporting on multiple high-priority Administration initiatives outlined in the President’s Management Agenda (PMA).

To promote understanding and support of the Department’s budget initiatives, the Budget Office works closely with the Department of Commerce, Congressional appropriations staff, the Office of Management and Budget, and external stakeholders.

Key leadership councils within the Office of the Secretary include the Department Management Council, the Chief Financial Officer’s Council, the Chief Information Officers Council, the Federal Acquisition Council, and the Chief Human Capital Officers Council.

Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

The FY 2022 President’s Budget will likely be submitted to Congress in the first 100 days. The budget will include funding proposals for every Commerce Bureau and program.

Awaiting Decisions (first 100 days from 1/20/21)

- The Commerce Business System, a 20-year-old financial system, needs to be replaced. The technology is unsupported resulting in high costs and IT deficiencies. DM needs continued support for the new Business Applications Solution (BAS) project from OMB and Congress in approving non-expenditure transfers of expired accounts across the Department to fund this initiative.
- Awaiting a decision regarding whether Office of Space Commerce will be elevated from the National Oceanic and Atmospheric Administration to the Office of the Secretary. Recent President’s budgets have proposed elevating and expanding this office; and an independent study National Academy of Public Administration supported this initiative. Specifically, the FY 2021 Congressional Budget Request, NOAA requests a technical adjustment to transfer \$1,800,000 and 6 FTE/ 6 positions from the NESDIS ORF Commercial and Remote Sensing and Regulatory Affairs Subactivity and \$2,300,000 and 3 FTE/ 5 positions from the NESDIS ORF Office of Space Commerce Subactivity, to the Department of Commerce ORF Operations and Administration Subactivity.” So far, Congress has not supported this proposal.

Quick Wins (first 100 days from 1/20/21)

- Successful implementation of Enterprise Service’s Talent Acquisition initiative.
- Successful funding of Commerce’s Business Applications Solution (BAS) project.

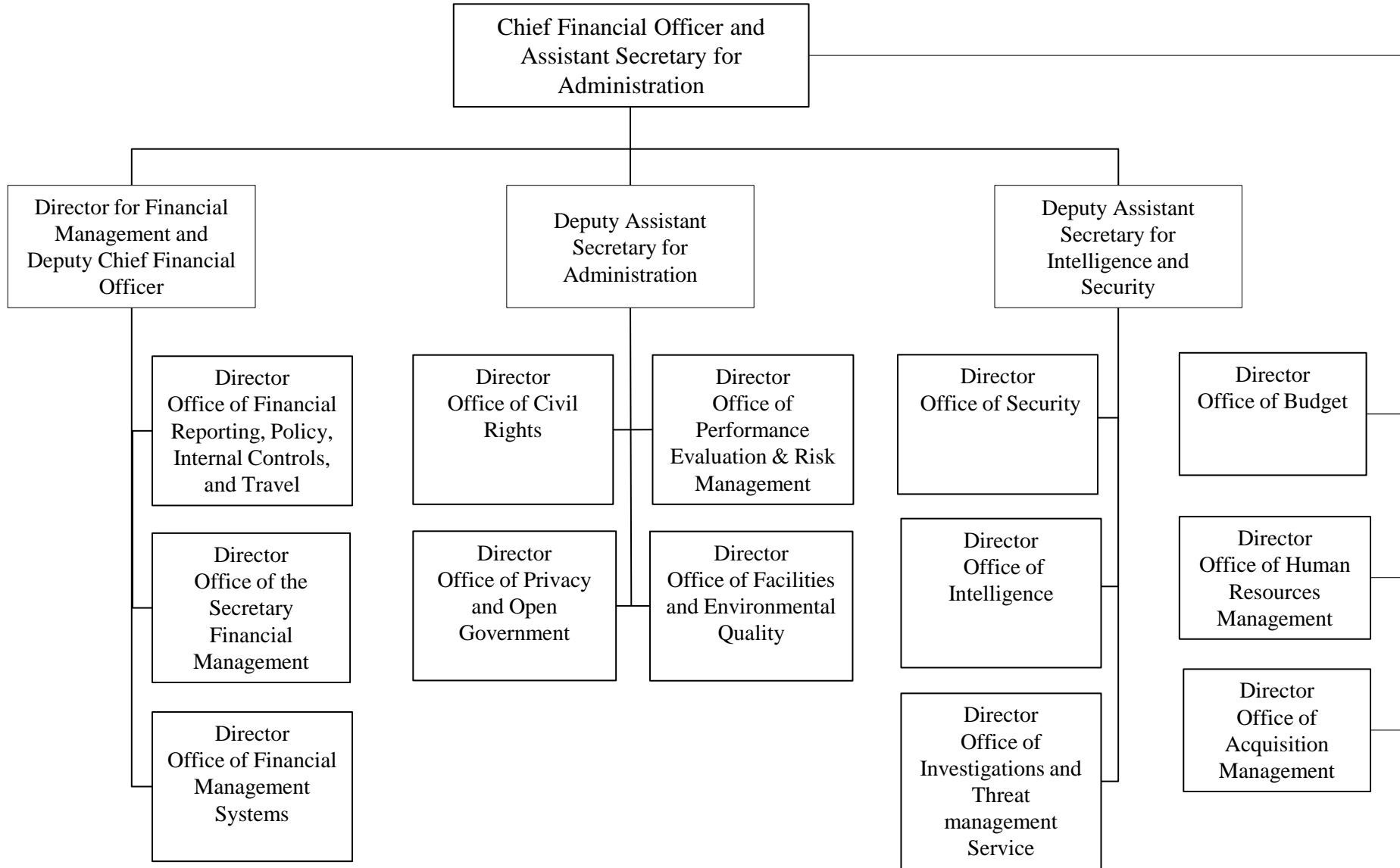


Points of Contact

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Title	Deputy Assistant Secretary for Administration	Deputy Chief Financial Officer & Director for Financial Management
Email	wcoggins@doc.gov	skunze@doc.gov
Phone	202-482-4951	202-482-3709



Chief Financial Officer & Assistant Secretary for Administration



Differences from effective DOO dated 1/5/2011

1. New DAS for Intelligence and Security
2. Reorganized reporting structure of subcomponent offices
3. Eliminated DAS for Resource Management



Office of the Secretary
Chief Financial Officer and
Assistant Secretary for
Administration

Thomas F. Gilman

Thomas F. Gilman was nominated by President Donald J. Trump to be the Chief Financial Officer and Assistant Secretary for Administration of the U.S. Department of Commerce. He was confirmed by the U.S. Senate in January 2019. In that capacity, Mr. Gilman holds a dual role in overseeing all financial and management functions for the multi-billion-dollar budget as well as the administrative and personnel functions for its approximately 47,000 employees.

Prior to joining the government, Mr. Gilman had a 40+ year career as a senior executive and entrepreneur within the global automotive industry. Mr. Gilman has unique experience having worked in automotive manufacturing, automotive retailing, automotive financial services, and automotive supply. Mr. Gilman spent 22 years at Chrysler Corporation and 5 years at Chrysler Financial where he served as CFO. During that time, Chrysler Financial achieved four years of double-digit growth and 16 consecutive quarters of record profits. In 1998, Mr. Gilman helped lead the Daimler-Benz/Chrysler Corporation merger.

Following the merger, Mr. Gilman joined the Asbury Automotive Group in 2001, where he oversaw their Initial Public Offering on the NYSE in 2002. In 2006, Mr. Gilman joined Cerberus Capital Management as a Senior Advisor, where he oversaw multiple deals and operations in the automotive finance industry, including the acquisitions of GMAC, Chrysler Financial, and Chrysler. Upon completion of the Chrysler acquisition, Mr. Gilman returned to Chrysler Financial and became the Chairman and CEO. Mr. Gilman successfully navigated Chrysler Financial through the TARP government program, ultimately repaying its 1.5-billion-dollar obligation to the Treasury Department with interest and within six months.

In 2011, Mr. Gilman helped manage the sale of Chrysler Financial to TD Bank Group. He created a North American auto lending platform, TD Auto Finance, and became its President and CEO and an Executive Vice President of TD Bank Group in Toronto, Canada. In 2014, Mr. Gilman founded Automotive Capital Services which was sold in January 2018.

Mr. Gilman speaks four languages, has lived in the US, Canada, Mexico, Brazil, and the U.S. Virgin Islands, and has conducted business in 21 countries. He holds a B.S. Degree in Finance from Villanova University.



Office of the Secretary

Deputy Assistant Secretary for Administration

Wynn Coggins

Wynn Coggins is the Deputy Assistant Secretary for Administration where she supports the management, mission-enabling and administrative functions for the U.S. Department of Commerce. Ms. Coggins also serves as the Acting Executive Director for Enterprise Services, responsible for overseeing human resource, information technology, and acquisition shared-service solutions across the Department.

Prior to these roles, Ms. Coggins served as the Chief of Staff and principal advisor to the Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office (USPTO), supporting the implementation and execution of the operations, policies, priorities, and programs for the agency. Prior to her Chief of Staff role, she served as the USPTO Deputy Chief Administrative Officer responsible for supporting the development and delivery of all administrative functions for the agency related to strategic leadership, management, policy and oversight support for human resources, performance management, customer experience, recruitment and hiring, union relations, space and facilities, security and Agency-wide human capital and telework programs.

Ms. Coggins has been a frequent public speaker on topics related to human capital, Intellectual Property, and advocacy for expanding entrepreneurship and STEM opportunities to underrepresented groups. Ms. Coggins co-founded the USPTO's Network of Executive Women.

Ms. Coggins received an undergraduate degree in Civil Engineering from Clemson University and a Master of Science in Information Systems Technology with a concentration in Information Resources Management from The George Washington University School of Business and Public Management. She also received a Certificate of Advanced Public Management from The Maxwell School of Syracuse University.



Office of the Secretary
Deputy Chief Financial Officer
Steve Kunze

Stephen Kunze serves as the Deputy Chief Financial Officer and Director for Financial Management within the Office of the Chief Financial Officer and Assistant Secretary for Administration (OCFO/ASA). In this role, he is responsible for financial management and accounting throughout the Department, for preparation of the Department's annual consolidated financial statements, and for development and implementation of a Department-wide integrated financial system. His responsibilities include promulgating financial management policy throughout the Department and for ensuring the Department's compliance with financial management laws and regulations, including the Chief Financial Officers' Act, the Government Management Reform Act, the Government Performance and Results Act and the Federal Financial Management Improvement Act. Mr. Kunze is also responsible for the Office of Secretary budget operations.

Mr. Kunze came to the Department of Commerce from the National Highway Traffic Safety Administration where he served as the Chief Financial Officer. From 2011 through 2015, Mr. Kunze served as the Chief Financial Officer for the Natural Resources Conservation Service (NRCS) in the Department of Agriculture. Prior to that, Mr. Kunze was the Deputy Chief Financial Officer for the National Institute of Standards and Technology (NIST). Stephen joined the federal government with IRS in 1987 as a Presidential Management Intern in the Chief Financial Officer's organization. Stephen was later nominated to the Excellence in Government Fellows program, an intensive results-oriented leadership program, in 1996 and is an active member of their Senior Fellows program.

Stephen received a B.A. in Political Science from Providence College and his master's in Public Affairs from Indiana University in Bloomington Indiana.



Office of the Secretary
Deputy Assistant Secretary for
Intelligence and Security

John Castello

John was most recently the Senior Director and Lead, Task Force Two at U.S. Cyberspace Solarium Commission, and was appointed as the Senior Advisor to the Director of the Cybersecurity and Infrastructure Security Agency.

He formerly served as the Director of Strategy, Policy, and Plans for the National Protection and Programs Directorate at the Department of Homeland Security (DHS), formerly serving as the Senior Advisor to the Assistant Secretary for Cybersecurity and Communications. Before joining DHS, he served as a Congressional Innovation Fellow for majority staff in the U.S. House of Representatives Committee on Oversight and Government Reform.

During his time on the Hill, he helped investigate the 2015 cyber breach of the Office of Personnel Management and helped oversee federal IT security. Previously, he was a research analyst at Defense Group Inc., where he concentrated on Chinese cyber espionage, information warfare, and intellectual property theft.

Costello is a U.S. Navy veteran, serving under the National Security Agency and U.S. Cyber Command. He is fluent in Chinese Mandarin, graduating with honors from the Defense Language Institute. He also holds degrees from the University of Maryland University College and Santa Fe College.

John's insights have appeared in Wired, Wall Street Journal, New York Times, Reuters, and Jamestown China Brief. His previous research has focused on state conflict and stability in cyberspace, Chinese cyber operations, and the intersection of cybersecurity, critical infrastructure, and national security.



Office of the Secretary
Director for the Office of Budget
Michael E. Phelps

Michael E. Phelps serves as Director for the Office of Budget at the Department of Commerce. He oversees planning and directing the formulation of enterprise Departmental budgets exceeding \$9.2 billion annually. He leads a staff of 18 Budget and Program Analyst in developing, integrating, justifying, and defending the Department’s resource requests to the Office of Management and Budget and to the Congress. He directs management and execution of resources supporting DOC priorities, as directed by the Secretary and Congress.

Mr. Phelps enlisted in the U.S. Air Force in 1975, serving 4 years as an accounting and finance specialist before returning to college and earning a commission as a second lieutenant in 1982 through the Reserve Officer Training Corps program. His subsequent 33-year military career spanned all levels of Air Force Financial Management and Comptrollership—he served in command and staff capacities, including assignments as an Accounting & Finance Officer, Budget Officer, Plans Staff Officer, Executive Officer, Squadron Commander, and Military Assistant to the Assistant Secretary of the Air Force for Financial Management and Comptroller.

Achieving the rank of Colonel, in his final Air Force assignment he served as Director, Financial Management and Comptroller, at Headquarters Air Combat Command (ACC) at Langley Air Force Base, Hampton, VA. As Chief Financial Officer and Principal Financial Advisor to the Commander of ACC, he provided hands-on leadership, strategic guidance and oversight for the management and execution of \$54 billion in appropriated dollars for ongoing operations, research and development, testing and engineering, military construction, and investments. He was responsible for a financial network of 1,100 Financial Managers collectively engaged in formulating, justifying, and executing ACC’s \$5.8B annual operating budget, in supporting 105,000 military and civilian personnel deployed worldwide.

Mr. Phelps also was responsible for payroll services to military and civilian employees, as well as for accounting operations through the Defense Finance and Accounting Service, for oversight of non- appropriated funds, and for an array of cost analysis and decision support services. Mr. Phelps received his BS in Business Administration and Management and his Master of Public Administration, both from Troy State University. While on active duty, he completed progressive Air Force leadership development through Squadron Officer School, Professional Military Comptroller School, Air Command and Staff College, and Air War College.



Office of the Secretary (OS) Office of the Chief Financial Officer and Assistant Secretary for Administration (OCFO/ASA)

Mission

The mission of the Office of the Chief Financial Officer and Assistant Secretary for Administration (OCFO/ASA) is to ensure accountability for the Department of Commerce's (DOC) various corporate resources, provide service to our direct customers and assist bureaus in servicing their customers, and guide the Departmental policy-making process from an organizational management perspective.

Budget, Locations and Workforce Demographic Trends

Total FY20 Budget: ~\$265m across all funds (appropriated, revolving, and reimbursable)
Headquarters: Washington DC, ~ 327 federal employees as of August 31, 2020
Field Offices: 10 field offices outside of Washington DC, ~ 101 federal employees

Principal Responsibilities

In addition to the Chief Financial Officer and Assistant Secretary for Administration, there are two Deputy Assistant Secretaries, the Deputy Chief Financial Officer, and the Department Budget Officer who are responsible for: 1) the budgeting and planning involved in resource management, 2) organizational performance management, 3) administrative functions affecting operations across the Department, 4) financial management and reporting, and 5) intelligence and security.

- **Chief Financial Officer and Assistant Secretary for Administration (CFO/ASA).** The CFO/ASA advises and supports the Deputy Secretary in her capacity as the Department's Chief Operating Officer. A Chief of Staff and Senior Advisor assist the CFO/ASA in daily operations and on special initiatives.
- **Deputy Assistant Secretary for Administration (DASA)** is responsible for Department-wide oversight of a wide range of operational and administrative functions including organizational performance management, acquisition and grants management, human resources, facilities, real and personal property, public and private information management, and civil rights. The DASA also currently oversees the implementation of an enterprise services delivery model that will improve mission support services.
- **Deputy Chief Financial Officer and Director for Financial Management** oversees Department-wide financial management, accounting, and fiscal policies, procedures, and controls. These offices ensure compliance with related laws, regulations, standards, and guidelines; manage the Office of the Secretary's budget; develop and maintains the Department's financial management system; and ensure quality financial information,



Section 3-1 f – OS CFO/ASA Overview Fact Sheet

services, travel management and systems. The Deputy oversees the development of the new Business Applications Solution project.

- **Deputy Assistant Secretary of Intelligence and Security** oversees all security and intelligence matters within the Department of Commerce. Its mission is to support and protect critical missions and assets of the Department and support Department economic and national security programs and decision-making through intelligence coordination, analysis, and actionable intelligence production.
- **Department Budget Officer** is responsible for Department-wide oversight of budget formulation and execution, performance and risk management, and program evaluation. The Office of Budget's primary responsibility is helping to prepare and defend the Department's annual budget request. The Office also supports long-range planning, conducts Department-level budget execution activities, supports development of performance measures and annual performance plans, and helps bureaus implement Commerce budget procedures and policies.

Strategic Partnerships, Key Stakeholders, and Interagency Groups

- **Counterpart Officials in the Bureaus** – The CFO/ASA offices establish and monitor implementation of Departmental policies and procedures for administrative functions. Bureau counterparts to CFO/ASA officials (e.g., bureau Chief Financial Officer (CFO)) are therefore key stakeholders.
- **Federal Oversight Entities** - The CFO/ASA offices coordinate implementation of government-wide and Department management initiatives and compliance with regulations governing support services. Therefore, key stakeholders include Office of Management and Budget (OMB), the Office of the Inspector General (OIG), the Government Accountability Office (GAO); the Office of Personnel Management (OPM), and the Occupational Safety and Health Administration; Equal Employment Opportunity Commission; and General Services Administration (GSA).
- **Budget and Program Development Operations** – Because the CFO/ASA manages the annual budget process and coordinates the development of the DOC strategic plan, key stakeholders and partners are OMB, members of Congress, and Congressional Appropriations staff.
- **Bureau Leaders and Managers** - The CFO/ASA oversees the implementation of Commerce's enterprise services organization which will provide human resources, acquisition, financial management, and information technology services to the Office of the Secretary and all 12 Bureaus. Commerce is midway through the execution phase of its initiative to provide higher-quality, more customer-focused mission-enabling services to the Department's 47,000 employees. The CFO/ASA also oversees the management of the Departmental working capital fund which influences the quality of mission support.



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- **GSA** - The CFO/ASA oversees the Herbert C. Hoover Building (HCHB) renovation project which is mid-way through eight phases of modernization and systems replacement. The DOC headquarters building is managed by the GSA, owner of the HCHB. Phase 5 design has begun, and construction is set to begin in 2023 and will include renovating the Secretary's office and supporting space.

Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

None at this time.

Awaiting Decisions (first 100 days from 1/20/21)

- The Commerce Business System, a 20-year-old financial system, needs to be replaced. The technology is unsupported resulting in high costs and IT deficiencies. DM needs continued support for the new Business Applications Solution (BAS) project from OMB and Congress in approving non-expenditure transfers of expired accounts across the Department to fund this initiative.

Quick Wins (first 100 days from 1/20/21)

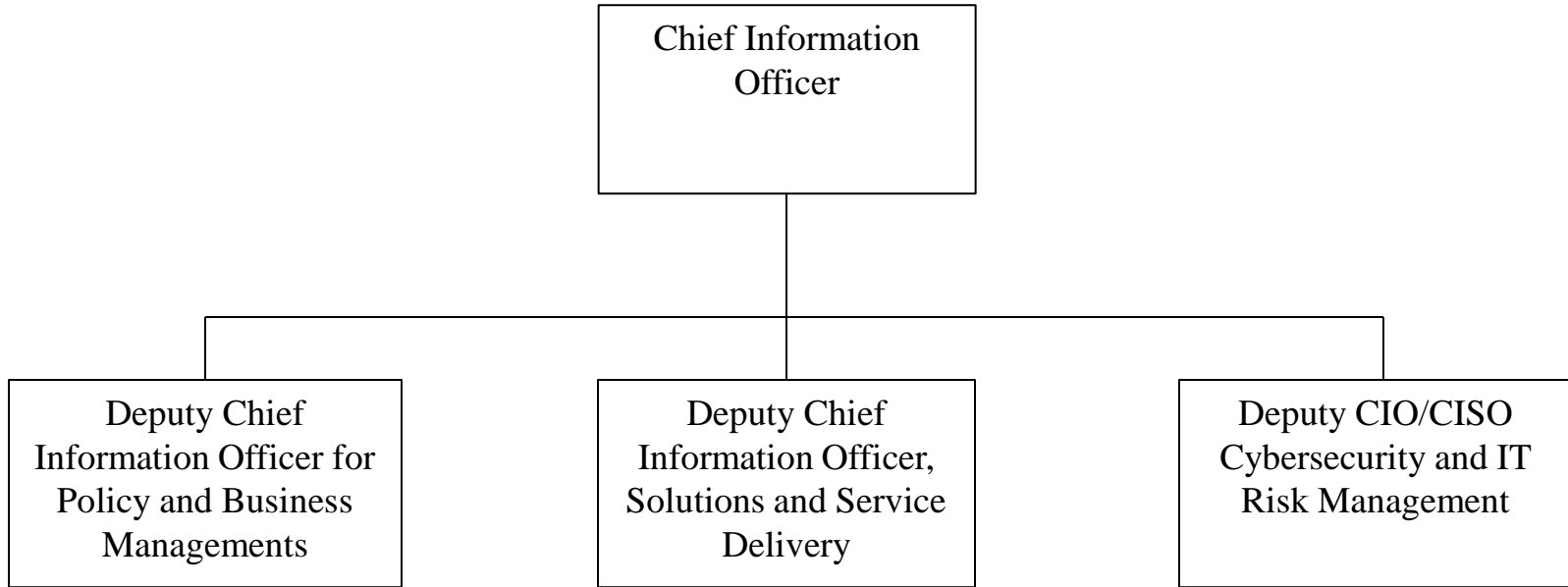
- Successful implementation of Enterprise Service's Talent Acquisition initiative.
- Successful funding of Commerce's Business Applications Solution (BAS) project.

Point of Contacts

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Office of the Chief Information Officer





**Office of the Chief Information
Officer**

Chief Information Officer

Andre V. Mendes

André Mendes was appointed Chief Information Officer for the Department in August of 2019. There, he has overall responsibility and oversight of all technology systems at the United States Department of Commerce (DOC) and its associated bureaus (FY2020 Budget \$3.8B). In early November 2019, Mr. Mendes released a universally lauded Technical Statement of Direction (TSD) that set the tone for a rapid migration into a shared services environment. The TSD has generated substantial savings and increased network resilience. In September 2020, Mr. Mendes released the 2021-2023 IT Strategic Plan for the Department which delineates an accelerated migration to Cloud Computing and a migration away from legacy applications.

Mr. Mendes was responsible for all global technology platforms and systems for the International Trade Administration (ITA). There Mr. Mendes oversaw a rapid bureau-wide transformation effort making ITA the first Federal Agency/Bureau to be 100% cloud based, radically changing several workflows, enabling a massive scale-up of service provisioning quality, an unprecedented rise in employee morale and job satisfaction while also lowering overall operating costs to less than 11% of ITA's appropriation.

Prior to ITA, Mr. Mendes spent eight years at the U.S. Agency for Global Media (USAGM) in various executive roles; including CEO, COO, CIO, CTO and CFO. During his time at USAGM, Mr. Mendes managed overall Agency transformation generating over \$360 million in savings from 2010 through 2018 through aggressive global technology and facilities optimization with projected 10-year savings more than \$503M. In that timeframe, global weekly audiences grew 78% (165-278M), all while reducing technology and front office staff by over 22%.

Mr. Mendes has also held CXO positions at Special Olympics International, PBS, Pluvita, MRL Pharmaceuticals, USAssist and General Health Inc. Mr. Mendes received his MBA and BS in Management of Information Systems from University of Maryland Global Campus and an Associate Degree in Biology from Montgomery College. Mr. Mendes also holds certificates in finance and international management from MIT and Antwerpen University.

In 2020, Mr. Mendes was named one of the Top 150 Global Business Transformation Executives by Constellation Research. Mr. Mendes is a recipient of the 2011 Milton F. Clogg Outstanding Alumni Achievement Award from Montgomery College, a Trustee with Capitol Technology University and has received multiple industry awards including an MIT award for IT Innovation and a nomination to the CIO Hall of Fame.



**Office of the Chief Information
Officer**

Deputy Chief Information Officer

Terri N. Ware

Terri Ware is the Deputy CIO for Policy and Business Management (PBM). She is responsible for planning, managing, tracking and executing the CIO's budget, and providing effective oversight of the Department's major IT initiatives. She is responsible for resource management, FITARA Program Management, acquisition and procurement/contract coordination, DOC CIO Council administration, eGovernment administration and internal controls management. Terri was formally the Program Manager for the Commerce IT Review Board (CITRB) which is responsible for the effective management, oversight, and risk management of the Department's \$2.6Billion IT Portfolio. Before coming to Commerce, Ms. Ware served as the Executive Officer (XO) to the CIO for the DHS/Federal Emergency Management Agency (FEMA). She conducted overall strategic planning, risk management and implemented FEMA's Project Management Office (PMO) and served as the CIO's lead for IT regional coordination.

Prior to DHS/FEMA Ms. Ware was appointed the first CIO for Prince George's County government. She served as the CIO and Director of Communications which included management of the County's 911/Emergency Operations Center. She was responsible for transitioning operations to a multi-service (combined police, fire, and sheriff) configuration and upgrading the 911 System. She provided IT strategic services and support for the County Departments, 22 elected officials and also managed the County's cable TV franchise.

Prior to the County, Ms. Ware spent 12 years as a civilian with the Department of the Navy-Space and Naval Warfare Systems Command (SPAWAR). During her last assignment Terri served as a Logistics Engineer supporting SPAWAR's mission critical, Navy EHF SATCOM Program deployed on all ships, submarines and shore sites. She set up training at Navy Training Centers, located in San Diego, CA, Groton, CT and Norfolk, VA. Prior to the Navy Ms. Ware worked as a Systems Engineering consultant and Acoustical Engineering consultant with several private technology firms in the Washington DC area.

Terri has a Bachelor of Science Degree in Industrial Engineering from Fairleigh Dickinson University, a Master's in Public Policy from the University of Maryland and an Advanced Masters Certificate in Project Management from George Washington University. She is a recipient of the Department of Commerce Bronze Award in 2012 and a recipient of the DOC Secretarial Silver Award in 2016.



**Office of the Chief Information
Officer**

Deputy Chief Information Officer

Dr. Lawrence W. Anderson

Before joining the Department of Commerce, Dr. Anderson served as Associate Chief Information Officer at the Office of Personnel Management (OPM), where he was responsible for providing business solutions that support the millions of Federal Government employees and their beneficiaries. In addition, Dr. Anderson served as OPM’s IT Transition Executive where he was responsible for managing and integrating OPM’s complex information technology systems with the Department of Defense and the General Services Administration. He also served as the Acting Chief Information Officer for Strategy and Policy where was responsible for IT strategy, investment management, budget, data management, and vendor management.

Throughout his career, Dr. Anderson has been focused strategic and transformational issues ranging from shared services, IT modernization, digital transformation, robotic process automation, and most recently, mergers and acquisitions. As an experienced executive, Dr. Anderson devotes much of his spare time to coaching and mentoring emerging leaders which lead to positive changes for individuals and their organizations.

Dr. Anderson is a 3rd Degree Black Belt in Karate and specializes in teaching self-defense techniques for women and children. He is also an accomplished musician (electric bass) and musical director for his church and a few local bands playing music of genres.

Dr. Anderson earned Bachelor of Arts degree in Politics from the Catholic University of America, a Master of Science in Management Information Systems Management from the University of Maryland Graduate School of Management and Technology, Doctor of Management from the University of Phoenix School of Advanced Studies and a graduate of the Federal Executive Institute.



**Office of the Chief Information
Officer**

Deputy Chief Information Officer

Ryan A. Higgins

Mr. Higgins presently serves as the Department of Commerce (DOC) Chief Information Security Officer (CISO) and Deputy Chief Information Officer (DCIO) where he is responsible for a risk-based agency-wide cybersecurity program in support of the 12 customer Bureaus across DOC. He is a dedicated public servant that has worked in multiple mission areas throughout his 20-year career in both the private and public sector to deliver secure and reliable solutions that achieve desired customer outcomes.

Prior to his position at the DOC, Mr. Higgins held a variety of leadership roles within the Department of Justice (DOJ) including Assistant Director for Administration at the United States Trustee Program (Component organization), in addition to several roles within the Justice Management Division (headquarters Component) Office of the Chief Information Officer (OCIO) such as Acting Director for Policy and Planning, Acting Director for Service Engineering, and Assistant Director for Cybersecurity Services.

As Acting Director for Policy and Planning Mr. Higgins led the formulation, execution, and reporting of a \$490 million-dollar OCIO budget and ensured the cohesive link between strategy, policy, and budget, in support of DOJ's information technology goals and objectives. As Acting Director for Service Engineering Mr. Higgins led the closure of 11 data centers and the migration of over 120 information technology systems across 13 Component organizations to the cloud, resulting in over \$70 million dollars in cost savings. As Assistant Director for Cybersecurity Services, Mr. Higgins led an initiative that transformed the DOJ cybersecurity program by delivering an enterprise-wide, near real-time view of the DOJ cybersecurity posture. Mr. Higgins also led enterprise-wide cybersecurity policy development, oversight for over 250 information technology systems across 40 Component organizations, and the annual Federal Information Security Modernization Act (FISMA) audit.

As a result of his leadership within the DOJ OCIO, Mr. Higgins was the recipient of the Justice Management Division Special Commendation Award in 2015, and the Attorney General Award for Excellence in Information Technology in 2016. Mr. Higgins holds a Master of Science Degree in Management from the University of Maryland University College, and a Bachelor of Arts Degree in Mass Media Arts from the University of the District of Columbia. Mr. Higgins is also a graduate of the Federal Executive Institute (FEI) Leadership for a Democratic Society Program and is a Certified Information Systems Security Professional (CISSP).



Office of the Chief Information Officer (OCIO)

Mission

The Department of Commerce Office of the CIO provides the information technology leadership, vision and guidance necessary to advance the Department’s mission and strategic plan, improve management effectiveness, and deliver superior results to our customers and the citizens of the United States.

Budget, Locations, and Workforce Demographic Trends

Total FY20 Budget: ~\$66 m across all funds (appropriated, revolving and reimbursable)
Headquarters: Washington DC, ~ 63 federal employees as of August 31, 2020

Principal Responsibilities

The DOC OCIO FY21 budget proposal is \$73.6 million which includes targeted investments to enhance Cybersecurity, continuity of operations and modernization of the IT infrastructure, in addition to funding strategic programs, projects, and initiatives across the organization in our major programmatic areas below.

Office of Policy and Business Management (OPBM) is responsible for administering the Department’s CIO Council; creating and issuing Department-wide IT policy and guidance; ensuring that business, administrative, operational and financial processes are efficiently and effectively coordinated across the OCIO organization; Federal Information Technology Acquisition Reform Act (FITARA) leadership, management of the Department’s participation in electronic Government (eGov) initiatives; and, that the proper management of resources (people, funding, space, etc.) is appropriately applied. (10 FTE; \$3.8 million)

Office of Solutions and Service Delivery (OSSD) is primarily responsible for overseeing the effective management of technology initiatives and IT services; developing new technology solutions across the Department, and analyzing and optimizing technology opportunities; directing the Department’s National Security and Critical Infrastructure Protection Program; and, providing oversight of investments through the Commerce Information Technology Review Board (CITRB). (39 FTE, \$23.5 million)

Office of Cyber Security and Risk Management (OCRM) and the DOC Chief Information Security Officer (CISO) is responsible for formulating, directing and implementing a Department-wide, robust and comprehensive cyber security program; and, monitoring Federal IT security laws, regulations, policies, and guidance to develop Department-level security policies that ensure the confidentiality, integrity, and availability of IT systems and data. (15 FTE; \$28.7 million)



Summary of Major Organizational Improvement Initiatives

Commerce OCIO IT Strategic Plan Implementation – The Department of Commerce (DOC), Office of the Chief Information Officer (OCIO), Information Technology (IT) Strategic Plan for Fiscal Year’s (FY) 2021-2023 focuses on creating a future-proof foundation for rapid organization-wide progress, relentless innovation and ultimately the enablement of agile IT within the bureaus and offices as a whole. As such, this plan is centered on five strategic goals aimed at supporting the DOC Strategic Plan: 1) Enable the Business of IT, 2) Secure IT, 3) Modernize IT, 4) Innovate IT, and 5) Enable the Digital Workforce of the Future.

Strategic Partnerships, Key Stakeholders, and Interagency Groups

The CIO chairs the Department’s CIO Council that includes senior leadership from each bureau to collectively ensure strategic IT alignment across the department, leveraging opportunities to innovate and collaborate on IT proposals, new service models and future needs.

The CIO works closely with the Department’s Chief Financial Officer (CFO), Budget Officer, Senior Procurement Executive (SPE) and Chief Human Capital Officer (CHCO) as they collectively provide subject area expertise enabling the organization to drive creative IT solutions and opportunities to improve IT efficiencies and service delivery. The office works closely with the Department of Commerce, Congressional appropriations staff, the Office of Management and Budget, and external stakeholders.

Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

The Department CIO may routinely be asked to participate in Congressional hearings. Past hearings have included topics of Census 2020 and FITARA.

Awaiting Decisions (first 100 days from 1/20/21)

- Budget related decisions – FY 2021 funding

Quick Wins (first 100 days from 1/20/21)

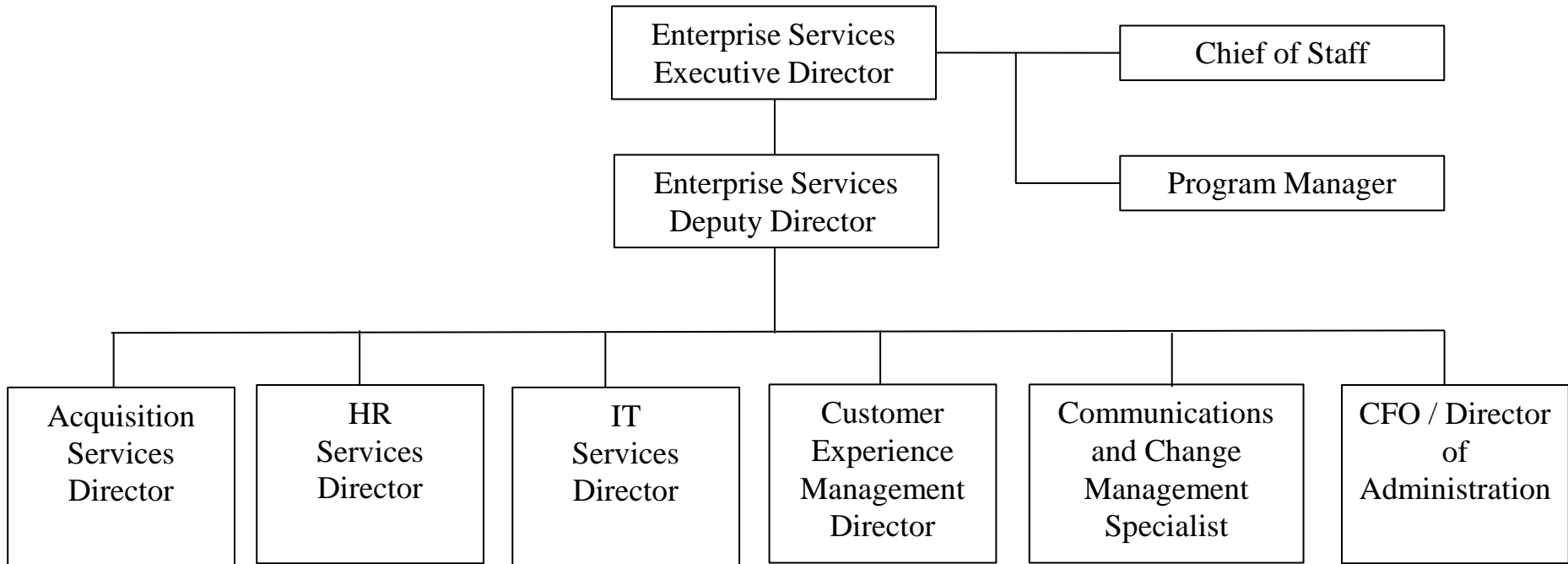
- Rapid, socialization and implementation of new OCIO structure
- Continuity of Operations Capability for HCHB and National Solutions and Services (NS3) Systems
- Award a new Blanket Purchase Agreement (BPA) contract for IT Services
- Pilot Bureau Centers of Excellence for IT Support

Points of Contact

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Enterprise Services Organization



Differences from effective DOO dated 8/9/2019

1. Consolidated two Deputy Director positions into a single Deputy Director
2. Split the single Chief of Staff/Program Manager position into two separate positions
3. Reorganized the reporting structure of Office Director positions



Enterprise Services
Deputy Assistant Secretary for
Administration
and Acting Executive Director of
Enterprise Services

Wynn Coggins

Wynn Coggins is the Deputy Assistant Secretary for Administration where she supports the management, mission-enabling and administrative functions for the U.S. Department of Commerce. Ms. Coggins also serves as the Acting Executive Director for Enterprise Services, responsible for overseeing human resource, information technology, and acquisition shared-service solutions across the Department.

Prior to these roles, Ms. Coggins served as the Chief of Staff and principal advisor to the Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office (USPTO), supporting the implementation and execution of the operations, policies, priorities, and programs for the agency. Prior to her Chief of Staff role, she served as the USPTO Deputy Chief Administrative Officer responsible for supporting the development and delivery of all administrative functions for the agency related to strategic leadership, management, policy and oversight support for human resources, performance management, customer experience, recruitment and hiring, union relations, space and facilities, security and Agency-wide human capital and telework programs.

Ms. Coggins has been a frequent public speaker on topics related to human capital, Intellectual Property, and advocacy for expanding entrepreneurship and STEM opportunities to underrepresented groups. Ms. Coggins co-founded the USPTO's Network of Executive Women.

Ms. Coggins received an undergraduate degree in Civil Engineering from Clemson University and a Master of Science in Information Systems Technology with a concentration in Information Resources Management from The George Washington University School of Business and Public Management. She also received a Certificate of Advanced Public Management from The Maxwell School of Syracuse University.



Enterprise Services

Chief Financial Officer and Director of Administration

Kurt Bersani

A graduate of American University, Kurt began his career as an economist while completing his final year of graduate school. Over the next decade, he developed and analyzed national and regional economic statistics. Kurt's economic analyses were published a number of times during his tenure as an economist.

Kurt stepped out of his economist career when he was asked to spearhead a high-profile hiring project for the Department of Commerce. After bringing this project to successful fruition, he became the Chief Administrative Officer and Deputy Chief Financial Officer for the Bureau of Economic Analysis.

Kurt next joined the International Trade Administration as the Deputy Chief Information Officer. That assignment led to a subsequent, broader position as the Deputy Chief Financial Officer of the International Trade Administration.

Kurt was invited to join the U.S. Census Bureau, serving as acting Human Resources Director. During his time at the Census Bureau, he helped introduce a new, streamlined hiring process that led to more than 300 new hires over a period of just six months. He returned briefly to the International Trade Administration and served as the acting Chief Financial Officer. Then the call to stand up the Department of Commerce's Enterprise Services Organization came, and he enthusiastically answered that call. Kurt currently serves as the Chief Financial Officer and acting Deputy Director of Enterprise Services.



Enterprise Services (ES)

Mission

Enterprise Services is DOC's multi-function, enterprise-wide shared services program. As an organization within the Office of the Secretary and independent from any bureau, ES delivers DOC customers high-quality, mission-enabling services in the core functional areas of Human Resources (HR), Acquisition (ACQ), and Information Technology (IT). ES' mission is to provide innovative, data-driven, and customer-centric services that enable DOC colleagues to dedicate themselves wholly to creating the conditions for economic growth and opportunity in America.

Budget, Locations, and Workforce Demographic Trends

Total FY20 Budget: ~\$38m across all funds (appropriated, revolving, and reimbursable)
Headquarters: Washington DC, ~ 41 federal employees as of August 31, 2020

Principal Responsibilities

ES released its FY 2021 President's budget request on February 10, 2020, the Administration's scheduled President's budget release date. ES' FY 2021 request includes \$44 million to continue targeted investments to:

- **Human Resources:** Delivering PAR, Payroll, and Benefits services; managing the Commerce Learning Center; and implementing Talent Acquisition services.
- **Information Technology:** Operating the enabling technology ES Portal; managing DOC's usage of HR Connect; implementing an enterprise-wide Identity Access Management solution; and delivering printing services for customers in the Herbert C. Hoover building.
- **Acquisitions:** Providing acquisition services for customers without their own procurement authority and strategic sourcing initiatives for all DOC bureaus.
- **Program, Change, and Service Management:** Setting the strategic direction of the shared services program; performing stakeholder engagement, communications, and trainings; and executing operational service performance activities.

Of note, the ES FY 2021 budget includes new activities to implement an enterprise-wide Identity Access Management (IAM) solution, developed in coordination with NOAA's existing IAM tool, and to perform ServiceNow Portal migration and enhancements. Both activities will supplement ES' Human Resources Information Technology architecture and improve the customer experience by enabling simplified functionality.

In addition, this budget continues critical investments in ES' HR, IT, and ACQ capabilities with a fully-supported enabling technology. This budget also enables ES to grow its Federal staff and



implement a model of shared services delivery that emphasizes Federal oversight of vendor partners.

For more information about the specific initiatives in the FY 2021 ES budget, please see our budget summary, included in the Departmental Management budget:

https://www.commerce.gov/sites/default/files/2020-02/fy2021_dm_congressional_budget_justification.pdf

Summary of Major Organizational Improvement Initiatives

ES' major organizational improvement initiatives relate to the services the ES organization will deliver, with appropriate approvals and funding, to DOC customers. The initiatives below will advance the Department's Strategic Plan and Cross-Agency Priority Goals in the President's Management Agenda:

Transition Talent Acquisition to ES – ES has begun the implementation of an end-to-end talent acquisition solution. The complementary goals of the enterprise-wide solution are to improve the end-user experience through interoperability with other ES and Federal processes, incorporate innovation through modern technologies, and allow bureaus to transition away from transactional administrative tasks and focus attention on critical mission-enabling work.

Conduct ServiceNow Migration and Enhancements – In response to customer requests for greater transparency in their HR transactions, ES has begun migrating to a single instance of ServiceNow – the ES Portal and HR ticketing platform – that will support a case management application that will improve processing and the customer experience.

Expand the Department's Strategic Sourcing Portfolio – ES will continue to add new initiatives to the strategic sourcing portfolio to enable cost avoidance for goods and services.

Strategic Partnerships, Key Stakeholders, and Interagency Groups

To promote enterprise-wide stakeholder participation in shared services, ES works closely with customers from the Office of the Secretary (OS) and the Department's 12 bureaus directly through Integrated Project Teams (IPTs), Bureau Implementation Teams (BTLs) and Bureau Transformation Leads (BTLs). ES also engages with stakeholders through the Department Management Council (DMC), Principal Human Resource Manager (PHRM) Council, Chief Information Officer (CIO) Council, Chief Financial Officer (CFO) Council, and Acquisitions Council. ES also coordinates with the Office of Acquisition Management, the Office of Human Resources, Office of the Chief Information Officer, among many other supporting offices.

Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

ES does not anticipate any potential media issues. Over the past year, ES has received congressional inquiries related to the performance and management of the PAR, Payroll, and Benefits vendor. For all inquiries, ES has worked with the Office of Special Projects to coordinate consistent and appropriate responses.



Awaiting Decisions (first 100 days from 1/20/21)

- None at this time.

Quick Wins (first 100 days from 1/20/21)

- By Spring 2021, ES plans to complete the design and build phase and begin testing and deploying the end-to-end Talent Acquisition managed service for participating bureaus.
- By Spring 2021, ES plans to transition participating bureaus to the enhanced ServiceNow case management tool for PAR, Payroll, and Benefits services.
- ES will continue execution and expansion of the Department's strategic sourcing portfolio.

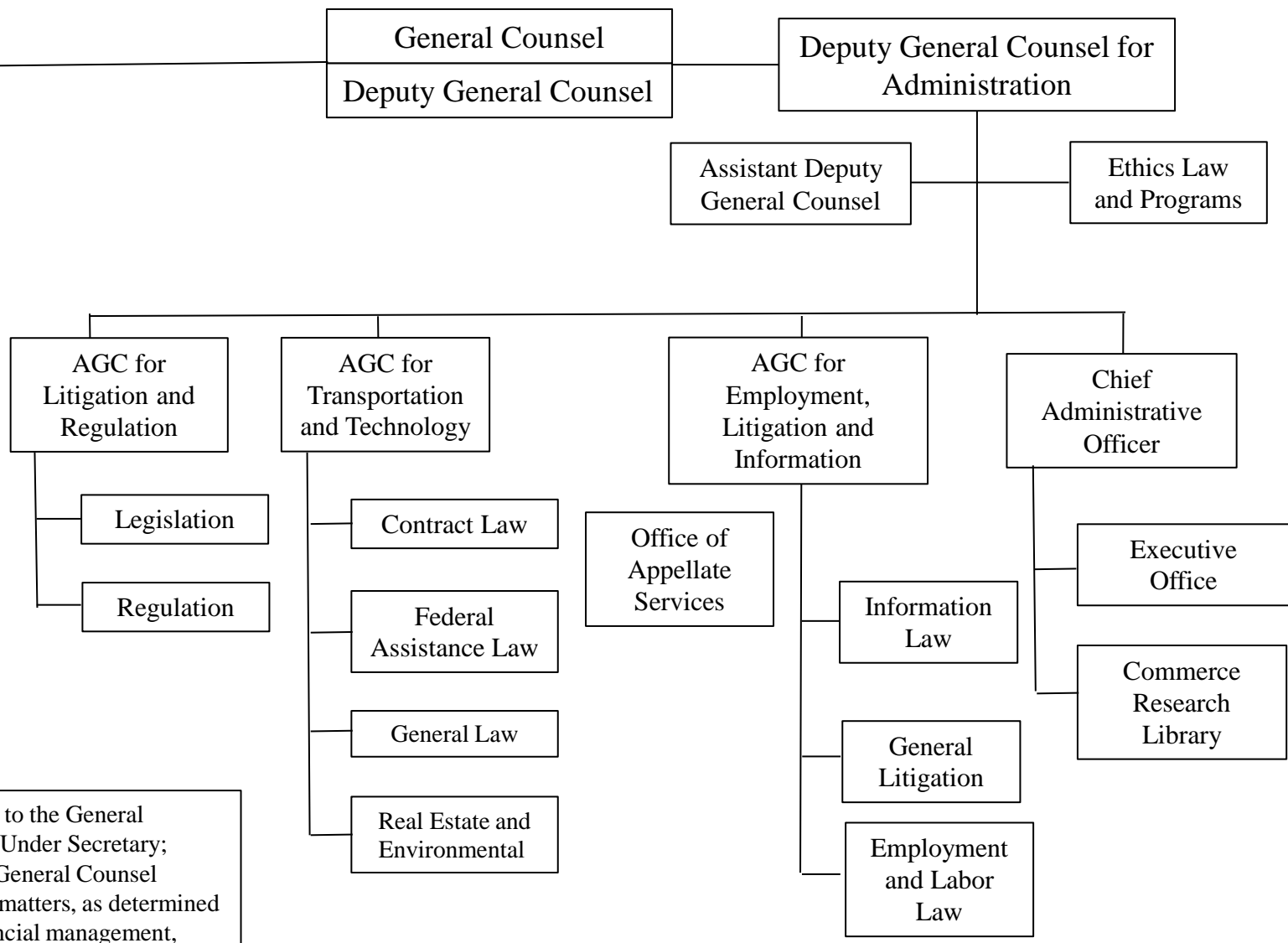
Points of Contact

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Office of General Counsel

- Chief Counsels**
 Economic Affairs
 Economic Development
 Int'l Commerce
 FirstNet
 Industry & Security
 MBDA
 NIST
 NTIA
 Trade Enforcement & Compliance
 CLDP
General Counsels*
 NOAA
 PTO



*NOAA GC reports dually to the General Counsel and to the NOAA Under Secretary; USPTO GC reports to the General Counsel regarding policy and other matters, as determined by the Secretary, with financial management, budgeting, and personnel decisions of the USPTO GC being the responsibility of USPTO by statute.



Office of General Counsel

General Counsel

Michael J. Walsh Jr.

Michael J. Walsh, Jr. is the Chief of Staff of the U.S. Department of Commerce. Secretary Ross has also delegated the duties of the General Counsel to him. Mr. Walsh joined the Department as the Deputy General Counsel from O’Melveny & Myers LLP, where he was a partner specializing in representing companies and their officers and directors in complex securities and ERISA class actions, shareholder derivative cases, internal and regulatory investigations, and SEC enforcement actions. He also served as the pro bono partner for his firm’s Washington, DC Office. Mr. Walsh received his J.D. from Columbia Law School and his B.A. from Boston College.



Office of General Counsel
Deputy General Counsel for
Strategic Initiatives
Catherine Keller

Catherine joins the Department of Commerce as Deputy General Counsel for Strategic Initiatives. Previously, she worked at international law firms focusing on capital markets transactions, regulatory matters and counseling public companies, and served as counsel at a global investment management firm. She also serves on the board of a non-profit organization and has served in leadership roles for other groups and foundations. After law school, she clerked for the Hon. William Garwood of the United States Court of Appeals for the Fifth Circuit. Catherine holds a law degree from the University of Texas School of Law from which she graduated as Vice Chancellor. She also holds a B.A. in English and Sociology from the University of Richmond.



Office of General Counsel

Associate Deputy General Counsel

John Guenther

John K. Guenther is the Associate Deputy General Counsel. In that capacity he currently supervises the three Assistant General Counsels whose offices are responsible for providing all non-programmatic legal services to the Department, as well as the Department's Ethics Program and the Office of the General Counsel's Chief Administrative Officer. Since December 2019 he has also been delegated the duties of Chief Human Capital Officer and Director for Human Resources Management, reporting to the Office of the Chief Financial Officer and Assistant Secretary for Administration. John joined OGC's Employment and Labor Law Division (ELLD) in January 2000, after receiving his J.D. from the Georgetown University Law Center. From 2005 to 2008 he supervised ELLD's Headquarters and Census Teams. In 2008, he was recognized as the Department's Attorney of the Year for his efforts representing Commerce before the Nuclear Regulatory Commission, local government, and others, following a plutonium spill at NIST's Boulder Labs. In January 2009, John was appointed Deputy Chief of ELLD, and in May 2018 he was appointed ELLD's Chief. He has been the Associate Deputy General Counsel since March 2020. Before law school John spent several years teaching English at Indiana University, Bloomington, where he was also responsible for the university's Title VII and Title IX training and ran the office of Student Mediation Services. A native of Washington, D.C., John received his B.A. from Kenyon College and a M.A. from Indiana University. He is a member of the Maryland state bar.



Office of the General Counsel (OGC)

Mission

The Office of General Counsel (OGC) provides legal advice to the Secretary, the Under Secretaries, the Assistant Secretaries, and other officers of the Department, including bureau heads. OGC provides guidance and services on matters involving Departmental programs and components. OGC supervises the development of the Department's legislative program and the delivery of effective legal services for the growing needs of major programs. The General Counsel and the Deputy General Counsel direct the operation of 12 offices that report directly to the General Counsel and oversee the legal work of five bureau legal offices.¹

Budget, Locations, and Workforce Demographic Trends

Total FY20 Budget: ~\$82m across all funds (appropriated, revolving, and reimbursable)

Headquarters: Washington DC, ~ 250 federal employees as of August 31, 2020

Field Offices: 3 field offices outside of Washington DC, ~ 25 federal employees

Principal Responsibilities

Deputy General Counsel for Administration - manages the Department's ethics program for confidential and financial filers, and provides legal services relating to ethics issues including financial conflicts of interest, outside employment and activities, political activities, gifts, misuse of Government resources, seeking employment rules, and post-employment restrictions.

Office of the Assistant General Counsel for Transactions and Technology - provides legal advice on matters concerning the administration, management and fiscal oversight of Department operations and advises the Department and its bureaus with respect to the Department's transactions with third parties including contracts, grants, cooperative agreements, loans, leases, real property matters (including facilities, security and environment), interagency agreements, and other agreements; and represents the Department in litigation related to those transactions. This office is aligned into five divisions: Contract Law, Federal Assistance Law, Real Property and Environmental Law, General Law, and the Ethics Law and Programs Office.

Office of the Assistant General Counsel for Legislation and Regulation - manages the Department's legislative review process; reviews and clears rulemaking proposals prepared within the Department; and serves as a liaison with the Office of Management and Budget for

¹ These legal offices, which include National Oceanic and Atmospheric Administration, U.S. Patent and Trademark Office, National Telecommunications and Information Administration, Economic Development Administration (EDA), and FirstNet, receive their funding and positions from their bureaus appropriations and are part of the bureaus' reporting lines, but receive their legal policy guidance from the General Counsel.

² The Chief Counsel for EDA reports directly to the Deputy General Counsel, however positions supporting the legal efforts of EDA are embedded within EDA.



legislative and regulatory matters. The office is comprised of two divisions: The Legislative Division and the Regulatory Division.

Office of the Assistant General Counsel for Litigation, Employment, and Information - provides legal advice and representation with respect to employment, labor, information law, and general civil litigation brought by or against the Department as a whole. The General Litigation Division provides legal advice and litigation services to all the offices and bureaus with the Department with respect to federal tort claims, commercial litigation, bankruptcy, intellectual property, environmental litigation, subpoenas, and criminal investigations. The Employment and Labor Law Division provides oral advice and written legal opinions on questions of employment and labor law, and represents the Department, except for USPTO, in administrative proceedings and judicial litigation involving personnel actions, labor management relations and related matters. The Information Law Division handles matters involving Freedom of Information Act, including all administrative appeals and FOIA litigation, Privacy Act, Federal Advisory Committee Act, Trade Secrets, and other open government policies.

Office of the Chief Counsel for Economic Affairs (OCC/EA) - provides legal advice to the Office of the Under Secretary for Economic Affairs (OUSEA) and supports OUSEA's efforts to maintain the highest possible quality federal statistical system. This enables OUSEA to communicate a vision of the key forces at work in the economy and the opportunities these forces create for improving the well-being of all Americans and support the information and analytical needs of the Department and the executive branch. OCC/EA also advises and counsels the Bureau of Economic Analysis and the U.S. Census Bureau, which are subordinate to the Under Secretary. The Under Secretary exercises policy direction and management supervision over these two bureaus as they gather statistics, ensure confidentiality, and produce accurate and timely reports on economic and social change for the benefit of the United States public, business, and all levels of government. OCC/EA's role expanded as OUSEA initiated programs and structured organizational resources to implement the Foundations for Evidence-Based Policymaking Act of 2018.

Office of the Chief Counsel for Trade Enforcement and Compliance - provides legal support to the International Trade Administration (ITA), specifically the Assistant Secretary for Enforcement and Compliance (E&C). CC-TEC's work focuses on supporting E&C's administration of the laws regulating unfairly-traded imports into the United States, primarily the antidumping and countervailing duty laws, and defending E&C determinations in resulting litigation in federal courts, before NAFTA/USMCA dispute settlement panels, and in disputes brought before the World Trade Organization. The office works closely with E&C in the negotiation and implementation of a broad range of multilateral and bilateral agreements relating to government subsidization and private unfair pricing practices, provides legal support in connection with proposed legislation and regulations affecting any of the statutes overseen by E&C, and supports the administration of both the Foreign-Trade Zones program and the Section 232 steel and aluminum product exclusion process, among others.

Office of the Chief Counsel for International Commerce - provides legal support to ITA and the Department in their work promoting U.S. exports and business investment, supporting U.S. companies doing business abroad, and negotiating and enforcing international trade



agreements. Key work includes supporting export promotion activities (e.g., trade missions and commercial advocacy); commercial rule of law work, with a focus on anticorruption and transparency; implementation of U.S. trade laws (except antidumping and countervailing duty laws); supporting negotiation of trade and investment agreements; review of foreign investment under the Committee on Foreign Investment in the United States; and supporting the free flow of data.

Office of Chief Counsel for Industry and Security - provides a broad spectrum of legal services in support of the national security and foreign policy missions of the Bureau of Industry and Security (BIS) including developing and interpreting export control regulations; enforcing export control and antiboycott regulations; representing BIS in administrative enforcement litigation; advising on export license applications and draft advisory opinions; drafting proposed legislation and regulations; advising on Defense priorities and allocations system orders and requests; advising on multilateral export control regimes; evaluating proposed foreign acquisitions of U.S. companies for national security concerns in support of the Department's participation in the Committee of Foreign Investment in the United States; and assisting in international export control training programs.

Office of the Chief Counsel for the Minority Business Development Agency (OCC/MBDA) - provides legal and policy advice to the Minority Business Development Agency (MBDA) National Director and to the Agency's headquarters offices covering all aspects of MBDA's operations and programs.

Office of the Chief Counsel for National Institute of Standards and Technology (OCC/NIST) - provides technology transfer and intellectual property counsel to the Department of Commerce and programmatic legal advice to the National Institute of Standards and Technology and the National Technical Information Service. In this role, it interacts with principal developers and users of research including private and public laboratories, universities, corporations, and governments.

Chief Counsel of the Economic Development Administration (OCC/EDA) - provides legal support to EDA, specifically the Assistant Secretary of Commerce for Economic Development, in connection with the administration of laws related to economic development and enhancing entrepreneurship and innovation. This primarily involves interpreting and advising on the Public Works and Economic Development Act of 1965, Trade Act of 1974, and Stevenson-Wydler Technology Innovation Act of 1980. The Chief Counsel also provides legal support in connection with proposed legislation, regulations or policies affecting any of EDA's primary authorities. The Chief Counsel manages and directs administrative staff and attorneys located both in EDA's Washington, DC headquarters and remotely in EDA's six Regional Offices.²

² These legal offices, which include National Oceanic and Atmospheric Administration, U.S. Patent and Trademark Office, National Telecommunications and Information Administration, Economic Development Administration (EDA), and FirstNet, receive their funding and positions from their bureaus appropriations and are part of the bureaus' reporting lines, but receive their legal policy guidance from the General Counsel.

²The Chief Counsel for EDA reports directly to the Deputy General Counsel, however positions supporting the legal efforts of EDA are embedded within EDA.



Commercial Law Development Program (CLDP) - provides direct technical legal assistance to developing and post-conflict countries through commercial legal reforms to achieve US foreign policy goals and improve the legal environment for US business worldwide. CLDP's unique government-to-government technical assistance draws upon highly-experienced regulators, judges, policymakers, business leaders and attorneys from both the public and private sectors to deliver results that make meaningful and lasting changes to the legal and judicial environments of host countries.

Executive Office - formulates and executes the OGC annual budget; allocates and provides resources necessary to support the Assistant General Counsel Offices and Chief Counsel Offices; develops and implements internal controls and business process improvement; and develops and manages the implementation of OGC-wide human resources and organizational development policies and practices. The Executive Office also has direct oversight of the Commerce Research Library.

Subactivity: Office of General Counsel Program Change - Case Management, E-Discovery 0 250 0 250 and Litigation Hold Platform. This request will alleviate the need for ad hoc discovery approaches that vary with each new litigation matter.

The Office of General Counsel (OGC) proposes the procurement and deployment of an e-Discovery platform for preserving, analyzing, and producing electronically stored information for use in litigation and maintaining litigation holds. OGC proposes the procurement of one or more software platforms that will assist in the preservation, processing, review, analysis, and production phases. Given the diversity of missions, information repositories, and operating environments within the Department, OGC has identified these phases as the best candidates for a unified approach that will be effective without causing unnecessary disruption to program operations. Procurement of litigation hold software would significantly increase OGC's efficiency and reduce liability risks in the preservation phase of e-Discovery. Commercially available off-the-shelf software solutions for managing litigation holds are numerous and have an established track record of use in the legal profession. For the processing, review, analysis, and production phases, OGC proposes procurement of one or more software solutions that would allow OGC personnel to take information gathered from disparate sources, standardize its format, review it for relevance and privilege, and then produce it to opposing parties. The use of e-Discovery software solutions that have been developed over the course of the past decade, and which are now widely used in the public and private sectors, will reduce the amount of time that OGC and program personnel spend on litigation matters. A case that is document intensive can result in dozens of hours of attorney time for processing and review. At an hourly rate of \$55 to \$80 for OGC attorneys, the amount of savings possible if time spent on e-Discovery tasks is reduced is significant. These costs savings are in addition to the benefits of reduced liability exposure from discovery errors.

Strategic Partnerships, Key Stakeholders, and Interagency Groups

None to report.



Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

- FY 2021 Appropriations and elimination proposal.
- Results of ongoing Government Accountability Office (GAO) CARES Act audit(s).
- Proposal to defederalize EDA's old Revolving Loan Fund (RLF) portfolio, which passed the Senate in the last Congress (S. 4075). The proposal aims to reduce the administrative burdens of old, successful RLF operators so that they can focus additional resources on economic revitalization.

Awaiting Decisions (first 100 days from 1/20/21)

- **ROI Legislative Package:** DOC/NIST has put together a legislative package that contains ten proposed statutory changes to modernize the Stevenson-Wydler Act of 1980, reflecting issues identified through the Return on Investment (ROI) Initiative for Unleashing American Innovation. The package has been cleared through DOC for submission to the Office of Management and Budget (OMB) and is currently undergoing the Legislative Referral Memoranda (LRM) process.
- **ROI Regulatory Package:** NIST intends to issue revisions to the Bayh-Dole Act implementing regulations that would further the Return on Investment (ROI) Initiative for Unleashing American Innovation. The proposed revisions relate to funding recipient rights in inventions created with federal funding as well as licensing of government-owned inventions. The package has been cleared through DOC for submission to the Office of Management and Budget (OMB) and is currently undergoing the EO 12866 regulatory review process.
- The Court of Appeals for the Federal Circuit may rule on challenges related to the Mexican Tomatoes AD Suspension Agreement (handled by CCTEC).
- A WTO Dispute Panel reviewing the Department's Olives from Spain CVD determination may issue its decision addressing measurement of subsidies under the U.S. processed agricultural products provision (handled by CCTEC).
- FY 2022 President's Budget submission.
- Support for proposal to defederalize EDA's RLF portfolio.
- Reconstitution of the National Advisory Council on Innovation and Entrepreneurship (NACIE) to leverage leading industry executives, entrepreneurs, investors, and other non-Federal leaders, to help the Department and the Administration tackle issues such as broadband infrastructure, R&D for emerging sectors, STEM and workforce development, and Opportunity Zones.



Quick Wins (first 100 days from 1/20/21)

- Awarding of CARES grants to support economic recovery— In early 2021 EDA will be in the process of finalizing a significant number of CARES Act awards. These awards provide a wide range of financial assistance to communities and regions as they respond to and recover from the impacts of the pandemic.
- Launch FY 2021 Build to Scale – EDA expects to announce the availability of funds under the Build to Scale annual competition in early 2021 (estimated release Feb/March 2021), with an estimated \$35 million in Federal funds depending on Congressional appropriations. Funds will be available for investment to support high-growth entrepreneurship, increase access to capital, and create the conditions for the development and deployment of technologies in industries of the future.

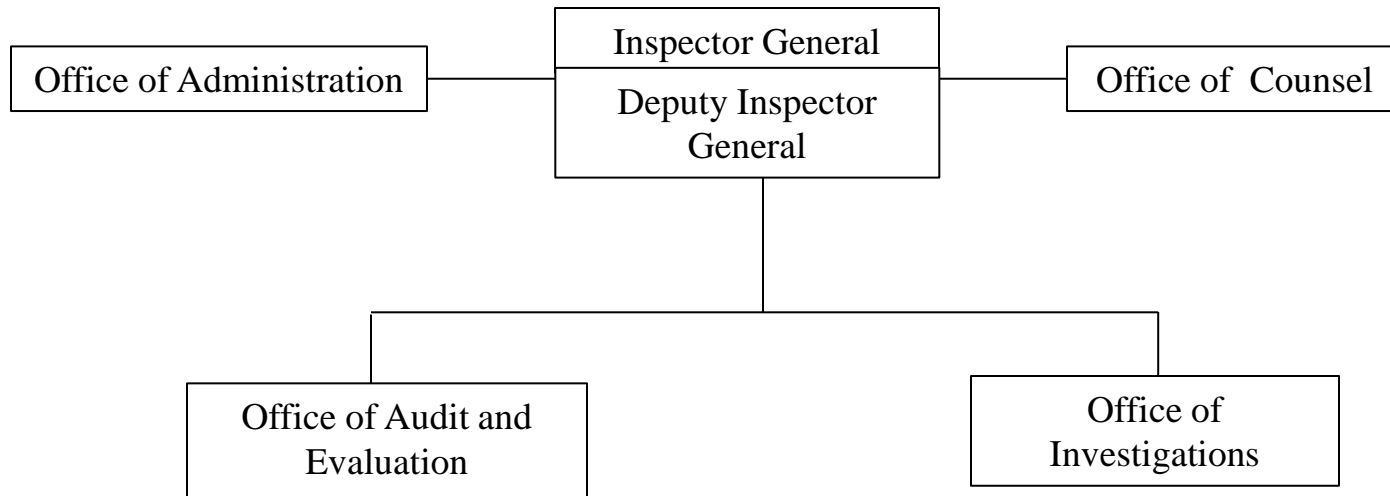
Points of Contact

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Name	Octavia G. Saine
Title	Executive Officer
Email	osaine@doc.gov
Phone	240-474-2629



Office of the Inspector General





Office of the Inspector General

Inspector General

Peggy Gustafson

Peggy E. (Peg) Gustafson was sworn in as the Inspector General of the U.S. Department of Commerce on January 9, 2017. Ms. Gustafson was nominated by the President in March 2016 and confirmed by the Senate on December 10, 2016. Ms. Gustafson will lead a team of auditors, investigators, attorneys, and support staff responsible for reviewing and improving the Department's business, scientific, economic, and environmental programs and operations.

Before assuming her new post, Ms. Gustafson was the Inspector General of the U.S. Small Business Administration, a position she had held since October 2009. She previously served as General Counsel to Claire McCaskill (D-MO), where she advised the Senator on government oversight issues and helped write two bills that have significantly strengthened the federal offices of Inspectors General: the *Inspector General Reform Act of 2008* and the legislation that strengthened the office of Special Inspector General for the Troubled Asset Relief Program.

During her tenure as Chair of the Legislation Committee for the Council of Inspectors General on Integrity and Efficiency (CIGIE), Ms. Gustafson worked with lawmakers on legislation to ensure the continued independence of Inspectors General, including the *Inspector General Empowerment Act of 2016*, which passed Congress and was signed into law in December 2016.

From 1999-2007, Ms. Gustafson served as General Counsel in the Missouri State Auditor's Office. In that capacity she worked closely with the auditors on issues of the scope of their duties, the auditors' need to access records, and all other legal issues arising in the course of the audits. Ms. Gustafson also served as an assistant prosecuting attorney for Jackson County, Missouri, serving as the Chair of the Insurance Fraud Task Force, and as an assistant county counselor for Jackson County.

A native of Chicago, Illinois, she received her B.A. from Grinnell College in Grinnell, Iowa in 1989, and her Juris Doctor from Northwestern University in Chicago in 1992.



Office of the Inspector General

**Deputy Inspector General Roderick
Anderson**

Roderick Anderson

Roderick Anderson became the Deputy Inspector General of the U.S. Department of Commerce on July 23, 2019. He oversees the audits, investigations, and business functions of the Office of Inspector General.

Mr. Anderson joined the Federal government in 2004 and the Senior Executive Service in 2007. In 2010, he became the Assistant Inspector General for Management of the U.S. Department of the Interior, where he led the business functions of the agency, including human resources, budget and finance, procurement, information technology, information security, facilities, and renovations.

Prior to entering government service, Mr. Anderson re-designed business and logistics operations for Hewlett Packard Company, and led North and South American customer support teams for Newbridge Networks. His time as a self-employed business consultant included improving operations for the Union Pacific Railroad, as well as working on projects with small companies in Central America, India, the Philippines, and Australia.

An engineering graduate of Texas A&M University with an MBA in Finance from Tulane University, he lives in Virginia with his wife and nine children.



Office of Inspector General (OIG)

Mission

The Inspector General Act of 1978, as amended, created an independent and objective entity in the executive branch to provide leadership and coordination and recommend policies designed to not only prevent and detect fraud and abuse in government programs, but also to promote economy, efficiency, and effectiveness in their administration.

Locations and Workforce Demographic Trends

Overall Workforce: 183 federal employees

Headquarters: Washington DC, 143 federal employees as of September 30, 2020.

Field Offices: 3 field offices outside of Washington DC, ~ 40 federal employees as of September 30, 2020.

Historical Total Staffing Levels (Positions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
177	178	174	180	200

Budget Trend – Annual Appropriations (\$ in Millions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
\$38.6	\$37.6	\$41.1	\$41.9	\$44.4

Budget Trend – Disaster Supplemental Appropriations (\$ in Millions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
\$0	\$1.0	\$1.0	\$3.0	N/A

Principal Responsibilities

OIG released its FY 2021 President's budget request on February 10, 2020, the Administration's scheduled President's budget release date. The request supports the audits and investigations that



OIG provides as the entity with statutory responsibility to provide oversight for the Department of Commerce and its bureaus. OIG’s FY 2021 request includes transfers of \$8.9 million to continue targeted investments to provide oversight of:

1. The First Responder Network Authority’s efforts to develop, build, and operate a nationwide broadband network linking first responders as they work to save lives and protect U.S. communities.
2. USPTO as it examines and grants patents and registers trademarks, providing protection to U.S. intellectual property.
3. The Census Bureau’s efforts to conduct the decennial census, report on the results, and begin planning for the next decennial census.
4. NOAA’s acquisition and operation of its major environmental satellites.

Of particular note, OIG’s FY 2021 budget includes a \$1 million increase to expand OIG’s capacity to conduct audits and evaluations to assess the Department’s cloud infrastructure security controls; IT systems acquisition, development, and sustainment; and activities to promote and secure trade.

In addition, this budget continues critical investments in OIG’s audits and evaluations of Commerce programs including trade enforcement and promotion, disaster assistance, and Departmental acquisitions and cybersecurity, as well as investigation of suspected or alleged fraud, waste, abuse, and misconduct.

For more information about the specific initiatives in the FY 2021 OIG budget, please see our FY 2021 budget request: https://www.commerce.gov/sites/default/files/2020-02/fy2021_oig_congressional_budget_justification.pdf

Summary of Major Organizational Improvement Initiatives

The most pressing organizational issue facing OIG is engaging demands the pandemic has placed upon the workforce. In conjunction with our employees and the Department, we are assessing our needs with respect to information technology support, how what we have learned about working remotely affects our use of office space, and organizational development and morale. Separately, OIG has also recently reorganized its Human Resources function and worked hard to become fully staffed, particularly in the Office of Investigations.

Points of Contact

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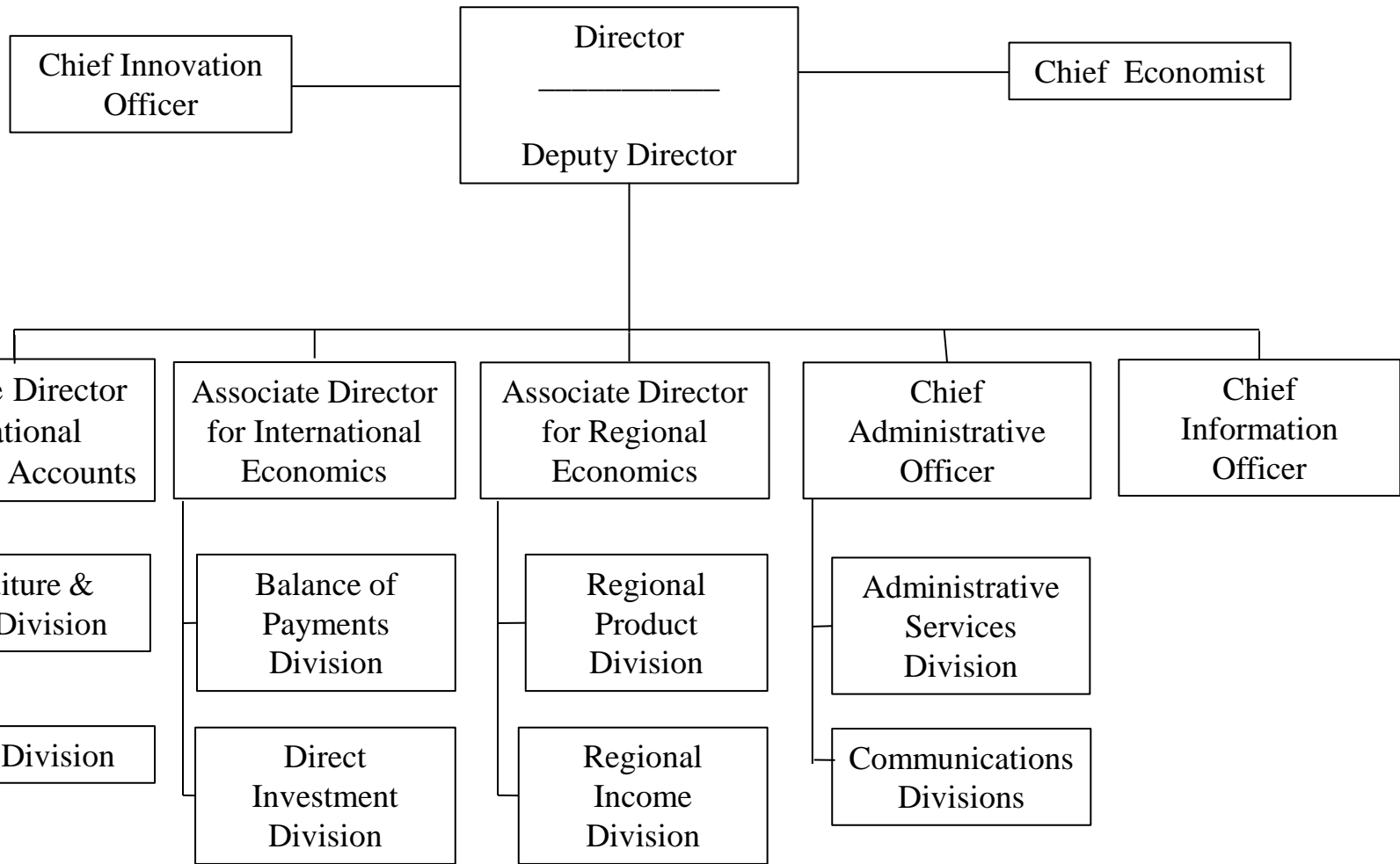
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Bureau of Economic Analysis



Differences from effective DOO dated 5/19/2017

1) Two division name changes under Associate Director for National Economic Accounts



Bureau of Economic Analysis
Acting Director and Deputy Director
Mary Bohman

Mary Bohman is the Acting Director and Deputy Director of the Bureau of Economic Analysis.

Dr. Bohman works with BEA's executive team to expand the agency's statistical programs and to shape the highest priority research projects in furthering BEA's mission.

Dr. Bohman is collaborating with BEA's researchers to bolster the impact and the effectiveness of BEA research. And, she has led the way in crafting a strategy to position BEA to be an employer of choice for the years to come.

Before joining BEA, Dr. Bohman spent more than 20 years with the Department of Agriculture in numerous positions, leaving her mark on research involving international trade, farm competitiveness, and data-driven policymaking.

At the Agriculture Department, Dr. Bohman was the administrator of USDA's Economic Research Service, where over a seven-year period she led initiatives to strengthen the quality of the agency's research and statistics, increase accountability through the development of metrics, and boost employee engagement through improved communications.

She was named a Fellow of the Agricultural & Applied Economics Association, the group's most prestigious honor, in recognition for her outstanding contributions to the agricultural economics profession.

Dr. Bohman received a doctorate from the Department of Agricultural Economics at the University of California, Davis, and earned a bachelor's degree from Georgetown University's School of Foreign Service.



Bureau of Economic Analysis (BEA)

Mission

BEA promotes a better understanding of the U.S. economy by providing the most timely, relevant, and accurate economic accounts data in an objective and cost-effective manner. BEA is the world's most trusted, impartial source of comprehensive data about the U.S. economy. The Bureau's statistics support economic growth and well-being by informing the decisions of businesses, entrepreneurs, households, and governments.

Locations and Workforce Demographic Trends

Overall Workforce: 473 federal employees

Headquarters: Washington DC, 473 federal employees as of September 30, 2020.

Field Offices: N/A

Historical Total Staffing Levels (Positions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
506	494	494	515	515

Budget Trend – Appropriations (\$ in Millions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
\$103.8	\$99.0	\$98.0	\$104.9	\$108.4

Principal Responsibilities

BEA released its FY 2021 President's budget request on February 10, 2020, the Administration's scheduled President's budget release date. The request continues to position BEA as the Nation's premier provider of U.S. economic accounts data. The Bureau's FY 2021 request includes \$108.4 million to continue targeted investments to:

1. Preserve the timeliness, relevance, and accuracy of some of the Nation's most critical economic statistics like gross domestic product (GDP), personal income and consumer spending, and corporate profits—for the national as a whole and broken out by geographic region and by industry;
2. Support BEA's core national, regional, and international economic programs that present valuable information on key issues, including U.S. economic growth, regional economic



development, inter-industry relationships, and the Nation’s position in the world economy; and

3. Advance BEA’s other statistical initiatives, including measuring specific sectors or aspects of the economy, such as economic well-being, global production chains, health care, outdoor recreation, ocean-related activities, and high-tech goods and services.

Of particular note, BEA’s FY 2021 budget includes critical investments in BEA’s efforts to provide new data products—including GDP statistics for Puerto Rico, estimates of the distribution of personal income, and an expanded dataset on the digital economy—and to develop a U.S. Federal Data Service that promotes government-wide data access and sharing.

For more information about the specific initiatives in the FY 2021 BEA budget, please see our budget summary at:

<https://www.bea.gov/system/files/2020-02/bea-2021-congressional-justification.pdf>

Summary of Major Organizational Improvement Initiatives

Program Realignment to Accelerate GDP Statistics: Over the last couple of years, BEA has integrated its national economic and industry accounts programs to promote improvements to existing statistics and faster development of new data products. This change was a critical step in achieving BEA’s goal of accelerating the publication of GDP by industry and GDP by state statistics, so they are developed and released alongside the national-level GDP accounts; the three datasets were issued together, for the first time, around the end of September 2020.

Strategic Partnerships, Key Stakeholders, and Interagency Groups

To promote understanding and support of BEA’s budget initiatives, the Bureau’s Budget Office works closely with the Department of Commerce, Congressional appropriations staff, the Office of Management and Budget, and external stakeholders, including the following advisory groups:

BEA Advisory Committee: The Advisory Committee advises the Director of BEA on matters related to the development and improvement of BEA’s statistics, especially in areas of new and hard-to-measure aspects of the U.S. economy. The Committee is comprised of leading economic and business economists appointed by the Director of BEA.

Federal Economic Statistics Advisory Committee (FESAC): FESAC advises the Directors of BEA and the Census Bureau as well as the Commissioner of the Bureau of Labor Statistics on statistical methodology and other technical matters related to the collection, tabulation, and analysis of federal economic statistics.

Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

In late January, BEA will release the first look at GDP for the fourth quarter of 2020, known as the “advance” estimate. The release of this closely watched economic indicator tends to generate significant news coverage. Usually on the morning of the advance estimate, BEA senior



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leadership briefs the Secretary or his designee at 8:00 AM (Eastern) and the staff of Congress' Joint Economic Committee at 9:30 AM. The news release is available to media and other users at 8:30 AM on BEA's website. This process will largely be repeated in late February and late March with the "second" and "third" GDP estimates.

Awaiting Decisions (first 100 days from 1/20/21)

None at this time.

Quick Wins (first 100 days from 1/20/21)

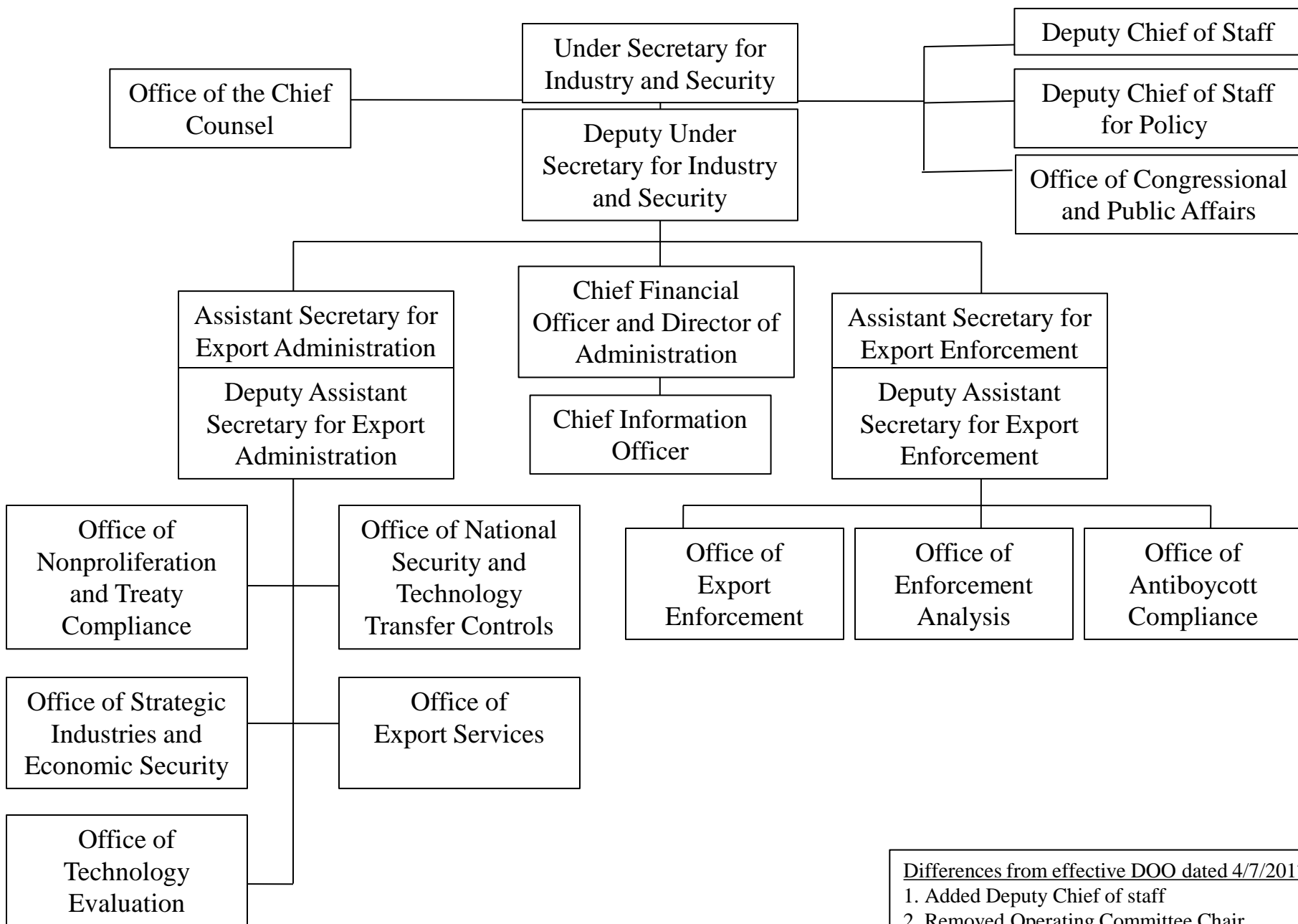
- **Secretarial briefings:** BEA welcomes the opportunity to continue to provide embargoed briefings to the incoming Secretary on the mornings of the releases for both GDP and international trade for the fourth quarter of 2020.

Points of Contact

Name	Mary Bohman	Lucas Hitt
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Bureau of Industry and Security



Differences from effective DOO dated 4/7/2017
1. Added Deputy Chief of staff
2. Removed Operating Committee Chair



Bureau of Industry and Security

Acting Under Secretary for Industry and Security

Cordell Hull

Cordell Hull serves as the Acting Under Secretary for Industry and Security. Through his leadership of the Department of Commerce's Bureau of Industry and Security, Mr. Hull advances the Department's national security, foreign policy, and economic objectives by ensuring an effective export control and treaty compliance system and promoting continued U.S. strategic technology leadership.

Mr. Hull oversees an export control program regarding civilian and military dual-use technology, including the Department's export control policy, licensing and enforcement components. He also participates in the Committee on Foreign Investment in the United States, which reviews certain inbound foreign investments for national security risk.

Before joining the Bureau of Industry and Security, Mr. Hull served at the Department as a Deputy General Counsel and concurrently performed the duties of the Assistant Secretary for Legislative and Intergovernmental Affairs. He also served in several senior-level positions in the U.S. House of Representatives, including as General Counsel to the Permanent Select Committee on Intelligence. For the decade before entering government service, he practiced law in Washington, D.C.

He received his B.A. from the University of Minnesota and his law degree from the Catholic University of America's Columbus School of Law.



Bureau of Industry and Security
Acting Deputy Under Secretary for
Industry and Security

Jeremy Pelter

Jeremy Pelter serves as the Acting Deputy Under Secretary for Industry and Security. As Acting Deputy Under Secretary, Mr. Pelter manages the daily operations of the Bureau of Industry and Security (BIS) and advises the Under Secretary of Industry and Security on a broad range of management and policy issues.

Prior to joining BIS, Mr. Pelter served as the Senior Advisor to the Deputy Secretary of Commerce, advising the Deputy Secretary on issues related to policy and program implementation. Mr. Pelter entered the career senior executive service as the Chief Financial Officer and Director of Administration for the Economics and Statistics Administration (ESA). Before the Department of Commerce, Mr. Pelter served at the U.S. Small Business Administration (SBA) in several financial and operational positions. Additionally, Mr. Pelter was an inaugural Fellow of the White House Leadership Development Program, supporting trade policy. Prior to his federal career, Mr. Pelter worked in the non-profit sector in the Washington, D.C. metropolitan area.

Mr. Pelter earned his BA in Political Science from Indiana University and his MS in Management from the University of Maryland, University College. He holds certificates in Public Leadership and Program Management from the Brookings Institution and American University, respectively.



Bureau of Industry and Security

**Export Enforcement, Performing the
Non-exclusive Functions and Duties
of the Assistant Secretary for
Export Enforcement**

Lee Smith

P. Lee Smith is Performing the Non-exclusive Functions and Duties of the Assistant Secretary for Export Enforcement. In this role, he is the senior appointed enforcement official within the Bureau of Industry and Security (BIS). Mr. Smith is responsible for enforcing National Security objectives through his leadership of over 130 federal agents located in 23 locations within and 7 locations outside the United States. Through agents and analysts, Mr. Smith promotes the foreign policy objectives of the United States. In particular, these National Security and foreign policy objectives focus on stopping the proliferation of Weapons of Mass Destruction and missile delivery systems, diversion of Commerce controlled goods to terrorists or state sponsors of terror, and preventing commodities from being used for unauthorized military end-use. Mr. Smith also administers and enforces the Antiboycott Laws under the Export Administration Act.

Previously, Mr. Smith served as the Deputy Assistant Secretary for Policy & Negotiations for Enforcement and Compliance in the U.S. Department of Commerce's International Trade Administration. In that role, Mr. Smith oversaw programs and policies regarding the enforcement and administration of U.S. Antidumping Duty and Countervailing Duty (trade remedy) laws and actively assisted U.S. industry and businesses combat unfair foreign trade practices. Mr. Smith worked with offices in his jurisdiction to improve foreign market access for U.S. exporters and investors; ensure compliance by foreign governments with U.S. trade agreements; address potentially unfair application of trade remedies by foreign governments on behalf of U.S. businesses; coordinate enforcement efforts related to multilateral subsidies; and administer suspension agreements.

Prior to joining the Commerce Department in 2017, Mr. Smith practiced International Trade Law with King & Spalding. In private practice, Mr. Smith represented U.S. manufacturers in trade-remedy proceedings in both the United States and in foreign legal jurisdictions. He specialized in trade litigation at the U.S. Court of International Trade, the U.S. Court of Appeals for the Federal Circuit, and the World Trade Organization. Mr. Smith also is an expert on issues related to customs duty collections having collaborated with U.S. Customs & Border Protection and Immigration and Customs Enforcement to enforce antidumping and countervailing duty orders and investigate import fraud.



Bureau of Industry and Security

Acting Deputy Assistant Secretary for Export Enforcement

Kevin Kurland

Kevin J. Kurland is currently the Acting Deputy Assistant Secretary for Export Enforcement, Deputy Chief of Staff-Policy to the Under Secretary for Industry and Security, and the Director of the Office of Enforcement Analysis (OEA) in the Department of Commerce's Bureau of Industry and Security (BIS).

OEA monitors and evaluates export transactions to ensure compliance with the Export Administration Regulations by conducting end-use checks, analyzing export transactions to develop investigative leads and support enforcement cases, and liaison with the Intelligence Community to provide intelligence support during review of license and related export transactions. He also served as a member of the White House Task Force on Export Control Reform from 2009-2017.

Mr. Kurland previously served BIS as Acting Chief of Staff for Export Administration from 2009-2011, Director of the Office of Technology Evaluation from 2006-11, and Director of the Treaty Compliance Division from 2002-06. Prior to joining BIS in 1997, he worked as an international trade analyst at Graham & James, LLC.

Mr. Kurland holds an M.A. in Comparative Regional Studies Europe from The American University and a B.A. in International Relations from Syracuse University.



Bureau of Industry and Security

Deputy Assistant Secretary for Export Administration

Matthew Borman

Matthew S. Borman currently serves as the Deputy Assistant Secretary of Commerce for Export Administration. In this position, Mr. Borman is responsible for implementing the Bureau of Industry and Security's (BIS) controls on the export of dual-use and military items for national security, foreign policy, nonproliferation, and short supply reasons. In addition, he oversees BIS's programs to ensure that industrial resources are available to meet national and economic security requirements, BIS's implementation of the Chemical Weapons Convention, and BIS's implementation of the Additional Protocol to the US-IAEA Agreement. Prior to his appointment as Deputy Assistant Secretary, Mr. Borman served as Acting Chief of the Enforcement and Litigation Division of the Office of Chief Counsel for Export Administration.

As division chief, he was responsible for providing legal advice to the Export Enforcement unit of BIS, including the adjudication of administrative enforcement actions. Mr. Borman entered the Commerce Department in 1992 as an attorney in the Office of Chief Counsel for Export Administration. As an attorney in that office, Mr. Borman was responsible for a variety of matters, including attempts to revise the Export Administration Act, Congressional, General Accounting Office and Office of Inspector General investigations and studies, Freedom of Information Act requests, and export control cooperation with other countries.

Mr. Borman received his B.A. in History from Northwestern University, his M.A. from Northeastern University, and his J.D. from New York University School of Law.



Bureau of Industry and Security
Chief Financial Officer and Director
of Administration

Carol Rose

Ms. Carol Rose is the Chief Financial Officer and Administrative Director at the Bureau of Industry and Security. She accepted the position and has taken on the responsibility of leading the Financial Management, Budgetary, Human Resource and Acquisition activities across the entire Bureau. Included in her responsibilities is the management of the Office of the Chief Information Officer.

Ms. Carol Rose joined the Department of Commerce on February 27, 2011, as Chief of the Budget Division at the Census Bureau. In that position, she directed and led all phases of the Census Bureau's budget operations and served as the technical authority on budgetary policies, laws and regulations. Ms. Rose held multiple positions during her 4-year tenure at the Census Bureau including Acting Associate Director for Administration and Chief Financial Officer and Acting Division Chief of Finance. She directed the activities of Budget, Finance, Acquisition, Human Resources, Marketing Services, Administrative and Customer Services, and Financial and Administrative systems.

Ms. Rose possesses more than 20 years of leadership and management experience in the Federal Government. She has held leadership positions at the Nuclear Regulatory Commission and several management positions with the Federal Aviation Administration.

Ms. Rose resides in Alexandria, VA. She holds a Bachelor of Business Administration in Accounting from Baruch College – the City University of New York.



Bureau of Industry and Security
Acting Chief Information Officer
Nagesh Rao

G. Nagesh Rao currently serves as Chief Information Officer (Acting) for the Bureau of Industry and Security within the US Department of Commerce. Most recently he was Director of Business Technology Solutions (BiTS) at the US Small Business Administration's (SBA) Office of the Chief Information Officer, and prior to Chief Technologist & Entrepreneur in Residence within SBA's Office of Investment & Innovation.

Over the last 20 years, Nagesh has worked for numerous organizations in the public, private, and not for profit sectors. During his time in the public-sector, he co-developed programmatic endeavors such as i6 Green, Patents for Humanity, USAID's-SBAR Program, and SBA's Growth Accelerator Fund Competition. Furthermore he oversaw the creation and issuance of 5 major interagency policy committee reports, regarding the SBIR/STTR programs, for US Congress on behalf of SBA and White House-OSTP, as well led the revamp and modernization of the SBIR.gov and SBA.gov digital platforms. As well he oversaw technical direction for SBA's COVID-19 response with respect to PPP and EIDL programs as part of the historic CARES Act efforts from SBA.

Nagesh's musings (written and oratorical) have been featured and/or quoted via Wired, TechCrunch, WAMC-NPR, The Scientist, The National Academies, The Hill, FedTech Magazine, DC Inno, Technical.ly DC, NextGov, Daily Mirror (Sri Lankan version), Financial Times (Sri Lankan version), and The Courier-Journal.

Nagesh is a 2004 Mirzayan Fellow of The National Academies and a 2016 USA Eisenhower Fellow. Among many accolades that Nagesh has received over the years, prominent ones include the Mahatma Gandhi Pravasi Samman & Hind Rattan awards from the NRI Welfare Society, ACT-IAC Collaboration Award, BT 150, DC Inno 50 on Fire, 2019 Gears of Government, and the RPI Alumni Key Award.



Bureau of Industry and Security (BIS)

Mission

Advance U.S. national security, foreign policy, and economic objectives by ensuring an effective export control and treaty compliance system and promoting continued U.S. strategic technology leadership. The Bureau's paramount concern is the security of the United States, which includes its national security, economic security, cyber security, and homeland security. In the area of export controls, it will vigorously administer and enforce such controls to stem the proliferation of weapons of mass destruction and the means of delivering them, halt the spread of weapons to terrorists or countries of concern, prevent destabilizing military modernization programs, and further important U.S. foreign policy objectives. Where there is credible evidence suggesting that the export of an item violates U.S. law, the Bureau must act to investigate and mitigate that threat. Protecting U.S. security includes not only supporting U.S. national defense, but also ensuring the health of the U.S. economy and the competitiveness of U.S. industry. The Bureau seeks to promote a strong and vibrant defense industrial base that can develop and provide technologies that will enable the U.S. to maintain its military superiority. In protecting U.S. security, the Bureau must avoid actions that compromise the international competitiveness of U.S. industry without any appreciable national security benefits.

Locations and Workforce Demographic Trends

Overall Workforce: 453 federal employees

Headquarters: Washington DC, 333 federal employees as of September 30, 2020.

Field Offices: 24 field offices outside of Washington DC, ~ 120 federal employees as of September 30, 2020.

Historical Total Staffing Levels (Positions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
372	443	352	448	474

Budget Trend – Appropriations (\$ in Millions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
\$112.5	\$113.5	\$118.1	\$127.7	\$137.7



Principal Responsibilities

BIS released its FY 2021 President's budget request on February 10, 2020, the Administration's scheduled President's budget release date. The request continues to position the BIS mission to meet the policy challenges created where business and national security interests intersect. BIS balances these interests through multiple programs, including export controls. BIS obtains consensus among interagency partners to license items, works collaboratively with international partners on implementing multilateral export controls, conducts outreach to U.S. and foreign businesses to limit export control violations, and investigates unauthorized transactions that may result in criminal and administrative penalties. BIS also works with industry to protect the health and vitality of the U.S. defense industrial base, resulting in a stronger U.S. economy.

BIS's FY 2021 request includes \$132.7 million to continue targeted investments as follows:

1. Management and Policy Coordination (MPC): MPC funds the Office of the Under Secretary for Industry and Security and supporting offices. MPC officials provide leadership, management, and policy guidance to the Assistant Secretaries in their areas of responsibility, in direct support of BIS priorities, goals, and objectives.
2. Export Administration (EA): EA works to identify and mitigate national security risks associated with the export, reexport, or transfer of commodities, technology and software through implementation of the Export Administration Regulations (EAR), advancing U.S. national security and foreign policy interests, and enhancing the overall health and vitality of the U.S. defense industrial base.
3. Export Enforcement (EE): EE works to apply law enforcement and export control expertise to investigate and punish violators of exports of sensitive items to embargoed destinations, illicit end-users, and end uses and end users of national security concern, as well as to ensure that parties involved in U.S. commercial transactions do not engage in prohibited boycott activities.

Of note, the Bureau's FY 2021 budget includes \$5 million in new program requests for:

1. Enhanced Export Compliance. Supports the Bureau's priorities and Export Control Reform Act of 2018 (ECRA) implementation to advance national security and overall economic competitiveness and enhance overall export compliance efforts. BIS continues to identify and review emerging and foundational technologies (as directed in ECRA Sec. 1758) and exert jurisdiction over new subsets of technologies when warranted for national security or foreign policy reasons.
2. China and Emerging Technology. The Bureau has prioritized strategies to combat China's destabilizing actions, including national security threats and acquisition of emerging technology and foundational technology to support its destabilizing military modernization efforts via the "Made in China 2025" and military-civil fusion strategies. To align BIS's enforcement mission with the Department of Justice's "China Initiative" and address this whole-of-government effort, BIS seeks new analytical and law enforcement tools, analysts, and agents to protect U.S. technology from misappropriation and punish violators that seek to acquire such technology contrary to U.S. national security and foreign policy interests.
3. Enhanced Computer Evidence Program. In today's environment of advanced technology, the detection of export control violations and identification of individual and corporate violators



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is driving the need for increased forensic investigative capabilities. Successful investigations of foreign firms that have developed procurement systems as well as organizational structures designed to deceive or reflect falsified information require specialized tools and expertise in forensic analysis for trace evidence, photographic images, key financial records, relevant phone numbers, and associated names.

In addition, this budget continues critical investments in Bureau activities, including:

1. Under ECRA, BIS will continue its lead role to work with industry on identifying and reviewing emerging and foundational technologies, while exerting jurisdiction over new technologies.
2. In addition to our special agents stateside, BIS Export Control Officers, stationed at posts in strategic locations across the globe, will continue to work with partners, including transshipment countries, to prevent the diversion of U.S.-origin items.
3. BIS will continue participating in the four multilateral export control regimes (the Wassenaar Arrangement, the Australia Group, the Missile Technology Control Regime, and the Nuclear Suppliers Group) involving the control of items related to conventional, nuclear, chemical, biological, and missile armaments (arms) and systems, assuring consistent international export controls on items of concern.
4. Under Section 232 of the Trade Expansion Act of 1962, as amended, EA will conduct comprehensive investigations to determine the effect on the national security of the U.S. of imports of any article. In addition, with BIS-unique and mandatory data collection authority, EA will research, survey, and assess the economic health and competitiveness of defense sector capabilities and readiness, and critical technologies.
5. BIS continues significant investment into improving the process and technology for 232 exclusion requests both to reduce the number of rejected submissions and to improve the timeliness of decisions, most notably by creating a 232 Exclusions Portal (Portal). BIS worked with Customs and Border Protection moving its review of the Harmonized Tariff System of the United States code to the start of the process to eliminate delayed denials. The Portal further reduces the rate of errors by providing a template that allows automatic filling of some data and prevents submissions lacking priority or required data. Requestors are now provided a detailed email for each rejected filing outlining the specific items which must be corrected. The Portal has significantly reduced processing times through automation of certain processes and reducing the inefficiency of transferring materials among reviewers.
6. EA will coordinate BIS participation in the Committee on Foreign Investment in the U.S. (CFIUS) by evaluating the export control and defense industrial base equities in transactions and assessing the national security implications of these transactions.
7. BIS will continue full implementation and improvements for controlling firearm exports under the former U.S. Munitions List (USML) Categories I-III (Category I – Firearms, Close Assault Weapons, and Combat Shotguns; Category II – Guns and Armament; and Category III – Ammunitions and Ordnance) through the Commerce Control List (CCL).
8. EA is the administrator of the Defense Priorities and Allocations System (DPAS). The DPAS implements the Title 1 priorities and allocations authority contained in the Defense Production Act (DPA) of 1950, that has been delegated to the Secretary of Commerce. The DPAS regulation (15 CFR Part 700) implements the priorities and allocations authority of the DPA with respect to industrial resources. The regulation establishes procedures which requires preferential acceptance and performance of contracts or orders for industrial



resources supporting certain national defense and energy programs. Commerce has undertaken seven official actions to date in calendar year 2020, all of which were related to COVID-19 response.

For more information about the specific initiatives in the FY 2021 BIS budget, please see our budget summary at:

https://www.commerce.gov/sites/default/files/2020-02/fy2021_bis_congressional_budget_justification.pdf

Summary of Major Organizational Improvement Initiatives

Employee Engagement: In FY20, BIS reviewed its results (scores and participation levels) from the Office of Personnel Management’s (OPM) FY2019 Federal Employee Viewpoint Survey, the Partnership for Public Service (PPS) 2019 Best Places to Work results (derived from key FEVS outcomes) and recognized a Bureau-wide problem with employee engagement. To improve employee engagement and make BIS a premier employer in the federal government, the senior leadership took a number of steps. The most critical of these steps was to create the Employee Engagement Focus Group. The group completed four formal sessions and many informal meetings identifying, ranking, and prioritizing key employee issues in BIS. Issues were identified from group discussions and 2019 FEVS data. The top areas identified by the focus group for improvement are change solutions, telework, comp/flex time, awards and recognition, and information technology (IT) modernization. Efforts to address all these areas are underway. The Employee Engagement Focus Group is also contemplated as a standing (with rotating membership) committee.

IT Modernization: BIS IT systems, for a variety of reasons, have fallen behind not only private industry, but other government agencies over the last decade. Improving our IT systems is paramount to enhancing our productivity and efficiency as an agency, as well as serving our customers, internally and externally, with modern tools and top-tier service. BIS, through its Office of the Chief Information Officer (OCIO), is making significant headway by embracing a cloud smart policy, consolidating and reducing redundancy of our IT tools, synchronizing IT security posture in alignment with Commerce-wide policy, consolidating our data centers, and reviewing software and hardware structure to ensure a more streamlined suite. Significant efforts are underway as well to restructure support contracts for more efficiency and accountability and reorganizing the structure and focus of Federal staff in the BIS OCIO to better fit the modern IT landscape.

Strategic Partnerships, Key Stakeholders, and Interagency Groups

To promote understanding and support of Bureau’s budget initiatives, the Bureau’s Budget Office works closely with the Department of Commerce, Congressional appropriations staff, the Office of Management and Budget, and external stakeholders.

BIS has several Technical Advisory Committees (TACs). All this fall under the guidelines of the Federal Advisory Committee Act (FACA), which governs the creation and operation of Federal Advisory Committees.



1. Emerging Technology (ETTAC) – Controls related to emerging and foundational technologies, and research and development activities.
2. Information Systems Technical Advisory Committee (ISTAC) – Controls related to computers, electronics, and telecommunications equipment.
3. Materials and Equipment Technical Advisory Committee (METAC) - Controls related to items for radar absorption, jet engine turbines blades, super-conductivity, fluids, lubricants, composites, and for nuclear, missile, chemical, and biological weapons, metal-working equipment, and numerically controlled machine tools and robots.
4. Regulations and Procedures Technical Advisory Committee (RPTAC) – Review of the EAR and procedures implementing these regulations.
5. Sensors and Instrumentation Technical Advisory Committee (SITAC) - Controls related to sensors and instrumentation, including technical data and other information.
6. Transportation and Related Equipment Technical Advisory Committee (TRANSTAC) - Controls related to transportation and related equipment.

BIS participates in four multilateral export control regimes:

1. Wassenaar Arrangement - The Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies is a group of 42 member countries that contributes to regional and international security and stability by promoting transparency and greater responsibility in transfers of conventional arms and dual-use (i.e., those having civil and military uses) goods and technologies to prevent destabilizing accumulations of those items.
2. Nuclear Suppliers Group - The Nuclear Suppliers Group (NSG) is a group of 48 member countries focused on stemming the proliferation of nuclear weapons.
3. Australia Group - The Australia Group (AG) is a group of 42 member countries focused on preventing the proliferation of biological and chemical weapons.
4. Missile Technology Control Regime - The Missile Technology Control Regime (MTCR) is a group of 35 member countries focused on stemming missile proliferation.

Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

1. Huawei, the Entity List, and the Executive Order on Securing the Information and Communications Technology and Services Supply Chain
2. ZTE Corporation and the Special Compliance Coordinator (SCC)
3. Section 232 of the Trade Expansion Act of 1962, as amended, investigations and exclusion process.
4. The Foreign Direct Product and Military End-Use/User Rules, specifically regarding semiconductors, semiconductor fabrication, and U.S. technology-based semiconductor fabrication tools.
5. The identification of emerging and foundational technologies pursuant to ECRA.

Awaiting Decisions (first 100 days from 1/20/21)

- **Identification and Review of Controls for Certain Foundational Technologies**



Pursuant to ECRA, BIS and its interagency partners are engaged in a process to identify emerging and foundational technologies that are essential to the national security of the United States. Foundational technologies essential to the national security are those that may warrant stricter controls if a present or potential application or capability of that technology poses a national security threat.

- **Updates to Export Controls on Advanced Surveillance Systems and Technologies**

In addition to law enforcement and public safety-related uses, surveillance technologies (e.g., crowd-scanning systems) can be used to facilitate the abuse of human rights. China, for example, has deployed facial recognition technology in the Xinjiang region, in which there has been repression, mass arbitrary detention and high technology surveillance against Uighurs, Kazakhs and other members of Muslim minority groups. The need to maintain effective controls on such technologies is paramount to U.S. foreign policy interests.

Quick Wins (first 100 days from 1/20/21)

- **Map-Out Relationships Between CFIUS Investment and BIS Exports Controls**

Will allow BIS to evaluate strategic and tactical trends in technology transfer to identify intersecting national security risks.

- **Establish a Common Threat Picture and Perform Trend or Gap Analyses Across All Export Control Systems.**

Will focus on interagency technology and compliance reviews on technologies and threat actors of concern across the interagency.

- **Implement Special Hiring Authorities for BIS**

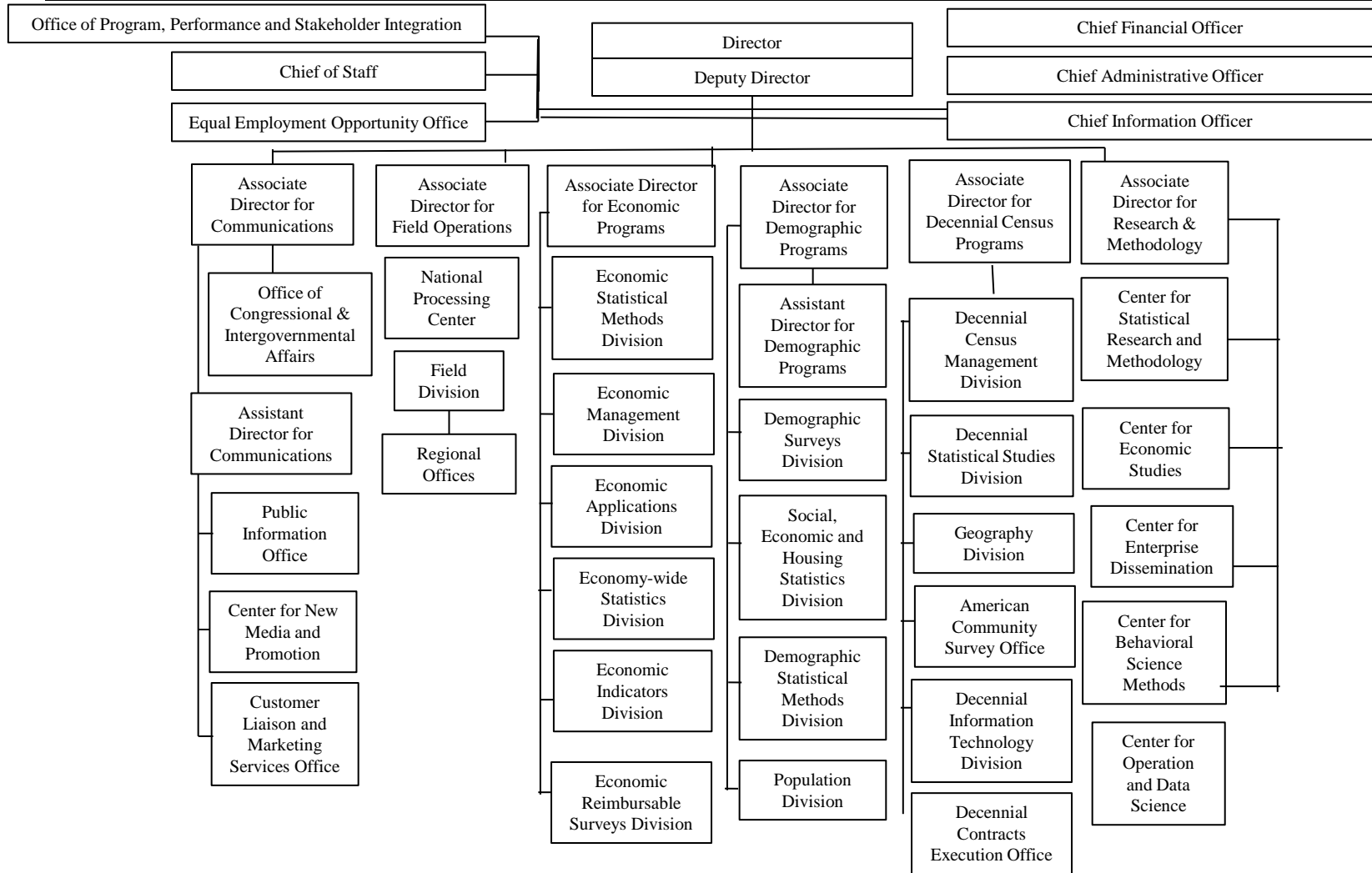
Will create new and make better use of existing special hiring authorities to help BIS hire technical specialists with greater ease, such as specialized engineers and skilled multi-linguists.

Points of Contact

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Census Bureau



Differences from effective DOO dated 5/19/2017

1. CFO, CAO, and CIO moved to top with no sub-division info
2. Program Performance and Stakeholder Integration added to top
3. All Assistant Directors removed
4. Sub-division changes made to Associate Director for Economic Programs Division, Associate Director for Decennial Census Programs Division, and Associate Director for Research and Methodology Division



Section 4-3 b - Census Bureau Leadership Biographies



U.S. Census Bureau
Census Bureau Director
Dr. Steven Dillingham

Dr. Steven Dillingham was sworn in as the 25th Census Bureau Director on January 7, 2019.

Dillingham has more than 25 years of statistical, research, senior management, and legal experience in the federal government. Dillingham previously served as Director of the Bureau of Justice Statistics and the Bureau of Transportation Statistics. Both agencies support national surveys in partnership with the Census Bureau.

Before joining the Census Bureau, Dillingham served as Director of the Peace Corps Office of Strategic Information, Research, and Planning. Other federal service includes directing research and planning for the Department of Justice Trustee Program and directing surveys for the Office of Personnel Management. He was a career member of the Federal Senior Executive Service.

In addition, Dillingham was the Deputy Director for the National District Attorneys Association and Administrator of the American Prosecutors Research Institute. Dillingham has served on the faculties of the University of South Carolina and George Mason University. He is a Senior Certified Professional with the Society for Human Resource Management.

Dillingham earned his B.A. at Winthrop University, received his J.D., M.P.A., and Ph.D. from the University of South Carolina, and completed his M.B.A. at George Washington University and LL.M. at Georgetown University.



U.S. Census Bureau
Deputy Director and Chief
Operating Officer
Dr. Ron S. Jarmin

Dr. Ron S. Jarmin is the U.S. Census Bureau's deputy director and chief operating officer.

Jarmin performed the nonexclusive functions and duties of the director from July 2017 to January 2019 and previously served as the associate director for economic programs. He led the team for the 2017 Economic Census, overseeing a move to 100 percent Internet data collection and leveraging enterprise investments to minimize system, application, and dissemination costs. Data products from the economic census provide the foundation for key measures of economic performance, including the nation's gross domestic product.

From 2011 to 2016, Jarmin served as the assistant director for research and methodology. He oversaw a broad research program in statistics, survey methodology, and economics aimed at improving economic and social measurement within the federal statistical system. Since beginning his career at the Census Bureau in 1992, he has also served as the chief economist, chief of the Center for Economic Studies, and a research economist.

Jarmin holds a Ph.D. in economics from the University of Oregon. An elected fellow of the American Statistical Association, he has published papers in the areas of industrial organization, business dynamics, entrepreneurship, technology and firm performance, urban economics, data access, and statistical disclosure avoidance.



U.S. Census Bureau

Chief of Staff

Christa D. Jones

Christa D. Jones, Chief of Staff, U.S. Census Bureau. Since joining the Census Bureau in 2002, Jones has served in various roles, advising on matters related to privacy, confidentiality, and statistical policy. Among her roles, she previously served as a senior advisor to three directors, the Chief Privacy Officer, and the Deputy Chief of the Office of Congressional and Intergovernmental Affairs, and has led many special agency projects, including the Census Bureau's response to Hurricane Katrina. In 2017, she took a brief assignment at the Department of Homeland Security's Privacy Office where she was the Senior Director for Privacy Policy and Oversight.

Before joining the Census Bureau, she worked in the Department of Commerce's Economics and Statistics Administration for the Under Secretary for Economic Affairs, covering decennial census and population issues. From 1998 to 2001, she was with the U.S. Census Monitoring Board, Congressional Members.

Jones is a native of Virginia. She graduated from Queens College in Charlotte, NC, and has a master's degree from the George Washington University in Washington, D.C.



U.S. Census Bureau
Chief Administrative Officer
Laura Furgione

Laura Furgione is the chief administrative officer (CAO) at the U.S. Census Bureau. As CAO, Furgione provides leadership to a diverse group of offices and divisions—the Administrative and Customer Services Division, Census Investigative Services Division, Human Resources Division, and the Office of Employee Engagement. Previously, she served as the chief of the Office of Program, Performance, and Stakeholder Integration, where she worked to improve strategic management, requirements engineering, program/project management, cost estimation, quality assurance and evaluation, and external stakeholder integration.

Furgione joined the Census Bureau in December 2016 from the National Oceanic and Atmospheric Administration (NOAA), where she served as deputy assistant administrator for weather services and the deputy director of the National Weather Service. She was responsible for the day-to-day civilian weather operations for the United States, its territories, adjacent waters, and ocean areas. Prior to that, she was the assistant administrator for the NOAA Office of Program Planning and Integration. In that role, she was responsible for annual planning as well as long-term strategic planning, performance evaluation, and program integration through matrix management. Her vast experience with data, field operations, and organizational transformation helps the Census Bureau translate its vision into action.

Furgione holds a Bachelor of Science in atmospheric science from the University of Missouri–Columbia and a Master of Public Administration from the University of Alaska–Southeast.



U.S. Census Bureau
Chief Financial Officer
Ben Page

Ben Page joined the U.S. Census Bureau in June of 2019 as the Census Bureau’s chief financial officer. Since joining the Census Bureau, Page has overseen efforts to secure and execute FY 2020 appropriations, provide acquisition support to the 2020 Census, and improve the positions of the Census Bureau in the annual financial statement audit. He continues to implement process changes and financial changes to ensure alignment of the operations of the Office of the Chief Financial Officer with program operations and the use of financial data to support enterprise business decisions.

Prior to joining the Census Bureau, Page served as chief of the Commerce Branch at the U.S. Office of Management and Budget (OMB). At OMB, he worked with the Department of Commerce, Small Business Administration, Federal Communications Commission, and other related agencies to develop and execute the President’s budget. In this capacity, he worked closely with White House policy councils, congressional stakeholders, and leadership at the Department of Commerce to develop and implement policy recommendations through the enactment of legislation, promulgating regulations, or taking administrative actions. In addition, his office at OMB was responsible for carrying out OMB’s statutory responsibilities for spectrum management and advising the director on policy matters related to spectrum and telecommunications.

In his previous role at OMB, Page served as an advisor to three different OMB directors. His responsibilities included covering macro fiscal issues, working with the House Budget Committee covering science, space, and energy policy; and serving as a budget analyst responsible for national security and criminal justice issues.

Prior to OMB, Page worked for the Homeland Security Institute, a federally funded research and development center supporting the Department of Homeland Security. Page received a Bachelor of Arts in public administration from the University of Tennessee and a master’s in public policy from George Washington University.



U.S. Census Bureau
Associate Director for
Communications

Ali Ahmad

Ali Ahmad is the associate director for communications at the U.S. Census Bureau. He is responsible for leading the internal and external communications activities of the United States' largest statistical agency. This includes oversight of marketing, public affairs, congressional and intergovernmental affairs, partner engagement, and media relations.

The 2020 Census will not only be the largest civic engagement campaign in U.S. history, but it will also be the first decennial census with an online component open to all respondents. The Communications Directorate has a critical role in motivating self-response by deploying creative strategies to reach hard-to-count populations, recruiting national partners to help drive local outreach activity, protecting the Census Bureau's brand and public perception, and rapidly responding to questions and concerns from the American people.

Prior to joining the Census Bureau in 2018, Ahmad worked in several policy and communications positions at the federal, state, and local levels and with a national trade association. He is a graduate of the University of Virginia, with a degree in economics and history.



U.S. Census Bureau

Associate Director for Field Operations

Timothy Olson

Tim Olson is the associate director for field operations. He has executive responsibility for data collection conducted through the U.S. Census Bureau's censuses and surveys.

Field regional offices, area census offices, call centers, and data processing facilities, which form the backbone of the Field Directorate that Olson oversees, are located in Los Angeles, Tucson, Phoenix, Denver, Dallas, Chicago, Atlanta, Philadelphia, New York, and southern Indiana. The directorate employs approximately 11,000 people during years without a decennial census, most of whom conduct surveys. During the 2020 Census, the directorate will swell to more than 500,000 employees, mostly home-based interviewers located in every county of the nation, the District of Columbia, and Puerto Rico.

Olson began his career at the Census Bureau in 1987 as a temporary employee in the Seattle region during the 1990 and 2000 decennial censuses. He joined the Census Bureau's headquarters team in 2001, supporting the Field Division's Special Census program. In 2013, he became the agency's first respondent advocate, and in 2014 became the chief of the Field Division.

Olson is the recipient of numerous awards, including the Commerce Department's Gold and Silver Awards, two Census Bureau Bronze Medal Awards, and the Director's Award for Innovation. Olson earned a Bachelor of Arts degree in history from St. Paul Bible College in 1983 and a Master of Divinity from the Alliance Theological Seminary in 1986.



U.S. Census Bureau

Associate Director for Economic Programs

Nick Orsini

Nick Orsini is the Associate Director for Economic Programs at the U.S. Census Bureau. The directorate conducts more than 60 monthly, quarterly, and annual surveys covering various sectors of the economy, including 12 economic indicators and an economic census and census of governments in years ending in 2 and 7. The directorate also conducts reimbursable surveys for other government agencies, such as the National Science Foundation, the Department of Transportation, the Energy Information Administration, the Department of Education, the Department of Justice, and the Department of Housing and Urban Development. The economic directorate has more than 1,200 employees and an annual budget of more than \$350 million.

Orsini has nearly 30 years of experience working with economic data. He has been chief of the Economic Indicators Division and chief of the Manufacturing and Construction Division. Additionally, as chief of the Foreign Trade Division, he was responsible for developing several advanced indicator measures to improve the quality of the gross domestic product estimate, overseeing the processing and results of millions of import and export transactions each month developing several innovative data products, and collaborating with other public and private organizations on mutually beneficial projects.

Orsini has received a Gold Medal Award and Silver Medal Award from the Department of Commerce and two Bronze Medal Awards from the Census Bureau for distinguished and superior achievements. He earned his bachelor's degree in economics from the University of New Mexico.



U.S. Census Bureau
Associate Director for Decennial
Census Programs

Albert E. Fontenot Jr.

Albert E. Fontenot Jr. is the U.S. Census Bureau's associate director for decennial census programs. He is responsible for providing executive leadership and direction for the 2020 Census, the American Community Survey, and the Census Bureau's geographic programs. Fontenot was named to the position in October 2017 after serving as the assistant director for decennial census programs. Previous to his positions in the Decennial Directorate, Fontenot served as the Census Bureau's assistant director for field operations, where he oversaw the Field Division, the six regional offices, the National Processing Center, and the Office of Survey and Census Analytics.

Arriving at headquarters in March 2016, Fontenot delivered outstanding leadership to the Field Division and worked closely with the Decennial Directorate to help drive a coordinated approach to 2020 Census preparation. During that time, he represented the Field Division on the 2020 Concept of Operations Team and was instrumental in helping craft the 2020 Operations Plan and in preparing, executing, and evaluating the early census tests.

Named director for the Chicago Regional Office in 2014, Fontenot's motivation, leadership, and disciplined process led the region to strong performances on major surveys and reversed downward trends while maintaining effective cost controls. Fontenot joined the Census Bureau in 2009 as a temporary census employee and served in numerous roles during the 2010 Census, starting as a field operations supervisor and culminating as the area manager of Los Angeles County and the state of Hawaii. Following the 2010 Census, he worked as a survey supervisor, program coordinator, and assistant regional director in the Los Angeles Region.

Prior to the Census Bureau, Fontenot developed extensive executive leadership experience in the private sector, including 12 years as president and chief executive officer of midsized corporations. He led successful major product and organizational initiatives, organizational development, business redesign, and reorganizational activities. Fontenot is a decorated military veteran, having served as an Army officer with combat service in Vietnam.

Fontenot received a bachelor's degree in management and a Master of Business Administration in corporate finance and marketing from DePaul University in Chicago. He holds a Doctor of Ministry in pastoral ministry.



Section 4-3 b - Census Bureau Leadership Biographies



U.S. Census Bureau

Associate Director for Demographic Programs

Dr. Victoria Velkoff

Dr. Victoria (Tori) Velkoff is the U.S. Census Bureau's associate director for demographic programs. She has worked at the Census Bureau for nearly 30 years, serving in several key leadership positions. As head of the Demographic Programs Directorate, she is responsible for providing relevant and accurate information on the size, distribution, and characteristics of the nation's population, income and poverty, and housing. Additionally, she gathers international demographic data; provides other government agencies with survey and statistical services, such as survey design, data collection, and data processing; maintains strong partnerships with sponsors and stakeholders; and designs and markets new products that meet national and international information needs.

From 2016 to 2018, as chief of the American Community Survey Office in the Decennial Directorate, Dr. Velkoff provided executive leadership and direction for the American Community Survey (ACS). The ACS is the principal source of social, demographic, economic, and housing information for the nation, states, counties, cities, and towns. Data from the ACS are used every day to make decisions that improve the quality of life for people throughout the United States. Dr. Velkoff led the research effort to reduce respondent burden while maintaining the quality of the ACS.

Dr. Velkoff also held leadership positions in the Demographic Programs Directorate. She directed the Census Bureau's research on home ownership rates, income, poverty, and health insurance, new measures for same-sex relationships, and the development of the supplemental poverty measure. She also directed research and outreach on race and Hispanic origin data, the production of population estimates and projections for the United States and other countries, and international assistance work. Dr. Velkoff has a Ph.D. in sociology and demography from Princeton University. She has an M.A. in Russian and East European studies and a B.A. in economics from the University of Michigan. She has received several Bronze Medal Awards from the Census Bureau in recognition of her contributions to projects that support the agency's mission.



U.S. Census Bureau

Associate Director for Research and Methodology and Chief Scientist

Dr. John M. Abowd

John Abowd is the U.S. Census Bureau’s associate director for research and methodology, and chief scientist. He was named to the position in June 2016. The Research and Methodology Directorate leads critical work to modernize our operations and products. Abowd is an internationally renowned scholar whose research on privacy and statistical disclosure limitation helps the Census Bureau improve products and honor the commitment to confidentiality of data.

His long association with the Census Bureau began in 1998 when he joined the team of distinguished research fellows that helped found the longitudinal employer-household dynamics program. In 2008, he led the team that created the world’s first application of a differentially private protection system for the program’s OnTheMap job location tool.

He is currently leading the agency’s efforts to create a differentially private protection system for the 2020 Census and future data products. The 2020 Census will be the world’s first large- scale data product to use the new safeguards. The system will provide formula-driven, finely calibrated protection against attempts to reidentify individuals in the statistics we publish. These emerging threats are a consequence of today’s powerful computers, advances in data science, and the proliferation of easily accessible “Big Data” outside our control.

Abowd joined the faculty of Cornell University’s School of Industrial and Labor Relations in 1987. He is the Edmund Ezra Day Professor of economics, statistics, and information science. Abowd is a fellow and past president of the Society of Labor Economists. He is also a fellow of the American Statistical Association and the Econometric Society, as well as an elected member of the International Statistical Institute.

From 2011 until 2016, he was the principal investigator for the Cornell University node of the National Science Foundation—Census Research Network (NCRN) and co-principal investigator of the NCRN coordinating office. He is the winner of the American Statistical Association’s Roger Herriot Award (2014 from the Government and Social Statistics Sections) and Julius Shiskin Award (2016 from the Business and Economic Statistics Section). Abowd earned his Ph.D. from the University of Chicago and an A.B. from the Department of Economics at the University of Notre Dame.



U.S. Census Bureau

Mission

To serve as the nation’s leading provider of quality data about its people and economy.

Locations and Workforce Demographic Trends

Overall Workforce: 23,272 federal employees

Headquarters: Suitland, MD, 4,487 federal employees as of September 30, 2020.

Field Offices: 8 field/processing offices outside of Washington DC, ~ 18,785 federal employees as of September 30, 2020.

Historical Total Staffing Levels (Positions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President’s Budget
14,465	16,733	46,117	406,461	17,115

Budget Trend – Discretionary and Mandatory Appropriations (\$ in Millions)

	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President’s Budget
Non-2020 Census	\$733.0	\$738.2	\$822.7	\$878.8	\$876.0
2020 Census	\$757.0	\$2,095.0	\$3,018.7	\$6,699.5	\$816.0
Total	\$1,490.0	\$2,834.0	\$3,841.4	\$7,578.3	\$1,692.0

Principal Responsibilities

The Census Bureau released its FY 2021 President’s budget request on February 10, 2020, the Administration’s scheduled President’s budget release date. The request continues to position the Census Bureau as the Nation’s premier statistical agency. The Census Bureau’s FY 2021 request includes \$1,692 million to continue targeted investments to:

1. Release data for apportionment and redistricting from the 2020 Decennial Census.
2. Leverage innovations initiated through the Decennial Census operations to position the Census Bureau for the future.
3. Embark on a multi-year process of creating an operating model that blends survey data with administrative and alternative data sources.



Section 4-3 c – Census Bureau Overview Fact Sheet

Of note, the Census Bureau's FY 2021 budget includes several initiatives that will lay the groundwork for transformation at the Census Bureau by providing enterprise-wide infrastructure for data management, survey sample frames, user-centric dissemination systems, and enhanced administrative records research, while keeping our data confidentiality promise to the American people through improved data disclosure methods and management.

In addition, this budget continues critical investments in the post-enumeration operations for the 2020 Census and release of apportionment and redistricting data; finalizes the last data releases of the 2017 Economic Census; begin activities for the 2022 Economic Census and Census of Governments; and continued efforts to collect and release monthly, quarterly, and annual statistics.

Decennial Programs (2020 Budget \$916.8 million) - The Decennial Census Directorate is comprised of three programs: the 2020 Census, the American Community Survey (ACS), and Geographic Support. These are supported by additional offices for Statistical Studies, IT, Administration, Program Management, and Communications, as well as the separate Decennial Translation and Census Redistricting and Voting Rights Data offices. The 2020 Census (every decade) and ACS (ongoing), together with their supporting programs, comprise the demographic and geographic data framework that underpins virtually all business and governmental decision-making in the United States.

Economic Programs (2020 Budget \$328.9 million) - The Economic Programs Directorate oversees the statistical programs that count and profile U.S. businesses and government organizations. It is responsible for economic and government censuses taken every five years; more than 70 separate surveys taken monthly, quarterly, and annually, including 12 principal federal economic indicators; merchandise export and import statistics produced monthly; extensive compilations of administrative records; and numerous special research and technical studies. The economic surveys conducted span 19 of the 20 industry sectors and cover approximately 99 percent of GDP.

Demographic Programs (2020 Budget \$89.3 million) - The Demographic Programs Directorate develops and manages over 30 demographic surveys (monthly, quarterly, and annually) from which data are used to create official U.S. measures of employment, unemployment, poverty and widely used measures of crime, housing, education, income and health insurance coverage. Of the survey work conducted by the Demographic Directorate, \$270 million was planned for federal and nonfederal organizations through the Census Bureau's reimbursable program in FY 2020. The directorate provides data on topics such as immigration, families and children, and participation of individuals and households in federal, state, and local assistance programs.

Research and Methodology (2020 Budget \$161.9 million funded by other Census directorates, direct appropriation, and Reimbursable activities) - The Research and Methodology Directorate performs research into innovative methods and products. It establishes and refines methodologies that lead to new products and processes. The directorate explores ways that the Census Bureau can collect, process, and disseminate data more efficiently, while still providing high-quality statistical results and fully meeting our legal and ethical obligation to protect respondents' confidentiality. The directorate's research areas include adaptive design, behavioral science,



disclosure avoidance, survey management, statistical research and methodology, data science, and longitudinal analysis.

Chief Administrative Officer (2020 Budget \$112.7 million funded by other Census directorates and direct appropriation) - The Office of the Chief Administrative Officer (CAO) provides human resources, administrative services, health and safety, and investigative services to all components of the U.S. Census Bureau. In FY 20, the CAO established the Census Bureau COVID-19 Task Force to ensure the safety of the American public and the Census workforce as well as incorporate all appropriate guidance into Census operations related to the coronavirus pandemic. In addition, the CAO is leading the modernization of the Suitland Federal Center to include ensuring space to support a more mobile workforce, improved conference and reservation functions, and accommodating a new federal agency.

Information Technology (2020 Budget: \$1.97 billion includes \$1.3 billion for the Decennial Census and \$587 million other IT investments) - The Office of the Chief Information Officer delivers innovative, responsive, and trusted IT services and capabilities for over 200 program-specific and Enterprise applications. Its employees are located primarily at headquarters and the data center located in Bowie, MD. The directorate leads the bureau effort to design and deliver the Enterprise Data Lake (EDL) which will provide the first high performance, secure and scalable multitenant cloud computing environment to develop data products using modern infrastructure and open source tools that support high speed parallel processing, artificial intelligence, and machine learning.

Office of Program Performance & Stakeholder Integration (PPSI) (Budgetary Authority Requested in FY2021 Budget) - The Data Ingest and Collection for the Enterprise (DICE) program is a follow-on effort of the Census Enterprise Data Collection and Processing (CEDCaP) program to integrate the remaining Census Bureau censuses and surveys for the Enterprise, and incorporates lessons learned from the 2020 Census operations. DICE is a new way of doing business that focuses on minimizing redundancy, lowering complexity, and avoiding duplicative costs for the Census Bureau's business and household data collection operations.

For more information about the specific initiatives in the FY 2021 Census Bureau budget, please see our budget summary at www.census.gov/about/budget.html.

Summary of Major Organizational Improvement Initiatives

Facilities Modernization – The Census Bureau's National Processing Center needs to move from its current campus into a new, leased facility in the Jeffersonville, Indiana, area. The current facility, which consists of 10 separate 1930–1940 era buildings, requires substantial maintenance and does not meet Federal fire and life safety, accessibility, and energy efficiency standards. The General Services Administration (GSA) has determined that it would not be cost effective to rehabilitate the current facility to resolve these issues. The Census Bureau will require approximately \$45 million to support its share of the costs associated with the move.

Data Dissemination Modernization – The Census Bureau's multifaceted data dissemination effort takes place in four areas: controlled and coordinated access to data through the Federal



Statistical Research Data Centers and Research Project Coordination Area, privacy protection through the Center for Enterprise Dissemination-Disclosure Avoidance, and disseminating all public data releases through the Center for Enterprise Dissemination Services and Consumer Innovation (CEDSCI).

Data Ingest and Collection for the Enterprise (DICE) program – DICE is a follow-on effort of the Census Enterprise Data Collection and Processing (CEDCaP) program to integrate the remaining Census Bureau censuses and surveys for the Enterprise, and incorporates lessons learned from the 2020 Census operations. DICE is a new way of doing business that focuses on minimizing redundancy, lowering complexity, and avoiding duplicative costs for the Census Bureau’s business and household data collection operations.

Community Resilience Estimates (CRE) – CRE provide a measure of the capacity of a community to absorb, endure, and recover from the health, social and economic impacts of a disaster.

Household Pulse Survey – A 20-minute online survey to measure household experiences during the Coronavirus (COVID-19) pandemic. Data is disseminated in near real-time to inform federal and state response and recovery planning.

Small Business Pulse Survey – Provides high frequency data about the impacts and challenges small businesses are facing due to the coronavirus pandemic. Weekly data tabulations and visualizations were disseminated in near real-time as experimental data products.

Bureau of Labor Statistics (BLS) move into Suitland Federal Center (SFC) – In September 2019, the Census Bureau was presented a scenario by GSA where the BLS would move into the SFC during the summer of 2022. Since that time, we have worked with GSA, BLS, and the other tenant of SFC, the Bureau of Economic Analysis (BEA), to understand the details and impacts of such a move. The proposal will reduce the Census Bureau footprint by 38%.

Strategic Partnerships, Key Stakeholders, and Interagency Groups

The Census Bureau’s robust data collection and acquisition infrastructure is integral to the operation of the Federal Statistical System (led by the Office of Management and Budget (OMB) Office of Information and Regulatory Affairs). Members include BEA, the Bureau of Labor Statistics, Bureau of Justice Statistics, National Center for Education Statistics, and others. For example, the Census Bureau provides 66 percent of the data that the BEA uses to generate its flagship statistic, GDP.

The Census Bureau works closely with the oversight bodies that monitor major programs’ execution. These include Congress, the Government Accountability Office (GAO), the Office of the Inspector General (OIG), and the OMB. The bureau also maintains strategic partnerships with our data users—both federal (Congress and other agencies) and nonfederal (businesses, nonprofit organizations, state, local, and tribal government agencies, researchers, and the public). Finally, the agency seeks advice from the Census Advisory Committees, the Federal Economic Statistics Advisory Committee (FESAC), and other experts on methodology, population and demography issues, technical issues, and others.



Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

The House Oversight and Government Reform and the Senate Homeland Security and Government Affairs Committees will continue active oversight of the 2020 Census, particularly concerning the quality of the census and the disclosure avoidance methods to ensure respondent privacy. The Census Bureau anticipates possible congressional hearings, but dates have not been determined. In addition, the DOC OIG and the GAO are conducting audits on an ongoing basis of various 2020 Census programs outcomes, as well as monitoring the Census Bureau’s assessments of the 2020 Census operations. Release dates for, and possible congressional testimony on these audits have not been determined.

Awaiting Decisions (first 100 days from 1/20/21)

The Census Bureau anticipates continued litigation regarding the execution of the 2020 Census, including the generation and delivery of the state population counts used for congressional apportionment, redistricting data, Citizen Voting Age Population (CVAP) data, and the application of privacy protection techniques. The Bureau is committed to meeting its statutory obligations to deliver decennial counts that are “as accurate as possible, consistent with the Constitution and laws of the United States” (P.L. 105-119, §209) and to protect census respondent privacy in the promulgation of census data. It is possible that questions and challenges to the privacy methods chosen will be raised.

Quick Wins (first 100 days from 1/20/21)

The FY21 Budget is an important first step to modernize the Census Bureau and allow it to adapt to challenges facing Federal statistical agencies; seize opportunities to provide timely, customer-centric data; and more fully contribute to the federal evidence-based policymaking agenda, as well as timely completion of the 2020 Census and strategic planning for the 2030 Census. Securing funding in the first 100 days for the initiatives proposed in the FY 21 Budget and making investments in long term infrastructure improvements, such as modernization of the Suitland Federal Center and transition functionality developed for the 2020 Census into other survey operations, will kickstart the transformation of Census Bureau operations.

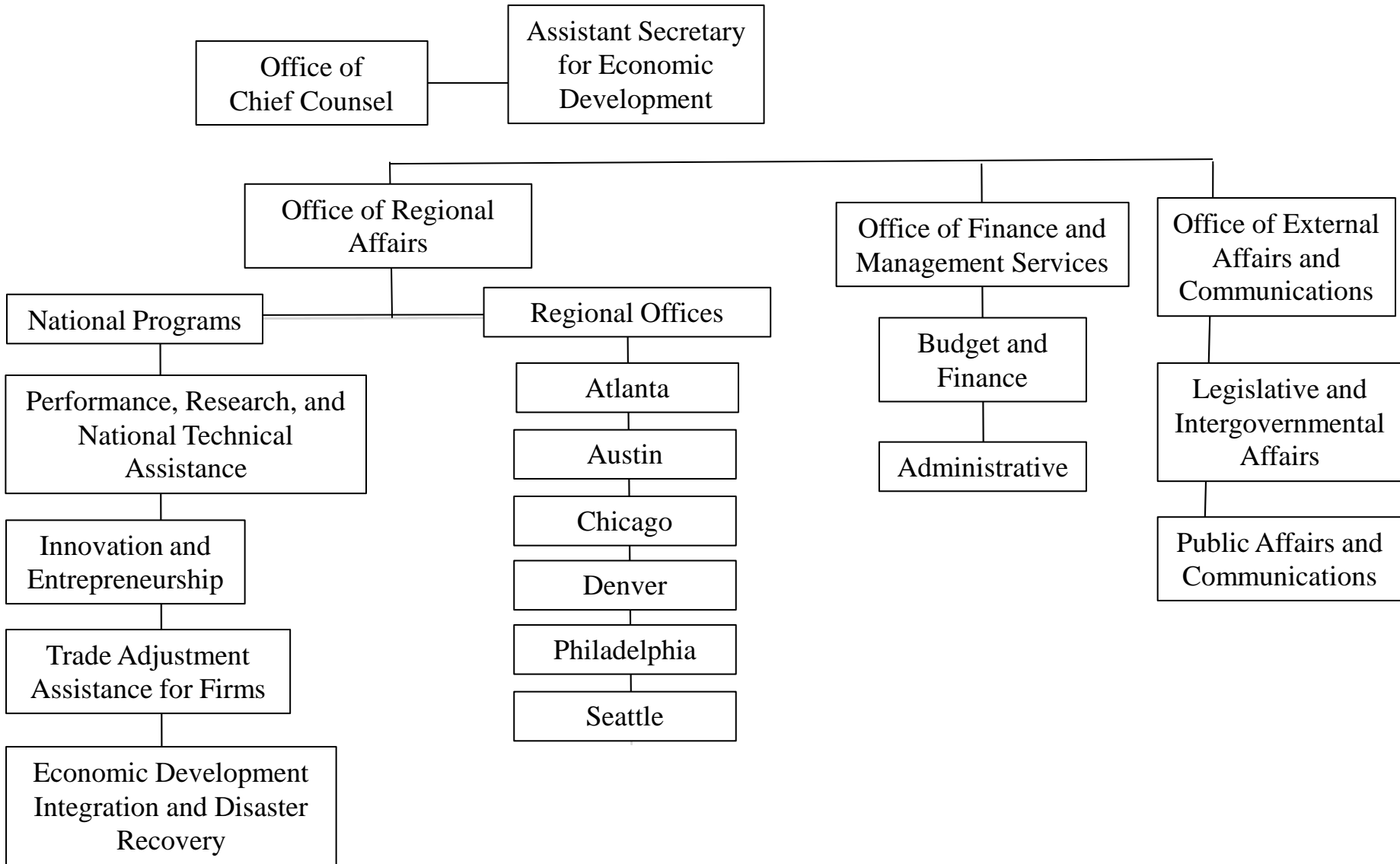
In response to the COVID-19 pandemic, the Census Bureau fielded two “pulse surveys” to measure the impacts of the public health and economic disruptions on households and small businesses. These surveys provided near real time data to inform policy decisions and provide insights before the scheduled release of major indicators or survey results. If the country is still in a period of economic recovery and public health uncertainty, these surveys could continue to provide data, but would require reauthorization of the data collection proposals by the OMB and a reprogramming of funding once FY21 appropriations are passed.

Points of Contact

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Economic Development Administration





Economic Development Administration

Performing the non-exclusive duties of the Assistant Secretary for Economic Development

Dana Gartzke

Performing the Delegated Duties of the Assistant Secretary of Commerce for Economic Development Dana Gartzke

On March 23, Secretary Ross appointed Dana Gartzke as head of the EDA bureau, performing the delegated duties of the Assistant Secretary for the Department of Commerce. Mr. Gartzke is responsible for fulfilling the agency's mission of leading the federal economic development agenda.

During his tenure at EDA, Mr. Gartzke has worked to focus the agency on fulfilling President Trump's economic agenda by advancing critical priorities, including Opportunity Zones, disaster recovery and resiliency, infrastructure and workforce development.

Prior to joining EDA, Mr. Gartzke was the Vice-President for the Alliance of Health Care Sharing Ministries, where he was responsible for the association's legislative and administrative affairs in Washington D.C. and various state capitals.

Mr. Gartzke also served for 22 years on Capitol Hill as Chief of Staff to three members of Congress in the U.S. House of Representatives. He has deep experience in such committees as Appropriations, Armed Services, Science and Technology, Financial Services, and Natural Resources. Prior to the Hill, Mr. Gartzke spent 15 years in the private sector as a design engineer and program manager for various programs at Harris Corporation serving key customers such as DoD, NASA, JPL, NSA, and FAA.

Mr. Gartzke received his B.S. degree in Electrical Engineering from the University of South Florida, a M.B.A. degree from Florida Tech, was awarded the renowned "Program on Negotiation" certificate from Harvard Law School in 2014, and earned a Business Development certificate from Auburn University. In 2012 he was added to the bipartisan "Stennis Congressional Fellow" Class.



**Economic Development
Administration**

**Deputy Assistant Secretary for
Economic Development and Chief
Operating Officer**

Dennis Alvord

Dennis Alvord serves as EDA's Deputy Assistant Secretary for Economic Development and Chief Operating Officer and is responsible for enterprise-wide operations and program execution. Mr. Alvord concurrently performed the duties of the Assistant Secretary and the Deputy Assistant Secretaries of Economic Development and Regional Affairs from April 2017 through March 2019.

Active in the Department, he was elected as Co-Chair of the Department Management Council, comprised of senior executives from all of Commerce's principal operating units. Previously, as Senior Advisor to the Deputy Secretary, he worked on a broad portfolio of department-wide management, operations, program and policy issues and co-chaired the Department of Commerce's 2016-17 Presidential Transition, coordinating efforts across the Department and with the White House and President Elect's Transition Team.

Preceding his Senior Advisor role, he led start-ups as Executive Director of Business USA, a government-wide, multiagency customer service initiative that promoted and improved access to business assistance resources, and as Executive Director of the Department of Commerce's Commerce Connect initiative, which simplified access to the Department's business solutions.

Before joining the federal government, Mr. Alvord worked as a manager in the infrastructure finance group of an environmental and transportation consulting practice. Mr. Alvord holds a Master of Public Administration from George Washington University, and a Bachelor of Arts in political science from the State University of New York College at Cortland. He is a recipient of the 2015 President's Award for Customer Service.



Economic Development Administration (EDA)

Mission

To lead the federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy.

Locations and Workforce Demographic Trends

Overall Workforce: 178 permanent federal employees and 91 term and temporary federal employees.

Headquarters: Washington DC, 60 permanent federal employees and 57 term and temporary federal employees as of September 30, 2020.

Field Offices: 6 field offices outside of Washington DC (Seattle, Austin, Denver, Chicago, Atlanta, Philadelphia), 118 permanent federal employees and 47 term and temporary federal employees as of September 30, 2020.

Historical Permanent Staffing Levels (Positions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget¹
190	193	205	201	99

Historical Disaster Term and Temporary Staffing Levels (Positions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget²	FY 2021 President's Budget
NA	NA	65	125	125

¹ The staffing level decrease in the FY 2021 President's Budget is in permanent staff due to the Administration's proposal to eliminate EDA.

² The increase in positions in FY 2020 is due to the addition of temporary positions for CARES Act and a reduction in term employees for disaster work.



Budget Trend – Annual Appropriations (\$ in Millions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
\$276.0	\$301.5	\$304.0	\$333.0	\$31.6

Budget Trend – Disaster Supplemental Appropriations (\$ in Millions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
NA	600.0	\$600.0	\$1,500.0	N/A

Principal Responsibilities

EDA released its FY 2021 President's budget request on February 10, 2020, the Administration's scheduled President's budget release date. The request continues to recommend the elimination of EDA. EDA's FY 2021 request includes \$31.6 million to conduct an orderly closure of EDA. The elimination of EDA is part of the Major Savings and Reforms in the President's 2021 Budget³.

EDA receives two annual appropriations, one for making grants to improve the economy and a second to operate the bureau. The following provides details of each appropriation.

Economic Development Assistance Programs (EDAP) (2020 Budget \$292.5 million)

EDAP programs fund grants that empower distressed communities to revitalize, expand, and upgrade their physical infrastructure to attract new industry, encourage business expansion, diversify local economies, and generate or retain long-term, private-sector jobs and investment.

EDA's grant investments are focused on ten broad development assistance programs, which include: Economic Adjustment Assistance (EAA, \$37.0 million), Partnership Planning (\$33.0 million), Technical Assistance (\$9.5 million), Public Works (\$118.5 million), Regional Innovation Program (RIP, \$33.0 million) (also known as the Build to Scale Program), Research and Evaluation (\$1.5 million), Assistance to Coal Communities (\$30.0 million), Assistance to Nuclear Closure Communities (\$15.0 million), Trade Adjustment Assistance for Firms (\$13.0 million), and STEM Apprenticeship Pilot Program (\$2.0 million). The EDA grants within each of these areas generate or retain jobs, attract new industry and private-sector investment, encourage business expansion, and serve as a backstop to sudden and severe economic dislocations to local economies.

³ https://www.whitehouse.gov/wp-content/uploads/2020/02/msar_fy21.pdf



Salaries and Expenses (2020 Budget \$40.5 million)

The necessary salaries and expenses of administering the economic development assistance programs and oversight of the EDA’s programs are carried out utilizing a network of headquarters and regional personnel who work with state and local organizations and leaders to identify and invest in projects that demonstrate potential for the greatest economic impact in distressed communities.

Disaster Supplemental Appropriations (\$ in Millions)

FY 2018 Actual	FY 2019 Actual	FY 2020 Budget
600.0	\$600.0	\$1,500.0

Supplemental Disaster Recovery and Emergency Appropriations (2020 CARES Act \$1.5 billion)

EDA’s FY 2020 appropriations included \$1.5 billion in supplemental funding from the CARES Act (P.L. 116-136)⁴ to respond to economic injury as a result of coronavirus. EDA’s role in disaster recovery is to facilitate delivery of federal economic development assistance to local governments for long-term community economic recovery planning, reconstruction, redevelopment and resiliency.

Following a disaster, EDA responds by first coordinating with Department of Commerce bureaus and other agencies engaged in disaster-recovery efforts to share information and data on the ramifications of the disaster. In addition, EDA reaches out to its economic development practitioner network (particularly its network of Economic Development District (EDD) Organizations) to collect on-the-ground information on the economic impacts of the disaster event. Then, if EDA was appropriated supplemental appropriations for disaster recovery, EDA runs grant competitions to distribute the funds in a way that maximizes long-term recovery, strength, and resiliency.

For more information about the specific initiatives in the FY 2021 EDA budget, please see our budget summary at: <https://www.osec.doc.gov/bmi/budget/default.htm>.

Summary of Major Organizational Improvement Initiatives

EDA is undertaking several interconnected organization health initiatives aimed at strengthening the agency and making EDA the best place to work in the federal government. Top level initiatives include implementing a major IT modernization effort to update core enabling technologies that are generations out of date; launching a Workforce Development planning process and consolidating a comprehensive workforce plan that are aimed at assessing competencies and gap reduction strategies; developing a 5-year Strategic Plan to define tangible actions EDA can take to successfully operationalize agency goals; and enhancing employee engagement initiatives to increase engagement and communication across the agency.

⁴ <https://www.congress.gov/116/plaws/publ136/PLAW-116publ136.pdf>.



Strategic Partnerships, Key Stakeholders, and Interagency Groups

- State Governments – National Governors Association; National Conference of State Legislatures
- County Governments – National Association of Counties (NACo)
- Municipalities – US Conference of Mayors; National League of Cities
- Economic Development Districts – National Association of Development Organizations (NADO)
- University Centers – 64 across the US and Historically Black Colleges and Universities
- Native American/Tribal Planning Organizations
- Industry Organizations – International Economic Development Council; Council on Competitiveness; Council on Foundations; Urban Water Partnership
- Academic and Research Organizations – University Economic Development Association (UEDA); Association of University Technology Managers (AUTM); National Academy of Sciences (Innovation Policy Forum); State Science and Technology Institute (SSTI); Kauffman Foundation; The Urban Institute (Urban); Indiana University – Indiana Business Research Center (IBRC); Rural Communities Assistance Partnership (RCAP); Center on Rural Innovation (CORI); Rural Innovation Strategies Incorporated (RISI); Smart Growth America (SGA); Nuclear Decommissioning Collaborative
- Trade Adjustment Assistance Centers
- Small and Medium Size US Business Owners
- Federal Interagency Partners:
 - Appalachian Regional Commission
 - Delta Regional Authority
 - Northern Border Regional Authority
 - Corporation for National and Community Service
 - Department of Housing and Urban Development
 - Department of Agriculture
 - Federal Emergency Management Agency
 - Department of Defense, Office of Economic Adjustment
 - Department of the Interior, Bureau of Indian Affairs
 - Small Business Administration
 - Department of Labor
 - Department of the Treasury
 - Environmental Protection Agency

Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

- FY 2021 Appropriations and elimination proposal.
- Results of ongoing Office of Inspector General (OIG) and Government Accountability Office (GAO) CARES Act audit(s).
- Ongoing engagement of the media via press releases to amplify bureau grant announcements, including EDA CARES Act Recovery Assistance investments, which typically garner significant, positive media attention.



- Proposal to defederalize EDA’s Revolving Loan Fund (RLF) old portfolio, which passed the Senate in the last Congress (S. 4075). The proposal aims to reduce the administrative burdens of old, successful RLF operators so that they can focus additional resources on economic revitalization.

Awaiting Decisions (first 100 days from 1/20/21)

- FY 2022 President’s Budget submission.
- Proposal to defederalize EDA’s RLF portfolio.
- Reconstitution of the National Advisory Council on Innovation and Entrepreneurship (NACIE) to leverage leading industry executives, entrepreneurs, investors, and other non-Federal leaders, to help the Department and the Administration tackle issues such as broadband infrastructure, R&D for emerging sectors, STEM and workforce development, and Opportunity Zones.

Quick Wins (first 100 days from 1/20/21)

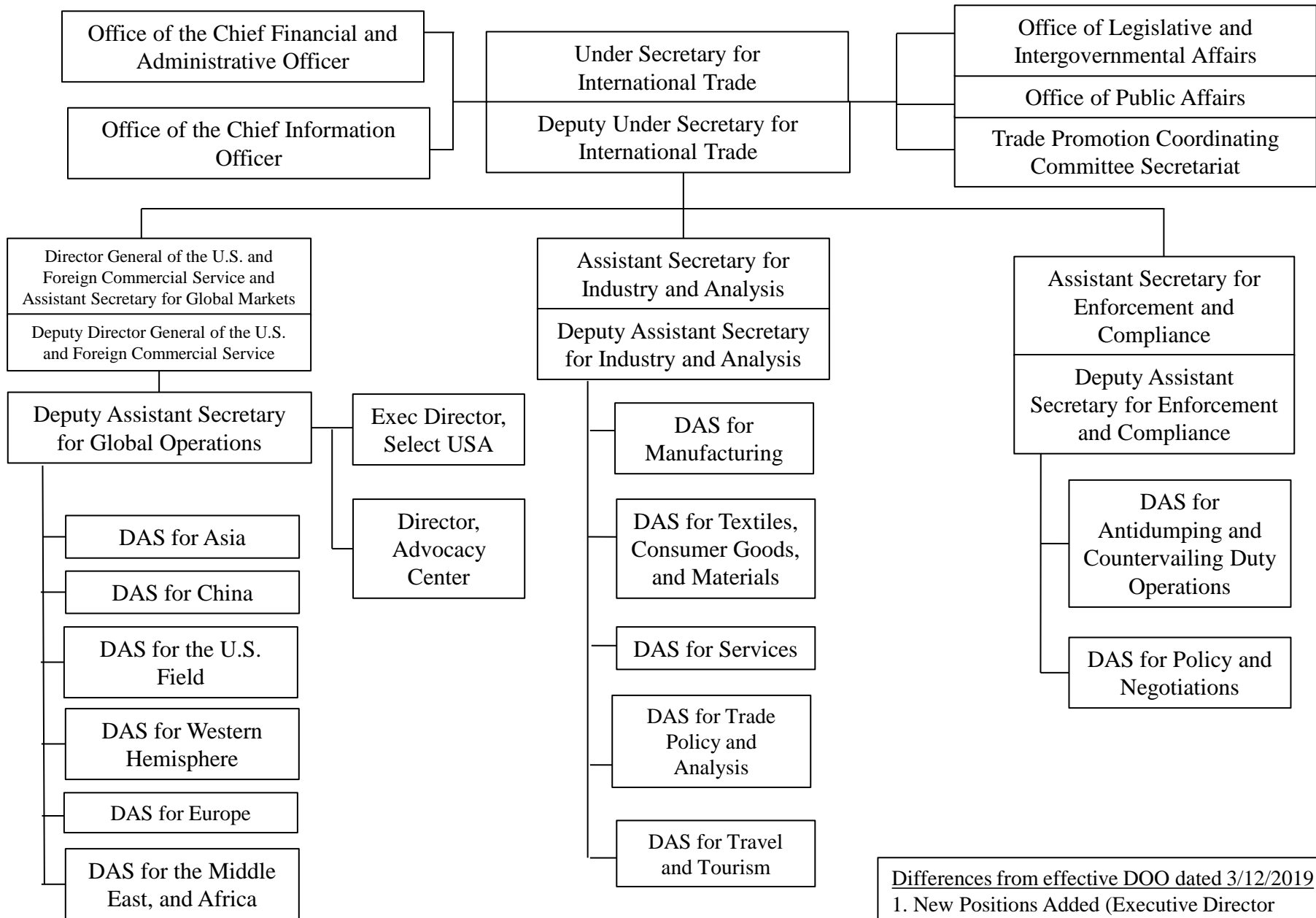
- **Awarding of CARES grants to support economic recovery**— In early 2021, EDA will be in the midst of finalizing a significant number of CARES Act awards. These awards provide a wide range of financial assistance to communities and regions as they respond to and recover from the impacts of the pandemic.
- **Awarding Disaster supplemental long-term economic recovery grants**—In early 2021 EDA will continue to make strategic awards to assist communities impacted by natural disasters in 2018 and 2019 to aid their economic recovery.
- **Launch FY 2021 Build to Scale** –EDA expects to announce the availability of funds under the Build to Scale annual competition in early 2021 (estimated release Feb/March 2021), anticipated to be at least \$33 million in Federal funds. Funds will be available for investment to support high-growth entrepreneurship, increase access to capital, and create the conditions for the development and deployment of technologies in industries of the future.

Points of Contact

Name	Dennis Alvord	Mara Quintero Campbell
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International Trade Administration



Differences from effective DOO dated 3/12/2019
 1. New Positions Added (Executive Director Select USA and Advocacy Center Director)



International Trade Administration

Deputy Under Secretary for International Trade performing the non-exclusive duties of the Under Secretary

Joseph C. Semsar

Joseph C. Semsar is Deputy Under Secretary for International Trade, Performing the non-exclusive functions and duties of the Under Secretary for International Trade. In this role, he plans, determines, and coordinates policy; directs the International Trade Administration; and is responsible for all activities of ITA. He coordinates all issues concerning international trade policy and promotion, trade law enforcement, trade agreements compliance, investment, and global competitiveness and directs the development of trade policy recommendations and positions.

Prior to joining the International Trade Administration, Mr. Joe Semsar served as the Chief of Staff to the Deputy Secretary of Commerce. In this role, he was actively engaged in all aspects of running the 47,000 employee Department, including both interagency and intra-agency management, oversight, and policy initiatives. He served as the Deputy Secretary's primary advisor on the Administration's trade agenda, encouraging free and fair trade, addressing trade barriers, ensuring trade enforcement, as well as advising on export controls, Entity List filings, actions under the Committee on Foreign Investment in the United States, and Section 232 cases. Mr. Semsar also engaged in high-level commercial bi-lateral dialogues and served as a senior advisor for the Department's engagement in the Administration's Prosper Africa trade and investment initiative.

Prior to his tenure at Commerce, Mr. Semsar served at the United States Office of Personnel Management's Office of the Director as the Deputy Chief of Staff and Acting Communications Director.

Before joining the Administration, Mr. Semsar worked for Deloitte Consulting LLP's Federal Practice, serving a diverse array of clients. He is a Teach for America former staff member and corps member alumnus, where he earned a Teacher of the Year award.

Mr. Semsar holds a Master of Public Administration degree from the University of Pennsylvania's Fels Institute of Government and Bachelor of Arts degree from Clemson University.



International Trade Administration

Deputy Under Secretary for Policy

Greg Kalbaugh

Greg Kalbaugh presently serves as the Deputy Under Secretary for Policy at the International Trade Administration. Immediately prior to this, he served as the Executive Director of SelectUSA, the government-wide initiative dedicated to advancing President Trump's trade and economic agenda by actively attracting job-creating business investment into the United States.

Prior to joining the Trump administration, Mr. Kalbaugh was a senior executive at a U.S.-based biotech company, where he led government affairs and reimbursement efforts in seven of the company's top-ten global markets and was a member of the company's senior leadership team. Mr. Kalbaugh's earlier experience includes serving as Deputy Vice President for International Intellectual Property at PhRMA, as International Trade Counsel at the Senate Finance Committee, and as Director and Counsel at the U.S. Chamber of Commerce.

He holds a law degree from University College Cork and earned an LL.M. in Intellectual Property Law from The George Washington University School of Law in Washington, DC.



International Trade Administration

Acting Deputy Under Secretary for International Trade

Diane Farrell

Diane Farrell is the Acting Deputy Under Secretary for International Trade. She oversees the daily operations of the ITA, which has an annual budget of \$483 million and about 2,100 trade and investment professionals, based in over 100 U.S. cities and 70 markets around the world.

She most recently served as the Deputy Assistant Secretary for Asia, where she was the principal advisor to the Assistant Secretary for Global Markets on all matters concerning international economics, trade, investment, and commercial policy programs and agreements with respect to Asia. In this role, she also oversaw planning and execution of Commerce commercial diplomacy and export promotion strategies at United States Missions in Region Asia.

Previously, Ms. Farrell worked at the U.S. India Business Council (USIBC). As Executive Vice President, she oversaw business advocacy policy and government relations. Prior to joining USIBC, Ms. Farrell served on the Board of Directors at the Export Import Bank of the United States. A Presidential appointee, confirmed by the U.S. Senate, she was responsible for voting on transactions more than \$10 million and policy matters. Her responsibilities included small business, India, Southeast Asia, and portions of Latin America. She was also named a member of the White House Business Council. During her tenure at U.S. Exim Bank, India transactions expanded and diversified as aircraft sales and conventional and green energy projects led to India becoming the second largest country by U.S. dollar allocation in the bank's overall portfolio.

Before serving at U.S. Exim Bank, Ms. Farrell was elected as the First Selectwoman in Westport, Connecticut. A strong mayor form of government, she managed multi-million-dollar budgets within the Consumer Price Index and maintained the town's AAA bond rating at a time when significant infrastructure investment was taking place. She oversaw the construction of schools, a municipal wastewater treatment plant, affordable housing, and other necessary facilities. She also served as Chairwoman of the Southwestern Connecticut Regional Planning Agency Metropolitan Planning Organization that was responsible for federally funded transportation infrastructure in a vital commercial corridor. As a select member of the National League of Cities Transportation and Infrastructure Steering and Policy Committee, she helped set policy goals for transportation and infrastructure initiatives in support of cities and towns across the United States.

Ms. Farrell holds a B.A. from Wheaton College Norton, Massachusetts with a degree in American Government.



International Trade Administration
Assistant Secretary for Enforcement
and Compliance

Jeffrey I. Kessler

Jeffrey I. Kessler was confirmed unanimously by the U.S. Senate on April 3, 2019 and assumed his position as Assistant Secretary of Commerce for Enforcement and Compliance on April 11, 2019. In his role, Mr. Kessler administers U.S. antidumping and countervailing duty laws, works to ensure foreign compliance with trade agreements, supports the negotiation and implementation of international trade agreements to open foreign markets, and administers the Foreign Trade Zones program – all with the goal of promoting U.S. jobs and economic growth.

Prior to joining the Department of Commerce, Mr. Kessler worked as an international trade attorney in private practice. In that capacity, Mr. Kessler advised leading global companies and U.S. industry associations on a wide range of high-profile, cutting-edge international trade, investment, and market access issues. Mr. Kessler was also involved in litigating several precedent-setting World Trade Organization cases, with successful challenges to foreign country trade practices that restrict billions of dollars of international trade per year, as well as successful defenses of U.S. trade practices.

Mr. Kessler also assisted U.S. companies and industry associations – especially those in innovative, IP-intensive industries – to decipher and navigate foreign trade and investment barriers. Mr. Kessler earned a BA magna cum laude from Yale University, an MA from the University of Chicago, and an JD and MA from Stanford University, where he was an Articles Editor of the Stanford Law Review and a John M. Olin Law and Economics fellow.

Mr. Kessler is a member of the American Bar Association and a Term Member of the Council on Foreign Relations. Mr. Kessler resides in Arlington, Virginia with his wife Bethany and their two daughters, Lucy and Diana.



International Trade Administration
Assistant Secretary for Industry and
Analysis

Nazak Nikakhtar

Nazak Nikakhtar was nominated by President Donald J. Trump to become the Assistant Secretary for Industry and Analysis and was confirmed by the U.S. Senate on March 19, 2018. Ms. Nikakhtar serves as the Department's primary liaison with U.S. industry and trade associations to help address industry concerns and support American competitiveness. As the Department's lead on the Committee on Foreign Investment in the United States (CFIUS), she plays a key role in shaping U.S. investment policy and addressing national security threats. She also advises the Secretary on trade and economic issues impacting the global competitiveness of U.S. businesses, heading the division that conducts trade policy research and analysis on manufacturing, services, e-commerce, privacy and cybersecurity, emerging technologies, and economic trends that impact the International Trade Administration's mission.

Ms. Nikakhtar previously worked in private practice as a partner at the international trade law firm of Cassidy Levy Kent LLP, where she represented clients in international trade law matters, including antidumping and countervailing duty proceedings, export controls, trade agreements, customs matters, trade policy, and World Trade Organization (WTO) dispute settlement proceedings. She also served as an adjunct professor at Georgetown University Law Center.

During her previous tenure at the International Trade Administration, Ms. Nikakhtar worked at ITA's China/Non-Market Economy Office. In that position, Ms. Nikakhtar led numerous complex antidumping cases, advised on legal and regulatory matters related to the enforcement of U.S. trade laws, and participated in bilateral negotiations on trade issues between the United States and China. She received several award medals from the Department for her work on cutting-edge trade policy issues. Ms. Nikakhtar also served at the U.S. Department of Commerce's Bureau of Industry and Security as an industry analyst, where she performed statistical analyses for the U.S. government's defense industrial base surveys.

Ms. Nikakhtar received her Bachelor of Arts degree from the University of California, Los Angeles, and her Juris Doctor and Master of Economics degrees from Syracuse University. She served as the Editor-in-Chief of the Syracuse Journal of International Law and Commerce, and as a judicial extern for the Honorable Ronald S.W. Lew in the U.S. District Court for the Southern District of California.



International Trade Administration

**Assistant Secretary for Global
Markets and Director General of the
United States and Foreign
Commercial Service**

Ian Steff

Ian Steff is the Assistant Secretary for Global Markets and Director General of the United States and Foreign Commercial Service. He oversees about 1,400 trade and investment professionals based in over 100 U.S. cities and 70 markets around the world. He manages a \$300 million budget and a broad portfolio of ITA initiatives aimed at increasing competitiveness of U.S. manufacturers and service providers. He is among those senior officials responsible for executing the Administration's plans to foster growth in U.S. jobs, exports, and investments.

Before joining the U.S. Department of Commerce, Steff served as the state of Indiana's first Chief Innovation Officer under then-Governor Pence and subsequently Governor Holcomb. He was Executive Vice President for the Indiana Economic Development Corporation and the state's senior advisor for science, technology, and advanced manufacturing. Steff oversaw Indiana's strategy regarding science and technology economic development and was directly responsible for the implementation of the Governor's billion-dollar innovation and entrepreneurship initiative. He worked to expand investments and public-private partnerships in information technology, life sciences, composite materials, nanotechnology, energy storage, and the Internet of Things. He served on the Board of Battery Innovation Center, Dean of Engineering's Advisory Council at Purdue University, Vice Chancellor for Research's Advisory Board at IUPUI, and the Institute for Advanced Composites Manufacturing Innovation Board.

He also worked for the Semiconductor Industry Association (SIA) for nearly a decade. At the SIA, he was vice president of global policy and technology partnerships. He was Executive Chairman the Board of the United States Information Technology Office in Beijing, a member of the Executive Committee of the International Technology Roadmap for Semiconductors, and the Advisory Board of Rochester Institute of Technology's School of Microelectronics.

Steff started his professional career as a member of the Ways and Means trade staff. Steff graduated Magna Cum Laude from American University where he possesses a B.A. in International Studies. He also completed graduate work at the National Defense University in Washington, D.C., and received a M.A. in International Science and Technology Policy from the George Washington University.



International Trade Administration

Deputy Assistant Secretary for Services Industry and Analysis

James M. Sullivan

James M. Sullivan was named Deputy Assistant Secretary for Services in July 2017. In this role, Mr. Sullivan directs the U.S. Department of Commerce's efforts to strengthen the global competitiveness of U.S. services firms, which account for 80 percent of the nation's private sector economy. His primary areas of focus include the financial, digital and internet, supply chain, and professional and business services industries.

Prior to joining Commerce, Mr. Sullivan was cofounder and president of TKOUT, a SaaS (software-as-a-service) provider of on-demand ordering solutions to ICT (information and communication technology) and digital media companies. Before that, he served as managing director and general counsel of Clover Investment Group, a private equity firm focused on lower middle-market hospitality and technology businesses. Previously, from 1999 to 2006, he practiced law in Washington, D.C., as a member of the white-collar defense teams at Morrison & Foerster and DLA Piper.

Mr. Sullivan earned his BA in political science from the College of the Holy Cross, his JD from the Catholic University of America, and his MBA from Georgetown University. He is a member of the bars of the District of Columbia and the State of New York.



International Trade Administration

Deputy Assistant Secretary for U.S. Field Operations, Global Markets

Ana Guevara

Ana M. Guevara was appointed Deputy Assistant Secretary for U.S. Field Operations at the U.S. Department of Commerce's International Trade Administration (ITA) in January 2019. She oversees approximately 275 trade professionals based in more than 100 U.S. cities, focused on assisting U.S. businesses to export their goods and services to foreign markets.

Ms. Guevara is a respected leader in both the public and private sectors, with extensive experience in international trade and development. Previously, she served at the US Agency for International Development as the Senior Advisor for Trade and Economic Growth; at the World Bank as the US representative on the Board of Directors; and at ITA as Deputy Assistant Secretary for Service Industries. Ms. Guevara has also served at two Fortune 50 companies as a Vice President. She received her B.A. in public and international affairs from the George Washington University.



International Trade Administration

**Deputy Assistant Secretary for
Manufacturing Industry and
Analysis**

Christopher Abbott

Biographical information not currently available.



International Trade Administration

Deputy Assistant Secretary for Textiles, Consumer Goods, and Materials Industry and Analysis

Lloyd E. Wood III

Lloyd Wood was appointed the Deputy Assistant Secretary (DAS) for Textiles, Consumer Goods, and Materials (TCGM) in February 2019. As DAS, he oversees programs and strategies to designed to boost U.S. jobs and exports by improving the global competitiveness of a wide range of U.S. manufacturing industries, including textiles, apparel, footwear, travel products, consumer goods, chemicals, metals, building products, and forest products.

Wood leads a staff of industry trade specialists and economists who: provide market intelligence and data analysis that enables industry and government agencies to make better informed strategic decisions about trade and related business activities work closely with U.S. industries to represent their views in the development of trade policy, as well as for trade agreement negotiations, implementation, and enforcement execute programs that promote U.S. exports by identifying and working to eliminate non-tariff barriers, particularly with respect to regulations, standards and testing

Prior to joining the International Trade Administration, Wood consulted or worked for organizations representing domestic textile interests, including the National Council of Textile Organizations; the U.S. Industrial Fabrics Institute and Narrow Fabrics Institute divisions of the Industrial Fabrics Association International; and the American Manufacturing Trade Action Coalition.



International Trade Administration

Deputy Assistant Secretary for Travel and Tourism Industry and Analysis

Phil Lovas

Phil Lovas began serving as U.S. Department of Commerce Deputy Assistant Secretary for Travel and Tourism in August 2018. Prior to joining, Commerce, he served as Regional Advocate for the U.S. Small Business Administration's Office of Advocacy covering Arizona, California, Hawaii and Nevada. While there, he worked with small business owners and proponents advocating against overly burdensome federal rules and regulations.

In the private sector, for nearly 15 years he worked in the hotel industry as a franchise developer establishing franchises throughout the western United States for Cendant, InterContinental Hotels Group and Red Lion Hotels.

Phil also served five years as a state representative in the Arizona legislature beginning in February 2012. During his time in the legislature, he chaired the Rules, Ethics and Insurance committees. Phil and his wife Corinne have three children and they live in Peoria, Arizona.



International Trade Administration

Deputy Assistant Secretary for Policy and Negotiations Enforcement and Compliance

Joseph A. Laroski

Joseph Laroski is Deputy Assistant Secretary for Policy & Negotiations. He joined the U.S. Department of Commerce, International Trade Administration, in May 2017. Prior to this, Mr. Laroski served as Counsel in the International Trade Practice Group in King & Spalding's Washington, DC office. His practice drew upon his extensive experience in trade negotiation and international dispute settlement to assist clients in the removal of market access barriers to exporting goods and services. He provided trade policy advice on a wide variety of matters, including U.S. legislation, trade remedies, and the negotiation of international agreements.

From 2008 to 2012, Mr. Laroski served as Associate General Counsel in the Office of the U.S. Trade Representative, Executive Office of the President (USTR), where he was responsible for legal matters involving Customs, Labor, and Technical Barriers to Trade. He served as lead counsel for the United States in numerous dispute settlement proceedings before the World Trade Organization (WTO), including the successful US challenges to the Chinese application of antidumping and countervailing duty measures on US grain-oriented electrical steel products and Chinese subsidies for indigenous Chinese-branded products. Mr. Laroski also served as the U.S. lawyer in the negotiation of the Sanitary and Phytosanitary Measures, Technical Barriers to Trade, Labor, and Regulatory Coherence chapters to the Trans-Pacific Partnership free trade agreement negotiations. He coordinated the U.S. government response to anti-subsidy proceedings in Australia, China, Peru, and the European Union.

Prior to joining USTR, he counseled foreign government officials, domestic and foreign corporations, and industry associations on U.S. laws and international rules governing cross-border trade, with a particular focus on handling antidumping and countervailing duty litigation before the U.S. Department of Commerce, U.S. International Trade Commission, U.S. Court of International Trade, U.S. Court of Appeals for the Federal Circuit, and the WTO.

From 1998 to 1999, he served as law clerk to Senior Judge Dominick L. DiCarlo on the U.S. Court of International Trade. His law degree is from Fordham University School of Law in 1997. He later earned his LL.M degree (with distinction) in International and Comparative Law from Georgetown University Law Center in 1998 and previously received his undergraduate diploma from Georgetown's Edmund A. Walsh School of Foreign Service in 1994.



International Trade Administration

Executive Director for Advocacy Center Global Markets

José E. V. Cunningham

José E. V. Cunningham is the Executive Director at the International Trade Administration's (ITA) Advocacy Center. In this role he directs a terrific team at the intersection of business and foreign policy, where commercial diplomacy efforts are required to let U.S. business compete fairly. The team's mission is to coordinate U.S. Government resources and authority in order to level the playing field on behalf of U.S. business interests as they compete against foreign firms for specific public international contracts, both commercial and defense sales. The Advocacy Center also has commercial service liaisons to five Multinational Development Banks to assist U.S. firms and advocate on their behalf when they compete for Bank tenders and Requests for Proposals. Our advocacy is provided to engage U.S. Government support for exports, create new jobs, counter foreign governments' advocacy and political pressure, and encourage transparency and fairness in the tender process.

Prior to his tenure at Commerce, José served as Chief Marketing & Business Development Officer at three AmLaw 100 law firms - Nixon Peabody LLP, Crowell & Moring LLP, and Shaw Pittman LLP - where he worked, inter alia, on international trade policy, trade law enforcement, trade agreements compliance, and investment issues. At the law firms he led global teams responsible for uncovering significant opportunities to better serve clients, achieving differentiation, and unlocking additional value.

He began his professional career as an analyst for the U.S. Department of Defense and went on to work as a U.S. Department of State Foreign Service Officer. He attended the University of California at Los Angeles, Cambridge University (England), the University of Southern California, the University of Vienna (Austria), and George Washington University.

Before joining the Trump Administration, he served nearly six years as elected Chairman of the DC Republican Party, Chairman of the Washington, DC delegation to 2016 Republican National Convention in Cleveland, OH, and a member of the Republican National Committee (RNC). He is a competitive Masters swimmer, and has proudly served as co-chair of the Legal Marketing Association's global Diversity & Inclusion Committee.



International Trade Administration

Chief of Staff

Lawson Kluttz

Lawson Kluttz serves as the Chief of Staff at the International Trade Administration (ITA). In Lawson's most recent role, he was detailed to the White House Office of Intergovernmental Affairs (IGA) as a Policy Advisor where he focused on the implementation and coordination of the CARES Act and COVID-19 recovery. Before joining the White House IGA office, Lawson served as the Acting Deputy Assistant Secretary for Legislative and Intergovernmental Affairs at the Department of Commerce. Prior to serving in the Trump Administration, Lawson worked as an aide to House Minority Leader Kevin McCarthy and to Majority Leader Eric Cantor. Lawson, a graduate of the University of North Carolina, is from Winston-Salem, North Carolina.



International Trade Administration (ITA)

Mission

Create prosperity by strengthening the international competitiveness of U.S. industry, promoting trade and investment, and ensuring fair trade and compliance with trade laws and agreements.

Locations and Workforce Demographic Trends*

Headquarters: Washington DC ~ 959 federal employees

Field Offices: Domestic (106 offices) ~ 301 federal employees

International (117 offices) ~ 224 federal employees

*Based on current workforce trends. Does not include locally-engaged staff.

Historical Total Staffing Levels (Positions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
1,764	1,998	1,980	2,142	1,481

Budget Trend- Appropriations (\$ in Millions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
\$483	\$482	\$484.0	\$510.3	\$474.4

Principal Responsibilities

Free and fair trade are critical to the economy and the strategic position of the United States. To implement the nation's trade and investment goals and help American job creators overcome the challenges they face abroad, ITA utilizes its global network of trade, industry, and country experts, to enforce U.S. trade laws and agreements and open markets for U.S. products and services. With industry and country experts located in Washington, D.C., and with teams located in 117 international cities in 76 countries and 106 locations across the United States, ITA is well positioned to eliminate trade barriers, negotiate fair trade deals, ensure compliance with trade laws and agreements, and expand trade and investment opportunities for U.S. businesses.

ITA's FY 2021 President's budget request of \$474.4 million supports targeted investments to:

1. Ensure that U.S. industries and workers have an effective remedy for the injurious impact of dumped and subsidized goods entering the United States.



2. Deliver high quality sectoral and analytical capacity to support trade to combat Chinese industrial policy.
3. Support its Committee on Foreign Investment in the United States (CFIUS) coordinator role to meet the expected increase in case load under the Foreign Investment Risk Review Modernization Act (FIRRMA).
4. Advocate for U.S. companies to win international government procurements.

ITA will also continue to execute required sector reviews for Section 201 cases, and Section 232 and Section 301 exclusion requests.

ITA is comprised of the following four business units working in tandem to execute its vision and mission:

Enforcement & Compliance (E&C) (2020 Budget - \$91.8 million)

Ensures that rules-based trade works for domestic industries by enforcing U.S. trade laws that address unfairly priced or subsidized foreign goods, monitoring compliance with existing trade agreements, and aiding in negotiation of new trade agreements that address trade-impeding and trade-distorting practices. E&C also administers the U.S. Foreign Trade Zones program, which enhances the competitiveness of domestic manufacturers. E&C's most significant operational function is the enforcement of the U.S. antidumping (AD) and countervailing duty (CVD) laws. These laws help level the economic playing field for American businesses, workers, farmers, and ranchers by providing for remedial duties that offset the injurious effects of imports that are sold by foreign exporters at dumped prices or subsidized by their governments.

Global Markets (GM) (2020 Budget - \$333 million)

Enhances job creation in the United States and strengthen U.S. economic and national security by increasing U.S. exports; facilitating, attracting, and retaining business investment in the United States; and ensuring a level playing field in international trade for U.S. firms and workers by advancing and protecting U.S. commercial interests overseas and helping U.S. companies win foreign government procurements. GM is uniquely positioned to provide this assistance through its global network of trade and investment professionals located in Washington, DC, 106 domestic locations that cover all U.S. states and territories, and 76 countries that represent nearly 95 percent of world gross domestic product (GDP). GM's trusted expertise, impartial assistance, and affordable services cannot be found in the private-sector or in any other U.S. Government agency. They ensure that U.S. businesses and commercial interests have a robust advocate and first line of defense against unfair foreign trade practices and market access barriers. GM experts also help lead USG interagency-wide initiatives, such as Prosper Africa, the Indo-Pacific Network, and *América Crece*, and they form the backbone of an interagency global Deal Team Initiative, co-chaired by Commerce and State at the Under Secretary level.

Within GM, the **SelectUSA** program leads the interagency effort to facilitate business investment in the United States in order to create jobs, spur economic growth, and promote American competitiveness. As a result, over the past three years GM's trade and investment experts have assisted more than 77,000 export and investment clients, 90 percent of which were small- and medium-sized enterprises (SMEs); facilitated over \$296 billion in U.S. exports and inward



investment; supported 1.3 million American jobs; and returned over \$300 to the U.S. economy for every \$1 appropriated.

Industry & Analysis (I&A) (2020 Budget - \$62.5 million)

Provides unique sectoral and analytical expertise that supports U.S. Government efforts to protect U.S. business and grow their exports. Its specialized knowledge is specifically tailored to inform decisions across the government, from trade negotiations, to trade enforcement, to investment, national security, and export promotion priorities. I&A has developed data tools specifically intended to support ITA's analytical work in trade and competitiveness. It also makes data, analytical tools and market intelligence accessible to decision-makers in the private sector. I&A's sectoral expertise and analytical capabilities support trade negotiations, and efforts to counter the effects of foreign industrial policies, such as those of China, on U.S. industry competitiveness, as well as analyze supply chain policy decisions and the impact of proposed trade actions under various trade authorities (Section 232, Section 201, and Section 301). As the Commerce lead on CFIUS, I&A conducts national security reviews. I&A expertise is also sought in policy discussions on critical sectors such as fifth generation (5G) technology, semiconductors, critical minerals, autos, space, civil nuclear, biotechnology, and digital trade.

Executive Direction and Administration (ExAd) (2020 Budget - \$23 million)

Coordinates policy and strategy across ITA, directs program activities, manages the agency's budget and administrative functions, and provides strategic and operational management of information technology resources.

For more information about the specific initiatives in the FY 2021 ITA budget, please see our budget summary at:

https://www.commerce.gov/sites/default/files/2020-02/fy2021_ita_congressional_budget_justification.pdf

Summary of Major Organizational Improvement Initiatives

- **Digital Transformation:** The overarching goal of digital transformation at ITA is to deliver on the agency's priority goals and provide digital support for expanding the frontier of trade enforcement, eliminating trade barriers, facilitating export growth, accelerating business matchmaking, attracting foreign direct investment, and increasing organizational capacity. ITA is committed to becoming an organization intensely focused on understanding our client needs, delivering a customer-centric experience, learning and adapting, measuring customer-focused and organizational performance metrics, and strengthening business processes and technology infrastructure. More specifically, ITA's digital transformation dramatically expands the reach of ITA's expertise and services to the millions of small- and medium-sized businesses throughout the United States as well as establishing the United States as the country of choice for innovation and investment.
- **Steel Import Monitoring and Analysis (SIMA)/Aluminum Import Monitoring (AIM) Systems:** ITA has upgraded its platform for steel import licensing and issued new regulations to allow SIMA to expand the number of imported steel products subject to licensing and to collect data to help identify duty evasion. ITA is also in the process of



developing AIM, a new aluminum import licensing and data collection system modeled on SIMA.

Strategic Partnerships, Key Stakeholders, and Interagency Groups

Strategic Partnerships

- **Government-to-Government Dialogues:** U.S.-India Strategic and Commercial Dialogue, U.S.-German Informal Commercial Exchange, U.S.-France Economic and Commercial Dialogue, U.S.-Norway Informal Commercial Exchange, U.S.-Sweden Informal Commercial Exchange, U.S.-Netherlands Economic Dialogue, U.S.-Poland Economic and Commercial Dialogue, U.S.-Brazil Commercial Dialogue, U.S.-Mexico High Level Economic Dialogue, U.S.-Canada Regulatory Cooperation Council, U.S.-Argentina Commercial Dialogue, North American Steel Trade Committee, Bilateral Working Group on Digital Economy Issues with Priority Trade Partners including Europe, India, Japan, Brazil and Indonesia, and various Asia Pacific Economic Cooperation (APEC) Working Groups and Committees
- **Government-to-Business Dialogues:** U.S.-India CEO Forum, U.S.-Brazil CEO Forum, U.S.-Brazil Defense Industry Dialogue, U.S.-Mexico Business Energy Council, APEC Food Safety public private partnership, World Wine Trade Group, International Wine Technical Summit, APEC Wine Regulatory Forum
- **Formal Strategic Partnerships:** Cooperative arrangements between ITA and outside organizations (*e.g.*, private corporations, trade associations, chambers of commerce, economic development organizations and educational institutions) to improve the global business environment and help U.S. companies compete abroad
- **Market Development Cooperator Program (MDCP):** Financial and technical assistance for 13 partners undertaking projects to remove trade barriers
- **Multilateral Organizations:** Organization of Economic Development and Cooperation (OECD); Asia Pacific Economic Cooperation (APEC); World Trade Organization (WTO); World Tourism Organization (UNWTO); World Health Organization (WHO); Codex Alimentarius

Key Stakeholders

- **Advisory Committees:** Industry Trade Advisory Committees (ITACs), President's Export Council (PEC), President's Advisory Council on Doing Business in Africa (PAC-DBIA), U.S. Investment Advisory Council (IAC), U.S. Travel and Tourism Advisory Board (TTAB), Trade Finance Advisory Council (TFAC), Advisory Committee on Supply Chain Competitiveness (ACSCC), Environmental Technologies Trade Advisory Committee (ETAC), Civil Nuclear Trade Advisory Committee (CINTAC), Renewable Energy and Energy Efficiency Advisory Committee (REEAC)
- **District Export Councils (DECs)**
- **Trade associations and business groups** (*e.g.*, Committee to Support U.S. Trade Laws, U.S. Chamber of Commerce, Customs and International Trade Bar Association)
- **Regional and country-specific trade associations** (*e.g.*, U.S.-India Business Council, American Chambers of Commerce in regions, U.S.-Saudi Business Council)



- Industry-specific trade associations (e.g., National Association of Manufacturers, American Iron and Steel Institute, Steel Manufacturers Association, American Association of Independent Music, U.S. Travel Association)
- State/local: State International Development Organizations, Economic Development Organizations, National Governors Association, Destination Management Organizations
- Investment-related organizations: International Economic Development Council, Organization for International Investment
- [Privacy Shield](#) Program:
 - Participants comprise of over 5,300 self-certified U.S. companies under the EU-US Privacy Shield (including U.S. subsidiaries of EU-headquartered companies). Sixty percent of these companies are small and medium-sized businesses.
 - Privacy Shield Dispute Resolution Providers including the Better Business Bureau, TrustArc, American Arbitration Association, Direct Marketing Association, Judicial Arbitration and Mediation Services (JAMS)

Interagency Groups:

- White House Policy Coordinating Committee
- Trade Policy Review Group/Trade Policy Staff Committee and Subcommittees (e.g., Interagency Compliance Task Force)
- Trade Promotion Coordinating Committee (TPCC) and member agencies
- Committee on Foreign Investment in the United States (CFIUS)
- Defense Advocacy Working Group
- Interagency Investment Working Group
- Tourism Policy Council
- Border Interagency Executive Council (CBP)
- Export-Import Bank Board: The Secretary is an *ex officio*, non-voting member of EXIM's Board of Directors, with representation at Board meetings delegated to ITA.
- Development Finance Corporation Board
- Federal Consortium on Advanced Batteries

Any Potential Congressional or Media Issues (first 100 days from 1/20/2021)

- The new Congress will be sworn in the first week of January, and it will take them a few weeks to organize. In the first 100 days, OLIA should do outreach to members of key oversight committees (Senate Finance, House Ways and Means, Senate Commerce, House Energy and Commerce, Senate Banking, House Foreign Affairs, Senate Foreign Relations) to provide them a background on what ITA does.
- As the White House announces ITA's Presidentially-appointed, Senate-confirmed (PAS) nominees (Under Secretary for International Trade; Assistant Secretary for Global Markets and Director General of the U.S. and Foreign Commercial Service; Assistant Secretary for Industry and Analysis; and Assistant Secretary for Enforcement and Compliance), ITA OLIA is responsible for moving the nominee through the confirmation process.
- Miscellaneous Tariff Bills (MTBs): A final bill enacting the tariff reductions from the 2019-2020 MTB process could be introduced or voted on during this period. In April, Commerce submitted its report to the House Ways and Means and Senate Finance Committees,



identifying whether there are domestic producers and noting whether the domestic producers object to the proposed tariff reductions being enacted. The U.S. International Trade Commission (ITC) released its final report on the list of submitted products in August.

- The U.S. Congress and media remains very interested in the resolution of issues surrounding the July 16, 2020, EU Court of Justice judgement declaring as “invalid” the European Commission’s Decision (EU) on the adequacy of the protection provided by the EU-U.S. Privacy Shield. As a result of that decision, the EU-U.S. Privacy Shield Framework is no longer a valid mechanism to comply with EU data protection requirements when transferring personal data from the European Union to the United States.

Awaiting Decisions (first 100 days from 1/20/2021)

- If extended, final determination in CVD investigation of *Passenger Vehicles and Light Truck Tires from Vietnam* and preliminary determination in CVD investigation of *Twist Ties from the Peoples Republic of China*. First two CVD investigations in which E&C will address allegations of currency undervaluation as a subsidy.
- If extended, final determinations in AD/CVD investigations of *Common Alloy Aluminum Sheet from Taiwan, Brazil, South Africa, Croatia, Spain, Indonesia, South Korea, Slovenia, Bahrain, Oman, Italy, India, Greece, Serbia, Turkey, Romania, Egypt, and Germany*.
- WTO Dispute Panel review of *United States — Anti-Dumping and Countervailing Duties on Ripe Olives from Spain* (DS577). Addressing measurement of subsidies under processed agricultural products provisions.

Quick Wins (first 100 days from 1/20/2021)

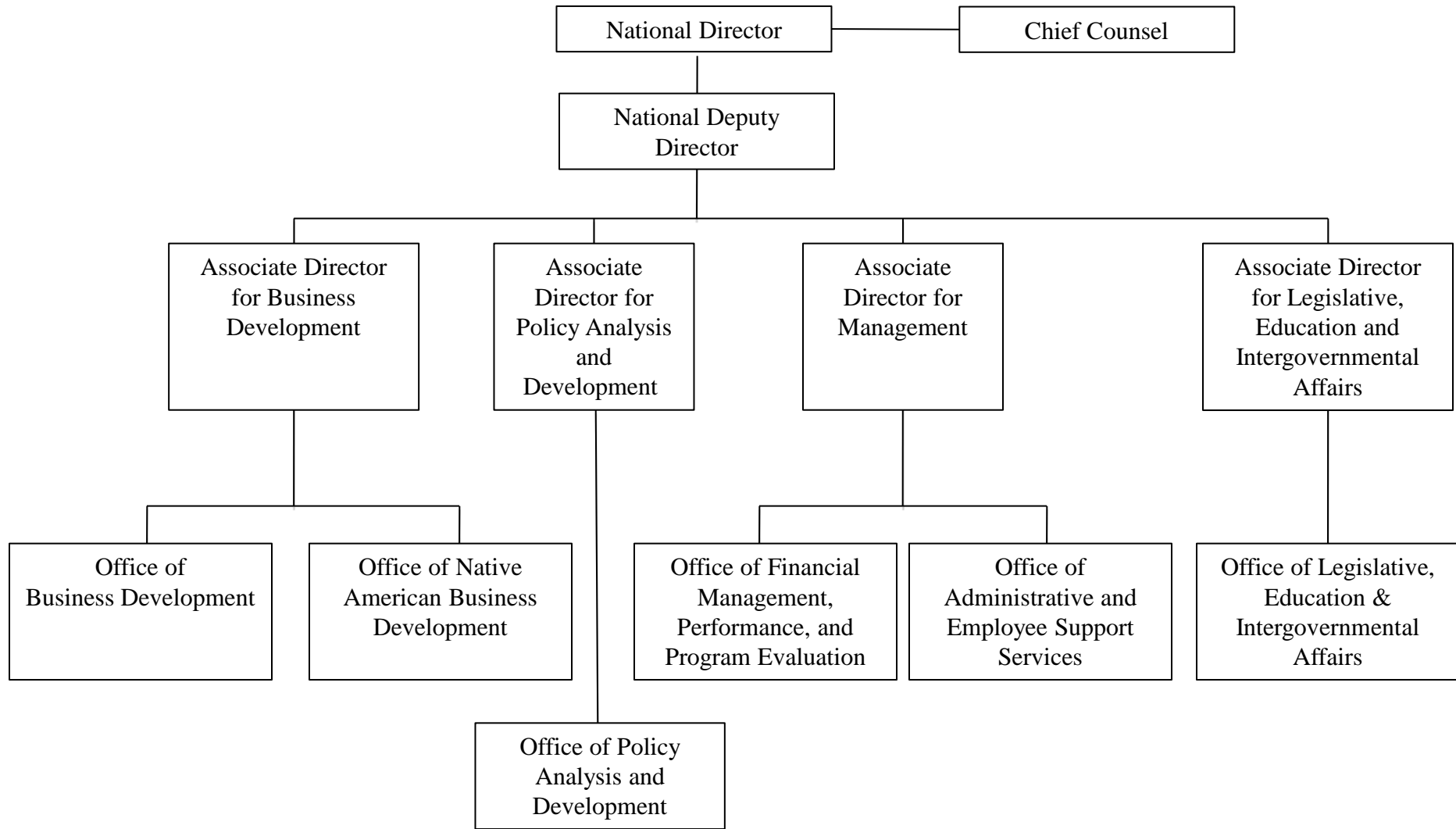
- **Asia EDGE Trade Mission:** ITA will organize an executive-led business development mission to Indonesia and Vietnam with an optional program in Thailand on March 17-26, 2021. The trade mission will be the first organized under Asia EDGE, the whole of government energy initiative for the Indo-Pacific region.

Points of Contact

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Minority Business Development Agency



Differences from effective DOO dated 6/29/15

1. Removed Office of Information Technology, Research, and Innovation
2. Added Associate Director for Policy Analysis and Development



**Minority Business Development
Agency**

National Director

David J. Byrd

David J. Byrd was appointed as the National Director of the U.S. Department of Commerce, Minority Business Development Agency (MBDA) on June 15, 2020. Mr. Byrd is the 18th National Director of the agency. In his role he oversees the development and implementation of Agency initiatives, policy agenda, and federal grant programs.

Prior to accepting the fourth presidential appointment of his career, Mr. Byrd served as Deputy Assistant Secretary, Office of Policy Development, at the U.S. Department of Housing and Urban Development. In the latter part of 2016, Mr. Byrd served on the Trump Presidential Transition Team where he had dual responsibilities. He served as a “talent scout” identifying potential candidates for executive appointments to the new Administration while also serving as Co-Leader of the HUD Agency Action Team, organizing the blueprint for HUD policy and personnel infrastructure.

As CEO/Founder of Byrd’s Eye, LLC, Mr. Byrd led a consulting firm that offered government relations, political consulting, executive and life skills coaching services to a wide variety of clients. He is also a Certified Professional Life Coach. Mr. Byrd founded his company in November 2003 and, after a five-year return to public service, restarted his company in October 2011.

Mr. Byrd served as Deputy Chief Administrative Officer for Prince George’s County, MD, from April 2006 to January 2011. Mr. Byrd’s responsibilities included governmental operations and public infrastructure, environmental services, economic development, and internal support services. In this position, he was the county’s principal member to DCWater, the region’s world class water utility, serving as Vice Chair of that institution’s board.

Prior to his county government service, he served as Chief of Staff to the Maryland Lt. Governor. As Chief of Staff, Mr. Byrd directed the day-to-day operations of the Lt. Governor’s office and championed the Lt. Governor’s political, policy, and personnel agenda.

In 2002, Mr. Byrd was Associate Commissioner for External Affairs at the Social Security Administration. He developed strategic relationships with national advocacy organizations and created the framework for the roll out of the President’s Initiative on Social Security Reform.



Section 4-6 b - MBDA Leadership Biographies

Mr. Byrd spent seven years in New Jersey State Government, from 1994-2001, focusing primarily on economic development issues. As Director of the Office of Small Business, Mr. Byrd achieved a historic milestone when he and his staff worked with state procurement officers to surpass the \$1 billion mark in small business contracting. Additionally, he led trade missions to South Africa, Namibia, and Ethiopia securing over \$400 million in contract awards for New Jersey businesses.

Earlier in his career, he worked at: the Republican National Committee, recruiting and training candidates for county, state, and federal elective office; the U.S. Department of Education, advising the assistant secretary on postsecondary education issues; the U.S. Department of Health and Human Services, implementing policy on children and family issues; and the Joint Economic Committee of the U.S. Congress, as a researcher.

Throughout his career, Mr. Byrd has received designations, awards, and accolades. In March 2010, the Prince George's County (MD) Executive nominated him for Chairman of the Maryland-National Capital Park and Planning Commission. In September 2009, BMoreNews.com and the Minority Business and Consumer Resource Directory gave him their "Champion for Minority Business Award" for his dedication and public service to the minority business community in the metropolitan region.

Public service is a Byrd family tradition. A great-uncle was a butler at the White House during the Wilson and Harding Administrations. Another uncle was the third African American police chief in U.S. history and the first west of the Rocky Mountains. An aunt was the first African-American elected to the Wyoming Legislature, and a distant cousin was the first woman elected Mayor of Washington, DC. His nephew is currently Assistant Attorney General for the State of Washington. His father once served as an aide to the Mayor of Newark, New Jersey.

David John Byrd was born in East Orange, NJ, and grew up in Jackson Township, NJ. He completed his bachelor's degree in English at Ohio Wesleyan University and completed his master's degree in Corporate Public Relations at Rowan University (formerly known as Glassboro State College).

He is a former member of Toastmasters International and the Public Relations Society of America. He and his wife, Jacquie, live in Upper Marlboro, Maryland.



**Minority Business Development
Agency**

Associate Director for Management

Edith J. McCloud

On September 27, 1999, Ms. McCloud became the first career Senior Executive Service manager to serve at MBDA in over 10 years. In this capacity she services as the agency's top executive during the transition of political administrations and directs the daily operations of the Office of Financial Management, Performance and Program Evaluation as well as the Office of Administrative and Employee Support Services.

In her position as Associate Director for Management, Ms. McCloud serves as the principal advisor to the MBDA Director and Deputy Director on management policy and practices and as liaison and coordinator of the various administrative functions of the Agency. The programs and activities under her control have a major impact on the overall operations of the Agency and its mission of fostering the growth and development of the Nation's minority-owned businesses.

Ms. McCloud brings to her position an extensive background in management policy coordination, program planning and evaluation, management analysis and review, budget and fiscal management and information resources management. She is responsible for developing the requirements for MBDA and for compliance under the Government Performance and Results Act; the Chief Financial Officers Act; the Information Technology Management Reform Act; the Federal Managers' Financial Integrity Act and the Freedom of Information Act. Ms. McCloud actively contributes to a corporate Commerce approach to management by participating in the Department Management Council. Her exceptional collaborative skills help the department develop goal-oriented performance.

Prior to her MBDA appointment, Ms. McCloud served for nearly two years as Executive Director, Howard University Small Business Development Center in Washington DC, and as Interim General Manager at the Washington DC Convention Center, where, for over 15 years, she held several senior management positions.

Ms. McCloud is a BA and MBA graduate of Howard University and currently resides in Bowie, Maryland. She was the recipient of a Presidential Rank Award in 2016.



Minority Business Development Agency (MBDA)

Mission

To promote the growth of minority owned businesses through the mobilization and advancement of public and private sector programs, policy, and research.

Locations and Workforce Demographic Trends

Headquarters: Washington DC, 45 federal employees as of September 30, 2020.

Historical Total Staffing Levels (Positions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
46	40	37	50	50

Budget Trend – Appropriations (\$ in Millions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
\$34.0	\$39.0	\$40.0	\$42.0	\$10.3

Principal Responsibilities

The Minority Business Development Agency released its FY 2021 President's budget request on February 10, 2020, the Administration's scheduled President's budget release date. The request continues to position the Minority Business Development Agency as the only federal agency solely dedicated to the growth and global competitiveness of minority business enterprises.

The Minority Business Development Agency's FY 2021 request includes \$10.3 million to continue targeted investments to:

Office of the National Director

In consideration of global and domestic market opportunities, innovations and challenges, the National Director directs the formulation, implementation, and evaluation of policies and manages programs for all activities of the agency.

- National Deputy Director – Serves as the principal assistant to the National Director and assists in the day-to-day activities of the agency. The National Deputy Director may



supervise the executive staff in the formulation and execution of the budget, personnel issues, and program and operational activities.

- Chief Counsel – Serves as legal advisor to the National Director and provides legal counsel for all components of the agency including but not limited to proposed federal regulations on minority business, program development and execution, administrative and operational functions, and other related activities.

Office of the Associate Director for Management

Administers the agency's budget and financial management activities, program and administrative support, planning and evaluation, and human resources development. The functions of the Office are carried out through its principal organizational components:

- Office of Financial Management, Performance, and Program Evaluation – The office is responsible for MBDA's budget formulation and implementation, financial management activities, and internal control systems. The office is also responsible for reporting MBDA's performance measures and conducting program evaluations.
- Office of Administration and Employee Support Services – The office is responsible for human resources-related activities that impact the accomplishment of MBDA's goals and objectives. The office is also responsible for all MBDA administrative functions such as property, facilities, security, records management, and continuity of operations.

Office of Business Development

Provides for the development, implementation and monitoring of programs designed to foster the growth of minority business enterprises and is responsible for the following agency programs: business enterprise centers, national specialty centers, and innovation pilots. OBD provides support for the Agency's funded projects by providing them with needed information and tools to enhance their consulting services. OBD promotes capital, management and market development initiatives to support and expand business enterprises.

The national network of MBDA Business Centers and Specialty Centers are MBDA's current flagship programs. At more than 35 locations across the country, the Centers provide business development services to facilitate greater access to capital, contracts, and new markets for minority business enterprises. In addition, the MBDA Specialty Centers focus on high growth industries and opportunities like advanced manufacturing, exporting, and federal procurement. The primary metrics of success for both programs include jobs created and retained and dollar value of secured contracts and financing.

MBDA Business Center Location	MBDA Business Center Location
Atlanta, Georgia	Orlando, Florida
Baltimore, MD	Pasadena, California
Chicago, Illinois	Philadelphia, Pennsylvania
Columbia, South Carolina	Phoenix, Arizona
Dallas, Texas	Sacramento, California
Denver, Colorado	San Antonio, Texas



Section 4-6 c – MBDA Overview Fact Sheet

Detroit, Michigan	San Jose, California
El Paso, Texas	San Juan, Puerto Rico
Honolulu, Hawaii	St. Louis, Missouri
Houston, Texas	Tacoma, Washington
Manhattan, New York	New York, New York
Memphis, Tennessee	Albuquerque, New Mexico
Miami, Florida	Las Vegas, Nevada
Minneapolis, Minnesota	Washington, DC

Office of Native American Business Development

Ensures the coordination of federal programs that provide assistance, including financial and technical assistance, to eligible entities for increased business, the expansion of trade by eligible entities, and economic development on Indian lands.

Office of Legislative, Education, & Intergovernmental Affairs

Serves as the principal advisor on legislative issues and Congressional relations and is responsible for liaison and coordination on matters regarding the Agency's relationships with Congress, Congressional committees, and individual members and for liaison and coordination with state, county, municipal governments and their associations. The office is responsible for the Agency's advocacy and outreach initiatives and developing and implementing an effective communication system that promotes the Agency and minority businesses.

Office of Policy Analysis and Development

Is responsible for directing the policy goals of the Agency in accordance with Administration, Departmental and Congressional initiatives that affect minority business. Analyzes and develops national policies that affect minority business development; recommends and implements policy guidance on all national and international policy initiatives that impact minority business enterprises.

In 2021, MBDA will make a shift in its spending priorities and programmatic focus. Taxpayer dollars invested in MBDA reflect this transition and focus on return on investment - from serving individual MBEs to removing obstacles to the growth of the entire minority business community. This operational change will provide a new foundation to ensure that minority entrepreneurs have access to the resources they need to create jobs and drive our Nation's prosperity.

Measuring and rewarding the effectiveness of public sector programs and policies that contribute to the growth of MBEs; Leveraging federal funds to broaden outreach to MBEs; and Exploring market-driven, programmatic synergies to better assist MBEs

For more information about the specific initiatives in the FY 2021 MBDA budget, please see our budget summary at:

https://www.commerce.gov/sites/default/files/2020-02/fy2021_mbda_congressional_budget_justification.pdf



Summary of Major Organizational Improvement Initiatives

Realignment of Functions – MBDA will realign the grants management function from the Office of Business Development (OBD) to the Office of Financial Management, Performance and Program Evaluation (OFMPPE). This will allow MBDA to manage its grants, budget, and performance functions more efficiently and effectively within a single organizational entity.

MBDA Conversational AI Chatbot: MBDA will be expanding its new virtual program aimed at providing business information, resources, and referral services to minority businesses. The Chatbot leverages machine learning and artificial intelligence to tailor information based on a user's request and information.

Strategic Partnerships, Key Stakeholders, and Interagency Groups

Chambers of Commerce, Business and Trade Associations: MBDA actively forges partnership and alliances with these associations, particularly those that provide access to our target constituency such as the U.S. Black Chamber of Commerce, the U.S. Hispanic Chamber of Commerce, Asian/Pacific Islander American Chamber of Commerce and Entrepreneurship, U.S. Pan Asian American Chamber of Commerce EF, National Center for American Indian Enterprise Development, National Bankers Association, National-Veteran Owned Business Association, and the National Minority Supplier Development Council. (A more comprehensive listing can be provided.)

Federal Agencies: Collaboration with federal agencies is paramount to the Agency's ability to provide access to contracting and capital opportunities, leveraging government-wide business development resources/tools, and to reducing programmatic or regulatory barriers to business success. Key partnerships at the federal level for MBDA include: Department of Treasury, Department of Energy, Export-Import Bank, Federal Laboratory Consortium (FLC), and the U.S. Small Business Administration. Within the Department of Commerce, key bureaus for collaboration are the Economic Development Administration, International Trade Administration, National Oceanic and Atmospheric Administration, the United States Patent and Trademark Office, and the National Institute of Standards and Technology.

Corporate and Financial Entities: Business relationships with national and multinational entities are equally important to ensuring MBDA clients can access capital and contracts, spurring job creation and economic strength at home and abroad. A sampling of key partnerships includes Boeing, IBM, The Coca-Cola Company, Amazon Business Service, National Association of Investment Companies, Pro-Mexico, and the Corporate Council on Africa, to name a few.

Minority Enterprise Development Week (MED Week): MED Week was initiated by Presidential Proclamation in 1983 and is a national program that recognizes the achievements of outstanding Minority Business Entrepreneurs and advocates across the country. Each year, MBDA convenes thousands of minority-owned firms from across the country to connect with public and private sector buyers, explore avenues for business expansion, and develop thriving partnerships with firms in every industry sector. The conference includes the MED Week Awards program, the highest level of national recognition that a U.S. minority-owned firm can



receive from the U.S. Department of Commerce. These prestigious awards celebrate the outstanding achievements of minority entrepreneurs, as well as the individuals and organizations that have demonstrated their commitment to advancing minority business enterprises.

MED Week has evolved to become one of the most important meeting places for minority entrepreneurs, corporations, and government agencies. The goal of the annual conference is to offer a venue for minority-owned firms to access information, tools, and resources to grow and gain public recognition for their achievements and economic contributions.

In 2020, MBDA hosted its first-ever virtual conference. The week-long event featured more than 20 seminars, including a “How I Did It” series that honored 14 award winners. The conference garnered more than 6,500 attendees in the U.S. and abroad. The 2020 MED Week virtual Conference culminated with inaugural “Buy MBE Day” hosted by the MBDA Business and Specialty Centers in more than 25 cities.

Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

Congressional Appropriators and MBDA Business Center Congressional Delegations:

Interest in the timeline and plans for a new MBDA Business Center grant competition will be at the forefront of House and Senate Appropriations Committees and Members of Congress who have an MBDA Business Center in their district/state. Current grant recipients are in their fifth and final year of the grant period, ending March 31, 2021. The FY 2021 President’s Budget Request does not include funds for this program; however, the House Appropriations Committee recommended a FY 2021 Budget for MBDA of \$52 million with not less than \$22,000,000 to continue MBDA’s Business Center program and Specialty Project Center program. Questions about the closing of business centers, the location of new business centers, the terms of the cooperative agreement, and other grant program logistics are expected.

Awaiting Decisions (first 100 days from 1/20/21)

MBDA is not awaiting any decisions during this time frame.

Quick Wins (first 100 days from 1/20/21)

CARES Act: MBDA deployed \$10 million through grant awards and submitted a report to Congress on September 25, 2020 as per funding guidance. MBDA is monitoring performance and outcomes for each award recipient. It is anticipated a final report will be prepared and released in the first 100 days. The final report will have summary data including the number of minority businesses assisted, dollar value of financings awarded, success stories and more.

Research Agenda: MBDA will be developing several reports in FY2021 as part of its research agenda. MBDA anticipates conducting research and releasing a report that focuses on the impact of COVID-19 on minority businesses, including lessons learned and policies that can increase the resiliency of minority business enterprises, in the first 100 days.



Section 4-6 c – MBDA Overview Fact Sheet

MBDA Conversational AI Chatbot: MBDA will be expanding its new virtual program aimed at providing business information, resources, and referral services to minority businesses. The Chatbot leverages machine learning and artificial intelligence to tailor information based on a user’s request and information. It is anticipated a new use case will be launched to better serve minority businesses in the first 100 days.

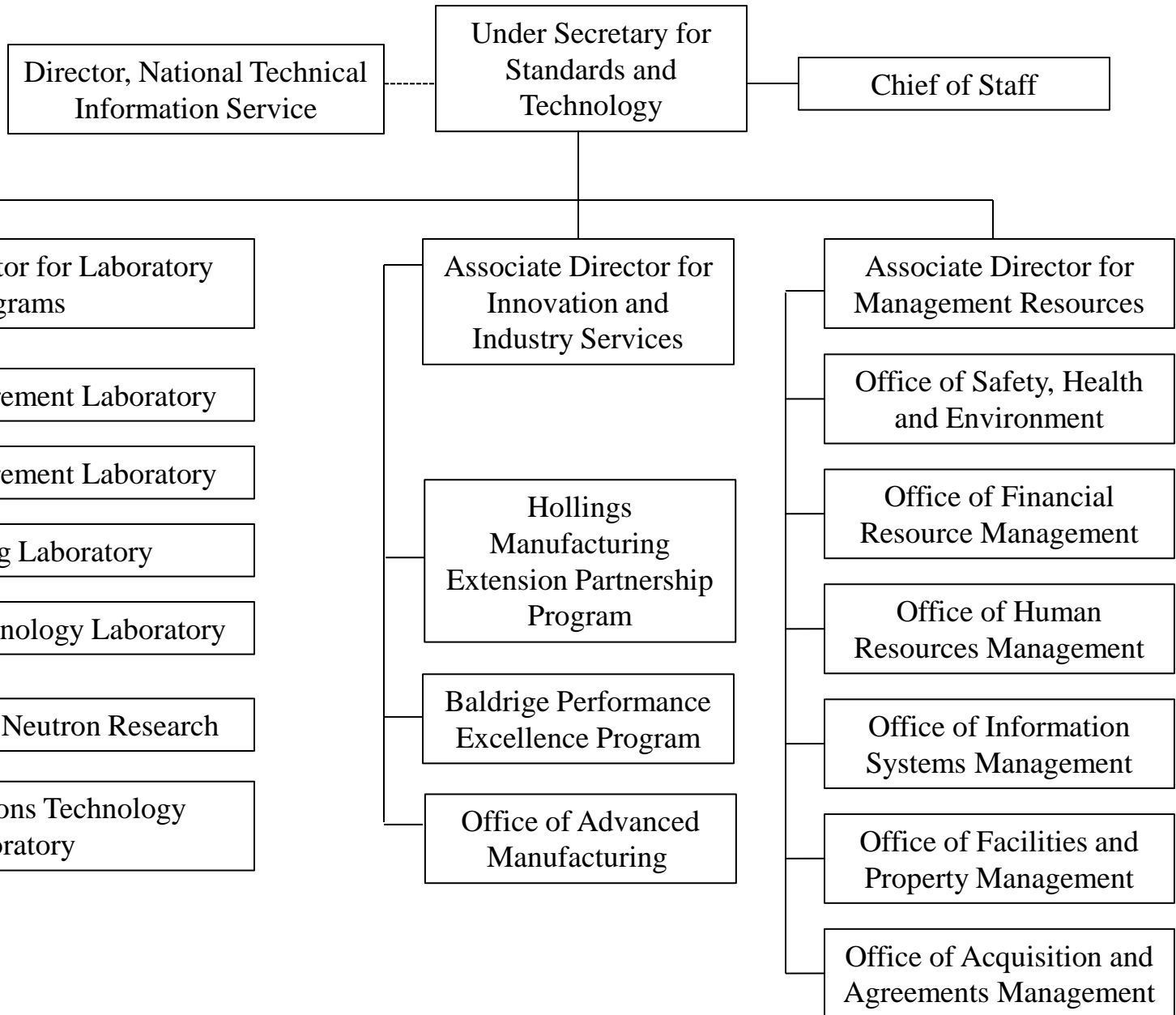
Amazon Accelerator Program: In addition to its collaboration with Amazon Business to promote the “How to Become a Seller on the Amazon Business Marketplace” and Amazon Web Services “Building a Student-to-Workforce Pipeline” introduced to Historically Black Colleges and Universities, MBDA will partner with Amazon to rollout the Amazon Accelerator Program that will allow startup businesses to grow rapidly by providing them with a source of information, access to investment, opportunities to network with other businesses, and access niche markets.

Points of Contact

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National Institute of Standards and Technology





**National Institute of Standards and
Technology**

**Under Secretary for Standards and
Technology and NIST Director**

Dr. Walter G. Copan

Dr. Walter G. Copan was confirmed by Congress as Under Secretary of Commerce for Standards and Technology and NIST Director on October 5, 2017. He has a distinguished and diverse career as a science and technology executive in large and small corporations, U.S. government, nonprofit and other public-sector settings. Dr. Copan formerly served as president and CEO of the IP Engineering Group Corporation, providing services in intellectual property strategy, technology commercialization and innovation. Until June 2017, he was founding CEO and chairman of Impact Engineered Wood Corporation. He is a founding board member of Rocky Mountain Innovation Partners and served with the National Advisory Council to the Federal Laboratory Consortium for more than 5 years.

Dr. Copan served as managing director of Technology Commercialization and Partnerships at DOE's Brookhaven National Laboratory where he led the creation and implementation of a new technology transfer mechanism, "Agreement for Commercializing Technology" and initiated the DOE's new Small Business Innovation Research – Technology Transfer program. Dr. Copan was executive vice president and chief technology officer at Clean Diesel Technologies, Inc., where he spearheaded the company's transformation, growth and listing on NASDAQ as well as the company's subsequent merger. Dr. Copan also served at the DOE's National Renewable Energy Laboratory (NREL) as Principal Licensing Executive, Technology Transfer.

After earning dual B.S./B.A. degrees in chemistry and music from Case Western Reserve University in 1975, Dr. Copan began his career at the Lubrizol Corporation. He earned a Ph.D. in physical chemistry from Case Western in 1982 and held leadership positions at Lubrizol in research and development, strategy, business unit management, venture capital, and mergers, acquisitions and strategic alliances in the U.S. and abroad.

Dr. Copan is a patent holder, has authored numerous professional publications and presentations, and has served on the boards of many organizations, including the Licensing Executives Society (LES) USA and Canada, where he recently served as regional vice president for LES USA. He has contributed to the U.S. National Academy of Sciences, the Council on Competitiveness, the World Intellectual Property Organization and the United Nations on innovation, technology transfer, energy and economic development matters.



**National Institute of Standards and
Technology**

**Associate Director for Laboratory
Programs and Principal Deputy
Director**

Dr. James K. Olthoff

Dr. Olthoff provides direction and operational guidance for NIST's scientific and technical laboratory programs and serves as principal deputy to the Under Secretary of Commerce for Standards and Technology and NIST Director, among other duties.

Dr. Olthoff also served as the Director of Physical Measurement Laboratory (PML) where he was responsible for the maintenance, development, and dissemination of the U.S. national measurement standards. He managed the full suite of NIST calibration services in dimensional, electromagnetic, ionizing radiation, mechanical, optical, thermodynamic, and time and frequency metrology. Dr. Olthoff joined the Applied Electrical Measurements Group at NIST (then the National Bureau of Standards) as a Research Physicist in 1987. In 2014, he was named PML Director after having served four years as PML's Deputy Director. Dr. Olthoff served as Deputy Laboratory Director of NIST's Electronics and Electrical Engineering Laboratory (2007-2010), Division Chief of Quantum Electrical Metrology Division (2003-2007), Division Chief of the Electricity Division (2000-2003), and in several supervisory and research positions.

Dr. Olthoff received his undergraduate degrees in physics and mathematics from Calvin College in 1980, and his Ph.D. in physics from the University of Maryland in 1985 in atomic, molecular and optical physics. He then held a two-year appointment at the Johns Hopkins School of Medicine before arriving at NIST. During his research career, Dr. Olthoff authored or co-authored more than 120 publications and co-authored or edited four books.

As part of his role in leading the U.S. measurement infrastructure, Dr. Olthoff has filled high-profile positions representing NIST and the United States within the international metrology community. Currently, Dr. Olthoff is the U.S. representative to the International Committee on Weights and Measures (CIPM) which oversees the International System (SI) of Units. Dr. Olthoff's previous international metrology responsibilities have included serving as the Chair of the Sistema Interamericano de Metrologia (SIM) Quality System Task Force (QSTF), representing SIM on the Joint Committee of the Regional Metrology Organizations (JCRB), and representing the U.S. on the SIM Council and SIM General Assembly. Dr. Olthoff currently serves as the President of the Board of the NCSL International, the U.S. representative to IMEKO, and the SIM Technical Committee Chair.



**National Institute of Standards and
Technology**

**Associate Director for Innovation
and Industry Services**

Mojdeh Bahar

Mojdeh Bahar is responsible for technology partnership, quality and advanced manufacturing programs, including the Hollings Manufacturing Extension Partnership, the Baldrige Performance Excellence Program, the Office of Advanced Manufacturing, the Technology Partnership Program, etc. Ms. Bahar comes to NIST from the chief scientific in-house research agency of the U.S. Department of Agriculture (USDA), where she served as the assistant administrator for technology transfer. There, she managed intellectual property from the research program of the agency and intellectual property and technology transfer across USDA by leading interactions with government agencies, industries, and other stakeholders.

Prior to ARS, Ms. Bahar served as the chief of the Cancer Branch at the Office of Technology Transfer at NIH and led marketing, patenting and licensing NIH and FDA inventions in the areas of cancer, gene therapy and biological response modifiers. Prior to that, Ms. Bahar was an examiner with the United States Patent and Trademark Office (USPTO). At NIH, she served as the regional coordinator for the Mid-Atlantic Region of the Federal Laboratory Consortium for Technology Transfer (FLC) from 2008 to 2011 and then as the national chair from 2011 to 2013.

Ms. Bahar spoke on restriction practice, double patenting, claim drafting, technology transfer, commercialization, business development, and licensing. She received the NIH Director's Award, a Mentorship Award, seven Merit Awards, a S.T.E.M Award, three Excellence in Technology Transfer Awards, state and local economic development award, a FAES NIH Team Teaching Award and the 2014 Volunteer of the Year Award by the Maryland Economic Development Association. In 2015 and 2019, she was named one of Top 100 Women in Maryland by The Daily Record; she received an Abraham Lincoln Honor Award and a Presidential Volunteer Service Award and in 2018 the Harold Metcalf Award from FLC.

A patent attorney registered to practice before the USPTO, the State of Maryland, the United States District Court for the District of Maryland, and the United States Court of Appeals for Federal Circuit, Ms. Bahar is also a Certified Licensing Professional (CLP) and a Registered Technology Transfer Professional (RTTP). She is a graduate of the University of Maryland School of Law. She also received a Master of Arts degree from New York University and a Bachelor of Science degree with honors in chemistry and French from Dickinson College.



**National Institute of Standards and
Technology**

**Associate Director for Management
Resources**

Delwin Brockett

Delwin Brockett is responsible for all NIST-wide institutional support and administrative offices and their functions, including: workforce management, information technology and services, safety and environmental management, facilities maintenance and construction, accounting and finance, acquisitions and grants management, budget formulation, strategic planning and emergency response.

Prior to this, Mr. Brockett was the Chief Information Officer (CIO) for NIST. As CIO, he advised the NIST Director on the planning, execution, evaluation, and delivery of information technology services and support. He also was responsible for planning and managing NIST's core information technology resources effectively, efficiently, and securely so that NIST could achieve its mission.

Mr. Brockett has extensive executive-level experience leading information technology (IT) organizations, business innovation efforts, and technology services in organizations where technology was a key business component. He has held CIO and executive positions in private sector organizations and has led IT strategy, innovation, operations, and technology developments in the areas of health science and communications, and in support of organizations that create and share information.

Mr. Brockett earned his undergraduate degree in Chemistry and Economics from Washington & Jefferson College, and holds an M.B.A. from the University of Pittsburgh, Pennsylvania.



National Institute of Standards and Technology (NIST)

Mission

Home to five Nobel Prizes and three Emmy Awards, NIST’s mission is to promote U.S. innovation and industrial competitiveness by advancing measurement science, standards, and technology in ways that enhance economic security and improve our quality of life. As industry’s national laboratory, NIST supports U.S. competitiveness with a portfolio addressing national priorities through a combination of intramural laboratory research and extramural programs supporting U.S. industry in manufacturing and advanced technology including advanced communications (5G and beyond), artificial intelligence, blockchain, cybersecurity and privacy, quantum information science, encryption, advanced manufacturing.

Locations and Workforce Demographic Trends

Overall Workforce: 3,365 federal employees and ~3,780 associates and facility users
Headquarters: Washington DC, 2,804 federal employees
Field Offices: 4 field offices outside of Washington DC, 561 federal employees (~500 in Boulder, CO) and 10 collaborative partnerships with research institutions across the country

Historical Total Staffing Levels¹ (Positions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President’s Budget
3,444	3,460	3,458	3,487	3,008

Budget Trend – Appropriations (\$ in Millions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget ²	FY 2021 President’s Budget
\$952.0	\$1,198.5	\$985.5	\$1,034.0	\$737.5

Principal Responsibilities

NIST is the Nation’s premier laboratory promoting innovation and industrial competitiveness. NIST investments support U.S. leadership, particularly in “Industries of the Future” including advanced manufacturing, quantum, artificial intelligence, engineering biology and advanced communications (5G and beyond). For more than 115 years, NIST has maintained the national

² For comparison purpose, FY 2020 numbers do not include CARES Act funding of \$66M.



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standards of measurement, a role that the U.S. Constitution assigns to the Federal Government to ensure fairness in the marketplace. NIST creates the infrastructure needed for U.S. manufacturers to thrive and to maximize the return on taxpayer investment in federally funded R&D. The principal responsibilities are covered by five budget authorizations, described below.

Laboratory Programs (\$754.0 million in FY 2020)

The NIST research programs work at the frontiers of science and technology to ensure that U.S. industry remains a world leader and the U.S. system of measurements is firmly grounded in sound scientific and technical principles. As new technologies evolve, NIST’s laboratory research and services remain central to national defense, homeland security, trade, and innovation. In addition to continued leadership in advanced communications and cybersecurity, NIST is focused on expanding capabilities in four strategic areas where the strong technical foundation NIST can provide may determine the future of U.S. leadership: quantum science, artificial intelligence, engineering biology, and the internet of things.

Laboratory Activity Area	FY 2020 Enacted (\$, millions)
Advanced Communications, Networks and Scientific Data Systems	67.4
Advanced Manufacturing and Material Measurements	131.2
Cybersecurity and Privacy	77.5
Fundamental Measurement, Quantum Science and Measurement Dissemination	246.9
Health and Biological Systems Measurement	36.6
Physical Infrastructure and Resilience	63.1
Exploratory Measurement Science	75.4
NIST User Facilities	53.7
Baldrige Performance Excellence Program (<i>see below</i>)	2.2
Total	754.0

With a workforce of scientific and technical experts, NIST provides industry, academia, and other federal agencies with:

- World-class research that forms the foundation of our global system of weights and measures and enable innovation, recognized with five Nobel prizes and numerous other awards.
- Scientific products and services including data, software, publications, patented inventions, accreditation services, and calibrations that impact every aspect of our economy from the accuracy of airplane altimeters, to the reliability of clinical measurements, to the strength of the encryption technologies that protect our digital lives and businesses.
- Unbiased technical support and leadership in the development of industry-led, open, consensus-based documentary standards and specifications that drive the deployment of advanced technology solutions and facilitate global commerce.
- Unique, cutting-edge user facilities that help academia and industry move the state of the art forward in nano fabrication, advanced materials, bioscience, fire research, and other critical areas.



- Partnerships with leading organizations to advance discoveries and drive innovations in areas including quantum science, advanced materials, community resilience, forensic science, and cybersecurity.

Manufacturing USA (\$16.0 million in FY 2020)

NIST houses the Advanced Manufacturing National Program Office, an intergovernmental partnership that operates the Manufacturing USA Program (formerly National Network for Manufacturing Innovation). Manufacturing USA is a network consisting of fifteen Manufacturing Innovation Institutes with common goals but unique technology concentrations. The network includes more than 2,000 R&D institutions and manufacturers of all sizes, two-thirds of Fortune 50 U.S. manufacturers, and nearly every top-ranked research and engineering university in the U.S. To date, NIST/Commerce has funded one institute, the National Institute for Innovation in Manufacturing Biopharmaceuticals (NIIMBL); however, the FY 2021 President's request includes funding for NIST to establish a second institute and recent legislation provides for expansion of the program. In FY 2020 Manufacturing USA awarded \$10.0 million in CARES Act funding to NIIMBL and other institutes.

Hollings Manufacturing Extension Partnership (\$146.0 million in FY 2020)

NIST's Hollings Manufacturing Extension Partnership, a nationwide network of grant-supported centers in all 50 states and Puerto Rico with over 1,400 trusted advisors at approximately 375 MEP service locations, provides technical and business assistance to over 28,000 small manufacturers annually. This assistance results in increased productivity, better performance, cost savings, waste reduction, and creation and retention of manufacturing jobs in the United States. In FY 2020 the program awarded an additional \$50.0 million in CARES Act funding to MEP centers to support U.S. manufacturers in their response to the COVID-19 pandemic.

Baldrige Performance Excellence Program (\$2.2 million in FY 2020)

The Baldrige Performance Excellence Program oversees the Nation's only Presidential award for performance excellence while offering criteria, assessments, tools, training, and a community for those dedicated to helping organizations improve. The program directly reaches thousands of organizations every year through their use of the Baldrige framework, participation in the award process, and attendance at conferences and training programs. The program impacts hundreds of thousands of workers and millions of customers, patients, students, and residents, and recently introduced the Baldrige Cybersecurity Excellence Builder and the Communities of Excellence framework to promote adoption of best practices in cybersecurity. In 2020, Baldrige also sponsored with the Department of Labor and the White House the first Presidential Award for Excellence in Workforce Training and Education; the program anticipates making its second award around Labor Day 2021.

Construction of Research Facilities (\$118.0 million in FY 2020)

The NIST Construction of Research Facilities (CRF) account funds all construction activities, including maintenance, repair, improvements, and major renovation of facilities occupied or used by NIST in Gaithersburg, Maryland; Boulder and Fort Collins, Colorado; and Kauai, Hawaii. Facilities that can maintain environmental conditions such as temperature, relative humidity, and air quality are essential to the ability of NIST's Laboratory Programs to make advances in wide-ranging areas including the Industries of the Future as well as other core laboratory activities. Currently the CRF budget is minimally supporting maintenance of 1950s-60s era laboratory



facilities in Boulder and Gaithersburg and renovation of Building 245 in Gaithersburg, dedicated to radiation measurements critical to food safety, national security, and more.

For more information about the specific initiatives in the FY 2021 NIST budget, please see our budget summary at: <https://www.nist.gov/fy2021-presidential-budget-request-summary>.

Summary of Major Organizational Improvement Initiatives

Strategic Workforce Actions – NIST senior leadership has identified three strategic areas for action to ensure a strong workforce. These are to (1) improve collaboration and agility across NIST programs; (2) strengthen NIST’s ability to attract, retain, and retrain a diverse and inclusive talent base; and (3) provide support for a strong and accountable leadership corps. Quarterly progress updates on actions in these areas are shared with the NIST Leadership Board.

Strategic Infrastructure Actions – NIST is implementing a multifaceted facility renovation and upgrade strategy for physical and IT infrastructure investments. Recently, NIST finalized a report prioritizing the top ten projects on its two campuses based on the Campus Master Plan, a long-term vision for NIST. Another resource under development is a predictive facilities maintenance tool to guide future investments.

Realignment to Achieve Advanced Communications Priorities – NIST is exploring options to realign existing resources from across its laboratory programs relevant to advanced communications to increase research, development, testing, and standards engagement and meet the demand of interagency and industry stakeholders.

Strategic Partnerships, Key Stakeholders, and Interagency Groups

NIST’s success relies on effective partnerships and collaborations with stakeholders across the U.S. and around the globe, from private companies to local municipalities, from standards development organizations to other federal agencies, and from universities to industry consortia. NIST’s Laboratory Programs use strategic partnerships with stakeholders to gain insight into the technical landscape and measurement science needs, and to conduct collaborative work to deliver needed measurement solutions. For example, NIST’s leadership in advanced communications research includes the NIST 5G Millimeter-Wave Channel Model Alliance that brings together over 80 organizations to improve data and knowledge sharing for more accurate measurements needed to support the commercialization of next generation wireless networks of 5G and beyond.³ The National Cybersecurity Center of Excellence, the Nation’s only federally-funded research and development center dedicated to cybersecurity, works with experts from industry, government, and academia to address businesses’ most pressing cybersecurity problems with practical, standards-based solutions using commercially available technologies.⁴ The NIST-funded Quantum Economic Development Consortium (QED-C) of more than 180 members includes a mix of large and small businesses representing different parts of the U.S. supply chain

³ <https://www.nist.gov/topics/advanced-communications/nists-leadership-advanced-communications#AdvancedCommsR&D>

⁴ <https://nccoe.nist.gov/>



for a new commercial industry based on quantum information science and technologies.⁵ Finally, as a National Metrology Institute, NIST works internationally to establish, maintain and disseminate national measurement standards tied to the International System of Units (SI) that forms the backbone of our global system of weights and measures.

In short, NIST ensures the quality and relevance of its work, and its status as the Nation's premier laboratory promoting innovation and industrial competitiveness by effectively collaborating with industry and interagency partners.

Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

- DOC/NIST Manufacturing USA institute competition launched (pending appropriations in FY 2021).
- Two new funding opportunities for MEP centers to support U.S. manufacturers anticipated.

Awaiting Decisions (first 100 days from 1/20/21)

- NIST is proposing ten statutory improvements to modernize the Stevenson-Wydler Act of 1980 as part of the Return on Investment (ROI) initiative.⁶ The package is currently with OMB, undergoing the LRM process.
- NIST is proposing revisions to the Bayh-Dole Act implementing regulations relating to funding recipient rights in inventions created with federal funding and licensing of government-owned inventions. The package is currently with OMB undergoing the EO 12866 regulatory review process.

Quick Wins (first 100 days from 1/20/21)

- Position, Navigation and Timing (PNT) security profile – NIST will deliver this output as directed in EO 13905, Strengthening National Resilience Through Responsible Use of PNT Services. The profile will support responsible uses of PNT to minimize adverse disruptions to U.S. national and economic security. (February 12, 2021)
- Trustworthy Artificial Intelligence Workshop – NIST will host a workshop in its series kicked off in August 2020 on key aspects to ensure trustworthy AI, bringing together thousands of stakeholders from industry, academia, and government. (March 2021)
- CARES Act Funding Impacts – NIST MEP will share where and how the \$50 million in CARES Act funding positively affected manufacturers and manufacturing at the local, state and national level. (April 2021)
- New Manufacturing USA Institutes – NIST will announce the funding opportunity for one or more new Manufacturing USA institutes funded by NIST, as well as events rolling out a new Alliance Pathway to grow the Manufacturing USA network. (April 2021)
- Food Safety Consortium – NIST will announce a new partnership engaging global stakeholders in industry, testing laboratories, academia, and government to advance food

⁵ <https://quantumconsortium.org/>

⁶ <https://www.nist.gov/unleashing-american-innovation>



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safety testing through improved data analytics, verification methods and other tools. (April 2021)

- Baldrige Awards – NIST’s Baldrige Program, typically through the Secretary of Commerce, will present the Baldrige Awards to healthcare, education, nonprofit, manufacturing, service, and small business organizations ahead of the annual Quest for Excellence Conference. (April 2021)
- Presidential Award for Excellence in Workforce Training and Education – NIST’s Baldrige Program, anticipates opening the application for the Presidential Award for Excellence in Workforce Training and Education. (April 2021)

Points of Contact

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National Oceanic & Atmospheric Administration

Under Secretary for Oceans & Atmosphere
and NOAA Administrator

General Counsel

Deputy Assistant
Secretary for
International Fisheries

Federal Coordinator for
Meteorology

Deputy Assistant
Secretary for Oceans
and Atmosphere

Deputy Assistant
Secretary for
Environmental
Observation and
Prediction

Assistant Secretary for
Conservation & Management/
Deputy Administrator

Assistant Secretary for
Environmental Observation &
Prediction/Deputy Administrator

NOAA Chief Scientist

Chief of Staff

Deputy Chief of Staff

Legislative &
Government Affairs

Military Affairs

Education

International Affairs

Communications

Deputy Under Secretary
for Operations

Acquisition and Grants Office

Chief Administration Officer

Chief Financial Officer

Chief Information Office

Human Capital Services Office

Inclusion and Civil Rights Office

Executive Secretariat

Assistant
Administrator,
National Marine
Fisheries Service

Assistant
Administrator,
National Ocean
Service

Assistant
Administrator,
Oceanic &
Atmospheric
Research

Assistant
Administrator,
National
Environmental
Satellite, Data &
Information
Services

Assistant
Administrator,
National Weather
Service

Director, NOAA
Commissioned
Officer Corps and
Director, Office of
Marine and Aviation
Operations

Differences from effective DOO dated 5/4/15

1. Changes to sub-divisions of Deputy Under Secretary for Operations
2. Added Deputy Chief of Staff and Executive Secretariat
3. Added two new Deputy Assistant Secretaries not listed in DOO



National Oceanic Atmospheric Administration



Assistant Secretary for Observation and Prediction, Deputy Administrator performing the non-exclusive duties of the Under Secretary of Commerce for Oceans and Atmosphere/NOAA Administrator

Dr. Neil Jacobs

Dr. Neil Jacobs is the Assistant Secretary of Commerce for Environmental Observation and Prediction, performing the duties of Under Secretary of Commerce for Oceans and Atmosphere. Dr. Jacobs is responsible for the strategic direction and oversight of over \$5.54 billion in annual spending, including key investments in developing a community model framework to advance U.S. weather modeling and prediction, space innovation, streamlining unmanned systems research to provide critical data across NOAA's mission areas, and unlocking the partnership potential of non-governmental and private organizations to study our nation's oceans and promote a blue economy.

Previously as the Chief Atmospheric Scientist at Panasonic Avionics Corporation, he directed the research and development of both the aviation weather observing platform and weather forecast model programs. He was previously the Chair of the American Meteorological Society's Forecast Improvement Group and served on the World Meteorological Organization's aircraft-based observing systems expert team.

Dr. Jacobs holds a bachelor's degree in mathematics and physics from the University of South Carolina and masters and doctoral degrees in atmospheric science from North Carolina State University.



National Oceanic and Atmospheric Administration

Deputy Under Secretary for Operations

Benjamin Friedman

Benjamin Friedman serves as the Deputy Under Secretary for Operations at NOAA. As the agency's Chief Operating Officer, he is responsible for the day-to-day management of the national and international operations for oceanic and atmospheric services, research and coastal and marine stewardship.

This is Ben's third position with NOAA, having previously served as Deputy General Counsel for the agency and Chief of the Office of General Counsel Enforcement Section. He brings more than 12 years of federal management and leadership experience.

Ben previously served as Assistant General Counsel for the Department of Commerce, where among other duties he oversaw employment, labor, litigation, and oversight matters for the Department and its bureaus. Prior to joining the Department of Commerce, he spent 16 years as a federal prosecutor with the Department of Justice, including four years in the Organized Crime and Racketeering Section and 12 years at the US Attorney's Office for the District of Columbia. While with the US Attorney's Office, he was responsible for managing two different trial sections and served as a Special Assistant to the US Attorney. Before joining the Justice Department, he was a clerk to Judge Pierce Lively on the Sixth Circuit Court of Appeals.

Ben is a 1989 graduate of Vanderbilt University with a B.S. in Molecular Biology and a 1993 graduate of Emory University Law School and the Emory School of Theology, where he earned a master's in theological studies. He is a native of Nashville, Tennessee, but has called Washington DC home for the last 22 years.



National Oceanic Atmospheric Administration

Assistant Secretary of Commerce for Oceans and Atmosphere and Deputy NOAA Administrator

Tim Gallaudet



Section 4-8 b - NOAA Leadership Biographies

Rear Admiral Gallaudet is the Assistant Secretary of Commerce for Oceans and Atmosphere and Deputy Administrator of the National Oceanic and Atmospheric Administration (NOAA). From 2017-2019 he served as the Acting Undersecretary of Commerce for Oceans and Atmosphere and NOAA Administrator. Before these assignments, he served for 32 years in the US Navy, completing his service in 2017 as the Oceanographer of the Navy. In his current position, Rear Admiral Gallaudet leads NOAA's Blue Economy activities that advance marine transportation, sustainable seafood, ocean exploration and mapping, marine tourism and recreation, and coastal resilience. He also directs NOAA's support to the Administration's Indo-Pacific Strategy, oversees NOAA's Arctic research, operations, and engagement, and is leading the execution of the NOAA science and technology strategies for Artificial Intelligence, Unmanned Systems, 'Omics, Cloud, and Citizen Science.

Gallaudet chairs or co-chairs several interagency bodies, including the National Invasive Species Council, the US Coral Reef Task Force, the Alaska Mapping Executive Committee, and the Ocean Resources Management Subcommittee (ORM) under the White House Ocean Policy Committee (OPC), of which he is also a member. Other committees on which he serves include the National Science and Technology Council's (NSTC) Select Committee on Artificial Intelligence, the NSTC Committee on STEM Education, the Policy Coordination Committees (PCCs) under the National Security Council (NSC) on Pacific Island Countries, the Arctic, and Maritime Security, and the Executive Steering Group of the National Space Based Positioning, Navigation, and Timing (PNT) Executive Committee.

Rear Admiral Gallaudet has a bachelor's degree from the U.S. Naval Academy and a Master's and Doctorate Degree from Scripps Institution of Oceanography, all in oceanography.



National Oceanic and Atmospheric Administration

Chief Scientist

Dr. Ryan Maue

Dr. Ryan Maue is the Chief Scientist of NOAA and acts as the senior scientist for the agency providing direction for science and technology priorities. Previously in the private sector, he worked as a research meteorologist on a variety of weather data projects including model analysis, forecast mapping and mobile application development. His research specialties include hurricane climatology, numerical weather prediction verification, and extratropical cyclone evolution.

Dr. Maue holds bachelor's degrees in history and atmospheric science from the University of Michigan and masters and doctoral degrees in meteorology from Florida State University.



National Oceanic and Atmospheric Administration

Chief of Staff

Dr. Erik Noble

Dr. Erik Noble is the Chief of Staff for the National Oceanic and Atmospheric Administration (NOAA). Previously, he was Senior Policy Advisor at the White House Office of Science and Technology Policy (OSTP), where he was the White House lead for Data and Earth Observations Policy. He was co-chair of the interagency U.S. Group on Earth Observations and co-lead for the cross-agency priority goal of Leveraging Data as a Strategic Asset.

Prior to joining OSTP, Dr. Noble served as a Senior Policy Advisor for NOAA and the Acting Chief of Staff for NASA. Before joining government service, Erik briefly worked as a data science professional in the financial industry; and as a Post-Doctoral Fellow & Adjunct Assistant Professor in atmospheric science at the City College of New York.

Dr. Noble received his Ph.D. in Environmental Science from the University of Colorado while conducting numerical modeling research at the NASA Goddard Institute for Space Studies in New York City. He also earned an M.S. in Environmental Studies from the University of Colorado and a B.S. in Meteorology from the Pennsylvania State University.



National Oceanic and Atmospheric Administration

General Counsel

John Luce

John Luce was appointed as the NOAA General Counsel on July 23, 2018. He advises the leadership of NOAA on legal matters that may arise in the conduct of NOAA's missions. He leads a team of over 140 legal professionals in Washington, DC, Silver Spring, MD and six regional sections.

John came to NOAA from the Department of Homeland Security and the U.S. Coast Guard where he served as Chief of the General Law Division, Chief of Staff to the Judge Advocate General, and Chief of the Claims and Litigation Division. He also previously served as an admiralty trial attorney at the U.S. Department of Justice and a Senior Appellate Government Counsel at the Office of Military Justice.

John graduated with from the U.S. Coast Guard Academy and received his J.D. from the George Washington University Law School.



National Oceanic and Atmospheric Administration
Deputy Assistant Secretary for International Fisheries

Andrew J. Lawler

As the Deputy Assistant Secretary for International Fisheries, Andrew J. (Drew) Lawler engages in high-level development and negotiation of NOAA international fisheries policy at fisheries bilateral and multilateral meetings with foreign nations and in various external activities and meetings as the Deputy Assistant Secretary and NOAA Administrator deem appropriate. He will provide general policy guidance on various aspects of NOAA's international fisheries work, such as sustainable management of fisheries, the protection of marine resources, supporting the export of U.S. fisheries products, and combating illegal, unreported and unregulated (IUU) fishing.

Prior to serving as Deputy Assistant Secretary, Mr. Lawler launched nine magazines over a 35-year period. His career in international trade began 30 years ago when he launched and served as CEO and publisher of the first of three magazines to help U.S. businesses grow their exports and global footprint. In addition, Mr. Lawler was a publisher for a saltwater sport fishing magazine for 15 years, and he launched a saltwater fishing trade show that is now in its tenth year. Concurrently, Mr. Lawler's interest in agriculture led him to launch a media company that serves America's cattle ranchers.

Mr. Lawler is a graduate of the University of Southern California with a degree in public relations from the Annenberg School of Communications and Journalism. He has served on a number of boards and is currently on the Board of Trustees at Northrise University in Zambia.



National Oceanic and Atmospheric Administration
Deputy Assistant Secretary of Commerce for Oceans
and Atmosphere

Eugenio E. Pineiro Soler

Mr. Piñeiro-Soler serves as Deputy Assistant Secretary of Commerce for Oceans and Atmosphere. He has enjoyed a long and illustrious life in the fisheries workforce. In a career that has spanned over 30 years, he has been a successful commercial fisherman, fisheries captain, and entrepreneur in his home island of Puerto Rico and throughout the Caribbean. In addition, Mr. Piñeiro-Soler has worked alongside multiple Oceanic conservation and administrative organizations, some of which include the Caribbean Fishery Management Council (CFMC), International Commission for the Conservation of Atlantic Tunas (ICCAT), the International Whaling Commission (IWC), and the Marine Protected Area Federal Advisory Committee (MPAFAC), amongst others. He is also an Executive in Residence at Radford University and serves as a member for the Virginia Tech Fish and Wildlife board.

In 2005, while conducting research with the NOAA CRP, Mr. Piñeiro-Soler discovered the *Odonthanthias hensleyi*, the first 21st Century documented discovery of a new fish species in the Atlantic Ocean, as well as conducting research and sampling for Deep Water Snappers with Texas A&M. He received his bachelor's degree in Philosophy from Radford University, followed by his Juris Doctor from the Catholic University Law School of Puerto Rico. During his spare time, he enjoys nature, fishing, and exploring new places around the world with his son.



National Oceanic and Atmospheric Administration

Deputy Assistant Secretary of Commerce for Environmental Observation and Prediction

Dr. David Legates

Dr. David R. Legates is the Deputy Assistant Secretary of Commerce for Environmental Observation and Prediction, where he provides scientific guidance on environmental issues. He has served on the faculty of the University of Oklahoma, Louisiana State University, and the University of Delaware, attaining the rank of Full Professor. Dr. Legates is a Certified Consulting Meteorologist as recognized by the American Meteorological Society and was awarded the Boeing Autometric Award by the American Society of Photogrammetry and Remote Sensing. He also has served as a national expert for the International Organizing Committee for the WMO Solid Precipitation Intercomparison Project and joined NOAA personnel at the USA/USSR Working Meeting on Development of Data Sets for Detecting Climatic Change in 1991.

Dr. Legates holds a bachelor's degree in Mathematics and Geography, a master's degree in Climatology/Geography, and a Ph.D. Degree in Climatology, all from the University of Delaware.



National Oceanic Atmospheric Administration

Assistant Administrator for Fisheries

Chris Oliver

Mr. Oliver was appointed Assistant Administrator for Fisheries in June 2017. In this role, he oversees the management and conservation of recreational and commercial fisheries including aspects of marine aquaculture, the preservation and maintenance of safe sources of seafood, and the protection of marine mammals, marine protected species, and coastal fisheries habitat within the U.S. exclusive economic zone. Mr. Oliver manages an agency with a strong presence nationally with 3,200 people in five regional offices, six science centers, and 24 labs and fish stations in 15 states and U.S. territories.

Prior to joining NOAA Fisheries, Mr. Oliver most recently served as Executive Director of the North Pacific Fishery Management Council, a position he held for 16 years. He had been with the Council since 1990, also serving as a fisheries biologist and then deputy director. Originally from Rockport, Texas, Mr. Oliver was also a Research Associate at Texas A&M University from 1987 to 1990, working with federal and state agencies on management issues associated with Gulf of Mexico shrimp fisheries, giving him both personal and professional experience with fisheries in the Gulf of Mexico. He holds a Bachelor of Business Administration and a master's degree in Fisheries Science, both from Texas A&M.



National Oceanic and Atmospheric Administration
Acting Assistant Administrator for Ocean Services
Nicole R. LeBoeuf

Nicole R. LeBoeuf is NOAA's Acting Assistant Administrator for Ocean Services and Coastal Zone Management, National Ocean Service (NOS), an organization of 1,800 staff located in more than 50 locations around the country. Ms. LeBoeuf oversees all strategic and operational aspects of America's premiere coastal and ocean agency. She provides the strategic vision needed to lead the implementation of activities that support NOS's priorities of safe and efficient transportation and commerce; preparedness and risk reduction; and stewardship, tourism and recreation. She serves as the focal point for conveying the value of NOS products and services within NOAA and to the Department of Commerce, the Office of Management and Budget, and Congress. Ms. LeBoeuf actively establishes and grows partnerships with other federal agencies, non-governmental organizations, and industry.

Ms. LeBoeuf has over 20 years of scientific and program management experience, with emphasis on the connections between science and policy. Previously, Ms. LeBoeuf served as the NOS Deputy Assistant Administrator. In this role, she oversaw the financial, administrative, and performance activities across NOS to address the evolving economic, environmental, and social pressures on our ocean, coasts, and coastal communities. Prior to joining NOS, Ms. LeBoeuf served as Acting Deputy Director of the Office of Protected Resources in NOAA Fisheries, and Chief of the Marine Mammal and Sea Turtle Conservation Division in the Office of Protected Resources, where she maintained oversight of a diverse portfolio of protected species conservation and management activities. Ms. LeBoeuf has also worked in NOAA headquarters, in the NOAA Budget Office and as NOAA's finance lead during the Deepwater Horizon oil spill, in NOAA Fisheries' Office of International Affairs as NOAA's Lead for the Convention on the Conservation of Antarctic Marine Living Resources, and as the Special Assistant to NOAA Fisheries Science Director, during which time she represented NOAA at the U.N. General Assembly and the World Conservation Union.

Ms. LeBoeuf grew up on the Texas Gulf Coast and knows the importance of coastal communities to our Nation. She holds a bachelor's degree in marine biology from Texas A&M University and a master's degree in sustainable development and conservation biology from the University of Maryland. She is also a proud graduate of NOAA's Leadership Competencies Development Program. She lives with her husband, stepchildren, and hound dog in Kensington, Maryland.



National Oceanic and Atmospheric Administration

Assistant Administrator for Oceanic and Atmospheric Research

Craig N. McLean

Craig McLean presently serves as the Assistant Administrator for Oceanic and Atmospheric Research. In his role at Oceanic and Atmospheric Research, he is responsible for overseeing, directing, and implementing NOAA's research enterprise including a network of research laboratories and the execution of NOAA programs including the Climate Program, National Sea Grant College Program, and Ocean Exploration, to name a few. Among a number of formal international engagements in science and technology, Mr. McLean serves as the U.S. Representative to the Intergovernmental Oceanographic Commission (IOC) and as a member of the World Meteorological Organization's Research Board.

Mr. McLean has previously served in NOAA as Acting Deputy Assistant Administrator of the National Ocean Service, was the founding Director of OAR's Office of Ocean Exploration and Research and served in uniform for nearly 25 years in NOAA's Commissioned Corps, attaining the rank of Captain. Mr. McLean served aboard hydrographic, oceanographic, and fisheries research ships and was the first commanding officer of the NOAA Ship *Gordon Gunter*. Craig led NOAA's innovation and planning for the Smithsonian Institution's Sant Ocean Hall, and achieved a National Ocean Action Plan goal of securing a permanent, dedicated ship for the National Ocean Exploration Program, the NOAA Ship *Okeanos Explorer*.

Craig is also an attorney and has practiced marine resource law for NOAA. He has been awarded the Department of Commerce Silver and Bronze Medals, the NOAA Corps Commendation Medal, and Special Achievement Medal. Most recently, he was awarded the Compass Distinguished Achievement Award from the Marine Technology Society. Mr. McLean is a Fellow of the Explorers Club, and of the Marine Technology Society, and a past-president and chairman of the Sea-Space Symposium.



National Oceanic and Atmospheric Administration
Assistant Administrator for Satellite and Information
Services

Stephen Volz

Dr. Volz has more than 30 years of professional experience in aerospace. As the head of NESDIS, he sets the strategic vision and implementation objectives for the Nation's civilian operational earth observing satellite fleet. Within NOAA he serves as the Co-Chair of the NOAA Observing Systems Council and is a member of the NOAA Executive Council. He is a leader in the international Earth observation community, serving as the NOAA Principal to the Committee on Earth Observation Satellites (CEOS) and to the Coordination Group for Meteorological Satellites (CGMS). He has also served as the NOAA and US Principal to the Executive Committee (ExCom) of the international Group on Earth Observations (GEO). In each of these roles Dr. Volz leads efforts to coordinate global satellite-based observations among international space agency partners and interested users of remote sensing earth observation data to further the development of a Global Earth Observation System of Systems, and to meet the global weather and environmental monitoring and forecasting efforts.

Prior to coming to NOAA, Dr. Volz worked at NASA Headquarters in the Earth Science Division, and at the Goddard Space Flight Center in satellite design, development, test and operations, including work on the Cosmic Background Explorer (COBE), among others. Dr. Volz worked in industry at Ball Aerospace and Technologies Corporation from 1997–2002, where he was the Project Manager for the Space Infrared Telescope Facility superfluid helium cryostat and other flight projects.

Dr. Volz has doctorate and master's degrees in physics from the University of Illinois at Urbana-Champaign, and a bachelor's in Physics from the University of Virginia.



National Oceanic and Atmospheric Administration
Assistant Administrator for the National Weather
Service

Louis W. Uccellini

Dr. Louis W. Uccellini is the NOAA Administrator for Weather Services, and Director of the National Weather Service. He is responsible for day-to-day civilian weather operations for the U.S., its territories, adjacent waters, and ocean areas. Prior to this position, he was the Director of the National Centers for Environmental Prediction (NCEP) for 14 years. He was responsible for the science, technology, and operations for NCEP's nine Centers. The new NOAA Center for Weather and Climate Prediction was completed at the University of Maryland as was the implementation of a Seamless Suite of Ensemble Models from the S2S to the Mesoscale. Dr. Uccellini was the Director of the NWS Office of Meteorology (1994 to 1999), Chief of the NWS Meteorological Operations Division (1989 to 1994), and section head for the NASA Mesoscale Analysis and Modeling Section at the Goddard Laboratory for Atmospheres (1978 to 1989).

Dr. Uccellini received his Ph.D. (1977), Master (1972) and Bachelor of Science (1971) degrees in meteorology from the University of Wisconsin-Madison. He has published 70 peer-reviewed articles and chapters on analysis of severe weather outbreaks, snowstorms, gravity waves, jet streaks, cyclones, the use of satellite data in modeling applications, and more recently the basis for the Joint Center for Satellite Data Assimilation, Earth System Prediction Capability for addressing the WMO "Grand Challenge" for seamless weather-climate prediction and the Restructuring of the NWS to Build a Weather Ready Nation. He is a co-author of a widely acclaimed American Meteorological Society (AMS) monograph "Northeast Snowstorms" published in 2004, and authored chapters in the 1990, 1999 and 2008 AMS Monographs on extratropical cyclones, synoptic-dynamic meteorology, and forecasting advancements.

Dr. Uccellini is the Permanent US Representative at the World Meteorological Organization and has served on many national and international research and field experiment programs. He has received many awards in recognition of his research and operational achievements including the Maryland Academy of Sciences Distinguished Young Scientist Award (1981), the NASA Medal for Exceptional Scientific Achievement (1985), the AMS's prestigious Clarence Leroy Meisinger Award (1985), the Cleveland Abbe Award (2016), and the National Weather Association's Research Achievement Award (1996). In 2001/2016, he received the U.S. Presidential Meritorious Rank Award and in 2006, he received the U.S. Presidential Distinguished Rank Award. In 2019, he was selected as a National Academy of Public Administration Fellow.



National Oceanic and Atmospheric Administration
Director of NOAA Commissioned Officer Corps and
Director of Office of Marine and Aviation Operations

Rear Admiral Michael J. Silah

Rear Admiral (RADM) Michael J. Silah serves as the Director of the National Oceanic and Atmospheric Administration's Commissioned Officer Corps (NOAA Corps) and NOAA's Office of Marine and Aviation Operations (OMAO). NOAA Corps and OMAO, Rear Admiral Silah is responsible for the operation of NOAA's fleet of research ships and aircraft as well as commissioned NOAA officers and civilian personnel.

He was commissioned into the United States Navy in 1992 and served in Patrol Squadron Nine (VP-9) as the squadron's safety officer, completing three deployments to Southeast Asia and the Persian Gulf. He also served in Naval Force Aircraft Test Squadron (FORCE) before transferring to the NOAA Corps in 2002.

Rear Admiral Silah previously served as Commanding Officer of NOAA's Aircraft Operations Center (AOC). Under his command, AOC improved execution to over 90 percent and flew over 6,000 flight hours in support of NOAA missions. His team was recognized with Department of Commerce Silver and Bronze awards, a NOAA Unit Citation, and the Safety Management System Level 3 award--the highest possible distinction. He also led AOC during the relocation to a new facility in Lakeland, Florida.

Earlier assignments include: Chief of Staff of National Centers for Environmental Prediction (NCEP), Chief of Staff of OMAO, and aide-de-camp to the NOAA Administrator. Rear Admiral Silah has flown over 3,000 flight hours in the P-3, including over 1,500 hours as pilot-in-command, over 500 hours of Navy flight test, and nearly 150 hurricane penetrations.

Rear Admiral Silah holds a degree in economics from Duke and an MPA from Harvard. His awards include the Department of Commerce Gold Medals, Department of Commerce Silver Medal, Department of Commerce Bronze Medals, NOAA Corps Meritorious Service Medals, NOAA Corps Commendation Medals, and NOAA Corps Achievement Medals. He is an active member in the prestigious Explorers Club, a group dedicated to promoting scientific exploration.



National Oceanic Atmospheric Administration

Deputy Assistant Administrator for Operations

Paul Doremus

Dr. Doremus holds two leadership roles: As NOAA Fisheries' Chief Operating Officer, he oversees the agency's financial and administrative functions; establishes the organization's strategic direction and aligns its business units; leads its human resource and performance evaluation functions; ensures the agency has effective and efficient infrastructure for its mission, ranging from fleet and facilities to information technology and communications; and oversees its international affairs, seafood inspection, aquaculture, and law enforcement functions. Dr. Doremus also leads NOAA's strategic initiative to expand U.S. seafood production, primarily through aquaculture. In response to rising global demand for seafood and limited supplies from wild capture fisheries, he is working across government, industry, and the nonprofit sectors to provide a predictable regulatory environment and a robust research infrastructure for US-based aquaculture.

Before coming to NOAA Fisheries, Dr. Doremus was the Assistant Administrator for NOAA's Office of Program Planning and Integration. In this position, he was responsible for NOAA's long-term strategic plan, NOAA-wide strategy implementation, and corporate performance evaluation methods and measures. Before joining NOAA, Dr. Doremus served as Director of the Program Office for the National Institute of Standards and Technology (NIST). His prior work experience and academic background center on corporate strategy and performance management; portfolio planning and evaluation; science, technology, and environmental policy; and economics and political science. He received his B.A. in Political Science from the Pennsylvania State University and his Ph.D. in Government from Cornell University.



National Oceanic and Atmospheric Administration (NOAA) HQ

Mission

To understand and predict changes in climate, weather, oceans, and coasts, to share that knowledge and information with others, and to conserve and manage coastal and marine ecosystems and resources. Dedicated to the understanding and stewardship of the environment.

Locations and Workforce Demographic Trends

NOAA has a broad and diverse geographic footprint with over 700 buildings throughout the entirety of the United States and territories <https://www.legislative.noaa.gov/NIYS/>. Please see inputs provided by NOAA Line and Mission Support Offices.¹

Historical Total Staffing Levels (Positions)*

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
11,118	11,082	11,056	12,146	11,550

*Includes staffing from direct discretionary sources

Budget Trend – Appropriations (\$ in Millions)**

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
\$5,677.8	\$5,914.0	\$5,434.3	\$5,361.7	\$4,634.0

**Does not include negative fisheries receipts

Principal Responsibilities

NOAA released its FY 2021 President's budget request on February 28, 2020. The request provides \$4.6B to continue to position NOAA as the Nation's premier environmental intelligence agency, advancing NOAA's goals of reducing the impacts of extreme weather and water events to save lives and protect property, and maximizing the economic contributions of our ocean and coastal resources, by expanding the American blue economy.

¹ *Locations and Workforce Demographic Trends in LO and Mission Support Fact sheets represent staff that belong to the associated organization, while the figures in the Historical Total Staffing Levels table represent positions funded through each organization's direct discretionary appropriations as reflected in the Budget Trend - Appropriations table.



FY 2021 will continue to support bold strategies to dramatically expand the agency's application of six priority areas for transformative advancements in the quality and timeliness of NOAA's products and services across our mission areas: Uncrewed Systems, Artificial Intelligence, Omics Data, Cloud, and Citizen Science. These new strategies, four of which were announced at the 2019 White House Ocean Science and Technology Summit, will accelerate the application of transformative ocean science and technology across every mission area, and will be used to improve fishery stock assessments, hurricane intensity forecasts, ocean and habitat mapping, as well as hydrologic, oceanographic, ecosystem, and geographic surveys. These efforts are fully aligned with the White House Memorandum, *Fiscal Year 2021 Administration Research and Development Budget Priorities*: <https://www.whitehouse.gov/wp-content/uploads/2019/08/FY-21-RD-Budget-Priorities.pdf>

Reducing the Impacts of Extreme Weather and Water - NOAA operates on the front lines of weather and water disaster prediction, response, and recovery with an estimated \$700 billion of annual U.S. economic activity sensitive to weather. NOAA's goals of reducing the impacts of extreme weather and water events to save lives and protect property by continued implementation of the Weather Research and Forecasting Innovation Act of 2017 and National Integrated Drought Information System Reauthorization Act of 2018. Constant improvements to operational models and forecast systems are required to integrate the latest user requirements, scientific research advances, and modeling developments.

NOAA's FY 2021 request includes:

Over \$17.0M to reduce the impacts of extreme weather and water events to save lives and protect property by implementing the Weather Research and Forecasting Innovation Act as amended (P.L. 115-423) (Weather Act):

- Earth Prediction Innovation Center (OAR) +\$7.0M
- Tornado Warning Improvement and Extension Program (OAR): +\$3.2M
- Increase Data Sharing for Integrated Global Observing System and Global Basic Observing Network – WIGOS and GBON (NWS): +\$4.0M
- Establish National Weather Service Pilots (NWS): +\$2.0M
- Enhancing the World Meteorological Organization Information System – WIS (NWS): +\$1.0M

Expanding the American blue economy - NOAA is increasing American seafood production and reducing our seafood trade deficit by implementing the 2020 *Executive Order on Promoting American Seafood Competitiveness and Economic Growth*. A main effort is to increase the efficiency of U.S. federal fisheries governed by the Magnuson-Stevens Fishery Conservation and Management Act through regulatory streamlining, advanced technology, and more advantageous trade policy. To expand the domestic seafood sector, NOAA is making aquaculture permitting more efficient and predictable, removing barriers to commercial fisheries, and combating Illegal, Unregulated and Unreported Fishing (IUUF). NOAA is furthering fair and reciprocal seafood trade through a new Seafood Trade Task force co-chaired by the Secretary of Commerce and USTR.



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NOAA also leads implementation of the 2019 *Presidential Memorandum: Ocean Mapping of the United States Exclusive Economic Zone and the Shoreline and Nearshore of Alaskan*, which directs the development of a National strategy to map the US EEZ, a strategy to map the Alaskan coastline, and a plan to promote efficient permitting related to ocean exploration activities. Together these support offshore energy, critical minerals, and pharmaceutical development. NOAA's FY 2021 request includes:

Approximately \$14.0M to help accelerate growth of U.S. businesses, support ocean industries, and facilitate the development of new technologies that will allow the U.S. to take advantage of the growing blue economy sector:

- Ocean Mapping and Charting (NOS): +\$8.5M
- Regional Data Portals (NOS): +\$2.5M
- Fisheries Disaster Assistance (NMFS): +\$0.3M
- National Oceanographic Partnership Program (OAR): +\$0.5M
- Uncrewed Systems Acquisition (OMAO): +\$2.0M

The FY 2021 budget also further *advances space innovation through new approaches to NOAA satellite missions* and provides for *mission support* activities essential to accomplishing all NOAA missions.

Approximately \$1.0B to expand innovations in space and weather enterprises through research to operations, creative partnerships, and cloud architecture:

- Data-source Agnostic Common Services – DACS (NESDIS): +5.0M
- Commercial Weather Data Pilot (NESDIS): +\$5.0M
- Commercial Data Purchase (NESDIS): +\$10.0M
- Space Weather Follow On (NESDIS): +\$44.1M
- GOES-R Series Sustainment (NESDIS): +\$30.4M
- Cooperative Data and Rescue Services (NESDIS): +\$3.5M

Approximately \$30.0M to enhance Mission Services

- Workplace Violence Prevention and Response Program (MS): +\$1.7M
- Business Applications Solutions (BAS) (MS): +\$0.5M
- Facilities Maintenance (MS): +\$7.6M
- Evaluate and Address Northwest Facilities Issues (MS): +\$20.5M

In addition, this budget continues critical investments in several key areas; *please see inputs provided by NOAA Line and Mission Support Offices*. For more information about the specific initiatives in the FY 2021 NOAA budget, please see our [budget summary](https://www.noaa.gov/sites/default/files/atoms/files/508%20Compliant_NOAA%20FY21%20Budget%20Blue%20Book%20Summary.pdf): https://www.noaa.gov/sites/default/files/atoms/files/508%20Compliant_NOAA%20FY21%20Budget%20Blue%20Book%20Summary.pdf.

Summary of Major Organizational Improvement Initiatives: *Please see inputs provided by NOAA Line and Mission Support Offices.*

Strategic Partnerships, Key Stakeholders, and Interagency Groups: To promote understanding and support of NOAA's budget initiatives, the NOAA Budget Office works



closely with the Department of Commerce, Congressional appropriations staff, the Office of Management and Budget, and external stakeholders. NOAA also has many public-private partnerships, Advisory Committees, and other stakeholder engagements, and participates on numerous interagency bodies, such as those to further the National Ocean Policy, Ocean Decadal Vision, and Water Sub Cabinet.

NOAA is also committed to achieving mission priorities through bilateral engagement and strong support for research partnerships with non-governmental entities. NOAA has current and planned ocean initiatives and are identifying opportunities for future collaboration, including opportunities for joint development and testing of innovative tools and systems (e.g., autonomous and robotic technologies, artificial intelligence, machine learning, and cloud computing) to better map, explore, and understand the regional ocean environment. NOAA also has multiple arrangements in place with other government agencies to support synergistic work and continues to pursue new ones to align with the focus on innovation. For example, we recently signed a memorandum of agreement with the Department of Homeland Security’s Science and Technology Directorate to formalize existing and facilitate new cooperation in multiple areas, including uncrewed systems and Arctic research and development.

NOAA also recognizes the importance of continued science-based coordination in the Pacific Ocean, including to underpin the administration's priorities to counter Chinese influence and for sustainable management of the marine environment with Pacific Island countries.

Please see input provided by NOAA Line and Mission Support Offices for additional strategic partnerships.

Any Potential Congressional or Media Issues (first 100 days from 1/20/21):

Please see input provided by NOAA Line and Mission Support Offices.

Awaiting Decisions (first 100 days from 1/20/21)

- Timing and content of FY 2022 NOAA budget: A preliminary FY 2022 NOAA budget will likely be with OMB at the start of the new Administration but the development of the final FY 2022 budget will be highly iterative given the need to bring new Administration officials up to speed.

See additional inputs provided by NOAA Line and Mission Support Offices.

Quick Wins (first 100 days from 1/20/21): Near term actions in the NOAA AI, UxS, ‘Omics, Data, Cloud, and Citizen Science Strategies and Strategic Plans. *Please see additional inputs provided by NOAA Line and Mission Support Offices.*

Points of Contact

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National Oceanic and Atmospheric Administration (NOAA) National Weather Service (NWS)

Mission

Provide weather, water, and climate data, and forecasts and warnings for the protection of life and property and enhancement of the national economy.

Locations and Workforce Demographic Trends

Overall Workforce: 4,386 federal employees as of August 15, 2020

Headquarters: Silver Spring, MD 475 federal employees as of August 15, 2020

Field Offices: ~190 locations in the USA with 3,911 federal employees as of August 15, 2020

Historical Total Staffing Levels (Positions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
4,268	4,248	4,277	4,305	3,940

Budget Trend – Appropriations (\$ in Millions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
1,117.7	1,157.1	1,162.6	1,168.6	1,120.3

Principal Responsibilities

The [National Weather Service \(NWS\)](#) provides weather, water, and climate predictions over varying timescales and provides local-level forecasts, warnings, and impact-based decision support services (IDSS) to the public across all U.S. states and territories. To do this, the NWS has the following portfolios which follow the forecasting process.

Observations (FY20 Budget \$246.1 million; FY21 Budget Request \$245.8 million)

The Observations portfolio serves as the primary office responsible for the collection of space, atmosphere, water, and climate observational data owned or leveraged by NWS.

Central Processing (FY20 Budget \$164.7 million; FY21 Budget Request \$146.3 million)

The Central Processing portfolio is responsible for NWS centralized and distributed data processing systems, including the Weather and Climate Operational Supercomputing System (WCOSS) and the locally sited Advanced Weather Interactive Processing System (AWIPS).

Analyze Forecast and Support (AFS) (FY20 Budget \$513.6 million; FY21 Budget Request \$500.8 million) AFS is the largest portfolio in the NWS encompassing the field forecast and



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warning mission, mission-supporting facilities, and IDSS. The portfolio includes 122 weather forecast offices, 13 river forecast centers, 2 tsunami warning centers, 7 of the 9 centers of the National Centers for Environmental Prediction, and the National Water Center.

Dissemination (FY20 Budget \$86.8 million; FY21 Budget Request \$88.3 million)

The Dissemination portfolio disseminates NWS weather, water, and climate watches, warnings, data, and information to the public through a variety of delivery channels. The Office of Dissemination supports applications operating on both private cloud and public cloud infrastructures.

Science and Technology Integration (FY20 Budget \$147.5 million; FY21 Budget Request \$139.1 million) The Science and Technology Integration portfolio manages planning, research, development, transition, and integration efforts to promote science and technology improvements across the NWS. Areas of focus include environmental modeling moving to a Unified Forecast System; social science integration; and artificial intelligence.

Facilities Construction & Major Repairs (FY20 Budget \$10 million; FY21 Budget Request \$0 million) The Facilities portfolio is responsible for managing real properties, owned and leased, for the NWS.

Summary of Major Organizational Improvement Initiatives

Weather-Ready Nation: Building a Ready, Responsive, and Resilient Society: The NWS continues to evolve and adapt to the ever-increasing partner needs to build a Weather Ready Nation ([Uccellini and Ten Hoeve 2019](#)). An important portion of the Weather Research and Forecasting Innovation Act of 2017 is section 405 that codifies NWS IDSS for emergency managers at levels of government, including state, local and tribal entities. However, the demand for IDSS for core partners still exceeds what the current NWS staffing levels can support. The AFS budget provides funding for most employees that conduct IDSS. Funds within AFS are primarily invested in labor. Additional appropriated funds would be utilized to cover increasing fixed costs relating to labor and facilities, and to support hiring, training, travel (e.g. IDSS exercises with the emergency management community), and deferred facilities maintenance. In addition to funding for operational support, the necessary computing capacity and proper dissemination channels for NWS products and services must be in place. Additional Dissemination resources would support improved NWS delivery capability to the entire Weather Enterprise.

Advancing Global Resiliency through Enhanced Precipitation and Water Prediction: The Precipitation Prediction Grand Challenge (PPGC) is a visionary, NOAA-led, and forward leaning strategy that provides a clear path to address the long-standing, but urgent national and global precipitation and water challenges. It is designed to significantly improve forecast skill by focusing and uniting the modeling community on this problem, while leveraging NOAA's Unified Forecast System (UFS) and Earth Prediction Innovation Center (EPIC).

Upcoming Innovations: A streamlined capability will be released that allows nearly 2,000 federal, state, local, and tribal alerting authorities to leverage NOAA Weather Radio All Hazards



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and other NWS dissemination systems for broadcast of life-saving Non-Weather Emergency Messages. Office of Water Prediction updates, such as Version 2.1 of the National Water Model being implemented by February of 2021 and new prototype services that produce real-time flood inundation maps (FIM), will be deployed to and disseminated from the public cloud (September 2021). NWS is also exploring artificial intelligence/machine learning approaches to represent processes in environmental models or generation of products.

Strategic Partnerships, Key Stakeholders, and Interagency Groups

NWS key stakeholders include local, state, tribal and territorial emergency managers, as well as several federal agencies involved in resilience and resource management. NWS provides IDSS to many of these partners and public safety officials to protect life and property. Coordination on weather products and services occurs through various interagency groups. The NWS co-chairs the Office of Science and Technology Policy (OSTP) Subcommittee on Resilience Science and Technology and the Space Weather Operations, Research, and Mitigation (SWORM). The NWS managed the SWORM activities of 34 Federal Departments and Agencies in the execution of the 2019 National Space Weather Strategy and Action Plan (NSW-SAP).

NWS also works closely with the entire Weather, Water, and Climate Enterprise that includes academia and private-sector providers of environmental information science and services. NWS offers observations, computer model forecasts, advanced science, decision support, forecasts, and warnings. Due to these partnerships, the U.S. private-sector weather enterprise is one of the most vibrant in the world. NOAA's Policy on Partnerships in the Provision of Environmental Information highlights the complementary roles of these enterprise partners.

In addition, the NWS contributes significantly to broader U.S. Government efforts to build strategic influence in the Pacific by installing and maintaining ocean observation infrastructure in this data sparse region, as well as through capacity development in the areas of tsunami and severe weather forecasting and warning, including through operational presence in the Freely Associated through the Compact of Free Association (COFA).

The National Weather Service Employee Organization (NWSEO) is the labor organization that represents over 3300 non-supervisory, non-managerial, and non-confidential employees of the NWS. Negotiations with NWSEO took place over several years to pursue a new Collective Bargaining Agreement (CBA) that meets the modern needs of our stakeholders and customers. The Federal Services Impasse Panel issued a decision in July 2020, resolving all articles. On August 12, 2020, NWSEO notified NWS that its members had rejected the contract and requested that the parties resume bargaining over all of the proposals, including the contract terms that had been resolved by the Panel.

Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

- Escalating fixed costs (labor, utilities, etc.) negatively impacts NWS operations and critical infrastructure and protracted Continuing Resolutions increase this impact.
- Several dissemination applications that deliver critical weather information to NOAA partners and the American public remain on legacy infrastructure and are at risk for failure.



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Furthermore, the network bandwidth capacity from NWS data centers in College Park, MD and Boulder, CO to the internet have reached capacity, resulting in slowed data access for external customers. The NWS continues to work with Congress to address and resource the Integrated Dissemination Program (IDP) that will work to resolve the issues.

- Technology outages, such as dissemination and model guidance outages, sometimes occur and tend to generate significant media interest.
- Continued interest in NWS operations and performance during the time of COVID.
- Collective Bargaining Agreement negotiations and pending litigation with the NWSEO.
- Significant media and Congressional interest in seasonal outlooks such as the Spring Flood Outlook in March and Atlantic Hurricane Outlook in May.
- Significant and extreme weather events, such as hurricanes, winter storms, flooding, wildfires, drought, and tornadoes, regularly make news and draw congressional interest.
- Significant Legislative Activity: Congress currently has significant interest in flood monitoring and forecasting related legislation (S.4462 and House bill to-be-introduced), and also NOAA’s fire weather products, services, and science (legislation yet to be introduced), which could all be moving in early 2021.

Awaiting Decisions (first 100 days from 1/20/21)

None at this time.

Quick Wins (first 100 days from 1/20/21)

- **2019-2022 Weather-Ready Nation Strategic Plan:** The NWS continues to make strong progress on its [2019-2022 NWS Strategic Plan](#), as described in this [FY19/FY20 Status Update](#). NWS will continue to report progress on strategic goals and metrics in FY21.
- **Announcement of Acceptance of the New Supercomputer:** In April 2021, NOAA expects to announce the acceptance of two new supercomputers.
- **Global Forecast System (GFS) Upgrade:** Scheduled for a major upgrade in FY21Q2.
- **2021 Spring Flood Outlook Release:** Scheduled to be released on March 18, 2021.
- **Weather-Ready Nation (WRN) Ambassador Initiative:** The increasing count of Weather-Ready Nation Ambassadors will help improve the nation’s readiness, responsiveness, and overall resilience against extreme weather, water, and climate events.
- **Uncrewed Systems:** By the end of March 2021, the NWS will expand use of uncrewed systems (UxS) in the field.
- **Data:** By late January 2021, the NWS will fully transition the Damage Assessment Toolkit from a USGS public cloud platform to a NOAA public cloud infrastructure-as-a-service via the NOAA Cloud Utility Contract
- **Cloud:** In FY21Q2, the NWS will provide initial operating capabilities of the Enterprise National GIS Viewer hosted on a public cloud platform

Points of Contact

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National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS)

Mission

To provide vital services for the nation: productive and sustainable fisheries, safe sources of seafood, the recovery and conservation of protected resources, and healthy ecosystems—all backed by sound science and an ecosystem-based approach to management.

Locations and Workforce Demographic Trends

Headquarters: Silver Spring, MD, 435 federal employees

Field Sites: NOAA Fisheries has 2,527 federal employees located in 31 states and territories.

Historical Total Staffing Levels (Positions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
2,680	2,689	2,657	3,084	3,070

Budget Trend – Appropriations (\$ in Millions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
\$914.3	\$968.3	\$989.2	\$1,013.0	\$842.3

Principal Responsibilities

Protected Resources Science and Management (2020 Budget \$200.7M, \$265.7M with Pacific Coastal Salmon Recovery Fund; 2021 Proposed \$192.2M, \$0 for Pacific Coastal Salmon Recovery Fund): The Protected Resources program, maximizing partnerships with stakeholders, uses best available science to develop and implement best practices and conservation and recovery actions to reduce threats to protected species and their marine and coastal ecosystems. Protected species include those listed under the Endangered Species Act (ESA) and marine mammals covered by the Marine Mammal Protection Act (MMPA).

Fisheries Science and Management (2020 Budget \$615.8M; 2021 Proposed \$554.5M): In partnership with the eight Regional Fishery Management Councils (Councils), state and federal partners, NOAA Fisheries manages marine commercial and recreational fisheries, including aquaculture, using the best available science. NOAA Fisheries' actions result in sustainable fisheries harvest and production, rebuilding of depleted fish stocks, conservation of essential fish habitats, and other support for fishing communities. The agency's peer-reviewed science



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enterprise ensures management decisions are based on the highest quality scientific information, which is essential to sustain, protect, and substantially increase domestic seafood production; maintain and enhance commercial, recreational, and subsistence opportunities; protect ecosystem health and sustainability; and create jobs and other economic and social benefits in support of community resilience. The EO on *Promoting American Seafood Competitiveness and Economic Growth* will expand sustainable U.S. seafood production through more efficient and predictable aquaculture permitting in Aquaculture Opportunity Areas, cutting-edge R&D, regulatory reform to maximize commercial fishing, and enforcement of common-sense restrictions on seafood imports that do not meet American standards. As part of this effort, the Department of Commerce and USTR co-chair a Seafood Trade Task Force; working closely with interagency partners to develop a comprehensive seafood trade strategy. NOAA Fisheries is also working with the Councils to increase the efficiency of U.S. federal fisheries governed by the Magnuson-Stevens Fishery Conservation and Management Act through regulatory streamlining and in FY 2017-2019 completed 33 deregulatory actions.

Habitat Conservation and Restoration (2020 Budget \$57.1M; 2021 Proposed \$39.0M): This program includes protection and restoration of habitat to sustain commercial and recreational fisheries, recover protected species, and maintain resilient coastal ecosystems and communities. NOAA Fisheries conducts thousands of consultations each year with federal agencies whose proposed actions may affect essential fish habitat for federally managed species, taking actions to avoid, minimize, or compensate for marine, coastal, and riverine habitat impacts. NOAA Fisheries works closely with partners to provide habitat restoration technical expertise (e.g. engineering and design, implementation, monitoring) and leadership to states, tribes, local communities, and other Federal programs as resources allow.

Enforcement (2020 Budget \$74.0M; 2021 Proposed \$55.9M): NOAA's Office of Law Enforcement (OLE) supports NOAA Fisheries' core mission mandates by enforcing domestic laws and supporting international treaty requirements designed to ensure global resources are available for future generations. OLE jurisdiction generally covers ocean waters between 3 and 200 miles offshore and adjacent to all US states and territories (i.e. the Exclusive Economic Zone). In addition, OLE works to combat illegal, unreported, and unregulated (IUU) fishing by providing capacity building workshops with numerous partnering countries, increased information sharing under the Port State Measures Agreement (PSMA), engaging in interagency collaborations under the Maritime SAFE Act and the Maritime Domain Awareness Plan, and establishing public-private partnerships such as the pilot program with Vulcan, Inc. OLE partners with local enforcement agencies and other federal organizations to maximize efficiency.

Summary of Major Organizational Improvement Initiatives:

None at this time.

Strategic Partnerships, Key Stakeholders, and Interagency Groups

Fishery management partners: Fishery management councils, state fishery agencies, interstate fishery commissions, fishing industry



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Interagency partners: Department of Interior – US Fish and Wildlife Service, Bureau of Ocean Energy Management, US Bureau of Reclamation; Department of State; US Army Corps of Engineers; US Department of the Navy

Others: Marine Fisheries Advisory Committee, National Fish and Wildlife Association, Association of Fish and Wildlife Agencies, marine-focused environmental NGOs

Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

North Atlantic Right Whales: In Northeast waters, the lobster trap/pot fishery provides over 95% of the vertical lines in East Coast waters, and vertical lines present a key risk for entanglement of North Atlantic right whales. Only about 400 individuals, including 95 breeding females, are estimated to remain in the world. Given the level of interest in these species, any right whale entanglements or ship strikes, particularly if resulting in a mortality, is likely to draw significant attention. Regulatory management actions are also being closely monitored. Because these whales are migratory, we communicate and coordinate with our Canadian counterparts to align management actions. NMFS intends to finalize management measures under the MMPA - developed in collaboration with industry, state governments, and NGO members - in spring 2021. NMFS also plans to finalize a biological opinion under the Endangered Species Act on the operation of NE fisheries that interact with the North Atlantic right whale in spring 2021. In a recent opinion, the Court ruled against NMFS, imposing a deadline of May 31, 2021, for NMFS to issue a new biological opinion. In August 2020, the lobster fishery's Marine Stewardship Council's certification was suspended following the Court's ruling vacating the biological opinion.

The lobster fishery in the United States is the highest single species fishery by value in the nation, \$624 million in 2018, with Maine and Massachusetts leading the nation in landings, but has suffered falling market prices and retaliatory tariffs from China, Europe, and Canada. In 2020, President Trump took multiple actions to reduce the seafood trade deficit and assist American commercial fishing fleets, particularly the lobster fleet. In August, President Trump secured the successful elimination of European Union tariffs on U.S. lobster, creating more fair and reciprocal transatlantic trade opportunities with Canada and beyond. In September, the President, through the Seafood Trade Relief Program, made available approximately \$527 million in relief for the lobster and seafood industries in Maine who have been impacted by these retaliatory tariffs.

Humpback Whale Critical Habitat Designation: NMFS listed three distinct population segments of humpback whales--the Mexico, Central American, and Western Pacific segments--under the ESA on September 8, 2016, thereby triggering an ESA requirement to designate critical habitat to the maximum extent prudent and determinable. Under a court-approved settlement agreement, NMFS must submit a final rule designating critical habitat to the Federal Register on January 15, 2021; resulting in publication shortly after January 20, 2021. In public comments on the proposed rule, commenters expressed concern about “overly large” designations, the “dilution” of their associated conservation benefits, and the potential impacts on Alaska’s natural resource-based economy. Conversely, other commenters, including environmental NGOs expressed opposition to exclusion of any areas from the critical habitat designation.



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Gulf of Mexico Red Snapper: Red snapper is one of the most popular harvested and studied species in the Gulf. In response to a rapidly rebuilding stock and inconsistent federal and state fishing seasons, NOAA Fisheries worked with the Gulf of Mexico Fishery Management Council (Council) to implement an innovative state management program for the private angler component of the fishery, providing the states greater flexibility to tailor management to local needs and objectives while meeting Gulf-wide conservation requirements. Most state-specific private angler red snapper catch quotas are allocated, in part, based on NOAA Fisheries' Marine Recreational Information Program (MRIP) data, but monitored using state survey data. Because each state monitors its respective red snapper landings using its own reporting system rather than MRIP, regulations implementing the state management program noted that the MRIP-based quotas would be calibrated to state reporting systems when peer-reviewed calibration models became available. Upon availability of those models and following Council deliberations, it is likely that any Council-recommended management measures or any NMFS management action that might take place in the spring will attract attention. Additionally, Texas has long estimated its own landings and, in September 2020, filed a lawsuit challenging NOAA Fisheries determination that they exceeded their 2019 quota, requiring them to pay back the overage in 2020. That determination is based on updated data Texas reported for 2019 late in the 2020 season. Those updated data also suggest overfishing occurred in 2020; the first time since 2008.

Aquaculture - The AQUAA Act (Advancing the Quality and Understanding of American Aquaculture) is likely to be reintroduced early in the new session, either in the House or both the House and Senate. This legislation would help advance domestic aquaculture, an agency and departmental strategic priority.

Awaiting Decisions (first 100 days from 1/20/21):

None at this time.

Quick Wins (first 100 days from 1/20/21):

In accordance with the Executive Order on *Promoting American Seafood Competitiveness and Economic Growth*—

- **Aquaculture Opportunity Areas:** May 2021. NOAA Fisheries recently announced federal waters off southern California and in the Gulf of Mexico as the first two regions for evaluation to develop AOAs, and will identify at least two geographic areas containing locations suitable for commercial aquaculture.
- **Removing Barriers to American Fishing:** May 2021. NOAA Fisheries will provide administrative and technical support to the Councils to implement a prioritized list of recommended actions to reduce burdens on domestic fishing and update the Department's contribution to the Unified Regulatory Agenda based on these lists.
- **Combatting IUU Fishing:** May 2021. NOAA Fisheries will work with interagency partners through the Maritime SAFE Interagency Work Group on IUU Fishing to encourage public-private partnerships and promote interagency, intergovernmental, and international



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cooperation and prioritize training and technical assistance in key geographic areas to promote sustainable fisheries management.

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**National Oceanic and Atmospheric Administration (NOAA)
National Ocean Service (NOS)**

Mission

To provide science-based data, tools, and services to address evolving economic, environmental, and social pressures on the oceans, coasts, and Great Lakes in support of resilient coastal economies and their contribution to the national economy.

Locations and Workforce Demographic Trends

Overall Workforce: 1,096 federal employees

Headquarters: Washington DC, 640 federal employees

Field Offices: NOS has 456 federal employees located in 32 states and territories in 72 locations outside of Washington DC

Historical Total Staffing Levels (Positions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
1,109	1,101	1,103	1,243	1,133

Budget Trend – Appropriations (\$ in Millions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
\$519.0	\$565.1	\$585.5	\$606.5	\$381.0

Principal Responsibilities

Through collaborative partnerships with both the public and private sectors, NOS provides solutions to the increasing demand for authoritative data, expertise, and real-time forecasting by providing data-driven coastal intelligence for all who live, work, or rely on services tied to our oceans and coasts. NOS programs contribute substantially to Blue Economy priorities through economic and environmental resilience of coastal economies and the national economy through three strategic priorities: 1) Preparedness and Risk Reduction, 2) Safe and Efficient Transportation and Commerce, and 3) Stewardship, Recreation, and Tourism.



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Preparedness and Risk Reduction (FY20 \$280M: FY 2021 Request \$116M)

The United States has experienced \$1.75 trillion worth of damage from weather and climate disasters since 1980. The impacts are mounting as immediate disaster events (e.g. hurricanes or oil spills) and long term threats (e.g. sea level rise and harmful algal blooms) force communities to spend limited dollars to address these considerable threats and present major challenges to sustaining healthy coastal communities and ecosystems. For decades, coastal communities, the private sector, and other key partners within the federal family have turned to NOS as the authoritative source of essential information and expertise on rapidly changing coastal conditions. NOS helps communities prepare for - and respond to - coastal hazards by providing a unique range of information through initiatives like the Digital Coast Partnership, which provides coastal communities and managers access to key datasets and tools like OceanReports, as well as training to use these tools, to support decision-making and capacity building services.

Safe and Efficient Transportation and Commerce (FY20 \$230M: FY 2021 Request \$207M)

By providing access to international markets, U.S. seaports support activities that in 2018 had a total impact on the national economy of nearly \$5.4 trillion and supported more than 31 million jobs. As vessel sizes increase and port infrastructure remains largely the same, the navigation margins become smaller and the need for more accurate positioning information increases. NOS's products, like the Precision Marine Navigation program and the Physical Oceanographic Real-Time Systems (PORTS®) measure and disseminate real-time oceanographic observations, such as water levels, currents, forecasts, high resolution bathymetry, and much more to local mariners, providing necessary and timely data for decision support and improving the safety and efficiency of maritime commerce. As part of an ongoing effort to better serve the maritime user community and expand access to these key navigation data streams, NOS recently completed a new three-dimensional Operational Forecast System (OFS) in Cook Inlet, AK and installed new PORTS® in Kings Bay, GA and Portsmouth, NH. NOS works in close partnership with private sector to further support marine commerce through mapping, charting, and transportation activities and infrastructure, which are all founded on a reliable, accurate national coordinate system that NOS provides.

Stewardship, Recreation and Tourism (FY20 \$117M; FY 2021 Request \$81M)

NOS is entrusted with managing a network of underwater parks, encompassing more than 600,000 square miles of coastal, marine, and Great Lakes waters that contribute \$8 billion in economic activity annually. NOS programs help to reduce stress on marine ecosystems while providing economic benefits to coastal communities. Key NOS efforts include studying and protecting special places like National Marine Sanctuaries, National Estuarine Research Reserves and coral reefs, as well as balancing the coastal demands of ocean use, economic development, and conservation. Place-based programs, including the first national marine sanctuary designated in nearly 20 years, Mallow's Bay-Potomac River National Marine Sanctuary, are developed by communities for their own benefit and implemented with the assistance of NOS and partnership coordination to leverage national assets and attention. Stewardship, recreation, and tourism programs help provide services that combine local and indigenous population knowledge with modern technologies and techniques for the conservation and reduction of impacts of major events on natural systems, coastal economies, and maritime heritage. NOS works closely with state and local partners to select and protect special places across the United States and its territories in coastal waters which include the Great Lakes. NOS also partners internationally with the Freely Associated States (FAS) to share resources and best



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practices in coral reef conservation and marine protected area management, as evidenced by our recent Memorandum of Agreement between the National Marine Sanctuary of American Samoa and the National Marine Sanctuary of Palau. NOS programs increase local management capacity to ensure protection of special places and the socio-economic benefits to their communities.

Summary of Major Organizational Improvement Initiatives

- NOAA’s Precision Navigation tool disseminates NOAA hydrographic, oceanographic, and weather data to mariners in real time to better support marine transportation and commerce
- Uncrewed systems pilot programs will expand NOAA’s hydrographic and ocean observations capabilities
- Continuously Operating Reference Stations throughout the Nation are being updated to facilitate updating of the National Spatial Reference System

Strategic Partnerships, Key Stakeholders, and Interagency Groups

Preparedness and Risk Reduction

Federal Emergency Management Agency; U.S. Coast Guard; Department of Interior-Bureau of Ocean Energy Management; U.S. Army Corps of Engineers; U.S. Geological Survey; U.S. Navy; Environmental Protection Agency; National Institute of Standards and Technology; Coastal States Organization; American Planning Association; National Estuarine Research Reserve Association; Association of State Floodplain Managers; American Shore and Beach Preservation Association; National Fish and Wildlife Foundation; 34 Coastal State and Territory Coastal Zone Management programs

Safe and Efficient Transportation and Commerce

Interagency Committee on the Marine Transportation System, U.S. Army Corps of Engineers; U.S. Coast Guard; U.S. Navy; Maritime Administration, Environmental Protection Agency; National Aeronautics and Space Administration; Department of State; Department of Interior-Bureau of Ocean Energy Management; American Association of Port Authorities; American Pilots Association, Fugro Pelago; Chamber of Shipping America; state transportation and port authorities; commercial and recreational mariners; Integrated Ocean Observing System Association

Stewardship, Recreation and Tourism

Department of Interior- U.S. Fish and Wildlife Service, Bureau of Safety and Environmental Enforcement, Bureau of Ocean Energy Management; Environmental Protection Agency; U.S. Coast Guard; National Estuarine Research Reserve Association; National Marine Sanctuaries Foundation, The Nature Conservancy; The Land Trust Alliance; Outdoor Industry Association; Outdoor Recreation Roundtable; Association of Zoos and Aquariums; recreational fishing and boating industry associations.



Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

- **2021 High Tide Flooding Outlook Report** - NOAA annually issues the outlook each spring for the upcoming meteorological year
- **Mission Iconic Reefs** - NOAA's large-scale effort to restore Florida's coral reefs regularly receives Congressional and media attention
- **Sunsetting of Paper Nautical Charts** - NOAA is slowly ceasing printing paper nautical charts and is transitioning to an online system, which will be ongoing throughout 2021
- **Marine Debris** - continued Congressional interest in this issue; as of September 2020, passed the Senate and is awaiting action in the House; if it does not pass in 2020 expect reintroduction of Save Our Seas Act 2.0 in 2021. The bill has broad bipartisan support.
- **Digital Coast Act** - was passed in the House and is awaiting floor action in the Senate; if it does not pass in 2020 expect reintroduction. The bill has broad bipartisan support.

Awaiting Decisions (first 100 days from 1/20/21)

- None at this time.

Quick Wins (first 100 days from 1/20/21)

- Coordinate with the Office of Oceanic and Atmospheric Research to implement the National Ocean Mapping, Exploration, and Characterization (NOMECE) Strategy
- Coordinate with other Federal agencies to provide recommendations for priority R&D activities and regulatory practices that can increase the efficiency of permitting and authorization for ocean exploration and research to the Ocean Policy Committee pursuant to Section 4 of the Presidential Memorandum on Ocean Mapping
- Conduct hydrographic mapping surveys in support of the NOMECE and Alaska Coastal Mapping Strategy
- Lead the development of a National Marine Debris Strategic Plan with Environmental Protection Agency, State Department, and US Agency for International Development
- Continue working with the US Coast Guard to transmit data from PORTS® over Automatic Identification Systems (AIS) to ships, providing critical environmental information to aid ships in navigating safely
- Complete national strategic plan for Stony Coral Tissue Loss Disease response and prevention

Points of Contact

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National Oceanic and Atmospheric Administration Oceanic and Atmospheric Research (OAR)

Mission

Conduct research to understand and predict the Earth system; develop technology to improve NOAA science, service, and stewardship; and transition the results so they are useful to society.

Locations and Workforce Demographic Trends

OAR, headquartered in Silver Spring, MD, operates through a national network of laboratories, university-based research institutes, and specialized programs.

Laboratories: OAR has ten scientific research laboratories located in: Miami, FL; Seattle, WA; College Park, MD; Boulder, CO (four co-located); Princeton, NJ; Norman, OK; and Ann Arbor, MI, with additional remote field installations including in Antarctic, American Samoa, and Barrow, Alaska.

Programs: Six OAR Programs are headquartered in Silver Spring, MD, including the Climate Program Office, Global Ocean Monitoring and Observing Program, National Sea Grant Program, Ocean Acidification Program, Ocean Exploration and Research, and Weather Program Office. These programs sponsor research within NOAA and extramurally.

Headquarters: OAR headquarters supports OAR activities through a variety of functions such as management, administrative support, budget, international activities, Congressional affairs, communications, and IT support.

Historical Total Staffing Levels (Positions):

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
662	650	637	764	666

Budget Trend – Appropriations (\$ in Millions):

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
\$510.8	\$548.5	\$566.1	\$590.4	\$352.7

Principal Responsibilities

OAR science is foundational to the core NOAA mission and is aligned with the Administration's FY 2021 R&D priorities, Congressional priorities, and NOAA priorities of improving Earth system predictability, reducing impacts of extreme weather and water events, exploring and understanding the ocean, and advancing innovation, including expanding the use of AI and UxS.



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Climate Research (2020 Enacted \$169.5M; 2021 Proposed \$83.9M)

OAR's Climate Research mission, defined in law, is to monitor, understand, and explain Earth's climate system and to predict changes in global climate. OAR advances foundational atmospheric observations and research to improve Earth system predictions for long term rain, drought, floods, storms, heat, and fisheries. OAR understands and focuses on science to inform economic outlooks of a changing climate. NOAA's climate research enables farmers, fishermen, states, and other industries to plan optimally and maximize economic benefits.

Weather Research (2020 Enacted \$133.6M; 2021 Proposed \$114.8M)

OAR's Weather Research provides the tools used by the National Weather Service (NWS). The mission is to improve the science behind warnings and forecasts of high-impact weather, water, and air quality events. OAR's weather research laboratories, programs, and grantees produce products to advance NWS forecast skill including models, radar, and methods (including social science, to effectively communicate warnings the public will heed).

Ocean, Coastal, and Great Lakes Research (2020 Enacted \$228.5M; 2021 Proposed \$112.8M)

OAR's oceans, coastal, and Great Lakes research supports the sustainable use of the Nation's ocean resources and a vibrant blue economy. OAR enhances understanding of a changing Arctic; leads the world in ocean observations and research data; develops models and tools to support sustainable aquaculture; and maps, characterizes, and explores ocean resources. Our research contributes to effective fisheries management, advances harmful algal bloom forecasts, and promotes healthy marine ecosystems.

Innovative Research and Technology (2020 Enacted \$16.8M; 2021 Proposed \$15.3M)

Innovative Research and Technology supports advanced research, computing, and technology throughout NOAA. Investments support weather and climate forecasting, ecosystem and ocean modeling, and environmental information dissemination using High Performance Computing.

Research Supercomputing (2020 Enacted \$42.0M; 2021 Proposed \$26.0M)

NOAA currently operates three R&D High Performance Computers to support advances in environmental modeling: Gaea (Oak Ridge, TN) is primarily used for long-term climate and weather predictions and projections; Hera (Fairmont, WV), is used for weather R&D; and Jet (Boulder, CO) is primarily used for hurricane research. NOAA has also partnered with Mississippi State University (Starkville, MS) to operate Orion, which provides HPC resources for scientific research and opportunities for collaboration with the academic community.

Summary of Major Organizational Improvement Initiatives

Increase Research and Development HPC System capacity to support weather and climate modeling research and development.

- Precipitation Prediction Grand Challenge (PPGC): The PPGC is a visionary effort that provides a clear path to address long-standing, but urgent national and global issues related to precipitation such as flooding and drought. It is designed to provide more accurate, reliable, and timely precipitation forecasts by focusing the observation and modeling communities on



this problem, while leveraging NOAA's Unified Forecast System (UFS) and Earth Prediction Innovation Center (EPIC).

Strategic Partnerships, Key Stakeholders, and Interagency Groups

OAR Cooperative Institutes (CI): Academic and non-profit research institutions, selected through a competitive process, that conduct research supporting NOAA's Mission. Most CIs are co-located with NOAA research laboratories, creating a strong, long-term collaboration among scientists in the laboratories and the universities.

National Sea Grant College Program: A partnership between universities and NOAA, the Sea Grant network consists of 34 Sea Grant programs located in every coastal and Great Lakes state, Puerto Rico, Lake Champlain, and Guam.

Regional Integrated Sciences & Assessments (RISA) Program: Eleven RISA research teams around the country help build the capacity of those seeking to prepare for the impacts of climate variability and change.

Interagency Partnerships: OAR frequently partners with agencies such as U.S. Navy, NASA, NSF, DOE, BOEM, USGS, and USACE and participates in many interagency groups like the Interagency Council for Advancing Meteorological Services, U.S. Global Change Research Program, the Subcommittee for Ocean Science and Technology, and Great Lakes Research Initiative.

Public-private partnerships: OAR houses the Technology Partnerships Office, which has a portfolio of active Cooperative R&D Agreements spanning NOAA's mission. OAR is instrumental in developing partnerships with private ocean research organizations, including Caladan Oceanic LLC, OceanX, Schmidt Ocean Institute, and Vulcan. The partnerships enhance NOAA's science and services by leveraging efforts and expertise in support of the White House Ocean Science and Technology Partnership Summit and the Presidential Memorandum on Ocean Mapping of the U.S. Exclusive Economic Zone and the Shoreline and Nearshore of Alaska (November 2019).

Federal Advisory Committees: Advisory committees play an important role in shaping federal programs and policies. The Federal Advisory Committees relevant to OAR include the National Sea Grant Advisory Board, the Ocean Exploration Advisory Board, and the NOAA Science Advisory Board, which advises all of NOAA.

Potential congressional or media issues (first 100 days from 1/20/21)

Upcoming OAR-Relevant Legislation

OAR does not have an organic act, but is authorized through multiple pieces of legislation. The following bills have either been moving through the current Congress or are likely to be introduced and potentially move quickly at the beginning of the 117th Congress.

- **National Sea Grant Program reauthorization** was passed in the House and as of September 2020, is awaiting floor action in the Senate. The bill enjoys broad bipartisan/bicameral support and scrutiny.
- **Ocean Exploration and Research reauthorization** has been of both the House and the Senate.



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- The **LEGEND Act**, which would authorize and expand NOAA’s Earth Prediction Innovation Center (EPIC) program to apply to all operational models, was introduced for the first time in 2019 and has significant bipartisan/bicameral support.
- A **National Integrated Heat Health Information System authorization** was introduced in the Senate and will likely be reintroduced early in the 117th Congress, presuming it does not become law in 2020.
- **National Oceanographic Partnership Program (NOPP)** reauthorization was included in the FY21 House National Defense Authorization Act (NDAA). If it does not make it through the conference with the Senate, then it will likely move again early in the 117th Congress.

Earth Prediction Innovation Center (EPIC): In Q1 FY 2021, NOAA expects to award the contract to begin implementation of EPIC. This process has received a large amount of Congressional and media attention. This extramural center will accelerate scientific research and engineering to create the world’s most accurate and reliable operational weather forecast model. Congress authorized EPIC in the National Integrated Drought Information System Reauthorization Act of 2018.

Upcoming Public Releases

- The National Integrated Drought Information System (NIDIS) plans to release the National Coordinated Soil Moisture Monitoring Network Strategy.
- OAR research in 2018 pointed out that renegade emissions of CFC-11 were coming from China. Research to be published early 2021 follows up on that finding using atmospheric records.
- Multiple studies looking at impacts of the COVID-19 pandemic-related emission reductions will be published in early 2021.

Awaiting Decisions (first 100 days from 1/20/21)

None at this time.

Quick Wins (first 100 days from 1/20/21)

- Development and Release of UFS Weather Application on the Cloud.
- January 2021 kicks off the UN Decade of Ocean Science for Sustainable Development, to be held from 2021 to 2030. OAR has been providing NOAA and U.S. leadership in coordinating interest and preparing for the Decade. The Decade has received a lot of interest in Congress from both the House and Senate Oceans Caucuses.
- Publication of the Annual NOAA Science Report.
- Coordinate with NOS to implement the National Ocean Mapping, Exploration, and Characterization Strategy. Provide recommendations for priority research and development activities to the Ocean Policy Committee S&T Subcommittee (March 2021).

Points of Contact

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**National Oceanic and Atmospheric Administration (NOAA)
National Environmental Satellite, Data, and Information Service
(NESDIS)**

Mission

To provide secure and timely access to global environmental data and information from satellites and other sources to promote and protect the Nation’s environment, security, economy, and quality of life.

Locations and Workforce Demographic Trends

Overall Workforce: 735 federal employees

Headquarters: 106 Federal Employees in Silver Spring, MD as of September 1, 2020.

Field Offices: 469 employees in the National Capital Region and 160 Federal Employees in 12 field offices outside of the National Capital Region as of September 1, 2020.

Historical Total Staffing Levels (Positions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President’s Budget
745	753	757	997	986

Budget Trend – Appropriations (\$ in Millions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President’s Budget
\$2,202.3	\$2,099.3	\$1,698.5	\$1,512.9	\$1,504.0

Principal Responsibilities

Polar Weather Satellites (2020 Budget \$745.0M; 2021 Request \$657.8M)

The Polar Weather Satellites (PWS) program includes the NOAA/NASA Suomi NPP, the NOAA-20/JPSS-1, and the JPSS-2/3/4 satellites. The primary purpose of the PWS program is to provide global meteorological observations to enable short-term (0-3 days), and midrange (3-7 days) warnings of severe weather events critical for emergency managers and communities to make timely decisions to protect life and property.

Geostationary Operational Environmental Satellite - R Series (GOES-R) (2020 Budget \$304.1M; 2021 Request \$334.5M): The four-satellite GOES-R Series (GOES-R/S/T/U), NOAA’s latest generation of geostationary satellites, provides advanced imagery and



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atmospheric measurements of Earth's weather, oceans and environment, real-time mapping of lightning activity, and improved monitoring of solar activity and space weather. They provide continuous monitoring of severe storms, tropical cyclones, volcanic eruptions, fire hot spots, cloud and atmospheric moisture changes, lightning, and atmospheric smoke and dust. The GOES-R series extends through 2036.

Office of Projects, Planning, and Analysis (OPPA) (2020 Budget \$31.0M; 2021 Request \$15.9M): OPPA evaluates and develops space-based earth and solar observation collection methods that advance NOAA's various missions, working in collaboration with domestic and foreign organizations when appropriate.

Space Weather Follow On (SWFO) (2020 Budget \$64.0M; 2021 Request \$108.1M): SWFO program and staff are within OPPA, however, it has its own PPA. The Space Weather Follow On-Lagrange-1 (SWFO-L1) mission is designed to meet NOAA's need for operational coronal mass ejection (CME) imagery and solar wind measurements.

COSMIC-2/GNSS RO (2020 Budget \$5.9M; 2021 Request \$5.9M): COSMIC-2/GNSS RO program and staff are within OPPA, however it has its own PPA. The Constellation Observing System for Meteorology, Ionosphere, and Climate-2 (COSMIC-2) is a network of six remote-sensing microsatellites and was successfully launched to the equatorial orbit on June 24, 2019.

Office of Satellite Ground Systems (OSGS) (2020 Budget \$55.7M; 2021 Request \$39.3M): OSGS plans and executes ground services for NOAA's satellite and information capabilities. Ground services are critical to deriving benefit from NOAA's satellite missions. Core responsibilities include planning, acquisition, development, integration, transition to operations, and sustainment of common ground services for NOAA's satellite constellations and long term stewardship of environmental data.

Office of Satellite and Product Operations (OSPO) (2020 Budget \$166.1M; 2021 Request \$189.1M): OSPO acquires and delivers accurate, timely, and reliable satellite observations and integrated products. OSPO provides support during launch, activation, and evaluation of new satellites; satellite health and safety monitoring, satellite operations, and data acquisition to meet user needs. OSPO manages and directs NOAA's command and control of the suite of on-orbit satellites that supply the environmental data critical for the Nation.

Office of Systems Architecture and Advanced Planning (OSAAP) (2020 Budget \$33.99M; 2021 Request \$49.3M): OSAAP designs, tests, and plans NESDIS' architecture and advanced planning efforts to deliver sustainable, robust, and adaptive systems to meet user needs. Following the 2018 publication of its ground-breaking NOAA Satellite Observing Systems Architecture (NSOSA) study, OSAAP is now operationalizing its findings. NSOSA analyzed hundreds of notional satellite architectures, and recommended that NESDIS move towards the most cost-effective, high-performing configurations. NESDIS began releasing Broad Agency Announcements (BAAs) in 2019 calling for ideas from the commercial and research sector to inform the design, acquisition, development, and launch of the next generation NOAA satellites. Over 30 BAA contracts were awarded in 2020.



National Centers for Environmental Information (NCEI) (2020 Budget \$61.6M; 2021 Request \$52.5M): NCEI is responsible for preserving and providing access to one of the most significant environmental archives on earth, with comprehensive historical oceanic, atmospheric, and geophysical data and information. By doing so, NCEI provides billions of dollars of benefit to the US economy, enabling future investments informed by authoritative and actionable environmental data to minimize possible future consequences.

Product Development, Readiness & Application (PDR&A) (2020 Budget \$28.4M; 2021 Request \$27.9M): PDR&A provides technical capabilities enabling state-of-the-art satellite-based information delivery to NOAA and partner missions. It transforms raw observations and data into information products and services to support NOAA’s mission. The office also supports development of NOAA sensors and missions.

Artificial Intelligence: NESDIS also supports the NOAA Artificial Intelligence (AI) Strategy. As noted below, the House FY 2021 National Defense Authorization Act (NDAA) includes language to establish a Center for Artificial Intelligence (NCAI) within NOAA to coordinate scientific efforts and expand partnerships related to artificial intelligence. On the Senate side, legislation introduced by Senator Gardner (R-CO) would establish an AI Center at NCEI. The language is identical to the NDAA language.

Summary of Major Organizational Improvement Initiatives

NESDIS’ FY 2021 request includes \$1,504.0M to continue targeted investments including:

- Provide 99.5% continuous satellite operations and data delivery to enable reliable predictive environmental and atmospheric modeling systems and space-based distress alert systems (DOC PMEF #2); and enhance public safety, disaster preparedness, all-hazards response and recovery, the national transportation system, safe navigation, and the protection of the Nation’s critical infrastructure and natural resources (DOC PMEF #3)
- Accelerate the development, deployment, and sustainment of space-based and ground assets that meet the Nation’s needs for observations and measurements, while also leveraging the commercial sector to establish and sustain capabilities to meet NOAA’s ongoing operational needs
- Lead and manage the NESDIS system architecture, enterprise engineering, and advanced planning efforts to deliver sustainable, robust, and adaptive systems and services that meet NESDIS customer needs
- NESDIS will transition products and services to a cloud architecture to increase end-to-end efficiencies and to enable advanced processing capabilities. This is in support of the NOAA Cloud Strategy. NESDIS will leverage the FY 2019 and FY 2020 Cloud Pilots, which tested the implementation of key NESDIS functionality in a commercial cloud environment.

Strategic Partnerships, Key Stakeholders, and Interagency Groups

International partnerships, predicated by the full, open, and timely sharing of data, are key to NOAA’s ability to acquire global observations. Our most critical partners are the European Organization for the Exploitation of Meteorological Satellites (EUMETSAT), Indian Space Research Organization (ISRO) and the Japan Meteorological Agency (JMA), with whom



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NESDIS shares responsibility for a significant portion of the satellites required for global meteorological forecasting. NOAA also partners with other federal agencies, including the National Aeronautics and Space Administration (NASA), the Department of Defense (DOD) and the U.S. Coast Guard, in multiple areas of remote sensing applications from space. Interagency collaboration allows NESDIS to leverage the capabilities, capacity and infrastructure of other U.S. agencies.

The NOAA Commercial Space Policy calls for NOAA to explore and pursue demonstration projects to validate the viability of adding commercial environmental data and products into NOAA's meteorological models and to meet NOAA Earth observation requirements. NOAA's Commercial Weather Data Pilot serves as one such demonstration project. NOAA will evaluate commercial data to demonstrate the quality of the data and its impact to weather forecast models, to inform NOAA's process for ingesting, evaluating, and utilizing commercial data in the future.

Additional engagements with the commercial remote sensing industry include NOAA's Advisory Committee on Commercial Remote Sensing (ACCRES), which provides information, advice, and recommendations to the Under Secretary of Commerce for Oceans and Atmosphere on matters relating to the U.S. satellite commercial remote sensing industry and NOAA's activities to carry out the responsibilities of the U.S. Department of Commerce set forth in the National and Commercial Space Programs Act (NCSIPA or Act), 51 U.S.C. § 60101, et seq.

Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

NOAA's future satellite architecture considerations need to be kept in mind throughout the FY 2021 Appropriations and FY 2022 President's budget processes. Although NOAA's need is for 2025, 2030 and beyond, investments are needed in the near-term to make future observations a reality. The Office of Space Commerce (OSC) and Commercial Remote Sensing Regulatory Affairs (CRSRA) are both currently housed within NOAA/NESDIS. Recent President's Budgets have made the request to move both OSC and CRSRA to the Department of Commerce Office of the Secretary. As requested in the FY 2020 Appropriations, a recent August 2020 NAPA Report recommended these offices be located within DOC, consistent with Space Policy Directive-3. NESDIS is in the process of moving to a Common Cloud Framework (NCCF), which shifts the focus from systems to functions and services for a data-agnostic processing platform.

Awaiting Decisions (first 100 days from 1/20/21)

None at this time.

Quick Wins (first 100 days from 1/20/21)

- Delivery order #2 procurement decision by the NESDIS AA for commercial data buy. NOAA's Request for Proposal (RFP) for the first purchase of space-based commercial radio occultation (RO) data for use in NOAA's operational weather forecasts was closed in September 2020. Through this RFP, NOAA seeks to provide space-based RO data via a two-year Indefinite Delivery Indefinite Quantity (IDIQ) contract to one or more vendors.



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- GEO-XO Mission Concept Review (MCR) will take place in March 2021, leading up to the addition of the request for the multi-billion-dollar next generation GOES satellite system to the NOAA and DOC FY23 budget submittal
- To support NOAA S&T Priorities, NESDIS will conclude its Cloud Phase 2 in March 2021.

Points of Contact

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National Oceanic and Atmospheric Administration Office of Marine and Aviation Operations (OMAO)

Mission

To safely deliver effective Earth observation capabilities, integrate emerging technologies, and provide a specialized, flexible, and reliable team responsive to NOAA and the nation.

Locations and Workforce Demographic Trends

OMAO, headquartered in Silver Spring, MD, operates through a national network of Ship, Aircraft, and Uncrewed Systems Operations Centers.

Aircraft Operations: OMAO operates ten aircraft out of the Aircraft Operations Center (AOC) in Lakeland, FL at the Lakeland Linder International Airport.

Marine Operations: OMAO operates a fleet of 16 research vessels homeported along the coast of the continental United States and Alaska and Hawai'i.

Uncrewed Systems Operations (UxS): OMAO's UxS Operations Center is located at OMAO headquarters in Silver Spring, MD. The UxS Operations Center has an Uncrewed Aerial Systems (UAS) Section located at AOC. An Uncrewed Marine Systems (UMS) Section will be stood up in Gulfport, MS in the coming months.

Headquarters: OMAO headquarters supports OMAO activities through a variety of functions such as management, administrative support, budget, international activities, Congressional affairs, communications, and IT support.

Historical Total Staffing Levels (Positions):

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
969	950	955	1,007	1,007

Budget Trend – Appropriations (\$ in Millions):

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
\$301.7	\$459.3	\$327.2	\$343.9	\$333.7



Principal Responsibilities

The nation's trusted leader for innovative, adaptive, and reliable oceanic and atmospheric observation platforms.

Aircraft Operations (2020 Enacted \$37.8M; 2021 Request \$28.2M)

NOAA's Aviation Operations and Aircraft Services provide scientists with airborne platforms equipped with comprehensive data collection systems that are capable of assessing severe weather, coastal and marine resources, and the dynamics of complex ecosystems. Among their many missions, NOAA's diverse and versatile aircraft fly into hurricanes to help predict their track and intensity. They also collect snow water equivalent measurements for forecasting water supplies and spring flooding, species data critical to managing commercial and recreational fish stocks and air chemistry data critical for public health. NOAA aircraft are capable of carrying specialized sensors for coastal mapping and shallow-water bathymetric data collection, providing essential data to nautical charting and safe navigation.

Marine Operations (2020 Enacted \$194.0M; 2021 Request \$163.3M)

Marine Operations and Maintenance supports centralized management for NOAA's research and survey vessels, which operate throughout the world supporting multiple missions including fisheries research, nautical charting and ocean research. Given the diverse portfolio of NOAA Line Office Program requirements and responsibilities, a single vessel type cannot meet all of NOAA's mission requirements. Thus, NOAA ships range from large oceanographic research vessels capable of exploring the world's deepest oceans, to smaller ships responsible for charting the shallow bays and inlets of the United States.

Uncrewed Systems Operations (2020 Enacted \$12.7M; 2021 Request \$5.2M)

The Uncrewed Systems (UxS) Operations Center provides centralized UxS management and standardization of safety, training, inspections, and operational reviews and is responsible for the strategic planning of UxS acquisition and operations within NOAA, consistent with NOAA's priorities and data needs. UxS technology encompasses a wide range of platforms, from very small UxS such as uncrewed aerial drones, to large multi-million dollar surface and underwater marine systems designed to operate in remote locations for extended periods of time. UxS include Uncrewed Aircraft Systems (UAS), Uncrewed Maritime Systems (UMS) surface and underwater vehicles, and Remote Operated Vehicles. The technology continues to evolve rapidly and is invaluable in supporting NOAA prioritized mission requirements such as hydrographic and habitat mapping, fishery stock assessment, and oceanographic and atmospheric observations that support weather forecasting and extreme weather events.

NOAA Corps (2020 Enacted \$0; 2021 Request \$41.6M)

In the FY 2021 President's Budget request, NOAA proposed transferring funds from other existing lines to establish a new budget line for NOAA Corps. This realignment will allow NOAA Corps officers working across OMAO activities to be fully funded out of a single budget line, providing increased visibility and transparency into the financial support needed to operate this unique cross-NOAA uniformed service. NOAA Line Offices will continue to partially fund



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NOAA Corps officers serving in their Offices, and their contributions will continue to be reflected in their respective budgets.

The NOAA Corps is one of the Nation's eight uniformed services. The NOAA Corps is a highly specialized workforce component that have the skills to plan, prepare, and execute the acquisition of environmental and scientific data on land, at sea, and in the air. NOAA Corps officers command NOAA's fleet of ship and aircraft and support all NOAA's Line Offices, NOAA Headquarters, and the Department.

Platform Capital Improvements and Technology Infusion (2020 Enacted \$23.0M; 2021 Request \$18.7M)

Platform Capital Improvements and Technology Infusion allows NOAA to plan and perform cyclic depot-level capital investments across the fleet, designed to maintain and extend the service life of NOAA's vessel and aircraft fleet. It ensures that the required upgrades to aircraft and ship-board systems and mission equipment comply with safety requirements and the needs of the programs. Aircraft and ships receive regular upgrades and replacements of mission support equipment and technology infusions such as data processing and storage capacity, multi-beam sonars and sensors.

New Vessel Construction (2020 Enacted \$75.0M, 2021 Request \$75.0M)

Acquisition of new ships is the best way for NOAA to reliably and consistently sustain its at-sea data collection capability. NOAA's Fleet Plan, released in 2016, assesses NOAA's at-sea observational infrastructure needs through 2028 for carrying out its mission of protecting lives, livelihoods, and valuable natural resources for the American public. It identifies an integrated approach consisting of best management practices and long-term recapitalization levers to extend and sustain capabilities. The plan includes the critical long-term strategy of designing and constructing up to eight new ships specifically designed to meet NOAA core capability requirements based on mission and activities.

Summary of Major Organizational Improvement Initiatives

Acquisition of the most advanced airborne crewed platform for environmental observations (G-550). Commerce Milestone Review Board approved phase 1 award of aircraft modifications. Phase 1 contract modifications awarded to Gulfstream.

Acquisition of the Class A and Class B vessels to support NOAA's in-situ environmental observations. Navy award of Detailed Design and Construction contract awarding in Q1 FY21

NOAA recently completed and submitted the NOAA Corps Workforce Plan. The primary purpose of The NOAA Corps Workforce Plan is to describe the calculated minimum end strength of the NOAA Corps to safely and effectively operate NOAA's fleet of ships and aircraft. It also identifies best management practices, based on proven practices used by NOAA and other uniformed services, to extend and sustain the capabilities provided by the NOAA Corps. This plan of action will ensure future needs are met, while minimizing the risk of capacity gaps that



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would negatively impact mission-critical operational data collection needs. This plan includes a long-term strategy to increase the end strength of the NOAA Corps to meet NOAA's mission essential functions.

Strategic Partnerships, Key Stakeholders, and Interagency Groups

Department of Homeland Security - U.S. Coast Guard (USCG): Initial training for all NOAA Commissioned Officers begins with a 19-week Basic Officer Training Class (BOTC) held at the USCG Academy in New London, Connecticut. NOAA Corps officers also serve as NOAA liaison to the USCG. They identify potential conflicts or benefits issues for analysis and evaluation, conducts appropriate assessments and studies, and serves as the interface between NOAA and the USCG.

Department of Defense - U.S. Indo-Pacific Command and U.S. Northern Command, and U.S. Navy: NOAA Corps officers serve as NOAA liaisons to many areas within DoD when NOAA has significant interface. A NOAA Corps Officer is linked closely with the activities within these regions allowing for identification of opportunities and cooperation between DoD and NOAA.

Scripps Institute of Oceanography – OMAO and Scripps have signed a 10 year agreement which provides the framework to collaborate on specific projects to further UxS research, development, and operations. This partnership will improve how UxS are used to collect important ocean observations and augment NOAA's operational capabilities.

Department of Defense – U.S. Navy: Several initiatives are underway to integrate and coordinate planning, execution, evaluation, and adaptation of UxS technology. In February 2020, NOAA developed a strategic plan for uncrewed systems that provides goals with supporting objectives and focuses on NOAA applications, and innovations. Additionally, an implementation plan is under development and will further define the strategic plan. The Commercial Engagement Through Ocean Technology Act (CENOTE) of 2018 requires that NOAA leverage the technical and procurement expertise of the U.S. Navy and other partners to assess existing capabilities and initiate strategies to optimize the acquisition and operation of uncrewed systems. NOAA will also leverage existing expertise within the Office of Oceanic and Atmospheric Research (OAR) and OMAO to establish procedures for how NOAA assesses, utilizes and acquires uncrewed maritime and aviation systems technology.

Potential congressional or media issues (first 100 days from 1/20/21)

Congress remains interested in implementation of the Commercial Engagement Through Ocean Technology Act of 2018 or (CENOTE) which coordinates activities on uncrewed systems, especially now that the CENOTE Annex to the Memorandum of Agreement between NOAA and the US Navy was signed in July 2020.



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Upcoming OMAO-Relevant Legislation:

- The **National Oceanic and Atmospheric Administration Commissioned Officer Corps Amendments Act**, which amends the NOAA Corps Act of 2002 to make certain changes to the NOAA corps personnel systems. If the bill doesn't pass in 2020, expect it to be reintroduced in 2021.

Upcoming Public Releases:

- Announcement of the selection of Director, NOAA Commissioned Officer Corps and Director, Office of Marine and Aviation Operations (Fall 2020)

Awaiting Decisions (first 100 days from 1/20/21):

None at this time.

Quick Wins (first 100 days from 1/20/21)

- Awarding Phase 2 Modification contract for the most advanced airborne crewed platform for environmental observations (G-550).

Points of Contact

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National Oceanic and Atmospheric Administration (NOAA) Mission Support Staff Offices

NOAA Office of the Chief Information Officer (OCIO)
NOAA Office of the Chief Financial Officer (OCFO)
NOAA Office of the Chief Administrative Officer (OCAO)
NOAA Office of Acquisition and Grants Management (AGO)
NOAA Office of Human Capital Services (OHCS)
NOAA Office of Inclusion and Civil Rights (OICR)

Mission

NOAA mission support offices deliver a range of services and support, working directly with NOAA line offices to enable NOAA's mission and benefit the American public.

NOAA Locations and Workforce Demographic Trends*

*Locations and Workforce Demographic Trends represent staff that belong to the associated organization, while the figures in the Historical Total Staffing Levels table represent positions funded through each organization's direct discretionary appropriations as reflected in the Budget Trend - Appropriations table

NOAA Office of the Chief Information Officer: Silver Spring, MD (HQ) ~ 85 federal employees

Field Offices/Locations: *Boulder, CO*: 8 federal employees; *Honolulu, HI (Inouye Regional Center)*: 3 federal employees; *Norfolk, VA (Norfolk Regional Center)*: 5 federal employees; *Fairmont, WV*: 4 federal employees; *Seattle, WA (Western Regional Center)*: 7 federal employees; *Asheville, NC*: 2 federal employees; *Beaufort, NC*: 1 federal employee; *Cary, NC*: 1 federal employee; *Clinton, IN*: 1 federal employee; *Des Moines, IA*: 1 federal employee

NOAA Office of the Chief Financial Officer: Washington, DC (HQ) 10, Silver Spring MD (HQ), 35

Field Offices: Germantown, MD 150 federal employees; Seattle, WA 25 federal employees; Sacramento, CA 1 federal employee

NOAA Office of the Chief Administrative Officer: Silver Spring, MD (HQ) - 60 federal employees

Field Offices: Kansas City, MO - 14 federal employees; Boulder, CO - 6 federal employees; Seattle, WA - 11 federal employees; Honolulu, HI - 6 federal employees

NOAA Acquisitions and Grants Office: Silver Spring, MD (HQ) - 135 federal employees

Field Offices: *Norfolk, VA*: 50 federal employees; *Kansas City, MO*: 44 federal employees; *Boulder, CO*; 18 federal employees; *Seattle, WA*; 14 federal employees

NOAA Office of Human Capital Services: Silver Spring, MD (HQ) - 101 federal employees

Field Offices: *Kansas City, MO*: 17 federal employees; *Norfolk, VA*: 4 federal employees; *Boulder, CO*: 4 federal employees; *Seattle, WA*: 6 federal employees; *Ft. Worth, TX*: 2 federal employees embedded with NWS (National Weather Service Southern Region HQ).

NOAA Office of Inclusion and Civil Rights: Silver Spring, MD (HQ) - 10 federal employees



Locations and Workforce Demographic Trends

Office	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
OCIO	95	96	94	106	106
OCFO	181	173	181	220	220
OCAO	132	128	112	113	113
AGO	71	81	56	57	57
OHCS	76	82	86	100	100
OICR*	-	-	10	9	9

*In 2019 OICR became a separate staff office reporting to DUSO, previously it was the NOAA Civil Rights Office and a component of OCAO.

**Includes staffing from Staff Office direct discretionary funding



Budget Trend – Appropriations (\$ in Millions)

Total Budget (Including Internal Transfers)	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
OCIO	\$35.1	\$43.6	\$40.7	\$43.9	\$43.1
OCFO	\$43.5	\$54.4	\$43.2	\$50.2	\$50.4
OCAO	\$40.7	\$49.3	\$53.0	\$81.1	\$79.8
AGO	\$16.2	\$18.8	\$16.8	\$16.3	\$16.9
OHCS	\$21.1	\$19.6	\$19.7	\$21.7	\$22.6
OICR*	-	-	-	\$1.9	\$1.9

*In 2019 OICR became a separate staff office reporting to DUSO, previously it was the NOAA Civil Rights Office and a component of OCAO. Funds continued to be executed through CAO through 2019.
 **Funds include direct discretionary appropriations.
 ***FY 2017-2019 funds represent actual obligations.
 ***FY 2020 Budget includes CARES Act supplemental funds.
 ***OCAO funds include funds for PAC NOAA Construction.



NOAA Office of the Chief Information Officer

Principal Responsibilities: The [NOAA Office of the Chief Information Officer and High Performance Computing and Communications \(OCIO/HPCC\)](#) is responsible for all NOAA information and information technology (IT) resources. NOAA OCIO works across NOAA and with DOC on a variety of activities to include Cyber Security, Networking, Big Data, High Performance Computing, Identity Management, Radio Frequency, and Homeland Security. OCIO also includes the Chief Data Officer and Geospatial Information Officer.

Summary of Major Organizational Improvement Initiatives: The Big Data Program provides improved public access to NOAA's open data through public-private partnerships with commercial cloud platforms. OCIO represents NOAA to expand the agency's core radio-frequency spectrum management capacity and competencies to support federal initiatives to repurpose federal radio spectrum and the national spectrum strategy. Enterprise Infrastructure Solutions (EIS) will consolidate telecommunications requirements and modernize NOAA's telecommunications infrastructure.

Strategic Partnerships, Key Stakeholders, and Interagency Groups: Represents DOC and partners with NASA and NSF to ensure adequate access to radio spectrum for remote sensing and other Earth science operations. Participates in the NSTC subcommittee on the Future Computing Advanced Environment and Networking and Information Technology Research and Development subcommittee. Big Data Program partners with three major cloud providers, Google Cloud Platform; Microsoft Azure; and Amazon Web Services. Working with Carnegie Mellon University on internal risk mitigation.

Any Potential Congressional or Media Issues (first 100 days from 1/20/21):

GAO inquiry into the US process to arrive at the US position to the 2019 World Radiocommunication Conference (WRC-19) involving protection of satellite passive sensing in the frequency band 23.6 -24.0 GHz from unwanted emissions from broadband mobile (5G) operating above 24 GHz. In addition, FY 2020 Appropriations directed NOAA to submit a report to Congress assessing the impact the WRC-19 decision on 5G at 24 GHz will have on NOAA operations.

Pursuant to P.L. 114-74, Title X, the Technical Panel approved the NOAA Spectrum Pipeline Plan (2017) and apportioned \$12.03 million from the Spectrum Relocation Fund to NOAA in accordance with the Spectrum Pipeline Act authority for NOAA to conduct an engineering study to determine the feasibility of sharing this band with commercial mobile wireless services. This Spectrum Pipeline Reallocation Engineering Study (SPRES) for 1675 to 1680 MHz has been conducted and the report is in clearance.

Awaiting Decisions (first 100 days from 1/20/21): None at this time.

Quick Wins (first 100 days from 1/20/21): In April 2021, NOAA expects to announce the acceptance of two new supercomputers in Manassas, VA and Phoenix, AZ. Delivery of follow on weather supercomputer in April 2021 with a 3x capacity increase, planned transition to operations in 2022. Delivery of follow on research system at Oak Ridge National Laboratory with a transition to production in July 2021. Expanding incorporation of cloud computing for High Performance Computing.



NOAA Office of the Chief Financial Officer (OCFO)

Principal Responsibilities: The [NOAA Office of the Chief Financial Officer](#) is responsible for the leadership of the financial, budget, and performance assessment functions of NOAA, and its primary duty is to uphold strong financial management and accountability while providing timely, accurate, and reliable financial information and enhancing internal control.

Summary of Major Organizational Improvement Initiatives: Business Applications Solution (BAS) is a Department of Commerce wide modernization initiative to deploy an integrated suite of financial and business management applications, in January 2021 it will be entering its common solution phase.

Strategic Partnerships, Key Stakeholders, and Interagency Groups:

Bureau of Economic Analysis (BEA) has been collaborating with NOAA to produce the [Ocean Economy Satellite Account \(OESA\)](#) to map all U.S. economic activity directly dependent on the oceans, coasts, and Great Lakes to provide critical decision making information for businesses and industry groups.

Any Potential Congressional or Media Issues (first 100 days from 1/20/21):

None at this time.

Awaiting Decisions (first 100 days from 1/20/21): None at this time.

Quick Wins (first 100 days from 1/20/21):

1. FY22 President's Budget - targeted for February 2021.
2. Deliver draft of NOAA contribution to the new FY22-26 DOC Strategic Plan by April-May 2021.
3. Clean/Unmodified financial statement audit opinion.
4. CBS tech refresh completed including test and production environments, closing the ITC.
5. Standardize 100 Financial Management PDs across NOAA.
6. Combined Federal Campaign (CFC) leadership for DOC.



NOAA Office of the Chief Administrative Officer (OCAO)

Principal Responsibilities: The [NOAA Office of the Chief Administrative Officer](#) is responsible for providing oversight, technical expertise and critical support services for the stewardship of NOAA's assets & infrastructure. The office is committed to quality, integrity, and excellence in the support of its customers and the well-being of NOAA employees.

Summary of Major Organizational Improvement Initiatives: NOAA is conducting Regional Footprint Studies as part of the NOAA 2030 Footprint Initiative and has completed a pilot study of the Northwest and Alaska regions, as well as studies for the Northeast and Southeast regions. NOAA is planning to complete a study for the Southwest region. These studies provide a range of options to align infrastructure and improve mission execution, strengthen partnership with academia and industry, and consolidate resources to reduce costs and improve operating efficiencies. All options are pre-decisional and do not represent a final plan.

Strategic Partnerships, Key Stakeholders, and Interagency Groups: The NOAA Facilities Council, NOAA CFO Council, and NOAA Executive Panel determine facilities investment funding priorities.

Any Potential Congressional or Media Issues (first 100 days from 1/20/21):
None at this time.

Awaiting Decisions (first 100 days from 1/20/21): Northwest Fisheries Science Center (NWFSC) Montlake Laboratory facilities, constructed from 1931 - 2007, have become functionally deficient and obsolete. Highway expansion immediately adjacent to the site is creating significant impact to mission, with more construction planned from 2023 to 2029. NOAA is working with the General Services Administration to commence the lease acquisition process for a facility that will meet NWFSC requirements in the Seattle area.

Currently, NOAA has support from Congress to fund capital projects given ongoing planning efforts and early information on the results of regional studies. We must continue to support capital funding initiatives in FY 2022 budget proposals to sustain momentum to replace an unaffordable, aging portfolio and reduce operating and maintenance costs.

Quick Wins (first 100 days from 1/20/21): The Silver Spring Metro Center (SSMC) Consolidation Project will be in its first phase of construction. Renovation will occur to enhance the space efficiency on the campus on identified floors. This project supports the reduction of NOAA's footprint in the National Capital Region by exiting three leases and consolidating the workforce from those locations to the optimized space at SSMC.



NOAA Acquisition and Grants Office

Principal Responsibilities: The [NOAA Acquisition and Grants Office \(AGO\)](#) is responsible for providing high-value services to NOAA Line and Staff Offices on time, and at the best value to the government through the planning, solicitation, award, administration, and closeout of nearly 25,000 acquisition and financial assistance transactions annually. NOAA's ability to accomplish its mission and achieve its goals depends significantly on AGO's ability to process over \$3 billion annually in accordance with statutory and regulatory requirements.

Summary of Major Organizational Improvement Initiatives: Participating in all transition activities related to BAS and GEMS (see below).

Strategic Partnerships, Key Stakeholders, and Interagency Groups: Engagement with the Department OAM and CFO on GEMS (new grants management system) and BAS (new financial management system to include new contract writing and procurement management system (PRISM)).

Any Potential Congressional or Media Issues (first 100 days from 1/20/21):
None at this time.

Awaiting Decisions (first 100 days from 1/20/21):
None at this time.

Quick Wins (first 100 days from 1/20/21):
None at this time.



NOAA Office of Human Capital Services

Principal Responsibilities: The [NOAA Office of Human Capital Services \(OHCS\)](#) provides NOAA with expert consultative services in the full range of human resource (HR) actions including workforce development, recruitment and hiring, executive resources management, labor and employee relations, administrative investigations, quality assurance, program performance, HR data modeling and analytics, employee and labor relations, retirement counseling and benefits, and personnel mentoring, coaching, training and career development. OHCS also supports NOAA to understand future workforce needs, predict skills and talents needed, develop and implement programs and approaches to address potential risks to achieving desired goals and achieve a balanced, diverse and modern workforce. OHCS delivers advanced strategic solutions that strengthen mission delivery by NOAA's science-based (Line Office) and supporting service (Staff Office) workforce.

Summary of Major Organizational Improvement Initiatives: OHCS is implementing AI (Artificial Intelligence) applications and processes to provide advanced HR analytics and improve NOAA workforce planning, billet selection, recruitment/hiring/retention, and labor and employee relations programs. This process will be entering a second key phase of development in FY21Q2.

Strategic Partnerships, Key Stakeholders, and Interagency Groups: Within NOAA, OHCS senior human resource (HR) Business Partners (GS-15 level) lead teams of HR professionals who directly support each NOAA Line & Staff Office (LO/SO) and provide access to all HR services, policy and guidance.

External to NOAA, OHCS has a special relationship with DOC Enterprise Services Office and their HR Tower element which provides HR transactional services (personnel actions, pay, benefit transactions) to NOAA personnel using contracted services and is developing an end-to-end hiring service that NOAA has agreed to a) support financially in order to participate in design-and-development activities, while b) scrutinizing the value of the service before actively subscribing which could occur in early FY22.

Any Potential Congressional or Media Issues (first 100 days from 1/20/21):

None at this time.

Awaiting- Decisions (first 100 days from 1/20/21):

None at this time.

Quick Wins (first 100 days from 1/20/21): NOAA Virtual Career Fair and Hiring Event (OHCS sponsors and executes); NOAA Mentoring Program, Leadership Competency Development Program, Honors Program and Rotational Assignment Program are all in session.



NOAA Office of Inclusion and Civil Rights

Principal Responsibilities: The [NOAA Office of Inclusion and Civil Rights \(OICR\)](#) is responsible for providing overall leadership, planning, coordination, integration, and execution of NOAA's Equal Employment Opportunity, Diversity and Inclusion, and Civil Rights Programs.

Summary of Major Organizational Improvement Initiatives:

None at this time.

Strategic Partnerships, Key Stakeholders, and Interagency Groups:

Equal Employment Opportunity Commission EEOC
Department of Commerce Office of Civil Rights
NOAA Line and Staff Offices

Any Potential Congressional or Media Issues (first 100 days from 1/20/21):

NOAA's 2020 Report to Congress on Sexual Assault and Sexual Harassment (SASH) will likely be released during this timeframe.

Awaiting Decisions (first 100 days from 1/20/21):

None at this time.

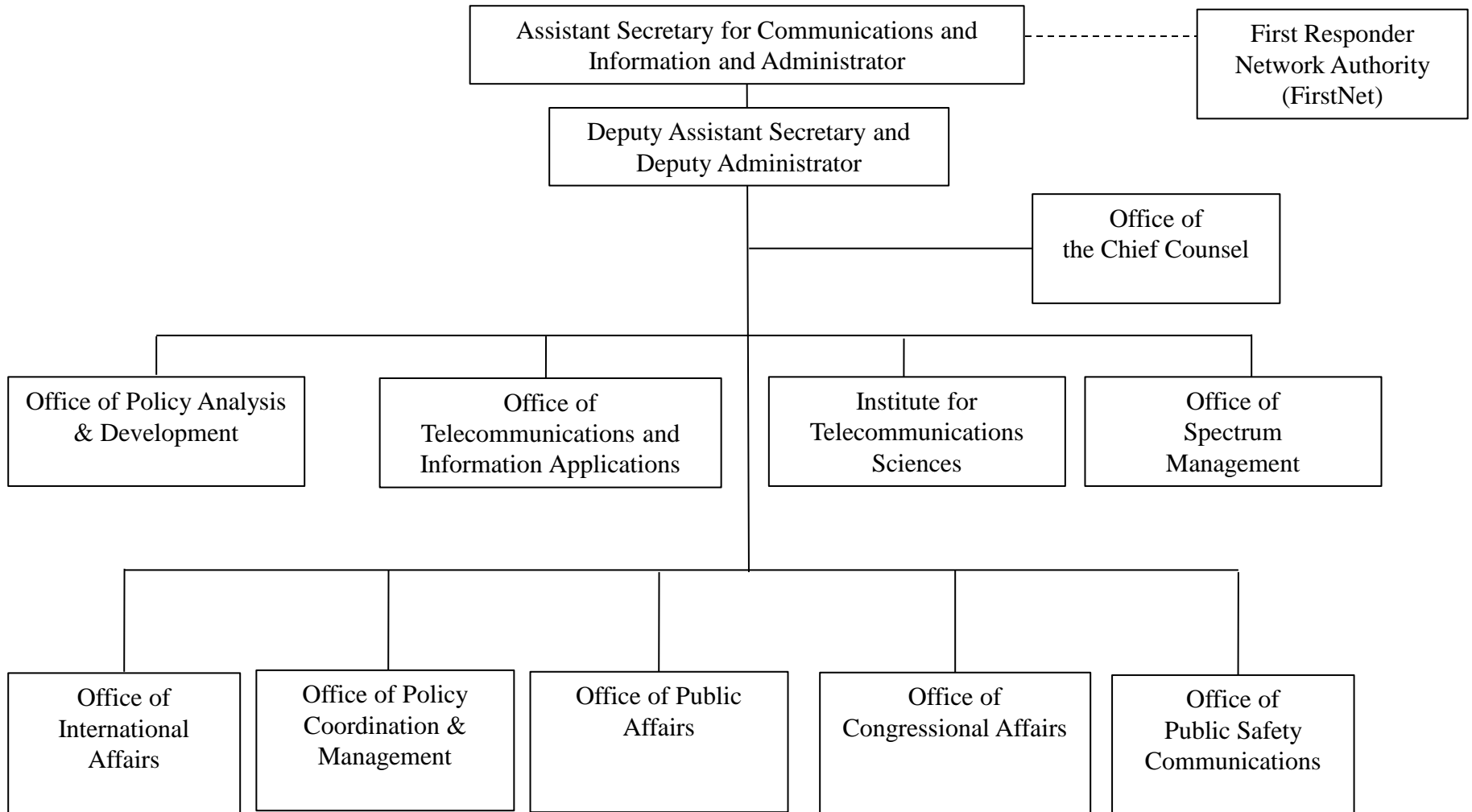
Quick Wins (first 100 days from 1/20/21): Depending on the content of the SASH report, NOAA should be able to show successes from instituting its SASH policy and program in 2016. If overall numbers of cases do not decrease, we can speak to all the efforts we have undertaken to date.

NOAA Mission Support Points of Contact

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National Telecommunications and Information Administration



Differences from effective DOO dated 9/17/12

1. Office of Public Affairs added as a sub-division



**National Telecommunications and
Information Administration**

**Deputy Assistant Secretary of
Commerce for Communications and
Information performing the non-
exclusive duties of the Assistant
Secretary**

Adam Candeub

Adam Candeub is the Deputy Assistant Secretary of Commerce for Communications and Information performing the non-exclusive duties of the Assistant Secretary. He joined NTIA as Deputy Assistant Secretary in April 2020. Prior to his NTIA appointment, he was professor of law at Michigan State University College of Law, joining the faculty in 2004, and he also served as director of its Intellectual Property, Information, and Communications Law Program.

His earlier government service includes work at the Federal Communications Commission in its Media Bureau and Wireline Competition Bureau, Competitive Pricing Division. He was an associate at Jones, Day, Reavis, and Pogue. He holds J.D. magna cum laude from Penn Law and B.A. magna cum laude from Yale University. Immediately following law school, he clerked for Chief Judge J. Clifford Wallace, U.S. Court of Appeals for the Ninth Circuit. While in law school, Professor Candeub was an articles editor for the University of Pennsylvania Law Review. He received a Fulbright Fellowship in 2010-11 to teach and research internet law at the University of Rijeka, Croatia. He is widely published in the areas of communications regulation and antitrust.



**National Telecommunications and
Information Administration**

**Acting Deputy Assistant Secretary
and Acting Deputy Administrator**

Doug Kinkoph

Doug Kinkoph is Acting Deputy Assistant Secretary of Commerce for Communications and Information. Kinkoph joined the Department of Commerce in 2010 and has served in several roles, working on issues including spectrum management, broadband, and public safety communications.

While serving as head of the Office of Telecommunications and Applications, Kinkoph created the agency's BroadbandUSA program, which works to promote broadband deployment and adoption across communities nationwide. He also oversaw a \$4 billion broadband grant program that funded the deployment of broadband infrastructure, public computer centers, sustainable adoption of broadband service, and statewide broadband planning.

Before joining the Department of Commerce, Kinkoph held multiple executive roles in the communications industry as well as in the public and private sectors as a telecommunications policy expert. He served as Vice President of Operations at Soundpath Conferencing where he was responsible for all sales, marketing, and customer service operations. His private sector experience also includes serving in senior regulatory and policy roles at XO Communications, Nextlink, and LCI.

Kinkoph earned his M.A. in Administration from Central Michigan University and his B.S. in Telecommunication Management

from Ohio University.



**National Telecommunications and
Information Administration**

**Associate Administrator for
Spectrum Management**

Charles Cooper

Charles Cooper is Associate Administrator in NTIA's Office of Spectrum Management. He leads the agency's work on national and international spectrum policy issues and oversees spectrum management efforts for federal agencies. He is responsible for frequency assignment and certification, and other strategic planning functions including development of innovation approaches to spectrum sharing.

Before joining NTIA in July 2019, Cooper was the Enforcement Bureau Field Director at the Federal Communications Commission (FCC) where he managed the nationwide enforcement of spectrum interference affecting public safety communications, FCC licensees and Federal agencies. Prior to serving as Field Director, Cooper was District Director of the FCC's Los Angeles Field Office.

Cooper also served as senior engineer and partner with du Treil, Lundin, and Rackley, Inc., an engineering firm specializing in radio frequency coordination and design. Cooper is a recognized subject matter expert on engineering principles applicable to a wide mix of communications technologies. He is a member and two-term past president of the Association of Federal Communications Consulting Engineers (AFCCE).



National Telecommunications and Information Administration (NTIA)

Mission

NTIA is the Executive Branch agency that is responsible for advising the President on telecommunications and information policy issues. NTIA’s programs and policymaking focus largely on expanding broadband Internet access and adoption in America, protecting federal spectrum-based missions while seeking to expand the use of spectrum by all users, and ensuring that the Internet remains an engine for continued innovation and economic growth.

Locations and Workforce Demographic Trends

Overall Workforce: 124 federal employees (*reimbursable positions not included*)

Headquarters: Washington DC, 82 federal employees as of September 30, 2020.

Field Offices: 2 field offices outside of Washington DC, ~ 42 federal employees as of September 30, 2020.

Please note that NTIA receives its funding from multiple sources, beyond just its direct appropriations. NTIA receives spectrum fees from federal users; enters into research and development reimbursable agreements with government entities and industry; and gets some of its funding from mandatory, authorized programs with spectrum auction proceeds. The numbers below outline the funding through direct appropriations for NTIA’s Salaries and Expenses.

Historical Total Staffing Levels (Positions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President’s Budget
136	143	127	146	163

Budget Trend – Appropriations (\$ in Millions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President’s Budget
\$32.0	\$39.5	\$39.5	\$40.4	\$72.2

Principal Responsibilities

NTIA released its FY 2021 President’s budget request on March 11, 2020. The request continues to position NTIA in its critical role advising the President on communications and information policy issues. NTIA’s programs and policymaking focus on expanding the availability of spectrum for all users, managing core Federal spectrum programs effectively and efficiently, and



identifying innovative approaches to increase spectrum access and sharing opportunities. The request seeks resources to ensure that the Internet remains an engine for continued economic growth, which promotes a 21st century Internet economy in rural communities and expands broadband Internet access and adoption in America.

NTIA's principal organizational units include six line offices:

- Office of Policy Analysis and Development (OPAD)
- Office of International Affairs (OIA)
- Office of Spectrum Management (OSM)
- Office of Telecommunications and Information Applications (OTIA)
- Institute for Telecommunication Sciences (ITS)
- Office of Public Safety Communications (OPSC)

The Office of the Assistant Secretary, the Office of Policy Coordination and Management, the Office of Chief Counsel, and the Office of Congressional Affairs provide management and/or operational support.

Office of Policy Analysis and Development (OPAD) (OPAD and OIA FY 2020 Budget: \$8.8 million, 33 positions).

OPAD supports the Assistant Secretary in the role as the President's principal adviser on telecommunications and information matters. OPAD formulates, analyzes, and makes policy recommendations on a wide range of issues, including Internet platforms, privacy, next generation networks/5G, cybersecurity, information and communications technology supply chain security, broadband networks and services, wireline and wireless telephony, and competition.

As one of its specific initiatives, NTIA also is leading a multi-stakeholder effort on software component transparency, with stakeholders from industry, government, and civil society, developing guidance and tools to increase enterprise usage of software bills of materials.

Office of International Affairs (OIA)

OIA helps formulate and promotes national policies for presentation in multilateral, bilateral and international organization settings and is principally responsible for advising the President on international telecommunications and information policy issues. OIA fosters cross-border innovation, expression, association, and commerce through the development and advocacy of Internet and international ICT policy. OIA also is a prominent champion of the multi-stakeholder approach to Internet governance and inclusive policymaking in other countries.

OIA plays an important role in the formulation of the Administration's international information and communications technology goals and strategies and is the Executive Branch expert on issues relating to the Internet's domain name system (DNS). OIA represents the U.S. government in its interactions with the Internet Corporation for Assigned Names and Numbers (ICANN), the not for profit corporation that coordinates the DNS, including as the U.S. government representative to ICANN's Governmental Advisory Committee (GAC). NTIA also oversees the management of the .US and .EDU top-level domain names. In addition, OIA plays



a lead role in enhancing international 5G security, particularly through the promotion of vendor diversity with allies and partners.

Office of Spectrum Management (OSM) (FY 2020 budget: \$7.3 million, 38 positions)

OSM ensures that electromagnetic spectrum is used efficiently and effectively to enable the Federal agencies to perform their missions, while supporting the commercial sector's development of next generation wireless services—including 5G—and encouraging American leadership in space commerce. OSM carries out the President's authority to assign spectrum resources to radio stations belonging to and operated by the United States. The Federal agencies rely on the radio spectrum to execute their congressionally mandated missions, ranging from national defense, homeland security, and law enforcement to ensuring aeronautical and marine safety, conducting space travel and scientific research, and accurately predicting the weather. OSM has the responsibility to make more spectrum available for licensed commercial use, creating billions of dollars in spectrum auction proceeds for the U.S. Treasury and ensuring U.S. leadership and economic growth driven by next-generation technologies.

Office of Telecommunications and Information Applications (OTIA) (FY 2020 budget: \$16.2 million, 30 positions).

OTIA administers the BroadbandUSA program, the National Broadband Availability Map (NBAM), the Minority Broadband Initiative (MBI), coordinates the State Broadband Leaders Network (SBLN) and provides support for the American Broadband Initiative (ABI). These programs help to further the deployment and use of broadband technology which lays the groundwork for sustainable economic growth, improved education, public safety, health care, and the advancement of other national priorities.

- BroadbandUSA serves state and local communities by supporting planning efforts, identifying funding opportunities, and advising on local broadband programs. OTIA also convenes and facilitates the SBLN, a cohort of state broadband officials from all 50 states, three territories and the District of Columbia.
- The NBAM is a secure geographic information system (GIS) platform for the visualization and comparison of federal, state, and commercially available broadband data sets to better inform broadband projects and funding decisions. NBAM's partners include 22 states as well as USDA, the Appalachian Regional Commission, and the U.S. Economic Development Administration.
- The American Broadband Initiative (ABI) is an Executive Branch strategy to expand our Nation's broadband infrastructure capacity by identifying and removing barriers to broadband access and leveraging public assets and resources. Led by representatives from the White House, USDA's Rural Utilities Service, and NTIA, the ABI involves more than 20 federal agencies. The ABI consists of three major workstreams: Federal Funding of Broadband, Streamline Federal Permitting, and Leveraging Federal Assets.
- The MBI, launched in 2019, supports the national priority objective of fully deploying broadband and improving the prosperity of economically distressed and unconnected rural communities by working with Historically Black Colleges and Universities (HBCUs) and Tribal Colleges and Universities (TCUs).



Institute for Telecommunication Sciences (ITS) (FY 2020 budget: \$8.1 million, 45 positions) ITS is in Boulder, Colorado, is the research and engineering arm of NTIA. ITS provides core telecommunications research and engineering services to promote enhanced domestic competition, advanced services and new technology deployment, improved foreign trade opportunities for U.S. telecommunication firms, and more efficient use of the radio frequency spectrum. ITS also serves as a federal resource for investigating the telecommunications challenges of other Federal agencies, state and local governments, private corporations and associations, and international organizations. This work includes assisting federal public safety agencies, the FCC, and agencies that use Federal spectrum.

Office of Public Safety Communications (OPSC) (OPSC FirstNet Monitoring / NTIA Grant Programs (FY 2020 Mandatory Funding: \$6.6 million, 12 positions, non-appropriated funds)) OPSC helps NTIA meet its responsibilities under the Middle-Class Tax Relief and Job Creation Act of 2012 (Act) and in other areas of critical communications. The Act established the creation of an interoperable nationwide public safety broadband network (NPSBN) through the First Responder Network Authority (FirstNet) for use by police, firefighters, emergency medical service professionals, and other public safety entities to complete their critical missions. OPSC supports the Commerce Department’s oversight of FirstNet and the NPSBN, leading to improved public safety outcomes and greater support for America’s first responders. OPSC also works in coordination with the National Highway Traffic Safety Administration (NHTSA) to improve the implementation of 911, Enhanced 911, and Next Generation 911 services.

OPSC reviews and approves FirstNet’s proposed fees each year to ensure that they equal, but do not exceed, the amount FirstNet needs to execute its statutory obligations. OPSC also supports the Secretary in the appointment of 12 non-permanent Board members and facilitates a quarterly review process to ensure the Department’s awareness of FirstNet’s implementation activities.

Of particular note, NTIA’s FY 2021 budget request includes three significant increases in its funding requests and a request for one new program:

- \$25 million for Spectrum IT (Information Technology) Modernization to enable the United States to more efficiently satisfy industry’s need for additional spectrum, and prepare the Nation to transition to 5G.
- \$2.1 million to enable the agency to defend and support the growing efforts to oversee, mitigate, and manage supply chain risks to our nation’s telecommunications infrastructure as part of new statutory responsibilities enacted during the 116th Congress.
- \$3 million to upgrade, replace, and procure cutting-edge research equipment required to position the lab for research and testing of 5G and beyond technologies.
- \$308,000 and one (1) position to establish a new discretionary program to continue public safety communications activities beyond the statutory deadline of September 30, 2022.

For more information about the specific initiatives in the FY 2021 NTIA budget, please see the budget summary at: https://www.commerce.gov/sites/default/files/2020-02/fy2021_ntia_congressional_budget_justification.pdf and https://www.whitehouse.gov/wp-content/uploads/2020/02/com_fy21.pdf (pp. 214-218).



Summary of Major Organizational Improvement Initiatives

NTIA is planning a Spectrum IT (Information Technology) Modernization initiative to create secure, flexible, and automated spectrum management. Built over 30 years ago, the current systems are inadequate to execute NTIA’s spectrum functions in a timely manner and limits NTIA’s ability to accommodate advanced technologies, such as deploying 5G, advancing space commerce, and securing government missions.

Strategic Partnerships, Key Stakeholders, and Interagency Groups

- Industry, civil society, academia
- Federal, state and local governments
- NTIA receives spectrum management and policy advice from Federal government experts through the Interdepartment Radio Advisory Committee (IRAC)—composed of representatives of federal agency users of the spectrum (e.g. Department of Defense, Department of Transportation, Department of Homeland Security, etc.), and from commercial interests through the Commerce Spectrum Management Advisory Committee (CSMAC).
- DNS Interagency Working Group (NTIA-led, interagency participation)
- Broadband Opportunity Council (Commerce/NTIA co-chairs with Department of Agriculture), 25 federal agencies and departments
- DOC 5G Working Group (Commerce wide working group led by the Secretary’s office)
- DOC Cybersecurity Coordination Call (NIST led working group with participation by NTIA and other Commerce bureaus)
- Monthly Privacy Policy Coordination Committee (PPCC) Call (ITA led working group with participation by NTIA and other Commerce bureaus)
- International Telecommunications Union interagency preparatory meetings (Led by State Department with NTIA and other interagency participation)
- Cyber Response Group (Led by the NSC with interagency participation)
- 5G Policy Coordination Committee (Co-led by NSC and NEC with interagency participation)
- Cyber Policy Coordination Committee (Led by NSC on specific cyber-related issues, for example, the implementation of the National Strategy to Secure 5G)

Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

- Broadband – Efforts to push infrastructure and tax reform bills are expected in the first 100 days. These broad infrastructure efforts are expected include broadband as an infrastructure investment.

Awaiting Decisions (first 100 days from 1/20/21)

None at this time.



Quick Wins (first 100 days from 1/20/21)

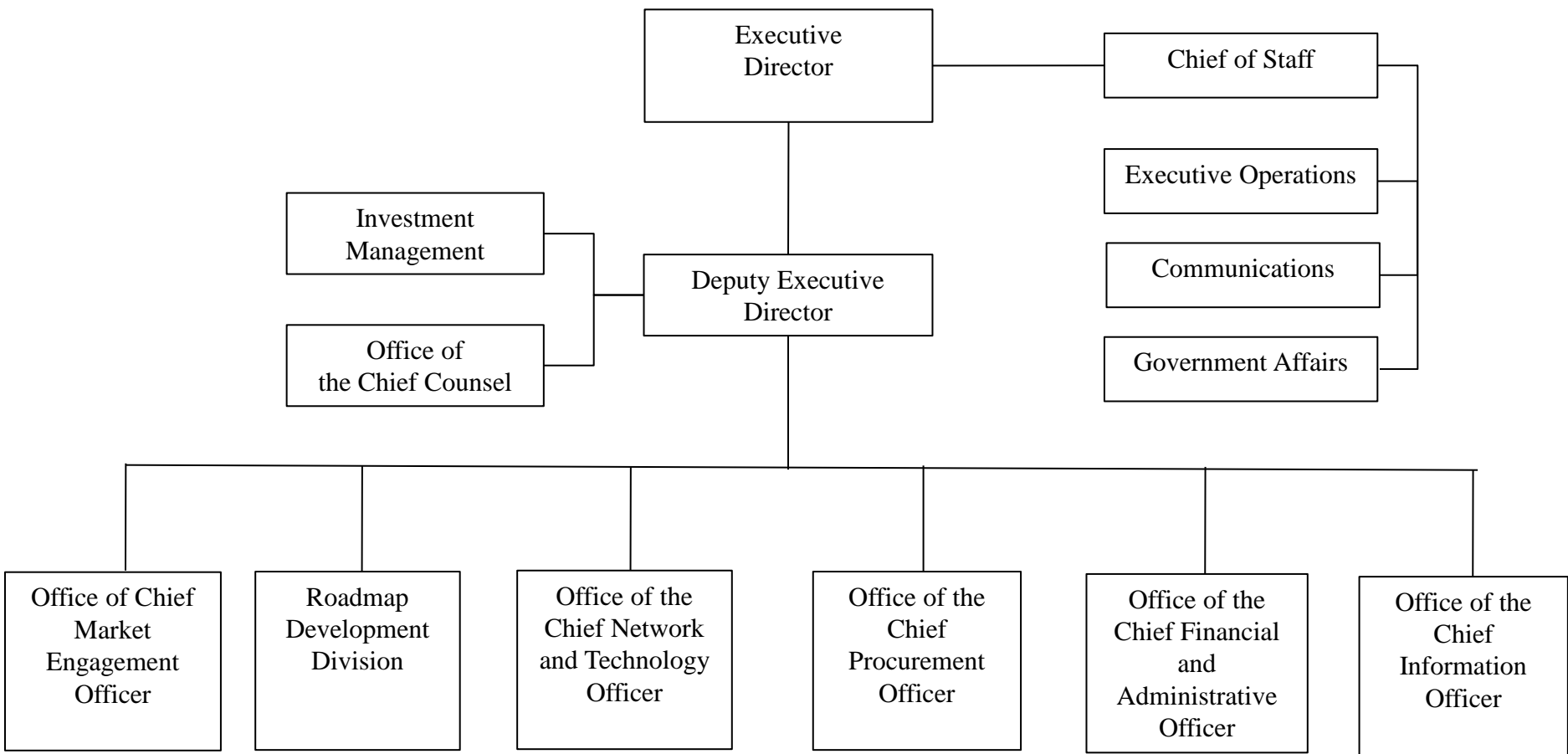
None at this time.

Points of Contact

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First Responder Network Authority





**First Responder Network Authority
(FirstNet)**

**FirstNet Authority Executive
Director**

Edward Parkinson

Mr. Edward Parkinson is the Executive Director of the First Authority. He is responsible for overall management of all FirstNet Authority operations and the agency’s strategic direction, to include its unique public-private partnership to deploy and improve the Nationwide Public Safety Broadband Network. He previously served as Acting Executive Director from October 2018 – May 2019. Before joining the FirstNet Authority, Mr. Parkinson served for five years as a Professional Staff Member for the House Homeland Security Committee, then chaired by Rep. Peter T. King of New York. During this period, Mr. Parkinson’s primary responsibility was in the field of first responder telecommunications. He also worked on issues including national security, emergency preparedness, and cybersecurity. Previously Mr. Parkinson served as an associate at Kearsage Global Advisors, an advocacy firm, and a research analyst at McKenna, Long and Aldridge, an international law firm specializing in public policy. Mr. Parkinson holds degrees from Georgetown University (M.A), and WITS University, (B.A., Hons).



Section 4-9 e – FirstNet Leadership Biographies



First Responder Network Authority (FirstNet)

FirstNet Authority Deputy Executive Director

Lisa Casias

Ms. Lisa Casias joined the FirstNet Authority as the Deputy Executive Director in November 2019. In this role, she is responsible for providing executive leadership and overall direction to key FirstNet offices and functions; assisting in the development and implementation of policies and strategies; and assisting in the oversight of FirstNet Authority day-to-day operations. Prior to joining the FirstNet Authority, Ms. Casias worked at the Department of Commerce, as the Deputy Assistant Secretary for Administration (DASA) within the Office of the Chief Financial Officer and Assistant Secretary for Administration (OCFO/ASA). She also performed the duties of both the CFO/ASA and DASA roles from January 2017 through January 2019. Immediately preceding her assignment as the DASA, Ms. Casias served as the Department's Deputy CFO and Director for Financial Management. Ms. Casias is a Certified Public Accountant and holds her BBA in public accounting from Pace University. She is the recipient of the 2009 Presidential Distinguished Rank Award and has served as the National President of the Association of Government Accountants.



**First Responder Network Authority
(FirstNet)**

**FirstNet Authority Chief Network &
Technology Officer**

Jeffrey Bratcher

Mr. Jeffrey Bratcher is the Chief Network and Technology Officer of the FirstNet Authority. Mr. Bratcher is a key leader involved with the shaping of the technology for the Nationwide Public Safety Broadband Network (NPSBN). He led the formation of the FirstNet Authority technology teams as well as the state-of-the-art Innovation and Technology lab located at the FirstNet Authority office in Boulder, Colorado. Building upon his success as the Chief Technology Officer, Mr. Bratcher was also appointed to lead the network team overseeing the implementation of the nationwide FirstNet broadband network built with AT&T. Mr. Bratcher began his federal service in 2003 with the National Telecommunications and Information Administration (NTIA) Institute for Telecommunication Sciences (ITS) also located in Boulder, Colorado. Prior to joining federal service, he worked for ten years within the wireless private sector deploying several of the first digital cellular systems in U.S. and international markets. Mr. Bratcher received his BS in Electrical Engineering from Texas Tech University and his MS in Telecommunications from Southern Methodist University.



**First Responder Network Authority
(FirstNet)**

FirstNet Authority Chief Counsel

Erin Greten

Ms. Erin Greten serves as the FirstNet Authority’s Chief Counsel. As the principal legal officer for the agency, Ms. Greten is responsible for the direction and management of the compliance program, Board governance, and the provision of legal advice and services to the FirstNet Authority’s Board and management team. Prior to joining the FirstNet Authority, she served as Associate Chief Counsel for Regional & Field Operations at the Federal Emergency Management Agency (FEMA) where she was responsible for the delivery of legal advice and services at all disasters nationwide and at FEMA’s 10 regional offices. Previous to that role, Ms. Greten served as FEMA’s Deputy Associate Chief Counsel for Recovery, where she was principal legal advisor for the agency’s \$5B+ disaster recovery programs. She also ran FEMA’s regulatory program as FEMA’s Assistant Chief Counsel for Regulation & Policy. Before joining FEMA, Ms. Greten served as a regulatory attorney for the United States Coast Guard and practiced commercial litigation for a Maryland law firm. She holds a B.A. from Michigan State University and J.D. from Catholic University.



**First Responder Network Authority
(FirstNet)**

**FirstNet Authority Chief
Information Officer**

Jim Gwinn

Mr. Jim Gwinn has served as the FirstNet Authority’s Chief Information Officer since March 2014. In this capacity, Mr. Gwinn has led the implementation of a cloud-centric, state-of-the-art portfolio of IT applications, network, tools, and services for FirstNet Authority personnel, enabling full-scale IT solutions. Mr. Gwinn brings over two decades of private-sector experience to the FirstNet Authority, having held leadership positions at global telecommunications businesses, Verizon, MCI, and WorldCom. For Verizon, he most recently served as Vice President of Information Technology-Network Systems, where he was responsible for more than 1,400 information technology professionals across the U.S., Europe, and Asia. Before joining the FirstNet Authority in March 2014, Mr. Gwinn was the Chief Information Officer for US Department of Agriculture's Farm Service Agency (FSA). In that role, Mr. Gwinn was responsible for managing FSA's information technology modernization initiatives and updating the agency's legacy technology and operations infrastructure. Mr. Gwinn holds undergraduate and graduate degrees in management with an MBA from Trevecca Nazarene University in Nashville, Tennessee.



**First Responder Network Authority
(FirstNet)**

**FirstNet Authority Chief Financial &
Administrative Officer**

Kim Farington

Ms. Kim Farington serves as the FirstNet Authority’s Chief Financial and Administrative Officer. In the role of Chief Financial Officer, Ms. Farington oversees all financial operations including accounting, budgeting, financial planning, financial reporting, audits, financial policy, and internal controls duties. As the Chief Administrative Officer, she also oversees human capital planning, training, travel, security, and facilities programs for the FirstNet Authority. Ms. Farington is a Certified Public Accountant, with over 28 years of government service, including positions at U.S. Department of Agriculture, the U.S. Office of Personnel Management (OPM), the White House Office of Management and Budget, and the Office of the Secretary of Defense. Ms. Farington joined the FirstNet Authority in May 2015 from OPM, where she was Associate CFO for Financial Services. She holds an Associate’s degree from Indiana University and a Bachelor's degree in Accounting from Excelsior College and achieved a Harvard Kennedy School Executive Certificate in Public Leadership.



**First Responder Network Authority
(FirstNet)**

**FirstNet Authority Chief
Procurement Officer**

Scott Palmer

Mr. Scott Palmer is the FirstNet Authority’s Chief Procurement Officer. He provides executive direction for the organization’s procurement operations and advises senior leadership on strategic acquisition matters. Mr. Palmer designs, coordinates and implements unique procurement strategies to facilitate network investments, attain business objectives, and ensure the successful implementation and maintenance of the Nationwide Public Safety Broadband Network. He is directly responsible for maintaining and exercising the FirstNet Authority’s unlimited procurement authority, policy development, and fulfilling Departmental procurement goals. Mr. Palmer previously served more than five years as the Director of Procurement at the United States Patent and Trademark Office (USPTO). Prior to his USPTO tenure, Mr. Palmer served as the Deputy Head of the Contracting Activity at the U.S. Coast Guard, where he oversaw the efforts of 700 contracting professionals and an annual procurement budget of \$3 billion. Mr. Palmer holds a B.S. in Commerce from the University of Virginia and an MBA from George Mason University.



**National Telecommunications and Information Administration (NTIA)
First Responder Network Authority (FirstNet Authority)**

The FirstNet Authority, an independent authority within NTIA, is responsible for building, operating, and maintaining the nationwide public safety broadband network (“FirstNet Network”). The FirstNet Authority, rather than operating as most government agencies do, is run by an Executive Director, who reports to the Assistant Secretary for Telecommunications and Information, and is governed by a 15-member Board, composed of 3 permanent members (the Attorney General, Secretary of the Department of Homeland Security, and the Director of the Office of Management and Budget), and 12 additional members appointed for 3-year terms by the Secretary of Commerce.

Pursuant to the Middle Class Tax Relief and Job Creation Act of 2012, the FirstNet Authority is to be self-sustainable, and the Act authorizes the FirstNet Authority to assess and collect fees for access to and use of the FirstNet Network, which, the Act requires NTIA to review and approve on an annual basis.

To accomplish its mission, the FirstNet Authority entered into a 25-year contract with AT&T, and its current focus is managing that contract, and enhancing the FirstNet Network through effective investment.

Locations and Workforce Demographic Trends

Overall Workforce: 219 federal employees

Headquarters: Reston, VA, 110 federal employees as of September 30, 2020

Field Office 1: Boulder, CO, 36 federal employees as of September 30, 2020

Field Office 2: Washington, DC, 6 federal employees as of September 30, 2020

Remote Staff: 67 federal employees as of September 30, 2020

Historical Total Staffing Levels (Positions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President’s Budget
206	213	200	258	258

Budget Trend – Mandatory Appropriation (\$ in Millions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President’s Budget
\$1,073	\$6,308	\$68	\$125	\$124



Principal Responsibilities

The FirstNet Authority's FY 2021 budget continues to position the organization to deliver a dedicated and differentiated broadband communications experience that transforms public safety operations to save lives. As mandated by Congress, the FirstNet Authority's public-private arrangement resulted in a sustainable financial business model that funds the FirstNet Authority's annual operations and guarantees funds to reinvest into the FirstNet Network. The FirstNet Authority's FY 2021 budget includes \$83.4 million to continue targeted activities to:

1. Oversee and manage the FirstNet Network contract with AT&T (~ \$12M / 54 staff);
2. Engage with public safety entities and associations, industry, and government organizations to understand their trends, drivers, and priorities for wireless broadband communications, and share information regarding network status and contract oversight activities (~ \$14M / 50 staff);
3. Develop and promote the FirstNet Authority Roadmap that reflects the voice of public safety and is designed to guide the evolution of the FirstNet Network over a multi-year horizon (~ \$2M / 12 staff); and
4. Identify and prioritize investment opportunities, informed by the FirstNet Authority Roadmap, for enhancing the FirstNet Network to ensure public safety has the communications tools they need to save lives and protect communities (~ \$1M / 4 staff).

Of particular note, the FirstNet Authority's FY 2021 budget includes realigning resources to operationalize two priorities – the FirstNet Authority Roadmap and network investment– to ensure the organization launches reinvestment projects that enhance the FirstNet Network based on public safety's operational needs and technology trends.

In addition, this budget continues critical investments in the FirstNet Authority's ability to engage with the public safety community, industry, and government entities; identify technology trends; oversee and manage the nationwide public safety broadband network; execute procurements; and coordinate with the Department, NTIA, and other government agencies.

For more information about the specific initiatives in the FY 2021 FirstNet Authority budget, please see our budget summary at:

https://firstnet.gov/sites/default/files/Combined_Finance_Committee_and_Board_Meeting_18A_UG20.pdf

Summary of Major Organizational Improvement Initiatives

FY21 Organizational Realignment – The FirstNet Authority conducted realignment efforts to prioritize operational requirements. This included elevating and positioning programs to effectively use resources to target public safety, industry, and government stakeholders; focus on network reinvestment; and establish a pipeline of investment opportunities.



Strategic Partnerships, Key Stakeholders, and Interagency Groups

To promote understanding and support of the FirstNet Authority’s mission, the FirstNet Authority works closely with the Department and external stakeholders, to include:

- The Public Safety Advisory Committee, consisting of 40+ members representing public safety and state, local, tribal, federal representatives and non-traditional first responders, which provide subject matter expertise on concepts, policies, procedures, technologies, and operational methods developed in support of the FirstNet network.
- Local, state, tribal, and federal public safety and governmental entities and associations to understand their trends, drivers, and priorities and realize the operational benefit of the FirstNet Network.
- Industry and academia to understand and influence technology trends and their application to public safety communications.
- FCC leadership and bureaus on a range of matters that include Band 14 public safety broadband spectrum license maintenance, spectrum management, interference issues, international spectrum treaties, and rules and regulations which affect/apply to public safety communications operations.
- National Institute of Standards and Technology (NIST), Public Safety Communications Research Division as the responsible entity for maintaining a list of devices approved for use on the FirstNet network.
- AT&T, contractually responsible for deploying and operating the FirstNet Network.

Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

- FirstNet Authority Board Transitions – Media may begin to take notice that 11 of the 12 appointed FirstNet Authority Board members have terms expiring in Calendar Year 2021.

Awaiting Decisions (first 100 days from 1/20/21)

- FirstNet Authority Annual Report to Congress (2/22/21) – The FirstNet Authority delivers its Annual Report to Congress around its anniversary date (February 22). The report requires NTIA, DOC and OMB approval before being transmitted to Congress.
- FirstNet Authority Board Transitions (1/12/21) – If the Secretary has not made final determinations regarding four Board member seats (1 vacant and 3 up for renewal), then the FirstNet Authority will be waiting for final decisions from the Secretary.

Quick Wins (first 100 days from 1/20/21)

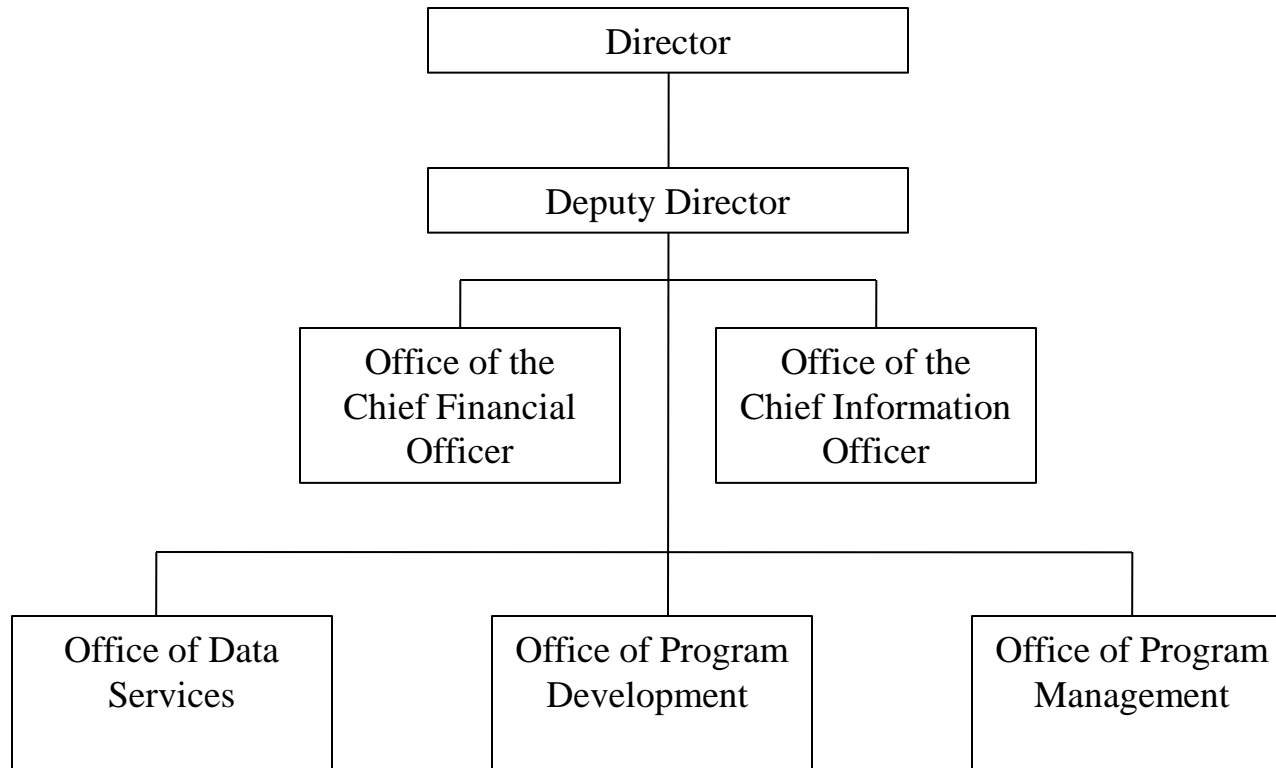
- None at this time.

Points of Contact

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National Technical Information Service





**National Technical Information
Service**

Acting Director

Greg Capella

Greg Capella is the Acting Director of the National Technical Information Service (NTIS) within the Department of Commerce. He came to NTIS after serving seven years at the Department of Homeland Security (DHS) where he was the Acting Executive Director for Enterprise Services, and prior to that he was the Deputy Executive Director for Enterprise Services. While performing this role Greg led the organization that helped drive innovation throughout DHS, which included implementing 10 enterprise Cloud services and deploying 22 enterprise applications for DHS.

Prior to joining the Federal Civil Service, Greg gained experience in industry, with 12 years in leadership and management roles. These included managing operations of an Information Technology (IT) company, where he was the Executive Vice President and Chief Operating Officer. Prior to that Greg was a Director at AMS overseeing teams developing and deploying financial software products and providing consulting services. Greg also served as a Director of Product Management at the Fair Isaac Corporation where he led the development and support of financial services software and led the corporate drive to embrace the Internet.

Greg began his career as an Air Force officer, where he filled a variety of leadership roles until his retirement. In his most senior Air Force position, he oversaw 218 engineers and technicians providing software and hardware updates for space shuttle and satellite launches. Prior to that Greg managed the development and implementation of IT for intelligence systems and for commanding and controlling nuclear weapons.

Greg is a Certified Acquisition Professional, Program Management Level III, and a Test and Evaluation Professional, Level 1. Greg has a master's degree in business administration from the University of Nebraska, Lincoln, and a Bachelor of Science in Management from the U.S. Air Force Academy. In addition to his academic background, Greg is an inventor; he coauthored U.S. Patent 7,356,503 for ASP Business Decision Engine while working for Fair Isaac.



National Technical Information Service (NTIS)

Mission

NTIS provides innovative data services to federal agencies, through joint venture (JV) partnerships with the private sector, to advance federal data priorities, promote economic growth, and enable operational excellence. NTIS plays an important role in serving as a public clearinghouse for information – some of which is mandated by law. The latter includes the National Technical Research Library (NTRL) and the Limited Access Death Master File (LADMF). The data and information services provided by NTIS are performed on a cost recovery basis except the NTRL, which is a free federal service.

Locations and Workforce Demographic Trends

Overall Workforce: 40 federal employees

Headquarters: Alexandria, Virginia, 39 federal employees as of September 30, 2020.

Field Offices: 1 field office outside of Washington DC, 1 federal employee as of September 30, 2020.

Historical Total Staffing Levels (Positions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
99	63	75	42	60

Budget Trend – Appropriations (\$ in Millions) (Revolving Fund)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
\$158,282	\$128,949	\$78,427	\$110,000	\$100,000

Principal Responsibilities

NTIS does not receive any direct appropriations and operates as a fee-for-service organization.

Summary of Major Organizational Improvement Initiatives

NTIS has undertaken a significant realignment to better support its new mission. To this end NTIS will transition the last legacy project and a data distribution service to other providers in 2021. NTIS also is currently migrating multiple information technology systems to a cloud



provider to improve reliability and reduce costs. Starting in fiscal year 2021 NTIS will also discontinue use of its prior financial systems and be serviced by the Commerce Business Systems.

Strategic Partnerships, Key Stakeholders, and Interagency Groups

To promote understanding and support of Bureau’s budget initiatives, the Bureau’s Budget Office works closely with the Department of Commerce, Congressional appropriations staff, the Office of Management and Budget, and external stakeholders. NTIS is supported by a Federal Advisory Committee Act (FACA) Board that provides insights and advice on ways for NTIS to better support its mission. The statutory required board meets semi-annually and includes representatives from industry that are leaders in decision science.

Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

NTIS does not foresee any potential congressional or media issues in the first 100 days.

Awaiting Decisions (first 100 days from 1/20/21)

- NTIS is requesting a decision memorandum go forward for instituting annual appropriations beginning in FY 21 to address two major lines of business that include (1) the continued operation and required modernization of free public service provided by the National Technical Reports Library and (2) the modernization of the data science/AI services NTIS is providing with its private sector partners to the Federal government.

Quick Wins (first 100 days from 1/20/21)

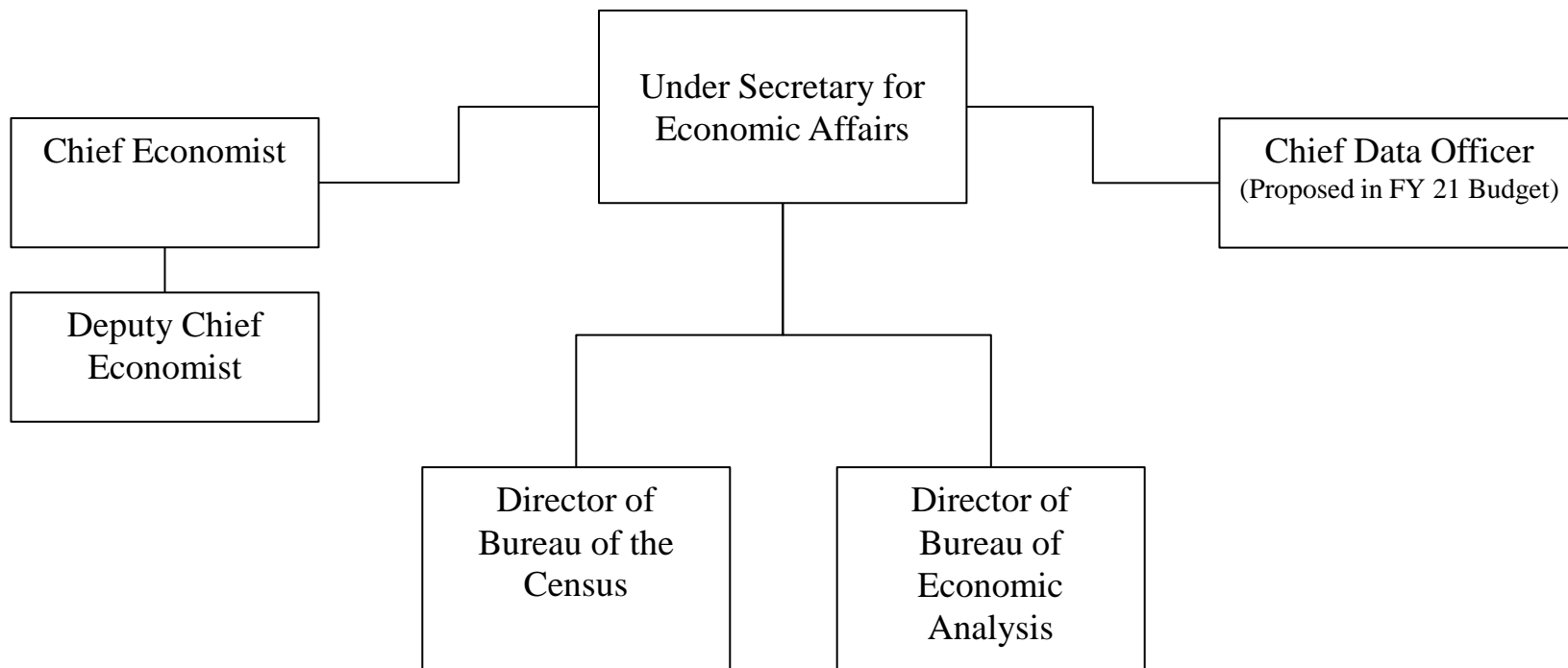
- Start providing the Veterans Administration with data accessibility services.

Points of Contact

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Office of Under Secretary for Economic Affairs



Differences from effective DOO dated 1/29/2019

1. Added the Chief Economist and Deputy Chief Economist positions that are listed in the DOO but not show on the chart
2. Added Chief Data Officer position that complies with the Foundations for Evidence-Based Policymaking Act of 2018 and is proposed in FY 21 Budget.



**Office of the Under Secretary for
Economic Affairs**

**Under Secretary for Economic
Affairs**

Vacant



Office of the Undersecretary for Economic Affairs (OUSEA)

Mission

OUSEA advances Departmental initiatives by conducting economic analysis, guiding data-driven decision-making and evidence-building activities, increasing access to government data while ensuring privacy and confidentiality, and promoting business and commerce.

Locations and Workforce Demographic Trends

Overall Workforce: 4 federal employees

Headquarters: Washington DC, 4 federal employees as of September 30, 2020.

Historical Total Staffing Levels (Positions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
...	...	9	9	10

Budget Trend – Appropriations (\$ in Millions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President's Budget
...	...	\$3.0	\$3.1	\$3.5

Principal Responsibilities

OUSEA released its FY 2021 President's budget request, as part of the Bureau of Economic Analysis (BEA) budget submission, on February 10, 2020, the Administration's scheduled President's budget release date. The request continues to position OUSEA as one of the Nation's premier sources of economic policy advice as well as the Department's lead on responsibilities related to data management, governance, and evaluation. It also supports OUSEA's relatively new commodity research and business development initiative. The Bureau's FY 2021 request includes \$3.5 million to continue targeted investments to support OUSEA's five focus areas:

1. **Economic policy analysis:** Provides regular, in-depth independent economic analyses and compiles economic data and analysis for policymaking and coordinates briefings of senior officials on principal economic indicators produced by bureaus across the Department.
2. **Data governance and data management:** Implements the requirements of the Federal Data Strategy and the Foundations for Evidence-Based Policymaking Act of 2018.



3. **Statistical policy and coordination:** Coordinates statistical activities within the Department and with the Office of Management and Budget and other federal departments.
4. **Evaluation activities and coordination:** Implements the Department’s evaluation policy and coordinates, develops, and carries out the Department’s evidence-building plans.
5. **Commodity research and business development:** Leads the Department’s efforts to establish a new concrete masonry “checkoff” program, that is a program of research, promotion, and education to support this domestic industry.

Of note, OUSEA’s FY 2021 budget includes additional funding to stand up the Chief Data Officer (CDO) position. In accordance with the Evidence Act, the CDO coordinates and oversees lifecycle data management at the Department, including leading the Commerce Data Governance Board, and ensures that the data and data service needs of Commerce’s bureaus are met.

OUSEA is leading the implementation of the Evidence Act’s requirements across the department, including elements related to program evaluation, data governance, and statistical policy. The Evidence Act and Commerce’s implementation is discussed in detail in the Evidence-Based Policymaking Act Implementation (5-1m) paper.

For more information about the specific initiatives in the FY 2021 OUSEA budget, please see our budget summary, included in the BEA budget submission, at:

<https://www.bea.gov/system/files/2020-02/bea-2021-congressional-justification.pdf>

Summary of Major Organizational Improvement Initiatives

Standing Up OUSEA: In FY2019, the Economics and Statistics Administration was eliminated, with its functions consolidated in a smaller office under the Under Secretary of Economic Affairs, now known as OUSEA. The office supports the Under Secretary in carrying out the oversight, policy guidance, economic advisor, data management, and program evaluation responsibilities. Senior political slots in OUSEA have remained vacant during this period of transition. Moving forward, OUSEA will continue to build its organizational capacity and enhance its role in advancing Departmental initiatives, such as directing the Department’s efforts to implement the Evidence Act.

Strategic Partnerships, Key Stakeholders, and Interagency Groups

To promote understanding and support of OUSEA’s budget initiatives, the Office’s staff works closely with BEA, the Department of Commerce, Congressional appropriations staff, the Office of Management and Budget, and other key stakeholders, including the following groups:

Commerce Economists Community of Practice: This group, developed and supported by OUSEA, brings together Chief Economists from across the Department to share information and develop department-wide economics expertise.

Commerce Data Governance Board: This group is the Department’s data governance and coordination body. The Board is chaired by the Commerce Chief Data Officer, with



representatives from all Commerce bureaus, and meets monthly to coordinate the management of Commerce data as an asset.

Advisory Committee on Data for Evidence Building: The Advisory Committee reviews, analyzes, and makes recommendations on how to promote the use of federal data for evidence building. The Committee is administered and managed by OUSEA.

Concrete Masonry Check-off Program: This industry-level program, instituted by the Concrete Masonry Products Research, Education, and Promotion Act of 2013, is designed to advance the concrete masonry industry. The goals of the program include: 1) strengthen the position of the concrete masonry products industry in the domestic marketplace; 2) maintain, develop, and expand markets and uses for concrete masonry products in the domestic marketplace; and 3) promote the use of concrete masonry products in construction and building. Check-off programs like this are fully reimbursable and ultimately funded by the industries involved without cost to the federal government.

OUSEA, on behalf of the Secretary, supports and administers the program, including issuing orders applicable to manufacturers of concrete masonry products. An order, which implements the legislation and outlines the government-industry relationship and oversight responsibilities of the Department, only goes into effect if it is approved by a majority of voting manufacturers.

In April 2020, the *CMU Checkoff Initiative*, a group of volunteers from the concrete masonry industry that has been working closely with Congress on developing the program, submitted a proposed order to the Department. Since then, the Department has reviewed the proposal, submitted it for public comment, reviewed and incorporated public feedback, and established a 30-day referendum period during which the industry will vote as to whether it agrees to become subject to the order; the referendum period is planned for January–February 2021. Should the industry approve the order, the Department will begin standing up a Board that will administer the order and collect assessments from the industry.

In addition, as part of its oversight, the Department is required to prepare a third-year study and submit to Congress a report examining the effectiveness of the program. After five years, GAO must review and report on Commerce’s implementation and evaluate the appropriateness of the program at the Department.

American Workforce Policy Advisory Board: This federal advisory council was established under Executive Order to provide advice and recommendations to the interagency National Council for the American Worker on ways to encourage the private sector and educational institutions to combat the skills crisis by investing in and increasing demand-driven education, training, and re-training, including training through apprenticeships and work-based learning opportunities. The Secretary of Commerce co-chairs the National Council and the Advisory Board with the White House; the term for both groups closes in September 2021. The 25-member Advisory Board includes the CEO or Executive Chairmen of Apple, Siemens USA, Lockheed Martin, and IBM among its members along with the CEOs of trade associations, educational institutions, and unions and two governors. BEA currently provides logistical support for the Advisory Board in partnership with the Office of Policy and Strategic Planning in the Office of the Secretary.



Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

- The Secretary will announce key decisions related to the Concrete Masonry Program.

Awaiting Decisions (first 100 days from 1/20/21)

- **Concrete Masonry Program Decisions:** In February 2021, the Secretary will confirm the outcome of the Concrete Masonry Products Research, Education, and Promotion Order referendum. If the referendum passes, in late March, the Secretary will make appointments (15–25) to the Concrete Masonry Products Board.
- **AWPAB Meetings:** AWPAB convenes quarterly with meeting dates set approximately a month in advance by the Secretary’s office in consultation with the White House.

Quick Wins (first 100 days from 1/20/21)

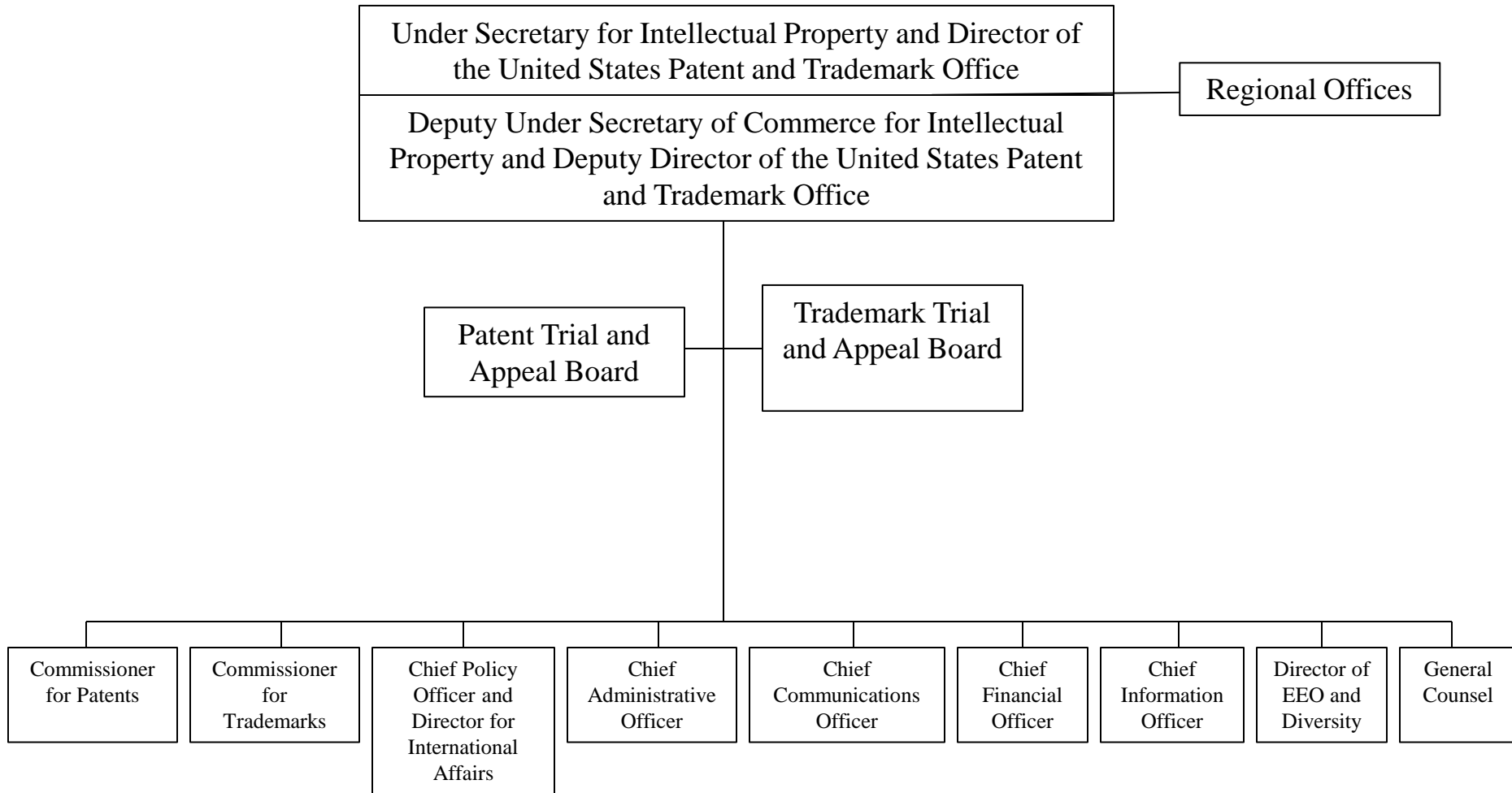
- **Chief Data Officer:** Announcing the appointment of the Department’s first Chief Data Officer, pending finalization of the selection process currently underway.

Points of Contact

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United States Patent and Trademark Office



Differences from effective DOO

1. Patent and Trademark Advisory Committees removed
2. Several additional sub-divisions added



**United States Patent and Trademark
Office**

**Under Secretary of Commerce for
Intellectual Property and USPTO
Director**

Andrei Iancu

In his role as the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office (USPTO), Andrei Iancu provides leadership and oversight to one of the largest intellectual property offices in the world, with roughly 13,000 employees and an annual budget of roughly \$3.5 billion. He also serves as the principal advisor to the Secretary of Commerce on domestic and international intellectual property policy matters.

Prior to joining the USPTO, Mr. Iancu was the Managing Partner at Irell & Manella LLP. His practice focused on intellectual property litigation. Mr. Iancu appeared in high-profile matters in front of the USPTO, U.S. district courts, the Court of Appeals for the Federal Circuit, and the U.S. International Trade Commission. He has represented clients across the technical and scientific spectra, including those associated with medical devices, genetic testing, therapeutics, the internet, telephony, TV broadcasting, video game systems, and computer peripherals.

Mr. Iancu has also taught patent law at the UCLA School of Law, and has written and spoken publicly on a variety of intellectual property issues. Prior to his legal career, Mr. Iancu was an engineer at Hughes Aircraft Company.

Throughout his career, many organizations have recognized Mr. Iancu for his work. Among his legal community accolades, the Daily Journal, California Lawyer magazine, Los Angeles Business Journal, Chambers USA, Best Lawyers in America, and many others have acknowledged his expertise in commercial litigation and intellectual property law. Mr. Iancu has also been the recipient of the Patent and Trademark Office Society 36th Annual Rossman Award, the Hughes Aircraft Malcolm R. Currie Innovation Award, and the Melville B. Nimmer Copyright Award.

Mr. Iancu holds a Juris Doctor from the UCLA School of Law. He also has a Master of Science in mechanical engineering and a Bachelor of Science in aerospace engineering, both from UCLA. Mr. Iancu was born in Bucharest, Romania. He has lived in the United States since the age of 12. He and his wife, Dr. Luiza C. Iancu, have two children, Ariella and Robert.



**United States Patent and Trademark
Office**

**Deputy Under Secretary of
Commerce for Intellectual Property
and Deputy Director of the USPTO**

Laura Peter

Laura Peter is the Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office (USPTO). She is the principal advisor to the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, and responsible for all agency operations. This includes oversight for the four USPTO Regional Offices, managing roughly 13,000 employees, and executing the policies, priorities, and programs for an annual budget of roughly \$3.5 billion.

Prior to joining the USPTO, Ms. Peter was the Deputy General Counsel of A10 Networks, a publicly traded IT company where she oversaw daily legal matters related to commercial agreements, litigation, and intellectual property (IP) portfolio development. In 2014, she helped shepherd the company through its initial public offering.

Recognized by World IP Review as one of the most “Influential Women in IP,” Ms. Peter has practiced IP law for over 20 years. Previously, she was Vice President and General Counsel of Immersion Corporation, where she led all aspects of the company's legal issues, including its IP portfolio. She was also Assistant General Counsel and Director of Intellectual Property at Foundry Networks, where she built a successful patent portfolio and litigation program. She began her career as a commercial and IP litigator at Townsend, Townsend and Crew (now Kilpatrick Townsend & Stockton LLP).

Ms. Peter received a Bachelor of Science in industrial engineering from Cornell University and a master's in public policy from the University of Chicago. She also holds a Juris Doctor from Santa Clara University School of Law and a Master of Law degree in international business law from King's College London.



**United States Patent and Trademark
Office**

Commissioner for Patents

Drew Hirshfeld

Drew Hirshfeld is the Commissioner for Patents. He manages and leads the patent organization as its chief operating officer. He is responsible for managing and directing all aspects of the organization which affect administration of patent operations, examination policy, patent quality management, international patent cooperation, resources and planning, and budget administration.

During his time as Commissioner, Mr. Hirshfeld has led the Patent business unit by emphasizing both transparency and collaboration. He has managed efforts to ensure the consistency and reliability of patent grants. Mr. Hirshfeld has further played a lead role to ensure that the examining corps is provided with updated examination guidance and training.

Prior to serving as Commissioner for Patents, Mr. Hirshfeld held the positions of Deputy Commissioner for Patent Examination Policy and Chief of Staff to the Under Secretary of Commerce for Intellectual Property and Director of the USPTO. Mr. Hirshfeld began his career in 1994 as a Patent Examiner, he became a Supervisory Patent Examiner in 2001, and was promoted to the Senior Executive Service in 2008 as a Group Director in Technology Center 2100.

Mr. Hirshfeld received a Bachelor of Science from the University of Vermont, and a J.D. from Western New England College School of Law.



**United States Patent and Trademark
Office**

Commissioner for Trademarks

David S. Gooder

David S. Gooder is the Commissioner for Trademarks at the United States Patent and Trademark Office (USPTO). The Commissioner serves as the primary agency official for trademarks, domestically and internationally, and is responsible for all aspects of the Trademarks organization, including policy, operations, and budget relating to trademark examination, registration, and maintenance.

Mr. Gooder has worked for more than 25 years on intellectual property and brand-protection challenges facing iconic global brands, notably in the distilled spirits and wine industries. Prior to joining the USPTO, he served as the founding Managing Director and Chief Trademark Counsel at Jack Daniel's Properties. Additionally, he was the Chief Trademark Counsel for Brown-Forman Corporation, which owns over 30 distilled spirits and wine brands. In that position, Mr. Gooder directed the company's global intellectual property work, including its large trademark portfolio, rights clearance, brand protection (including anti-counterfeiting), licensing, and entertainment deals for the brands. Before that, Mr. Gooder practiced trademark, copyright, and entertainment law at Graham & James in Los Angeles and Luce Forward in San Diego.

Mr. Gooder has been an officer and served two terms on the Board of Directors for the International Trademark Association (INTA). He has also served as Chairman of the INTA Foundation. Prior to his legal career, Mr. Gooder was a drummer and a video and music director. He is also an Eagle Scout.

Mr. Gooder is a member of the State Bar of California. He received his Juris Doctor from the University of Arizona College of Law.



**United States Patent and Trademark
Office**

**Acting Chief Policy Officer and
Director for International Affairs**

Mary Critharis

Ms. Critharis currently serves as Senior Patent Counsel in Office of Policy and International Affairs of the United States Patent and Trademark Office (USPTO) where she leads the development of domestic and international patent-related policies; represents the US at international meetings and treaty negotiations at the World Intellectual Property Organization; serves as the lead patent advisor to the Office of the United States Trade Representative on US free trade agreements; and develops Administration positions on legislative matters. Ms. Critharis is also a member of various IP-related committees within the US government.

In addition to her current position at the USPTO, Ms. Critharis was an Associate Solicitor in the Solicitor's Office where she participated in appellate litigation, including drafting motions and briefs on IP issues before the Federal Circuit and the US Supreme Court. Ms. Critharis also served as a patent examiner in the chemical and pharmaceutical arts.

Supplementing her USPTO experience, Ms. Critharis was Counsel to a large firm where she provided legal and strategic advice to global clients on domestic and international IP matters.

She also served as counsel to the Senate Judiciary Committee where she advised Congress on legislative matters concerning IP, antitrust, and health law.

Ms. Critharis has lectured worldwide on a variety of industrial property issues, focusing on patenting emerging technologies. She is the recipient of the 2008 Presidential Rank Award of Meritorious Senior Professional for her demonstrated leadership in advancing the intellectual property interests of American enterprises in the global economy.

Ms. Critharis received her law degree from Brooklyn Law School, where she was the executive editor of the international law journal. Ms. Critharis also has an MS in biotechnology from Johns Hopkins University and an MS in physical chemistry from New York University, where she studied the effects of stereochemistry on carcinogenicity. Prior to graduate school, Ms. Critharis received her BA in chemistry and political science from New York University.



**United States Patent and Trademark
Office**

Chief Financial Officer

Jay Hoffman

Jay Hoffman is the Chief Financial Officer (CFO). As CFO, Mr. Hoffman is the principal advisor to the USPTO Director in supporting and improving the accounting, budgeting, planning, contracting, and organizational performance systems of the USPTO. His responsibilities include managing the fiscal operations of the USPTO and providing leadership in areas defined by the Chief Financial Officers Act of 1990 and other legislation designed to improve integrity in federal financial management. Mr. Hoffman oversees an annual budget exceeding \$3 billion.

Mr. Hoffman has more than 22 years of federal financial management experience, including more than 15 years as a member of the Senior Executive Service (SES). He has work experience at two cabinet-level federal agencies and an independent commission where he has led efforts for the U.S. government in support of major national goals including health and safety, energy technology, and economic recovery.

Mr. Hoffman previously served as the CFO for the U.S. Consumer Product Safety Commission (CPSC) for eight years where he was the principal adviser to the CPSC Chairman on all aspects of financial management. Prior to joining the CPSC, Mr. Hoffman served as the Director of Program Analysis and Evaluation at the Department of Energy for six years and was the Department's first Performance Improvement Officer. He spent seven years at the Department of Treasury serving in a number of roles, including at the United States Mint, where he was the Budget and Planning Director.

Mr. Hoffman is a recipient of the Meritorious Presidential Rank Award given annually by the President to no more than 5% of the federal government's SES in recognition of "sustained extraordinary accomplishment" throughout their executive tenure.

Mr. Hoffman has a Bachelor of Science in economics from the University of Nebraska and a Master of Public Administration from Indiana University. He is also a former Presidential Management Fellow and has attained a Certified Government Financial Manager certification by the Association of Government Accountants.



**United States Patent and Trademark
Office**

Chief Administrative Officer

Frederick Steckler

Fred Steckler is the Chief Administrative Officer. He is responsible for the delivery of all administrative service support functions for USPTO including human capital strategy, human resource management, telework policy and programs, facilities management, safety and security, transportation, asset and records management.

Mr. Steckler joined USPTO from the consulting firm Booz Allen Hamilton, where he served as an Executive Advisor in the Organization and Strategy Team's Human Capital and Learning Practice. Prior to Booz Allen, he was the Director of Account Development and Management for the Government Consulting Services Unit of Watson Wyatt Worldwide. Before Watson Wyatt, Mr. Steckler served as the General Deputy Assistant Secretary for Administration and Deputy Chief Information Officer at the U.S. Department of Housing and Urban Development (HUD). In addition to HUD, he has held consulting and business operations positions with IBM and Coopers & Lybrand. Mr. Steckler also served as the Executive Director of Northern Virginia AIDS Ministry, a non-profit community service organization in Northern Virginia.

Mr. Steckler began his career as a shipboard officer in the U.S. Navy and was a member of the commissioning crew of the USS Vandegrift (FFG-48). He later served as Second Company Officer and then Executive Assistant to The Commandant of Midshipmen at the United States Naval Academy.

Mr. Steckler received a Bachelor of Arts degree in economics from Duke University and a Master of Business Administration from The George Washington University.



**United States Patent and Trademark
Office**

**Chief Judge for the Patent Trial and
Appeal Board**

Scott R. Boalick

Scott R. Boalick is the Chief Judge for the Patent Trial and Appeal Board (PTAB). In this role, he leads the PTAB as it conducts post-grant trials, including inter partes reviews, post-grant reviews, covered business method patent reviews and derivation proceedings, and as it hears appeals from adverse examiner decisions in patent applications and reexamination proceedings.

Chief Judge Boalick was appointed to the Board in 2007. Prior to becoming the Chief Judge, he served as an Administrative Patent Judge, Lead Judge, Vice Chief Judge, and Deputy Chief Judge.

Before joining the USPTO, Mr. Boalick served as a patent attorney with the Department of the Navy at the Naval Surface Warfare Center Carderock Division and the Naval Surface Warfare Center Dahlgren Laboratory. In these roles, he advised clients concerning a wide range of intellectual property issues, including patent, trademark, copyright, technology transfer, administrative claims, and rights in technical data and computer software. He prepared and prosecuted patent applications and assisted the Invention Evaluation Board to select and prioritize inventions for patenting. Before that, he practiced with Fish & Richardson in Washington, D.C., where he counseled clients on all aspects of protecting intellectual property, including patent acquisition, portfolio management, and litigation. He litigated claims of patent infringement in the International Trade Commission, district court, and the Federal Circuit, and also prepared and prosecuted numerous patent applications in a variety of technology areas. Prior to his time at Fish & Richardson, Mr. Boalick served as a law clerk to the Hon. Alvin A. Schall of the United States Court of Appeals for the Federal Circuit.

Mr. Boalick began his career as an officer in the U.S. Navy, serving as a division officer on the USS Mobile Bay (CG-53) and as an instructor at the Surface Warfare Officer School. After his active duty service, he worked as a radar systems engineer at Technology Service Corporation.

Mr. Boalick earned a J.D., magna cum laude, from Georgetown University Law Center where he was a Notes and Comments Editor of The Georgetown Law Journal and received the Leon Robbin Patent Award. He earned both an M.S.E. in Systems Engineering and a B.S.E. in Electrical Engineering, magna cum laude, from the University of Pennsylvania.



**United States Patent and Trademark
Office**

**Chief Administrative Trademark
Judge**

Gerard F. Rogers

Gerard Rogers is the Chief Administrative Trademark Judge of the Trademark Trial and Appeal Board (TTAB). He was appointed to the position in November 2010 after serving a year as Acting Chief Judge.

The TTAB Chief Judge reports directly to the Office of the Under Secretary and Director of the USPTO, and is responsible for all ongoing operations of the TTAB, as well as strategic planning for future operations.

The TTAB hears and decides appeals by trademark applicants from final refusals of registration issued by USPTO examining attorneys; oppositions brought by outside parties to challenge applications approved by examining attorneys; petitions filed by outside parties to cancel trademark registrations issued by the USPTO; and determines geographic division of territories for marks involved in concurrent use proceedings.

Before taking on responsibility for TTAB operations, Chief Judge Rogers spent 10 years serving as one of the board's judges, sitting on panels to hear appeal and trial cases, and authoring final decisions in such cases. He also was the primary author of a package of rule changes issued in 2007 that changed the ways in which trial cases at the TTAB are prosecuted and defended.

Chief Judge Rogers began his career at the USPTO in December 1987 as a Trademark Examining Attorney, served as a staff attorney for the Assistant Commissioner for Trademarks, and joined the TTAB as an Interlocutory Attorney in 1992. He was named a judge of the TTAB in 1999.

A graduate of the University of Massachusetts at Amherst, Chief Judge Rogers earned his J.D. from New England School of Law.



United States Patent and Trademark Office (USPTO)

Mission

The USPTO’s mission is to 1) foster innovation, competitiveness, and job growth in the United States by conducting high quality and timely patent and trademark examination and review proceedings in order to produce reliable and predictable intellectual property rights; 2) help set intellectual property policy for the United States, such as improving the protection of intellectual property rights; and 3) deliver intellectual property information and education in the United States and across the world. Since the Copyright Office is part of the legislative branch, the USPTO is the principal advisor to the executive branch on copyright policy.

Locations and Workforce Demographic Trends

The USPTO is headquartered in Alexandria, Virginia. As of September 1, 2020, USPTO employs 12,743 individuals. The majority of these employees are assigned to the Alexandria campus. Additionally, 351 employees work at one of the four USPTO Regional Office: 68 employees in Detroit, Michigan; 85 employees in San Jose, California; 98 employees in Denver, Colorado; and 100 employees in Dallas, Texas. Since March 13, 2020, nearly all USPTO employees are teleworking full-time. Before the pandemic, approximately 58% of our employees teleworked full-time and another 30% teleworked at least one day per week.

Historical Total Staffing Levels (Positions)

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 President’s Budget
12,588	12,579	12,652	12,941	14,018 ¹

As of FY 2020, the workforce is 64% Male, 36% Female, 47% White, 28% Asian-American, 19% African-American, 4% Hispanic/Latino, and 2% Other.

¹ Reflects the published FY 2021 President’s Budget. Operating plan for FY 2021 has been revised to 13,472.

**Budget Trend – Appropriations (\$ in Millions)**

	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 President's Budget
Authorized	\$3,079	\$3,337	\$3,399	\$3,683	\$3,695
Obligations	\$3,204	\$3,304	\$3,342	\$3,516	\$3,874

The USPTO is fully user-fee funded, which results in an annual appropriation of \$0 in net budget authority. The Authorized amount (above) represents fees collected. When the appropriated amount exceeds actual collections, spending authority is reduced to the level of actual collections. When actual collections exceed the appropriated amount, by law the fees collected in excess of the appropriation are deposited in the Patent & Trademark Fee Reserve Fund (PTFRF) for USPTO's exclusive use. To the extent provided for in annual appropriations acts, the USPTO may gain access to such amounts via the reprogramming process.

Regarding the FY 2019 Actual Authorized amount (above), the USPTO's appropriated level for FY 2019 was \$3,337M. However, the USPTO collected more than \$3,337M in fees. In 2019, the USPTO requested to reprogram \$29M from the PTFRF to the agency's operating reserves. This request was approved by the House and Senate Committees on Appropriations, which retroactively increased the FY 2019 Authorized level to \$3,399M.

The USPTO's appropriated level for FY 2020 was \$3,451M. Due to a patent fee increase, which became effective October 2, 2020, the USPTO received a surge in patent fee pre-payments in September 2020, which resulted in total collections of \$3,683M,² with \$232M in fees being deposited in the PTFRF. As of the date of this memorandum, a reprogramming request is in process. The Authorized amount shown in the table above assumes that this request will be approved.

For FY 2021, the amounts listed above reflect the President's Budget; however, USPTO's current projections of FY 2021 revenue and spending requirements are substantially different from those estimates, which were finalized in December 2019. Our latest formal revenue re-estimate (July 2020) forecasts \$3,227M in fee collections and \$3,780M in obligations. This is largely due to the impact of the pandemic, resulting in the filing of fewer patent and trademark applications and the payment of fewer maintenance fees, and a shift in the implementation date of fee rate increases. Updated forecasts will be produced in November 2020. The USPTO maintains operating reserves (distinct from the PTFRF) to address revenue shortfalls.

² The USPTO's financial statements recognize \$3,702M in FY 2020 fee collections. Approximately \$20M was collected by USPTO in FY 2020 but was "in transmittal" and not recognized by the Treasury's systems until October 1, 2020 (i.e., FY 2021). As such, while these fees were collected in FY 2020, they were not deposited in the PTFRF and are not reflected in our authorized level. They will be recognized as part of our FY 2021 collections.



Principal Responsibilities³

Patents (2020 Actual \$2,219M)

USPTO's Patents organization examines patent applications and grants patents on inventions. Patents comprises 10,188 staff, principally based at the Alexandria headquarters, but also distributed among four regional offices and across the country. Key performance metrics include application pendency (23.3 months as of the end of FY 2020, down from 25.3 months in FY 2016) and unexamined application backlog (currently 576,000 applications). In FY 2020, the USPTO received roughly 450,000 new patent applications and issued roughly 360,000 patents.

Trademarks (2020 Actual \$176M)

USPTO's Trademarks organization examines applications and issues registrations of marks. Trademarks comprises 949 staff, principally based at the Alexandria headquarters but also distributed across the country through the agency's telework program. Key performance indicators include pendency, targeted at less than 12 months, and currently at 9.5 months.

Patent Trial and Appeal Board (2020 Actual \$85M)

USPTO's Patent Trial and Appeal Board adjudicates and decides appeals from patent examiner rejections and hears and decides *inter partes* trials. PTAB comprises 380 staff in Alexandria and in the nationwide workforce.

Trademark Trial and Appeal Board (2020 Actual \$15M)

USPTO's Trademark Trial and Appeal Board adjudicates and decides appeals of trademark refusals and *inter partes* trials. TTAB comprises 73 staff in Alexandria and in the nationwide workforce.

Office of Policy and International Affairs (2020 Actual \$38M)

USPTO's Office of Policy and International Affairs (OPIA) assists the USPTO Director in advising on domestic and international IP issues, negotiates international IP agreements, and develops U.S. domestic and international IP policy. OPIA comprises 113 staff.

Office of the Chief Information Officer (2020 Actual \$563M)

As a production-oriented entity, the USPTO relies upon IT as a mission-critical enabler for every aspect of its operation. The quality, efficiency, and productivity of patent and trademark operations correlate to the performance of their IT systems. OCIO comprises 716 positions.

³ All budget and staffing levels in this section represent FY 2020 actuals (as of September 30, 2020).



Summary of Major Organizational Improvement Initiatives

Patents Reorganization

The Patents organization currently has approximately 10,000 employees. Under its previous organizational structure, the Deputy Commissioner for Patent Operations oversaw over 90% of the staff, including all patent examiner Technology Centers (TCs). In August 2020, Patents began the process of restructuring to rebalance the workload and responsibilities of all Deputy Commissioners, shifting the oversight of the TCs from one Deputy Commissioner to four Deputy Commissioners. The fifth Deputy Commissioner oversees specific operational functions, such as the Office of Patent Quality Assurance, that perform independent review of examination work. The integration of examining and non-examining functions fosters teamwork and the sharing of diverse perspectives, facilitates cross-training of the management staff, provides enhanced developmental opportunities, and better balances the number of employees.

Stabilization of Mission-Critical Legacy Products

To combat outages and/or degradation of critical agency tools, the agency identified and stabilized all of the agency’s “high risk” systems in FY 2019. In 2020, OCIO stabilized an additional 14 systems, with an additional seven targeted later in FY 2021. Of the 30 remaining systems, they are targeted for stabilization in FYs 2021 and 2022. In addition to stabilization efforts, the team developed a set of practices for ongoing system health.

Strategic Partnerships, Key Stakeholders, and Interagency Groups

National Council for Expanding American Innovation (NCEAI)

The NCEAI was created due to a recommendation in the USPTO’s 2018 SUCCESS Act study and report sent to Congress in 2019, which found that women and minorities are underrepresented as inventors named on US-granted patents. The report encouraged the creation of a high-level council of industry, academic, and government leaders tasked with helping develop a national strategy for increased participation of underrepresented groups in innovation.

Public Advisory Committees

Established by 35 U.S.C. § 5, the Patent Public Advisory Committee (PPAC) and Trademark Public Advisory Committee (TPAC) review the policies, goals, performance, budget, and user fees of the patent and trademark operations, respectively, and advise the Director.

Industry Groups

USPTO has productive relationships with leading IP organizations, such as the American Intellectual Property Law Association (AIPLA), the Intellectual Property Owners Association (IPO), the International Trademark Association (INTA), and the American Bar Association IP Section (ABA-IP).



Smithsonian

The USPTO and the Smithsonian have an ongoing collaboration involving educational events and exhibits on patents, trademarks, copyrights, and protection of IP rights.

Any Potential Congressional or Media Issues (first 100 days from 1/20/21)

Permanent Extension of TEAPP Authority

The Telework Enhancement Act Pilot Program (TEAPP), authorized by the Telework Enhancement Act of 2010, allows employees to work anywhere in the United States and to waive their right to travel expenses for a reasonable number of mandatory trips to the USPTO. This program supports the agency's efforts to recruit and retain highly capable examiners, and its authority expires December 31, 2020.

Reintroduction of Trademark Statute Legislation

In the last Congress, there was a legislative effort to help combat increasingly suspected trademark application fraud, primarily from overseas applicants. Bipartisan, bicameral legislation had broad stakeholder support and will likely be reintroduced as a top IP legislative priority.

Introduction of Section 101 Reform Legislation (Patents)

Efforts at clarifying subject matter eligibility are pending in the 116th Congress, and likely will remain a subject of interest for Congress. Previous drafts of the legislation were circulated however, a draft bill was not formally introduced.

Reintroduction of Legislation to Require Collection of Demographic Data

Spurred by the 2019 SUCCESS Act, several efforts were made to introduce legislation that would require the USPTO to voluntarily collect demographic data from patent applicants. The 117th Congress will likely re-visit legislative solutions to increase diversity in inventorship.

Financial Health of Agency

With the onset of the COVID-19 pandemic, filings and fee collections entered a period of uncertainty. Beginning with impacts to trademark filings, and later patents, there has been media, stakeholder, and congressional concern about the agency's ability to fund operations with lower than expected revenue.

Introduction of Legislation to Adjust Deadlines

Under current statute, the USPTO's ability to waive legal deadlines for applicants during emergencies is limited. Having permanent authority to waive legal deadlines for applicants during emergencies or interruptions, including those that impact the USPTO's electronic filing system, would serve to benefit our stakeholders.

Introduction of Legislation to Modify Copyright Statute

In the 116th Congress, the Senate Judiciary Subcommittee on Intellectual Property held a series of hearings that examined various aspects of the Digital Millennium Copyright Act (DMCA) of 1998. It is likely that this issue will be revisited in the 117th Congress, with an aim to modernizing aspects of the DMCA to address an evolving copyright marketplace.

Introduction of Legislation to Add Felony Penalty to Streaming Piracy



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Momentum and broad support are coalescing over the conversion of the penalty of commercial streaming piracy from misdemeanor to felony. The issue is likely to resurface in the new Congress to address large-scale streaming piracy.

Introduction of COVID-related Drug Pricing Legislation

Throughout the 116th Congress, but amplified during the COVID-19 pandemic, Congress considered drug-pricing practices and the role of patents in pricing. It is likely that legislative efforts to address drug pricing will be re-addressed in the 117th Congress.

USPTO Revenue Risk Management

The USPTO is a 100% user fee-funded agency where revenues are derived from applicants seeking patent and trademark services; the agency's funding stream is closely linked to U.S. and global economies' activity. The USPTO continues to closely monitor domestic and global IP economic trends related to the COVID-19 pandemic's effect on actual and expected revenue.

Constitutionality of USPTO Administrative Patent Judges (APJs)

The USPTO is currently addressing a constitutional challenge to the appointment of APJs as inferior officers under the Appointments Clause. A case on this issue is pending before the U.S. Supreme Court.

Improving the Reliability and Stability of Patent Rights

The USPTO has made procedural changes to post-grant proceedings before the PTAB, such as limiting the opportunity for a party to repeatedly challenge the same patent or to re-litigate the same issues already considered and addressed by the USPTO in another proceeding. A request for comments is pending that asks the public for feedback on these and other procedural reforms so that the agency can consider rulemaking in this area.

Intellectual Property Issues Related to China

Phase One of the January 15, 2020 United States-China economic and trade agreement includes a section addressing many of the intellectual property-related challenges identified by U.S. stakeholders in China, including with respect to trade secrets, patents, trademarks, and copyrights. The USPTO collaborates with the Administration and U.S. Trade Representative to secure commitments from China to enhance U.S. stakeholders' ability to protect and enforce their intellectual property rights in China.

Assessment of Office Space Needs

The USPTO campus in Alexandria includes six buildings, comprising 2,400,000 square feet of office space leased at a cost of approximately \$100M per year. Satellite facilities provide another 323,000 square feet of office space. The Alexandria campus lease expires in 2024, and the USPTO is actively assessing office space needs in and around the Alexandria campus to ensure efficient and cost-effective use of agency resources.

Awaiting Decisions (first 100 days from 1/20/21)

Trademark Fee Adjustment Final Rule

The USPTO published a notice of proposed rulemaking to adjust certain trademark-related fees on June 19, 2020, with a 60-day public comment period. Consideration of a final rule is



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underway. If the final rule goes into effect in January 2021, it will result in increasing trademark fee revenue from about \$76M to \$91M each year, beginning FY 2021.

Quick Wins (first 100 days from 1/20/21)

None at this time.

Points of Contact

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Complete the 2020 Decennial Census (Census Bureau)

Executive Summary

Based on an October 13, 2020, decision by the U.S. Supreme Court, the U.S. Census Bureau ended data collection for the 2020 Census on October 15, 2020 with a final response rate of 99.98 percent nationwide. After the completion of data collection operations, the next major step in the census is post-processing. Post processing refers to the Census Bureau's procedures to summarize the individual and household data into usable, high-quality, tabulated data products. The Census Bureau is working hard to process the data to deliver complete and accurate state population counts by the December 31, 2020, statutory deadline. Additionally, the Census Bureau will be producing data in furtherance to a Presidential Memorandum relating to the exclusion of undocumented immigrants from the apportionment counts.

After delivery of the apportionment counts, the next statutorily required data delivery is a requirement that the Census Bureau deliver redistricting data before April 1, 2021. Also, on the agenda is delivery of a Citizen Voting Age Population (CVAP) file that includes citizenship data.

Background

The U.S. Constitution requires that an "actual Enumeration" be conducted every 10 years and vests Congress with the authority to conduct that census "in such Manner as they shall by Law direct." (U.S. Const. art. I, § 2, cl. 3) Through the Census Act, 13 U.S.C. § 141, Congress has delegated to the Secretary of Commerce the responsibility to conduct the decennial census "in such form and content as he may determine." The Census Act requires the Secretary of Commerce to report to the President the "tabulation of total population by States . . . within 9 months after the census date," meaning by December 31, 2020. (13 U.S.C. § 141[b]) After receiving the Secretary's report, the President, under a different statutory provision, calculates "the number of Representatives to which each State would be entitled" and transmits the resulting information to Congress. (2 U.S.C. § 2a[a]) The Census Act further requires the Census Bureau to transmit redistricting data to governors of each state and public officials responsible for legislative redistricting within 1 year after the census, meaning by April 1, 2021.

The Census Bureau prepared extensively for the 2020 Census. It completed its early field operation, Address Canvassing, on time in 2019 and began the self-response phase of the census in March 2020 along with certain field operations. In March 2020, it became clear that COVID-19, and the various restrictions recommended by public health officials and imposed by state and local governments to reduce its spread, would affect the Census Bureau's plans.

Following months of effort to minimize Census workers' exposure to COVID and adjust the Census schedule to accommodate the unexpected complications and delays caused by the pandemic, on August 3, 2020, the Secretary and the Director jointly announced a new compressed schedule designed to permit the Census Bureau to meet its December 31, 2020, statutory deadline. Several lawsuits were filed in U.S. District Courts across the nation



challenging this new compressed schedule, resulting in a decision by the U.S. Supreme Court on October 13, 2020 upholding the Census schedule. Shortly after that decision, the Census Bureau announced that it would end data collection on October 15, 2020.

On July 11, 2019, the President issued an "[Executive Order on Collecting Information about Citizenship Status in Connection with the Decennial Census](#)." This Executive Order declared that it was "the policy of the United States to develop complete and accurate data on the number of citizens, non-citizens, and illegal aliens in the country" and directed identified federal agencies to convey administrative records on this subject to the Census Bureau. Related to the Executive Order, the Secretary directed the Census Bureau to produce data that distinguishes citizens and noncitizens of voting age in the same time frame as redistricting data are delivered.

On July 21, 2020, the President issued the "[Memorandum on Excluding Illegal Aliens from the Apportionment Base Following the 2020 Census](#)." This Memorandum directed the Secretary to provide information that would permit the President to exercise his discretion to carry out a policy excluding illegal aliens from the apportionment base. Various lawsuits have been filed challenging the legality and constitutionality of this Memorandum; oral argument on this subject in the U.S. Supreme Court is set for November 30, 2020.

To address any concerns about the quality of the 2020 Census data due to COVID-19 or the accelerated schedule and following a standard process for examining data quality issues, the Census Bureau set up a 2020 Census Data Quality Executive Governance Group (EGG) to provide guidance and vet statements about the quality of the 2020 Census data. The Census Bureau is drawing upon internal expertise in the fields of census operations, statistical methodology, acquisition and utilization of administrative records, and in the social, economic, and housing subject areas.

Key Progress to Date

The Census Bureau has completed all operational phases of the 2020 Census, except post-processing and production of data. As of October 16, well over 99.9 percent of addresses nationwide have been accounted for in the 2020 Census, with 67.0 percent accounted for through self-response online, by phone, or by mail, and 32.9 percent accounted for through our Nonresponse Followup Operation. The self-response rate is higher than the final self-response rate for the 2010 Census. Over 99.9 percent of addresses have been resolved in 49 states, plus the District of Columbia and Puerto Rico. The remaining state, Louisiana, was 99.0 percent complete as of October 16.

Key Challenges to Date

COVID-19 challenged data collection and delayed the subsequent processing of responses. A decennial census is challenging by nature; uncertainty from COVID, changing deadlines, and pending litigation have created significant additional operational challenges with this census.



Planning for the Future

Key decisions about the remaining phases of data delivery from the 2020 Census will need to be made in early 2021. These issues include whether data associated with the Presidential Memorandum should be produced (if it has not already been produced) and how the CVAP data should be produced and how it will be applied to the 2020 Census. Immediate coordination on budget matters will be required to allow timely completion of the 2020 Census and strategic planning for the 2030 Census. This may include operation under a Continuing Resolution for the FY21 budget and finalization of the FY22 budget proposal.

Relevant External Stakeholders

- Congress
- State legislatures and other redistricting bodies
- Advisory Committees (Census Scientific Advisory Committee, National Advisory Committee)
- Federal, state, and local governments
- Researchers
- Partnerships (through Census Bureau partnership program)

Next Steps/Upcoming Deadlines/Timing

October 15, 2020	Completion of data collection
December 31, 2020	Statutory deadline for delivery of apportionment counts
April 1, 2021	Statutory deadline for delivery of redistricting data



Use Commerce Tools to Address China and Other Strategic Competitors (OS, BIS, ITA, NTIA, NIST, USPTO)

Executive Summary

The Department of Commerce and entire U.S. Government remain open to constructive, results-oriented engagement and cooperation with China where our interests align, but our mission is to protect the United States' vital interests. The Department of Commerce's China-related activities align with the four pillars of the 2017 National Security Strategy of the United States of America: 1) protect the American people, homeland, and way of life; 2) promote American prosperity; 3) preserve peace through strength; and 4) advance American influence. The Department's agenda is executed by multiple agencies and ongoing lines of effort, including:

- The **International Trade Administration (ITA)** counters national economic security threats posed by China through supply chain analysis; trade law enforcement and compliance; trade and investment promotion; bilateral and multilateral commercial diplomacy; and efforts to incentivize the reshoring of important and strategic supply chains, including through the recent and ongoing semiconductor initiative. Additionally, ITA promotes U.S. interests in areas of strategic importance, including 5G, critical minerals, standards, and intellectual property.
- The **Bureau of Industry and Security (BIS)** fosters, serves, and promotes the Nation's economic development and technological advancement through regulatory actions related to export controls, including the administration and enforcement of the Export Administration Regulations (EAR). Export controls pursuant to the EAR complement other Department authorities (e.g., the Committee on Foreign Investment in the United States [CFIUS]) addressing the acquisition of U.S. technology enabling unauthorized military modernization, weapons of mass destruction proliferation, and human rights abuses by China and others. Additional responsibilities include addressing adversary nation strategies, such as the Made in China (MIC) 2025 and Military-Civil Fusion (MCF), contrary to U.S. national security and foreign policy interests.
- The **National Telecommunications and Information Administration (NTIA)** is supporting the implementation of the Executive Order on Securing the Information and Communications Technology and Services (ICTS) Supply Chain in collaboration with the Office of Intelligence and Security and BIS. The pending regulations create processes and procedures that the Secretary of Commerce will use to identify, assess, and address certain transactions, that: 1) involve ICTS designed, developed, manufactured, or supplied, by persons owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary; and 2) pose an undue or unacceptable risk.
- The **U.S. Patent and Trademark Office (USPTO)** has a dedicated group of China intellectual property (IP) experts, the China team, that work with U.S. government agencies and China counterparts to improve the IP environment in China for the benefit of U.S. companies. The China team works with its U.S. Trade Representative (USTR) counterparts on other challenges including confronting competition from China's growing technological advances. USPTO's China IP work comprises of advising and coordinating with U.S. government agencies and China counterparts to resolve IP issues, promoting U.S. IP policy, encouraging effective IP protection and enforcement in China,



5-1 b Use Commerce Tools to Address China and Other Strategic Competitors

and securing high standards in China IP laws and trade agreements, for the benefit of U.S. rights holders.

- The **National Institute of Standards and Technology (NIST)** plays a key role in opposing China's malign influence in determining how next generation technologies – from advanced telecommunications to artificial intelligence – will work. NIST plays this important role through its research and development (an area China has been investing larger and larger sums), by coordinating the Federal Government's engagement in standards development organizations, supporting the Department of State in multilateral fora that develop standards, engaging with private sector partners, and by resisting attempts to dominate the standards landscape for key critical and emerging technologies.
- The **Office of the Secretary's Office of Intelligence and Security (OIS)** plays a key role in assessing the national security threats posed by the ICTS equipment of foreign adversaries, including China, and in supporting the implementation of the Executive Order on Securing the ICTS Supply Chain in collaboration with NTIA and BIS.

Key Challenges to Date

- China has implemented laws, policies, and practices related to technology, innovation, and intellectual property that may encourage or require the transfer of American capital, technology, and intellectual property to Chinese enterprises and negatively affect American economic interests. These laws, policies, and practices inhibit U.S. exports, deprive U.S. citizens of fair remuneration for their innovations, divert American jobs to workers in China, contribute to our trade deficit with China, and otherwise undermine American manufacturing, services, and innovation. China seeks to use these policies to dominate key strategic sectors to control future economic and military conflicts.
- Through the Chinese Belt and Road Initiative (i.e., One Belt One Road Initiative), Chinese companies, whether state-owned or otherwise beholden to the Chinese Communist Party (CCP), have pledged over \$1 trillion in infrastructure investments globally, although a substantial portion of these pledges will never materialize. China's aggressive lending for often ill-considered projects raises serious concerns about many poor and already heavily indebted countries' debt burdens. China's overseas investment activities simultaneously encourage dependency on Beijing and promote behaviors that benefit the CCP under the auspices of assisting with global development.
- The Chinese government's massive stimulus and its MIC 2025 program, which calls for global leadership in various technological sectors, particularly semiconductors and 5G, by 2025, has led to global overcapacity in strategic sectors and displaced the sales of U.S. domestic and export sales, both in China and third markets.
- For years, U.S. industries have expressed concern about China and other countries manipulating their currencies to increase their exports. Members of Congress from both parties have long called on successive Administrations to take tougher action on currency misalignment by U.S. trading partners.
- Adapting U.S. export controls to keep pace with adversaries' changing tactics to illicitly acquire U.S. technologies requires constant vigilance, including by amending controls, identifying end users of concern, and monitoring compliance.
- China is quickly closing the research and development gap, which drives technological innovation, standards development, and ultimately market power. China has continuously



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increased its R&D spending by double-digit percentages—in 2019 total public and private R&D funding rose 12.5%.

- Many technologies sought by adversaries are below multilateral control thresholds or may be ubiquitous or globally available (e.g., cameras used for surveillance), which requires novel use of export authorities (e.g., end-use/user controls, controls on foreign-produced items) to address these threats.
- The President determined in May 2019 that the unrestricted acquisition or use of ICTS that are designed, developed, manufactured, or supplied by persons owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Implementing the Executive Order on Securing the ICTS Supply Chain has been challenging.
- U.S. companies doing business in China continue to face a range of challenges in protecting and enforcing their IP, as well as in navigating China's complex IP system.
- China continues to allocate vast resources towards becoming a technological competitor by making advancements in critical and emerging technologies such as 5G, IoT, and AI. In addition, China has pressured U.S. companies to transfer their technology to Chinese entities, directed and unfairly facilitated the acquisition of U.S. companies and assets by domestic firms to obtain cutting edge technologies, and conducted and supported unauthorized cyber intrusions into U.S. companies' networks to access sensitive information and trade secrets.
- Chinese mobile apps, such as TikTok and WeChat, can threaten the national security, foreign policy, and economy of the United States as well as the privacy of and access to accurate information by the American people. These apps capture vast swaths of information from users, including Internet and network activity information; location data; and browsing and search histories. This data threatens to allow the Chinese Communist Party access to Americans' personal and proprietary information, including the potential locations of Federal employees and contractors and access to dossiers of personal information for blackmail or corporate espionage. These applications can also be mouthpieces for Chinese propaganda, by shaping content made available to app users.

Key Progress to Date

- ITA completed supply chain analysis work at the request of the NSC. Certain critical supply chains have started reshoring, including the recent announcement by TSMC of a \$12 billion leading edge silicon chip fab in Arizona. The Department also drafted the Federal Strategy to Ensure Secure and Reliable Supplies of Critical Minerals.
- ITA has vigorously continued to administer trade enforcement and compliance, including 211 antidumping and countervailing duty (AD/CVD) orders on imports from China. Additionally, Commerce published a final regulation on February 4, 2020, on countervailing subsidies associated with currency undervaluation that clarifies how Commerce will apply CVD law to subsidies resulting from currency undervaluation.
- ITA, including the Advocacy Center, coordinates USG resources and authority in order to level the playing field on behalf of U.S. business interests as they compete against foreign firms, including Chinese firms that are often supported by the government, for specific foreign government tenders or other U.S. export opportunities that involve strategic industries.



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- The Department provided analysis for USTR's Section 301 Report into China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation.
- The USG has counterbalanced Chinese participation and proposals in the International Organization for Standardization (ISO), reducing the number of standards under development from China's original 56 to 3, one each for terminology, safety, and hygiene.
- The Department sent a report to Congress on foreign direct investment transactions made by entities of the People's Republic of China required under the John S. McCain National Defense Authorization Act for Fiscal Year 2019.
- BIS has expanded controls on unilaterally controlled items when destined for certain military end uses/users. Additionally, BIS has identified parties acting contrary to U.S. national security and foreign policy interests on the Entity List, including Chinese parties enabling human rights violations in the Xinjiang Uyghur Autonomous Region, Chinese and Russian military end users, parties supporting Pakistan's and Iran's WMD programs, and 153 Huawei-related affiliates associated with the Department of Justice indictments related to sanctions violations and criminal activities.
- On September 26, BIS announced the addition of 24 Chinese entities to the Entity List for their role in helping the Chinese military construct and militarize the internationally condemned artificial islands in the South China Sea.
- BIS has expanded controls on foreign-produced items purchased or destined for Huawei; eliminated a license exception related to civil end users to address MCF concerns; proposed an elimination of license exceptions related to re-exports of U.S. items to address diversion concerns; and expanded collaboration with interagency partners to identify, detain, and investigate possible violations.
- On November 27, 2019, the Department published a Notice of Proposed Rule Making to implement the terms of the Executive Order on ICTS. The proposed rule sets forth processes for 1) how the Secretary would identify and assess transactions involving ICTS to determine whether they involve a foreign adversary and if they pose an undue risk of sabotage to or subversion of the ICTS supply chain, or an unacceptable risk to the national security of the United States or the security and safety of U.S. persons; 2) how the Secretary would notify parties to transactions under review of the Secretary's decision regarding the ICTS Transaction, including whether the Secretary would prohibit or mitigate the transaction; and 3) how parties to transactions reviewed by the Secretary could comment on the Secretary's preliminary decisions. The proposed rule also provided that the Secretary could act without complying with the proposed procedures where required by national security. Finally, the Secretary would establish penalties for violations of mitigation agreements, the regulations, or the Executive Order.
- On August 6, 2020, the President signed two Executive Orders to address the threats posed by TikTok and WeChat as well as their respective parent companies, ByteDance and TenCent. Pursuant to the TikTok and WeChat Executive Orders, on September 18, the Department published lists of prohibited transactions with TikTok and WeChat. Currently, the Department has been preliminarily enjoined from enforcing the list of prohibited transactions due to pending litigation.
- The U.S. and China signed a Phase One trade agreement on January 15, 2020. Phase One includes chapters dedicated to forced technology transfer and addressing many of the IP challenges identified by U.S. stakeholders, including trade secrets; patents and



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pharmaceutical-related IP; enforcement against trademark and copyright infringement; bad faith trademarks; and geographical indications. Both parties have agreed to address additional IP issues in Phase Two negotiations. The USPTO team actively supported USTR in Phase One negotiations and continues to closely engage with USTR to determine if China is successfully implementing its Phase One IP commitments, as well as securing additional commitments in Phase Two negotiations.

- USPTO maintains bilateral relationships with Chinese IP entities and prepares and submits comments on China's draft IP legislation and rules in consultation with stakeholders and the interagency. USPTO also continues to analyze foreign investments into U.S. businesses whose R&D, innovation, and participation in the U.S. supply chain impact directly or indirectly U.S. national security, as well as participate in an interagency task force to secure 5G. Lastly, USPTO remains engaged in extensive outreach to educate U.S. companies on protecting and enforcing their IP in China, including by conducting free China IP Road Shows across the country to update U.S. rights holders on IP protection and enforcement in China; holding webinars on IP developments in China; and preparing a written China IPR toolkit to assist U.S. IP rights holders entering the China market for IP protection.

Planning for the Future

ITA will continue to push China to fulfill its commitments under the Phase One trade agreement; address other barriers to increasing U.S. exports to China with USTR; lead commercial policy initiatives in the Indo-Pacific region to counterbalance the activities of China; work with interagency partners and foreign allies on supply chain realignment efforts; and ensure resources and personnel are aligned to support initiatives on supply chain analysis, trade enforcement, and trade promotion. The final details of the initiative to incentivize the domestic reshoring of semiconductor supply chains are being negotiated with the Hill; upon the initiative's successful creation and implementation, additional strategic sectors and industries will be pursued with similar initiatives to encourage the return of their production to the United States. BIS will update controls, amend licensing policies, and identify parties of U.S. national security and foreign policy concern as they continuously evaluate the efforts of China and other strategic competitors to acquire U.S. technology for illicit purposes in addition to continuing to conduct compliance and enforcement activities. NTIA, BIS, and OIS remain engaged with the intelligence community in ongoing efforts to implement the ICTS supply chain Executive Order, and the Department continues to prepare for immediate operationalization upon publication of the forthcoming Interim Final Rule. USPTO will continue to engage with U.S. government agencies, U.S. stakeholders, and China counterparts to closely monitor and improve the IP environment in China. NIST will increase its coordination with State on multilateral fora that development standards (e.g. ITU), as well as its R&D and standards engagement in advanced communications, quantum information science, and artificial intelligence among other areas.

Relevant Internal Stakeholders

OS, OGC, OIS, OPSP, ITA, BIS, NTIA, USPTO, NIST

Relevant External Stakeholders

- USTR; State; USITC; Treasury; DOD; sector-specific agencies; Market Development Cooperator Program partners; ITA Advisory Committees; Private sector firms and trade associations; International standards-setting bodies; World Intellectual Property



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Organization; National Economic Council/National Security Council; Industry partners, in the United States and abroad, exporting and reexporting advanced technologies (e.g., artificial intelligence, semiconductors, night vision equipment); International partners, including European countries and Japan, especially those with the ability to backfill exports restricted by U.S. export controls; Industry trade associations; IP professional organizations, and international partners including IP counterparts in Japan, Europe, and Korea; DHS; ODNI; FBI; FCC; White House

Relevant Inter-Agency Groups

- CFIUS; DC Central Deals Team; Trade Promotion Coordinating Committee; Interagency partners involved in the review of license applications and supporting enforcement activities (e.g., the Departments of Defense, Energy, and State); Interagency partners involved in supporting law enforcement activities (e.g., the Departments of Defense, Homeland Security, and Justice); The Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector; the Intelligence Community; Federal Acquisition Security Council; Communications and Information Technology Sector Coordinating Councils under the Critical Infrastructure Partnership Advisory Council (CIPAC); DHS Information and Communications Technology (ICT) Supply Chain Risk Management (SCRM) Task Force

Next Steps/Upcoming Deadlines/Timing

- Commerce is currently investigating the countervailability of undervalued currency in two ongoing CVD investigations: *Passenger Vehicle Tires from Vietnam* with an expected final determination date on January 13, and *Twist Ties from China* with an expected final determination date on February 16 (both of these dates may be extended).
- Regulatory actions related to export controls continue to be evaluated to address changing tactics, and compliance and enforcement activities are on-going.
- While the ICTS interim final rule will become effective 60 days after publication in the Federal Register, the Department of Commerce will continue to welcome public input and thus will be seeking additional public comment. The Department is committed to issuing a subsequent final rule in which the Department will consider and respond to additional comments received.



5G and Beyond-Commerce Future of Communications (NIST, NTIA, ITA, BIS)

Executive Summary

The Department of Commerce is helping to drive the expeditious, safe, and secure deployment of 5G and future networks (5G networks). Broadly speaking, networks include the spectrum, standards, network infrastructure, and devices that enable high speed, low latency, high-capacity, and reliable connectivity that will be the foundation on which much of the future economy is built. The Department has particular equities in conducting research and development, supporting industry's transition to open, interoperable networks and facilitating a marketplace with sufficient vendor diversity to ensure security and resilience of 5G networks, and supporting the growth and exports of U.S. industry.

Within the Department of Commerce, NIST, NTIA, and ITA each play important roles to ensure the expeditious, safe, and secure deployment of 5G networks as well as ensure U.S. firms have access to foreign markets. Much of the work of the Department on 5G issues is captured in various interagency documents, most notably the National Strategy to Secure 5G.

Background

The Department of Commerce leads the government's research and development efforts for advanced telecommunications, as well as efforts to manage the Federal Government's allocation and use of spectrum. The Department is the Executive Branch's interlocutor with the Federal Communications Commission and works closely with other elements of the interagency ensure unity in Executive Branch positions domestically and overseas.

Additionally, the Department is taking a leading role in building a more trusted United States telecommunications system by leading implementation of the Executive Order (EO) on Securing the Information and Communications Technology and Services Supply Chain as well as the EOs on Addressing the Threats Posed by TikTok and WeChat. These EOs protect U.S. national security, foreign policy, and economy from threats posed by the use of information and communications technology and services designed, developed, manufactured, or supplied by persons owned by, controlled by, or subject to the jurisdiction or direction of foreign adversaries.

Within the Department, many bureaus and programs play strong roles in developing and protecting our telecommunications system. For example, NIST is a leader in 5G and advanced communications R&D, working directly with industry and other government partners to provide measurements and standards necessary to ensure the security, and accelerate the delivery, of next generation communications capabilities. The NIST Communications Technology Lab is the hub of NIST's efforts, investing approximately \$75 million in advanced communications research and standards development and currently exploring how to realign existing resources to meet the demand of interagency and industry stakeholders. NIST, with its leading efforts in cybersecurity and the unique capabilities of the National Cybersecurity Center of Excellence, also works with industry to develop tools and guidelines for organizations to manage risks to the security of 5G networks. Through these efforts, NIST conducts leading edge research and leads federal



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engagement in international standards development for advanced communications. Key elements of NIST activities include:

- The operation of critical state-of-the-art testbeds and infrastructure for 5G, including the National Broadband Interoperability Testbed, the Antenna Communications and Metrology Laboratory, and the new 5G Cellular Network Metrology Testbed—the only 5G lab network outside a corporate environment.
- The management and operation of the National Advanced Spectrum and Communications Test Network (NASTCTN), a multiagency-chartered partnership that includes DOD, NASA, NOAA, NSF, and NTIA. NASTCTN also works with commercial carriers and academic institutions through the DOD CIO Coordinated Carrier Test Program. In addition, NASTCTN runs its own test program through which it completes tests at the request of industry, including CTIA, the primary industry association representing the U.S. wireless communications industry.
- The conduct of research to meet the future communications needs of our First Responders. NIST efforts directly support FirstNet’s National Public Safety Broadband Network. The Public Safety Communications Research Program (PSCR) carries out forward looking research for NIST, federal sponsors, and public safety stakeholders including focusing on end-to-end systems integration and evaluating performance of wireless technologies to support public safety network deployment, as well as engaging in key standards development activities.

NTIA, through its responsibility for managing the Federal Government’s use of spectrum, ensures that this critical and limited resource is used efficiently and effectively to enable federal agencies to fulfill their national security, military, and law enforcement missions while identifying spectrum bands that can be made available for commercial purposes, including for 5G networks. NTIA’s Office of Spectrum Management (OSM) is responsible for, among other things, investigating and identifying candidate bands of spectrum potentially suitable for commercial uses – whether, for example, by relocating existing federal operations to other spectrum bands or by managing the shared use of a spectrum band. These 5G spectrum efforts are supported by NTIA’s Institute for Telecommunication Sciences (ITS), which tests and evaluates 5G technologies and operations and researches advances in spectrum sharing.

To accomplish its mission, NTIA is working with the DOD to develop innovative, state-of-the-art spectrum sharing technologies and mechanisms to permit commercial access to spectrum on a timely and cost-effective basis. NTIA is calling this spectrum-sharing project the “Incumbent Informing Capability” (IIC). The IIC promises to securely increase access to spectrum resources, collaboratively and dynamically, and would contribute to achieving the Executive Branch policy goal of providing more spectrum for 5G networks. NTIA anticipates DOD implementation between 2021-2024 with NTIA beginning management of the IIC and scale it to other spectrum bands where federal agencies operate between 2025-2027.

NTIA also recently established the Communications Supply Chain Risk Information Partnership (C-SCRIP). This is a program targeted toward small and rural equipment suppliers and providers



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of communications services to improve these companies' access to information about risks to key elements in their supply chain.

Internationally, NTIA plays a key role in representing U.S. interests, including at the International Telecommunications Union and the quadrennial World Radio Conference (next held in 2023), where NIST and other members of the USG also send experts, and is working with international partners to develop principles for open and interoperable networks.

ITA is increasing the market presence and competitiveness of U.S. companies around the globe, by working to create favorable trade, regulatory, and market policies in foreign countries. Additionally, ITA supports other priorities such as promoting U.S. leadership in international standards development for 5G technology through private sector and international engagement. ITA is also working with the Department of State, U.S. Agency for International Development, Development Finance Corporation, and Export-Import Bank to identify foreign telecommunications infrastructure development opportunities and provide financial and other assistance to counter China's attempts to capture market share by selling products and services at below market price to further its global ambitions.

Key Challenges to Date

- Research and development—necessary inputs both to spur U.S. innovation and to participate in standards development activities—require patience and resources.
- Increased federal use of spectrum, at times for national security missions, makes it increasingly difficult to “clear” a spectrum band to allow for commercial use. Consequently, it is necessary to improve spectrum sharing to enable timely and cost-effective spectrum use.
- U.S. companies face many challenges competing in the global 5G marketplace including low price offers from foreign vendors who are supported by foreign government-subsidized financing packages in addition to foreign governments implementing coordinated, market-distorting activities to help “national champions” win market share.
- The U.S. does not have a full-systems integrator that can compete with Huawei, ZTE, Ericsson, Nokia, and Samsung. Over 200 U.S. companies supply components and segments of the network, but none that provide a “full-system kit.” The U.S. does not have any manufacturers of radio base stations. This impedes the ability of U.S. companies to compete for the end-to-end systems that many buyers prefer.
- China is expected to publish China Standards 2035, an ambitious strategy to achieve a leadership role in standards for next-generation technologies. China continues to increase its investment in research and development (a necessary ingredient to developing standards) as well as its commitment to send technical experts to standards development organizations—two areas where the U.S. Government has lost ground. Left unchecked, the achievement of China's ambitions will result in a Chinese competitive advantage over American technologies.
- China has made a concerted effort to lead in multilateral fora that produce standards, such as the ITU, in which the Department of State leads and NIST and NTIA support as well as voluntary consensus standards organizations or standards development organizations which are private-sector led and for which NIST coordinates Federal Government



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engagement. In the ITU, in pertinent technology study groups, China provides 40% of all participants, including having approximately 40-65% of the editors in study groups working on future networks, security, and Internet of Things (IoT) Smart Cities.

- Trade practices such as local content requirements and overly burdensome regulatory environments create barriers for U.S. companies to compete in foreign countries.

Key Progress to Date

- Commerce, with involvement from the Bureau of Industry and Security (BIS), ITA, NTIA, and OIS, published an NPRM and will publish the IFR implementing the EO on Securing the Information and Communications Technology and Services Supply Chain.
- NIST has, with engagement from government, industry, and academia, launched an R&D effort to provide U.S. industry and government with a suite of inexpensive tools for supply chain risk management. These tools, based on NIST measurement capabilities, will be accurate enough to not only quantify manufacturing variations but discern differences due to different manufacturing sources and malicious hardware and software modifications. This measurement-based framework will encompass security from the chip level to the system level, support cost-effective supply chain risk management, and enable independent verification throughout the supply chain.
- NIST and its partners from across the government are enabling generation of validated data and models for use by the spectrum sharing community. These validated models enable more efficient spectrum use and are essential to accurately characterize wireless interference, signal propagation, and overall systems performance. These models will enable policy makers to more effectively manage spectrum; vendors to develop better wireless transmitters and receivers; and operators to understand in what environments they can deploy.
- NIST awarded over \$52M in grants and cooperative agreements with industry and academia. NIST awarded another \$674,000 to 39 teams through prize competitions which will improve 5G wireless connectivity, and deployment of secure 5G. These awards and challenges are integral to developing ecosystems, applications, and additional functionality in support of mission critical public safety requirements (for example, those deployed at the Boston Marathon: <https://www.nist.gov/news-events/news/2019/05/psiap-award-recipient-deploys-technology-2019-boston-marathon>) such as push-to-talk user interface, location-based services, and more.
- NIST identified significant research challenges and gaps facing the communications industry (“Future Generation Wireless Research and Development Gaps Report”) and NIST led the IEEE “5G and beyond” roadmap working group to identify hardware technology gaps for deploying mm-wave fixed and mobile wireless, resulting in the IEEE “5G and Beyond Roadmap White Paper.”
- NTIA published a technical study that found that shared access to the 3450-3550 MHz segment of this band for 5G was likely feasible subject to further efforts.
- NTIA published a Request for Comment to inform the development of an Implementation Plan for the National Strategy to Secure 5G.
- NTIA established the C-SCRIP, targeted toward small and rural equipment suppliers and providers of communications services, this program will improve these companies’ access to information about risks to key elements in their supply chain.



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- BIS has placed 153 Huawei-related affiliates on its Entity List, thereby restricting exports to those companies, and severely limiting their ability to continue to manipulate the global marketplace, as well as encouraging new companies to enter the market.
- BIS amended the longstanding foreign-produced direct product rule to prevent Huawei's acquisition of semiconductors that are the direct product of certain U.S. software due to its ongoing activities contrary to the national security or foreign policy interest of the United States.
- NTIA supported NSC in responding to the UK's proposal to promote vendor diversity and is exploring working with the Interagency, possibly through the OECD, to achieve the goal of a marketplace with sufficient vendor diversity to ensure security and resilience.
- FirstNet, in June 2020, made its first investment to begin upgrading the Nationwide Public Safety Broadband Network to 5G and will continue to ensure the network is able to meet public safety's needs in the years to come.
- NTIA is making considerable progress in working with the FCC to make more spectrum commercially available—especially in the midband (1GHz to 10 GHz)), which is particularly important for 5G deployment—which now totals 1130.5 MHz with the recent inclusion of 100 MHz from 3450-3550 MHz.
- NTIA, on behalf of the Executive Branch, filed with the FCC the Executive Branch's support of prohibiting the use of Universal Service Fund to acquire equipment or services produced or provided by a covered company posing a national security threat to the integrity of U.S communications networks, including Huawei and ZTE.

Planning for the Future

- Commerce will publish an Interim Final Rule, followed by a Final Rule, to implement the Executive Order on Securing the Information and Communications Technology and Services Supply Chain. Within Commerce, the Office of the Secretary's Office of Intelligence and Security (OIS), BIS, and NTIA will support this effort.
- NIST is exploring options to realign existing resources from across its laboratory programs relevant to advanced communications to increase research, development, testing, and standards engagement and meet the demand of interagency and industry stakeholders.
- NIST's National Cybersecurity Center of Excellence along with industry partners, will complete the project "5G cybersecurity: preparing a secure evolution to 5G."
- NIST's Communications Technology Laboratory will launch the Spectrum Sharing 5G Test Bed including new testing chambers that operate on the Boulder, Colorado campus.
- NIST is integrating critical emerging technologies such as artificial intelligence (AI) into advanced communications, (e.g., demonstrating the effectiveness of AI applied to spectrum sharing and testing). NIST 5G Spectrum Sharing Test Bed enables testing of the impact of spectrum sharing on communications and RF remote sensing in adjacent bands.
- NTIA, as part of the National Strategy to Secure 5G, is working through the NSC, with the UK, and other like-minded countries, to develop overarching principles to promote the transition toward open by design and interoperable networks, as well as a more diverse marketplace, through rapid innovation and collaboration in the 5G marketplace.



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- ITA is developing new bilateral and multilateral engagements with trading partners to promote improved regulatory and market environments for 5G ecosystems. ITA improved the collection and sharing of relevant market intelligence across the agency and with U.S. companies and worked with interagency colleagues to organize Deal Teams that can assist U.S. companies to win market opportunities overseas.
- ITA is developing new bilateral and multilateral engagements with trading partners to promote improved regulatory and market environments for 5G ecosystems. For example, ITA collaborates with industry and foreign government partners through the U.S.-ASEAN 5G Standards Workshops, the U.S.-Israel Innovation Forum, and the U.S.-India CEO Forum. ITA also improved the collection and sharing of relevant market intelligence across the agency and with U.S. companies and worked with interagency colleagues to organize Deal Teams that can assist U.S. companies to win market opportunities overseas.
- ITA planned programs such as trade missions and reverse trade mission to promote innovative U.S. telecommunications solutions and enabling technologies to foreign customers.
- NTIA plans to continue to work with the FCC, federal users, and the private sector to make additional spectrum available for use by the private sector and to ensure a balanced, forward-looking, flexible, and sustainable approach to spectrum management, which includes additional resources for IT modernization that can efficiently satisfy both industry and government's needs for additional spectrum as the Nation transition to 5G.

Relevant Internal Stakeholders

- ITA, NIST, NTIA, OIS, USPTO

Relevant External Stakeholders

- Standards development organizations (3GPP, IEEE, IETF, ATIS, ISO-IEC, FIDO Alliance, and the Wireless Innovation Forum) and multilateral organizations that develop standards (ITU, CITELE)
- Key industry partners and associations
- Public safety community
- 5G mmWave Channel Model Alliance

Relevant Inter-Agency Groups

- White House National Science and Technology Council National IT R&D (NITRD) Subcommittee Wireless Spectrum R&D Interagency Working Group
- NSC Policy Coordination Committee on 5G
- NSC Sub-Policy Coordination Committee on Standards
- DHS Information and Communications Technology Supply Chain Risk Management Task Force (NIST co-chairs)
- Federal Acquisition Security Council



Section 5-2 c - 5G and Beyond-Future of Commerce Communications

Next Steps/Upcoming Deadlines/Timing

- Commerce and its bureaus will begin implementing the National Strategy to Secure 5G. (Q4 2020)
- NIST will deliver the security profile required by EO 13905 on Strengthening National Resilience Through Responsible Use of Position, Navigation, and Timing Services. (February 2021)
- NTIA will publish the Future Spectrum Requirements Report. (November 2020)
- NTIA will work with the FCC and Executive Branch to identify additional “mid-band” spectrum for 5G use.
- NIST will launch the Spectrum Sharing 5G Testbed including new testing chambers will be operational on the Boulder, Colorado campus. (FY21)



Enhance Trade: Economic Growth and U.S. Industry Competitiveness (ITA)

Executive Summary

The current economic environment is characterized by a global economic slowdown caused by the Covid-19 pandemic and other challenges such as: 1) increased global competition in strategic industries (e.g., steel, semiconductors, and advanced battery technology), 2) heightened foreign government intervention in markets, and 3) growing pressure on the domestic economy from competitor nation exports. ITA's global trade resources and expertise are critical to promoting economic growth and ensuring fair competition for U.S. industry abroad and domestically. ITA has a broad set of tools, programs, and services that can be used to support U.S. economic growth, protect our nation's industrial competitiveness, and address the national economic security challenges posed by the United States' strategic competitors. ITA is making greater use of U.S. antidumping (AD) and countervailing duty (CVD) laws to reduce foreign dumping and subsidies across a broad range of industries. ITA's analysis has informed U.S. policy responses on a range of topics, from Section 301 to U.S. 5G competitiveness to vulnerabilities in the national security supply chain. ITA works with the private sector to help ensure that U.S. strategic competitors' activities in their own markets, in third countries, and in international organizations do not disadvantage U.S. producers and service providers. ITA also works directly with U.S. businesses to educate them on how they can increase protections against intellectual property theft and unfair trade practices while growing their businesses through exporting. Finally, ITA is leading the Administration's reshoring initiative and is leveraging interagency efforts and encouraging companies to reshore supply chains back to the United States.

Department of Commerce leadership engagement is needed in certain cases under the Committee on Foreign Investment in the United States (CFIUS) and on critical industry sectors impacted by the pandemic, including travel and tourism. Additionally, Secretarial-level participation in upcoming major trade and investment events could attract high level engagement from U.S. and foreign decision makers and stakeholders and secure successful U.S. economic outcomes. Finally, Commerce leadership's advocacy for the President's FY21 budget request could help address the historic trade enforcement caseload.

Background

ITA's business units offer programs and policy support that draw upon ITA's network of experts from around our Nation and the world to deliver a wide range of services to facilitate foreign market entry for U.S. exporters. ITA leverages its strengths by leading USG international trade efforts throughout the interagency, in collaboration with the State Department, the Office of the United States Trade Representative (USTR), other federal agencies, departments, and financial and development organizations, as well as state and local governments and non-governmental organizations. U.S.-based Foreign Trade Zones also encourage business development and investment in the United States. ITA also has a statutory responsibility to vigorously enforce the U.S. AD/CVD laws and protect American industries, workers, farmers, ranchers, and businesses from the injurious effects of imports sold by foreign exporters at dumped prices or unfairly subsidized by foreign governments. The demand for ITA to pursue trade remedies and AD/CVD actions since March 2020 has been at a historic high.



Key Challenges to Date

Historic trade enforcement caseload: Trade enforcement activity, including new investigations, anti-circumvention activity, and administrative reviews, is at a historic high. At the outset of FY21, ITA's Enforcement and Compliance (E&C) unit was enforcing an all-time high 540 AD/CVD discrete orders under which it instructs Customs and Border Protection to collect remedial duties against specific foreign imports determined to have been unfairly dumped or subsidized. As the number of AD/CVD orders have increased, so too have instances of circumvention. In FY20, E&C initiated seven new circumvention inquiries and issued 25 preliminary and/or final determinations in circumvention inquiries. Staff and budget resources to manage the historically high caseload are not keeping pace. The Department requested \$2 million and eight positions for AD/CVD Administrative Reviews in FY21.

Growing Number of Section 232 steel and aluminum exclusion requests: While the Bureau of Industry and Security (BIS) is the lead bureau administering the steel and aluminum Section 232 tariffs, E&C plays a critical and highly resource-intensive role in evaluating requests for tariff exclusions to which domestic aluminum or steel producers object. The number of incoming requests that E&C must individually review is growing exponentially. ITA did not receive funding for Section 232 in FY18, FY19, nor FY20. While ITA will continue to strive for more efficiency gains, staffing and funding will have to be diverted from other projects to continue to meet Section 232 performance obligations in the absence of adequate appropriated funds in FY21. Additional, \$3 million in funding for ITA's processing of Section 232 steel and aluminum tariff exclusions is requested in FY21.

Impact of the pandemic on U.S. travel and tourism: In 2019, international travel to the United States, including travel for business, leisure, leisure education, and medical purposes, accounted for 9.1 percent of all U.S. exports and supported 1.3 million U.S. jobs. However, the pandemic halted international travel from our major markets and significantly curtailed domestic travel, resulting in a devastating blow to the sector. ITA's National Travel and Tourism Office (NTTO) would expect to engage with the Office of the Secretary on key issues to support recovery, including the safe resumption and expansion of international air service, bio-security in both domestic and international travel, and stimulating demand to support the recovery of the sector, as well as any new mandates from Congress through proposed legislation (<https://www.congress.gov/bill/116th-congress/senate-bill/3831>). The Secretary chairs the legislatively mandated Tourism Policy Council, consisting of interagency members including the Departments of Homeland Security, Transportation, State, and Interior. Commerce also administers the Travel and Tourism Advisory Board (TTAB), rechartered in Fall 2020 for a two-year term, which provides advice to the Secretary on tourism policy matters. Additionally, Commerce is the federal government liaison to Brand USA, the public-private partnership responsible for the nation's international marketing efforts to stimulate tourism growth.

Supply Chain Resiliency: The pandemic and increased competition in critical strategic sectors from countries, such as China, have focused attention on supply chain issues, not only in regards to critical medical supplies and personal protective equipment, but for products necessary for U.S. industrial base competitiveness, such as advanced battery storage, critical minerals, and large power transformers. ITA is analyzing critical supply chains and overall industry



competitiveness, performing assessments of industries weakened by predatory import competition and predatory foreign direct investment practices, developing policy recommendations, and leading a reshoring initiative to leverage interagency efforts and engage companies to reshore supply chains back to the United States. ITA's SelectUSA program will continue to focus on virtual events, lead generation, research, and foreign direct investment engagements in national security critical supply chain sectors (e.g., semiconductors, energy storage, advanced manufacturing), as well as services, programs and research targeting emerging technology sectors, U.S. innovation ecosystems, and interagency collaboration.

Sustaining and Strengthening U.S. Exports: Small- and medium-sized enterprises (SMEs), in particular, have faced significant challenges during the pandemic in sustaining their business around the world, particularly due to their inability to travel to overseas markets. More than 90 percent of the companies supported by ITA are SMEs. During the pandemic through the end of FY20, ITA's Global Markets (GM) unit provided its range of fee-for-service programs (e.g., business matchmaking programs and single-company promotions) at no or reduced fees to SMEs, which were allowed to register for up to five services in advance, to be used in the following year. More than 1,200 U.S. companies, 92 percent of which were SMEs, signed up for more than 2,000 free services by the end of FY20. Web-based export awareness programs that traditionally attracted between 100 to 200 participants on topics ranging from regional market opportunities, to exports facilitation, to trade barriers often drew between 1,000 to 2,000 participants during the pandemic. To meet U.S. business demand under the current conditions, ITA has begun to implement solutions that enhance virtual client contact and product offerings, as well as topical/regional information dissemination through webinars and virtual events.

Key Progress to Date

ITA continues to advance key trade policy issues and agreements that support market access initiatives to enhance the competitiveness of U.S. exporters worldwide. For example, ITA develops information resources that enable companies to take advantage of the U.S.-Mexico-Canada Agreement (USMCA) and to monitor Canada and Mexico's compliance with their commitments to ensure U.S. exporters fully benefit from the agreement. Efforts to address challenges and costs imposed by divergent or inconsistent regulatory practices, inefficient and inconsistent border clearance procedures, and corruption remain essential to ensuring U.S. goods and services can enter and be successful in foreign markets. The U.S.-hosted Summit of the Americas in 2021 is an action-focusing event ITA would like to leverage to secure high-level commitments from U.S. trading partners on these issues.

ITA is focused on key sectors for U.S. companies in other important regions of the world. These key sectors include cyber security, energy, and infrastructure, and offer more than \$150 billion in opportunities for U.S. exports in Asia, where data privacy and cross-border data flows have also emerged as key policy issues. In China, ITA is collaborating with the Department of Energy on an initiative to promote exports of U.S. coal, LNG, petroleum, and petroleum products. ITA's Office for China and Mongolia continues to focus on the first-year review of the Phase 1 Trade Deal, particularly regarding a path forward on China's commitment to imports from the United States. Data privacy frameworks, infrastructure events, and innovation dialogues are an ITA priority in the Middle East. Ongoing support of the U.S.-Kenya Free Trade Agreement negotiations and implementation of a bilateral commercial cooperation dialogue, along with



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continued support of the President's Advisory Council on Doing Business in Africa (PAC-DBIA), remain priorities in Africa. In Europe, ITA continues to focus on the impacts of economic security on national security, where ITA leads the interagency to achieve tangible commercial results for U.S. business. ITA prioritizes commercial activities in support of U.S. companies in the region with a focus on government procurements, removing market access barriers, and increasing exports. Other priorities include ensuring continued transatlantic digital data flows and a focus on energy sales to Europe and Eurasia.

Planning for the Future

The rapidly developing digital economy has made it essential for businesses to sell directly online. B2B eCommerce is forecast to soon eclipse retail sales. ITA has begun to address key eCommerce trade issues, in support of U.S. exporters, including: 1) lack of business digital strategy and know-how, 2) lack of eCommerce service provider awareness, 3) digital non-tariff barriers, 4) shipping and logistics costs, and 5) online payment solutions.

Relevant Internal Stakeholders

BIS, MBDA, PTO, NIST, NOAA

Relevant External Stakeholders

U.S. domestic industries, U.S. companies, foreign buyers, foreign respondents to AD/CVD case filings, foreign governments, state and local economic development organizations (EDOs), chambers of commerce, advisory committees, foreign embassies and business chambers, U.S. District Export Councils (DECs), American Chambers of Commerce overseas, and Congress

Relevant Inter-Agency Groups

Customs and Border Protection, Department of Justice, International Trade Commission, CFIUS, and Trade Promotion Coordinating Committee (TPCC) agencies including USTR, the State Department, DFC, SBA, USTDA, EXIM, DFC, FTC, USAID, DOE, and USDA

Next Steps/Upcoming Deadlines/Timing

The Secretary may engage on the following issues, as well as participate in key annual trade and investment events that will promote U.S. exports and contribute to economic growth:

- ITA coordinates Commerce's participation in the **CFIUS** process, an interagency committee authorized to review certain transactions involving foreign investment in the United States. ITA reviews numerous filings and declarations, some of which may require Secretary-level attention. ITA leads Commerce engagement on CFIUS on behalf of the Secretary, who is a member of CFIUS.
- ITA is organizing an **executive-led business development mission to Southeast Asia** (March 17 to 26, 2021). This mission will be the first one organized under Asia EDGE, the whole-of-government energy initiative for the Indo-Pacific region. Secretarial involvement will need to be decided in consultation with the Office of Secretary and could range from leading the mission to providing a recorded message to the delegates.
- Secretarial Meetings of the **Tourism Policy Council** and **Travel and Tourism Advisory Board** to be scheduled at the discretion of the Office of the Secretary. **National Travel and Tourism week** is May 2-8, 2021.



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- The **SelectUSA Investment Summit** (June 6-9, 2021 – Washington, DC) is hosted by the Secretary of Commerce. Other participants could include the President, Cabinet members, and CEOs. The Summit promotes foreign direct investment in the United States, enables vital direct connections between investors and U.S. EDOs, and focuses on the U.S. investment environment, industry trends, and new opportunities. A decision has not been made yet to hold the event in-person, virtually, or as a hybrid event. At the 2019 Summit, nearly \$100 million in new investment projects were announced. In total, 1,200 business investors from a record 79 international markets joined economic developers from 49 states and territories.
- The Secretary may deliver keynote remarks at the **Discover Global Markets (DGM)**, planned for October 2021, location TBD) conference, held in a different location in the United States each year, which brings together local and regional governments and economic development agencies with U.S. industry in key sectors to discuss export opportunities and challenges. ITA's trade experts from around the world meet with U.S. companies to provide guidance on doing business and opportunities in their markets. The 2020 DGM focused on intelligent manufacturing and drew 500 participants from over 40 countries, including 290 U.S. companies and economic development organizations from 39 states and territories, 85 foreign buyers, 6 representatives from foreign ministries, and 49 foreign investors.
- The Secretary may also deliver keynote remarks at ITA's **Trade Winds** conference, ITA's largest overseas event that attracts several hundred U.S. companies, international buyers and key stakeholders. The Trade Winds conference, next scheduled for early 2022, is held in conjunction with the largest USG-led trade mission and is targeted to markets where trade opportunities for U.S. exports are significant or developing, often due to U.S. trade policies, negotiations, or agreements with those countries, where senior-level USG participation can directly contribute to the success of U.S. business and industry.

E&C will issue over 50 preliminary or final AD/CVD determinations from January 20, 2021, through March 30, 2021. Some of the more high-profile final determinations are listed below:

- **February 3, 2021** –(AD) Seamless Carbon and Alloy Steel Standard Line Pipe (Czech Republic, Korea, Russia, and Ukraine)
- **February 5, 2021** – (AD) Prestressed Concrete Steel Wire Strand (Argentina, Colombia, Egypt, Taiwan, the United Arab Emirates, the Netherlands, Turkey)
- **February 16, 2021** – (AD/CVD) Twist Ties from China (CVD includes currency allegation and could be extended)
- **February 18, 2021** – (AD/CVD) Common Alloy Aluminum Sheet (18 countries)
- **March 11, 2021** – (AD/CVD) Mattresses (Cambodia, China (CVD only), Indonesia, Malaysia, Serbia, Thailand, Turkey, and Vietnam)
- **March 29, 2021** – (AD) Prestressed Concrete Steel Wire Strand (Indonesia, Italy, Malaysia, Spain, South Africa, Tunisia, and Ukraine)
- **March 29, 2021** – (AD/CVD) Wire Mesh (Mexico)

ITA also provides quarterly updates to Congress focused on ITA operations, including budget, staffing, and key activities, in accordance with Title I, Department of Commerce, "ITA Quarterly Updates" of Division B-Commerce, Justice, Science, Explanatory Statement of the Consolidated Appropriations Act, 2020, P.L. 116-93.



Blue Economy, Seafood Security, Weather & Water Modeling & Forecasting (NOAA)

Executive Summary

Strengthening the American Blue Economy: The American Blue Economy, the contribution of our oceans, coasts, and Great Lakes to U.S. GDP, provides a diverse workforce of over 2.3 million high paying jobs, ocean-dependent sectors including energy production, transportation, and shipbuilding that have grown 400% over two decades. NOAA grows the Blue Economy by supporting advancements in marine transportation, expanding tourism and recreation opportunities, enhancing coastal resilience, and increasing American seafood production and improving the trade environment for domestic seafood.

Protecting Lives and Property with Weather and Water-Modeling and Forecasting: NOAA operates on the front lines of weather and water disaster prediction, response, and recovery with an estimated \$700 billion of annual U.S. economic activity sensitive to weather. NOAA strives to reduce the impacts of extreme weather and water events to save lives and protect property by continued implementation of the Weather Research and Forecasting Innovation Act of 2017 and National Integrated Drought Information System Reauthorization Act of 2018. NOAA’s Earth Prediction Innovation Center (EPIC), a novel, community-driven approach to accelerate research into operations, will be the catalyst for community research and modeling advances that continually accelerate advances in our Nation’s operational forecast modeling systems.

Background

Blue Economy: In the US, the marine economy grew by 5.7% between 2014-2015, more than twice that of the U.S. economy as a whole. Economic activity from America’s seaports grew 17% to \$5.4T from 2014-2018, comprising nearly 26% of the nation’s \$20.5T GDP. US seaports continue to expand, demand for maritime commerce is expected to double worldwide by 2025, and triple by 2030.

To support the growing Blue Economy, NOAA ensures preparedness and resiliency of coastal communities by providing data and decision support to inform planning and assess coastal risks; providing navigation services to marine transportation; and enabling tourism and recreation through its national marine sanctuaries. Underpinning this effort are new strategies to accelerate the application of transformative ocean science and technology in Uncrewed Systems; Artificial Intelligence; ‘Omics; Cloud Computing; Data; and Citizen Science. NOAA is leading efforts to implement a National strategy to map the U.S. Exclusive Economic Zone (EEZ), a strategy to map the Alaskan coastline, and a plan to promote efficient permitting related to ocean exploration activities.

As a result of NOAA’s science-based fisheries management, overfishing is near an all-time low with 47 fish stocks returned to sustainable levels. The U.S. commercial and recreational fishing and seafood industry generated \$244 billion in sales nationally, contributed \$111 billion to the gross domestic product, and supported 1.74 million full- and part-time jobs. NOAA is increasing seafood production through implementation of the Promoting American Seafood



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Competitiveness and Economic Growth Executive Order (EO), including: increasing regulatory efficiency of U.S. federal fisheries governed by the Magnuson-Stevens Fishery Conservation and Management Act (MSA), advanced technology, and more equitable trade policies; expanding domestic seafood by improving aquaculture permitting efficiencies; removing barriers to commercial fisheries; and combating Illegal, Unregulated, and Unreported Fishing.

Weather and Water: Modeling and Forecasting: The high-impact events of 2011, sixteen of which are on NOAA’s Billion Dollar Disasters list, served as a catalyst to NOAA to build a Weather-Ready Nation that aims to help all citizens be ready, responsive, and resilient to extreme weather, water, and climate events.

To achieve this vision, the NWS must have access to consistent, accurate, and timely forecasts and warnings to disseminate to the public. To enhance these services, Congress instructed NOAA to establish EPIC to accelerate community-developed scientific and technological enhancements into operational weather prediction to produce the most accurate and reliable operational modeling systems in the world. NOAA’s models are developed within the community-based Unified Forecast System (UFS), which includes common model components for forecasts ranging from severe weather and hurricanes to subseasonal forecasts, in collaboration with the broader Numerical Weather Prediction community. EPIC will facilitate innovation, accelerate research to operations, and extend infrastructure and user support for the UFS to a fully coupled Earth system prediction, including terrestrial water, coastal ocean, and ocean basin impacts.

NOAA’s weather models and weather forecasts rely heavily on data and observations from satellite systems. Currently, NOAA operates both polar and geostationary satellite architectures, and is increasing its partnerships with private sector companies through its various commercial initiatives. Likewise, NOAA is committed to replenishing satellite systems to provide continuous environmental data into the future which will provide accurate and timely forecasts to protect lives and property.

Key Challenges to Date

Blue Economy: Over the past decade, the oceanic environment has changed significantly due to changes in climate, as well as to increasing multiple human use-sectors (e.g., offshore wind farms, aquaculture farms) that overlap with historical fishing grounds or species’ migration corridors. Novel mapping, science, and technological approaches are needed to sample, analyze, and assess our present marine resources, and project their future. A prominent gap exists in our basic understanding of the seafloor within the U.S. EEZ: less than 35 percent of the seafloor in the U.S. is surveyed comprehensively, and resources are not fully characterized. Innovations in sustainable wild capture fisheries and increased sustainable aquaculture production are needed to fill growing seafood demand. NOAA must balance fisheries management efforts under the MSA with its obligations to conserve marine protected resources under the Endangered Species Act and Marine Mammal Protection Act. These responsibilities can create challenges where there are significant fishery interactions with endangered species, but also opportunities for collaborative resource management.

Weather and Water: The demand for Impact-Based Decision Support Services (IDSS) requires



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an improved IDSS delivery management system. There are limited and constrained resources to ensure full dissemination capability for NWS products and services. A key challenge for the EPIC program will be integrating the EPIC contractor into the community modeling environment. Additional challenges include funding the eight community modeling applications that will support the modernization of the NWS operational modeling suite; making NOAA modeling systems usable to the public and integrating scientific innovation from the community to NOAA operations; and the need for additional on-premises and cloud high performance computing for NOAA Principal Investigators to conduct applied R&D.

Key Progress to Date

Blue Economy: NOAA has made great strides in ending overfishing – while still creating harvest opportunities and efficiencies for fishing-dependent communities and increasing domestic seafood supply for U.S. consumers. The Seafood Competitiveness Executive Order (EO) names NOAA as the lead federal agency to coordinate aquaculture projects in federal waters to strengthen our Nation’s domestic aquaculture production and improve the efficiency of aquaculture permitting.

In November 2019, NOAA teamed with the White House to host a Summit on Partnerships in Ocean Science and Technology. In August 2020, NOAA formed the NOAA Blue Economy Executive Committee to strengthen and improve data, services, and collaboration with partners to support Blue Tech businesses across the U.S. Since 2018, NOAA has partnered with the Department’s Bureau of Economic Analysis (BEA) to develop prototype statistics to measure the ocean’s contribution to the U.S. GDP. This is an integral first step in building a comprehensive measure of the ocean’s role in the overall U.S. economy.

Weather and Water: In March 2020, NOAA developed a 5-year Strategic Plan for EPIC, released the solicitation for the EPIC contractor, and released the first version of user-friendly code for medium-range weather prediction in an open development environment. In September 2020, NOAA implemented an upgrade to the Global Ensemble Forecast System to include the new FV3 dynamical core. With the National Water model driving innovation, NOAA is on track to complete its FY21 Agency Priority Goal to mitigate flood impacts, with FY20 milestones completed ahead of schedule. The initiation of Flood Inundation Mapping demonstrations downstream from river forecast locations throughout the continental U.S. has significantly improved decision support to water resource managers of flood-vulnerable freshwater basins.

Planning for the Future

Blue Economy: Targeted Investments for FY21 are to: map, explore, and characterize priority areas of the U.S. EEZ and develop and begin implementing a strategy to map nearshore Alaska; centralize support for uncrewed systems acquisition and operations to rapidly expand their applications and benefits across NOAA’s mission areas; improve access to credible marine data and information for decision makers through regional ocean data portals and enhanced precision marine navigation; increase support for the National Oceanographic Partnership Program; continue sustainable management of our nation’s fisheries; ensure safe seafood sources; recover and conserve protected resources; and develop a five-year NOAA Blue Economy Strategic Plan.

Weather and Water: NOAA expects to award the EPIC contract in Q1 of FY21. NOAA Line



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offices are working through the Weather, Water, and Climate Board to improve the prediction of precipitation from the mesoscale to sub-seasonal and seasonal levels. NOAA will continue supporting the UFS by building upon the FV3 dynamical core and ensembles to create a fully coupled model within the next 5-10 years. In order to build a Weather-Ready Nation, the NWS will continue to transform the way people receive, understand, and react to forecasts.

Relevant Internal Stakeholders

Blue Economy: National Ocean Service, Office of Oceanic and Atmospheric Research; National Marine Fisheries Service; and associated NOAA Councils and Committees.

Weather and Water: National Environmental Satellite, Data, and Information Service; National Weather Service and Employee Organization; National Ocean Service; Office of Oceanic and Atmospheric Research; and associated NOAA Councils and Committees.

Relevant External Stakeholders

Blue Economy: Commercial and recreational fishermen and groups; conservation organizations; aquaculture companies and producers; mariners; recreational boaters; shipping, cruise, and maritime industries; ocean exploration industry; state Sea Grant and coastal management programs; private sector partners involved in the 2019 White House Summit on Partnerships in Ocean Science and Technology; OMB; and Congress.

Weather and Water: Coastal communities, planners, and managers; first responders; emergency managers; Joint Center for Satellite Data Assimilation; National Centers for Atmospheric Research; Developmental Testbed Center; private industry and academics in Numerical Weather Prediction; non-profit companies and private-sector providers of environmental information science and services; OMB; Congress; and professional societies.

Relevant Inter-Agency Groups

Blue Economy: U.S. Committee on the Marine Transportation System; Interagency Working Group on the Harmful Algal Bloom and Hypoxia Research and Control Act; Interagency Working Group on Integrated Ocean and Coastal Mapping; Ocean Policy Committee and associated Subcommittees and working groups; National Science and Technology Council Subcommittee on Aquaculture; US Coral Reef Task Force; Hypoxia Task Force.

Weather and Water: Interagency Council for Advancing Meteorological Services; Environmental Information Services Working Group; Space Weather Operations, Research; and Mitigation, Subcommittee on Resilience Science and Technology; U.S. Global Change Research Program; Interagency Arctic Research Policy Committee.

Next Steps/Upcoming Deadlines/Timing

Blue Economy:

FY21 Q1: Finalize a NOAA Blue Economy Implementation Plan

FY21 Q1: Submit implementation plans to the National Ocean Mapping and Exploration Council

FY21 Q1: Our Oceans Conference 2020 Blue Economy commitments



Weather and Water:

FY21 Q1: The EPIC contract will be awarded for \$45M over 5 years with a \$9M/year ceiling.

FY21 Q2: The implementation of the Version 2.1 of the National Water Model (NWM).

FY21 Q2: Upgrade to operational GFS model, the NWS global weather model within UFS.

FY21 Q3: NOAA expects to announce the acceptance of two new supercomputers.

Links

- [Weather Research and Forecasting Innovation Act of 2017:](https://www.congress.gov/bill/115th-congress/senate-)
<https://www.congress.gov/bill/115th-congress/senate->
- [National Integrated Drought Information System Reauthorization Act of 2018:](https://wpo.noaa.gov/Programs/The-Weather-Act)
[bill/2200https://wpo.noaa.gov/Programs/The-Weather-Act](https://wpo.noaa.gov/Programs/The-Weather-Act)
- [Earth Prediction Innovation Center \(EPIC\):](https://wpo.noaa.gov/Programs/EPIC) <https://wpo.noaa.gov/Programs/EPIC>
- NOAA Research Council: <https://nrc.noaa.gov/NOAA-Science-Technology-Focus-Areas>
- [National strategy to map the U.S. Exclusive Economic Zone \(EEZ\):](https://www.whitehouse.gov/wp-content/uploads/2020/01/20200611-FINAL-STRATEGY-NOMECSec-2.pdf)
<https://www.whitehouse.gov/wp-content/uploads/2020/01/20200611-FINAL-STRATEGY-NOMECSec-2.pdf>
- Mapping the coast of Alaska: <https://iocm.noaa.gov/about/documents/strategic-plans/alaska-mapping-strategy-june2020.pdf>
- RECOMMENDATIONS FOR INCREASING THE EFFICIENCY OF PERMITTING FOR OCEAN EXPLORATION, MAPPING, AND RESEARCH ACTIVITIES:
<https://www.whitehouse.gov/wp-content/uploads/2020/01/20200611-FINAL-RECOMMENDATIONS-Sec-4-Permitting.pdf>
- Fish Stock Status Updates: <https://www.fisheries.noaa.gov/national/population-assessments/fishery-stock-status-updates>
- Executive Order on Promoting American Seafood Competitiveness and Economic Growth: <https://www.whitehouse.gov/presidential-actions/executive-order-promoting-american-seafood-competitiveness-economic-growth/>
- Magnuson-Stevens Act: <https://www.fisheries.noaa.gov/topic/laws-policies#magnuson-stevens-act>
- Illegal, Unreported, and Unregulated Fishing:
<https://www.fisheries.noaa.gov/international-affairs/illegal-unreported-and-unregulated-fishing>
- Aquaculture: <https://www.fisheries.noaa.gov/topic/aquaculture>
- [Summit on Partnerships in Ocean Science and Technology:](https://www.whitehouse.gov/wp-content/uploads/2019/11/Ocean-ST-Summit-Readout-Final.pdf?et_rid=60654625&et_cid=3213625)
https://www.whitehouse.gov/wp-content/uploads/2019/11/Ocean-ST-Summit-Readout-Final.pdf?et_rid=60654625&et_cid=3213625
- Weather Ready Nation: <https://www.weather.gov/news/192203-strategic-plan>
- 2019 [White House Summit on Partnerships in Ocean Science and Technology:](https://www.whitehouse.gov/wp-content/uploads/2019/12/Ocean-ST-Summit-Readout-Final.pdf)
<https://www.whitehouse.gov/wp-content/uploads/2019/12/Ocean-ST-Summit-Readout-Final.pdf>



Identify Critical Technologies for Effective Foreign Investment and Export Control Reviews (BIS, ITA)

Executive Summary

The passage of the Foreign Investment Risk Review Modernization Act of 2018 (FIRRMA) and the Export Control Reform Act of 2018 (ECRA) emphasized the interaction and complementary nature of investment screening under the Committee on Foreign Investment in the United States (CFIUS) and export controls. For example, FIRRMA contains a definition of “critical technologies” that is in part linked to the Export Administration Regulations (EAR): If a U.S. company is involved in “critical technologies” controlled for specific reasons on the EAR’s Commerce Control List (e.g., regime-controlled items, items controlled for regional security and surreptitious listening reasons, items controlled under the “emerging and foundational technologies” provision in ECRA), it can be subject to part of the expanded definition of a “covered transaction” under CFIUS, which subjects a related investment to interagency review. Also, CFIUS is specifically identified as a source of information for the Bureau of Industry and Security (BIS) to identify emerging and foundational technologies for export control evaluation purposes. BIS has enacted internal procedures to ensure that all CFIUS filings are reviewed by technical experts with a specific focus on emerging and foundational technology reviews. Consistent with the requirements of ECRA, BIS is leading a regular, ongoing interagency process to identify and control the export of emerging and foundational technologies that are essential to the national security of the United States. As part of this process, and in accordance with ECRA, BIS consults regularly with industry; Technical Advisory Committees (TACs), including the Emerging Technology Technical Advisory Committee (ETTAC) mandated by ECRA; the public; the Departments of Defense, Energy, and State; and other U.S. Government agencies as needed, to identify emerging technologies and review them to determine whether they merit additional controls of any type. To date, BIS published four separate rules implementing controls on 37 specific emerging technologies. BIS also published an Advance Notice of Proposed Rulemaking (ANPRM) seeking comment on the definition of, and criteria for, identifying foundational technologies.

Background

The Secretary of Commerce delegated CFIUS responsibilities and authorities to the International Trade Administration (ITA) and BIS. ITA serves as Commerce’s CFIUS Coordinator, providing analysis of economic vulnerabilities, market trends, and business rationale, while BIS provides analysis of dual-use export control implications and defense industrial base issues. BIS also vets corporate entities and corporate officers to determine whether there are current investigations or derogatory information. Chaired by Treasury, CFIUS is the interagency committee that conducts national security reviews of mergers, acquisitions, or takeovers with potential to result in foreign control of a U.S. business; certain non-controlling investments in U.S. companies involved with critical technologies, critical infrastructure, or sensitive personal data; and certain real estate transactions near sensitive government facilities. Should a particular transaction raise national security concerns, CFIUS has the authority to mitigate those national security concerns, or it may recommend the President prohibit or suspend the transaction. The President signed FIRRMA



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into law in August 2018. FIRRMA achieves the goals of protecting our national security and preserving our long-standing open investment policy. FIRRMA was fully implemented in February 2020, significantly expanding the scope of transactions subject to CFIUS jurisdiction. BIS's engagement in CFIUS is critical to implementing FIRRMA and to ensuring that Administration and Congressional objectives of strengthening national security reviews of foreign investment in the United States are achieved.

Section 1758 (50 U.S.C. 4801) of ECRA requires the Department of Commerce to establish appropriate controls on the export, reexport, or transfer (in country) of emerging and foundational technologies. Under ECRA, emerging and foundational technologies are those technologies that are essential to the national security of the United States and are not critical technologies described in Section 721(a)(6)(A)(i)–(v) of the Defense Production Act of 1950, as amended (DPA). ECRA notes the national security importance of U.S. leadership in science, technology, engineering, and manufacturing, including foundational technology that is essential to innovation. Items subject to the EAR (15 CFR parts 730–774) that are not covered by the DPA's definition of critical technologies are items controlled only for anti-terrorism (AT), crime control (CC), or short supply (SS) reasons, subject to United Nations (UN) embargoes, or designated as EAR99.

Key Challenges to Date

Key challenges include identifying new technology areas with appropriate parameters when considering controls on emerging and foundational technologies that are essential to U.S. national security. Such parameters must be sufficient to capture technical specifications for commodities, software, and technologies identified as emerging or foundational technologies. These parameters are coordinated with interagency partners and consider public and TAC comments. Two additional challenges, given resource constraints, are 1) assessing the impacts of emerging and foundational technologies on the U.S. industrial base and U.S. technological leadership and 2) measuring the effectiveness of export controls on limiting the proliferation of controlled emerging or foundational technologies in countries of concern.

Key Progress to Date

The Department, with its interagency partners, multilateral export control regimes, industry, academia, and the public, continues to identify emerging and foundational technologies that warrant more restrictive export control, which also impacts CFIUS reviews. In November 2018, the Department launched a rulemaking process that sought public comment to inform the interagency process to identify and describe emerging technologies. To date, the Department published four rules which imposed controls on 37 emerging technologies in the aerospace, additive manufacturing, biotechnology, chemical, electronics, encryption, geospatial imagery, semiconductor, telecommunications, and marine sectors.¹ The Department, along with other

¹ Multilateral controls on: 1) certain microwave transistors (a major component of wideband semiconductors); 2) continuity of operation software; 3) postquantum cryptographic algorithms; 4) underwater transducers designed to operate as hydrophones; 5) aircraft specially designed or modified to be air-launch platforms; 6) single-use biological cultivation chambers; 7-30) 24 chemical weapons precursors controlled for Chemical/Biological and Anti-Terrorism reasons; 31)



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agencies, continues to evaluate additional technologies for potential unilateral or multilateral controls.

In accordance with ECRA, the Department reconstituted the ETTAC, which assists in the review and identification of emerging and foundational technologies. ETTAC members are drawn from individuals in academia, industry, and federal laboratories who are engaged in the development and production of cutting-edge technologies in areas key to maintaining U.S. global leadership in innovation. U.S. Government agencies have non-member representatives to this Committee, including the Departments of Commerce, Defense, and State. On August 27, 2020, BIS published an ANPRM on foundational technology. Public comments from the ANPRM, due November 9, 2020, will help inform the interagency process to identify and describe foundational technologies.

Planning for the Future

As the Department identifies emerging and foundational technologies that have national security implications, additional rules specific to those technologies will be published, pursuant to Section 1758 of the ECRA.

Relevant Internal Stakeholders

- TACs to provide input on proposed emerging and foundational technologies.
- Relevant internal bureaus, such as NIST, to assist in the evaluation of emerging technologies (e.g., quantum radios).

Relevant External Stakeholders

- Industry and academia involved in the development of emerging technologies.
- Multilateral regimes, including the Wassenaar Arrangement and the Australia Group, to coordinate multilateral emerging and foundational technology control proposals.

Relevant Inter-Agency Groups

- Department of Treasury, which leads the overall CFIUS process.
- Interagency partners involved in the review of proposed emerging or foundational technology controls (e.g., the Departments of Defense, Energy, and State), who may also assist in identifying such technologies for potential control through the National Security Council's sprint teams.

Next Steps/Upcoming Deadlines/Timing

- Foundational Technologies ANPRM comments are due by November 9, 2020.
- ETTAC meetings will be held in November and December 2020.
- BIS is leading the ongoing process to identify and evaluate emerging and foundational technologies.

Hybrid additive manufacturing/computer numerically controlled tools; 32) computational lithography software designed for the fabrication of extreme ultraviolet masks; 33) technology for finishing wafers for 5nm production; 34) forensics tools that circumvent authentication or authorization controls on a computer and extract raw data; 35) software for monitoring and analysis of communications and metadata acquired from a telecommunications service provider via a handover interface; 36) sub-orbital aircraft; and 37) unilateral controls on software specially designed to automate the analysis of geospatial imagery.



Section 232 of the Trade Expansion Act of 1962 (BIS)

Executive Summary

Under Section 232 of the Trade Expansion Act of 1962 (P.L.87-794), as amended, the Bureau of Industry and Security (BIS) conducts comprehensive investigations to determine the effect of certain imports on United States national security. These investigations require the Secretary to present findings and recommendations to the President for review and decision within 270 days. Section 232 investigations have been conducted with varying frequency over the years by different administrations.

If the President determines imports of an article threaten to impair national security, he can decide to impose certain remedies (e.g., tariffs, quantitative limitations) to address the threat. If a remedy is implemented, the President can authorize an exclusion process to mitigate potential negative impacts to the domestic economy and set forth the criteria for reviewing exclusion requests.

Section 232 investigations require consistent support and funding to ensure that BIS can conduct high quality and timely investigations. Due to their in-depth and time-critical nature, each 232 investigation requires a dedicated team to perform the various, and often simultaneous, project components as defined in the statute. If there is an exclusion process, funding and support for BIS as well as other Commerce agencies, such as the International Trade Administration (ITA) may be required to effectively manage that process.

Background

Section 232 investigations are initiated to determine whether imports of specific articles are occurring in such quantities or under such circumstances as to threaten to impair U.S. national security. Investigations may be initiated based on an application from an interested party, a request from the head of any department or agency, or may be self-initiated by the Secretary of Commerce. By law, once an investigation has been initiated, the Secretary of Commerce has 270 days to present the Department's findings and recommendations to the President.

During an investigation, Commerce may provide the public with an opportunity to comment and present information and advice relevant to the investigation, usually through a notice in the *Federal Register* and/or a public hearing. Additional information is gathered from various sources, including: 1) surveys of producers, importers and end-users, 2) on-the-record meetings with interested parties, 3) site visits, 4) consultations with the Department of Defense and other agencies, and 5) a review of public literature. If the Secretary of Commerce finds that imports threaten to impair national security, the President has 90 days to determine whether or not to agree with the Secretary's findings and decide whether or not to use the provided statutory authority to "adjust imports" under Section 232.

In FY 2020, the Secretary initiated two Section 232 investigations in response to industry petitions, and self-initiated a third investigation:



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- The Secretary self-initiated a Section 232 investigation into imports of laminations, stacked cores, and wound cores for incorporation into transformers, electrical transformers, and transformer regulators (also referred to as the Grain Oriented Steel report (“GOES”) on May 11, 2020. This investigation followed inquiries from interested parties, including steel and transformer manufacturers, as well as members of Congress. The Secretary’s report to the President is due by February 5, 2021.
- The Secretary initiated a Section 232 investigation into imports of mobile cranes on May 19, 2020. This investigation responded to a petition filed by a U.S. mobile crane manufacturer, The Manitowoc Company Inc., in December 2019. The Secretary’s report to the President is due by February 13, 2021.
- The Secretary initiated a Section 232 investigation into imports of vanadium on May 28, 2020. This investigation responded to a petition filed by U.S. vanadium producers AMG Vanadium LLC and U.S. Vanadium LLC in November 2019. The Secretary’s report to the President is due by February 22, 2021.

In FY 2019, the Department initiated one Section 232 investigation:

- The Secretary initiated a Section 232 investigation into imports of titanium sponge on March 4, 2019. The investigation was initiated in response to a petition filed by TIMET (Titanium Metals Corp.). On November 29, 2019, the Secretary transmitted the report to the President. On February 27, 2020, the President determined that imports of titanium sponge threatened to impair national security as defined in Section 232 of the Trade Expansion Act of 1962, as amended, but declined to immediately adjust imports. The President set forth measures to address the threat, including the establishment of a working group that will propose measures to ensure access to titanium sponge for national defense and critical industrial purposes in the United States. The President designated the Secretaries of Commerce and Defense as co-leads for implementing the Titanium Sponge Working Group (TSWG). The kick-off meeting for the TSWG was held on July 24, 2020. Officials from the Departments of Defense, Homeland Security, Interior, and State, in addition to advisors from the Office of the U.S. Trade Representative (USTR) and the Office of Science and Technology Policy (OSTP), are actively involved in the TSWG. Recommendations to the President are due by July 2021. In support of the TSWG, BIS has drafted a Federal Register Notice (FRN) to be published in October with over 100 comments and rebuttals anticipated.

In FY 2018, the Secretary completed two Section 232 investigations and initiated one investigation:

- At the direction of the President, the Secretary initiated an investigation on May 23, 2018 under Section 232 of the Trade Expansion Act of 1962, as amended, to determine the effects on the national security of imports of automobiles, including cars, SUVs, vans and light trucks, and automotive parts. Given its automotive industry expertise, the Secretary delegated to ITA the responsibility for this investigation. The Federal Register Notice seeking input from the industry and public was issued on May 30, and the Department received over 2,300 comments. On February 17, 2019, the Secretary



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formally submitted to the President a report on “The Effect of Imports of Automobiles and Automobile Parts on the National Security.” On May 17, 2019 the White House issued a proclamation that concurred with the findings and conclusion of the Secretary that the quantities and circumstances of imports of automobiles and certain automobile parts have weakened our internal economy and threaten to impair the national security. Pursuant to Section 232 the President determined to pursue negotiation of agreements to address the threatened impairment to national security. The President directed the United States Trade Representative to lead the negotiation process. On January 21, 2020, the Commerce Department announced that, pursuant to the President’s directive, the Secretary will not disclose the report while negotiations are ongoing and the President is deliberating on actions to address the threatened impairment of national security from imports of automobiles and certain automobile parts.

- The Secretary initiated a Section 232 investigation into imports of uranium on July 18, 2018. The investigation was initiated in response to a petition filed by two uranium mining companies, UR-Energy Inc. and Energy Fuels Inc. The investigation concluded on April 14, 2019, with the submission of the report to the President. On July 12, 2019, the President determined that imports of uranium did not threaten to impair national security as defined in Section 232 of the Trade Expansion Act of 1962, as amended. However, the President established the interagency Nuclear Fuel Working Group in July 2019, which was tasked with examining the current state of domestic nuclear fuel production and submitting findings and recommendations to further enable and revitalize nuclear fuel production in the United States. The group was co-chaired by the Assistant to the President for National Security Affairs and the Assistant to the President for Economic Policy, and consisted of leaders from executive agencies, including the Departments of Defense, Energy, Commerce, and State. The working group released its strategy, *Restoring America’s Competitive Nuclear Energy Advantage: a strategy to assure U.S. national security*, in April 2020. The strategy outlines potential actions intended to revive capabilities of the uranium mining, milling, and conversion sectors, among other objectives.
- In January 2018, the Department of Commerce transmitted Section 232 investigations on imports of certain steel and aluminum products to the President under Section 232 of the Trade Expansion Act of 1962, as amended. The reports found that excessive levels of imports threatened to impair national security, as shrinking domestic production capacity would leave the United States unable to meet its demand for such products for national defense and critical infrastructure in a national emergency. In March 2018, the President accepted the Department of Commerce’s recommendations and implemented tariffs on imports of steel and aluminum. He directed the Secretary to establish an exclusion process for steel and aluminum articles not produced in the United States in a sufficient and reasonably available amount or a satisfactory quality, or based upon specific national security considerations. BIS administers the exclusion process, with significant analysis and recommendations from ITA. As of September 28, 2020, BIS and ITA have processed over 246,000 exclusion requests.



Key Challenges to Date

BIS has limited staff to support the extensive investigative process required for Section 232 investigations. For the Section 232 program, the specific areas requiring the most BIS staff input include primary research, data analytics, report drafting, copy-editing, site visits, public hearing planning, maintenance of public comments, foreign government input, business confidential submittals from companies, interagency coordination, meetings with affected parties, and survey development (both producer and end-user) and analysis, among other essential core investigative tasks.

There have been a number of legal challenges to Section 232 of the Trade Expansion Act of 1962, as amended, and specific decisions on exclusion requests from the steel and aluminum tariffs. These legal challenges have required substantial Department staff resources within OGC, BIS and ITA.

Some Members of Congress have proposed changes to Section 232 which may impact the Department's authority.

The 232 Exclusion Process for steel and aluminum has received a volume of exclusion requests far greater than what the Department initially estimated. Processing the requests in a timely manner has required significant staff and contractor resources for both BIS and ITA.

Key Progress to Date

BIS has solicited public comments in support of all three of its ongoing Section 232 investigations through [Regulations.gov](https://www.regulations.gov).

On June 13, 2019, BIS launched a new 232 Exclusions Portal, built by ITA with funding from both bureaus. This streamlined the 232 Exclusions Process for steel and aluminum and provided enhanced transparency, data integrity, and quality controls. The Department issued a Notice of Inquiry (NOI) on May 26, 2020, soliciting public feedback on the appropriateness of the information requested and considered in applying the exclusion criteria and the efficiency and transparency of the process employed. The Department received 82 responsive comments to the notice and is preparing amendments to the exclusion process based on public inputs.

As of September 30, 2020, U.S. Customs and Border Protection (CBP) collected over \$2 billion in aluminum tariffs and over \$7 billion in steel tariffs.

BIS has hosted five TSWG meetings since its July 24, 2020 kick-off meeting, including a programmatic briefing on the National Defense Stockpile by the Defense Logistics Agency's Strategic Materials Division and industry discussions led by Allegheny Technologies, Inc. (ATI), the Aerospace Industries Association (AIA), and The Boeing Company.



Planning for the Future

The Department continues to work to improve the efficiency, transparency, data integrity, and quality of the exclusion process. The Department released a NOI in May 2020 which requested public comments on the exclusion process. The NOI closed for public comment on July 10, 2020. The Department is reviewing the comments it received in response to this notice and intends to issue one or more interim final rules in the coming months, implementing changes drawn in part from the constructive feedback received from domestic industry. BIS also continues to make improvements to the 232 Exclusions Portal to speed processing times and allow industry to navigate the process more easily.

Relevant Internal Stakeholders

ITA reviews all 232 exclusion requests that receive objections and provides BIS with its recommendations as to whether the product is produced in the United States in a sufficient and reasonably available amount or a satisfactory quality. This process requires significant ITA staff and contracting resources to complete. In addition, ITA has assisted the Secretary in assessing the impact of various proposed 232 actions using various analytical and modeling tools.

Relevant External Stakeholders

BIS engages with international partners during Section 232 investigations and the implementation of remedies. BIS engages with industry during Section 232 investigations by hosting public hearings, seeking written public comments, and issuing surveys.

BIS engages with steel and aluminum industry and relevant associations to provide guidance navigating the 232 exclusion process.

Relevant Inter-Agency Groups

While the 232 statute requires that Commerce consult with the Department of Defense regarding the methodological and policy questions that arise during a Section 232 investigation, other government agencies also participate in Section 232 interagency working groups based on their expertise and/or interest. These agencies include the Departments of Homeland Security, Energy, Labor, and State. The U.S. Trade Representative is also involved in Section 232 actions.

BIS works closely with CBP to implement the 232 tariffs and quotas and exclusions. CBP ensures that each exclusion request can be administered.

Next Steps/Upcoming Deadlines/Timing

January 1, 2021: Q1 Quarterly Report on Exclusions due to Congress

February 5, 2021: GOES Investigation report due to the President

February 13, 2021: Mobile Cranes Investigation report due to the President

February 22, 2021: Vanadium Investigation report due to the President

July 2021: Titanium Sponge Working Group Report due to the President



Digital Flow of Data / Privacy (ITA)

Executive Summary

The International Trade Administration's (ITA) mandate includes facilitating international data flows in a way that protects data privacy and promotes trust and confidence in the digital economy. ITA's Office of Digital Services Industries (ODSI) leads Commerce's work on digital trade issues.

Cross-border data flows enable and underpin today's globally connected world and are integral to commerce and trade. Data flows currently drive 22 percent of global economic output and are expected to add \$11 trillion to global Gross Domestic Product by 2025. There is no globally accepted standard or definition of data privacy and no comprehensive multilateral framework governing online privacy and data protection. The costs of this fragmentation are experienced in real dollars and undermine U.S. policy objectives to promote innovation and economic growth. Separately, in its role as coordinator of the Department's review of foreign investments under the Committee on Foreign Investment in the United States (CFIUS), ITA analyzes potential national security concerns related to the security of data associated with specific foreign investments.

In contrast to U.S. trade policy, which seeks to balance the need for cross-border data flows with online privacy and security, the European Union (EU) and China have established prescriptive rules on cross-border data flows and personal data. China is focused on its national security. The EU is driven by concerns about protecting personal data from government access and commercial misuse.

A July 16, 2020 decision by the European Court of Justice (ECJ) created enormous uncertainty about the ability for companies to transfer personal data from the European Union to the United States in a manner consistent with EU law. This decision generated significant legal and operational challenges. Managing the fallout from this decision and ensuring the viability of other mechanisms meant to protect data flows will require the Secretary of Commerce to proactively advocate for U.S. interests early in 2021.

Background

The digital economy accounted for 6.9 percent of U.S. GDP in 2017 and includes 1) the information and communications technology (ICT) sector and underlying infrastructure, 2) digital transactions or e-commerce, and 3) digital content or media. It supported 5.1 million jobs, or 3.3 percent of total U.S. employment in 2017, and almost two-thirds of jobs created in the United States since 2010 required medium or advanced levels of digital skills. Cross-border data flows underpin the digital economy. One study estimated that digital trade was worth between \$800-1,500 billion in 2019, and another estimated that data flows will increase 2020 global GDP by over \$3.5 trillion (CRS: <https://crsreports.congress.gov/product/pdf/R/R45584>).

While digital technologies create new opportunities for U.S. consumers and businesses, they also present new challenges in international trade. Businesses use advanced ICT to reach new



markets, track global supply chains, analyze big data, and create new products and services. As the digital economy has expanded, so too have concerns over data privacy, leading some countries to adopt data protection measures that can hinder data flows and place undue financial burdens on U.S. businesses.

The July action by the ECJ that invalidated the EU-U.S. Privacy Shield Framework creates significant challenges to the legal transfer of personal data for commercial purposes from the EU to the United States. Privacy Shield, in place since 2016, is a mechanism to certify that transfers of personal data from the EU to the United States comply with EU data protection law. It facilitated the movement of data that underpins the \$7.1 trillion transatlantic economic relationship. Managed by ITA, this Framework facilitated data flows for over 5,000 participating U.S. companies, of which more than 70 percent are small- to medium-sized enterprises. The court case also called into question the legality of transfers of personal data to the United States using other mechanisms like Standard Contractual Clauses and Binding Corporate Rules, so the concerns extend to all transfers of personal data.

Beyond Privacy Shield, ITA has led on a significant data privacy initiative within the Asia-Pacific Economic Cooperation (APEC) forum known as the Cross-Border Privacy Rules (CBPR) System. The APEC CBPR System is a government-backed certification mechanism created to facilitate cross border data flows and to promote internationally recognized data protection best practices. The CBPR System reduces regulatory compliance costs for U.S. companies and offers an alternative data protection model to the EU's costly and burdensome General Data Protection Regulation (GDPR)—primarily related to individual privacy—and China's "Internet Sovereignty" concept—focusing on government authority to control the internet.

The G20 and several international organizations, including the Organization for Economic Cooperation and Development (OECD) and APEC, have sought to develop best practice guidelines and principles related to privacy and cross-border data flows. Furthermore, recent trade agreements have established new enforceable trade rules and disciplines.

Key Challenges to Date

Schrems II: The ECJ decision in *Schrems II* invalidated the European Commission's adequacy decision underlying the EU-U.S. Privacy Shield Framework. The court held that U.S. national security and law enforcement agencies' access to EU personal data meant that transfers to the United States failed to meet EU data protection requirements. The ruling has generated significant uncertainties about the \$300 billion in annual transatlantic digital trade and the ability of U.S. companies (small- and medium-sized enterprises in particular) to transfer and receive European personal data. Shortly after the *Schrems II* decision was issued, Switzerland followed the EU's lead and determined that the Swiss-U.S. Privacy Shield did not provide adequate protection under Swiss law.

GDPR's Influence on Data Privacy Regimes: The EU's GDPR and data localization requirements pose challenges to cross-border data flows and interoperability between data protection regimes. Many countries have modeled their own data



protection regimes on GDPR, although their national divergences inhibit interoperability often resulting in restrictions on cross-border data flows with the EU.

China's Trade and Internet Policies: China's trade and internet policies reflect state direction and industrial policy, limiting both the free flow of information and individual privacy. Citing national security concerns, Chinese laws impose strict requirements on companies. For example, China's Cybersecurity Law requires that critical information infrastructure operators store personal data and critical business data domestically and mandates that such operators undergo security assessments that provide Chinese authorities access to proprietary business information. Some countries are now following China's approach in creating cybersecurity policies that limit data flows and require local data storage and possible access by government authorities.

Key Progress to Date

Privacy Shield: In August 2020, the Department of Commerce and the European Commission jointly announced discussions to evaluate the potential for an enhanced EU-U.S. Privacy Shield framework to comply with the *Schrems II* judgment. In September, Commerce, Justice, and the Office of the Director of National Intelligence (ODNI) released a White Paper to assist organizations in assessing whether their transfers of EU personal data to the United States under data transfer mechanisms other than Privacy Shield offer appropriate protection in accordance with the *Schrems II* ruling. An interagency group overseen by the National Economic Council and the National Security Council manages the U.S. response on Privacy Shield, where Commerce is a leading participant. The United States has stressed to the European Commission that significant changes to the U.S. national security commitments that underpin Privacy Shield would be extremely difficult to implement.

Bilateral and Multilateral Engagement: ITA engages bilaterally with countries and in multilateral fora, such as the G7/G20, the World Trade Organization, and the OECD (where key privacy guidelines are currently under review) to promote the development of interoperable data protection regimes and promote adoption of APEC CBPRs. To date, APEC CBPRs have been adopted by nine APEC economies including the U.S., Mexico, Canada, Japan, South Korea, Singapore, Chinese Taipei (Taiwan), Australia, and the Philippines.

Digital Trade in Free Trade Agreements: ITA supports USTR in ensuring U.S. digital trade objectives are included in free trade agreements (FTA). All three parties to the U.S.-Mexico-Canada Agreement agreed to recognize the APEC CBPR system to facilitate data transfers and agreed to prohibit data localization. The United States and Japan also agreed to continue to promote interoperability of enforcement regimes, such as CBPRs, in the U.S.-Japan Digital Trade Agreement.

Planning for the Future

ITA remains committed to working with its EU counterparts to negotiate an enhanced EU-U.S. Privacy Shield. ODSI will continue to lead efforts to promote recognition and expansion of APEC CBPRs and continue to work with USTR to ensure U.S. digital trade objectives are included in future FTAs.



Relevant Internal Stakeholders

ITA works across bureaus in the Department, and the Secretary's office on digital trade issues. The National Institute of Standards and Technology (NIST) supports ITA on multiple digital trade issues, including privacy through its recently published NIST Privacy Framework.

Relevant External Stakeholders

- A broad range of internet services and software providers across all sectors of the U.S. economy, as well as the number of companies that straddle the line between being a provider and a user of ICT (e.g., Amazon)
- Information Technology Industry Association, the U.S. Chamber of Commerce, and the Business Software Alliance.
- Industry Trade Advisory Committee on Digital Economy (ITAC 8)

Relevant Inter-Agency Groups

ITA is active in several interagency groups including the Commerce Privacy Coordination Group (with NIST, NTIA, PTO, OGC, and other bureaus as appropriate), the Privacy Shield Interagency Group (including the Federal Trade Commission, Department of Justice, ODNI, Department of State, and USTR), and the APEC Digital Economy Steering Group.

Next Steps/Upcoming Deadlines/Timing

Privacy Shield: ITA leads weekly interagency calls to coordinate strategy and decision-making.

- Possible Congressional hearing on data privacy in November 2020 (TBC)
- Forum Europe's 10th Annual European Data Protection & Privacy Conference – December 8, 2020
- EU Commissioner for Justice Didier Reynders announced that the Commission plans to finalize its modernized Standard Contractual Clauses, which are the primary mechanism to send personal data from the EU to the rest of the world, by the end of 2020.

APEC CBPRs: ITA will continue bilateral engagement with APEC member economies to promote CBPR adoption.

- APEC Digital Economy Steering Group – October 21, 2020



Improve Patent Rights and USPTO Risk Management (USPTO)

Executive Summary

The United States Patent and Trademark Office is facing ongoing challenges in three mission-critical areas: 1) revenue risk management, 2) information technology resilience, and 3) the reliability and stability of patents rights. Senior management is actively managing them and taking steps to mitigate potential impacts to operations and intellectual property ecosystem.

Background

Revenue risk management - USPTO is a 100% user fee-funded agency with revenues derived from payments for requested patent and trademark services, demand for which is closely tied to U.S. and global economic conditions. Additionally, patent revenues can only fund patent-related operations of the USPTO and trademark revenues can only fund trademark-related operations. Revenues are generally not transferable between the two distinct business lines.

USPTO has experienced patent and trademark revenue volatility during the COVID-19 pandemic where historically, trademark (TM) revenues have reacted more quickly to economic conditions and stimulus measures, as opposed to lagging impact to patent revenue. USPTO is monitoring revenue trends closely and is seeking congressional approval in early FY21 to access \$232 million in FY20 fee collections deposited in the Patent and Trademark Fee Reserve Fund (PTFRF), a separate Treasury account, to recapitalize our internal operating reserves.

Current budget projections, which include both the PTFRF reprogramming and recent and pending fee rate increases, suggest that with this reprogramming USPTO's operating reserves should be able to sustain operations for a limited time even if FY21 revenue comes in below current projections.

Information technology resilience - Greater budget certainty is essential for USPTO to improve its IT ecosystem to ensure uninterrupted service delivery, using new cloud technology, and leveraging tools like artificial intelligence and machine learning.

Reliability and stability of patent rights - While USPTO grapples with revenue volatility and improving its IT ecosystem, USPTO is also working to enhance the reliability and stability of patent rights. Among other measures, the USPTO has significantly reduced the length of patent examination, has improved examiners' access to prior art, and has adjusted the amount of time examiners have to examine a patent application. Additionally, the USPTO significantly reduced the length of time that the Patent Trial and Appeal Board (PTAB) reviews decisions by examiners (ex parte appeals). Finally, the USPTO has made significant refinements of the procedures for trials conducted under the America Invents Act (AIA), which became law in 2011.



Key Challenges to Date

Revenue Risk - USPTO is not funded via taxpayer revenue but does require an annual appropriation from Congress for the legal authority to spend any of the fees collected. Generally, Congress appropriates the full amount of fees USPTO expects. However, in some years, the appropriation is lower than actual collections. This difference is deposited into an account at the U.S. Treasury, the PTFRF, whereby the USPTO can access these fees via reprogramming requests to the House and Senate Committees on Appropriations.

The pandemic directly impacted economic activities and subsequently, USPTO patent and TM fees. As of mid-summer, USPTO estimated that for FY20 and FY21, patent fee collections would be roughly 3.5% less than what was projected in the President's 2021 Budget. Trademark revenue projections based on estimates in July, USPTO anticipated an 18% decline in FY21. While TM revenues have since rebounded in response to economic stimulus, a wide range of uncertainty still exists and the USPTO is evaluating several revenue forecasts scenarios. A conservative spending approach is currently underway in case additional significant impacts on revenue occur.

The USPTO leverages internal operating reserves—distinct from the PTFRF—to maintain sufficient funding for operations and smooth variability in our revenues that allows the USPTO to continue operations during periods of financial disruption, such as the current pandemic, and to have adequate cash flow while allowing senior management time to efficiently and effectively respond to changes in fee collections and workload.

Information technology resilience - The USPTO has always operated from a single on-site data center housing all mission-critical applications, infrastructure, and data, which is then exposed to potentially catastrophic outages in an emergency. The USPTO's IT product catalog has 30 products in four product lines: Patents, TM, Enterprise Business and Enterprise Infrastructure. Each product is comprised of both legacy systems and modern systems and solutions. To combat frequent outages and degradation of critical agency tools, USPTO is modernizing its computer ecosystem via the transition to a serverless-based architecture and other systemic changes.

Reliability and stability of patent rights – The USPTO has adjusted to changes in patent law resulting primarily from litigation in the Federal Circuit and the Supreme Court by issuing regular guidance and training materials to examiners, including in the area of patent eligibility.

Additionally, the USPTO has made adjustments to the rules and regulations governing its AIA proceedings to ensure that they are as fair as possible to both the petitioners, who are challenging the grant of a patent claim, and patent owners, who are defending that challenge.

Additionally, the USPTO has adjusted to the COVID-19 pandemic, transitioning to virtual examiner interviews and to telephonic or virtual proceedings before the PTAB and TTAB. The USPTO also provided relief under the CARES Act to extend Patent, Trademark, PTAB, and TTAB filing deadlines and the payment of fees to permit stakeholders additional time to pursue and maintain intellectual property rights.

On the litigation front, as noted in the USPTO Fact Sheet, the Supreme Court has granted a petition for *certiorari* to review whether the appointment scheme for administrative patent



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judges (APJs) is unconstitutional, and a decision is expected next year. The Supreme Court's decision could impact agency operations, including the way USPTO handles AIA proceedings.

Key Progress to Date

Revenue Risk - In response to the emerging economic conditions and changes in service demand, the USPTO adjusted its FY20 spending plans to reduce spending and bolster its operating reserves. A patent fee increase—previously planned for July 2020 but deferred due to the pandemic—became effective October 2, 2020. A TM fee increase was planned for summer 2020 as well, but a notice of proposed rulemaking was stayed until signs of economic recovery appeared. The final rule is presently under review.

Information technology resilience - On the network layer, USPTO is joining the National Oceanic and Atmospheric Administration (NOAA) to improve network bandwidth and establish private connectivity to cloud providers. Also, to combat frequent outages and/or degradation of critical agency tools, the agency is in the process of stabilizing its most critical systems and expects to complete this effort by FY22.

The USPTO worked to systematically improve its overall business continuity and disaster recovery posture by backing up all critical databases at its alternate data center in 2019, and, in July 2020, by conducting a live disaster recovery failover drill for two crucial agency applications. This effort will enable multi-site and multi-cloud failover capabilities to maintain operations of our IT systems in the event of component or site failure.

USPTO is taking aggressive steps to maximize usage of commercial cloud technologies as a fast and more cost-effective way to streamline and modernize information technology processes and scale services. Migration to the cloud allows the agency to quickly add and manage storage, backup, disaster recovery, software, and other tools without the need for major upfront capital outlays.

Reliability and stability of patent rights – As discussed above, the USPTO has significantly reduced the length of patent examination, has improved examiners' access to prior art, and has adjusted the amount of time examiners have to examine a patent application. Additionally, the USPTO significantly reduced the length of time that the Patent Trial and Appeal Board (PTAB) reviews decisions by examiners (ex parte appeals). Finally, the USPTO has made significant refinements of the procedures for trials conducted under the America Invents Act (AIA), which became law in 2011.

The progress as to AIA trials has been substantial. The USPTO has engaged in rulemaking related to trial procedures, has issued a Consolidated Trial Practice Guide to provide greater clarity to practitioners, and has improved the process by which it issues precedential decisions. As a result of these changes, the PTAB has achieved much greater consistency in its decision making.

Planning for the Future

Revenue Risk - Continue support for USPTO efforts to retain sufficient cash reserves to mitigate financial risks. Assess the benefits and feasibility of establishing the USPTO as a revolving fund. The USPTO campus in Alexandria includes six buildings, comprising 2,400,000 square



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feet of office space leased at a cost of approximately \$100M per year. Satellite facilities provide another 323,000 square feet of office space. The Alexandria campus lease expires in 2024, and the USPTO is actively assessing office space needs in and around the Alexandria campus to ensure efficient and cost-effective use of agency resources.

Information technology resilience - Cybersecurity: Cybersecurity plays a key role in ensuring that the USPTO IT systems are protecting the data (and related privacy) that is processed, stored, and transmitted by those systems and for protecting the privacy of individuals. The USPTO is actively working to implement numerous enhanced protective measures that include a zero-trust security architecture, identity and access management system, and an Insider Threat protection program.

Transition to NOAA's N-WAVE: In partnership with DOC and NOAA, the USPTO will transition from a commercial Internet Service Provider to a national Fiber Optic Network.

Data Center Relocation and Modernization: During FY21, the USPTO plans to procure a geographically dispersed data center facility to ensure that a failure in the primary data center can be failed seamlessly over to a remote site for continued operational support.

Leveraging Artificial Intelligence/Machine Learning to assist Examiners: The USPTO is currently surveying advanced and emerging technologies to improve Search, Classification, and TM fraud detection to improve the examination processes.

Reliability and stability of patent rights - Looking forward, Patents will continue to work to reduce patent pendency and improve patent examination and PTAB will continue to refine its procedures for AIA proceedings.

As to AIA proceedings, there continues to be substantial stakeholder interest in the manner in which those proceedings are conducted, with some wanting the proceedings to be broadened, some wanting the proceedings to be further limited, and some wanting the proceedings to continue to be assessed through the existing framework. To assess the best path forward, the USPTO has issued a Request for Comments to determine whether it should engage in rulemaking to formalize the factors it considers in determining whether to institute a proceeding or whether it should continue through less formal guidance. In the meantime, the USPTO continues to respond to legal challenges to the still relatively new proceedings and to the Supreme Court case challenging the constitutionality of the USPTO's administrative patent judges.

Relevant Internal Stakeholders

USPTO Office of Chief Financial Officer; Patents; Trademarks; USPTO Financial Advisory Board; and all USPTO Employees who are IT users.

Relevant External Stakeholders

Patent and Trademark Public Advisory Committees; Congressional Committees; Industry groups and individual stakeholders; Inventors and IP Practitioners; IT Development, Operations, Services, Automation, and Support Vendors; Data Dissemination Consumers and Re-sellers



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Relevant Inter-Agency Groups

General Services Administration; DoD Enterprise DevSecOps Community of Practice; Federal Robotics and Cognitive Consortium

Next Steps/Upcoming Deadlines/Timing

Revenue Risk: The USPTO is continually monitoring economic conditions for impacts to our revenue projections.

Information technology resilience: Transition to NOAA/NWAVE Internet Provider – FY21 Q2; Begin Multi-site Data Center Migrations – FY21 Q3.

Reliability and stability of patent rights: Efforts are ongoing throughout FY21.



Standards Leadership for the Nation (NIST)

Executive Summary

NIST leadership in research, measurement science, and standards development are essential for keeping U.S. innovation at the forefront of critical emerging technology areas and translating that innovation to market success. Key topics of NIST expertise include advanced communications (5G and beyond), quantum science, artificial intelligence (AI), advanced manufacturing, biotech and the bioeconomy, cybersecurity, community resilience, and advanced microelectronics. NIST must continue and accelerate its efforts to coordinate federal agencies and effectively engage the U.S. private sector in standards development in emerging technologies of tremendous economic potential.

NIST is the only bureau in the government with unique responsibilities to coordinate Federal Government activities focusing on documentary standards development and conformity assessment procedures with those of the private sector. This responsibility is codified in the National Technology Transfer Advancement Act (P.L. 104-113) and Office of Management and Budget (OMB) Circular A-119. The NIST Director is authorized through the Secretary of Commerce to serve as the President's principal adviser on standards policy pertaining to the Nation's technological competitiveness and innovation, per 15 U.S.C. 272(b). To lead effectively and participate in the development of standards, NIST leverages its workforce of technical experts with approximately 440 NIST technical staff in more than 100 unique standards development organizations, contributing their expertise in over 1,500 standards activities.

Key Challenges to Date

NIST technical expertise and leadership is needed to expand U.S leadership in significant standards activities in high-value sectors. Driven by the Chinese government, Chinese companies have greatly increased their participation in international standards development. Some of China's focus has been in multilateral bodies that produce standards, for which the Department of State leads and NIST supports, ITU and some of China's focus has been in "true" standards development organization, for which Federal Government engagement is led by NIST, e.g. ISO, IEEE, 3GPP, IETF. Although participation is not necessarily an indicator of influence in technical standards outcomes, it is clear that China is attempting to dominate areas in which the U.S. has historically led. In particular, the Chinese are aggressively seeking leadership roles in standardization for strategic areas such as 5G, AI, and blockchain. The U.S. perspective that voluntary consensus standards must be industry-driven for greatest economic benefit hinges on a crucial issue – the need for robust U.S. private sector participation. The ability to continue to enable robust participation of U.S. technology companies in international standards development activities is critical for the U.S. to maintain a competitive advantage.

A longer-term challenge is China's continuous increased investment in research, a precursor to standardization, and our comparative decline. While the U.S. still invests more in R&D than China, if we want to continue to lead, the Nation needs to increase its R&D.



Key Progress to Date

NIST is working to coordinate U.S. engagement in these key emerging areas. Working with federal agencies and other stakeholders, NIST is implementing the recommendations in the NIST Plan for Federal Engagement in Developing Technical Standards and Related Tools for AI¹, developed in response to Executive Order 13859, including the appointment of NIST as the AI standards coordinator for federal agencies. NIST chairs the Interagency Committee on Standards Policy, and NIST is taking steps to ensure that the U.S. is influential areas quantum science standardization through leveraging our private sector partner the Quantum Economic Development Consortium (QED-C)². NIST chairs the Interagency International Cybersecurity Standards Working Group to coordinate cybersecurity standards needs among its member agencies.

Planning for the Future

NIST is increasing standards education and training efforts to increase the Federal Government's capacity to participate and increase the awareness of the critical role of standards in innovation and trade, as well as establishing new public private partnerships to facilitate industry coordination. Further, NIST's unique role for U.S. innovation and technology transfer has an enduring focus to assure that the Nation maximizes technology-based innovation outcomes to be translated into value for the U.S. economy, people and industrial competitiveness from the federal investments made in science and technology.

Relevant Internal Stakeholders

- NIST Laboratory Programs develop measurement science that underpins critical standards and participate/lead in standards development activities.
- NIST Standards Coordination Office provides leadership and guidance on standardization, trade, regulatory approaches and provides training for government agencies.
- ITA
- NTIA
- USPTO

Relevant External Stakeholders

- The American National Standards Institute
- Standards Development Organizations and international fora that development standards including ISO, IEEE, IETF, 3GPP, and ITU
- Other like-minded nations
- U.S. industry in emerging technology areas
- NIST consortia members e.g., the 80+ organizations in the NIST 5G mMWave Chanel Model Alliance³ and the 180+ members of the NIST-funded QED-C

Relevant Inter-Agency Groups

- Interagency Committee on Standards Policy (ICSP)

¹ https://www.nist.gov/system/files/documents/2019/08/10/ai_standards_fedengagement_plan_9aug2019.pdf

² <https://quantumconsortium.org/>

³ <https://5gmm.nist.gov/>



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- Interagency International Cybersecurity Standards Working Group
- NSC Sub-PCC on Standards
- White House National Science and Technology Council subcommittees in relevant S&T areas, e.g., Nanoscale Science Engineering and Technology (NSET); Machine Learning and AI (MLAI); National IT R&D (NITRD); Quantum Information Science

Next Steps/Upcoming Deadlines/Timing

- In FY21, NIST will work with the MLAI SC to coordinate international efforts in AI research and build public and private sector capacity in AI standardization processes.
- In FY 21, NIST will continue to lead standards coordination across the Federal Government, actively promoting U.S. leadership in international standards development for 5G and beyond, including through private sector and international engagement.



Invest in the Nationwide Public Safety Broadband Network (NTIA, FirstNet Authority)

Executive Summary

The Department of Commerce’s First Responder Network Authority (FirstNet Authority) is delivering a nationwide wireless broadband network to America’s first responders, helping them communicate, save lives, and protect our communities. The network provides first responders with their own, always-on, 24/7, 365 “fast lane” for voice and data communications.

A key element to the FirstNet Authority’s future success lies with its ability to successfully reinvest payments received from its contracted partner, AT&T, back into the network as required by the FirstNet Authority’s enabling statute. In June 2020, The FirstNet Authority Board approved \$218 million for the first two reinvestments in the Nationwide Public Safety Broadband Network (NPSBN): 1) expanding the Deployables capability, a key differentiator with public safety, and 2) initiating a multi-year next generational upgrade of the FirstNet Core to support 5G access.

The FirstNet Authority’s overarching vision is to create a dedicated and differentiated broadband communications experience that transforms public safety operations to saves lives. Through continuing investments in the NPSBN, the FirstNet Authority is working towards this long-term goal. The Administration should be aware that the FirstNet Authority has just begun its reinvestments into the network and will continue to do so guided by the FirstNet Authority Roadmap, which provides insight into public safety’s operational needs and technology trends. The Roadmap charts a path for reinvestments to maximize FirstNet’s impact and is the source for the FirstNet Authority’s investment pipeline.

Background

Following the terrorist attacks on September 11, 2001, the 9/11 Commission report recommended a nationwide network for public safety, and public safety organizations came together to press Congress to establish the First Responder Network Authority (FirstNet Authority). The subsequent legislation¹ allocated 20 megahertz of 700 MHz spectrum and \$7 billion to establish the network, required the FirstNet Authority to become self-sustaining, and mandated that the agency must consult with federal, state, tribal, and local public safety entities before deploying the network.

In January 2016, the FirstNet Authority issued an open, transparent, and competitive Request for Proposals for the FirstNet network’s deployment and awarded a 25-year contract to AT&T in March 2017. The FirstNet network launched nationwide in 2018,² providing public safety

¹ The Middle Class Tax Relief and Job Creation Act of 2012 (Pub. L. No. 112-96, Title VI, 126 Stat. 256 (codified at 47 U.S.C. 1401 et seq.)).

² The Act required each governor to “opt in” to individualized state plans created by FirstNet, detailing the network’s deployment plan within each respective state and territory, prior to FirstNet being able to begin deployment in the state. See *FirstNet Buildout Launches Nationwide as Public Safety Core Nears Delivery*, available at: <https://2014-2018.firstnet.gov/news/firstnet-buildout-launches-nationwide-public-safety-core-nears-delivery>



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prioritized access to all AT&T LTE spectrum bands,³ while simultaneously beginning the deployment of FirstNet’s dedicated Band 14 spectrum nationwide. The network buildout is a five-year build through 2023, including both urban and rural coverage milestones.⁴

With a dedicated and physically separate Core network, over 70 deployable assets that provide service and capacity when disasters strike or during planned events, and always-on priority and preemption for public safety that equates to a virtual express lane in the sky at speeds rated 25% faster than any other commercial wireless network in the nation, the FirstNet network now covers over 99% of the U.S. population.⁵ As of July 2020, more than 13,000 public safety agencies and organizations subscribe to FirstNet, accounting for over 1.5 million network connections across the country.⁶ For context, this is over a 32% increase in agency adoption and 66% increase in connections from the end of 2019.⁷

As AT&T continues its nationwide Band 14 deployment, the FirstNet Authority intends to focus its attention on two key priorities: 1) continuing to ensure vigorous contract oversight and 2) operationalizing the FirstNet Authority Roadmap to ensure the agency launches reinvestment projects that enhance the FirstNet network based on public safety’s operational needs and technology trends.

Key Progress: A Public Safety Roadmap That Maximizes Investment Impact

In late 2019, the FirstNet Authority released its initial Roadmap,⁸ designed with input from public safety, industry, and government, which provides insight into public safety’s operational needs and technology trends over a five-year period. The Roadmap is updated on a yearly cadence, with the next version expected by early November 2020.⁹ The Roadmap charts a path for reinvestments to maximize FirstNet’s impact and is a source for the FirstNet Authority’s reinvestment pipeline.

The Roadmap is organized into a framework of six domains representing groupings of related technologies and capabilities that are essential to the public safety community’s mobile broadband communications experience. The two principal domains are the **Core**, which provides the essential intelligence for the functioning of the network, and **Coverage**, which enables robust and ubiquitous access to that network. Two domains relate to specific public safety features: **Situational Awareness**, which envisions real-time access, collection, and distribution of critical information, and **Voice Communications**, which envisions high-quality, reliable voice communications nationwide working seamlessly across analog and digital platforms. The final two domains concern tailoring public safety users’ experience: **Secure**

³ *FirstNet Momentum*, available at: https://about.att.com/story/firstnet_increases_network_coverage_as_band_14_is_added.html.

⁴ *Agency Priority Goal, Rural Wireless Broadband for Public Safety*, available at: https://www.performance.gov/commerce/APG_commerce_4.html.

⁵ *FirstNet Expands Nationwide LTE Coverage Area*, available at: https://about.att.com/story/2020/expanding_nationwide_lte_coverage.html.

⁶ *FirstNet Tops 1.5 Million Connections*, available at: <https://urgentcomm.com/2020/07/24/firstnet-tops-1-5-million-connections-13000-agencies-according-to-att/#:~:text=FirstNet%20is%20supporting%20more%20than,by%20AT%26T%2C%20the%20nationwide%20contractor>.

⁷ *FirstNet adopted by more than 9,800 agencies, supporting almost 900,000 connections, AT&T says*, available at:

<https://urgentcomm.com/2019/11/05/firstnet-adopted-by-more-than-9800-agencies-supporting-almost-900000-connections-att-says/>.

⁸ *FirstNet Authority Releases Public Safety-Driven Roadmap for Future of Network*, available at: <https://firstnet.gov/newsroom/press-releases/firstnet-authority-releases-public-safety-driven-roadmap-future-network>.

⁹ *FirstNet Authority Roadmap*, available at: <https://www.firstnet.gov/network/roadmap>.



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Information Exchange relates to the assurance that all access is secure, reliable, and easy-to-use, and **User Experience** concerns ensuring interfaces are designed for specific public safety users' operational challenges.

In June 2020, the FirstNet Authority Board approved the first set of investments to upgrade the FirstNet Core to be 5G ready and further expand the dedicated fleet of deployable assets.¹⁰ These investments are a direct result of Roadmap priorities in the Core and Coverage domains and represent the first strategic investments toward advancing the network beyond its contractual baseline and responding to first responders' evolving operational needs.¹¹ The Roadmap will continue to be a critical strategic planning document to guide the FirstNet Authority on future investments, programs, and activities.

Planning for the Future

The FirstNet Authority's reinvestment resources are sourced from the fees paid by the contractor to the FirstNet Authority as part of the NPSBN public-private arrangement and enable the FirstNet Authority to be self-sustaining per Congress' initial vision. The portion of those fees that are available for network reinvestment are credited to the FirstNet Authority Reinvestment Fund and must be reinvested back into the network per FirstNet's statutory requirements.¹² The total amount of funding available for investment opportunities from the Reinvestment Fund is expected to be approximately \$15 billion over the term of the Agreement (i.e., through 2042), but the profile of those payments varies from year to year which impacts the amount of funding available for investment in any given fiscal year.

Funds will be received into the Reinvestment Fund on an annual basis, and do not need to be allocated within the year they are received. Any unused funding in the Reinvestment Fund in any year remains available for allocation to investment opportunities in future years. Similarly, funding allocations made to investment opportunities in any year do not need to be fully consumed within that year.

To ensure a sound investment process, the FirstNet Authority collaborated with the National Telecommunications and Information Administration (NTIA) and others in the Department of Commerce to develop a process and plan for investments. Simultaneously with that effort, the FirstNet Authority Board issued Resolution 98, *The FirstNet Authority's Investment Principles*¹³ to guide future investment decisions. Specific reinvestment projects that complete the FirstNet Authority's investment process will only be obligated after approval by the FirstNet Authority Board.

¹⁰ *FirstNet Authority Board Approves Network Investments for 5G, On-Demand Coverage*, available at: <https://firstnet.gov/newsroom/press-releases/firstnet-authority-board-approves-network-investments-5g-demand-coverage>.

¹¹ *Id.*

¹² See U.S.C. 47 § 1428.

¹³ See Board Resolution 98 *The FirstNet Authority's Investment Principles*, available at: https://firstnet.gov/sites/default/files/Board%20Resolution%2098%20The%20FirstNet%20Authority%20Investment%20Principles_0.pdf.



Relevant Internal Stakeholders

- National Telecommunications and Information Administration
- Department of Commerce Office of Acquisition Management
- National Institute of Standards and Technology, Communications Technology Laboratory (develops a list of certified devices that meet appropriate protocols and standards for access to, use of, or compatibility with the NPSBN)
- FirstNet Authority Public Safety Advisory Committee
- FirstNet Authority Board

Relevant External Stakeholders

- Local, state, tribal, and federal public safety and governmental entities and associations to understand their trends, drivers, and priorities and realize the operational benefit of the FirstNet Network.
- Industry and academia to understand and influence technology trends and their application to public safety communications.
- FCC leadership and bureaus on a range of matters that include Band 14 public safety broadband spectrum license maintenance, spectrum management, interference issues, international spectrum treaties, and rules and regulations which affect/apply to public safety communications operations.
- AT&T, contractually responsible for deploying and operating the FirstNet Network.

Next Steps/Upcoming Deadlines/Timing

The FirstNet Authority will continue to identify and review investment opportunities through its Roadmap domain teams and through the agency's investment processes. This is an ongoing process.



Space Commerce

Promote the United States as Flag of Choice for Space Commerce

(Office of Space Commerce)

Executive Summary

The U.S. commercial space industry is a vital industry underpinning the Nation’s economic and national security future. Administration policy strongly emphasized space exploration and space commerce, including the essential role of the private sector. A diverse and dynamic entrepreneurial base, a strong supporting finance and insurance ecosystem, ongoing regulatory reform, and a growing talent base all position U.S. industry to maintain the lion’s share of the global space economy, even as it heads towards a trillion-dollar market.

None of this is automatic, however. Strong anti-competitive international behavior, regulatory complexity, growing problems of space debris and space congestion, and the lack of analytical data to drive decisions about investment and talent could stifle U.S. innovation, or worse, force U.S. entrepreneurs to pursue innovative missions abroad.

The Commerce Department’s role in advocating for the U.S. commercial space industry is essential to ensuring that the United States remains flag of choice for space companies and the growth of space commerce. The Office of Space Commerce (OSC), established over thirty years ago but revitalized by the Administration, plays a key role as the Executive Branch advocate for the U.S. commercial space industry and in coordinating across the Department on space and space commerce issues. The Department, per Space Policy Directive – 3 (SPD-3), has also taken on the role as lead civil agency for improving space situational awareness (SSA) and space traffic management (STM) through key partnerships with DoD and NASA, development of an open architecture data repository (OADR) for aggregating military, civil, commercial, and international data sources, capturing industry standards and best practices, providing basic space safety conjunction assessments and encouraging the growth of a space safety industry. The Department of Commerce has proven ability to effectively manage large, diverse, and complex data sets; it can provide essential technical expertise and other support to the Office of Space Commerce for SSA and STM tasks. OSC has played the lead role for the Department since the issuance of SPD-3.

Background

OSC’s mission, per 51 U.S. Code § 50702, is to “foster the conditions for economic growth and technological advancement of the U.S. commercial space industry. Since OSC’s creation, one central function has been to leverage the entire Department of Commerce on behalf of the U.S. commercial space industry. Expanding Commercial Space Activities, including the expansion of OSC, is Strategic Objective 1.1 in the Department’s Strategic Plan for 2018-2022; OSC’s efforts to improve space situational awareness are an Agency Priority Goal for 2020-2021.



To achieve these objectives, OSC’s work is organized along four lines of effort:

- **Advocacy:** OSC’s core mission is executed through Secretary-level summits on space commerce-related issues, engagement with space industry associations, and interactions with individual space companies that are promoting new capabilities, trying to navigate regulatory paths, or understanding potential U.S. government customers. OSC publishes a website with Departmental and Office updates, and other news, including opportunities for entrepreneurs. OSC also leads the weekly Department-wide “Space Team” for updates on Departmental equities and activities.
- **Modernize and Reform Regulations:** OSC has been an active participant in Space Policy Directive – 2 (SPD-2) efforts to reform commercial remote sensing, export control, and RF spectrum activities. In response to National Space Council (NSpC) tasking, the Department has also identified a number of future commercial space missions (e.g., satellite servicing) that currently lack efficient authorization and governance within a complex U.S. regulatory structure, and proposed an overarching solution.
- **Engage Industry:** OSC routinely interacts with individual companies, space industry associations, and the supporting finance and insurance ecosystem in order gain early warning of new space missions and trends affecting the entire space industry. As appropriate, OSC convenes interagency working groups to discuss issues impacting the U.S. commercial space industry. OSC also works with entrepreneurs to help navigate complex regulatory processes within federal government agencies and ensure the expeditious clearance and approval of essential commercial space activities.
- **Improve Understanding of the Space Economy:** Space economy data suffers from a lack of common definitions, out-of-date industrial codes, and disagreement about what to count and how to count it. Yet it is vitally important moving forward to inform decisions about investment, talent, regulation, and other priorities. OSC, in partnership with the Department’s Bureau of Economic Analysis, is working to improve the quality and rigor of space economy data, in partnership with industry and international partners.

In addition to these four functional areas, OSC has new responsibilities in the area of space safety and sustainability. America’s decades-long global leadership and new-found emphasis in this area also encourages us as the flag of choice for cutting-edge commercial activities.

- **Improve Space Situational Awareness (SSA) and Space Traffic Management (STM):** The space debris challenge is complex and growing more complicated given changes in the space environment (e.g., launch cadence, rapid growth in number of active satellites) and the growth and diversity of space commerce (e.g., satellite servicing, maneuverability, private human spaceflight). SPD-3 directed the Department to assume from the Department of Defense, no later than 2024, responsibility for private sector and international notifications of conjunctions in space. OSC’s role, in concert with Departmental entities, DoD and NASA, and industry and international partners, includes work on standards and best practices for space safety, leveraging commercial capabilities, and development of an open architecture data repository.



Finally, the President signed an Executive Order in February 2020 to improve national resilience through the responsible use of positioning, navigation, and timing systems. Global navigation systems (GNSS) play a major role in our national security as well as economic sectors like transportation, finance, and personal navigation. The National Space Council is finalizing a Space Policy Directive to focus additional efforts, ranging from the development of redundant ground-based system to encouraging the use of multiple GNSS systems to support critical infrastructure. The Department supports these efforts through NIST’s technical efforts and OSC’s hosting of the National Coordination Office for the Positioning, Navigation, and Timing (PNT/NCO). OSC provides both technical and administrative support to the PNT/NCO’s efforts.

Key Challenges to Date

The Secretary’s direction to revitalize OSC is well underway. The pursuit of America’s interests in space has strong public and bipartisan Congressional support, and the expectations for all OSC’s mission areas have grown explosively. OSC executes its mission through a Director and four dedicated staff, although internal Commerce and interagency detailees also continued to provide additional support. The Department has requested \$15m in FY2021 and engaged key Congressional staff to educate decision-makers on the importance and recent expansion of OSC’s mission.

The Secretary’s desire to return OSC to the Office of the Secretary, as an interim step to establishing a Space Commerce Bureau, is an important step in fulfilling the Nation’s ambitious goals in space and space commerce, especially by leveraging private sector activity. The diversity of commercial space entrepreneurship and a supporting finance and insurance ecosystem, growing complexity in global space markets, and the SPD-3-directed space safety mission all merit the permanence in OSC’s high-level interactions across the Department. While OSC continues to work issues pertinent to NOAA’s mission, OSC’s mission also often requires the direct input of the Secretary or the Deputy Secretary. Establishing a Bureau led by a Senate-confirmed Assistant Secretary would bring equal voice to the economic and commercial aspects of all national space policy decisions.

Finally, it should be noted that the Department’s efforts under SPD-3 have been undertaken within current resources. Fortunately, the Department’s capabilities in this area are many – from those in NOAA, NIST, and NTIA, to a recognized world-class approach to collecting, analyzing, and disseminating complex data sets. The Department’s routine interactions with industry are also essential to leveraging commercial capabilities for improving the Nation’s SSA system, how space commerce missions will drive demand for new SSA services, and how to most effectively craft the public-private partnerships to help deal with these challenges.

Key Progress to Date

The Department’s deep relevance to the space exploration and space commerce missions are now broadly understood, and the National Space Council and the Secretary have strong expectations for the Department in our space strategies going forward. Advocacy on behalf of a growing commercial space industry, a deeper understanding of competitive and unfair practices



in a rapidly changing global space market, export controls, spectrum and intellectual property protection, space economy statistics, the role of standards and cybersecurity, and the importance of a diverse talent base are just a few of the roles that this Department plays in supporting the Nation’s many space ambitions. The Office of Space Commerce plays the key role for the Department in connecting these many different activities, both within the interagency process and in its many interactions with the U.S. commercial space industry. The Department’s role in this area is also increasingly recognized internationally, as allies and like-minded countries pursue their own space activities and have increased interest in the economic and security benefits from space.

The Department has strengthened relations with industry, and has a deeper understanding of entrepreneurship, the supporting finance and insurance ecosystem, and how these activities align with U.S. government space missions and the broader growth of space commerce. It has a rich understanding of the regulatory impacts to the growth of business and has been working with industry and our federal government partners to mitigate or eliminate them. It has a more detailed understanding of the anti-competitive practices that U.S. companies must confront in rapidly changing global space markets, and how to forge successful partnerships at home and abroad to ensure success. While still in their nascent stages, the Department is playing a key role in encouraging the use of a wider range of USG economic organizations (e.g., EXIM bank, DFC) to support the commercial space industry as well as how to leverage existing space alliances and the private sector to encourage constructive partnerships with emerging space countries. These are all powerful tools for ensuring that the United States captures the lion’s share of the growing space commerce market and that it remains “flag of choice” for commercial space activities.

Under the National Space Council’s “whole of government” approach, the Department has provided additional support to federal agency partners and the broader interagency process. The National Space Council requested the Department’s input on upcoming missions without a formal process for authorization; this is especially important as entrepreneurs bring new capabilities to market. The Department has made a bold recommendation to complement the FAA’s launch and reentry authorities with the Department’s authorization and governance of on-orbit activities. In addition, we have provided support to NASA’s development of the Artemis Program, and for the NSpC’s Planetary Protection activities. Within our SPD-3 responsibilities, we have strengthened relationships with DoD, State, and NASA, and led an interagency working group designed to improve FCC’s independent rule-making activities on orbital debris.

Regarding space safety and sustainability, the Department has, within resources, advanced different aspects of the SPD-3 mission. By leveraging internal Departmental resources, we have validated our legal and regulatory authorities, conducted initial architectural planning for the OADR, strengthened relations with DoD (Space Command, OSD, Vandenberg AFB) and NASA, and held industry days and other engagements to understand existing capabilities pertinent to the SSA/STM mission. Our efforts since the direction of SPD-3 were strongly validated by a Congressionally directed National Academy of Public Administration study which observed that “OSC is best suited to perform SSA/STM functions in the federal government.” The study also recommended that Congress act, without delay, to support OSC’s mission. The Department is the best civil agency to take on this urgent problem.



Planning for the Future

OSC will continue to work across all mission areas within resources available. The President’s FY 2021 Budget Request would allow OSC to continue to expand activities in all mission areas while preparing for the larger SSA and STM missions that are planned. In the FY 2021 Congressional Budget Request, NOAA requests a technical adjustment to transfer \$1,800,000 and 6 FTE/ 6 positions from the NESDIS ORF Commercial and Remote Sensing and Regulatory Affairs Subactivity and \$2,300,000 and 3 FTE/ 5 positions from the NESDIS ORF Office of Space Commerce Subactivity, to the Department of Commerce ORF Operations and Administration Subactivity.” Three mission areas require additional attention: advocacy, regulatory reform, and space safety and sustainability.

Advocacy: a wide range of entrepreneurs and space companies consult the Department on how to engage U.S. government organizations, navigate regulatory processes, or increase market access abroad, to name a few. Advocacy takes place through Departmental outreach efforts all the way to individual company engagements. This will remain a mainstay of OSC’s efforts, in connection with other Departmental organizations.

Regulatory reform: ongoing Administration initiatives have properly emphasized regulatory reform and/or modernization to encourage innovation in the space industry. These efforts must continue to maintain the United States as flag of choice for space and space commerce. The United States continues to have a fractured regulatory system (e.g., FAA, FCC, NOAA) that is inefficient and regulations that are now just being modernized. Many new space missions lack any organizational structure that can govern consistent with our obligations under the Outer Space Treaty. The Department has made a proposal at NSpC direction to provide this governance for emerging space missions outside the Kalman line, complementary to the FAA’s launch and reentry obligations.

Space Safety and Sustainability: the Department and the Nation as a whole must make progress to improve space safety and sustainability, through a combination of four kinds of efforts: mitigating the creation of new debris, improved space situational awareness, enhanced space traffic coordination and management, and, finally, active debris removal. These will require dedicated focus and sustained resources, both to provide basic space safety services and to encourage the growth of a new space safety industry. American leadership and values are at risk should we not act, and the growing probability of major conjunctions threatens the astronauts aboard the International Space Station, billions of dollars of American and allied investment in space capabilities, national security, and the costs and benefits associated with space commerce.

Relevant Internal Stakeholders

- **Commerce Bureaus:** as mentioned, most of the Department’s Bureaus and other organizations undertake activities pertinent to space and space commerce. The high-level engagement and responsiveness that OSC has enjoyed needs to be made permanent.
- **Internal to NOAA:** OSC works on several issues related to NOAA, including commercial remote sensing (CRSRA), commercial weather (NESDIS), space weather, and others. OSC has drawn upon NOAA’s big data project, the National Satellite Operations Facility, the National Weather Service, and the Space Weather Prediction Center in its initial efforts on SSA and STM.



Relevant External Stakeholders

- **SSA and STM:** DoD and NASA are key external partners; these partnerships will grow as the space safety and security environment grows more complex.
- **International partners:** OSC works routinely with international space agency organizations and economic/regulatory ministries to discuss matters related to space regulation, space economy trends, and SSA/STM.

Relevant Interagency Working Groups

- **Various NSpC-convened working groups** (e.g., international cooperation, planetary protection, SPD-3)
- **Commercial Space Transportation Interagency Working Group**
- **Commercial Orbital Debris Interagency Working Group** (lead)

Next Steps/Upcoming Deadlines/Timing

The Secretary will participate in National Space Council activities planned for 2020/early 2021:

- Rollout of revised National Space Policy (TBD 2020)
- Rollout of Space Policy Directive on Nuclear Power and Propulsion (TBD 2020)
- Rollout of Space Policy Directive on Resilient PNT Systems (TBD 2020)
- Possible National Space Council with DoC progress, highlighting SSA/STM (TBD)
- National Space Symposium (tentative March 2021)

Activities involving the Office of Space Commerce:

- SSA/STM industry day (planned for 23/24 November)
- Space investment summit regarding private sector finance (in planning for end of 2020)
- Export control regulatory reforms (with BIS, per SPD-2)
- NASA industrial base study (with BIS, ongoing through 2021)
- Space Enterprise Summit 2.0 (Mar/Apr 21; co-hosted with State at DOC this year)
- DoC-led meeting with USG economic and development organizations (e.g., EXIM, DFC) to support the U.S. commercial space industry
- NOAA's Advisory Committee on Commercial Remote Sensing (Mar/Apr 21)
- Continued work on DoC APG on SSA/STM (ongoing)

International Discussions about Space

- Economic Policy Dialogue with UAE, including space cooperation
- Possible US-India Space Dialogue (in discussion)
- Possible US-China civil space dialogue (in discussion)

Key decisions about FY21 appropriations, especially as it related to SPD-3 mission

- Key staffing and contracts execution
- Initial development of OADR
- Industry standards and best practices related to space safety
- International partner engagement on U.S. space safety and sustainability activities (with State)



Evidence-Based Policymaking Act Implementation: Establish DOC-wide Evidence Building as Part of Broader PMA Data Policy Work (OUSEA)

Executive Summary

The goal of the bipartisan Foundations for Evidence-Based Policymaking Act of 2018 (the “Evidence Act”) is to fully leverage the value of data for mission delivery, government services, and the public good. The Evidence Act has three main requirements: 1) systematically develop evidence and evaluations to support agency decision-making, 2) make government data accessible as a resource for both government and private-sector decision-making, and 3) increase privacy protection and statistical efficiency. Similarly, the Federal Data Strategy (FDS), released in late 2019, seeks to guide implementation of the Evidence Act through a set of principles that creates a consistent framework for agency action.

Since the passage of the Act, the Office of Management and Budget (OMB) looked to the Department of Commerce, as the government’s “Data Agency,” to serve as a model for implementing this new approach to data use, access, and protection. In fact, the Department, through the Deputy Secretary, served as one of two cabinet agencies responsible for the development of the FDS. The Department, in turn, has called on the Office of the Under Secretary for Economic Affairs (OUSEA) to lead Commerce’s actions. OUSEA has taken major steps toward executing the directives of the Evidence Act and the FDS, including laying groundwork for a robust evidence-building framework, standing up key leadership positions, coordinating efforts within the Department and across the federal government, and meeting deadlines for critical deliverables over the initial implementation period.

By championing the policies and practices of the Evidence Act and the FDS, as well as the associated Geospatial Data Act and the DATA Act, the Secretary and Administration will continue the drive to build a culture that values data; governs, manages, and protects data more effectively; and promotes efficient and appropriate data use. Through these efforts, policymakers and everyday Americans will have better access to the critical information they need to make informed economic and social decisions and spur innovation.

Background

The Foundations for Evidence-Based Policymaking Act of 2018 (<https://www.congress.gov/bill/115th-congress/house-bill/4174>), Pub. L. No. 115-435, effected a major advance in the use of rigorous evidence and evaluation in federal decision-making. The Evidence Act implements 11 of the 22 recommendations, in full or in part, of the blue-ribbon U.S. Commission on Evidence-Based Policymaking (<https://www.cep.gov/cep-final-report.html>)

The Evidence Act is organized in three titles, with the first emphasizing the role of program evaluation, the second focused on data governance, and the third describing the role and authorities of the federal statistical system.



TITLE I--FEDERAL EVIDENCE-BUILDING ACTIVITIES: The law requires agencies to appoint a senior official as the agency Evaluation Officer, to develop and submit annually to OMB and Congress a systematic plan for identifying and addressing policy questions, and to otherwise build capacity to inform policy decisions with rigorous evidence. This title also calls for the creation of the Advisory Committee on Data for Evidence-Building, which is operated by the Department of Commerce.

TITLE II--OPEN GOVERNMENT DATA ACT: This title of the law requires agencies to appoint both a Chief Data Officer and an agency Statistical Official who work in close coordination to manage an agency's data governance, data stewardship, and data protection. The title also directs agencies to identify government data assets that can be made public and to publish those datasets in machine-readable formats. The law notes that the General Services Administration must maintain an online federal data catalogue to provide a single point-of-entry for the public to access agency data and that agencies must also publish agency-level inventories.

TITLE III--CONFIDENTIAL INFORMATION PROTECTION AND STATISTICAL EFFICIENCY: This portion of the law revises and expands the Confidential Information Protection and Statistical Efficiency Act of 2002 by creating a presumption of access to federally held data by designated agencies and by strengthening the ability of designated statistical agencies to protect confidential data while also improving access.

Since the passage of the law in January 2019, OMB issued guidance for implementation in the form of two memoranda and an OMB Circular, respectively:

- M 19-23 (<https://www.whitehouse.gov/wp-content/uploads/2019/07/M-19-23.pdf>)
- M 20-12 (<https://www.whitehouse.gov/wp-content/uploads/2020/03/M-20-12.pdf>)
- A-11, Part 6, section 290 (<https://www.whitehouse.gov/wp-content/uploads/2018/06/a11.pdf>)

Additionally, the President's Management Agenda (2017) outlined a Cross-Agency Priority Goal that resulted in the Federal Data Strategy and associated Year 1 Action Plan (<https://strategy.data.gov/resources/>), which is closely related to the Evidence Act. The FDS is designed as a framework of principles—timeless and enduring guidelines and practices—and aspirational goals over a 5 to 10-year horizon, which is then supplemented with an annual Action Plan. The Year 2 (2021) Action Plan is expected around December 2020. The requirements and steps outlined below are called for in one or more elements of the statute, implementation guidelines, or the FDS Year 1 Action Plan.

Key Progress to Date

Personnel Requirements - The Evidence Act directs agencies to appoint three senior-level, career officials to lead implementation activities. The Department has met this requirement as follows:



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- **Statistical Official (SO):** Serves as the principal statistical advisor to the Secretary and coordinates statistical activities across the Department. For departments that house a principal statistical agency (PSA), this is the head of such an agency. Commerce houses two PSAs, BEA and the Census Bureau, and has determined that the SO role will rotate between the bureau heads on a roughly 24-month cycle. The acting BEA Director, Mary Bohman, is the current SO.
- **Chief Data Officer (CDO):** Serves as the Secretary's principal advisor on data management, leads the Department's data governance and life-cycle management, reviews and coordinates information collections, and broadly supports the full range of data needs. The Department appointed an interim CDO and is reviewing applications pending the selection of a permanent official.
- **Evaluation Officer (EO):** Acts as the Secretary's principal advisor on program evaluation and evaluation capacity; leads implementation of the Department's Evaluation Policy; and coordinates, develops, and carries out the Department's evidence-building program. The Department appointed an interim EO pending the solicitation and appointment of a permanent official.

OMB guidance provides wide latitude to agencies in determining the organizational placement of these officials. Commerce has placed these three positions in the Office of the Under Secretary for Economic Affairs, alongside the Chief Economist, and has already seen considerable value from the synergy and collaboration among the officials currently acting in these roles.

Activities and Tasks - The Department, under the direction of the Statistical Official, Chief Data Officer, and Evaluation Officer, made major advances toward implementing the requirements of the Evidence Act and the Federal Data Strategy. The following list describes key deliverables and notes items for which notable progress has been made.

- **Advisory Committee on Data for Evidence-Building:** This Committee was delegated to the Department of Commerce to operate on behalf of OMB and is broadly tasked with evaluating and providing recommendations on how to facilitate data sharing, enable data linkage, and develop privacy-enhancing techniques, as well as reviewing the coordination of data sharing and availability for evidence building across federal agencies and different levels of government (see Evidence Act Title 1).
- **Commerce Data Governance Board (CDGB):** Chaired by the CDO, the CDGB is comprised of representatives of all bureaus and offices and is responsible for department-wide coordination of data governance and related activities.
- **Commerce Data Inventory:** Each bureau has developed a data inventory in a machine-readable format designed to provide input to the department-wide and government-wide catalogs (see Evidence Act Title II and FDS Action Step 6).
- **Commerce Evaluation Policy:** Defines the Department's roles and responsibilities for building a strong foundation to support evidence-based decision-making, currently pending review and approval (see OMB Memorandum M 20-12)
- **Departmental Learning Agenda:** The Department has developed an initial learning agenda, outlining key research questions for determining multi-year policy and program



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development goals and identifying critical data assets and other resources needed to meet these objectives (see Evidence Act Title I).

- **Annual Evaluation Plan:** Commerce has developed its initial program evaluation plan, which outlines priority questions for a specific fiscal year (see Evidence Act Title I).
- **Data Maturity Assessment:** Gauges the maturity of data and the related data infrastructure, including organizational structures, knowledge bases, and policies to establish a common framework for applying chosen data maturity models across Commerce bureaus (see FDS Action Plan Step 3)
- **Data Skills Assessment:** Evaluates the coverage, quality, methods, and effectiveness of staff data literacy and data skills to lay the foundation for a multi-year effort aimed at transforming the Department's workforce to meet emerging data skills needs (see FDS Action Plan Step 4)
- **Evaluation Capacity Assessment:** Measures the Department's capability to support the development and use of evaluation as well as its available technical expertise and knowledge of methods and standards; this assessment is supported by the Data Maturity Assessment and the Data Skills Assessment (see Evidence Act Title I)

Key Challenges to Date

- Commerce bureaus have diverse and often highly technical portfolios, including cutting-edge statistical and scientific work that does not conform well to traditional evaluation models. This requires strong coordination and a broad, multi-disciplinary evaluation approach. For example, the draft FY 2022 Evaluation Plan includes methods to evaluate programs that range from processes for refining statistics to establishing standards for artificial intelligence.
- As these personnel requirements are newly created positions, resources remain a key factor in the establishment and development of these functions. To date, the work has been accomplished through staff details and exceptional collaboration and cooperation of bureau staff who have other portfolios; however, further progress and advancements depend on future resources.

Planning for the Future

- While much progress has been made, the Department must continue to press forward in implementing the requirements of the Evidence Act and leveraging their outputs. For example, once finalized, the data maturity assessments and staff data skills assessments will provide key inputs into planning and development opportunities.
- Similarly, while many advances have been made in the establishment of these new positions and the placement within the Office of the Under Secretary, there is still much to do to grow this capacity toward the government-wide role model envisioned.
- Considerable additional OMB guidance remains to come with respect to Evidence Act implementation, as well as a new annual Action Plan associated with the Federal Data Strategy.



Relevant Internal Stakeholders

- All bureaus, offices, and elements of the Department are stakeholders in this effort.

Relevant External Stakeholders

- All stakeholders, users, or beneficiaries of Departmental programs are also stakeholders of this work.

Relevant Inter-Agency Groups

- **Evaluation Officer Council:** The Council, chaired by the chief of the OMB Evaluation Team, provides a forum to discuss best practices, refine guidance, and coordinate government-wide evaluation policy and activities.
- **Chief Data Officer Council:** This group, comprised of all agency Chief Data Officers and chaired by an elected member (currently USDA), shares best practices and provides guidance to the CDO community.
- **Interagency Council on Statistical Policy:** The Council, comprised of all Statistical Officials and chaired by the Chief Statistician of the United States based at OMB, gathers monthly to discuss and provide direction on statistical matters.

Next Steps/Upcoming Deadlines/Timing

- Requirements as detailed in the FDS 2021 Action Plan (not yet published at the time of this writing but expected in approximately December 2020)
- Personnel decisions related to CDO and EO staffing



Statistical Modernization: Better Data to Drive Economic Recovery and Growth (BEA and Census Bureau)

Executive Summary

The Department's statistical agencies—the Bureau of Economic Analysis (BEA) and the Census Bureau—are widely known as the world's most trusted sources of U.S. economic and demographic information. These data have the potential to spur improvements in how the economy works and fuel increases in economic and social well-being, as well as inform pressing policy and investment decisions. The rapid onset of the COVID-19 pandemic and the widespread economic consequences have only further heightened the need for timely and accurate information on the U.S. economy to guide decisions by government officials, business executives, and households. To meet this demand, BEA and the Census Bureau are advancing efforts to continually modernize their statistics and produce cutting-edge data tools. This includes releasing new information on the impacts of the coronavirus outbreak, such as the Census Bureau's Pulse Surveys; expanding detail on areas of increasing importance, like BEA's international trade in services statistics; and developing datasets with more regional granularity, for example, GDP by county. In parallel, these two agencies continue to transform their data processes and procedures, ensuring that the Department remains on the forefront of statistical measurement and stands ready to respond to evolving and future data needs.

By supporting the ongoing improvement of Department of Commerce statistical data, the Secretary and Administration ensure that the American public and policymakers have earlier access to more accurate and in-depth statistics on U.S. economic and social activity as needed to understand the multifaceted effects of the pandemic, spur economic recovery, and drive future investment and economic development decisions.

Background

The COVID-19 pandemic brought the need for reliable economic and business information into even sharper focus. The crisis renewed demands for timelier statistics and reinforced the value of consistent, accurate data for comparisons across time, sectors, and geographies. The outbreak has given BEA and Census the opportunity to innovate in a rapid-fire environment and to leverage statistical improvements released over the last couple of years that highlight the impacts of emerging economic events.

Key Progress to Date

Major new and improved data products and services that equip public and private decision-makers with critical information and insights are described below. This list includes both quickly developed initiatives stood up in response to the pandemic and larger, multi-year projects.

- **Small Business Pulse Survey.** The purpose of this Census Bureau effort is to measure the effect of changing business conditions during the coronavirus pandemic on the nation's small businesses. The results inform local, state, and federal policymakers as they seek to understand and address pandemic small business challenges.



- **Household Pulse Survey.** As part of a joint effort by Census and other federal statistical agencies, this survey aims to document temporal trends in how individuals are experiencing business curtailment and closures, stay-at-home orders, school closures, changes in the availability of consumer goods and consumer patterns, and other abrupt and significant changes to American life.
- **Real-time consumer spending estimates.** Since the emergence of COVID-19, dramatic and fast-moving changes to the U.S. economy have increased policymakers' need for more frequent and timelier economic data. BEA economists are leveraging daily feeds of credit card data to track consumer spending trends that started at the end of March. The bureau will harness these data to inform its estimates going forward and will post research updates regularly. This work is part of groundbreaking efforts by BEA and the Census Bureau to use "big" data and data science tools to extend, enhance, and supplement official economic statistics (for more information, see below).
- **Weekly Business Formation Statistics.** The Census Bureau's Business Formation Statistics (BFS) are released at a quarterly frequency; this project allowed for the release of the experimental products related to a subset of BFS products, business applications, on a weekly basis to help measure the economic impacts of a disaster, such as the current pandemic.
- **Community Resilience Estimates.** The goal of this Census project is to estimate the capacity of individuals and households to absorb, endure, and recover from the health, social, and economic impacts of a disaster, such as a hurricane or pandemic.
- **More accurate early GDP data.** Over the past several years, BEA and Census have joined forces to speed up the release of key inputs that feed into the early GDP estimates, including data on business inventories, international trade, and services spending. These efforts notably reduced revisions to the GDP statistics, providing data users and policymakers with more accurate and timely snapshots of the U.S. economy, which is especially important during the pandemic. The two bureaus continue to work together to produce faster, better GDP and other economic statistics.
- **Accelerated GDP releases.** In September 2020, BEA issued, for the first time, the industry-by-industry breakdown of U.S. GDP and the GDP of each state and DC alongside the "third" estimates of national-level GDP. This synchronization of datasets, previously released months apart, gives users a fuller and more timely view of the U.S. economy, providing a powerful tool for analyzing rapid shifts in U.S. economic activity related to the pandemic.
- **International trade in services expansion.** Over the last few years, BEA has greatly improved and expanded the information it provides on services trade. This effort resulted in publishing greater geographic detail on the destination of U.S. services exports and the source of U.S. services imports; issuing more in-depth data for some of the most dynamic industries, including R&D, cloud computing, and intellectual property transactions; and accelerating the release of the most comprehensive annual datasets by country and by type of service. This enhanced information on U.S. trade in services informs trade negotiations and supports U.S. trade promotion efforts.
- **GDP by county.** In 2019, BEA published its first official GDP estimates for the nation's over 3,100 counties, marking a critical step in BEA's ongoing plan to expand the information it provides on the health of regional economies. These data help local



governments target resources to attract investment, guide businesses in identifying favorable markets for their products, and inform households' relocation decisions by highlighting areas with high demand for their skills or lower costs of living. Moving forward, BEA will gather feedback to enhance this dataset and will continue to update and extend the GDP by county estimates.

- **Puerto Rico GDP.** In September 2020, BEA released prototype GDP statistics for Puerto Rico, reaching another major milestone by the bureau to develop comprehensive economic accounts for the Island that are consistent with international guidelines and that are directly comparable to data for other territories, states, and countries. BEA's longer-term goal is to fold Puerto Rico GDP statistics, along with data for the other territories, into its standard catalog of regional measures.
- **Digital economy.** Over the last couple of years, BEA has released preliminary statistics on the digital economy, including the contributions of digital infrastructure (primarily information and communications technologies), e-commerce, and priced digital services to GDP. Looking to the future, BEA plans to expand its detail on the digital economy, including developing statistics on the transactions of the sharing economy (like the activity of ride-sharing companies), tracing the flows of digital services around the globe, and valuing "free" content (like internet searches, online games, and social media posts).
- **Income distribution.** In March 2020, BEA released prototype statistics that take one of its primary economic indicators—total U.S. personal income—and measure how it is distributed across households in different income groups; the bureau will update and expand these data in December 2020. The datasets are fully consistent with BEA's measures of GDP, offering more timely and complete insights into how U.S. households share in overall economic growth and providing government officials with a new tool for targeting resources and driving economic development. Moving forward, BEA will begin publishing these statistics on a regular schedule and will seek out other mechanisms for better measuring economic well-being and growth.

BEA and Census would not be able to provide these products without continuous modernization efforts that impact each phase of the statistical development lifecycle—from improving data collection, sourcing, and accessibility to enhancing statistical indicator estimation and disseminating more data, faster. Major recent and ongoing improvements that maintain the integrity of the Department's data and pave the way for future innovations are described below.

- **Data collection.** BEA and Census are committed to modernizing survey data collection and processing to ensure high-quality statistics, while minimizing respondent burden. This includes streamlining data validation, enriching cross-survey comparisons, expanding electronic filing, and combining human and programmed survey editing. For instance, the Census Bureau is integrating its censuses and surveys into an enterprise suite of systems for collecting data and ingesting commercial and administrative records (Data Ingest and Collection for the Enterprise (DICE)) that preserves access to federal and federally sponsored administrative data for policymakers through the Administrative Records Clearinghouse.
- **Alternative and new data sources.** As mentioned above, the two agencies are exploring ways to use non-survey data and advanced analytical techniques to improve survey



operations, data quality, and data products. For example, BEA is applying information from millions of patients and billions of medical care claims to provide new perspectives on health care spending and is testing a dataset from Zillow to inform its housing statistics. In addition, the Census is working to access the National Directory of New Hires (NDNH) and the KIDLINK, a prototype linkage between children and parents on Census and administrative records. Access to these files will provide timely, rich, and broad information that could enhance numerous statistical products.

- **Disclosure avoidance.** The 2020 Census will evaluate and use powerful new privacy protection techniques and systems. One system being studied is known in scientific circles as “differential privacy,” designed specifically for the digital age, to help prevent the tracing of a statistic back to a specific respondent. The Census Bureau will transition to state-of-the-art and more effective privacy protection systems to keep pace with emerging threats in today’s digital world, while continuing to ensure data accuracy.
- **Data storage and analysis.** The Census Bureau is modernizing data storage and analysis capabilities through mechanisms like the Enterprise Data Lake, which allows for more efficient data processing, sharing, and collaboration.
- **Data dissemination.** BEA and Census are implementing and maintaining high-performance dissemination systems with responsive and modern user interfaces and well-documented application programming services. In 2018, BEA launched a more intuitive user experience and website architecture centered on the bureau’s products. Likewise, the Census Bureau utilizes data.census.gov to improve the customer experience by making data available from one central place. Moving forward, the two agencies will continue to improve and enhance the dissemination of the Department’s statistics to respond to expanding communication channels and customer bases.

Key Challenges to Date

- Needed resources remain a critical ingredient to expanding the Department’s data products and modernizing its statistical processes. Consistent, and in some cases additional, resources are needed to realize these opportunities. For example, Census work with frame integration, administrative records research, disclosure avoidance, DICE, and the Enterprise Data Lake all hinge on Congressional approval of FY 2021 budget initiatives.
- The COVID-19 outbreak touched nearly every aspect of how BEA and Census carry out their work—with mandatory telework, increased schedule flexibilities, and the expanded use of online conferencing and virtual collaboration tools. The agencies tackled these challenges by enhancing IT systems and support functions and opening new communication channels with colleagues, survey respondents, data providers, and customers. Through all of this, the Department stands in an even stronger position to deliver exceptional service to the American public in the face of uncertain times.

Planning for the Future

The Foundations for Evidence-Based Policymaking Act of 2018 lays out a comprehensive, government-wide plan to fully leverage the value of data for mission, service, and the public good. The principles and practices of the Evidence Act impact how the Department builds a culture that values data; governs, manages, and protects data; and promotes efficient and



appropriate data use. Moving forward, the guidelines of the Evidence Act will increasingly shape how BEA and the Census Bureau develop new datasets and innovate statistical operations.

Relevant Internal Stakeholders

- BEA and Census have a long history of partnering with other Commerce agencies to improve and expand their data products.
- All Commerce bureaus rely on economic and demographic statistical information to meet many of their core mission goals.

Relevant External Stakeholders

- Commerce statistical agencies are forging relationships with private-sector experts to leverage new datasets, including developing products in exchange for access to industry databases and contracting with private-sector data providers to tap into massive, real-time datasets more effectively. For example, BEA was able to lean on an existing contractual relationship with a credit card data provider to offer new research on the impacts of the coronavirus outbreak in a short timeframe—long before traditional government datasets were available.
- Business executives, government officials, academic researchers, and consumers rely on Commerce data to make informed economic and demographic decisions.

Relevant Inter-Agency Groups

- The Interagency Council on Statistical Policy (ICSP) coordinates statistical work across federal agencies, exchanges information about agency programs and activities, and provides advice and counsel to the Office of Management and Budget on statistical matters. For example, ICSP supports agencies as they implement the guidelines of the Evidence Act and provides coordination and general guidance on issues related to the COVID-19 pandemic.

Next Steps/Upcoming Deadlines/Timing

- Phase 3 of the Small Business Pulse Survey (SBPS) is currently under review for potential collection starting in early November and scheduled to last 9 weeks. Currently, a request is before OMB to extend the authority to collect the SPBS through 2023 to ensure the Census Bureau is prepared to collect the SBPS for as long as the pandemic effects small businesses, policymakers and other stakeholders require access to this high frequency data.
- Phase 3 of the Household Pulse Survey is also under review for potential release in late 2020/early 2021 with collection efforts to last 9 weeks.
- During the first 6 months of 2021, the Electronic Export Information (EEI) Working Group will produce recommendations related to the request to remove EEI filing requirements for shipments between the United States and Puerto Rico and the Virgin Islands. Currently, BEA relies on critical trade data for estimating GDP for these areas that only exist as a result of this reporting requirement.



Continue Support of Opportunity Zones and Build from Lessons Learned (EDA, MBDA)

Executive Summary

Following the creation of the Opportunity Zones (OZs) tax incentive in 2017, the Department of Commerce's Economic Development Administration (EDA) and the Minority Business Development Agency (MBDA) took decisive action to drive private investment into distressed areas under the Opportunity Zone initiative. This action came in the form of direct federal investment, where EDA awarded close to \$653.7 million in 479 projects to support designated OZs and significant support by both agencies in technical assistance, economic tool development, and research, including through MBDA's 12 grant recipients located in OZs. Based on this experience, EDA and MBDA are not only well positioned to continue supporting underserved and distressed communities in OZs but can lead the way on assessing the effectiveness of OZs and take a central role in developing the Administration's economic development platform.

Background

Opportunity Zones were created under the 2017 Tax Cuts and Jobs Act and signed into law by the President on December 22, 2017. The tax incentive is designed to encourage investment of private capital in projects and activities that catalyze economic development and job creation in low-income communities nationwide. In turn, those investing certain eligible capital gains into OZs through Qualified Opportunity Funds can defer tax on prior gains invested in a Qualified Opportunity Fund.¹

Designated by State governors and certified by the U.S. Department of the Treasury, more than 8,700 designated OZs are located in all 50 states, the District of Columbia, and five U.S. territories. Nearly 35 million Americans live in OZs. OZs represent some of the most economically distressed areas across the country. More than one-in-five of all OZs have a poverty rate over 40 percent, compared to just over one-in-eight "low-income communities" and one-in-20 Census tracts nationwide. 71 percent of OZs meet the Treasury Department's definition of "severely distressed."²

While the incentive has only been in effect since the end of 2017, initial economic assessments indicate early success. The Council of Economic Advisers' (CEA) August 2020 report³ estimated that Qualified Opportunity Funds raised \$75 billion in private capital by the end of 2019, most of which would not have entered OZs without the incentive. CEA also found that the new capital represents 21 percent of total annual investment in OZs and that the private equity investment in Opportunity Zone businesses grew 29 percent relative to the comparison group of businesses in eligible communities that were not selected as OZs.

EDA, as the only federal agency focused exclusively on economic development, and MBDA, the only federal agency dedicated to the growth and competitiveness of minority business enterprises,

¹ For more information on how Opportunity Zones work visit <https://opportunityzones.hud.gov/how-do-opportunity-zones-work>.

² "Severely distressed" generally means a poverty rate of 30 percent or a median family income no greater than 60 percent of the area benchmark. See *The State of Socioeconomic Need and Community Change in Opportunity Zones*, Economic Innovation Group (Dec. 2018). <https://eig.org/opportunityzones/communitychange>.

³ The Impact of Opportunity Zones: An Initial Assessment. The Council of Economic Advisers, August 2020, p 1.



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are uniquely positioned to meet the economic and social impact goals of the OZ program. Over the past last three years, both agencies made significant inroads in helping communities unlock the potential of OZs.

Key Progress to Date

By most socio-economic well-being measures, OZs are among the highest-need communities in the U.S.⁴ EDA provides grants to economically distressed communities and, as a result, its investments are often within OZs. This alignment provides EDA with an opportunity to serve as a catalyst to bring in private capital. The flexible nature of EDA awards can be tailored to address the particular needs of the community.⁵

Since FY2018, EDA invested close to \$653.7 million in 479 projects⁶ across the U.S. to support designated OZs, including 32 projects for close to \$79.4 million that were funded via the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). These figures include close to \$421.5 million in 270 projects located directly within a designated Opportunity Zone and over \$232.2 million in 209 nearby or regional projects that are intended to benefit one or more OZs but are not located within a designated OZ.

To position communities effectively for investment through OZs, EDA also created a robust set of economic development tools that support technical assistance and tools designed to attract private investment in OZs. One of the most powerful tools in this arsenal is EDA's drive to have its network of over 390 Economic Development Districts (EDDs) incorporate OZs into their Comprehensive Economic Development Strategies (CEDs). The CEDs is a strategy-driven plan for regional economic development and is a result of a regionally owned planning process designed to build capacity and guide the economic prosperity and resiliency of an area. EDA's CEDs cover almost the entire country and provide a unique platform to capture and promote the advantages of OZs to communities within a distinct economic region by highlighting and emphasizing the linkages among the key regional assets.

OZs have the potential to make significant economic impact among minority communities and minority businesses. It is estimated that approximately 58% of the minority population live in the designated OZs. By leveraging OZs, investors have additional incentives to reinvest their unrealized capital gains into those minority communities and minority businesses. MBDA actively seeks to identify viable minority businesses for capital infusion through OZs. MBDA Business Centers assist minority business enterprises (MBEs) in search of private equity capital by informing them of the benefits provided through OZs, preparing them for investment and introduction to viable investors.

Additional successful actions taken by EDA and MBDA include:

- In FY2018, EDA began including OZs as eligible for funding in its annual Public Works and Economic Adjustment Assistance Notice of Funding Opportunity through its special needs category, even if the area would not meet EDA's other economic distress criteria.

⁴ Economic Innovation Group, <https://eig.org/opportunityzones/facts-and-figures>.

⁵ <https://eda.gov/news/press-releases/opportunity-zones/>.

⁶ The EDA data provided herein should be viewed as a snapshot of the data available at the time of the data request and are subject to any changes, or updates as reflected within future reports and data requests. This includes, but is not limited to, revisions to the number, dollar amount, program classification and estimated impacts of specific grant awards.



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- In June 2019, EDA added OZs as one of its five Investment Priorities to help significantly increase the number of Opportunity Zone-related projects it can fund.⁷
- EDA serves as a member of the White House Opportunity and Revitalization Council (WHORC) representing the Department's interests and participates in dozens of OZ roundtables that bring together local elected officials, business leaders, community groups, and others across the country.
- In September 2019, EDA issued a Request for Information (RFI) to solicit public comments on how to align economic development programs and resources to encourage and facilitate beneficial investments in OZs. EDA received comments that strongly reinforced the need for technical assistance and information sharing.
- In January 2020, EDA partnered with Indiana University to launch the USA Opportunity Zones mapping tool (<http://www.statsamerica.org/opportunity/>) to support local economic and community developers and investors. The tool is a powerful way to link OZs with EDA investments that are aimed to improve the business climate and help people out of poverty and combines location information with economic and demographic data about the zone.
- EDA and MBDA convened several forums bringing together state and regional economic development organizations, local business leaders, investors, minority businesses and other stakeholders to discuss the benefits of OZs and how to leverage OZs to attract investment.
- MBDA is initiating a new learning agenda in FY2021 in adherence to the Evidence Act. MBDA is exploring one of several key questions relevant to OZs - What are the impediments to OZ investment in Indian Country?

Key Challenges to Date

The OZ tax incentive is still new and no common measurement tool exists that Federal agencies can use to measure impact or total private investment into OZs.⁸ This represents an opportunity for both agencies to further amplify the benefits of OZs in distressed communities as data on investments and impacts of technical assistance are collected and evaluated.

For example, while EDA has invested significantly in OZs, many of the awards have not yet reached the point of being measured⁹ in accordance with EDA's performance metrics. While EDA does not have its own data at this point, according to grantee estimates that are collected at the time of award, the 188 infrastructure projects supporting OZs totaling \$450.5 million are expected to create or retain 103,388 jobs and attract over \$14.6 billion in private investment¹⁰ separate and apart

⁷ <https://www.eda.gov/about/investment-priorities/>.

⁸ An effort is underway by Department of Housing and Urban Development (HUD) to create a single OZ form that will collect common measures across numerous Federal agencies on items such as the percentage of the total dollar amount of awarded federal funding that would result in a direct benefit within the OZ Census Tract(s) and the purpose of the proposed project (e.g., access to capital, housing). Additionally, in 2019 Senator Tim Scott introduced the IMPACT ACT (S.2994 –Improving and Reinstating the Monitoring, Prevention, Accountability, Certification, and Transparency Provisions of Opportunity Zones Act) which would reinstate and expand reporting requirements to determine the impact of the more than 8,700 OZs across the country. The bill was referred to the Senate Finance Committee in Dec. 2019 and is not currently anticipated to move forward.

⁹ For infrastructure grants EDA collects data from its grantees on jobs retained (FTEs), jobs created (FTEs), and private investment leveraged as a result of the project at 3, 6, and 9 years after a grant is made. For its non-infrastructure grants, EDA focuses on assessing regional capacity for economic development and under a newly launched metric structure, EDA will be collecting information on outputs semi-annually and on outcomes annually for the duration of the period of performance and for five years after the start of the grant.

¹⁰ See footnote 6.



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from any opportunity fund investment that may subsequently or concurrently occur. EDA also invested over \$203.1 million in 291 projects to support planning, research, technical assistance, access to capital, or other activities that are essential for successful economic development and job creation in the future.

MBDA sought feedback¹¹ from its national network of MBDA Business and Specialty Center Operators regarding OZs and their challenges. The responses included the following needs:

- Improve the alignment between state tax incentives with Federal tax incentives such that OZ investment would be more attractive in minority communities.
- Educate MBEs about OZs through capital, capacity, and technical assistance.
- Continue to bring investors and MBEs together.
- Seek minority investors to invest in MBEs located in OZs.
- Utilize OZs such that investments support more MBEs rather than real estate transactions.
- Promote a triple bottom line return through OZ investments with MBEs (e.g., investment return, increased profit to the investee, and a social benefit).
- Advocate OZs as tools for economic revitalization with local governments.

The pandemic and economic crisis create additional uncertainty that is likely to impact OZ investment in the near future.

Planning for the Future

During 2021, a substantial portion of EDA projects, both construction and non-construction, will mature to the point that performance metrics are available and EDA will be able to assess early impacts of our investments in OZs. Likewise, EDA will have more information about the local impacts of incorporating OZs into hundreds of CEDS that will inform EDA's engagement in OZs. Both data sets will be critical to validating projections of grantee estimates, making future funding decisions, and helping target future technical assistance. This information will provide the Administration an evidence-based platform to enact new economic development policies that leverage the existing OZ tax incentive.¹²

MBDA is also gearing up to assess some of its impact with OZs. MBDA launched the Office of Policy Analysis and Development (OPAD) in FY2020. This unit is responsible for conducting evidence-based research for and about MBEs and it commissioned a report on OZs and Regulatory Reforms in Indian Country. The report is anticipated to be completed within the first 100 days of the Administration. The report will be based on an econometric analysis to identify and quantify impediments to Opportunity Zone investment and related business development in Indian Country. The findings can help Indian Country attract investors, identify regulations that pose the largest barriers, and describe regulatory reforms and solutions for tribal areas to get the most out of OZs.

One thing is clear now: EDA and MBDA have uniformly heard from their stakeholder bases that there is a continued need for information and technical assistance on OZs. Both agencies will

¹¹ White House Listening Session held on July 10, 2020 with Domestic Policy Council and Office of American Innovation Officials.

¹² See, for example, the Urban Institute Research [Report](#) which examined differences in the flow of community investment into Baltimore neighborhoods between 2004 and 2016. September 29, 2020.



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continue robust engagement¹³ with stakeholders to identify and share best practices, better understand challenges, offer possible solutions, and highlight grant programs and other assistance EDA offers to help spur economic development in or near OZs. MBDA will continue to provide business development and capacity building assistance and information through its MBDA Business Centers, and Specialty Center programs¹⁴, outreach initiatives and upcoming MBDA Chatbot.

Relevant Internal Stakeholders/ Relevant External Stakeholders

- All business-focused Commerce programs have an important role in supporting OZs.
- HUD—serves as the Chair of the WHORC and close partner to EDA on OZs.
- State Governments – National Governors Association; National Conference of State Legislatures and County Governments – National Association of Counties (NACo).
- Economic Development Districts – National Association of Development Organizations (NADO); Municipalities – US Conference of Mayors; National League of Cities.
- National Stakeholders (including but not limited to): National Chambers of Commerce, Trade Associations; Industry, government, and the public who utilize private equity to accelerate economic development in local communities and with minority business enterprises (MBEs).
- MBDA Stakeholders: Operators (i.e., grant recipients) of MBDA Business Centers, MBDA Export Centers, MBDA Advance Manufacturing Centers, MBDA Procurement Centers, projects, and MBEs.
- Think tanks and policy and advocacy organizations dedicated to empowering entrepreneurs and investments with minority businesses.

Relevant Inter-Agency Groups

- EPA's Office of Community Revitalization and Council on Foundations – EDA has signed MOUs with each to generate investment, entrepreneurship, and growth in OZs.

Next Steps/Upcoming Deadlines/Timing

- MBDA – Q3 FY2021 Completion of research on *Opportunity Zones and Regulatory Reforms in Indian Country*.
- EDA – Q2 and Q3: A portion of EDA supported awards in OZs will begin performance measurement using construction and non-construction metrics.
- EDA – Q2 and Q3: EDA will be amid finalizing a significant number of CARES Act awards and its final awards under its Disaster 2019 supplemental. These awards will continue to support designated OZs.
- EDA – 2021: EDA may enhance USA OZs mapping tool to include additional statistical information about OZs, crowdsourced information and/or other economic indicators as potential areas for enhancements.

¹³ The President's FY2021 Budget eliminates EDA. However, Congressional FY2021 budget marks identify continuation of EDA programs.

¹⁴ MBDA Business Center and Specialty Centers are funded through March 31, 2021. The President's FY2021 Budget eliminates MBDA programs. However, Congressional FY2021 budget marks identify continuation of MBDA programs.



MBDA Legislative Landscape: Optimize Impact of MBDA Statutory Authority and Other Purposes (MBDA)

Executive Summary

The Department of Commerce's Minority Business Development Agency (MBDA) is the lead Federal agency dedicated to supporting the development and expansion of the minority business community, which include more than 11 million MBEs in the United States that generate more than \$1.4 trillion to the U.S. economy.¹ Numerous congressional hearings, undergirded by historical and current academic research, have documented that members of minority groups confront disparities and disadvantages in creating new businesses or expanding markets and opportunities for existing minority business enterprises.² These barriers include difficulty in accessing capital, a lack of capacity or expertise, and exclusion from business networks. Given these difficulties, Congress and successive presidential administrations since the Nixon Administration have supported national policies intended to address these disparities through the MBDA. To these ends, the MBDA is charged with formulating and coordinating federal policies and programs supporting minority business enterprises by providing technical and managerial expertise, support, and resources through a network of local business development centers.

MBDA exists under the authority of Executive Order 11625,³ meaning that the Agency's continued existence or termination is the decision of each new President. Though several past proposals have provided statutory authority for the MBDA, none of these proposals have been passed. Absent specific statutory requirements, the President may exercise authority to effectively terminate the Agency's discretionary activities at any time without congressional consultation or consent. Nevertheless, Congress may choose to appropriate funds specifically to carry out such purposes and potentially supersede Presidential discretion.⁴ In addition, Congress may act to revoke or modify the executive order. It may also act to support the executive order

¹ 7 Source: U.S. Census Bureau, 2012 Survey of Business Owners, December 2015

² 15 C.F.R. 1400.2, Determination of Group Eligibility for MBDA Assistance, defines Minority Business Enterprise as a business which is owned or controlled by one or more socially or economically disadvantaged persons. Socially disadvantaged persons means those persons who have been subjected to cultural, racial, or ethnic prejudice because of their identity as members of a group without regard to their individual qualities. Economically disadvantaged persons means those persons whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities because of their identity as members of a group without regard to their individual qualities, as compared to others in the same line of business and competitive market area. Person means a citizen of the United States or an alien lawfully admitted for permanent residence.

³ Executive Order 11625, "Prescribing Additional Arrangements for Developing and Coordinating a National Program for Minority Business Enterprise," 3 C.F.R. §1971-1975.

⁴ In general, when Congress appropriates a specific amount of budget authority for a specific purpose, the President has only limited authority to order executive branch agencies to reduce or withhold funds. Decisions by federal courts, including a unanimous decision by the Supreme Court in *Train v City of New York*, 420 U.S. 35 (1975), and the enactment of the Congressional Budget and Impoundment Control Act of 1974, P.L. 93-344, clarified this.



by codifying its provisions. After introducing its original Executive Order 11458⁵ creating the MBDA, the Nixon Administration announced on several occasions its intention to introduce legislation providing statutory authority for the activities of the then newly created Office of Minority Business Enterprise (OMBE). Despite these pronouncements, the Nixon Administration did not introduce enabling legislation. Since its inception, numerous bills have been introduced that would provide the statutory authority for the Agency and its mission.

If MBDA was granted statutory authority, it would eliminate the perpetual uncertainties that have loomed over its existence for more than 50 years. Additionally, it would provide the necessary sustainability for the agency and its programs/initiatives to address the needs of the fastest growing business segment in the United States.

Background

For decades, the MBDA supported congressional and non-governmental efforts to secure statutory authority for the Agency. During 2020, the Agency received several requests from members of Congress to provide technical drafting assistance for authorizing legislation. The Administration also requested language to be offered by the Executive Branch in support of statutory authorization. The summaries of each draft bill are provided below.

Administration Bill - The MBDA submitted a draft bill to provide statutory authority for MBDA in response to requests from the White House Domestic Policy Council. In July 2020, MBDA submitted a draft bill to the Department for consideration to provide statutory authority to establish a Minority Business Development Administration in the Department of Commerce. It essentially codified the existing Executive Order. The bill, entitled “the Minority Business Development Act,” was designed to:

- 1) designate the Minority Business Development Agency as the Minority Business Development Administration, an agency within the Department of Commerce, with a mission to promote and administer public and private sector programs that assist the development of socially or economically disadvantaged business concerns; and
- 2) authorize an Assistant Secretary within the Department of Commerce to create and execute programs that result in increased access to capital, management, and technology for socially or economically disadvantaged business concerns.

Congressional Bills- The following is a list of bills introduced in past Congresses that would have established statutory authority for the Agency and its activities.¹

- The 96th Congress considered, but did not pass, legislative proposals that provided a statutory mandate for the Agency and its mission. The House Committee on Small Business held hearings on bills (H.R. 6904 and S. 2565) that would have established a

⁵ Executive Order 11458, “Prescribing Arrangements for Developing and Coordinating a National Program for Minority Business Enterprise,” 34 Federal Register 4937, March 5, 1969.



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permanent MBDA within the Department of Commerce.⁶ The House bill, introduced by Representatives Parren Mitchell and Joseph Addabbo, would have granted the Agency the authority to engage in several activities in support of the Agency's mission, including equity financing of minority business; financial and technical assistance in penetrating domestic and foreign markets; and minority business management education.

Backed by the Carter Administration, the bill would have authorized the creation of a Minority Business Development Agency focused on the provision of technical assistance to minority firms. The Senate bill included much of the language of E.O.11625.

- During the 101st thru the 104th Congress, Representative Kweisi Mfume introduced legislation (H.R. 1769, H.R. 373, H.R. 278, H.R. 114, respectively) that would have re-designated MBDA the Minority Business Development Administration. The bill would have charged the MBDA with assisting disadvantaged businesses to penetrate domestic and foreign markets, encourage firms to form joint ventures to increase their share of the market, provide financial assistance to public and private entities in support of the mission of MBDA, conduct pilot projects that would assist disadvantaged businesses to obtain and expand access to capital; support management education efforts; and conduct research aimed at advancing the Nation's understanding of the issues and opportunities surrounding the minority business enterprises.
- The 116th Congress presented renewed attention on MBDA and legislative efforts to support the Agency during the COVID-19 pandemic. Members of Congress introduced numerous bicameral and bipartisan bills that mention or directly impact MBDA.

In anticipation of the 50th anniversary of MBDA, Representative Jerry McNerney, as well as Representative Judy Chu, Representative Bobby Rush, Representative Nanette Barragán, and Representative Don Young, introduced H.R. 1432. This bill permanently authorizes MBDA to assist socially and economically disadvantaged business concerns. Specifically, the bill designates the Minority Business Development Agency as the Minority Business Development Administration (MBDA). The MBDA shall 1) assist disadvantaged business concerns entering domestic and foreign markets by providing education and training, management and technological assistance, a skilled labor pool, and financial and marketing services; and 2) encourage such businesses to establish joint ventures and projects among themselves or in cooperation with public or private sector organizations.

Representative Al Green introduced H.R. 6869, the Minority Business Resiliency Act of 2020. This bill permanently authorizes the codification of MBDA and provides funding for the Agency to assist minority businesses affected by COVID-19 (i.e., coronavirus disease 2019). The legislation directs the Agency to award grants to specific private,

⁶ Department of Commerce, National Advisory Council on Minority Business Enterprise Recommendations, Washington, DC, December 2013, <https://www.mbda.gov/sites/mbda.gov/files/migrated/files-attachments/NACMBEFinalReport041314.PDF>.



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nonprofit organizations that 1) primarily provide services to minority businesses (e.g., education or making grants), and 2) are unable to pay financial obligations such as payroll. Such organizations must also be unable to engage in the same fundraising level as the preceding year because of COVID-19. The bill proposes that the Agency must also conduct outreach to its business center network to guide other federal programs to support minority businesses. The head of the Agency shall be a member of a developed interagency Small Business Procurement Advisory Council. The Agency must report on its activity and make recommendations for actions to promote its purposes, and the Government Accountability Office must review and report on the effectiveness of agency programs, any failure by a grant recipient to comply with its requirements, and recommendations for program improvement. The amounts provided by the bill are designated as an emergency requirement pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO) and the Senate PAYGO rule.

The Senate companion bill, S. 4208, the Minority Business Resiliency Act of 2020, introduced by Senator Benjamin Cardin, permanently authorizes the Minority Business Development Agency and provides additional funding for the Agency to assist minority businesses affected by COVID-19. Specifically, the bill requires the Agency to 1) promote and administer minority business development programs in the public and private sectors, and 2) carry out programs that increase access to capital, management, and technology for such businesses. The bill provides statutory authority for the Agency's existing initiatives. Such initiatives include the Minority Business Development Center Program, a national network of public-private partnerships that assist, provide counseling and mentoring, and facilitate minority businesses' growth. The bill also establishes new initiatives to promote resiliency for minority businesses, such as 1) an annual government-business forum to review the status of problems and programs relating to capital formation by minority businesses, 2) an agency study on opportunities to provide alternative financing solutions to minority businesses, and 3) grants to institutions of higher education for developing and implementing entrepreneurship curricula.

Key Challenges to Date

MBDA needs to ensure that any statutory legislation includes all the authorities necessary to meet the needs of a growing minority business community. Further, new legislation must not appear to be duplicative with the Small Business Administration's authorities.

Key Progress to Date

The 116th Congress has introduced an unprecedented number of legislative proposals to permanently establish MBDA as an Assistant Secretarial-level bureau at the Department of Commerce. Legislative momentum includes the first-ever Senate bill with the same intent. Members of Congress have also sought to expand the Agency's authorities and investments in support of growth capital, rural entrepreneurship, cybersecurity, and recovery from COVID-19. In addition, the Department of Commerce has drafted a version of a statutory authority bill for MBDA.



Planning for the Future

The MBDA Office of Policy Analysis and Development is establishing the framework for research that will support the execution of any and all legislation that is passed on behalf of the minority business community and the national economy.

Relevant Internal Stakeholders

- Other Department of Commerce Agencies, Various Federal Bureau Offices of Small and Disadvantaged Business Utilization

Relevant External Stakeholders

- State Governments & Municipalities
- Minority Business Enterprise
- National Stakeholders (including but not limited to): National Ethnic Chambers of Commerce, Minority Civic and Social Organizations
- MBDA Stakeholders: Operators (i.e., grant recipients) of MBDA Business Centers, MBDA Export Centers, MBDA Advanced Manufacturing Centers, MBDA Procurement Centers, and projects.
- Think tanks and policy and advocacy organizations dedicated to empowering entrepreneurs and investments with minority businesses.

Relevant Inter-Agency Groups

- White House Domestic Policy Council
- White House Office of American Innovation

Next Steps/Upcoming Deadlines/Timing

- All calendar dates are dependent on the Executive and Congressional Calendar

ⁱ Eugene Boyd, "Minority Business Development Agency: An Overview of its History and Current Issues" (Washington: Congressional Research Service, 2017)



Enterprise Services – Four Pillars (ES)

Executive Summary

Enterprise Services (ES) is the Department’s multi-function, enterprise-wide shared services program. ES’ mission is to provide innovative, data-driven, and customer-centric mission-enabling services that enable DOC bureaus to dedicate themselves wholly to advancing the Department’s mission of creating the conditions for economic growth and opportunity in America. ES endeavors to deliver its customers with high-quality, mission-enabling services in the core functional areas of Human Resources (HR), Acquisition, Information Technology (IT), and Financial Management.

The Department Management Council (DMC) serves as the Enterprise Services Governance Board (ESGB), which is responsible for strategy, compliance, and oversight of ES. In addition, Executive Councils (XO Councils) for key Department and bureau functions in the areas of human resources, finance, information technology, and acquisitions are also primary partners in ensuring ES’ s success throughout the Department. Separate documentation is included in these materials that further explains the roles and responsibilities of these councils.

Human Resources

Enterprise Services is building and implementing an innovative new Talent Acquisition solution which is expected to be fully operational by January 2022. This solution, provided by IBM, will combine federal recruiting and hiring experts from some of the foremost HR providers with streamlined, automated new processes, all built on a platform of cutting-edge technology. It will deliver a full-service recruitment and hiring solution to the Department, encompassing application tracking, onboarding, candidate assessment, and cognitive recruitment tools. The Department currently has more than 20 legacy HR systems. This new technology will significantly contribute to the OCIO’s IT modernization goals and reduce the Department’s average cost-per-hire by 26%. ES expects to deliver this innovative, enhanced solution at a \$63.3 million cost avoidance to the Department, realizing a return on investment in 3.1 years.

In 2016, payroll, benefits, and personnel action request (PAR) processing were migrated from several disparate offices across the Department into ES. As part of this migration, ES streamlined and significantly enhanced related processes and technology. Simultaneously, ES introduced an online portal to make submission and tracking of personnel actions transparent and easy to track. ES recently re-competed these processing services to further streamline and improve service delivery which will result in an anticipated cost avoidance of \$21.9 million over 6 years, realizing a return on investment in 2.4 years. The selected vendor to provide these services is Golden Key and will begin providing services in the spring of 2021.

Acquisition

ES provides full lifecycle acquisition services to the Department’s bureaus that do not have independent procurement authority, which includes:

- Office of the Secretary



- Office of Inspector General
- Bureau of Economic Analysis
- Bureau of Industry and Security
- Economic Development Administration
- International Trade Administration
- Minority Business Development Administration
- National Technical Information Service
- National Telecommunications and Information Administration

Additionally, ES maintains the Department’s Strategic Sourcing portfolio. This portfolio provides fast and cost-effective common buys across the bureaus (e.g., laptops, cell phones, furniture, etc.). The Strategic Sourcing program benefits the bureaus by negotiating contracts with economies of scale, thereby driving down the price per item or service. In FY2020, the Strategic Sourcing program saved the Department nearly \$80 million.

Information Technology

ES created and implemented the first-ever DOC-wide online portal for submitting and tracking HR actions and an HR Contact Center function where ES representatives work directly with customers to answer questions and resolve issues. ES also introduced a managed print services program that allows bureaus to lease printing and copying equipment. This gives bureaus the flexibility to upgrade their printing and copying equipment as frequently as new innovations and improvements occur. In some cases, this agile leasing program costs bureau less per year than what they would have paid just for toner.

ES is working closely with the Department’s OCIO to address the ongoing need for cyber security improvements. ES has partnered with the OCIO to implement an Identity, Credential, Access Management (ICAM) solution that will allow for single-sign on and heightened security (i.e. multi-factor authentication) for DOC-wide applications. For ES, this system will be critical to PII data security and the protection of privileged accounts. ES HR operations require employee PII use to be limited, controlled, and performed by a minimum number of employees. ICAM enforces this common standard across all applications. Once the Department’s new ICAM solution is in place, its functionality will move to ES and ES will be responsible for ICAM transactions.

The Department is also migrating from several grants legacy systems to a single grants management system. These legacy systems are outdated and costly to maintain. The new solution—GEMS—is a single enterprise grants management solution based on the shared services model. Once GEMS is fully operational, ES will manage the Department’s relationship with the vendor, including upgrades and enhancements to the system and ensuring cost effectiveness.

Financial Management

The Department, under the purview of the Assistant Secretary for Administration and Chief Financial Officer, is leading the design and implementation of a Business Applications Solution (BAS) to modernize core financials, acquisition, and asset management systems. The



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Department's current financial management system, known as the Commerce Business Solution (CBS), is outdated and employs technology that is no longer current or financially viable. This important project directly supports both the OCIO's IT modernization goals as well as enhances the cyber security posture of the Department's financials. Once BAS is fully functional, the Department intends to move the operations and maintenance to ES.



Strengthen the Department's Cybersecurity Posture and Workforce (OCIO)

Executive Summary

The Department of Commerce (DOC) operates a department-level Information Security Program under the DOC Chief Information Security Officer (CISO) to ensure the confidentiality, integrity, and availability of information systems and data used to protect American commerce and other essential DOC missions. This directly supports DOC Strategic Objective 3.2, Enhance the Nation's Cybersecurity. It also ensures compliance with federal law, regulation, and policy, including the Computer Security Act, Federal Information Security Modernization Act (FISMA), Office of Management and Budget (OMB) Circular A-130, Executive Orders, and Homeland Security Presidential Directives.

Executing of this program requires the ability to detect, prevent and mitigate cybersecurity risks facing the enterprise. Early identification of these risks improves outcomes and allows for cost-effective interventions to prevent longer-term harm to the interests of the DOC. In addition, recent legislation places increased emphasis on ensuring the supply chain for products and services, including limitations on conducting business with certain entities. Finally, executing all these programs requires a highly capable and agile workforce. The four primary focus areas for this effort are below:

- Enterprise Security Operations Center (ESOC) Optimization: Optimize the cybersecurity capabilities and operations across multiple SOCs.
- Continuous Diagnostics and Mitigation (CDM) Program: Implement CDM capabilities and tools to better identify and respond to cybersecurity risks.
- Supply Chain Risk Management (SCRM): Strengthen controls around the DOC supply chain.
- Cybersecurity Workforce: Recruit, retain, and train a modern workforce.

Background

Each of these four areas represent significant DOC enterprise activities to improve our cybersecurity posture and enhance our workforce. Guided by a mix of legislative requirements and government-wide initiatives, DOC is focused on successfully implementing these critical efforts. Ongoing engagement with key stakeholders, both within and outside the Department, contribute to these efforts success by coordinating efforts and learning lessons from other agencies. OCIO coordinates implementation across the enterprise by providing leadership and engaging regularly with Bureaus. Additional details are provided below.

- Enterprise Security Operations Center Optimization: Through government-wide shared services efforts, OMB, and the Department of Homeland Security (DHS) are seeking to standardize SOC operations. DHS was designated the cybersecurity Quality Service Management Office (QSMO) to lead these efforts.
- Continuous Diagnostics and Mitigation (CDM) Program: DHS leads CDM implementation, providing common tools and capabilities to reduce threat surfaces, increase network visibility, improve response efforts, and streamline FISMA reporting.



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- Supply Chain Risk Management (SCRM): The SCRM program is aligned with the Federal Acquisition Security Council's (FASC) strategic plan, which includes a list of government initiatives to reduce federal supply chain risk and foster information sharing among agencies.
- Cybersecurity Workforce: Through implementation of legislative requirements from the Federal Cybersecurity Workforce Assessment Act (FCWAA), and federal-wide efforts such as the Federal Cybersecurity Reskilling Academy (FCRA), DOC seeks to recruit and retain top talent, and reskill staff.

Key Challenges to Date

Enterprise Security Operations Center (ESOC) Optimization

- Unclear how all resources are being invested across DOC.
- Uneven engagement between SOCs; Bureau-focused situational awareness.
- Duplicative functions and tools require additional resources.
- Hard to find/hire skill sets only available to some.
- Limited understanding of assets, vulnerabilities, and threats.

Continuous Diagnostics and Mitigation (CDM) Program

- The DOC still requires visibility into what and who is on the network, improved alignment with Enterprise Architecture and alignment with the Enterprise Strategic goals.

Supply Chain Risk Management (SCRM)

- DOC needs to implement an Information and Communications Technology (ICT) SCRM strategy, including a process to identify and assess ICT supply chains, and SCRM contract requirements.
- DOC needs to develop implement new contract requirements for SCRM in all contracts.

Cybersecurity Workforce

- Pay and grade classification structure hurt DOC's ability to compete with private sector.
- Training and reskilling require significant time and financial investments.
- Reliance on contractor support for high-demand skills and to augment on-board staff.

Key Progress to Date

ESOC Optimization

- OCIO engaged with MITRE to assess current ESOC operations, providing OCIO with a report highlighting opportunities for consolidation, and recommendations for a hybrid SOC model.

CDM Program

- Phase 1 (what is on the network) and phase 2 (who is on the network) initiated.
- Integrate Office of Security (OSY) security manager data to provide DOC user identification.
- Efforts ongoing to standardize processes to support agency and federal Dashboards.



Supply Chain Risk Management (SCRM)

- Initiated implementation of an SCRM strategy identifying DOC's risk tolerances and how DOC intends to assess and respond to ICT supply chain risk.

Cybersecurity Workforce

- Coded IT staff to National Initiative for Cybersecurity Education (NICE) framework.
- Working with OPM and DOC HR to track critical work roles as required by FCWAA.

Relevant Internal Stakeholders

- Department's Management Council (DMC)
- Bureau CIOs and the DOC CIO Council
- Bureau CISOs and CISO Council
- DOC Human Resources and Acquisition Professionals: Support cybersecurity workforce efforts and execute acquisitions to support implementation of key activities.

Relevant External Stakeholders

- Congress: Performs oversight and approves budgets.
- DHS: Develops standards for SOC Standardization efforts; leads overall government wide CDM implementation; and, issues Binding Operational Directives regarding prohibitions on specific entities or technologies for ICT SCRM.
- OMB: Publishes guidance and policies directing implementation of legislation and FISMA reporting requirements.
- General Services Administration: Manages acquisition vehicles to support CDM.
- Office of Personnel Management: Issues policy and guidance to implement legislative requirements for federal personnel.

Relevant Inter-Agency Groups

- Federal CIO and CISO Councils
- Federal Acquisition Security Council: Establishes federal SCRM goals and requirements.

Next Steps/Upcoming Deadlines/Timing

ESOC Optimization

- The DOC is moving towards a hybrid SOC service delivery model:

Consolidated: ESOC provides centralized SOC operations to bureaus with limited SOC capabilities or Bureaus who choose to outsource SOC services to ESOC.

Federated: A select few bureaus continue delivering their own SOC services and operate with ESOC, as the command SOC, within a Federated operating model.

CDM Program

- In collaboration with DHS, continue phase 1 and 2 implementation for bureaus.
- Consolidate CDM-related expenditures to gain efficiencies of scale.

Supply Chain Risk Management (SCRM)

- Continued implementation of DOC SCRM Strategy.
- Review existing security and acquisition policies to determine required updates.



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Cybersecurity Workforce

- Continue implementation of FCWAA related to critical work roles and NICE framework.
- Identify opportunities to recruit FCRA participants and solicit staff for similar programs.



DOC Facilities and Real Property (OS – CFO/ASA)

Executive Summary

The Department of Commerce has a vast portfolio of real property that is managed centrally by the Office of Facilities and Environmental Quality, within the DOC, as well as by its 13 Bureaus. DOC facilities are located in 50 states, the District of Columbia, and U.S. territories. In addition, DOC has offices in 95 international cities.

From its most recent reporting, DOC occupied a total of 17,987,793 square feet of owned, direct leased, or GSA occupancy agreement (OA) space in FY2018. The portfolio is comprised of three space types: office, warehouse, and all other. Office space makes up 56%, warehouse is 12% and the remainder is other types of space, such as laboratories, weather stations, research facilities for NOAA's National Marine Fisheries Service, and NIST facilities for testing, verifying and setting scientific standards. The majority of DOC office space (70%) is in the National Capital Region. These offices house 80% of the DOC workforce -- approximately 48,000 employees and contractors.

Background

DOC is not projecting any new construction projects for office and warehouse facilities, however is evaluating options for increased space utilization in a post-COVID-19 environment. Additionally, following the Decennial, Census will end temporary leases in over 248 offices and warehouses throughout the country reducing DOC's overall portfolio by 2M square feet. These closures will occur by the end of FY2023.

Bureaus

Bureaus with owned properties (NOAA, NIST, and NTIA) are implementing cost allocation methodologies for office and other space at their large multi-program sites. These sites represent the core assets for the bureaus and their primary missions. By making the cost of space visible to the occupying program offices, they are financially incentivized to improve utilization of space and energy efficient investments.

Census Headquarters, Suitland, MD

The Census office is in the planning and development stages of co-locating the Bureau of Labor Statistics to its Headquarters, a location that is also home to the U.S. Bureau of Economic Analysis (BEA). Further, they are reviewing options as to how to best modernize the Suitland Federal Center to address the agency, improve space to be more flexible, update technology, and ready Census for post-pandemic planning.

Herbert C. Hoover Building, DOC Headquarters

The DOC Office of the Secretary and many DOC agencies occupy the historic and iconic Herbert C. Hoover Building (HCHB), which is 1.8M square feet. The DOC leases a portion of



the space fronting Pennsylvania Avenue to the National Park Service for the White House Visitor's Center.

DOC leases the building from GSA, and together in partnership have been renovating the building over time. The original goal of the Herbert C. Hoover Building (HCHB) Renovation and Modernization project was to create a safe, satisfactory, and more energy-efficient office environment for tenants and visitors, with space updated to reflect a design concept that was thought at the time to be more modern. That concept is now being re-evaluated given the iconic nature of the building and its historical spaces, however modernization of major building systems (electrical, plumbing, HVAC, etc.) is still being planned for and coordinated with space utilization discussions and planning.

As the most recent phase concluded in 2019, GSA and DOC negotiated its use for the Presidential Transition Team (PTT) for the 2020 election. Depending on the election outcome, GSA expects to return this space to DOC use in either March or July 2021. DOC does not pay rent on the PTT space until the space is returned.

Future renovation plans and phases are currently on hold pending the outcome of space utilization decisions.

U.S. Patent and Trademark Office

The U.S. Patent and Trademark Office (USPTO) Headquarters lease concludes in 2024. Leased and constructed through GSA, this was the largest federal lease signed in history. The 2.5M square foot USPTO campus in Alexandria, Virginia opened in 2004 and is the primary location of the office. Approximately 7,000 employees and contractors are housed in six equivalent connected buildings. USPTO has been working in partnership with the GSA to create and validate a Program of Requirements to explore a succeeding lease for the campus. A determination as to how much space will be needed is being defined and coordinated with GSA.

Key Challenges

DOC is seeking to optimize its building portfolio. It is envisioned that the post-pandemic environment may lead to changes in space utilization, increased telework, and an opportunity to co-locate space with other agencies. However, specific and defined approaches/solutions are just beginning to be explored and are unknown at this time.

Should renovation efforts continue, coordinating the budget process closely with GSA, OMB and Congress so that GSA and DOC funding is secured is critical. Achieving a realistic schedule that provides occupants stability for their future work and occupancy is also critical. Additionally, robust communications between GSA and DOC to ensure programmatic coordination on design requirements, and any design variations, is especially critical given the potential magnitude of the project.

Relevant Internal Stakeholders

The following stakeholders are building tenants with unique and diverse workspace requirements necessary to achieve their mission goals.



- Office of the Secretary
- Bureau of Industry and Security (BIS)
- Economic Development Administration (EDA)
- Economic and Statistics Administration (ESA)
- U.S. Census Bureau (Census)
- International Trade Administration (ITA)
- Minority Business Development Agency (MDBA)
- National Institute of Standards and Technology (NIST)
- National Oceanic and Atmospheric Administration (NOAA)
- National Telecommunications and Information Administration (NTIA)
- U.S. Patent and Trademark Office (USPTO)

Relevant External Stakeholders

- General Services Administration: Building owner and contract authority
- Congress and OPM



Intelligence (CFO/ASA – DAS for Intelligence and Security)

Executive Summary

The Office of Intelligence and Security (OIS), led by a Deputy Assistant Secretary, was established with Congressional approval in FY20 to consolidate leadership command structure. OIS comprises three subordinate components: 1) Office of Security (OSY); 2) the Investigations and Threat Management Service (ITMS); and 3) Office of Intelligence (OI). OIS is undergoing a period of transition, restructuring, and reorganizing to better integrate its legacy components and account for new, emerging requirements.

The newly formed OIS consolidates the leadership command structure for security-related functions, closes gaps in responsibilities, improves accountability, and creates a more efficient process and means to share information for decision-making and response to emergent needs at the most senior levels of the Department. Together, OIS works to provide actionable intelligence, strategic insight, and effective response to protect against threats affecting the Department’s capabilities, resources, and assets.

Background

Historical OIS Total Staffing Levels (Positions):

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President’s Budget
147	149	162	170	166

OIS Budget Trend – Appropriations (\$ in Millions):

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2021 President’s Budget
\$39.0	\$34.4	\$38.9	\$46.1	\$50.3

Principal Responsibilities

The Office of Intelligence and Security provides executive leadership on complex, cross-disciplinary issues of central importance to implementing the Department’s strategic goals, particularly those issues requiring immediate attention and swift resolution to avoid or minimize national and physical security or national intelligence risks.

Office of Security (OSY):

(2020 Enacted \$40.6M; 2021 Request \$46.2M)

Department-wide responsibility for establishing policies and procedures and for providing



services in the areas of: personnel security; industrial security; the safeguarding of classified and sensitive documents and information; protection of Department personnel, facilities, and assets; identification, assessment, and mitigation of threats; security risk assessments; emergency actions and continuity; physical security; communications security; operations security; and security education, awareness, and training.

Location	Number of federal employees
Herbert C. Hoover Building (HCHB) Washington, DC (HQ)	54
Suitland, MD (Census Headquarters)	16
Jeffersonville, IN (Census National Processing Center)	4
Silver Spring, MD (NOAA Headquarters)	13
Norfolk, VA (NOAA Marine Operations Center-Atlantic)	1
Seattle, WA (NOAA Western Region)	6
Honolulu, HI (Inouye Regional Center)	1
Gaithersburg, MD (NIST Headquarters)	34
Boulder, CO (NIST Boulder Campus)	19
Reston, VA (FirstNet Headquarters)	3

Investigations and Threat Management Service (ITMS):

(2020 Enacted \$3.3M; 2021 Request \$3.2M)

Conduct investigations and analyses to identify and/or assess critical threats to the Department’s mission, operations, or activities; prevent or mitigate such threats from adversely affecting Department personnel, facilities, property, or assets through strategic and tactical approaches; and collaborate with other national security and law enforcement entities as appropriate. Staff produce and present reports, assessments, and briefings involving mission-critical threats to DOC leadership or prosecutorial officials.

HCHB, Washington, DC (HQ) ~ 16 federal employees

Field Offices/Locations: *Boulder, CO (NIST Boulder Campus)*: 2 federal employees

Office of Intelligence (OI):

(2020 Enacted \$2.3M; 2021 Request \$2.3M)

Oversees Department-wide intelligence analysis and cyber, physical, and counterintelligence initiatives to ensure proper protections against mission critical threats. The office provides focused intelligence support on the full range of political, economic, scientific, technological, and security issues undertaken by the department. It integrates efforts across the Department to correlate complex technical analysis and interpret all-source intelligence, including concerns related to information and communications technology services supply chain transactions.

HCHB, Washington, DC (HQ) ~ 11 federal employees

Key Challenges to Date

Organizational Staffing, Resources and Limited Classified Space and Systems:

- OIS does not have the necessary staffing and resources to fully carry out its mission. Funding gaps exist in the realm of intelligence, continuity, and newly assigned



responsibilities of the Executive Order 13873, *Securing the Information and Communications Technology and Services Supply Chain (ICTS)*.

- Across the Department, but specifically at the Commerce Headquarters, secure classified space and the systems to support them are limited, and additional capacity is required to enable full performance of the OIS mission.

Security Clearance Delays: The background investigation process for granting Security Clearances - specifically those requiring Sensitive Compartmented Information (SCI) access - has long been a pain point at Commerce and was exacerbated by operational restrictions at the third-party agency that supports this effort. Recent backlogs numbered well over 100 and continue to grow. This backlog will continue to result in delays for Non-Senate Confirmed political staff who require a security clearance. Delays in appointing these officials impact mission capabilities, particularly during periods following an election.

Increased role within the National Security and Intelligence Community: As Commerce's role in national security through export enforcement, the Committee on Foreign Investment in the United States (CFIUS), Executive Order 13913 ("Team Telecom"), and ICTS supply chain initiatives have grown, so has the Department's need for tailored intelligence. Additionally, as the U.S. government faces new challenges from strategic competitors, such as China, across both economic and national security fronts, a growing need has emerged for economic data, intelligence, and analysis to empower policymakers. To fill these gaps, Commerce is working with the Intelligence Community to be designated by the President as a "Title 50" intelligence organization. This inclusion would streamline and reduce barriers to greater intelligence access by OIS intelligence analysts, allow OIS to process Department clearances more directly, and allow for Department of Commerce to create intelligence products for the interagency in support of national and economic security policies and programs.

Key Progress to Date

Organizational Staffing, Resources and Limited Classified Space and Systems:

- Hired a Deputy Director and Assistant Director for Intelligence; SES Intelligence Director position has been advertised for hiring.
- A task force composed of OIS, Office of Facilities and Environmental Quality (OFEQ), and the Deputy Assistant Secretary for Administration (DASA) has been established to assess the secure classified space and system needs, with a goal of establishing consolidated classified space within the Herbert C. Hoover Building (HCHB) that is equipped with the requisite systems; however, funding issues persist. HCHB is a General Services Administration (GSA) facility and GSA funds must be made available to bring the selected area to code before the project can begin.
- Realigned two full time employees and reprogrammed \$1 million dollars (contract support) for FY21 in support of the ICTS program; requested \$5.7 million (13 FTEs) in FY2022 for base level funding for the program.
- Further reprogramming of FY21 funds for increased resources in support of the ICTS program may be required due to evolving, increasing requirements of the program stemming from changes to the still-pending ICTS interim final rule (IFR).



Security Clearance Delays:

- Leadership at the Central Intelligence Agency and Commerce have engaged in a dialogue and progress is being made to expedite SCI access during work restrictions they are experiencing due to COVID.
- Commerce has seen an increase of 500% in adjudicated SCI clearances in September 2020 for a total of 45. However, this rate decreased to 16 in October.
- The CIA will need to maintain a steady pace of 15-20 SCI clearances per month to address the current backlog and support surge of new political staff within the next calendar year.

Increased role within the National Security and Intelligence Community:

- At the Department's request, the National Security Council began an NSPM-4 process to draft an Executive Order that would amend EO12333 to designate Department of Commerce as a Title 50 member of the intelligence community.
- OIS is optimizing its structure and future growth to align with the expectations, security requirements, and organizational models consistent with other intelligence community entities.
- This transition is set to begin in November 2020 and extend until 2024; future resourcing, organizational structure, and consolidation of other Department functions will be dependent on and informed by future policy action and decisions by Commerce leadership – to include any designation as a member of the intelligence community.

Relevant Internal Stakeholders

- Commerce Bureaus and Operating Units
- Herbert C. Hoover Building Commerce Tenants

Relevant External Stakeholders

- Intelligence Community
- Department of Justice
- Office of Management and Budget – Cyber
- General Services Administration

Relevant Interagency Groups

- Committee on Foreign Investment in the United States
- National Security Council
- Committee for the Assessment of Foreign Participation in the United States Telecommunication Services Sector (“Team Telecom”)
- Information Sharing Steering Committee within Office of the Director of National Intelligence

Next Steps/Upcoming Deadlines/Timing

- Plan for consolidated Sensitive Compartmented Information Facility for all Commerce Bureaus and operating units at the Commerce headquarters, due in November 2020.



Section 5-2 d – Intelligence Paper

- Due in November 2020, the *OIS Assessment and Recommendations*, lays out a strategic plan for OIS until 2024; while focused on OIS, the plan lays out key recommendations to strengthen the Department’s intelligence, security, and foreign transaction review missions Department-wide.



Department's COVID Response (OS - CFO/ASA)

Executive Summary

The Department of Commerce (DOC) thoughtfully and immediately responded to the threat of the coronavirus disease 2019 (COVID-19) by implementing a measured and managed approach focused on and guided by three core principles:

- **Employee-Driven:** The health, safety, and well-being is the top priority of the Department. It is the primary driver for decisions across all DOC facilities across the country.
- **Geographic:** Re-opening is implemented regionally using an agile framework that reacts to local conditions when and how they change.
- **Bureau-Specific:** Bureaus are empowered to make decisions regarding the re-opening of facilities that reflect their unique missions and the needs of their employees.

Early actions included standing up a COVID-19 Task Force (DOC Task Force) in January 2020 to meet about the coronavirus development in China and to plan for return of overseas personnel. The DOC Task Force consists of key Department executive personnel charged with decisions at the Department level. This group continued to meet with increasing regularity as the virus was classified as a pandemic, and now holds daily meetings for updates on the virus and its impact on DOC operations.

The Department also constituted a Bureau-level Working Group in March, which continues to meet regularly. The Working Group consists of key Department executive personnel as well as bureau representation across the Department. These groups coordinate and work together to prioritize decisions and actions to ensure the critical work of the Department can continue during the coronavirus pandemic.

Specific Steps Taken to Protect Personnel During the COVID-19 Pandemic While Maintaining Agency Operations

In response to the COVID-19 pandemic, the DOC worked closely with the White House Coronavirus Task Force to protect the health and safety of the American public and DOC employees. On March 16, 2020, in accordance with policy guidance from the White House Office of Management and Budget (OMB), DOC directed all telework ready DOC employees across the United States to telework until further notice.

On June 15, 2020, based on conditions within the Washington, DC metro area, DOC implemented Phase 1 of the Department's Reopening Plan for the Herbert C. Hoover Building (HCHB) headquarters. This action changed the Department's status from mandatory telework to maximum telework for employees whose duty station is in the HCHB. During Phase 1, up to 25% occupancy is authorized within the HCHB. At this time, DOC released a *Handbook for*



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Reopening the Herbert C. Hoover Building (HCHB) which provided detailed information on what to expect in each Phase of the reopening plan.

The Department took several steps and actions to ensure employees and personnel were protected and had access to certain resources during the COVID-19 pandemic. For those coming back into HCHB, the Department provides a respiratory hygiene center at all open entrances which include hand sanitizer, face masks, and tissues. The face masks are courtesy items if an individual has forgotten to bring their own. Soap and warm water are provided in all restrooms and breakrooms. The Department follows a cleaning protocol to ensure that high-touch spaces are disinfected daily; this includes break areas, restrooms, stairwell rails, elevator cabs, etc. The HCHB housekeeping subcontractor has purchased a dedicated electrostatic sanitization device for the HCHB.

At the Department level, Bureau Procurement Officers (BPOs) partnered with bureau officials to identify and source supplies and services necessary to respond to the pandemic. The Office of Acquisition Management (OAM) facilitated sharing of resources and procurement strategies to overcome supply and procurement challenges. OAM has provided specific information and guidance for procurement officials and purchase card holders. This includes strategies for purchasing cleaning supplies and protective equipment as well as potential sources for acquiring those items.

The Office of Facilities and Environmental Quality (OFEQ) followed CDC recommendations for building systems and as a result has increased the daily fresh air flushing sequence of the HVAC by 50% and replaced all air filters. OFEQ is also utilizing UV systems mounted inside the HVAC ducts in the renovated portion of the HCHB to destroy bioaerosols in the air stream. Plans are in place to install a similar system within the unrenovated portion of the HCHB. Plexiglass workplace dividers have been installed in customer-centric areas such as the guard's desks and other customer desks. Additionally, OFEQ is providing plans to all bureau contacts within the HCHB to designate social distancing within open areas and to indicate the number of workspaces that may be used concurrently.

If a case is confirmed either in HCHB or in another DOC facility, that information, along with the course of action taken, is communicated to the Emergency Operations Center and to members of the Task Force for record keeping and data tracking. Cleaning, aligned with current CDC guidance, occurs as needed.

Additionally, the *Handbook for Reopening the Herbert C. Hoover Building (HCHB)* provides a resource to DOC employees, managers, contractors and DOC guests on the best practices and known guidelines for reopening the HCHB. The document is informed by state/local data and has been distributed to all bureau/office "Points of Contact" as a template for other Commerce facilities to use as a basis for their reopening decisions and actions. Information in the handbook is based on a variety of sources including the CDC, OSHA, DHS, National Institute of Building Sciences, USDA, Department of Interior, Virginia Department of Health and the private sector. The guidance is employee-driven. The health, safety and well-being of employees are top priorities for the Department. The goal of the Handbook is to provide information to safely occupy the HCHB and all Commerce facilities following all CDC and OSHA guidelines, in



order to minimize the transmission of the COVID-19 virus and to maximize employee safety. The Handbook is broken into two sections: 1) details about what is offered in each phase, and 2) information on provisions, management, and responsibilities. An appendix illustrates sample signage that can be displayed in facilities related to social distancing best practices and mask wearing reminders.

To further assist employees in understanding how to safely navigate within HCHB, a video was also developed to remind employees of best practices and requirements for reentering facilities.

Cloth facemasks or coverings that cover the nose and mouth are required to enter all DOC facilities and signage is posted at all HCHB entrances as a reminder. Mask wearing is enforced by guards, supervisors, and peers. Employees are encouraged to tell their supervisors if someone is not wearing a mask.

Signage is posted throughout HCHB in lobbies, common areas, elevators, stairwells, pantries, and other public spaces reminding employees, contractors, and visitors of proper social distancing protocols. Stickers have also been placed on the floor at hallway intersections, elevator lobbies, and other common areas of employee egress to provide a visual of what is accepted as proper social distancing (6 feet).

Process Used by the Agency for Determining How and When to Allow for Workforce Reentry

Baseline metrics and methodologies were developed to support decisions regarding workforce reentry. A key component in these decisions is a dashboarding tool developed by the Census. The Census Bureau's visual analytics team developed a dashboard that synthesizes data from publicly available COVID-19 data sources, which has been normalized on key data attributes to develop a national scorecard and enable data-driven decisions. Data sources are currently focused on Public Health, Emergency Services, Food Industry, Water Supply, Transportation, and Energy. Using this tool, COVID-19 data is curated daily and analyzed to make decisions on moving safely between phases. This data driven approach was developed from guidance put forward by OPM and OMB. DOC bureaus were introduced to the tool and are actively engaged in its use. The Department also considers the local government reopening plans/phasing and the local healthcare infrastructure capacity and bureau-specific missions, and employee needs to inform reopening decisions. Decisions are based upon this information in concert with how three criteria relate to a specific location. This allows the Department to cross reference analysis of mission impact versus risk for reopening or moving to a next phase. That criteria is:

1. Downward trajectory of COVID and COVID-like symptoms;
2. Downward trajectory of cases; and
3. Hospital capacity

The dashboard data sources (note not all are displayed in the tool) include the following:



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- ✓ JHU COVID-19
 - Case Prevalence
 - Death Rates
- ✓ COVID Tracking Project
 - Hospitalization
 - Ventilator Utilization
- ✓ Medical Supplies
 - High Risk Supplies
 - Companies in Supply Chain
- ✓ CDC
 - State Case Rates & Projections
 - Social Vulnerability Index
 - Adult Smoking Population
 - National Disease Surveillance
- ✓ WHO Health Indicators
- ✓ Model Output
 - AFS SEIR-HDV Model
 - AFS Risk Score
 - CDC SEIR Model
- ✓ Census
 - Population Estimates
 - Demographics
- ✓ HIFLD (*Homeland Infrastructure Foundation-Level Data*)
 - Public Health Facilities
 - Public Venues
 - Infrastructure (e.g., Power Plants, Water Supply)
 - Education
 - Transportation
- ✓ Bureau of Labor Statistics
 - Unemployment
 - Trade Analysis
- ✓ Social Distancing Analysis
 - Google Collection by County
 - State-Level Announcements
 - Brandwatch Social Listening
- ✓ CHR (*County Health Rankings*)
- ✓ Weather Data
- ✓ Geolocation based Traffic Data
- ✓ Dept of Veteran's Affairs
 - Demographics
 - Hospital Facilities
- ✓ USDA
 - FSA Locations
 - Crop Data

Departmental Protocols for When an Employee Tests Positive for Coronavirus

The DOC requests that employees who are working within the HCHB, or other facilities, keep a journal of their path to provide to their supervisor should they become ill. If an employee in HCHB tests positive, the supervisor alerts the Bureau contact who, in turn, alerts the Office of Security (OSY). If the employee was last in the building within seven days, the Bureau alerts all employees in the suite to self-quarantine. The OSY and OFEQ lock the door to the suite and OFEQ coordinates an infectious disease cleaning. The suite is typically reopened 24 hours after that cleaning. If the employee has not been in the HCHB within 7 days, then special cleaning occurs. HCHB employees are notified if the building is closed for cleaning. OFEQ also coordinates with the Government Services Administration (GSA) as needed to communicate building closures, affirm cleaning protocols, and to remain updated on all related processes/procedures as necessary. If a case is confirmed either in HCHB or in another DOC facility, that information, along with the course of action taken, is communicated to the EOC and to members of the Task Force for record keeping and data tracking.

Description of Inter-Agency and Inter-Department Cooperation

In formulating agency guidance, DOC regularly consults with federal partners, including OMB and OPM. Additionally, the White House Coronavirus Task Force is regularly notified of agency updates and mass communications. To understanding the broader, federal and governmental context, the DOC Working Group works on several internal fronts to disseminate and collect information across the bureaus. One example is regular meetings with key bureau Points of



Contact, Bureau Leadership, and COVID leadership forums, wherein guidance for gating, phased reopening, cleaning and facilities is discussed with the bureaus and comments are elicited. Similarly, the OFEQ separately hosts a tenant council, a real property council, and monthly HCHB renovation meetings where the latest guidance and best practices are discussed.

The DOC stays abreast of CDC and OSHA communications both within OFEQ and within OHRM. Further, OFEQ regularly meets with the GSA to share information and to understand best practices for management across the federal real property spectrum.

The DOC Task Force participates in weekly meetings of the President’s Management Council (PMC). The PMC provides updates on topics such as telework, leave policies, employee travel, federal re-openings, and additional discussion on CDC guidance. Additionally, the PMC is a forum for interagency collaboration and discussion on COVID-19 response. DOC submits weekly reports to the PMC on its own status of facilities.

Communications and Information Sharing Across the Department

The Department meets regularly with bureau points of contact to share overall guidance, review key metrics from the Census dashboard, and understand bureau concerns. After weighing all the guidance, data, and concerns, the Department works in concert with the bureaus to implement re-openings in specific geographic regions. Additionally, the Handbook and Video have been resources to DOC employees, managers, contractors, and DOC guests on the best practices and known guidelines. These resources were made available to all bureau/office POCs as a template for other Commerce facilities to use as a basis for their reopening decisions and actions.

Additional information related to daily occupancy limits, requirements for mask-wearing, social distancing protocols, and disinfecting protocols are also regularly shared with field office locations, components, and subcomponents. DOC also launched a public web page on March 20, 2020, containing links to resources, guidance, and DOC Communications for DOC employees concerning the outbreak of the COVID-19 coronavirus. Additionally, DOC Broadcast emails are sent out to all DOC employees anytime there is a COVID related update to DOC guidance, training, or building opening/closure.

Links

Handbook for Reopening the Herbert C. Hoover Building (HCHB):

<https://connection.commerce.gov/overview/hchb-office-reopening#handbook>

HCHB COVID Safety Video:

<https://connection.commerce.gov/overview/hchb-office-reopening#welcomeback>



CARES Act Implementation Overview / Support Regions Impacted by Coronavirus (CFO/ASA, EDA, NOAA, NIST, MBDA)

Executive Summary

On March 27, 2020, Congress enacted the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. 116-136 (CARES Act). The CARES Act appropriated nearly \$2 billion in supplemental funds to the Department of Commerce's following four bureaus:

- **Economic Development Administration (EDA): \$1.5 billion**
- **National Oceanic and Atmospheric Administration (NOAA): \$320 million**
- **National Institute of Standards and Technology (NIST): \$66 million**
- **Minority Business Development Agency (MBDA): \$10 million**

OMB Memorandum M-20-21, Implementation Guidance for Supplemental Funding Provided in Response to the Coronavirus Disease 2019 (COVID-19) dated 10 April 2020 directs agencies that received CARES Act appropriations to leverage and continue to employ existing financial transparency and accountability mechanisms wherever possible. In balancing speed with transparency, agencies are to consider the following three core principles: 1) Mission achievement, 2) Expediency, and 3) Transparency and accountability.

OMB M-20-21 also directs covered agencies to report on a monthly basis all CARES Act spending via the USASpending.gov website using Disaster Emergency Fund Codes (DEFC). Additionally, this memo mandates that agency Deputy Secretaries must review at least quarterly the progress made on program performance under the COVID-19 relief legislation. The Department's CFO/ASA will ensure a proper oversight approach (e.g., governance, management, and reporting) to ensure these funds are properly distributed in accordance with the legislation and OMB policy.

Background: EDA

The mission of Economic Development Administration (EDA) is to lead the federal economic development agenda by promoting innovation and competitiveness, preparing the nation's regions for growth and success in the world economy. EDA makes investments through Economic Development Districts, non-profits, University Centers, and Tribes. EDA does not invest directly in private sector, for-profit entities.

Within the Department of Commerce, the largest sum of CARES Act funds were appropriated to EDA to "prevent, prepare for, and respond to coronavirus . . . including for necessary expenses for responding to economic injury as a result of coronavirus." Congress appropriated the funds pursuant to sections 209 and 703 of the Public Works and Economic Development Act of 1965 (PWEDA), 42 U.S.C. §§ 3149 and 3233, which allow EDA to be flexible and responsive to the



Section 5.3 b – CARES Act Implementation

economic development needs and priorities of local and regional stakeholders, and permits EDA to make grants up to a 100% federal contribution. On May 7, 2020, EDA published an addendum to its FY20 Public Works and Economic Adjustment Assistance (PWEAA) Notice of Funding Opportunity (NOFO) to announce the availability of the CARES Act funding (NOFO Addendum). Congress further stipulated that CARES Act funds must be obligated (i.e., awarded as grants) by September 30, 2022.

Because of the unusual and compelling urgency of the economic dislocations caused by the coronavirus pandemic, EDA determined that the public interest would be served by using a portion of its supplemental CARES Act funding to make non-competitive awards to existing high-performing EDA grant recipients with unique capacities to respond rapidly to the situation. EDA made non-competitive awards of up to \$400,000 to a network of Economic Development Districts, up to \$300,000 for University Centers, and up to \$150,000 to Tribes. The awards fund the cost of economic recovery coordination and technical assistance activities to support recovery from the pandemic within the geographic area served by the organization.

In addition, EDA launched the new Scaling Pandemic Resilience Through Innovation and Technology (SPRINT) Challenge on Wednesday, October 14, 2020. The SPRINT Challenge is a \$25 million national competition funded by the CARES Act. With the publication of the SPRINT Challenge Notice of Funding Opportunity (NOFO), EDA seeks projects which will enable organizations across the country to address the economic, health, and safety risks caused by the coronavirus pandemic through entrepreneurship and innovation.

The deadline to apply for the Challenge is December 3, 2020. Eligibility is open to cities, counties, states, other political subdivisions of states, and Indian Tribes; public or private nonprofits; institutions of higher education; and EDA-Economic Development Districts. Individual grants will be awarded up to \$500,000 over a 12-month period of performance or up to \$750,000 over an 18-month period of performance. Project focuses may include, but are not limited to, scaling innovative biotechnology, health security, and supply chain technologies and solutions to market; increasing regional, national, and government connectivity across innovation clusters to support commercialization and entrepreneurship; developing new and unique investment capital models to address the financial needs of entrepreneurs; or developing and scaling innovative entrepreneurship support models to address the virtual and remote work environment of the pandemic. EDA's Office of Innovation and Entrepreneurship will administer the SPRINT Challenge, as authorized through the CARES Act.

Also, the CARES Act permitted up to \$30 million of the \$1.5 billion be available for EDA staff and operations and \$3 million be provided to the Office of the Inspector General (OIG) to conduct CARES Act oversight. The remaining \$1,467 billion has been allocated to EDA for grants (see allocation chart below). As of September 30, 2020, \$805,318,244 in CARES Act funds have been obligated to 784 grantees throughout the U.S. This represents 55.5 percent of the \$1,467,000,000 available for EDA grant awards under the CARES Act. These funds were primarily awarded non-competitively to previous EDA grantees in good standing.

Based on recent discussions with EDA's six regional offices, it is expected that virtually all remaining CARES Act funds will be awarded competitively. Existing, yet to be considered,



competitive applications exceed remaining unobligated CARES Act funds and EDA is rapidly approaching being significantly oversubscribed with applications for CARES Act funds.

Finally, for more than 40 years, EDA has supported a revolving loan fund (RLF) program. The RLF program is a key part of EDA's CARES Act implementation as well. Under this program, EDA makes grants to eligible recipients to capitalize and operate RLFs to make interest-bearing loans to small businesses that were unable to secure private financing. RLFs serve a wide range of businesses from sole-proprietorships to small manufacturing companies. Depending on the RLF, loans may be made for many purposes, including expansion or renovation of facilities, equipment acquisition, and working capital. As loans are repaid, the principal and interest are returned to the RLF and made available for relending. In this way, EDA-funded RLFs have become an important part of their communities' economic development infrastructure. Existing RLF recipients are the only current EDA partners that are capable of meeting the need for additional business working capital that EDA has determined is essential for immediate response to the coronavirus pandemic. High-performing RLF grantees were invited to apply for an award to provide additional RLF capital for lending and funding for increased administrative costs associated with making these loans at zero interest or granting forbearances on existing loans. Non-competitive CARES Act awards were made at a 100 percent grant rate which resulted in approximately \$585 million across 297 RLF awards

Background: Other bureaus

On May 7, 2020, the Department of Commerce announced the allocation of the \$300 million in fisheries assistance funding provided by Section 12005 of the CARES Act to states, territories, and Tribes with coastal and marine fishery participants who have been negatively affected by COVID-19. Details and a summary of the allocations are available at

<https://www.fisheries.noaa.gov/feature-story/commerce-secretary-announces-allocation-300-million-cares-act-funding>.

NOAA's National Marine Fisheries Service overriding goal is to distribute the assistance as quickly as possible, and they are actively working with three Interstate Marine Fisheries Commissions, which is assisting the states, territories, and Tribes with the development of spend plans for NOAA approval.

In July, NIST awarded a total of \$50 million in emergency funding to support U.S. manufacturers in their response to the COVID-19 pandemic through the Manufacturing Extension Partnership and an additional \$10 million to the National Institute for Innovation in Manufacturing Biopharmaceuticals (NIIMBL) and other institutes of NIST's Manufacturing USA Program. The \$50 million will allow the NIST Manufacturing Extension Partnership (MEP) centers in all 50 states and Puerto Rico to offer services that help manufacturers increase production of products that support the response to the pandemic, such as personal protective equipment (PPE), and to reach new suppliers or markets, recover from workforce and supply chain interruptions, and achieve greater resilience. (NIST plans to announce the impact of these funds in April 2021). The \$10 million was awarded for high-impact biopharmaceutical manufacturing projects to support the Nation's response to the COVID-19 pandemic.



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In June, MBDA announced the deployment of \$10 million in CARES Act funding to the network of MBDA Business Centers and national minority chambers of commerce. The grants will be used for education, training, and advising small and minority business enterprises in their recovery from the effects of the COVID-19 crisis. Funding is provided for a 12-month period from June 1, 2020 through May 31, 2021.

Key Progress to Date:

The vast majority of CARES Act funding was allocated to EDA's six regions. The allocations and obligations as of September 30, 2020, follow:

Region	Allocation	Obligation	Percent Obligated
Philadelphia	\$259,000,000	\$208,051,885	80.3%
Atlanta	\$248,000,000	\$156,198,774	63.0%
Denver	\$193,000,000	\$115,943,718	60.1%
Chicago	\$225,000,000	\$107,440,204	47.8%
Seattle	\$266,000,000	\$148,745,227	55.9%
Austin	\$236,000,000	\$68,587,189	29.1%
HQ	\$40,000,000	\$351,247	de minimus
Total	\$1,467,000,000	\$805,318,244	55.5%

Key Challenges to Date:

- While the special hiring authority provided by the CARES Act has been extremely helpful in expediting work under the CARES Act, not all hiring actions are complete and this can slow down overall grant processing. EDA is working hard to finalize all HR CARES Act actions to level out workloads across all offices and maximize added staff capacity. As of September 30, 2020, of 99 targeted CARES Act new hires, EDA has hired 69 CARES Act temporary employees who are appointed for two years. EDA anticipates filling the remaining 30 CARES positions by the end of the calendar year.
- CARES Act temporary hires are funded through September 2022, while many CARES Act funded projects will continue to be implemented in some cases until 2027, thus potentially leaving EDA in a challenging staffing circumstance after September 2022.
- Projects with complicated property and title issues or awards that trigger more extensive environmental reviews under the National Environmental Policy Act (NEPA) or the Historic Preservation Act often take longer than originally anticipated.
- Applicants may have local capacity issues that can impact the speed at which applications are submitted to EDA or fully executed. Some of these communities had limited administrative capacity pre-pandemic and others have lost economic development expertise because of the pandemic.
- EDA's internal systems are cumbersome and outdated as are EDA's technology tools. Extensive work is underway to modernize these systems using state of the art technology and improve management of data.
- As mentioned above oversized demand for CARES Act funds represents a significant challenge.



Relevant Internal Stakeholders

- The Secretary of Commerce and the Office of the Secretary
- The Office of the Inspector General

Relevant External Stakeholders

- EDA's local and regional economic development partners across the U.S.
- Congress: An informed House and Senate are critical in efforts to successfully administer the distribution of CARES Act funding
- GAO and OMB

Next Steps/Upcoming Deadlines/Timing

- Congress appropriated the CARES Act funding such that all obligations must be incurred (i.e., grant awards made) by September 30, 2022
- Ongoing GAO and DOC OIG audits



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Section 6. Herbert C. Hoover Building

6-1 HCHB Services Guide

6-2 HCHB Transportation and Parking Information

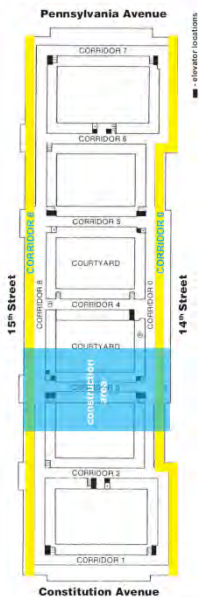
6-3 HCHB Occupant Emergency Plan

HCHB History and Facts

- **1928:** As authorized in the 1926 Public Buildings Act, Congress approved the purchase of the land later known as the Federal Triangle
- **July 1929:** President Herbert C. Hoover laid building cornerstone
- **1932:** Construction completed, building occupied. At the time, largest office building in the world at 1.8M square feet of space
- **1968:** Air conditioning added
- **Dec 1981:** Renamed the Herbert C. Hoover Building (Hoover was Commerce Secretary from 1921-1928)
- **Jan 2008:** GSA started phased renovation/restoration program
- **July 2015:** Accepted the first modernized section of the new 21st Century design into the revised HCHB Program of Record

HCHB Renovation & Modernization Project

Construction bypass on 6th Floor in Corridors 0&8



Contact:

OAS-OBR@doc.gov

Renovation Phases:

Phase 1: Completed November 2009

Phase 2: Completed July 2012

Phase 3: (non-Pilot Project) Completed August 2014

Phase 3: (Pilot Project) Completed July 2015

Phase 4: Final completion November 2020

Phase 5: Design 2021-2022

Phases 5 - 8: 2023-2031

OFFICE OF FACILITIES AND ENVIRONMENTAL QUALITY (OFEQ)

OFFICE OF THE DIRECTOR

HCHB 2865 | 202-482-1200 | ContactOFEQ@doc.gov

Important Numbers

HCHB Security Office

Non-Emergency 202-482-4584

Emergency 202-482-2222

HCHB Security Service Center

202-482-8355

PIV Cards | Room 1522 (Mon-Fri 8:30-5pm)

Health Unit

202-482-4088

Credit Union

202-808-3600

Employee Assistance Program

Room 6063 | Phone 202-482-1569



OFFICE OF FACILITIES AND ENVIRONMENTAL QUALITY

HERBERT C. HOOVER BUILDING SERVICES GUIDE

SUSTAINABLE ENERGY AND ENVIRONMENTAL PROGRAMS



REAL PROPERTY PROGRAMS



BUILDING RENOVATION



SPACE AND BUILDING MANAGEMENT



U.S. DEPARTMENT OF COMMERCE

1401 Constitution Avenue, NW
Washington, DC 20230

October 2020



OFFICE OF FACILITIES AND ENVIRONMENTAL QUALITY

OFEQ Services

Space and Building Management: Room C100

- Business Cards/Door Signs 202-482-8200
- Child Care 202-482-1587
- Commuter Programs
 - Parking/Carpool/Bicycle/Transit Subsidies
202-482-117 or 3555
- Conference Room Reservations 202-482-3555
- Graphics and Printing 202-482-8200
- Heating/Cooling, Plumbing and Electric
202-482-1340
- Mail Room 202-482-4447
- Moving Services 202-482-6215
- Space Planning and Office Alterations
202-482-1348
- Trash Pickup and Cleaning Services 202-482-5406

Real Property Programs: Room 2861

- 202-482-8344

Energy and Environmental Programs: Room 2062

- Green Store Room 2508
(Monday & Wednesday 10am-12pm)

Building Renovation: Room C100

- 202-482-1007



Pennsylvania Avenue

Constitution Avenue

October 2020

Entrances

- E1** Main Entrance (Security Check Point)-24 hours
- E2** Secretary's Entrance Mon-Fri 6:30am-7:30pm
- E3** Tunnel Entrance (Hours same as E2)
- E4** 14th & Pennsylvania Ave. (Hours same as E2)
- E5** 15th & Constitution Ave. (Hours same as E2)
- E6** Courier Entrance Mon-Fri 7:30am-5:00pm

\$ ATM Tunnel Entrance, Lobby, Credit Union

Auditorium Adjacent to Room #1415

Business Café Rooms 52019 & C004

R.S. Snack Bar Room 6874
Mon-Fri 8:00am-4pm

Cafeteria (Basement)
Breakfast: 6:30-10am, Lunch: 11am-3pm

Child Care Center Room 1621 **202-482-1587**

Credit Union Room B-0038 **202-808-3600**

Fitness Center Room 2898 **202-482-0437**

Green Store Room 2511

Health Unit Room 6046 **202-482-4088**

Office Supply Store Room B4010

Research Library Room 1894

HCHB Security Service Center Room 1522



Herbert Clark Hoover Building (HCHB)
Transportation, Directions, and Parking Information
Department of Commerce Headquarters
1401 Constitution Avenue, NW

The main Commerce Building, Herbert C. Hoover Building (HCHB) is located at 14th Street and Constitution Avenue, NW in Washington DC. The main entrance is on 14th Street at the crosswalk that connects the north end of the Ronald Reagan Building in the middle of the block to HCHB.



Metro

The quickest way to get to the Department of Commerce is via the Metro Rail or bus. When taking Metro Rail, exit at Federal Triangle (Blue/Orange/Silver lines). Commerce is a short walk from the Federal Triangle Station; after exiting the Metro station, take the first set of escalators, bear right and continue through the breezeway; cross the courtyard and enter the Ronald Reagan Building. There is a security checkpoint here. Continue walking through the Reagan Building in the same direction; through the atrium and around the escalators; continue through the food court and through the double doors to the tunnel. Upon arriving at the HCHB basement tunnel entrance, additional security verification is required to gain entrance into the HCHB.



Section 6-2 b – HCHB Transportation and Parking Information

Note: In the unlikely event the tunnel is closed, take the escalators to the mezzanine level and exit the Ronald Reagan Building to the street. Follow the sidewalk around to the right leading to the crosswalk, at the crosswalk cross the street to the Department of Commerce, HCHB Building. The same security verification above applies.

Bicycle & Motorcycle Parking

The HCHB has 67 bicycle racks available for DOC employees, contractors and agency review team members. The racks are located in both the south and north courtyards. Motorcycle parking is available in both the south and north courtyards under the arches. Please be advised that security verification is required to gain entry into the courtyards.

Vehicle Parking

Two visitor parking spaces have been reserved at the Ronald Reagan Parking Garage for the agency review team: parking passes will be issued by the Transition/Landing Team Coordinator, as appropriate. On-site visitor parking is unavailable.

Additionally, public parking is available across the street from the HCHB at the Ronald Reagan Parking Garage. Costs range from \$12 for one hour or less, \$20 for 1-2 hours, \$22 for 2-4 hours, \$25 for 4-15 hours and \$35 for 15-24 hours.

For more information, please contact the Office of Space and Building Management at 202-482-1340.



U.S. Department of Commerce Herbert C. Hoover Building Occupant Emergency Plan



Herbert C. Hoover Building
14th & Constitution Ave., NW
Washington, D.C. 20230

May 2020

Quick Reference Guide

Herbert C. Hoover Building (HCHB)
Occupant Emergency Plan (OEP)

Reporting Emergencies

Call **(202) 482-2222 or 911** and provide your name, location, and as much detail as possible.

Reporting Medical Emergencies

- For life-threatening emergencies, call **(202) 482-2222 or 911**.
- For non-life-threatening emergencies, call (202) 482-4088 or go to the Health Unit, Room 60045.

Receiving A Bomb Threat

- Obtain as much information as possible from the caller and stay on the phone for as long as possible.
- Solicit assistance from co-workers (if possible) and notify your supervisor and the guard force at **(202) 482-2222**.
- Use a Telephone Bomb Threat Checklist to ascertain as many details from the caller as possible.

Reporting A Fire

- Call **(202) 482-2222 or 911**, giving your name, location, and the nature of the fire.
- If you feel safe in doing so, rescue any person in immediate danger.
- Locate the nearest fire alarm device and activate it.
- Confine the fire by closing doors on your way to the nearest exit.
- Evacuate the building.

Occupant Response Actions

Smoke, Fire, or Explosion ***Inside*** the Building:

- Evacuate the immediate area.
- Ensure that the building fire alarm system has been activated.
- Do not attempt to fight the fire unless you have been trained and feel safe in doing so.
- If the fire alarm system has been activated, leave the building immediately.
- Report to your pre-determined "Rally Point" in your pre-determined "Assembly Area."
- **Ensure that your supervisor knows that you are out of the building and safe.**

Smoke, Fire, or Explosion ***Outside*** the Building:

- If you notice smoke or fire outside, remain in the building unless emergency management personnel provide direction to take other actions.
- If an explosion occurs, stay away from windows, and move to an interior portion of the building.

Active Shooter *Inside* the Building:

- If you are alerted to an *Active Shooter* you should with caution **RUN-HIDE-FIGHT**.
- Listen for emergency announcements.

Chemical, Biological, Radiological, Nuclear Spills or Releases:

- If the incident is ***outside***, remain inside the building and move to an interior portion of the building. Stay away from windows.
- If the incident is ***inside***:
 - Evacuate the immediate area.
 - Call **(202) 482-2222 or 911** and provide your name, location, and as much information as possible.
 - Alert others not to enter the area. Ask those who were in the area to stay together in a group keeping their distance from anyone else.
 - Remain (and have others who were in the area) available to give information to first responders.
 - Do not attempt to clean up a spill.

Suspicious Package:

- Avoid touching or handling the package.
- Do not use cell phones.
- Call **(202) 482-2222**.
- Report the package to your supervisor.
- Isolate the package and close off the area by shutting all doors and windows.

Civil Demonstrations or Disturbances Outside of the Building:

- Move away from the windows and remain inside.
- Call **(202) 482-2222** to report the occurrence.
- **DO NOT** engage in confrontation with demonstrators.
- **If you are outside and cannot gain access to the building, go to a safe location, and call your supervisor for guidance.**

Earthquakes:

- Move away from windows.
- Drop down onto your hands and knees so the earthquake does not knock you down.
- Cover your head and neck with your arms to protect yourself from falling debris.
- If you are in danger from falling objects, and you can move safely, crawl towards cover under a sturdy desk or table.
- If no sturdy cover is nearby, crawl away from windows, next to an interior wall; stay away from glass, windows, outside doors and walls, and anything that could fall (i.e. light fixtures or furniture).
- Be prepared for aftershocks.
- After tremors have ceased await guidance on if it is safe to evacuate the HCHB.

- Remember that stairwells can be damaged. Exercise extreme caution when using them to evacuate.
- Move away from buildings, streetlights, sinkholes, and utility wires and proceed to your designated assembly area.

Tornadoes or High Winds:

- You will be notified of dangerous wind conditions by:
 - The telephone Emergency Broadcast System.
 - The building public address system.
 - Your supervisor.
- Stay away from windows and follow the guidance given.

Elevator Entrapment:

- A telephone system is available in each elevator car to contact the guard desk.
- **DO NOT** force the elevator doors open.
- Relax and wait for assistance.

Occupant Responsibilities

Occupants of the HCHB have the following responsibilities:

- Know the emergency procedures in this Occupant Emergency Plan (OEP).
- Know the locations of exits, fire alarm stations
- Notify your supervisor if you have any concerns or issues related to emergency preparedness.
- As a sponsor, ensure that your visitors are escorted and informed of applicable procedures during emergencies.
- Follow the instructions of Emergency Response Team members during emergencies.
- Report to your supervisor so you can be accounted for during emergencies.

Supervisor Responsibilities

Supervisors are responsible for the safety and security of their employees. They **will**:

- Identify staff that may need additional help or training.
- Ensure that their staff is aware of emergency procedures and receives necessary training.
- Establish “Rally Points” in the pre- identified “Assembly Areas” and instruct staff to report to those areas if an evacuation is ordered.
- Establish “Assembly Areas” in the interior portions of the building for their staff to congregate during a Shelter-In-Place event.
- Establish a mechanism to account for their staff in emergency situations.
- Report accounting of their staff up their chain of command.
- (Based upon need and location) Supervisors will assist or provide employee(s) as a designated ERT member to assist in the safe and orderly evacuation of other employees.

Contracting Officer Representative

Contracting Officer Representative are responsible for the safety and security of their contractors and **will**:

- Ensure that their contractor(s) are aware of emergency procedures and receives necessary information.
- Establish an assembly area and for their contractors to congregate during a Shelter-In-Place event.
- Establish procedures to account for their contractors in emergency situations.

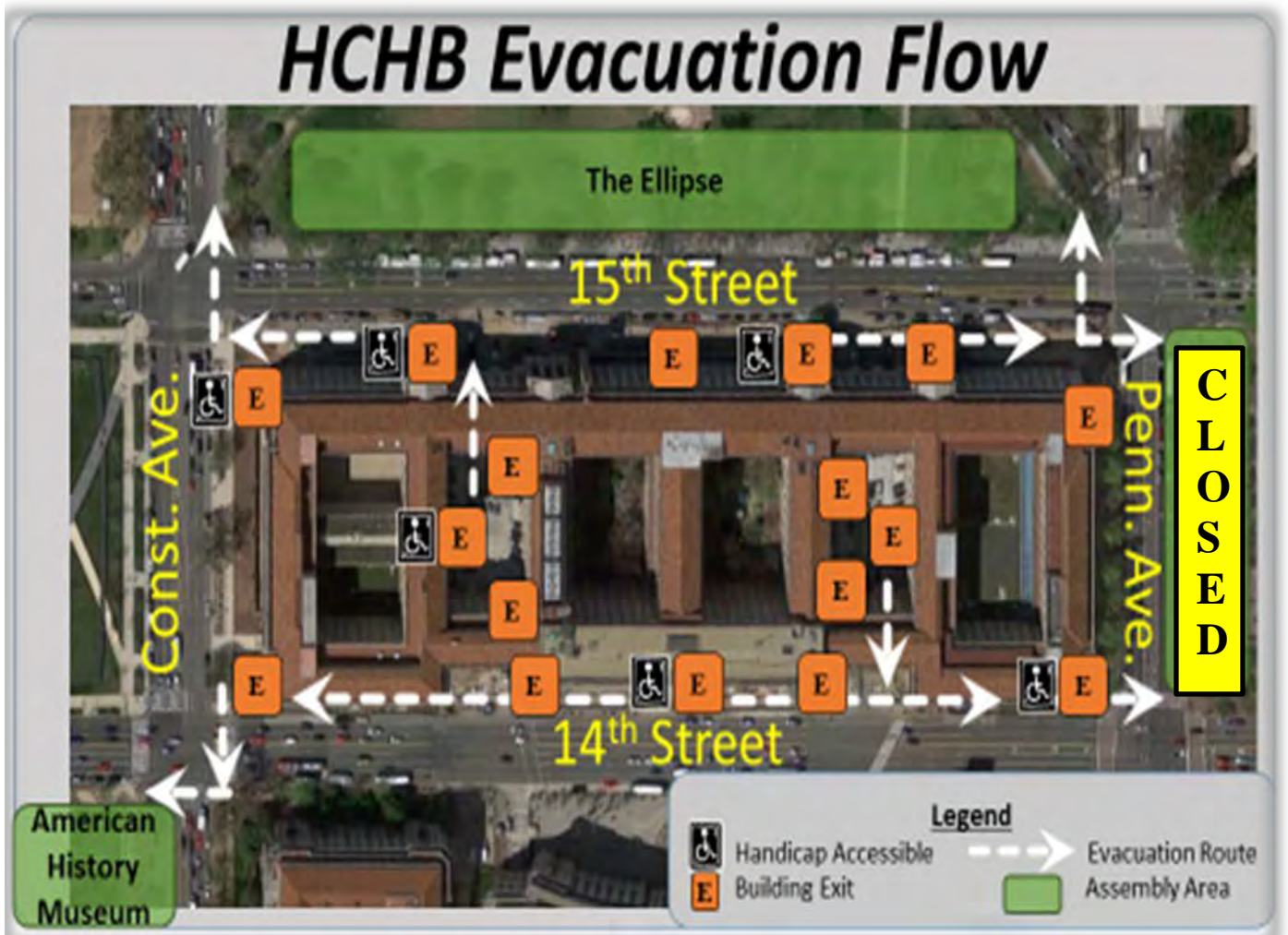
Evacuation Instructions for Occupants with Special Needs

Work with your supervisors and co-workers to establish a workable “buddy” system for your safety during an emergency.

- Confidentially and voluntarily self-identify with the HCHB Office of Security via CD Form 493.
- Recruit at least three “buddies” to increase the likelihood of one of them being present.
- Participate in formulating a plan with your “buddies” that identifies how they will assist you.
- Exercise your plan with your “buddies.”

Appendix 2

Emergency Exits, Evacuation Routes, And Assembly Areas Map Update



Note: Exits may change to facilitate the ongoing building renovation. Please ensure you are aware of your nearest exits and any changes.

Temporary Relocation to Freedom Plaza



Appendix 3

Reporting Emergencies

Should you become aware of an emergency situation anywhere within the HCHB, it is urgent that you report it immediately. Circumstances such as smoke, fire, suspicious packages, and medical emergencies should all be reported promptly to activate the building's emergency response system.

**ALL EMERGENCIES Call HCHB Security Dispatch
at
(202) 482-2222**

**Other Important Telephone Numbers:
HCHB Security Dispatch Office Non-Emergency
(202) 482-4584**

**Emergency Operations Center
(202) 482-5100**

**Medical Issues:
Health Unit
(202) 482-4088**

**Building Maintenance:
Building Manager's Office
(202) 482-1340**

**Safety Issues:
(202) 482-1340**

**HCHB Status Line:
(202) 482-7400
1-877-860-2329**